



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. **4252**



Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Andrew Julian K. Romualdez and Jude A. Acidre

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

EXPLANATORY NOTE

This bill seeks to support individuals who sought to assist during times of emergencies by protecting them from legal liability if their aid was useful and appropriate to the situation's de-escalation.

With the present number of people within the country, there are bound to be situations where civilian assistance will not only be valuable, but necessary to ensuring the safety of the populace. There will also be situations where civilians will have the desire to provide aid to legal channels yet fear the negative repercussions of their actions.

This bill will provide an avenue where both the concerns of civilians and government parties can be put to rest, encouraging the populace to aid in the protection of the nation.

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



FERDINAND MARTIN G. ROMUALDEZ



YEDDA MARIE K. ROMUALDEZ



ANDREW JULIAN K. ROMUALDEZ



JUDE A. ACIDRE



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

Section 1. *Short Title.* – This Act shall be known as the “*Good Samaritan Act.*”

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

Section 3. *Definition of Terms.* – For purposes of this Act,

- (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.

Section 4. *Liability Protection for Good Samaritans.* – No good Samaritan 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 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.

Section 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 drug at the time of the misconduct.

Section 6. *Separability Clause.* – If any provision of this Act is declared invalid or unconstitutional, the provisions not affected thereby shall remain in full force and effect.

Section 7. *Repealing Clause.* – All laws, presidential decrees, executive orders, presidential proclamations, rules and regulations or parts thereof contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

Section 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,