



HOUSE OF REPRESENTATIVES

H. No. 6492

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BY REPRESENTATIVES VILLAFUERTE (L.R.), VILLAFUERTE (M.L.), HORIBATA, ENCISO, VILLANUEVA, ABANTE,  
RIVERA, BORDADO, MASTURA AND DALIPE, PER COMMITTEE REPORT NO. 200

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**AN ACT  
PROTECTING THE RIGHT OF THE PEOPLE TO FREEDOM OF RELIGION IN  
THE PHILIPPINES GUARANTEED UNDER SECTION 5, ARTICLE III OF THE  
CONSTITUTION**

*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 “Magna Carta on Religious  
2     Freedom Act.”  
3

4     **SECTION 2. Declaration of Policy.** – It is the declared policy of the State to protect and  
5     uphold the fundamental and inalienable right of every person to freely choose and  
6     exercise one’s religion and beliefs and to act and live according to one’s conscience as  
7     guaranteed under Section 5, Article III of the Constitution and other international human  
8     rights instruments, including the Universal Declaration of Human Rights, the  
9     International Covenant on Civil and Political Rights and the Declaration on the  
10    Elimination on All Forms of Intolerance and Discrimination Based on Religion and Belief,  
11    to which the State is a party or that it adheres thereto.

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13         The right of every Filipino to profess, practice, and propagate religious beliefs must  
14     always be recognized, respected, allowed and protected.

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16         Towards this end, the State must ensure that no act of the government or any of its  
17     agencies, instrumentalities, officers or employees shall burden, curtail, impinge or  
18     encroach on the person’s right to exercise one’s religious belief, freedom and liberty of  
19     conscience. In addition, the government must also prohibit any act by a person, natural  
20     or juridical, or any group of persons that burdens, curtails, impinges or encroaches on  
21     the said right.

1 **SECTION 3. Definition of Terms.** – As used in this Act:

2  
3 a. *Atheism* refers to the denial of the existence of a personal God or deity, and shall  
4 be treated as a form of religion for the purpose of entitlement to the protection of  
5 freedom of religion and conscience;

6  
7 b. *Child* refers to any person below eighteen (18) years of age or older but who is  
8 incapable of taking care or protecting oneself from abuse, neglect, cruelty, exploitation  
9 or discrimination because of a physical or mental disability or condition as defined under  
10 Republic Act No. 7610 as amended otherwise known as the Special Protection of  
11 Children Against Abuse, Exploitation and Discrimination Act;

12  
13 c. *Conscience* refers to a person's sense or conviction of right or wrong whether or  
14 not such sense or conviction comes from a well-defined religious belief;

15  
16 d. *Discrimination* refers to any distinction, exclusion, restriction or preference on the  
17 basis of a person's religion or conscience and which has the purpose or effect of  
18 burdening, curtailing, impinging or encroaching on the person's right to freedom of  
19 exercise of religion and liberality of conscience;

20  
21 e. *Expression of religious belief or conscience* refers to the outward or overt  
22 manifestation of one's religious belief or conscience, whether by speech, or action,  
23 sense or conviction of right or wrong, whether or not such sense or conviction comes  
24 from a well-defined religious belief;

25  
26 f. *Guardian* refers to a legal guardian or any person, other than the biological  
27 parents, who takes the responsibility of taking care of the personal and property rights of  
28 a child;

29  
30 g. *Religion* refers to a particular system of belief, faith, or "*paniniwala*" concerning  
31 God or Higher Authority, whether personal or otherwise, or a transcendent or divine deity  
32 or deities, as well as the recognition, worship, obedience, or submission to said God or  
33 Higher Authority, either by a fixed dogma, creed, set of doctrines or belief, or code of  
34 conduct or lifestyle, or by an individual's sense of appropriate or proper behavior, code,  
35 or lifestyle in relation to that God or Higher Authority;

36  
37 h. *Religious Belief* refers to a particular belief or set of beliefs held by a particular  
38 religion, or by an individual person;

39  
40 i. *Religious Freedom* refers to the freedom to change, adopt, or retain one's  
41 religion or belief; or from coercion that would impair one's freedom to have or adopt a  
42 religion or belief of one's choice, and to manifest one's religion or belief in worship,  
43 observance, practice and teaching, in public or private, either individually or in  
44 community with others;

45  
46 j. *Religious group* refers to a church, religious entity, religious organization or group

1 of persons who have formed together into a congregation for the worship of a Higher  
2 Authority according to the group's established doctrines and ceremonies whether or not  
3 the same is registered with the government. For purposes of this Act, the group does  
4 not need to be registered to be entitled to recognition as a religious group.

5 **SECTION 4. *Freedom of Religion and Conscience Protected.*** – The right of every  
6 person to freedom of religion and liberty of conscience, as well as the free exercise or  
7 expression thereof, as defined and enumerated in this Act, shall be protected by the  
8 State. It shall not be denied, burdened, regulated, or curtailed even if it is a result of the  
9 rule of general applicability of existing laws, except in the cases provided for in Section  
10 6 hereof.

11 **SECTION 5. *Scope.*** – This Act shall not apply to the act of the Government in enacting  
12 laws in the exercise of its police power. If any such law is declared unconstitutional, the  
13 law shall be invalidated but the Government through its responsible officers, shall not be  
14 subjected to any prosecution under this Act.

15 **SECTION 6. *Exception Clause.*** – The right of every person to freedom of religion, or the  
16 free exercise thereof and liberality of conscience can be denied, regulated, burdened, or  
17 curtailed only if it can be demonstrated that:

- 18  
19 a. the free exercise of religious freedom or conscience of a religious group or  
20 individual results to violence; and  
21  
22 b. it is necessary to protect public safety, public order, health, property and good  
23 morals.

24 Further, the State shall ensure that in burdening, regulating, or curtailing religious  
25 freedom or freedom of conscience in the circumstances above-mentioned, the State  
26 shall adopt the least restrictive means. It shall also ensure that the measures taken do  
27 not become a basis, reason, or excuse for the defamation, discrimination, or infliction of  
28 physical harm, hostility, violence, war, or dissemination of propaganda or advocacy  
29 against any such person or group of persons whose expression of religious freedom or  
30 conscience is subject of burden, regulation, or curtailment under conditions stated in this  
31 Act.

32 **SECTION 7. *Right to Choose a Religion or Religious Group.*** – The State shall  
33 protect and promote the right of a person to freely choose one's religion, belief or  
34 religious group.

35 **SECTION 8. *Right to Exercise or Express Religious Belief, Practices, Acts or***  
36 ***Activities.*** – The State shall protect and promote the right of a person to freely profess,  
37 exercise, manifest, or express religious belief, practices, acts or activities, either  
individually or in community with others and in public or private, without fear of

1 discrimination subject to exceptions provided for under this Act.

2  
3 **SECTION 9. *Right to Act in Accordance with Conscience.*** – The State shall similarly  
4 protect and promote the right of a person to act, without any form of coercion, in  
5 accordance with one's conscience: *Provided*, That the act does not inflict physical or  
6 material harm to any person, does not infringe on the religious freedom of others or is  
7 not contrary to morals, and laws on health, property, public order and safety.

8  
9 **SECTION 10. *Right to Propagate Religious Beliefs.*** – The State shall protect and  
10 promote the right of a person to propagate one's religious belief without any form of  
11 coercion, subject to the exceptions provided for under this Act.

12  
13 **SECTION 11. *Right to Disseminate Religious Publications.*** – The State shall protect  
14 and promote the right of a person to disseminate religious information or publication, in  
15 whatever form, kind or nature and through any platform such as broadcast, print, social  
16 media or other online platforms, subject to the exceptions provided for under this Act.

17  
18 **SECTION 12. *Right to Religious Worship and Ceremonies.*** – The State shall protect  
19 and promote the right to religious worship and ceremonies, including that of indigenous  
20 cultural communities and indigenous peoples, and to be free from interruption,  
21 disturbance, violence, and threats thereto, subject to the exceptions provided for under  
22 this Act.

23  
24 **SECTION 13. *Right to Organizational Independence.*** – The State shall protect and  
25 promote the right of a religious group to manage its own affairs independent from  
26 political influence or control, subject to existing laws, rules and regulations, and the  
27 exceptions provided under this Act.

28  
29 **SECTION 14. *Right Against Discrimination in Employment.*** – The State shall protect  
30 and promote the right of a person to equal opportunity and treatment, and to be  
31 protected against discrimination in employment on account of one's religious affiliation or  
32 belief.

33  
34 **SECTION 15. *Right to Freedom Against Discrimination in Educational***  
35 ***Institutions.*** – The State shall protect and promote the right of a person  
36 against discrimination on the basis of one's religion, religious belief, religious group or  
37 moral sense or conviction in any educational institution: *Provided*, That educational  
38 institutions that are founded on religious beliefs or tenets shall be entitled to observe  
39 and oblige standards or codes of behavior pursuant to their religious beliefs and  
40 disciplines.

41  
42 **SECTION 16. *Right of Companies or Businesses to be Founded on Religious***  
43 ***Belief.*** – It shall be the right of business people and founders or operators of business  
44 outfits to establish the companies, offices, or operations, according to certain tenets of  
45 religious beliefs: *Provided*, That the same are contained in writing and shall form part of  
46 the company's vision and mission statements, in which case, such company or outfit

1 shall be accorded the guarantees provided for under this Act.  
2

3 **SECTION 17. *Right of Parents or Legal Guardians to Rear Children.*** – The State  
4 shall protect and promote the right of parents or guardians to be at liberty in rearing their  
5 children according to their religion, belief, or conscience: *Provided*, That the right of a  
6 child who has reached the age of majority to choose a religious belief or practice a  
7 religion shall be respected: *Provided, further*, That in such a case, parental authority  
8 under Republic Act No. 386, otherwise known as the “Civil Code of the Philippines,”  
9 Executive Order No. 209, otherwise known as the “Family Code of the  
10 Philippines,” or Presidential Decree No. 603, otherwise known as the “Child And Youth  
11 Welfare Code,” as may be applicable, shall not be deemed diminished in any way.  
12

13 **SECTION 18. *Right to Tax Exemption.*** – The State shall protect the right of churches  
14 or religious organizations formed and operating exclusively for religious purposes to be  
15 exempted from the payment of taxes on all its real properties that are actually, directly,  
16 and exclusively used for religious purposes, pursuant to the provisions of the  
17 Constitution, and as provided by law: *Provided, however*, That real properties of any church  
18 or religious organization which are used for religious and/or commercial and proprietary  
19 purposes shall be taxed accordingly with respect to the non-religious purpose for which  
20 they generate income.  
21

22 **SECTION 19. *Prohibited Acts.*** – It shall be unlawful for any person, natural or juridical,  
23 to:

24 a. Compel a person, by means of force, threat, intimidation or undue influence, to  
25 choose or not to choose a particular religious group, or to subscribe to a particular  
26 religious belief: *Provided*, That the practice of certain religious groups or faiths of  
27 requiring either or both couples to be a member thereof before marriage may be  
28 officiated shall not be prohibited;  
29

30 b. Threaten a person with harm or exert undue influence or pressure in order to  
31 prevent such person from changing one’s religion or belief or from transferring from one  
32 religious group to another;  
33

34 c. Compel a person, by means of force, threat, intimidation or undue influence, to  
35 commit an act which is in violation of one’s religious belief or conscience;  
36

37 d. Defame, harass, humiliate or offend a person by reason of one’s religious belief  
38 or the practice of such belief;  
39

40 e. Obstruct, hinder or prevent the flow of and access to religious information;  
41

42 f. Hinder or prevent a person from exercising any act that is an expression of one’s  
43 religious belief;  
44

45 g. Perform or threaten to perform any act that constitutes or promotes stigma, hate  
46 or persecution of a particular religious belief, religious practice, or religious community;  
47

h. Perform or threaten to perform any act that effectively impedes, obstructs,

1 prohibits, prevents or inflicts any harm or threatens to cause harm, or in any manner,  
2 prevents any person from freely and lawfully expressing and exercising one's religious  
3 beliefs;

4  
5 i. Compel a person, by means of force, threat, intimidation or undue influence to  
6 lawfully express and exercise religious beliefs against one's will;

7  
8 j. Obstruct, hinder, cause undue delay or unjustifiably refuse the production, or the  
9 valid and free distribution of religious publications: *Provided*, That such publications do  
10 not contradict the religious beliefs of the publishing company, and they do not violate any  
11 existing law;

12  
13 k. Exert undue influence over the decisions made by any leader or leaders of a  
14 religious community through monetary, political, social and personal gains as well as  
15 parochial interest;

16  
17 l. Deny employment to qualified applicants solely on the basis of religion;

18  
19 m. Sever or terminate employment of a person solely on the basis of one's  
20 adherence to religious belief;

21  
22 n. Maliciously and deliberately deny a religious institution or a person employed by a  
23 religious entity the tax exemptions they are entitled to; and

24  
25 o. Commit any other act that curtails or violates the rights of a person to religious  
26 freedom as provided for under this Act.

27  
28 **SECTION 20. Penalties.** – Any person, natural or juridical, who violates Section 19 of  
29 this Act shall suffer the following penalties:

30  
31 a. For the first violation:

32  
33 1) For a private individual – a fine of not less than One hundred thousand  
34 pesos (P100,000.00) but not exceeding Five hundred thousand pesos (P500,000.00), or  
35 imprisonment of not less than six (6) years and one (1) day but not more than eight (8)  
36 years, or both, at the discretion of the court;

37  
38 2) For a juridical person – a fine of not less than One hundred thousand pesos  
39 (P100,000.00) but not exceeding Five hundred thousand pesos (P500,000.00), or  
40 imprisonment of not less than six (6) years and one (1) day but not more than eight (8)  
41 years, or both, at the discretion of the court, on the official or employee directly liable and  
42 responsible for the prohibited act.

43  
44 *Provided*, That for the juridical entity, a fine of Fifty thousand pesos (P50,000.00) to  
45 Two hundred thousand pesos (P200,000.00) shall be imposed on officers directly  
46 running the operations of the juridical entity.

1  
2 b. For any subsequent violation:  
3

4 1) For a private individual – a fine of not less than Five hundred thousand pesos  
5 (P500,000.00) but not exceeding Two million pesos (P2,000,000.00), or imprisonment of  
6 not less than eight (8) years but not more than ten (10) years, or both, at the discretion  
7 of the court;  
8

9 2) For a juridical person – a fine of not less than Five hundred thousand pesos  
10 (P500,000.00) but not exceeding Two million pesos (P2,000,000.00), or imprisonment of  
11 not less than eight (8) years but not more than ten (10) years, or both, at the discretion  
12 of the court, on the official or employee directly liable and responsible for the prohibited  
13 act.  
14

15 *Provided*, That for the juridical entity, a fine of Two hundred thousand pesos  
16 (200,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed on  
17 officers directly running the operations of the juridical entity: *Provided, further*, That if the  
18 violation is committed by a corporation or other juridical entity, the penalty provided in  
19 this Act shall be imposed upon the directors, officers, employees or other officials or  
20 persons therein responsible for the offense without prejudice to civil liabilities arising  
21 from the criminal offense.  
22

23 If the offender is a government employee or official, the accessory penalty of  
24 perpetual disqualification from public office or employment shall also be imposed.  
25

26 If a violation of any of the acts prohibited herein is also an act prohibited under the  
27 Revised Penal Code, the imposition of the higher penalty shall apply.  
28

29 **SECTION 21. *Establishment of Religious Freedom Hotline.*** – The Secretary of the  
30 Department of Justice (DOJ) shall establish, maintain and publicize a toll-free number to  
31 provide timely and accurate information and respond to queries regarding the rights  
32 protected under this Act.  
33

34 **SECTION 22. *Prohibition Against the Establishment of a Religion by the State.*** –  
35 Nothing in this Act shall be construed to affect or diminish, in any way, the meaning and  
36 intent of Section 5, Article 3 of the Constitution, which prohibits the State from  
37 establishing any religion.  
38

39 **SECTION 23. *Implementing Rules and Regulations.*** – Within ninety (90) days from  
40 after the effectivity of this Act, the Secretary of the Department of Justice, Department of  
41 Labor and Employment, Department of Education, Commission on Higher Education,  
42 Legal Education Board, Chairperson of the Commission on Human Rights,  
43 Commissioner of the Bureau of Internal Revenue, Philippine Commission on  
44 Women, National Commission on Indigenous Peoples, and the National Commission on  
45 Muslim Filipinos shall, in coordination with other concerned government agencies and in  
46 consultation with the stakeholders, jointly formulate rules and regulations to implement

1 the provisions of this Act. The Chairperson of the CHR and the Secretary of the DOJ  
2 shall act as the co-Chairpersons of the body that shall formulate the IRR.

3  
4 **SECTION 24. *Separability Clause.*** – If any provision or part hereof is declared  
5 unconstitutional, the remainder of this Act or any provision not affected thereby shall  
6 remain in full force and effect.

7  
8 **SECTION 25. *Repealing Clause.*** – All laws, decrees, executive orders, memorandum  
9 orders, memorandum circulars, administrative orders, ordinances, or parts thereof,  
10 which are inconsistent with the right to freedom of religion and liberty of conscience and  
11 the provisions of this Act, are hereby deemed repealed or modified accordingly.

12  
13 **SECTION 26. *Effectivity.*** – This Act shall take effect fifteen (15) days after its  
14 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,