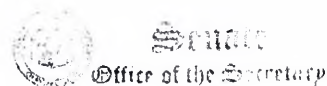


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 25 P2 :05

SENATE
S. No. 853

RECEIVED BY: _____

Introduced by SENATOR RAMON BONG REVILLA, JR.

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

EXPLANATORY NOTE

The spirit of volunteerism is innate to the Filipinos. In fact, we have a unique term for it – “*bayanihan*” – that embodies our strong sense of community, selflessness, and genuine heart for humanity.

Volunteers expand the reach and defy the limitations of our emergency response infrastructure. Volunteers sign up and show up quickly upon the onslaught of typhoons, after the ruin of earthquakes, and grief over natural disasters to aid the relief operations. Today, as the country and the whole world face the unprecedented threat of the novel Coronavirus, armies of volunteers offer support, assistance and compassion to their fellow men, overcoming their own fears and reservations.

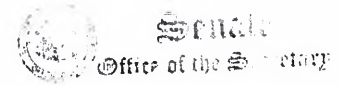
This bill recognizes the crucial role of voluntary endeavors in nation building. In conjunction to the Republic Act 9418 or the “Volunteer Act of 2007,” the bill creates an “enabling and conducive environment for volunteer work” by protecting them from liabilities for acts committed in the performance of their duties during emergency situations. This measure was already approved on Third Reading by the House of Representatives during the Second Regular Session of the Seventeenth Congress.

However, in this version, we introduced several incentives for volunteers such as insurance coverage, access to training, leave privileges, and employment merits that may encourage more to be involved in worthwhile civic work.

In this light, the immediate passage of this bill is highly recommended.


RAMON BONG REVILLA, JR.

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 25 P 2 :05

SENATE

S. No. 853

RECEIVED BY: _____

Introduced by **SENATOR RAMON BONG REVILLA, JR.**

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

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 "*Emergency Volunteer*
2 *Protection Act*".

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

10 Sec. 3. *Definition of Terms.* - As used in this Act:

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

- 1 (b) *Emergency* refers to a situation requiring immediate attention and remedial
2 action involving an unforeseen occurrence, sudden, and impending threat
3 or danger to life, health or safety of a person;
- 4 (c) *Volunteer Sectors* refers to those sectors that organize themselves into
5 volunteers, to take advocacy and action primarily for local and national
6 development as well as international cooperation and understanding;
- 7 (d) *Spontaneous Volunteer* refers to an individual who may either be a trained
8 volunteer whose trainings may be from a volunteer service organization
9 (VSO), or volunteer or volunteer sector, or an untrained volunteer who
10 perform volunteering as necessitated by an emergency situation and
11 without the supervision and management of the VSO or the voluntary
12 sector.

13 **Sec. 4. *Liability Protection for Volunteers.*** – No volunteer shall be liable for harm
14 caused by an act or omission if:

- 15 (a) The volunteer was acting in an emergency situation at the scene of an
16 accident;
- 17 (b) The volunteer was properly licensed, certified or authorized by the
18 appropriate authorities, either government entities or nongovernment
19 organizations, for the activities undertaken in an emergency at the time of
20 the act of omission; and
- 21 (c) The harm was not caused by willful or criminal misconduct, gross
22 negligence, reckless misconduct, or a conscious, flagrant indifference to the
23 rights and safety of the individual harmed by the volunteer.

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

- 26 (a) If the misconduct constitutes a crime under the Revised Penal Code or an
27 offense in any special penal law;
- 28 (b) If the misconduct was performed by the volunteer under the influence of
29 intoxicating liquor or any dangerous drug at the time of the act or omission;
- 30 (c) If the volunteers are from business organizations that employ volunteers
31 for pecuniary purposes; and

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

4 *Sec. 6. Accreditation of Volunteers.* – Unless properly licensed, certified or
5 authorized by the proper appropriate government authorities, other government
6 entities, and nongovernment organizations, volunteers must be accredited by and
7 registered with the Philippine National Volunteer Service Coordinating Agency
8 (PNVSCA) prior to deployment to be exempted from liability.

9 *Sec. 7. Additional Incentives for Volunteers.* – The PNVSCA shall sponsor and/or
10 facilitate the provision of the following incentives for volunteers, upon consultation
11 and in coordination with relevant government agencies and nongovernment
12 organizations:

13 (a) Insurance coverage;

14 (1) Disability benefit

15 (2) Hospitalization, medical treatment and rehabilitation therapy

16 (3) Death benefit

17 (b) Trainings, seminars and similar avenues for further education and skills
18 improvement;

19 (c) Additional special privilege leave benefits;

20 (d) Employment merits commensurate to the length, kind and quality of
21 volunteer work and service rendered that may translate to appointment,
22 promotion, salary increase, regularization, or similar career and
23 professional advancement.

24 *Sec. 8. Nationwide Public Information Campaign.* – The PNVSCA, in
25 consultation with relevant government entities and nonprofit organizations, shall
26 undertake a nationwide information education and communication campaign for the
27 attainment of the objectives of this Act.

28 *Sec. 9. Implementing Rules and Regulations* – The PNVSCA, in consultation
29 with relevant government entities and nonprofit organizations, shall promulgate rules
30 and regulations to implement the provisions of this Act within ninety (90) days from
31 its effectivity.

1 Sec. 10. *Separability Clause.* – If any provision or part hereof is held invalid or
2 unconstitutional, the remainder of the law or the provision or part not otherwise
3 affected shall remain valid and subsisting.

4 Sec. 11. *Repealing Clause.* – Any law, presidential decree or issuance, executive
5 order, letter of instruction, administrative order, rule, or regulation contrary to or
6 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
7 accordingly.

8 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
9 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,