S. No. 1662
H. No. 6573

Republic of the Philippines
Congress of the Philippines
Metro Manila

Seventeenth Congress

Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-fourth day of July, two thousand seventeen.

[REPUBLIC ACT NO. 11053]

AN ACT PROHIBITING HAZING AND REGULATING OTHER FORMS OF INITIATION RITES OF FRATERNITIES, SORORITIES, AND OTHER ORGANIZATIONS, AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8049, ENTITLED "AN ACT REGULATING HAZING AND OTHER FORMS OF INITIATION RITES IN FRATERNITIES, SORORITIES, AND ORGANIZATIONS AND PROVIDING PENALTIES THEREFOR"

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

SECTION 1. A new section to be denominated as Section 1 is hereby inserted in Republic Act No. 8049, to read as follows:

"SECTION 1. *Short Title.* – This Act shall be known as the "Anti-Hazing Act of 2018".

UNCONTROLLED
Merly D. Cereno
Signature over Printed Name/Date

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SEC. 2. Section 1 of the same Act is hereby amended to read as follows:

"SEC. 2. *Definition of Terms.* – As used in this Act:

"(a) *Hazing* refers to any act that results in physical or psychological suffering, harm, or injury inflicted on a recruit, neophyte, applicant, or member as part of an initiation rite or practice made as a prerequisite for admission or a requirement for continuing membership in a fraternity, sorority, or organization including, but not limited to, paddling, whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical and psychological health of such recruit, neophyte, applicant, or member. This shall also include any activity, intentionally made or otherwise, by one person alone or acting with others, that tends to humiliate or embarrass, degrade, abuse, or endanger, by requiring a recruit, neophyte, applicant, or member to do menial, silly, or foolish tasks.

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

"(c) *Organization* refers to an organized body of people which includes, but is not limited to, any club, association, group, fraternity, and sorority. This term shall include the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), the Philippine Military Academy (PMA), the

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Philippine National Police Academy (PNPA), and other similar uniformed service learning institutions.

"(d) *Schools* refer to colleges, universities, and all other educational institutions."

SEC. 3. A new section to be denominated as Section 3 is hereby inserted in the same Act to read as follows:

"SEC. 3. *Prohibition on Hazing.* – All forms of hazing shall be prohibited in fraternities, sororities, and organizations in schools, including citizens' military training and citizens' army training. This prohibition shall likewise apply to all other fraternities, sororities, and organizations that are not school-based, such as community-based and other similar fraternities, sororities, and organizations: *Provided*, That the physical, mental, and psychological testing and training procedures and practices to determine and enhance the physical, mental, and psychological fitness of prospective regular members of the AFP and the PNP as approved by the Secretary of National Defense and the National Police Commission, duly recommended by the Chief of Staff of the AFP and the Director General of the PNP, shall not be considered as hazing for purposes of this Act: *Provided, further*, That the exception provided herein shall likewise apply to similar procedures and practices approved by the respective heads of other uniformed learning institutions as to their prospective members, nor shall this provision apply to any customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective, subject to prior submission of a medical clearance or certificate.

"In no case shall hazing be made a requirement for employment in any business or corporation."

SEC. 4. Section 2 of the same Act is hereby amended to read as follows:

"SEC. 4. *Regulation of School-Based Initiation Rites.* – Only initiation rites or practices that do not constitute hazing shall be allowed: *Provided,* That:

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

"(b) The written application shall indicate the place and date of the initiation rites and the names of the recruits, neophytes, or applicants to be initiated and the manner by which they will conduct the initiation rites;

"(c) Such written application shall further contain an undertaking that no harm of any kind shall be committed by anybody during the initiation rites;

"(d) The initiation rites shall not last more than three (3) days;

"(e) The application shall contain the names of the incumbent officers of the fraternity, sorority, or organization and any person or persons who will take charge in the conduct of the initiation rites;

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

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

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"The school, fraternity, sorority, or organization shall provide for their respective bulletin boards for purposes of this section.

"Guidelines for the approval or denial of the application to conduct initiation rites by a registered fraternity, sorority, or organization shall be promulgated by the appropriate school officials not later than sixty (60) days after the approval of this Act. The appropriate school authorities shall have the obligation to disapprove the application to conduct initiation rites that do not conform with any of the requirements of this section, and the reasons thereof shall be stated clearly and in unequivocal terms in a formal advice to the fraternity, sorority, or organization concerned, taking into consideration the safety and security of participants in the activity.

"School officials shall have the authority to impose, after due notice and summary hearing, disciplinary sanctions, in accordance with the school's guidelines and regulations on the matter, which shall include, but shall not be limited to, reprimand, suspension, exclusion, or expulsion, to the head and all other officers of the fraternity, sorority, or organization which conducts an initiation without first securing the necessary approval of the school as required under this section. All members of the fraternity, sorority, or organization, who participated in the unauthorized initiation rites, even if no hazing was conducted, shall also be punished accordingly.

"In case the written application for the conduct of initiation rites contains false or inaccurate information, appropriate disciplinary sanctions in accordance with the school's guidelines and regulations on the matter ranging from reprimand to expulsion shall be imposed, after due notice and summary hearing, against the person who prepared the application or supplied the false and inaccurate

information and to the head and other officers of the fraternity, sorority, or organization concerned."

SEC. 5. Section 3 of the same Act is hereby amended to read as follows:

"SEC. 5. *Monitoring of Initiation Rites.* – The head of the school or an authorized representative must assign at least two (2) representatives of the school to be present during the initiation. It is the duty of the school representatives to see to it that no hazing is conducted during the initiation rites, and to document the entire proceedings. Thereafter, said representatives who were present during the initiation shall make a report of the initiation rites to the appropriate officials of the school regarding the conduct of the said initiation: *Provided,* That if hazing is still committed despite their presence, no liability shall attach to them unless it is proven that they failed to perform an overt act to prevent or stop the commission thereof."

SEC. 6. A new section to be denominated as Section 6 is hereby inserted in the same Act to read as follows:

"SEC. 6. *Registration of Fraternities, Sororities, and Other Organizations.* – All existing fraternities, sororities, and other organizations otherwise not created or organized by the school but has existing members who are students or plans to recruit students to be its members shall be required to register with the proper school authorities before it conducts activities whether on or off-campus, including recruitment of members.

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

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

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

"School officials shall have the authority to impose, after due notice and summary hearings, disciplinary penalties in accordance with the school's guidelines and regulations on the matter including suspension to the head and other officers of the fraternity, sorority, or organization who fail to register or update their roster of members as required under this section.

"Failure to comply with any of the requirements in this section shall result in the cancellation of the registration of the fraternity, sorority, or organization."

SEC. 7. A new section to be denominated as Section 7 is hereby inserted in the same Act to read as follows:

"SEC. 7. *Faculty Adviser.* – Schools shall require all fraternities, sororities, and organizations, as a condition to the grant of accreditation or registration, to submit the name or names of their respective faculty adviser or advisers who must not be members of the respective fraternity, sorority, or organization. The submission shall also include a

written acceptance or consent on the part of the selected faculty adviser or advisers.

"The faculty adviser or advisers shall be responsible for monitoring the activities of the fraternity, sorority, or organization. Each faculty adviser must be a duly recognized active member, in good standing, of the faculty at the school in which the fraternity, sorority, or organization is established or registered.

"In case of violation of any of the provisions of this Act, it is presumed that the faculty adviser has knowledge and consented to the commission of any of the unlawful acts stated therein."

SEC. 8. A new section to be denominated as Section 8 is hereby inserted in the same Act to read as follows:

"SEC. 8. *Role of Educational Institutions.* – The responsibility of schools to exercise reasonable supervision *in loco parentis* over the conduct of its students requires the diligence that prudent parents would employ in the same circumstance when disciplining and protecting their children. To this end, it shall be the duty of schools to take more proactive steps to protect its students from the dangers of participating in activities that involve hazing.

"Schools shall implement an information dissemination campaign at the start of every semester or trimester to provide adequate information to students and parents or guardians regarding the consequences of conducting and participating in hazing.

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

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

SEC. 9. A new section to be denominated as Section 9 is hereby inserted in the same Act to read as follows:

"SEC. 9. *Registration of Community-Based and Other Similar Fraternities, Sororities, or Organizations.* – All new and existing community-based fraternities, sororities, or organizations, including their respective local chapters, shall register with the barangay, municipality, or city wherein they are primarily based.

"Upon registration, all community-based fraternities, sororities, or organizations, including their respective local chapters, shall submit a comprehensive list of members and officers which shall be updated yearly from the date of registration."

SEC. 10. A new section to be denominated as Section 10 is hereby inserted in the same Act to read as follows:

"SEC. 10. *Regulation of Initiation Rites for Community-Based Fraternities, Sororities, or Organizations.* – Only initiation rites or practices that do not constitute hazing shall be allowed: *Provided,* That:

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

"(b) The written application shall indicate the place and date of the initiation rites and the names

of the recruits, neophytes, or applicants to be initiated;

"(c) Such written application shall further contain an undertaking that no harm of any kind shall be committed by anybody during the initiation rites;

"(d) A medical certificate of the recruit, neophyte, or applicant must be attached to the application to ensure fitness to undergo initiation when it involves physical activity not falling under the definition of hazing as used in this Act;

"(e) The initiation rites shall not last more than three (3) days;

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

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

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

SEC. 11. A new section to be denominated as Section 11 is hereby inserted in the same Act to read as follows:

"SEC. 11. *Monitoring of Initiation Rites of Community-Based and All Similar Fraternities, Sororities, or Organizations.* – The punong barangay of the barangay or the municipal or city mayor of the municipality or city where the community-based fraternity, sorority, or organization is based must assign at least two (2) barangay or municipal or city officials to be present during the initiation and to document the entire proceedings. Thereafter, said representatives who were present during the initiation shall make a report of the initiation rites to the punong barangay, or the municipal or city mayor regarding the conduct of the initiation: *Provided,* That if hazing is still committed despite their presence, no liability shall attach to them unless it is proven that they failed to perform an overt act to prevent or stop the commission thereof."

SEC. 12. A new section to be denominated as Section 12 is hereby inserted in the same Act to read as follows:

"SEC. 12. *Nullity of Waiver and Consent.* – Any form of approval, consent, or agreement, whether written or otherwise, or of an express waiver of the right to object to the initiation rite or proceeding which consists of hazing, as defined in this Act, made by a recruit, neophyte, or applicant prior to an initiation rite that involves inflicting physical or psychological suffering, harm, or injury, shall be void and without any binding effect on the parties.

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

SEC. 13. A new section to be denominated as Section 13 is hereby inserted in the same Act to read as follows:

"SEC. 13. *Administrative Sanctions.* – The responsible officials of the school, the uniformed learning institutions, the AFP or the PNP may impose the appropriate administrative sanctions, after

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due notice and summary hearing, on the person or the persons charged under this Act even before their conviction."

SEC. 14. Section 4 of the same Act is hereby amended to read as follows:

"SEC. 14. *Penalties.* – The following penalties shall be imposed:

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

"(b) The penalty of *reclusion perpetua* and a fine of Two million pesos (P2,000,000.00) shall be imposed upon:

"(1) All persons who actually planned or participated in the conduct of the hazing;

"(2) All officers of the fraternity, sorority, or organization who are actually present during the hazing;

"(3) The adviser of a fraternity, sorority, or organization who is present when the acts constituting the hazing were committed and failed to take action to prevent the same from occurring or failed to promptly report the same to the law enforcement authorities if such adviser or advisers can do so without peril to their person or their family;

"(4) All former officers, nonresident members, or alumni of the fraternity, sorority, or organization who are also present during the hazing: *Provided,*

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That should the former officer, nonresident member, or alumnus be a member of the Philippine Bar, such member shall immediately be subjected to disciplinary proceedings by the Supreme Court pursuant to its power to discipline members of the Philippine Bar: *Provided, further,* That should the former officer, nonresident member, or alumnus belong to any other profession subject to regulation by the Professional Regulation Commission (PRC), such professional shall immediately be subjected to disciplinary proceedings by the concerned Professional Regulatory Board, the imposable penalty for which shall include, but is not limited to, suspension for a period of not less than three (3) years or revocation of the professional license. A suspended or revoked professional license pursuant to this section may be reinstated upon submission of affidavits from at least three (3) disinterested persons, good moral certifications from different unaffiliated and credible government, religious, and socio-civic organizations, and such other relevant evidence to show that the concerned professional has become morally fit for readmission into the profession: *Provided,* That said readmission into the profession shall be subject to the approval of the respective Professional Regulatory Board;

"(5) Officers or members of a fraternity, sorority, or organization who knowingly cooperated in carrying out the hazing by inducing the victim to be present thereat; and

"(6) Members of the fraternity, sorority, or organization who are present during the hazing when they are intoxicated or under the influence of alcohol or illegal drugs;

"(c) The penalty of *reclusion temporal* in its maximum period and a fine of One million pesos (P1,000,000.00) shall be imposed upon all persons who are present in the conduct of the hazing;

"(d) The penalty of *reclusion temporal* and a fine of One million pesos (P1,000,000.00) shall be imposed upon former officers, nonresident members, or alumni of the fraternity, sorority, or organization who, after the commission of any of the prohibited acts proscribed herein, will perform any act to hide, conceal, or otherwise hamper or obstruct any investigation that will be conducted thereafter: *Provided,* That should the former officer, nonresident member, or alumnus be a member of the Philippine Bar, such member shall immediately be subjected to disciplinary proceedings by the Supreme Court pursuant to its power to discipline members of the Philippine Bar: *Provided, further,* That should the former officer, nonresident member, or alumnus belong to any other profession subject to regulation by the PRC, such professional shall immediately be subjected to disciplinary proceedings by the concerned Professional Regulatory Board, the imposable penalty for which shall include, but is not limited to, suspension for a period of not less than three (3) years or revocation of the professional license. A suspended or revoked professional license pursuant to this section may be reinstated upon submission of affidavits from at least three (3) disinterested persons, good moral certifications from different unaffiliated and credible government, religious, and socio-civic organizations, and such other relevant evidence to show that the concerned professional has become morally fit for readmission into the profession: *Provided,* That said readmission into the profession shall be subject to the approval of the respective Professional Regulatory Board."

"(e) The penalty of *prision correccional* in its minimum period shall be imposed upon any person who shall intimidate, threaten, force, or employ, or administer any form of vexation against another person for the purpose of recruitment in joining or promoting a particular fraternity, sorority, or organization. The persistent and repeated proposal or

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invitation made to a person who had twice refused to participate or join the proposed fraternity, sorority, or organization, shall be *prima facie* evidence of vexation for purposes of this section; and

"(f) A fine of One million pesos (P1,000,000.00) shall be imposed on the school if the fraternity, sorority, or organization filed a written application to conduct an initiation which was subsequently approved by the school and hazing occurred during the initiation rites or when no representatives from the school were present during the initiation as provided under Section 5 of this Act: *Provided,* That if hazing has been committed in circumvention of the provisions of this Act, it is incumbent upon school officials to investigate *motu proprio* and take an active role to ascertain factual events and identify witnesses in order to determine the disciplinary sanctions it may impose, as well as provide assistance to police authorities."

"The owner or lessee of the place where hazing is conducted shall be liable as principal and penalized under paragraphs (a) or (b) of this section, when such owner or lessee has actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring or failed to promptly report the same to the law enforcement authorities if they can do so without peril to their person or their family. If the hazing is held in the home of one of the officers or members of the fraternity, sorority, or organization, the parents shall be held liable as principals and penalized under paragraphs (a) or (b) hereof when they have actual knowledge of the hazing conducted therein but failed to take any action to prevent the same from occurring or failed to promptly report the same to the law enforcement authorities if such parents can do so without peril to their person or their family.

"The school authorities including faculty members as well as barangay, municipal, or city officials shall be liable as an accomplice and likewise be held administratively accountable for hazing conducted by fraternities, sororities, and other organizations, if it can be shown that the school or barangay, municipal, or city officials allowed or consented to the conduct of hazing or where there is actual knowledge of hazing, but such officials failed to take any action to prevent the same from occurring or failed to promptly report to the law enforcement authorities if the same can be done without peril to their person or their family.

"The presence of any person, even if such person is not a member of the fraternity, sorority, or organization, during the hazing is *prima facie* evidence of participation therein as a principal unless such person or persons prevented the commission of the acts punishable herein or promptly reported the same to the law enforcement authorities if they can do so without peril to their person or their family.

"The incumbent officers of the fraternity, sorority, or organization concerned shall be jointly liable with those members who actually participated in the hazing.

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

"This section shall apply to the president, manager, director, or other responsible officer of businesses or corporations engaged in hazing as a requirement for employment in the manner provided herein.

"Any conviction by final judgment shall be reflected in the scholastic record, personal, or employment record of the person convicted,

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regardless of when the judgment of conviction has become final."

SEC. 15. A new section to be denominated as Section 15 is hereby inserted in the same Act to read as follows:

"SEC. 15. *Implementing Rules and Regulations (IRR).* – The Commission on Higher Education (CHED), together with the Department of Education (DepED), Department of Justice (DOJ), Department of the Interior and Local Government (DILG), Department of Social Welfare and Development (DSWD), AFP, PNP, and National Youth Commission (NYC), shall promulgate the IRR within ninety (90) days from the effectivity of this Act."

SEC. 16. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, the other parts or provisions hereof shall remain valid and effective.

SEC. 17. *Repealing Clause.* – Republic Act No. 8049 and all other laws, decrees, executive orders, proclamations, rules or regulations, or parts thereof which are inconsistent with or contrary to the provisions of this Act are hereby amended or modified accordingly.

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

Approved,

PANTALEON D. ALVAREZ
Speaker of the House of Representatives

AQUILINO "KOKO" PIMENTEL III
President of the Senate

This Act which is a consolidation of Senate Bill No. 1662 and House Bill No. 6573 was passed by the Senate and the House of Representatives on March 12, 2018 and March 13, 2018, respectively.

CESAR STRAIT PAREJA
Secretary General
House of Representatives

LUTGARDO B. BARBO
Secretary of the Senate

Approved: JUN 29 2018

RODRIGO ROA DUTERTE
President of the Philippines

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