



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. **3142**

Introduced by **REPRESENTATIVE JOEL MAYO Z. ALMARIO**

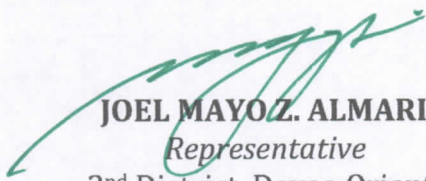
EXPLANATORY NOTE

There is an urgent movement worldwide acknowledging the need to increase efforts in disaster risk management and climate change adaptation to ensure the development of safe and sustainable societies. The Philippines is not and should not be an exemption. Ranked 3rd in the 2017 World Risk Report for highest exposure and risk to natural hazards, the importance of addressing this vulnerability becomes even more obvious.

In line with this, this bill is being filed to create the Department of Disaster Resilience (DDR) which shall be primarily responsible for the development of safe, adaptive, and disaster-resilient communities. The DDR shall focus on natural hazards and climate change and will respond to three key result areas *to wit*: Disaster Risk Reduction, Disaster Preparedness and Response, and Recovery Building.

Key features of the bill include 1) a clear division of responsibility for disaster preparedness and response; 2) streamlining of procurement rules for disaster and climate adaptation purposes; 3) specialized rules on hiring of local disaster resilience offices and human resources; 4) the operationalization of the National Disaster Operations Center and its corresponding Alternative Command and Control Centers; and 5) the establishment of the Disaster Resilience Research and Training Institute.

A similar version of this bill was approved on third and final reading during the 17th Congress. Support for this bill is once again earnestly sought.


JOEL MAYO Z. ALMARIO
Representative

2nd District, Davao Oriental



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HOUSE BILL NO. ____

Introduced by **REPRESENTATIVE JOEL MAYO Z. ALMARIO**

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

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

ARTICLE I
GENERAL PROVISIONS

1 **SECTION 1. SHORT TITLE** - This Act shall be known as the "Disaster Resilience
2 Act of 2019".

3

4 **SECTION 2. DECLARATION OF PRINCIPLES** - The State recognizes that:

5

- 6 a. The Philippines is one of the countries most vulnerable to
7 climate change and various kinds natural hazards, including,
8 among others, typhoons, earthquakes, floods, volcanic
9 eruptions, landslides, storm surges, and drought;

- 1
- 2 b. Tremendous physical and economic losses are sustained by the
- 3 country, and in certain cases, damage to our national, cultural,
- 4 and historical heritage each time such natural hazards wreak
- 5 havoc on an unsuspecting and unprepared populace;
- 6
- 7 c. There is an urgent need to establish a focused, streamlined,
- 8 independent, empowered, capacitated, full-time, specialized
- 9 agency on disaster risk reduction and management as well as
- 10 emergency response which is national in scope and civilian in
- 11 character;
- 12
- 13
- 14 d. The people are the most important assets of the nation, and all
- 15 disaster risk reduction and management efforts shall be
- 16 responsive to the humanitarian needs of the people, the dignity
- 17 and value of the human person, and respect for property.
- 18

19 Towards this end, the state shall endeavor to ensure:

20

- 21 a. That a strategic, systematic, continuous, comprehensive,
- 22 inclusive, and integrated approach to disaster risk reduction and
- 23 management is established, with the end view of substantially
- 24 reducing vulnerabilities and the risk of disasters and other
- 25 humanitarian emergencies, towards the preservation of life and
- 26 property, thereby ultimately preventing or deterring the loss of
- 27 lives and the social, economic, cultural, and environmental
- 28 assets of the country;
- 29
- 30 b. That a permanent, institutionalized, cohesive and
- 31 comprehensive framework for disaster preparedness,

1 prevention and mitigation, and response, is adopted, to be
2 implemented by a highly specialized and focused agency bearing
3 its own mandate, powers, and funding, in coordination and with
4 the participation of the Philippine government, other foreign
5 governments and financial institutions, international
6 organizations, the private sector, and civil society;

7
8 c. That the differing concerns and needs of various sectors or those
9 with higher vulnerabilities such as women, children, elderly,
10 persons with disabilities, and indigenous peoples, are
11 specifically served, with respect to disaster resilience and
12 disaster management;

13
14 d. The implementation of the principles, concepts and action plans
15 of climate change and disaster risk reduction contained in
16 international and national frameworks and commitments in
17 various phases of policy formulation, development and
18 investment plans, poverty reduction strategies and other
19 development tools, and techniques by all national and local
20 agencies, institutions and instrumentalities of the government
21 to enhance the country's capacity for climate change adaptation
22 and mitigation;

23
24 e. To inculcate a culture of resilience and preparedness for natural
25 disasters at the national, regional and local levels, and adopt a
26 whole-of-society approach in disaster resilience to enhance
27 collaboration, planning, and dialogue among all sectors of
28 society, and in improving their strategies and/or action plans for
29 disaster risk reduction.
30

SECTION 3. DEFINITION OF TERMS - As used in this Act the following terms shall mean the following:

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

b) *Assisting Actor* - shall refer to any Assisting International Actor and any Assisting Domestic Actor responding to a disaster in the country;

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

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

e) *Biological Hazards* - shall refer to hazards that are of organic origin or conveyed by biological vectors, including pathogenic microorganisms, toxins and bioactive substances. Examples are bacteria, viruses or parasites, as well as venomous wildlife and insects, poisonous plants and mosquitoes carrying disease-causing agents;

f) *Build Forward Better* - shall refer to an approach to building and/or reconstructing an area or community which entails a shift from simple recovery and restoration to safer, more adaptive, resilient, and inclusive communities;

g) *Business Continuity* - shall refer to the capacity of a business entity to continue the delivery of its products and/or services at acceptable pre-defined levels following a disruptive incident;

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

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

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

k) *Climate Mitigation* - shall refer to efforts to reduce or limit greenhouse gas emissions or enhance greenhouse gas sequestration;

1 l) *Cultural Heritage* - shall refer to the totality of cultural property
2 preserved and developed through time and passed on to posterity;

3
4 m) *Contingency Planning* - shall refer to a management process that
5 analyzes specific potential events or emerging situations that might threaten
6 society or the environment and establishes arrangements in advance to enable
7 timely, effective and appropriate responses to such events and situations;

8
9 n) *Department* - shall refer to the Department of Disaster Resilience or the
10 DDR;

11
12 o) *Development Assistance* - shall refer to any financial, material or other
13 forms of assistance to support the economic, social, and environmental well-being
14 of areas and/or people affected by a natural disaster;

15
16 p) *Disability* - shall refer to an evolving concept that results from the
17 intersection between persons with impairments, societal barriers, as defined
18 under Republic Act No. 7277, and attitudinal and environmental barriers that
19 hinder their full and effective participation in society on an equal basis with
20 others.;

21
22 q) *Disaster* - shall refer to a serious disruption of the functioning of a
23 community or a society involving widespread human, material, economic or
24 environmental losses and impacts, which exceeds the ability of the affected
25 community or society to cope using its own resources. Unless otherwise used
26 specifically in this Act, the term "disaster" shall refer to "natural disaster";

27
28 r) *Disaster Contingency Fund* - shall refer to a fund, in lump-sum form,
29 managed by the Department to expediently provide funds and resources for
30 disaster relief or response in affected areas;

1
2 s) *Disaster Mitigation or Mitigation* - shall refer to the lessening or
3 limitation of the adverse impacts of hazards and related disasters. Mitigation
4 measures include hazard-resistant structures as well as improved environmental,
5 land use planning, climate change and other sectoral policies and public
6 awareness;

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

16
17 u) *Disaster Prevention* - shall refer to the intention to avoid, or the outright
18 avoidance, of potential adverse impacts of disasters and related hazards through
19 action(s) taken in advance. It expresses the concept and intention to completely
20 avoid potential adverse impacts through action taken in advance such as
21 construction of dams or embankments that eliminate flood risks, land use
22 regulations that do not permit any settlement in high- risk zones, and seismic
23 engineering designs that ensure the survival and function of a critical building in
24 any likely earthquake;

25
26 v) *Disaster Resilience* - shall refer to the ability of a system, community, or
27 society exposed to hazards to resist, absorb, accommodate, adapt to, transform,
28 and recover from the effects of a hazard and/or the long-term impact of climate
29 change in a timely and efficient manner, including through the preservation and

1 restoration of its essential basic structures and functions through risk
2 management;

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

9
10 x) *Disaster Resilience Fund* - shall refer to the budget managed by the
11 Department, which includes funds appropriated to it by Congress pursuant to an
12 Appropriations Act, the Disaster Contingency Fund, and the Rehabilitation and
13 Recovery Fund;

14
15 y) *Disaster Risk* - shall refer to the potential disaster losses in lives, health
16 status, livelihoods, assets and services that could occur to a particular community
17 or society in the future, and is determined by a combination of the vulnerability,
18 capacity, exposure of persons and assets, hazard characteristics and the
19 environment;

20
21 z) *Disaster Governance* - shall refer to the way in which public authorities,
22 civil servants, media, private sector, and civil society coordinate at community,
23 national and regional levels in order to manage disaster and climate related risks.
24 This means ensuring that sufficient levels of capacity and resources are made
25 available to prevent, prepare for, manage and recover from disasters. It also
26 entails mechanisms, institutions, and processes for citizens to articulate their
27 interests, exercise their legal rights and obligations, and mediate their differences;

28
29 aa) *Disaster Risk Management (DRM)* - shall refer to the systematic process
30 of using administrative directives, organizations, and operational skills and

capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster;

bb) *Disaster Risk Reduction (DRR)* - shall refer to the prevention of new, and/or reduction of existing, disaster risk(s) and the management of residual risk, to enhance resilience to disasters;

cc) *Early Warning System* - shall refer to an integrated system of hazard monitoring, forecasting and prediction, disaster risk assessment, and communication and preparedness activities and processes that enable individuals, communities, national government agencies, local government units, the private sector, and others to take timely action to reduce disaster risks and adequately prepare for disasters;

dd) *Eligible Assisting Actor* - shall refer to any assisting actor that has been determined to be eligible to receive legal facilities as provided for in this Act and/or its Implementing Rules and Regulations (IRR);

ee) *Emergency* - shall refer to an unforeseen or sudden occurrence, especially danger, demanding immediate and decisive action;

ff) *Emergency Management* - shall refer to the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps;

gg) *Environmental Hazards* - shall refer to the hazards that may be chemical, natural, and biological, and can be created by environmental degradation or physical or chemical pollution in the air, water, and soil. However, many of the processes and phenomena that fall into this category may be termed

1 drivers of hazard and risk rather than hazards themselves, such as soil
2 degradation, deforestation, loss of biodiversity, salinization, and sea-level rise;

3
4 hh) *Exposure* - shall refer to the degree to which the elements at risk are
5 likely to experience hazard events of different magnitudes;

6
7 ii) *Geographic Information System (GIS)* - shall refer to a system used to
8 capture, store, manipulate, manage and display all types of spatial or geographical
9 data;

10
11 jj) *Geographically Isolated and Disadvantaged Area (GIDA)* - shall refer to
12 areas with a marginalized population, which is physically and socio-economically
13 separated from the mainstream society and characterized by physical factors
14 isolated due to distance, weather conditions and transportation difficulties
15 (island, upland lowland, landlocked, hard-to-reach and underserved
16 communities), and/or socio-economic factors (high poverty incidence, presence
17 of vulnerable sector, communities in or recovering from situation of crisis or
18 armed conflict);

19
20 kk) *Geological or Geophysical Hazards* - shall refer to the hazards that
21 originate from internal earth processes, such as earthquakes, volcanic activities
22 and emissions, and related geophysical processes, which include mass
23 movements, landslides, rockslides, surface collapses, and debris or mud flows.
24 Hydrometeorological factors are important contributors to some of these
25 processes. While tsunamis are triggered by undersea earthquakes and others
26 geological events, they essentially become an oceanic process that is manifested
27 as a coastal water-related hazard;

28
29 ll) *Hazard* - shall refer to a phenomenon, substance, human activity or
30 condition that may cause loss of life, injury or impacts to health; social and

1 economic disruption, environmental damage, or loss off disruption to property,
2 livelihood, and/or services;

3
4 mm) *Historical Landmarks* - shall refer to sites or structures that are
5 associated with events or achievements significant to Philippine history as
6 declared by the National Historical Institute or the applicable agency;

7
8 nn) *Human-Induced Hazard* - shall refer to an event that is caused by
9 humans and occur in or close to human settlements or a particular environmental
10 area. This can include environmental degradation, technological or industrial
11 conditions, pollution, accidents, e. g. high density events, industrial and transport
12 accidents, complex emergencies, armed conflict, situations of generalized or
13 organized violence, and violation of human rights;

14
15 oo) *Humanitarian Assistance* - shall refer to financial, material or other
16 similar forms of assistance to address the immediate needs of people affected by
17 a natural disaster;

18
19 pp) *Hydrometeorological Hazards* - shall refer to hazards that are of
20 atmospheric, hydrological, or oceanographic origin, such as tropical cyclones (also
21 known as typhoons and hurricanes); floods, including flash floods; drought; heat
22 waves and cold spells; and coastal storm surges. Hydrometeorological conditions
23 may also be a factor in other hazards such as landslides, wildland fires, locust
24 plagues, epidemics, and in the transport and dispersal of toxic substances and
25 volcanic eruption material;

26
27 qq) *Impact and Needs Assessment* - shall refer to the assessment of the
28 nature and magnitude of a disaster, its impact on affected populations, the type
29 and extent of emergency, and the requirements for recovery and rehabilitation of
30 affected area(s);

1
2 rr) *Immediate Danger* - shall refer to a situation where, on the basis of
3 official forecasts, it could reasonably be expected that a disaster will occur in a
4 particular geographical area and within an estimated period of time, and where
5 necessary preparedness actions or financing are required;
6

7 ss) *Integrated Disaster Resilience Information System* - shall refer to a
8 specialized database, which contains, among others, information on disasters and
9 their human, material, economic and environmental impact, risk assessment and
10 mapping, and vulnerable and marginalized groups;
11

12 tt) *International Disaster Relief and Initial Recovery Period* - shall refer to
13 the period that commences upon the issuance of a request for international
14 disaster assistance or upon acceptance of an offer, and shall continue until
15 terminated, pursuant to guidelines set in the Implementing Rules and Regulations;
16

17 uu) *Internally Displaced Persons* - shall refer to persons or groups of
18 persons who have been forced or obliged to flee or to leave their homes or places
19 of habitual residence within national borders;
20

21 vv) *International Personnel* - shall refer to staff and volunteers of any
22 assisting actor providing disaster relief or initial recovery assistance being
23 persons who are neither citizens of nor domiciled in the Philippines prior to their
24 recruitment of the international assisting actor;
25

26 ww) *Land Use Planning* - shall refer to the process undertaken by public
27 authorities to identify, evaluate and decide on different options for the use of land,
28 including consideration of long-term economic, social and environmental
29 objectives and the implications for different communities and interest groups, and

1 the subsequent formulation and promulgation of plans that describe the
2 permitted or acceptable uses;

3
4 xx) *Legal Facilities* - shall refer to entitlements and exemptions that are
5 granted to Assisting Domestic or International Actors that are declared to be
6 eligible pursuant to this Act and its implementing rules and regulations’;

7
8 yy) *Local Disaster Resilience Plan (LDRP)*- shall refer to a document
9 prepared by an LGU based on the National Disaster Resilience Framework (NDRF)
10 and the National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets
11 out specific programs, objectives and goals to implement disaster risk
12 management and climate change adaptation measures at the local level. The plan
13 includes, among others, an evaluation and analysis of emerging disaster risks,
14 hazards and vulnerabilities applicable to an LGU, and specific programs and
15 initiatives to ensure responsive, effective, and appropriate disaster preparedness
16 and managements at the local level;

17
18 zz) *National Continuity Policy* - shall refer to a comprehensive national
19 policy consisting of a set of programs and projects aimed at capacitating the
20 government to ensure the continuity of governance and the delivery of public
21 services during and after any disaster;

22
23 aaa) *National Disaster Resilience Framework (NDRF)* - shall refer to
24 framework that provides for a comprehensive, multi-sectoral, whole-of-
25 government, and whole-of-society approach to attaining safe, adaptive, and
26 resilient communities that can resist, prevent, mitigate against, absorb,
27 accommodate, adapt to, recover, or build back better form the effects of a natural
28 hazard in a timely and efficient manner through, among others, disaster risk
29 reduction and management, and climate change adaptation and mitigation.

1 The NDRF shall be composed of a National Disaster Risk Reduction and
2 Management Framework (NDRRMF), and National Framework Strategy on
3 Climate Change (NFSCC);

4
5 bbb) *National Disaster Resilience Plan and Investment Program* (NDRPIP) –
6 shall refer to a plan formulated and implemented by the national and local
7 governments, in collaboration with NGOs, the private sector, academe,
8 international development partners, and others, in accordance with the NDRF that
9 sets out the outcomes, goals and objectives, priorities, programs and
10 corresponding action plans for disaster risk reduction, preparedness, and
11 management, and climate change mitigation. The NDRPIP shall also include,
12 among others, goals, objectives and action plans for a national continuity policy. It
13 shall be in conformity with the national disaster risk reduction and management
14 framework;

15
16 ccc) *Natural Hazard* - shall refer to naturally occurring physical
17 phenomena caused either by rapid or slow onset events, which can be geological
18 (earthquakes, ground rupture, liquefaction, landslides, tsunamis, sinkholes, and
19 volcanic activity), hydrological and meteorological (floods, severe winds, typhoons,
20 storm surges), climatological variability (extreme temperatures, El Nino, La Niña,
21 forest fires), or biological (disease, epidemics and insect/animal plagues);

22
23 ddd) *Open Data* - shall refer to a set of data that can be freely used, shared
24 and built-on by anyone, anywhere, for any purpose, it must be available in bulk,
25 and should be available free of charge, or at least at no more than a reasonable
26 reproduction cost. The information should be digital, preferably available by
27 downloading through the internet, and easily processed by the end-user's
28 computer. The data must permit people to use, re-use, and redistribute it,
29 including inter mixing it with other data sets and distributing the results. Lastly, it
30 does not allow conditions to be places on how people can use such data but permit

1 a data provider to require that data has been changed, or that any new datasets
2 created using their data are also shared as open data;

3
4 *eee) Pre-Disaster Recovery Plan (PDRP)* - shall refer to a plan intended to
5 help

6 government officials working in small communities or across an entire nation, to
7 define and follow a process to pre plan for disaster recovery, and thereby
8 strengthen their own future recovery efforts and outcomes;

9
10 *fff) Pre-Disaster Risk Assessment (PDRA)* - shall refer to a process to
11 evaluate a hazard's level of risk given the degree of exposure and vulnerability in
12 a specific area likely to be affected by an imminent hazard. It presents the possible
13 impacts on the population and forms a basis to determine the appropriate level of
14 response actions from the national level government agencies down to the local
15 government units. It is hazard-specific, area focused, and time-bound;

16
17 *ggg) Recovery* - shall refer to rehabilitation measures that ensure the ability
18 of
19 affected communities or areas to return their normal level of function in by
20 restoring livelihoods and services, reconstruction of damaged infrastructures and
21 increasing the communities' organizational capacity;

22
23 *hhh) Rehabilitation* - shall refer to restoration of basic services and
24 facilities for the functioning of a community or a society affected by a disaster;

25
26 *iii) Response* - shall refer to any effort to provide assistance or intervention
27 during or immediately after a disaster to meet the life preservation and basic
28 subsistence needs of affected people and communities, and in the restoration of
29 essential public activities and facilities;

1 jjj) *Retrofitting* - shall refer to the reinforcement of upgrading of existing
2 structures to make them more resistant and resilient to the damaging effects of
3 hazards;

4
5 kkk) *Risk Assessment* - shall refer to a methodology to determine the nature
6 and extent of risk by analyzing potential hazards and evaluating existing
7 conditions

8 of vulnerability that together could potentially harm exposed people, property,
9 services, livelihood and the environment on which they depend;

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

16
17 mmm) *Safety Stock* - shall refer to items, such as raw materials, component
18 parts, or finished goods, maintained in inventory to reduce the risk that such item
19 will be out of stock, in anticipation of unforeseen shortages or unusual demand for
20 such items;

21
22 nnn) *Service Continuity* - shall refer to the capacity of a government
23 instrumentality to continue delivering its mandated outputs and/or services to
24 the public during and after a disaster;

25
26 ooo) *State of Calamity* - shall refer to a condition involving endangered to
27 and/or loss of lives, damages to property, economic and/or social disruption,
28 interruption and/or loss of livelihood and/or services, and destruction and/or
29 damages to infrastructure as a result of natural disaster(s) or related hazard(s);

1 ppp) *Simplified or Pre-arranged Contract* - shall refer to a written
2 agreement in the nature of an option contract between the procuring entity on one
3 hand, and
4 the most responsive and lowest calculated bidder on the other, granting the
5 procuring entity the option to either place an order for any of the goods identified
6 therein or not buy at all, within a given period of time;

7
8 qqq) *Sustainable Development* - shall refer to development that meets the
9 needs of the present without compromising the ability of future generations to
10 meet
11 their own needs;

12
13 rrr) *Volunteers* - shall refer to individuals, groups or entities that offer
14 and/or provide services or assistance, without compensation, to help people
15 and/or areas affected by disasters;

16
17 sss) *Vulnerability* - shall refer to the conditions determined by physical,
18 social, economic, organizational, and environmental factors or processes, which
19 increase the susceptibility of an individual, a community, assets or systems to the
20 impacts of hazards;

21
22 ttt) *Whole-of-Society Approach* - shall refer to an approach that encourages
23 the meaningful and active participation and synergy of the different stakeholders
24 of society toward climate change adaptation and mitigation, and disaster risk
25 reduction and management at the national and local levels;

26
27 uuu) *Whole-of-Government Approach* - shall refer to an approach that
28 instills and fosters collaboration among all government instrumentalities both at
29 the national and local levels toward shared sustainable development goals and
30 outcomes; and

vvv) *Whole-of-Nation Approach* - shall refer to an approach that seeks to bring about a concerted effort towards sustainable development, national peace and security by creating consensus and understanding of development and security that is shared not just among core security forces and oversight government institutions, but also by the nation's stakeholders, e. g. ,government, civil society, private sector, and the communities.

ARTICLE II
THE DEPARTMENT OF DISASTER RESILIENCE:
MANDATE, POWERS, AND FUNCTIONS

SECTION 4. CREATION OF THE DEPARTMENT OF DISASTER RESILIENCE -

There is hereby created the Department of Disaster Resilience, hereinafter referred to as the Department.

The Department shall be the principal government institution responsible for ensuring safe, adaptive, and disaster-resilient communities. It shall lead, spearhead, initiate, and integrate the crafting and implementation of comprehensive, continuous, and strategic plans, programs, projects and activities to reduce the risk of all types of natural hazards and effects of climate change, and manage the impact of disasters with the primordial goal of saving lives and minimizing damage to property, in close collaboration with all relevant stakeholders at the national and local levels.

The Department shall oversee and coordinate the preparation, implementation, monitoring, and evaluation of disaster and climate 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 and anticipatory adaptation strategies, measures, techniques, and options.

It shall also manage and direct the implementation of national, local, and community-based disaster resilience programs in collaboration with relevant national government agencies, LGUs, CSOs, and other stakeholders, as applicable.

SECTION 5. POWERS AND FUNCTIONS OF THE DEPARTMENT - The Department shall exercise and perform the following powers and functions:

Overall functions:

- A. Craft the policies and lead the implementation of the programs, projects and activities necessary to reduce the country's vulnerabilities to natural hazards and climate change, using the PDRP and the relevant climate change and DRR frameworks as anchors;
- B. Review and build upon, to the extent necessary, the existing disaster resilience framework, plans and strategies in the crafting of an NDRF and the corresponding NDRPIP;
- C. Oversee, review, and approve the translation, integration, and implementation of the NDRPIP into LDRPs;
- D. Communicate and disseminate critical information to help the public prepare for, respond to, and recover from a disaster;
- E. Receive, manage, and administer the Disaster Resilience Fund, the Disaster Contingency Fund, donations and other funds, assets and/or

properties received by the Department to accomplish the purposes of this Act;

F. Recommend to the President of the Philippines the declaration of a state of calamity due to a natural disaster, and the lifting thereof when conditions stabilize;

G. Direct any government entity to help ensure the attainment of the goals and objectives of this Act;

H. Advance the country's interests relating to disaster resilience and climate change in the regional and global arena;

I. Advise the President on matters concerning disaster resilience and make recommendations, as appropriate; and

J. Perform such other functions, as provided by law or assignment of the President, and undertake all other necessary actions to ensure the attainment of the overall goals and objectives of this Act.

Disaster Risk Reduction;

A. Develop coordinated national, regional, and local strategies for the effective prevention and mitigation of disaster risk resulting from natural hazards, including the effects of climate change;

B. Monitor and ensure the integration of disaster risk reduction and management, and climate change adaptation policies into national development plans;

- 1 C. Establish a disaster resilience information system to facilitate the creation
2 of an integrated risk assessment platform built from the inputs of
3 government and private scientific and academic institutions, national
4 government agencies and local government units, local communities, and
5 other stakeholders and that is able to provide readily accessible and action
6 able information for purposes of risk governance and humanitarian action;
7
- 8 D. Formulate plans and programs to establish and implement government
9 redundancy, service and business continuity, and a National Continuity
10 Policy, as a high priority and urgent undertaking;
11
- 12 E. Ensure the use of advanced science and technology in anticipatory
13 planning of communities against the impact of natural hazards and climate
14 change through consultation, and employment with a regular department
15 funding the academe or higher education institutions;
16
- 17 F. Develop and implement policies and programs related to the construction
18 of new settlements or relocation of settlements in safe areas that shall, to
19 the extent such policies and programs relate to disaster risk reduction,
20 mitigation, prevention or building forward better, prevail over policies or
21 decisions of other government departments, government agencies,
22 government owned or controlled corporations, LGUs, and other
23 government instrumentalities;
24
- 25 G. Design and implement an incentive system for greater private and public
26 investment, both at the local and national levels, on disaster risk reduction;
27
- 28 H. Oversee and ensure the mainstreaming of climate change adaptation and
29 disaster risk reduction in development and land use planning, and the
30 preparation of contingency plans;
31

- 1 I. Create an enabling environment that shall promote broader multi-
2 stakeholder participation for disaster risk reduction and climate change
3 adaptation and mitigation;
4
- 5 J. Communicate and disseminate critical information to help the public
6 prepare for, respond to, and recover from a disaster;
7
- 8 K. Establish and monitor local and national capacity for disaster risk financing
9 and insurance and other risk transfer strategies in coordination with the
10 Department of Finance (DoF), the Government Service Insurance System
11 (GSIS), and the Land Bank of the Philippines (LBP), and the Insurance
12 Commission;
13
- 14 L. Coordinate directly with local government units and private entities to
15 address Disaster Risk Assessment (DRA) of regions and provinces at the
16 meso-scale, cities and municipalities at the micro-scale, and barangays at
17 the meta-scale;
18
- 19 M. Review and evaluate local disaster resilience plans and other local plans to
20 ensure their consistency with the National Disaster Resilience Framework;
21 and
22
- 23 N. Undertake all other programs, projects, and actions necessary to attain the
24 overall goals and intended outcome of this key result area.
25

26 Disaster Preparedness and Response

27

- 28 A. Lead, manage, and collaborate with the relevant government
29 instrumentalities, non-government stakeholders, and international
30 partners in providing the minimum basic needs of people in affected areas

1 before, during and/or immediately after a disaster to save lives and
2 minimize casualties;

3
4 B. Ensure the efficient prepositioning of goods, maintenance, and disposal of
5 safety stocks;

6
7
8 C. Prepare pre-disaster recovery plans in anticipation of future disasters by
9 engaging the community and planning for recovery activities that are
10 comprehensive and long-term;

11
12 D. Establish a corps of first responders in partnership with national and local
13 stakeholders, both public and private;

14
15 E. Formulate standards for contingency planning for adoption by both
16 national government agencies and local government units;

17
18 F. Recommend to the President of the Philippines the declaration of a state of
19 calamity due to a natural disaster, and the lifting thereof when conditions
20 stabilize;

21
22 G. Oversee and maintain a national early warning and emergency alert system
23 that must provide a specific, areas-focused and time-bound warning that
24 are accurate, timely, understandable and readily accessible to national and
25 local emergency response organizations and the general public;

26
27 H. Implement Pre-Disaster Risk Assessments to include deployment of rapid
28 assessment teams to gather information for precise actions as a basis for
29 emergency preparedness and humanitarian response;

- I. Coordinate information-sharing and other disaster risk reduction protocols following the principle of inter-operability among national government agencies and local government units;
- J. Establish and maintain a national humanitarian logistics system with a network of warehouses, transport and resources, including response assets and disaster relief food and non-food items;
- K. Call upon the relevant government instrumentalities, non-government stakeholders, CSOs, and international partners for assistance in ensuring the protection and preservation of life and property such as through the use of their resources and facilities, among others. This function includes the power to call on the reserve force as defined in Republic Act n0. 7077 to assist in search and rescue, and the relief and disaster preparedness and response operations;
- L. Organize, train, equip, and maintain a system of response capacity for search, rescue and retrieval and the delivery and distribution of relief goods;
- M. Monitor and support LGUs in the management of evacuation centers and ensure the welfare and dignity of internally-displaced persons;
- N. Procure goods and services prior to, during, and after emergencies for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster;
- O. Issue special procurement rules and regulations, in close coordination with the Government Procurement Policy Board, for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster;

1
2 P. Assist in mobilizing necessary resources to increase the overall capacity of
3 local government units, specifically those with low income and situated in
4 high-risk areas;

5
6 Q. By the authority of the President, secure the assistance of the Armed Forces
7 of the Philippines (APP), the Philippine National Police (PNP), DILG-Bureau
8 of Fire Protection (BFP), DOTr-Philippine Coast Guard (PCG), and other
9 uniformed services in undertaking disaster preparedness and response
10 operations in at-risk and/or disaster- affected areas; and
11

12 R. Undertake all other programs, projects, and actions necessary to attain the
13 overall goals and intended outcomes of this key result area.
14
15

16 Recovery and Building Forward Better
17

18 A. Prepare, organize, lead, implement, and manage post-disaster assessment
19 and recovery and rehabilitation programs and plans, in coordination with
20 the affected local governments units, national government agencies, and
21 other stakeholders;
22

23 B. Establish a system that utilizes templates, exposure database, and other
24 tools; and develop the Department's in-house capacity for the prompt and
25 expedient preparation of rehabilitation plans, when needed, for disaster
26 affected areas;
27

28 C. Prepare and implement the recovery and rehabilitation plan(s) for disaster
29 affected areas;
30

- 1 D. Implement the cluster approach to expedite reconstruction efforts, e.g.,
2 post-disaster shelter recovery, and orchestrate and serve as the clearing
3 house for the participation of assisting actors in such efforts;
4
- 5 E. Collaborate with relevant government agencies and non-government
6 stakeholders in undertaking programs and projects to restore and/or
7 generate livelihood and entrepreneurial activities and opportunities in
8 disaster-affected areas;
9
- 10 F. Ensure that the principle of Building Forward Better, not mere restoration,
11 is applied to all recovery, reconstruction, and rehabilitation efforts; and
12
- 13 G. Undertake all other programs, projects, and actions necessary to attain the
14 overall goals and intended outcomes of this key result area.
15

16 Other Powers and Functions
17

- 18 A. Constitute, call, convene and/or deputize agencies of government, and
19 invite non- government and private organizations, to assist, advise, and/or
20 coordinate with the Department to achieve the goals and purposes of this
21 act;
22
- 23 B. Provide operating guidelines to the LDROs for the Declaration of Imminent
24 Disaster in their respective areas, which shall allow them to implement
25 preemptive measures and use their quick response funds in order to save
26 lives and minimize damage to property, loss of livelihood, and other assets;
27
- 28 C. Establish and monitor local and national capacity for disaster risk financing
29 and insurance and other risk transfer strategies in coordination with the
30 DoF, GSIS, LBP, and the Insurance Commission;

- 1
2 D. Coordinate information-sharing and other disaster risk reduction
3 protocols following the principle of inter-operability among National
4 Government Agencies and Local Government Units, before, during, and
5 after a disaster;
6
7 E. Administer, mobilize, monitor, and oversee the utilization of disaster
8 resilience-related funds, including, but not limited to, the National Disaster
9 Resilience Fund and the Supplemental Disaster Resilience Support Fund
10 for low income provinces, cities, and municipalities, and multi-hazard local
11 government units;
12
13 F. Inspect and examine the status of projects, programs, and activities
14 undertaken by national government agencies and local government units
15 in furtherance of disaster resilience efforts;
16
17 G. Whenever it becomes necessary, to save lives and/or minimize damages to
18 livelihood and property, assume supervision over the implementation of
19 any government program, project, or activity in anticipation of, during, and
20 in the aftermath of a disaster;
21
22 H. Negotiate, enter into, institutionalize, and coordinate arrangements with
23 any private person or entity for the purpose of ensuring the adequate and
24 prompt availability of goods and services necessary in anticipation of,
25 during, and in the aftermath of disasters;
26
27 I. Manage all funds appropriated to it by law and from other sources,
28 including all donations and grants received by it;
29
30 J. Promulgate rules and regulations for the receipt, management, and
31 accounting of donations that are consistent with the rules of the

Commission on Audit (CoA) on the use of foreign and local aid during calamities and disasters;

K. Receive humanitarian assistance from local and foreign sources, recommend the acquisition of developmental assistance for the purpose of disaster resilience, acknowledge and certify the receipt of all humanitarian assistance, and ensure their judicious use and management;

L. Establish and operate a platform, including an online platform, to monitor and provide public access to information on humanitarian assistance received by the Department;

M. Secure the assistance of the AFP, PNP, DILG- BFP, DOTr-PCG, and other uniformed services and government instrumentalities to ensure the attainment of the three key result areas, and the overall goals and objectives of this Act;

N. In consultation with the CoA, promulgate rules and regulations for the retention, re- exportation, donation, and disposition of unused goods and equipment after the termination of disaster relief and initial recovery operations;

O. Assist appropriate national government agencies and offices and concerned local government units in protecting national cultural heritage including national treasures and national historical landmarks, sites or monuments from hazards and disasters; and

P. Perform such other functions, as provided by law or assignment of the President, and undertake the necessary actions to ensure the attainment of the overall goals and objectives of this Act.

**ARTICLE III
EMERGENCY MEASURES**

SECTION 6. EMERGENCY MEASURES –

a. The Department shall undertake and implement such immediate measures as may be necessary to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of emergencies, hazards and disasters, including preemptive and forced evacuations.

Local government units shall enact an ordinance on and implement necessary and appropriate emergency measures, including preemptive and forced evacuations, to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of disasters.

It shall be mandatory for Local Government Units to provide evacuation centers, with due consideration to the capacity of local facilities, when requested by the Department, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters. In providing such evacuation centers, due regard shall be given to the most vulnerable and marginalized groups, respecting the dignity and culture of persons, observing equality, and using proportionate force in implementing such emergency measures.

Preemptive evacuation shall be preferred as the primary mode of moving people that will be affected by disasters.

Forced evacuation shall be considered as an emergency measure of last resort, and shall be carried out by the affected local government unit, pursuant to a duly issued order by the local chief executive: *Provided*; That in case of the failure of the local chief executive to issue such an order, the forced evacuation shall be

1 implemented by the Department, which may direct and compel the assistance of
2 law enforcement and other related government agencies to implement such
3 measure.

4
5 Any person who willfully and deliberately disregards or disobeys
6 preemptive or forced evacuation implemented by the local government unit or the
7 Department, as the case may be, releases such local government unit or the
8 Department from any liability for injury, death, damage to, or loss of property due
9 to such disobedience.

10
11 b. Whenever necessary, the Department may recommend to the President
12 the calling out of the Armed Forces of the Philippines to prevent or suppress
13 lawless violence occurring before, during, and in the aftermath of disaster;

14
15 c. The Department may ration the distribution of basic goods in critical
16 shortage, and/or restrict or ban the transfer of such goods outside the area
17 covered by the emergency measure;

18
19 d. The Department may temporarily take over or direct the operation of
20 any private utility or business for urgent public purpose in anticipation of, during,
21 and in the aftermath of emergencies, hazards, and disasters and or if there is
22 imminent danger of loss of lives and/or damage to property, subject to the
23 payment of just compensation;

24
25 e. Local government units shall likewise enact the abovementioned
26 emergency
27 measures including preemptive and forced evacuations, to ensure the protection
28 and preservation of life or property in anticipation of, during, and in the aftermath
29 of disaster;

1 f . With the concurrence of the DoF, the Department shall recommend to
2 the Monetary Board the deferment of payment for monetary debts of LGUs and/or
3 private entities that have been affected by disasters.

4 **ARTICLE IV**
5 **ORGANIZATION AND MANAGEMENT**
6
7

8 **SECTION 7. SECRETARY** - The Department shall be headed by the Secretary of
9 Disaster Resilience, hereinafter referred to as the Secretary, who shall be
10 appointed by the President, subject to confirmation by the Commission on
11 Appointments.
12

13 The Secretary shall preferably have a solid background in any of the
14 scientific, engineering, and public management fields relevant to resilience to
15 natural hazards and climate change; and demonstrated managerial acumen.
16

17 **SECTION 8. POWERS AND FUNCTIONS OF THE SECRETARY** - The Secretary
18 shall exercise the following powers and functions:
19

20 a. Establish and promulgate policies, rules, and regulations for the effective
21 and efficient operation of the Department and implement these to carry out its
22 mandate, functions, programs, and activities;
23

24 b. Exercise executive direction over the operations of the Department and
25 administrative supervisions over its attached agencies;
26

27 c. Exercise control and supervision over all functions and activities of the
28 Department and its officers and personnel;
29

1 d. Appoint officers and employees of the Department, except those whose
2 appointments are vested in the President, in accordance with civil service law,
3 rules, and regulations;

4
5 e. Exercise disciplinary authority over officers and employees of the
6 Department in accordance with law, and investigate such officers and employees,
7 or designate a committee or officer to conduct an investigation;

8
9 f. Manage the financial, human, and other resources of the Department;

10
11 g. Collaborate with other government agencies, the private sector, and civil
12 society organizations on the policies, programs, projects, and activities of the
13 Department, as may be necessary;

14
15 h. Advise the President on the promulgation of executive and
16 administrative issuances and the formulation of regulatory and legislative
17 proposals on matters pertaining to disaster resilience;

18
19 i. Represent the Philippines and articulate the national contribution to
20 global, regional, and other inter-governmental disaster risk reduction and
21 humanitarian platforms, in coordination with the Department of Foreign Affairs;
22 and

23
24 j. Perform such other functions as may be provided by law or assigned by
25 the President.

26
27 **SECTION 9. UNDERSECRETARIES** - The Secretary shall be assisted by at least
28 four (4) Undersecretaries, who shall be responsible for the following functional
29 areas, including the establishment of a robust and responsive ICF system to
30 effectively support the mandate and operations of the Department:

- 1
- 2 a. Disaster Risk Reduction - the formulation, adoption, and implementation of
- 3 policies and programs to reduce existing and future disaster risks to
- 4 minimize loss and damage to lives and properties, including the formulation
- 5 of the required policies and programs in the NDRF and relevant national
- 6 investment
- 7 plans;
- 8
- 9 b. Disaster Preparedness and Response - the implementation of projects
- 10 and programs to prepare and respond to disasters, including the
- 11 enhancement of capabilities of local government units, the development of
- 12 a database of exposure or elements at risk per area and database of
- 13 volunteers, the establishment of safe and strategic evacuation centers, and
- 14 the implementation of responsive and efficient prepositioning and
- 15 distribution of goods;
- 16
- 17 c. Recovery and Building Forward Better - the formulation and
- 18 implementation of rehabilitation plans for disaster-affected areas and
- 19 ensuring the implementation of disaster recovery and rehabilitation
- 20 measures, such as post-disaster shelters and livelihood projects, in
- 21 collaboration with relevant government agencies, local government units,
- 22 and other stakeholders; and
- 23
- 24 d. Support to Operations - the formulation and implementation of policies,
- 25 programs, projects, and activities to ensure the efficient, effective, and
- 26 responsive performance of the Department's mandate, powers, and
- 27 functions.
- 28
- 29 e. Support to operations includes knowledge management, institutional
- 30 development and planning, finance, administration, and human

resources management. The Undersecretaries shall have operational control and supervision over the bureaus, divisions, offices, and units assigned to their respective functional areas.

SECTION 10. ASSISTANT SECRETARIES AND DIRECTORS - The Department shall have such number of Assistant Secretaries and Directors as may be necessary for the effective and efficient implementation and performance of its mandate, powers, and functions.

SECTION 11. QUALIFICATIONS - All the Undersecretaries, Assistant Secretaries, and other officials of the Department shall preferably be specialists and have a good track record in any of the following fields, as applicable to their mandated key result areas and functions: disaster risk reduction and management, science and technology, environmental science or management, urban planning, civil engineering, public finance, information and communications technology, logistics management, mass communication, among other fields directly relevant to ensuring the country's disaster resilience.

The appointing authority and other responsible officials shall ensure that the Department's human resources possess the competencies, skills, behavioral attributes, training and experience necessary for them to become efficient, effective, and responsive in performing their functions and contribute to the attainment of the overall goals and delivery of the intended outcomes of this ACL.

SECTION 12. STRUCTURE AND STAFFING PATTERN -The Department shall determine its organizational structure and staffing pattern and create such services, divisions, and units, as it may require or deem necessary, subject to the approval of the Department of Budget and Management.

SECTION 13. REGIONAL DISASTER RESILIENCE OFFICES - The Department shall establish and maintain Regional Disaster Resilience Offices (RDROs) in each administrative region, to be headed by a Regional Director. The Department shall create policies and programs to establish collaboration and coordination among the different RDROs.

SECTION 14. POWERS AND FUNCTIONS OF RDROs - The RDROs shall have the following powers and functions:

- a. Review the LDRPs and Provincial DRPs of LGUs within its jurisdiction, and require the amendment of such LDRPs and/or Provincial DRPs if necessary, to ensure compliance with the NDRF and relevant national investment plans;
- b. Monitor and direct LDROs and PDROs to implement their respective LDRPs and PDRPs;
- c. Recommend to the appropriate local legislative body the enactment of ordinances to implement the LDRP, NDRF and relevant national investment plans at the city, municipal or provincial level, and to comply with other requirements of this Act;
- d. Review reports on the utilization of the LDRF and other disaster risk and management resources of LGUs within its jurisdiction, and give recommendations, as necessary;
- e. Disburse to, and monitor the use by, LGUs of funds granted by the Department pursuant to this Act and its IRR;

1 f. Provide, upon the request of LGUs or unilaterally at its own discretion,
2 assistance to LGU(s) within its jurisdiction as necessary to ensure the
3 implementation of LDRPs/Provincial LDRPs, NDRF and relevant national
4 investment plans, and to render efficient and timely disaster preparedness,
5 response and recovery measures;

6
7 g. Identify and report to the Department issues and problems relating to,
8 or affecting, the disaster resilience of LGUs within its jurisdiction, and make
9 recommendations to the Department and/or to the LGUs to address such
10 issues or problems;

11
12 h. Formulate and establish mechanisms to mobilize and direct LDROs and
13 PDROs within its jurisdiction as necessary for disaster preparedness and
14 response at the regional level;

15
16 i. Establish and maintain, in coordination with the Department, a Regional
17 Command and Control Center (RCCC), which includes, among others, an
18 information management system at the regional level, which consolidates
19 and integrates information from the provinces, cities and municipalities
20 within its jurisdiction, a multi-hazard early warning and communications
21 system, and a monitoring system that enables the RDRO to oversee,
22 supervise, monitor and respond to the needs of LGUs within its jurisdiction
23 in relation to disaster resilience activities;

24
25 j. Assist in the implementation, of rehabilitation plan(s) for LGUs within its
26 coverage: and

27
28 k. Conduct other activities and act on other matters, in accordance with
29 policies and procedures of the Department and applicable laws, to achieve
30 the purposes of this Act.

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SECTION 15. SPECIAL DISASTER RESPONSE TEAMS - The RDROs may organize and/or activate Special Disaster Response Teams (SDRTs) to assist LGUs in responding to hazards and disasters that are beyond their capacities, as deemed necessary.

SECTION 16. LOCAL DISASTER RESILIENCE OFFICES - The Local Disaster Risk Reduction Management Offices in provinces, cities, and municipalities are hereby renamed as the Provincial, City, and Municipal Disaster Resilience Offices, respectively, and shall collectively be called the Local Disaster Resilience Offices (LDROs). Provincial, city, and municipal governments shall establish their respective LDROs.

The Barangay Disaster Risk Reduction and Management Committees are hereby renamed as the Barangay Disaster Resilience Committees (BDRC). All Local Disaster Risk Reduction Management Councils are hereby abolished.

The LDROs shall be under the control and supervision of the provincial governor or the city or municipal mayor, as the case may be. The budgetary requirements for personnel services, maintenance and other operating expenditures, and capital outlay of the LDROs shall be sourced from the General Fund of the local government units concerned: *Provided; That*, the personal services limitations under Section 325(a) of Republic Act No. 7160, otherwise known as the *Local Government Code of 1991*, shall not apply in relation to the creation and appointment of at least five (5) positions in the LDROs. Other maintenance and operating expenditures and the capital outlay requirements of LDROs in the implementation of disaster risk reduction management and climate change adaptation programs shall be charged to the Local Disaster Resilience Fund of local government units.

1 **SECTION 17. LOCAL DISASTER RESILIENCE OFFICER** - The LDRO shall be
2 headed by a full- time Local Disaster Resilience Officer, who shall have a regular
3 plantilla position and shall be appointed by the local chief executive: *Provided,*
4 That the qualifications standards pertaining to experience and training set by the
5 Civil Service Commission for the position may be waived by the Department in
6 exceptional cases upon the request of the local chief executive.

7 **SECTION 18. POWERS AND FUNCTIONS OF CITY AND MUNICIPAL DISASTER**
8 **RESILIENCE OFFICES** - The City and Municipal Disaster Resilience Offices shall
9 have the following powers and functions:

10
11 a. Formulate and implement, in coordination with the Department,
12 comprehensive and integrated Local Disaster Resilience Plan in accordance with
13 the NDRF and the relevant national investment plans;

14
15 b. Design, program, coordinate, and implement disaster resilience activities
16 consistent with the standards and guidelines provided by the Department, and
17 implement the NDRF and the relevant national investment plans at the city or
18 municipal level;

19
20 c. Prepare and submit to the Sangguniang Panglungsod or Bavan, as the
21 case may be, the LDRP, the proposed programming of the LDR Fund, other
22 dedicated disaster resilience resources, and other funds of the LDRO;

23
24 d. Recommend to the Sangguniang Panglungsod or Bavan, as the case may
25 be,
26 the enactment of ordinances to implement the LDRP, NDRF, relevant national
27 investment plans, and the provisions of this Act;

e. Prepare and submit to the Department a report on the utilization of its Disaster Resilience Fund and other disaster risk reduction and management resources;

f. Establish and maintain, in coordination with the Department, an information management system within the LGU, which, among others, consolidates and includes local risk information (such as natural hazards, profile of the LGU's vulnerable or marginalized groups), local risk maps, and a disaggregated database of human resource, equipment, services, resources, directories and location of critical infrastructures with their capacities (such as hospitals and evacuation centers);

g. Operate and maintain, in coordination with the Department, a multi-hazard early warning and communications system to provide accurate and timely information to the public;

h. Organize and conduct training and knowledge management activities on disaster resilience at the local level, in coordination with the Disaster Research, Education, and Training Institute;

i. Recommend to the local chief executive the procurement of emergency works, goods, and services in compliance with the regulations, orders, and policies of DBM and Government Procurement Policy Board (GPPB), to implement the LDRP or support early recovery and post-disaster activities;

j. Recommend, in coordination with the DoF and other relevant agencies, to the local chief executive, access to foreign loans to finance projects, programs, and policies for disaster preparedness, response, recovery, and rehabilitation, subject to terms and conditions agreed upon by the local government unit and the lender;

1
2 k. Monitor and mobilize instrumentalities and entities of the LGU and its
3 partner LGUs, CSOs, private sector, organized volunteers, and sectoral
4 organizations for disaster resilience activities, in accordance with policies and
5 procedures of the Department and applicable laws;

6
7 l. Coordinate and provide the necessary support or assistance to the
8 Department in the implementation of rehabilitation plan(s) within the city or
9 municipality covered by the LDRO;

10
11 m. Coordinate with the Department, other government agencies, members
12 of the private sector and other stakeholders in the LGU to establish a Business
13 Continuity Plan as part of their LDRP's disaster preparedness measures;

14
15 n. Establish linkage/network and coordination mechanisms with other
16 LGUs and the Department for disaster resilience activities and to achieve the
17 purposes of this Act; and

18
19 o. Conduct other activities and act on other matters, in accordance with
20 policies and procedures of the Department and applicable laws, to achieve the
21 purposes of this Act.

22
23 **SECTION 19. POWERS AND FUNCTIONS OF PROVINCIAL DISASTER**
24 **RESILIENCE OFFICES** - The Provincial Disaster Resilience Offices shall have the
25 following powers and functions:

26
27 a. Formulate and implement, in close coordination with the Department
28 and the local government units under the jurisdiction of the provincial
29 government, a comprehensive and integrated Provincial Disaster
30 Resilience Plan in accordance with the NDRF;

1 b. Review the LDRPs of cities and/or municipalities within its jurisdiction,
2 and require the amendment of such LDRPs if necessary, to ensure
3 compliance with the Provincial DRP and the NDRF;

4
5 c. Design, program, coordinate, or implement disaster resilience activities
6 consistent with the standards and guidelines provided by the Department,
7 and implement the NDRF and the relevant national investment plans at the
8 provincial level;

9
10 d. Prepare and submit to the Sangguniang Panlalawigan, the Provincial
11 DRP, the proposed programming of the province's Local Disaster
12 Resilience Fund, other dedicated disaster resilience resources, and other
13 funding sources of the PDRO;

14
15 e. Recommend to the Sangguniang Panlalawigan the enactment of local
16 ordinances to implement the Provincial LDRP, NDRF and relevant national
17 investment plans at the provincial level, and to comply with other
18 requirements of this Act;

19
20 f. Prepare and submit to the Department, a report on the utilization of the
21 province's Local Disaster Resilience Fund and other disaster risk reduction
22 and management resources;

23
24 g. Establish and maintain, in coordination with the Department Command
25 and Control Center (DCCC), which includes, among others, an information
26 management system at the provincial level, which consolidates and
27 integrates information from the cities and/or municipalities within its
28 jurisdiction, a multi-hazard early warning and communications system that
29 is connected with the cities and/or municipalities within its jurisdiction,
30 and a monitoring system that enables the PDRO to oversee, supervise,

1 monitor and respond to the needs of cities and/or municipalities within its
2 jurisdiction in relation to disaster resilience activities;

3
4 h. Recommend to the Provincial Governor the procurement of emergency
5 works, goods, and services in compliance with the regulations, orders, and
6 policies of DBM and GPPB, to implement the provincial LDRP or support
7 earl recovery and post-disaster activities of the PDRO;

8
9 i. Recommend, in coordination with the DoF, to the Provincial Governor to
10 access foreign loans to finance its policies, programs, projects, and
11 activities for disaster preparedness, response, recovery, and rehabilitation,
12 subject to terms and conditions agreed upon by the Provincial Government
13 and the lender;

14
15 j. Formulate and establish mechanisms to mobilize and direct LDROs
16 within its jurisdiction as necessary for disaster preparedness and response
17 at the provincial level;

18
19 k. Coordinate and provide the necessary support or assistance to the
20 Department in the implementation of rehabilitation plan(s) within the
21 cities and/or municipalities covered by the PDRO; and

22
23 l. Conduct other activities and/or act on other matters, in accordance with
24 policies and procedures of the Department and applicable laws, to achieve
25 the purposes of this Act.

26
27 **SECTION 20. SERVICE CONTINUITY OF THE DEPARTMENT** -To ensure service
28 continuity, the Department and its regional and attached offices shall be
29 established in a reasonably resilient location; and/or undertake the necessary
30 interventions to make its offices and systems disaster- resilient.

ARTICLE V
WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH

SECTION 21. SYNERGY WITH STAKEHOLDERS - The Department shall ensure seamless synergy and coordination with stakeholders, including national government agencies, local government units, government-owned or -controlled corporations, 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 mechanisms. The Department shall establish a platform, paradigm, and mechanisms for convergence and coordination with stakeholders, including the development of standards, protocols, and procedures for seamless collaboration for disaster resilience.

SECTION 22. 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 closely engage the private sector, CSOs, academe, and other non-government stakeholders and strengthen public-private collaboration towards disaster resilience way of the following interventions, among others:

- a. Implementation of business continuity practices to ensure the continued delivery of products and services, in the event of disasters;
- b. Crafting and implementation of a National Continuity Policy to ensure government service continuity during and after emergencies and disasters, and ensure the quick return of government to full operations;
- c. Establishment, incorporation, and application of business continuity plans as part of the LDRPs of LGUs;

1 d. Facilitation or assistance in obtaining and/or processing incentives for
2 the private sector and other non-government stakeholders, such as but not
3 limited to tax credits;

4
5 e. Preparation and facilitation of the issuance of special rules for Micro,
6 Small, and Medium Enterprises (MSMEs) such as, but riot limited to,
7 mechanisms involving procurement and liquidity to create enabling
8 environments for disaster preparedness, recovery and building forward
9 better; and

10
11 f. Formulation of investment programs for disaster affected areas in
12 partnership with the private business sector and civil society
13 organizations.

14
15 The MsCU shall establish a platform that includes, among others, a
16 database for monitoring and coordinating efforts and resources of stakeholders.

17
18 **SECTION 23. ROLES AND RESPONSIBILITIES OF STAKEHOLDERS** - The
19 commitment, goodwill, knowledge, experience and resources of relevant
20 stakeholders are critical to realize a safer, adaptive, resilient and inclusive Filipino
21 community. Citizens have the shared vision and duty to provide support to the
22 State in the implementation of policies and programs, particularly the Disaster
23 Resilience Framework and Disaster Resilience Plan at the national, regional and
24 local levels.

25
26 a. Civil society, non-governmental organizations, international non-
27 governmental organizations, private sector, practitioners, and
28 volunteers shall participate, in collaboration with public institutions, in
29 the exchange of information, learnings, and guidance on disaster
30 resilience.

1 The Department shall encourage and institutionalize their engagement
2 in the implementation of local, regional, national, and global plans and
3 strategies: enhance public awareness and promote a culture of disaster
4 resilience;

5

6 b. The women, children, and youth, as agents of change, shall endeavor to
7 contribute actively and participate in disaster resilience trainings and
8 information dissemination;

9

10 c. Senior citizens, and persons with disabilities shall contribute their
11 knowledge and experience on disaster preparedness and resiliency;

12

13 d. Indigenous peoples and Muslim Filipinos shall share their traditional
14 knowledge and practical experience on disaster resiliency;

15

16 e. Urban and rural poor, and migrants shall participate in building
17 resilient resettlement communities;

18

19 f. Emergency responders and volunteer organizations shall contribute to
20 resilience by promptly and efficiently responding to disasters and
21 emergencies consistent with the policies of the Research, Education and
22 Training Institute of the Department;

23

24 g. Academia, scientific and research entities, and networks are encouraged

25 to

26 undertake relevant research on disaster resiliency in partnership with the
27 Department and other stakeholders for better decision-making;

28

29 h. The private sector is encouraged to integrate disaster resiliency projects
30 and programs in their corporate social responsibility initiatives; and

i. The media shall provide prompt and accurate information to the public on early warning systems, natural hazards, and disaster resilience activities of the Department.

SECTION 24. DISASTER RESILIENCE ASSEMBLY - The Department, with the assistance of RDROs, shall establish and convene a Disaster Resilience Assembly (DRA), at the regional and national level, which will be held on a semestral basis, or as frequently as necessary to ensure the proactive engagement of the relevant government and non-government stakeholders, such as the Union of Local Authorities of the Philippines (ULAP), League of Municipalities of the Philippines (LMP), CSOs, academe, DRRM practitioners, the private sector, and the national government agencies, among others, to ensure effective collaboration towards achieving the goals of this Act.

The LGUs may convene local DRAs within their jurisdictions, as necessary for the attainment of disaster resilience at the local level.

SECTION 25. INTER-OPERABILITY OF SYSTEMS - The Department shall establish mechanisms to ensure the inter-operability of systems among government agencies, and to allow access of agencies to the IDRIS (Integrated Disaster Resilience Information System). It shall develop protocols to allow real-time access to information by government agencies in relation to natural disasters and the implementation of disaster resilience measures.

SECTION 26. NATIONAL ORGANIZATION OF ALL LOCAL DISASTER RESILIENCE OFFICERS - There shall be a national organization of all local disaster resilience officers for the primary purpose of:

a. Developing capacity, and exchanging knowledge, experiences, and best practices concerning local government disaster resilience;

- 1 b. Fostering inter-operability of the local disaster resilience offices' s stems;
2 Facilitating inter-LGU cooperation and collaboration;
3
4 c. Providing inputs and feedback to the Department on resilience concerns at
5 the local level; and
6
7 d. Enhancing synergy in other areas of common concern.

8
9 **ARTICLE VI**
10 **MAINSTREAMING, INTEGRATION AND CONVERGENCE OF**
11 **DISASTER RISK REDUCTION**
12

13 **SECTION 27. INTEGRATION OF DRR AND CLIMATE CHANGE ADAPTATION IN**
14 **THE NATIONAL DISASTER RESILIENCE FRAMEWORK AND DISASTER**
15 **RESILIENCE PLAN** - The existing NDRRM Framework and Plan, and the National
16 Climate Change Strategic Framework and Plan shall be integrated and harmonized
17 into the NDRF and the NDRPIP. The NDRF and NDRPIP shall be reviewed and
18 updated every three (3) years.

19
20 **SECTION 28. ECOSYSTEM - BASED APPROACH TO PREVENTION AND**
21 **MITIGATION, REHABILITATION AND RECOVERY FROM DISASTERS** - The
22 Department shall ensure the application of ecosystems-based approaches in
23 disaster risk reduction, particularly through ecosystem management and
24 restoration as defined in this Act, and ensuring that environmental and natural
25 resource policies are risk-informed.

26
27 **ARTICLE VII**
28 **NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE COMMAND**
29 **CENTER, AND RESEARCH AND TRAINING INSTITUTE**
30

31 **SECTION 29. NATIONAL DISASTER OPERATIONS CENTER** - The Department
32 shall establish, within one (1) year from the approval of this Act, and act as the

primary operator of the National Disaster Operations Center (NDOC), Alternative Command and Control Centers (ACCCs), and a Disaster Resilience Research and Training Institute (DRRTI).

The NDOC is a physical center equipped with the necessary tools and systems to monitor, manage, and respond to disasters in all areas of the country. The NDOC shall also provide the necessary support for the overall coordination and implementation of emergency and disaster response measures throughout the country.

The ACCCs are command centers established in other locations as alternative or to provide supplemental support to the NDOC. The number and location of ACCCs shall be determined by the Department as may be necessary in each of the country's major island groups. Temporary ACCC may likewise be established by the Department, if necessary.

SECTION 30. DRRTI FUNCTIONS AND INTER-AGENCY KNOWLEDGE SHARING- The DRRTI shall be a platform for providing training, and for collecting, consolidating, managing, analyzing, and/or sharing knowledge and information to improve and/or enhance disaster resilience. The DRRTI shall:

- a. Establish reliable and up-to-date IDRIS through close and seamless collaboration with the Department of Science and Technology (DOSF), Department of Information and Communications Technology (DIGF), and other appropriate agencies;
- b. Conduct disaster-related research types of stakeholders;
- c. Consolidate, organize and/or prepare training materials and publications;

1 d. Conduct other activities consistent with promoting the formation and
2 dissemination of knowledge and information relating to disaster resilience
3 and disaster management;

4
5 e. Establish a database that includes relevant information from other
6 government agencies and third parties for the department to better
7 prepare and respond to natural hazards including, but not limited to, an
8 inventory of hazardous materials per area; and
9

10 f. Consult and coordinate with, and consolidate information/data from,
11 relevant government agencies, such as, but not limited to, DOSF, LGUs and
12 relevant CSOs to enhance the IDRIS and to promote knowledge sharing
13 among all stakeholders.
14

15 **SECTION 31. COMPLIANCE AND ACCREDITATION OF DRRTI WITH**
16 **INTERNATIONAL STANDARDS** - The Department shall strive to obtain
17 certification from, and accreditation by, international accreditation bodies of the
18 DRRTI to ensure DRRTI's compliance with international standards. The
19 Department shall likewise ensure collaboration with key countries and
20 international organizations to incorporate best practices on disaster resilience in
21 the Department's policies and programs.
22

23 **ARTICLE VIII**
24 **INTEGRATION, MAINSTREAMING, DISASTER RESILIENCE INFORMATION**
25 **EDUCATION AND COMMUNICATION CONVERGENCE**
26
27

28 **SECTION 32. INTEGRATED DISASTER RESILIENCE INFORMATION SYSTEM** -
29 The Department shall establish a National and Regional Information Management
30 System for Disaster Resilience, which shall be a database of all relevant disaster
31 risk reduction and climate change data, including a geographic information

1 system on geo-hazard assessments and climate risk. It shall be the repository of
2 current and multi- temporal information for wide-scale disaster risk analysis. The
3 IDRIS shall be accessible at all times to the responsible officials and entities to
4 enable the timely, reliable, and accurate collection, processing, analysis, and
5 dissemination of information to support overall decision- making and effective
6 coordination at both the national and sub-national level. The protocols and
7 procedures for this shall be defined in the IRR of this Act.

8
9 **SECTION 33. DISASTER RESILIENCE EDUCATION AND TRAINING** - To instill a
10 culture of safety and security including emergency preparedness and disaster
11 resiliency, the Department, in partnership with the public and private sectors shall
12 encourage the inclusion of appropriate information on disaster resilience in their
13 various training programs and immersion activities. The Information Education
14 and Communication materials on disaster resilience shall be informative and
15 holistic, gender, culture and disability sensitive using various available platforms.

16
17 **ARTICLE IX**
18 **DISASTER RISK TRANSFER, INSURANCE AND INCENTIVES**
19

20 **SECTION 34. DISASTER RISK TRANSFER INSURANCE AND SOCIAL WELFARE**

21 -

22 a. The Department shall oversee all disaster risk-sharing and risk-
23 transfer instruments and other related initiatives to ensure the
24 protection of property and livelihood, both public and private;

25
26 b. The Department, in collaboration with the DoF, BSP, LBP, GSIS, and the
27 Insurance Commission, shall create, establish, and implement, among
28 others, disaster insurance pools, revolving funds, insurance and risk-
29 transfer schemes and/or facilities, and other financial disaster
30 resilience measures to ensure the protection of public and/or private
31 properties and livelihood against the adverse effects of natural

1 disasters. For this purpose, the Department and/or DoF may engage or
2 require the participation of government banks, insurance agencies and
3 financial institutions;
4

- 5 c. To attain disaster resilience and to achieve the purposes of this Act, the
6 Department shall have the discretion and authority to require
7 government agencies and GOCCs to insure their assets and/or
8 properties such as, among others, vessels, vehicles, equipment,
9 machineries, permanent buildings, properties stored therein, or
10 properties in transit, against insurable risks and pay the premiums
11 therefor, to compensate the Government and/or GOCC, as applicable,
12 for any damage to, or loss of properties due to a natural disaster; and
13

- 14 d. The Department shall endeavor the local government units to insure
15 primary assets for unforeseen or contingent potential losses, damages
16 and disruption from natural hazards changeable against their
17 respective Local Disaster Resilience Fund (LDRF).
18

19 **SECTION 35. RECOGNITION AND INCENTIVES** - The Department, in partnership
20 with the private sector, shall establish an incentives program that recognizes
21 outstanding performance of LDRO, NGOs, CSOs, schools, hospitals, and other
22 stakeholders in promoting and implementing significant disaster risk reduction
23 management, climate change adaptation programs and innovations, and
24 meritorious acts of individuals, groups or institutions during natural.

25
26 **ARTICLE X**
27 **PREPAREDNESS AND INTEGRATED EARLY WARNING**
28

29 **SECTION 36. STANDARDS FOR DISASTER PREPAREDNESS ACTIVITIES** -
30

1 a. The Department shall establish standards and protocols for disaster
2 preparedness, contingency planning, localizing and operationalizing
3 disaster risk reduction and management, preparedness for disaster
4 response, preparedness for early recovery, continuity of essential
5 services, and other relevant preparedness activities;

6
7 b. The LGUs shall identify safe and strategic sites, and establish evacuation
8 centers with appropriate and adequate facilities in accordance with
9 government-approved standards as provided under Republic Act No.
10 10821, otherwise known as "The Children 's Emergency Relief
11 Protection Act" to avoid disruption of school classes and lessen the use
12 of school buildings and facilities as evacuation centers.

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

17
18 **SECTION 37. MULTI- HAZARD EARLY WARNING AND RISK COMMUNICATION**
19 **STANDARDS**

20
21 a. There shall be a streamlined policy governing early warning systems and
22 risk communication protocols to ensure effective and efficient measures to
23 prepare for, respond to and recover from potential risks and disasters.

24
25 b. The Department shall formulate and implement multi-hazard early
26 warning protocols integrating all disaster preparedness systems in
27 collaboration with local executives, community-based organizations, civil
28 society organizations, and other non-governmental organizations for
29 proper use and application.

SECTION 38. EARLY WARNING MANDATE

a. The Department shall issue an integrated early warning alert for the impending occurrence of hazards that will enable the public to prepare timely and act appropriately to minimize potential harm or loss.

b. The Department shall require mobile phone service providers to send out alerts at regular intervals in the event of an impending natural hazard, in accordance with Republic Act No. 10639, otherwise known as the "Free Mobile Disaster Alerts Act".

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

d. Any person who transmits early warning concerning the abovementioned phenomena by means of signs in designs, colors, lights, or sound shall do so in compliance with the methods recognized or approved by the Department.

e. The Department at the national and local level shall use an integrated early warning system to ensure it is consistent and locally contextualized with the communication protocol and safe evacuation procedure of the affected communities.

f. The Department shall work with other agencies or organizations on pre-crisis information mapping of the humanitarian needs of at-risk

Communities that will enhance the overall prepositioning of resources at the national and local level.

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

SECTION 39. 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 Department.

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

ARTICLE XI

DISASTER RESPONSE AND EARLY RECOVERY

SECTION 40. LEVELS OF RESPONSIBILITY FOR DISASTER PREPAREDNESS AND RESPONSE -The primary responsibility for disaster preparedness and response shall be exercised at the local or national level, as applicable, in close and seamless collaboration with the relevant national government instrumentalities, non-government stakeholders, and international partners.

1

2

3

The four levels of responsibility and the conditions that warrant each are as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1 : City or Municipality	Lead Official: Mayor of the affected city or in municipality Support: City or Municipal Disaster Resilience Officer	If a disaster affects a single city or municipality
Level 2 : Province	Lead Official: Provincial Governor of the affected province Support: Provincial Disaster Resilience Officer Municipal and/or City Disaster Resilience Officer	If a disaster affects two or more municipalities and/or cities within a province
Level 3: Region	Lead Official: Regional Director, DDR Support: Governors of affected provinces Concerned Provincial Disaster Officers	
Level 4 : National	Lead Official: Secretary of Disaster Resilience (SDR) Support: Governors concerned	a. If a disaster affects at least two (2) regions; b. When an LGU is unable to effectively cope with the risk

	Disaster Resilience Officers Concerned	and/or impact of a hazard; or c. When the President directs a Level 4 response or declares a state of calamity.
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SECTION 41. DISASTER PREPAREDENESS AND RESPONSE IN THE NCR - When at least two cities and/or municipality in the NCR are affected, the SDR shall be responsible for leading the disaster preparedness and response efforts, in collaboration with the affected LGUs, the MMDA, and the concerned government instrumentalities and non- government stakeholders.

SECTION 42. INTER-LOCAL GOVERNMENT ASSISTANCE - LGUs are hereby authorized to extend the necessary assistance to another LGU, whether through funding or donation of goods and/or services, and conducting disaster preparedness and response operations, to help save lives and minimize damage to property. These include the pre-positioning and provision of basic goods, training of first responders, among others, subject to the accounting and auditing rules to be defined in the IRR of this Act.

SECTION 43. 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

1 shall submit the list of volunteers to the Department, through the LDROs, for
2 accreditation and inclusion in the database of community disaster volunteers.

3
4 A national roster of Accredited Disaster Resilience Volunteers and
5 institutions, National Service Reserve Corps, CSOs and the private sector shall be
6 maintained by the Department through the LDROs. Accreditation shall be done at
7 the municipal or city level.

8
9 The mobilization of volunteers shall be in accordance with this Act and
10 implementing guidelines to be formulated by the Department. Any volunteer who
11 incurs death or injury while engaged in any of the activities defined under this Act
12 shall be entitled to compensatory benefits and individual personnel accident
13 insurance as may be defined in the IRR.

14
15 **SECTION 44. REPORTING OF HUMANITARIAN ASSISTANCE** - The concerned
16 local government unit shall submit a report to the Department, taking into account
17 all domestic or international humanitarian assistance received and distributed
18 within its area of responsibility.

19
20 **ARTICLE XII**
21 **HUMANITARIAN ASSISTANCE**
22
23

24 **SECTION 45. MANAGEMENT OF HUMANITARIAN ASSISTANCE**
25

26 a. The Department shall have the power to receive and manage
27 humanitarian assistance from any person or entity, whether from local or
28 international sources.

29
30 b. The importation by, and humanitarian assistance to, the Department of,
31 among others, food, clothing, medical assistance, equipment, and materials for

1 relief, recovery and other disaster management activities are hereby authorized
2 in accordance with Section 105 of the Tariff and Customs Code of the Philippines,
3 as amended, and the prevailing provisions of the General Appropriations Act
4 covering national internal revenue taxes and import duties of national and local
5 government agencies.

6
7 **SECTION 46. INTERNATIONAL HUMANITARIAN ASSISTANCE** - The
8 Department shall promulgate guidelines on international humanitarian
9 assistance, including the initiation, entry, facilitation, transit, regulation and
10 termination thereof, as well as those involving international disaster relief and
11 personnel assisting international actors, visa waiver, recognition of foreign
12 professional qualifications, entry of international disaster goods and equipment,
13 and exemption from port duties, taxes, and restrictions.

14
15 **SECTION 47. ASSESSMENT OF THE NEED FOR INTERNATIONAL**
16 **HUMANITARIAN ASSISTANCE** -

17
18 a. Immediately after the declaration of a state of calamity by the local
19 Sanggunian of the relevant local government unit or by the Department, as the
20 case may be, the Department shall determine whether domestic capacities are
21 likely to be sufficient to attend to the needs of affected persons for international
22 humanitarian assistance. This determination may also be made, at the discretion
23 of the President, prior to the onset of an imminent disaster.

24
25 b. In the event of a determination by the Department that domestic
26 response capacities are not likely to be sufficient due to the impact of the disaster,
27 the Department shall recommend to the President that a request be made for
28 international humanitarian assistance.

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

5
6 **SECTION 48. HUMANITARIAN ASSISTANCE ACTION CENTER** - The Department
7 shall create an inter-agency one-stop shop mechanism called the Humanitarian
8 Assistance Action Center (HAAC) for the processing and release of entry and
9 facilitation of goods, articles or equipment and services and international relief
10 workers for the provision of international humanitarian assistance and the
11 processing of necessary documents for assisting international actors.

12
13 The Department shall lead and manage the HAAC, which shall be composed
14 of the following:

- 15 a. Bureau of Customs;
- 16 b. Department of Foreign Affairs;
- 17 c. Department of Social Welfare and Development;
- 18 d. Department of Health;
- 19 e. Food and Drug Administration;
- 20 f. Department of Agriculture;
- 21 g. Department of Energy;
- 22 h. Department of National Defense;
- 23 i. Philippine National Police;
- 24 j. Philippine Coast Guard; and
- 25 k. Bureau of Immigration.

26
27 **SECTION 49. REQUEST FOR INTERNATIONAL HUMANITARIAN ASSISTANCE** -

- 28 a. In cognizance of the urgency, criticality and intensity of an imminent risk,
- 29 the Department shall issue a flash appeal to the family of nations, under

1 regional and multilateral conventions, for assistance in preparedness,
2 including preemptive measures, search, rescue, and retrieval, relief,
3 recovery, and reconstruction.

4
5 b. The President may request international humanitarian assistance, upon
6 the advice of the Secretary. Such request may be specifically directed to
7 particular assisting international actors or may be a general request
8 directed to the international community.

9
10 **SECTION 50. REGULATION OF HUMANITARIAN ASSISTANCE -**

11 a. The Department shall ensure the efficient and effective monitoring of
12 humanitarian assistance from domestic or international donors,
13 establish and operate a platform, including an online platform, to
14 facilitate, and provide public access to information on donations.

15
16 b. The Department shall include in the IRR of this Act guidelines and
17 accountabilities on the receipt, management, distribution, accounting,
18 and reporting of all humanitarian assistance, whether in cash or in kind,
19 consistent with the rules on the use of foreign and local aid during
20 calamities and disasters issued by the CoA and other relevant
21 government agencies.

22
23 **ARTICLE XIII**
24 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE**
25 **TO FOREIGN STATES**
26

27 **SECTION 51. OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE TO**
28 **FOREIGN STATES -** In the event of a disaster occurring in a foreign state for which
29 international humanitarian assistance is required, the Department, in
30 coordination with the DFA, may offer, facilitate provide, and deploy international

humanitarian assistance to said foreign state, which shall be subject to guidelines to be promulgated by the Department for the purpose.

SECTION 52. ACCREDITATION - The Department, in coordination with relevant government agencies and organizations, shall provide and facilitate the necessary training and accreditation to the respective government personnel to be deployed for such offer, facilitation and provision of international humanitarian assistance to a foreign state.

ARTICLE XIV RECOVERY

SECTION 53. RECOVERY - The Department shall observe internationally accepted standards for recovery, planning, programming and implementation of the recovery process. Towards this end, the Department shall:

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

- 1 f. Consider local conditions such as culture, security situation and existing
2 capacities of communities in identifying programs and projects;
3
4 g. Ensure access to public transport, physical and mental health services,
5 markets, schools, sustainable livelihoods, and other public services in
6 planning for settlement areas; and
7
8 h. Ensure restoration of peace and order and recovery of government
9 functions.

10
11 **ARTICLE XV**
12 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**
13

14 **SECTION 54. DECLARATION OF STATE OF CALAMITY** -A state of calamity may
15 be declared when any of the following requisites are present:
16

- 17 a. A natural hazard, including climate change, poses imminent threat to
18 human
19 life and/or danger to property; or
20
21 b. A significant impact is caused by a natural hazard or climate change,
22 which demands immediate action.
23

24 The following shall exercise this power, respectively:

- 25 a. The President, upon recommendation of the SDR, whether in whole or
26 part of an area;
27
28 b. The SDR, upon recommendation of the RDRO, for disasters covering two
29 or more provinces of the same region; and
30

c. The local sanggunian, upon recommendation of the concerned local disaster resilience office, within its jurisdiction.

SECTION 55. REMEDIAL MEASURES UNDER STATE OF CALAMITY - Upon the declaration of a state of calamity, the following remedial measures shall be immediately undertaken by concerned government agencies at the national and local levels:

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

b. Monitoring, prevention and control by the Local Price Coordination Council of overpricing or profiteering and hoarding of prime commodities, medicines and petroleum products;

c. Programming or reprogramming of funds for the repair of critical facilities or public infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce further threat to lives and arrest further deterioration of properties and loss of livelihoods in the affected communities, following the "build forward better" principle;

d. Grant of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals;

e. Local tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected local government unit; and

1 f. Use of alternative modes of procurement under Article XVI of this Act, by
2 the Department, LGUs or the relevant government instrumentalities in
3 relation to the urgent procurement of emergency works, goods or services
4 to effectively respond to, quickly recover from disasters, and build forward
5 better.

6
7 **ARTICLE XVI**
8 **PROCUREMENT**
9

10 **SECTION 56. PROCUREMENT** - In general, the procurement rules provided under
11 Republic Act No. 9184, otherwise known as the "Government Procurement
12 Reform Act" shall apply. However, alternative modes of procurement as provided
13 in this Act may be resorted to by the Department, RDROs, or LGUs in any of the
14 following emergency situations:

15
16 a. There is imminent danger to life or property during a state of calamity,
17 as provided under this Act, and the procurement is necessary to avert or
18 reduce such danger to life or property; or

19
20 b. The procurement is necessary to restore vital public services,
21 infrastructure facilities and other public utilities; or

22
23 c. Time is of the essence in implementing a project, program or activity to
24 effectively respond to a disaster and save lives; or

25
26 d. There are other circumstances that require immediate procurement
27 necessary to prevent damage to or loss of life or property.
28

SECTION 57. ALTERNATIVE MODES OF PROCUREMENT - During emergency situations as provided under this Act, the Department, RDROs or LGUs may resort to the following modes of procurement:

a. Direct negotiation under Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act" and its implementing rules and regulations;

b. Simplified or pre-arranged contracts such as, among others, pre-signed agreements, stand-by contracts, pre-arranged systems of procurement with a pre-approved list of contractors for construction projects, pre-negotiated contracts, advanced procurements contracts, and framework contracts.

The parameters, requirements and conditions for these types of contracts shall be defined in this Act's IRR.

SECTION 58. SPECIAL RULES ON PROCUREMENT FOR RECONSTRUCTION AND REHABILITATION OF AFFECTED AREAS

a. The Department, with the assistance of, or in collaboration with relevant government agencies, shall create special rules on procurement for services, goods, and materials to be used for reconstruction and rehabilitation efforts in case of a natural disaster, including but not limited to, the construction of post-disaster shelters and provision of service contracts, to ensure the procurement of quality-oriented goods, materials, and equipment and to guarantee effective, efficient, and speedy procurement to achieve the goals of this act.

b. In case of procurement of services, goods, or materials for reconstruction

and rehabilitation efforts, whether from local or international sources, the Department and the relevant government agencies shall provide less bureaucratic restrictions, more flexible procurement policies, or exemption from, or reduction of, customs duties

SECTION 59. PROCUREMENT FROM QUALIFIED SUPPLIERS OR

CONTRACTORS - As an exception to the provisions of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", and its implementing rules and regulations, the Department shall have the power to procure goods and services from either local or foreign suppliers or contractors for purposes of implementing programs, projects, and activities related to disaster resilience and disaster management.

The conditions, limitations, application processes, eligibility requirements and assessment criteria for local and foreign suppliers and contractors shall be provided in this Act's IRR.

SECTION 60. PRE-ARRANGED CONTRACTS OR AGREEMENTS WITH PRIVATE

SECTOR ENTITIES - Notwithstanding Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", the Department shall have authority to enter into pre-arranged or contingency contracts or agreements with private sector entities for the purpose of, among others, establishing a logistics system for the efficient and prompt distribution of goods, equipment or other materials required for disaster response and management; securing food, medicines, fuel, or other supplies from groceries, pharmacies, gas stations or other sources in the event of a disaster in a specific area; ensuring an alternative source of power or water from private utilities in the event of a disaster in a specific area; or other arranging the immediate supply of other goods, services or equipment necessary for disaster response and management.

1 a. Exemption from taxes and import duties for foreign disaster assistance
2 or international donations coursed through the Department;

3
4 b. Exemption from donor's tax and allowing the treatment of donations as
5 a deductible expense for local disaster assistance coursed through the
6 Department;

7
8 c. Exemption from the Value Added Tax (VAT) for goods or services
9 donated from abroad as coursed through the Department;

10
11 d. Tax incentives to encourage members of the private sector to render aid
12 or provide disaster assistance, and/or to invest in disaster resilience and
13 climate change adaptation and mitigation measures for their residences,
14 communities and/or businesses.

15
16 LGUs may also implement local tax rules that would grant disaster victims
17 reasonable reduction, exemption, or deferment of local taxes or other types of tax
18 assessments; or take' other necessary action at the local level to provide tax relief
19 to disaster victims.

20
21 **SECTION 65. CUSTOMS DUTIES AND TARIFFS ON DONATIONS** - The BOC shall
22 create rules that would, among others, hasten the processing and release of
23 donated goods and equipment to disaster victims and/or affected areas.

24
25 **SECTION 66. ECONOMIC RECOVERY AND DEVELOPMENT OF DISASTER-**
26 **PRONE AREAS** - The Department, in coordination with the Department of Trade
27 and Industry (DTI) and other relevant agencies, shall craft policies, and implement
28 the necessary programs and projects to stimulate economic activities and
29 encourage investments to assist disaster-affected areas develop or recover faster,
30 as applicable.

The Department, in collaboration with the relevant LGUs and other stakeholders, shall likewise establish dual purpose structures in disaster-affected areas, such as, among others. community agricultural centers, classrooms, and water harvesting tanks to develop and promote investments in disaster prone or affected areas.

ARTICLE XVIII

PROHIBITED ACTS AND PENALTIES

SECTION 67. PROHIBITED ACTS - Any public official, private person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the criminal and administrative penalties as provided for in Section 68 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 that leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
2. Failure to enforce laws, standards, or regulations such as the National Building Code, Solid Waste Management Act, Water Code, and other relevant laws, leading to destruction, loss of lives, and/or critical damage of facilities;
3. Failure to create a functional LDR Office within six (6) months from the approval of this Act;

1 4. Failure to appoint a permanent local disaster resilience
2 officer within six (6) months from approval of this Act;

3
4 5. Failure to prepare and implement a Contingency and
5 Adaptation Plan for hazards frequently occurring within
6 their jurisdictions;

7
8 6. Failure to formulate and implement the LDRP with the
9 corresponding budget allocation; and

10
11 7. Sexual exploitation and abuse and other forms of sexual
12 misconduct on the affected population or at-risk
13 communities.

14
15 b. Prohibited Acts of Public Officials and Private Persons or Institutions. -
16

17 1. Delay, without justifiable cause in the delivery, proper
18 handling or storage of aid commodities, resulting to damage
19 or spoilage;

20
21 2. Withholding the distribution of relief goods due to (i)
22 political or partisan considerations; (ii) discrimination based
23 on race, ethnicity, religion, or gender; and (iii) other similar
24 circumstances;

25
26 3. Preventing the entry and distribution of relief goods in
27 disaster- stricken areas. including appropriate technology,
28 tools, equipment, accessories, disaster teams or experts;

1 4. Buying, for consumption or resale, from disaster relief
2 agencies any relief goods, equipment or other and
3 commodities, which are intended for distribution to
4 disaster-affected communities;

5
6 5. Buying, for consumption or resale, from the recipient
7 disaster affected persons any relief goods, equipment or
8 other aid commodities received by them;

9
10 6. Selling of relief goods, equipment or other aid
11 commodities, which are intended for distribution to disaster
12 victims;

13
14 7. Forcibly seizing relief goods, equipment or other aid
15 commodities intended for or consigned to a specific group of
16 victims or relief agency;

17
18 8. Diverting or misdelivery of relief goods, equipment or
19 other aid commodities to persons other than the rightful
20 recipient or consignee;

21
22 9. Accepting, possessing, using or disposing relief goods,
23 equipment or other aid commodities not intended for nor
24 consigned to him or her;

25
26 10. Misrepresenting the source of relief goods, equipment or
27 other aid commodities by: (i.) Either covering, replacing or
28 defacing the labels of the containers to make it appear that
29 the goods, equipment or other aid commodities came from
30 another agency or persons; (ii) Repacking the goods,

1 equipment or other aid commodities into containers with
2 different markings to make it appear that the goods came
3 from another agency or persons or was released upon the
4 instance of a particular agency, person, or persons; and (iii)
5 Making false verbal claim that the goods, equipment or other
6 and commodity in its untampered original containers
7 actually came from another agency or persons or was
8 released upon the instance of a particular agency, person, or
9 persons;

10
11 11. Substituting or replacing relief goods, equipment or
12 other aid commodities with the same items or
13 inferior/cheaper quality;

14
15 12. Illegal solicitations by persons or organizations
16 representing others as defined in the standards and
17 guidelines set by the Department;

18
19 13. Deliberate use of false or inflated data in support of the
20 request for funding, relief goods, equipment or other aid
21 commodities for emergency assistance or livelihood
22 projects;

23
24 14. Stealing, taking, or processing of any of the equipment,
25 accessories and other vital facility or items or any part
26 thereof;

27
28 15. Selling or buying stolen equipment, accessories, and
29 other vital facility items or any part thereof;

1 16. Tampering with or stealing hazard monitoring and
2 disaster preparedness equipment and paraphernalia;

3
4 17. Attempting to commit any of the abovementioned
5 prohibited acts; and

6
7 18. Benefitting from the proceeds or fruits of any of the
8 abovementioned prohibited acts knowing that the proceeds
9 or fruits are derived from the commission of said prohibited
10 acts.

11
12 **SECTION 68. PENALTIES** - Any individual, corporation, partnership, association
13 or other juridical entity that commits any of the prohibited acts in the preceding
14 section shall be made liable for the following:

15
16 a. The penalty of imprisonment of not less than twelve (12) years but not
17 more than fifteen (15) years or a fine of not less than One Million Pesos
18 (Php1,000,000.00) but not more than Three Million Pesos
19 (Php3,000,000.00); or both imprisonment and fine at the discretion of the
20 court shall be imposed

21 upon any person found guilty of violating subsections (a)(I) to (b)(16) of
22 the preceding section, as well as the confiscation or forfeiture in favor of
23 the government of the objects and the instrumentalities used in the
24 commission of the prohibited acts;

25
26 b. The penalty of imprisonment of not less than six (6) years but not more
27 than eight (8) years or a fine of not less than Five Hundred Thousand Pesos
28 (Php 500,000.00) but not more than One Million Pesos (Php 1,000,000.00),
29 or both imprisonment and fine at the discretion of the court, shall be

1 imposed upon any person who attempts to commit any of the prohibited
2 acts in the preceding section on, in violation of Subsection (b)(17) thereof;
3 c. The penalty of imprisonment of not less than two (2) years but not more
4 than six (6) years or a fine of not less than Two Hundred Thousand Pesos
5 (Php 200,000.00) but not more than Five Hundred Thousand Pesos
6 (Php500,000.00), or both imprisonment and fine at the discretion of the
7 court, shall be imposed upon any person found guilty of unlawfully
8 benefiting from the proceeds or fruits of any of the prohibited in the
9 preceding section, in violation of subsection (b)(18) thereof;

10
11 d. Aside from the penalty of fine or imprisonment or both, perpetual
12 disqualification from public office shall be imposed if the offender is a
13 public officer, along with the confiscation or forfeiture in favor of the
14 government of the objects and the instrumentalities used in the
15 commission of any of the prohibited acts in the preceding section;

16
17 e. If the offender is a corporation, partnership or association, or other
18 juridical entity, the penalty shall be imposed upon the officer or officers of
19 the corporation, partnership, association or entity responsible for the
20 violation without prejudice to the cancellation or revocation of these
21 entities' registration, license or accreditation issued to them by any
22 licensing or accredited body of the government. If such offender is an alien,
23 he or she shall, in addition to the penalties prescribed in this act, be
24 deported without further proceedings after service of sentence;

25
26 f. Payment of the full cost of repair or replacement of the government risk
27 reduction and preparedness equipment, accessories and other vital facility
28 items, or any part thereof; which is the object of the crime shall likewise be
29 imposed upon any person who shall commit any of the prohibited acts in
30 the preceding Section; and

1
2 g. The prosecution for offenses set forth under the preceding section shall
3 be without prejudice to any criminal liability for violation of Republic Act
4 No. 3815, as amended, otherwise known as the "Revised Penal Code" and
5 other existing laws, as well as the imposition of applicable administrative
6 or civil liabilities.
7

8 **SECTION 69. LIABILITY FOR UNLAWFUL PERFORMANCE OF DUTIES AND**
9 **STATE LIABILITY IN CASE OF DEFENSE LITIGATION** - In case a lawsuit is filed
10 against any personnel of the Department as a result of the performance of his or
11 her duties, and such performance was found to be lawful, he or she shall be
12 reimbursed by the Department for reasonable costs of litigation. For this purpose,
13 the Department is authorized to procure applicable liability insurance for its
14 officers and employees.
15

16 **SECTION 70. DISCIPLINARY POWERS OF THE PRESIDENT** - The President,
17 subject to the recommendation of the Department Secretary and the Department
18 of the Interior and Local Government (DILG), shall have the power to impose
19 administrative sanctions against local chief executives and barangay officials for
20 willful or negligent acts that relate to the implementation of, or compliance with,
21 this Act and its IRR or relating to their official functions, which adversely affect
22 disaster resilience projects such as, but not limited to, delayed issuance of permits
23 or failure to implement local ordinances.
24

25 **ARTICLE XIX**
26 **DISASTER RESILIENCE FUND**
27

28 **SECTION 71. APPROPRIATIONS AND MANAGEMENT OF DISASTER**
29 **RESILIENCE FUND** - The budget of the Department shall be composed of the
30 following, which shall be collectively called the Disaster Resilience Fund:
31

1 a. Annual General Appropriations - shall provide the funding requirements
2 for among others, research, operations, maintenance, plans, and programs
3 of the Department of Disaster Resilience, including, but not limited to
4 establishment of evacuation centers, retrofitting of structures,
5 establishment of emergency operating centers, and implementation of
6 other disaster risk reduction projects.

7
8 b. Disaster Contingency Fund - shall be in a lump-sum form to provide
9 funds in case of imminent hazards or actual disasters for, among others,
10 immediate response, relief and quick recovery measures for disaster
11 affected areas.

12
13 c. Rehabilitation and Recovery Fund - shall provide the funding
14 requirements for rehabilitation and/or reconstruction projects of disaster
15 affected areas such as public classrooms, government buildings, public
16 hospitals, permanent shelters and livelihood programs.

17
18 The Disaster Resilience Fund shall be managed by the Department to
19 finance its operations, and disaster risk reduction, disaster preparedness,
20 response, recovery, rehabilitation and building forward better programs, projects
21 and activities formulated at the national level.

22
23 **SECTION 72. CONTINUING APPROPRIATIONS** -The unutilized balances from the
24 Disaster Contingency Fund, and Rehabilitation and Recovery Fund shall be treated
25 as Continuing Appropriations, which may be used to finance the cost of projects,
26 programs, and/or activities even when such costs are incurred beyond the fiscal
27 year of the GAA from which such funds were appropriated.

28
29 **SECTION 73. FUND REGULATIONS** - The DBM and CoA shall establish rules and
30 regulations that apply specifically to the Disaster Resilience Fund to ensure that

funds required for disaster response, recovery, and rehabilitation are available and/or released efficiently and expeditiously through innovative budgeting and auditing mechanisms, which may include, among others, providing for longer validity periods for funds and/or exemption from cash-based budgeting rules; imposing auditing or reporting requirements, which apply specifically to the utilization of the Disaster Resilience Fund.

SECTION 74. LOCAL DISASTER RESILIENCE FUND AND LOCAL DISASTER CONTINGENCY FUND - LGUs shall annually set aside not less than ten percent (10%) of their local budget, to constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to maintain and operate its local disaster resilience office to maintain its officers, employees and staff, and to implement plans, programs and activities under its LDRP.

Thirty percent (30%) of the LDRF shall be set aside as Local Disaster Contingency Fund (LDCF), which shall be used for disaster response and quick recovery measures.

Nothing contained in this Act shall prevent LGUs from providing additional funding or allocating additional resources for disaster resilience activities, plans and programs within their jurisdiction.

SECTION 75. SUPPLEMENTAL LDRF - The Department may allocate and disburse funds to supplement an LGU's LDRF based on the parameters and requirements indicated in the IRR.

In determining such parameters and requirements, the IRR shall aim to provide supplemental funds to LGUs with low income and/or high exposure to natural hazards. Supplemental LDRFs shall, as much as possible, fill gaps or shortages in LGU resources to ensure that LGUs can implement disaster resilience

measures such as, among others, implementing their LDRP/Provincial LDRP, establishing their local disaster resilience offices, obtaining and/or maintaining the necessary equipment and staff in their local disaster resilience offices, and implementing the NDRF and at the local levels.

SECTION 76. PEOPLE'S SURVIVAL FUND - The Department shall manage and administer the People's Survival Fund, created under Republic Act n0. 10174, and facilitate its utilization by LGUs, through RDROs, to implement climate change adaptation and mitigation projects of LGUs and enhance the climate resilience of vulnerable communities.

SECTION 77. MULTI-DONOR TRUST FUND - The Department shall create and manage, together with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing, releasing and accounting of money and other similar resources intended for disaster assistance.

The Department shall establish a system to ensure transparency in the management and use of the Multi-Donor Trust Fund.

SECTION 78. FINANCIAL ADMINISTRATION - The Department shall manage all funds appropriated to it by Congress and received from other sources.

The Department shall also manage all donations received by it, subject to the auditing powers of the CoA. To fund its operations, the Department shall have the power to collect fees derived from the DRRn and other related activities.

ARTICLE XX

SPECIAL COURTS AND INJUNCTIONS

SECTION 79. SPECIAL COURTS ON DISASTER RESILIENCE MATTERS -To ensure the prompt and expeditious resolution of disputes relating to disaster response, recovery or rehabilitation measures, the Supreme Court shall designate special courts to hear, try and decide cases arising from the following, among others:

a. Expropriation, eminent domain or right-of-way issues related to the implementation of disaster resilience projects;

b. Failure to comply with standards for disaster risk reduction and continuity planning, including, but not limited to, infrastructure standards and designs;

c. Commission of prohibited acts under Article XVIII of this Act; and

d. Disputes involving donations, relief goods, or contracts executed or implemented pursuant to the provisions of this Act.

SECTION 80. DISPUTE RESOLUTION MECHANISMS - The Department shall establish a Disaster Resolution Board, which shall resolve disputes involving administrative matters related to:

a. Accreditation or denial of accreditation of disaster resilience training institutions, trainers, instructors, donors, volunteers, and Assisting Domestic or International Actors;

b. Decisions of the RDROs;

1 c. Contracts entered into by the Department or any of its agents pursuant
2 to the provisions of this Act; and

3
4 c. Other administrative matters or issues as may be determined by the
5 Department.

6
7 The composition, structure, and other organizational matters related to the
8 DRB shall be defined and provided in this Act's IRR.

9
10 **SECTION 81. IMPOSITION OF TEMPORARY RESTRAINING ORDER** - No Court,
11 except the Supreme Court, shall have the power to issue an injunction or a
12 temporary restraining order against any action taken or projects implemented by
13 the Department or its agents pursuant to this Act.

14
15 **ARTICLE XXI**
16 **FINAL PROVISIONS**

17
18 **SECTION 82. TRANSFER OF FUNCTIONS** - The following are hereby transferred
19 to the Department:

20
21 a. All the functions of the Climate Change Commission (CCC);

22
23 b. Natural disaster-related functions of the National Disaster Risk
24 Reduction and Management Council (NDRRMC) and the Office of
25 Civil Defense (OCD); and

26
27 c. Natural disaster-response functions of the Department of Social
28 Welfare and Development (DSWD)

Accordingly, the CCC and NDRRMC are hereby abolished. The DLLG, DND, DSWD, and other relevant government instrumentalities, including the AFP, BFP, PNP, PCG, and OCD, shall continue to perform their functions related to the management of human-induced disasters, as provided by existing laws.

SECTION 83. TRANSFER OF RESOURCES -The transfer of powers and functions listed above shall include the corresponding funds and appropriations, plantilla positions, data, records, equipment, facilities, properties and other resources of the concerned government instrumentalities.

The Department shall have the power to reorganize or reallocate these resources and positions, as may be necessary to attain the goals and objectives of this Act.

SECTION 84. PROGRAM MANAGEMENT OFFICE FOR THE EARTHQUAKE RESILIENCY OF THE GREATER METRO MANILA AREA - The Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area (PMO-ERG), as created pursuant to and mandated by Executive Order No.52, S. 2018, shall be attached to the Department and be authorized to implement earthquake resiliency programs, projects, and activities, as it may deem necessary to carry out its mandate and attain its overall goals. The Head of the PMO-ERG shall report directly to the SDR.

SECTION 85. POST - DISASTER SHELTERS - The Department shall establish a post-disaster shelter recovery policy framework for low-income/informal settler families, with the assistance of the appropriate housing agencies and the applicable LGUs. It shall determine, among others, the appropriate shelter modalities depending on the following phases: emergency, temporary or transitional, and permanent.

1 The Department shall likewise identify, assess, and decide on safe zones
2 for the implementation of recovery or rehabilitation projects.

3
4 **SECTION 86. CULTURAL HERITAGE** - To protect, preserve, and promote the
5 nation's historical and cultural heritage, the Department shall assist the relevant
6 cultural and heritage agencies and the appropriate LGUs to give priority
7 protection and restoration to all national cultural treasures or national historical
8 landmarks, sites, or monuments in post-disaster recovery or rehabilitation
9 measures.

10
11 **SECTION 87. INDIGENOUS PEOPLE** - The Department, with the assistance of the
12 National Commission on Indigenous Peoples (NCIP) and the applicable LGUs, shall
13 devise and implement mechanisms that foster social protection for indigenous
14 communities that are vulnerable to the effects of natural disasters.

15
16 The Department shall ensure respect for, and protection of, the traditional
17 resource right of the Indigenous Cultural Communities/Indigenous Peoples
18 (ICCs/IPs) to their ancestral domains, and recognize the customary laws and
19 traditional resource use and management, knowledge, and practices in ancestral
20 domains.

21
22 In ancestral domains that are disaster prone, the Department, with the
23 assistance of the NCIP and applicable LGUs, shall create an Ancestral Domain
24 Disaster Management and Resiliency Plan. It shall likewise properly communicate
25 and explain information on disaster risks in ancestral domains with the concerned
26 rocs/IPs and as much as possible, engage such ICCs/IPs in jointly formulating a
27 disaster resiliency plan for their ancestral domain.

28
29 **SECTION 88. INCENTIVES PROGRAM** - The Department shall establish an
30 incentives program that recognizes the outstanding promotion and

1 implementation by local disaster resilience offices, CSOs, academe, and other
2 institutions of disaster resilience programs and/or projects, and the meritorious
3 acts of individuals or entities during natural disasters.

4
5 **SECTION 89. STRUCTURAL AUDIT OF GOVERNMENT BUILDINGS AND**
6 **CRITICAL INFRASTRUCTURE** - The Department shall be assisted by the DPWH,
7 DOTr, Department of Energy (DOE), DOH, DepEd, DGE, DILG, local building
8 officials, and other relevant government instrumentalities and stakeholders, in
9 ensuring the effective and expeditious conduct of structural audit, as often as
10 necessary, on government buildings, critical infrastructure, and private structures
11 to attain the disaster risk reduction goals of this Act.

12
13 **SECTION 90. TRANSITORY PROVISION** - The functions, assets, funds,
14 equipment, properties, transactions, and personnel of the affected and transferred
15 agencies, and the formulation of the internal organic structure, staffing pattern,
16 operating system, and revised budget of the Department, shall be completed
17 within one (1) Year from the effectivity of this Act, during which time the existing
18 personnel shall continue to assume their posts on holdover capacity.

19
20 The Department, in collaboration with the DBM, shall come up with its
21 Organizational Structure and Staffing Pattern, both of which shall be approved
22 within thirty (30) days from the effectivity of this Act.

23
24 The Secretary of National Defense shall serve as the interim SDR until such
25 time that the SDR has been appointed and taken his/her oath of office. Upon
26 assumption to duty, the SDR shall make use of the existing structure, systems, and
27 personnel in responding to natural hazards and disasters within the transition
28 period.

1 In accordance with Section 12 of this Act and the critical importance of
2 attracting the most competent and dedicated personnel to the Department,
3 suitable and qualified career personnel from the NDRRMC-OCD, DSWD, and the
4 CCC, as defined by the CSC and other pertinent rules, may be absorbed by the
5 Department.

6
7 The system and mechanics for this shall be defined in the IRR of this Act.
8

9 **SECTION 91. MAGNA CARTA BENEFITS** - Qualified employees of the
10 Department, including those of its attached agencies, shall be covered by and
11 entitled to the benefits under Republic Act No. 8439, otherwise known as the
12 Magna Carta for Scientists, Engineers, Researchers and other 5 & T Personnel in
13 the Government, and Republic Act No. 7305, otherwise known as the Magna Carta
14 of Public Health Workers.

15
16 **SECTION 92. HAZARD PAY** - All personnel of the Department and the local
17 disaster resilience offices are entitled to receive hazard pay, subject to the
18 guidelines to be set forth in the IRR of this Act.
19

20 **SECTION 93. SEPARATION BENEFITS OF EMPLOYEES OF AFFECTED**
21 **AGENCIES-** National government employees displaced or separated from service
22 as a result of this Act shall be entitled to either separation pay and other benefits
23 in accordance with existing laws, rules, or regulations, or be entitled to avail
24 themselves of the privileges provided under a separation plan that shall be one
25 and one-half month salary for every year of service in the government.
26

27 In no case shall there be any diminution of benefits under the separation
28 plan until the full implementation of this Act. With respect to employees who are
29 not retained by the Department, the government, through the Department of

1 Labor and Employment, shall endeavor to implement training, job counseling, and
2 job placement programs.

3
4 **SECTION 94. APPROPRIATIONS** -The amount necessary for the initial
5 implementation of this Act shall be taken from the current fiscal year's
6 unexpended and unobligated appropriations of all agencies herein absorbed,
7 transferred, and attached to the Department. Thereafter, the amounts necessary
8 for the operation of the Department and the implementation of this Act shall be
9 included in the annual General Appropriations Act.

10
11 **SECTION 95. IMPLEMENTING RULES AND REGULATIONS-** The Department,
12 DBM, DND, DOE, DLLG, DOSF, NEDA, and the PMS shall collectively craft and issue,
13 within ninety (90) days from the effectivity of this Act, the Implementing Rules
14 and Regulations (IRR) for the effective implementation of this Act. They may call
15 upon other relevant government instrumentalities and stakeholders to assist in
16 the crafting of the IRR.

17
18 **SECTION 96. JOINT CONGRESSIONAL OVERSIGHT COMMITTEE ON DISASTER**
19 **RESILIENCE** - There shall be created a Joint Congressional Oversight Committee
20 on Disaster Resilience to monitor the implementation of this Act. The committee
21 shall be composed of six (6) Members of the House of Representatives and six (6)
22 Senators to be designated by the Speaker of the House of Representatives and the
23 President of the Senate, respectively; *Provided.* That; two (2) Members of the
24 House of Representatives and two (2) Senators shall come from the Minority of
25 their respective houses of Congress.

26 The committee shall be jointly chaired by a Member of the House of
27 Representatives and a Senator designated by the Speaker of the House of
28 Representatives and the President of the Senate respectively.

1 **SECTION 97. MANDATORY REVIEW** - Within five (5) years after the effectivity of
2 this Act, or as the need arises, the Joint Congressional Oversight Committee on
3 Disaster Resilience shall conduct systematic evaluation of the accomplishments
4 and impact of this Act, as well as the performance of the Department of its mandate
5 and functions, for purposes of determining remedial legislation.

6
7 **SECTION 98. INTERPRETATION** - Any doubt in the interpretation of any
8 provision of this Act shall be resolved in favor of a liberal interpretation that will
9 fulfill the objectives of this Act, especially in relation to the provision of effective,
10 efficient and timely disaster response, rehabilitation and recovery.

11
12 **SECTION 99. SEPARABILITY CLAUSE** - If any provision of this Act shall be
13 declared unconstitutional or invalid, the other provisions or parts thereof not
14 otherwise affected shall remain in full force and effect.

15
16 **SECTION 100. REPEALING CLAUSE** - The provisions of Republic Act No. 10121,
17 Republic Act No. 7160, Republic Act No. 7916, Republic Act No. 9184, and all other
18 laws, decrees, executive orders, proclamations and other executive issuances,
19 which are not consistent with or contrary to the provisions of this Act, are hereby
20 repealed or amended.

21
22 **SECTION 101. EFFECTIVITY** - This Act shall take effect fifteen (15) days after its
23 publication in the Official Gazette or in a newspaper of general circulation.

24
25 *Approved.*