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H. No. 5760

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LANETE, CALIXTO-RUBIANO, ANGARA-CASTILLO, ATIENZA, TEODORO,
TY, GARAY, PICHAY, FUENTEBELLA AND DURANO, PER COMMITTEE
REPORT No. 721

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 House of Representatives of the Philippines in Congress assembled:

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

3 SEC. 2. *Prohibition on Hazing.* – Any physical or psychological
4 suffering, harm or injury inflicted on a recruit, member, neophyte, or applicant
5 as a form of an initiation rite or practice made as a prerequisite for admission
6 or a requirement for continuing membership in a fraternity, sorority, and
7 organization shall be considered as hazing and is hereby prohibited. Hazing
8 shall also include any activity, intentionally made or otherwise, by one (1)
9 person alone or acting with others, that tends to humiliate, embarrass, degrade,
10 abuse, or endanger, by requiring a recruit, member, neophyte, or applicant to
11 do menial, silly, or foolish tasks. All forms of hazing shall be prohibited at
12 whatever stage of the initiation rites or practice.

13 Fraternities, sororities, and organizations not based in schools such as
14 those which are community-based are likewise covered by the prohibition
15 under this section.

16 As used in this Act, the term “school” shall include colleges,
17 universities, and all other educational institutions, while the term
18 “organization” shall include any club, association, or group as well as the
19 officer and cadet corps of the Citizens’ Military Training and Citizens’ Army
20 Training.

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

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

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

4 (c) The initiation rites shall not last for more than three (3) days;

5 (d) The application shall contain the names of the incumbent officers
6 of the fraternity, sorority, and organization and any person or persons that will
7 take charge in the conduct of the initiation rites;

8 (e) The application shall be under oath with a declaration that it has
9 been posted in the official school bulletin board, the bulletin board of the
10 office of the fraternity, sorority, and organization, and two (2) other
11 conspicuous places in the school or in the premises of the organization; and

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

16 The school, fraternity, sorority, and organization shall provide for
17 bulletin boards for the posting of the applications for the conduct of initiation
18 rites.

19 The appropriate authorities of the school shall have the right to approve
20 or disapprove the application, with the reasons stated clearly and in
21 unequivocal terms in a formal advice to the fraternity, sorority, and
22 organization concerned, taking into consideration the safety and security of
23 participants in the activity. Guidelines for the approval or denial of the
24 application to conduct initiation rites by a registered fraternity, sorority, and
25 organization shall be promulgated by the appropriate school officials not later
26 than sixty (60) days after the approval of this Act.

27 School officials shall have the authority to impose, after due notice and
28 summary hearing, disciplinary sanctions to the head and all other officers of

1 the fraternity, sorority, and organization which conduct an initiation without
2 first securing the necessary approval of the school as required under this
3 section. All members of the fraternity, sorority, and organization who
4 participated in the unauthorized initiation rites, even if no hazing was
5 conducted, shall also be punished accordingly.

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

12 *SEC. 4. Monitoring of Initiation Rites.* – The head of the school or an
13 authorized representative must assign at least two (2) representatives of the
14 school to be present during the initiation. It is the duty of the school
15 representatives to see to it that no hazing is conducted during the initiation
16 rites. The representatives of the school who were present during the initiation
17 rites shall make a report to the appropriate officials of the school regarding the
18 conduct of the initiation.

19 *SEC. 5. Registration of Fraternities, Sororities, and Other*
20 *Organizations.* – All existing fraternities, sororities, and other organizations
21 otherwise not created or organized by the school but has existing members
22 who are students or plans to recruit students to be their members shall be
23 required to register with the proper authorities of the school before they
24 conduct activities whether on- or off-campus, including the recruitment of
25 members.

26 A newly established fraternity, sorority, and organization in a school
27 shall immediately register with the proper authorities of the school during the
28 semester or trimester in which it was established or organized; *Provided, That*

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

6 Upon registration, all fraternities, sororities, and organizations shall
7 submit a comprehensive list of 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 hearing, disciplinary penalties to the head and other officers of the
12 fraternity, sorority, and organization who fail to register or update their roster
13 of members as required under this section.

14 SEC. 6. *Faculty Adviser*. – All fraternities, sororities, and
15 organizations must be assigned a faculty adviser responsible for monitoring
16 the activities of the fraternity, sorority, and organization. The faculty adviser
17 must be a duly recognized active member and in good standing of the faculty
18 of the school in which the fraternity, sorority, and organization is registered.

19 SEC. 7. *Role of Educational Institutions*. – Schools shall implement
20 an information dissemination campaign at the start of every semester or
21 trimester to provide adequate information to students regarding the
22 consequences of conducting and participating in hazing.

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

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

1 SEC. 8. *Registration of Community-Based Fraternities, Sororities, and*
2 *Organizations.* – All new and existing community-based fraternities,
3 sororities, and organizations shall register with the barangay, and municipality
4 or city wherein they are primarily based.

5 Upon registration, all community-based fraternities, sororities, and
6 organizations shall submit a comprehensive list of members and officers which
7 shall be updated yearly from the date of registration.

8 SEC. 9. *Regulation of Initiation Rights for Community-Based*
9 *Fraternities, Sororities, and Organizations.* – Only initiation rites or practices
10 which do not inflict direct or indirect physical or psychological suffering,
11 harm, or injury to the recruit, neophyte, or applicant of a fraternity, sorority,
12 and organization shall be allowed: *Provided, That:*

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

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

21 (c) The initiation rites shall not last for more than three (3) days;

22 (d) The application shall contain the names of the incumbent officers
23 of the community-based fraternity, sorority, and organization and any person
24 or persons that will take charge in the conduct of the initiation rites;

25 (e) The application shall be under oath with a declaration that it has
26 been posted in the official bulletin board of the barangay hall, and the
27 municipal or city hall where the community-based fraternity, sorority, and

1 organization is based and the bulletin board of the office of the community-
2 based fraternity, sorority, and organization; and

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

7 SEC. 10. *Monitoring of Initiation Rites of Community-Based*
8 *Fraternities, Sororities, and Organizations.* – The barangay captain of the
9 barangay, and the municipal or city mayor of the municipality or city where
10 the community-based fraternity, sorority, and organization is based must
11 assign at least two (2) barangay, municipal or city officials to be present
12 during the initiation. It shall be their duty to see to it that no hazing is
13 conducted during the initiation rites. The barangay, municipal or city officials
14 who were present during the initiation rites shall make a report to the barangay
15 captain, and the municipal or city mayor regarding the conduct of the
16 initiation.

17 SEC. 11. *Nullity of Waiver and Consent.* – Any form of approval,
18 consent or agreement, whether written or otherwise, or of an express waiver of
19 the right to object to the initiation rite or proceeding which consists of hazing,
20 as defined in this Act, made by a recruit, neophyte, or applicant prior to an
21 initiation rite that involves inflicting physical or psychological suffering, harm
22 or injury shall be void and without any binding effect on the parties.

23 The defense that the recruit, neophyte, or applicant consented to being
24 subjected to hazing shall not be available to persons prosecuted under this Act.

25 SEC. 12. *The Inter-Agency Committee Against Hazing.* – The
26 Commission on Higher Education (CHED), the Department of Education
27 (DepED), the Department of Justice (DOJ), the Philippine National Police
28 (PNP), the Armed Forces of the Philippines (AFP), the Department of the

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

7 SEC. 13. *Administrative Sanctions.* – The responsible officials of the
8 school or of the police or military may impose the appropriate administrative
9 sanctions, after due notice and summary hearing, on the person or persons
10 charged under this Act even before their conviction.

11 SEC. 14. *Penalties and Liability of Those Involved in Hazing.* –

12 (a) The following penalties shall be imposed:

13 (1) The penalty of *reclusion temporal* and a fine of one million pesos
14 (P1,000,000.00) shall be imposed upon the participating officers and members
15 of the fraternity, sorority, and organization involved in the hazing;

16 (2) The penalty of *reclusion perpetua* and a fine of two million pesos
17 (P2,000,000.00) shall be imposed upon the members of the fraternity, sorority,
18 and organization who were intoxicated or under the influence of alcohol or
19 illegal drugs when they actually participated in the hazing.

20 The same penalty shall be imposed upon the nonresident or alumni
21 members of the fraternity, sorority, and organization who actually participated
22 in the hazing;

23 (3) The penalty of *reclusion perpetua* and a fine of three million pesos
24 (P3,000,000.00) shall be imposed upon those who actually participated in the
25 hazing if, as a consequence of the hazing, death, rape, sodomy, or mutilation
26 results therefrom;

27 (4) A fine of one million pesos (P1,000,000.00) shall be imposed on
28 the school if the fraternity, sorority, and organization filed a written

1 application to conduct an initiation which was subsequently approved by the
2 school and hazing occurred during the initiation rites or when the
3 representatives from the school were not present during the initiation as
4 provided under Section 4 of this Act; and

5 (5) The penalty of *prision correccional* in its minimum period shall be
6 imposed on any person who intimidates, threatens, forces, employs or
7 administers any form of vexation against another person for the purpose of
8 recruitment in joining or promoting a particular fraternity, sorority, and
9 organization. The persistent and repeated proposal or invitation made to a
10 person who had twice refused to participate or join the proposed fraternity,
11 sorority, and organization shall be *prima facie* vexation for purposes of this
12 section.

13 (b) The owner of the place where hazing is conducted shall be liable as
14 a principal when the owner has actual knowledge of the hazing conducted
15 therein but failed to take any action to prevent it from occurring or failed to
16 promptly report it to the law enforcement authorities when this could have
17 been done without peril to the owner or the owner's family. If the hazing is
18 held in the home of one of the officers or members of the fraternity, sorority,
19 and organization, the parents of the officers of the fraternity, sorority, and
20 organization shall be held liable as principals when they had actual knowledge
21 of the hazing conducted therein but failed to take any action to prevent this
22 from occurring or failed to promptly report to the law enforcement authorities
23 when the same could have been done without peril to the officer or the
24 officer's family.

25 (c) School authorities including faculty members as well as barangay,
26 municipal or city officials shall be held administratively liable for incidents of
27 hazing conducted by fraternities, sororities, and other organizations if it can be
28 shown that the school or barangay, municipal or city official allowed or

1 consented to the conduct of hazing but failed to take any action to prevent this
2 from occurring or failed to promptly report to the law enforcement authorities
3 when this could have been done without peril to the school authority, faculty
4 members or barangay, municipal or city officials or their families.

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

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

17 (f) The incumbent officers of the fraternity, sorority, and organization
18 concerned shall be jointly liable with those members who actually participated
19 in the hazing. The *prima facie* presumption that arises herein shall be rebutted
20 only by the individual defense of desistance and renunciation by the accused.

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

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

1 (i) Any judgment of final conviction shall be reflected in the scholastic
2 record, personal or employment record of the person convicted, regardless of
3 when the conviction is arrived at.

4 SEC. 15. *Separability Clause.* – If any provision or part of this Act is
5 declared invalid or unconstitutional, the remaining parts or provisions not
6 affected thereby shall remain in full force and effect.

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

11 SEC. 17. *Effectivity.* – This Act shall take effect fifteen (15) days after
12 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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