

TWENTIETH CONGRESS OF THE]
REPUBLIC OF THE PHILIPPINES]
First Regular Session]

25 NOV 12 P5:41

SENATE

RECEIVED BY: 

S.B. No. 1517

Introduced by SEN. WIN GATCHALIAN

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

EXPLANATORY NOTE

Aquatic activities, although certainly enjoyable, pose a serious threat to life and limb when proper safety protocols are not established and observed. The safety risks of aquatic activities are even larger for children. The World Health Organization (WHO) considers drowning as a public health challenge. Deaths due to accidental drowning and submersion recorded 3,333 cases, making it the 27th leading cause of death in the country in 2023, according to the Philippine Statistics Authority (PSA).¹

Due to the nation's island-based geography, various modes of water transportation and recreational activities are available. Despite this fact, no research comprehensively documents drowning prevention strategies implemented by


¹ *Deaths by Accidental Drowning and Submersion in the Philippines 2023*, PSA, at <https://rso01.psa.gov.ph/infographics/deaths-accidental-drowning-and-submersion-philippines-2023> (last visited July 30, 2025).

government and non-government agencies at a national or local level in the Philippines.²

One area in which public policy can address this issue is the regulation of public swimming pools and bathing areas. While some regulations currently exist, they are often not fully implemented. One essential requirement – the presence of a lifeguard at all times – is often forgotten or disregarded by the operators of these public water areas.

Accordingly, this measure establishes a formula, based on the World Health Organization's standards, for the number of lifeguards required to be on-duty at all times at public swimming pools. It also mandates the strict enforcement of the lifeguard requirement by the Department of Health. Lastly, this measure increases the criminal liabilities for pool operators who fail to comply with the requirement, and penalizes negligent lifeguards whose actions, or lack thereof, result in the death or serious injury of persons.

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



WIN GATCHALIAN

² "I Want to See a Drowning-Free Philippines": A Qualitative Study of the Current Situation, Key Challenges and Future Recommendations for Drowning Prevention in the Philippines by Jonathan P. Guevara, et. al, National Library of Medicine (January 6, 2021)



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

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SECTION. 1. *Short Title.* - This Act shall be known as the "Lifeguard Act."

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

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

1 c) *Lifeguard* refers to an expert swimmer trained in lifesaving techniques who
2 is 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 facilities.

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

7
8 SEC. 3. *Lifeguard Requirement.* - Each public swimming pool shall employ at
9 least one (1) certified lifeguard during the entire duration of its operations. In excess
10 of every two hundred fifty (250) square meters of swimming pool, an additional
11 lifeguard shall be employed by the pool operator. Said lifeguard shall be duly certified
12 as such by any nationally recognized organization accredited by the Department of
13 Health. Moreover, such lifeguard must have a Basic Life Support Certification.

14 The pool operator shall provide the appropriate local government unit (LGU)
15 with a certification and supporting documents proving the employment or engagement
16 of the required number of certified lifeguards at the pool based on the formula given
17 in the preceding paragraph.

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

25
26 SEC. 5. *Penal Provisions.* - The following penalties shall be imposed:

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

- 1 i. First Offense: A fine of Twenty Thousand Pesos (Php 20,000.00) and the
2 suspension of the facility's operating permit for a period not exceeding
3 sixty (60) days.
- 4 ii. Second Offense: A fine of Fifty Thousand Pesos (Php 50,000.00) and the
5 suspension of the facility's operating permit for a period not exceeding
6 one hundred twenty (120) days;
- 7 iii. Third Offense: A fine of One Hundred Thousand Pesos (Php 100,000.00)
8 and the revocation of the facility's permit to operate.
- 9 b) In the event of serious injury or death in a public swimming pool, the pool
10 operator who fails to employ the required number of lifeguards under Sec.
11 3 of this Act shall be punished by imprisonment for not more than six (6)
12 months and shall pay a fine of Two Hundred Thousand Pesos (Php
13 200,000.00), without prejudice to other criminal, civil or administrative
14 liabilities.
- 15 c) In the case mentioned in the preceding paragraph, the LGU official
16 responsible for the inspection of the public swimming pool shall be held
17 administratively liable if caused by his or her omission or neglect to fulfill
18 his or her duty.
- 19 d) In the event of serious injury or death of any person in a swimming pool,
20 the on-duty lifeguard who, through gross negligence or imprudence, fails
21 to protect said person from injury or death shall be punished by
22 imprisonment for not more than one (1) year and shall pay a fine of Two
23 Hundred Thousand Pesos (Php 200,000.00). The pool operator and the
24 lifeguard shall be held jointly and solidarily liable for any damages and civil
25 liabilities imposed as a result of the negligent or imprudent act.

26
27 SEC. 6. *Separability Clause.* - If any provision of this Act is held invalid or
28 unconstitutional, the other provisions not affected thereby shall remain in full force
29 and effect.

1 SEC. 7. *Repealing Clause.* - All laws, decrees, executive orders, proclamations,
2 rules and regulations, and issuances or parts thereof which are inconsistent with this
3 Act, are hereby repealed, amended, or modified accordingly.

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5 SEC. 8. *Effectivity.* - This Act shall take effect fifteen (15) days after its
6 publication in the Official Gazette or in at least two (2) national newspapers of general
7 circulation in the Philippines.

Approved,