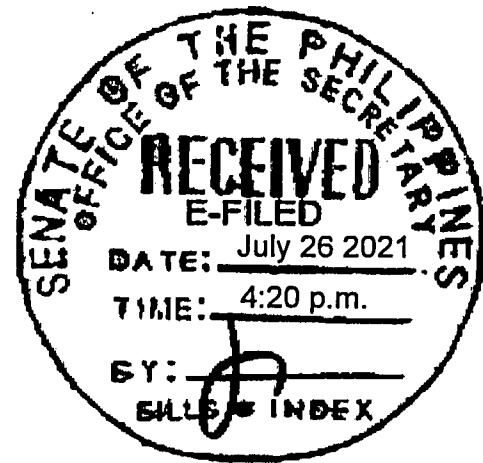


EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
*Third Regular Session* ) .



S E N A T E

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**COMMITTEE REPORT NO. 279**

Submitted jointly by the Committees on Justice and Human Rights; and Women, Children, Family Relations and Gender Equality on July 26 2021.

Re: Senate Bill No. 2332 Prepared by the Committees

Recommending its approval in substitution of Senate Bill Nos. 163, 305, 622, 739, 762, 774, 1258, and 1853.

Sponsor: Richard J. Gordon

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**MR. PRESIDENT:**

The Committees on Justice and Human Rights; and Women, Children, Family Relations and Gender Equality to which were referred **Senate Bill No. 163**, introduced by Senator Risa Hontiveros, entitled:

**"AN ACT  
STRENGTHENING REPUBLIC ACT NO. 8353, OTHERWISE KNOWN AS THE  
ANTI-RAPE ACT OF 1997, BY RAISING THE AGE OF SEXUAL CONSENT TO  
EIGHTEEN (18) YEARS OLD, AND FOR OTHER PURPOSES"**

**Senate Bill No. 305**, introduced by Senator Juan Miguel F. Zubiri, entitled:

**"AN ACT  
INCREASING THE AGE FOR DETERMINING STATUTORY RAPE TO PROVIDE  
STRONGER PROTECTION FOR CHILDREN, AND AMENDING FOR THIS  
PURPOSE ACT NO. 3815, OTHERWISE KNOWN AS THE REVISED PENAL**

**CODE, AS AMENDED BY REPUBLIC ACT 8353, OTHERWISE KNOWN AS THE ANTI-RAPE LAW OF 1997"**

**Senate Bill No. 622**, introduced by Senator Leila M. De Lima, entitled:

**"AN ACT  
INCREASING THE AGE OF CONSENT TO PROVIDE A STRONGER PROTECTION TO CHILDREN, AND AMENDING FOR THIS PURPOSE ARTICLE 266-A (1) (D) OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE"**

**Senate Bill No. 739**, introduced by Senator Win Gatchalian, entitled:

**"AN ACT  
INCREASING THE AGE FOR DETERMINING STATUTORY RAPE TO PROVIDE STRONGER PROTECTION FOR CHILDREN, AMENDING FOR THIS PURPOSE ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL CODE"**

**Senate Bill No. 762**, introduced by Senator Maria Lourdes Nancy S. Binay, entitled:

**"AN ACT  
INCREASING THE AGE FOR DETERMINING STATUTORY RAPE TO PROVIDE STRONGER PROTECTION FOR CHILDREN, AND AMENDING FOR THIS PURPOSE ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL CODE"**

**Senate Bill No. 774**, introduced by Senator Imee R. Marcos, entitled:

**"AN ACT  
RAISING THE AGE OF CONSENT AND AMENDING FOR THIS PURPOSE ARTICLE 266 OF ACT NO. 3815, AS AMENDED, OTHERWISE KNOWN AS THE REVISED PENAL CODE"**

**Senate Bill No. 1258**, introduced by Senator Ramon Bong Revilla, Jr., entitled:

**"AN ACT  
PROVIDING STRONGER PROTECTION TO CHILDREN BY INCREASING THE AGE FOR DETERMINING STATUTORY RAPE AND OTHER ACTS OF SEXUAL ABUSE AND EXPLOITATION AND AMENDING FOR THIS PURPOSE ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL CODE,**

**REPUBLIC ACT NO. 8353, OTHERWISE KNOWN AS THE ANTI-RAPE LAW OF 1997 AND REPUBLIC ACT NO. 7610, ALSO KNOWN AS THE SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATORY ACT"**

Senate Bill No. 1853, introduced by Senator Richard J. Gordon, entitled:

**"AN ACT**

**INCREASING THE AGE FOR DETERMINING STATUTORY RAPE AND OTHER ACTS OF SEXUAL ABUSE AND EXPLOITATION TO PROTECT CHILDREN AND AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL CODE, AND REPUBLIC ACT NO. 7610, ALSO KNOWN AS THE SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT"**

have considered the same and have the honor to report them back to the Senate with the recommendation that the attached **Senate Bill No. 2332**, prepared by the Committees, entitled:

**"AN ACT**

**INCREASING THE AGE FOR DETERMINING STATUTORY RAPE AND OTHER ACTS OF SEXUAL ABUSE AND EXPLOITATION TO PROTECT CHILDREN, AMENDING FOR THIS PURPOSE ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL CODE, REPUBLIC ACT NO. 8353, ALSO KNOWN AS THE ANTI-RAPE LAW OF 1997, AND REPUBLIC ACT NO. 7610, ALSO KNOWN AS THE SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT"**

be approved in substitution of Senate Bill Nos. 163, 305, 622, 739, 762, 774, 1258, and 1853, with Senators Hontiveros, Zubiri, De Lima, Gatchalian, Binay, Marcos, Revilla Jr., and Gordon, as authors thereof.


Respectfully submitted:

*Chairpersons*

*Risa Hontiveros*  
**RISA HONTIVEROS**

Committee on Women, Children,  
Family Relations and Gender Equality  
Member, Committee on Justice and

Human Rights *May interpellate  
/ propose amendments.*



**RICHARD J. GORDON**

Committee on Justice & Human Rights

*Vice-Chairperson*

**PANFILO M. LACSON**

Committee on Justice & Human Rights

*Members*

*Pia S. Cayetano* *may interpellate*

**PIA S. CAYETANO**

Committee on Women, Children, Family  
Relations and Gender Equality

**EMMANUEL D. PACQUIAO**

Committee on Justice & Human Rights



**MARIA LOURDES NANCY S. BINAY**

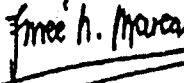
Committee on Women, Children, Family  
Relations and Gender Equality



**MANUEL "LITO" M. LAPID**

Committee on Justice & Human Rights

with reservations to be raised at plenary



**IMEE R. MARCOS**

Committee on Women, Children, Family Relations and Gender Equality



**GRACE POE**

Committee on Women, Children, Family Relations and Gender Equality



**CYNTHIA A. VILLAR**

Committee on Women, Children, Family Relations and Gender Equality

**WIN GATCHALIAN**

Committee on Women, Children, Family Relations and Gender Equality

**LEILA M. DE LIMA**

Committee on Women, Children, Family Relations and Gender Equality

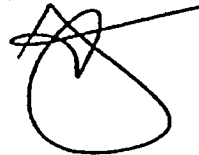
**AQUILINO "KOKO" PIMENTEL III**

Committee on Justice & Human Rights



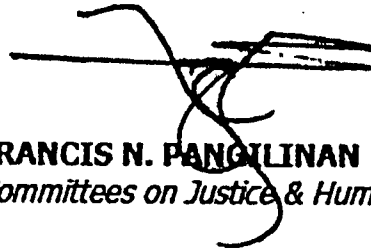
**SONNY ANGARA**

Committee on Justice & Human Rights



**RONALD "BATO" DELA ROSA**

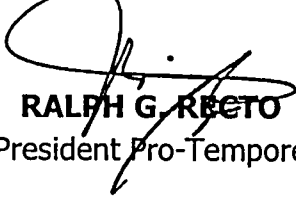
Committee on Justice & Human Rights  
Committee on Women, Children, Family Relations and Gender Equality



**FRANCIS N. PANGILINAN**

*Committees on Justice & Human Rights*

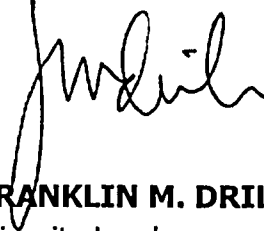
*Ex-Officio Members*



**RALPH G. RECTO**  
President Pro-Tempore



**JUAN MIGUEL F. ZUBIRI**  
Majority Leader



**FRANKLIN M. DRILON**  
Minority Leader

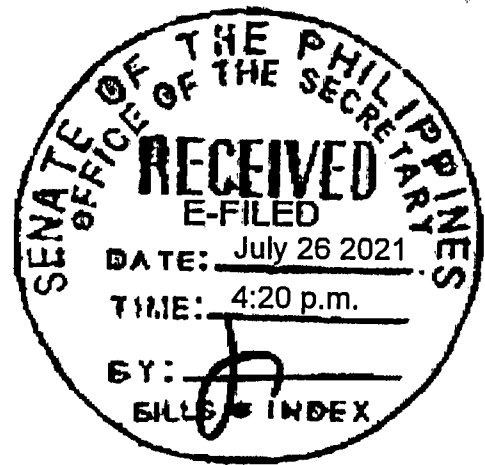
**HON. VICENTE C. SOTTO III**  
Senate President

FOR THE COMMITTEE REPORT ENTITLED "AN ACT INCREASING THE AGE  
FOR DETERMINING STATUTORY RAPE AND OTHER ACTS OF SEXUAL ABUSE  
AND EXPLOITATION TO PROTECT CHILDREN, AMENDING FOR THIS  
PURPOSE ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL  
CODE, REPUBLIC ACT NO. 8353, ALSO KNOWN AS THE ANTI-RAPE LAW OF  
1997, AND REPUBLIC ACT NO. 7610, ALSO KNOWN AS THE SPECIAL  
PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND  
DISCRIMINATION ACT"

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LEILA M. DE LIMA

EIGHTEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
Third Regular Session )



**SENATE**

**S.B. No. 2332**

(In Substitution of Senate Bill Nos. 163, 305, 622, 739, 762, 774, 1258 and 1853)

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Prepared by the Committees on Justice and Human Rights; and Women, Children, Family Relations and Gender Equality with Senators Hontiveros, Zubiri, De Lima, Gatchalian, Binay, Marcos, Revilla Jr., and Gordon as authors

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**AN ACT**

**INCREASING THE AGE FOR DETERMINING STATUTORY RAPE AND OTHER ACTS OF SEXUAL ABUSE AND EXPLOITATION TO PROTECT CHILDREN, AMENDING FOR THIS PURPOSE ACT NO. 3815, AS AMENDED, ALSO KNOWN AS THE REVISED PENAL CODE, REPUBLIC ACT NO. 8353, ALSO KNOWN AS THE ANTI-RAPE LAW OF 1997, AND REPUBLIC ACT NO. 7610, ALSO KNOWN AS THE SPECIAL PROTECTION OF CHILDREN AGAINST ABUSE, EXPLOITATION AND DISCRIMINATION ACT.**

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

1           Section 1. Article 266-A (1)(d) of Act No. 3815, otherwise known as the  
2 "Revised Penal Code of the Philippines," as amended by Republic Act No. 8353  
3 otherwise known as, "The Anti-Rape Law of 1997" is hereby further amended to read  
4 as follows:

5           "Article 266-A. *Rape – When and How Committed.* Rape is committed:

6                   1) By a [~~man who shall have carnal knowledge of a woman~~] **PERSON**  
7                               **AGAINST ANY PERSON** under any of the following circumstances:

8                               xxx

9                               (d) When the offended party is [~~under [twelve (12)]~~] **SIXTEEN**  
10                               **(16)** years of age **AND BELOW** or is demented, even though



1 none of the circumstances mentioned above be present:  
2 **PROVIDED, THAT THERE SHALL BE NO CRIMINAL**  
3 **LIABILITY ON THE PART OF THE PERPETRATOR IF THE**  
4 **VICTIM IS SIXTEEN (16) YEARS OF AGE AND BELOW; THE**  
5 **AGE DIFFERENCE BETWEEN THE VICTIM AND THE**  
6 **PERPETRATOR IS NOT MORE THAN FOUR (4) YEARS; AND**  
7 **THE SEXUAL ACT IN QUESTION IS PROVEN TO BE**  
8 **CONSENSUAL, NON-ABUSIVE AND NON-EXPLOITATIVE.**

9 SEC. 2. *Lack of consent as essential element of the crime of rape.* – Rape is a  
10 sexual assault that violates a person’s right to personal security and bodily integrity  
11 with the essential element of lack of consent.

12 SEC. 3. *Repealing Clause.* – Republic Act No. 7610, Section 5 (b), 7, 9 and  
13 Section 10 (b), Act No. 3815, Articles 337, 338, 339, 340, 342 and 343, and all laws,  
14 acts, presidential decrees, executive orders, administrative orders, proclamations,  
15 rules and regulations inconsistent with or contrary to the provisions of this Act are  
16 deemed repealed, amended, or modified accordingly.

17 SEC. 4. *Separability Clause.* – If any provision of this Act is held invalid or  
18 unconstitutional, the remainder of the Act or the provision not otherwise affected shall  
19 remain valid and subsisting.

20 SEC. 5. *Effectivity.* – This Act shall take effect fifteen (15) days after its  
21 publication in the Official Gazette or newspaper of general circulation in the  
22 Philippines.

*Approved,*