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3214
House Bill No. _____

Introduced by Rep. **BERNADETTE "BH" HERRERA-DY**

EXPLANATORY NOTE

Philippines is one of the countries that experiences a number of calamities such as typhoons. In a typical year, around nineteen or more tropical storms enter the Philippine area of responsibility and of these, usually six or nine make landfall. Natural disasters of increasing magnitude and frequency, such as typhoon Haiyan, have continued to affect our country, which is now the second most vulnerable in the world to disasters and climate change. Nearly 74 percent of the population and 80 percent of the land area are identified as vulnerable to disasters, with the capital of Manila considered at "extreme risk." This "new normal" requires a more focused and in-depth attention in the way we understand, prepare and respond to natural disasters.

Despite all the disaster preparation and coordination plans, there were still significant losses, injury, and damage to property when Typhoon Yolanda (Haiyan), considered as the world's strongest typhoon ever recorded, struck Philippine territory. Notwithstanding the government's efforts and preparations, thousands of people perished during said Typhoon. Damage to business, property and agriculture were of such magnitude that economic activities were placed on standstill.

In line with this, it is high time that we create a truly empowered Department in the Government that will focus on natural hazards and disasters; and characterized by unity of command, a science-and ICT-based approach, and to take charge of three (3) key result areas: (a) disaster risk reduction; (b) disaster preparedness and response; and (c) recovery, rehabilitation and building forward better. As the country's primary disaster management agency, the Department of Disaster Resilience shall integrate and define what needs to be done, where it needs to be done, based on what standards, how it should be done and how well it should be done.

This new department which will be called the Department of Disaster Resilience will effectively improve the institutional capacity of the government for disaster risk reduction and management, reduce the vulnerabilities surrounding the affected local population as well as build the resilience of local communities to both natural and man-made disasters and calamities. Given its exposure to disaster risk, the Philippines cannot continue to have a focal disaster organization that only has coordinative functions. Our personal experience during typhoon Haiyan has confirmed that the complexity of large-scale disasters undermines existing policies and structures. The current DRRM structure where authority is shared, responsibility is dispersed and resources are scattered, renders it difficult to operate an appropriate and immediate response, thus delaying critical disaster response and recovery.

With the lives, safety and the welfare of our people at stake, the passage of this bill is earnestly sought


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- 1 country's institutional capacity for disaster risk and vulnerability reduction and
2 management, and building the resilience of local communities to disasters including
3 climate change impacts, and human induced disasters;
- 4 (2) Incorporate internationally accepted principles of disaster risk and vulnerability
5 reduction and management, and climate change adaptation, including universal
6 principles and standards for humanitarian assistance, developing and implementing
7 national, regional and local sustainable development and poverty reduction strategies,
8 policies, plans and budgets, as part of the country's commitment to overcome human suffering
9 due to disasters;
- 10 (3) Ensure a science-based in a whole-of-society approach and bottom-up participation,
11 representation, and decision-making in climate-disaster risk governance, risk assessment, risk
12 reduction and risk management, and adopt a comprehensive, integrated, and proactive
13 approach to lessening the socioeconomic and environmental impacts of disasters and climate
14 change;
- 15 (4) Promote and advance the implementation of a comprehensive Disaster Risk and
16 Vulnerability Reduction Plan (DRVRP) that aims to strengthen the capacity of the national
17 government and the local government units (LGUs), together with development partner
18 stakeholders, build the disaster resilience of communities, and institutionalize arrangements
19 and measures for reducing disaster risks, including projected climate risks, and enhance
20 disaster preparedness and response capabilities at all levels;
- 21 (5) Recognize the role of, and work with international humanitarian and
22 development partners especially those with established presence in the country;
- 23 (6) Develop, maintain, and ensure the accessibility of climate and geospatial information and
24 services to the public through Open Data, which means data that can be freely used, reused,
25 and redistributed by anyone, subject to limitations on account of national security considerations.
26 This may include the use of impact-based forecast models, and probabilistic hazard maps;
- 27 (7) Ensure that disaster risk and vulnerability reduction and climate change
28 adaptation measures are gender, disability, and vulnerability sensitive, and culturally
29 sensitive, recognizing indigenous knowledge systems and practices, and respecting
30 human rights;
- 31 (8) Recognize and strengthen the capacities of LGUs, communities and multiple
32 stakeholders in mitigating and preparing for, responding to, and recovering from the
33 impact of disasters through identification of local risk patterns, and decentralized
34 powers, responsibilities, and resources at the regional and local levels;
- 35 (9) Adopt and implement a comprehensive, integrated, efficient and responsive
36 disaster risk and vulnerability reduction program that is incorporated in the
37 development plan at various levels of government adhering to transparency
38 accountability and other principles of good governance within the context of poverty
39 alleviation and environmental protection;
- 40 (10) Mainstream disaster risk and vulnerability reduction in government by ensuring
41 risk-informed planning, programming, implementation, monitoring, and evaluation, and
42 the use of quality management, accountability, and performance systems in measuring
43 and improving the effectiveness and efficiency of disaster risk and vulnerability reduction
44 management processes across all government levels, including those offices which
45 manage peace processes and conflict-resolution approaches, so as to minimize loss of
46 lives and damage to properties and ensure that communities in conflict zones can
47 immediately resume their normal lives at the conclusion of episodes of intermittent conflicts;
- 48 (11) Adopt a disaster risk and vulnerability reduction and management approach

1 that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic
2 and environmental impacts of disasters including climate change, and promote the
3 involvement and participation of all sectors and all stakeholders concerned, at all levels,
4 especially the local community;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48 Farmers and fisher folk shall contribute to the promotion and protection of the
49 environmental resource management that will secure food and nutrition resilience through

1 the integration of disaster risk and vulnerability reduction into sustainable development
2 policies and planning;

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

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

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

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

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

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

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

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

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

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

47 (f) *Capacity* refers to the combination of all strengths, attributes and resources available
48 within a community, society or organization that can reduce the level of risk, or impacts of a

1 disaster. Capacity may include infrastructure and physical means, institutions, societal
2 coping abilities, as well as human knowledge, skills and collective attributes such as social
3 relationships, leadership and management. Capacity may also be described as capability.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 achievement of sustainable development.

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

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

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

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

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

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

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

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

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

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

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

46 (kk) *Human-Induced Hazard* refers to an event caused by humans and occurs in
47 or close to human settlements or a particular environmental area. This can include
48 environmental degradation, technological or industrial conditions, pollution, accidents
49 such as high density events, industrial and transport accidents, complex emergencies,

1 armed conflict, situations of generalized or organized violence, and violation of human rights.
2 (ll) *Imminent Danger* refers to a situation where, on the basis of official forecasts,
3 a disaster will or is expected to occur in a particular geographical area and within an
4 estimated period of time, and where necessary preparedness actions or financing are
5 required.
6 (mm) *International Disaster Relief and Initial Recovery Period* refers to the period
7 which commences upon the issuance of a request for international disaster assistance or
8 upon acceptance of an offer, and shall continue until terminated pursuant to guidelines set
9 in the implementing rules and regulations.
10 (nn) *Internally Displaced Persons* refer to persons or groups of persons who have
11 been forced or obliged to flee or to leave their homes or places of habitual residence
12 within national borders, in particular as a result of or in order to avoid the effects of armed
13 conflict, situations of generalized and/or organized violence, violations of human rights,
14 implementation of development projects, or natural or human-induced disasters.
15 (oo) *International Personnel* refers to the staff and volunteers of any assisting
16 actor providing disaster relief or initial recovery assistance, being persons who are neither
17 citizens of, nor domiciled in the Philippines prior to their recruitment by the international
18 assisting actor.
19 (pp) *Land-Use Planning* refers to the process undertaken by public authorities
20 to identify, evaluate and decide on different options the use of land, including
21 consideration of long-term economic, social and environmental objectives and the
22 implications for different communities and interest groups, and the subsequent
23 formulation and promulgation of plans that describe the permitted or acceptable uses.
24 (qq) *Legal Facilities* refer to special entitlements and exemptions that are made available
25 to eligible assisting actors under this Act.
26 (rr) *Mitigation* refers to effort to reduce or limit greenhouse gas emissions or enhance
27 greenhouse gas sequestration.
28 (ss) *National Continuity Policy* refers to a policy aimed at the development of an
29 organizational culture that has the ability to provide a minimum level of service during
30 interruptions, emergencies, and disasters, and return to full operations quickly.
31 (tt) *National Disaster Risk Reduction and Management Framework* refers to the
32 comprehensive, all hazards, multi-sectoral, inter-agency and community-based approach to
33 disaster risk reduction and management_
34 (uu) *National Disaster Resilience Plan (NDRP)* refers to the document to be
35 formulated by the National Disaster Resilience Council (NDRC) and implemented by the
36 Authority that sets out goals and specific objectives for reducing disaster risks together with
37 related actions to accomplish these objectives. The NDRP shall provide for the
38 identification of hazards, vulnerabilities, and risks to be managed at the national level;
39 disaster risk reduction and management approaches and strategies to be applied in
40 managing said hazards and risks; agency roles, responsibilities and lines of authority at all
41 government levels; and vertical and horizontal coordination of disaster risk reduction and
42 management in the pre- disaster and post-disaster phases. It shall be in conformity with the
43 national disaster risk reduction and management framework.
44 (vv) *Natural Hazard* refers to naturally occurring physical phenomena caused either by
45 rapid or slow onset events which can be geological such as earthquakes, ground rupture,
46 liquefaction, landslides, tsunamis, sinkholes, and volcanic activity; hydrological and
47 meteorological such as floods, severe winds, typhoons, storm surges, climatological
48 variability such as extreme temperatures, El Nifio, La Nina, forest fires, or biological such

1 as disease, epidemics and insect/animal plagues.

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

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

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

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

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

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

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

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

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

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

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

1 incomplete understanding and measurement of the hazards, exposure, and vulnerability.
2 (hhh) *Deterministic Risk Assessment* refers to an assessment that considers the
3 possible disaster impacts of a single scenario. This is in contrast to probabilistic risk
4 assessment which considers all possible scenarios, their likelihood, and associated impacts.
5 (iii) *Risk Transfer* refers to the process of formally or informally shifting the
6 financial consequences of particular risks from one party to another whereby a
7 household, community, enterprise, or state authority will obtain resources from the other
8 party after a disaster occurs, in exchange for ongoing or compensatory social or
9 financial benefits provided to that other party.
10 (jjj) *State of Calamity* refers to a condition involving mass casualty and/or major
11 damage to property, disruption of means of livelihoods, roads, and normal way of life of
12 people in the affected areas as a result of the occurrence of natural or human-induced hazard.
13 (kkk) *Sustainable Development* refers to development that meets the needs of the
14 present without compromising the ability of future generations to meet their own needs.
15 (lll) *Vital Facility items* refer to government risk reduction and preparedness
16 equipment, accessories and other items such as radars, weather forecasting
17 equipment, flood monitoring instruments, seismographs, tsunami warning systems, and
18 automated weather systems.
19 (mmm) *Vulnerability* refers to the characteristics and circumstances of a community,
20 system or asset that make it susceptible to the damaging effects of a hazard. Vulnerability
21 may arise from various physical, social, economic, and environmental factors.
22 (nnn) *Vulnerable and Marginalized Groups* refer to those who are at risk due to poverty
23 and other underlying risk factors including women, children, the elderly, differently-abled
24 people, and ethnic minorities.
25 (ooo) *Whole-of-Society Approach* refers to the meaningful participation and synergy
26 of stakeholders that represent different interests in all aspects of climate change
27 adaptation, and disaster risk reduction and management across all levels.
28 (ppp) *Whole-of-Government Approach* refers to an approach that integrates the
29 collaborative efforts of the government departments and agencies to achieve unity of effort
30 toward a shared goal to broaden the government's options, and increases efficiency to
31 maximize all available resources in a collaborative effort.
32 (qqq) *Whole-of-Nation Approach* refers to an approach that seeks to bring about
33 a concerted effort towards national peace and security by creating consensus and
34 understanding of security that is shared not just among core security forces and oversight
35 government institutions, but also by civil society and all the nation's communities.
36 (rrr) *Youth* refers to those persons aged fifteen (15) to thirty (30) years old, as
37 provided for under Republic Act No. 8044, otherwise known as "Youth in Nation-Building
38 Act".

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CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

43 **SEC. 4.** *Creation of the Department of Disaster Resilience.* – There is hereby created
44 a Department of Disaster Resilience, hereinafter referred to as the Department.
45 The Department shall be the primary government agency responsible for leading,
46 organizing, and managing the national effort to reduce disaster risk, prepare for and
47 respond to disasters, recover and rehabilitate, and "Build Forward Better" after the
48 occurrence of disasters.

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

7 The Department shall augment the capacity of LGUs in collaboration with relevant
8 national government agencies and other
9
10 stakeholders to implement disaster risk reduction and management and climate change action
11 plans, programs, projects, and activities.
12

13 **SEC. 5. Powers and Functions of the Department.** — The Department shall exercise
14 and perform the following powers and functions;

15 (a) Risk Reduction

16 (1) Oversee, direct, and undertake programs and projects to identify, assess, prioritize and
17 localize hazards and risks in the country, in consultation with national government agencies,
18 LGUs, communities, and stakeholders that shall be involved in disaster risk reduction efforts;

19 Monitor and ensure the integration of disaster risk and vulnerability reduction and
20 management and climate change adaptation policies into national development plans;

21 a Design and implement an incentive system for greater private and public investment, both
22 local and national, in disaster risk reduction;

23 (D Oversee and ensure the mainstreaming of climate change adaptation and disaster risk
24 reduction in development planning, including disaster-proofing and climate-proofing of land-use
25 plans and the preparation of contingency plans;

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

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

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

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

38 (9) Formulate the National Disaster Resilience Framework, National Disaster
39 Resilience Plan, and the National Continuity Policy;

40 (10) Oversee and direct the comprehensive implementation of disaster risk
41 reduction and climate change adaptation and mitigation policies, plans, and
42 programs, as embodied in the National Disaster Resilience Framework and National
43 Disaster Resilience Plan;

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

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

1
2 (b) Disaster Preparedness and Response

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

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

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

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

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

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

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

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

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

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

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

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

35
36 (c) Rehabilitation and Recovery

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

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

43 (3) Ensure that the principle of "Build Forward Better" is applied to rehabilitation
44 and recovery efforts.

45 (d) Other Powers and Functions

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

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

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

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

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

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

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

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

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

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

35
36 **CHAPTER III**

37 **GENERAL WELFARE AND EMERGENCY MEASURES**

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

45 **SEC. 7. Emergency Measures at the National Level.** — The Department may
46 require the assistance of law enforcement agencies and the uniformed services, such as the
47 PNP and the APP, as well
48 as emergency responders, to assist in the implementation of emergency measures.

1 **SEC. 8. *Emergency Measures at the Local Level.* —**

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

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

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

16 **SEC. 9. *Hierarchy of Evacuation Measures.* —**

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

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

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

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

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

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

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

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

45 **SEC. 12. *Utilization of Private Property for Public Purpose.* —** The Department
46 shall have the power to utilize any private property for urgent public purpose in
47 anticipation of, during, and in the aftermath of emergencies, hazards and disasters and only
48 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

1 and developing the capacity of the Department's personnel, civil defense practitioners,
2 communities and other stakeholders.

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

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

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

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

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

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

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

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

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

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

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

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2 **CHAPTER V**
3 **FINANCE AND ADMINISTRATION**
4

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

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

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

18 (c) The importation and donation of food, clothing, medicine and equipment for relief
19 and recovery and other disaster management and recovery-related supplies is
20 hereby authorized in accordance with, Section 800, Chapter 1, Title 8, of Republic Act
21 No. 10863, otherwise known as the "Customs Modernization and Tariff Act (CMTA)", as
22 amended, and the prevailing provisions of the General Appropriations Act covering
23 national internal revenue taxes and import duties of national and local government agencies;

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

28
29 **CHAPTER VI**
30 **WHOLE-OF-GOVERNMENT AND WHOLE-OF-NATION APPROACH**

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

35
36 (b) The NDRC shall be chaired by the Secretary of Disaster Resilience and shall be
37 composed of the following:

- 38 (1) Secretary of Science and Technology; (2) Secretary of the Interior and Local Government;
39 (3) Secretary of Social Welfare and Development;
40 (4) Secretary of National Defense;

41 (5) Director-General of the National Economic and Development Authority;

42 (6) Secretary of Health;

43 (7) Secretary of Environment and Natural Resources;

44 (8) Secretary of Agriculture;

45 (9) Secretary of Education;

46 (10) Secretary of Energy;

47 (11) Secretary of Finance;

48 (12) Secretary of Trade and Industry;

49 (13) Secretary of Transportation;

- 1 (14) Secretary of Budget and Management;
- 2 (15) Secretary of Public Works and Highways;
- 3 (16) Secretary of Foreign Affairs;
- 4 (17) Secretary of Justice;
- 5 (18) Secretary of Labor and Employment;
- 6 (19) Secretary of Tourism;
- 7 (20) Secretary of Information and Communications Technology;
- 8 (21) Presidential Adviser on the Peace Process;
- 9 (22) Chairperson of the Commission on Higher Education;
- 10 (23) Chief of Staff of the Armed Forces of the Philippines;
- 11 (24) Chief of the Philippine National Police;
- 12 (25) Head of the Presidential Communications Operations Office;
- 13 (26) Secretary-General of the Philippine National Red Cross;
- 14 (27) Chairperson of the Commission on Human Rights;
- 15 (28) Executive Director of the Council for Welfare of Children;
- 16 (29) Lead Convenor of the National Anti-Poverty Commission;
- 17 (30) Chairperson of the Philippine Commission on Women;
- 18 (31) Chairperson of the Housing and Urban Development Coordinating Council;
- 19 (32) Chairperson of the National Council for Disability Affairs;
- 20 (33) Chairperson of the National Commission on Indigenous Peoples;
- 21 (34) Chairperson of the National Commission on Muslim Filipinos;
- 22 (35) Chairperson of the National Youth Commission;
- 23 (36) President of the Government Service Insurance System;
- 24 (37) President of the Social Security System;
- 25 (38) President of the Philippine Health Insurance Corporation;
- 26 (39) President of the Home Development Mutual Fund;
- 27 (40) President of the Union of Local Authorities of the Philippines;
- 28 (41) President of the League of Provinces of the Philippines;
- 29 (42) President of the League of Cities of the Philippines;
- 30 (43) President of the League of Municipalities of the Philippines;
- 31 (44) President of the Liga ng mga Barangays;
- 32 (45) Maximum of six (6) representatives from the academe and other relevant
- 33 research institutions;
- 34 (46) Maximum of six (6) representatives from the civil society organizations; and
- 35 (47) Maximum of six (6) representatives from the private sector.
- 36
- 37 (c) Composition — The Council is hereby organized into five (5) clusters, namely: Disaster
- 38 Prevention and Mitigation to be led by DOST, Disaster Preparedness to be led by DILG, Disaster
- 39 Response by DSWD, Logistics led by DND, and Recovery and Sustainable Development led by
- 40 NEDA.
- 41 (d) Technical Management Advisory Group — The Department may constitute,
- 42 as the need arises, a technical management advisory group from the different stakeholders,
- 43 that shall coordinate and meet with the Department as often as necessary to effectively manage
- 44 and sustain national efforts on disaster risk and vulnerability reduction and emergency
- 45 management, and climate change adaptation and mitigation.
- 46 (e) Guidelines for the Department of Disaster Resilience Fund (DDRF) and Local Disaster
- 47 Resilience Fund (LDRF) — The Department shall provide the necessary guidelines and
- 48 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 (NIMDA).

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

1 reduction, climate change adaptation and emergency response purposes;
2 (iii) Recommend through the LDRC, the enactment of local ordinances consistent with
3 the requirements of this Act;

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

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

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

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

17 **SEC. 23. Establishment of Multi-Stakeholders Convergence Unit.** — The
18 Department, with the assistance of other relevant government agencies and
19 stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU), which
20 shall align the disaster resilience efforts of the private sector, CSOs, academe, and other
21 stakeholders with the Department by assisting, coordinating, or providing services
22 that strengthen public-private cooperation and coordination in disaster resilience,
23 including the following:

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

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

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

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

33 (e) Preparation and facilitation of the issuance of appropriate guidelines for MSMEs relating
34 to mechanisms on procurement and liquidity to create enabling environment for DDR.

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

38 **CHAPTER VII**

39 **DISASTER RISK AND VULNERABILITY REDUCTION AND CLIMATE CHANGE ADAPTATION** 40 **MAINSTREAMING, INTEGRATION AND CONVERGENCE** 41

42 **SEC. 24. Integration of DRR and Climate Change Adaptation in the Climate and Disaster**
43 **Resilience Framework and Plan.** — The existing National Disaster Resilience Framework and
44 plan and the National Climate Change Strategic Framework and Plan shall be enhanced by the
45 Climate and Disaster Resilience Framework and plan which provides for the
46 comprehensive probabilistic multi-hazards, multi-scenario, multi-sectoral, resilience-
47 building, and community risk-based approach and management of disaster and climate
48 risk, and provide for the integration of disaster risk and vulnerability reduction and

1 climate change adaptation, as well as the mainstreaming in other sectoral policies. It
2 shall be reviewed every three (3) years.

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

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

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

20

21 **CHAPTER VIII**

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

23

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

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

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

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

40 (4) Develop and implement an inclusive and ladderized curricula on climate
41 change adaptation, and disaster risk and vulnerability reduction and management;

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

45 (4) Partner with public and private academic and research institutions, the private
46 sector, civil society, community-based disaster risk and vulnerability reduction
47 management and climate change adaptation practitioners, and other relevant sectors
48 in developing research opportunities and programs on climate vulnerability and

1 disaster risk assessment;

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

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

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

12 (8) Accredited, recognize, monitor and evaluate climate change adaptation, disaster
13 risk and vulnerability reduction and management training institutions.

14 (d) Financial Support to the Center:

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

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

22 23 CHAPTER IX

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

26 SEC. 27. *Climate and Disaster Resilience Information Management System*
27 *(CDRIMS)*. — The Department shall establish a National and Regional Information
28 Management System for Climate and Disaster Resilience. It shall constitute a physical
29 central database of all disaster risk reduction and climate change data, including a
30 geographic information system on geo-hazard assessments and climate risk. It shall be
31 the repository of current and multi-temporal information for wide-scale disaster risk
32 analysis and climate change vulnerability assessment. The CD RIMS shall at all times
33 be made available to the Emergency Operations Center of the National and Regional
34 Climate and Disaster Resilience Council (NRCDRC) development partners and multi-
35 stakeholders to access critical information and ensure that the collection processing,
36 analysis and dissemination of information is timely, reliable and accurate to support overall
37 decision making and effective coordination both at the national and subnational level.

38 SEG. 28. *Disaster Resilience and Climate Change Education and Training*. — (a)
39 The Department of Education, CHED, and Technical Education and Skills Development
40 Authority (TESDA), in coordination with the National Youth Commission (NYC), the
41 Department of Science and Technology (DOST), Department of Environment and
42 Natural Resources (DENR), Department of the Interior and Local Government (DILG),
43 Department of Health (DOH), Department of Social Welfare and Development (DSWD),
44 and other relevant agencies, developmental institutions, and nongovernment
45 organizations shall integrate disaster risk and vulnerability reduction and climate
46 change adaptation education in the school curricula at all levels of education, from K to
47 12 to tertiary levels, including the early and adult learning programs, National Service
48 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 RDRCs, 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,

1 education and communication that is appropriate, integrated, calibrated, inclusive,
2 localized, science- and risk-based, gender, culture and disability sensitive and
3 accessible using multimedia. Information, education, and communication on climate
4 change adaptation and disaster risk and vulnerability reduction management should be
5 compelling but not alarming.

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

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

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

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

25
26 including preemptive measures, search, rescue and retrieval, relief, recovery, and
27 reconstruction.

28 CHAPTER X

29 CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES SEC. 32. *Climate and*
30 *Disaster Risk Transfer, Insurance and Social Welfare.* — (a) The Department shall
31 oversee all climate and disaster risk-sharing and risk-transfer instruments and other
32 related initiatives to ensure the protection of property and livelihood, both public and
33 private.

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

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

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

1 CHAPTER XI

2 PREPAREDNESS AND INTEGRATED EARLY WARNING SEC. 34. *Standards for Disaster*

3 *Preparedness Activities.* –

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

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

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

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

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

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

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

33 (b) The Department shall enhance and strengthen Philippine Atmospheric,
34 Geophysical and Astronomical Services Administration (PAGASA) and the Philippine
35 Institute of Volcanology and Seismology (PHIVOLCS) mandates under Republic Act No.
36 10692 and Executive Order No. 128, Series of 1987, respectively.

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

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

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

48 (f) The Department shall consider working with other agencies or organizations on
49 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;

(1) **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

1 SEC. 46. *Offer and Facilitation of International Humanitarian Assistance to Foreign States.*
2 — In the event of a disaster occurring in a foreign state for which international humanitarian
3 assistance is required, the Department may offer, facilitate and provide international
4 humanitarian assistance to such foreign state, which shall be subject to guidelines to be
5 promulgated by the Department for the purpose.

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

10

11

CHAPTER XV

12 LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS SEC. 48.

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

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

21 SEC. 50. *Recognition of Foreign Professional Qualifications.* —

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

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

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

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

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

40 A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT SEC. 53. *Customs*

41 *Facilitation and Priority Treatment.* — The Department shall facilitate the rapid importation or
42 consignment of goods and equipment by eligible assisting actors and shall accord them priority
43 treatment in handling.

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

46 (a) Declare that all the goods and equipment they seek to import under this Act are
47 exclusively for Disaster Relief or Initial Recovery Assistance and that they comply with any

1 relevant standards under Philippine laws; and

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

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

7 (a) Exemption from all duties and taxes;

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

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

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

14 SEC. 56. *Simplification of Documentation Requirements.* —

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

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

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

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

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

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

38 C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS

39 SEC. 61. *Disposition of Equipment and Unused Goods.* — The DRC shall provide for the
40 guidelines for retention, reexportation, donation and disposal of unused goods and equipment
41 after the termination of Disaster Relief and Initial Recovery Assistance operations.

42

43 CHAPTER XVI RECOVERY

44 SEC. 62. *Standards for Recovery.* — The Department shall observe internationally
45 accepted standards for recovery, planning, programming and implementation of the recovery
46 process and shall:

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

49 (b) Use locally-driven and centrally-supported processes based on legal mandates

- 1 with supplementary capacity support when requested;
- 2 (c) Redirect development outside danger zones to minimize loss of lives and
- 3 structures resulting from typhoons, flooding, landslides, and other hazards;
- 4 (d) Employ outcome-driven planning and implementation;
- 5 (e) *Maximize* use of private-public sector partnership where possible;
- 6 (f) Consider local conditions such as culture, security situation, and existing
- 7 capacities of communities in identifying programs and projects;
- 8 (g) Ensure access to public transport, physical and mental health services, markets,
- 9 schools, sustainable livelihoods, and other public services in planning for settlement areas;
- 10 and
- 11 (h) Ensure restoration of peace and order and recovery of government functions.

12 CHAPTER XVII

13
14 REMEDIAL MEASURES UNDER STATE OF CALAMITY SEC. 63. *Remedial Measures*
15 *Under State of Calamity.* – Upon the declaration of a state of calamity, the following
16 remedial measures shall be immediately undertaken by concerned government agencies
17 both of national and local levels:

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

21 (b) Monitoring, prevention and control by the Local Price Coordinating Council of
22 overpricing/profitteering and hoarding of prime commodities, medicines and petroleum products;

23 (c) Programming/reprogramming of funds for the repair of critical facilities or public
24 infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce
25 further threat to lives and arrest further deterioration of properties and loss of livelihoods
26 in the affected communities, following the "Build Forward Better" principle:

27 (1) Grant of no-interest loans by government financing or lending institutions to the
28 most vulnerable and marginalized groups or individuals; and

29 (2) Local tax exemptions, incentives or reliefs under such terms and conditions as
30 may be deemed necessary by the affected LGU.

31 CHAPTER XVIII

32 PROCUREMENT

33
34 SEC. 64. *General Rule on Procurement.* — Any procurement of goods, services,
35 consultancy or infrastructure for disaster risk and vulnerability reduction and climate risk,
36 whether at the national or local level shall conform to the provisions and implementing rules and
37 regulations (IRR) of Republic Act No. 9184, otherwise known as "Government Procurement
38 Reform Act", as amended.

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

43 CHAPTER XIX

44 PROHIBITED ACTS AND PENALTIES

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

1 existing laws.

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

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

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

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

10 (4) Failure to prepare and implement a Contingency and Adaptation Plan for
11 hazards frequently occurring within their jurisdictions; and

12 (5) Failure to formulate and implement the LDRP with the corresponding budget
13 allocation.

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

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

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

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

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

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

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

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

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

34 (8) Diverting or misdelivery of relief goods, equipment, or other aid commodities to persons
35 other than the rightful recipient or consignee;

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

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

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

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

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

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

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

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

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

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

9 (16) Tampering with or stealing hazard monitoring and disaster preparedness
10 equipment and paraphernalia;

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

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

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

17 (a) Imprisonment of not less than twelve (12) years but not more than fifteen (15) years
18 or a fine of not less than One million pesos (P1,000,000.00) but not more than Three million
19 pesos (P3,000,000.00), or both imprisonment and fine at the discretion of the court, shall be
20 imposed upon any person found guilty of violating subsections (b)(1) to (b)(16), as well as the
21 confiscation or forfeiture in favor of the government of the objects and the instrumentalities
22 used in the commission of the prohibited acts;

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

28 (c) Imprisonment of not less than two (2) years but not more than six (6) years or a fine of
29 not less than Two hundred thousand pesos (P200,000.00) but not more than Five hundred
30 thousand pesos (P600,000.00), or both imprisonment and fine at the discretion of the court,
31 shall be imposed upon any person found guilty of unlawfully benefiting from the proceeds or
32 fruits of any of the prohibited acts in the preceding section, in violation of subsection
33 (b)(18) thereof;

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

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

45 (f) Payment of the full cost of repair or replacement of the government risk reduction
46 and preparedness equipment, accessories and other vital facility or items, or any part
47 thereof, which is the object of the crime shall likewise be imposed upon any person who shall
48 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

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

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

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

14 15 CHAPTER XXI FINAL PROVISIONS

16 SEC. 69. *Transfer and Attachment.* —

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

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

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

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

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

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

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

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

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

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

1 SEC. 71. *Magna Carta for DDR Personnel.* — **Qualified employees** of the DDR,
2 LGUs and its attached units shall be covered by Republic Act No. 8439, known as the "Magna
3 Carta for Scientists, Engineers, Researchers and Other S & T Personnel in the
4 Government", and Republic Act No. 7305, otherwise known as the "Magna Carta of Public
5 Health Workers".

6
7 CHAPTER XXII
8 MISCELLANEOUS PROVISIONS

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

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

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

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

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

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

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

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

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

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

41 (5) Section 5 of Republic Act No. 10692, otherwise known as "The PAGASA
42 Modernization Act of 2015".

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

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

48 Approved,