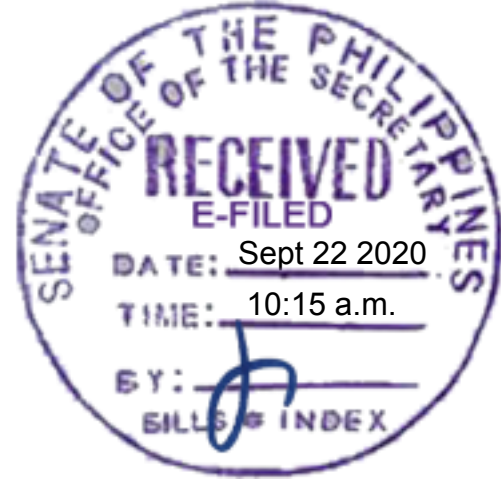


**EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)**



**SENATE
S. No. 1839**

(In Substitution of SB No. 748)

Prepared by the Committee on Trade, Commerce and Entrepreneurship joint with the Committee on Local Government, with Senators Gatchalian and Pimentel III, as authors thereof

**AN ACT
REQUIRING THE EMPLOYMENT OF QUALIFIED LIFEGUARDS IN ALL
PUBLIC SWIMMING POOLS AND BATHING FACILITIES, AND PROVIDING
PENALTIES FOR VIOLATION THEREOF**

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

1 **Section 1. Short Title.** - This Act shall be known as the "Lifeguard Act of
2 2020".

3 **Sec. 2. Definition of Terms.** - For purposes of this Act, the following terms shall
4 be defined as follows:

- 5 a) Swimming Pool refers to a tank or large structure that is filled with water
6 intended for educational, training, recreational, or competitive swimming or
7 diving and its adjunct bathing facilities, if any.
- 8 b) Public swimming pool refers to any swimming pool operated for public or
9 collective use, either for commercial purposes or free-of-charge, including but
10 not limited to pools operated in hotels, inns, motels, condominium buildings and
11 complexes, village clubhouses, and any other public setting, or residential
12 setting other than a single-family home.

1 c) Lifeguard refers to an expert swimmer trained in lifesaving techniques who is
2 employed by the pool operator to protect bathers and swimmers, prevent
3 drowning and related water injuries, and ensure orderly and safe use of the
4 swimming pool facilities.

5 d) Operator refers to the owner, manager, or administrator of the public swimming
6 pool.

7 **Sec. 3. Lifeguard Requirement.** - Each public swimming pool shall employ at
8 least one (1) certified lifeguard during all hours of operation. In excess of every two
9 hundred fifty (250) square meters of swimming pool, an additional lifeguard shall be
10 employed by the pool operator. Said lifeguard must be duly certified by any nationally-
11 recognized organization accredited by the Department of Health (DOH), Philippine
12 Coast Guard or Technical Education and Skills Development Authority (TESDA).

13 The pool operator shall provide the appropriate local government unit (LGU)
14 with a certification and supporting documents proving that he or she has hired and is
15 currently employing the required number of certified lifeguards at his or her pool
16 facilities based on the formula given in the preceding paragraph.

17 **Sec. 4. Role of the Local Government Unit.** – The LGUs shall ensure the
18 compliance of all public swimming pools with this Act through periodic local inspections
19 coordinated by the Local Health Officers, or other personnel as it may see fit to assign.
20 The respective LGUs shall not approve or renew the operating permit of the pool
21 operator unless it has verified the certification and supporting documents mentioned
22 in the preceding section of this Act.

23 **Sec. 5. Penal Provisions.** - The following penalties shall be imposed:

24 a) A pool operator who fails to employ the required number of lifeguards as
25 specified under Sec. 3 of this Act shall pay:

26 i. First Offense: A fine of Twenty Thousand Pesos (P20,000.00) and
27 the suspension of the facility's operating permit for a period not
28 exceeding sixty (60) days;

29 ii. Second Offense: A fine of Fifty Thousand Pesos (P50,000.00) and
30 the suspension of the facility's operating permit for a period not
31 exceeding one-hundred-and-twenty (120) days; and

