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SENATE

Senate Bill No. **533**

RECEIVED BY: 

Introduced by Senator Juan Miguel F. Zubiri

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


EXPLANATORY NOTE

The Filipino people have a characteristically strong sense of community. This is a nation that prides itself on its practice of *bayanihan*, where the individual readily lends oneself to the needs of the community. In an archipelagic country that has been historically vulnerable to strife and disaster, it is crucially hopeful that every tragedy is offset by narratives of selflessness—of civilians braving storm surges to rescue their neighbors, of volunteers going into war-torn areas to provide much-needed aid.

In the contemporary world, where time has become every individual's most precious capital, this sense of selfless service has found an avenue in volunteerism. It comes as no surprise that the Philippines has a notable record of volunteer workers. In Charities Aid Foundation's World Giving Index 2017, the Philippines ranked 7th out of 139 countries with the highest number of volunteers. According to the report, about 25 million Filipinos did volunteer work in 2016.¹

This bill seeks to enjoin even more volunteers by offering them due legal protection as they render volunteer services for governmental entities, non-profit organizations, or the Philippine Red Cross. With this bill, volunteers, so long as they are acting in an emergency situation, are properly licensed, certified or authorized, and are acting within the scope of responsibilities assigned them, will not have to fear facing misplaced legal action.


In view of the foregoing, approval of this bill is urgently sought.


JUAN MIGUEL F. ZUBIRI

¹ Flores, Helen. "Pinoys among world's top volunteers." *The Philippine Star*. 9 Sep 2017. Retrieved from: <https://www.philstar.com/headlines/2017/09/09/1737538/pinoys-among-worlds-top-volunteers>

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*Be it enacted by the Senate and the House of the 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 2019."

3 **SEC. 2. Declaration of Policy.** – It shall be the policy of the State to
4 provide a conducive and enabling legal environment for volunteers by placing
5 mechanisms that will protect their rights and award them with privileges for their
6 contribution to 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 situation
10 and who does not receive compensation other than reasonable reimbursement or
11 allowance for expenses actually incurred for rendering volunteer service.

12 The volunteers shall be duly licensed, certified or authorized by
13 appropriate government entities or nongovernment organizations, or accredited
14 by and registered with the Philippine National Volunteer Service Coordinating
15 Agency (PNVSCA) prior to deployment;

16 b. "Emergency" requiring immediate attention and remedial action
17 involving unforeseen occurrence sudden, and impending threat or dangers to
18 life, health, or safety of a person;

1 c. "Volunteer sectors" refer to those sectors that organize themselves into
2 volunteers to take advocacy and action primarily for local and national
3 development as well as international cooperation and understanding; and

4 d. "Spontaneous volunteer" refers to an individual who may either be
5 trained volunteers from accredited training institutions, or an untrained person
6 who performs voluntary work as necessitated by an emergency situation.

7 **SEC. 4. *Liability Protection for Volunteers.*** – No volunteer shall be liable
8 for harm caused by an act or omission done in performance of his or her duties
9 or functions as volunteers if:

10 a. The volunteer was acting in an emergency situation;

11 b. The volunteer was properly licensed, certified or authorized by the
12 appropriate government authorities, either government entities or non-
13 government organizations, or accredited by and registered with the PNVSCA
14 prior to deployment;

15 c. The volunteer acted within the scope of his/her responsibilities in the
16 government entity, non-profit organization, or the PNVSCA;

17 d. The volunteer acted under orders or direction of appropriate
18 government authority;

19 e. The volunteer acted in an emergency situation, where there are no
20 government authority or trained volunteers present, in order to assist or care for
21 persons who are:

22 i. in serious and imminent danger, or apparently in serious and
23 imminent danger, of being injured or further injured;

24 ii. injured or apparently injured; or

25 iii. suffering, or apparently suffering, from an illness.

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

28 a. Where the act constitutes a crime;

1 b. Where the volunteer caused damage or harm by willful or criminal
2 misconduct, gross negligence, reckless misconduct, or a conscious, flagrant
3 indifference to the rights or safety of the individual harmed by the volunteer; or

4 c. Where the acts were performed under the influence of intoxicating
5 alcohol or any dangerous drug at the time of the misconduct.

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

9 a. Disability Benefits of Three Hundred Fifty Thousand Pesos
10 (P350,000.00) for volunteers who shall suffer total or partial disability, whether
11 permanent or temporary, as a result of any injury sustained during performance
12 of duty;

13 b. Death benefits amounting to Three Hundred Thousand Pesos
14 (P300,000.00) for volunteers who shall perish in the line of duty; and

15 c. Reimbursement of actual medical costs up to Two Hundred Thousand
16 Pesos (P200,000.00) for volunteers who shall be hospitalized or who shall require
17 medical attendance for injuries sustained while in the performance of duty.

18 **SEC. 7. *Trainings.*** – The PNVSCA shall conduct mandatory trainings of all
19 their registered and potential volunteers.

20 **SEC. 8. *Accreditation of Volunteers.*** – Unless properly licensed, certified
21 or authorized by the appropriate government authorities, other government
22 entities or non-government organizations, volunteers must be accredited by and
23 registered with the PNVSCA prior to deployment to be exempted from liability.

24 **SEC. 9. *Nationwide Public Information Campaign.*** – The PNVSCA, in
25 consultation with relevant governmental entities and non-profit organizations,
26 shall undertake a nationwide information, education and communication
27 campaign for the attainment of the objectives of this Act.

28 **SEC. 10. *Implementing Rules and Regulations.*** – The PNVSCA, in
29 consultation with relevant government entities and non-profit organizations, shall

1 promulgate rules and regulations to implement the provisions of this Act within
2 ninety (90) days from its effectivity.

3 **SEC. 11. *Separability Clause.*** – If any provision of this Act shall be
4 declared unconstitutional, any other provision not affected thereby shall remain
5 in full force and effect.

6 **SEC. 12. *Repealing Clause.*** – All laws, decrees, orders, rules and
7 regulations or other issuances or parts thereof inconsistent with the provisions of
8 this Act are hereby repealed or amended accordingly.

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

Approved,