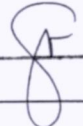


SENATE
S.B. No. 774

'19 JUL 24 P5:22

Introduced by **SENATOR IMEE R. MARCOS** RECEIVED BY: 

**AN ACT RAISING THE AGE OF CONSENT AND AMENDING FOR THIS
PURPOSE ARTICLE 266 OF ACT NO. 3815, AS AMENDED, OTHERWISE
KNOWN AS THE REVISED PENAL CODE**

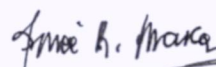
EXPLANATORY NOTE

The Age of Consent is the legal age at which an individual is considered mature enough to agree to have sexual relations. It varies, from ages eleven (11) to twenty-one (21), from country to country around the world. For instance, Nigeria has the lowest at age eleven (11) then followed by Philippines and Angola at twelve (12) years of age, and several other countries, including South Korea and Japan at thirteen (13) years old. This means that the Philippines is second from the lowest in the world and the lowest in Southeast Asia.

Article 1 of the United Nations Convention of the Rights of the Child, to which the Philippines is also a signatory, defines a child as a human being *below the age of eighteen years* unless under the law applicable, the age of majority is attained. There is a delicate balance between the children's right to be protected and the recognition that they also have evolving capacities which has an effect in making decisions about their lives.

According to the Center for Women's Resources, rape happens every 62 minutes in the country, with seven (7) out of ten (10) victims being children. According to UNICEF, one in every twenty-five (25) Filipino children, between thirteen (13) to seventeen (17) years old, had experienced rape. This means that a significant number of children are not as protected because they are above the age of statutory rape. In addition, the Philippine National Police (PNP) also reported that there is a forty-eight percent (48%) increase in reported cases of child rape, including incest and attempted rape, from 2008 to 2014.

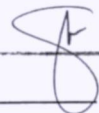
Given the abovementioned circumstances, there is a need to raise the age limit for statutory rape to protect young people from sexual abuse and exploitation. Thus, the immediate passage of this bill is necessary.



IMEE R. MARCOS
Senator

SENATE
S.B. No. 774

'19 JUL 24 P5 :22

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**AN ACT RAISING THE AGE OF CONSENT AND AMENDING FOR THIS
PURPOSE ARTICLE 266 OF ACT NO. 3815, AS AMENDED, OTHERWISE
KNOWN AS THE REVISED PENAL CODE**

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

1 SECTION 1. Article 266-A (1)(d) of Act No. 3815, as amended, otherwise
2 known as the Revised Penal Code, shall be amended as follows:

3 "Article 266-A. Rape, When and How Committed. – Rape is committed

4 1. By a man who shall have carnal knowledge of a woman under any of the
5 following circumstances:

6 xxx xxx xxx

7 (d) When the offended party is under [twelve (12)] EIGHTEEN (18) years of
8 age or is demented, even though none of the circumstances mentioned above
9 be present."

10 Sec. 2. *Separability Clause.* – If, for any reason, any section or provision of
11 this Act is declared unconstitutional or invalid, the other sections or provisions which
12 are not affected shall continue to be in full force and effect.

13 Sec. 3. *Repealing Clause.* – All laws, decrees, executive orders, proclamations,
14 rules and regulations or parts thereof inconsistent herewith are repealed, amended,
15 or modified accordingly.

16 Sec. 4. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
17 other issuances or parts thereof inconsistent with the provisions of this Act are
18 hereby repealed or modified accordingly.

1 Sec. 5. *Effectivity.* – This Act shall take effect after fifteen (15) days following
2 the completion of its publication either in the Official Gazette or in a newspaper of
3 general circulation in the Philippines.

4

5 Approved,