

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 6538

Introduced by CIBAC Party-List Representatives
Eduardo "Bro. Eddie" C. Villanueva and Domingo C. Rivera

**AN ACT PROTECTING THE RIGHT OF THE PEOPLE TO FREEDOM
OF RELIGION IN THE PHILIPPINES GUARANTEED
UNDER SECTION 5, ARTICLE III OF THE 1987 CONSTITUTION
AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Our society is held together not only by law and its enforcement, but, more importantly, by those who voluntarily obey the established laws as motivated by their internalized norms of righteous or correct behavior. Since time immemorial, religious belief has been a vital influence in man's knowledge of right and wrong and produces voluntary compliance by a large number of our citizens.

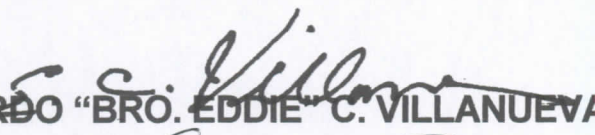
Moreover, significant moral advances all over the world have been initiated by religious principles and persuaded to official adoption by religious preaching. Examples include the abolition of slave trade, the upholding of democratic rights that replaced the 14-year martial law rule, and more. These great advances were not motivated and moved by secular ethics or persons who believed in moral relativism; they were driven primarily by persons who had a clear religious vision of what was morally right.

Having recognized this significance, democratic countries all over the world has long been implementing and improving substantial laws to uphold and protect religious freedom such as the Religious Freedom Restoration Act of the United States of America, Maintenance of Religious Harmony Act of Singapore, and International Religious Freedom Act of Canada, to name a few.

The Philippines, however, has not yet pursued the passage of enabling laws on Article III, Section 5 of our Constitution, which states that, *"No law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed. No religious test shall be required for the exercise of civil or political rights."*

In view of the abovementioned points, this bill seeks to create enabling laws that will protect the rights of our citizens to religious freedom which, in turn, will further bring peace and stability to our nation.

Hence, the immediate passage of this bill is earnestly sought.



HON. EDUARDO "BRO. EDDIE" C. VILLANUEVA



HON. DOMINGO C. RIVERA

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

3
4 **Section 1. *Short Title.*** – This Act shall be known as the "Magna Carta of Religious
5 Freedom."

6
7 **Section 2. *Declaration of Policy.*** – It is the declared policy of the State to allow and
8 guard the fundamental right of every person to the free exercise and enjoyment of
9 religious profession and worship under Section 5, Article III of the 1987 Constitution.
10 The Constitutional right of every Filipino to profess, practice, and propagate religious
11 beliefs must always be recognized, respected, and allowed except in cases where
12 there is a clear, grave and present danger or threat detrimental to a person's right to
13 life, liberty or property, public interest, or security.

14
15 Towards this end, the State must ensure that no act of the government or any of its
16 agency or instrumentality shall impinge on the person's right to religious freedom. In
17 addition, the government must also prohibit any act by a person, natural or juridical, or
18 any group of persons that curtails the exercise of a person's right to religious freedom.

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1 **Section 3. *Definition of Terms.*** – As used in this Act:
2

- 3 a. Religious community refers to a church, religious entity, organization, or
4 group of persons who have formed together into a congregation for the
5 worship of a Supreme Being according to the established rites, ceremonies
6 or doctrines and is registered with the Securities and Exchange
7 Commission.
8
9 b. Religious belief refers to a particular belief or set of beliefs held by a church
10 or religion.
11

12 **Section 4. *Rights to Religious Freedom.*** – No person shall be deprived of nor denied
13 the following rights except in cases where there is a clear, grave and present danger
14 or threat to a person's right to life, liberty or property or to public interest or security:
15

16 4.1. *Right to Choose a Religion or Religious Community.* – The right of a person
17 to freely choose one's religion or religious community. Any act of undue
18 pressure, harassment, intimidation or coercion upon a person to choose a
19 particular religion or religious community constitutes a violation of this Act.
20

21 4.2. *Right to Profess Religious Belief and Practice Religious Acts.* – The right
22 of a person to profess religious belief, to practice the acts, or manifest religious
23 beliefs, provided that such beliefs or acts do not promote nor justify acts that
24 threaten public security, order, health, morals, or the fundamental rights and
25 freedom of other people.
26

27 4.3. *Right to Propagate Religious Beliefs.* – The right of a person to propagate
28 religious belief without any form of coercion.
29

30 4.4. *Right to Disseminate Religious Publications.* – The right of a person to
31 disseminate religious information or publication that does not contain words or
32 threats to public security, order, health, morals, or does not violate the
33 fundamental rights and freedom of other people.
34

35 4.5. *Right to Organizational Independence.* – The right of a religious
36 organization to be independent or to manage its own religious affairs.
37

38 4.6. *Right to Freedom against Discrimination in Employment.* – The right of a
39 person to equal opportunity for employment. Any person shall not be
40 terminated from employment solely on the basis of religious belief or the
41 practice thereof, provided that such belief or practice does not violate existing
42 laws.
43

44 4.7 *Right to Tax Exemption* – The right of churches, associations, corporations
45 or organizations formed and operated exclusively for religious purposes, and
46 all real properties actually, directly and exclusively used for religious purposes,
47 to be exempt from taxes, consistent with the provisions of the Constitution and

1 subject to the rules and regulations promulgated by the Bureau of Internal
2 Revenue.

3
4 **SECTION 5. *Penalties.*** – Any person or corporation who violates Section 4 of this Act
5 shall suffer the following penalties:

6 (1) For the first violation, a fine of not less than Fifty thousand pesos
7 (P50,000.00) but not exceeding One hundred thousand pesos
8 (P100,000.00), or imprisonment of not less than six (6) months but not more
9 than two (2) years, or both, at the discretion of the court;

10
11 (2) For any subsequent violation, a fine of not less than One hundred thousand
12 pesos (P100,000.00) but not exceeding Two hundred thousand pesos
13 (P200,000.00), or imprisonment of not less than six (6) months but not more
14 than two (2) years, or both, at the discretion of the court.

15
16 **SECTION 6. *Implementing Rules and Regulations.*** – Within ninety (90) days from
17 the effectivity of this Act, the Secretary of Justice, in coordination with concerned
18 agencies and in consultation with other stakeholders, shall formulate the necessary
19 rules and regulations to implement the provisions of this Act.

20
21 **SECTION 7. *Repealing Clause.*** – All statutory laws, orders and issuances, rules and
22 regulations or parts thereof inconsistent with the provisions of this Act are hereby
23 repealed or modified accordingly.

24
25 **SECTION 8. *Effectivity.*** – This Act shall take effect fifteen (15) days after its complete
26 publication in the *Official Gazette* or in a newspaper of general circulation.

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28
29 **Approved,**