

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

EIGHTEENTH (18th) CONGRESS
1st Regular Session
3023
HOUSE BILL NO. _____



Introduced by Hon. WILTER "SHARKY" WEE PALMA II

EXPLANATORY NOTE

With the prevalence of natural disasters such as typhoons, storms surges, earthquakes, volcanic eruptions, it is only right and just to formulate a definitive, precise, and well planned counter measures in order to address potential risk posed by these natural calamities.

As it stands, the Philippines is one of the major countries in South East Asia that are at risk from various natural disasters such as: cyclones, earthquakes, floods, landslides, tsunamis, and volcanic eruptions. In fact according to the Global Facility for Reduction and Recovery (GDFRR), since 1990 the Philippines has been devastated by 565 natural disaster events which claimed the lives of hundreds and thousands of Filipinos and caused billions in damages.

Studies show that an average of 20 typhoons make landfall every year, and due to effect of climate change, these typhoons are getting stronger through time. In 2013, typhoon Yolanda has devastated majority of Visayas and MIMAROPA region. Almost 4.1 million people were greatly affected and over half a million of houses were destroyed and 8,000 people have died or gone missing. With the advent of climate change which could result to stronger typhoons and harsher weather conditions, the arrival of another "Yolanda" is inevitable.

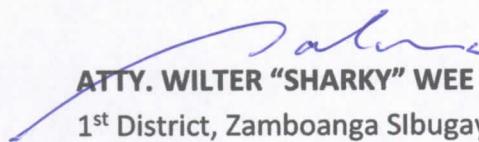
Moreover, the country is also pestered with frequent earthquakes and volcanic eruptions. And with the threat of the "Big One" and other natural calamities of such caliber looming around the corner, it is but right and just that

we arm ourselves with the necessary counter measures aiming to alleviate further deaths and massive damages from future disasters.

As it stands, the National Disaster Risk Reduction Management Council administered by the Office of Civil Defense under the Department of National Defense is the primary agency in charge of spearheading the implementation of emergency disaster risk reduction efforts through its “policy-making, coordination, integration, supervision, monitoring and evaluation” functions. However, despite the presence of such committee, the advent of large scale natural disasters much like typhoon Yolanda have revealed the weaknesses of the NDRRMC in carrying out their responsibility in mainstreaming the various risk reduction management efforts by the government as well as lapses in ensuring that the concerned government agencies are well equipped with the necessary skills, equipment and training to ensure the safety of the citizens before, during and after natural calamities.

With this, the creation of the Department of Disaster Resilience would in turn address the lapses of the NDRRMC by serving as the central agency and is tasked to lead, organize and manage a national effort to reduce disaster risk and prepare for and respond to disasters. Moreover, the Department of Disaster Resilience is also mandated to formulate and integrate various vulnerability and risk reduction policies to be implemented by the local government units, oversee the implementation of streamlined risk reduction policies as well as facilitate the rehabilitation efforts of affected communities and assess the collective progress of their overall quality of life after the events of a natural disaster. As such, with the presence of the department, it will lead towards strengthening the disaster preparedness and response mechanisms of not only the LGU's but also the local field offices in order to preserve the safety of its citizens.

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



ATTY. WILTER "SHARKY" WEE PALMA II
1st District, Zamboanga Sibugay

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

EIGHTEENTH (18th) CONGRESS
First Regular Session
3023
HOUSE BILL NO. _____

Introduced By **HON. WILTER "SHARKY" WEE PALMA II**

AN ACT
CREATING THE DEPARTMENT OF DISASTER RESILIENCE,
DEFINING ITS POWERS AND FUNCTIONS,
AND APPROPRIATING FUNDS THEREFOR

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

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

3 **SEC. 2. Declaration of Policies and Principles.** – (a) Duties of the State.

4 The State shall carry out and harmonize the policies on disaster risk and
5 vulnerability reduction and management, environmental management, and
6 climate change adaptation, and sustainable development to uphold the welfare of
7 the people particularly in the vulnerable sectors of society.

8 The State shall uphold its commitment to the achievement of the
9 sustainable development goals specifically, integrating and implementing policies

10 and plans towards inclusion, resource efficiency, mitigation and adaptation to
11 climate change, resilience to disasters, and develop and implement a holistic
12 disaster risk management at all levels in line with the Sendai Framework for
13 Disaster Risk Reduction 2015-2030.

14 The State shall uphold its commitment to the United Nations Framework
15 Convention on Climate Change (UNFCCC) in the stabilization of greenhouse gas
16 concentrations in the atmosphere at a level that prevents dangerous
17 anthropogenic interference with the climate system, achievable within a time
18 frame sufficient to allow the natural adaptation of the ecosystem to climate
19 change, to ensure food production and food security, and to secure sustainable
20 economic development.

21 The State shall integrate and accelerate the implementation of the
22 principles, and concepts of climate change, disaster risk and vulnerability
23 reduction contained in the Paris Agreement of the United Nations Framework
24 Convention on Climate Change (UNFCCC), the Sendai Framework for Disaster Risk
25 Reduction 2015-2030, the 2015 Asia-Pacific Economic Cooperation (APEC)
26 Disaster Risk Reduction (DRD) Framework, the 2030 Agenda for Sustainable
27 Development Goals (SDGs), and the Philippine Development Plan (PDP) 2017-
28 2022 in various phases of policy formulation, development plans and investments,
29 poverty reduction strategies and other development tools, and techniques by all
30 national and local agencies, institutions and instrumentalities of the government
31 to enhance the country's climate change adaptive capacity.

32 It shall be the duty of the State to:

33 (1) Uphold the people's constitutional right to life and property by
34 minimizing, if not eradicating, the root causes of vulnerabilities to disasters,
35 strengthening the country's institutional capacity for disaster risk and
36 vulnerability reduction and management, and building the resilience of local
37 communities to disasters including climate change impacts, and human induced
38 disasters;

39 (2) Incorporate internationally accepted principles of disaster risk and
40 vulnerability reduction and management, and climate change adaptation

41 including universal principles and standards for humanitarian assistance,
42 developing and implementing national, regional and local sustainable
43 development and poverty reduction strategies, policies, plans and budgets, as
44 part of the country's commitment to overcome human suffering due to disasters;

45 (3) Ensure a science-based in a whole-of-society approach and bottom-up
46 participation, representation, and decision-making in climate-disaster risk
47 governance, risk assessment, risk reduction and risk management, and adopt a
48 comprehensive, integrated, and proactive approach to lessening the
49 socioeconomic and environmental impacts of disasters and climate change;

50 (4) Promote and advance the implementation of a comprehensive Disaster
51 Risk and Vulnerability Reduction Plan (DRVRP) that aims to strengthen the
52 capacity of the national government and local government units (LGUs), together
53 with development partner stakeholders, build the disaster resilience of
54 communities, and institutionalize arrangements and measures for reducing
55 disaster risk including projected climate risks, and enhance disaster preparedness
56 and response capabilities at all levels;

57 (5) Recognize the role of, and work with international humanitarian and
58 development partners especially those with established presence in the country;

59 (6) Develop, maintain, and ensure the accessibility of climate and geospatial
60 information and services to the public through Open Data, which means data that
61 can be freely used, reused, and redistributed by anyone, subject to limitations on
62 account of national security considerations. This may include the use of impact-
63 based forecast models, and probabilistic hazard maps;

64 (7) Ensure that disaster risk and vulnerability reduction and climate change
65 adaptation measures are gender, disability, and vulnerability sensitive, and
66 culturally sensitive, recognizing indigenous knowledge systems and practices, and
67 respecting human rights;

68 (8) Recognize and strengthen the capacities of LGUs, communities and
69 multiple stakeholders in mitigating and preparing for, responding to, and
70 recovering from the impact of disasters through identification of local risk

71 patterns, and decentralized powers, responsibilities, and resources at the regional
72 and local levels;

73 (9) Adopt and implement a comprehensive, integrated, efficient and
74 responsive disaster risk and vulnerability reduction program that is incorporated
75 in the development plan at various levels of government adhering to
76 transparency accountability and other principles of good governance within the
77 context of poverty alleviation and environmental protection;

78 (10) Mainstream disaster risk and vulnerability reduction in government by
79 ensuring the risk-informed planning programming, implementation, monitoring,
80 and evaluation, and the use of quality management, accountability, and
81 performance systems in measuring, and improving the effectiveness and
82 efficiency of disaster risk and vulnerability reduction management processes
83 across all government levels, including those offices which manage peace
84 processes and conflict-resolution approaches, so as to minimize loss of lives and
85 damage to properties and ensure that communities in conflict zones can
86 immediately resume their normal lives at the conclusion of episodes of
87 intermittent conflicts;

88 (11) Adopt a disaster risk and vulnerability reduction and management
89 approach that is holistic, comprehensive, integrated, and proactive in lessening
90 the socioeconomic and environmental impacts of disasters including climate
91 change, promote the involvement and participation of all sectors and all
92 stakeholders concerned, at all levels, especially the local community;

93 (12) Prioritize the development of disaster prevention and mitigation
94 measures involving all levels of society abd government;

95 (13) Adopt risk sharing and risk transfer mechanisms to ensure the
96 appropriate, efficient, and timely recovery of disaster-stricken communities,
97 especially for the poorest and most vulnerable;

98 (14) Adhere to the principle of “Build Forward Better” in recovery and
99 rehabilitation efforts by applying sustainable standards, programs, technologies,
100 and techniques which enhance resilience against future hazards;

101 (15) Recognize and respond to the differentiated concerns and needs of
102 vulnerable groups such as women and girls, children and youth, older persons
103 with disabilities, urban poor, and indigenous peoples with respect to disaster risk
104 reduction and management, at the same time, recognizing their inherent
105 capacities to contribute to resilience;

106 (16) Create an enabling environment for substantial and sustainable
107 participation of civil society organizations (CSOs), private groups, volunteers and
108 communities, and recognize their contributions to the disaster risk reduction and
109 management efforts of the government;

110 (17) Ensure the use of advanced science and the most up-to-date
111 technologies in climate change adaptation, disaster risk, and vulnerability
112 reduction and management through engagement, consultation, and employment
113 with a regular department funding of academe or higher education institutions,
114 such as the University of the Philippines Resilience Institute, University of the
115 Philippines Nationwide Operational Assessment of Hazards Center and other
116 scientific research and academic institutions that have a track record and
117 expertise recognized both locally and internationally as well as the capacity to
118 implement the science and engineering requirements necessary for effective
119 climate change adaptation, and disaster risk and vulnerability reduction;

120 (18) Ensure workers' rights are proactively respected during the disaster
121 preparedness and response, and actively engage workers' and employers'
122 organizations to share expertise and capacities in disaster risk reduction and
123 climate change adaptation programs;

124 (19) Ensure transparency and accountability in climate-disaster risk
125 governance by facilitating access to financial records of public funds and disaster
126 risk and vulnerability reduction and management data, and ensure the
127 transparency of humanitarian assistance from all sources;

128 (20) Adopt and manage a mechanism for the effective resolution of climate
129 change, disaster risk, and vulnerability reduction and management related to
130 grievances;

131 (21) Recognize families as the most basic unit of disaster risk and
132 vulnerability reduction and management and climate change adaptation by
133 developing the capacity of local institutions and providing technical assistance
134 and financial support to the most vulnerable communities;

135 (22) Ensure that the best possible assistance and services are delivered to
136 individuals and families affected by disaster and emergency rehabilitation
137 projects to guarantee the resumption of normal social and economic activities;

138 (23) Establish and maintain the National Loss and Damage Registry; and

139 (24) Mainstream gender and social inclusion in all aspects of the
140 Department of Disaster Resilience work from planning, monitoring, to evaluation.

141 (b) Roles and Responsibilities of Stakeholders. The commitment, goodwill,
142 knowledge, experience, and resources of relevant stakeholders are critical to
143 realize a safer, adaptive, resilient and inclusive Filipino community. Citizens shall
144 have the shared vision and duty to provide support to the State in the
145 implementation of policies and programs, particularly the Disaster Resilience
146 Framework and Plan at the national, regional, and local levels.

147 (1) Civil society organizations, nongovernmental organizations,
148 international nongovernmental organizations, private sector, practitioners of
149 climate and disaster mitigation, organized voluntary work organizations and
150 community-based organizations shall participate, in collaboration with public
151 institutions, to *inter alia*, provide specific knowledge and pragmatic guidance in
152 the context of the development and implementation of normative frameworks,
153 standards and plans for disaster risk and vulnerability reduction; engage in the
154 implementation of local, national, regional, and global plans and strategies;
155 contribute to and support public awareness, a culture of protection, prevention
156 and conservation, and education on disaster risk; and advocate for resilient
157 communities and an inclusive and whole of society risk reduction and
158 management which shall strengthen the synergies across groups, as appropriate;

159 (2) Women and Girls shall contribute to and participate in effectively
160 managing disaster risk and designing, resourcing, and leading implementation of

161 gender sensitive disaster risk and vulnerability reduction and management
162 policies, plans, and programs;

163 (3) Children and the youth as agents of change shall endeavour to actively
164 contribute to disaster risk and vulnerability reduction, in accordance with
165 legislation, national practice, and educational curricula; disaster risk reduction
166 and management at all levels and processes of disaster risk and vulnerability
167 reduction and anticipatory adaption, including data gathering, planning,
168 programming, budgeting, implementation, monitoring and evaluation;

169 (4) For citizens having years of knowledge, skills on climate change
170 adaptation and disaster risk reduction and wisdom are invaluable assets to
171 reducing disaster risk, and shall therefore participate in the design of policies,
172 plans and mechanisms, including those of early warning;

173 (5) Persons with disabilities, through their existing network or
174 organizations, shall participate in activities related to assessment, programming,
175 and the designs of policies, plans, and mechanisms;

176 (6) Migrants shall contribute to the resilience of communities and societies
177 using their knowledge, skills and capacities in the design and implementation of
178 disaster risk and vulnerability reduction and climate change adaptation;

179 (7) Indigenous peoples and Muslim Filipinos, through their practical
180 experience and traditional knowledge, shall contribute to the development and
181 implementation of policies, plans and mechanisms, including for early warning;

182 (8) Urban and rural poor shall contribute to resilience building as well as in
183 the promotion of a more inclusive and transformative resettlement for informal
184 settler families in reducing their vulnerability to threats of disaster and climate
185 risks through state and non-state programs;

186 (9) Farmers and fisherfolk shall contribute to the promotion and protection
187 of the environmental resource management that will secure food and nutrition
188 resilience through the integration of disaster risk and vulnerability reduction into
189 sustainable development policies and planning;

190 (10) Emergency responders, community practitioners, and organized
191 volunteer organizations shall contribute to resilience by providing training on
192 basic life support, first aid, and search and rescue, in accordance with the
193 standards provided by the Research, Education, and Training Institute of the
194 Department;

195 (11) Academic and scientific and research entities and networks are
196 encouraged to focus on their research efforts on disaster risk factors and
197 scenarios, including emerging disaster risks, in the medium- and long term;
198 partner with government and increase research for regional, national and local
199 application; support action by local communities and authorities; and support the
200 interface between policy and science for decision-making;

201 (12) Businesses, private sector financial institutions, professional
202 associations, as well as philanthropic foundations together with financial
203 regulators shall be encouraged to integrate disaster risk management, including
204 business continuity, into business models and core business values and practices
205 via disaster risk-informed investments, especially in micro, small and medium-
206 sized enterprises; engage in awareness-raising and training for their employees
207 and customers; engage in and support research and innovation as well as
208 technological development for disaster risk management; share and disseminate
209 knowledge, practices and data; and actively participate, as appropriate under the
210 guidance of the public sector, in the development of normative frameworks and
211 technical standards that incorporate disaster risk management; and

212 (13) The media shall take an active and inclusive role at the local, regional,
213 and national levels in contributing to the raising of public awareness and
214 understanding, and disseminate accurate disaster risk, hazard and disaster
215 information, including on small scale disasters, in a simple, transparent, easy-to-
216 understand and accessible manner, in close cooperation with national and local
217 authorities, adopt specific disaster risk and vulnerability reduction communication
218 policies, support, as appropriate, early warning systems and life-saving protective
219 measures; and stimulate a culture of prevention and strong community

220 involvement in sustained public education campaigns and public consultations at
221 all levels of society, in accordance with national practices.

222 **SEC. 3. *Definition of Terms.*** - As used in this Act:

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

226 (b) *Assisting Actor* refers to any Assisting International Actor and any
227 Assisting Domestic Actor responding to a disaster in the country.

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

230 (d) *Assisting International Actor* refers to any foreign state, organization,
231 entity or individual responding to a disaster within or transiting through the
232 country to respond to a disaster in another country.

233 (e) *Build Forward Better* refers to an approach to building and/or
234 reconstructing an area or community, which entails a shift from simple recovery
235 and restoration to safer, more adaptive, resilient, and inclusive communities.

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

242 (g) *Civil Society Organizations (CSOs)* refer to non-state actors whose aims
243 are neither to generate profits nor to seek governing power, but to unite people
244 to advance shared goals and interests. They have a presence in public life,
245 expressing the interests and values of their members or others, based on ethical,
246 cultural, scientific, religious or philanthropic considerations. CSOs include
247 nongovernment organizations (NGOs), professional associations, foundations,

248 independent research institutes, community-based organizations (CBOs), faith-
249 based organizations, people's organizations, social movements, and labor unions.

250 (h) *Climate Change* refers to a change in the state of the climate that can be
251 identified by changes in the mean and/or the variability of its purposes, and that
252 persists in an extended period, typically decades or longer, whether due to
253 natural variability or as a result of human activity as defined under Republic Act
254 No. 9729, otherwise known as the "Climate Change Act of 2009". These include
255 internal processes or external forces such as modulation of the solar cycles,
256 volcanic eruptions and persistent anthropogenic changes in the composition of
257 the atmosphere or in land use.

258 (i) *Climate Change Adaptation* refers to the adjustment in natural or human
259 systems in response to actual or expected climatic stimuli or their effects, which
260 moderate harm or exploits beneficial opportunities.

261 (j) *Climate Finance* refers to finance that aims to reducing emissions, and
262 enhancing sinks of greenhouse gases and aims at reducing vulnerability of, and
263 maintaining, and increasing the resilience of, human and ecological systems to
264 negative climate change impacts.

265 (k) *Community-Based Disaster Risk Reduction and Management (CBDRRM)*
266 refers to a process of disaster risk reduction and management in which at risk
267 communities are actively engaged in the identification, analysis treatment,
268 monitoring and evaluation of disaster risks in order to reduce their vulnerabilities
269 and enhance their capacities, and where the people are at the heart of decision-
270 making and implementation of disaster risk reduction and management activities.

271 (l) *Complex Emergency* refers to a form of human-induced emergency in
272 which the cause of the emergency as well as the assistance to the afflicted is
273 complicated by intense level of political considerations.

274 (m) *Contingency Planning* refers to a management process that analyses
275 specific potential events or emerging situations that might threaten society or the
276 environment and establishes arrangements in advance to enable timely, effective
277 and appropriate responses to such events and situations.

278 (n) *Dangerous Anthropogenic Interference* refers to the effect in the climate
279 system as a result of the increase of greenhouse gas concentrations in the
280 atmosphere that leads to widespread climate change impacts such as widespread
281 demise of coral reefs.

282 (o) *Disability* refers to an evolving concept that results from the interaction
283 between persons with impairments, societal barriers, as defined under Republic
284 Act No. 7277, and attitudinal and environmental barriers that hinder their full and
285 effective participation in society on an equal basis with others.

286 (p) *Disaster* refers to a serious disruption of the functioning of a community
287 or a society involving widespread human, material, economic or environmental
288 losses and impacts, which exceeds the ability of the affected community or
289 society to cope using its own resources.

290 (q) *Disaster Mitigation* refers to the lessening or limitation of the adverse
291 impacts of hazards and related disasters. Mitigation measures encompass
292 engineering techniques and hazard-resistant construction as well as improved
293 environmental policies and public awareness, land use planning, and climate
294 change.

295 (r) *Disaster Preparedness* refers to the knowledge and capacities developed
296 by governments, professional response and recovery organizations, communities
297 and individuals to effectively anticipate, respond to, and recover from, the
298 impacts of likely, imminent or current hazard events or conditions. It includes
299 preparedness for response such as contingency planning, stockpiling of
300 equipment and supplies, the development of arrangements for coordination,
301 evacuation, and public information, and preparedness for recovery such as
302 procurement of land for resettlement sites.

303 (s) *Disaster Prevention* refers to the outright avoidance of adverse impacts
304 of hazards. It expresses the concept and intention to completely avoid potential
305 adverse impacts through action taken in advance such as construction of dams or
306 embankments that eliminate flood risks, land-use regulations that do not permit
307 any settlement in high-risk zones, and seismic engineering designs that ensure the
308 survival and function of a critical building in any likely earthquake.

309 (t) *Disaster Response* refers to the provision of emergency services and
310 public assistance during or immediately after a disaster in order to secure and
311 save lives, reduce health impacts, ensure public safety and meet the basic
312 subsistence needs of the people affected. Disaster response includes disaster
313 relief focused on immediate and short-term needs of the victims and the
314 vulnerable.

315 (u) *Disaster Risk* refers to the potential disaster losses in lives, health status,
316 livelihoods, assets and services that could occur to a particular community or
317 society in the future, and is determined by a combination of the vulnerability,
318 capacity, exposure of persons and assets, hazard characteristics and the
319 environment.

320 (v) *Disaster Risk Governance* refers to the way in which public authorities,
321 civil servants, media, private sector, and civil society coordinate at community,
322 national and regional levels in order to manage disaster and climate related risks.
323 This means ensuring that sufficient levels of capacity and resources are made
324 available to prevent, prepare for, manage, and recover from disasters. It also
325 entails mechanisms, institutions, and processes for citizens to articulate their
326 interests, exercise their legal rights and obligations, and mediate their differences.

327 (w) *Disaster Risk Management* refers to the systematic process of using
328 administrative directives, organizations, and operational skills and capacities to
329 implement strategies, policies and improved coping capacities in order to lessen
330 the adverse impacts of hazards and the possibility of disaster.

331 (x) *Disaster Risk Reduction* refers to the concept and practice of reducing
332 risks through systematic efforts to analyse and manage the causal factors of
333 disasters, including through reduced exposure to hazards, lessened vulnerability
334 of people and property, wise management of land and the environment, and
335 improved preparedness for adverse events.

336 (y) *Disaster Risk and Vulnerability Reduction (DRVR)* refers to the concept
337 and practice of reducing potential loss of life, injury, or destroyed or damaged
338 assets or disruption which could occur to a system, society or a community in a
339 specific period of time, determined probabilistically and conditions determined by

340 physical, social, economic and environmental factors or processes which increase
341 the susceptibility of an individual, a community, assets or system to the impacts
342 of hazards through systematic efforts to analyse and reduce the causal factors of
343 disasters all of which contribute to strengthening resilience and therefore to the
344 achievement of sustainable development.

345 (z) *Disaster Risk Reduction and Management Information System* refers to a
346 specialized database which contains, among others, information on disasters and
347 their human, material, economic, and environmental impact, risk assessment and
348 mapping, and vulnerable and marginalized groups.

349 (aa) *Early Warning System* refers to the set of capacities needed to
350 generate and disseminate timely and meaningful warning information to enable
351 individuals, communities and organizations threatened by a hazard to prepare
352 and to act appropriately and in sufficient time to reduce the possibility of harm or
353 loss. A people-centered early warning system necessarily comprises four (4) key
354 elements: knowledge of the risks; monitoring, analysis and forecasting of the
355 hazards; communication or dissemination of alerts and warnings; and local
356 capabilities to respond to the warnings received. The concept of “end-to-end
357 warning system” emphasizes that warning systems need to span all steps from
358 hazard detection to community response. Early warning systems include systems
359 developed at the level of communities or based on indigenous knowledge.

360 (bb) *Ecosystem Management and Restoration* refers to an integrated
361 process to conserve, improve and restore the health of the ecosystem that
362 sustains ecosystem services for human well-being.

363 (cc) *Eligible Assisting Actor* refers to any assisting actor that has been
364 determined to be eligible to receive legal facilities as provided in this Act and its
365 implementing rules and regulations.

366 (dd) *Emergency* refers to unforeseen or sudden occurrence, especially
367 danger, demanding immediate action.

368 (ee) *Emergency Management* refers to the organization and management
369 of resources and responsibilities for addressing all aspects of emergencies, in
370 particular preparedness, response and initial recovery steps.

371 (ff) *Exposure* refers to the degree to which the elements at risk are likely to
372 experience hazard events of different magnitudes.

373 (gg) *Gender-Based Violence* refers to violence that is directed against a
374 woman because of her gender, or that affects women disproportionately. It
375 includes acts that inflict physical, mental or sexual harm or suffering, threats of
376 such acts, coercion and other deprivations of liberty.

377 (hh) *Geographic Information System (GIS)* refers to a system used to
378 capture, store, manipulate, manage and display all types of spatial or geographical
379 data.

380 (ii) *Geographically Isolated and Disadvantaged Area (GIDA)* refers to areas
381 with a marginalized population which is physically and socioeconomically
382 separated from the mainstream society and characterized by physical factors, and
383 isolated due to distance, weather conditions and transportation difficulties in
384 island, upland, lowland, landlocked, hard to reach and underserved communities;
385 and/or socioeconomic factors such as high poverty incidence, presence of
386 vulnerable sectors, communities in or recovering from situation of crisis or armed
387 conflict.

388 (jj) *Hazard* refers to dangerous phenomenon, either natural or human-
389 induced, that may cause loss of life, injury or other health impacts, property
390 damage, loss of livelihood and services, social and economic disruption, or
391 environmental damage.

392 (kk) *Human-Induced Hazard* refers to an event caused by humans and
393 occurs in or close to human settlements or a particular environmental area. This
394 can include environmental degradation, technological or industrial conditions,
395 pollution, accidents such as high density events, industrial and transport
396 accidents, complex emergencies, armed conflict, situations of generalized or
397 organized violence, and violation of human rights.

398 (ii) *Imminent Danger* refers to a situation where, on the basis of official
399 forecasts, a disaster will or is expected to occur in a particular geographical area
400 and within an estimated period of time, and where necessary preparedness
401 actions or financing are required.

402 (mm) *International Disaster Relief and Initial Recovery Period* refers to the
403 period which commences upon the issuance of a request for international
404 disaster assistance or upon acceptance of an offer, and shall continue until
405 terminated pursuant to guidelines set in the implementing rules and regulations.

406 (nn) *Internally Displaced Persons* refers to persons or groups of persons
407 who have been forced or obliged to flee or to leave their homes or places of
408 habitual residence within national borders, in particular as a result of or in order
409 to avoid the effects of armed conflict, situations of generalized and/or organized
410 violence, violations of human rights, implementation of development projects, or
411 natural or human-induced disasters.

412 (oo) *International Personnel* refers to the staff and volunteers of any
413 assisting actor providing disaster relief or initial recovery assistance, being
414 persons who are neither citizens of, nor domiciled in the Philippines prior to their
415 recruitment by the international assisting actor.

416 (pp) *Land-Use Planning* refers to the process undertaken by public
417 authorities to identify, evaluate and decide on different options the use of land,
418 including consideration of long-term economic, social and environmental
419 objectives and the implications for different communities and interest groups,
420 and the subsequent formulation and promulgation of plans that describe the
421 permitted or acceptable uses.

422 (qq) *Legal Facilities* refer to special entitlements and exemptions that are
423 made available to eligible assisting actors under this Act.

424 (rr) *Mitigation* refers to effort to reduce or limit greenhouse gas emissions
425 or enhance greenhouse gas sequestration.

426 (ss) *National Continuity Policy* refers to a policy aimed at the development
427 of an organizational culture that has the ability to provide a minimum level of

428 service during interruptions, emergencies, and disasters, and return to full
429 operations quickly.

430 (tt) *National Disaster Risk Reduction and Management Framework* refers to
431 the comprehensive, all hazards, multi-sectoral, inter-agency and community
432 based approach to disaster risk reduction and management.

433 (uu) *National Disaster Resilience Plan (NDRP)* refers to the document to be
434 formulated by the National Disaster Resilience Council (NDRC) and implemented
435 by the Authority that sets out goals and specific objectives for reducing disaster
436 risks together with related actions to accomplish these objectives. The NDRP shall
437 provide for the identification of hazards, vulnerabilities, and risks to be managed
438 at the national level; disaster risk reduction and management approaches and
439 strategies to be applied in managing said hazards and risks; agency roles,
440 responsibilities and lines of authority at all government levels; and a vertical and
441 horizontal coordination of disaster risk reduction and management in the pre-
442 disaster and post-disaster phases. It shall be in conformity with the national
443 disaster risk reduction and management framework.

444 (vv) *Natural Hazard* refers to naturally occurring physical phenomena cause
445 either by rapid or slow onset events which can be geological such as earthquakes,
446 ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity;
447 hydrological and meteorological such as floods, sever winds, typhoons, storm
448 surges, climatological variability such as extreme temperatures, El Nino, La Nina,
449 forest fires, or biological such as disease, epidemics and insect/animal plagues.

450 (ww) *Open Data* refer to facts and statistics that can be freely used, shared
451 and built-on by anyone, anywhere, for any purpose. These must be available in
452 bulk, should be available free of charge, or at least at no more than a reasonable
453 reproduction cost. The information should be digital, preferably available by
454 downloading through the internet, and easily processed by a computer. These
455 must permit people to use, reuse, and redistribute, intermix with other data
456 providers. These do not allow conditions to be placed on how people can use
457 Open Data, but permit a data provider to require that data users credit them in

458 some appropriate way, clarify if the data have been changed, or that new
459 datasets created using their data are also shared as open data.

460 (xx) *Persons with Disabilities* refer to individuals who have long-term
461 physical, mental, intellectual or sensory impairments which in interaction with
462 various barriers may hinder their full and effective participation in society on an
463 equal basis with others.

464 (yy) *Pre-Disaster Risk Assessment* refers to a process to evaluate a hazard's
465 level of risk given the degree of exposure and vulnerability in a specific area likely
466 to be affected by an imminent hazard. It presents the possible impacts on the
467 population and provides a basis to determine the appropriate level of response
468 actions of government agencies from the national to the local levels. It is hazard-
469 specific, area focused and time-bound.

470 (zz) *Post-Disaster Recovery* refers to the restoration and improvement,
471 where appropriate, of facilities, livelihood, and living conditions of disaster-
472 affected communities, including efforts to reduce disaster risk factors, in
473 accordance with the principle of "Build Forward Better".

474 (aaa) *Private Sector* refers to private corporations, households, non-profitint
475 institutions serving households, and other economic enterprises outside of
476 government.

477 (bbb) *Public Sector Employee* refers to all persons in the civil service.

478 (ccc) *Recovery* refers to rehabilitation measures that ensure the ability of
479 affected communities or areas to restore their normal level of functioning by
480 restoring livelihoods and services, reconstructing damage infrastructures and
481 increasing the communities' organizational capacity.

482 (ddd) *Resilience* refers to the ability of a system, community or society
483 exposed to hazards to resist, absorb, adapt to, transform, accommodate, and
484 recover from the effects of a hazard in a timely and efficient manner, including
485 through the preservation and restoration of its essential basic structures and
486 functions through risk management in such ways as to enhance their capacities to
487 withstand current and future risk.

488 (eee) *Response* refers to any effort to provide assistance or intervention
489 during or immediately after a disaster to meet the life preservation and basic
490 subsistence needs of affected people and in the restoration of essential public
491 activities and facilities.

492 (fff) *Risk Assessment* refers to a methodology which includes risk
493 assessment with mapping to determine the nature and extent of risk by analysing
494 potential hazards and evaluating existing conditions of vulnerability that together
495 could potentially harm exposed people, property, services, livelihood and the
496 environment on which they depend.

497 (ggg) *Probabilistic Risk Assessment* refers to the simulation of those future
498 disasters based on scientific evidence, which are likely to occur. As a result, these
499 risk assessments resolve the problem posed by the limits of historical data.
500 Probabilistic models “complete” historical records by reproducing the physics of
501 the phenomena and recreating the intensity of a large number of synthetic
502 events. Probabilistic Risk Assessment considers all possible scenarios, their
503 likelihood, and associated impacts. It is characterized by the inherent uncertainties
504 partly related to the natural randomness of hazards, and partly because of
505 incomplete understanding and measurement of the hazards, exposure, and
506 vulnerability.

507 (hhh) *Deterministic Risk Assessment* refers to an assessment that considers
508 the possible disaster impacts of a single scenario. This is in contrast to
509 probabilistic risk assessment which considers all possible scenarios, their
510 likelihood, and associated impacts.

511 (iii) *Risk Transfer* refers to the process of formally or informally shifting the
512 financial consequences of particular risks from one party to another whereby a
513 household, community, enterprise, or state authority will obtain resources from
514 the other party after a disaster occurs, in exchange for on-going or compensatory
515 social or financial benefits provided to that other party.

516 (jjj) *State of Calamity* refers to a condition involving mass casualty and/or
517 major damage to property, disruption of means of livelihoods, roads, and normal

518 way of life of people in the affected areas as a result of the occurrence of natural
519 or human-induced hazard.

520 (kkk) *Sustainable Development* refers to development that meets the needs
521 of the present without compromising the ability of future generations to meet
522 their own needs.

523 (III) *Vital Facility Items* refer to government risk reduction and preparedness
524 equipment, accessories and other items such as radars, weather forecasting
525 equipment, flood monitoring instruments, seismographs, tsunami warning
526 systems, and automated weather systems.

527 (mmm) *Vulnerability* refers to the characteristics and circumstances of a
528 community, system or asset that will make it susceptible to the damaging effects
529 of a hazard. Vulnerability may arise from various physical, social, economic, and
530 environmental factors.

531 (nnn) *Vulnerable and Marginalized Groups* refer to those who are at risk
532 due to poverty and other underlying risk factors including women, children, the
533 elderly, differently-abled people, and ethnic minorities.

534 (ooo) *Whole-of-Society Approach* refers to the meaningful participation
535 and synergy of stakeholders that represent different interests in all aspects of
536 climate change adaptation, disaster risk reduction and management across all
537 levels.

538 (ppp) *Whole-of-Government Approach* refers to an approach that
539 integrates the collaborative efforts of the government departments and agencies
540 to achieve unity of effort toward a shared goal to broaden the government's
541 options, and increases efficiency to maximize all available resources in a
542 collaborative effort.

543 (qqq) *Whole-of-Nation Approach* refers to an approach that seeks to bring
544 about a concerted effort towards national peace and security by creating
545 consensus and understanding of security that is shared not just among core
546 security forces and oversight government institutions, but also by civil society and
547 all the nation's communities.

548 (rrr) *Youth* refers to those persons aged fifteen (15) to thirty (3) years old,
549 as provided for under Republic Act No. 8044, otherwise known as "Youth in
550 Nation-Building Act".

551

552 CHAPTER II

553 DEPARTMENT OF DISASTER RESILIENCE

554 **SEC. 4. *Creation of the Department of Disaster Resilience.*** - There is hereby
555 created a Department of Disaster Resilience, hereinafter referred to as the
556 Department,

557 The Department shall be the primary government agency responsible for
558 leading, organizing, and managing the national effort to reduce disaster risk,
559 prepare for and respond to disasters, recover and rehabilitate, and "Build
560 Forward Better" after the occurrence of disasters.

561 The Department shall oversee and coordinate the preparation,
562 implementation, monitoring, and evaluation of disaster and climate change
563 resilience plans, programs, projects, and activities, provide leadership in the
564 continuous development of strategic and systematic approaches to disaster
565 prevention, mitigation, preparedness, response, recovery and rehabilitation, to
566 anticipatory adaptation strategies, measures, techniques and options.

567 The Department shall augment the capacity of LGUs in collaboration with
568 relevant national government agencies and other stakeholders to implement
569 disaster risk reduction and management and climate change action plans,
570 programs, projects, and activities.

571 **SEC. 5. *Powers and Functions of the Department.*** – The Department shall
572 exercise and perform the following powers and functions:

573 (a) Risk Reduction

574 (1) Oversee, direct, and undertake programs and projects to identify,
575 assess, prioritize and localize hazards and risks in the country, in consultation with

576 national government agencies, LGUs, communities, and stakeholders that shall be
577 involved in disaster risk reduction efforts.

578 (2) Monitor and ensure the integration of disaster risk and vulnerability
579 reduction and management and climate change adaptation policies into national
580 development plans;

581 (3) Design and implement an incentive system for greater private and
582 public investment, both local and national, in disaster risk reduction:

583 (4) Oversee and ensure the mainstreaming of climate change adaptation
584 and disaster risk reduction in development planning, including disaster-proofing
585 and climate-proofing of land-use plans and the preparation of contingency plans;

586 (5) Create an enabling environment for the design of relevant and
587 appropriate risk-sharing and risk-transfer instruments;

588 (6) Create an enabling environment that shall promote broader multi-
589 stakeholder participation and integrate climate change mitigation, adaptation,
590 and disaster risk and vulnerability reduction;

591 (7) Coordinate directly with LGUs and private entities to address climate
592 vulnerabilities and disaster risk assessment (CVDRA) of regions and provinces at
593 the meso-scale, cities and municipalities at the micro-scale, and barangays at the
594 meta-scale;

595 (8) Establish and monitor local and national capacity for disaster risk
596 financing and insurance and other risk transfer strategies in coordination of the
597 Department of Finance (DOF), the Government Service Insurance System (GSIS)m
598 and the Land Bank of the Philippines (LBP);

599 (9) Formulate the National Disaster Resilience Framework, National
600 Disaster Resilience Plan, and the National Continuity Policy;

601 (10) Oversee and direct the comprehensive implementation of disaster risk
602 reduction and climate change adaptation and mitigation policies, plans, and
603 programs, as embodied in the National Disaster Resilience Framework and
604 National Disaster Resilience Plan;

605 (11) Coordinate directly with LGUs and private entities to address Disaster
606 Risk Assessment (DRA) of regions and provinces at the meso-scale, cities, and
607 municipalities at the micro-scale, and barangays at the meta-scale; and

608 (12) Review and evaluate local disaster resilience plans and other local
609 plans to ensure their consistency with the Climate Disaster Resilience Framework
610 and Plan.

611 (b) Disaster Preparedness and Response

612 (1) Oversee and maintain a national early-warning and emergency alert
613 system that shall provide accurate, timely, and accessible information to national
614 and local emergency response organizations and the general public;

615 (2) Coordinate information-sharing and other risk reduction protocols
616 following the principle of interoperability among national government agencies
617 and LGUs;

618 (3) Establish and maintain a national humanitarian logistics system with a
619 network of warehouses, transport, and resources, including response assets and
620 disaster relief items, such as food and non-food items;

621 (4) Exercise command and control over relevant government agencies,
622 including government-owned and –controlled corporations, the Philippine
623 National Police and other law enforcement agencies, during an imminent or
624 actual disaster. Such command and control shall include the authority to utilize
625 available services, assets, equipment, personnel, facilities, and other resources;

626 (5) Call on the reserve force, as defined in Republic Act No. 7077, otherwise
627 known as the “Citizen Armed Force or Armed Forces of the Philippines Reservist
628 Act”, to assist in relief and rescue operations during disasters;

629 (6) Work with the private sector and CSOs for assistance with regard to the
630 use of facilities and resources for the protection and preservation of life and
631 property;

632 (7) Implement pre-disaster risk assessments to include deployment of rapid
633 assessment teams to gather information for precise actions as a basis for
634 emergency preparedness and humanitarian response;

635 (8) Organize, train, equip, and maintain a system of response capacity for
636 search, rescue, and retrieval, and the delivery and distribution of relief goods;

637 (9) Monitor and support LGUs in the management of evacuation centers
638 and ensure the welfare and dignity of internally displaced personas;

639 (10) Procure goods and services during emergencies, in accordance with
640 existing emergency procurement rules and regulations;

641 (11) Issue special procurement rules and regulations for preparedness,
642 response, and recovery activities, including those prompted by a declaration of a
643 state of calamity or of an imminent disaster; and

644 (12) Assist in mobilizing the necessary resources to increase the overall
645 capacity of LGUs, specifically those with low income and situated in high-risk
646 areas.

647 (c) Rehabilitation and Recovery

648 (1) Prepare, organize, lead, implement, and manage post-disaster
649 assessment and recovery and rehabilitation programs, in coordination with the
650 affected LGUs, national government agencies, and other stakeholders;

651 (2) Implement the cluster approach to expedite reconstruction efforts and
652 orchestrate and serve as the clearinghouse for the participation of assisting actors
653 in such efforts; and

654 (3) Ensure that the principle of “Build Forward Better” is applied to
655 rehabilitation and recovery efforts.

656 (d) Other Powers and Functions

657 (1) Provide or designate a secretariat to the Climate Change Commission;

658 (2) Establish and monitor local and national capacity for climate-disaster
659 risk financing and insurance and other risk transfer strategies in coordination with

660 the Department of Finance (DOF), the Government Service Insurance System
661 (GSIS), and the Land Bank of the Philippines (LBP);

662 (3) Coordinate information-sharing and other disaster risk and vulnerability
663 reduction and climate change adaptation protocols following the principle of
664 interoperability among national government agencies and LGUs before, during,
665 and after a disaster. Administer, oversee, and monitor the utilization of the
666 National Disaster Resilience Fund (NDRF), the disaster Resilience Support Funds
667 (DRSF) for third (3rd) to sixth (6th) class provinces and municipalities, and other
668 grants and donations for disaster risk reduction and management and climate
669 change adaptation, unless otherwise specified;

670 (4) Receive, administer, mobilize, and monitor and oversee the utilization of
671 the National Disaster Resilience Fund, the Prevention, Mitigation, and
672 Preparedness Fund for third (3rd) to sixth (6th) Class Provinces and Municipalities,
673 and donations for disaster risk and vulnerability reduction and management and
674 climate change adaptation, unless otherwise specified;

675 (5) Use of advanced science and technologies in disaster risk reduction and
676 management by engaging, consulting with, employing and regularly funding the
677 academe or higher education and research institutions such as the University of
678 the Philippines Resilience Institute and University of the Philippines Nationwide
679 Operational Assessment of Hazards Center or other institutions that have a
680 recognized and credible track record, as well as the capacity to conceptualize and
681 implement the science and engineering requirements necessary for effective
682 climate change adaptation and disaster risk reduction;

683 (6) Establish a disaster resilience information system to facilitate the
684 creation of an integrated risk assessment platform that is built from the inputs of
685 government and private scientific and academic institutions, national government
686 agencies and LGUs, local communities and other stakeholders, and is able to
687 provide readily accessible and actionable information for purposes of risk
688 governance and humanitarian action;

689 (7) Develop the criteria and procedure for the enlistment of accredited
690 community disaster resilience volunteers and institutions;

691 (8) Create and continuously update, in consultation with stakeholders, a
692 manual of operations for accredited community disaster resilience volunteers and
693 institutions; and

694 (9) Perform such other functions as may be necessary for the effective
695 implementation of this Act.

696

697 CHAPTER III

698 GENERAL WELFARE AND EMERGENCY MEASURES

699 **SEC. 6. General Welfare.** – The Department shall exercise the powers
700 expressly granted, those necessarily implied therefrom, as well as the powers
701 necessary, appropriate or incidental for its efficient and effective governance, and
702 those which are essential to the promotion of the general welfare, such as the
703 implementation of emergency measures including preemptive and forced
704 evacuation, in anticipation of, during, and in the aftermath of emergencies,
705 hazards and disasters and only when there is imminent danger and loss of lives
706 and/or damage to property.

707 **SEC. 7. Emergency Measures at the National Level.** – The Department may
708 require the assistance of law enforcement agencies and the uniformed services,
709 such as the PNP and the AFP, as well as emergency responders, to assist in the
710 implementation of emergency measures.

711 **SEC. 8. Emergency Measures at the Local Level.** –

712 (a) LGUs shall enact an ordinance on and implement through the Local
713 Disaster Resilience Office (LDRO) the necessary and appropriate emergency
714 measures, including preemptive and forced evacuation, in anticipation of, during,
715 and in the aftermath of emergencies, hazards and disasters, and only when there
716 is imminent danger of loss of lives and/or damage to property.

717 (b) Emergency measures, including preemptive and force evacuation, shall
718 be carried out in a manner that is humane, respectful of the dignity and culture of

719 persons, without using disproportionate force, without discrimination, and with
720 conscious attention to the needs of vulnerable and marginalized groups.

721 (c) All measures shall be taken to inform the population, in a manner and
722 language that they can understand, of the need for emergency measures and
723 evacuation for their safety, as well as the location where they will be taken and
724 for how long they are going to stay there. Adequate evacuation centers and
725 transportation to and from the affected area shall be provided by the local
726 government.

727 ***SEC. 9. Hierarchy of Evacuation Measures. –***

728 (a) Preemptive evacuation shall be the preferred and primary mode of
729 evacuation of people that will be affected by emergencies, hazards and disasters.

730 (b) Forced evacuation shall be considered as an emergency measure of last
731 resort that may be undertaken in anticipation of, during or after an emergency,
732 hazard or disaster and be carried out by the affected local government in
733 accordance with a duly issued order by the local chief executive: *Provided*, That in
734 case of the failure of the local government to appropriately issue such order, the
735 forced evacuation shall be implemented by the Department, which may direct
736 and compel the assistance of law enforcement and other relevant national
737 agencies to implement said emergency measure.

738 During such forced evacuation, government officials may direct and compel
739 the population to be affected or is currently affected by an emergency, hazard or
740 disaster to relocate to safer locations for their own safety.

741 ***SEC. 10. Release from Liability in Case of Refusal to Evacuate. –***

742 (a) Any person who wilfully and deliberately disregards or opposes the
743 order of forced evacuation issued by the local chief executive or the Department,
744 releases the local government or the Department from any liability for injury,
745 death, damage to or loss of property attributed to said disobedience.

746 (b) During evacuation, priority assistance shall be given to the vulnerable
747 groups and persons who wilfully comply with the order of forced evacuation.

748 **SEC. 11. *Inspection and Implementation Powers.*** – The Department shall
749 have inspection, visitorial and examining authority over government and
750 nongovernmental entities to ensure that all funds and assets allocated for
751 disaster resilience are actually used for said purposes. The Department shall
752 likewise have the power to inspect and examine the status of projects and
753 programs being undertaken in furtherance of disaster resilience efforts.

754 Whenever it becomes necessary, the Department may assume
755 responsibility over the implementation of, during, and in the aftermath of
756 emergencies, hazards and disasters.

757 **SEC. 12. *Utilization of Private Property for Public Purpose.*** – The
758 Department shall have the power to utilize any private property for urgent public
759 purposes in anticipation of, during, and in the aftermath of emergencies, hazards
760 and disasters and only when there is imminent danger of loss of lives and/or
761 damage to property, subject to payment of just compensation in appropriate
762 cases.

763 **SEC. 13. *Emergency Powers.*** – Whenever it becomes necessary, the
764 Department, subject to the approval of the President, may call on the AFP or the
765 PNP, in coordination with the Secretary of National Defense and the Secretary of
766 the Interior and Local Government, to prevent or suppress lawless violence and
767 ensure the protection and preservation of life or property in anticipation of,
768 during and in the aftermath of emergencies, hazards and disasters.

769 Whenever warranted by circumstances, the Department may call upon
770 other agencies and instrumentalities of the government, as well as
771 nongovernment organizations for the protection and preservation of life and/or
772 property in anticipation of, during, and in the aftermath of emergencies, hazards
773 and disasters including private organizations, for assistance in the use of their
774 facilities and resources.

775 **SEC. 14. *Emergency Arrangements.*** – The Department shall have the power
776 to negotiate, enter into, institutionalize and coordinate arrangements with any
777 private person or juridical entity for the purpose of ensuring the adequate and
778 prompt availability of all goods and services necessary in the anticipation of,

779 during, and in the aftermath of emergencies, hazards and disasters and only when
780 there is imminent danger of loss of lives and/or damage to property.

CHAPTER IV

ORGANIZATION MANAGEMENT

783 **SEC. 15. *The Secretary.*** – The Department shall be headed by a Secretary
784 who shall be appointed by the President.

785 SEC. 16. Powers and Functions of the Secretary. – The Secretary of the
786 Department shall exercise the following powers and functions:

787 (a) Establish and promulgate policies, rules, and regulations for the
788 effective and efficient operation of the Department;

789 (b) Exercise executive direction over the operations of the Department and
790 administrative supervision over its attached agencies;

791 (c) Manage the financial and human resources of the Department;

792 (d) Appoint officers and employees of the Department, except presidential
793 appointees, in accordance with civil service law, rules, and regulations;

794 (e) Exercise disciplinary authority over officers and employees of the
795 Department in accordance with law;

796 (f) Coordinate with other government agencies, the private sector, and
797 CSOs on the policies, programs, projects, and activities of the Department, as may
798 be necessary;

799 (g) Advise the President on the promulgation of executive and
800 administrative issuances and the formulation of regulatory and legislative
801 proposals on matters pertaining to disaster resilience;

802 (h) Serve as he Vice-Chairperson of the Climate Change Commission (CCC);

803 (i) In coordination with the Department of Foreign Affairs, represent the
804 Philippines in the climate change negotiations and articulate the national

805 contribution to global, regional, and other inter-governmental disaster risk
806 reduction and humanitarian platforms;

807 (j) Call upon the AFP and the PNP to render assistance in disaster-affected
808 areas; and

809 (k) Promulgate such rules and regulations and perform such other functions
810 as may be necessary or proper to attain the objectives of this Act.

811 **SEC. 17. *Organizational Structure, Functions and Management.*** – The
812 Department shall be composed of the following officials and offices:

813 (a) The Secretary, as provided for under this Act;

814 (b) Five (5) Undersecretaries, to be appointed by the President, who shall
815 assist the Secretary in administering the affairs of the Department, one to be
816 responsible for Resilience, one to be responsible for Policy and Governance, one
817 to be responsible for Operations, one to be responsible for Administration and
818 Finance, and the Senior Undersecretary. The Undersecretaries shall have
819 functional and operational supervision over the bureaus, divisions, offices and
820 units assigned to their respective functional areas;

821 (c) Ten (10) Assistant Secretaries, to be appointed by the President, who
822 shall assist the Secretary in administering the affairs of the Department to be
823 responsible for overall staff supervision, Internal Audit, Administration, Disaster
824 Resilience Fund Management, Fiscal Management, Operations, Mobilization,
825 Plans and Programs, Legal, Project Management and Sustainable Development;

826 (d) Eleven (11) Service Directors who shall head the following Services; the
827 Administrative and Financial Management Service, the Logistics and Resource
828 Management Service, the Operations Service, the Responders Management
829 Service, the Policy Development and Planning Service, the Climate Change
830 Service, the Recovery and Reconstruction Service, and the Strategic
831 Communications Service;

832 (1) The Administrative and Financial Management Service shall provide the
833 Department with economical, efficient and effective services relating to human

834 resource management and development, financial management and general
835 administration services to support civil defense and disaster risk reduction and
836 management operations and functions.

837 (2) The Logistics and Resource Management Service shall be responsible for
838 the efficient and effective management of all the assets and resources of the
839 Department; the efficient and effective gathering, maintenance and updating of a
840 database of pertinent assets and resources belonging to any and all agencies and
841 instrumentalities of the Government, as well as nongovernment and civic
842 organizations in support of operational readiness for utilization by the
843 Department; and the procurement of necessary assets and resources to be
844 maintained and utilized by the Department.

845 (3) The Operations Service shall be responsible for formulating,
846 implementing and monitoring the operational plans of the Department and
847 ensuring its operational readiness, as well as the effective functional management
848 of the Emergency Management Operations Center.

849 (4) The Responders Management Service shall be responsible for the
850 efficient and effective gathering, management, and updating of a national roster
851 of individuals and groups from the civilian sector, volunteer organizations,
852 uniformed services and the reserve force in support of operational readiness for
853 utilization by the Department.

854 (5) The Policy Development and Planning Services shall be responsible for
855 providing responsive, efficient and effective services relating to research,
856 planning, programming, budgeting, project development, and policy formulation
857 of civil defense and disaster risk reduction and management projects and
858 activities.

859 (6) The Capacity-Building and Training Service shall be responsible for
860 building and developing the capacity of the Department's personnel, civil defense
861 practitioners, communities and other stakeholders.

862 (7) The Legal Affairs and Compliance Service shall provide legal advise to
863 the Department; interpret laws and rules affecting the administration and

864 operations of the Department; prepare and review contracts and instruments to
865 which the Department is a party; interpret provisions of contracts covering work
866 involving the Department; and monitor the compliance with regulatory and
867 reportorial matters involving the Department.

868 (8) The Disaster Risk Reduction Service shall be responsible for reducing
869 disaster risks through systematic efforts and programs of the Department to
870 analyse and reduce the causal factors of disasters such as exposure to hazards,
871 lessening vulnerability of people and property, wise management of land and the
872 environment, and improving preparedness and early warning for adverse events
873 which are all examples of disaster risk reduction.

874 (9) The Climate Change Service shall lead in the development and
875 mainstreaming of evidence-based climate adaptation and mitigation policies of
876 the Department through optimum coordination among key stakeholders towards
877 achieving a climate-resilient and climate-smart Philippines with healthy, safe,
878 prosperous, and self-reliant communities.

879 (10) The Recovery and Reconstruction Service shall provide responsive,
880 efficient and effective services relating to the formulation of standards for
881 rehabilitation and recovery programs, projects, activities, and their subsequent
882 implementation.

883 (11) The Strategic Communications Service shall be responsible for the
884 formulation and implementation of the strategic communications plans and
885 programs of the Department; serve as the public affairs arm of the Department
886 tasked with directing, supervising and controlling the Department's public
887 information programs and activities, as well as establishing and maintaining
888 rapport with the media and the general public;

889 (e) Divisions, units and offices as may be created by the Department and
890 whose officers and employees shall be appointed in accordance with civil service
891 law, rules, and regulations;

892 (f) The National Climate and Disaster Resilience Research, Education, and
893 Training Institute under the Capacity-Building and Training Service, to be headed
894 by a Director with the rank of Director IV;

895 (g) Regional and other field offices of the Department that shall be
896 established in each administrative region, each to be headed by a Regional
897 Director with the rank of Director IV;

898 (h)Bureaus that are under the supervision and control of the Department;

899 (i) Seconded personnel from relevant agencies and detailed service from
900 the uniformed services, as appropriate; and

901 (j) Grievance desks in every region, which shall serve as a referral
902 mechanism and shall work jointly with relevant agencies, to receive complaints
903 from the public regarding violations of this Act. It shall assist the complaint in the
904 gathering of relevant documentation and other evidence to support said
905 complaint. The grievance desk shall facilitate the forwarding of the complaint to
906 the appropriate office within fifteen (15) days from receipt thereof, and shall
907 provide timely feedback and updates regarding the status of the complaint. The
908 grievance desk shall use the best available technology to ensure that the
909 complaints are endorsed to the proper office and are addressed in a timely
910 manner.

911

912 CHAPTER V

913 FINANCE AND ADMINISTRATION

914 **SEC. 18. *Fiscal Management.*** – The Department shall manage all funds
915 appropriated to it by Congress and from other sources. This shall include all
916 donations, as contemplated under the succeeding paragraph, subject to the
917 provisions of Section 3, paragraph (D) of Article IX, of the 1987 Constitution on
918 the auditing powers of the Commission on Audit.

920 **SEC. 19. *Donation.*** – (a) The Department shall have the power to receive
921 donations and grants from any person, government institution, corporation,
922 international organization and other similar entities, and the power to
923 recommend the procurement of developmental assistance for the purpose of
924 disaster risk and vulnerability reduction and management and climate change
925 adaptation;

926 (b) It shall be mandatory for the Department to acknowledge and certify
927 the receipt of all Department of Disaster Resilience (DDR) grants and donated
928 funds and ensure their judicious management including their proper and accurate
929 audit reporting to constituents;

930 (c) The importation and donation of food, clothing, medicine and
931 equipment for relief and recovery and other disaster management and recovery-
932 related supplies is hereby authorized in accordance with, Section 800, Chapter 1,
933 Title 8, of Republic Act No. 10863, otherwise known as the “Customs
934 Modernization and Tariff Act (CMTA)”, as amended, and the prevailing provisions
935 of the General Appropriations Act, covering national internal revenue taxes and
936 import duties of national and local government agencies;

937 All importations and donations under Section 11(c) of Republic Act No.
938 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”
939 shall be considered as importation or donation to the Department, subject to the
940 approval of the Office of the President.

941

942 CHAPTER VI

943 WHOLE-OF-GOVERNMENT AND WHOLE-OF-NATION APPROACH

944 **SEC. 20. *National Disaster Resilience Council.*** – (a) There is hereby created
945 the National Disaster Resilience Council (NDRC), which shall serve as the policy
946 advisory body to the Department on disaster risk reduction and management and
947 climate change adaptation, consistent with the policies and scope as defined in
948 this Act.

(b) The NDRC shall be chaired by the Secretary of Disaster Resilience and shall be composed of the following:

- (1) Secretary of Science and Technology;
- (2) Secretary of the Interior and Local Government;
- (3) Secretary of Social Welfare and Development;
- (4) Secretary of National Defense;
- (5) Director-General of the National Economic and Development Authority;
- (6) Secretary of Health;
- (7) Secretary of Environment and Natural Resources;
- (8) Secretary of Agriculture;
- (9) Secretary of Education;
- (10) Secretary of Energy;
- (11) Secretary of Finance;
- (12) Secretary of Trade and Industry;
- (13) Secretary of Transportation;
- (14) Secretary of Budget and Management;
- (15) Secretary of the Public Works and Highways;
- (16) Secretary of Foreign Affairs;
- (17) Secretary of Justice;
- (18) Secretary of Labor and Employment;
- (19) Secretary of Tourism;
- (20) Secretary of Information and Communications Technology;
- (21) Presidential Adviser on the Peace Process;
- (22) Chairperson of the Commission on Higher Education;

- 973 (23) Chief of Staff of the Armed Forces of the Philippines;

974 (24) Chief of the Philippine National Police;

975 (25) Head of the Presidential Communications Operations Office;

976 (26) Secretary-General of the Philippine National Red Cross;

977 (27) Chairperson of the Commission on Human Rights;

978 (28) Executive Director of the Council for Welfare of Children;

979 (29) Lead Convenor of the National Anti-Poverty Commission;

980 (30) Chairperson of the Philippine Commission on Women;

981 (31) Chairperson of the Housing and Urban Development Council;

982 (32) Chairperson of the National Council for Disability Affairs;

983 (33) Chairperson of the National Commission on Indigenous Peoples;

984 (34) Chairperson of the National Commission on Muslim Filipinos;

985 (35) Chairperson of the National Youth Commission;

986 (36) President of the Government Service Insurance System;

987 (37) President of the Social Security System;

988 (38) President of the Philippine Health Insurance Corporation;

989 (39) President of the Home Development Mutual Fund;

990 (40) President of the Union of Local Authorities of the Philippines;

991 (41) President of the League of Provinces of the Philippines;

992 (42) President of the League of Municipalities of the Philippines;

993 (43) President of the League of Cities of the Philippines;

994 (44) President of the Liga ng mga Barangays;

995 (45) Maximum of six (6) representatives from the academe and other

996 relevant research institutions;

997 (46) Maximum of six (6) representatives from the civil society organizations;

998 and

999 (47) Maximum of six (6) representatives from the private sector.

1000 (c) Composition – The Council is hereby organized into five (5) clusters,
1001 namely; Disaster Prevention and Mitigation to be led by DOST, Disaster
1002 Preparedness to be led by DILG, Disaster Response by DSWD, Logistics led by
1003 DND, and Recovery and Sustainable Development led by NEDA.

1004 (d) Technical Management Advisory Group – The Department may
1005 constitute, as the need arises, a technical management advisory group from the
1006 different stakeholders, that shall coordinate and meet with the Department as
1007 often as necessary to effectively manage and sustain national efforts on disaster
1008 risk and vulnerability reduction and emergency management, and climate change
1009 adaptation and mitigation.

1010 (e) Guidelines for the Department of Disaster Resilience Fund (DRRF) and
1011 Local Disaster Resilience Fund (LDRF) – The Department shall provide the
1012 necessary guidelines and procedures on the DRRF and the LDRF releases as well
1013 as utilization, accounting, and auditing thereof.

1014 **SEC. 21. Monitoring, Reporting and Validation. –**

1015 (a) Monitoring and Reporting. On or before the last quarter of the
1016 preceding year, member-agencies of the National Disaster Resilience Counding
1017 shall submit to the Department through the Council Secretariat their respective
1018 DDR annual work and financial plans (AWFPs) for the next year. The AWFPs shall
1019 be based on the DDR Plan.

1020 The member-agencies shall submit to the Secretariat quarterly progress
1021 reports of their implementation of the AWFPs within thirty (30) days from the end
1022 of each quarter.

1023 The Department is likewise accountable, liable and responsible for
1024 monitoring and requiring the appropriate implementation of remedial measures
1025 by member-agencies of the Council during a state of calamity. It shall have the

1026 authority and power to require reports from the appropriate member-agencies
1027 regarding implementation of such measures.

1028 (b) Validation. The Secretary shall require the submission of reports from
1029 the LGUs to validate the progress reports of the Council member-agencies.
1030 Submission shall be through the local field offices of the DDR.

1031 Every two (2) years, the implementation of the Climate Disaster Resilience
1032 Plan (CDRP) and utilization of the Local Disaster Resilience Fund (LDRF) of each
1033 province, LGUs, independent city shall be evaluated by the Regional Disaster
1034 Resilience Council (RDRC) based on appropriate criteria, such as the award,
1035 recognition, citation criteria for provinces, cities and municipalities, barangay and
1036 stakeholders.

1037 (1) The Regional Disaster Resilience Councils (RDRC)-

1038 The Regional Disaster Resilience Councils (RDRCs) shall coordinate,
1039 integrate, supervise, and evaluate the activities of the LDRCs. It shall be
1040 accountable, responsible and liable for ensuring climate-disaster risk sensitive and
1041 inclusive regional development plans, and in case of emergencies shall convene
1042 the different regional line agencies and authorities, concerned institutions,
1043 developmental partners and multiple stakeholders.

1044 The Regional Directors of the Department shall serve as chairpersons of the
1045 RDRCs and the Regional Directors of the DSWD, the DILG, and the NEDA shall
1046 serve as cluster heads. In the case of the Bangsamoro Autonomous Region in
1047 Muslim Mindanao, the Chief Minister shall be the RDRC Chairperson. In the case
1048 of Metro Manila, the MDRC shall be headed by the Chairperson of the Metro
1049 Manila Development Authority (MMDA).

1050 The RDRCs shall establish the RDRC Secretariat and operating facility to be
1051 known as the Regional Disaster Resilience Council Secretariat and Operations
1052 Center.

1053 The RDRCs shall be composed of concerned regional agencies, offices, LGUs
1054 and other multiple stakeholders.

1063 Other maintenance and operating expenditures, and other capital outlay
1064 requirements of the LDRO in the implementation of disaster risk and vulnerability
1065 reduction management and climate change adaptation programs shall be charged
1066 to the Local Climate Disaster Resilience Fund of the LGUs;

1067 (ii) Establish linkage or network with other LGUs for disaster risk and
1068 vulnerability reduction, climate change adaptation and emergency response
1069 purposes;

(iii) Recommend through the LDRC, the enactment of local ordinances consistent with the requirements of this Act;

1072 (iv) Establish a Provincial, City, Municipal, and Barangay Climate and
1073 Disaster Resilience Operations Center; and

(v) Encourage Government-owned and –Controlled Corporations (GOCCs) to establish their own Climate and Disaster Resilience Operations Center within their territories.

SEC. 22. Synergy with Stakeholders. – The Department shall ensure seamless synergy and coordination with stakeholders, including CSOs, the academe, and the private sector, in relation to disaster resilience programs and projects and the development and promotion of research, education, and training mechanism with relevant stakeholders.

1082 The Department shall establish a platform, paradigm, and mechanisms for
1083 convergence and coordination with stakeholders, including the development of
1084 standards, protocols, procedures for collaboration for disaster resilience.

1085 **SEC. 23. *Establishment of Multi-Stakeholders Convergence Unit.*** – The

1086 Department, with the assistance of other relevant government agencies and
1087 stakeholders, shall establish Multi-Stakeholders Convergence Unit (MSCU), which
1088 shall align the disaster resilience efforts of the private sector, CSOs, academe, and
1089 other stakeholders with the Department by assisting, coordinating, or providing
1090 services that strengthen public-private cooperation and coordination in disaster
1091 resilience, including the following:

1092 (a) Establishment and implementation of business continuity practices to
1093 ensure the continued delivery of products and services, in the event of disasters;

1094 (b) Establishment and implementation of a National Continuity Policy to
1095 ensure service continuity during power and utilities interruptions, emergencies,
1096 and disasters and ensure the quick return of full operations;

1097 (c) Establishment, incorporation, and application of business continuity
1098 plans as part of the disaster resilience plans of local government units;

1099 (d) Facilitation or assistance in obtaining or processing incentives for the
1100 private sector or other nongovernment stakeholders; and

1101 (e) Preparation and facilitation of the issuance of appropriate guidelines for
1102 MSMEs relating to mechanisms on procurement and liquidity to create enabling
1103 for DDR.

1104 The MSCU shall establish a platform that includes, among others, a
1105 database for monitoring and coordinating efforts and resources of stakeholders.

1106

1107

1108

1109

1110

1111

CHAPTER VII

DISASTER RISK AND VULNERABILITY REDUCTION AND CLIMATE CHANGE ADAPTATION MAINSTREAMING, INTEGRATION AND CONVERGENCE

SEC. 24. Integration of DDR and Climate Change Adaptation in the Climate and Disaster Resilience Framework and Plan. – The existing National Disaster Resilience Framework and plan and the National Climate Change Strategic Framework and Plan shall be enhanced by the Climate and Disaster Resilience Framework and plan which provides for the comprehensive probabilistic multi-hazards, multi-scenario, multi-sectoral, resilience-building and community risk-based approach and management of disaster and climate risk, and provide for the integration of disaster risk and vulnerability reduction and climate change adaptation, as well the mainstreaming in other sectoral policies. It shall be reviewed every three (3) years.

The Climate and Disaster Resilience Plan shall provide for the following: (1) identification of the underlying factors of risk, or the nature and degree of hazards, vulnerabilities, exposures and capacities, which need to be managed at the national level; (2) disaster risk and vulnerabilities reduction and management approaches and strategies to be applied in managing said hazards and risks; (3) agency roles, responsibilities, and lines of authority at all government levels; and (4) vertical and horizontal coordination of climate change adaptation, disaster risk and vulnerability reduction and management before, during, and after a disaster. The Climate and Disaster Resilience Plan shall be in conformity with the framework.

The Climate and Disaster Resilience Framework and Plan for climate-disaster risk governance, climate vulnerability assessment, risk assessment and risk management shall be formulated and jointly approved by the NDRC and the CCC.

SEC. 25. Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation and Recovery from Disaster. – The Department shall ensure the application of ecosystems-based approaches in disaster risk and vulnerability reduction and climate change adaptation, particularly through ecosystem management and restoration as defined in this Act, and ensuring that environmental and natural resource policies are risk informed.

1147

CHAPTER VIII

**CLIMATE AND DISASTER RESILIENCE RESEARCH,
EDUCATION, AND TRAINING INSTITUTE**

1151

SEC. 26. Creation of the Climate and Disaster Research, Education, and Training Institute. - (a) Within one (1) year from approval of this Act, the Department shall establish the Climate and Disaster Resilience Research, Education, and Training Institute in collaboration with higher education institutions and private and state universities and colleges (SUCs) which shall be a world-class center of excellence for learning and research in the field of disaster risk and vulnerability reduction and management and climate change adaptation;

1159 (b) The Climate and Disaster Resilience Research, Education, and Training
1160 Institute shall be headed by a Director. The organizational structure and staffing
1161 pattern shall be determined by the Department in consultation with the DBM and
1162 in accordance with civil service laws, rules, and regulations.

1163 (c) The Climate and Disaster Resilience Research, Education and Training
1164 Institute shall have the following functions:

1165 (1) Establish regional branches as well as provincial, city or municipal
1166 branches, if deemed necessary, to train individuals from the public and private
1167 sectors in the fields of disaster risk and vulnerability reduction and management,
1168 climate change adaptation, and ecosystem management and restoration, among
1169 others;

1170 (2) Develop and implement an inclusive and ladderized curricula on climate
1171 change adaptation, and disaster risk and vulnerability reduction and
1172 management;

1173 (3) Develop research programs and a knowledge management system on
1174 climate change adaptation and disaster risk and vulnerability reduction
1175 management for the purpose of innovation and capacity-building and
1176 development;

1177 (4) Partner with public and private academic and research institutions, the
1178 private sector, civil society, community-based disaster risk and vulnerability
1179 reduction management and climate change adaptation practitioners, and other
1180 relevant sectors in developing research opportunities and programs on climate
1181 vulnerability and disaster risk assessment;

1182 (5) Establish a resource center for information, education and
1183 communication materials, research, publications, best work practices, lessons
1184 identified and learned, and other knowledge products on disaster risk and
1185 vulnerability reduction and management, and climate change adaptation;

1186 (6) Consolidate and prepare information, education and communication
1187 and training materials or publications to assist disaster risk and vulnerability
1188 reduction and management, and climate change adaptation practitioners in the
1189 planning and implementation of their plans, programs, projects and activities;

1190 (7) Organize and recognize a community of climate change adaptation and
1191 disaster risk reduction and management practitioners; and

1192 (8) Accredit, recognize, monitor and evaluate climate change adaptation,
1193 disaster risk and vulnerability reduction and management training institutions.

1194 (d) Financial Support to the CenterL

1195 (1) The budget for the Climate and Disaster Resilience Research and
1196 Training Center shall be sourced from the annual General Appropriations Act.

1197 (2) The Department shall assist in the establishment of Research and
1198 Training Centers at the provincial, city, and municipal governments, as

1199 appropriate. The funding for such local Climate and Disaster Resilience Research
1200 and Training Centers may be sourced from the eighty (80%) percent portion of
1201 the LDRF and other financial sources of the local government unit concerned.

1202

1203 CHAPTER IX

1204 INTEGRATION, MAINSTREAMING CLIMATE AND DISASTER RESILIENCE 1205 INFORMATION, EDUCATION, AND COMMUNICATION CONVERGENCE

1206

1207 **SEC. 27. *Climate and Disaster Resilience Information Management System***
1208 (**CDRIMS**). – The Department shall establish a National and Regional Information
1209 Management System for Climate and Disaster Resilience. It shall constitute a
1210 physical central database of all disaster risk reduction and climate change data,
1211 including a geographic information system on geoHazard assessments and
1212 climate risk. It shall be repository of current and multi-temporal information for
1213 wide-scale disaster risk analysis and climate change vulnerability assessment. The
1214 CDRIMS shall at all times be made available to the Emergency Operations Center
1215 of the National and Regional Climate and Disaster Resilience Council (NRCDRC)
1216 development partners and multi-stakeholders to access critical information and
1217 ensure that the collection processing, analysis and dissemination of information is
1218 timely, reliable and accurate to support overall decision making and effective
1219 coordination both at the national and subnational level.

1220

1221 **SEC. 28. *Disaster Resilience and Climate Change Education and Training.* –**
1222 (a) The Department of Education, CHED, and Technical Education and Skills
1223 Development Authority (TESDA), in coordination with the National Youth
1224 Commission (NYC), the Department of Science and Technology (DOST),
1225 Department of Environment and Natural Resources (DENR), Department of the
1226 Interior and Local Government (DILG), Department of Health (DOH), Department
1227 of Social Welfare and Development (DSWD), and other relevant agencies,

1228 development institutions, and nongovernment organizations shall integrate
1229 disaster risk and vulnerability reduction and climate change adaptation education
1230 in the school curricula at all levels of education, from K to 12 to tertiary levels,
1231 including the early and adult learning programs, National Service Training
1232 Program (NSTP), and education for children and persons with special needs,
1233 whether private or public, including formal and non-formal, technical-vocational,
1234 indigenous learning, out-of-school youth courses and programs, and other
1235 channels of educational integration, including media, church, entertainment
1236 centers (malls), international and domestic airports and transport terminals.

1237 (b) The Civil Service Commission (CSC), Professional Regulation Commission
1238 (PRC), and other licensure bodies shall integrate disaster risk and vulnerability
1239 reduction management and climate change adaptation questions in all
1240 professional and licensure examinations.

1241 (c) In coordination with the Department and the Climate and Disaster
1242 Resilience Research, Education, and Training Institute shall develop a curriculum
1243 for courses or subjects specific to disaster risk and vulnerability reduction
1244 management and climate change adaptation, and shall mandate all tertiary
1245 learning institutions to offer these subjects.

1246 (d) The Parents and Teachers Community Associations shall initiate,
1247 support, and participate in disaster risk and vulnerability reduction management
1248 and climate change adaptation related activities in schools and host communities.

1249 (e) The DepEd, the CHED, and the Technical Education and Skills
1250 Development Authority (TESDA) and other developmental institutions,
1251 community-based practitioners and organized nongovernmental organizations
1252 shall formulate and institutionalize flexible learning options such as online
1253 modules, supplemental learning materials, resources and platforms, as part of its
1254 climate change adaptation, disaster risk and vulnerability reduction and
1255 governance, analysis, and management strategy.

1256 (f) The DepEd, CHED, TESDA, developmental institutions and community-
1257 based organizations shall regularly review, monitor, evaluate and report to the
1258 Council the status of integration, mainstreaming and implementation of climate

1259 change adaptation, disaster risk and vulnerability reduction and management in
1260 public-private schools and other learning institutions.

1261 (g) The LDROs shall form formal partnerships with tertiary learning
1262 institutions within their respective jurisdictions to provide standard and
1263 ladderized training programs for LGU officials and other disaster risk and
1264 vulnerability reduction management and climate change adaptation.

1265 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the BRDCs, and the
1266 Sangguniang Kabataan shall encourage community, specifically the youth,
1267 participation in disaster risk and vulnerability reduction and climate change
1268 adaptation activities, such as Information, Education and Communication (IEC)
1269 campaigns organizing quick response groups, particularly in indentified disaster-
1270 prone areas, as well as the inclusion of DRVR-climate change adaptation programs
1271 as part of programs and projects of the Sangguniang Kabataan, youth
1272 organizations and community-based disaster risk and vulnerability reduction
1273 management and anticipatory adaptation initiatives.

1274 (i) There shall be a mandatory training on climate change adaptation-DRVR
1275 for public and private sector employees, including teachers and Climate-Disaster
1276 Resilience Coordinators from both the public and private learning institutions,
1277 who shall be trained in emergency preparedness and response in emergency
1278 preparedness and response in compliance with the provisions of this Act.

1279 **SEC. 29. Standard Mechanism for Cascading Information, Education and**
1280 **Communication on Climate Change Adaptation and Disaster Risk and**
1281 **Vulnerability Reduction.** – (a) The DRC shall promote and advocate a culture of
1282 resilience and responsible-accountable, liable and responsible citizenship through
1283 information, education and communication that is appropriate, integrated,
1284 calibrated and communication that is appropriate, integrated, calibrated,
1285 inclusive, localized, science- and risk-based, gender, culture and disability
1286 sensitive and accessible using multimedia. Information, education, and
1287 communication on climate change adaptation and disaster risk and vulnerability
1288 reduction management should be compelling but not alarming.

1289 (b) The NDRC shall formulate a Strategic Risk Communications Plan to
1290 encompass the entirety of disaster risk and vulnerability reduction and climate
1291 change adaptation to achieve the desired behavioural and attitudinal change
1292 towards responsible citizenship and culture of resilience. It shall serve as a
1293 reference on continuous awareness raising and education at all levels of the
1294 government and multiple stakeholders.

1295 (c) A Climate and Disaster Resilience Information Officer shall be designated
1296 at all levels of the Department to ensure implementation of the disaster risk and
1297 vulnerability reduction and management and climate change adaptation
1298 information, education, and communication campaign and shall serve as the
1299 primary coordinator for the dissemination of information, education, and
1300 communication on climate change adaptation and disaster risk and vulnerability
1301 reduction management.

1302 **SEC. 30. *Declaration of Imminent Disaster.*** – The DDR shall provide
1303 guidance and operating guidelines to LDRCs for the declaration of imminent
1304 disaster in their respective areas which shall allow them to implement preemptive
1305 measures and use their quick response funds in order to save lives and minimize
1306 damage to property, loss of livelihoods and other assts.

1307 **SEC. 31. *Flash Appeal or Appeal for International Assistance.*** – Upon
1308 consultation with the NDRC and in cognizance of the urgency, criticality and
1309 intensity of an imminent risk, the DDR shall issue a flash appeal to the family of
1310 nations, under regional and multilateral conventions, for assistance in
1311 preparedness including preemptive measures, search, rescue and retrieval, relief,
1312 recovery, and reconstruction.

1313

1314

1315

1316

1317

CHAPTER X

CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

SEC. 32. Climate and Disaster Risk Transfer, Insurance and Social Welfare.

1322 – (a) The Department shall oversee all climate and disaster risk-sharing and risk-
1323 transfer instruments and other related initiatives to ensure the protection of
1324 property and livelihood, both public and private.

1325 (b) The Department shall ensure the mandatory insurance of all assets and
1326 properties of national government agencies including government-owned or –
1327 controlled corporations, and those over which the government has insurable
1328 interest, as prescribed under Republic Act No. 656, otherwise known as the
1329 "Property Insurance Law". The insurance shall be provided by any government
1330 insurance agency.

1331 (c) The Department shall oblige the LGUs the mandatory insurance
1332 coverage of assets, properties and livelihood of vulnerable and marginalized
1333 groups of unforeseen or contingent potential losses, damages and disruption
1334 from natural hazards and human-induced disasters chargeable against the LDRF.

1335 **SEC. 33. Recognition and Incentives.** – Unless otherwise provided, the
1336 Department shall establish an incentives program that recognizes outstanding
1337 performance of LDRC, NGOs, CSOs, private sectors, schools, hospitals, and other
1338 stakeholders in promoting and implementing significant disaster risk and
1339 vulnerability reduction management-climate change adaptation programs and
1340 innovations, and meritorious acts of individuals, groups or institutions during
1341 natural or human-induced disasters.

1342

1343

1344

1345

1346

1347

CHAPTER XI

1348

PREPAREDNESS AND INTEGRATED EARLY WARNING

1349

1350 **SEC. 34. Standards for Disaster Preparedness Activities.** – (a) The NDRC
1351 shall establish standards for disaster preparedness, contingency planning,
1352 localizing and operationalizing disaster risk and vulnerability reduction and
1353 management, preparedness for disaster response, preparedness for early
1354 recovery, continuity of essential services, and other relevant preparedness
1355 activities.

1356 (b) LGUs shall identify safe or strategic sites, and establish evacuation
1357 centers with appropriate and adequate facilities in accordance with government-
1358 approved standards as provided under Republic Act No. 10821, otherwise known
1359 as the "Children's Emergency Relief and Protection Act", in order to avoid
1360 disruption of school classes and lessen the use of school buildings and facilities as
1361 evacuation centers.

1362 The LGUs shall immediately compensate schools used as evacuation
1363 centers. The schools may seek compensation on renovation or repairs of
1364 damaged facilities for such use.

SEC. 35. Multi-Hazard Early Warning and Risk Communication Standards.

– (a) There shall be a streamlined policy governing early warning systems and risk communication protocols to ensure effective and efficient measures to prevent, prepare for, respond to, and recover from possible risk caused by natural and human-induced hazards and climate risk. The NDRC shall issue policy and the Department shall oversee and monitor the implementation of this policy.

1371 (b) The Department and all other concerned agencies with an integrated
1372 early warning and information mandate shall collaborate with the local executives
1373 and officers to disseminate climate-disaster risk information through the

1374 involvement of LGUs, community-based organizations, CSGOs, and other
1375 nongovernmental organizations.

1376 **SEC. 36. *Early Warning Mandate.*** – (a) The Department shall issue an
1377 integrated early warning for hydro-meteorological, geologic, or terrestrial
1378 phenomena to the appropriate government agencies or government-accredited
1379 organizations for forecasting and early warning purposes. The Department shall
1380 recognize and proactively support local or indigenous modes of early warning
1381 systems and allow open access to real-time data from both local and international
1382 sources made available through various platforms such as websites, mobile
1383 applications, and social media to empower local communities and individuals.

1384 (b) The Department shall enhance and strengthen Philippine Atmospheric,
1385 Geophysical and Astronomical Services Administration and Seismology
1386 (PHIVOLCS) mandates under Republic Act No. 10692 and Executive Order No. 128,
1387 Series of 1987, respectively.

1388 (c) The Department shall recognize and proactively support local or
1389 indigenous modes of early warning systems and allow open access to real-time
1390 data from both local and international sources made available through various
1391 platforms such as websites, mobile applications, and social media to empower
1392 local communities and individuals.

1393 (d) **Transmission of Early Warning.** A person who transmits early warning
1394 concerning the abovementioned phenomena by means of signs in designs, colors,
1395 lights, or sound shall do so in compliance with the methods recognizing or
1396 approved by the NDRC.

1397 (e) The NDRC at the national and subnational level shall consider the use of
1398 integrated early warning system to ensure it is consistent and locally
1399 contextualized with the communication protocol and safe evacuation procedure
1400 of the affected communities to achieve zero casualty, to zero death.

1401 (f) The Department shall consider working with other agencies or
1402 organizations on pre-crisis information mapping of the humanitarian needs of the

1403 at-risk community that will enhance the overall prepositioning of resources at the
1404 national and local levels.

1405

1406 CHAPTER XII

1407 DISASTER RESPONSE AND EARLY RECOVERY

1408

1409 **SEC. 37. Declaration of State of Calamity.** – The Department shall declare a
1410 cluster of barangays, municipalities, cities, provinces, and regions under a state of
1411 calamity, and the lifting thereof, based on the criteria set by the NDRC.

1412 The declaration and lifting of the state calamity may also be issued by the
1413 local Sanggunian, upon the recommendation of the LDRO, based on the results of
1414 the damage assessment and needs analysis: *Provided*, that the Department
1415 through the LDRC, may seek from the local legislative body or Sanggunian, the
1416 declaration of a state of imminent disaster to enable the local executives to
1417 implement preemptive evacuation and precautionary measures in order to save
1418 lives and minimize damage to property, loss of livelihood, and disruption of
1419 livelihood that require the use of funds and resources under the LDRF.

1420 **SEC. 38. Emergency Management.** – The respective Climate and Disaster
1421 Resilience Councils shall lead in preparing for, responding to, and recovering from
1422 the effects of any disaster, upon due consideration to the economics of
1423 classification, capacity and vulnerability of the local governments concerned:

1424 (a) The Barangay Disaster Resilience Council (BDRC), if one barangay is
1425 affected;

1426 (b) The city/municipal Disaster Resilience Council (DRC), if two (2) or more
1427 barangays are affected;

1428 (c) The Provincial Disaster Resilience Council (DRC), if two (2) or more
1429 cities/municipalities are affected;

1430 (d) The Regional Disaster Resilience Council (DRC), if two (2) or more
1431 provinces are affected; and

1432 (e) The NDRC, if two (2) or more regions are affected.

1433 **SEC. 39. *Humanitarian Assistance Action Center.*** – The DRC shall
1434 institutionalize a one-stop mechanism through the Humanitarian Assistance
1435 Action Center for the processing and release of goods, articles or equipment
1436 intended for humanitarian assistance and the processing of necessary documents
1437 for international assisting actors. The Humanitarian Assistance Action Center shall
1438 be managed by the Department and shall be composed of the following NDRC
1439 agencies:

1440 (a) Department of Finance – Bureau of Customs;

1441 (b) Department of Foreign Affairs;

1442 (c) Department of Social Welfare and Development;

1443 (d) Department of Health;

1444 (e) Food and Drug Administration;

1445 (f) Department of Agriculture;

1446 (g) Department of Energy;

1447 (h) Philippine National Police;

1448 (i) Philippine Coast Guard; and

1449 (j) Department of Justice – Bureau of Immigration.

1450 **SEC. 40. *Accreditation, Mobilization, and Protection of Disaster Volunteers***
1451 ***and National Service Reserve Corps, CSOs and the Private Sector.*** – The
1452 government agencies, CSOs, private sector and LGUs may mobilize individuals or
1453 organized volunteers to augment their respective personnel complement and
1454 logistical requirements in the delivery of disaster risk reduction programs and
1455 activities. The agencies, CSOs, private sector, and LGUs concerned shall take full
1456 responsibility for the enhancement, welfare and protection of volunteers, and

1457 shall submit the list of volunteers to the Department, through the LDROs, for
1458 accreditation and inclusion in the database of community disaster volunteers.

1459 A national roster of Accredited Community Disaster Resilience Volunteers
1460 (ACDRVs) and institutions, National Service Reserve Corps, CSOs and the private
1461 sector shall be maintained by the Department through the LDROs. Accreditation
1462 shall be done at the municipal or city level.

1463 The mobilization of volunteers shall be in accordance with this Act and
1464 implementing guidelines to be formulated by the NDRC. Any volunteer who died
1465 or was injured while engaging in any of the activities defined under this act shall
1466 be entitled to compensatory benefits and individual personal accident insurance
1467 as may be defined under the guidelines.

1468 **SEC. 41. Reporting of Humanitarian Assistance.** – The concerned LGU shall
1469 submit a report to the Department, all domestic or international humanitarian
1470 assistance received and distributed within its area of responsibility.

1471

1472 CHAPTER XIII

1473 INTERNATIONAL HUMANITARIAN ASSISTANCE

1474 **SEC. 42. International Humanitarian Assistance.** – The Department shall
1475 promulgate guidelines on international humanitarian assistance, including the
1476 initiation, entry, facilitation, transit, regulation, and termination thereof, as well
1477 as those involving international disaster relief and personnel assisting
1478 international actors, visa waiver, recognition of foreign professional qualifications,
1479 entry of international disaster goods and equipment, and exemption from port
1480 duties, taxes and restrictions.

1481 **SEC. 43. Assessment of the Need for International Humanitarian
1482 Assistance.** – (a) Immediately after the declaration of a state of calamity by the
1483 sanggunian of an LGU or by the Department, as the case may be, the Department
1484 shall determine as to whether domestic capacities are likely to be sufficient to
1485 attend to the needs of affected persons for international humanitarian assistance.

1486 This determination may also be made by the President, prior to the onset of an
1487 imminent disaster.

1488 (b) In the event the Department determines that domestic response
1489 capacities are not likely to be sufficient due to the impact of the disaster, the
1490 Department shall recommend to the president that a request be made for
1491 international humanitarian assistance.

1492 (c) A determination that domestic capacities are likely to be sufficient and
1493 that international humanitarian assistance is therefore unnecessary may be
1494 viewed and rescinded by the Department, with the approval of the President, at
1495 any time, in light of prevailing circumstances and available information.

1496 **SEC. 44. Request for International Humanitarian Assistance.** – The
1497 President may request for international, humanitarian assistance upon the advise
1498 of the Department. Such request may be specifically directed to particular
1499 assisting international actors, or it may be a general request directed to the
1500 international community.

1501 **SEC. 45. Humanitarian Assistance Action Center.** – The Department shall
1502 institutionalize an interagency one-stop shop mechanism called through the
1503 Philippine International Humanitarian Assistance Reception Action Center
1504 (PIHARAC) for the processing and release of entry and facilitation of goods,
1505 articles or equipment, and services of international relief workers for the
1506 provision of international humanitarian assistance, and the processing of
1507 necessary documents for assisting international actors.

1508

1509 CHAPTER XIV

1510 OFFER AND FACILITATION OF HUMANITARIAN 1511 ASSISTANCE TO FOREIGN STATES

1512

1513 **SEC. 46. Offer and Facilitation of International Humanitarian Assistance to**
1514 **Foreign States.** – In the event of a disaster occurring in a foreign state for which

1515 international humanitarian assistance is required, the Department may offer,
1516 facilitate and provide international humanitarian assistance to such foreign state,
1517 which shall be subject to guidelines to be promulgated by the Department for the
1518 purpose.

1519

1520 **SEC. 47. Accreditation.** – The Department, in coordination with relevant
1521 government agencies and organizations, shall provide and facilitate the necessary
1522 training and accreditation to the respective government personnel to be deployed
1523 for such offer, facilitation and provision of international humanitarian assistance
1524 to a foreign state.

1525

1526 CHAPTER XV

1527 LEGAL FACILITIES FOR ELIGIBLE ASSITING INTERNATIONAL ACTORS

1528

1529 **SEC. 48. Guidelines for Coordination of International Humanitarian
1530 Assistance.** – The DRC shall issue comprehensive guidelines on the initiation,
1531 entry, facilitation, transit and regulation of international relief goods and
1532 personnel, as well as eligibility guidelines to utilize the legal facilities for assisting
1533 international actors provided hereunder.

1534 **SEC. 49. Visa Waiver.** – Eligible assisting international actors shall be
1535 entitled to waiver of entry visa requirements, including any associated fees or
1536 charges, to perform Disaster Relief and Initial Recovery Assistance work for their
1537 sponsoring entities without the requirement to seek a separate residence or work
1538 permit.

1539 **SEC. 50. Recognition of Foreign Professional Qualifications.** – (a) Eligible
1540 assisting international actors wishing to deploy international personnel for tasks
1541 requiring legal recognition of their foreign professional qualifications shall certify
1542 the validity of those qualifications under the law of the country where they were
1543 obtained and the competence of their personnel for the tasks envisaged.

1544 (b) The Department shall establish the guidelines and scope for recognition
1545 of foreign professional qualifications for disaster response and early recovery.

1546 (c) Recognition of qualifications shall remain valid until the end of the
1547 International Initial Recovery Period, absent individual criminal conduct or other
1548 professional misconduct sufficient to bar the individual from professional
1549 practices in the country.

1550 **SEC. 51. *Recognition of Foreign Driving Licenses.*** – Foreign driving licenses
1551 of eligible assisting international actors shall be accorded temporary recognition
1552 during the International Disaster Relief and Initial Recovery Periods.

1553 **SEC. 52. *Facilitation of Access.*** – The international personnel of eligible
1554 assisting international actors shall be allowed access to disaster-affected areas
1555 and persons requiring Disaster Relief or Initial Recovery Assistance, subject to
1556 coordination requirements as mandated by the Department and limitations based
1557 on national security, public order or public health, weighed in the context of the
1558 urgency of the disaster needs. They shall be permitted to provide their goods and
1559 services directly to affected persons.

1560 A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT

1561 **SEC. 53. *Customs Facilitation and Priority Treatment.*** – The Department
1562 shall facilitate the rapid importation or consignment of goods and equipment by
1563 eligible assisting actors and shall accord them priority treatment and handling.

1564 **SEC. 54. *Duty of Compliance by Eligible Assisting Actors.*** – In order to
1565 benefit from the aforementioned legal facilities, eligible assisting international
1566 actors:

1567 (a) Declare that all goods and equipment they seek to import under this Act
1568 are exclusively for Disaster Relief or Initial Recovery Assistance and that they
1569 comply with any relevant standards under Philippine laws; and

1570 (b) Pack, classify and mark their consignments in accordance with the
1571 requirements described in this Act and its implementing rules and regulations.

1572 **SEC. 55. *Exemption from Import Duties, Taxes and Restrictions.*** –

1573 Consignment of goods and equipment by or on behalf of eligible assisting
1574 international actors shall benefit from:

1575 (a) Exemption from all duties and taxes;

1576 (b) Waiver of economic prohibitions and restrictions except for categories
1577 of special goods and equipment that may be indicated by the Department; and

1578 (c) Clearance without regard to the country of origin or the country from
1579 which the goods have arrived, subject to monitoring for reasons of public health
1580 and security.

1581 **B. EXPEDITED ENTRY AND USE RESTRICTIONS FOR SPECIFIC
1582 INTERNATIONAL DISASTER GOODS AND EQUIPMENT**

1583

1584 **SEC. 56. *Simplification of Document Requirements.*** – (a) Consignment of
1585 goods and equipment sent by or on behalf of eligible assisting international actors
1586 shall be cleared or released on the basis of a simplified goods declaration
1587 providing the minimum information necessary for the Bureau of Customs to
1588 identify the goods and equipment and subject, then deemed necessary, to
1589 completion of a more complete declaration within a specified period.

1590 (b) The requirements for the declaration for all imports of goods or
1591 equipment by or on behalf of eligible assisting international actors and any
1592 supporting documents relating to said consignment, release and clearance of
1593 goods or equipment shall be simplified and lodged without fee.

1594 **SEC. 57. *Telecommunications Equipment.*** – Eligible assisting international
1595 actors shall be permitted to import telecommunications equipment for the
1596 purpose of Disaster Relief or Initial Recovery Assistance without restrictions,
1597 except as required by NDRC guidelines and other laws for purposes of national
1598 security or public order. The NDRC shall provide the guidelines for the manner of
1599 use of telecommunications equipment as well as a waiver of licensing
1600 requirements or fees.

1601 **SEC. 58. *Medications.*** – Eligible assisting international actors shall be
1602 permitted to import and transport medications and medical equipment for the
1603 purpose of Disaster Relief or Initial Recovery Assistance so long as they conform
1604 to the implementing rules and regulations to be provided by the NDRC.

1605 **SEC. 59. *Food.*** – Food imported by eligible assisting international actors for
1606 disaster relief and recovery shall be admitted pursuant to expedited procedures
1607 set out by the DRC.

1608 **SEC. 60. *Imported Vehicles.*** – The granting of local registration and plates
1609 for vehicles imported by eligible assisting international actors shall be expedited.

1610 C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS

1611 **SEC. 61. *Disposition of Equipment and Unused Goods.*** – The DRC shall
1612 provide for the guidelines for retention, reexportation, donation and disposal of
1613 unused goods and equipment after the termination of Disaster Relief and Initial
1614 Recovery Assistance operations.

1615

1616 CHAPTER XVII

1617 REMEDIAL MEASURES UNDER STATE OF CALAMITY

1618 **SEC. 62. *Standards for Recovery.*** – The Department shall observe
1619 internationally accepted standards for recovery, planning, programming and
1620 implementation of the recovery process and shall:

1621 (a) Improve the community's physical, social and economic resilience,
1622 consistent with the principle of "Build Forward Better";

1623 (b) Use locally-driven and centrally-supported processes based on legal
1624 mandates with supplementary capacity support when requested;

1625 (c) Redirect development outside danger zones to minimize loss of lives and
1626 structures resulting from typhoons, flooding, landslides, and other hazards;

1627 (d) Employ outcome-driven planning and implementation;

1628 (e) Maximize use of private-public sector partnership where possible;

1629 (f) Consider local conditions such as culture, security situation, and existing

1630 capacities of communities in identifying programs and projects;

1631 (g) Ensure access to public transport, physical and mental health services,

1632 markets, schools, sustainable livelihoods, and other public services in planning for

1633 settlement areas; and

1634 (h) Ensure restoration of peace and order and recovery of government

1635 functions.

1636

1637 **SEC. 63. *Remedial Measures Under State of Calamity.*** – Upon the

1638 declaration of a state of calamity, the following remedial measures shall be

1639 immediately undertaken by concerned government agencies both of national and

1640 local levels:

1641 (a) Imposition of price ceiling on basic necessities and prime commodities

1642 by the National Price Control Council, as provided for under Republic Act No.

1643 7581, otherwise known as the “*Price Act*”, as amended by Republic Act. No.

1644 10623;

1645 (b) Monitoring, prevention and control by the Local Price Coordinating

1646 Council of overpricing/profiteering and hoarding of prime commodities,

1647 medicines and petroleum products;

1648 (c) Programming/reprogramming of funds for the repair of critical facilities

1649 or public infrastructures that are vital for the quick delivery of humanitarian

1650 assistance, to reduce further threat to lives and arrest further deterioration of

1651 properties and loss of livelihoods in the affected communities, following the

1652 “Build Forward Better” principle:

1653 (1) Grant of no-interest loans by government financing or lending

1654 institutions to the most vulnerable and marginalized groups or individuals; and

1655 (2) Local Tax exemptions, incentives or reliefs under such terms and

1656 conditions as may be deemed necessary by the affected LGU.

1657

CHAPTER XVIII

1659 PROCUREMENT

SEC. 64. General Rule on Procurement. – Any procurement of goods, services, consultancy or infrastructure for disaster risk and vulnerability reduction and climate risk, whether at the national or local level shall conform to the provisions and implementing rules and regulations (IRR) of Republic Act No. 9184, otherwise known as “Government Procurement Reform Act”, as amended.

1665 **SEC. 65. Emergency Procurement.** – In order to expedite disaster response
1666 and early recovery, the procurement or lease of equipment and delivery of goods
1667 and services through emergency procurement or purchase at site shall be
1668 allowed. Periods of action on procurement activities may also be waived for the
1669 same purpose and conditions.

1670

1671

CHAPTER XIX

PROHIBITED ACTS AND PENALTIES

1674

1675 **SEC. 66. *Prohibited Acts.*** – Any public official, private person, group or
1676 corporation who commits any of the following prohibited acts shall be liable and
1677 be subjected to the criminal and administrative penalties as provided for in
1678 Section 67 of this Act, without prejudice to the imposition of other criminal, civil
1679 and administrative liabilities under existing laws.

1680 (a) Prohibited acts of Public Officials – The following acts, if committed by
1681 public officials without justifiable cause, shall be considered as gross neglect of
1682 duty:

(1) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;

1685 (2) Failure to create a functional LDR office within six (6) months from the
1686 approval of this Act;

1687 (3) Failure to appoint a permanent local disaster resilience officer within six
1688 (6) months from the approval of this Act;

1689 (4) Failure to prepare and implement a Contingency and Adaption Plan for
1690 hazards frequently occurring within their jurisdictions; and

1691 (5) Failure to formulate and implement the LDRP with the corresponding
1692 budget allocation.

1693 Sexual exploitation and abuse, and other forms of sexual misconduct to the
1694 affected population or at-risk communities shall be punishable under existing
1695 criminal and administrative laws.

1696 (b) Prohibited Acts of Public Officials and Private Persons or Institutions –

1697 (1) Delaying, without justifiable cause the delivery or improper handling or
1698 storage of aid commodities, resulting to damage or spoilage;

1699 (2) Withholding the distribution of relief goods due to; (a) political or
1700 partisan considerations; (b) discrimination based on race, ethnicity, religion, or
1701 gender; and (c) other similar circumstances;

1702 (3) Preventing the entry and distribution of relief goods due in disaster-
1703 stricken areas, including appropriate technology, tools, equipment, accessories,
1704 disaster teams or experts;

1705 (4) Buying, for consumption or resale, from disaster relief agencies any
1706 relief goods, equipment or other aid commodities which are intended for
1707 distribution to disaster affected communities;

1708 (5) Buying, for consumption or resale, from disaster affected persons, relief
1709 goods, equipment or other aid commodities received by them;

1710 (6) Selling of relief goods, equipment, or other aid commodities which are
1711 intended for distribution to disaster victims;

1712 (7) Forcibly seizing relief goods, equipment, or other aid commodities
1713 intended for or consigned to a specific group of victims or relief agency;

1714 (8) Diverting or misdelivery of relief goods, equipment, or other aid
1715 commodities intended for or consigned to a specific group of victims or relief
1716 agency;

1717 (9) Accepting, possessing, using or disposing relief goods, equipment or
1718 other aid commodities not intended for nor consigned for them;

1719 (10) Misrepresenting the source of relief goods, equipment, or other aid
1720 commodities by:

1721 (i) Either covering, replacing or defacing the labels of the containers to
1722 make it appear that the goods, equipment, or other aid commodities came from
1723 another agency or persons;

1724 (ii) Repacking the goods, equipment, or other aid commodities into
1725 containers with different markings to make it appear that the goods came from
1726 other agency or persons or was released upon the instance of a particular agency
1727 or persons; and

1728 (iii) Making a false verbal claim that the goods, equipment or other aid
1729 commodities in their untampered original containers actually came from another
1730 agency or persons or was released upon the instance of a particular agency or
1731 persons;

1732 (11) Substituting or replacing relief goods, equipment, or other aid
1733 commodities with the same items or of inferior/cheaper quality;

1734 (12) Illegal solicitations by persons or organizations representing others as
1735 defined in the standards and guidelines set by the NDRC;

1736 (13) Deliberate use of false or inflated data in support of the request for
1737 funding, relief goods, equipment, or other aid commodities for emergency
1738 assistance or livelihood projects;

1739 (14) Stealing, taking, or possessing of any if the equipment, accessories and
1740 other vital facility or items or any part thereof;

1741 (15) Selling or buying stolen equipment, accessories, and other vital facility
1742 or items or any part thereof;

1743 (16) Tampering with or stealing hazard monitoring and disaster
1744 preparedness equipment and paraphernalia;

1745 (17) Attempting to commit any of the abovementioned prohibited acts; and

1746 (18) Benefitting from the proceeds or fruits of any of the abovementioned
1747 prohibited acts knowing that the proceeds or fruits are derived from the
1748 commission of the prohibited acts.

1749 **SEC. 67. *Penalties.*** – The following penalties shall be imposed on any
1750 individual, corporation, partnership, association or other juridical entity that
1751 commits any of the prohibited acts in the preceding section:

1752 (a) Imprisonment of not less than twelve (12) years but not more than
1753 fifteen 915) years or a fine of not less than One million pesos (P1,000,000.00) but
1754 not more than Three million pesos (P3,000,000.00), or both imprisonment and
1755 fine at the discretion of the court, shall be imposed upon any person found guilty
1756 of violating subsections (b)(1) to (b)(16), as well as the confiscation and forfeiture
1757 in favour of the government of the object and the instrumentalities used in the
1758 commission of the prohibited acts;

1759 (b) Imprisonment of not less than six (6) years but not more than eight (8)
1760 years or a fine of not less than Five hundred thousand pesos (P500,000.00) but
1761 not more than One million pesos (P1,000,000.00), or both imprisonment and fine
1762 at the discretion of the court, shall be imposed upon any person who attempts to
1763 commit any of the prohibited acts in the preceding section, in violation of
1764 subsection (b)(17) thereof;

1765 (c) Imprisonment of not less than two (2) years but not more than six (6)
1766 years or a fine of not less than Two hundred thousand pesos (P200,000.00) but
1767 not more than Five hundred thousand pesos (P500,000.00), or both imprisonment
1768 and fine at the discretion of the court, shall be imposed upon any person found
1769 guilty of unlawfully benefiting from the proceeds or fruits of any of the prohibited
1770 acts in the preceding section, in violation of subsection (b)(18) thereof;

1771 (d) Perpetual disqualification from public office aside from the penalty of
1772 fine or imprisonment or both, shall be imposed if the offender is a public officer,
1773 confiscation or forfeiture in favour of the government of the objects and the
1774 instrumentalities used in the commission of any of the prohibited acts in the
1775 preceding section;

1776 (e) If the offender is a corporation, partnership or association, or other
1777 juridical entity, the penalty shall be imposed upon the officer or officers of the
1778 corporation, partnership, association or entity responsible for the violation
1779 without prejudice to the cancellation or revocation of these entities' registration,
1780 license or accreditation issued to them by any licensing or accredited body of the
1781 government. If such offender is an alien, the person shall, in addition to the
1782 penalties prescribed in this Act, be deported without further proceedings after
1783 service of the sentence;

1784 (f) Payment of the full cost of repair or replacement of the government risk
1785 reduction and preparedness equipment, accessories and other vital facility or
1786 items, or any part thereof, which is the object of the crime shall likewise be
1787 imposed upon any person who shall commit any of the prohibited acts in the
1788 preceding section; and

1789 (g) The prosecution of offenses set forth under the preceding section shall
1790 be without prejudice to any criminal liability for violation of Act No. 3815, as
1791 amended, otherwise known as the "The Revised Penal Code", and other existing
1792 laws, as well as the imposition of applicable administrative or civil liabilities.

1793 CHAPTER XX

1794 APPROPRIATIONS

1796 SEC. 68. *Appropriations.* – (a) The amount needed for the initial
1797 implementation of this Act shall be taken from the current fiscal year's expanded
1798 appropriation of all agencies herein absorbed, transferred, and attached to the
1799 Department. Thereafter, the amount needed for the operation and maintenance
1800 of the Department shall be included in the General Appropriations Act.

1801 (b) National Disaster Resilience Fund (NDRF). The utilization and allocation
1802 of the entire NDRF (Calamity Fund) and its quick response fund component shall
1803 be managed by the Department except as provided for by specific laws.

1804 (c) Local Disaster Resilience Fund (LDRF). Not less than seven percent (7%)
1805 of the estimated revenue from regular sources shall be set aside as the LDRF to
1806 support disaster risk and vulnerability reduction and climate change adaptation
1807 and mitigation programs, projects and activities. The LDRC shall monitor and
1808 evaluate the use and disbursement of the LDRF based on the LDRP as
1809 incorporated in the local development plans and annual work and financial plan.
1810 Upon the recommendation of the LDRO and approval of the sanggunian
1811 concerned, the LDRC may transfer the said fund to support the disaster risk and
1812 vulnerability reduction and climate change adaptation work and initiatives of
1813 other LDRCs that are declared under a state of calamity.

1814 (1) Of the amount appropriated for LDRF, twenty percent (20%) shall be
1815 allocated as Quick Response Fund (QRF) or standby fund for prepositioning of
1816 goods and relief and early recovery programs in order that the situation and living
1817 conditions of people in communities or areas stricken by disasters, epidemics, or
1818 complex emergencies, may be normalized as quickly as possible.

1819 (2) Of the annual appropriation for the LDRF, eighty percent (80%) shall be
1820 appropriated for climate change adaptation, disaster risk and vulnerability
1821 reduction, prevention, adaptation and mitigation programs, projects and activities
1822 focusing on both institutional capacity building of vulnerable communities and
1823 risk-reducing infrastructure. The NDRC shall pass a resolution to set the priority
1824 allocations and govern and trigger the acceleration and implementation of this
1825 section.

1826 (3) Of the amount appropriated for the Disaster Resilience Fund, twenty
1827 percent (20%) shall be allocated as Quick Response Fund (QRF) or standby fund
1828 for prepositioning of goods and equipment and relief and early recovery
1829 programs in order that the situation and living conditions of people in
1830 communities or areas stricken by disasters, epidemics, or complex emergencies,
1831 may be normalized as quickly as possible.

1832 (4) All departments/agencies and LGUs that are allocated with LDRF shall
1833 submit to the Department their monthly statements on the utilization of LDRF
1834 and make an accounting thereof in accordance with existing accounting and
1835 auditing rules.

1836 (5) All department, bureaus, offices and agencies of the government are
1837 hereby authorized to use a portion of their appropriations to implement projects
1838 designed to address disaster risk and vulnerable reduction-climate change
1839 adaptation activities in accordance with the DRP and the guidelines to be issued
1840 by the DRC in coordination with the Department Budget and Management (DBM)
1841 and Commission on Audit (COA).

1842 Unexpanded LDRF shall accrue to a trust fund solely for the purpose of
1843 supporting disaster risk reduction and management and climate change
1844 adaptation activities of the LDRCs within the next two (2) years. Any such amount
1845 still not fully utilized after two (2) years shall revert back to the general fund and
1846 will be available for other social services to be identified by the local sanggunian.

1847 The NDRC shall issue guidelines on the utilization and release of LDRF in
1848 coordination with other concerned government agencies.

1849 (d) Prevention, Mitigation and Preparedness Fund for third (3rd) to Sixth
1850 (6th) class provinces and municipalities. There shall be in the annual General
1851 Appropriations Act an amount allotted solely for the use third (3rd) to sixth (6th)
1852 class provinces and municipalities for the purpose of augmenting their LDRF with
1853 respect to plans, programs, projects, and procurement for climate change
1854 adaptation, disaster risk prevention, mitigation, and preparedness. The
1855 requirements to avail of this fund shall be laid down in the rules and regulations
1856 to be promulgated by the Secretary.

1857

1858

1859

1860

CHAPTER XXI

FINAL PROVISIONS

SEC. 69. Transfer and Attachment. –

1864 (a) The applicable powers, functions, funds, and appropriations of the
1865 Office of Civil Defense (OCD) and the Climate Change Office (CCO), Geo-Hazard
1866 Assessment and Engineering Geology Section of the Mines and Geosciences
1867 Bureau (MGB), Health and Emergency Management Bureau of the Department of
1868 Health (DOH), the Disaster Response Assistance and Management Bureau
1869 (DREAMB) of the DSWD, and the Bureau of Fire Protection are hereby transferred
1870 to the Department.

1871 (b) The disaster risk reduction and management functions, assets and
1872 personnel of the Office of Civil Defense (OCD) currently under the DND, are
1873 hereby transferred to the Department, and the civil defense gunctions shall
1874 remain in the DND;

1875 (c) The existing organizational and administrative systems and processes of
1876 the transferred OCD shall serve as the core organization of the Department.

1877 (d) The Climate Change Office of the Climate Change Commission shall
1878 continue its functions under Republic Act No. 10174 under the Department.

1879 (e) The following agencies are hereby attached to the Department:

1880 (1) Philippine Atmospheric, Geophysical and Astronomical Services
1881 Administration (PAGASA); and

1882 (2) Philippine Institute of Volcanology and Seismology (PHIVOLCS).

(f) The employees of the Bureau of Fire Protection (BFP) shall remain as distinct entity within the Department including their uniformed personnel status and benefits.

1886 The Department shall, by virtue of this Act, be subrogated to all the rights
1887 and assume all the liabilities of the agencies absorbed under this Act, and all their
1888 funds, records, property, assets, equipment, and such personnel as necessary,

1889 including unexpanded appropriations or allocations. All contracts and liabilities of
1890 the said agencies are hereby transferred to and assumed by the Department and
1891 shall be acted upon in accordance with the Auditing Code and other pertinent
1892 laws, rules, and regulations.

1893 ***SEC. 70. Separation Benefits of Officials and Employees of Affected***
1894 ***Agencies.*** – National government employees displaced or separated from the
1895 service as a result of this Act shall be entitled to separation pay and other benefits
1896 in accordance with Republic Act No. 6656, and other existing laws, rules or
1897 regulations: *Provided*, That those who are qualified to retire under existing
1898 retirement laws shall be allowed to retire and receive retirement benefits to
1899 which they may be entitled under applicable laws and issuances.

SEC. 71. *Magna Carta for DDR Personnel*. – Qualified employees of the DDR, LGUs and its attached units shall be covered by Republic Act No. 8439, otherwise known as the “Magna Carta for Scientists, Engineers, Researchers and Other S and T Personnel in the Government”, and Republic Act No. 7305, otherwise known as the “Magna Carta of Public Health Workers”.

CHAPTER XXII

MISCELLANEOUS PROVISIONS

SEC. 72. *Implementing Rules and Regulations.* – The Department, in consultation with concerned stakeholders, shall issue the necessary rules and regulations for the effective implementation of this Act within ninety (90) days from the effectivity of this Act.

1912 **SEC. 73. Congressional Oversight Committee.** – There shall be created a
1913 Congressional Oversight Committee on Climate Change and Disaster Resilience to
1914 monitor and oversee the implementation of the provisions of this Act. The
1915 Committee shall be composed of six (6) members from the Senate and six (6)
1916 members from the House of Representatives with the Chairpersons of the
1917 Committees on National Defense and Security of both the Senate and the House
1918 of Representatives as joint Chairpersons of this Committee. The five (5) other

1919 members from each Chamber are to be designated by the Senate President and
1920 the Speaker of the House of Representatives, respectively. The minority shall be
1921 entitled to *pro rata* representation but shall have at least two (2) representatives
1922 from each Chamber.

1923 **SEC. 74. *Review*.** – Five (5) years after the effectivity of this Act, or as the
1924 need arises, the Congressional Oversight Committee shall conduct a systematic
1925 evaluation of the accomplishments and impact of this Act, as well as the
1926 performance and organizational structure of its implementing agencies, for
1927 purposes of determining remedial legislation.

1928 **SEC. 75. *Separability Clause*.** – If any provision of this Act shall be declared
1929 unconstitutional or invalid, the other provisions not otherwise affected shall
1930 remain in full force and effect.

1931 **SEC. 76. *Repealing Clause*.** – (a) Republic Act No. 10121, otherwise known
1932 as the “Philippine Disaster Risk Reduction and Management act of 2010”, is
1933 hereby repealed.

1934 (b) The following provisions are hereby amended or modified,
1935 accordingly:

1936 (1) Section 30 of Executive Order No. 128, Series of 1987,
1937 Reorganizing the National Science and Technology Authority;

1938 (2) Section 6 of Republic Act 6975, otherwise known as the
1939 “Department of the Interior and Local Government Act of 1990”;

1940 (3) Sections 3(d) and 5 of Republic Act No. 9729, otherwise known as
1941 the “Climate Change Act of 2009”, as amended by Republic Act No. 10174;

1942 (4) Section 4 of Republic Act No. 10639, otherwise known as “The
1943 Free Mobile Disaster Alerts Act”; and

1944 (5) Section 5 of Republic Act No. 10692, otherwise known as “The
1945 PAGASA Modernization Act of 2015”.

1946 (c) All other laws, decrees, executive orders and issuances,
1947 proclamations, rules and regulations, and other issuances or parts thereof that

1948 are inconsistent with the provisions of this Act are hereby repealed or amended
1949 accordingly.

1950

1951 **SEC. 77. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
1952 publication in the *Official Gazette* or a newspaper of general circulation.

1953 Approved,

1954

1955

1956