

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

House Bill No. **6120**



Introduced by Representatives **John Marvin “Yul Servo” Nieto** and **Edward Vera Perez Maceda**

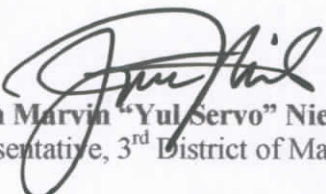
EXPLANATORY NOTE

As a manifestation of support to this timely piece of legislation, this representation respectfully refiles this bill.

The “Volunteer Protection Act” will encourage people to participate in public and other civic affairs by eliminating the fear of being subsequently punished for any possible unintentional harm they could inflict unto others.

Moreover, this bill seeks to promote and strengthen volunteerism in the country by protecting volunteers from liability in providing reasonable assistance as long as they were acting in an emergency. This also serves as a strategy towards the sustainable development of the state as it takes advantage of available human capital while honoring the Filipino tradition of *bayanihan*.

Hence, it is upon us, as legislators, to encourage volunteerism by giving our volunteers protection from liabilities through the passage of this bill, subject to exceptions provided herein.


John Marvin “Yul Servo” Nieto
Representative, 3rd District of Manila


Edward Vera Perez Maceda
Representative, 4th District of Manila

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AN ACT
ENCOURAGING VOLUNTEERISM DURING EMERGENCIES BY PROTECTING
VOLUNTEERS FROM LIABILITY

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

SECTION 1. Short Title. - This Act shall be known as the "Volunteer Protection Act."

Sec. 2. Declaration of Policy. - It shall be the policy of the State to promote the participation of Filipino citizens in public and civic affairs and strengthen the practice of volunteerism as a strategy in order to attain national development. The inculcation of volunteerism as a way of life rekindle in every Filipino the time-honored tradition of *bayanihan* to foster social justice, solidarity and sustainable development Towards this end, the State shall encourage individuals to volunteer and provide reasonable assistance during emergencies by protecting them from liability,

Sec. 3. Definitions, - For purposes of this Act.

(1) "Volunteer" refers to an individual who provide reasonable assistance in an emergency and does not receive compensation.

(2) "Emergency" shall refer to a situation requiring immediate attention and remedial action involving a sudden, unexpected, and impending threat to life, health, or safety of a person.

Sec. 4. Liability Protection for Volunteers. - No volunteer shall be liable for harm caused by an act or omission if:

(1) The volunteer was acting in an emergency at the time of the act or omission;

(2) If appropriate or required, the volunteer was properly licensed, certified, or authorized by the appropriate authorities for the activities undertaken in an emergency at the time of the act of Omission; and

(3) The harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer.

Sec. 5. Exceptions. - The liability protection for volunteers under this Act shall not apply to misconduct that:

(1) constitutes a crime; or

(2) was performed under the influence of intoxicating alcohol or any dangerous drug at the time of the misconduct;

Sec. 6. Separability Clause. - If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

Sec. 7. Repealing Clause. - All laws, decrees, orders, rules and regulations, or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 8. Effectivity. - This Act shall take effect after fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved.