

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



HOUSE OF REPRESENTATIVES

Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.

House Bill No. 6468

EXPLANATORY NOTE

Republic Act No. 8049, otherwise known as the Anti-Hazing Law was enacted to address the rampant violence happening in various fraternities, sororities and organizations. The law was supposed to penalize those who go too far during initiation rites wherein the incoming pledge is made to bear and suffer extreme pain thru violence.

However, despite its enactment in 1995, there are still numerous reports of death and injuries in various parts of our country, the most recent of whom was the case of Marvin Reglos. This only shows that there is a need to strengthen the law, by providing a higher penalties and stricter implementation.

It must always be borne in mind that these fraternities, sororities and organizations exist to foster camaraderie and deep friendships and not to exact pain and violence.

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


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

HOUSE OF REPRESENTATIVES

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AN ACT

AMENDING REPUBLIC ACT 8049, OTHERWISE KNOWN AS AN ACT
REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN
FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS AND
PROVIDING PENALTIES THEREFOR, AND FOR OTHER PURPOSES

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

SECTION 1. Section 4 of Republic Act No. 8049, otherwise known as the
Anti-Hazing Law, is hereby amended to read as follows:

[Section 4. If the person subjected to hazing or other
forms of initiation rites suffers any physical injury or
dies as a result thereof, the officers and members of
the fraternity, sorority or organization who actually
participated in the infliction of physical harm shall be
liable as principals. The person or persons who
participated in the hazing shall suffer:

1. The penalty of reclusion perpetua (life
imprisonment) if death, rape, sodomy or
mutilation results there from.

2. The penalty of reclusion temporal in its
maximum period (17 years, 4 months and 1
day to 20 years) if in consequence of the
hazing the victim shall become insane,
imbecile, impotent or blind.

3. The penalty of reclusion temporal in its
medium period (14 years, 8 months and one
day to 17 years and 4 months) if in
consequence of the hazing the victim shall
have lost the use of speech or the power to
hear or to smell, or shall have lost an eye, a
hand, a foot, an arm or a leg or shall have lost
the use of any such member shall have
become incapacitated for the activity or work in
which he was habitually engaged.

4. The penalty of reclusion temporal in its minimum period (12 years and one day to 14 years and 8 months) if in consequence of the hazing the victim shall become deformed or shall have lost any other part of his body, or shall have lost the use thereof, or shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of more than ninety (90) days.

5. The penalty of prison mayor in its maximum period (10 years and one day to 12 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of more than thirty (30) days.

6. The penalty of prison mayor in its medium period (8 years and one day to 10 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged for a period of ten (10) days or more, or that the injury sustained shall require medical assistance for the same period.

7. The penalty of prison mayor in its minimum period (6 years and one day to 8 years) if in consequence of the hazing the victim shall have been ill or incapacitated for the performance on the activity or work in which he was habitually engaged from one (1) to nine (9) days, or that the injury sustained shall require medical assistance for the same period.

8. The penalty of prison correccional in its maximum period (4 years, 2 months and one day to 6 years) if in consequence of the hazing the victim sustained physical injuries which do not prevent him from engaging in his habitual activity or work nor require medical attendance.]

SECTION 4. ANY OFFICERS OR MEMBERS OF THE FRATERNITY, SORORITY OR ORGANIZATION WHO ACTUALLY PARTICIPATED IN THE INFLICTION OF PHYSICAL HARM IN A HAZING OR OTHER FORMS OF INITIATION RITES SHALL BE LIABLE AS PRINCIPALS AND SHALL SUFFER THE PENALTY OF RECLUSION

PERPETUA.

The responsible officials of the school or of the police, military or citizen's army training organization, may impose the appropriate administrative sanctions on the person or the persons charged under this provision even before their conviction. [The maximum penalty herein provided shall be imposed in any of the following instances:

- (a) when the recruitment is accompanied by force, violence, threat, intimidation or deceit on the person of the recruit who refuses to join;
- (b) when the recruit, neophyte or applicant initially consents to join but upon learning that hazing will be committed on his person, is prevented from quitting;
- (c) when the recruit, neophyte or applicant having undergone hazing is prevented from reporting the unlawful act to his parents or guardians, to the proper school authorities, or to the police authorities, through force, violence, threat or intimidation;
- (d) when the hazing is committed outside of the school or institution; or
- (e) when the victim is below twelve (12) years of age at the time of the hazing.]

The owner of the place where hazing is conducted shall be liable as an accomplice, when he has actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring. If the hazing is held in the home of one of the officers or members of the fraternity, group, or organization, the parents shall be held liable as principals when they have actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring.

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

The officers, former officers, or alumni of the organization, group, fraternity or sorority who actually planned the hazing although not present when the acts constituting the hazing were committed shall be liable as principals. A fraternity or sorority's adviser who is present when the acts constituting the hazing were committed and failed to take action to prevent the same from occurring shall be liable as principal.

The presence of any person during the hazing

is prima facie evidence of participation therein as principal unless he prevented the commission of the acts punishable herein.

Any person charged under this provision shall not be entitled to the mitigating circumstance that there was no intention to commit so grave a wrong.

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

SEC 2. *Repealing Clause.* All laws, executive orders, rules and regulations or parts thereof in conflict with the provision of this Act are hereby repealed or amended accordingly.

SEC 3. *Effectivity.* -This Act shall take effect after fifteen (15) days following its full and complete publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved.