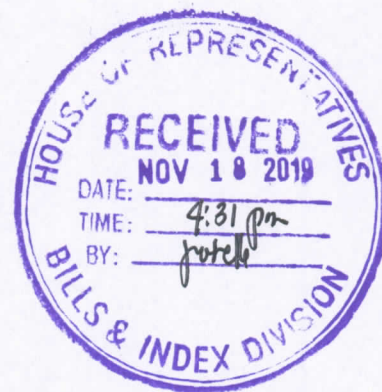


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

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
SOL ARAGONES
3RD District, Laguna

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

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **5523**

Introduced by Representative Sol Aragon

**AN ACT MANDATING HOTELS AND RESORTS WITH SWIMMING POOLS AND
BEACH FRONTS TO EMPLOY LIFE GUARDS**

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

SECTION 1. Short Title. — This Act shall be known as the “Lifeguard Law.”

SECTION 2. Lifeguard Requirement. — Every hotel or resort with swimming pools
or beach fronts shall be required to employ at least one (1) certified lifeguard for every two
hundred fifty (250) square meters of swimming pool or beach front area during all hours of
operation.

The hotels and resorts shall provide the Local Government Units (LGU) with a
certification and supporting documents proving that they have employed and is currently
employing the services of a lifeguard as required by this Section.

SECTION 3. Role of Local Government Units (LGU). — The LGUs shall ensure
compliance of the hotels and resorts with this Act through periodic local inspections. The LGUs
shall not approve or renew the operating permits of the hotels and resorts unless it has verified
the certification and supporting documents of the hotels and resorts that they have complied
with the requirements of this Act.

1 **SECTION 4. *Department of Health (DOH) and Philippine Coast Guard (PCG)***

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

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

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

- 7 a) A hotel or resort who fails to employ the required number of lifeguards as specified
8 under this Act shall pay a fine of twenty thousand pesos (P20,000) and the operating
9 permit of the facility suspended for a period not exceeding sixty (60) days. Upon the
10 second violation of this Act, the hotel or resort shall pay a fine of fifty thousand pesos
11 (P50,000) and the operating permit of the facility shall be suspended for a period not
12 exceeding one hundred and twenty (120) days. Upon the third violation of this Act, the
13 operator shall pay a fine of one hundred thousand pesos (P100,000) and the operating
14 permit of the facility shall be revoked.
- 15 b) In the event of serious injury or death of any person as a result of the use of the
16 swimming pool or beach front facilities, a hotel or resort who fails to employ the
17 required number of lifeguards under this Act shall pay a fine of two hundred thousand
18 pesos (P200,000) and shall be sentenced to not more than six (6) months of
19 imprisonment.
- 20 c) In the case mentioned in the preceding paragraph of this Section, the LGU official
21 responsible for the inspection of the hotel or resort shall be held administratively liable
22 if the hotel or resort was able to continue its operations due to refusal, omission, or
23 neglect to fulfil their duty.

1 d) In the event of serious injury or death of any person as a result of the use of the
2 swimming pool or beach front facilities, any on-duty lifeguard who through gross
3 negligence or imprudence fails to protect said person from injury or death shall pay a
4 fine of two hundred thousand pesos (P200,000) and shall be sentenced to not more than
5 one (1) year of imprisonment. The hotel or resort and the lifeguard shall be held jointly
6 and solidarily liable for any civil liabilities imposed as a result of the negligent or
7 imprudent act.

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

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

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

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

18 *Approved.*