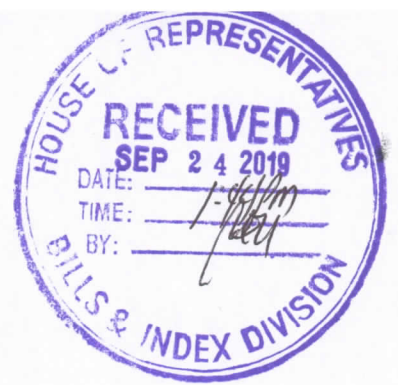


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS

First Regular Session

House Bill No. **4800**



INTRODUCED BY REPRESENTATIVE XAVIER JESUS D. ROMUALDO

In the 17th Congress, the Committee on Government Reorganization joint with the Committee National Defense and Security of the House of Representatives have jointly tackled and approved the bill creating the Department of Disaster Resilience (DDR).

This is in response to the call of President Rodrigo Duterte in his 2018 State of the Nation Address, to create a disaster management department. This bill sought to create a strong national government agency that will tackle solely on disaster management, resilience, preparedness, rehabilitation and reconstruction.

The bill was passed on Third Reading on October 1, 2018 and was transmitted to the Senate on October 2, 2018 for its appropriate action. This version is the DDR that is envisioned to provide concrete solutions to our existing woes of piecemeal solutions and of agencies differently handling and managing disaster management.

The present National Disaster Risk Reduction and Management Council, which exercises coordination, integration, supervision, monitoring, and evaluation functions, will be replaced by the Department of Disaster Resilience Council, which shall solely be a policy-making and advisory body on disaster risk and vulnerability reduction and management and climate change adaptation.

“Functions of certain agencies, like the Office of Civil Defense and the Climate Change Commission will be transferred to the new department and it will have the power to call and exercise control and command on relevant national government agencies and private institutions when there is an imminent calamity or during an actual calamity.

With climate change and lack of discipline of people, we need to institutionalize disaster preparedness and reinforce in the mindset of our people and communities on the ground that prevention is the best defense and preparedness will help save lives and properties.

This is the updated version of the bill that I filed last Congress wherein substantial inputs from various national government agencies including local government units, academe, experts in the field of disaster and emergency response, mitigation, rehabilitation, reconstruction and rebuilding of communities and other stakeholders were incorporated.

The support of the Members of Congress for the early passage of this measure is highly sought.


XAVIER JESUS D. ROMUALDO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress

First Regular Session

HOUSE BILL NO. **4800**

INTRODUCED BY REPRESENTATIVE XAVIER JESUS D. ROMUALDO

AN ACT
ESTABLISHING A NATIONAL DISASTER RESILIENCE POLICY, CREATING THE
DEPARTMENT OF DISASTER RESILIENCE, DEFINING ITS POWERS AND
FUNCTIONS, AND FOR OTHER PURPOSES

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “*Disaster Resilience Act of 2019*”.

SEC. 2. *Declaration of Policy.* – The State shall carry out and harmonize policies on disaster risk reduction and management, disaster preparedness and response, and rehabilitation and recovery to protect and uphold the welfare of the people, particularly vulnerable segments of society.

The State shall uphold its commitment to the achievement of sustainable development goals, specifically: integrating and implementing policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, and a holistic disaster risk management system at all levels.

The State shall integrate and accelerate the implementation of principles and concepts of disaster resilience and climate change adaptation contained international agreements, conventions, and frameworks in various phases of policy formulation, development and investment plans, poverty reduction strategies, and other development tools and techniques of the national government and local governments to enhance the country’s resilience to disaster.

Accordingly, it is hereby declared the policy of the State to:

a. Protect life and property by addressing and preventing the causes of vulnerabilities to natural disasters;

b. Inculcate a culture of resilience and preparedness against disasters at the national,

1 regional, and local levels;

2 c. Establish a strong and empowered institution of the national government capable
3 of responding to the new normal of disasters and climate change and spearhead efforts to ensure
4 disaster resilience by delivering on the highly critical and intertwined functions of disaster risk
5 reduction, response, and recovery and building forward better;

6 d. Address the differentiated concerns and needs of sectors with special needs or
7 higher vulnerabilities, such as women, children, the elderly, persons with disabilities, and
8 indigenous peoples, with respect to disaster resilience and disaster management;

9 e. Protect the nation's historical and cultural heritage and resources from hazards;

10 f. Foster an enabling environment for substantial and sustainable participation of
11 stakeholders, such as the academe, civil society organizations, the private sector, volunteer, and
12 communities, in disaster resilience programs and projects;

13 g. Adopt a whole-of-government, whole-of-nation, and whole-of-society approach in
14 disaster resilience to enhance collaboration, planning, and dialogue among all sectors of society
15 and in improving strategies and action plans for disaster resilience, and

16 h. Establish a unified disaster resilience command system.

17
18 SEC. 3. *Definition of Terms.* – As used in this Act:

19 a) **Adaptation** refers to the adjustment in natural or human systems in response to actual
20 or expected climactic stimuli or their effects, which moderates harm or exploits
21 beneficial opportunities.

22 b) **Assisting Actor** refers to any Assisting International Actor and any Assisting Domestic
23 Actor responding to a disaster in the country.

24 c) **Assisting Domestic Actor** refers to any not-for-profit entity established under domestic
25 laws, which is responding to a disaster in the country.

26 d) **Assisting International Actor** refers to any foreign state, organization, entity or
27 individual responding to a Disaster within or transiting through the country to respond
28 to a disaster in another country.

29 e) **Building Forward Better** refers to a principle or approach in building or rebuilding
30 communities and areas that, as opposed to simple recovery and restoration, makes
31 such communities and areas safer and more adaptive and resilient.

32 f) **Capacity** refers to the combination of all strengths, attributes and resources available
33 within a community, society or organization that can reduce the level of risk, or
34 impacts of a disaster. Capacity may include infrastructure and physical means,
35 institutions, societal coping abilities, as well as human knowledge, skills and collective
36 attributes such as social relationships, leadership and management. Capacity may also
37 be described as capability.

38 g) **Civil Society Organizations (CSOs)** refer to non-state actors whose aims are neither to

1 generate profits nor to seek governing power, but to unite people to advance shared
2 goals and interests. They have a presence in public life, expressing the interests and
3 values of their members or others, and are based on ethical, cultural, scientific,
4 religious or philanthropic considerations. CSOs include nongovernment organizations
5 (NGOs), professional associations, foundations, independent research institutes,
6 community-based organizations (CBOs), faith-based organizations, people's
7 organizations, social movements, and labor unions.

- 8 h) ***Climate Change*** refers to a change in the state of the climate that can be identified by
9 changes in the mean and the variability of its properties, and that persists in an
10 extended period, typically decades or longer, whether due to natural internal processes
11 or external forces such as modulation of the solar cycles, volcanic eruptions and
12 persistent anthropogenic changes in the composition of the atmosphere or in land use.
- 13 i) ***Contingency Planning*** refers to a management process that analyzes specific potential
14 events or emerging situations that might threaten society or the environment and
15 establishes arrangements in advance to enable timely, effective and appropriate
16 responses to such events and situations.
- 17 j) ***Disaster*** refers to a serious disruption of the functioning of a community or a society
18 involving widespread human, material, economic or environmental losses and impacts,
19 resulting from acts of nature, such as storms, typhoons and other adverse weather
20 conditions, floods, and earthquakes, which exceeds the ability of the affected
21 community to cope using its own resources.
- 22 k) ***Disaster Mitigation*** refers to the lessening or limitation of the adverse impacts of
23 hazards. Mitigation measures encompass engineering techniques and hazard-resistant
24 construction as well as improved environmental, land use planning, climate change
25 and other sectoral policies and public awareness.
- 26 l) ***Disaster Preparedness*** refers to the knowledge and capacities developed by
27 governments, professional response and recovery organizations, communities and
28 individuals to effectively anticipate, respond to, and recover from, the impacts of
29 likely, imminent or current hazard events or conditions. It includes preparedness for
30 response such as contingency planning, stockpiling of equipment and supplies, the
31 development of arrangements for coordination, evacuation and public information, and
32 preparedness for recovery such as procurement of land for resettlement sites.
- 33 m) ***Disaster Prevention*** refers to the outright avoidance of adverse impacts of hazards. It
34 expresses the concept and intention to completely avoid potential adverse impacts
35 through action taken in advance such as construction of dams or embankments that
36 eliminate flood risks, land-use regulations that do not permit any settlement in high-
37 risk zones, and seismic engineering designs that ensure the survival and function of a
38 critical building in any likely earthquake.
- 39 n) ***Disaster Resilience*** refers to the ability of a system, community, or society exposed to

1 hazards to resist, absorb, accommodate, adapt to, transform, and recover from the
2 effects of a hazard and/or the long-term impact of climate change in a timely and
3 efficient manner, including through the preservation and restoration of its essential
4 basic structures and functions through risk management.

- 5 o) **Disaster Response** refers to the provision of emergency services and public assistance
6 during or immediately after a disaster in order to secure and save lives, reduce health
7 impacts, ensure public safety and meet the basic subsistence needs of the people
8 affected. Disaster response includes disaster relief focused on immediate and short-
9 term needs of victims and vulnerable.
- 10 p) **Disaster Risk** refers to the potential disaster losses in lives, health status, livelihoods,
11 assets and services that could occur to a particular community or society in the future,
12 and is determined by a combination of the vulnerability, capacity, exposure of persons
13 and assets, hazard characteristics and the environment.
- 14 q) **Disaster Risk Governance** refers to the way in which the public authorities, civil
15 servants, media, private sector, and civil society coordinate at community, national and
16 regional levels in order to manage disaster and climate related risks. This means
17 ensuring that sufficient levels of capacity and resources are made available to prevent,
18 prepare for, manage and recover from disasters. It also entails mechanisms, institutions
19 and processes for citizens to articulate their interests, exercise their legal rights and
20 obligations, and mediate their differences.
- 21 r) **Disaster Risk Management** refers to the systematic process of using administrative
22 directives, organizations, and operational skills and capacities to implement strategies,
23 policies and improved coping capacities in order to lessen the adverse impacts of
24 hazards and the possibility of disaster.
- 25 s) **Disaster Risk Reduction** refers to the concept and practice of reducing potential loss
26 of life, injury, or destroyed or damaged assets or disrupted which could occur to a
27 system, society or a community in a specific period of time, determined
28 probabilistically and conditions determined by physical, social, economic and
29 environmental factors or processes which increase the susceptibility of an individual, a
30 community, assets or system to the impacts of hazards through systematic efforts to
31 analyze and reduce the causal factors of disasters all of which contribute to
32 strengthening resilience and therefore to the achievement of sustainable development.
- 33 t) **Disaster Resilience Information System** refers to a specialized database which
34 contains, among others, information on disasters and their human, material, economic
35 and environmental impact, risk assessment and mapping, and vulnerable and
36 marginalized groups.
- 37 u) **Early Warning System** refers to an integrated system of hazard monitoring,
38 forecasting and prediction, disaster risk assessment, and communication and
39 preparedness activities and processes that enable individuals, communities, national

government agencies, local government units, the private sector, and others to take timely action to reduce disaster risks and adequately prepare in anticipation of disasters.

- v) **Eligible Assisting Actor** refers to any assisting actor that has been determined to be eligible to receive legal facilities as provided in this Act and its Implementing Rules and Regulations (IRR).
- w) **Emergency** refers to unforeseen or sudden occurrence, especially danger, demanding immediate action.
- x) **Emergency Management** refers to the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.
- y) **Exposure** refers to the degree to which the elements at risk are likely to experience hazard events of different magnitudes.
- z) **Geographic Information System (GIS)** refers to a system used to capture, store, manipulate, manage and display all types of spatial or geographical data.
- æ) **Geographically Isolated and Disadvantaged Area (GIDA)** refers to areas with a marginalized population which is physically and socio-economically separated from the mainstream society and characterized by physical factors – isolated due to distance, weather conditions and transportation difficulties (island, upland lowland, landlocked, hard to reach and underserved communities); and/or socio- economic factors – (high poverty incidence, presence of vulnerable sector, communities in or recovering from situation of crisis or armed conflict).
- bb) **Hazard** refers to a dangerous phenomenon, either natural or human-induced, that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.
- cc) **Human-Induced Hazard** refers to an event that is caused by humans and occur in or close to human settlements or a particular environmental area. This can include environmental degradation, technological or industrial conditions, pollution, accidents (e.g. high-density events, industrial and transport accidents) complex emergencies, armed conflict, situations of generalized or organized violence, and violation of human rights.
- dd) **Imminent Danger** refers to a situation where, on the basis of official forecasts, it could reasonably be expected that a disaster will occur in a particular geographical area and within an estimated period of time, and where necessary preparedness actions or financing are required.
- ee) **International Disaster Relief and Initial Recovery Period** refers to the period which commences upon the issuance of a request for international disaster assistance or upon acceptance of an offer, and shall continue until terminated pursuant to guidelines set in the implementing rules and regulations.

- 1 ff) ***Internally Displaced Persons*** refer to persons or groups of persons who have been
2 forced or obliged to flee or to leave their homes or places of habitual residence within
3 national borders, in particular as a result of or in order to avoid the effects of armed
4 conflict, situations of generalized and/or organized violence, violations of human
5 rights, implementation of development projects, or natural or human-induced disasters.
- 6 gg) ***International Personnel*** refers to the staff and volunteers of any assisting actor
7 providing disaster relief or initial recovery assistance being persons who are neither
8 citizens of nor domiciled in the Philippines prior to their recruitment by the
9 international assisting actor.
- 10 hh) ***Land-Use Planning*** refers to the process undertaken by public authorities to identify,
11 evaluate and decide on different options for the use of land, including consideration of
12 long-term economic, social and environmental objectives and the implications for
13 different communities and interest groups, and the subsequent formulation and
14 promulgation of plans that describe the permitted or acceptable uses.
- 15 ii) ***Mitigation*** refers to effort to reduce or limit greenhouse gas emissions or enhance
16 greenhouse gas sequestration.
- 17 jj) ***National Continuity Policy*** refers to a policy aimed at the development of an
18 organizational culture that has the ability to provide a minimum level of service during
19 interruptions, emergencies, and disasters, and return to full operations quickly.
- 20 kk) ***National Disaster Resilience Framework (NDRF)*** refers to a framework that provides
21 for a comprehensive, all-hazards, multi-sectoral, whole-of-government, and whole-of-
22 society approach to attaining safe, adaptive, and resilient communities that can resist,
23 prevent, mitigate against, absorb, accommodate, adapt to, recover, or build forward
24 better from the effects of a hazard in a timely and efficient manner through, among
25 others, relevant investment programs, disaster risk reduction and management, and
26 climate change adaptation and mitigation. The NDRF shall be composed of a National
27 Disaster Risk Reduction and Management Framework, and National Framework
28 Strategy on Climate Change.
- 29 ll) ***National Disaster Resilience Plan (NDRP)*** refers to the document to be formulated
30 by the NDRC and implemented by the Department that sets out goals and specific
31 objectives for reducing disaster risks together with related actions to accomplish these
32 objectives. The NDRP shall provide for the identification of hazards, vulnerabilities
33 and risks to be managed at the national level; disaster risk reduction and management
34 approaches and strategies to be applied in managing said hazards and risks; agency
35 roles, responsibilities and lines of authority at all government levels; and vertical and
36 horizontal coordination of disaster risk reduction and management in the pre-disaster
37 and post-disaster phases. It shall be in conformity with the national disaster risk
38 reduction and management framework. The NDRP shall also include, among others,
39 goals, objectives and action plans for a national continuity policy and relevant

1 investment programs.

2 **nn) Natural Hazard** refers to naturally occurring physical phenomena caused either by
3 rapid or slow on set events which can be geological such as earthquakes, ground
4 rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity;
5 hydrological and meteorological such as floods, severe winds, typhoons, storm surges;
6 climatologically variability such as extreme temperatures, El Niño, La Niña, forest
7 fires; or biological such as disease, epidemics and insect/animal plagues.

8 **m) Open Data** refers to data that can be freely used, shared and built-on by anyone,
9 anywhere, for any purpose. It must be available in bulk, it should be available free of
10 charge, or at least at no more than a reasonable reproduction cost. The information
11 should be digital, preferably available by downloading through the internet, and easily
12 processed by a computer too. It also must permit people to use it, re-use it, and
13 redistribute it, including intermixing with other datasets and distributing the results.
14 Lastly, it does not allow conditions to be placed on how people can use Open Data, but
15 it does permit a data provider to require that data users credit them in some appropriate
16 way, make it clear if the data has been changed, or that any new datasets created using
17 their data are also shared as open data.

18 **oo) Pre-Disaster Risk Assessment (PDRA)** refers to a process to evaluate a hazard's level
19 of risk given the degree of exposure and vulnerability in a specific area likely to be
20 affected by an imminent hazard. It presents the possible impacts on the population and
21 forms a basis to determine the appropriate level of response actions from the national
22 level government agencies down to the local government units. It is hazard-specific,
23 area focused, and time-bound.

24 **pp) Precautionary Measures** refers to actions taken by competent authority for the
25 purpose of preserving life or property where a disaster has been determined to be
26 imminent.

27 **qq) Preemptive Evacuation** refers to an order by a competent authority to remove a person
28 or group of persons from a locality and to transfer them to a safe place in order to
29 prevent injury to them in the event of an imminent or actual disaster.

30 **rr) Preparedness** refers to pre-disaster actions and measures being undertaken within the
31 context of disaster risk reduction and management and are based on sound risk
32 analysis as well as pre-disaster activities to avert or minimize loss of life and property
33 such as, but not limited to, community organizing, training, planning, equipping,
34 stockpiling, hazard mapping, insuring of assets, and public information and education
35 initiatives. This also includes the development/enhancement of an overall
36 preparedness strategy, policy, institutional structure, warning and forecasting
37 capabilities, and plans that define measures geared to help at-risk communities
38 safeguard their lives and assets by being alert to hazards and taking appropriate action
39 in the face of an imminent threat or an actual disaster.

- 1 ss) **Post-Disaster Recovery** refers to the restoration and improvement where appropriate, of
2 facilities, livelihood and living conditions of disaster-affected communities, including
3 efforts to reduce disaster risk factors, in accordance with the principles of “build
4 backbetter”.
- 5 tt) **Recovery** refers to rehabilitation measures that ensure the ability of affected
6 communities or areas to restore their normal level of functioning by restoring
7 livelihoods and services, reconstruction of damaged infrastructures and increasing the
8 communities’ organizational capacity.
- 9 uu) **Resilience** refers to the ability of a system, community or society exposed to hazards
10 to resist, absorb, adapt to, transform and recover from the effects of a hazard in a
11 timely and efficient manner, including through the preservation and restoration of its
12 essential basic structures and functions through risk management in such ways as to
13 enhance their capacities to withstand current and future risk.
- 14 vv) **Response** refers to any effort to provide assistance or intervention during or
15 immediately after a disaster to meet the life preservation and basic subsistence needs
16 of affected people and in the restoration of essential public activities and facilities.
- 17 ww) **Risk Assessment** refers to a methodology to determine the nature and extent of risk by
18 analyzing potential hazards and evaluating existing conditions of vulnerability that
19 together could potentially harm exposed people, property, services, livelihood and the
20 environment on which they depend.
- 21 xx) **Risk Transfer** refers to the process of formally or informally shifting the financial
22 consequences of particular risks from one party to another whereby a household,
23 community, enterprise or state authority will obtain resources from the other party
24 after a disaster occurs, in exchange for ongoing or compensatory social or financial
25 benefits provided to that other party.
- 26 yy) **State of Calamity** refers to a condition involving mass casualty and/or major damages
27 to property, disruption of means of livelihoods, and the normal way of life of people in
28 the affected areas as a result of the occurrence of natural or human-induced hazard.
- 29 zz) **Sustainable Development** refers to development that meets the needs of the present
30 without compromising the ability of future generations to meet their own needs.
- 31 ææ) **Whole-of-Society Approach** refers to the meaningful participation of and synergy of
32 stakeholders that represent different interests in all aspects of climate change
33 adaptation, disaster risk reduction and management across all levels.
- 34 bbb) **Whole-of-Government Approach** refers to an approach that integrates the
35 collaborative efforts of the departments and agencies to achieve unity of effort toward
36 a shared goal to broaden the government’s options, increases efficiency to maximize
37 all available resources in a collaborative effort.
- 38 œœ) **Whole-of-Nation Approach** refers to an approach that seeks to bring about a concerted
39 effort towards national peace and security by creating consensus and

1 understanding of security that is shared not just among core security forces and
2 oversight government institutions, but also by civil society and all the nation's
3 communities.

4
5 **ARTICLE II**
6 **DEPARTMENT OF DISASTER RESILIENCE**
7

8 SEC. 4. *Creation of the Department of Disaster Resilience.* – There is hereby created the
9 Department of Disaster Resilience, hereinafter referred to as the Department.

10 The Department shall be the primary government agency responsible for leading,
11 managing, and organizing the national effort to reduce disaster risk, prepare for and respond to
12 disasters, and recover, rehabilitate, and build forward better after the occurrence of disasters.

13 The Department shall oversee and coordinate the preparation, implementation,
14 monitoring, and evaluation of disaster and climate resilience plans, programs, projects and
15 activities, provide leadership in the continuous development of strategic and systematic
16 approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation
17 and anticipatory adaptation strategies, measures, techniques, and options, and augment the
18 capacity of local governments units in the implementation of disaster risk reduction and
19 management and climate change action plan, programs, projects, and activities, in collaboration
20 with relevant national government agencies and other stakeholders.

21
22 SEC. 5. *Powers and Functions of the Department.* – The Department shall exercise and
23 perform the following powers and functions:

24 (a) Disaster Risk Reduction

- 25 1. Integrate and harmonize the existing NDRRM Framework and Plan, and the National
26 Climate Change Strategic Framework and Plan into the National Disaster Resilience
27 Framework (NDRF) and National Disaster Resilience Plan (NDRP) and review and
28 update the same every three (3) years.
- 29 2. Oversee, direct, and undertake programs and projects to identify, assess, prioritize
30 government agencies, local governments units, communities, and stakeholders.
- 31 3. Monitor and ensure the integration of disaster risk reduction and management, and
32 climate change adaptation policies into national development plans.
- 33 4. Establish a disaster resilience information system to facilitate the creation of an
34 integrated risk assessment platform built from the inputs of government and private
35 scientific and academic institutions, national government agencies and local government
36 units, local communities, and other stakeholders and that is able to provide readily
37 accessible and actionable information for purposes of risk governance and humanitarian
38 action.
- 39 5. Ensure the use of advanced science and technologies in anticipatory planning of

1 communities against hazard impact due to climate change through consultation, and
2 employment with a regular department funding of academe or higher education
3 institutions as an investment for capacity building on science-based disaster risk
4 reduction effort of the country.

- 5 6. Design and implement an incentive system for greater private and public investment,
6 both local and national, in disaster risk reduction.
- 7 7. Oversee and ensure the mainstreaming of climate change adaptation and disaster risk
8 reduction in development planning, including disaster-proofing and climate-proofing of
9 land use plans and the preparation of contingency plans.
- 10 8. Create an enabling environment that shall promote broader multi-stakeholder
11 participation for climate change mitigation and for integrating disaster risk reduction.
- 12 9. Coordinate directly with local government units and stakeholders to address disaster risk
13 assessment of regions and provinces at the meso-scale, cities and municipalities at the
14 micro-scale, and barangays at the meta-scale.
- 15 10. Establish and monitor local and national capacity for disaster risk financing and
16 insurance and other risk transfer strategies in coordination with the Department of
17 Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank
18 of the Philippines (LBP).
- 19 11. Formulate the National Disaster Resilience Framework, National Disaster Resilience
20 Plan and the National Continuity Policy.
- 21 12. Oversee and direct the comprehensive implementation of disaster risk reduction and
22 climate change adaptation and mitigation policies, plans, and programs, as embodied in
23 the Disaster Resilience Framework and Disaster Resilience Plan;
- 24 13. Coordinate directly with local government units and private entities to address Disaster
25 Risk Assessment (DRA) of regions and provinces at the meso-scale, cities and
26 municipalities at the micro-scale, and barangays at the meta-scale.
- 27 14. Review and evaluate local disaster resilience plans and other local plans to ensure their
28 consistency with the National Disaster Resilience Framework.
- 29 15. Undertake all other programs, projects and actions necessary to attain the overall goal
30 and intended outcomes of this key result area.

31 (b) Disaster Preparedness and Response

- 32 1. Oversee and maintain a national early-warning and emergency alert system that must
33 provide hazards-specific, areas-focused and time-bound warning that are accurate, timely,
34 understandable and readily accessible to national and local emergency response
35 organizations and the general public.
- 36 2. Coordinate information-sharing and other disaster risk reduction protocols following the
37 principle of interoperability among national government agencies and local government
38 units.
- 39 3. Establish and maintain a national humanitarian logistics system with a network of

warehouses, transport and resources, including response assets and disaster relief food and non-food items.

4. Exercise command and control over relevant government agencies, including government-owned and controlled corporations, the Philippine National Police and other law enforcement agencies, during an imminent or actual disaster. Such command and control shall include the authority to utilize available services, assets, equipment, personnel, facilities, and other resources.
5. Call on the reserve force, as defined in Republic Act No. 7077, otherwise known as the "*Citizen Armed Forces of the Philippines Reservist Act*", to assist in relief and rescue operations during disasters.
6. Work with the civil society organizations for assistance with regard to the use of facilities and resources for the protection and preservation of life and property.
7. Implement Pre-Disaster Risk Assessments to include deployment of rapid assessment teams to gather information for precise actions as a basis for emergency preparedness and humanitarian response.
8. Organize, train, equip, and maintain a system of response capacity for search, rescue and retrieval and the delivery and distribution of relief goods.
9. Monitor and support LGUs in the management of evacuation centers and ensure the welfare and dignity of internally-displaced persons.
10. Procure goods and services during emergencies, in accordance with existing emergency procurement rules and regulations.
11. Issue special procurement rules and regulations for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster.
12. Assist in mobilizing necessary resources to increase the overall capacity of local government units, specifically those with low income and situated in high-risk areas.
13. Undertake all other programs, projects and actions necessary to attain the overall goal and intended outcomes of this key result area.

(c) Recovery and Building Forward Better

1. Prepare, organize, lead, implement, and manage post-disaster assessment and recovery and rehabilitation programs, in coordination with the affected local governments units, national government agencies, and other stakeholders.
2. Implement the cluster approach to expedite reconstruction efforts and orchestrate and serve as the clearing house for the participation of assisting actors in such efforts.
3. Ensure that the principle of Building Forward Better is applied to rehabilitation and recovery efforts.
4. Undertake all other programs, projects and actions necessary to attain the overall goal and intended outcomes of this key result area.

(d) Other Powers and Functions

1. In case of imminent or actual danger to the public safety and when necessary to prevent loss or damage to life or property during an imminent or actual disaster, assume supervision and control over the Local Disaster Resilience Office of the local government unit or units affected by such imminent or actual disaster.
2. Establish and monitor local and national capacity for Disaster Risk Financing and Insurance and other risk transfer strategies in coordination with the DOF, GSIS, and the LBP.
3. Coordinate information-sharing and other disaster risk reduction protocols following the principle of inter-operability among National Government Agencies and Local Government Units, before, during, and after a Disaster administer, oversee, and monitor the utilization of National Disaster Resilience Fund (NDRF), the Disaster Resilience Support Fund (DRSF) and grants and donations for disaster risk reduction and management and climate change adaptation, unless otherwise specified.
4. Ensure the use of advanced science and the most up-to-date technologies in disaster risk reduction and management through engagement, consultation, and employment with a regular department funding of academe, higher education and research institutions that have a recognized and credible track record, as well as the capacity to conceptualize and implement the science and engineering requirements necessary for effective climate change adaptation and disaster risk reduction.
5. Establish a Disaster Resilience Information System and data analytics platform to facilitate integrated risk assessment built from the inputs of government research institutions, national government agencies, local government units, local communities, and other stakeholders, and is able to provide readily accessible and actionable information for purposes of risk governance and humanitarian action.
6. Develop the criteria and procedure for the enlistment of accredited community disaster resilience volunteers and institutions.
7. Create and continuously update, in consultation with stakeholders, a manual of operations for accredited community disaster resilience volunteers and institutions.
8. Exercise inspection and visitorial authority and oversight over national government agencies and local government units to ensure that all funds and assets for disaster resilience are actually used for such purpose.
9. Inspect and examine the status of projects, programs, and activities undertaken by national government agencies and local government units in furtherance of disaster resilience efforts.
10. Utilize any private property for urgent public purposes in anticipation of, during, and in the aftermath of disasters, when there is imminent danger of loss of lives or damage to property and subject to the prompt payment of just compensation.
11. Whenever it becomes necessary, assume supervision over the implementation of any program, project, or activity in anticipation of, during, and in the aftermath of disasters.

12. Negotiate, enter into, institutionalize, and coordinate arrangements with any private person or entity for the purpose of ensuring the adequate and prompt availability of goods and services necessary in anticipation of, during, and in the aftermath of disasters.
13. Administer, mobilize, and monitor and oversee the utilization of the National Disaster Resilience Fund and the Disaster Resilience Support Fund and the People's Survival Fund.
14. Manage all funds appropriated to it by law and from other sources, including all donations and grants received by it.
15. Receive donations and grants from local and foreign sources, recommend the acquisition of developmental assistance for the purpose of disaster resilience, acknowledge and certify the receipt of all donations and grants, and ensure their judicious use and management.
16. Establish and operate a platform, including an online platform, to monitor and provide public access to information on donations received by the Department.
17. Promulgate rules and regulations for the receipt, management, and accounting of donations that are consistent with the rules of the Commission on Audit (COA) on the use of foreign and local aid during calamities and disasters.
18. In consultation with the COA, promulgate rules and regulations for the retention, re-exportation, donation, and disposition of unused goods and equipment after the termination of disaster relief and initial recovery operations.
19. Assist appropriate national government agencies and offices and concerned local government units in protecting national cultural heritage including national treasures and national historical landmarks, sites or monuments from hazards and disasters.
20. Undertake all other programs, projects and actions necessary to attain the overall goal and intended outcomes of this key result area.
21. Upon directive of the President, the Department shall likewise exercise the powers and perform the functions granted in this Act with respect to man-made disasters and disasters arising from armed conflict, and to disburse funds for this purpose.
22. Perform such other functions as may be necessary for the effective implementation of this Act.

ARTICLE III

EMERGENCY MEASURES

SEC. 6. *Emergency Measures.* – (a) to protect and preserve life and property and ensure and promote public safety and welfare, the Department may undertake and implement the following emergency measures in anticipation of, during, and in the aftermath of disasters:

- (1) Carrying out of preemptive or forced evacuations;
- (2) Imposition of curfew;

1 (3) Rationing of the distribution of basic goods in critical shortage and, when necessary,
2 preventing or restricting the transfer of such goods outside of the area affected by the
3 disaster;

4 (4) When there is imminent danger of loss of lives or damage to property, temporarily take
5 over or direct the operation of any private utility or business, subject to payment of just
6 compensation; and

7 (5) With the concurrence of the DOF, recommend to the monetary board the deferment of the
8 payment of monetary obligations of local government units and private entities that have
9 been severely affected by disaster.

10 (b) Local government units shall enact ordinances on and implement necessary and appropriate
11 emergency measures to ensure the protection and preservation of life and property and the
12 promotion of public safety and welfare in anticipation of, during, and in the aftermath of disasters.

13 (c) Emergency measures shall be carried out in a manner that is humane, respectful of the
14 dignity and culture of persons, without the use of discrimination and disproportionate force, and
15 with conscious attention to the needs of vulnerable and marginalized groups.

16 (d) Appropriate steps shall be taken to inform the public of the need to implement emergency
17 measures for their safety.

18
19 SEC. 7. *Preemptive and Forced Evacuations.* – Preemptive evacuation shall be the preferred
20 and primary mode of moving and relocating people that will be affected by impending disasters.

21 A forced evacuation shall be considered as an emergency measure of last resort that may be
22 undertaken in anticipation of or during a disaster and carried out by the concerned local government
23 unit: *Provided,* That in case of the failure or inability of the local government unit to implement the
24 same, the forced evacuation shall be implemented by the Department, which may direct and compel
25 the assistance of law enforcement and other government agencies to implement such measure.

26 Any person who willfully disregards or disobeys a preemptive or forced evacuation carried
27 out by the local government unit or the Department releases such local government unit or the
28 Department, as the case may be, from any liability for injury, death, damage to, or loss of property
29 due to such disobedience.

30
31 **ARTICLE IV**
32 **ORGANIZATION AND MANAGEMENT**
33

34 SEC. 8. *Secretary of Disaster Resilience.* – The Department shall be headed by the
35 Secretary of Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed by
36 the President and shall be a member of the Cabinet.

37 SEC. 9. *Powers and Functions of the Secretary.* – The Secretary shall exercise the following
38 powers and functions:

- (a) Exercise control and supervision over all the functions and activities of the Department and its officials and personnel.
- (b) Exercise executive direction over the operations of the Department.
- (c) Establish and promulgate policies, standards, and regulations for the effective, efficient, and responsive delivery of service by the Department and the exercise of its mandate, functions, and powers.
- (d) Appoint officers and employees of the Department, except those whose appointments are vested in the President, in accordance with civil service law, rules, and regulations.
- (e) Manage the financial, human, and other resources of the Department.
- (f) Exercise disciplinary authority over all personnel of the Department, in accordance with law.
- (g) Collaborate with other national government agencies, local government units, the academe, the private sector, civil society organizations, and other stakeholders in the crafting of disaster risk resilience policies and the implementation of programs, projects, initiatives, and activities of the Department, as may be necessary.
- (h) Advise the President on the promulgation of executive and administrative issuances and the formulation of regulatory and legislative proposals on matters pertaining to disaster resilience.
- (i) Whenever it becomes necessary, recommend to the President the calling out of the Armed Forces of the Philippines to prevent or suppress lawless violence occurring before, during, and in the aftermath of disasters.
- (j) Represent the Philippines and articulate national contributions to global, regional, and other inter-governmental disaster resilience and humanitarian platforms, in coordination with the Department of Foreign Affairs.
- (k) Formulate such rules and regulations and exercise such powers as may be necessary to attain the purposes of this Act.
- (l) Perform such other functions as may be provided by law or assigned by the President.

SEC. 10. *Undersecretaries.* – (a) The Secretary shall be assisted by at least five (5) undersecretaries, who shall be responsible for the following functional areas:

Policy – the formulation of policies, plans and programs on climate change adaptation and risk reduction, disaster preparedness and response, and recovery and moving forward better.

Disaster Risk Reduction – the implementation of policies and programs to reduce existing and future disaster risks to minimize loss and damage to lives and properties, including the formulation of the required policies and programs in the National Disaster Resilience Framework and the National Disaster Resilience Plan.

Disaster Preparedness and Response – the implementation of projects and programs to prepare and respond to disasters, including the enhancement of capabilities of local government units, the development of a database of exposure or elements at risk per area and database of

1 volunteers, the establishment of safe and strategic evacuation centers, and the implementation of
2 responsive and efficient prepositioning and distribution of goods.

3 Recovery and Building Forward Better – the formulation and implementation of
4 rehabilitation plans for disaster-affected areas and ensuring the implementation of disaster recovery
5 and rehabilitation measures, such as post-disaster shelters and livelihood projects, in collaboration
6 with relevant government agencies, local government units, and other stakeholders.

7 Support to Operations – the formulation and implementation of policies, programs, projects,
8 and activities to ensure the efficient and effective performance of the Department's mandate,
9 powers, and functions and responsive delivery of its key result areas.

10 (b) The undersecretaries shall have operational control and supervision over the bureaus,
11 divisions, offices, and units assigned to their respective functional areas.

12
13 SEC. 11. *Assistant Secretaries and Directors.* – The Department shall have such number of
14 assistant secretaries and directors as may be necessary for the effective and efficient
15 implementation and performance of its mandate, powers, and functions.

16
17 SEC. 12. *Qualifications.* – The Secretary must have a strong background in any of the
18 scientific, engineering, and public management fields relevant to resilience to hazards and climate
19 change and recognized.

20 The undersecretaries, assistant secretaries, and other officials of the Department must have
21 distinguished themselves professionally or have recognized expertise or competence in disaster risk
22 reduction and management, science and technology, information and communication technology,
23 environmental science, environmental management, urban planning, engineering, public finance,
24 logistics management, mass communication, and such other fields directly relevant to ensuring the
25 country's disaster resilience.

26
27 SEC. 13. *National Disaster Operations Center.* – The Department shall establish, maintain,
28 and operate the National Disaster Operations Center (NDOC), which shall be a physical center
29 equipped with the necessary tools and systems to monitor, manage, and respond to disasters in all
30 areas of the country. The NDOC shall also provide the necessary support for the overall
31 coordination and implementation of emergency and disaster response measures throughout the
32 country.

33
34 SEC. 14. *Auxiliary Disaster Operations Centers.* – The Department shall establish,
35 maintain, and operate Auxiliary Disaster Operations Centers (ADOCS) in Luzon, Visayas, and
36 Mindanao, which shall serve as alternate or secondary centers to the NDOC and provide support to
37 the latter. The department shall determine the number of ADOCS to be established and maintained
38 and their locations. Temporary ADOCS may likewise be established, if necessary.

1 SEC. 15. *Regional Disaster Resilience Offices.* – (a) The Department shall establish and
2 maintain Regional Disaster Resilience Offices (RDROS) in each administrative region, to be
3 headed by a regional director, who shall be assisted by an assistant regional director. The regional
4 directors and assistant regional directors of the Department shall have regular *plantilla* positions.

5 (b) The size, composition, and organization of RDROS shall be based on the populations,
6 levels of income, and hazard exposure of localities and communities in the region, the capability of
7 local government units in the region to prepare for, respond to, and cope with past disasters, and
8 such other appropriate standards and parameters as may be determined by the Department.

9 (c) RDROS shall have the following powers and functions:

10 Review the municipal, city, and provincial disaster resilience plans of local government
11 units in the region and, if necessary, require amendments to such plans to ensure compliance with
12 the National Disaster Resilience Framework (NDRF) and the National Disaster Resilience Plan
13 (NDRP).

14 Monitor and direct municipal, city, and provincial disaster resilience offices to appropriately
15 implement their respective local disaster resilience plans.

16 Recommend to the appropriate local legislative body the enactment of ordinances to
17 implement the Local Disaster Resilience Plan (LDRP), the NDRF, and the NDRP and to effect
18 compliance by the local government unit with this Act.

19 Review reports on the utilization of the local disaster resilience fund and other disaster risk
20 reduction and management resources of local government units and give recommendations thereon,
21 as may be necessary.

22 Disburse to appropriate local government units funding from the disaster resilience support
23 fund granted by the Department and monitor their use thereof.

24 Disburse to local government units funding from the People's Survival Fund for climate
25 change adaptation project and monitor their use thereof.

26 Provide, upon request or otherwise, assistance to local government units to enable them to
27 effectively implement their LDRPS, the NDRF, and the NDRP and render efficient and timely
28 disaster preparedness, response, and recovery measures.

29 Identify and report to the secretary issues, difficulties, and problems relating to or affecting
30 the disaster resilience of local government units in the region and make appropriate
31 recommendations to address the same.

32 Procure goods and services to implement the NDRF and NDRP in the region, in accordance
33 with relevant rules, regulations, and policies.

34 Formulate and establish mechanisms to direct and mobilize local disaster resilience offices
35 for regional disaster preparedness and response.

36 Implement or assist in the implementation of, as directed by the Secretary, the rehabilitation
37 plans of local government units.

38 Conduct such activities and act on such other matters, in accordance with the policies and
39 regulations of the Department, to attain the purposes of this Act.

RDROS shall establish and maintain, in coordination with the central office of the Department, regional command and control centers, which shall have an information management system that consolidates and integrates information from the provinces, cities, and municipalities in the region, a multi-hazard early warning and communications system, and a monitoring system that enables the RDRO to oversee, supervise, monitor, and respond to the disaster resilience needs of local government units.

RDROS shall organize special disaster response teams, which shall assist local government units in responding to hazards and disasters that are beyond their capacities to adequately respond to.

SEC. 16. *Collaboration and Cooperation Among Regional Disaster Resilience Offices.* – The Department shall create policies and implement programs to engender effective collaboration and coordination among the different RDROS.

SEC. 17. *Program Management Office for Earthquake Resiliency of the Greater Metro Manila Area.* – The Program Management Office for Earthquake Resiliency of the Greater Metro Manila Area (PMO-ERG), created under Executive Order No. 52, Series 2018, is hereby transferred from the Office of the President to the Department and shall be under the supervision and control of the Secretary. The organization, powers, and functions of the PMO-ERG shall be set forth in the IRR of this Act.

SEC. 18. *Organizational Structure and Staffing Pattern.* – The Department shall, in consultation with the Department of Budget and Management (DBM), determine its organizational structure and staffing pattern and create such services, divisions, and units, as it may require or deem necessary.

SEC. 19. *Magna Carta Benefits.* – Qualified personnel of the Department shall be covered by and entitled to the benefits under Republic Act No. 8439, otherwise known as the *Magna Carta for Scientists, Engineers, Researchers and other S & T Personnel in the Government*.

SEC. 20. *Hazard Pay and Other Allowances and Benefits.* – Qualified personnel of the Department shall be entitled to receive hazard pay and other allowances and benefits, in accordance with such policies and regulations promulgated by Department, in consultation with the DBM and the COA.

ARTICLE V

LOCAL GOVERNMENT ROLES AND RESPONSIBILITIES

SEC. 21. *Local Disaster Resilience Offices.* – (a) The current Provincial, City, and Municipal Disaster Risk Reduction Management Offices are hereby transformed into the

1 provincial, city, and municipal disaster resilience offices, respectively, which shall collectively be
2 referred to as the Local Disaster Resilience Offices (LDROS).

3 (b) The provincial, city, and municipal disaster resilience offices shall be under the
4 control and supervision of the provincial governor or the city or municipal mayor, as the case may
5 be.

6 (c) LDROS shall have personnel with regular *plantilla* positions responsible for
7 administration, planning, research, training, operations, and such other functional areas as the local
8 government unit or the Department may prescribe. The Department shall, in consultation with local
9 government units, promulgate standards and policies on the structure, staffing, and composition of
10 LDROS.

11 (d) The budgetary requirements for personal services, maintenance and operating expenses,
12 and capital outlays of LDROS shall be sourced from the general fund of the local government units
13 concerned. The capital outlay requirements and other maintenance and operating expenditures for
14 the implementation of disaster resilience projects and programs of local government units shall be
15 charged to their Local Disaster Resilience Funds.

16 (e) The appropriations of provincial, city, and municipal governments for personal services
17 of their LDROS shall be exempt from the limitations under Section 325(a) of Republic Act No.
18 7160, otherwise known as the *Local Government Code of 1991*.

19 (f) The Provincial, City, and Municipal Disaster Risk Reduction and Management Councils
20 are hereby abolished.

21
22 SEC. 22. *Local Disaster Resilience Officer.* – The LDRO shall be headed by a full-time
23 Disaster Resilience Officer, who shall have a regular *plantilla* position, shall have the rank of a
24 local government department head with the corresponding salary, emoluments, and benefits, and
25 shall be appointed by the local chief executive: *Provided*, That the qualifications standards
26 pertaining to experience and training set by the Civil Service Commission (CSC) for the position
27 may be waived by the Department in exceptional circumstances, upon the request of the appointing
28 local chief executive.

29
30 SEC. 23. *Powers and Functions of Provincial Disaster Resilience Offices.* –The Provincial
31 Disaster Resilience Offices shall have the following powers and functions:

32 (a) Formulate and implement, in coordination with the department and the Local Disaster
33 Resilience Offices (LDROS) of component cities and municipalities, a comprehensive and
34 integrated Provincial Disaster Resilience Plan (PDRP) in accordance with the National Disaster
35 Resilience Framework (NDRF) and the National Disaster Resilience Plan (NDRP).

36 (b) Review the local disaster resilience plans of component cities and municipalities and, if
37 necessary, require amendments to such plans to ensure compliance with the PDRP, NDRF, and
38 NDRP.

1 (c) Design, program, coordinate, and implement disaster resilience activities and measures, in
2 accordance with the standards and guidelines promulgated by the Department, and implement the
3 NDRF and the NDRP at the provincial level.

4 (d) Prepare and submit to the *Sangguniang Panlalawigan* the PDRP and the proposed
5 programming of the Local Disaster Resilience Fund (LDRF) and other dedicated disaster resilience
6 resources and funds of the provincial government.

7 (e) Recommend to the *Sangguniang Panlalawigan* the enactment of ordinances to effect
8 compliance by the provincial government with the provisions of this Act and implement the PDRP,
9 NDRF, and NDRP.

10 (f) Prepare and submit to the Department, through the Regional Disaster Resilience Office, a
11 report on the utilization by the provincial government of its LDRF and other dedicated disaster
12 resilience resources and funds.

13 (g) Establish and maintain, in coordination with the Department, a provincial command and
14 control center, which shall include an information management system that consolidates and
15 integrates information from component cities and municipalities, a multi-hazard early warning and
16 communications system that is connected to the LDROS of component cities and municipalities,
17 and a monitoring system that enables the provincial government to oversee, supervise, monitor, and
18 respond to the needs of component cities and municipalities with regard to disaster resilience
19 activities.

20 (h) Recommend the procurement of emergency works, goods, and services, in accordance with
21 relevant rules, regulations, and policies, to implement the PDRP or support early recovery and post-
22 disaster activities.

23 (i) Recommend, in coordination with the DOF and other appropriate agencies, the accessing of
24 foreign loans to finance projects, programs, and policies for disaster preparedness, response,
25 recovery, and rehabilitation.

26 (j) Establish mechanisms to mobilize and direct LDROS of component cities and
27 municipalities for disaster preparedness and response.

28 (k) Coordinate with and provide the support or assistance to the Department in its
29 implementation of rehabilitation plans within component cities and municipalities.

30 (l) Perform such other functions and take such actions and measures, in accordance with
31 policies, regulations, and guidelines of the Department and applicable laws, to achieve the purposes
32 of this Act.

33
34 SEC. 24. *Powers and Functions of City and Municipal Disaster Resilience Offices.* – The
35 City and Municipal Disaster Resilience Offices shall have the following powers and functions:

36 (a) Formulate and implement, in coordination with the Department, a comprehensive and
37 integrated Local Disaster Resilience Plan (LDRP), in accordance with the National Disaster
38 Resilience Framework (NDRF), the National Disaster Resilience Plan (NDRP), and, when
39 applicable, the Provincial Disaster Resilience Plan (PDRP).

1 (b) Design, program, coordinate, and implement disaster resilience activities and measures, in
2 accordance with the standards and guidelines promulgated by the Department, and implement the
3 NDRF, the NDRP, and, when applicable, the PDRP at the city or municipal level.

4 (c) Prepare and submit to the Sangguniang Panlungsod or Bayan, as the case may be, the LDRP
5 and the proposed programming of the Local Disaster Resilience Fund (LDRF) and other dedicated
6 disaster resilience resources and funds of the local government unit.

7 (d) Recommend to the Sangguniang Panlungsod or Bayan, as the case may be, the enactment of
8 ordinances to effect compliance by the local government unit with the provisions of this Act and
9 implement the LDRP, the NDRF, the NDRP, and, when applicable, the PDRP.

10 (e) Design, program, coordinate, and implement disaster resilience activities and measures, in
11 accordance with the standards and guidelines promulgated by the Department, and implement the
12 NDRF and the NDRP at the city or municipal level.

13 (f) Establish and maintain, in coordination with the Department, an information management
14 system within the local government unit, which shall consolidate local risk information and local
15 risk maps and include a disaggregated database of human resources, equipment, services, resources,
16 directories, and critical infrastructure relevant to disaster resilience.

17 (g) Operate and maintain, in coordination with the Department, a multi-hazard early warning
18 and communications system that shall provide accurate and timely information to the public.

19 (h) Organize and conduct training and knowledge management activities on disaster resilience,
20 in coordination with the disaster resilience research, education, and training institute.

21 (i) Recommend the procurement of emergency works, goods, and services, in accordance with
22 the relevant rules, regulations, and policies, to implement the LDRP or support early recovery and
23 post-disaster activities.

24 (j) Recommend, in coordination with the Department of Finance and other relevant agencies,
25 the accessing of foreign loans to finance projects, programs, and policies for disaster preparedness,
26 response, recovery, and rehabilitation.

27 (k) Mobilize the entire local government unit, barangay governments, national government
28 agencies and offices in the locality, civil society organizations, the private sector, organized
29 volunteers, and other stakeholders for disaster resilience activities, in accordance with the policies
30 and guidelines of the Department and applicable laws, rules, and regulations.

31 (l) Coordinate with and provide the support or assistance to the Department in its
32 implementation of rehabilitation plans within the locality.

33 (m) Coordinate with the Department, other government agencies, the private sector, and other
34 stakeholders in the locality in the establishment of a continuity plan under the LDRP.

35 (n) Establish linkages and coordination mechanisms with the Department and other local
36 government units and their LDROS for disaster resilience activities.

37 (o) Perform such other functions and take such actions and measures, in accordance with
38 policies, regulations, and guidelines of the department and applicable laws, to achieve the purposes
39 of this Act.

SEC. 25. *Disaster Resilience Functions in Barangays.* – The Barangay Disaster Risk Reduction and Management Committees (BDRRMCS) are hereby abolished. Punong barangays shall henceforth exercise the powers and functions of the abolished BDRRMCs and shall be assisted by the members of the *sangguniang barangay*. Barangay development councils shall ensure that disaster resilience is integrated into and made a part of the development plans, programs, and budgets of barangays. The Department shall promulgate policies and guidelines on the roles and responsibilities of barangay governments with regard to disaster risk reduction, disaster preparedness and response, and post-disaster recovery.

SEC. 26. *Levels of Responsibility for Disaster Preparedness and Response.* – The primary responsibility for disaster preparedness and response shall be exercised at the local or national level, as applicable, in close and seamless collaboration with the relevant national government agencies, local government units, and stakeholders. The four levels of responsibility and the conditions that warrant each are as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
LEVEL 1: Municipality or City	Municipal or City Mayor, as the lead official	The disaster affects a single municipality or city
LEVEL 2: Province	Provincial Governor, as the lead official Supported by: Provincial Disaster Resilience Officer Municipality or City Mayors concerned Municipal or City Disaster Resilience Officers concerned	The disaster affects two or more municipalities or component cities in the province
LEVEL 3: Region	Regional Director of the Regional Disaster Resilience Office, as the lead official	The disaster affects two or more provinces in the region, except the National Capital Region

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
	In the Autonomous Region in Muslim Mindanao, the Regional Governor shall be the lead official	
	Supported by:	
	Provincial Governors concerned	
	Provincial Disaster Resilience Officers concerned	
LEVEL 4: National	Secretary of Disaster Resilience, as the lead official	a. The disaster affects two or more regions;
	Provincial Governors concerned	b. The concerned local government unit is unable to adequately cope with the risk or impact of the hazard;
	Provincial Disaster Resilience Officers concerned	c. The President declares a state of calamity; or
		d. The President directs a LEVEL 4 response.

SEC. 27. *Disaster Preparedness and Response in the National Capital Region.* – When a disaster affects more than one city or municipality in the National Capital Region, the Secretary shall be responsible for leading disaster preparedness and response efforts, in collaboration with the local government units concerned and the Metro Manila Development Authority.

SEC. 28. *National Organization of Local Disaster Resilience Officers.* – There shall be a national organization of all local disaster resilience officers for the primary purpose of:

- 1 (a) Developing capacity and exchanging knowledge, experiences, and best practices on disaster
2 resilience;
- 3 (b) Fostering inter-operability among local disaster resilience offices;
- 4 (c) Facilitating cooperation and collaboration among local government units;
- 5 (d) Bringing forth, articulating, and discussing issues and concerns affecting disaster resilience
6 at the local levels and securing solutions thereto;
- 7 (e) Providing input and feedback to the Department on the implementation of this Act; and
- 8 (f) Enhancing synergy in other areas of common concern.
- 9

10 SEC. 29. *Inter-Local Government Assistance*. – Local government units may extend
11 assistance and aid to other local government units for disaster preparedness, response, and relief,
12 through the grant of funds, donation of goods, supplies, facilities, and equipment, provision of
13 rescue, medical, transport, training, and other services, and the provision of other resources, subject
14 to the regulations, policies, and guidelines promulgated by the Department, in consultation with the
15 COA.

16

17 SEC. 30. *Reporting on Humanitarian Assistance*. – Local government units shall submit to
18 the Department, through the Regional Disaster Resilience Offices, a report on all domestic or
19 international humanitarian assistance received by them and distributed in their areas of jurisdiction.

20

21 **ARTICLE VI**

22 **WHOLE OF GOVERNMENT, WHOLE OF NATION,**

23 **AND WHOLE OF SOCIETY APPROACH**

24

25 SEC. 31. *Interoperability of Systems*. – The Department shall establish mechanisms to
26 ensure interoperability of systems among government agencies and allow access to the Integrated
27 Disaster Resilience Information System. The Department shall develop protocols to allow real-time
28 access to information by government agencies in relation to disasters and the implementation of
29 disaster resilience measures.

30

31 SEC. 32. *Multi-Sectoral and Inter-Agency Collaboration*. – The Department shall
32 collaborate with the Department of Science and Technology (DOST), Department of Information
33 and Communications Technology, Department of Environment and Natural Resources (DENR),
34 other national government agencies, local government units, the academe, civil society
35 organizations, the private sector, and other stakeholders to establish a platform for information
36 sharing to provide real-time data for science and information communications technology-based
37 planning and decision making.

38

1 SEC. 33. *Synergy with Stakeholders.* – The Department shall ensure seamless synergy and
2 coordination with stakeholders, including civil society organizations, the academe, and the private
3 sector, in relation to disaster resilience programs and projects and the development and promotion
4 of research, education, and training mechanisms. The Department shall establish a platform and
5 mechanisms for convergence and coordination with stakeholders, including the development of
6 standards, protocols, and procedures for seamless collaboration for disaster resilience.

7
8 SEC. 34. *Multi-Stakeholder Convergence Unit.* – The Department, with the assistance of
9 other relevant government agencies and stakeholders, shall establish a Multi-Stakeholder
10 Convergence Unit (MSCU) to be headed by an assistant secretary, which shall closely engage civil
11 society organizations, the academe, the private sectors, and other stakeholders and strengthen
12 public-private collaboration towards disaster resilience through interventions, such as:

- 13 (a) Implementation of business continuity practices to ensure the continued delivery of
14 products and services in the event of disasters.
- 15 (b) Crafting and implementation of the National Continuity Policy to ensure government
16 service continuity during and after emergencies and disasters and ensure the quick return
17 of government to full operations.
- 18 (c) Incorporation of continuity plans in local disaster resilience plans and the implementation
19 thereof.
- 20 (d) Preparation and facilitation of the issuance of special rules for micro, small, and medium
21 enterprises for mechanisms involving procurement and liquidity to create enabling
22 environments for disaster preparedness, recovery, and building forward better.
- 23 (e) Formulation of investment programs for disaster affected areas in partnership with the
24 private sector and civil society organizations.

25 The MSCU shall establish a database and system for monitoring and coordinating efforts and
26 resources of stakeholders.

27
28 SEC. 35. *Accreditation and Mobilization of Disaster Resilience Volunteers.* – National
29 government agencies, local government units, civil society organizations, higher educational
30 institutions, and the private sector may form and mobilize organized volunteers to augment their
31 personnel complements and logistical requirements in the implementation or delivery of disaster
32 resilience programs and activities.

33 The government and private sectors shall take full responsibility for the training, welfare,
34 and protection of their volunteers. Volunteers shall be accredited by the local disaster resilience
35 offices of the cities or municipalities where they are principally based.

36 City and Municipal Disaster Resilience Offices shall submit to the Department, through its
37 Regional Disaster Resilience Offices, the names and other pertinent information of disaster
38 resilience volunteers accredited by them. The Department shall maintain the national database and
39 roster of accredited disaster resilience volunteers.

1 The Department shall promulgate policies and guidelines for the mobilization of accredited
2 disaster resilience volunteers and the benefits that they shall be entitled to.

3
4 SEC. 36. *Disaster Resilience Assemblies.* – The Department shall convene regional and
5 national disaster resilience assemblies at least once a year, or as often as may be necessary, to
6 ensure the proactive engagement of national government agencies, local government units, civil
7 society organizations, disaster risk reduction and management practitioners, accredited disaster
8 resilience volunteers, the academe, the private sector, and other stakeholders and foster close and
9 effective collaboration towards disaster resilience and achieving the aims and purposes of this Act.

10 Local government units, with the assistance and cooperation of the Regional Disaster
11 Resilience Offices, may convene local disaster resilience assemblies.

12
13 SEC. 37. *Recognition and Incentives.* – The Department, in partnership with the private
14 sector, shall establish an incentives program that recognizes outstanding performance of local
15 government units, non-government organizations, civil society organizations, the private sector,
16 schools, the academe, hospitals, and other stakeholders in promoting and implementing
17 significant disaster resilience programs and innovations and meritorious acts of individuals,
18 groups, or institutions during disasters.

19
20 SEC. 38. *Roles of Stakeholders.* – The commitment, goodwill, knowledge, experience, and
21 resources of all stakeholders are critical to realize safer, adaptive, resilient and inclusive
22 communities. Stakeholders have a duty to support the State towards the attainment of disaster
23 resilience, in accordance with National Disaster Resilience Framework, the National Disaster
24 Resilience Plan, and local disaster resilience plans. Correspondingly:

- 25 (a) Civil society, domestic and international non-government organizations, the private
26 sector, and disaster risk reduction management practitioners shall participate, in
27 collaboration with public institutions, to provide information and guidance on disaster
28 resilience, encourage their engagement in the implementation of local, national, and
29 global plans and strategies, and enhance public awareness and promote a culture of
30 protection, prevention, and conservation on disaster resilience.
- 31 (b) Women, the youth, and children shall, as agents of change, endeavor to contribute
32 actively and participate in disaster resilience trainings and information dissemination.
- 33 (c) Older persons and persons with disabilities shall contribute their knowledge and
34 experience on disaster preparedness and resiliency.
- 35 (d) Indigenous peoples shall share their traditional knowledge and practical experience on
36 disaster resiliency.
- 37 (e) Urban and rural poor and migrants shall participate in building resilient resettlement
38 communities.

- (f) Emergency responders and volunteer organizations shall contribute to resilience by promptly and efficiently responding to disasters and emergencies.
- (g) The academe and scientific and research entities and networks shall undertake relevant research on disaster resiliency in partnership with the Department and other stakeholders.
- (h) The private sector shall integrate disaster resilience projects and programs in their corporate social responsibility initiatives.
- (i) Media shall provide prompt and accurate information to the public regarding early warnings and disaster resilience activities.

ARTICLE VII
DISASTER RESILIENCE RESEARCH, EDUCATION,
AND TRAINING INSTITUTE

SEC. 39. *Creation of the Disaster Resilience Research, Education, and Training Institute.* –

(a) The Department shall establish the Disaster Resilience Research, Education, and Training Institute (DRETI), which shall be a world-class center of excellence for research and learning in the field of disaster resilience and shall be headed by an Executive Director.

(b) The DRETI shall have the following functions:

- (1) Establish the Integrated Disaster Resilience Information System (IDRIS) through close and seamless collaboration with the Department of Science and Technology, the Department of Information and Communications Technology, and other appropriate government agencies, institutions, and the private sector.
- (2) Establish branches in Luzon, Visayas, and Mindanao, as well as in provinces, cities, and municipalities, if necessary, in order to provide training in, among others, disaster risk reduction and management, climate change adaptation, and ecosystem management and restoration.
- (3) Develop and implement inclusive and ladderized curricula on disaster risk reduction and management and climate change adaptation.
- (4) Develop research programs and a knowledge management system for the purpose of innovation, capacity building, and development.
- (5) Partner with academic and research institutions, the private sector, civil society organizations, disaster risk reduction practitioners, and stakeholders in developing research and education programs on climate vulnerability and disaster risk assessment.
- (6) Establish a resource center for information, education, and communication (IEC) campaign materials, research, publications, best practices, lessons identified and learned, and other knowledge products on disaster resilience.
- (7) Consolidate and prepare IEC campaign and training materials to assist disaster risk reduction practitioners in the planning and implementation of their plans, programs, projects, and activities.

1 (8) Accredited and evaluate climate change adaptation and disaster risk reduction and
2 management training institutions.

3
4 SEC. 40. *Accreditation and Compliance With International Standards.* – The DRETI shall
5 endeavor to obtain certifications from and be accredited by appropriate international bodies or
6 organizations in to ensure its compliance with international standards. The DRETI shall likewise
7 collaborate with appropriate foreign and international institutions, bodies, and organizations in
8 order to be constantly updated with best practices and developments in disaster resilience.

9
10 SEC. 41. *Fees for Services.* – The Department may prescribe, impose, and collect fees and
11 charges for services rendered by the DRETI.

12
13 SEC. 42. *Local Disaster Resilience Research, Education, and Training Centers.* – Provincial,
14 city, and municipal governments may, with the assistance of the Department and the DRETI, create
15 and maintain their own disaster resilience research, education, and training centers.

16
17 **ARTICLE VIII**
18 **DISASTER RISK TRANSFER**
19

20 SEC. 43. *Disaster Risk Transfer and Insurance.* – The Department, in collaboration with
21 the DOF, Government Financial Institutions (FGIs), and the Insurance Commission, shall create
22 and establish disaster insurance pools, revolving funds, insurance and risk-transfer schemes or
23 facilities, and other financial disaster resilience measures to ensure the protection of property and
24 livelihood against the adverse effects of disasters.

25
26 SEC. 44. *Disaster Insurance Coverage.* – The Department may require national
27 government agencies and government-owned and –controlled corporations to insure their assets
28 and properties against damage, destruction, and loss due to hazards and disasters.

29 Local government units may use their Local Disaster Resilience Funds to insure their assets
30 and properties against the same risks.

31
32 **ARTICLE IX**
33 **PREPAREDNESS AND INTEGRATED EARLY WARNING**
34

35 SEC. 45. *Standards for Disaster Preparedness Activities.* – (a) The Department shall
36 establish standards and protocols for disaster preparedness, contingency planning, localizing and
37 operationalizing disaster risk reduction and management, preparedness for disaster response,
38 preparedness for early recovery, continuity of essential services, and other relevant preparedness
39 activities.

1 (b) The LGUs shall identify safe and strategic sites, and establish evacuation centers with
2 appropriate and adequate facilities in accordance with government-approved standards as
3 provided under Republic Act No. 10821, otherwise known as "*The Children's Emergency Relief*
4 *Protection Act*", in order to avoid disruption of school classes and lessen the use of school
5 buildings and facilities as evacuation centers.

6 The LGUs shall immediately compensate said schools used as evacuation centers. The schools
7 may seek compensation for renovation or repairs of damaged facilities for such use.
8

9 SEC. 46. *Multi-Hazard Early Warning and Risk Communication Standards.* – (a) There
10 shall be a streamlined policy governing early warning systems and risk communication protocols
11 to ensure effective and efficient measures to prepare for, respond to and recover from potential
12 risks and disasters.

13 (b) The Department shall formulate and implement multi-hazard early warning protocols
14 integrating all disaster preparedness systems in collaboration with local executives, community-
15 based organizations, civil society organizations, and other non-governmental organizations for
16 proper use and application.
17

18 SEC. 47. *Early Warning Mandate.* – (a) The Department shall issue an integrated early
19 warning alert for the impending occurrence of hazards that will enable the public to prepare
20 timely and act appropriately to minimize potential harm or loss.

21 (b) The Department shall require mobile phone service providers to send out alerts at
22 regular intervals in the event of an impending natural hazard, in accordance with Republic Act
23 No. 10639, otherwise known as the "*Free Mobile Disaster Alerts Act*".

24 (c) The Department shall recognize and proactively support local or indigenous modes of
25 early warning systems and allow open access to near real-time data from both local and
26 international sources made available through various platforms such as websites, mobile apps,
27 and social media to empower local communities and individuals.

28 (d) Any person who transmits early warning concerning the abovementioned phenomena
29 by means of signs in designs, colors, lights, or sound shall do so in compliance with the methods
30 recognized or approved by the Department.

31 (e) The Department at the national and local level shall use an integrated early warning
32 system to ensure it is consistent and locally contextualized with the communication protocol and
33 safe evacuation procedure of the affected communities.

34 (f) The Department shall work with other agencies or organizations on pre-crisis
35 information mapping of the humanitarian needs of at-risk communities that will enhance the
36 overall prepositioning of resources at the national and local level.

37 (g) The Department shall recognize and proactively support local or indigenous modes of
38 early warning systems and allow open access to near real-time data from both local and
39 international sources made available through various platforms such as websites, mobile apps,

1 and social media to empower local communities and individuals.

3 ARTICLE X

4 DECLARATION OF A STATE OF CALAMITY

5
6 SEC. 48. *State of Calamity*. – (a) A state of calamity may be declared by:

7 (1) The President, upon the recommendation of the Secretary,

8 (2) The Secretary, upon the recommendation of the Regional Disaster Resilience Office;

9 or

10 (3) The local legislative body, upon the recommendation of the Provincial, City, or
11 Municipal Disaster Resilience Office, as the case may be.

12 (b) A state of calamity over barangays, municipalities, cities, provinces, regions, clusters
13 thereof, or the entire country may be declared when a hazard, including climate change, poses
14 imminent threat to human life and danger to property or has a significant impact that demands
15 immediate action, in accordance with the policies, criteria, guidelines, and regulations
16 promulgated by the Department.

17
18 SEC. 49. *Remedial Measures Under a State of Calamity*. – Upon the declaration of a state
19 of calamity, the following measures shall be undertaken by the concerned government agencies at
20 the national and local levels:

21 (a) Imposition of price control or price ceilings on basic necessities and prime commodities,
22 as provided for under Republic Act No. 7581, otherwise known as the *Price Act*, as
23 amended by Republic Act No. 10623.

24 (b) Monitoring, prevention, and control by the local price coordination council of overpricing,
25 profiteering, and hoarding of basic necessities, prime commodities, medicines, and
26 petroleum products.

27 (c) Programming or reprogramming of funds for the repair of public infrastructure or critical
28 facilities vital for the quick delivery of humanitarian assistance or in order to reduce
29 further threat to lives and arrest further damage to properties and loss of livelihood in
30 affected communities, in accordance with the principle of *Building Forward Better*.

31 (d) Use of alternative modes of procurement by the Department, local government units, and
32 other concerned government agencies in relation to the procurement of emergency works,
33 goods, or services to respond or quickly recover from the disaster.

34 (e) Provision of low or no-interest loans by government financial institutions to vulnerable
35 and marginalized groups or individuals.

37 ARTICLE XI

38 INTERNATIONAL HUMANITARIAN ASSISTANCE

1 SEC. 50. *International Humanitarian Assistance.* – The Department shall promulgate
2 guidelines on international humanitarian assistance, including the initiation, entry, facilitation,
3 transit, regulation and termination thereof, as well as those involving international disaster relief
4 and personnel assisting international actors, visa waiver, recognition of foreign professional
5 qualifications, entry of international disaster goods and equipment, and exemption from port
6 duties, taxes, and restrictions.

7
8 SEC. 51. *Request for International Humanitarian Assistance.* –

- 9 (a) Immediately after the declaration of a state of calamity by the local *sanggunian* of the
10 relevant local government unit or by the Department, as the case may be, the Secretary
11 shall determine whether domestic capacities are likely to be sufficient to attend to the
12 needs of affected persons for international humanitarian assistance. This determination
13 may also be made, prior to the onset of an imminent disaster.
- 14 (b) In the event of a determination by the Secretary that domestic response capacities are not
15 likely to be sufficient due to the impact of the disaster, the Secretary shall recommend to
16 the President that a request be made for international humanitarian assistance.
- 17 (c) The President, upon the recommendation of the Secretary, may request for a flash appeal
18 to the family of nations, under regional and multilateral conventions, for assistance in
19 preparedness, including preemptive measures, search, rescue, and retrieval, relief, recovery,
20 and reconstruction.
- 21 (d) A determination that domestic capacities are likely to be sufficient and that international
22 humanitarian assistance is therefore unnecessary may be reviewed and rescinded by the
23 President, in light of prevailing circumstances and available information.
- 24

25 SEC. 52. *Humanitarian Assistance Action Center.* – The Department shall create an inter-
26 agency one-stop shop mechanism called the Humanitarian Assistance Action Center (HAAC) for
27 the processing and release of entry and facilitation of goods, articles or equipment and services and
28 international relief workers for the provision of international humanitarian assistance and the
29 processing of necessary documents for assisting international actors.

30 The HAAC shall be managed and led by the Department and shall be composed of the
31 following:

- 32 (a) Bureau of Customs;
33 (b) Department of Foreign Affairs;
34 (c) Department of Social Welfare and Development;
35 (d) Department of Health;
36 (e) Food and Drug Administration;
37 (f) Department of Agriculture;
38 (g) Department of Energy;
39 (h) Department of National Defense;

- (i) Philippine National Police;
- (j) Philippine Coast Guard; and
- (k) Bureau of Immigration.

ARTICLE XII
OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE
TO FOREIGN STATES

SEC. 53. Offer and Facilitation of International Humanitarian Assistance to Foreign States.

– In the event of a disaster occurring in a foreign state for which international humanitarian assistance is required, the Department may offer, facilitate, provide, and deploy international humanitarian assistance to said foreign state, which shall be subject to guidelines to be promulgated by the Department for the purpose.

SEC. 54. Accreditation. – The Department, in coordination with relevant government agencies and organizations, shall provide and facilitate the necessary training and accreditation to the respective government personnel to be deployed for such offer, facilitation and provision of international humanitarian assistance to a foreign state.

ARTICLE XIII
RECOVERY

SEC. 55. Standards for Recovery. – The Department shall observe internationally accepted standards for recovery, planning, programming and implementation of the recovery process. Towards this end, the Department shall:

- (a) Improve the community's physical, social and economic resilience, consistent with the principle of Building Forward Better.
- (b) Redirect development outside danger zones to minimize loss of lives and structures resulting from typhoons, flooding, landslides, and other natural hazards.
- (c) Consider local conditions such as culture, security situation, and existing capacities of communities in identifying programs and projects;
- (d) Ensure access to public transport, physical and mental health services, markets, schools, sustainable livelihoods, and other public services in planning for settlement areas; and
- (e) Ensure the restoration of peace and order and government functions.

SEC. 56. Economic Recovery and Development. – The Department, with the Department of Trade and Industry (DTI) and other concerned agencies, shall create and implement policies, programs, and projects to encourage investments and stimulate economic activity in areas affected by disasters.

1 SEC. 57. *Employment and Livelihood Programs*. – The Department, with the Department of
2 Labor and Employment, DTI and other concerned agencies, shall create and implement policies,
3 programs, and projects to restore or generate employment and livelihood opportunities in areas
4 affected by disasters.

5
6 **ARTICLE XIV**
7 **PROCUREMENT**
8

9 SEC. 58. *Procurement*. – In general, the procurement rules provided under Republic Act
10 No. 9184, otherwise known as the “*Government Procurement Reform Act*”, shall apply. However,
11 alternative modes of procurement as provided in this Act may be resorted to by the Department,
12 RDROs, or LGUs in any of the following emergency situations:

- 13 a) There is imminent danger to life or property during a state of calamity, as provided under
14 this Act, and the procurement is necessary to avert or reduce such danger to life or property;
15 or
16 b) The procurement is necessary to restore vital public services, infrastructure facilities and
17 other public utilities; or
18 c) Time is of the essence in implementing a project, program or activity to effectively respond
19 to a disaster and save lives; or
20 d) There are other circumstances which require immediate procurement necessary to prevent
21 damage to or loss of life or property.

22 The prohibitions against the undertaking of public works projects and the release, disbursement,
23 or expenditure of public funds for public works projects under paragraphs v and w of Section 261
24 of the *Omnibus Election Code*, as amended, shall not apply to public works projects undertaken by
25 the Department pursuant to this Act.
26

27 SEC. 59. *Alternative Modes of Procurement*. – During emergency situations as provided
28 under this Act, the Department, RDROs or LGUs may resort to the following modes of
29 procurement:

- 30 a) Direct negotiation under Republic Act No. 9184, otherwise known as the “*Government*
31 *Procurement Reform Act*”, and its implementing rules and regulations;
32 b) Simplified or pre-arranged contracts such as, among others, pre-signed agreements, stand-by
33 contracts, pre-arranged systems of procurement with a pre-approved list of contractors for
34 construction projects, pre-negotiated contracts, advanced procurement contracts, and
35 framework contracts. The parameters, requirements and conditions for these types of
36 contracts shall be defined in this Act’s IRR.
37

38 SEC. 60. *Special Rules on Procurement for Reconstruction and Rehabilitation of Affected*
39 *Areas*. – (a) The GPPB, in consultation with the Department, shall create special rules on

1 procurement for services, goods, and materials to be used for reconstruction and rehabilitation
2 efforts in case of a natural disaster, including but not limited to, the construction of post-disaster
3 shelters and provision of service contracts, to ensure the procurement of quality-oriented goods,
4 materials, and equipment and to guarantee effective, efficient, and speedy procurement to achieve
5 the goals of this Act.

6 (b) In case of procurement of services, goods, or materials for reconstruction and
7 rehabilitation efforts, whether from local or international sources, the GPPB and the relevant
8 government agencies shall provide less bureaucratic restrictions, more flexible procurement
9 policies, or exemption from, or reduction of, customs duties.

10
11 SEC. 61. *Procurement from Qualified Suppliers or Contractors.* – As an exception to the
12 provisions of Republic Act No. 9184, otherwise known as the “*Government Procurement Reform*
13 *Act*”, and its implementing rules and regulations, the Department shall have the power to procure
14 goods and services from either local or foreign suppliers or contractors for purposes of
15 implementing projects, programs and activities related to disaster resilience and disaster
16 management. The conditions, limitations, application processes, eligibility requirements and
17 assessment criteria for local and foreign suppliers and contractors shall be provided in this Act’s
18 IRR.

19
20 SEC. 62. *Pre-Arranged Contracts or Agreements with Private Sector Entities.* –
21 Notwithstanding Republic Act No. 9184, otherwise known as the “*Government Procurement*
22 *Reform Act*”, the Department shall have authority to enter into pre-arranged or contingency
23 contracts or agreements with private sector entities for the purpose of, among others, establishing, a
24 logistics system for the efficient and prompt distribution of goods, equipment or other materials
25 required for disaster response and management; securing food, medicines, fuel, or other supplies
26 from groceries, pharmacies, gas stations or other sources in the event of a disaster in a specific area;
27 ensuring an alternative source of power or water from private utilities in the event of a disaster in a
28 specific area; or other arranging the immediate supply of other goods, services or equipment
29 necessary for disaster response and management. The conditions, limitations and parameters of
30 contracts or arrangements authorized under this Section shall be provided in this Act’s IRR.

31
32 SEC. 63. *Government Accounting and Auditing Policies.* – The COA shall review, align,
33 and issue policies or rules to improve the efficiency and expediency of procurement and audit
34 processes for programs and projects related to disaster resilience and management.

35
36 SEC. 64. *Emergency Procurement.* – In order to expedite disaster response and early
37 recovery, the procurement or lease of equipment and delivery of goods and services through
38 emergency procurement or purchase at site shall be allowed. Periods of action on procurement
39 activities may also be waived for the same purpose and conditions.

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ARTICLE XV

OFFENSES AND PENALTIES

SEC. 65. *Offenses.* – (a) The commission of the following offenses shall be penalized with a fine ranging from One Hundred Thousand Pesos (P100,000.00) to Five Hundred Thousand Pesos (P500,000.00), imprisonment ranging from six (6) months and one (1) day to twelve (12) years, or both:

- (1) Delaying, without justifiable cause, the delivery of, or the improper handling or storage of aid commodities, resulting in damage or spoilage.
- (2) Withholding the distribution of relief goods due to political or partisan considerations or discrimination based on race, ethnicity, religion, or gender.
- (3) Preventing the entry of disaster response personnel and equipment and the entry and distribution of relief goods to disaster-affected communities and areas.
- (4) Selling, without appropriate authority, of relief goods, equipment, or other aid commodities intended for distribution to disaster victims.
- (5) Forcibly seizing relief goods, equipment, or other aid commodities intended for or consigned to a specific group of victims or relief agency.
- (6) Diverting relief goods, equipment, or other aid commodities to persons other than the rightful recipient or consignee.
- (7) Using or disposing of relief goods, equipment, or other aid commodities not intended for nor consigned to the offender.
- (8) Misrepresenting the source of relief goods, equipment, or other aid commodities by:
 - (i) Covering, replacing, or defacing the labels of the containers to make it appear that the goods, equipment, or other aid commodities came from another source;
 - (ii) Repacking the goods, equipment, or other aid commodities into containers with different markings to make it appear that the items came from another source or were released or distributed upon the instance of particular agencies, offices, or persons; or
 - (iii) Making false verbal claim that the goods, equipment, or other aid commodities came from another source or were released or distributed upon the instance of particular agencies, offices, or persons.
- (9) Substituting or replacing relief goods, equipment, or other aid commodities with the same items of inferior quality.
- (10) Deliberately and intentionally using false data or information in support of requests for funding for projects or relief goods, equipment, or other aid commodities for emergency assistance; and
- (11) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.

(b) The penalties imposed for the commission of any of the above offenses shall be without prejudice to other criminal, civil, and administrative liabilities under other existing laws.

1 (c) If any of the above offenses are committed by a public officer, such offender shall likewise
2 suffer the penalty of perpetual disqualification from public office.

3 (d) If any of the above offenses are committed by a corporation, partnership, or other juridical
4 entity, the penalty shall be imposed upon the officers, partners, or employees of the corporation,
5 partnership, or entity actually responsible therefor. The primary franchise of the offending
6 corporation, partnership, or juridical entity may likewise be revoked by the appropriate
7 government agency, in accordance with law.

8 (e) If any of the above offenses are committed by an alien, the offender shall be deported
9 without further proceedings after service of the penalties imposed upon him or her.

10 (f) The objects and instruments used and all proceeds derived from the commission of the above
11 offenses shall be forfeited in favor of the government.

12
13 **ARTICLE XVI**
14 **DISASTER RESILIENCE FUNDS**
15

16 SEC. 66. *The National Disaster Resilience Fund.* – The National Disaster Risk Reduction
17 and Management Fund shall henceforth be known as the National Disaster Resilience Fund
18 (NDRF). The Department shall promulgate the rules and regulations to govern the allocation,
19 release, and utilization of the NDRF: *Provided, That* Twenty Percent (20%) of the NDRF shall be
20 allocated as a quick response or stand-by fund that shall be used for immediate disaster response
21 and relief and quick recovery measures.

22
23 SEC. 67. *Disaster Resilience Support Fund.* – There is hereby created the Disaster
24 Resilience Support Fund (DRSF), which shall be exclusively used to support programs, projects,
25 and activities for disaster resilience of 3rd to 6th class provinces and municipalities and provinces,
26 cities, and municipalities with high exposure to natural hazards. The appropriation for the DRSF
27 shall be included in the annual General Appropriations Act and the Department shall promulgate
28 the rules and regulations to govern the allocation, release, and utilization of this fund.

29
30 SEC. 68. *Continuity of Appropriations.* – The unexpended and unutilized balances from the
31 National Disaster Resilience Fund and the Disaster Resilience Support Fund shall remain available
32 for release and obligation beyond the period provided for by the annual General Appropriations
33 Acts for the purpose.

34
35 SEC. 69. *Local Disaster Resilience Fund.* – (a) The Local Disaster Risk Reduction and
36 Management Fund shall henceforth be known as the Local Disaster Resilience Fund (LDRF). At
37 least Seven Percent (7%) of the estimated revenue from regular sources of local government units
38 shall be set aside as the LDRF to implement programs, projects, and activities in their Local
39 Disaster Resilience Plans.

- 1 (b) Twenty Percent (20%) of the LDRF shall be allocated as a quick response or stand-by fund
2 that shall be used for prepositioning of relief goods and items, immediate disaster response
3 and relief measures, and early recovery programs in order that the situation and living
4 conditions of people in areas stricken by disasters may be normalized as quickly as possible.
- 5 (c) Eighty Percent (80%) of the LDRF shall be allocated for disaster resiliency programs,
6 projects, and similar activities.
- 7 (d) The unexpended and unutilized balances of the LDRF shall accrue to a trust fund solely for
8 the purpose of supporting disaster risk reduction and management and climate change
9 adaptation projects and activities of the local government unit concerned within the next two
10 (2) fiscal years. Any amount still not fully utilized after two (2) fiscal years shall revert back
11 to the General Fund and shall be available for appropriation for other purposes by the
12 concerned local legislative body.
- 13 (e) Local government units may provide additional funding or allocate additional resources for
14 their disaster resilience programs, projects, and activities.
- 15

16 SEC. 70. *People's Survival Fund.* – The People's Survival Fund shall be administered by
17 the Department and shall be used in accordance with Section 20 of Republic Act No. 9729, as
18 amended by Republic Act No. 10174.

19

20 SEC. 71. *Foreign Financing for Local Disaster Resilience.* – Local government units may
21 obtain foreign financing, in coordination with the DOF, the Bangko Sentral ng Pilipinas, and other
22 appropriate agencies, to implement disaster risk reduction and mitigation, recovery, and
23 rehabilitation measures.

24

25 ARTICLE XVII

26 FINAL PROVISIONS

27

28 SEC. 72. *Abolition of Agencies and Offices.* – (a) The National Disaster Risk Reduction and
29 Management Council, Climate Change Commission and its Climate Change Office, and the
30 Disaster Response Assistance and Management Bureau of the Department of Social Welfare and
31 Development are hereby abolished.

32 (b) All the powers, functions, funds, appropriations, records, data, equipment, facilities, and
33 property of the abolished agencies and offices are hereby transferred to the Department. The
34 Department is hereby subrogated to all the rights and obligations of such abolished agencies and
35 offices.

36 (c) The Department shall, as needed, absorb the personnel of the abolished agencies and
37 offices, without any diminution in their salaries and benefits or loss of rank or seniority.

38 (d) Employees who are separated from the service due to the abolition of the above agencies
39 and offices shall receive separation benefits under the provisions of Republic Act No. 6656 and

1 other applicable laws, rules, or regulations: *Provided*, That those who are qualified to retire under
2 existing laws shall be allowed to and shall receive retirement benefits to which they may be entitled
3 to under applicable laws, rules, and regulations.
4

5 SEC. 73. *Transfer of the Disaster Risk Reduction and Management Functions of the Office*
6 *of Civil Defense.* – (a) The disaster risk reduction and management functions of the Office of Civil
7 Defense (OCD), all its property, equipment, facilities, and assets used for such functions or used in
8 relation thereto, all its records and data relating to disaster risk reduction and management, all its
9 funds and appropriations for disaster risk reduction and management, and its regular personnel
10 performing such functions are hereby transferred to the Department.

11 (b) The OCD shall continue to perform its civil defense functions, as provided in Executive
12 Order No. 292, otherwise known as the *Administrative Code of 1987*, as amended.
13

14 SEC. 74. *Transition.* – (a) The transfer of powers, functions, funds, appropriations, records,
15 equipment, and property to the Department, the formulation of its organizational structure and
16 staffing pattern and administrative system and processes, and the transfer and absorption of
17 personnel shall be completed within one (1) year from the effectivity of this act.

18 (b) Upon the effectivity of this Act, the Secretary of National Defense shall be the *ex officio*
19 Secretary of Disaster Resilience, until the President appoints a Secretary of Disaster
20 Resilience.

21 (c) Until the Department has become appropriately organized and operational, as determined by
22 the Secretary, existing and applicable systems, structures, processes, and protocols in
23 preparing for and responding to disasters shall remain in effect.
24

25 SEC. 75. *Appropriations.* – The amount necessary for the initial implementation of this act
26 shall be taken from the unexpended or unobligated appropriations of agencies and offices, or parts
27 thereof, abolished or transferred under this Act. Thereafter, the amounts necessary for the full
28 implementation of this Act shall be included in the annual General Appropriations Act.
29

30 SEC. 76. *Implementing Rules and Regulations.* – The Department, after due consultation
31 with the Department of Budget and Management, Department of National Defense, Department of
32 the Interior and Local Government, Department of Science and Technology, Department of
33 Finance, the National Economic and Development Authority, and the Presidential Management
34 Staff, shall promulgate the rules and regulations for the implementation of this Act within One
35 Hundred eighty (180) days from its effectivity.
36

37 SEC. 77. *Joint Congressional Oversight Committee on Disaster Resilience.* – There shall be
38 created a Joint Congressional Oversight Committee on Disaster Resilience to monitor the
39 implementation of this Act. The committee shall be composed of six (6) Members of the House of

1 Representatives and six (6) Senators to be designated by the Speaker of the House of
2 Representatives and the President of the Senate, respectively; provided, that, two (2) Members of
3 the House of Representatives and two (2) Senators shall come from the Minority of their respective
4 houses of congress. The committee shall be jointly chaired by a Member of the House of
5 Representatives and a Senator designated by the Speaker of the House of Representatives and the
6 President of the Senate, respectively.

7
8 SEC. 78. *Mandatory Review*. – Within five (5) years after the effectivity of this Act, or as
9 the need arises, the Joint Congressional Oversight Committee on Disaster Resilience shall conduct
10 systematic evaluation of the accomplishments and impact of this Act, as well as the performance of
11 the Department of its mandate and functions, for purposes of determining remedial legislation.

12
13 SEC. 79. *Separability Clause*. – If any provision of this Act shall be declared
14 unconstitutional or invalid, the other provisions or parts thereof not otherwise affected shall remain
15 in full force and effect.

16
17 SEC. 80. *Repealing Clause*. – (a) Republic Act No. 10121, otherwise known as the
18 *Philippine Disaster Risk Reduction and Management Act of 2010*, is hereby repealed

19 (b) Sections 4, 5, 6, 7, 8, 9, 10, 21, and 22 of Republic Act No. 9729, otherwise known as
20 the *Climate Change Act of 2009*, as amended by Republic Act No. 10174, are hereby repealed. All
21 other provisions of the same Act are hereby amended or modified, accordingly.

22 (c) Section 4 of Republic Act No. 10639, otherwise known as the *Free Mobile Disaster*
23 *Alerts Act*, is hereby amended or modified, accordingly.

24 (d) The provisions of Executive Order No. 52, Series 2018, in so far as they are inconsistent
25 with the provisions of this Act, are hereby repealed, amended, or modified, accordingly.

26 (e) All other laws, decrees, executive orders and issuances, proclamations, rules and
27 regulations, and other issuances, or parts thereof, that are inconsistent with the provisions of this
28 Act are hereby repealed, amended, or modified, accordingly.

29
30 SEC. 81. *Effectivity*. – This Act shall take effect fifteen (15) days after its publication in the
31 *Official Gazette* or in a newspaper of general circulation.

32
33 Approved,

**TITLE – “AN ACT ESTABLISHING A NATIONAL DISASTER RESILIENCE POLICY,
CREATING THE DEPARTMENT OF DISASTER RESILIENCE, DEFINING ITS
POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES”**

**ARTICLE I
GENERAL PROVISIONS**

SECTION 1. *Short Title*

SEC.2. *Declaration of Policy*

SEC.3. *Definition of Terms*

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DEPARTMENT OF DISASTER RESILIENCE**

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