

**SENATE**

'19 JUL 10 A9:06

Senate Bill No. 305

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**Introduced by Senator Juan Miguel F. Zubiri**

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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, OTHERWISE KNOWN AS THE REVISED PENAL CODE,  
AS AMENDED BY REPUBLIC ACT 8353, OTHERWISE KNOWN AS THE ANTI-  
RAPE LAW OF 1997**

**EXPLANATORY NOTE**


Children are one of the most valuable groups of society and yet, they are the most vulnerable. It is in their hands that the hope and future of our nation lie. Thus, it is of utmost importance that we provide them with the necessary care and protection.

Alarming cases of child abuse have recently plagued the country, with the recent report of a security guard killing a 15 year old student out of jealousy. Prior to this incident, the young man filed sexual abuse charges against the said security guard.<sup>1</sup> Disturbing cases like this and the needless loss of lives can be prevented if there is a stricter law and harsher punishment for people who commit sexual abuse to children.

The 89-year-old Revised Penal Code of the Philippines puts the age for determining statutory rape to under 12 years old, which is the lowest age of consent for sexual acts among the countries in Asia, with the rest of the countries having an average age of 16 years old. This outdated law allows more child predators to commit sexual acts against children. Based on the 2016 report of the National Baseline Study on Violence against Children (NBS-VAC), one in every five children below 18 years of age experience sexual violence.<sup>2</sup>

This bill seeks to amend the provisions of the Revised Penal Code as amended, by raising the minimum age of consent to determine statutory rape to 15 years of age. This amendment will provide more protection to our children and will prevent further cases of sexual abuse against them.

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

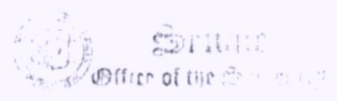


**JUAN MIGUEL F. ZUBIRI**

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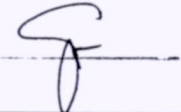
<sup>1</sup> <https://news.mb.com.ph/2019/07/09/security-guard-who-shot-to-death-grade-7-student-inside-classroom-finally-arrested/> (Accessed July 9, 2019)

<sup>2</sup> <https://preen.inquirer.net/79776/ph-age-consent-12-years-old-alarmed> (Accessed July 9, 2019)



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*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 Code,  
2 Article 266-A (I) (d) is hereby amended to read as follows:  
3

4 "Article 266-A. *Rape, When and How Committed.* - Rape is committed:  
5 1. By a man who shall have carnal knowledge of a woman under any of the  
6 following circumstances:  
7

8 X X X  
9

10 (d) When the offended party is [under] **FIFTEEN (15)** [twelve (12)] years of age **OR**  
11 **BELOW** or is demented, even though none of the circumstances mentioned above be  
12 present."  
13

14 X X X  
15

16 **SEC. 2. Repealing Clause** – All laws, decrees, executive orders, presidential issuances  
17 and other administrative rules and regulations or parts thereof which are inconsistent  
18 with the provisions of this Act are hereby repealed, amended or modified accordingly.  
19

20 **SEC. 3. Effectivity** – This Act shall take effect fifteen (15) days after its publication in  
21 the *Official Gazette* or in a newspaper of general circulation.  
22

23 *Approved,*