

FOURTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

OFFICE OF THE SECRETARY

8 FEB 12 1908

SENATE

RECEIVED BY: 

COMMITTEE REPORT NO. 38

Submitted jointly by the Committees on Justice and Human Rights and Constitutional Amendments, Revision of Codes and Laws on FEB 12 1908

Re: Senate Bill No. 2066.

Recommending its approval in substitution of Senate Bill Nos. 497, 694, 937, 1836 and 1886.

Sponsors: Senators Escudero and Gordon

MR. PRESIDENT:

The Committees on Justice and Human Rights and Constitutional Amendments, Revision of Codes and Laws to which were referred Senate Bill No. 497, introduced by Senator Ejercito-Estrada, entitled:

**"AN ACT
DETERRING PROSTITUTION BY AMENDING ARTICLE 341 (WHITE SLAVE TRADE) OF THE REVISED PENAL CODE, INCREASING THE PENALTY OF IMPRISONMENT AND FINE, AND FOR OTHER PURPOSES"**

Senate Bill No. 694, introduced by Senator Ejercito-Estrada, entitled:

**"AN ACT
ADDRESSING THE SYSTEM OF PROSTITUTION, IMPOSING PENALTIES ON ITS PERPETRATORS, PROVIDING PROTECTIVE MEASURES AND SUPPORT SERVICES FOR ITS VICTIMS, AND DECRIMINALIZING VAGRANCY, REPEALING FOR THE PURPOSE ARTICLES 202 AND 341 OF THE REVISED PENAL CODE AND AMENDING R.A. 9208, AND FOR OTHER PURPOSES"**

Senate Bill No. 937, introduced by Senator Legarda, entitled:

**"AN ACT
AMENDING ARTICLE 341 (WHITE SLAVE TRADE) OF THE REVISED PENAL CODE TO PROVIDE A DETERRENT TO THE PROMOTION OF PROSTITUTION AND INCREASING THE PENALTY OF IMPRISONMENT AND FINE AND FOR OTHER PURPOSES"**

Senate Bill No. 1836, introduced by Senator Defensor- Santiago, entitled:

**“AN ACT
ADDRESSING THE SYSTEM OF PROSTITUTION, IMPOSING PENALTIES ON ITS
PERPETRATORS, PROVIDING PROTECTIVE MEASURES AND SUPPORT
SERVICES FOR ITS VICTIMS, AMENDING FOR THE PURPOSE ARTICLE 202 AND
341 OF THE PENAL CODE”**

Senate Bill No. 1886, introduced by Senator Villar, entitled:


**“AN ACT
PROMOTING THE ADMINISTRATION OF JUSTICE FOR WOMEN, CHILDREN AND
OTHER OPPRESSED SECTOR, ESTABLISHING FOR THE PURPOSE AN OMNIBUS
FRAMEWORK TO ADDRESS THE PROBLEM OF PROSTITUTION, SUPPORT
SERVICES FOR ITS VICTIMS, HIGHER PENALTIES FOR PERPETRATORS AND
PROMOTERS 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 bill, Senate Bill No. **2066**, prepared by the Committees, entitled:

**“AN ACT
AMENDING ARTICLE 341 OF REPUBLIC ACT NO. 3815, AS AMENDED,
OTHERWISE KNOWN AS THE REVISED PENAL CODE”**

be approved in substitution of Senate Bill Nos. 497, 694, 937, 1836 and 1886 with Senators Ejercito-Estrada, Legarda, Defensor-Santiago, Villar, Escudero and Gordon as authors thereof.


Respectfully Submitted:


RICHARD J. GORDON
*Committee on Constitutional Amendments,
Revision of Codes and Laws*

Chairmen:


FRANCIS “CHIZ” G. ESCUDERO
Committee on Justice and Human Rights

Vice-Chairman


BENIGNO SIMEON “NOYNOY” AQUINO III
Committee on Justice and Human Rights

Members:

with reservations
interpellation, and
amendments.
JUAN PONCE ENRILE
Committee on Justice and Human Rights
Committee on Constitutional Amendments,
Revision of Codes and Laws

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PIA "COMPAÑERA" S. CAYETANO
Member, Committee on Justice and
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Member, Committee on Constitutional
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Alan Peter
ALAN PETER "COMPAÑERO" S. CAYETANO
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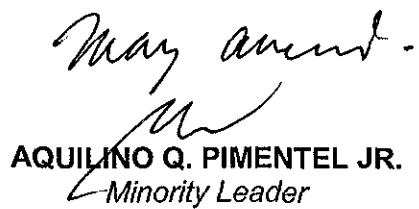
Ex-Officio Members



JINGGOY EJERCITO-ESTRADA
President Pro-Tempore



FRANCIS N. PANGILINAN
Majority Leader



AQUILINO Q. PIMENTEL JR.
Minority Leader

Hon. MANNY VILLAR
Senate President
Senate of the Philippines
Pasay City

Republic of the Philippines)
FOURTEENTH CONGRESS)
First Regular Session)

OFFICE OF THE SECRETARY

8 FEB 12 P2:10

SENATE

S. No. 2066

Prepared jointly by the Committees on Justice and Human Rights and Constitutional Amendments, Revision of Codes and Laws with Senators Ejercito-Estrada, Legarda, Defensor-Santiago, Villar, Escudero and Gordon as authors thereof

AN ACT
AMENDING ARTICLE 341 OF REPUBLIC ACT NO. 3815, AS AMENDED,
OTHERWISE 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.** Article 341 of Republic Act No. 3815, as amended, otherwise known
2 as the Revised Penal Code, is hereby further amended to read as follows:

3
4 "Art. 341. *White slave trade.* - The penalty of **RECLUSION TEMPORAL**
5 **[Prision mayor]** in its medium and maximum periods shall be imposed upon any
6 person who, in any manner, or under any pretext, shall engage in the business or
7 shall profit by prostitution or shall [enlist the services of any other for the
8 purpose of prostitution]:

9
10 **(A) ENGAGE IN OR PROMOTE, FACILITATE OR INDUCE**
11 **PROSTITUTION WHICH INCLUDE, BUT ARE NOT LIMITED TO, THE**
12 **FOLLOWING:**

- 13 1. **ACTING AS A PROCURER OF A PROSTITUTE;**
14 2. **INDUCING A PERSON TO BE A CLIENT OF A**
15 **PROSTITUTE BY MEANS OF WRITTEN OR ORAL ADVERTISEMENTS OR**
16 **OTHER SIMILAR MEANS;**
17 3. **TAKING ADVANTAGE OF ANY ASCENDANCY,**
18 **INFLUENCE OR RELATIONSHIP TO PROCURE A PERSON AS A**
19 **PROSTITUTE;**

1 4. THREATENING OR USING VIOLENCE TOWARDS A
2 PERSON TO ENGAGE HIM/HER AS A PROSTITUTE; OR

3
4 5. GIVING MONETARY CONSIDERATION, GOODS OR
5 OTHER PECUNIARY BENEFIT TO A PERSON WITH THE INTENT TO
6 ENGAGE SUCH PERSON IN PROSTITUTION; OR

7
8 (B) DERIVE PROFIT OR ADVANTAGE FROM PROSTITUTION,
9 WHETHER AS MANAGER OR OWNER OF THE ESTABLISHMENT WHERE
10 THE PROSTITUTION TAKES PLACE, OR OF THE SAUNA, DISCO, BAR,
11 RESORT, PLACE OF LEISURE AND/OR ENTERTAINMENT OR
12 ESTABLISHMENT SERVING AS A COVER OR WHICH ENGAGES IN
13 PROSTITUTION IN ADDITION TO THE ACTIVITY FOR WHICH THE
14 LICENSE HAS BEEN ISSUED TO SAID ESTABLISHMENT.

15 FOR PURPOSES OF THIS ACT, THE TERM PROSTITUTE SHALL
16 MEAN ANY PERSON WHO, FOR MONEY, PROFIT OR ANY FORM OF
17 MATERIAL CONSIDERATION OR ADVANTAGE SHALL HABITUALLY
18 OR WITH INTENT TO HABITUALLY ENGAGE OR INDULGE IN SEXUAL
19 INTERCOURSE OR LASCIVIOUS CONDUCT.”

20
21 SEC. 2. *Common Penal Provisions.* - The penalty provided under this Act
22 shall be imposed in its *maximum* period if the offender:

23 (a) has been previously convicted under this Act or under Article 341
24 of the Revised Penal Code, as amended, in its form prior to its amendment by this Act;

25 (b) is, in reference to the prostitute, an ascendant, parent, guardian,
26 stepparent or collateral relative within the second degree of consanguinity or affinity;

27 (c) is a manager or owner of an establishment which has no license to
28 operate or its license has expired or has been revoked;

29 (d) is a foreigner, who shall likewise be deported immediately after
30 service of sentence and forever barred from entry to the Philippines; and

31 (e) is a public officer or employee, who shall likewise suffer the
32 penalty of perpetual or temporary absolute disqualification.

33 In addition to the penalty of imprisonment, a fine to be determined by the court,
34 which shall not be less than One Hundred Thousand Pesos (Php100,000,00), shall be
35 imposed. Said fine shall be administered as a cash fund by the Department of Social

1 Welfare and Development (DSWD) and disbursed, for the rehabilitation of each
2 prostitute victim and any immediate member of his/her family if the latter is the
3 perpetrator of the offense, in this order.

4 When the offender is a corporation, partnership or association, the officer,
5 director, employee or agent thereof who is responsible for the violation of this Act shall
6 suffer the corresponding penalty imposed.

7
8 **SEC. 3.** *Rules and Regulations.* - Unless otherwise provided in this Act, the
9 Department of Justice (DOJ), in coordination with the DSWD, shall promulgate rules
10 and regulations for the effective implementation of this Act.

11
12 **SEC. 4.** *Repealing Clause.* - All laws, presidential decrees, executive orders,
13 rules and regulations which are contrary to the provision of this Act are hereby
14 repealed, amended and modified accordingly.

15
16 **SEC. 5.** *Separability Clause.* - If any part of this Act shall be held to be
17 unconstitutional or invalid, other parts or provisions hereof which are not affected
18 thereby shall continue to be in full force and effect.

19
20 **SEC. 6.** *Effectivity.* - This Act shall take effect fifteen (15) days after its
21 publication in at least two (2) newspapers of general circulation.

22

23 Approved,