

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 30



Introduced by Representative JOEY SARTE SALCEDA

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

EXPLANATORY NOTE

Why We Need to Amend our Disaster Risk Reduction and Management Law?

Eight years after the enactment of R.A. 10121, concerns about the destruction and sufferings that typhoons and earthquakes cause goads the President of the Philippines, His Excellency Rodrigo Roa Duterte to ask, during his State of the Nation Address (SONA) delivered on July 24, 2017, "both houses of Congress to expeditiously craft a law establishing a new authority of department that is responsive to the prevailing 21st century conditions and empowered to best deliver (an) enhanced disaster resiliency and quick disaster response.

R.A. 10121 was a landmark legislation for Philippine disaster risk reduction and management. It initiated a shift from our decades-old DRRM policy on reactive emergency management and preparedness, to one that is proactive by prioritizing disaster risk reduction, prevention and mitigation over disaster response. Many years of intense advocacy work by stakeholders and two unfortunate large scale disasters – Typhoons Ondoy and Pepeng – hitting Luzon particularly hurting Metro Manila in 2009 finally compelled the passage of R.A. 10121 after 32 years from P.D.1566 of 1978.

Among the institutional innovations of R.A. 10121 is the establishment of permanent disaster management offices at all levels of local government in contrast to the disaster management councils before but which for economic expediency was maintained at the barangay level. The practice of permanent disaster management office was pioneered by the Province of Albay in 1994 which was hailed internationally as one of the best practices in achieving zero casualty during disasters. Likewise, there was consensus that the membership of the inter-agency body, the National Disaster Coordinating Council (NDCC), was radically expanded, transforming it into the National Disaster Risk Reduction and Management

Council (NDRRMC) as we know it today, which is now mandated to supervise and lead not only in emergency management but also in the implementation of disaster risk reduction through its “policy-making, coordination, integration, supervision, monitoring and evaluation” functions.

One of the key policy contentions is whether to establish an independent, high-level institution or to maintain the existing institutional set up was already adequate to address the country’s mounting challenges in disaster risk reduction and management as risks of climate change and urbanization were rising just as ambitions for social change were similarly heightening. R.A. 10121 decided that the organizational structure, financial and human resources of the Office of Civil Defense (OCD) were adequate to make it the lead agency in “administering a comprehensive national civil defense and disaster risk reduction and management program.”

But the structural strength of R.A. 10121 was to be continuously stress-tested by several disasters which culminated with Super Typhoon Yolanda – which took almost 10,000 lives and destroying billions of pesos of livelihoods and economic assets in one fell swoop. This exposed the weaknesses of the institutional set up under R.A. 10121 where extreme difficulties were encountered in carrying out the heavy responsibility of concretely integrating the disaster risk management framework in our national and local planning processes, and ensuring that institutions tasked with safeguarding environmental protection, health and well-being, sustainable livelihoods, social protection and the regulation of public and private infrastructure are actually equipped with skills and knowledge necessary for effective risk assessments and vulnerability reduction, so that the impacts of disasters are truly prevented or mitigated.

While R.A. 10121’s strength lies in its institutionalization of stakeholder participation in policymaking for disaster risk reduction and management, through an expanded membership of the Council, and while this, in itself, is a development by leaps and bounds, R.A. 10121’s shortcoming is its failure to create an institution that is in a sufficiently high position to oversee the implementation of streamlined disaster risk reduction and management policies nationwide, an institution that has the necessary authority, mandate and resources to lead and coordinate the efforts of different stakeholders towards a more resilient nation. The occurrence of Super Typhoon Yolanda and other large-scale disasters revealed that problems encountered in coordinating and implementing large-scale disaster risk reduction and management efforts are rooted primarily in the nature of our governance framework for disaster risk reduction and management.

Renowned American jurist Oliver Wendell Holmes once said that the life of the law has not been logic, but experience. Our policies should be responsive to lessons learned through experience, and this could not be truer than in the realm of disaster risk reduction and management. In 2015, the Global Climate Risk Index ranked the Philippines fifth among the most affected countries within a 20-year period (1994 to 2013), with the most number of climate-related extreme weather events during that period. In 2015, the World Risk Index raised the ranking of the Philippines as the second most at-risk country out of 171 countries in the world. Because of the adverse impacts of climate change as well as the increasing number of human settlements, the risks that we as a country face increase every day, and these risks can only be expected to become worse in the face of the new normal. Our policies should be designed to face this new normal.

In line with the mechanism of the Sunset Review, which mandates the Congressional Oversight Committee to conduct a systematic evaluation of the accomplishments and impact of R.A. 10121 as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation within five years from the law's effectivity, member agencies of the NDRRMC, civil society organizations and basic sectors have conducted consultations and dialogues on their experiences in implementing R.A. 10121 through the past disasters, identified the issues and gaps of the law, and looked at how the law can be further improved to address the ever increasing challenges of disaster risk reduction and management in the Philippines.

The Department of Disaster Resiliency

This present bill is the product of action research, sharing of experiences, and dynamic discussions among various stakeholders from national and local government agencies, organizations and communities while benefitting from comparable international experiences. As a response to the output of these consultations and research, it is the intention of this bill to establish a much-needed, stronger, self-governing Department of Disaster Resiliency (DDR), one that is clearly mandated to lead in the coordination, monitoring, oversight and implementation of disaster risk reduction and management, equipped with the necessary competency and resources to engage new actors, particularly in the field of risk transfer and insurance, and built with the necessary structure to manage broader governance climate-disaster governance arrangements and oversee the implementation of disaster risk and vulnerability reduction and management towards Sendai Framework for Disaster Risk Reduction and the Sustainable Development Goals, as enshrined in the 2030 Agenda for Sustainable Development. These agreements are particular significance for the Philippines for addressing common, interlocking issues affecting the country's aspiration for a prosperous, sustainable future. These issues converge on the Philippines' vulnerabilities which stem from its geographical location, socioeconomic features including a rapidly growing population, and external factors like climate change which is outstripping the country's natural coping capacity.

This bill has the strategic clarity of designating and empowering the DDR as the lead agency for the implementation of (1) vulnerability and risk reduction policies, programs and projects and (2) rehabilitation and reconstruction; and (3) assess collective progress towards achieving purpose of Agreement and reconstruction and its long-term goals, and to do so in a comprehensive sustainable manner, considering prevention, mitigation, anticipatory adaptation measures and support, in the light of equity, capacity building, best available science, technology transfer and other development.

The Department, ensure that it has a sufficiently high level of authority to orchestrate different actors, policies and programs for disaster risk reduction and management. It has the authority not only to receive but also to administer, mobilize, report, monitor and oversee the utilization of the National Disaster Risk Reduction and Management Fund, recovery and rehabilitation funds, and donations for disaster risk reduction and management. The Department will be subsumed the Office of Civil Defense which will continue to perform its original mandate under L.O.I. 19 (1971) and P.D. 1566 that are not directly or indirectly repealed by this amendatory bill, particularly its duty to administer a comprehensive national civil defense and civil assistance program, the training of community volunteers for civil

defense and assistance, and other mechanisms for community preparedness. The Department of Disaster Resilience Council (DDRC) will now focus solely on policy-making and function as a platform for coordination of policy concerns and managing the secretariat and the operations center to support the DDRC.

TRANSFERRING PHIVOLCS, PAGASA, GEOSCIENCES OF MGB, BFP AND CCC TO THE DEPARTMENT OF DISASTER RESILIENCY

The creation of the Department of Disaster Resiliency once enacted has the potential to completely change the climate-disaster resilience landscape of the Philippines. This bill builds and improves upon the previous law, RA 10121 that created the National Disaster Risk Reduction and Management Council. Whereas NDRRMC's strength lies upon its enhanced stakeholder participation DRM policy formulation, The Department of Disaster Resiliency will be the body with sufficient power, mandate, and resources to implement, integrate and mainstream disaster risk and vulnerability reduction and climate change adaptation and mitigation into local and national processes.

Natural Disasters in the Philippines

The Philippines is beset by disasters emanating from both natural and human-induced hazards. However, it is the former that has been the constant threat to life and property due to its frequency and unpredictability. It has been said time and again that the Philippines is a hotbed for disasters due to its geographic location: it is within the Pacific Ring of Fire as well as an entry-point to an average of around 20 tropical cyclones, some of which are highly destructive.

It can be argued that increased vulnerability and losses in potential socioeconomic development can be attributed to human induced hazards (i.e. armed conflicts) but there is no question that disasters due to natural hazards has done the same and has been directly responsible to tens of thousands of death as well as billions in dollars of damages.

It is in acknowledgement of this fact that the very first version of a disaster management law, Presidential Decree 1566, was enacted. This law recognizes that the “Filipino has always endured the hardship of a hostile environment” and primarily “sought to survive against typhoons, floods, earthquakes, epidemics, fires and other major calamities.”

The second iteration, the aforementioned Republic Act 10121, was also crafted to address the consequences of natural hazards. The enactment of the law was even sped up due to Tropical Storm Ondoy, a tropical cyclone that devastated the Metro Manila area, opening the eyes of our lawmakers to the importance of reducing our vulnerabilities and managing disaster risks.

Both laws tried to address disasters emanating from both natural and human induced hazards. However, if one looks closely enough at how they were both crafted and how the law is presently applied all over the country, one will notice that majority of the actions taken by Philippine disaster managers has been to address the negative effects of natural hazards.

This is the challenge that lies before the new Department of Disaster Resiliency: If it is to respond to the ravages of natural hazards, it will need a greater understanding of its nature.

Greater understanding will require scientific research, knowledge and resources that may not be directly available to the new department. It needs to have its own capacity and access to the best available information for it to effectively perform its mandate. The absence of its own capacity and reliance on other entities is a step back to what it was originally intended for - a department with enough authority to completely implement its function. Furthermore, reliance on data providing government agencies has been shown ineffective in the past due to the fact that disaster agencies are left at the mercy of what the data provider will only provide, leaving very little room for innovation and sound decision-making.

PHIVOLCS, PAGASA, MGB, and CCC

There are presently two bodies nationally recognized as authorities by virtue of being lone government agencies when it comes to geological and hydrometeorological agencies: The Philippine Institute for Volcanology and Seismology (PHIVOLCS) and the Philippine Atmospheric, Geophysical, and Astronomical Administration (PAGASA). Both agencies are attached bureaus of the Department of Science and Technology and are there presumably because the very nature of their work is based on science.

But if one were to look into history, PAGASA did not originally belong to the DOST. It was passed around different government agencies during the Marcos years until finally sent to its mother agency in 1987 by through an executive order (EO 128, s. 1987).

The same is true of PHIVOLCS, which was originally the Commission of Volcanology. Much of the geophysical and seismological units of PAGASA was later transferred to what is now PHIVOLCS, who was already transferred to the DOST in the same year.

There is no denying that much of the work of both bureaus deal with science but is that enough to attach them to a science and technology department? This is an important question because a bureau's mother agency can task them to do various work which may interfere in the pursuance of their mandate.

Given the location and the geologic condition of the Philippines, it sits in the center of natural hazards. The country is in the frontier of typhoons from the Pacific Ocean, wherein an average of 20 typhoons per year pass the Philippine Area of Responsibility (PAR). It is also included in the "Pacific Ring of Fire", the part of the planet where most earthquake and volcanic eruptions occur. It is imperative to have detailed scientific geohazard maps.

To address the need to provide geo-hazard maps for DRR, the Mines and Geosciences Bureau in 2004 initiated the national hazard mapping program, even though they do not have the mandate to create such maps, produced 1:50,000 geo-hazard maps by 2010 and was followed by 1:10,000 scales in 2014. However, these maps only use single scenario which is not consistent with RA 10121 and the Sendai Framework for Action which require probabilistic risk assessment. To deal with the requisite of the latter, it is imperative to utilize

advanced science and technology that will generate multi-scenario hazard maps that can incorporate potential impacts of climate change e.g. PAGASA and NOAH Center maps.

To focus on the impacts of climate change, the Climate Change Commission was established to mainstream programs and action plans pursuant to the provision of the Republic Act 7929 or the Climate Change Act of 2009. Since its inception, how many Local Climate Change Action Plans (LCCAP) had been approved? How many climate change adaptation measures/projects had been granted? The goal of the commission is, no doubt, for the benefit of the Filipino people, but the commission should have by now provided concrete outputs and results.

Mission, Vision, and Mandate

If you look closely at both agencies' mission, vision, and mandate, both are geared towards preparing the nation to the threats of disasters borne out of natural hazards through early warning, prevention, and mitigation.

PAGASA's mission is "Protecting lives and properties through timely, accurate and reliable weather-related information and services."

This statement is truer for PHIVOLCS, whose Vision is to become "A leading global science and technology institution in helping develop communities safe from and resilient to volcanic eruptions, earthquakes, tsunamis and other related hazards. It also aims to "provide timely and quality information and services for warning, disaster preparedness and mitigation. This we do through the development and application of technologies for the monitoring and accurate prediction of, and determination of areas prone to, volcanic eruptions, earthquakes, tsunamis and other related hazards, and capacity enhancement for comprehensive disaster risk reduction." In fact, the very creation of PHIVOLCS was because of a disaster caused by the eruption of Mt. Hibok-Hibok.

By their very mandates alone, it is clear that their main goal is the management and reduction of risks to disasters while the promotion of science and technology is secondary.

They cannot function in their fullest potential when the mother agency's main thrust is the development and promotion of science and technology. It is also for this same reason as to why the DOST cannot make proper innovations in the realm of disaster risk reduction: it is simply not their priority.

The DOST, burdened by other responsibilities, cannot focus entirely on disasters. On the other hand, DDR's first and foremost observance is the reduction of our risks to disasters – a perfect match to the mandate of both PAGASA and PHIVOLCS. To subsume both agencies to DRR makes sense - the only thing that makes sense from DRR and CCA perspective. The DRR can benefit greatly from their expertise in the field of geological and hydrometeorological hazards. At the same token, both agencies can benefit as from DRR's guidance and direction.

Under the ADMINISTRATIVE ORDER NO. 97-11, Section 1, "The Mines and Geosciences Bureau shall be the primary government agency under the Department of Environment and Natural Resources (DENR) responsible for the sustainable exploration,

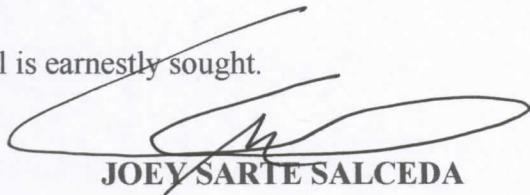
development, utilization and conservation of all mineral resources in public and private lands within the territory and exclusive economic zone of the Republic of the Philippines.” The agency’s task is to safeguard and make sustainable use of mineral lands.

In the past, MGB conducted deterministic geohazard mapping in order to make an assessment for mining lands. The methods employed are surveying and manual assessment of the topography which results to an indicative natural hazard maps, that lacks precision and accuracy in addressing DRR in accordance with the RA 10121 and Sendai Framework for Actions.

Lastly, primary function of the Climate Change Commission is to “Ensure the mainstreaming of climate change, in synergy with disaster risk and vulnerability reduction, into the national, sectoral and local development plans and programs” (RA 9729). However, with the current organizational structure, there is an apparent difficulty in implementing its decrees. Subsuming the Commission in the Department of Disaster Resilience will allow resources pooling that will aid the CCC in accomplishing its outcome, outputs, results and functions.

The proposed Department of Disaster Resiliency is a robust response to the lessons identified and learned throughout the country’s recent catastrophes while applying and employing the mechanisms provided by R.A. 10121 – they invariably point to the need for a strong and independent regulator and monitoring body that will ensure the effectiveness and accountability of duty-bearers in the performance of disaster risk and vulnerability reduction and climate change adaptation. Most importantly, this bill seeks to ensure the safety and welfare of both present and future generations of Filipinos, and establish a self-governing and strong Department of Disaster Resilience (DDR) and more inclusive disaster risk and vulnerability reduction and climate change adaptation and mitigation policies so that the needs of those who are most at-risk will be met.

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



JOEY SARTÉ SALCEDA

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 30

Introduced by Representative JOEY SARTE SALCEDA

**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:*

**CHAPTER I
GENERAL PROVISIONS**

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

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

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

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

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

The State shall integrate and accelerate the implementation of the principles, and concepts of climate change, disaster risk and vulnerability reduction contained in the Paris Agreement of the United Nations Framework Convention on Climate Change (UNFCCC), the

Sendai Framework for Disaster Risk Reduction 2015-2030, the 2015 Asia-Pacific Economic Cooperation (APEC) Disaster Risk Reduction (DDR) Framework, the 2030 Agenda for Sustainable Development Goals (SDGS), and the Philippine Development Plan (PDP) 2017-2022 in various phases of policy formulation, development plans and investments, poverty reduction strategies and other development tools, and techniques by all national and local agencies, institutions and instrumentalities of the government to enhance the country's climate change adaptive capacity.

It shall be the duty of the State to:

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

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

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

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

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

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

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

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

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

(10) Mainstream disaster risk and vulnerability reduction in government by ensuring risk-informed planning, programming, implementation, monitoring, and evaluation, and the use of

quality management, accountability, and performance systems in measuring and improving the effectiveness and efficiency of disaster risk and vulnerability reduction management processes across all government levels, including those offices which manage peace processes and conflict-resolution approaches, so as to minimize loss of lives and damage to properties and ensure that communities in conflict zones can immediately resume their normal lives at the conclusion of episodes of intermittent conflicts;

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

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

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

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

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

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

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

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

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

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

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

(22) Ensure that the best possible assistance and services are delivered to individuals and

families affected by disaster and emergency rehabilitation projects to guarantee the resumption of normal social and economic activities;

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

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

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

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

(2) Women and girls shall contribute to and participate in effectively managing disaster risk and designing, resourcing, and leading implementation of gender sensitive disaster risk and vulnerability reduction and management policies, plans, and programs;

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

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

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

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

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

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

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

and planning;

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

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

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

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

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

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

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

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

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

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

f) *Capacity* refers to the combination of all strengths, attributes and resources available within a community, society or organization that can reduce the level of risk, or impacts of a disaster. Capacity may include infrastructure and physical means, institutions, societal coping

abilities, as well as human knowledge, skills and collective attributes such as social relationships, leadership and management. Capacity may also be described as capability.

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

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

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

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

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

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

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

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

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

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

q) *Disaster Mitigation* refers to the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures encompass engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness,

land use planning, and climate change.

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

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

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

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

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

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

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

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

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

marginalized groups.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ww) *Open Data* refer to facts and statistics that can be freely used, shared and built-on by anyone, anywhere, for any purpose. These must be available in bulk, should be available free of charge, or at least at no more than a reasonable reproduction cost. The information should be digital, preferably available by downloading through the internet, and easily processed by a computer. These must permit people to use, reuse, and redistribute, intermix

with other data providers. These do not allow conditions to be placed on how people can use Open Data, but permit a data provider to require that data users credit them in some appropriate way, clarify if the data have been changed, or that new datasets created using their data are also shared as open data.

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

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

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

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

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

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

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

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

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

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

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

iii) *Risk Transfer* refers to the process of formally or informally shifting the financial consequences of particular risks from one party to another whereby a household, community,

enterprise, or state authority will obtain resources from the other party after a disaster occurs, in exchange for ongoing or compensatory social or financial benefits provided to that other party.

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

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

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

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

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

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

ppp) *Whole-of-Government Approach* refers to an approach that integrates the collaborative efforts of the government departments and agencies to achieve unity of effort toward a shared goal to broaden the government's options, and increases efficiency to 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, hereinafter referred to as the Department.

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

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

The Department shall augment the capacity of LGUs in collaboration with relevant national government agencies and other stakeholders to implement disaster risk reduction and

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

1. Oversee, direct, and undertake programs and projects to identify, assess, prioritize and localize hazards and risks in the country, in consultation with national government agencies, LGUs, communities, and stakeholders that shall be involved in disaster risk reduction efforts;
2. Monitor and ensure the integration of disaster risk and vulnerability reduction and management and climate change adaptation policies into national development plans;
3. Design and implement an incentive system for greater private and public investment, both local and national, in disaster risk reduction;
4. Oversee and ensure the mainstreaming of climate change adaptation and disaster risk reduction in development planning, including disaster-proofing and climate-proofing of land-use plans and the preparation of contingency plans;
5. Create an enabling environment for the design of relevant and appropriate risk-sharing and risk-transfer instruments;
6. Create an enabling environment that shall promote broader multi-stakeholder participation and integrate climate change mitigation, adaptation, and disaster risk and vulnerability reduction;
7. Coordinate directly with LGUs and private entities to address climate vulnerabilities and disaster risk assessment (CVDRA) of regions and provinces at the meso-scale, cities and municipalities at the micro-scale, and barangays at the meta-scale;
8. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the Department of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the Philippines (LBP);
9. Formulate the National Disaster Resilience Framework, National Disaster Resilience Plan, and the National Continuity Policy;
10. Oversee and direct the comprehensive implementation of disaster risk reduction and climate change adaptation and mitigation policies, plans, and programs, as embodied in the National Disaster Resilience Framework and National Disaster Resilience Plan;
11. Coordinate directly with LGUs and private entities to address Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale, cities and municipalities at the micro-scale, and barangays at the meta-scale; and
12. Review and evaluate local disaster resilience plans and other local plans to ensure their consistency with the Climate-Disaster Resilience Framework and Plan.

(b) Disaster Preparedness and Response

1. Oversee and maintain a national early-warning and emergency alert system that shall provide accurate, timely, and accessible information to national and local emergency response organizations and the general public;
2. Coordinate information-sharing and other risk reduction protocols following the principle of interoperability among national government agencies and LGUs;
3. Establish and maintain a national humanitarian logistics system with a network of warehouses, transport, and resources, including response assets and disaster relief items, such as food and non-food items;
4. Exercise command and control over relevant government agencies, including government-owned and -controlled corporations, the Philippine National Police and other law

enforcement agencies, during an imminent or actual disaster. Such command and control shall include the authority to utilize available services, assets, equipment, personnel, facilities, and other resources;

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

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

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

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

9. Monitor and support LGUs in the management of evacuation centers and ensure the welfare and dignity of internally-displaced persons;

10. Procure goods and services during emergencies, in accordance with existing emergency procurement rules and regulations;

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

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

(c) Rehabilitation and Recovery

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

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

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

(d) Other Powers and Functions

1. Provide or designate a secretariat to the Climate Change Commission;

2. Establish and monitor local and national capacity for climate-disaster risk financing and insurance and other risk transfer strategies in coordination with the Department of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the Philippines (LBP);

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

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

5. Use of advanced science and technologies in disaster risk reduction and management

by engaging, consulting with, employing and regularly funding the academe or higher education and research institutions such as the University of the Philippines Resilience Institute and the University of the Philippines Nationwide Operational Assessment of Hazards Center or other institutions that have a recognized and credible track record, as well as the capacity to conceptualize and implement the science and engineering requirements necessary for effective climate change adaptation and disaster risk reduction;

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

7. Develop the criteria and procedure for the enlistment of accredited community disaster resilience volunteers and institutions;

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

9. Perform such other functions as may be necessary for the effective implementation of this 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 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.

SEC. 7. *Emergency Measures at the National Level.* – The Department may require the assistance of law enforcement agencies and the uniformed services, 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 and 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 the 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 local chief executive: *Provided*, That in case of the failure of the local government to appropriately issue such order, the forced evacuation shall be implemented by the Department, which may direct and compel the assistance of law enforcement and other relevant national agencies to implement said emergency measure.

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

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

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

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

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

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

SEC. 12. *Utilization of Private Property for Public Purpose.* – The Department shall have the power to utilize any private property for urgent public purpose 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, subject to payment of just compensation in appropriate cases.

SEC. 13. *Emergency Powers.* – Whenever it becomes necessary, the Department, subject to the approval of the President, may call on the AFP or the PNP, in coordination with the Secretary of National Defense and the Secretary of the Interior and Local Government, to prevent or suppress lawless violence and ensure the protection and preservation of life or 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 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.

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

CHAPTER IV **ORGANIZATION AND MANAGEMENT**

SEC. 15. *The Secretary.* – The Department shall be headed by a Secretary who shall 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:

- a) Establish and promulgate policies, rules, and regulations for the effective and efficient operation of the Department;
- b) Exercise executive direction over the operations of the Department and administrative supervision over its attached agencies;
- c) Manage the financial and human resources of the Department;
- d) Appoint officers and employees of the Department, except presidential appointees, in accordance with civil service law, rules, and regulations;
- e) Exercise disciplinary authority over officers and employees of the Department in accordance with law;
- f) Coordinate with other government agencies, the private sector, and CSOs on the policies, programs, projects, and activities of the Department, as may be necessary;
- g) Advise the President on the promulgation of executive and administrative issuances and the formulation of regulatory and legislative proposals on matters pertaining to disaster resilience;
- h) Serve as the Vice-Chairperson of the Climate Change Commission (CCC);
- i) In coordination with the Department of Foreign Affairs, represent the Philippines in the climate change negotiations and articulate the national contribution to global, regional, and other inter-governmental disaster risk reduction and humanitarian platforms;
- j) Call upon the AFP and the PNP to render assistance in disaster-affected areas; and
- k) Promulgate such rules and regulations and perform such other functions as may be necessary or proper to attain the objectives of this Act.

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

- (a) The Secretary, as provided for under this Act;
- (b) Five (5) Undersecretaries, to be appointed by the President, who shall assist the Secretary in administering the affairs of the Department, one to be responsible for Resilience, one to be responsible for Policy and Governance, one to be responsible for Operations, one to be responsible for Administration and Finance, and the Senior Undersecretary. The Undersecretaries shall have functional and operational supervision over the bureaus, divisions, offices and units assigned to their respective functional areas;
- (c) Ten (10) Assistant Secretaries, to be appointed by the President, who shall assist the Secretary in administering the affairs of the Department to be responsible for overall staff

supervision, Internal Audit, Administration, Disaster Resilience Fund Management, Fiscal Management, Operations, Mobilization, Plans and Programs, Legal, Project Management and Sustainable Development;

(d) Eleven (11) Service Directors who shall head the following Services: the Administrative and Financial Management Service, the Logistics and Resource Management Service, the Operations Service, the Responders Management Service, the Policy Development and Planning Service, the Capacity-Building and Training Service, the Legal Affairs and Compliance Service, the Disaster Risk Reduction Service, the Climate Change Service, the Recovery and Reconstruction Service, and the Strategic Communications Service:

1) The Administrative and Financial Management Service shall provide the Department with economical, efficient and effective services relating to human resource management and development, financial management and general administration services to support civil defense and disaster risk reduction and management operations and functions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER V **FINANCE AND ADMINISTRATION**

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

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

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

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

taxes and import duties of national and local government agencies;

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

CHAPTER VI

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

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

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

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

34. Chairperson of the National Commission on Muslim Filipinos;
 35. Chairperson of the National Youth Commission;
 36. President of the Government Service Insurance System;
 37. President of the Social Security System;
 38. President of the Philippine Health Insurance Corporation;
 39. President of the Home Development Mutual Fund;
 40. President of the Union of Local Authorities of the Philippines;
 41. President of the League of Provinces of the Philippines;
 42. President of the League of Cities of the Philippines;
 43. President of the League of Municipalities of the Philippines;
 44. President of the Liga ng mga Barangays;
 45. Maximum of six (6) representatives from the academe and other relevant research institutions;
 46. Maximum of six (6) representatives from the civil society organizations; and
 47. Maximum of six (6) representatives from the private sector.
- (c) Composition – The Council is hereby organized into five (5) clusters, namely: Disaster Prevention and Mitigation to be led by DOST, Disaster Preparedness to be led by DILG, Disaster Response by DSWD, Logistics led by DND, and Recovery and Sustainable Development led by NEDA.
- (d) Technical Management Advisory Group – The Department may constitute, as the need arises, a technical management advisory group from the different stakeholders, that shall coordinate and meet with the Department as often as necessary to effectively manage and sustain national efforts on disaster risk and vulnerability reduction and emergency management, and climate change adaptation and mitigation.
- (e) Guidelines for the Department of Disaster Resilience Fund (DDRF) and Local Disaster Resilience Fund (LDRF) – The Department shall provide the necessary guidelines and procedures on the DDRF and the LDRF releases as well as utilization, accounting and auditing thereof.

SEC. 21. Monitoring, Reporting and Validation. –

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

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

The Department is likewise accountable, liable and responsible for monitoring and requiring the appropriate implementation of remedial measures by member-agencies of the Council during a state of calamity. It shall have the authority and power to require reports from the appropriate member-agencies regarding implementation of such measures.

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

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

(1) The Regional Disaster Resilience Councils (RDRC) –

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

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

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

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

(i) LDRC Budgetary Requirements of LDRO – The budgetary requirements for personal services, maintenance and other operating expenditures, and capital outlay of the LDRO shall be sourced from the General Fund of the LGU, subject to Section 76 of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991, as amended. The enforcement of Sections 325(a) and 331(b) of Republic Act No. 7160, as amended, shall be waived to enable the LGUs to fund the initial year requirements for the creation of the minimum five (5) mandatory positions of the LDRO.

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

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

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

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

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

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

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

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

coordination in disaster resilience, including the following:

- (a) Establishment and implementation of business continuity practices to ensure the continued delivery of products and services, in the event of disasters;
- (b) Establishment and implementation of a National Continuity Policy to ensure service continuity during power and utilities interruptions, emergencies, and disasters and ensure the 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 nongovernment stakeholders; and
- (e) Preparation and facilitation of the issuance of appropriate guidelines for MSMEs relating to mechanisms on procurement and liquidity to create enabling environment for DDR.

The MSCU shall establish a platform that includes, among others, a database for monitoring and coordinating efforts and resources 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 Disaster Resilience Framework and Plan. – The existing National Disaster Resilience Framework and plan and the National Climate Change Strategic Framework and Plan shall be enhanced by the Climate and Disaster Resilience Framework and plan which provides for the comprehensive probabilistic multi-hazards, multi-scenario, multi-sectoral, resilience-building, and community risk-based approach and management of disaster and climate risk, and provide for the integration of disaster risk and vulnerability reduction and climate change adaptation, as well as the mainstreaming in other sectoral policies. It shall be reviewed every three (3) years.

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

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

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

CHAPTER VIII **CLIMATE AND DISASTER RESILIENCE 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 Resilience Research, Education, and Training Institute in collaboration with higher education institutions and private and state universities and colleges (SUCs) which shall be a world-class center of excellence for learning and research in the field of disaster risk and vulnerability reduction and management and climate change adaptation;

(b) The Climate and Disaster Resilience 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 Resilience 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 management and climate change adaptation practitioners, and other relevant sectors in developing research opportunities and programs on climate vulnerability and disaster risk assessment;

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

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

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

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

(d) Financial Support to the Center:

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

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

CHAPTER IX

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

SEC. 27. Climate and Disaster Resilience Information Management System (CDRIMS).

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

SEC. 28. Disaster Resilience and Climate Change Education and Training. – (a) The Department of Education, CHED, and Technical Education and Skills Development Authority (TESDA), in coordination with the National Youth Commission (NYC), the Department of Science and Technology (DOST), Department of Environment and Natural Resources (DENR), Department of the Interior and Local Government (DILG), Department of Health (DOH), Department of Social Welfare and Development (DSWD), and other relevant agencies, developmental institutions, and nongovernment organizations shall integrate disaster risk and vulnerability reduction and climate change adaptation education in the school curricula at all levels of education, from K to 12 to tertiary levels, including the early and adult learning programs, National Service Training Program (NSTP), and education for children and persons with special needs, whether private or public, including formal and non-formal, technical-vocational, indigenous learning, out-of-school youth courses and programs, and other channels of educational integration, including media, church, entertainment centers (malls), international and domestic airports and transport terminals.

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

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

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

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

(f) The DepEd, CHED, TESDA, developmental institutions and community-based organizations shall regularly review, monitor, evaluate and report to the Council the status of

integration, mainstreaming and implementation of climate change adaptation, disaster risk and vulnerability reduction and management in public-private schools and other learning institutions.

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

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

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

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

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

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

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

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

SEC. 31. Flash Appeal or Appeal for International Assistance. – Upon consultation with the NDRC and in cognizance of the urgency, criticality and intensity of an imminent risk, the DDR shall issue a flash appeal to the family of nations, under regional and multilateral

conventions, for assistance in preparedness including preemptive measures, search, rescue and 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.

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

(c) The Department shall oblige the LGUs the mandatory insurance coverage of assets, properties and livelihood of vulnerable and marginalized groups for unforeseen or contingent potential losses, damages and disruption from natural hazards and human-induced 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.* – (a) The NDRC shall establish standards for disaster preparedness, contingency planning, localizing and operationalizing disaster risk and vulnerability reduction and management, preparedness for disaster response, preparedness for early recovery, continuity of essential services, and other relevant preparedness activities.

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

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

SEC. 35. *Multi-Hazard Early Warning and Risk Communication Standards.* – (a) There shall be a streamlined policy governing early warning systems and risk communication protocols to ensure effective and efficient measures to prevent, prepare for, respond to, and recover from possible risk caused by natural and human-induced hazards and climate risk. The NDRC shall issue policy and the Department shall oversee and monitor the implementation of

this policy.

(b) The Department and all other concerned agencies with an integrated early warning and information mandate shall collaborate with the local executives and officers to disseminate climate-disaster risk information through the involvement of LGUs, community-based organizations, CSOs, and other nongovernmental organizations.

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

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

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

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

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

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

CHAPTER XII

DISASTER RESPONSE AND EARLY RECOVERY

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

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

SEC. 38. Emergency Management. – The respective Climate and Disaster Resilience Councils shall lead in preparing for, responding to, and recovering from the effects of any

disaster, upon due consideration to the economics of classification, capacity and vulnerability of the local governments concerned:

- a) The Barangay Disaster Resilience Council (BDRC), if one barangay is affected;
- b) The city/municipal Disaster Resilience Councils (DRCs), if two (2) or more barangays are affected;
- c) The provincial Disaster Resilience Council (DRC), if two (2) or more cities/municipalities are affected;
- d) The regional Disaster Resilience Council (DRC), if two (2) or more provinces are affected; and
- e) The NDRC, if two (2) or more regions are affected.

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

- a) Department of Finance - Bureau of Customs;
- b) Department of Foreign Affairs;
- c) Department of Social Welfare and Development;
- d) Department of Health;
- 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 of 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 professional qualifications, entry of international disaster goods and equipment, and exemption from port duties, taxes and restrictions.

SEC. 43. Assessment of the Need for International Humanitarian Assistance. – (a) Immediately after the declaration of a state of calamity by the sanggunian of an LGU or by the Department, as the case may be, the Department shall determine as to whether domestic capacities are likely to be sufficient to attend to the needs of affected persons for international humanitarian assistance. This determination may also be made by the President, prior to the onset of an imminent disaster.

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

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

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

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

CHAPTER XIV **OFFER AND FACILITATION OF HUMANITARIAN** **ASSISTANCE TO FOREIGN STATES**

SEC. 46. Offer and Facilitation of International Humanitarian Assistance to Foreign States. – In the event of a disaster occurring in a foreign state for which international humanitarian assistance is required, the Department may offer, facilitate and provide international humanitarian assistance to such foreign state, which shall be subject to guidelines 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.

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

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

A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT

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

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

(a) Declare that all the goods and equipment they seek to import under this Act are

exclusively for Disaster Relief or Initial Recovery Assistance and that they comply with any relevant standards under Philippine laws; and

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

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

(a) Exemption from all duties and taxes;

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

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

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

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

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

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

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

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

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

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, reexportation, donation and disposal of unused goods and equipment

after the termination of Disaster Relief and Initial Recovery Assistance operations.

CHAPTER XVI RECOVERY

SEC. 62. Standards for Recovery. – The Department shall observe internationally accepted standards for recovery, planning, programming and implementation of the recovery process and 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 a state of calamity, the following remedial measures shall be immediately undertaken by concerned government agencies both of national and local levels:

- (a) Imposition of price ceiling on basic necessities and prime commodities by the National Price Control Council, as provided for under Republic Act No. 7581, otherwise known as the "Price Act", as amended by Republic Act. No.10623;
- (b) Monitoring, prevention and control by the Local Price Coordinating Council of overpricing/profiteering and hoarding of prime commodities, medicines and petroleum products;
- (c) Programming/reprogramming of funds for the repair of critical facilities or public infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce further threat to lives and arrest further deterioration of properties and loss of livelihoods in the affected communities, following the "Build Forward Better" principle:
 - (1) Grant of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals; and
 - (2) Local tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected LGU.

CHAPTER XVIII PROCUREMENT

SEC. 64. General Rule on Procurement. – Any procurement of goods, services, consultancy or infrastructure for disaster risk and vulnerability reduction and climate risk,

whether at the national or local level shall conform to the provisions and implementing rules and regulations (IRR) of Republic Act No. 9184, otherwise known as "Government Procurement Reform Act", as amended.

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

CHAPTER XIX **PROHIBITED ACTS AND PENALTIES**

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

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

- (1) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
- (2) Failure to create a functional LDR office within six (6) months from the approval of this Act;
- (3) Failure to appoint a permanent local disaster resilience officer within six (6) months from the approval of this Act;
- (4) Failure to prepare and implement a Contingency and Adaptation Plan for hazards frequently occurring within their jurisdictions; and
- (5) Failure to formulate and implement the LDRP with the corresponding budget allocation.

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

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

- (1) Delaying, without justifiable cause the delivery or improper handling or storage of aid commodities, resulting to damage or spoilage;
- (2) Withholding the distribution of relief goods due to: (a) political or partisan considerations; (b) discrimination based on race, ethnicity, religion, or gender; and (c) other similar circumstances;
- (3) Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams or experts;
- (4) Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other aid commodities which are intended for distribution to disaster affected communities;
- (5) Buying, for consumption or resale, from disaster affected persons, relief goods, equipment or other aid commodities received by them;
- (6) Selling of relief goods, equipment, or other aid commodities which are intended for distribution to disaster victims;
- (7) Forcibly seizing relief goods, equipment, or other aid commodities intended for or consigned to a specific group of victims or relief agency;

- (8) Diverting or misdelivery of relief goods, equipment, or other aid 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; and
 - (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 or 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.

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

- (a) Imprisonment of not less than twelve (12) years but not more than fifteen (15) years or a fine of not less than One million pesos (P1,000,000.00) but not more than Three million pesos (P3,000,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person found guilty of violating subsections (b)(1) to (b)(16), as well as the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of the prohibited acts;
- (b) Imprisonment of not less than six (6) years but not more than eight (8) years or a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than One million pesos (P1,000,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person who attempts to commit any of the prohibited acts in the preceding section, in violation of subsection (b)(17) thereof;
- (c) Imprisonment of not less than two (2) years but not more than six (6) years or a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than Five hundred thousand pesos (P500,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person found guilty of unlawfully benefiting from the proceeds or fruits of any of the prohibited acts in the preceding section, in violation of subsection (b)(18)

thereof;

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

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

(f) Payment of the full cost of repair or replacement of the government risk reduction and preparedness equipment, accessories and other vital facility or 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

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

CHAPTER XX APPROPRIATIONS

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

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

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

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

2) Of the annual appropriation for the LDRF, eighty percent (80%) shall be appropriated for climate change adaptation, disaster risk and vulnerability reduction,

prevention, adaptation and mitigation programs, projects and activities focusing on both institutional capacity building of vulnerable communities and risk-reducing infrastructure. The NDRC shall pass a resolution to set the priority allocations and govern and trigger the acceleration and implementation of this section.

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

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

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

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

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

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

CHAPTER XXI FINAL PROVISIONS

SEC. 69. Transfer and Attachment. –

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

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

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

(d) The Climate Change Office of the Climate Change Commission shall continue its

functions under Republic Act No. 10174 under the Department.

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

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

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

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

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

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

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

CHAPTER XXII **MISCELLANEOUS PROVISIONS**

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

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.

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

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

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

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

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

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

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

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

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

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

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

Approved,