

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

NINETEENTH CONGRESS  
First Regular Session



House Bill No. **2886**

Introduced by Honorable Margarita Ignacia B. Nograles

**EXPLANATORY NOTES**

According to the Unicef, the latest data in the country show that cyberviolence affects almost half of children aged 13-17. This violence where experienced by Filipino children in the form of verbal abuse and most of them are in the form of sexual messages and we all know that these can create long lasting emotional and psychological scars in every child who experienced being bullied.<sup>1</sup>

In Davao City, a study was conducted in order to describe the campus bullying experiences of Senior high school students. Based on the narrative and thematic analysis, the study revealed that some experience verbal abuse, physical bullying and social discrimination. This was even reported by Davao City Health office that bullying is a major concern since it exists in almost every school in Davao City.<sup>2</sup>

Having established and equipped with national helpline through the passing of the Republic Act No. 10627 or the "Anti-Bullying Act of on September 12, 2013, the prevalence of bullying in the country has not gotten down drastically. In fact, at least 6 out of 10 students are being bullied, which is nearly 3 times higher compared to developed countries.

Hence, this bill seeks to stop bullying by placing "Hammurabi's Code" on the law by attaching penalty and huge fines and create a more peaceful and tranquil environment for our children and human beings in general. In light of this, consideration of this proposal is earnestly sought.

  
MARGARITA IGNACIA B. NOGRALES

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**AN ACT DEFINING AND PENALIZING THE CRIME OF BULLYING**

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

**SECTION 1. Short Title.** – This Act shall be known as the “Stop Bullying Act of 2022”.

**SEC. 2. Acts of Bullying.** – For purposes of this Act, the term “bullying” shall refer to any severe or repeated use by one or more person of a verbal, written or electronic expression, or a physical act or gesture, or any combination thereof, directed at another person that has the effect of actually causing or placing the latter in reasonable fear of physical, emotional and psychological harm or damage to his dignity; creating a hostile environment for the other person; infringing on the rights of the other person at school, workplace, in the internet or any form of electronic media or technology; or materially and substantially disrupting the education process or work; such as, but not limited to, the following:

- a. Any unwanted physical contact between the bully and the victim like punching, pushing, shoving, kicking, slapping, tickling, headlocks, inflicting excessive pranks, teasing, fighting and the use of available objects as weapons;
- b. Any act that causes damage to a victim’s psychological and/or emotional well-being;
- c. Any slanderous statement or accusation that causes the victim undue emotional distress like directing foul language or profanity at the target, name-calling, tormenting and commenting negatively on victim’s looks, clothes and body; and
- d. Cyber-bullying is done through any conduct resulting to harassment, intimidation, or humiliation, through the use of other form of technology, such as but not limited to

texting, email, instant messaging, chatting, internet, social media, online games, other platforms or formats;

e. Gender-based bullying- any act that humiliates or excludes a person on the basis of perceived or actual sexual orientation and gender identity. Furthermore, any act of retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying, is likewise prohibited.

f. Social Bullying- any deliberate, repetitive and aggressive social behavior intended to hurt others or to belittle another individual or group;

For purposes of this act, the term "person" shall refer to all natural persons, who is an individual human being capable of assuming obligations and capable of holding rights.

### **SEC. 3. Penalties. –**

- a. Those who committed the offense at age 15 years old or lower or above 15 years old but below 18 who acted without discernment based on assessment are exempt from criminal liability. They should undergo intervention programs to be facilitated with the help of the community, the local government unit, and the Department of Social Welfare and Development.

While they are exempt from criminal liability, they are not exempt from civil liabilities.

- b. **Civil Liability-** The penalty of FIFTY THOUSAND (50,000.00) PESOS but not more than ONE HUNDRED THOUSAND (100,000.00) PESOS shall be imposed upon any person found guilty of bullying.

A diversion can be done at the barangay, police, local social welfare, and development office or at the Prosecutor level. Meanwhile, for offenses with imposable penalty of 6 years and below, the offender may undergo court diversion. If diversion fails or the case is not qualified, or even if the case is qualified but diversion is not appropriate for the offender, the case will be brought to court for trial.

The children in conflict with the law (CICL) may be placed in the community, or if best interest requires, committed to a Bahay Pag-Asa while the case is ongoing. The CICL found guilty of an offense may undergo a community-based or center-based rehabilitation program. However, if the CICL did not successfully rehabilitate, they may be required through a court order to serve the rest of their sentence, upon reaching either the age of majority or over 21 years old.

- c. For those who committed the offense at the age above 15 but below 18 and found to have acted with discernment are not exempt from criminal liability.
- d. For those who committed the offenses at the age of majority shall have the imposable penalty of six years and below imprisonment, a fine, or both.

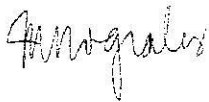
**SEC. 4. Implementing Rules and Regulations.** – Within ninety (90) days from the effectivity of this Act, the Department of Education, the Department of Justice, the Department of Interior and Local Government shall promulgate the necessary rules and regulations to implement the provisions of this Act.

**SEC. 5. Separability Clause.** – If, for any reason, any provision of this Act is declared to be unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue to be in full force or effect.

**SEC. 6. Repealing Clause.** – All laws, decrees, orders, rules, and regulations or parts thereof which are inconsistent with or contrary to the provisions of this Act are hereby repealed, amended, or modified accordingly.

**SEC. 7. Effectivity.** – This Act shall take effect fifteen (15) days after its publication in the official gazette and in at least two (2) national newspapers of general circulation.

Approved,

A handwritten signature in dark ink, appearing to read "Amogralis", is written below the word "Approved,".