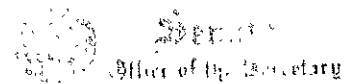
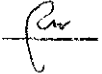


FIFTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session



'12 FEB 22 P3:42

SENATE
S.B. No. 3131

RECEIVED BY: 

INTRODUCED BY SENATOR VICENTE C. SOTTO III


EXPLANATORY NOTE

While the Constitution mandates that all educational institution shall teach the rights and duties of citizenship, strengthen ethical and spiritual values, develop moral character and personal discipline, students on the other hand, shall have the duty and responsibility to promote and maintain the peace and tranquility of the school by observing the rules of discipline. The State should not be proscribed from interfering with the social development of students, particularly when life is at stake.

The enactment of Republic Act No. 8049, otherwise known as an Anti-Hazing Law serves to address the rampant violence happening in various fraternities, sororities and organizations. Despite its enactment in 1995, there are still numerous reports of death and injuries in various parts of our country. It only shows that there is a need to strengthen the law, by providing a higher penalty thereto.

This bill seeks to amend Section 4 of Republic Act No. 8049 in order to fully thwart the continuous violation of the law by imposing stiffer penalties.

In view thereof, earnest approval of this bill is hereby requested.


Vicente C. Sotto III
Senator

FIFTEENTH CONGRESS OF THE
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S.B. No. 3131

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**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.**

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

SECTION 1. Section 4 of REPUBLIC ACT No. 8049, OTHERWISE KNOWN AS
ANTI-HAZING LAW, is hereby amended to read as follows:

**SECTION 4. ANY OFFICERS OR MEMBERS OF THE FRATERNITY,
SORORITY OR ORGANIZATION WHO ACTUALLY PARTICIPATED IN
THE INFLICTION OF PHYSICAL HARM IN A HAZING OR OTHER
FORMS OF INITIATION RITES SHALL BE LIABLE AS PRINCIPALS
AND SHALL SUFFER THE PENALTY OF RECLUSION PERPETUA.**

The maximum penalty herein provided shall be imposed in any of the
following instances:

- A.) WHEN HAZING OR INITIATION RITE IS COMMITTED UNDER THE
INFLUENCE OF ILLEGAL DRUGS OR LIQUOR;**
- B.) WHEN THERE IS A PRESENCE OF NON-RESIDENT OR ALUMNI
FRATERNITY MEMBERS DURING HAZING;**

- c) When the recruitment is accompanied by force, violence, threat, intimidation or deceit on the person of the recruit who refuses to join;
- d) 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;
- e) 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, violence, threat or intimidation;
- f) When the hazing is committed outside of the school or institution; or
- g) When the victim is below twelve (12) years of age at the time of hazing.

The owner of the place where the hazing is conducted shall be liable as an accomplice, when he/she has actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring. If the hazing is held in the home of one of the officers of members of the fraternity, sorority, group, or organization, the parent 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.

The school authorities including faculty members who consent to the hazing or who have actual knowledge thereof, but failed to take any action to prevent the same from occurring shall be punished as accomplices for the acts of hazing committed by the perpetrators.

The officers, former officers 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. Officers or members of an organization, group, fraternity or sorority's adviser who is present when the acts constituting the hazing were committed and failed to take any action to prevent the same from occurring shall be liable as a principal.

The presence of any person during the hazing is prima facie evidence of participation therein as a principal unless he prevented the commission of the acts punishable herein.

Any person charged under this provision should not be entitled to the mitigating circumstances that there was no intention to commit so grave a wrong.

This section shall apply to the president, manager, director, or other responsible officer of a corporation engaged in hazing as a requirement for employment in the manner provided herein.

SECTION 2. *Repealing Clause.* All laws, executive orders, rules and regulations or any part thereof inconsistent herewith are deemed repealed, modified or amended accordingly.

SECTION 3. *Separability Clause.* In case any provision of this Act is declared unconstitutional or invalid, the other provisions hereof which are not affected thereby shall continue in full force and effect.

SECTION 4. *Effectivity.* This Act shall take effect fifteen (15) days after its complete publication in two (2) national newspapers of general circulation

Approved,