

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL No. **6693**



Introduced by HON. MANUEL F. ZUBIRI

EXPLANATORY NOTE

The death of Horatio Tomas Castillo III again begs this Congress to review the weakness of the existing Anti-Hazing Law, given that in the past 22 years, only one conviction has resulted from numerous cases filed against fraternities and organizations engaging in hazing. Given its current wording, there are various loopholes these groups utilize to avoid conviction under the Anti-Hazing Law, rendering said law toothless.

There have been 37 fraternity-related deaths since 1954, which only account for reported cases; there can be more deaths unreported and more cases of physical and mental injuries, hushed and silenced by these groups' omerta and the silence bought by the promise of membership and brotherhood. It is unfathomable how organizations which supposedly espouse academic excellence, civic service, and brotherhood can tolerate pain and death as a currency and as a measure of endurance and brotherly love.

It is clear a new law should be adopted to banish this culture of hazing among our fraternities, sororities, and organizations. Lives and suffering are a price too expensive to pay for membership in any organization. After all, in the ultimate analysis, it is what one does and can do for the betterment of an organization which determines his or her commitment to their cause.

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

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Third District, Bukidnon

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HOUSE BILL NO. 6693

Introduced by Representative HON. MANUEL F. ZUBIRI

AN ACT
PROHIBITING HAZING AND REGULATING OTHER FORMS OF INITIATION RITES OF
FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND PROVIDING
PENALTIES FOR VIOLATION THEREOF, REPEALING FOR THE PURPOSE REPUBLIC
ACT NO. 8049

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

1 **SECTION 1. Short Title.** – This Act shall be known as the "Anti-Hazing Act
2 of 2017."

3 **SEC. 2. Definition of Terms.** - For purposes of this Act:

4 a. Hazing – refers to any act of or series of acts of physical or
5 psychological suffering, harm, or injury inflicted upon a recruit, member,
6 neophyte, or applicant as a form of an initiation rite or practice made as a
7 prerequisite for the admission or a requirement for continuing or maintaining
8 membership in a fraternity, sorority, or organization. Requiring a recruit,
9 member, neophyte or applicant to do menial, silly, or foolish tasks in the absence
10 of violence, threats, coercion, abuse, or other forms of intimidation shall not be
11 considered hazing.

12 b. Organization – refers to an organized body of people which includes but
13 is not limited to clubs, associations, and groups.

14 c. Schools – refer to colleges, universities, and all other educational
15 institutions including military and police academies.

16 **SEC. 3. Prohibition on Hazing.** - All forms of hazing shall be prohibited in
17 fraternities, sororities, and organizations in schools, including Citizens' Military
18 and Citizens' Army Training, or their equivalent. It shall likewise be prohibited in
19 fraternities, sororities, and organizations not based in schools, such as those

1 which are community-based or civic service organizations. In no case shall
2 hazing be made a requirement for employment in any business or corporation.

3 **SEC. 4. Regulation of Initiation Rites.** - Only initiation rites or practices,
4 which do not inflict direct or indirect physical or psychological suffering, harm, or
5 injury to the recruit, neophyte, or applicant of a fraternity, sorority, or organization,
6 shall be allowed: *Provided, That:*

7 a. A written application to conduct initiation rites shall be made to the
8 proper authorities of the school not later than seven (7) days prior to the
9 scheduled initiation date;

10 b. The signed written application shall indicate the place and date of the
11 initiation rites and the names of the recruit, neophyte, or applicant to be initiated;

12 c. The initiation rites shall not last more than three (3) days;

13 d. The application shall contain the names of the incumbent officers of the
14 fraternity, sorority, or organization and any person or persons that will take
15 charge in the conduct of the initiation rites. In the case of initiation rites or
16 practices to be conducted by school-based fraternities, sororities, or
17 organizations, the name and position of the initiating group's official faculty
18 adviser shall likewise be included in the said application;

19 e. The application shall be under oath with a declaration that it has been
20 posted in the official school bulletin board, the bulletin board of the office of the
21 fraternity, sorority, or organization, and two other conspicuous places in the
22 school or in the premises of the organization;

23 f. The application shall be posted from the time of submission of the
24 written notice to the school authorities or head of organization and shall only be
25 removed from its posting three (3) days after the conduct of the initiation rites;

26 The school, organization, fraternity, sorority shall provide for their
27 respective bulletin boards for the purposes of this Section.

28 The appropriate authorities of the school shall have the right to approve or
29 disapprove the application, and the reason thereof shall be stated clearly and in
30 unequivocal terms in a formal advice to the fraternity, sorority, or organization
31 concerned taking into consideration the safety and security of participants to
32 conduct initiation rites by a registered fraternity, sorority, or organization shall be

1 promulgated by the appropriate school officials not later than sixty (60) days after
2 the approval of this Act.

3 School officials shall have the authority to impose, after due notice and
4 summary hearing, disciplinary sanctions upon the head and all other officers of
5 the fraternity, sorority, or organization which conducts an initiation without first
6 securing the necessary approval of the school as required under this Section. All
7 members of the fraternity, sorority or organization, who participated in the
8 unauthorized initiation rites, even if no hazing was conducted, shall also receive
9 disciplinary sanctions accordingly.

10 In case the written application for the conduct of initiation rites contains
11 false or inaccurate information, appropriate disciplinary sanctions shall be
12 imposed, after due notice and summary hearing, against the person who
13 prepared the application or supplied the false and inaccurate information and to
14 the head and other officers of the fraternity, sorority, or organization concerned.

15 **SEC. 5. *Monitoring of Initiation Rites.*** - The head of the school or an
16 authorized representative must assign at least two (2) representatives of the
17 school who shall be present for the entire duration of the initiation rites. The
18 representatives of the school who were present during the initiation shall make a
19 report to the appropriate officials of the school regarding the conduct of the
20 initiation. These representatives must not be members or must not have been
21 members of the organization conducting the initiation to avoid collusion.

22 **SEC. 6. *Release of Neophytes After Initiation Rites.*** - All neophytes or
23 applicants who underwent initiation rites shall be released immediately after their
24 initiation rites. The school representatives who monitored the initiation rites must
25 indicate in their report the physical status of the neophytes.

26 **SEC. 7. *Registration of Fraternities, Sororities, and Other Organizations.*** -
27 All existing fraternities, sororities, and other organizations otherwise not created
28 or organized by the school but has existing members who are students or plans
29 to recruit students to be its members shall be required to register with the proper
30 authorities of the school before it conducts activities whether on or off-campus,
31 including recruitment of members.

32 A newly established fraternity, sorority, or organization in a school shall
33 immediately register with the proper authorities of the school during the semester
34 or trimester in which it was established or organized: *Provided, That the new*

1 fraternity, sorority, or organization has complied with the requirements prescribed
2 by the school in establishing a fraternity, sorority, or organization: *Provided,*
3 *further,* That schools shall promulgate their guidelines in the registration and
4 accreditation of fraternities, sororities, and organizations within their jurisdiction
5 not later than sixty (60) days from the approval of this Act.

6 Upon registration, all fraternities, sororities, and organizations shall submit
7 a complete list of all the resident members, which shall be updated not later than
8 thirty (30) days from the start of every semester or trimester, depending on the
9 academic calendar of the school.

10 School officials shall have the authority to impose, after due notice and
11 summary hearings, disciplinary penalties to the head and other officers of the
12 fraternity, sorority, or organization who fails to register or update their roster of
13 members as required under this Section.

14 **SEC. 8. *Faculty Adviser.*** - All fraternities, sororities, and organizations
15 must be assigned a faculty adviser who is not a past member of the said
16 fraternity, sorority, or organization responsible for monitoring the activities of the
17 fraternity, sorority, or organization. The faculty adviser must be a duly recognized
18 active member, in good standing, of the faculty at the school in which the
19 fraternity, sorority, or organization is registered.

20 **SEC. 9. *Role of Educational Institutions.*** - Schools shall implement an
21 information dissemination campaign at the start of every semester or trimester to
22 provide adequate information to students regarding the physiological and mental
23 effects of hazing and a brief history of fraternity-related violence.

24 An orientation program relating to membership in a fraternity, sorority, or
25 organization shall also be conducted by schools at the start of every semester or
26 trimester.

27 Schools shall encourage fraternities, sororities, and organization to
28 engage in undertakings that foster wholistic personal growth and development
29 and activities that contribute to solving relevant and pressing issues of society.

30 **SEC. 10. *Registration of community-based fraternities, sororities, or***
31 *organizations.* - All new existing community-based fraternities, sororities, or
32 organizations shall register with the barangay or municipality or city wherein it is
33 primarily based.

1 Upon registration, all community-based fraternities, sororities, or
2 organizations shall submit comprehensive list of members and officers which
3 shall be updated yearly from the date of registration.

4 **SEC. 11.** *Regulation of initiation rights for community-based fraternities,*
5 *sororities, or organizations.* - Only initiation rites or practices which do not inflict
6 direct or indirect physical or psychological suffering, harm, or injury to the recruit,
7 neophyte, or applicant of a fraternity, sorority, or organization shall be allowed.
8 *Provided, That:*

9 a. A signed written application to conduct the same shall be made the
10 Barangay captain in the barangay or the municipal or city mayor in the city or
11 municipality where the community-based fraternity, sorority, or organization is
12 based not later than seven (7) days prior to the schedules initiation date;

13 b. The written application shall indicate the place and the date of the
14 initiation rites and the names of the recruit, neophyte, or applicant to be initiated;

15 c. The initiation rites shall not last more than three (3) days;

16 d. The application shall contain the names of the incumbent officers of the
17 community-based fraternity, sorority, or organization and any person that will take
18 charge in the conduct of the initiation rites;

19 e. The application shall be under oath with a declaration that it has been
20 posted in the official bulletin board of the barangay hall or the municipal or city
21 hall where the community-based fraternity, sorority, or organization is based and
22 the bulletin board of the office of the community-based fraternity, sorority, or
23 organization;

24 f. The application shall be posted from the time of submission of the
25 written notice to the barangay captain or municipal or city mayor and shall only
26 be removed from its posting three (3) days after the conduct of the initiation rites.

27 **SEC. 12.** *Monitoring of initiation rites of community-based fraternities,*
28 *sororities, or organizations.* - The barangay captain of the barangay or the
29 municipal or city mayor of the municipality or city where the community-based
30 fraternity, sorority, or organization is based must assign at least two (2) barangay
31 or municipal or city officials to be present during the initiation, both of whom shall
32 not have been members or are not current members of the fraternity, sorority,
33 organization. It shall be their duty to see to it that no hazing is conducted during

1 the initiation rites. The representatives who were present during the initiation
2 shall make a report to the barangay captain, or the municipal or city mayor
3 regarding the conduct of the initiation.

4 **SEC. 13. Nullity of Waiver and Consent.** - Any form of approval, consent,
5 or agreement, whether written or otherwise, or of an express waiver of the right to
6 object to the initiation rite or proceeding which consists of hazing as defined in
7 this Act, made by the recruit, neophyte, or applicant prior to an initiation rite that
8 involves inflicting physical or psychological suffering, harm, or injury, shall be void
9 and without any binding effect on the parties.

10 The defense that the recruit, neophyte, or applicant consented to being subjected
11 to hazing shall be available to persons prosecuted under this Act.

12 **SEC. 14. Implementing Rules and Regulations.** - The Commission on
13 Higher Education (CHED), together with the Department of Education (DepEd),
14 Department of Justice (DOJ), Philippine National Police (PNP), Armed Forces of
15 the Philippines (AFP), Department of Interior and Local Government (DILG),
16 Department of Social Welfare and Development (DSWD) and National Youth
17 Commission (NYC), shall promulgate the implementing rules and regulations
18 implementing within ninety (90) days from the effectivity of this Act.

19 **SEC. 15. Administrative Sanctions.** - The responsible officials of the
20 school or of the police or military may impose the appropriate administrative
21 sanctions, after due notice and summary hearing, on the person or the persons
22 charged under this Act even before their conviction.

23 **SEC. 16. Penalties and Liability of Those Involved in Hazing.** -

24 a) The following penalties shall be imposed:

25 1. The penalty of *reclusion temporal* and a fine of one million pesos
26 (P1,000,000.00) shall be imposed upon the participating officers and members
27 of the fraternity, sorority, organization, business or corporation involved in hazing.

28 2. The penalty of *reclusion perpetua* and a fine of two million pesos
29 (P2,000,000.00) shall be imposed upon the members of the fraternity, sorority,
30 organization, business or corporation who were intoxicated or under the influence
31 of alcohol or illegal drugs when they actually participated in the hazing. The said
32 penalty shall be in addition that the civil and criminal penalties imposed under
33 special laws.

1 The same penalty shall be imposed upon the non-resident or alumni
2 members of the fraternity, sorority, organization, business or corporation who
3 actually participated in the hazing. The presence of the said non-resident or
4 alumni member during initiation rites shall be deemed sufficient evidence of his or
5 her actual participation in any hazing that may have occurred during the initiation
6 rites wherein he or she was in attendance.

7 3. The penalty of *reclusion perpetua* and a fine of three million pesos
8 (P3,000,000.00) shall be imposed upon those who actually participated in the
9 hazing if, as a consequence of the hazing, death, rape, sodomy, serious physical
10 injuries, or mutilation results therefrom;

11 4. A fine of one million pesos (P1,000,000.00) shall be imposed upon the
12 school if hazing occurs during the initiation rites covered by an application it had
13 approved or when no representatives from the school were present during the
14 initiation as provided under Section 5 of this Act.

15 5. It shall be unlawful for any person to intimidate, threaten, force, or to
16 employ, or administer any form of unjust vexation against another person for the
17 purpose of recruitment in joining or promoting a particular fraternity, sorority,
18 organization, business or corporation. Persistent and repeated efforts of such
19 person to compel another person to join the fraternity, sorority, organization,
20 business or corporation shall be *prima facie* evidence of unjust vexation for
21 purposes of this Section. Provided further, that the violation of this section shall
22 be punished by *prision correccional* in its minimum period.

23 b) The owner of the place where hazing is conducted shall be liable as a
24 principal when he has actual knowledge of the hazing conducted therein but
25 failed to take any action to prevent the same from occurring or failed to promptly
26 report the same to the law enforcement authorities if he has sufficient opportunity
27 to do so without peril to himself or his family.

28 c) The school authorities including faculty members as well as barangay,
29 municipal, or city officials shall be held administratively liable for hazing
30 conducted by fraternities, sororities, and other organizations, if it can be shown
31 that the school or barangay, municipal, or city official allowed or consented to the
32 conduct of hazing or where there is actual knowledge of hazing, but failed to take
33 any action to prevent the same from occurring or failed to promptly report to the
34 law enforcement authorities if the same can be done without peril to himself or
35 his family.

1 d) The officers, former officers, or alumni of the fraternity, sorority,
2 organization, business or corporation who actually planned the hazing although
3 not present when the acts constituting the hazing were committed shall be liable
4 as principals. A fraternity, sorority, or organization's faculty adviser, who is
5 present when the acts constituting the hazing were committed and failed to take
6 the action to prevent the same from occurring or failed to promptly report the
7 same to the law enforcement authorities if he can do so without peril to himself or
8 his family, shall be liable as principal.

9 e) The presence of any person during the hazing is *prima facie* evidence
10 of participation therein as principal unless he prevented the commission of the
11 acts punishable herein or promptly reported the same to the law enforcement
12 authorities if he can do so without peril to himself or his family.

13 f) The incumbent officers of the fraternity, sorority, organization, business
14 or corporation concerned shall be jointly liable with those members who actually
15 participated in the hazing. The *prima facie* presumption that arises herein shall be
16 rebutted only by the individual defense of desistance and renunciation by the
17 accused.

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

20 h) In the case of businesses and corporations, the president, manager,
21 director, or other responsible officer of a corporation engaged in hazing
22 shall likewise be liable under this Act.

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

26 i) Any judgment of final conviction shall be reflected in the scholastic
27 record, personal, or employment record of the person convicted, regardless of
28 when conviction is secured.

29 **SEC. 17. Separability Clause.** - If any provision or part of this Act is
30 declared invalid or unconstitutional, the remaining parts or provisions not affected
31 thereby shall remain in full force and effect.

32 **SEC. 18. Repealing Clause.** - Republic Act No. 8049 is hereby repealed.
33 All other laws, decreed, executive orders, proclamations, rules and regulations,

1 or parts thereof inconsistent with provisions of this Act are hereby amended,
2 repealed or modified accordingly.

3 **SEC. 19. *Effectivity Clause.*** - This Act shall take fifteen (15) days after its
4 publication in the Official or in any newspaper of general circulation.

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6 Approved,

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