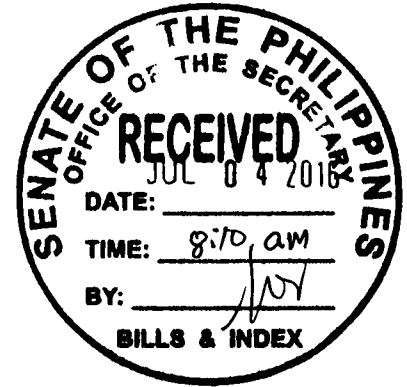


SEVENTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
First Regular Session }



SENATE  
S.B. No. 223

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Introduced by SENATOR VICENTE C. SOTTO III

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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

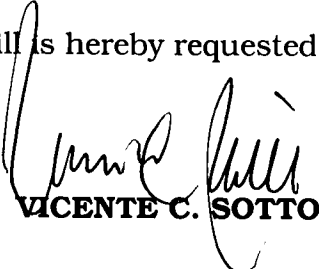
EXPLANATORY NOTE

While the Constitution mandates that an 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.

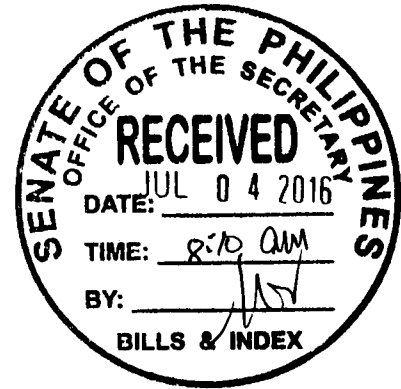
The enactment of Republic Act No. 8049, otherwise known as an Anti-Hazing Law serves to address the rampant violence happening in various fraternities, sororities and organizations. Despite its enactment in 1995, there are still numerous reports of death and injuries in various parts of our country. 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

SEVENTEENTH CONGRESS OF THE }  
REPUBLIC OF THE PHILIPPINES }  
First Regular Session }



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Introduced by SENATOR VICENTE C. SOTTO III

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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:*

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

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

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

10 **(A)WHEN HAZING OR INITIATION RITE IS COMMITTED UNDER THE**  
11 **INFLUENCE OF ILLEGAL DRUGS OR LIQUOR;**

12 **(B) WHEN THERE IS A PRESENCE OF NON-RESIDENT OR ALUMNI**  
13 **FRATERNITY MEMBERS DURING HAZING;**

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

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

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

10 (f) When the hazing is committed outside of the school or institution; or

11 (g) When the victim is below twelve (12) years of age at the time of hazing.

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

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

24 The officers, former officers or alumni of the organization, group,  
25 fraternity or sorority who actually planned the hazing although not  
26 present when the acts constituting the hazing were committed shall be  
27 liable as principals. Officers or members of an organization, group,

1 fraternity or sorority's adviser who is present when the acts constituting  
2 the hazing were committed and failed to take any action to prevent the  
3 same from occurring shall be liable as a principal.

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

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

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

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

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

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

*Approved,*