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House Bill No. 4577



Introduced by Representative Sol Aragon

EXPLANATORY NOTE

Due to its geographical location, the Philippines is considered as one of the most vulnerable countries to natural disasters. Around 20-25 typhoons ravage the Philippines annually. It also stands along the Pacific Ring of Fire and thus experiences several earthquakes periodically.

As a consequence of the natural disasters, the country sustains massive damage and tremendous economic losses. The losses include life, property, infrastructure, and livelihood, among others. The natural disasters also cause a disruption in the delivery of crucial government services, damage in the environment, interruption of food supply, and crippling of businesses.

In the past 10 years, the country has endured many climate-related calamities: Typhoons Juan (2010), Sendong (2011), Pablo (2012), Yolanda (2013), Ruby (2014), Lando (2015), Lawin (2016), and Paolo (2017). On top of these typhoons are the "habagat" floods recently and in 2012, and the Bohol-Cebu earthquake in 2013.

It is imperative that the State, not only create a policy that will protect the lives, property, infrastructure, and livelihood of its people, but also harmonize the policies on disaster risk and vulnerability reduction and management, environmental management, and climate change adaptation, and sustainable development, to uphold the welfare of the people particularly the vulnerable sectors of society.

The State shall uphold its commitment to the achievement of the sustainable development goals specifically, integrating and implementing policies and plans towards inclusion, resource efficiency, mitigation, and adaptation to climate change, resilience to disasters, and develop and implement a holistic disaster risk management at all levels.

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

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1 atmosphere at a level that prevents dangerous anthropogenic interference with the climate
2 system, achievable within a time frame sufficient to allow the natural adaptation of the
3 ecosystem to climate change, to ensure food production and food security, and to secure
4 sustainable economic development.

5 The State shall integrate and accelerate the implementation of the principles, and
6 concepts of climate change, disaster risk and vulnerability reduction contained in the Paris
7 Agreement of the 6 United Nations Framework Convention on Climate Change (UNFCCC),
8 the Sendai Framework for Disaster Risk Reduction 2015-2030, the 2015 Asia-Pacific
9 Economic Cooperation (APEC) Disaster Risk Reduction (DDR) Framework, the 2030 Agenda
10 for Sustainable Development Goals (SDGS), and the Philippine Development Plan (PDP)
11 2017-2022 in various phases of policy formulation, development plans and investments,
12 poverty reduction strategies and other development tools, and techniques by all national and
13 local agencies, institutions and instrumentalities of the 15 government to enhance the
14 country's climate change adaptive 16 capacity.

15 It shall be the duty of the State to:

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

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

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

31 (4) Promote and advance the implementation of a comprehensive Disaster Risk and
32 Vulnerability Reduction Plan (DRVVRP) that aims to strengthen the capacity of the national

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(11) Academic and scientific and research entities and networks are encouraged to focus their research efforts on disaster risk factors and scenarios, including emerging disaster risks, in the medium- and long-term; partner with government and increase research for

1 regional, national and local application; support action by local communities and authorities;
2 and support the interface between policy and science for decision-making;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 are at the heart of decision-making and implementation of disaster risk reduction and
2 management activities.

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

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

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

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

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

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

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

31 (s) *Disaster Prevention* refers to the outright avoidance of adverse impacts of
32 hazards. It expresses the concept and intention to completely avoid potential adverse impacts
33 through action taken in advance such as construction of dams or embankments that eliminate
34 flood risks, land-use regulations that do not permit any settlement in high-risk zones, and

1 seismic engineering designs that ensure the survival and function of a critical building in any
2 likely earthquake.

3 (t) *Disaster Response* refers to the provision of emergency services and public
4 assistance during or immediately after a disaster in order to secure and save lives, reduce health
5 impacts, ensure public safety and meet the basic subsistence needs of the people affected.
6 Disaster response includes disaster relief focused on 16 immediate and short-term needs of the
7 victims and the vulnerable.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (pp) *Land-Use Planning* refers to the process undertaken by public authorities to
33 identify, evaluate and decide on different options the use of land, including consideration of
34 long-term economic, social and environmental objectives and the implications for different

1 communities and interest groups, and the subsequent formulation and promulgation of plans
2 that describe the permitted or acceptable uses.

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

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

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

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

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

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

29 (ww) *Open Data* refer to facts and statistics that can be freely used, shared and built-
30 on by anyone, anywhere, for any purpose. These must be available in bulk, should be available
31 free of charge, or at least at no more than a reasonable reproduction cost. The information
32 should be digital, preferably available by downloading through the internet, and easily
33 processed by a computer. These must permit people to use, reuse, and redistribute, intermix
34 with other data providers. These do not allow conditions to be placed on how people can use

1 Open Data, but permit a data provider to require that data users credit them in some appropriate
2 way, clarify if the data have been changed, or that new datasets created using their data are also
3 shared as open data.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(rrr) *Youth* refers to those persons aged fifteen to thirty 8 years old, as provided for under Republic Act No. 8044, otherwise known as 'Youth in Nation-Building Act'.

CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

SECTION 4. *Creation of the Department of Disaster Resilience.* — There is hereby created a Department of Disaster Resilience, hereinafter referred to as the Department.

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

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

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

SECTION 5. *Powers and Functions of the Department.* — The Department shall exercise and perform the following powers and functions:

(a) Risk Reduction

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

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

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

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

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

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

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

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

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

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

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

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

1 (b) Disaster Preparedness and Response

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

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

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

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

15 (5) Call on the reserve force, as defined in Republic Act 15 No. 7077, otherwise
16 known as the "Citizen Armed Force or Armed Forces of the Philippines Reservist Act", to assist
17 in relief and rescue operations during disasters;

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

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

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

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

27 (10) Procure goods and services during emergencies, in accordance with existing
28 emergency procurement rules and 6 regulations;

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

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

1 (c) Rehabilitation and Recovery

2 (1) Prepare, organize, lead, implement, and manage post16 disaster assessment and
3 recovery and rehabilitation program, in coordination with the affected LGUs, national
4 government agencies, and other stakeholders;

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

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

10 (d) Other Powers and Functions

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

12 (2) Establish and monitor local and national capacity for 28 climate-disaster risk
13 financing and insurance and other risk transfer strategies in coordination with the Department
14 of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of
15 the Philippines (LBP);

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

23 (4) Receive, administer, mobilize, and monitor and oversee the utilization of the
24 National Disaster Resilience Fund, the Prevention, Mitigation, and Preparedness Fund for third
25 (3rd) to sixth (6th) Class Provinces and Municipalities, and donations for disaster risk and
26 vulnerability reduction and management and climate change adaptation, unless otherwise
27 specified;

28 (5) Use of advanced science and technologies in disaster risk reduction and
29 management by engaging, consulting with, employing and regularly funding the academe or
30 higher education and research institutions such as the University of the Philippines Resilience
31 Institute and the University of the Philippines Nationwide Operational Assessment of Hazards
32 Center or other institutions that have a recognized and credible track record, as well as the

1 capacity to conceptualize and implement the science and engineering requirements necessary
2 for effective climate change adaptation and disaster risk reduction;

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

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

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

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

14 CHAPTER III

15 GENERAL WELFARE AND EMERGENCY MEASURES

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

23 **SECTION. 7. *Emergency Measures at the Notional Level.*** — The Department may
24 require the assistance of law enforcement agencies and the uniformed services, such as the PNP
25 and the AFP, as well as emergency responders, to assist in the implementation of emergency
26 measures.

27 **SECTION 8. *Emergency Measures at the Local Level.*** — (a) LGUs shall enact an
28 ordinance on and implement through the Local Disaster Resilience Office (LDRO) the
29 necessary and appropriate emergency measures, including preemptive and forced evacuation,
30 in anticipation of, during, and in the aftermath of emergencies, hazards and disasters, and only
31 when there is imminent danger of loss of lives and/or damage to property.

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

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

SECTION 9. *Hierarchy of Evacuation Measures.* —

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

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

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

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

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

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

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

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

9 **SECTION 12. *Utilization of Private Property for Public Purpose.*** — The Department
10 shall have the power to utilize any private property for urgent public purpose in anticipation
11 of, during, and in the aftermath of emergencies, hazards and disasters and only when there is
12 imminent danger of loss of lives and/or damage to property, subject to payment of just
13 compensation in appropriate cases.

14 **SECTION 13. *Emergency Powers.*** — Whenever it becomes necessary, the
15 Department, subject to the approval of the President, may call on the AFP or the PNP, in
16 coordination with the Secretary of National Defense and the Secretary of the Interior and Local
17 Government, to prevent or suppress lawless violence and ensure the protection and preservation
18 of life or property in anticipation of, during, and in the aftermath of emergencies, hazards, and
19 disasters.

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

25 **SECTION 14. *Emergency Arrangements.*** — The Department shall have the power to
26 negotiate, enter into, institutionalize and coordinate arrangements with any private person or
27 juridical entity for the purpose of ensuring the adequate and prompt availability of all goods
28 and services necessary in anticipation of, during, and in the aftermath of emergencies, hazards
29 and disasters and only when there is imminent danger of loss of lives and/or damage to
30 property.

1 CHAPTER IV

2 ORGANIZATION AND MANAGEMENT

3 SECTION 15. *The Secretary.* — The Department shall be headed by a Secretary who
4 shall be appointed by the President.

5 SECTION 16. *Powers and Functions of the Secretary.* — The Secretary of the
6 Department shall exercise the following powers and functions:

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

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

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

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

14 (e) Exercise disciplinary authority over officers and of the Department in
15 accordance with law;

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

18 (g) Advise the President on the promulgation of executive and administrative
19 issuances and the formulation of regulatory and legislative proposals on matters pertaining to
20 disaster resilience;

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

22 (i) In coordination with the Department of Foreign Affairs, represent the
23 Philippines in the climate change negotiations and articulate the national contribution to global,
24 regional, and other inter-governmental disaster risk reduction and humanitarian platforms;

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

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

29 SECTION 17. *Organizational Structure, Functions and Management.* — The
30 Department shall be composed of the following officials and offices:

31 (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) 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

1 from the civilian sector, volunteer organizations, uniformed services and the reserve force in
2 support of operational readiness for utilization by the 8 Department.

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

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

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

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

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

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

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

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

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

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

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

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

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

18 CHAPTER V

19 FINANCE AND ADMINISTRATION

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

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

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

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

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

CHAPTER VI

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

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

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

- (1) Secretary of Science and Technology;
- (2) Secretary of the Interior and Local Government;
- (3) Secretary of Social Welfare and Development;
- (4) Secretary of National Defense;
- (5) Director-General of the National Economic and Development Authority;
- (6) Secretary of Health;
- (7) Secretary of Environment and Natural Resources;
- (8) Secretary of Agriculture;
- (9) Secretary of Education;
- (10) Secretary of Energy;
- (11) Secretary of Finance;
- (12) Secretary of Trade and Industry;
- (13) Secretary of Transportation;

- 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
- 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
- 19 (32) Chairperson of the National Council for Disability Affairs;
- 20 (33) Chairperson of the National Commission on Indigenous
- 21 (34) Chairperson of the National Commission on Muslim
- 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
- 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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER VII

1 **DISASTER RISK AND VULNERABILITY REDUCHON AND CLIMATE CHANGE**
2 **ADAPTATION MAINSTREAMING, INTEGRATION AND CONVERGENCE**

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

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

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

24 **SECTION 25.** *Ecosystem-Based Approach to Prevention and Mitigation,*
25 *Rehabilitation and Recovery from Disaster.* — The Department shall ensure the application of
26 ecosystems-based approaches in disaster risk and vulnerability reduction and climate
27 restoration as defined in this Act, and ensuring that environmental and natural resource policies
28 are risk-informed.

29 **CHAPTER VIII**

1 **CLMATE AND DISASTER RESILIENCE RESEARCH, EDUCATION, AND**
2 **TRAINING INSTITUTE**

3 **SECTION 26.** *Creation of the Climate and Disaster Research, Education, and*
4 *Training Institute.* — (a) Within one (1) year from approval of this Act, the Department shall
5 establish the Climate and Disaster Resilience Research, Education, and Training Institute in
6 collaboration with higher education institutions and private and state universities and colleges
7 (SUCs) which shall be a world-class center of excellence for learning and research in the field
8 of disaster risk and vulnerability reduction and management 14 and climate change adaptation;

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

13 (c) The Climate and Disaster Resilience Research, Education, and Training
14 Institute shall have the following functions: (1) Establish regional branches as well as
15 provincial, city or municipal branches, if deemed necessary, to train individuals from the public
16 and private sectors in the fields of disaster risk and vulnerability reduction and management,
17 climate change adaptation, and ecosystem management and restoration, among others;

18 (1) Develop and implement an inclusive and ladderized curricula on climate change
19 adaptation, and disaster risk and vulnerability reduction and management;

20 (2) Develop research programs and a knowledge management system on climate
21 change adaptation and disaster risk and vulnerability reduction management for the purpose of
22 innovation and capacity-building and development;

23 (3) Partner with public and private academic and research institutions, the private
24 sector, civil society, community-based disaster risk and vulnerability reduction management
25 and climate change adaptation practitioners, and other relevant sectors in developing research
26 opportunities and programs on climate vulnerability and disaster risk assessment;

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

31 (5) Establish a resource center for information, education, and communication
32 materials research, publications, best work practices, lessons identified and learned. and other

1 knowledge products on disaster risk and vulnerability reduction and management, and climate
2 change adaptation;

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

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

9 (8) Accredite, recognize, monitor and evaluate climate change adaptation, disaster
10 risk and vulnerability reduction and management training institutions.

11 (d) Financial Support to the Center:

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

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

20 CHAPTER IX

21 INTEGRATION, MAINSTREAMING CLMATE AND DISASTER RESILIENCE 22 INFORMATION, EDUCATION, AND CONIMUNICATION CONVERGENCE

23 **SECTION 27.** *Climate and Disaster Resilience Information Management System*
24 *(CDRIMS)*. — The Department shall establish a National and Regional Information
25 Management System for Climate and Disaster Resilience. It shall constitute a physical central
26 database of all disaster risk reduction and climate change data, including a geographic
27 information system on geo-hazard assessments and climate risk. It shall be the repository of
28 current and multi-temporal information for wide-scale disaster analysis and climate change
29 vulnerability assessment. The CDRIMS shall at all times be made available to the Emergency
30 Operations Center of the National and Regional Climate and Disaster Resilience Council
31 (NRCDRC) development partners and multi-stakeholders to access critical information and

1 ensure that the collection processing, analysis and dissemination of information is timely,
2 reliable and accurate to support overall decision making and effective coordination both at the
3 national and subnational level.

4 **SECRION 28.** *Disaster Resilience and Climate Change Education and Training.* —

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

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

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

26 (d) The Parents and Teachers Community Associations shall initiate, support, and
27 participate in disaster risk and vulnerability 9 reduction management and climate change
28 adaptation related 10 activities in schools and host communities.

29 (e) The DepEd, the CHED, and the Technical Education and Skills Development
30 Authority (TESDA) and other developmental institutions. community-based practitioners and
31 organized nongovernmental organizations shall formulate and institutionalize flexible learning
32 options such as online modules, supplemental learning materials, resources and platforms, as

1 part of its climate change adaptation, disaster risk and vulnerability reduction and governance,
2 analysis, and management strategy.

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

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

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

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

24 **SECTION 29.** *Standard Mechanism for Cascading Information, Education and*
25 *Communication on Climate Change Adaptation and Disaster Risk and Vulnerability*
26 *Reduction.* — (a) The DRC shall promote and advocate a culture of resilience and responsible-
27 accountable, liable and responsible citizenship through information, education and
28 communication that is appropriate, integrated, calibrated, inclusive, localized, science- and
29 risk-based, gender, culture and disability sensitive and accessible using multimedia.
30 Information, education, and communication on climate change adaptation and disaster risk and
31 vulnerability reduction management should be compelling but not alarming.

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

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

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

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

CHAPTER X

CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

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

(b) The Department shall ensure the mandatory insurance of all assets and properties of national government agencies including government-owned or - controlled corporations, and those over which the government has insurable interest, as prescribed under

1 Republic Act No. 656, otherwise known as the "Property Insurance Law". The insurance shall
2 be provided by any government insurance agency.

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

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

13 **CHAPTER XI**

14 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

15 **SECTION 34. *Standards for Disaster Preparedness Activities.*** — (a) The NDRC shall
16 establish standards for disaster preparedness, contingency planning, localizing and
17 operationalizing disaster risk and vulnerability reduction and management, preparedness for
18 disaster response, preparedness for early recovery, continuity of essential services, and other
19 relevant preparedness activities.

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

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

27 **SECTION 35. *Multi-Hazard Early Warning and Risk Communication Standards.*** —
28 (a) There shall be a streamlined policy governing early warning systems and risk
29 communication protocols to ensure effective and efficient measures to prevent, prepare for,

1 respond to, and recover from possible risk caused by natural and human-induced hazards and
2 climate risk. The NDRC shall issue policy and the Department shall oversee and monitor the
3 implementation of this policy.

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

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

15 (b) The Department shall enhance and strengthen 18 Philippine Atmospheric,
16 Geophysical and Astronomical Services Administration (PAGASA) and the Philippine
17 Institute of Volcanology and Seismology (PHIVOLCS) mandates under Republic Act No.
18 10692 and Executive Order No. 128, Series of 1987, respectively.

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

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

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

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

CHAPTER XII

DISASTER RESPONSE AND EARLY RECOVERY

SECTION 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.

SECTION 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) 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.

SECTION 39. *Humanitarian Assistance Action Center.* — The DRC shall institutionalize a one-stop shop mechanism through the Humanitarian Assistance Action

Center for the processing and release of goods, articles or equipment intended for humanitarian assistance and the processing of necessary documents for international assisting actors. The Humanitarian Assistance Action Center shall be managed by the Department and shall be composed of the following NDRC agencies:

- (a) Department of Finance - Bureau of Customs;
- (b) Department of Foreign Affairs;
- (c) Department of Social Welfare and Development;
- (d) Department of Health;
- (e) Food and Drug Administration;
- (f) Department of Agriculture;
- (g) Department of Energy;
- (h) Philippine National Police;
- (i) Philippine Coast Guard; and
- (j) Department of Justice - Bureau of Immigration.

SECTION 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.

SECTION 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

SECTION 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.

SECTION 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.

SECTION 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.

SECTION 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

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

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

CHAPTER XV

LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS

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

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

1 **SECTION 50. *Recognition of Foreign Professional Qualifications.*** — (a) Eligible
2 assisting international actors wishing to deploy international personnel for tasks requiring legal
3 recognition of their foreign professional qualifications shall certify the validity of those
4 qualifications under the law of the country where they were obtained and the competence of
5 their personnel for the tasks envisaged.

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

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

11 **SECTION 51. *Recognition of Foreign Driving Licenses.*** — Foreign licenses of eligible
12 assisting international actors shall be accorded temporary recognition during the International
13 Disaster Relief and Initial Recovery Periods.

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

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

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

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

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

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

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

(a) Exemption from all duties and taxes;

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

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

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

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

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

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

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

5 **SECTION 59. Food.** — Food imported by eligible assisting international actors for
6 disaster relief and recovery shall be admitted pursuant to expedited procedures set out by the
7 DRC.

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

10 **C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS**

11 **SECTION 61. Disposition of Equipment and Unused Goods.** — The DRC shall
12 provide for the guidelines for retention, reexportation, donation and disposal of unused goods
13 and equipment after the termination of Disaster Relief and Initial Recovery operations.

14 **CHAPTER XVI**

15 **RECOVERY**

16 **SECTION 62. Standards for Recovery.** — The Department shall observe
17 internationally accepted standards for recovery, planning, programming and implementation
18 of the recovery process and shall:

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

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

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

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

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

27 (f) Consider local conditions such as culture, security situation, and existing
28 capacities of communities in identifying programs and projects;

- 1 (g) Ensure access to public transport, physical and mental health services, markets,
2 schools, sustainable livelihoods, and other public services in planning for settlement areas; and
3 (h) Ensure restoration of peace and order and recovery of government functions.

4 CHAPTER XVII

5 REMEDIAL MEASURES UNDER STATE OF CALAMITY

6 **SECTION 63.** *Remedial Measures Under State of Calamity.* — Upon the declaration
7 of a state of calamity, the following remedial measures shall be immediately undertaken by
8 concerned government agencies both of national and local levels:

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

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

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

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

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

23 CHAPTER XVIII

24 PROCUREMENT

25 **SECTION 64.** *General Rule on Procurement.* — Any procurement of goods, services,
26 consultancy or infrastructure for disaster risk and vulnerability reduction and climate risk,
27 whether at the national or local level shall conform to the provisions and implementing rules

and regulations (IRR) of Republic Act No. 9184, otherwise known as "Government Procurement Reform Act", as amended.

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

CHAPTER XIX

PROHIBITED ACTS AND PENALTIES

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

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

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

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

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

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

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

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

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

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

7 (2) Withholding the distribution of relief goods due to: (a) political or partisan
8 considerations; (b) discrimination based on race, ethnicity, religion, or gender; and (c) other
9 similar circumstances; (3) Preventing the entry and distribution of relief goods in disaster-
10 stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams
11 or experts;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (16) Tampering with or stealing hazard monitoring and disaster preparedness
20 equipment and paraphernalia;

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

22 (18) Benefitting from the proceeds or fruits of any of the abovementioned prohibited
23 acts knowing that the proceeds or fruits ³ are derived from the commission of the prohibited
24 acts.

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

1 (a) Imprisonment of not less than twelve (12) years but not 9 more than fifteen (15)
2 years or a fine of not less than One million 10 pesos (P 1,000,000.00) but not more than Three
3 million pesos or both imprisonment and fine at the discretion of the court, shall be imposed
4 upon any person found guilty of violating subsections (b)(1) to (b)(16), as well as the
5 confiscation or forfeiture in favor of the government of the objects and the instrumentalities
6 used in the commission of the prohibited acts;

7 (b) Imprisonment of not less than six (6) years but not more than eight (8) years or a
8 fine of not less than Five hundred thousand pesos (P500,000.00) but not more than One million
9 pesos (P 1,000,000.00), or both imprisonment and fine at the discretion of the court, shall be
10 imposed upon any person who attempts to commit any of the prohibited acts in the preceding
11 section, in violation of subsection (b)(17) thereof;

12 (c) Imprisonment of not less than two (2) years but not more than six (6) years or a fine
13 of not less than Two hundred thousand pesos (P200,000.00) but not more than Five hundred
14 thousand pesos (P500,000.0), or both imprisonment and fine at the discretion of the court, shall
15 be imposed upon any person found guilty of unlawfully benefiting from the proceeds or fruits
16 of any of the prohibited acts in the preceding section, in violation of subsection (b)(18) thereof;

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

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

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

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

5 CHAPTER XX

6 APPROPRIATIONS

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

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

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

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

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

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

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

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

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

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

27 (d) Prevention, Mitigation and Preparedness Fund for third (3rd) to sixth (6th) class
28 provinces and municipalities. There shall be in the annual General Appropriations Act an
29 amount allotted solely for the use of third (3rd) to sixth (6th) class provinces and municipalities
30 for the purpose of augmenting their LDRF with respect to plans, programs, projects, and

1 procurement for climate change adaptation, disaster risk prevention, mitigation, and
2 preparedness. The requirements to avail of this fund shall be laid down in the rules and
3 regulations to be promulgated by the Secretary.

4 **CHAPTER XXI**

5 **FINAL PROVISIONS**

6 **SECTION 69. *Transfer and Attachment.* —**

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

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

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

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

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

21 (1) Philippine Atmospheric, Geophysical and Astronomical Services Administration
22 (PAGASA); and (2) Philippine Institute of Volcanology and Seismology (PHIVOLCS).

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

25 The Department shall, by virtue of this Act, be subrogated to all the rights and assume
26 all the liabilities of the agencies absorbed under this Act, and all their funds, records, property,
27 assets, equipment, and such personnel as necessary, including unexpended appropriations or

1 allocations. All contracts and liabilities of the said agencies are hereby transferred to and
2 assumed by the Department and shall be acted upon in accordance with the Auditing Code and
3 other pertinent laws, rules, and regulations.

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

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

14 **CHAPTER XXII**

15 **MISCELLANEOUS PROVISIONS**

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

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

28 **SECTION 74.** *Review.* — Five (5) years after the effectivity of this Act, or as the need
29 arises, the Congressional Oversight Committee shall conduct a systematic evaluation of the

1 accomplishments and impact of this Act, as well as the performance and organizational
2 structure of its implementing agencies, for purposes of determining remedial legislation.

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

6 **SECTION 76. *Repealing Clause.*** — (a) Republic Act No. 10121, otherwise known as
7 the "Philippine Disaster Risk Reduction and 20 Management Act of 2010," is hereby repealed.

8 (b) The following provisions are hereby amended or modified, 22 accordingly:

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

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

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

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

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

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

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

Approved.