

**SENATE**

**S. No. 2013**

'18 SEP 18 A9:59

---

Introduced by **SENATOR LEILA M. DE LIMA**

RECEIVED \_\_\_\_\_  
*J*

---

**AN ACT  
ENCOURAGING VOLUNTEERISM DURING EMERGENCIES BY  
PROTECTING VOLUNTEERS FROM LIABILITY**

**EXPLANATORY NOTE**

In recent years, there has been an increasing trend towards enacting legislation on volunteerism across jurisdictions.

In the Philippines, there are already laws in place promoting volunteerism. In 1964, Executive Order No. 134 created the Philippine National Volunteer Service Coordinating Office under the Office of the President. In 1980, Executive Order no. 635 was issued renaming the agency into Philippine National Volunteer Service Coordinating Agency (PNVSCA) and strengthening the agency to be able to effectively formulate guidelines, policies, organize and coordinate volunteer service programs in the country. In 2006, Republic Act No. 9418, or the Volunteer Service Act of 2007, was enacted which created Multi-Sectoral Advisory Bodies to assist the PNVSCA in its mandate.


However, the current body of legislation does not provide safeguards which can protect the volunteers from liability which may range from fines, detention and even criminal liability, depending on the gravity of the act or omission done by the volunteer in responding to an emergency situation.

This bill seeks to protect properly licensed, certified or authorized or accredited volunteers from liability in their performance of duties during emergency situations. This measure also seeks to grant mandatory insurance to the volunteers.

By setting up a conducive and enabling legal environment for volunteers, it is hoped that this will entice more volunteers to participate and to take an active role in nation-building.

These volunteers deserve to be protected and be given due recognition because of their contribution to society, especially in crisis situations.

In view of the foregoing, approval of this measure is earnestly sought.

  
LEILA M. DE LIMA

SENATE  
S. No. 2013

'18 SEP 18 A9:59

---

Introduced by **SENATOR LEILA M. DE LIMA**

---

**AN ACT**  
**ENCOURAGING VOLUNTEERISM DURING EMERGENCIES BY**  
**PROTECTING VOLUNTEERS FROM LIABILITY**

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

1           SECTION 1. **Short Title.** – This Act shall be known as the “Emergency  
2 Volunteer Protection Act of 2018”.

3           Sec. 2. **Declaration of Policy.** – It shall be the policy of the State to provide  
4 a conducive and enabling legal environment for volunteers by placing mechanisms  
5 that will protect their rights and award them with privileges for their contribution to  
6 society.

7           Sec. 3. **Definition of Terms.** – As used in this Act:

8           (a) “Volunteer” refers to an individual or group who provides reasonable  
9 assistance and contributes time, service and resources in an emergency  
10 situation and who does not receive compensation other than reasonable  
11 reimbursement or allowance for expenses actually incurred for rendering  
12 volunteer service.

13           The volunteers shall be properly licensed, certified or authorized by the  
14 appropriate government authorities, either government entities or  
15 nongovernment organizations, or accredited by and registered with the  
16 Philippine National Volunteer Service Coordinating Agency (PNVSCA)  
17 prior to deployment.

18           (b) “Emergency” refers to a situation wherein national or local authorities have  
19 issued a declaration of state of emergency or calamity.

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

- 3           (a) The volunteer was acting in an emergency situation;
- 4           (b) The volunteer was properly licensed, certified or authorized by the  
5           appropriate government authorities, either government entities or  
6           nongovernment organizations, or accredited by and registered with the  
7           PNVSCA prior to deployment;
- 8           (c) The volunteer acted within the scope of his/her responsibilities in the  
9           governmental entity, non-profit organization, or the PNVSCA; and
- 10          (d) The harm was not caused by willful or criminal misconduct, gross  
11          negligence, reckless misconduct, or a conscious, flagrant indifference to the  
12          rights or safety of the individual harmed by the volunteer.

13          Sec. 5. **Exceptions.** – The liability protection for volunteers under this Act  
14 shall not apply to misconduct that:

- 15          (a) Constitutes a crime; or
- 16          (b) Was performed under the influence of intoxicating alcohol or any  
17          dangerous drug at the time of the misconduct.

18          Sec. 6. **Mandatory Insurance.** – The PNVSCA shall provide an additional  
19 insurance coverage to all volunteers as defined in this Act which shall give the  
20 following minimum benefits:

- 21          (a) Disability Benefits of Three Hundred Fifty Thousand Pesos (₱350,000) for  
22          volunteers who shall suffer total or partial disability, whether permanent or  
23          temporary, as a result of any injury sustained during performance of duty;
- 24          (b) Death benefits amounting to Three Hundred Thousand Pesos (₱300,000)  
25          for volunteers who shall perish in the line of duty; and
- 26          (c) Reimbursement of actual medical costs up to Two Hundred Thousand Pesos  
27          (₱200,000) for volunteers who shall be hospitalized or who shall require  
28          medical attendance for injuries sustained while in the performance of duty.

29          Sec. 7. **Trainings.** – The PNVSCA shall conduct mandatory trainings of all  
30 their registered and potential volunteers.

31          Sec. 8. **Accreditation of volunteers.** – Unless properly licensed, certified or  
32 authorized by the appropriate government authorities, other government entities or

1 nongovernment organizations, volunteers must be accredited by and registered with  
2 the PNVSCA prior to deployment to be exempted from liability.

3       Sec. 9. **Nationwide Public Information Campaign.** – The PNVSCA, in  
4 consultation with relevant governmental entities and non-profit organizations, shall  
5 undertake a nationwide information, education and communication campaign for the  
6 attainment of the objectives of this Act.

7       Sec. 10. **Implementing Rules and Regulations.** – The PNVSCA, in  
8 consultation with relevant governmental entities and non-profit organizations, shall  
9 promulgate rules and regulations to implement the provisions of this Act within ninety  
10 (90) days from its effectivity.

11       Sec. 11. **Separability Clause.** – If any provision of this Act shall be declared  
12 unconstitutional, any other provision not affected thereby shall remain in full force  
13 and effect.

14       Sec. 12. **Repealing Clause.** – All laws, decrees, orders, rules and regulations,  
15 or other issuances or parts thereof inconsistent with the provisions of this Act are  
16 hereby repealed or amended accordingly.

17       Sec. 13. **Effectivity.** – This Act shall take effect fifteen (15) days after its  
18 publication in at least two (2) newspapers of general circulation.

*Approved,*