

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **4031**



Introduced by Representative Richard I. Gomez, DPA

EXPLANATORY NOTE

Filipinos are known for their innate compassion, a value deeply rooted in our culture and expressed in the principle of *malasakit*, a genuine concern for others in times of crisis. This spirit is most evident when individuals selflessly extend a helping hand to those in danger, even at the risk of personal harm. From natural calamities to sudden emergencies on the road, countless Good Samaritans act out of pure altruism, expecting nothing in return.

However, despite this cultural inclination to help, many individuals hesitate to render immediate aid out of fear of legal consequences. In situations where seconds can mean the difference between life and death, potential Good Samaritans are sometimes paralyzed by the possibility of being sued for damages should an honest attempt to help inadvertently result in injury, property damage, or other unintended consequences. This fear discourages acts of heroism and undermines the communal values that our society treasures.

Our current legal framework recognizes this moral inclination but offers limited protection to those who respond to emergencies. Article 2167 of the New Civil Code provides that a person who renders aid to an injured or seriously ill individual, without expectation of compensation, is acting out of generosity unless an implied contract exists. Meanwhile, Article 275 of the Revised Penal Code penalizes those who fail to render assistance to someone in danger of dying, provided such help can be extended without risk to oneself.

While these laws recognize both the duty to help and the presumption of generosity, they fall short of offering clear immunity from civil or criminal liability for Good Samaritans acting in good faith. Without explicit protection, hesitation persists, and opportunities to save lives may be lost.

This proposed measure seeks to fill that gap by providing comprehensive legal protection to individuals who voluntarily render reasonable emergency assistance. Specifically, the bill intends to:

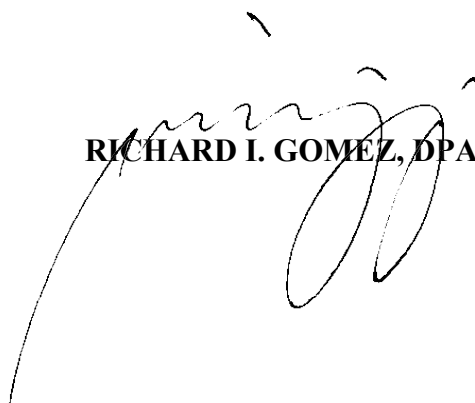
(1) Exempt from liability any Good Samaritan who, acting in good faith and without expectation of compensation, provides immediate aid to a person who is injured, endangered, or requires urgent medical attention;

(2) Reinforce public confidence in performing life-saving acts by ensuring that those who help in times of emergency are not penalized for unintended outcomes, except in cases of gross negligence or willful misconduct; and

(3) Promote a culture of proactive altruism in our communities by removing legal barriers that discourage spontaneous acts of kindness and heroism.

By passing this bill, the State recognizes that every life saved is a triumph of both law and humanity. It sends a clear message that no Filipino should hesitate to extend a helping hand out of fear, and every citizen is empowered to act with courage and compassion in the face of emergencies. This bill was originally authored and filed in the Senate by Senator Imee Marcos.

In view of the foregoing, the passage of this bill is earnestly sought.



RICHARD I. GOMEZ, DPA

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

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

SECTION 1. *Short Title.* - This Act shall be known as the "*Good Samaritan Act*".

SEC. 2. *Declaration of Policy.* — Section 11, Article II of the 1987 Philippine Constitution provides that the State shall value the dignity of every human person and guarantees full respect for human rights. To augment this principle, Section 1, Article XIII of the 1987 Constitution provides that Congress must give the highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic and political inequalities, and remove cultural inequalities by equitably diffusing wealth and political power for the common good.

It is hereby declared as the policy of the State to provide measures that ensure that those who act in aid or assistance to others in good faith shall be protected from civil or criminal liability for any event resulting from their act of rescuing or otherwise providing medical or other emergency assistance to those who are wounded, seriously ill, or in danger of dying or severe injury.

SEC. 3. *Definitions.* - For purposes of this Act, the following shall be defined as follows:

- (1) **'Good Samaritan'** shall refer to an individual performing volunteer services who does not receive compensation to reasonably assist a person in an emergency; and
- (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 Good Samaritans.* - No good Samaritan shall be liable for any harm caused by an act or omission if:

- (1) The Good Samaritan was acting in good faith 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 an 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.

SEC. 5. *Exceptions.* - The liability protection for Good Samaritans under this Act shall not apply to any misconduct that:

- (1) Constitutes a crime; or
- (2) Was performed under the influence of intoxicating alcohol or any dangerous drugs at the time of the misconduct

SEC. 6. *Separability Clause.* - If for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 7. *Repealing Clause.* - All laws, ordinances, rules, regulations other issuances or parts thereof, which are inconsistent with this Act, are hereby repealed or modified accordingly.

SEC. 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,