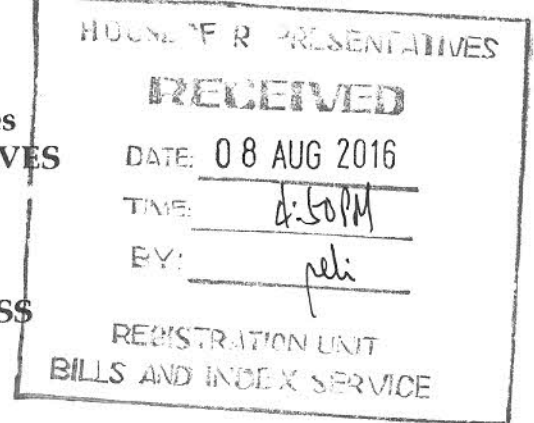


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

H. B. No. 2661



Introduced by HONORABLE BELLAFLOR J. ANGARA-CASTILLO

EXPLANATORY NOTE

Five years from the passage of the landmark Philippine Disaster Risk Reduction and Management Act in 2010, there are now ample experiences on the ground from the various disasters and hazards that the country has had in the preceding years to improve on the current measure. These experiences will all be set out and identified through the Act's sunset review clause, which the law itself describes as a "systematic evaluation by the Congressional Oversight Committee 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."

There is a pressing demand for the enhancement of disaster risk management policies and practices based on inclusive community-based disaster risk reduction (ICBDRR), including lessons from the aftermath of Typhoon Haiyan. ICBDRR puts premium on the role of local stakeholders – LGUs and grassroots organizations – in increasing community resilience to confront disaster risks and climate change impacts. National DRRM institutions must not stifle ICBDRR practices and should instead support enhancing local capacities.

Learning from successful ICBDRR should be adopted by more local disaster risk management plans and processes through peer-to-peer mentoring methodologies. Local government units (LGUs) and Disaster Risk Reduction champions should be enabled to hand-over their knowledge and skills on ICBDRR to more LGUs.


Diverse experiences must be supported to give voice to stakeholders and for them to have meaningful participation. Our people's experience who are rendered vulnerable by structural and practical barriers must be integrated in DRM processes. Inclusive processes must respect each person's dignity, capacities, and resources with a collectively strengthened community.

Towards this end, the proposed measure fine-tunes the key provisions of Republic Act No. 10121 by inserting specific amendments therein addressing the following concerns identified by the CSO sunset review process, particularly the following: (1) Improvement of the current institutional structure for better implementation of the law; (2) Clarification of the various elements for a successful

effort in preparedness; (3) Setting out other what other elements need to be looked into when it comes to response measures; (4) Identifying further measures in adaptation and mitigation to climate change and disaster risk reduction and management, including taking up specific initiatives to deal with loss and damage arising from slow-onset impacts from climate change; (5) Improvement of rehabilitation and recovery by institutionalizing rights-based approach; and (6) Making funding and its mechanisms more responsive to the needs of the community.

A high priority accorded to these proposals by the House of Representatives would be proper, timely, and urgently needed, for not only will proper preparation and planning for disasters save money and misery, it also save the lives of our people.

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


REP. BELLAFIOR J. ANGARA-CASTILLO
Representative
Lone District, Province of Aurora

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

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Introduced by HONORABLE BELLAFLOR J. ANGARA-CASTILLO

AN ACT
AMENDING REPUBLIC ACT NO. 10121 AND RELATED LAWS,
INCORPORATING AMENDMENTS TO THE PHILIPPINE DISASTER RISK
REDUCTION AND MANAGEMENT SYSTEM MAKING IT INCLUSIVE AND
STRENGTHENING THE DISASTER RISK REDUCTION-CLIMATE CHANGE
ADAPTATION LINKAGES, INCREASING APPROPRIATIONS THEREFOR,
AND FOR OTHER PURPOSES.

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

1 Section 1. *Title.* – This Act shall be known as "*Enhancing the Inclusiveness of the*
2 *Philippine Disaster Risk Reduction and Management System Act of 2016.*"

3
4 Sec. 2. Sec. 2(f) of the Republic Act No. 10121 is hereby amended to read as
5 follows:

6
7 "Section 2. *Declaration of Policy.* – xxx.

8
9 (a) xxx;

10
11 xxx;

12
13 (f) Adopt and implement a coherent, comprehensive, integrated, efficient and
14 responsive disaster risk reduction program incorporated in the development plan THAT
15 IS ADEQUATELY FUNDED at various levels of government, GIVING PRIORITY TO LOCAL
16 GOVERNMENT UNITS THAT ARE HIGHLY VULNERABLE, GEOGRAPHICALLY ISOLATED
17 AND BELONGING TO THE POOREST OF THE POOR LOCAL GOVERNMENT UNITS, adhering
18 to the principles of good governance such as transparency and accountability within the
19 context of poverty alleviation and environmental protection;"

20
21 Sec. 3. Sec. 3(ee) of the same Act is hereby amended to read as follows:

22
23 "Section 3. *Definition of Terms.* – xxx.

(a) xxx.

xxx.

(ee) "*Rehabilitation AND RECOVERY*" – measures that ensure the ability of affected communities/areas to restore their FUNCTIONALITY by rebuilding AS A MATTER OF PRIORITY APPROPRIATE livelihood and damaged infrastructures, PARTICULARLY SHELTER, and increasing the communities' organizational capacity TO ENHANCE THEIR EARNING ABILITY. RECOVERY EFFORTS SHALL GIVE PRIORITY TO OPPORTUNITIES TO BUILD BACK BETTER, ENABLING GREATER RESILIENCY OF COMMUNITIES TO DISASTERS.

xxx."

Sec. 4. Sec. 4 of the same Act is hereby amended to read as follows:

"Section 4. *Scope* – This Act provides for the development of policies and plans and the implementation of actions and measures pertaining to all aspects of disaster risk reduction and management, including good governance, risk assessment and early warning, knowledge building and awareness raising, reducing underlying risk factors, preparedness for effective response and early recovery, AND REHABILITATION INCLUDING ADAPTATION AND MITIGATION."

Sec. 5. Sec. 5 of the same Act is hereby amended to read as follows:

"Section 5. *National Disaster Risk Reduction and Management Council*. – xxx.

xxx.

The National Council's members shall be the following:

(a) xxx;

xxx

(hh) REPRESENTATIVES FROM THE FOLLOWING BASIC SECTORS:

- i. FARMERS AND LANDLESS RURAL WORKERS;
- ii. ARTISANAL FISHERFOLK;
- iii. URBAN POOR;
- iv. INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES;
- v. WORKERS IN THE FORMAL SECTOR AND MIGRANT WORKERS;
- vi. WORKERS IN THE INFORMAL SECTOR;
- vii. WOMEN;
- viii. YOUTH AND STUDENTS;
- ix. PERSONS WITH DISABILITIES;
- x. VICTIMS OF DISASTERS AND CALAMITIES;
- xi. SENIOR CITIZENS;
- xii. NONGOVERNMENT ORGANIZATIONS (NGOS);
- xiii. CHILDREN; AND
- xiv. COOPERATIVES.

1 *PROVIDED THAT, THE VULNERABLE SECTORS AND THEIR ORGANIZATIONS ARE*
2 *GIVEN PRIORITY IN THE SELECTION OF THESE REPRESENTATIVES;*

3
4 (ii) xxx;

5
6 xxx;

7
8 (kk) REPRESENTATIVE FROM THE SCIENTIFIC COMMUNITY.

9
10 xxx.”

11
12 Sec. 6. Sec. 6 of the same Act is hereby amended to read as follows:

13
14 “Section 6. *Powers and Functions of the NDRRMC.* – The National Council, being
15 empowered with policy-making, coordination, integration, supervision, monitoring and
16 evaluation functions, shall have the following responsibilities:

17
18 (a) Develop an NDRRMF which shall provide for a comprehensive, all-hazards AND
19 VULNERABILITY RISK ASSESSMENT, PREPAREDNESS, RESPONSE, REHABILITATION &
20 RECOVERY, multi-sectoral, inter-agency and community-based approach to disaster
21 risk reduction and management. The Framework shall serve as the principal guide to
22 disaster risk reduction and management efforts in the country and shall be reviewed
23 on a five (5)-year interval, or as may be deemed necessary, in order to ensure its
24 relevance to the times;

25
26 (b) xxx;

27
28 xxx;

29
30
31 (r) SUPPORT LGU EFFORTS IN HAZARD, RISK AND VULNERABILITY ASSESSMENT,
32 PREPAREDNESS, RESPONSE, ADAPTATION AND MITIGATION, AND, REHABILITATION
33 AND RECOVERY, AS SPELLED OUT IN THIS ACT.”

34
35 Sec. 7. Sec. 10 of the same Act is hereby amended to read as follows:

36
37 “Section 10. *Disaster Risk Reduction and Management Organization at the Regional*
38 *Level.* – The current Regional Disaster Coordinating Councils, TO WHICH SHALL INCLUDE
39 THE SAME BASIC SECTOR, PRIVATE AND SCIENTIFIC COMMUNITY REPRESENTATIVES AS
40 THE NDRRMC, shall henceforth be known as the Regional Disaster Risk Reduction and
41 Management Councils (RDRRMCs) which shall coordinate, integrate, supervise, and
42 evaluate the activities of the LDRRMCs. The RDRRMC shall be responsible in ensuring
43 disaster sensitive regional development plans, and in case of emergencies shall convene
44 the different regional line agencies and concerned institutions and authorities.

45
46 Sec. 8. Sec. 11 (a) (17) of the same Act is hereby amended to read as follows:

47
48 “Section 11. *Organization at the Local Government Level* – xxx.

49
50 (a) xxx:

51
52 (1) xxx;

xxx

(17) REPRESENTATIVES FROM THE FOLLOWING BASIC SECTORS:

- i. FARMERS AND LANDLESS RURAL WORKERS;
- ii. ARTISANAL FISHERFOLK;
- iii. URBAN POOR;
- iv. INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES;
- v. WORKERS IN THE FORMAL SECTOR AND MIGRANT WORKERS;
- vi. WORKERS IN THE INFORMAL SECTOR;
- vii. WOMEN;
- viii. YOUTH AND STUDENTS;
- ix. PERSONS WITH DISABILITIES;
- x. VICTIMS OF DISASTERS AND CALAMITIES;
- xi. SENIOR CITIZENS;
- xii. NONGOVERNMENT ORGANIZATIONS (NGOS);
- xiii. CHILDREN; AND
- xiv. COOPERATIVES.

PROVIDED THAT, THE VULNERABLE SECTORS AND THEIR ORGANIZATIONS ARE GIVEN PRIORITY IN THE SELECTION OF THESE REPRESENTATIVES; and

(18) xxx."

Sec. 9. Sec. 12 (c) of the same Act is hereby amended to read as follows:

"Section 12. *Local Disaster Risk Reduction and Management Office (LDRRMO)*. – (a) xxx.

xxx.

(c) The provincial, city and municipal DRRMOs or BDRRMCs shall perform the following functions with impartiality given the emerging challenges brought by disasters of our times, WITH CLEARLY-DEFINED ROLES TO CSOs and POs RELATING TO THE PLANNING, IMPLEMENTATION, MONITORING AND EVALUATION OF PROGRAMS INVOLVING ANY OF THE TASKS ENUMERATED BELOW WITH ADEQUATE FINANCIAL SUPPORT FOR THE CONDUCT OF REGULAR CAPACITY-BUILDING ACTIVITIES ON ANY OF THESE FUNCTIONS:

(1) xxx;

xxx."

Sec. 10. The following provisions are hereby inserted as the new Secs. 15, 16, 17, 18, 19, 20, 21, 22, and 23 of the same Act, to read as follow:

"SECTION 15. *GREATER UNDERSTANDING OF MULTI-HAZARD DISASTER RISK*. – THE NDRRMC SHALL ALLOCATE FUNDING FOR RESEARCH AND EXPERIMENTATION THAT WILL FOSTER INCREASED UNDERSTANDING OF DISASTER RISK IN ALL ITS DIMENSIONS OF VULNERABILITY, CAPACITY, EXPOSURE OF PERSONS AND ASSETS, HAZARD CHARACTERISTICS AND THE ENVIRONMENT, GIVING PARTICULAR EMPHASIS TO THE CLEAR IDENTIFICATION OF DISASTER RISK REDUCTION AND CLIMATE CHANGE ADAPTATION CHALLENGES FOR THE COUNTRY AS A WHOLE AND IN SPECIFIC REGIONS OF THE COUNTRY. TOWARDS THIS END, THE NDRRMC SHALL LEAD IN THE PROMOTION OF REAL-TIME ACCESS TO RELIABLE DATA, PERIODIC ASSESSMENT OF DISASTER RISKS,

1 INCLUDING EXISTING, EMERGING AND NEW SOURCES OF DISASTER RISK, AND OF
2 NATIONAL STRATEGIES TO STRENGTHEN PUBLIC EDUCATION AND AWARENESS IN
3 MULTI-HAZARD DRRM.”
4

5 “SECTION 16. *STRENGTHENING DISASTER RISK GOVERNANCE TO MANAGE DISASTER*
6 *RISK.* – AT THE NATIONAL AND LOCAL LEVELS, THERE SHALL BE WORK UNDERTAKEN
7 TOWARDS THE MAINSTREAMING AND INTEGRATION OF DISASTER RISK REDUCTION
8 WITHIN AND ACROSS ALL SECTORS; THE ADOPTION AND IMPLEMENTATION OF
9 NATIONAL AND LOCAL DISASTER RISK REDUCTION STRATEGIES AND PLANS ACROSS
10 DIFFERENT TIMESCALES WITH TARGETS, INDICATORS AND TIME FRAMES; IT SHALL
11 INCLUDE THE ESTABLISHMENT AND STRENGTHENING OF GOVERNMENT
12 COORDINATION FORA, SUCH AS THE REGIONAL AND LOCAL DEVELOPMENT COUNCILS
13 AND OTHER RELATED COUNCILS DEALING WITH CLIMATE CHANGE, COMPOSED OF
14 RELEVANT STAKEHOLDERS AT NATIONAL AND LOCAL LEVELS, WITH THEIR DESIGNATED
15 FOCAL POINTS FOR IMPLEMENTING THE POST-2015 FRAMEWORK.”
16

17 “SECTION 17. *INVESTMENT IN DISASTER RISK REDUCTION FOR RESILIENCE.* – THE
18 NDRRMC SHALL PROMOTE AND FACILITATE PUBLIC AND PRIVATE INVESTMENT IN
19 DISASTER RISK PREVENTION AND REDUCTION THROUGH STRUCTURAL AND NON-
20 STRUCTURAL MEASURES THAT ARE ESSENTIAL IN ENHANCING THE ECONOMIC, SOCIAL,
21 HEALTH AND CULTURAL RESILIENCE OF PERSONS, COMMUNITIES, COUNTRIES AND
22 THEIR ASSETS, AS WELL AS THE ENVIRONMENT WITH THE DEVELOPMENT OF
23 APPROPRIATE FINANCIAL INSTRUMENTS THAT WILL DEAL WITH LOSS AND DAMAGE
24 FROM SLOW-ONSET IMPACTS ARISING FROM CLIMATE CHANGE.
25

26 “SECTION 18. *HAZARD, RISK AND VULNERABILITY ASSESSMENT.* – THE LOCAL
27 GOVERNMENT UNITS SHALL CONDUCT AN INCLUSIVE HAZARD, RISK AND
28 VULNERABILITY ASSESSMENT THAT IS GEOGRAPHICALLY-SPECIFIC, MULTI-HAZARD
29 AND CLEARLY LINKED TO CLEAR PLANS AND BUDGET, INCORPORATING RELEVANT AND
30 UPDATED SCIENTIFIC KNOWLEDGE AND APPROPRIATE INDIGENOUS KNOWLEDGE OF
31 INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE LOCALITY.
32

33 “SECTION 19. *PREPAREDNESS* – IN ORDER TO WITHSTAND THE CHALLENGES OF AN
34 IMPENDING DISASTER, ALL LOCAL GOVERNMENT UNITS SHALL STRIVE TO ACHIEVE A
35 HIGH LEVEL OF READINESS ON THE FOLLOWING:
36

- 37 (A) PLANNING SHOULD RESULT TO A COMPREHENSIVE PREPAREDNESS PLAN THAT
38 INCLUDES ALL SECTORS OF SOCIETY, PARTICULARLY THE VULNERABLE SECTORS IN
39 GEOGRAPHICALLY-SPECIFIC AREAS, ALSO TAKING INTO ACCOUNT GENDER AND
40 CULTURAL SENSITIVITY;
41
- 42 (B) PLANS SHALL BE FORMULATED IN ACCORDANCE WITH THE TYPE OF HAZARDS THAT
43 ARE ANTICIPATED TO OCCUR IN A LOCAL GOVERNMENT UNIT, AND NOT BE GENERIC
44 IN NATURE OR WHAT IS CALLED A “ONE SIZE FITS ALL” TYPE;
45
- 46 (C) AN EFFECTIVE INFORMATION, EDUCATION AND COMMUNICATION CAMPAIGN THAT
47 IS REGULAR AND CONSISTENT TO ENSURE THAT THE COMMUNITIES ARE ENABLED
48 AND CAPACITATED;
49
- 50 (D) INSTITUTIONALIZED IMPLEMENTATION OF DRILLS, SUCH AS EARTHQUAKE AND FIRE
51 DRILLS, SEARCH AND RESCUE, WITH TRUE PARTICIPATION FROM VULNERABLE
52 MEMBERS OF SOCIETY ON A CONSISTENT BASIS;
53

(E) THERE SHALL BE SUFFICIENT DATA AND MAPPING TOOLS AVAILABLE WITH CLEAR IDENTIFICATION OF WHAT IS APPROPRIATE IN EVERY LGU WHICH SHOULD INCLUDE PAST DATA ON THE AREA'S VULNERABILITIES, INCLUDING COMPREHENSIVE INFORMATION ON EXISTING CAPACITIES;

(F) INCLUSION OF EARLY WARNING SYSTEMS CASCADED FOR USE BY THE LOCAL GOVERNMENT UNITS SENSITIVE TO THE NEEDS OF THE DIFFERENTLY-ABLED, PREGNANT WOMEN, CHILDREN AND SENIOR CITIZENS."

"SECTION 20. *RESPONSE* – IN ORDER TO BE ABLE TO DELIVER EFFECTIVE, TIMELY AND APPROPRIATE DISASTER RESPONSE, ALL LOCAL GOVERNMENT UNITS SHALL HAVE THE FOLLOWING:

(A) BASELINE DATA, SUCH AS GEOGRAPHIC LOCATION, POPULATION, VULNERABLE GROUPS, MUST ALWAYS BE AVAILABLE AND UPDATED TO ENSURE THAT IN TIMES OF CALAMITIES IT IS EASIER TO DETERMINE RESPONSE MEASURES;

(B) THE LGU-LEVEL PROTOCOL MUST BE SET BY THE LGU WITH CSOS CONTRIBUTING TO THE PROTOCOL DEVELOPMENT WHICH SHALL BE MADE READILY AVAILABLE TO ALL STAKEHOLDERS (WHETHER LOCAL OR FOREIGN) IN ORDER TO RAISE AWARENESS AS TO THE APPROPRIATE ACTIONS DURING RESPONSE PHASE;

(C) THE FOLLOWING SHALL BE THE PRIORITY CONCERNS AND ACTION POINTS DURING THE RESPONSE PHASE STRICTLY IN ACCORDANCE WITH NATIONAL AND INTERNATIONAL STANDARDS, AS APPROPRIATE :

- (i) ACCESS TO FOOD AID, FOOD PRODUCTION SUPPLY OF SEEDS, HEALTH AND NUTRITION INTERVENTION;
- (ii) SHELTER OPTIONS;
- (iii) TRANSITORY EVACUATION CENTERS THAT ARE GENDER-SENSITIVE WITH PROVISIONS FOR FRIENDLY SPACES;
- (iv) ACCESS TO CLEAN WATER, WASH SERVICES;
- (v) ACCESS TO PSYCHOLOGICAL SUPPORT INCLUDING STRESS DEBRIEFING; AND
- (vi) IMMEDIATE RE-ESTABLISHMENT OF COMMUNITY SERVICES, PROTECTION SERVICES, ESPECIALLY AS REGARDS VULNERABLE GROUPS, PEACE AND ORDER, HEALTH FACILITIES, SCHOOLS AND THE LIKE."

"SECTION 21. *ADAPTATION AND MITIGATION* – THE FOLLOWING ARE ADDITIONAL ACTIONS THAT THE LGUS MAY UNDERTAKE IN ORDER TO ADAPT TO AND MITIGATE THE ADVERSE IMPACTS OF DISASTERS:

(A) COMPILATION OF BASELINE DATA ON ECOLOGICAL SERVICES WHERE FEASIBLE, SO THAT IT MAY BE MADE AVAILABLE TO THE LGU OFFICIALS CONCERNED TO ENSURE THAT RESPONSE MEASURES ARE RESPONSIVE TO THE NEEDS OF AFFECTED COMMUNITIES AND TO AVOID UNNECESSARY WASTAGE;

(B) STRICT ENFORCEMENT OF RELEVANT ENVIRONMENTAL LAWS, AND AIMING TO INNOVATE ON ALL ASPECTS OF THE SAME LAWS; AND

(C) PLANNING UNITS WITHIN LGUS SHALL BE CAPACITATED SO THEY CAN COME UP WITH EFFECTIVE AND RESPONSIVE ADAPTATION MEASURES, LAND USE PLANS AND BUILDING CODES, INCLUDING BUT NOT LIMITED TO THE CREATION OF ZONES FOR SETTLEMENT, COMMUNAL SPACE FOR GARDENING IN SUBDIVISIONS, URBAN BARANGAYS AND COMMUNITIES, AND CREATE SCIENCE-BASED MAPPING OF HAZARD AREAS ZONES UTILIZING CULTURE AND HISTORY.

TO FURTHER CAPACITATE THE LGUS, THE DOST SHALL ACCELERATE EFFORTS TO TRANSFER APPROPRIATE CLIMATE AND DISASTER MITIGATION TECHNOLOGIES TO LGUS WHICH SHOULD INCLUDE CAPACITY DEVELOPMENT OF LGU PERSONNEL SO THEY MAY BE ABLE TO OPERATE AND MAINTAIN THESE TECHNOLOGIES.”

“SECTION 22. *REHABILITATION AND RECOVERY* – THE AFFECTED LOCAL GOVERNMENT UNITS SHALL UNDERTAKE THE FOLLOWING DURING THE REHABILITATION AND RECOVERY PHASE:

(A) IN DECIDING TO CREATE A NEW SETTLEMENT REHABILITATION FOR DISPLACED PERSONS, THE LGUS MUST CONSIDER THEIR RIGHTS SUCH AS TO LIFE AND LIVELIHOOD;

(B) THERE SHALL BE DECENT AND SECURE SHELTER IN A SAFE ZONE THAT IS APPROPRIATE FOR THE LOCATION AND CULTURE, AND SUITABLE TO THE NEEDS AND ASPIRATIONS OF BENEFICIARIES, WITH ACCESS TO COMPLETE SERVICES;

(C) LIVELIHOOD MUST BE APPROPRIATE TO THE CAPACITY OF EACH FAMILY, INCLUDING WOMEN, CHILDREN, AND OTHER VULNERABLE SECTORS. TRAINING AS WELL AS CONTINUOUS UPDATING MUST BE GIVEN TO THE BENEFICIARIES TO ENSURE AND MAINTAIN THEIR EARNING CAPABILITIES;

(D) THERE SHOULD ALSO BE CLEAR COORDINATION WITH DIFFERENT FUNDING AGENCIES, BOTH PUBLIC AND PRIVATE, TO ENSURE THAT PRODUCTS AND SERVICES ARE UTILIZED IN FAVOR OF THE DISPLACED INDIVIDUALS.

PROVIDED, THAT DISASTER RISK REDUCTION EFFORTS SHALL BE INTEGRATED INTO DEVELOPMENT MEASURES, SUCH THAT THE RECOVERY, REHABILITATION AND RECONSTRUCTION PHASES GIVE OPPORTUNITIES TO BUILD BACK BETTER, AND ENABLING GREATER RESILIENCY OF COMMUNITIES TO DISASTERS.

THE EFFORTS OF THE LGUS SHALL BE INTEGRATED AND MAINSTREAMED IN THE LOCAL DEVELOPMENT PLANS, PROGRAMS AND BUDGET.”

“SECTION 23. *PREREQUISITES FOR ACTIONS OF LOCAL GOVERNMENT UNITS IN RELATION TO DANGER ZONES* – THE DETERMINATION BY THE LOCAL GOVERNMENT UNITS OF A PUBLIC INTEREST RATIONALE FOR THE DESIGNATION OF DANGER ZONES SHALL BE APPROPRIATE AND NECESSARY WHICH IS IN ACCORDANCE WITH AN ORDINANCE DULY APPROVED BY THE *SANGGUNIAN* CONCERNED TO BE IMPLEMENTED IN COMPLIANCE WITH ALL THE FOLLOWING REQUISITES:

(A) CONDUCT OF A THOROUGH STUDY SUBJECT TO THE PRECAUTIONARY PRINCIPLE SUCH THAT THE LACK OF FULL SCIENTIFIC CERTAINTY SHALL RESULT IN THE LOCAL GOVERNMENT UNIT FROM NOT PROCEEDING IN THE ACTION;

(B) CONSIDERATION OF APPROPRIATE ENGINEERING SOLUTIONS; AND

1
2 (C) A SOUND RELOCATION ACTION PLAN WITH CLEAR BUDGET.”

3
4 Sec. 11. The subsequent sections from the former Sec. 15 of the same Act shall be
5 renumbered accordingly.

6
7 Sec. 12. The former Sec. 15 of the same Act is hereby amended to read as follows:

8
9 “Section 24. *Coordination During Emergencies.* – xxx:

10
11 (a) xxx.

12
13 xxx.

14
15 The NDRRMC and intermediary LDRRMCs shall always act as support to LGUs which
16 have the primary responsibility as first disaster responders. Private sector and civil
17 society groups shall work in accordance with the coordination mechanism and policies
18 set by the NDRRMC and concerned LDRRMCs MINDFUL THAT LOCAL LEADERSHIP AND
19 INSTITUTIONS SHALL NOT BE SET ASIDE IN SUCH COORDINATION.”

20
21 Sec. 13. The former Sec. 22 (c) of the same Act is hereby amended to read as
22 follows:

23
24 “Section 22. *National Disaster Risk Reduction and Management Fund.* – (a) xxx:

25
26 xxx.

27
28 (c) Of the amount appropriated for the NDRRM Fund, thirty percent (30%) shall be
29 allocated as Quick Response Fund (QRF) or stand-by fund for relief and recovery
30 programs in order that situation and living conditions of people in communities or areas
31 stricken by disasters, calamities, epidemics, or complex emergencies may be normalized
32 as quickly as possible; WITH SEVENTY PERCENT OF THE SAME ALLOWED TO BE USED TO
33 AUGMENT THE FUNDS OF HIGHLY-VULNERABLE 4TH, 5TH AND 6TH-CLASS MUNICIPALITIES
34 FOR THEIR ACTIVITIES ENUMERATED IN SECS. 18 TO 23 OF THIS ACT.

35
36 Sec. 14. Sec. 324 (d) of Republic Act No. 7160, as amended, otherwise known as
37 the Local Government Code of 1991, is hereby amended to read as follows:

38
39 “Section 324. *Budgetary Requirements.* – xxx:

40
41 (a) xxx;

42
43 xxx;

44
45 (d) Five percent (5%) of the estimated revenue from regular sources shall be set
46 aside as an annual lump sum appropriation for unforeseen expenditures arising from
47 the occurrence of calamities. *Provided, however,* That such appropriation shall be
48 used only in the area, or a portion thereof, of the local government unit or other
49 areas declared by the President in a state of calamity; *PROVIDED FURTHER,* THAT 4th,
50 5TH AND 6th CLASS MUNICIPALITIES AND GEOGRAPHICALLY ISOLATED COMMUNITIES
51 MAY BE PROVIDED AUGMENTED FUNDING FROM THE FIVE PERCENT (5%) OF THE
52 PROVINCE TO WHICH THEY ARE A CONSTITUENT PART.

1 Calamity shall be defined as a state of extreme distress or misfortune, produced by
2 some adverse circumstance or event or any great misfortune or cause or loss or
3 misery caused by manmade or natural forces.
4

5 In case of fire or conflagration, the calamity fund shall be utilized only for relief
6 operations.
7

8 The local development council shall monitor the use and disbursement of the local
9 calamity fund.”
10

11 Sec. 15. Art. 2189 of Republic Act No. 386, otherwise known as the Civil Code of
12 the Philippines, is hereby amended, to read as follows:
13

14 “Art. 2189. Provinces, cities and municipalities shall be liable for damages for the death
15 of, or injuries suffered by any person by reason of the defective condition of roads,
16 streets, bridges, public buildings, and other public works under their control or
17 supervision. THE SAME LIABILITY ATTACHES IN CASE THE DAMAGE TO THESE PUBLIC
18 WORKS IS CAUSED BY EXTREME WEATHER EVENTS THAT WERE NOT ADEQUATELY
19 ANTICIPATED AND INCLUDED IN THE PLANS AND PROGRAMS OF THE PROVINCES, CITIES
20 AND MUNICIPALITIES CONCERNED.
21

22 Sec. 16. *Separability Clause.* – If, for any reason, any section or provision of this Act
23 is declared as unconstitutional or invalid, the other sections or provisions hereof shall
24 not be affected thereby.
25

26 Sec. 17. *Repealing Clause.* – All laws, ordinances, rules and regulations and other
27 issuances or parts thereof which are inconsistent with this Act are hereby repealed or
28 modified accordingly.
29

30 Sec. 18. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
31 following its complete publication in at least two (2) national newspapers of general
32 circulation.
33

34 *Approved,*