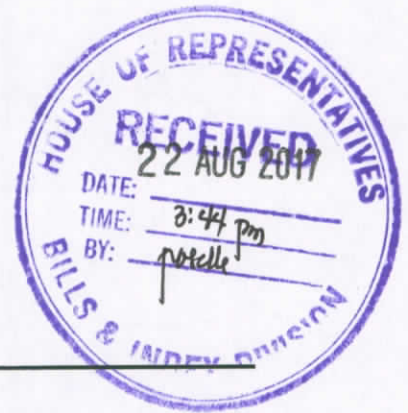


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

First Regular Session

House Bill No. **6237**



Introduced by Hon. Delphine Gan Lee

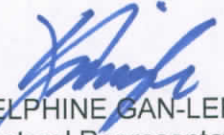
EXPLANATORY NOTE

The Filipino people are known throughout the world as a warm and welcoming people. When it comes to emergency situations however, most would tend to tread lightly or not at all for fear of the fact that they might make the situation worse or be held responsible for the situation itself. Through legislation, we hope to encourage volunteerism and protect those willing and able to help in emergency situations through the enactment of this bill.

A good samaritan is defined as a person who voluntarily gives help to those in need and in distress. It is also defined as a person who helps others especially strangers without any ulterior motive other than to help those in need.

For the purpose of this bill, a good samaritan is defined to be an individual performing volunteer service who does not receive compensation to reasonably assist a person in case of an emergency. When it comes to emergency situations, time is of the essence especially when it comes to matters of public health, safety and welfare. These good samaritan's through this act will be protected from liability in providing reasonable assistance in an emergency as long as the good samaritan was acting in an emergency; if appropriate or required, the good samaritan was properly licensed, certified or authorized by the appropriate authorities for the activities undertaken in an emergency; and the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights and safety of another.

The urgent passing of this bill is thus earnestly sought.


DELPINE GAN-LEE
Sectoral Representative
AGRI Party-List

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AN ACT
TO ENCOURAGE GOOD SAMARITANS WHO PROVIDE REASONABLE ASSISTANCE
IN AN EMERGENCY BY PROTECTING THEM FROM LIABILITY

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

Section 1. Title. - This act shall be known as the "Good Samaritan Act of 2017"

Section 2. Declaration Policy. - It is the policy of the State to encourage samaritans who provide reasonable assistance in an emergency by protecting them from liability.

Section 3. Definition of Terms. - The following terms shall mean:

- (a) Good Samaritan - shall refer to an individual performing volunteer service who does not receive compensation to reasonably assist a person in case of an emergency.
- (b) 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.

Section 4. Liability Protection for Good Samaritans. - No good samaritans shall be liable for harm caused by an act or omission if:

- (1) The good samaritan was acting in an emergency at the time of the act or omission;
- (2) If appropriate or required, the good samaritan was properly licensed, certified, or authorized by the appropriate authorities for the activities undertaken in case of emergency at the time of the act or 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 good Samaritan.

Section 5. Exceptions. – The liability protection for good samaritans under this Act shall not apply to misconduct that:

- (i) Constitutes a crime; or
- (ii) Was performed under the influence of intoxicating alcohol or any dangerous drug at the time of the misconduct.

Section 5. Separability Clause. - Should any provision of this Act be subsequently declared as unconstitutional, the same shall not affect the validity or the legality of the other provisions.

Section 6. Repealing Clause. - All laws, decrees, orders, rules and regulations, other issuances, or parts thereof inconsistent with the provisions of this Act are hereby repealed, modified or amended accordingly.

Section 7. Effectivity. - This Act shall take effect fifteen (15) days after publication in the Official Gazette or two (2) newspapers of general circulation in the Philippines.

Approved,