



HOUSE OF REPRESENTATIVES

H. No. 6743

BY REPRESENTATIVES VARGAS, NIETO, MACEDA, LEE, SY-ALVARADO,
CUEVA, DALIPE, SILVERIO, SAVELLANO, BRAVO (M.V.), PLAZA,
LABADLABAD, CASTELO, MONTORO, ACOSTA-ALBA, ROBES,
VERGARA, PRIMICIAS-AGABAS AND TAMBUNTING, PER
COMMITTEE REPORT NO. 499

AN ACT ENCOURAGING VOLUNTEERISM DURING
EMERGENCIES BY PROTECTING VOLUNTEERS
FROM LIABILITY

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

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

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

1 SEC. 3. *Definitions of Terms.* – As used in this Act:

2 (a) *Volunteer* refers to an individual or group who provides
3 reasonable assistance and contributes time, service and resources in
4 an emergency situation and who does not receive compensation for
5 rendering volunteer service;

6 (b) *Emergency* refers to a situation requiring immediate
7 attention and remedial action involving an unforeseen occurrence,
8 sudden, and impending threat or danger to life, health, or safety of a
9 person;

10 (c) *Volunteer sectors* refer to those sectors that organize
11 themselves into volunteers to take advocacy and action primarily for
12 local and national development as well as international cooperation
13 and understanding; and

14 (d) *Spontaneous volunteer* refers to an individual who may
15 either be a trained volunteer whose trainings may be from a
16 volunteer service organization (VSO) or volunteer or volunteer
17 sector, or an untrained volunteer who perform volunteering as
18 necessitated by an emergency situation and without the supervision
19 or management of the VSO or the volunteer sector.

20 SEC. 4. *Liability Protection for Volunteers.* – No volunteer
21 shall be liable for harm caused by an act or omission if:

22 (a) The volunteer was acting in an emergency situation at
23 the scene of an accident;

24 (b) The volunteer was properly licensed, certified, or
25 authorized by the appropriate authorities, either government

1 entities or nongovernment organizations, for the activities
2 undertaken in an emergency at the time of the act of omission; and

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

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

9 (a) If the misconduct constitutes a crime under the Revised
10 Penal Code or an offense in any special penal law;

11 (b) If the misconduct was performed by the volunteer under
12 the influence of intoxicating liquor or any dangerous drug at the
13 time of the act or omission;

14 (c) If the volunteers are from business organizations that
15 employ volunteers for pecuniary purposes; and

16 (d) If volunteers receive compensation for volunteering at a
17 nonprofit organization. However, the nonprofit organization shall
18 not be liable if it exercised due diligence in the selection and
19 supervision of the volunteer.

20 SEC. 6. *Separability Clause.* – If any portion or provision of
21 this Act is declared unconstitutional, the remainder of this Act or
22 any provision not affected thereby shall remain in force and effect.

23 SEC. 7. *Repealing Clause.* – All laws, decrees, orders, rules
24 and regulations, or other issuances or parts thereof inconsistent
25 with the provisions of this Act are hereby repealed or modified
26 accordingly.

1 SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15)
2 days after its publication in the *Official Gazette* or in any newspaper
3 of general circulation.

Approved,

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