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Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 2856**



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**Introduced by Hon. John Marvin "Yul Servo" C. Nieto**

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**EXPLANATORY NOTE**

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As a manifestation of support to this timely piece of legislation, this representation respectfully refiles this bill, which has constantly been receiving support from the past and present Congress.

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The "Volunteer Protection Act" will encourage people to participate in public and other civic affairs by eliminating the fear of being subsequently punished for any possible unintentional harm they could inflict unto others.

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Moreover, this bill seeks to promote and strengthen volunteerism in the country by protecting volunteers from liability when providing reasonable assistance as long as they were acting in the event of an emergency. This also serves as a strategy towards sustainable development of the state as it takes advantage of the available human capital and at the same time, upholds the Filipino tradition of *bayanihan*.

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Hence, it is upon us, as legislators, to encourage volunteerism by giving our volunteers protection from liabilities through the passage of this bill.

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

  
**JOHN MARVIN "YUL SERVO" C. NIETO**

39 Republic of the Philippines  
40 **HOUSE OF REPRESENTATIVES**  
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52 **AN ACT ENCOURAGING VOLUNTEERISM DURING EMERGENCIES BY**  
53 **PROTECTING VOLUNTEERS FROM LIABILITY**  
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55 *Be it enacted by the Senate and House of Representatives of the Philippines in*  
56 *Congress assembled:*

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58 **SECTION 1. Short Title.** - This Act shall be known as the " Emergency Volunteer  
59 Protection Act."  
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61 **Sec. 2. Declaration of Policy.** - It shall be the policy of the State to promote the  
62 participation of Filipino citizens in public and civic affairs and strengthen the  
63 practice of volunteerism as a strategy in order to attain national development. The  
64 inculcation of volunteerism as a way of life rekindle in every Filipino the time-  
65 honored tradition of bayanihan to foster social justice, solidarity and sustainable  
66 development Towards this end, the State shall encourage individuals to volunteer  
67 and provide reasonable assistance during emergencies by protecting them from  
68 liability,  
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70 **Section 3. Definition of Terms** – Whenever used in this Act, the following terms  
71 shall mean or be understood as follows:

72 (1) "Volunteer" refers to an individual or group who provides reasonable  
73 assistance and contributes time, service, and resources in an emergency  
74 situation and who does not receive compensation for rendering volunteer  
75 service;  
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77 (2) "Emergency" shall refer to a situation requiring immediate attention and  
78 remedial action involving an unforeseen occurrence, sudden, and impending  
79 threat or danger to life, health, or safety of a person;  
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81 (3) "Volunteer Sectors" refer to those sectors that organize themselves into  
82 volunteers to take advocacy and action primarily for local and national  
83 development as well as international cooperation and understanding; and  
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85 (4) "Spontaneous Volunteer" refers to individual who may either be a trained  
86 volunteer whose trainings may be from a volunteer service organization  
87 (VSO) or volunteer or volunteer sector or an untrained volunteers who  
88 perform volunteering as necessitated by an emergency situation and without  
89 the supervision or management of the VSO or the volunteer sector.  
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91 **Sec. 4. Liability Protection for Volunteers.** - No volunteer shall be liable for  
92 harm caused by an act or omission if:

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94 (1) The volunteer was acting in an emergency situation at the scene of an  
95 accident;

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97 (2) the volunteer was properly licensed, certified, or authorized by the  
98 appropriate authorities, either government entities or non-government  
99 organizations, for the activities undertaken in an emergency at the time of  
100 the act of omission; and  
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102 (3) The harm was not caused by willful or criminal misconduct, gross  
103 negligence, reckless misconduct, or a conscious, flagrant indifference to the  
104 rights or safety of the individual harmed by the volunteer.  
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106 **Sec. 5. Exceptions.** - The liability protection for volunteers under this Act shall  
107 not apply to any misconduct that:

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109 (1) If the misconduct constitutes a crime under the Revised Penal Code or  
110 an offense in any special penal law;

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112 (2) If the misconduct was performed by the volunteer under the influence of  
113 intoxicating liquor or any dangerous drug at the time of the act or omission;

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115 (3) If the volunteers are from business organizations that employ volunteers  
116 for pecuniary purposes; and  
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118 (4) If volunteers receive compensation for volunteering at a non-profit  
119 organization. However, the non-profit organization shall not be liable if it  
120 exercised due diligence in the selection and supervision of the volunteer.  
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123 **Sec. 6. Separability Clause.** - If any portion or provision of this Act is declared  
124 unconstitutional, the remainder of this Act or any provision not affected thereby  
125 shall remain in force and effect.

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127 **Sec. 7. Repealing Clause.** - All laws, decrees, orders, rules and regulations, or  
128 other issuances or parts thereof inconsistent with the provisions of this Act are  
129 hereby repealed or modified accordingly.

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131 **Sec. 8. Effectivity.** - This Act shall take effect after fifteen (15) days following the  
132 completion of its publication either in the Official Gazette or in a newspaper of  
133 general circulation in the Philippines.

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135 *Approved,*

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