

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5638



Introduced By Representative **ALLAN BENEDICT S. REYES**

EXPLANATORY NOTE

Much has already been said about earthquakes happening at any time without warning. The National Disaster Preparedness Plan ("NDPP") of the Philippines cited that while the country's hazard-prone characteristics are attributable to its location in the Pacific Ring of Fire and in Western Pacific, it also acknowledged that the country's risk to natural disasters, such as earthquakes, is also due to its insufficient capacity to cope or adapt to these hazards.¹

One effective way to prepare for earthquakes is to conduct earthquake drills that simulate actions to be taken during and after an actual one. While such drills have already been conducted by various local government units, private institutions and establishments, the scope and effectiveness of these drills remain undetermined because there are still a number of public and private establishments that neither conduct nor participate in these drills.

In fact, it has been more than a decade since the Philippine Disaster Risk Reduction and Management Act of 2010² was enacted. Yet, the country seems to remain ill-prepared, oftentimes caught off guard when we are hit by deadly earthquakes. As laudable as its objectives were, the said Act "provides for the development of policies and plans and the implementation of actions and measures pertaining to all aspects of disaster risk reduction and management, including good governance, risk assessment and early warning, knowledge building and awareness raising, reducing underlying risk factors, and preparedness for effective response and early recovery."³ As the implementing arm of the National Disaster Risk Reduction and Management Council created pursuant to the said law, the Office of Civil Defense

¹ National Disaster Preparedness Plan (NDPP) 2015-2028, National Disaster Risk Reduction and Management Council, available at <https://lga.gov.ph/media/uploads/2/Publications%20PDF/Book/NDPP%20Vol%201.pdf> (last accessed 24 November 2019).

² Republic Act No. 10121, An Act Strengthening the Philippine Disaster Risk Reduction and Management System, Providing For The National Disaster Risk Reduction And Management Framework And Institutionalizing The National Disaster Risk Reduction And Management Plan, Appropriating Funds Therefor And For Other Purposes, 27 May 2010.

³ Section 4, Id.

("OCD") was mandated to administer "a comprehensive national civil defense and disaster risk reduction and management program by providing leadership in the continuous development of strategic and systematic approaches as well as measures to reduce the vulnerabilities and risks to hazards and manage the consequences of disasters."⁴ From the National Disaster Risk Reduction and Management Plan ("NDRRMP") which was drafted per the Act's mandate also emanated the NDPP which helps the national and local governments and other stakeholders contribute to the following objectives, among others:⁵

1. Increased level of awareness and enhanced capacity of communities to anticipate, avoid, reduce and survive the threats and impacts of all hazards;
2. Fully-equipped communities with the necessary skills and capability to face and survive hazards and cope with the impacts of disasters;

Thus, it can reasonably be said that most, if not all, of the legal mechanisms are already in place when it comes to earthquake preparedness and there is no need to reinvent the wheel, so to speak. For instance, pursuant to the objectives of the Philippine Disaster Risk Reduction and Management Act, the Department of Interior and Local Government ("DILG") already conducts Quarterly Nationwide Simultaneous Earthquake Drill ("NSED") scheduled on pre-determined dates and pilot areas as may be identified by the said Department. The NSED "seeks to strengthen the mechanism for national and regional coordination, as well as the interoperability of key players."⁶ It also "aims to intensify local communities' earthquake preparedness and increase the commitment of local government units in building safe communities."⁷

Humble successes have already been achieved through the conduct of NSEDs, thus, its implementation only needs to be improved and participation thereto legally mandated to ensure greater involvement by the public in general. This way, instead of scattered and unsynchronized efforts to prepare for an earthquake, the whole nation can substantially benefit from an organized, government-initiated nationwide drill.

It would seem, however, that DILG's call for participation in NSEDs is not largely adhered to by many public and private establishments since partaking in these quarterly drills is only on a voluntary basis. Thus, there is a need for a law that will institutionalize the conduct of the NSED and make participation thereto compulsory to all public and private establishments. In addition, penalties should also be imposed to

⁴ Mandate available at <http://ocd.gov.ph/about-ocd/mandate-mission-and-vision.html> (last accessed 24 November 2019).

⁵ National Disaster Preparedness Plan (NDPP) 2015-2028, National Disaster Risk Reduction and Management Council, available at <https://lga.gov.ph/media/uploads/2/Publications%20PDF/Book/NDPP%20Vol%201.pdf> (last accessed 24 November 2019).


⁶ NDRRMC LEADS 2ND NATIONWIDE SIMULTANEOUS EARTHQUAKE DRILL available at <http://www.ocd.gov.ph/news/227-ndrrmc-leads-2ndnationwide-simultaneous-earthquake-drill.html> (last accessed 24 November 2019).

⁷ NDRRMC LEADS 2ND NATIONWIDE SIMULTANEOUS EARTHQUAKE DRILL available at <http://www.ocd.gov.ph/news/227-ndrrmc-leads-2ndnationwide-simultaneous-earthquake-drill.html> (last accessed 24 November 2019).

public and private establishments, their administrators, managers or officers who willingly refuse to join or participate in the quarterly NSED as scheduled by the DILG.

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



HON. ALLAN BENEDICT S. REYES 
Representative
3rd District, Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **5638**

Introduced by Representative **ALLAN BENEDICT S. REYES**

AN ACT MANDATING THE PARTICIPATION OF PUBLIC AND PRIVATE ESTABLISHMENTS IN THE CONDUCT OF QUARTERLY NATIONWIDE SIMULTANEOUS EARTHQUAKE DRILL ("NSED"), PROVIDING PENALTIES FOR VIOLATIONS THEREOF AND FOR OTHER PURPOSES

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 **"Mandatory**
2 **Participation in NSED Act of 2019."**

3
4 **SECTION 2. Declaration of Policy.** – It is hereby a policy of the State to train its
5 people to develop a quick and proper response in the event of an earthquake by
6 participating in the Quarterly Nationwide Simultaneous Earthquake Drill ("NSED")
7 scheduled by the Department of Interior and Local Government ("DILG") to decrease
8 the vulnerability of its people and mitigate the risks inherent in this natural hazard.
9

10 **SECTION 3. Coverage.** - This Act shall apply to all public and private
11 establishments in the Philippines. As used in this Act, the term "establishments" refers
12 to any buildings, including, but not limited to, government agencies, public and private
13 schools, hospitals, leisure parks, shopping malls, restaurants, food park, cafes, gyms,
14 etc.
15

16 **SECTION 4. Penalties.** - After observance of due process, owners, managers,
17 operators, or administrators of the aforesaid establishments and tenants, occupants,
18 students and employees therein who willingly refuse to join or participate in the NSED
19 shall be punished by the following penalties:
20

- 21 a.) First Offense A fine of ₱1,000.00
22 b.) Second Offense A fine of ₱2,000.
23 c.) Third and Subsequent Offenses A fine of ₱3,000.00
24

25 For business entity or establishments:

- 1
2 a.) First Offense A fine of ₱2,000.00
3 b.) Second Offense A fine of ₱3,000.00
4 c.) Third and subsequent offenses A fine of ₱5,000.00 and Cancellation of
5 Business Permit
6

7 Provided, that in case of juridical persons, the president or general manager
8 shall be liable.
9

10 The collected penalties shall inure to the benefit of the local government unit
11 ("LGU") which has territorial jurisdiction over the erring establishment. The said
12 collection shall constitute as additional funds for the LGU's disaster risk reduction and
13 management programs and activities. Disbursements from the said Fund shall be
14 subject to the usual accounting and budgeting rules and regulations.
15

16 **SECTION 5. *Implementing Rules and Regulations and Standard Forms.*** -
17 Within sixty (60) days from the promulgation of this Act, the necessary rules and
18 regulations for the proper implementation of its provisions shall be formulated by the
19 appropriate government office or agency in coordination with all the stakeholders and
20 covered establishments and institutions.
21

22 **SECTION 6. *Repealing Clause.*** - All laws, executive orders, administrative
23 orders, rules, regulations, decrees, and other issuances or parts thereof, which are
24 inconsistent with the provisions of this Act are hereby revoked, repealed, or modified
25 accordingly.
26

27 **SECTION 7. *Separability Clause.*** - If any provision of this Act is held
28 unconstitutional or invalid, the other provisions not affected thereby shall continue in
29 operation and remain in full force and effect.
30

31 **SECTION 8. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
32 after its publication the *Official Gazette* or in the two (2) national newspaper of general
33 circulation.
34

35
36 Approved,