

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS

Second Regular Session

House Bill No. **4692**



Introduced by Rep. EVELIO R. LEONARDIA

EXPLANATORY NOTE

The Anti-Hazing Law (R.A. 8049) was for the purpose of deterring the violence and cruelty imposed upon recruits, neophytes or applicants. Yet in recent years serious injuries and even deaths were caused by fraternities, sororities, and similar organizations. More recently, it has brought another untimely death of Guillo Cesar Servando, a native of Bacolod City, whose young life was wasted by the practice of inhumanity and bestial manner of initiating one's participation to the absurd claim of brotherhood.

Thus, there is a need to further strengthen the deterrent element of the Anti-Hazing Law such that upon application in the conduct of initiation rites, the officers of the fraternity, sorority or organization and the persons responsible in the conduct of the initiation must already be known in their written notice under oath to the school, authority or the head of the organization. Also, psychological suffering must be included as among the injuries inflicted and/or suffered by the victim with the penalty provided therefor. The present law simply emphasizes physical injury while in most instances psychological injury will necessarily be suffered by the victim especially to those whose psychological make-up may not be as strong as the others.

Further, the hazing normally starts from a mode of recruitment that pressures exerted upon the recruit cannot be discounted, let alone the infliction of threat, intimidation, or any form of vexation is exerted simply to win the acquiescence of the recruit although unwillingly accepted against his / her will. In such event, the Anti-Hazing Law needs amendment so that the persistent and repeated attempts to recruit someone who had already refused on two (2) occasions to such invitation to join a fraternity, sorority or similar organization with the commission of threat, intimidation, or any form of vexation shall become a criminal offense against the recruiter. This is to solidify the element of deterrence in the commission of hazing or the violation of the Anti-Hazing Law.

As such, the approval of this Bill is earnestly sought.


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Lone District, Bacolod City

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AN ACT AMENDING 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, BY AMENDING SECTION 2 AND BY ADDING SECTION 2-A IN PROVIDING PENALTY IN VIOLATION OF SECTION 2, AND BY ADDING SECTION 4 (9) IN PROVIDING PENALTIES BY REASON OF PSYCHOLOGICAL INJURY SUFFERED BY THE VICTIM

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

SECTION 1. Section 2 of Republic Act No. 8049 is hereby amended to read as follows:

Section 2. No hazing or initiation rites in any form or manner by a fraternity, sorority or organization shall be allowed without prior written notice to the school authorities or head of organization seven (7) days before the conduct of such initiation. The written notice shall indicate the specific place with complete address where the initiation rites shall be conducted, the period of the initiation activities which shall not exceed three (3) days, shall include the names of those to be subjected to such activities, the names of the incumbent officers of the fraternity, sorority or organization and any person or persons that will take charge in the conduct of the initiation activities, and shall further contain an undertaking that no physical or psychological violence be employed by anybody during such initiation rites. Provided that the written notice shall be under oath with a declaration that it has been posted in the official school bulletin board, the bulletin board of the office of the fraternity, sorority, or organization, and two other conspicuous places in the school or in the premises of the organization and shall be posted from the time of the submission of the written notice to the school authorities or head of organization and shall only be removed from its posting three (3) days after the conduct of the initiation rites. Provided further that the school, organization, fraternity, or sorority shall provide for their respective bulletin boards for the purpose of this section.

Section 2-A. It shall be unlawful for any person to intimidate, threaten, force, or to employ or administer any form of vexation against another person for the purpose of recruitment in joining or promoting a particular fraternity, sorority, or organization. The persistent and repeated proposal or invitation made to a person who had twice refused to participate or join the proposed fraternity, sorority or organization shall be a prima facie vexation for purposes of this section. Provided further that violation of this section shall be punished by prision correccional in its minimum period (6 months and 1 day to 2 years and 4 months).

SECTION 2. Section 4 of Republic Act No. 8049 shall be amended by adding paragraph 9 thereof to read as follows:

Section 4 (9) The penalty of prision correccional in its medium period (2 years 4 months and 1 day to 4 years and 2 months) if as a the consequence of the hazing the victim sustained psychological injuries or would require psychological therapy or treatment even if the victim continues to engage in his habitual activity.

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SECTION 3. Separability Clause. – If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 4. Repealing Clause. – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with any provision of this Act as hereby amended or modified accordinally.

SECTION 5. This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,