

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

Sixteenth Congress
Second Regular Session



HOUSE BILL NO. **5017**

Introduced by Representative Catherine Barcelona-Reyes, M.D.

EXPLANATORY NOTE

Since the year 2000, there have already been a recorded 22 deaths due to hazing or fraternity -violence. One would think that because of the passage of the Anti-Hazing Law in 1995, or after the horrible deaths in the early 1990's of Lenny Villa and Dennis Venturina, among others, people would learn their lesson and hazing would eventually stop. However, the problem persists, and it seems that unless anyone was held accountable, the deaths will keep on growing over the years.

The State's policy on human rights is in the most simplest of terms in our Constitution – the State shall value the dignity of every human being and guarantees full respect for human rights. The right to life is of paramount importance, highly placed above all the other rights.

Despite this declaration of our State policy, hazing still exists, as evidenced in the numerous deaths over the years. It is an affront to the State's affirmation of human rights; it is a clear slap on the face and dignity of every citizen it has claimed. It has to be ended, now.

This bill seeks to end the problem which has continued to mess up society through the years, one that has claimed numerous innocent victims; victims who were supposed to hold future roles as brilliant leaders and custodians of this nation.

This bill intends to limit the scope and usage of the term “hazing” and completely ban the same. The current bill lacks the teeth to successfully finish off the hazing conundrum. Rather than regulate the process, it is high time for the State to exercise its police power to completely ban hazing. By banning hazing and any form of physical and psychological punishment, this bill will promote the State’s policy on human rights and hopefully ensure that hazing no longer claims the life of our citizens especially the Filipino Youth.

The passage of this bill is earnestly sought.



HON. CATHERINE BARCELONA-REYES, MD
First District, Camarines Norte
Representative

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AN ACT
AMENDING REPUBLIC ACT NO. 8049
OTHERWISE KNOWN AS THE ANTI-HAZING ACT OF 1995

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

Section 1. The first paragraph of Section 1 of Republic Act No. 8049, otherwise known as the “Anti-Hazing Act of 1995”, is hereby amended to read as follows:

“Hazing, as used in this Act, is an initiation rite or practice as a prerequisite for admission ~~into~~ **or activity of members** in a fraternity, sorority or organization by ~~placing~~ **subjecting** the recruit, neophyte, ~~member~~ or applicant ~~in some embarrassing or humiliating situations such as forcing him to do menial, silly, foolish and other similar tasks or activities or otherwise subjecting him to physical or psychological suffering, harm or injury.”~~

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

~~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 period of the initiation activities which shall not exceed three (3) days, shall include the names of those to be subjected to such activities, and shall further contain an undertaking that no physical violence be employed by anybody during such initiation rites.~~

“Hazing, as used in this Act, shall not be allowed as a prerequisite for admission or as an activity of members in any fraternity, sorority, or organization”

Section 3. Section 3 of Republic Act No. 8049 is hereby repealed.

Section 4. The first paragraph of Section 4 of Republic Act No. 8049 is hereby amended to read as follows:

~~“If a person is subjected to hazing or other forms of initiation rites, suffers any physical injury or dies as a result thereof, the~~ **all officers, even those who did not participate,** and **all** members of the chapter 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. xxx

2. xxx

3. xxx

9. The penalty of three months to six months in prison for any person who will be involved in conducting a hazing activity even if there will be no need for medical attention to those who have undergone the hazing;

10. The penalty of one month to three months in prison to all officers of the chapter of a fraternity, sorority, or organization whose member/s are involved in a hazing activity;

Section 5. Separability Clause. If any clause, provision, paragraph, or part thereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate, or impair any other part thereof

but such judgment shall merely be confined to such clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

Section 6. Repealing Clause. All other laws, decrees, executive orders and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby modified, superseded, or repealed accordingly.

Section 7. Effectivity. This Act shall take effect fifteen (15) days following its publication in the Official Gazette or in a major daily newspaper of national circulation in the Philippines.

Approved,