

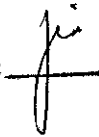
SIXTEENTH CONGRESS OF THE REPUBLIC )  
OF THE PHILIPPINES )  
First Regular Session )



Senate  
Office of the Secretary

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SENATE  
S. No. 1193

RECEIVED BY: 

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Introduced by Senator Miriam Defensor Santiago

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#### EXPLANATORY NOTE

The Constitution, Article 2, Section 15 provides that:

SEC. 15. The State shall protect and promote the right to health of the people and instill health consciousness among them.

Going to pools and spas remains to be one of the preferred leisure activities of Filipinos. In fact, a big percentage of our local tourism offers aquatic facilities among their repertoire of services. In more recent times, aquatic facilities have been established that incorporate a variety of special-use features such as spa pools, river rides, water slides and hydrotherapy pools. These have contributed to a growth in popularity of swimming and other water activities for sport, fitness, rehabilitation and recreation. As such, it is in our interest that we ensure that such facilities and services comply with certain standards of public health and safety.

Owners and operators of aquatic facilities need to ensure their premises are attractive, hygienic and provide a high degree of comfort to our countrymen. Facilities should be designed, operated and maintained in such a manner that they will pose no risk to the safety or health of their patrons.

Improper design, maintenance or operation can result in aquatic facilities becoming a source of infection and injury. Aquatic facilities may be used by people who are of varying ages, states of health and standards of hygiene. These people introduce a range of pollutants to the water, including saliva, urine and other body secretions, skin, hair, and sunscreen lotions. Other sources of pollutants include dust, bird droppings, tree leaves, lawn clippings, make-up water, soil and untreated reticulation water.

All of these pollutants can be accompanied by a variety of micro-organisms, some of which have the ability to survive, and even multiply, in recreational water.

A number of the micro-organisms have the ability to cause infections in various parts of the body, such as the eye, ear and skin, gastrointestinal and nervous systems.

Consequently, aquatic facilities need to be equipped with water treatment processes that provide continuous disinfection that is capable of quickly and effectively killing disease-causing micro-organisms, to prevent diseases being transmitted to other patrons. Proper design and operation of facilities can enhance the action of the disinfection process.

Special care needs to be taken with spa pools, hydrotherapy pools and other facilities that operate with elevated water temperatures, as they provide environments that are even more conducive to the survival and growth of disease-causing micro-organisms.

Correct use of chemicals employed to disinfect the water is required, as inappropriate use can cause patrons to suffer irritation of the eyes, and skin conditions such as dermatitis. Approved methods of water treatment and disinfection are set out in this Code of Practice.

Appropriate design of facilities has also been found to assist in prevention of drowning and other injuries.<sup>1</sup>

This bill seeks to mandate the Department of Trade and Industry to promulgate standards in the construction, maintenance, and operation of our aquatic facilities.<sup>2</sup>

*Miriam Defensor Santiago*  
MIRIAM DEFENSOR SANTIAGO  
over

<sup>1</sup> Code of Practice for the Design, Construction, Operation, Management and Maintenance for Aquatic Facilities, Department of Health, Australia, May 2007.

<sup>2</sup> This bill was originally filed in the Fourteenth Congress, Second Regular Session.



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SENATE  
S. No. **1193**

RECEIVED BY: *[Signature]*

Introduced by Senator Miriam Defensor Santiago

1 AN ACT  
2 TO ESTABLISH STANDARDS IN AQUATIC FACILITIES

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

3 SECTION 1. *Short Title.* – This Act shall be known as the “Aquatic Facility Standard  
4 Establishment Act.”

5 SECTION 2. *Definitions.* – The purposes of this Act, the term –

6 A. AQUATIC FACILITIES means man-made body of water used for sport, recreation or  
7 educational water activities, including facilities with special-use features such as spa  
8 pools, river rides, water slides and hydrotherapy pools.

9 B. PUBLIC AQUATIC FACILITIES means aquatic facilities that is—

10 1. open to the public generally, whether for a fee or free of charge;

11 2. open exclusively to—

12 a. members of an organization and their guests;

13 b. residents of a multi-unit apartment building, apartment complex, residential  
14 real estate development, or other multi-family residential area (other than a  
15 municipality, township, or other local government jurisdiction); or

16 c. patrons of a hotel or other public accommodations facility; or

17 3. operated by any government office or agency (or by a concessionaire on behalf of  
18 any government office or agency) for the benefit of government employees and  
19 their dependents.

1           SECTION 3. *Code of Practice.* – Not later than two years after the date of effectivity of  
2   this Act, the Department of Trade and Industry (Department) shall promulgate a code of practice  
3   (Code) for the design, construction, operation, management and maintenance of aquatic  
4   facilities. The code of practice shall include, at the minimum, standards on the following:

- 5           A. Design and Construction
- 6           B. Sanitation and Operation
- 7           C. Circulation and Water Treatment
- 8           D. Water Quality and Testing
- 9           E. Personnel Requirements and Qualification
- 10          F. Signage and Other Safety Standards

11          SECTION 4. *Public Consultation.* – In promulgating the code, the Department shall hold  
12   public consultations involving aquatic facility owners and operators and construction  
13   organizations among others.

14          SECTION 5. *Application of the Code.* – Compliance with the Code shall be mandatory  
15   among public aquatic facilities.

16          SECTION 6. *Report.* – The Department shall provide the appropriate committees in the  
17   Senate and the House of Representatives a status report every six months from the effectivity of  
18   this Act. Upon promulgation of the Code, the Department shall submit a copy of the code to the  
19   appropriate committees in the Senate and House of Representatives.

20          SECTION 7. *Appropriations.* – To carry out the provisions of this Act, such amount as  
21   necessary is hereby authorized to be appropriated from the National Treasury.

22          SECTION 8. *Separability Clause.* – If any provision or part hereof is held invalid or  
23   unconstitutional, the remainder of the law or the provision not otherwise affected shall remain  
24   valid and subsisting.

1       SECTION 9. *Repealing Clause.* — Any law, presidential decree or issuance, executive  
2   order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent  
3   with the provision of this Act is hereby repealed, modified, or amended accordingly.

4       SECTION 10. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its  
5   publication in at least two (2) newspapers of general circulation.

Approved,