

THIRTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

'04 JUL 27 P5:02

SENATE
S.B. NO. 1525

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, Article 11, Section 14, mandates the State to ensure the fundamental equality before the law of women and men. However, this provision is disregarded by the Penal Code, Article 337, which defines and penalizes qualified seduction. Under the present law, qualified seduction may only be committed against women.

Thus, this bill seeks to remove the gender bias as to who may be a victim of qualified seduction by penalizing acts of qualified seduction committed against men.

This bill is a product of the public hearings conducted by the Committee on Constitutional Amendments, Revision of Codes and Laws during the 11th Congress.

Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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AN ACT
AMENDING ARTICLE 337 OF THE PENAL CODE, ELIMINATING GENDER BIAS
IN QUALIFIED SEDUCTION AND INCREASING THE IMPOSABLE PENALTY

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

SECTION 1. Article 337 of the Revised Penal Code is hereby amended to read as follows:

“Article 337. Qualified Seduction—The seduction of a (virgin) PERSON over twelve (12) years and under eighteen (18) years of age, committed by any person in public authority, priest, home-servant, domestic, guardian, teacher, EMPLOYER, or any person who, in any capacity, shall be entrusted with the education or custody of the (woman) PERSON seduced, REGARDLESS OF WHETHER CONSENT WAS GIVEN shall be punished by *prison (correctional) MAYOR* in its (minimum and medium) MAXIMUM period(s).

The penalty (next higher in degree) *OF RECLUSION PERPETUA* shall be imposed upon any person who shall seduce his or her sibling, or descendant (whether or not she be a virgin or over eighteen years) REGARDLESS of age.

Under the provisions of this chapter, seduction is committed when the offender has carnal knowledge (of) OR COMMITS ACTS OF LASCIVIOUSNESS AGAINST any of the persons and under the circumstances described herein.”

SECTION 2. *Separability Clause.* — If any provision, or part hereof, is held invalid or unconstitutional, the remainder of the laws or the provision not otherwise affected shall remain valid and subsisting.

SECTION 3. *Repealing Clause.* — Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 4. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general publication.

Approved.

FN: 778