



HOUSE OF REPRESENTATIVES

H. No. 6573

BY REPRESENTATIVES HERRERA-DY, GARBIN, BATOCABE, CO,
OLIVAREZ, ROQUE (H.), UMALI, LEACHON, OAMINAL, REVILLA,
ALVAREZ (P.), FARIÑAS, SUAREZ, ARENAS, HOFER, ACOP,
DEL MAR, NOEL, ESCUDERO, CASTELO, NIETO, DE VENEZIA,
DALIPE, VERGARA, SUANSING (E.), BELMONTE (R.), ROBES,
PRIMICIAS-AGABAS, BIAZON, BRAVO (M.V.), TAMBUNTING,
VILLAFUERTE, ROA-PUNO, SY-ALVARADO AND MANALO,
PER COMMITTEE REPORT NO. 431

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, ENTITLED "AN ACT REGULATING
HAZING AND OTHER FORMS OF INITIATION
RITES IN FRATERNITIES, SORORITIES, AND OTHER
ORGANIZATIONS AND PROVIDING PENALTIES
THEREFOR"

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

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

3 SEC. 2. *Definition of Terms.* - As used in this Act:

4 (a) *Hazing* refers to an intentional, knowing, or reckless act
5 by a person acting alone or acting with others that is directed
6 against an individual, that the person knew or should have known

1 would endanger the physical health or safety of the individual, and
2 that is done for purposes of, but not limited to, pledging, being
3 initiated into, affiliating with, participation in, holding office in, or
4 maintaining membership in any organization. The act of hazing
5 includes pressuring or coercing the individual into violating the law,
6 any brutality of a physical nature, such as whipping, beating,
7 striking, branding, electric shocking, placing of a harmful substance
8 on the body, or similar activity, unnecessary prolonged exposure to
9 the elements, forced consumption of any food, liquor, drug or other
10 substance, or other forced physical activity that subjects the
11 individual to unnecessary risk of harm or that could adversely affect
12 the physical health or safety of the individual. It also includes any
13 activity that would subject the individual to psychological harm or
14 extreme mental stress, such as sleep deprivation, forced
15 confinement in a small space, forced exclusion from social contact,
16 conduct that would result in extreme embarrassment, or other
17 activity that could adversely affect the mental health or dignity of
18 the individual;

19 (b) *Initiation* or *initiation rites* refer to ceremonies, practices,
20 rituals or other acts, whether formal or informal, that a person
21 must perform or take part in order to be accepted into a
22 fraternity, sorority, or organization as a full-fledged member.
23 It includes ceremonies, practices, rituals and other acts in all
24 stages of membership in a fraternity, sorority, or organization;

25 (c) *Organization* refers to school and community-based
26 fraternities, sororities, or clubs; the officer and cadet corps of the
27 Citizen's Military Training (CMT) and Citizen's Army Training

1 (CAT), the Armed Forces of the Philippines (AFP), the Philippine
2 National Police (PNP), and the Philippine Military Academy
3 (PMA); and

4 (d) *School* refers to colleges, universities, and all other
5 educational institutions.

6 SEC. 3. *Prohibition on Hazing.* – All forms of hazing shall be
7 prohibited at whatever stage of the initiation rite or practice.

8 Fraternities, sororities, and organizations not based in schools
9 such as those that are community-based are likewise covered by
10 the prohibition under this Act.

11 The physical, mental and psychological testing and training
12 procedures and practices to determine and enhance the physical,
13 mental and psychological fitness of prospective regular members of
14 the AFP and the PNP as approved by the Secretary of National
15 Defense and the National Police Commission (NPC) duly
16 recommended by the Chief of Staff, AFP and the Director General of
17 the PNP shall not be considered as hazing for purposes of this Act,
18 nor shall any customary athletic events or other similar contests or
19 competitions or any activity or conduct that furthers a legal and
20 legitimate objective.

21 SEC. 4. *Regulation of Initiation Rites.* – Only initiation rites
22 or practices that do not inflict direct or indirect physical or
23 psychological suffering, harm or injury to the recruit, neophyte, or
24 applicant of a fraternity, sorority, and organization shall be
25 allowed: *Provided, That:*

1 (a) A written application for its conduct shall be made to the
2 proper authorities of the school not later than seven (7) days prior
3 to the scheduled initiation date;

4 (b) The written application shall indicate the place and
5 date of the initiation rites and the names of the recruit,
6 neophyte, or applicant to be initiated;

7 (c) Such written application shall further contain an
8 underwriting that no such harm of any kind shall be committed by
9 anybody during the initiation rites;

10 (d) A medical certificate of the recruit, neophyte, or applicant
11 must be attached to the application to ensure fitness to undergo
12 initiation;

13 (e) The initiation rites shall not last for more than three (3)
14 days;

15 (f) The application shall contain the names of the incumbent
16 officers of the fraternity, sorority, and organization and any
17 person or persons that will take charge in the conduct of the
18 initiation rites;

19 (g) The application shall be under oath with a declaration
20 that it has been posted in the official school bulletin board, the
21 bulletin board of the office of the fraternity, sorority, and
22 organization, and two (2) other conspicuous places in the school or
23 in the premises of the organization; and

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

1 The school, fraternity, sorority, and organization shall
2 provide for bulletin boards for the posting of the applications for
3 the conduct of initiation rites.

4 The appropriate authorities of the school shall have the right
5 to approve or disapprove the application, with the reasons stated
6 clearly and in unequivocal terms in a formal advice to the fraternity,
7 sorority, and organization concerned, taking into consideration the
8 safety and security of participants in the activity. Guidelines for
9 the approval or denial of the application to conduct initiation rites
10 by a registered fraternity, sorority, and organization shall be
11 promulgated by the appropriate school officials not later than sixty
12 (60) days after the approval of this Act.

13 School officials shall have the authority to impose, after due
14 notice and summary hearing, disciplinary sanctions to the head and
15 all other officers of the fraternity, sorority, and organization that
16 conduct an initiation without first securing the necessary
17 approval of the school as required under this section. All
18 members of the fraternity, sorority, and organization who
19 participated in the unauthorized initiation rites, even if no hazing
20 was conducted, shall also be subject to disciplinary sanctions.

21 In case the written application for the conduct of initiation
22 rites contains false or inaccurate information, appropriate
23 disciplinary sanctions shall be imposed, after due notice and
24 summary hearing, against the person who prepared the
25 application or supplied the false and inaccurate information, and
26 the head and other officers of the fraternity, sorority, and
27 organization concerned.

1 SEC. 5. *Monitoring of Initiation Rites.* – The head of the
2 school or an authorized representative must assign at least two
3 (2) representatives of the school to be present during the
4 initiation rites. It is the duty of the school representatives to see
5 to it that no hazing is conducted during the initiation rites. The
6 representatives of the school who were present during the
7 initiation rites shall make a report to the appropriate officials of the
8 school regarding the conduct of the initiation.

9 SEC. 6. *Registration of Fraternities, Sororities, and Other*
10 *Organizations.* – All existing fraternities, sororities, and other
11 organizations otherwise not created or organized by the school but
12 has existing members who are students, or plans to recruit
13 students to be their members, shall be required to register with
14 the proper authorities of the school before they conduct
15 activities whether on-or-off campus, including the recruitment of
16 members.

17 A newly established fraternity, sorority, and organization in
18 a school shall immediately register with the proper authorities of
19 the school during the semester or trimester in which it was
20 established or organized: *Provided*, That the new fraternity,
21 sorority, and organization has complied with the requirements
22 prescribed by the school in establishing a fraternity, sorority, and
23 organization: *Provided, further*, That schools shall promulgate their
24 guidelines in the registration of fraternities, sororities, and
25 organizations within their jurisdiction not later than sixty (60)
26 days from the approval of this Act.

1 Upon registration, all fraternities, sororities, and
 2 organizations shall submit a comprehensive list of members, which
 3 shall be updated not later than thirty (30) days from the start of
 4 every semester or trimester, depending on the academic calendar of
 5 the school.

6 School officials shall have the authority to impose, after due
 7 notice and summary hearing, disciplinary penalties to the head and
 8 other officers of the fraternity, sorority, and organization who fail
 9 to register or update their roster of members as required under this
 10 section.

11 *SEC. 7. Faculty Adviser.* – All fraternities, sororities, and
 12 organizations must be assigned a faculty adviser responsible for
 13 monitoring the activities of the fraternity, sorority, and
 14 organization. The faculty adviser must be a duly recognized, active
 15 member in good standing of the faculty of the school in which the
 16 fraternity, sorority, and organization are registered.

17 *SEC. 8. Role of Educational Institutions.* – Schools shall
 18 implement an information dissemination campaign at the start
 19 of every semester or trimester to provide adequate information to
 20 students regarding the consequences of conducting and
 21 participating in hazing.

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

25 Schools shall encourage fraternities, sororities, and
 26 organizations to engage in undertakings that foster holistic personal

1 growth and development and activities that contribute to solving
 2 relevant and pressing issues of society.

3 *SEC. 9. Registration of Community-Based Fraternities,*
 4 *Sororities, and Organizations.* – All new and existing
 5 community-based fraternities, sororities, and organizations,
 6 including their respective local chapters, shall register with the
 7 barangay, and municipality or city wherein such fraternity, sorority,
 8 organization and their respective chapters are primarily based.

9 Upon registration, all community-based fraternities,
 10 sororities, and organizations shall submit a comprehensive list of
 11 members and officers which shall be updated yearly from the date of
 12 registration.

13 *SEC. 10. Regulation of Initiation Rights for Community-Based*
 14 *Fraternities, Sororities, and Organizations.* – Only initiation rites
 15 or practices that do not inflict direct or indirect physical or
 16 psychological suffering, harm, or injury to the recruit, neophyte, or
 17 applicant of a fraternity, sorority, and organization shall be allowed:
 18 *Provided, That:*

19 (a) A written application to conduct the same shall be made
 20 to the barangay captain in the barangay, and the municipal or city
 21 mayor in the city or municipality where the community-based
 22 fraternity, sorority, and organization is based not later than
 23 seven (7) days prior to the scheduled initiation date;

24 (b) The written application shall indicate the place and
 25 date of the initiation rites and the names of the recruit,
 26 neophyte, or applicant to be initiated;

1 (c) Such application shall further contain an undertaking
2 that no harm of any kind shall be inflicted by anybody during the
3 initiation rites;

4 (d) A medical certificate of the recruit, neophyte, or applicant
5 must be attached to the application to ensure fitness to undergo
6 initiation;

7 (e) The initiation rites shall not last for more than three (3)
8 days;

9 (f) The application shall contain the names of the incumbent
10 officers of the community-based fraternity, sorority, and
11 organization and any person or persons that will take charge in the
12 conduct of the initiation rites;

13 (g) The application shall be under oath with a declaration
14 that it has been posted in the official bulletin board of the
15 barangay hall, and the municipal or city hall where the
16 community-based fraternity, sorority, and organization is based
17 and the bulletin board of the office of the community-based
18 fraternity, sorority, and organization; and

19 (h) The application shall be posted from the time of
20 submission of the written notice to the barangay captain, and
21 municipal or city mayor and shall only be removed from its
22 posting three (3) days after the conduct of the initiation rites.

23 SEC. 11. *Monitoring of Initiation Rites of Community-Based*
24 *Fraternities, Sororities, and Organizations.* – The barangay captain
25 of the barangay, and the municipal or city mayor of the
26 municipality or city where the community-based fraternity, sorority,
27 and organization are based must assign at least two (2) barangay,

1 municipal or city officials to be present during the initiation. It
2 shall be their duty to see to it that no hazing is conducted during
3 the initiation rites. The barangay, municipal or city officials who
4 were present during the initiation rites shall make a report to the
5 barangay captain, and the municipal or city mayor regarding the
6 conduct of the initiation.

7 SEC. 12. *Impermissible Defenses.* – It is not a defense to a
8 charge of hazing that:

9 (a) The consent of the victim had been obtained; or

10 (b) The conduct or activity was not done as a condition of
11 membership to an organization.

12 Any person charged under this Act shall not be entitled to the
13 mitigating circumstance that there was no intention to commit so
14 grave a wrong.

15 SEC. 13. *Inapplicability to the Victim.* – This Act shall not
16 apply to an individual who is the subject of the hazing, regardless of
17 whether the individual voluntarily allowed himself or herself to be
18 hazed, or was merely forced to haze another.

19 SEC. 14. *Liability for Other Offenses.* – A prosecution under
20 this Act does not bar a prosecution of the offender for:

21 (a) Any other offense for which the offender may be liable as a
22 party for conduct committed by the person hazed; or

23 (b) Any offense, caused in the course of hazing, that the
24 offender commits against the person who is hazed.

25 SEC. 15. *Suits by the Victim.* – The person against whom the
26 hazing is directed may commence a civil action for injury or
27 damages at any stage of the proceeding. The action may be brought

1 against any participant in the hazing, or any organization to which
 2 the individual is seeking membership whose agents, directors,
 3 trustees, managers, or officers authorized, requested, commanded,
 4 participated in, or ratified the hazing. Wrongful death suits may be
 5 brought in instances where the victim of hazing has died as a result.

6 SEC. 16. *Administrative Sanctions.* – The responsible
 7 officials of the school or of the police or military may impose the
 8 appropriate administrative sanctions, after due notice and
 9 summary hearing, on the person or persons charged under this Act
 10 even before their conviction.

11 SEC. 17. *Prohibited Acts; Penalties.* – If the person subjected
 12 to hazing or other forms of initiation rites suffers any physical or
 13 psychological injury or dies as a result thereof, the officers and
 14 members of the organization who actually participated in the
 15 infliction of physical or psychological harm shall be liable as
 16 principals. The person or persons who participated in the hazing
 17 shall suffer:

18 (a) The penalty of imprisonment for twenty (20) years and
 19 one (1) day to life imprisonment and a fine of one million pesos
 20 (P1,000,000.00) if death, suicide, rape, sodomy or mutilation results
 21 therefrom;

22 (b) The penalty of imprisonment for seventeen (17) years,
 23 four (4) months and one (1) day to twenty (20) years and a fine of
 24 five hundred thousand pesos (P500,000.00) if in consequence of the
 25 hazing the victim shall become insane, imbecile, impotent or blind;

26 (c) The penalty of imprisonment for fourteen (14) years,
 27 eight (8) months and one (1) day to seventeen (17) years and four (4)

1 months and a fine of three hundred thousand pesos (P300,000.00) if
 2 in consequence of the hazing the victim shall have lost the use of
 3 speech or the power to hear or to smell, or shall have lost an eye, a
 4 hand, a foot, an arm or a leg or shall have lost the use of any such
 5 member or shall have become permanently ill or incapacitated for
 6 the activity or work in which the victim was habitually engaged;

7 (d) The penalty of imprisonment for twelve (12) years and
 8 one (1) day to fourteen (14) years and eight (8) months and a fine of
 9 two hundred thousand pesos (P200,000.00) if in consequence of the
 10 hazing the victim shall become deformed or shall have lost any
 11 other part of the body, or shall have lost the use thereof, or shall
 12 have been ill or incapacitated for the performance of the activity or
 13 work in which he was habitually engaged for a period of more than
 14 ninety (90) days;

15 (e) The penalty of imprisonment for ten (10) years and
 16 one (1) day to twelve (12) years and a fine of two hundred thousand
 17 pesos (P200,000.00) if in consequence of the hazing the victim shall
 18 have been ill or incapacitated for the performance of the activity or
 19 work in which the victim was habitually engaged for a period of
 20 more than thirty (30) days;

21 (f) The penalty of imprisonment for eight (8) years and
 22 one (1) day to ten (10) years and a fine of one hundred thousand
 23 pesos (P100,000.00) if in consequence of the hazing the victim shall
 24 have been ill or incapacitated for the performance of the activity or
 25 work in which the victim was habitually engaged for a period of ten
 26 (10) days or more, or that the injury sustained shall require medical
 27 assistance for the same period;

1 (g) The penalty of imprisonment of six (6) years and one (1)
 2 day to eight (8) years and a fine of one hundred thousand pesos
 3 (P100,000.00) if in consequence of the hazing the victim shall have
 4 been ill or incapacitated for the performance of the activity or work
 5 in which the victim was habitually engaged from one (1) to nine (9)
 6 days, or that the injury sustained shall require medical assistance
 7 for the same period;

8 (h) The penalty of imprisonment of four (4) years, two (2)
 9 months and one (1) day to six (6) years and a fine of one hundred
 10 thousand pesos (P100,000.00) if in consequence of the hazing the
 11 victim sustained physical injuries which do not prevent the victim
 12 from engaging in a habitual activity or work, or require medical
 13 attendance;

14 (i) The penalty of imprisonment of six (6) months and one (1)
 15 day to two (2) years and four (4) months and a fine of fifty thousand
 16 pesos (P50,000.00) if in consequence of the hazing the victim was
 17 subjected to substantial risk of physical injury or death, but did not
 18 sustain actual physical injuries or psychological harm; and

19 (j) The penalty of a fine not to exceed fifty thousand pesos
 20 (P50,000.00) if in consequence of the hazing the victim did not
 21 sustain actual physical injury but was subjected to psychological
 22 harm or extreme mental stress.

23 The maximum penalty herein provided shall be imposed in
 24 any of the following instances:

25 (1) When the recruitment is accompanied by force, violence,
 26 threat, intimidation or deceit on the person of the recruit who
 27 refuses to join or by any form of vexation for the purpose of

1 recruitment in joining or promoting a particular fraternity,
 2 sorority, and organization. The persistent and repeated proposal
 3 or invitation made to a person who had twice refused to
 4 participate or join the proposed fraternity, sorority, and
 5 organization shall be a *prima facie* evidence of vexation for
 6 purposes of this section;

7 (2) When a recruit, neophyte or applicant initially consents to
 8 join a fraternity, sorority, or organization, but upon learning that
 9 hazing will be committed on his person, is prevented from quitting;

10 (3) When a recruit, neophyte or applicant who had undergone
 11 hazing is prevented from reporting the unlawful act to the parents
 12 or guardians of the recruit, neophyte or applicant, to the proper
 13 school authorities, or to the police authorities, through force,
 14 violence, threat or intimidation;

15 (4) When the hazing is committed outside of the school or
 16 institution;

17 (5) When the victim is below twelve (12) years of age at the
 18 time of the hazing;

19 (6) When the hazing involves the operation or other use of a
 20 motor vehicle;

21 (7) When the hazing involves the consumption of an alcoholic
 22 product or illegal drug or other illegal substance;

23 (8) When the members of the fraternity, sorority, or
 24 organization were intoxicated or under the influence of alcohol or
 25 illegal drugs when they actually participated in the hazing or had
 26 inflicted harm or injury with the aid of a dangerous weapon to the
 27 person under initiation.

1 The same aggravating circumstances shall be applied upon
2 the nonresident or alumni members of the fraternity, sorority, and
3 organization who actually participated in the hazing.

4 The owner or the lessee of the place where hazing is
5 conducted shall be liable as a principal when they have actual
6 knowledge of the hazing conducted therein but failed to take any
7 action to prevent it from occurring or failed to promptly report it
8 to the law enforcement authorities when this could have been
9 done without peril to the owner or the owner's family. If the
10 hazing is held in the home of one of the officers or members of the
11 fraternity, sorority, or organization, the parents of such officer or
12 member of the fraternity, sorority, or organization shall be held
13 liable as principals when they had actual knowledge of the hazing
14 conducted therein but failed to take any action to prevent this
15 from occurring or failed to promptly report to the law enforcement
16 authorities when the same could have been done without peril
17 to the officer or member or their families.

18 School authorities including faculty members as well as
19 barangay, municipal or city officials shall be held liable as
20 principals for incidents of hazing conducted by fraternities,
21 sororities, and other organizations if it can be shown that the
22 school authority or barangay, municipal or city official allowed
23 or consented to the conduct of hazing but failed to take any action to
24 prevent this from occurring or failed to promptly report to the law
25 enforcement authorities when this could have been done without
26 peril to the school authority, faculty members or barangay,
27 municipal or city officials or their families.

1 The officers, former officers, or alumni of the fraternity,
2 sorority, or organization who actually planned the hazing although
3 not present when the acts constituting hazing were committed
4 shall be liable as principals. A fraternity, sorority, or
5 organization's faculty adviser who was present when the acts
6 constituting hazing were committed but failed to take action to
7 prevent this from occurring or failed to promptly report the same
8 to the law enforcement authorities when this could have been
9 done without peril to the faculty adviser or the faculty adviser's
10 family shall also be liable as principal.

11 The presence of any person during the hazing is *prima*
12 *facie* evidence of participation therein as principal unless that
13 person prevented the commission of the acts of hazing or
14 promptly reported this to the law enforcement authorities.

15 The incumbent officers of the fraternity, sorority, and
16 organization concerned shall be jointly liable with those members
17 who actually participated in the hazing.

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

21 Any judgment of final conviction shall be reflected in the
22 scholastic record, personal or employment record of the person
23 convicted, regardless of when the conviction is promulgated or has
24 become final.

25 SEC. 18. *The Inter-Agency Committee Against Hazing.* – The
26 Commission on Higher Education (CHED), Department of
27 Education (DepED), Department of Justice (DOJ), Department of

1 the Interior and Local Government (DILG), Department of Social
2 Welfare and Development (DSWD), PNP, AFP, Philippine National
3 Police Academy (PNPA), PMA, National Youth Commission
4 (NYC), and an organization representing educational institutions,
5 schools, colleges, and universities shall create an inter-agency
6 committee that shall promulgate guidelines and implementing
7 rules and regulations in order to carry out the provisions of this
8 Act.

9 SEC. 19. *Separability Clause.* – If any provision or part of
10 this Act is declared invalid or unconstitutional, the remaining
11 parts or provisions not affected thereby shall remain in full
12 force and effect.

13 SEC. 20. *Repealing Clause.* – Republic Act No. 8049 is
14 hereby repealed. All other laws, decrees, executive orders,
15 proclamations, rules and regulations, or parts thereof inconsistent
16 with the provisions of this Act are hereby amended, repealed or
17 modified accordingly.

18 SEC. 21. *Effectivity.* – This Act shall take effect fifteen (15)
19 days after its publication in the *Official Gazette* or in at least two (2)
20 newspapers of general circulation.

Approved,

O