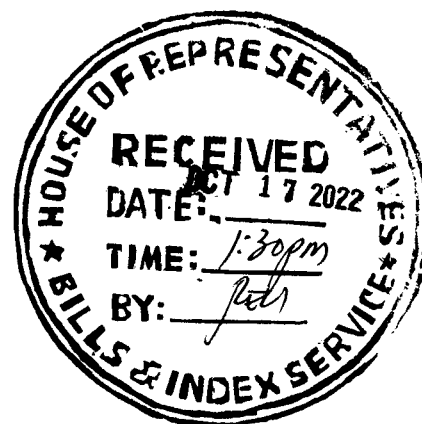


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5584



Introduced by Hon. Representative Florida "Rida P. Robes"
Lone District of the City of San Jose del Monte, Bulacan

EXPLANATORY NOTE

According to McLennan, Whittaker, and Handmer, volunteers play a bigger role in disaster management now more than ever. This is primarily motivated by an increasing need to amplify disaster resilience efforts.¹

Our country's defense and resilience to the effects of the destructive effects of climate change devolves not only in the government but involves the whole of civil society and the private sector. Countless of storms have passed yet the courage of Filipino civil society volunteers remained unbreakable and indomitable, even to the point of sacrificing their lives, especially during emergencies. Yet, it is unconscionable that our policies are inadequate to protect our volunteers.

The Government simply cannot choose to be deaf and blind to the already established fact that the emergency sector must tap the services of volunteers to respond to calamities, and the growing difficulty of recruitment and retention that it currently confronts. Should community-volunteers cease to provide their unselfish devotion to serve, the Government will have to incur higher costs for a range of connected expenses.

Volunteers may perhaps feel rewarded by an overarching and transcendent sense of altruism. However, there is an overwhelming and urgent need to protect and empower our volunteers – our modern-day heroes.

Experts suggests that it would be wise for emergency managers, volunteer coordinators, disaster groups, and community leaders to form alliances with volunteers before a crisis to ensure that their citizens experience this rising of the human spirit. Retaining volunteers entails empowering them to serve, giving them a structured environment in which to do so, and appreciating the value their unique and diverse contributions²

Volunteers are not paid – not because they are worthless, but because they are priceless. As an incentive to retain our volunteers and boost their morale, our volunteers deserve to be compensated with financial, medical, and/or other non-pecuniary benefits.

FLORIDA "RIDA" P. ROBES

¹ McLennan, B., Whittaker, J., & Handmer, J. (2016). The changing landscape of disaster volunteering: Opportunities, responses and gaps in Australia. *Natural Hazards*, 84, 20312048.

² Phillips, B. (2020). *Disaster Volunteers*. Butterworth-Heinemann

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5584

Introduced by Hon. Representative Florida “Rida P. Robes”
Lone District of the City of San Jose del Monte, Bulacan

AN ACT
EMPOWERING EMERGENCY VOLUNTEERS, PROTECTING
FROM LIABILITY FOR ACTS OR LIABILITIES FOR ACTS OR
OMISSION COMMITTED IN THE DISCHARGE OF THEIR DUTIES
AND/OR PERFORMANCE SERVICES DURING EMERGENCY
SITUATIONS, PROVIDING ALLOWANCES AND OTHER
INCENTIVES, AND APPROPRIATING FUNDS THEREOF

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

SECTION 1. *Short Title.* – This Act shall be known as the “*Emergency Volunteer Protection Act of 2022*”

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 strategy in order to attain national development. The inculcation of volunteerism as a way of life rekindles 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. *Definition of Terms.* - As used in this Act:

- (1) *Volunteer* refers to an individual or group who provides reasonable assistance and contributes time, service and resources in an emergency assistance and contributes time, service and resources in an emergency situation and who does not receive compensation for rendering volunteer service;
- (2) *Emergency* refers to a situation requiring immediate attention and remedial action involving an unforeseen occurrence, sudden, and impending threat or danger to life, health, or safety of a person;
- (3) *Volunteer Sectors* refer to those sectors that organize themselves into volunteers, to take advocacy and action primarily for local and national development as well as international cooperation and understanding; and

or an untrained volunteer who perform volunteering as necessitated by an emergency situation and without the supervision or management of the VSO or the volunteer sector.

Sec. 4. *Liability Protection for Volunteer.* – No volunteer shall be liable for harmed caused by an act or omission if:

- (1) The volunteer was acting in an emergency situation at the scene of an accident;
- (2) The volunteer was properly licensed, certified, or authorized by the appropriated authorities, either government entities or non-government organizations, for the activities undertaken in an emergency at the time of the act or omission;
- (3) The harm was not cause by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the right or safety of the individual harmed by the volunteer.

Sec. 5. *Exceptions.* – The liability protection for volunteers under this Act shall not apply to following conditions:

- (1) If the misconduct constitutes a crime under the Revised Penal Code or an offense in any special penal law;
- (2) If the misconduct was performed by the volunteer under the influence of intoxicating liquor or any dangerous drug at the time of the act or omission;
- (3) If the volunteers are from business organizations that employ volunteers for pecuniary purposes; and
- (4) If volunteers received compensation for volunteering at a non-profit organization. However, the non-profit organization shall not be liable if it exercised due diligence in the selection and supervision of the volunteer.

Sec. 6. *Accreditation of Volunteers.* – Unless properly licensed, certified, or authorized by the appropriate government entities, and non-government organization, volunteers must be accredited by and registered with the Philippine National Volunteer Service Coordinating Agency (PNVSCA) prior to deployment to be exempted from liability.

Sec. 7. *Honorarium.* – There is hereby established an honorarium for volunteers in the amount of One Thousand Five Hundred Pesos (Php 1,000.00) per day after he or she has participated in any disaster, risk, emergency or rescue training, mission, operation, or initiative in the Philippines; *provided*, that such honorarium shall be free from any national or local tax.

Sec. 8. *Death, Disability and Hospitalization Benefits.* – Notwithstanding any death and/or disability (whether total or partial) under provisions of other special law, the heirs of the volunteer shall be entitled to receive –

- (a) One million pesos (Php 1,000,000.00), in case of death of the volunteer;
- (b) Two hundred thousand pesos (Php 200,000.00), in case of disability;
and

(c) Fifty pesos (Php 50,000.00), in case of hospitalization requiring medical attendance of more thirty (30) days.

In any case, an injured volunteer shall be entitled to prompt, quality and reasonable emergency and medical services in any government hospital. Medical services shall include, but not limited, to preventive, curative and rehabilitative services or treatment that would save the life of the injured volunteer, and prevent further injuries or disability.

Sec. 9. *Appropriation.* – The amount necessary for the implementation of the provisions of this Act shall be included in the annual General Appropriations Act following the enactment of this law.

Sec. 9. *Free Legal assistance.* – Any volunteer who is sued for acts or omissions provided under Section 4 herein shall be entitled to free legal assistance from the Public Attorney's Office (PAO).

Sec. 7. *National Public Information Campaign.* – The PNVSCA, in consultation with relevant government entities, and non-government organizations shall undertake a nationwide information, education and communication campaign for the attainment of the objectives of this act.

Sec. 8. *Implementing Rules and Regulations.* – The PNVSCA, in consultation with relevant government entities and non-profit organizations, shall promulgate rules and regulations to implement the provisions of this Act within ninety (90) days from its effectivity.

Sec. 9. *Separability clause.* - If any portion or provisions of this Act is declared unconstitutional, the remained of this Act or any provision shall affect thereby shall remain in force and effect.

Sec. 10. *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. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper or of general circulation.