



HOUSE OF REPRESENTATIVES

H. No. 6091

BY REPRESENTATIVES VARGAS, SY-ALVARADO, NIETO, HERRERA-DY,
AGABAS, NOEL, ROBES, BAÑAS-NOGRALES, ERIGUEL,
CHUNGALAO, LUSOTAN, BORDADO, TAMBUNTING, SAVELLANO,
ROMUALDEZ (F.M.) AND VERGARA, PER COMMITTEE REPORT
No. 207

AN ACT PROVIDING PROTECTION FROM LIABILITY TO
VOLUNTEERS FOR ACTS OR OMISSIONS COMMITTED
IN THE PERFORMANCE OF THEIR DUTIES DURING
EMERGENCY SITUATION

*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 rekindles 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. *Definition 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
4 in an emergency situation and who does not receive compensation
5 for 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
9 a person;

10 **(c) *Volunteer Sectors*** refer to those sectors that organize
11 themselves into volunteers, to take advocacy and action primarily
12 for local and national development as well as international
13 cooperation 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
26 entities or nongovernment organizations, for the activities
27 undertaken in an emergency at the time of the act of omission; and

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

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

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

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

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

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

18 SEC. 6. *Accreditation of Volunteers.* – Unless properly
19 licensed, certified, or authorized by the appropriate government
20 authorities, other government entities, and nongovernment
21 organizations, volunteers must be accredited by and registered with
22 the Philippine National Volunteer Service Coordinating Agency
23 (PNVSCA) prior to deployment to be exempted from liability.

24 SEC. 7. *Nationwide Public Information Campaign.* – The
25 PNVSCA, in consultation with relevant government entities and
26 nonprofit organizations, shall undertake a nationwide information,
27 education and communication campaign for the attainment of the
28 objectives of this Act.

1 SEC. 8. *Implementing Rules and Regulations.* – The
2 PNVSCA, in consultation with relevant government entities and
3 nonprofit organizations, shall promulgate rules and regulations to
4 implement the provisions of this Act within ninety (90) days from
5 its effectivity.

6 SEC. 9. *Separability Clause.* – If any portion or provision of
7 this Act is declared unconstitutional, the remainder of this Act or
8 any provision not affected thereby shall remain in force and effect.

9 SEC. 10. *Repealing Clause.* – All laws, decrees, orders, rules
10 and regulations, or other issuances or parts thereof inconsistent
11 with the provisions of this Act are hereby repealed or modified
12 accordingly.

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

Approved,