



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH (18th) CONGRESS
First Regular Session

HOUSE BILL NO. 0164

Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

EXPLANATORY NOTE

This bill is in consolidation of several bills passed by the committee in the 17th Congress. This DDR Act would also be an answer to the State's constitutional mandate to uphold the people's constitutional rights to life and property as stated by Section 1, Article III of the 1987 Constitution: *No person shall be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws.*

The Philippines, being located at the so-called "Pacific Ring of Fire," a region in the Pacific Ocean where a lot of the Earth's volcanic eruptions and earthquakes happen, makes the country prone to natural calamities. Our archipelago has 23 active volcanoes—21 of these may cost the lives and property of Filipinos—have historical eruptions, according to the Philippine Institute of Volcanology and Seismology (PHIVOLCS).

Our geographic location along the typhoon belt makes typhoon cyclones frequent visitors of the Philippines. Every year, an average of 19-20 typhoons visit the Philippine Area of Responsibility. From which, at least five are expected to make landfall.

This year, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) warned the public to brace for stronger tropical cyclones because of the prevailing El Niño phenomenon. The agency said these typhoons may be as strong as Ondoy and Yolanda, which greatly devastated the Philippines in 2009 and 2013, respectively.

Typhoon Ondoy, considered as one of the worst natural disasters in the country, affected 993,227 families or 4,001,234 Filipinos. 464 were killed, 529 injured and 37 were missing. In just

six hours, Ondoy ravaged Luzon, submerged parts of Metro Manila in floods. Subsequently placing Metro Manila and 23 provinces under a state of calamity. Worse, Typhoon Pepeng lashed the country just a week after Ondoy.

These circumstances led to the enactment of Republic Act No. 10121 or the Philippine Disaster Risk Reduction Act and Management of 2010 signed by then President Gloria Macapagal-Arroyo. RA 10121 provided the national and local government units the National Disaster Risk Reduction System Framework that aims to better prepare and capacitate the government for natural and man-made calamities. It also institutionalized the National Disaster Risk Reduction and Management Plan.

Four years after Ondoy and Pepeng, Typhoon Yolanda (Haiyan) struck the Philippines. Almost 8,000 people were dead or went missing. Storm surge razed 1.14 million houses. Ships were washed ashore. Livelihood worth billion pesos were also destroyed. Yolanda, a category-five typhoon, remains the most powerful and deadliest to have ever hit the country.

During that time, RA 10121 was put to test. Typhoon Yolanda exposed the weakness in the structural and institutional set up of the said law. There were difficulties in dispersed responsibility and resources, making it hard to make immediate response in critical times of disasters.

A focal disaster organization that only has coordinative functions, as mandated by RA 10121, is not enough as the Philippines is expected to face deadlier and stronger typhoons. This bill proposes the creation of a Department of Disaster Resiliency to apportion the function of agencies concerning disaster risk management, mitigation, planning, coordination, monitoring, and implementation of disaster risk and vulnerability reduction and management, most especially the strengthening and empowerment of local government units to be well prepared during natural disasters.

This will establish a department that will move the Philippines towards a more resilient nation that will benefit the present and future generations.

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

A handwritten signature in black ink, appearing to read "Jec Belarmino".



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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 **CHAPTER I**
2 **GENERAL PROVISIONS**

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

4 Resilience Act”.

5
6 **SEC. 2. Declaration of Policies and Principles. – (a) Duties of the State.**
7 The State shall carry out and harmonize the policies on disaster risk and vulnerability
8 reduction and management, environmental management, and climate change adaptation, and
9 sustainable development to uphold the welfare of the people particularly the vulnerable sectors
10 of society.

11 The State shall uphold its commitment to the achievement of the sustainable
12 development goals specifically, integrating and implementing policies and plans towards
13 inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to
14 disasters, and develop and implement a holistic disaster risk management at all levels in line
15 with the Sendai Framework for Disaster Risk Reduction 2015-2030.

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

7 The State shall integrate and accelerate the implementation of the principles, and
8 concepts of climate change, disaster risk and vulnerability reduction contained in the Paris
9 Agreement of the United Nations Framework Convention on Climate Change (UNFCCC), the
10 Sendai Framework for Disaster Risk Reduction 2015-2030, the 2015 Asia-Pacific Economic
11 Cooperation (APEC) Disaster Risk Reduction (DDR) Framework, the 2030 Agenda for
12 Sustainable Development Goals (SDGs), and the Philippine Development Plan (PDP) 2017-
13 2022 in various phases of policy formulation, development plans and investments, poverty
14 reduction strategies and other development tools, and techniques by all national and local
15 agencies, institutions and instrumentalities of the government to enhance the country's climate
16 change adaptive capacity.

17 It shall be the duty of the State to:

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

23 (2) Incorporate internationally accepted principles of disaster risk and vulnerability
24 reduction and management, and climate change adaptation, including universal principles and
25 standards for humanitarian assistance, developing and implementing national, regional and
26 local sustainable development and poverty reduction strategies, policies, plans and budgets, as
27 part of the country's commitment to overcome human suffering due to disasters;

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

33 (4) Promote and advance the implementation of a comprehensive Disaster Risk and
34 Vulnerability Reduction Plan (DRVRP) that aims to strengthen the capacity of the national

1 government and the local government units (LGUs), together with development partner
2 stakeholders, build the disaster resilience of communities, and institutionalize arrangements
3 and measures for reducing disaster risks, including projected climate risks, and enhance
4 disaster preparedness and response capabilities at all levels;

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

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

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

15 (8) Recognize and strengthen the capacities of LGUs, communities and multiple
16 stakeholders in mitigating and preparing for, responding to, and recovering from the impact of
17 disasters through identification of local risk patterns, and decentralized powers,
18 responsibilities, and resources at the regional and local levels;

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

23 (10) Mainstream disaster risk and vulnerability reduction in government by ensuring
24 risk-informed planning, programming, implementation, monitoring, and evaluation, and the
25 use of quality management, accountability, and performance systems in measuring and
26 improving the effectiveness and efficiency of disaster risk and vulnerability reduction
27 management processes across all government levels, including those offices which manage
28 peace processes and conflict-resolution approaches, so as to minimize loss of lives and damage
29 to properties and ensure that communities in conflict zones can immediately resume their
30 normal lives at the conclusion of episodes of intermittent conflicts;

31 (11) Adopt a disaster risk and vulnerability reduction and management approach that
32 is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and
33 environmental impacts of disasters including climate change, and promote the involvement and

1 participation of all sectors and all stakeholders concerned, at all levels, especially the local
2 community;

3 (12) Prioritize the development of disaster prevention and mitigation measures
4 involving all levels of society and government;

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

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

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

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

18 (17) Ensure the use of advanced science and the most up-to-date technologies in
19 climate adaption, disaster risk, and vulnerability reduction and management through
20 engagement, consultation, and employment with a regular department funding of academe or
21 higher education institutions, such as the University of the Philippines Resilience Institute,
22 University of the Philippines Nationwide Operational Assessment of Hazards Center and other
23 scientific research and academic institutions that have a track record and expertise recognized
24 both locally and internationally as well as the capacity to implement science and engineering
25 requirements necessary for effective climate change adaptation, and disaster risk and
26 vulnerability reduction;

27 (18) Ensure workers’ rights are proactively respected during the disaster
28 preparedness and response, and actively engage workers’ and employers’ organizations to
29 share expertise and capacities in disaster risk reduction and climate adaptation programs;

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

1 disaster risk and vulnerability reduction and anticipatory adaptation, including data gathering,
2 planning, programming, budgeting, implementation, monitoring and evaluation;

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

7 (5) Persons with disabilities, through their existing network or organizations, shall
8 participate in activities related to assessment, programming, and the designs of policies, plans
9 and mechanism;

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

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

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

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

24 (10) Emergency responders, community practitioners, and organized volunteer
25 organizations shall contribute to resilience by providing timely and efficient emergency
26 response and providing training on basic life support, first aid, and search and rescue in
27 accordance with the standards provided by Research, Education, and Training Institute of the
28 Department;

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

1 (12) Businesses, private sector financial institutions, professional associations, as well
2 as philanthropic foundations together with financial regulators shall be encouraged to integrate
3 disaster risk management, including business continuity, into business models and core
4 business values and practices via disaster risk-informed investments, especially in micro, small
5 and medium-sized enterprises; engage in awareness-raising and training for their employees
6 and customers; engage in and support research and innovation as well as technological
7 development for disaster risk management; share and disseminate knowledge, practices and
8 data; and actively participate, as appropriate and under the guidance of the public sector, in the
9 development of normative frameworks and technical standards that incorporate disaster risk
10 management; and

11 (13) The media shall take an active and inclusive role at the local, regional, and national
12 levels in contributing to the raising of public awareness and understanding, and disseminate
13 accurate disaster risk, hazard and disaster information, including on small-scale disaster risk,
14 in a simple, transparent, easy-to-understand and accessible manner, in close cooperation with
15 national and local authorities; adopt specific disaster risk and vulnerability reduction
16 communication policies support, as appropriate, early warning systems and life-saving
17 protective measures; and stimulate a culture of prevention and strong community involvement
18 in sustained public education campaigns and public consultations at all levels of society with
19 national practices.

20
21 **SEC. 3. *Definition of Terms.*** – As used in this Act:

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

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

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

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

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

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

6 (g) ***Civil Society Organizations (CSOs)*** refer to non-state actors whose aims are
7 neither to generate profits nor to seek governing power, but to unite people to advance shared
8 goals and interests. They have a presence in public life, expressing the interests and values of
9 their members or others, based on ethical, cultural, scientific, religious or philanthropic
10 considerations. CSOs include nongovernment organizations (NGOs), professional
11 associations, foundations, independent research institutes, community-based organizations
12 (CBOs), faith-based organizations, people's organizations, social movements, and labor
13 unions.

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

21 (i) ***Climate Change Adaptation*** refers to the adjustment in natural or human
22 systems in response to actual or expected climactic stimuli or their effects, which moderates
23 harm or exploits beneficial opportunities.

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

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

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

4 (m) ***Contingency Planning*** refers to a management process that analyzes specific
5 potential events or emerging situations that might threaten society or the environment and
6 establishes arrangements in advance to enable timely, effective and appropriate responses to
7 such events and situations.

8 (n) ***Dangerous Anthropogenic Interference*** refers to the effect in the climate
9 system as a result of the increase of greenhouse gas concentration in the atmosphere that leads
10 to widespread climate change impacts such as widespread demise of coral reefs.

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

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

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

22 (r) ***Disaster Preparedness*** refers to the knowledge and capacities developed by
23 governments, professional response and recovery organizations, communities and individuals
24 to effectively anticipate, respond to, recover from, the impacts of likely, imminent or current
25 hazard events or conditions. It includes preparedness for response such as contingency
26 planning, stockpiling of equipment and supplies, the development of arrangements for
27 coordination, evacuation, and public information, and preparedness for recovery such as
28 procurement of land for resettlement sites.

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

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

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

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

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

21 (x) ***Disaster Risk Reduction*** refers to the concept and practice of reducing disaster
22 risks through systematic efforts to analyze and manage the causal factors of disasters, including
23 through reduced exposure to hazards, lessened vulnerability of people and property, wise
24 management of land and the environment, and improved preparedness for adverse events.

25 (y) ***Disaster Risk and Vulnerability Reduction (DRVR)*** refers to the concept and
26 practice of reducing potential loss of life, injury, or destroyed or damaged assets or disruption
27 which could occur to a system, society or a community in a specific period of time, determined
28 probabilistically and conditions determined by physical, social, economic and environmental
29 factors or processes which increase the susceptibility of an individual, a community, assets or
30 system to the impacts of hazards through systematic efforts to analyze and reduce the causal
31 factors of disasters all of which contribute to strengthening resilience and therefore to the
32 achievement of sustainable development.

33 (z) ***Disaster Risk Reduction and Management Information System*** refers to a
34 specialized database which contains, among others, information on disasters and their human,

1 material, economic, and environmental impact, risk assessment and mapping, and vulnerable
2 and marginalized groups.

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

13 (bb) ***Ecosystem Management and Restoration*** refers to an integrated process to
14 conserve, improve and restore the health of the ecosystem that sustain ecosystem services for
15 human well-being.

16 (cc) ***Eligible Assisting Actor*** refers to any assisting factor that has been determined
17 to be eligible to receive legal facilities as provided in this Act and its implementing rules and
18 regulations

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

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

24 (ff) ***Exposure*** refers to the degree to which the element at risk are likely to
25 experience hazard events of different magnitudes.

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

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

32 (ii) ***Geographically Isolated and Disadvantaged Area (GIDA)*** refers to areas with
33 a marginalized population which is physically and socioeconomically separated from the
34 mainstream society and characterized by physical factors, and isolated due to distance, weather

1 conditions and transportation difficulties in island, upland, lowland, landlocked, hard to reach
2 and underserved communities; and/or socioeconomic factors such as high poverty incidence,
3 presence of vulnerable sectors, communities in or recovering from situation of crisis or armed
4 conflict.

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

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

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

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

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

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

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

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

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

3 (ss) **National Continuity Policy** refers to a policy aimed at the development of an
4 organizational culture that has the ability to provide a minimum level of service during
5 interruptions, emergencies, and disasters, and return to full operations quickly.

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

9 (uu) **National Disaster Resilience Plan (NDRP)** refers to the document to be
10 formulated by the NDRC and implemented by the Authority that sets out goals and specific
11 objectives for reducing disaster risks together with related actions to accomplish these
12 objectives. The NDRP shall provide for the identification of hazards, vulnerabilities, and risks
13 to be managed at the national level; disaster risk reduction and management approaches and
14 strategies to be applied in managing said hazards and risks; agency roles, responsibilities and
15 lines of authority at all government levels; and vertical and horizontal coordination of disaster
16 risk reduction and management in the pre-disaster and post-disaster phases. It shall be in
17 conformity with the national disaster risk reduction and management framework.

18 (vv) **Natural Hazard** refers to naturally occurring physical phenomena caused either
19 by rapid or slow onset events which can be geological such as earthquakes ground rupture,
20 liquefaction, landslides, tsunamis, sinkholes, and volcanic activity; hydrological and
21 meteorological such as floods, severe winds, typhoons, storm surges, climatological variability
22 such as extreme temperatures, El Niño, La Niña, forest fires, or biological such as disease,
23 epidemics and insect/animal plagues.

24 (ww) **Open Data** refer to facts and statistics that can be freely used, shared and built-
25 on by anyone, anywhere, for any purpose. These must be available in bulk, should be available
26 free of charge, or at least at no more than a reasonable reproduction cost. The information
27 should be digital, preferably available by downloading through the internet, and easily
28 processed by a computer. These must permit people to use, re-use, and redistribute, intermix
29 with other data providers. These do not allow conditions to be placed on how people can use
30 Open Data, but permit a data provider to require that data users credit them in some appropriate
31 way, clarify if the data have been changed, or that new datasets created using their data are also
32 shared as open data.

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

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

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

13 (aaa) ***Private Sector*** refers to private corporations, households, non-profit institutions
14 serving households, and other economic enterprises outside of government.

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

16 (ccc) ***Recovery*** refers to rehabilitation measures that ensure the ability of affected
17 communities or areas to restore their normal level of functioning by restoring livelihoods and
18 services, reconstructing damaged infrastructures and increasing the communities'
19 organizational capacity.

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

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

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

32 (ggg) ***Probabilistic Risk Assessment*** refers to the simulation of those future disasters
33 based on scientific evidence, are likely to occur. As a result, these risk assessments resolve the
34 problem posed by the limits of historical data. Probabilistic models "complete" historical

1 records by reproducing the physics of the phenomena and recreating the intensity of a large
2 number of synthetic events. Probabilistic Risk Assessment considers all possible scenarios,
3 their likelihood, and associated impacts. It is characterized by inherent uncertainties partly
4 related to the natural randomness of hazards, and partly because of incomplete understanding
5 and measurement of the hazards, exposure, and vulnerability.

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

9 (iii) **Risk Transfer** refers to the process of formally or informally shifting the
10 financial consequences of particular risks from one party to another whereby a household,
11 community, enterprise, or state authority will obtain resources from the other party after a
12 disaster occurs, in exchange for ongoing or compensatory social or financial benefits provided
13 to that other party.

14 (jjj) **State of Calamity** refers to a condition involving mass casualty and/or major
15 damage to property, disruption of means of livelihoods, roads, and normal way of life of people
16 in the affected areas as a result of the occurrence of natural or human-induced hazard.

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

19 (III) **Vital Facility** Items refers to government risk reduction and preparedness
20 equipment, accessories and other items such as radars, weather forecasting equipment, flood
21 monitoring instruments, seismographs, tsunami warning systems, and automated weather
22 systems.

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

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

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

32 (ppp) **Whole of Government Approach** refers to an approach that integrates the
33 collaborative efforts of the government departments and agencies to achieve unity of effort

1 toward a shared goal to broaden the government's options, and increases efficiency to
2 maximize all available resources in a collaborative effort.

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

(rrr) **Youth** refers to those persons aged fifteen (15) to thirty (30) years old, as provided for under Republic Act No. 8044, otherwise known as "Youth in Nation-Building Act".

CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

SEC. 4. Creation of the Department of Disaster Resilience. – There is hereby created a Department of Disaster Resilience, herein after referred to as the Department.

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

18 The Department shall oversee and coordinate the preparation, implementation,
19 monitoring, and evaluation of disaster and climate resilience plans, programs, projects, and
20 activities, provide leadership in the continuous development of strategic and systematic
21 approaches to disaster prevention, mitigation, preparedness, response, recovery and
22 rehabilitation, to anticipatory adaptation strategies, measures, techniques and options.

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

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

(a) Risk Reduction

29 (1) Oversee, direct, and undertake programs and projects to identify, assess,
30 prioritize and localize hazards and risks in the country, in consultation with national
31 government agencies, local governments units, communities, and stakeholders that shall be
32 involved in disaster risk reduction efforts;

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

1 (3) Design and implement an incentive system for greater private and public
2 investment, both local and national, in disaster risk reduction;

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

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

8 (6) Create an enabling environment that shall promote broader multi-stakeholder
9 participation and integrate climate change mitigation, adaptation, and disaster risk and
10 vulnerability reduction.

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

14 (8) Establish and monitor local and national capacity for disaster risk financing and
15 insurance and other risk transfer strategies in coordination with the Department of Finance
16 (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the
17 Philippines (LBP);

18 (9) Formulate the National Disaster Resilience Framework, National Disaster
19 Resilience Plan, and the National Continuity Policy;

20 (10) Oversee and direct the comprehensive implementation of disaster risk reduction
21 and climate change adaptation and mitigation policies, plans, and programs, as embodied in
22 the Disaster Resilience Framework and Disaster Resilience Plan;

23 (11) Coordinate directly with local government units and private entities to address
24 Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale, cities and
25 municipalities at the micro-scale, and barangays at the meta-scale; and

26 (12) Review and evaluate local disaster resilience plans and other local plans to
27 ensure their consistency with the Climate-Disaster Resilience Framework and Plan.

28

29 **(b) Disaster Preparedness and Response**

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

33 (2) Coordinate information-sharing and other risk reduction protocols following the
34 principle of interoperability among national government agencies and LGU's;

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

4 (4) Exercise command and control over relevant government agencies including
5 government-owned and -controlled corporations, the Philippines National Police and other
6 law enforcement agencies, during an imminent or actual disaster. Such command and control
7 shall include the authority to utilize available services, assets, equipment, personnel, facilities
8 and other resources;

9 (5) Call on the reserve force, as defined in Republic Act No. 7707, otherwise known
10 as the “Citizen Armed Force or Armed Forces of the Philippines Reservist Act”, to assist in
11 relief and rescue operations during disasters;

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

14 (7) Implement pre-disaster risk assessments, to include deployment of rapid
15 assessment teams to gather information for precise actions as a basic for emergency
16 preparedness and humanitarian response;

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

19 (9) Monitor and support LGUs in the management of evacuation centers and ensure
20 the welfare and dignity of internally-displaced persons;

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

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

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

28

29 **(c) Rehabilitation and Recovery**

30 (1) Prepare, organize, lead, implement, and manage post-disaster assessment and
31 recovery and government agencies, and other stakeholders;

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

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

3

4 **(d) Other Powers and Functions**

5 (1) Provide or designate a secretariat to the Climate Change Commission;
6 (2) Establish and monitor local and national capacity for climate-disaster risk financing
7 and insurance and other risk transfer strategies in coordination with the Department of Finance
8 (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the
9 Philippines (LBP);

10 (3) Coordinate information-sharing and other disaster risk and vulnerability reduction
11 and climate change adaptation protocols following the principle of interoperability among
12 national government agencies and LGUs before, during, and after a disaster.

13 (4) Receive, administer, mobilize, and monitor and oversee the utilization of the
14 National Disaster Resilience Fund, the Prevention, Mitigation, and Preparedness Fund for third
15 (3rd) to sixth (6th) class provinces and municipalities, and donations for disaster risk and
16 vulnerability reduction and management and climate adaptation, unless otherwise specified;

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

24 (6) Establish a disaster resilience information system to facilitate the creation of an
25 integrated risk assessment platform that is built from the inputs of government and private
26 scientific and academic institutions, national government agencies and LGUs, local
27 communities and other stakeholders, and is able to provide readily accessible and actionable
28 information for purpose of risk governance and humanitarian action;

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

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

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

CHAPTER III

GENERAL WELFARE AND EMERGENCY MEASURES

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

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

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

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

(b) Emergency measures, including preemptive and forced evacuation, shall be carried out in a manner that is humane, respectful of the dignity and culture of persons, without using disproportionate force, without discrimination, and with conscious attention to the needs of vulnerable and marginalized groups.

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

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

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

(b) Forced evacuation shall be considered as an emergency measure of last resort that may be undertaken in anticipation of, during or after an emergency, hazard or disaster and be carried out by the affected local government in accordance with a duly issued order by the

1 local chief executive: *Provided*, That in case of the failure of the local government to
2 appropriately issue such order, the forced evacuation shall be implemented by the Department,
3 which may direct and compel the assistance of law enforcement and other relevant national
4 agencies to implement said emergency measure.

5 During such forced evacuation, government officials may direct and compel the
6 population to be affected or is currently affected by an emergency, hazard or disaster to relocate
7 to safer location for their own safety.

8

9 ***SEC. 10. Release from Liability in Case of Refusal to Evacuate. -***

10 (a) Any person who willfully and deliberately disregards or opposes the
11 order of forced evacuation issued by the local chief executive or the Department, releases the
12 local government or the Department from any liability for injury, death, damage to or loss of
13 property attributed to said disobedience.

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

16

17 ***SEC. 11. Inspection and Implementation Powers.*** – The Department shall have
18 inspection, visitorial and examining authority over government and nongovernment entities to
19 ensure that all funds and assets allocated for disaster resilience are actually used for said
20 purposes. The Department shall likewise have the power to inspect and examine the status of
21 projects and programs being undertaken in furtherance of disaster resilience efforts.

22 Whenever it becomes necessary, the Department may assume responsibility over the
23 implementation of and directly implement any program or project in anticipation of during,
24 and in the aftermath of emergencies, hazards and disasters.

25

26 ***SEC. 12. Utilization of Private Property for Public Purpose.*** – The Department shall
27 have the power to utilize any private property for urgent public purpose in anticipation of,
28 during, and in the aftermath of emergencies, hazards and disasters and only when there us
29 imminent danger of loss of lives and/or damage to property, subject to payment of just
30 compensation in appropriate cases.

31

32 ***SEC. 13. Emergency Powers.*** – Whenever it becomes necessary, the Department,
33 subject to the approval of the President, may call on the AFP or the PNP, in coordination with
34 the Secretary of National Defense and the Secretary of the Interior and Local Government, to

- 1 prevent or suppress lawless violence and ensure the protection and preservation of life or
- 2 property in anticipation of, during, and in the aftermath of emergencies, hazards and disasters.

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

9

10 **SEC. 14. *Emergency Arrangements.*** – The Department shall have the power to
11 negotiate, enter into, institutionalize and coordinate arrangements with any private person or
12 juridical entity for the purpose of ensuring the adequate and prompt availability of all goods
13 and services necessary in anticipation of, during, and in the aftermath of emergencies, hazards
14 and disasters and only when there is imminent danger of loss of lives and/or damage to
15 property.

16

CHAPTER IV

ORGANIZATION AND MANAGEMENT

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

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

24 (a) Establish and promulgate policies, rules, and regulations for the effective and
25 efficient operation of the Department:

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

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

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

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

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

- 1 (g) Advise the President on the promulgation of executive and administrative issuances
2 and the formulation of regulatory and legislative proposals on matters pertaining to disaster
3 resilience;
- 4 (h) Serve as the Vice Chairperson of the Climate Change Commission (CCC);
5 (i) In coordination with the Department of Foreign Affairs, represent the Philippines
6 in the climate change negotiations and articulate the national contribution to global, regional,
7 and other inter-governmental disaster risk reduction and humanitarian platforms;
8 (j) Call upon the AFP and the PNP to render assistance in disaster-affected areas; and
9 (k) Promulgate such rules and regulations and perform such other functions as may be
10 necessary or proper to attain the objectives of the Act.

11

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

- 14 (a) The Secretary, as provided for under this Act;
15 (b) Five (5) Undersecretaries, to be appointed by the President, who shall assist the
16 Secretary in administering the affairs of the Department, one to be responsible for Resilience,
17 one to be responsible for Policy and Governance, one to be responsible for Operations, one to
18 be responsible for Administration and Finance, and the Senior Undersecretary. The
19 Undersecretaries shall have functional and operational supervision over the bureaus, divisions,
20 offices and units assigned to their respective functional areas;
- 21 (c) Ten (10) Assistant Secretaries, to be appointed by the President, who shall assist
22 the Secretary in administering the affairs of the Department to be responsible for overall staff
23 supervision, Internal Audit, Administration, Disaster Resilience Fund Management, Fiscal
24 Management, Operations, Mobilization, Plans and Programs, Legal, Project Management and
25 Sustainable Development;
- 26 (d) Eleven (11) Service Directors who shall head the following Services: the
27 Administrative and Financial Management Service, the Logistics and Resource Management
28 Service, the Policy Development and Planning Service, the Capacity-Building and Training
29 Service, the Legal Affairs and Compliance Service, the Disaster Risk Reduction Service, the
30 Climate Change Service, the Recovery and Reconstruction Service, and the Strategic
31 Communication Service;
- 32 (1) The Administrative and Financial Management Service shall provide the
33 Department with economical, efficient and effective services relating to human resource
34 management and development, financial management and general administration

1 services to support civil defense and disaster risk reduction and management operations
2 and functions.

3 (2) The Logistics and Resource Management Service shall be responsible for the
4 efficient and effective management of all the assets and resources of the Department; the
5 efficient and effective gathering, maintenance and updating of a database of pertinent
6 assets and resources belonging to any and all agencies and instrumentalities of the
7 Government, as well as non-government and civic organizations in support of operational
8 readiness for utilization by the Department; and the procurement of necessary assets and
9 resources to be maintained and utilized by the Department.

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

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

18 (5) The Policy Development and Planning Service shall be responsible for
19 providing responsive, efficient and effective services relating to research, planning,
20 programming, budgeting, project development, and policy formulation of civil defense
21 and disaster risk reduction and management projects and activities.

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

25 (7) The Legal Affairs and Compliance Service shall provide legal advice to the
26 Department; interpret laws and rules affecting the administration and operations of the
27 Department; prepare and review contracts and instruments to which the Department is a
28 party; interpret provisions of contracts covering work involving the Department; and
29 monitor the compliance with regulatory and reportorial matters involving the
30 Department.

31 (8) The Disaster Risk Reduction Service shall be responsible for reducing disaster
32 risks through systematic efforts and programs of the Department to analyze and reduce
33 the causal factors of disasters such as exposure to hazards, lessening vulnerability of
34 people and property, wise management of land and the environment, and improving

1 preparedness and early warning for adverse events are all examples of disaster risk
2 reduction.

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

7 (10) The Rehabilitation and Recovery Management Service shall provide
8 responsive, efficient and effective services relating to the formulation of standards for
9 rehabilitation and recovery programs, projects, activities, and their subsequent
10 implementation.

11 (11) The Strategic Communications Service shall be responsible for the
12 formulation and implementation of the strategic communications plans and programs of
13 the Department; serve as the public affairs arm of the Department tasked with directing,
14 supervising and controlling the Department's public information programs and activities
15 as well as establishing and maintaining rapport with the media and the general public.

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

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

22 (g) Regional and other field Offices of the Department that shall be established in
23 each administrative region, each to be headed by a Regional

24 (h) Director with the rank of Director IV; Bureaus that are under the supervision
25 and control of the Department;

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

28 (j) Grievance desks in every region, which shall serve as a referral mechanism
29 and shall work jointly with relevant agencies, to receive complaints from the public regarding
30 violations of this Act. It shall assist the complainant in the gathering of relevant documentation
31 and other evidence to support said complaint. The grievance desk shall facilitate the forwarding
32 of the complaint to the appropriate office within fifteen (15) days from receipt thereof, and
33 shall provide timely feedback and updates regarding the status of the complaint. The grievance

1 desk shall use the best available technology to ensure that complaints are endorsed to the proper
 2 office and are addressed in a timely manner.

3

4 **CHAPTER V**
 5 **FINANCE AND ADMINISTRATION**

6 **SEC. 18. *Fiscal Management.*** – The Department shall manage all funds appropriated
 7 to it by Congress and from other sources. This shall include all donations, as contemplated
 8 under the succeeding paragraph, subject to provisions of Section 3, paragraph (D) of Article 9,
 9 of the 1987 Constitution on the auditing powers of the Commission on Audit

10 **SEC. 19. *Donation.*** –

11 (a) The Department shall have the power to receive donations and grants from any person,
 12 government institution, corporation, international organization and other similar entities, and
 13 the power to recommend the procurement of developmental assistance for the purpose of
 14 disaster risk and vulnerability reduction and management and climate change adaptation.

15 (b) It shall be mandatory for the Department to acknowledge and certify the receipt of all
 16 DDR grant and donated funds and ensure their judicious management including their proper
 17 and accurate audit reporting to constituents.

18 (c) The importation and donation of food, clothing, medicine and equipment for relief and
 19 recovery and other disaster management and recovery-related supplies is hereby authorized in
 20 accordance with, Section 800, Chapter 1, Title 8, of Republic Act No. 10863, otherwise known
 21 as the “Customs and Tariff Modernization Act”, as amended, and the prevailing provisions of
 22 the General Appropriations Act covering national internal revenue taxes and import duties of
 23 national and local government agencies; All importations and donations under Section 11 (c)
 24 of Republic Act No. 10863, otherwise known as the “Customs Modernization and Tariff Act
 25 (CTMA)” shall be considered as importation or donation to the Department, subject to the
 26 approval of the Office of the President.

27

28 **CHAPTER VI**

29 **WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH**

30 **SEC. 20. *National Disaster Resilience Council.*** –

31 (a) There is hereby created the National Disaster Resilience Council (NDRC), which shall serve
 32 as the policy advisory body to the Department on disaster risk reduction and management and
 33 climate change adaptation, consistent with the policies and scope as defined in this Act.

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

- 3 (1) Secretary of Science and Technology;
- 4 (2) Secretary of the Interior and Local Government;
- 5 (3) Secretary of Social Welfare and Development;
- 6 (4) Secretary of National Defense;
- 7 (5) Director-General of the National Economic and Development Authority;
- 8 (6) Secretary of Health;
- 9 (7) Secretary of Environment and Natural Resources;
- 10 (8) Secretary of Agriculture;
- 11 (9) Secretary of Education;
- 12 (10) Secretary of Energy;
- 13 (11) Secretary of Finance;
- 14 (12) Secretary of Trade and Industry;
- 15 (13) Secretary of Transportation;
- 16 (14) Secretary of Budget and Management;
- 17 (15) Secretary of Public Works and Highways;
- 18 (16) Secretary of Foreign Affairs;
- 19 (17) Secretary of Justice;
- 20 (18) Secretary of Labor and Employment;
- 21 (19) Secretary of Tourism;
- 22 (20) Secretary of Information and Communications Technology;
- 23 (21) Presidential Adviser on the Peace Process;
- 24 (22) Chairperson of the Commission on Higher Education;
- 25 (23) Chief of Staff of the Armed Forces of the Philippines;
- 26 (24) Chief of the Philippine National Police;
- 27 (25) Head of the Presidential Communications Operations Office;
- 28 (26) Secretary-General of the Philippine National Red Cross;
- 29 (27) Secretary-General of the Philippine National Red Cross;
- 30 (28) Executive Director of the Council for Welfare of Children;
- 31 (29) Lead Convenor of the National Anti-Poverty Commission;
- 32 (30) Chairperson of the Philippine Commission on Women;
- 33 (31) Chairperson of the Housing and Urban Development Coordinating Council;
- 34 (32) Chairperson of the National Council for Disability Affairs;

- 1 (33) Chairperson of the National Commission on Indigenous Filipinos;
2 (34) Chairperson of the National Commission on Muslim Filipinos;
3 (35) Chairperson of the National Youth Commission;
4 (36) President of the Government Service Insurance System;
5 (37) President of the Social Security System;
6 (38) President of the Philippine Health Insurance Corporation;
7 (39) President of the Home Development Mutual Fund;
8 (40) President of the Union of Local Authorities of the Philippines;
9 (41) President of the League of Provinces of the Philippines;
10 (42) President of the League of Cities of the Philippines;
11 (43) President of the League of Municipalities of the Philippines;
12 (44) President of the Liga ng mga Barangays;
13 (45) Maximum of six (6) representatives from the academia and other relevant research
14 institutions;
15 (46) Maximum of six (6) representatives from the Civil Society Organizations; and
16 (47) Maximum of six (6) representatives from the private sector.

17 (c) **Composition** – The Council is hereby organized into five (5) clusters, namely, Disaster
18 Prevention and Mitigation to be led by DOST, Disaster Preparedness to be led by DILG,
19 Disaster Response by DSWD, Logistics led by DND, and Recovery and Sustainable
20 Development led by NEDA.

21 (d) **Technical Management Advisory Group** – The Department may constitute, as the need
22 arises, a technical management advisory group from the different stakeholders, that shall
23 coordinate and meet with the Department as often as necessary to effectively manage and
24 sustain national efforts on disaster risk and vulnerability reduction and emergency
25 management, and climate change adaptation and mitigation; and

26 (e) **Guidelines for the Department of Disaster Resilience Fund (DDRF) and Local
27 Disaster Resilience Fund (LDRF)** – The Department shall provide the necessary guidelines
28 and procedures on the DDRF and the LDRF releases as well as utilization, accounting and
29 auditing thereof.

30
31 **SEC. 21. Monitoring, Reporting and Validation. –**

32 (a) **Monitoring and Reporting.** On or before the last quarter of the preceding year, member-
33 agencies of the National Disaster Resilience Council shall submit to the Department through
34 the Council Secretariat their respective DDR annual work and financial plans (AWFPs) for the

1 next year. The AWFPs shall be based on the DDR Plan. The member-agencies shall submit to
2 the Secretariat quarterly progress reports of their implementation of the AWFPs within thirty
3 (30) days from the end of each quarter. The Department is likewise accountable, liable and
4 responsible for monitoring and requiring the appropriate implementation of remedial measures
5 by member-agencies of the Council during a state of calamity. It shall have the authority and
6 power to require reports from the appropriate member-agencies regarding implementation of
7 such measures.

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

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

16 (1) **The Regional Disaster Resilience Councils (RDRC)** – The Regional Disaster
17 Resilience Councils (RDRCs) shall coordinate, integrate, supervise, and evaluate the activities
18 of the LDRCs. It shall be accountable, responsible and liable for ensuring climate-disaster risk
19 sensitive and inclusive regional development plans, and in case of emergencies shall convene
20 the different regional line agencies and authorities, concerned institutions, developmental
21 partners and multiple stakeholders. The Regional Directors of the Department shall serve as
22 chairpersons of the RDRCs and the Regional Directors of the DSWD, the DILG, and the NEDA
23 shall serve as cluster heads. In the case of the Bangsamoro Autonomous Region in Muslim
24 Mindanao, the Chief Minister shall be the RDRC Chairperson. In the case of Metro Manila,
25 the MDRC shall be headed by the Chairperson of the Metro Manila Development Authority
26 (MMDA). The RDRCs shall establish the RDRC Secretariat and operating facility to be known
27 as the Regional Disaster Resilience Council Secretariat and Operations Center (RDRC). The
28 RDRCs shall be composed of concerned regional agencies, offices, LGUs and other multiple
29 stakeholders.

30 (i) **LDRC Budgetary Requirements of LDRO** – The budgetary requirements for
31 personal services, maintenance and other operating expenditures, and capital outlay of the
32 LDRO shall be sourced from the General Fund of the LGU, subject to Section 76 of Republic
33 Act No. 7160, as amended, otherwise known as the “Local Government Code of 1991, as
34 amended. The enforcement of Sections 325(a) and 331(b) of Republic Act No. 7160, as

1 amended shall be waived to enable the LGUs to fund the initial year requirements for the
2 creation of the minimum five (5) mandatory positions of the LDRO. Other maintenance and
3 operating expenditures, and other capital outlay requirements of the LDRO in the
4 implementation of disaster risk and vulnerability reduction management and climate change
5 adaptation programs shall be charged to the Local Climate-Disaster Resilience Fund of the
6 LGUs.

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

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

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

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

15

16 **SEC. 22. Synergy with Stakeholders.** – The Department shall ensure seamless synergy
17 and coordination with stakeholders, including CSOs, the academe, and the private sector, in
18 relation to disaster resilience programs and projects and the development and promotion of
19 research, education, and training mechanism with relevant stakeholders. The Department shall
20 establish a platform, paradigm, and mechanisms for convergence and coordination with
21 stakeholders, including the development of standards, protocols, and procedures for
22 collaboration for disaster resilience.

23

24 **SEC. 23. Establishment of Multi-Stakeholders Convergence Unit.** – The Department,
25 with the assistance of other relevant government agencies and stakeholders, shall establish a
26 Multi-Stakeholders Convergence Unit (MSCU), which shall align the disaster resilience efforts
27 of the private sector, CSOs, academe, and other stakeholders with the Department by assisting,
28 coordinating, or providing services that strengthen public-private cooperation and coordination
29 in disaster resilience, including the following:

30 (a) Establishment and implementation of business continuity practices to ensure the
31 continued delivery of products and services, in the event of disasters.

32 (b) Establishment and implementation of a National Continuity Policy to ensure service
33 continuity during power and utilities interruptions, emergencies, and disasters and ensure the
34 quick return to full operations.

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

(d) Facilitation or assistance in obtaining or processing incentives for the private sector
or other non-government stakeholders.

5 (e) Preparation and facilitating the issuance of micro, small, and medium enterprises
6 (MSMEs), such as mechanisms involving procurement and liquidity to create enabling
7 environments for disaster preparedness and recovery. The MSCU shall establish a platform
8 that includes, among others, a database for monitoring and coordinating efforts and resources
9 of stakeholders.

CHAPTER VII

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

SEC. 24. Integration of DRR and Climate Change Adaptation in the Climate and

16 Disaster Resilience Framework and Plan. – The existing National Disaster Resilience
17 Framework and plan and the National Climate Change Strategic Framework and Plan shall be
18 enhanced by the Climate and Disaster Resilience Framework and plan which provides for the
19 comprehensive probabilistic multi-hazards, multi-scenario, multi-sectorial, resilience-
20 building, and community risk-based approach and management of disaster and climate risk,
21 and provide for the integration of disaster risk and vulnerability reduction and climate change
22 adaptation, as well as the mainstreaming in other sectoral policies. It shall be reviewed every
23 three (3) years. The Climate and Disaster Resilience Plan shall provide for the following:

24 (1) identification of the underlying factors of risk, or the nature and degree of hazards,
25 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

29 (4) vertical and horizontal coordination of climate change adaptation, disaster risk and
30 vulnerability reduction and management before, during, and after a disaster. The Climate and
31 disaster resilience plan shall be in conformity with the framework. The climate and disaster
32 resilience framework and plan for climate-disaster risk governance, climate vulnerability
33 assessment, risk assessment and risk management shall be formulated and jointly approved by
34 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.

CHAPTER VIII

CLIMATE AND DISASTER RESEARCH, EDUCATION, AND TRAINING INSTITUTE

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 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;
 - (b) The Climate and Disaster Research, Education, and Training Institute shall be headed by a Director. The organizational structure and staffing pattern shall be determined by the Department in consultation with the DBM and in accordance with civil service laws, rules and regulations.
 - (c) The Climate and Disaster Research, Education, and Training Institute shall have the following functions:
 - (1) Establish regional branches as well as provincial, city or municipal branches if deemed necessary, to train individuals from the public and private sectors in the fields of disaster risk and vulnerability reduction and management, climate change adaptation, and ecosystem management and restoration, among others;
 - (2) Develop and implement an inclusive and ladderized curricula on climate change adaptation, and disaster risk and vulnerability reduction and management;
 - (3) Develop research programs and a knowledge management system on climate change adaptation and disaster risk and vulnerability reduction management for the purpose of innovation and capacity building and development;
 - (4) Partner with public and private academic and research institutions, the private sector, civil society, community-based disaster risk and vulnerability reduction

1 management and climate change adaptation practitioners, and other relevant sectors in
2 developing research opportunities and programs on climate vulnerability and disaster risk
3 assessment;

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

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

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

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

17 (d) Financial Support to the Center:

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

20 (2) The Department shall assist in the establishment of Research and Training
21 Centers at the provincial, city, and municipal governments, as appropriate. The funding
22 for such local Climate and Disaster Research and Training Centers may be sourced from
23 the eighty (80%) percent portion of the LDRF and other financial sources of the local
24 government unit concerned.

26 CHAPTER IX

27 INTEGRATION MAINSTREAMING CLIMATE AND DISASTER RESILIENCE 28 INFORMATION, EDUCATION, AND COMMUNICATION CONVERGENCE

29 SEC. 27. *Climate and Disaster Resilience Information Management System*

30 (**CDRIMS**). – The Department shall establish a National and Regional Information
31 Management System for Climate and Disaster Resilience. It shall constitute a physical central
32 database of all disaster risk reduction and climate change data, including a geographic
33 information system on geo-hazard assessments and climate risk. It shall be the repository of
34 current and multi- temporal information for wide- scale disaster risk analysis and climate

1 change vulnerability assessment. The CDRIMS shall at all times be made available to the
2 Emergency Operations Center of the National and Regional Climate and Disaster Resilience
3 Council (NRCDRC) development partners and multi-stakeholders to access critical
4 information and ensure that the collection processing, analysis and dissemination of
5 information is timely, reliable and accurate to support overall decision making and effective
6 coordination both at the national and sub-national level.

- 7
- 8 ***SEC. 28. Disaster Resilience and Climate Change Education and Training. –***
- 9 (a) The Department of Education, CHED, and Technical Education and Skills Development
10 Authority (TESDA), in coordination with the National Youth Commission (NYC), the
11 Department of Science and Technology (DOST), Department of Environment and Natural
12 Resources (DENR), Department of Interior and Local Government (DILG), Department of
13 Health (DOH), Department of Social Welfare and Development (DSWD), and other relevant
14 agencies, developmental institutions, and non-government organizations shall integrate
15 disaster risk and vulnerability reduction and climate change adaptation education in the school
16 curricula at all levels of education, from K to12 to tertiary levels, including the early and adult
17 learning programs, National Service Training Program (NSTP), and education for children and
18 persons with special needs, whether private or public, including formal and non-formal,
19 technical-vocational, indigenous learning, out-of- school youth courses and programs, and
20 other channels of educational integration, including media, church, entertainment centers
21 (malls), international and domestic airports and transport terminals.
- 22 (b) The Civil Service Commission (CSC), Professional Regulatory Commission (PRC), and
23 other licensure bodies shall integrate disaster risk and vulnerability reduction management and
24 climate change adaptation questions in all professional and licensure examinations.
- 25 (c) In coordination with the Department and the Disaster Resilience Research and Training
26 Institute shall develop a curriculum for courses or subjects specific to disaster risk and
27 vulnerability reduction management and climate change adaptation, and shall mandate all
28 tertiary learning institutions to offer these subjects.
- 29 (d) The Parents and Teachers Community Associations shall initiate, support, and participate
30 in disaster risk and vulnerability reduction management and climate change adaptation related
31 activities in schools and host communities.
- 32 (e) The DepEd, the CHED, and the Technical Education and Skills Development Authority
33 (TESDA) and other developmental institutions, community-based practitioners and organized
34 non- governmental organizations shall formulate and institutionalize flexible learning options

1 such as online modules, supplemental learning materials, resources and platforms, as part of
 2 its climate change adaptation, disaster risk and vulnerability reduction and governance,
 3 analysis, and management strategy.

4 (f) The DepEd, CHED, TESDA, developmental institutions and community-based
 5 organizations shall regularly review, monitor, evaluate and report to the Council the status of
 6 integration, mainstreaming and implementation of climate change adaptation, disaster risk and
 7 vulnerability reduction and management in public-private schools and other learning
 8 institutions.

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

12 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the BDRCs, and the Sangguniang Kabataan
 13 shall encourage the community, specifically the youth, participation in disaster risk and
 14 vulnerability reduction and climate change adaptation activities, such as Information,
 15 Education and Communication (IEC) Campaigns organizing quick response groups,
 16 particularly in identified disaster-prone areas, as well as the inclusion of DRVR-climate change
 17 adaptation programs as part of programs and projects of the Sangguniang Kabataan, youth
 18 organizations and community-based disaster risk and vulnerability reduction management and
 19 anticipatory adaptation initiatives.

20
 21 (i) There shall be a mandatory training climate change adaptation-DRVR for public and private
 22 sector employees, including teachers and Climate-Disaster Resilience Coordinators from both
 23 the public and private learning institutions, shall be trained in emergency preparedness and
 24 response in compliance with the provisions of this Act.

25
 26 ***SEC. 29. Standard Mechanism for Cascading Information, Education and***
Communication on Climate Change Adaptation and Disaster Risk and Vulnerability
Reduction Management. –

27 (a) The DRC shall promote and advocate a culture of resilience and responsible-accountable,
 28 liable and responsible citizenship through information, education and communication that is
 29 appropriate, integrated, calibrated, inclusive, localized,
 30 science- and risk-based, gender, culture and disability sensitive and accessible using
 31 multimedia. Information, education, and communication on climate change adaption and
 32 disaster risk and vulnerability reduction management should be compelling but not alarming.

1 (b) The NDRC shall formulate a Strategic Risk Communications Plan to encompass the entirety
2 of disaster risk and Vulnerability reduction and climate change adaption to achieve the desired
3 behavioral and attitudinal change towards responsible citizenship and culture of resilience. It
4 shall serve as a reference on continuous awareness raising and education at all levels of the
5 Government and multiple stakeholders.

6 (c) A Climate and Disaster Resilience Information Officer shall be designate at all levels of the
7 department to ensure implementation of the disaster risk and vulnerability reduction and
8 management and climate change adaptation information, education, and communication
9 campaign and shall serves as the primary coordinator for the dissemination of information,
10 education, and communication campaign on climate change adaptation and disaster risk and
11 vulnerability reduction management.

12 **SEC.30. Declaration of Imminent Disaster.** – The DDR shall provide guidance and
13 operating guidelines to LDRCs for the declaration of imminent disaster in their respective areas
14 which shall allow them to implement preemptive measures and use their quick response funds
15 in order to save lives and minimize damage to property, loss of live hoods and other assets.

16 **SEC. 31. *Flash Appeal or Appeal for International Assistance.*** Upon consultation with
17 the NDRC and in cognizance of the urgency, critically and intensity of an imminent risk, the
18 DDR shall issue a flash appeal to the family of nations, under regional and multilateral
19 conventions, for assistance in preparedness including preemptive measures, search, rescue and
20 retrieval, relief, recovery, and reconstruction.

CHAPTER X

CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

SEC. 32. Climate and Disaster Risk Transfer, Insurance and Social Welfare. (a) The Department shall oversee all climate and disaster risk-sharing and risk-transfer instruments and other related initiatives to ensure the protection of property and livelihood, both public and private.

28 (b) The Department shall ensure the mandatory insurance of all assets and properties of
29 national government agencies including government-owned or -controlled corporations, and
30 those over which the government has insurable interest, as prescribed under Republic Act No.
31 656, otherwise known as the "Property Insurance Law". The insurance shall be provided by
32 any government insurance agency.

33 (c) The Department shall oblige the LGUs the mandatory insurance coverage of
34 assets, properties and livelihood of vulnerable and marginalized groups for unforeseen or

1 contingent potential losses, damages and disruption from natural hazards and human-induced
2 disasters chargeable against the LDRF.

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

CHAPTER XI

PREPAREDNESS AND INTEGRATED EARLY WARNING

SEC. 34. Standards for Disaster Preparedness Activities. —

14 (a) The NDRC shall establish standards for disaster preparedness, contingency planning,
15 localizing and operationalizing disaster risk and vulnerability reduction and management,
16 preparedness for disaster response, preparedness for early recovery, continuity of essential
17 services, and other relevant preparedness activities.

18 (b) LGUs shall identify safe or strategic sites, and establish evacuation centers with
19 appropriate and adequate facilities in accordance with government-approved standards as
20 provided under Republic Act No. 10821, otherwise known as the “Children’s Emergency
21 Relief and Protection Act”, in order to avoid disruption of school classes and lessen the use of
22 school buildings and facilities as evacuation centers.

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

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

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

32 (b) The Department and all other concerned agencies with an integrated early warning
33 and information mandate shall collaborate with the local executives and officers to disseminate

1 climate-disaster risk information through the involvement of LGUs, community-based
2 organizations, CSOs, and other nongovernmental organizations.

3

4 **SEC.36. Early Warning Mandate. –**

5 (a) The Department shall issue and integrated early warning for hydro-meteorological,
6 geologic, or terrestrial phenomena to the appropriate government agencies or government-
7 accredited organizations for forecasting and early warning purposes. The Department shall
8 recognize and proactively support local or indigenous modes of early warning systems and
9 allow open access to real-time data from both local and international sources made available
10 through various platforms such as websites, mobile applications, and social media to empower
11 local communities and individuals.

12 (b) The Department shall enhance and strengthen Philippine Atmospheric, Geophysical and
13 Astronomical Services Administration (PAGASA) and the Philippine Institute of Volcanology
14 and Seismology (PHIVOLCS) mandates under Republic Act No. 10692 and Executive Order
15 No. 128, Series of 1987, respectively.

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

20 (d) Transmission of Early Warning. A person who transmits early warning concerning the
21 abovementioned phenomena by means of signs in designs, colors, lights, or sound shall do so
22 in compliance with the methods recognized or approved by the NDRC.

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

27 (f) The Department shall consider working with other agencies or organizations on pre-
28 crisis information mapping of the humanitarian needs of the at-risk community that will
29 enhance the overall prepositioning of resources at the national and local levels.

30

31

32 **CHAPTER XII**

33 **DISASTER RESPONSE AND EARLY RECOVERY**

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

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

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

- 15 (a) The Barangay Disaster Resilience Councils (BDRCs), if one barangay is affected;
16 (b) The city/municipal Disaster Resilience Councils (DRCs), if two (2) or more
17 barangays are affected;
18 (c) The provincial Disaster Resilience Council (DRC), if two (2) or more
19 cities/municipalities are affected;
20 (d) The Regional Disaster Resilience Council (DRC), if two (2) or more provinces are
21 affected; and
22 (e) The NDRC, if two (2) or more regions are affected.

23
24 **SEC. 39. Humanitarian Assistance Action Center.** – The DRC shall institutionalize a
25 one-step shop mechanism through the Humanitarian Assistance Action Center for the
26 processing and release of goods, articles or equipment intended for humanitarian assistance
27 and the processing of necessary documents for international assisting actors. The Humanitarian
28 Assistance Action Center shall be managed by the Department shall be composed of the
29 following NDRC agencies:

- 30 (a) Department of Finance – Bureau of Customs;
31 (b) Department of Foreign Affairs;
32 (c) Department of Social Welfare and Development;
33 (d) Department of Health
34 (e) Food and Drug Administration;

- (f) Department of Agriculture;
 - (g) Department of Energy;
 - (h) Philippine National Police;
 - (i) Philippine Coast Guard; and
 - (j) Department of Justice – Bureau of Immigration;

SEC. 40. Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector. – The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the list of volunteers to the Department, through the LDROs, for accreditation and inclusion in the database if community disaster volunteers.

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

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

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

CHAPTER XIII

INTERNATIONAL HUMANITARIAN ASSISTANCE

SEC. 42. International Humanitarian Assistance. — The Department shall promulgate guidelines on international humanitarian assistance, including the initiation, entry, facilitation, transit, regulation, and termination thereof, as well as those involving international disaster relief and personnel assisting international actors, visa waiver, recognition of foreign

1 professional qualifications, entry of international disaster goods and equipment, and exemption
2 from port duties, taxes and restrictions.

3

4 ***SEC. 43. Assessment of the Need for International Humanitarian Assistance. —***

5 (a) Immediately after the declaration of a state of calamity by the sanggunian of a local
6 government unit or by the Department, as the case may be, the Department shall determine as
7 to whether domestic capacities are likely to be sufficient to attend to the needs of affected
8 persons for international humanitarian assistance, this determination may also be made by the
9 President, prior to the onset of an imminent disaster.

10 (b) In the event the Department determines that domestic response capacities are not
11 likely to be sufficient due to the impact of the disaster, the Department shall recommend to the
12 President that a request be made for international humanitarian assistance.

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

17

18 ***SEC. 44. Request for International Humanitarian Assistance. —*** The President may
19 request for international humanitarian assistance upon the advice of the Department. Such
20 request may be specifically directed to particular assisting international actors, or it may be a
21 general request directed to the international community.

22

23 ***SEC. 45. Humanitarian Assistance Action Center. —*** The Department shall
24 institutionalize an inter-agency one-stop shop mechanism called through the Philippine
25 International Humanitarian Assistance Reception Action Center (PIHARAC) for the
26 processing and release of entry and facilitation of goods, articles or equipment, and services of
27 international relief workers for the provision of international humanitarian assistance, and the
28 processing of necessary documents for assisting international actors.

29

30 **CHAPTER XIV**

31 **OFFER AND FACILITATION OF**

32 **HUMANITARIAN ASSISTANCE TO FOREIGN STATES**

33 ***SEC. 46. Offer and Facilitation of International Humanitarian Assistance to***
34 ***Foreign States. —*** In the event of a disaster occurring in a foreign state for which international

1 humanitarian assistance is required, the Department may offer, facilitate and provide
2 international humanitarian assistance to such foreign state, which shall be subject to guidelines
3 to be promulgated by the Department for the purpose.

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

CHAPTER XV

LEGAL FACILITIES FOR

ELIGIBLE ASSISTING INTERNATIONAL ACTORS

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

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

SEC. 50. Recognition of Foreign Professional Qualifications. —

(a) Eligible assisting international actors wishing to deploy international personnel for tasks requiring legal recognition of their foreign professional qualifications shall certify the validity of those qualifications under the law of the country where they were obtained and the competence of their personnel for the tasks envisaged.

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

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

33

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

4

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

11

12 **A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT**

13 **SEC. 53. *Customs Facilitation and Priority Treatment.*** – The Department shall
14 facilitate the rapid importation of consignments of goods and equipment by eligible assisting
15 actors and shall accord them priority treatment in handling.

16

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

19 (a) Declare that all the goods and equipment they seek to import under this Part are
20 exclusively for Disaster Relief or Initial Recovery Assistance and that they comply with any
21 relevant standards under Philippine laws; and

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

24

25 **SEC. 55. *Exemption from Import Duties, Taxes and Restrictions.*** – Consignments of
26 goods and equipment by or on behalf of eligible assisting international actors shall benefit
27 from:

28 (a) Exemption from all duties and taxes;
29 (b) Waiver of economic prohibitions and restrictions except for categories of special goods
30 and equipment that may be indicated by the Department; and
31 (c) Clearance without regard to the country of origin or the country from which the goods
32 have arrived, subject to monitoring for reasons of public health and security.

33

1 **B. EXPEDITED ENTRY AND USE RESTRICTIONS FOR SPECIFIC
2 INTERNATIONAL DISASTER GOODS AND EQUIPMENT**

3 **SEC. 56. *Simplification of Documentation Requirements.* –**

4 (a) Consignment of goods and equipment sent by or on behalf of eligible assisting
5 international actors shall be cleared or released on the basis of a simplified goods declaration
6 providing the minimum information necessary for the Bureau of Customs to identify the goods
7 and equipment and subject, when deemed necessary, to completion of a more complete
8 declaration within a specified period.

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

13
14 **SEC. 57. *Telecommunications Equipment.* –** Eligible assisting international actors
15 shall be permitted to import telecommunications equipment for the purpose of Disaster Relief
16 or Initial Recovery Assistance without restrictions, except as required by NDRC guidelines
17 and other laws for purposes of national security or public order. The NDRC shall provide
18 guidelines for the manner of use telecommunications equipment as well as e waiver of
19 licensing requirements or fees.

20
21 **SEC. 58. *Medications.* –** Eligible assisting international actors shall be permitted to
22 import and transport medications and medical equipment for the purpose of Disaster Relief or
23 Initial Recovery Assistance so long as they conform to the implementing rules and regulations
24 to be provided by the NDRC.

25
26 **SEC. 59. *Food.* –** Food imported by eligible assisting international actors for disaster
27 relief and recovery shall be admitted pursuant to expedited procedures set out by the DRC.

28
29 **SEC. 60. *Imported Vehicles.* –** The granting of local registration and plates for vehicles
30 imported by eligible assisting international actors shall be expedited.

31
32 **C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS**

SEC. 61. Disposition of Equipment and Unused Goods. – The DRC shall provide for the guidelines for retention, re-exportation, donation and disposal of unused goods and equipment after the termination of Disaster Relief and Initial Recovery Assistance operations.

CHAPTER XVI

RECOVERY

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

- (a) Improve the community's physical, social and economic resilience, consistent with the principle of "build forward better";
 - (b) Use locally-driven and centrally-supported processes based on legal mandates with supplementary capacity support when requested;
 - (c) Redirect development outside danger zones to minimize loss of lives and structures resulting from typhoons, flooding, landslides, and other hazards
 - (d) Employ outcome-driven planning and implementation;
 - (e) Maximize use of private-public sector partnership where possible;

 - (f) Consider local conditions such as culture, security situation, and existing capacities of communities in identifying programs and projects;
 - (g) Ensure access to public transport, physical and mental health services, markets, schools, sustainable livelihoods, and other public services in planning for settlement areas; and
 - (h) Ensure restoration of peace and order and recovery of government functions.

CHAPTER XVII

REMEDIAL MEASURES UNDER STATE OF CALAMITY

SEC. 63. Remedial Measures under State of Calamity. – Upon the declaration of the state of calamity, the following remedial measures shall be immediately undertaken by concerned government agencies both of national and local levels:

- 31 (a) Imposition of price ceiling on basic necessities and prime commodities by the
32 National Price Control Council, as provided for under Republic Act No. 7581, otherwise
33 known as the "Price Act", as amended by Republic Act. No.10623;

1 (b) Monitoring, prevention and control by the Local Price Coordination Council of
2 overpricing/profiteering and hoarding of prime commodities, medicines and petroleum
3 products;

4 (c) Programming/reprogramming of funds for the repair of critical facilities or
5 public infrastructures that are vital for the quick delivery of humanitarian assistance, to
6 reduce further threat to lives and arrest further deterioration of properties and loss of
7 livelihoods in the affected communities, following the “build better forward” principle:

- 8 (1) Grant of no-interest loans by government financing or lending institutions to
9 the most vulnerable and marginalized groups or individuals; and
10 (2) Local tax exemptions, incentives or reliefs under such terms and conditions
11 as may be deemed necessary by the affected local government unit.

12 CHAPTER XVIII 13 PROCUREMENT

14 **SEC. 64. General Rule on Procurement.** – Any procurement of goods, services,
15 consultancy or infrastructure for disaster risk and vulnerability reduction and climate risk,
16 whether at the national or local level shall conform to the provisions and Implementing Rules
17 and Regulations (IRR) of Republic Act 9184 otherwise known as “Government Procurement
18 Reform Act”, as amended.

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

23 CHAPTER XIX 24 PROHIBITED ACTS AND PENALTIES

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

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

- 1 (1) Dereliction of duties which leads to destruction, loss of lives, critical
2 damage of facilities and misuse of funds;
 - 3 (2) Failure to create a functional LDR Office within six (6) months from
4 approval of this Act;
 - 5 (3) Failure to appoint a permanent local disaster resilience officer within six (6)
6 months from approval of this Act;
 - 7 (4) Failure to prepare and implement a Contingency and Adaptation Plan for
8 hazards frequently occurring within their jurisdictions;
 - 9 (5) Failure to formulate and implement the LDRP with the corresponding
10 budget allocation;
 - 11 (6) Sexual exploitation and abuse, and other forms of sexual misconduct to the
12 affected population or at-risk communities shall be punishable under existing criminal
13 and administrative laws.
- 14
- 15 (b) Prohibited Acts of Public Officials and Private Persons or Institutions –
- 16 (1) Delaying, without justifiable cause in the delivery or improper handling or
17 storage of aid commodities, resulting to damage or spoilage;
 - 18 (2) Withholding the distribution of relief goods due to (a) political or partisan
19 considerations; (b) discrimination based on race, ethnicity, religion, or gender; and (c)
20 other similar circumstances;
 - 21 (3) Preventing the entry and distribution of relief goods in disaster-stricken
22 areas, including appropriate technology, tools, equipment, accessories, disaster teams
23 or experts;
 - 24 (4) Buying, for consumption or resale, from disaster relief agencies any relief
25 goods, equipment or other and commodities which are intended for distribution to
26 disaster affected communities;
 - 27 (5) Buying, for consumption or resale, from disaster affected persons, relief
28 goods, equipment or other aid commodities received by them;
 - 29 (6) Selling of relief goods, equipment, or other aid commodities which are
30 intended for distribution to disaster victims;
 - 31 (7) Forcibly seizing relief goods, equipment, or other aid commodities intended
32 for or consigned to a specific group of victims or relief agency;
 - 33 (8) Diverting or misdelivery of relief goods, equipment, or other aid
34 commodities to persons other than the rightful recipient or consignee;

- (9) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to them;
 - (10) Misrepresenting the source of relief goods, equipment, or other aid commodities by:
 - i. Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment, or other aid commodities came from another agency or persons;
 - ii. Repacking the goods, equipment, or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons;
 - iii. Making a false verbal claim that the goods, equipment or other aid commodities in their untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency or persons;
 - (11) Substituting or replacing relief goods, equipment, or other aid commodities with the same items or of inferior/cheaper quality;
 - (12) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the NDRC;
 - (13) Deliberate use of false or inflated data in support of the request for funding, relief goods, equipment, or other aid commodities for emergency assistance or livelihood projects;
 - (14) Stealing, taking, or possessing of any of the equipment, accessories and other vital facility or items or any part thereof;
 - (15) Selling or buying stolen equipment, accessories, and other vital facility items or any part thereof;
 - (16) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.
 - (17) Attempting to commit any of the abovementioned prohibited acts; and
 - (18) Benefiting from the proceeds or fruits of any of the abovementioned prohibited acts knowing that the proceeds or fruits are derived from the commission of the prohibited acts.

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

4 (a) Imprisonment of not less than twelve (12) years but not more than fifteen (15)
5 years or a fine of not less than One million pesos (Php1,000,000.00) but not more than Three
6 million pesos (Php3,000,000.00), or both imprisonment and fine at the discretion of the court
7 shall be imposed upon any person found guilty of violating subsections (b)(1) to (b)(16), as
8 well as the confiscation or forfeiture in favor of the government of the objects and the
9 instrumentalities used in the commission of the prohibited acts;

10 (b) Imprisonment of not less than six (6) years but not more than eight (8) years or a
11 fine of not less than Five hundred thousand pesos (Php500,000.00) but not more than One
12 million pesos (Php1,000,000.00), or both imprisonment and fine at the discretion of the court,
13 shall be imposed upon any person who attempts to commit any of the prohibited acts in the
14 preceding section, in violation of subsection (b)(17) thereof;

15 (c) Imprisonment of not less than two (2) years but not more than six (6) years or a
16 fine of not less than Two hundred thousand pesos (Php200,000.00) but not more than Five
17 hundred thousand pesos (Php500,000.00), or both imprisonment and fine at the discretion of
18 the court, shall be imposed upon any person found guilty of unlawfully benefiting from the
19 proceeds or fruits of any of the prohibited in the preceding section, in violation of subsection
20 (b)(18) thereof;

21 (d) Perpetual disqualification from public office aside from the penalty of fine or
22 imprisonment or both, shall be imposed if the offender is a public officer, and confiscation or
23 forfeiture in favor of the government of the objects and the instrumentalities used in the
24 commission of any of the prohibited in the preceding section;

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

32 (f) Payment of the full cost of repair or replacement of the government risk reduction
33 and preparedness equipment, accessories and other vital facility items, or any part thereof,

which is the object of the crime shall likewise be imposed upon any person who shall commit
any of the prohibited acts in the preceding section; and

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

CHAPTER XX

APPROPRIATIONS

SEC. 68. *Appropriations.* —

11 (a) The amount needed for the initial implementation of this Act shall be taken from the
12 current fiscal year's unexpended appropriation of all agencies herein absorbed, transferred, and
13 attached to the Department. Thereafter, the amount needed for the operation and maintenance
14 of the Department shall be included in the General Appropriations Act.

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

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

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

32 2) Of the annual appropriation of LDRF, eighty percent (80%) shall be appropriated for
33 climate change adaptation, disaster risk and vulnerability reduction, prevention, adaptation and
34 mitigation programs, project ands, activities focusing on both institutional capacity building of

1 vulnerable communities and risk-reducing infrastructure. The NDRC shall pass a resolution to
2 set the priority allocations and govern and trigger the acceleration and implementation of this
3 section.

4 3) Of the amount appropriated for the Disaster Resilience Fund, twenty percent (20%)
5 shall be allocated as Quick Response Fund (QRF) or stand-by fund for prepositioning of goods
6 and equipment and relief and early recovery programs in order that situation and living
7 conditions of people in communities or areas stricken by disasters, epidemics, or complex
8 emergencies, may be normalized as quickly as possible.

9 4) All departments/agencies and LGUs that are allocated with Local Disaster Resilience
10 Fund shall submit to the Department their monthly statements on the utilization of Local
11 Disaster Resilience Funds and make an accounting thereof in accordance with existing
12 accounting and auditing rules.

13 5) All departments, bureaus, offices and agencies of the government are hereby authorized
14 to use a portion of their appropriations to implement projects designed to address disaster risk
15 and vulnerable reduction-climate change adaptation activities in accordance with the Disaster
16 Resilience Plan and the guidelines to be issued by the DRC in coordination with the Department
17 of Budget and Management (DBM) and Commission on Audit (COA). Unexpended LDRF
18 shall accrue to a trust fund solely for the purpose of supporting disaster risk reduction and
19 management and climate change adaptation activities of the LDRCs within the next two (2)
20 years. Any such amount still not fully utilized after two (2) years shall revert back to the general
21 fund and will be available for other social services to be identified by the local sanggunian.

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

23 with other concerned government agencies;

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

CHAPTER XXI

FINAL PROVISIONS

SEC. 69. Transfer and Attachment. —

1 (a) The applicable powers, functions, funds, and appropriations of the Office of
2 Civil Defense (OCD) and the Climate Change Office (CCO), Geo-Hazard Assessment and
3 Engineering Geology Section of Mines and Geosciences Bureau (MGB), Health and
4 Emergency Management Bureau of the Department of Health (DOH), the Disaster Response
5 Assistance and Management Bureau (DREAMB) of the DSWD, and the Bureau of Fire
6 Protection are hereby transferred to the Department.

7 (b) The disaster risk reduction and management functions, assets and personnel of
8 the Office of Civil Defense (OCD) currently under the DND, are hereby transferred to the
9 Department, and the civil defense functions shall remain with the DND;

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

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

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

15 (1) Philippine Atmospheric, Geophysical and Astronomical Services
16 Administration (PAGASA); and

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

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

20 The Department shall, by virtue of this Act, be subrogated to all the rights and assume
21 all the liabilities of the agencies absorbed under this Act, and all their funds, records, property,
22 assets, equipment, and such personnel as necessary, including unexpended appropriations or
23 allocations. All contracts and liabilities of the said agencies are hereby transferred to and
24 assumed by the Department and shall be acted upon in accordance with the Auditing Code and
25 other pertinent laws, rules, and regulations.

26
27 **SEC. 70. Separation Benefits of Officials and Employees of Affected Agencies.** –
28 National government employees displaced or separated from the service as a result of this Act
29 shall be entitled to separation pay and other benefits in accordance with Republic Act No. 6656,
30 otherwise known as “Government Reorganization Law” and other existing laws, rules or
31 regulations. Provided, That those who are qualified to retire under existing retirement laws
32 shall be allowed to retire and receive retirement benefits to which they may be entitled under
33 applicable laws and issuances.

SEC. 71. *Magna Carta for DDR Personnel*. Qualified employees of the DDR, Local Government Units and its attached units shall be covered by Republic Act No. 8439, known as the Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in the Government, and Republic Act No. 7005, otherwise known as "Magna Carta for Public Health Workers."

CHAPTER XX

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.

SEC. 73. Congressional Oversight Committee. There shall be created a Congressional Oversight Committee on Climate Change and Disaster Resilience to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on National Defense and Security of both the Senate and the House of Representatives as joint Chairpersons of this Committee. The five (5) other members from each Chamber are to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The minority shall be entitled to pro rata representation but shall have at least two (2) representatives from each Chamber.

23 **SEC. 74. Review.** Five (5) years after the effectivity of this Act, or as the need arises,
24 the Congressional Oversight Committee shall conduct a systematic evaluation by the
25 Congressional Oversight Committee of the accomplishments and impact of this Act, as well as
26 the performance and organizational structure of its implementing agencies, for purposes of
27 determining remedial legislation.

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

33 SEC. 76. Repealing Clause.—

1 (a) Republic Act No. 10121, otherwise known as the Philippine Disaster Risk
2 Reduction and Management Act of 2010, is hereby repealed.

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

4 1. Section 30 of Executive Order No. 128, Series of 1987, otherwise known as the
5 Reorganization Act of the National Science and Technology Authority;

6 2. Section 6 of Republic Act 6975, otherwise known as the Department of the Interior
7 and Local Government Act of 1990;

8 3. Section 3(d) and 5 of Republic Act No. 9729, otherwise known as the Climate
9 Change Act of 2009, as amended by Republic Act No. 10174;

10 4. Section 4 of Republic Act No. 10639, otherwise known as the Free Mobile Disaster
11 Alerts Act; and

12 5. Section 5 of Republic Act No. 10692, otherwise known as the PAGASA
13 Modernization Act of 2016'

14 (c) All other laws, decrees, executive orders and issuances, proclamations, rules and
15 regulations, and other issuances or parts thereof that are inconsistent with the provisions of this
16 Act are hereby repealed or amended, accordingly.

17
18 **SEC. 77. Effectivity.** This Act shall take effect fifteen (15) days after its publication in
19 the Official Gazette or in a newspaper of general circulation.

20

21 Approved,