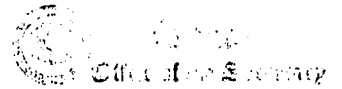


SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Third Regular Session)



'18 JUL 30 P 3:07

SENATE
S.B. NO. 1895

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Introduced by Senator Maria Lourdes Nancy S. Binay

EXPLANATORY NOTE

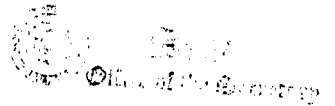
Pursuant to the obligation of the Philippines under the Convention on the Rights of the Child, this bill amends the provision of the Revised Penal Code by raising the minimum age of consent to determine statutory rape to below 16 years of age. In this regard, it amends or repeals the other provisions of the Revised Penal Code, as well as special laws with the attempt to address the disparity in the treatment of those persons who are below twelve (12) years old and those twelve (12) years but below 18 years of age.

On a study conducted by the Council for the Welfare of Children in partnership with UNICEF Philippines, one of the recommendations is to enact a law that increases the age of sexual consent. The Philippines is one of the countries with age of sexual consent below 12 years of age. The average age of consent internationally appears to be 16 years.

In view of the foregoing, the passage of this bill is earnestly sought.

MARIA LOURDES NANCY S. BINAY
Senator

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AN ACT INCREASING THE AGE FOR DETERMINING STATUTORY RAPE TO PROVIDE STRONGER PROTECTION FOR CHILDREN, AND AMENDING FOR THIS PURPOSE ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL CODE

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

1 **Section 1.** Act No. 3815, as amended, otherwise known as the Revised Penal
2 Code, Article 266-A (I) (d) is hereby amended to read as follows:

3 "Article 266.-A. *Rape, When and How Committed.* - Rape is committed:

4 1. By a man who shall have carnal knowledge of a woman
5 under any of the following circumstances:

6
7 XXX XXX XXX

9 (d) When the offended party is under **SIXTEEN (16)** [twelve (12)] years
10 of age or is demented, even though none of the circumstances mentioned
11 above be present."

12
13 **SECTION 2. *Repealing Clause.*** - All laws, acts, presidential decrees, executive
14 orders, administrative orders, rules, and regulations inconsistent with or contrary
15 to this Act are deemed amended, modified, or repealed accordingly.

16
17 **SECTION 3. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after
18 its publication in at least two (2) newspapers of general circulation.

Approved,