

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

SIXTEENTH CONGRESS

Regular Session

House Bill No. 6500



Introduced by: **Rep. EVELIO R. LEONARDIA**

EXPLANATORY NOTE

Prostitution is punished under Article 202 of the Revised Penal Code as amended, thereby penalizing those engaged in prostitution.

Under aforementioned article, prostitutes are women who for money or profit, habitually indulge in sexual intercourse or lascivious conduct. The definition unequivocally limits the term prostitute to women without providing a corresponding penalty for men who commits similar violation of the law.

It is embodied in the Constitution that the State recognizes the role of women in nation-building, and shall ensure the fundamental equality before the law of men and women.

The equal protection of the law and indiscrimination regardless of ones gender must be upheld as it is a guaranteed right under our Bill of Rights. One who has committed a similar wrong must be punished alike. It is high time that we consider that morality and chastity is a quality each citizen must possess and protect to gain respect as an individual.

Therefore there is a need to further amend Article 202 of the Revised Penal Code to include male prostitutes or gigolos which are also enjoined for its immorality which may corrupt the youth and avoid inequalities before the law.

The foregoing reasons warrant the approval of this measure.


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Lone District, Bacolod City

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AN ACT
AMENDING ARTICLE 202 OF ACT NO. 3815, AS AMENDED, OTHERWISE
KNOWN AS THE REVISED PENAL CODE TO INCLUDE MALE
PROSTITUTES IN PENALIZING PROSTITUTION.

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

SECTION 1. Amending Article 202 of the Revised Penal Code. Art. 202 of Act No. 3815, as amended, otherwise known as the Revised Penal Code, is hereby further amended to read as follows:

Article 202 Prostitutes; penalty

For the purposes of this article, men or women who, for money or profit, habitually indulge in sexual intercourse or lascivious conduct, are deemed to be prostitutes.

Any person found guilty of any of the offenses covered by this article shall be punished by arresto menor or a fine not exceeding 200 pesos, and in case of recidivism, by arresto mayor in its medium period to prisjon correccional in its minimum period or a fine ranging from 200 to 2,000 pesos, or both, in discretion of the court.

SECTION 2. Defining Male Prostitutes or Gigolos. A new Article 202-A defining the crime and providing for its penalty shall be included in Act No. 3815 otherwise known as the Revised Penal Code, which reads as follows:

Article 202-A. Male Prostitute or Gigolo is a man who is paid by a woman or another man to habitually engage in sexual intercourse or lascivious conduct in exchange for money or things of value which fosters the immoral acts shall suffer the same penalty with the preceding article.

SECTION 3. Separability Clause. If any provision or part thereof, is held

invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

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 the provisions of this Act is hereby repealed, modified or amended accordingly.

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