



'17 MAY -2 A11 :27

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

RECEIVED BY: _____

SENATE
S.B. No. 1416

Introduced by **Senator Richard J. Gordon**

**AN ACT
TO ENCOURAGE GOOD SAMARITANS WHO PROVIDE REASONABLE ASSISTANCE
IN AN EMERGENCY BY PROTECTING THEM FROM LIABILITY**

EXPLANATORY NOTE

In line with the policies of the State to protect and promote the right to health of the people and instill health consciousness among them, and to encourage the involvement of the people in public, social, and civic affairs that promote the welfare of the nation, the natural Filipino trait of *malasakit* must be promoted through proper legislation that encourage volunteerism.

A good samaritan is defined as a person who voluntarily gives help to those in distress or need. It also means a compassionate person who unselfishly helps others, especially strangers, in reference to the parable of the good samaritan in the Bible who aided a man who had been beaten and robbed in Luke 10:30-37.

In this bill, good samaritans are individuals performing volunteer services who do not receive compensation to reasonably assist persons in an emergency. Timely and effective assistance in an emergency is a matter of vital concern affecting public health, safety, and welfare. This complements Republic Act No. 10871 or the Basic Life Support Training in Schools Act and encourages putting such training to good use. Good samaritans will be protected from liability in providing reasonable assistance in an emergency as long as the good samaritan was acting in an emergency; if appropriate or required, the good samaritan was properly licensed, certified, or authorized by the appropriate authorities for the activities undertaken in an emergency; and the harm was not caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of another.

RICHARD J. GORDON
Senator



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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 “Good Samaritan Act of
2 2017.”

3 **Sec. 2. Policy.** – It is the policy of the State to encourage good samaritans who
4 provide reasonable assistance in an emergency by protecting them from liability.

5 **Sec. 3. Definitions.** – For purposes of this Act,

6 (1) “Good Samaritan” shall refer to an individual performing volunteer services who
7 does not receive compensation to reasonably assist a person in an emergency.

8 (2) “Emergency” shall refer to a situation requiring immediate attention and
9 remedial action involving a sudden, unexpected, and impending threat to life, health, or
10 safety of a person.

11 **Sec. 4. Liability Protection for Good Samaritans.** – No good samaritan shall be
12 liable for harm caused by an act or omission if:

13 (1) the good samaritan was acting in an emergency at the time of the act or
14 omission;

15 (2) if appropriate or required, the good samaritan was properly licensed, certified,
16 or authorized by the appropriate authorities for the activities undertaken in an emergency
17 at the time of the act or omission; and

18 (3) the harm was not caused by willful or criminal misconduct, gross negligence,
19 reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the
20 individual harmed by the good samaritan.

21 **Sec. 5. Exceptions.** – The liability protection for good samaritans under this Act
22 shall not apply to misconduct that:

23 (1) constitutes a crime; or

24 (2) was performed under the influence of intoxicating alcohol or any dangerous
25 drug at the time of the misconduct.

1 **Sec. 6. Repealing Clause.** – All laws, decrees, orders, rules and regulations, or other
2 issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed
3 or modified accordingly.

4 **Sec. 7. Separability Clause.** – If any portion or provision of this Act is declared
5 unconstitutional, the remainder of this Act or any provision not affected thereby shall
6 remain in force and effect.

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

10 Approved,