


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

OFFICE OF THE SECRETARY

10 AUG 10 P6:11

SENATE

RECEIVED BY 

S. B. No. 2372

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Introduced by Senator FRANCIS G. ESCUDERO

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EXPLANATORY NOTE

Article 11 of the Constitution provides that the State values the dignity of every human person and guarantees full respect for human rights. The State also recognizes the vital role of the youth in nation-building and shall promote and protect their physical, moral, spiritual, intellectual, and social well-being. Further, the State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of women and men.

This proposed bill seeks to abate white slave trade, which is becoming more rampant, continues to be a menace to society, violating the rights of more women and children, by increase the penalty for white slave trade, punishable under Article 341 of the Revised Penal Code, as amended. It also seeks to punish of persons acting as procurer or recruits of prostitute and establishments or enterprises which promote, facilitate or conduct activities constituting prostitution.

In view thereof, the early passage of this bill is earnestly sought.



FRANCIS G. ESCUDERO

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AN ACT  
AMENDING ARTICLE 341 OF REPUBLIC 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 341 of Republic Act No. 3815, as amended, otherwise  
2 known as the Revised Penal Code, is hereby further amended to read as follows:

3  
4 "Art. 341. *White Slave Trade.* - The penalty of **RECLUSION TEMPORAL** [*Prision*  
5 *mayor*] in its medium and maximum periods shall be imposed upon any person  
6 who, in any manner, or under any pretext, shall engage in the business or shall  
7 profit by prostitution or shall [enlist the services of any other for the purpose of  
8 prostitution]:

9  
10 :  
11  
12 (A) ENGAGE IN OR PROMOTE, FACILITATE OR INDUCE PROSTITUTION  
13 WHICH INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:

14 (1) ACTING AS A PROCURER OF A PROSTITUTE;

15  
16 (2) INDUCING A PERSON TO BE A CLIENT OF A PROSTITUTE BY  
17 MEANS OF WRITTEN OR ORAL ADVERTISEMENTS OR OTHER  
18 SIMILAR MEANS;

19  
20 (3) TAKING ADVANTAGE OF ANY ASCENDANCY, INFLUENCE OR  
21 RELATIONSHIP TO PROCURE A PERSON AS A PROSTITUTE;

22  
23 (4) THREATENING OR USING VIOLENCE TOWARDS A PERSON TO  
24 ENGAGE HIM/HER AS A PROSTITUTE; OR

25  
26 (5) GIVING MONETARY CONSIDERATION, GOODS OR OTHER  
27 PECUNIARY BENEFIT TO A PERSON WITH THE INTENT TO ENGAGE  
28 SUCH PERSON IN PROSTITUTION; OR  
29  
30

1 (B) DERIVE PROFIT OR ADVANTAGE FROM PROSTITUTION, WHETHER AS  
2 MANAGER OR OWNER OF THE ESTABLISHMENT WHERE THE  
3 PROSTITUTION TAKES PLACE, OR OF THE SAUNA, DISCO, BAR, RESORT,  
4 PLACE OF LEISURE AND/OR ENTERTAINMENT OR ESTABLISHMENT  
5 SERVING AS A COVER OR WHICH ENGAGES IN PROSTITUTION IN  
6 ADDITION TO THE ACTIVITY FOR WHICH THE LICENSE HAS BEEN  
7 ISSUED TO SAID ESTABLISHMENT.

8  
9 FOR PURPOSES OF THIS ACT, THE TERM PROSTITUTE SHALL MEAN  
10 ANY PERSON WHO, FOR MONEY, PROFIT OR ANY FORM OF MATERIAL  
11 CONSIDERATION OR ADVANTAGE SHALL HABITUALLY OR WITH  
12 INTENT TO HABITUALLY ENGAGE OR INDULGE IN SEXUAL  
13 INTERCOURSE OR LASCIVIOUS CONDUCT.”

14  
15  
16 SEC. 2. *Common Penal Provisions.* - The penalty provided under this Act  
17 shall be imposed in its *maximum* period if the offender:

18  
19 (a) has been previously convicted under this Act or under Article 341 of the  
20 Revised Penal Code, as amended, in its form prior to its amendment by this Act;

21  
22 (b) is, in reference to the prostitute, an ascendant, parent, guardian, stepparent or  
23 collateral relative within the second degree of consanguinity or affinity;

24  
25 (c) is a manager or owner of an establishment which has no license to operate or  
26 its license has expired or has been revoked;

27  
28 (d) is a foreigner, who shall likewise be deported immediately after service of  
29 sentence and forever barred from entry to the Philippines; and

30  
31 (e) is a public officer or employee, who shall likewise suffer the penalty of  
32 perpetual or temporary absolute disqualification. In addition to the penalty of  
33 imprisonment, a fine to be determined by the court, which shall not be less than  
34 One Hundred Thousand Pesos (Php100,000,00), shall be imposed. Said fine shall  
35 be administered as a cash fund by the Department of Social Welfare and  
36 Development (DSWD) and disbursed, for the rehabilitation of each prostitute  
37 victim and any immediate member of his/her family if the latter is the  
38 perpetrator of the offense, in this order.

39  
40 When the offender is a corporation, partnership or association, the officer,  
41 director, employee or agent thereof who is responsible for the violation of this  
42 Act shall suffer the corresponding penalty imposed.

43  
44  
45 SEC. 3. *Rules and Regulations.* - Unless otherwise provided in this Act, the  
46 Department of Justice (DOJ), in coordination with the DSWD, shall promulgate  
47 rules and regulations for the effective implementation of this Act.

48  
49 SEC. 4. *Repealing Clause.* - All laws, presidential decrees, executive orders,  
50 rules and regulations which are contrary to the provision of this Act are hereby  
51 repealed, amended and modified accordingly.

52

1           **SEC. 5. *Separability Clause.*** - If any part of this Act shall be held to be  
2 unconstitutional or invalid, other parts or provisions hereof which are not  
3 affected thereby shall continue to be in full force and effect.

4           **SEC. 6. *Effectivity.*** - This Act shall take effect fifteen (15) days after its  
5 publication in at least two (2) newspapers of general circulation.

6  
7           Approved,  
8