

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

Office of the Secretary

SEP -6 2014

SENATE

S. B. No. 3404

(In substitution of Senate Bill Nos. 1803, 2257 and 3131,
Proposed Senate Resolution Nos. 222, 727, 830 and 832, and the Privilege Speech
of Sen. Legarda on the Death of Marc André Marcos, delivered 06 August 2012)

Introduced by **Senators Defensor Santiago,
Sotto III, Villar, Lapid, Legarda and Honasan II**

**AN ACT
AMENDING REPUBLIC ACT NO. 8049 AND FOR OTHER PURPOSES**

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

1 **SECTION 1.** A new Section 2-A is hereby incorporated in Republic Act No.
2 8049, hereinafter referred to as the "Act", to read, as follows:

3 **"SEC. 2-A. ALL SCHOOL ORGANIZATIONS,**
4 **FRATERNITIES, AND SORORITIES AND THEIR MEMBERS**
5 **SHALL REGISTER WITH THEIR RESPECTIVE SCHOOL**
6 **ADMINISTRATION. THE SCHOOL ADMINISTRATORS SHALL**
7 **REGULATE AND MONITOR THE ACTIVITIES OF THESE**
8 **ORGANIZATIONS, FRATERNITIES AND SORORITIES AND MAY**
9 **IMPOSE ADMINISTRATIVE SANCTIONS SUCH AS REPRIMAND,**
10 **SUSPENSION OR DISMISSAL FOR THE VIOLATION OF THIS**
11 **SECTION.**

12 **SEC. 2.** Section 4 of the Act is hereby amended by incorporating two new
13 instances when the maximum penalty shall be imposed, to read as follows:

14 "Sec. 4. If the person subjected to hazing or other forms of
15 initiation rites suffers any physical any physical injury or dies as a
16 result thereof, the officers and members of the fraternity, sorority or
17 organization who actually participated in the infliction of physical harm
18 shall be liable as principals. The person or persons who participated
19 in the hazing shall:

20 XXXXXXXXXXXX

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

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

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

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

11 d) when the hazing is committed outside of the school or
12 institution; [or]

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

15 **F) WHEN HAZING OR INITIATION RITE IS COMMITTED**
16 **UNDER THE INFLUENCE OF ILLEGAL DRUGS OR LIQUOR; AND**

17 **G) WHEN THERE IS A PRESENCE OF NON-RESIDENT OR**
18 **ALUMNI FRATERNITY MEMBERS DURING HAZING.”**

19 X X X X X X X X X X X X

20 **SEC. 3.** A new Section 4-A is hereby incorporated in the Act, to read, as
21 follows:

22 **“SEC. 4 - A. ANY PERSON WHO WAS AT THE SCENE OF**
23 **THE CRIME WHERE A VIOLATION OF SECTION 4 OF THIS ACT**
24 **WAS COMMITTED AND WHO FAILED TO REPORT SUCH CRIME**
25 **TO AN APPROPRIATE LAW ENFORCEMENT OFFICIAL AS SOON**
26 **AS REASONABLY PRACTICABLE WHEN HE COULD HAVE**
27 **DONE SO WITHOUT DANGER OR PERIL TO HIMSELF OR**
28 **OTHERS SHALL BE LIABLE AS ACCOMPLICE.”**

29 **SEC. 4. *Separability Clause.*** – If any provision or part hereof is held invalid
30 or unconstitutional, the remainder of the law or the provisions not otherwise affected
31 shall remain valid and subsisting.

32 **SEC. 5. *Repealing Clause.*** – Any law, presidential decree or issuance,
33 executive order, letter of instruction, administrative order, rule or regulation contrary
34 to or inconsistent with, the provisions of this Act is hereby repealed, modified or
35 amended accordingly.

1 **SEC. 6. Effectivity Clause.** – This Act shall take effect after fifteen days from
2 its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,