MR. PRESIDENT:

The Committees on Public Order and Dangerous Drugs, Justice and Human Rights and Constitutional Amendments and Revision of Codes to which were referred S. No. 27, introduced by Senator Gregorio Honasan II, entitled:

AN ACT
AMENDING REPUBLIC ACT NO. 8049 ENTITLED "AN ACT REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS AND PROVIDING PENALTIES THEREFOR", AND FOR OTHER PURPOSES

S.No. 199, introduced by Senator Sherwin Gatchalian, entitled:

AN ACT
PROHIBITING HAZING AND REGULATING OTHER FORMS OF INITIATION RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8049
S.No. 223, introduced by Senator Vicente Sotto III, entitled:

AN ACT
AMENDING SECTION 4 OF REPUBLIC ACT NO. 8049, OTHERWISE KNOWN AS AN ACT REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS AND PROVIDING PENALTIES THEREFOR

S.No. 1161, introduced by Senator Loren Legarda, entitled:

AN ACT
PROHIBITING HAZING AND REGULATING OTHER FORMS OF INITIATION RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8049

S.No. 1591, introduced by Senator Juan Miguel F. Zubiri, entitled:

AN ACT
PROHIBITING HAZING AND REGULATING OTHER FORMS OF INITIATION RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND PROVIDING PENALTIES FOR VIOLATION THEREOF, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 8049

And S.No. 1609, introduced by Senator Paolo Benigno “Bam” Aquino IV, entitled:

AN ACT
AMENDING REPUBLIC ACT NO. 8049 ENTITLED “AN ACT REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS AND PROVIDING PENALTIES THEREFOR”, AND FOR OTHER PURPOSES

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached Senate Bill No. 1662

___________, prepared by the Committees, entitled:
“AN ACT
AMENDING REPUBLIC ACT NO. 8049 TO STRENGTHEN THE LAW
ON HAZING AND REGULATE OTHER FORMS OF INITIATION
RITES OF FRATERNITIES, SORORITIES, AND OTHER
ORGANIZATIONS, PROVIDING PENALTIES THEREFOR, AND FOR
OTHER PURPOSES”

be approved in substitution of S.Nos. 27, 199, 223, 1161, 1591 and 1609,
with Senators Honasan, Gatchalian, Sotto, Legarda, Zubiri, Aquino, and
Lacson as authors thereof.

Respectfully Submitted:

SEN. PAMELO M. LACSON
Chairman,
Committee on Public Order & Dangerous Drugs
Vice Chairman, Committee on Justice & Human Rights
Member, Committee on Constitutional Amendments & Revision of Laws
SEN. RICHARD J. GORDON
Chairman, Ctte. on Justice & Human Rights
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. FRANCIS PANGILINAN
Chairman, Ctte. on Constitutional Amendments & Revision of Codes
Member, Ctte. on Justice & Human Rights

Members:

SEN. GREGORIO B. HONASAN II
Vice Chair, Ctte. On Public Order & Dangerous Drugs

SEN. GRACE POE
Vice Chair, Ctte. on Public Order & Dangerous Drugs
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. LOREN B. LEGARDA
Member, Ctte. On Public Order & Dangerous Drugs
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. MARIA LOURDES NANCY S. BINAY
Member, Ctte. On Public Order & Dangerous Drugs

SEN. EMMANUEL “MANNY” PACQUIAO
Member, Ctte. On Public Order & Dangerous Drugs
Member, Ctte. on Justice & Human Rights

SEN. JOSEPH VICTOR G. EJERCITO
Member, Ctte. On Public Order & Dangerous Drugs
Member, Ctte. on Justice & Human Rights
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. ANTONIO F. TRILLANES IV
Member, Ctte. On Public Order & Dangerous Drugs

SEN. LEILA M. DE LIMA
Member, Ctte. On Public Order & Dangerous Drugs
SEN. JUAN MIGUEL F. ZUBIRI  
Member, Ctte. on Justice & Human Rights

SEN. SONNY ANGARA  
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. RISA HONTIVEROS  
Member, Ctte. on Justice & Human Rights  
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. FRANCIS G. ESCUDERO  
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. CYNTHIA VILLAR  
Member, Ctte. on Constitutional Amendments & Revision of Codes

SEN. PAOLO BENIGNO AQUINO IV  
Member, Ctte. on Constitutional Amendments & Revision of Codes

Ex-Officio Members:

SEN. FRANKLIN M. DRILON  
Senate Minority Floor Leader

SEN. VICENTE C. SOTTO III  
Senate Majority Floor Leader

SEN. RALPH G. RECTO  
Senate President-Pro Tempore

HON. AQUILINO “KOKO” PIMENTEL III  
Senate President  
Senate of the Philippines  
Pasay City
Introduced by the Committees on Public Order and Dangerous Drugs, Justice and Human Rights, and Constitutional Amendments and Revision of Codes, with Senators Honasan, Gatchalian, Sotto, Legarda, Zubiri, Aquino and Lacson as Authors thereof

AN ACT

AMENDING REPUBLIC ACT NO. 8049 TO STRENGTHEN THE LAW ON HAZING AND REGULATE OTHER FORMS OF INITIATION RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title. – This Act shall be known as the “ANTI-HAZING ACT OF 2018.”

SEC 2. Section 1 of R.A. No. 8049 is hereby amended to read as follows:

“SECTION 1. DEFINITION OF TERMS. – FOR PURPOSES OF THIS ACT:

A. Hazing[,] – [as used in this Act, is] REFERS TO ANY PHYSICAL OR PSYCHOLOGICAL SUFFERING, HARM, OR INJURY INFlicted ON A RECRUIT, MEMBER, NEOPHYTE, OR APPLICANT AS A FORM OF an initiation rite or practice MADE as a prerequisite for admission [into] OR A REQUIREMENT FOR CONTINUING membership in a fraternity, sorority or organization [by placing the] INCLUDING BUT NOT LIMITED TO PADDLING, WHIPPING, BEATING, BRANDING, FORCED CALISTHENICS, EXPOSURE TO THE WEATHER, FORCED CONSUMPTION OF ANY FOOD, LIQUOR, BEVERAGE, DRUG OR OTHER SUBSTANCE, OR ANY OTHER BRUTAL TREATMENT OR FORCED PHYSICAL ACTIVITY WHICH IS LIKELY TO ADVERSELY AFFECT THE PHYSICAL AND PSYCHOLOGICAL
HEALTH OF SUCH recruit, MEMBER, neophyte or applicant [in some embarrassing or humiliating situations such as forcing him to do menial, silly, foolish and other similar tasks or activities or otherwise subjecting him to physical or psychological suffering or injury]. THIS SHALL ALSO INCLUDE ANY ACTIVITY, INTENTIONALLY MADE OR OTHERWISE, BY ONE PERSON ALONE OR ACTING WITH OTHERS, THAT TENDS TO HUMILIATE OR EMBARRASS, DEGRADE, ABUSE, OR ENDANGER, BY REQUIRING A RECRUIT, MEMBER, NEOPHYTE OR APPLICANT TO DO MENIAL, SILLY, OR FOOLISH TASKS.

B. ORGANIZATION – REFERS TO AN ORGANIZED BODY OF PEOPLE WHICH INCLUDES BUT IS NOT LIMITED TO ANY CLUBS, ASSOCIATIONS, AND GROUPS. [The] THIS term ["organization"] shall include [any club or] the Armed Forces of the Philippines (AFP), THE Philippine National Police (PNP), THE Philippine Military Academy (PMA), THE PHILIPPINE NATIONAL POLICE ACADEMY (PNPA) AND OTHER SIMILAR UNIFORMED SERVICE LEARNING INSTITUTIONS [or officer and cadet corp of the Citizen's Military Training and Citizen's Army Training. The physical, mental and psychological testing and training procedure and practices to determine and enhance the physical, mental and psychological fitness of prospective regular members of the Armed Forces of the Philippines and the Philippine National Police as approved by the Secretary of National Defense and the National Police Commission duly recommended by the Chief of Staff, Armed Forces of the Philippines and the Director General of the Philippine National Police shall not be considered as hazing for the purposes of this Act].

C. SCHOOLS – REFER TO COLLEGES, UNIVERSITIES, AND ALL OTHER EDUCATIONAL INSTITUTIONS.”

SEC. 3. A new section to be denominated as Section 2 is hereby added to read as follows:

“SEC. 2. PROHIBITION ON HAZING. – ALL FORMS OF HAZING SHALL BE PROHIBITED IN FRATERNITIES, SORORITIES, AND ORGANIZATIONS IN SCHOOLS, INCLUDING CITIZENS’ MILITARY TRAINING AND CITIZENS’ ARMY TRAINING. THIS PROHIBITION SHALL LIKewise APPLY TO ALL OTHER FRATERNITIES, SORORITIES, AND ORGANIZATIONS THAT ARE NOT SCHOOL-BASED, SUCH AS COMMUNITY-BASED AND OTHER SIMILAR FRATERNITIES, SORORITIES, AND ORGANIZATIONS; PROVIDED, THAT, THE PHYSICAL, MENTAL AND PSYCHOLOGICAL TESTING AND TRAINING PROCEDURES AND PRACTICES

IN NO CASE SHALL HAZING BE MADE A REQUIREMENT FOR EMPLOYMENT IN ANY BUSINESS OR CORPORATION.

SEC. 4. Section 2 of the same Act is hereby amended to read as follows:

"SEC. [2] 3. [No hazing or initiation rites in any form or manner by a fraternity, sorority or organization shall be allowed without prior written notice to the school authorities or head of organization seven (7) days before the conduct of such initiation. The written notice shall indicate the period of the initiation activities which shall not exceed three (3) days, shall include the names of those to be subjected to such activities, and shall further contain an undertaking that no physical violence be employed by anybody during such initiation rites.] REGULATION OF SCHOOL-BASED INITIATION RITES. – ONLY INITIATION RITES OR PRACTICES WHICH DO NOT CONSTITUTE HAZING SHALL BE ALLOWED: PROVIDED, THAT:

a. A WRITTEN APPLICATION TO CONDUCT INITIATION RITES SHALL BE MADE TO THE PROPER AUTHORITIES OF THE SCHOOL NOT LATER THAN SEVEN (7) DAYS PRIOR TO THE SCHEDULED INITIATION DATE;

b. THE WRITTEN APPLICATION SHALL INDICATE THE PLACE AND DATE OF THE INITIATION RITES AND THE NAMES OF THE RECRUIT, NEOPHYTE, OR APPLICANT TO BE INITIATED AND THE MANNER BY WHICH THEY WILL CONDUCT THE INITIATION RITES;"
c. THE INITIATION RITES SHALL NOT LAST MORE THAN THREE (3) DAYS;

d. THE APPLICATION SHALL CONTAIN THE NAMES OF THE INCUMBENT OFFICERS OF THE FRATERNITY, SORORITY, OR ORGANIZATION AND ANY PERSON OR PERSONS THAT WILL TAKE CHARGE IN THE CONDUCT OF THE INITIATION RITES;

e. THE APPLICATION SHALL BE UNDER OATH WITH A DECLARATION THAT IT HAS BEEN POSTED IN THE OFFICIAL SCHOOL BULLETIN BOARD, THE BULLETIN BOARD OF THE OFFICE OF THE FRATERNITY, SORORITY, OR ORGANIZATION, AND TWO OTHER CONSPICUOUS PLACES IN THE SCHOOL OR IN THE PREMISES OF THE ORGANIZATION; AND

f. THE APPLICATION SHALL BE POSTED FROM THE TIME OF SUBMISSION OF THE WRITTEN NOTICE TO THE SCHOOL AUTHORITIES OR HEAD OF ORGANIZATION AND SHALL ONLY BE REMOVED FROM ITS POSTING THREE (3) DAYS AFTER THE CONDUCT OF THE INITIATION RITES.

THE SCHOOL, ORGANIZATION, FRATERNITY, OR SORORITY SHALL PROVIDE FOR THEIR RESPECTIVE BULLETIN BOARDS FOR PURPOSES OF THIS SECTION.

THE APPROPRIATE SCHOOL AUTHORITIES SHALL HAVE THE RIGHT TO APPROVE OR DISAPPROVE THE APPLICATION, AND THE REASONS THEREOF SHALL BE STATED CLEARLY AND IN UNEQUIVOCAL TERMS IN A FORMAL ADVICE TO THE FRATERNITY, SORORITY, OR ORGANIZATION CONCERNED, TAKING INTO CONSIDERATION THE SAFETY AND SECURITY OF PARTICIPANTS IN THE ACTIVITY. GUIDELINES FOR THE APPROVAL OR DENIAL OF THE APPLICATION TO CONDUCT INITIATION RITES BY A REGISTERED FRATERNITY, SORORITY, OR ORGANIZATION SHALL BE PROMULGATED BY THE
APPROPRIATE SCHOOL OFFICIALS NOT LATER THAN SIXTY (60) DAYS
AFTER THE APPROVAL OF THIS ACT.

SCHOOL OFFICIALS SHALL HAVE THE AUTHORITY TO IMPOSE,
AFTER DUE NOTICE AND SUMMARY HEARING, DISCIPLINARY SANCTIONS
IN ACCORDANCE WITH THE SCHOOL'S GUIDELINES AND REGULATIONS
ON THE MATTER, WHICH SHALL INCLUDE BUT SHALL NOT BE LIMITED
TO REPRIMAND, SUSPENSION, EXCLUSION OR EXPULSION FROM THE
SAID SCHOOL, TO THE HEAD AND ALL OTHER OFFICERS OF THE
FRATERNITY, SORORITY, OR ORGANIZATION WHICH CONDUCTS AN
INITIATION WITHOUT FIRST SECURING THE NECESSARY APPROVAL OF
THE SCHOOL AS REQUIRED UNDER THIS SECTION. ALL MEMBERS OF
THE FRATERNITY, SORORITY OR ORGANIZATION, WHO PARTICIPATED
IN THE UNAUTHORIZED INITIATION RITES, EVEN IF NO HAZING WAS
CONDUCTED, SHALL ALSO BE PUNISHED ACCORDINGLY.

IN CASE THE WRITTEN APPLICATION FOR THE CONDUCT OF
INITIATION RITES CONTAINS FALSE OR INACCURATE INFORMATION,
APPROPRIATE DISCIPLINARY SANCTIONS IN ACCORDANCE WITH THE
SCHOOL'S GUIDELINES AND REGULATIONS ON THE MATTER RANGING
FROM REPRIMAND TO SUSPENSION SHALL BE IMPOSED, AFTER DUE
NOTICE AND SUMMARY HEARING, AGAINST THE PERSON WHO
PREPARED THE APPLICATION OR SUPPLIED THE FALSE AND
INACCURATE INFORMATION AND TO THE HEAD AND OTHER OFFICERS
OF THE FRATERNITY, SORORITY, OR ORGANIZATION CONCERNED.

SEC. 5. Section 3 of the same Act is hereby amended to read as follows:

"SEC. [3] 4. MONITORING OF INITIATION RITES. - The head of the
school or [their] AN AUTHORIZED representative[s] must assign at least two (2)
representatives of the school [or organization, as the case may be.] to be present
during the initiation. It is the duty of the school representatives to see to it that
no [physical harm of any kind shall be inflicted upon a recruit, neophyte, or
HAZING IS CONDUCTED DURING THE INITIATION RITES AND TO RECORD THE ENTIRE PROCEEDINGS. THEREAFTER, SAID REPRESENTATIVES WHO WERE PRESENT DURING THE INITIATION SHALL MAKE A REPORT AND SUBMIT THE RECORD OF THE INITIATION RITES TO THE APPROPRIATE OFFICIALS OF THE SCHOOL REGARDING THE CONDUCT OF THE SAID INITIATION; PROVIDED, THAT, IF HAZING IS STILL COMMITTED DESPITE THEIR PRESENCE, NO LIABILITY SHALL ATTACH TO THEM UNLESS IT IS PROVEN THAT THEY FAILED TO PERFORM AN OVERT ACT TO PREVENT OR STOP THE COMMISSION THEREOF.

SEC. 6. A new section to be denominated as, Section 5 is hereby added to read as follows:

SEC. 5. REGISTRATION OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS. - ALL EXISTING FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS OTHERWISE NOT CREATED OR ORGANIZED BY THE SCHOOL BUT HAS EXISTING MEMBERS WHO ARE STUDENTS OR PLANS TO RECRUIT STUDENTS TO BE ITS MEMBERS SHALL BE REQUIRED TO REGISTER WITH THE PROPER SCHOOL AUTHORITIES BEFORE IT CONDUCTS ACTIVITIES WHETHER ON OR OFF-CAMPUS, INCLUDING RECRUITMENT OF MEMBERS.

A NEWLY ESTABLISHED FRATERNITY, SORORITY, OR ORGANIZATION IN A SCHOOL SHALL IMMEDIATELY REGISTER WITH THE PROPER SCHOOL AUTHORITIES DURING THE SEMESTER OR TRIMESTER IN WHICH IT WAS ESTABLISHED OR ORGANIZED: PROVIDED, THAT THE NEW FRATERNITY, SORORITY, OR ORGANIZATION HAS COMPLIED WITH THE REQUIREMENTS PRESCRIBED BY THE SCHOOL IN ESTABLISHING A FRATERNITY, SORORITY, OR ORGANIZATION: PROVIDED, FURTHER, THAT SCHOOLS SHALL PROMULGATE THEIR GUIDELINES IN THE REGISTRATION OF FRATERNITIES, SORORITIES, AND ORGANIZATIONS WITHIN THEIR JURISDICTION NOT LATER THAN SIXTY (60) DAYS FROM THE APPROVAL OF THIS ACT.
UPON REGISTRATION, ALL FRATERNITIES, SORORITIES, AND
ORGANIZATIONS SHALL SUBMIT A COMPREHENSIVE LIST OF MEMBERS,
WHICH SHALL BE UPDATED NOT LATER THAN FIFTEEN (15) DAYS FROM
THE START OF EVERY SEMESTER OR TRIMESTER, DEPENDING ON THE
ACADEMIC CALENDAR OF THE SCHOOL.

SCHOOL OFFICIALS SHALL HAVE THE AUTHORITY TO IMPOSE,
AFTER DUE NOTICE AND SUMMARY HEARINGS, DISCIPLINARY
PENALTIES IN ACCORDANCE WITH THE SCHOOL'S GUIDELINES AND
REGULATIONS ON THE MATTER INCLUDING SUSPENSION TO THE HEAD
AND OTHER OFFICERS OF THE FRATERNITY, SORORITY, OR
ORGANIZATION WHO FAILS TO REGISTER OR UPDATE THEIR ROSTER OF
MEMBERS AS REQUIRED UNDER THIS SECTION.

ON THE PART OF THE FRATERNITY, SORORITY OR
ORGANIZATION, NON-COMPLIANCE WITH THIS SECTION SHALL RESULT
IN THE CANCELLATION OF THEIR REGISTRATION.

SEC. 7. A new section to be denominated as Section 6 is hereby added to read
as follows:

"SEC. 6. FACULTY ADVISER. – SCHOOLS SHALL REQUIRE, AS A
CONDITION TO THE GRANT OF ACCREDITATION OR REGISTRATION, ALL
FRATERNITIES, SORORITIES, AND ORGANIZATIONS TO SUBMIT THE
NAME OF THEIR RESPECTIVE FACULTY ADVISERS. THE SUBMISSION
SHALL ALSO INCLUDE A WRITTEN ACCEPTANCE OR CONSENT ON THE
PART OF THE SELECTED FACULTY ADVISER.

THE FACULTY ADVISER SHALL BE RESPONSIBLE FOR
MONITORING THE ACTIVITIES OF THE FRATERNITY, SORORITY, OR
ORGANIZATION. THE FACULTY ADVISER MUST BE A DULY RECOGNIZED
ACTIVE MEMBER, IN GOOD STANDING, OF THE FACULTY AT THE
SCHOOL IN WHICH THE FRATERNITY, SORORITY, OR ORGANIZATION IS
REGISTERED."
IN CASE OF VIOLATION OF ANY OF THE PROVISIONS OF THIS ACT,
IT IS PRESUMED THAT THE FACULTY ADVISER HAS KNOWLEDGE AND
CONSENTED TO THE COMMISSION OF ANY OF THE UNLAWFUL ACTS
STATED THEREIN.

SEC. 8. A new section to be denominated as Section 7 is hereby added to read
as follows:

"SEC. 7. ROLE OF EDUCATIONAL INSTITUTIONS. - THE
RESPONSIBILITY OF SCHOOLS TO EXERCISE REASONABLE SUPERVISION
IN LOCO PARENTIS OVER THE CONDUCT OF ITS STUDENTS REQUIRES
THE DILIGENCE THAT PRUDENT PARENTS WOULD EMPLOY IN THE SAME
CIRCUMSTANCE WHEN DISCIPLINING AND PROTECTING THEIR
CHILDREN. TO THIS END, IT SHALL BE THE DUTY OF SCHOOLS TO TAKE
MORE PROACTIVE STEPS TO PROTECT ITS STUDENTS FROM THE
DANGER OF PARTICIPATING IN ACTIVITIES THAT WILL INVOLVE HAZING.

SCHOOLS SHALL IMPLEMENT AN INFORMATION DISSEMINATION
CAMPAIGN AT THE START OF EVERY SEMESTER OR TRIMESTER TO
PROVIDE ADEQUATE INFORMATION TO STUDENTS REGARDING THE
CONSEQUENCES OF CONDUCTING AND PARTICIPATING IN HAZING.

AN ORIENTATION PROGRAM RELATING TO MEMBERSHIP IN A
FRATERNITY, SORORITY, OR ORGANIZATION SHALL ALSO BE
CONDUCTED BY SCHOOLS AT THE START OF EVERY SEMESTER OR
TRIMESTER.

SCHOOLS SHALL ENCOURAGE FRATERNITIES, SORORITIES, AND
ORGANIZATIONS TO ENGAGE IN UNDERTAKINGS THAT FOSTER
HOLISTIC PERSONAL GROWTH AND DEVELOPMENT AND ACTIVITIES
THAT CONTRIBUTE TO SOLVING RELEVANT AND PRESSING ISSUES OF
SOCIETY.

SEC. 9. A new section to be denominated as Section 8 is hereby added to read
as follows:
"SEC. 8. REGISTRATION OF COMMUNITY-BASED AND OTHER
SIMILAR FRATERNITIES, SORORITIES, OR ORGANIZATIONS. - ALL NEW
AND EXISTING COMMUNITY-BASED FRATERNITIES, SORORITIES, OR
ORGANIZATIONS SHALL REGISTER WITH THE BARANGAY OR
MUNICIPALITY OR CITY WHEREIN IT IS PRIMARILY BASED.

UPON REGISTRATION, ALL COMMUNITY-BASED FRATERNITIES,
SORORITIES, OR ORGANIZATIONS SHALL SUBMIT A COMPREHENSIVE
LIST OF MEMBERS AND OFFICERS WHICH SHALL BE UPDATED YEARLY
FROM THE DATE OF REGISTRATION.

SEC. 10. A new section to be denominated as Section 9 is hereby added to read
as follows:

"SEC. 9. REGULATION OF INITIATION RITES FOR COMMUNITY-
BASED FRATERNITIES, SORORITIES, OR ORGANIZATIONS. - ONLY
INITIATION RITES OR PRACTICES WHICH DO NOT CONSTITUTE HAZING
SHALL BE ALLOWED: PROVIDED, THAT:

a. A WRITTEN APPLICATION TO CONDUCT THE SAME SHALL BE MADE
TO THE BARANGAY CHAIRMAN IN THE BARANGAY OR THE MUNICIPAL
OR CITY MAYOR IN THE CITY OR MUNICIPALITY WHERE THE
COMMUNITY-BASED FRATERNITY, SORORITY, OR ORGANIZATION IS
BASED, NOT LATER THAN SEVEN (7) DAYS PRIOR TO THE SCHEDULED
INITIATION DATE;

b. THE WRITTEN APPLICATION SHALL INDICATE THE PLACE AND DATE
OF THE INITIATION RITES AND THE NAMES OF THE RECRUIT,
NEOPHYTE, OR APPLICANT TO BE INITIATED;

c. THE INITIATION RITES SHALL NOT LAST MORE THAN THREE (3)
DAYS;

d. THE APPLICATION SHALL CONTAIN THE NAMES OF THE INCUMBENT
OFFICERS OF THE COMMUNITY-BASED FRATERNITY, SORORITY, OR
ORGANIZATION AND ANY PERSON OR PERSONS THAT WILL TAKE
CHARGE IN THE CONDUCT OF THE INITIATION RITES;

e. THE APPLICATION SHALL BE UNDER OATH WITH A DECLARATION
THAT IT HAS BEEN POSTED IN THE OFFICIAL BULLETIN BOARD OF
THE BARANGAY HALL OR THE MUNICIPAL OR CITY HALL WHERE THE
COMMUNITY-BASED FRATERNITY, SORORITY, OR ORGANIZATION IS
BASED AND THE BULLETIN BOARD OF THE OFFICE OF THE
COMMUNITY BASED FRATERNITY, SORORITY, OR ORGANIZATION;
AND

f. THE APPLICATION SHALL BE POSTED FROM THE TIME OF
SUBMISSION OF THE WRITTEN NOTICE TO THE BARANGAY
CHAIRMAN OR MUNICIPAL OR CITY MAYOR AND SHALL ONLY BE
REMOVED FROM ITS POSTING THREE (3) DAYS AFTER THE CONDUCT
OF THE INITIATION RITES.

SEC. 11. A new section to be denominated as Section 10 is hereby added to
read as follows:

"SEC. 10. MONITORING OF INITIATION RITES OF COMMUNITY-
BASED AND ALL SIMILAR FRATERNITIES, SORORITIES, OR
ORGANIZATIONS. – THE BARANGAY CHAIRMAN OF THE BARANGAY OR
THE MUNICIPAL OR CITY MAYOR OF THE MUNICIPALITY OR CITY
WHERE THE COMMUNITY BASED FRATERNITY, SORORITY, OR
ORGANIZATION IS BASED MUST ASSIGN AT LEAST TWO (2) BARANGAY
OR MUNICIPAL OR CITY OFFICIALS TO BE PRESENT DURING THE
INITIATION AND TO RECORD THE ENTIRE INITIATION RITES.
THEREAFTER, SAID REPRESENTATIVES WHO WERE PRESENT DURING
THE INITIATION SHALL MAKE A REPORT AND SUBMIT THE RECORD OF
THE INITIATION RITES TO THE BARANGAY CHAIRMAN, OR THE
MUNICIPAL OR CITY MAYOR REGARDING THE CONDUCT OF THE
INITIATION.

SEC. 12. A new section to be denominated as Section 11 is hereby added to
"SEC. 11. NULLITY OF WAIVER AND CONSENT. – ANY FORM OF APPROVAL, CONSENT, OR AGREEMENT, WHETHER WRITTEN OR OTHERWISE, OR OF AN EXPRESS WAIVER OF THE RIGHT TO OBJECT TO THE INITIATION RITE OR PROCEEDING WHICH CONSISTS OF HAZING AS DEFINED IN THIS ACT, MADE BY A RECRUIT, NEOPHYTE, OR APPLICANT PRIOR TO AN INITIATION RITE THAT INVOLVES INFlicting PHYSICAL OR PSYCHOLOGICAL SUFFERING, HARM, OR INJURY, SHALL BE VOID AND WITHOUT ANY BINDING EFFECT ON THE PARTIES.

THE DEFENSE THAT THE RECRUIT, NEOPHYTE, OR APPLICANT CONSENTED TO BEING SUBJECTED TO HAZING SHALL NOT BE AVAILABLE TO PERSONS PROSECUTED UNDER THIS ACT.

SEC. 13. A new section to be denominated as Section 12 is hereby added to

read as follows:

"SEC. 12. ADMINISTRATIVE SANCTIONS. – THE RESPONSIBLE OFFICIALS OF THE SCHOOL OR OF THE POLICE OR MILITARY MAY IMPOSE THE APPROPRIATE ADMINISTRATIVE SANCTIONS, AFTER DUE NOTICE AND SUMMARY HEARING, ON THE PERSON OR THE PERSONS CHARGED UNDER THIS ACT EVEN BEFORE THEIR CONVICTION."

SEC. 14. Section 4 of the same Act is hereby amended to read as follows:

"SEC. [4] 13. [If the person subjected to hazing or other forms of initiation rites suffers any physical injury or dies as a result thereof, the officers and members of the fraternity, sorority or organization who actually participated in the infliction of physical harm shall be liable as principals. The person or persons who participated in the hazing shall suffer:] PENALTIES AND LIABILITY OF THOSE INVOLVED IN HAZING. – A) THE FOLLOWING PENALTIES SHALL BE IMPOSED:

1) THE PENALTY OF RECLUSION TEMPORAL AND A FINE OF ONE MILLION PESOS (P1,000,000.00) SHALL BE IMPOSED UPON THE
PARTICIPATING OFFICERS AND MEMBERS OF THE FRATERNITY,
SORORITY, OR ORGANIZATION INVOLVED IN THE HAZING;

2) THE PENALTY OF RECLUSION PERPETUA AND A FINE OF TWO
MILLION PESOS (P2,000,000.00) SHALL BE IMPOSED UPON THE
MEMBERS OF THE FRATERNITY, SORORITY, OR ORGANIZATION WHO
ACTUALLY PARTICIPATED IN THE HAZING WHEN THEY ARE
INTOXICATED OR UNDER THE INFLUENCE OF ALCOHOL OR ILLEGAL
DRUGS.

THE SAME PENALTY SHALL BE IMPOSED UPON THE NON-
RESIDENT OR ALUMNI MEMBERS OF THE FRATERNITY, SORORITY, OR
ORGANIZATION WHO ACTUALLY PARTICIPATED IN THE HAZING;

[1] 3) The penalty of reclusion perpetua [(life imprisonment)] AND A FINE OF
THREE MILLION PESOS (P3,000,000.00) SHALL BE IMPOSED UPON
THOSE WHO ACTUALLY PARTICIPATED IN THE HAZING if, AS A
CONSEQUENCE OF THE HAZING, death, rape, sodomy or mutilation results
therefrom[;]

[2. The penalty of reclusion temporal in its maximum period (17 years, 4
months and 1 day to 20 years) if in consequence of the hazing the victim shall
become insane, imbecile, impotent or blind.

3. The penalty of reclusion temporal in its medium period (14 years, 8 months
and one day to 17 years and 4 months) if in consequence of the hazing the victim shall have lost the use of speech or the power to hear or to smell, or shall
have lost an eye, a hand, a foot, an arm or a leg or shall have lost the use of any
such member shall have become incapacitated for the activity or work in which
he was habitually engaged.

4. The penalty of reclusion temporal in its minimum period (12 years and one
day to 14 years and 8 months) if in consequence of the hazing the victim shall
become deformed or shall have lost any other part of his body, or shall have lost
the use thereof, or shall have been ill or incapacitated for the performance on
the activity or work in which he was habitually engaged for a period of more
than ninety (90) days.
5. The penalty of prison mayor in its maximum period (10 years and one day to 12 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of more than thirty (30) days.

6. The penalty of prison mayor in its medium period (8 years and one day to 10 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of ten (10) days or more, or that the injury sustained shall require medical assistance for the same period.

7. The penalty of prison mayor in its minimum period (6 years and one day to 8 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged from one (1) to nine (9) days, or that the injury sustained shall require medical assistance for the same period.

8. The penalty of prison correccional in its maximum period (4 years, 2 months and one day to 6 years) if in consequence of the hazing the victim sustained physical injuries which do not prevent him from engaging in his habitual activity or work nor require medical attendance.

4) A FINE OF ONE MILLION PESOS (P1,000,000.00) SHALL BE IMPOSED ON THE SCHOOL IF THE FRATERNITY, SORORITY, OR ORGANIZATION FILED A WRITTEN APPLICATION TO CONDUCT AN INITIATION WHICH WAS SUBSEQUENTLY APPROVED BY THE SCHOOL AND HAZING OCCURRED DURING THE INITIATION RITES OR WHEN NO REPRESENTATIVES FROM THE SCHOOL WERE PRESENT DURING THE INITIATION AS PROVIDED UNDER SECTION 4 OF THIS ACT: PROVIDED, THAT, IF HAZING HAS BEEN COMMITTED, IN CIRCUMVENTION OF THE PROVISIONS OF THIS ACT, IT IS INCUMBENT UPON SCHOOL OFFICIALS TO INVESTIGATE MOTU PROPIO AND TAKE AN ACTIVE ROLE TO ASCERTAIN FACTUAL EVENTS AND IDENTIFY WITNESSES IN ORDER TO DETERMINE THE DISCIPLINARY SANCTIONS IT MAY IMPOSE, AS WELL AS PROVIDE ASSISTANCE TO POLICE AUTHORITIES;

5) THE PENALTY OF PRISION CORRECCIONAL IN ITS MINIMUM PERIOD SHALL BE IMPOSED UPON ANY PERSON WHO SHALL
INTIMIDATE, THREATEN, FORCE, OR EMPLOY, OR ADMINISTER ANY
FORM OF VEXATION AGAINST ANOTHER PERSON FOR THE PURPOSE OF
RECRUITMENT IN JOINING OR PROMOTING A PARTICULAR FRATERNITY,
SORORITY, OR ORGANIZATION. THE PERSISTENT AND REPEATED
PROPOSAL OR INVITATION MADE TO A PERSON WHO HAD TWICE
REFUSED TO PARTICIPATE OR JOIN THE PROPOSED FRATERNITY,
SORORITY, OR ORGANIZATION, SHALL BE PRIMA FACIE VEXATION FOR
PURPOSES OF THIS SECTION.

[The responsible officials of the school or of the police, military or
citizen's army training organization, may impose the appropriate administrative
sanctions on the person or the persons charged under this provision even
before their conviction. The maximum penalty herein provided shall be imposed
in any of the following instances:

(a) when the recruitment is accompanied by force, violence, threat,
intimidation or deceit on the person of the recruit who refuses to join;

(b) when the recruit, neophyte or applicant initially consents to join but
upon learning that hazing will be committed on his person, is prevented
from quitting;

(c) when the recruit, neophyte or applicant having undergone hazing is
prevented from reporting the unlawful act to his parents or guardians, to
the proper school authorities, or to the police authorities, through force,
violece, threat or intimidation;

(d) when the hazing is committed outside of the school or institution; or

(e) when the victim is below twelve (12) years of age at the time of the
hazing.]

B) The owner of the place where hazing is conducted shall be liable as [an
accomplice] PRINCIPAL when he has actual knowledge of the hazing conducted
therein but failed to take any action to prevent the same from occurring OR
FAILED TO PROMPTLY REPORT THE SAME TO THE LAW ENFORCEMENT
AUTHORITIES IF HE CAN DO SO WITHOUT PERIL TO HIMSELF OR HIS
FAMILY. If the hazing is held in the home of one of the officers or members of
the fraternity, [group] SORORITY, or organization, the parents shall be held
liable as principals when they have actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring OR

FAILED TO PROMPTLY REPORT THE SAME TO THE LAW ENFORCEMENT AUTHORITIES IF HE CAN DO SO WITHOUT PERIL TO HIMSELF OR HIS FAMILY[].

C] The school authorities including faculty members [who consent to the hazing or who have actual knowledge thereof,] AS WELL AS BARANGAY, MUNICIPAL, OR CITY OFFICIALS SHALL BE LIABLE AS AN ACCOMPLICE AND LIKewise BE HELD ADMINISTRATIVELY ACCOUNTABLE FOR HAZING CONDUCTED BY FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, IF IT CAN BE SHOWN THAT THE SCHOOL OR BARANGAY, MUNICIPAL, OR CITY OFFICIAL ALLOWED OR CONSENTED TO THE CONDUCT OF HAZING OR WHERE THERE IS ACTUAL KNOWLEDGE OF HAZING, but failed to take any action to prevent the same from occurring OR FAILED TO PROMPTLY REPORT TO THE LAW ENFORCEMENT AUTHORITIES IF THE SAME CAN BE DONE WITHOUT PERIL TO THE PERSON REPORTING OR HIS FAMILY [shall be punished as accomplices for the acts of hazing committed by the perpetrators];

D) the officers, former officers, NON RESIDENT MEMBERS or alumni of the organization, [group,] fraternity, or sorority, who actually planned the hazing, although not present when the acts constituting the hazing were committed shall be liable as principals. A fraternity, [or] sorority[']s, OR ORGANIZATION'S FACULTY adviser, who is present when the acts constituting the hazing were committed and failed to take action to prevent the same from occurring OR FAILED TO PROMPTLY REPORT THE SAME TO THE LAW ENFORCEMENT AUTHORITIES IF HE CAN DO SO WITHOUT PERIL TO HIMSELF OR HIS FAMILY, shall be liable as principal;

E) FORMER OFFICERS, NON RESIDENT MEMBERS OR ALUMNI OF THE FRATERNITY, SORORITY OR ORGANIZATION WHO AFTER THE COMMISSION OF ANY OF THE PROHIBITED ACTS PROSCRIBED HEREIN,
WILL PERFORM ANY ACT TO HIDE, CONCEAL OR OTHERWISE HAMPER
OR OBSTRUCT ANY AND ALL INVESTIGATION THAT WILL BE CONDUCTED
THEREAFTER, SHALL BE PUNISHED WITH RECLUSION TEMPORAL AND A
FINE OF ONE MILLION PESOS (P1,000,000.00): PROVIDED, THAT, SHOULD
THE FORMER OFFICER, NON RESIDENT MEMBER OR ALUMNI BE A
MEMBER OF THE PHILIPPINE BAR, HE OR SHE SHALL IMMEDIATELY BE
SUBJECTED TO DISCIPLINARY PROCEEDINGS BY THE SUPREME COURT:
PROVIDED, FURTHER, THAT, SHOULD THE FORMER OFFICER, NON
RESIDENT MEMBER OR ALUMNI BELONGS TO ANY OTHER PROFESSION
SUBJECT TO REGULATION BY THE PROFESSIONAL REGULATION
COMMISSION (PRC), HE OR SHE SHALL IMMEDIATELY BE SUBJECTED TO
DISCIPLINARY PROCEEDINGS BY THEIR RESPECTIVE PROFESSIONAL
BOARDS;

F) The presence of any person, EVEN IF HE OR SHE IS NOT A MEMBER
OF THE FRATERNITY, SORORITY OR ORGANIZATION, during the hazing is
prima facie evidence of participation therein as principal unless he OR SHE
prevented the commission of the acts punishable herein OR PROMPTLY
REPORTED THE SAME TO THE LAW ENFORCEMENT AUTHORITIES IF HE
OR SHE CAN DO SO WITHOUT PERIL TO HIS OR HER PERSON OR
FAMILY[];

G) THE INCUMBENT OFFICERS OF THE FRATERNITY, SORORITY, OR
ORGANIZATION CONCERNED SHALL BE JOINTLY LIABLE WITH THOSE
MEMBERS WHO ACTUALLY PARTICIPATED IN THE HAZING;

H) Any person charged under this [provision] ACT shall not be entitled to
the mitigating circumstance that there was no intention to commit so grave a
wrong[];

I) This section shall apply to the president, manager, director or other
responsible officer of BUSINESSES OR [a] corporationS engaged in hazing as a
requirement for employment in the manner provided herein[]; AND
J) ANY JUDGMENT OF FINAL CONVICTION SHALL BE REFLECTED IN THE SCHOLASTIC RECORD, PERSONAL, OR EMPLOYMENT RECORD OF THE PERSON CONVICTED, REGARDLESS OF WHEN THE CONVICTION IS ARRIVED AT.”

SEC. 15. Implementing Rules and Regulations. - The Commission on Higher Education (CHED), together with the Department of Education (DEPED), Department of Justice (DOJ), PNP, AFP, Department of the Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD), and National Youth Commission (NYC), shall promulgate the implementing rules and regulations within ninety (90) days from the effectivity of this Act.

SEC. 16. Separability Clause. – If any provision or part of this Act is declared invalid or unconstitutional, the other parts or provisions thereof shall remain valid and effective.

SEC. 17. Repealing Clause. – Republic Act No. 8049 and all other laws, decrees, executive orders, proclamations, rules or regulations, or parts thereof which are inconsistent with or contrary to the provisions of this Act are hereby amended or modified accordingly.

SEC. 18. Effectivity Clause. – This Act shall take effect fifteen (15) calendar days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,