Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 5523

Introduced by Representative Sol Aragones

EXPLANATORY NOTE

Rest and relaxation at a fine hotel or resort is certainly one of the most enjoyable things
to do. There are plenty of activities that can rejuvenate one's self, as well as spend quality time
in the company of family and friends.

Swimming pools and beach front facilities are usually available at the disposal of guests
in hotels and resorts. While certainly fun, it may pose a serious threat to life and limb when the
proper safety protocols are not established. These swimming activities pose a larger threat to
children who may have difficulty navigating the depth of the swimming facilities. These may
result in injuries, or even death when not properly established.

This proposal seeks to ensure the safety of swimming pools and beach fronts in hotels
and resorts by mandating the presence of at least one lifeguard for every 250 square meters of
swimming area. The bill also provides for penalties for establishments who fail to comply with
the requirement of the law.

There are existing regulations that provide for the safety of guests in swimming
facilities. However, these regulations are often not complied with, or worse, outright ignored
by hotels and resorts. It is hoped that in this proposal, the injuries and accidents are minimized,
if not totally avoided, through the presence of a well-equipped and certified lifeguard. Rest and
relaxation should be a pleasant experience and not a tragic one.

Hence, the passage of this bill is earnestly sought.

SOL ARAGONES
3RD District, Laguna
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

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1 AN ACT MANDATING HOTELS AND RESORTS WITH SWIMMING POOLS AND
2 BEACH FRONTS TO EMPLOY LIFEGUARDS
3
4    Be it enacted by the Senate and House of Representatives of the Philippines in Congress
5    assembled:
6
7    SECTION 1. Short Title. — This Act shall be known as the “Lifeguard Law.”
8
9    SECTION 2. Lifeguard Requirement. — Every hotel or resort with swimming pools
10 or beach fronts shall be required to employ at least one (1) certified lifeguard for every two
11 hundred fifty (250) square meters of swimming pool or beach front area during all hours of
12 operation.
13
14      The hotels and resorts shall provide the Local Government Units (LGU) with a
15 certification and supporting documents proving that they have employed and is currently
16 employing the services of a lifeguard as required by this Section.
17
18    SECTION 3. Role of Local Government Units (LGU). — The LGUs shall ensure
19 compliance of the hotels and resorts with this Act through periodic local inspections. The LGUs
20 shall not approve or renew the operating permits of the hotels and resorts unless it has verified
21 the certification and supporting documents of the hotels and resorts that they have complied
22 with the requirements of this Act.
SECTION 4. Department of Health (DOH) and Philippine Coast Guard (PCG)

Certification of Lifeguards. — The Lifeguards shall be certified by the DOH and the PCG.

No lifeguard shall be certified unless they have undergone the proper training and acquired the necessary expertise as required by the Implementing Rules and Regulations of this Act.

SECTION 5. Penal Provisions. — The following penalties shall be imposed:

a) A hotel or resort who fails to employ the required number of lifeguards as specified under this Act shall pay a fine of twenty thousand pesos (P20,000) and the operating permit of the facility suspended for a period not exceeding sixty (60) days. Upon the second violation of this Act, the hotel or resort shall pay a fine of fifty thousand pesos (P50,000) and the operating permit of the facility shall be suspended for a period not exceeding one hundred and twenty (120) days. Upon the third violation of this Act, the operator shall pay a fine of one hundred thousand pesos (P100,000) and the operating permit of the facility shall be revoked.

b) In the event of serious injury or death of any person as a result of the use of the swimming pool or beach front facilities, a hotel or resort who fails to employ the required number of lifeguards under this Act shall pay a fine of two hundred thousand pesos (P200,000) and shall be sentenced to not more than six (6) months of imprisonment.

c) In the case mentioned in the preceding paragraph of this Section, the LGU official responsible for the inspection of the hotel or resort shall be held administratively liable if the hotel or resort was able to continue its operations due to refusal, omission, or neglect to fulfil their duty.
d) In the event of serious injury or death of any person as a result of the use of the swimming pool or beach front facilities, any on-duty lifeguard who through gross negligence or imprudence fails to protect said person from injury or death shall pay a fine of two hundred thousand pesos (P200,000) and shall be sentenced to not more than one (1) year of imprisonment. The hotel or resort and the lifeguard shall be held jointly and solidarily liable for any civil liabilities imposed as a result of the negligent or imprudent act.

SECTION 6. Implementing Rules and Regulations. — The Department of Tourism (DOT), in coordination with the Department of Interior and Local Government (DILG) and the Department of Health (DOH), shall within ninety days (90) days from the enactment of this Act, promulgate the rules and regulations necessary for the implementation of this Act.

SECTION 7. Repealing Clause. — All laws, decrees, executive orders or parts thereof inconsistent with the provision of this Act is hereby repealed or modified accordingly.

SECTION 8. Separability Clause. — If any part or provision of this Act declared invalid or unconstitutional, the other parts not otherwise affected shall remain in full effect and force.

SECTION 9. Effectivity. — This Act shall take effect immediately after its complete publication in at least two newspapers of general circulation.

Approved.