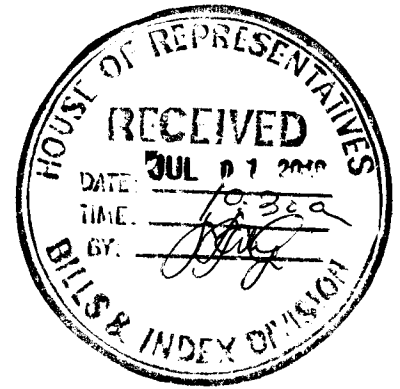


**Republic of the Philippines
House of Representatives
Quezon City**

**Eighteenth Congress
First Regular Session**

House Bill No. 195



**Introduced by Representatives
Estrellita B. Suansing and Horacio P. Suansing, Jr.**

EXPLANATORY NOTE

This bill seeks to create the Department of Disaster Resilience which shall be the primary agency responsible for leading, organizing, and managing the national effort to reduce disaster risk, prepare for and respond to disasters, recover and rehabilitate, and follow the “Build Forward Better” principle after the occurrence of disasters. It shall oversee and coordinate the preparation, implementation, monitoring and evaluation of disaster and climate change resilience plans, programs, projects and activities; provide leadership in the continuous development of strategic and systematic approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation to anticipatory adaptation strategies, measures, techniques and options. It shall, likewise, augment the capacity of the local government units, in collaboration with relevant national government agencies and stakeholders to implement disaster risk reduction and management and climate change action plans, programs, projects and activities.


This bill also provides for the creation of the National Disaster Resilience Council, which will serve as the policy advisory body to the Department of Disaster Resilience on disaster risk and vulnerability reduction, emergency management, and climate change adaptation, following a whole-of-nation approach. Furthermore, it establishes the following: (a) a Multi-Stakeholders Convergence Unit which shall align the disaster resilience efforts of the private sector, civil society organizations, academe, and other stakeholders with the Department of Disaster Resilience by assisting, coordinating, and providing services that strengthen public-private cooperation and coordination in disaster resilience; (b) the Climate and Disaster Research, Education, and Training Institute, in collaboration with higher education institutions, both private and state universities and colleges in the field of disaster risk and vulnerability reduction and management and climate change adaptation; and (c) the National and Regional Information Management System for Climate and Disaster Resilience which shall constitute a physical central database of all disaster risk reduction and climate change data, including a geographic information system on geo-hazard assessments and climate risk and shall be the repository of current and multi-temporal information for wide-scale disaster risk analysis and climate change vulnerability assessment.

Other key provisions of the bill include the (a) creation of Prevention, Mitigation, and Preparedness Fund, which shall be exclusively used to support programs, projects and activities for climate change adaptation, disaster risk prevention and mitigation, disaster risk transfer, and disaster preparedness of 3rd to 6th class provinces and municipalities; (b) institutionalizing a one-stop shop mechanism through the Philippine Humanitarian Assistance Reception Action Center for the processing and release of goods, articles or equipment, and services of international relief worker for the provision of international humanitarian assistance, as well as processing of necessary documents for assisting international actors; (c) establish an incentive program that recognizes outstanding performance of Local Disaster Resilience Councils, nongovernmental organizations, civil society organizations, the private sector, the academe, and other stakeholders in promoting and implementing significant disaster risk and vulnerability reduction management and climate change adaptation programs and innovation; and (d) attaching the Philippine Atmospheric, Geophysical and Astronomical Services Administration and the Philippine Institute of Volcanology and Seismology, at the same time, transferring the applicable powers, functions, funds and appropriations of the Office of Civil Defense, Climate Change Office of the Climate Change Commission, Geo-Hazard Assessment and Engineering Geology Section of the Mines and Geosciences Bureau of the DENR, Health Emergency Management Bureau of the DOH, Disaster Response Assistance and Management Bureau of the DSWD, and the Bureau of Fire Protection to the Department of Disaster Resilience.

The creation of the Department of Disaster Resilience upholds our country's commitment to integrate and accelerate the implementation of the principles and concepts of climate change, disaster risk and vulnerability reduction contained in the Paris Agreement of the United Nations Framework Convention on Climate Change, the Sendai Framework for Disaster Risk Reduction 2015-2030, the 2015 Asia-Pacific Economic Cooperation Disaster Risk Reduction Framework, the 2030 Agenda for Sustainable Development Goals, and the Philippine Development Plan 2017-2022. More importantly, this bill seeks to ensure the safety and welfare of all Filipinos by strengthening our country's capacity for disaster risk and vulnerability reduction and management, as well as, building the resilience of local communities to disasters and hazards.

This bill was filed during the 17th Congress as House Bill No. 8165 and was approved on Third and Final Reading on October 1, 2018. In view of the foregoing, immediate passage of this bill is earnestly sought.


REP. ESTRELLITA B. SUANSING
1st District, Nueva Ecija


REP. HORACIO P. SUANSING, JR.
2nd District, Sultan Kudarat

**Republic of the Philippines
House of Representatives
Quezon City**

**Eighteenth Congress
First Regular Session**

House Bill No. 195

**Introduced by Representatives
Estrellita B. Suansing and Horacio P. Suansing, Jr.**

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

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

CHAPTER I

GENERAL PROVISIONS

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

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

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

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

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

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

13 It shall be the duty of the State to:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40 (22) Ensure that the best possible assistance and services are
41 delivered to individuals and families affected by disaster and emergency

1 rehabilitation projects to guarantee the resumption of normal social and
2 economic activities;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 organizations (CBOs), faith-based organizations, people's organizations,
2 social movements, and labor unions.

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

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

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

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

25 (l) *Complex Emergency* refers to a form of human-induced
26 emergency in which the cause of the emergency as well as the ass

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

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

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

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

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

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

18 (s) *Disaster Prevention* refers to the outright avoidance of adverse
19 impacts of hazards. It expresses the concept and intention to completely avoid
20 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
24 in any likely earthquake.

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

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

36 (v) *Disaster Risk Governance* refers to the way in which public
37 authorities, civil servants, media, private sector, and civil society coordinate
38 at community, national and regional levels in order to manage disaster and
39 climate related risks. This means ensuring that sufficient levels of capacity
40 and resources are made available to prevent, prepare for, manage, and recover
41 from disasters. It also entails mechanisms, institutions, and processes for

1 citizens to articulate their interests, exercise their legal rights and obligations,
2 and mediate their differences.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 disaster and post-disaster phases. It shall be in conformity with the national
2 disaster risk reduction and management framework.

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

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

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

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

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

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

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

39 (ccc) *Recovery* refers to rehabilitation measures that ensure the ability
40 of affected communities or areas to restore their normal level of functioning

1 by restoring livelihoods and services, reconstructing damaged infrastructures
2 and increasing the communities' organizational capacity.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(rrr) *Youth* refers to those persons aged fifteen (15) to thirty (30) years old, as provided for under Republic Act No. 8044, otherwise known as "Youth in Nation-Building Act".

CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

SEC. 4. Creation of the Department of Disaster Resilience. – There is hereby created a Department of Disaster Resilience, hereinafter referred to as the Department.

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

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

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

11 **SEC. 5. Powers and Functions of the Department.** – The Department shall
12 exercise and perform the following powers and functions:

13 (a) Risk Reduction

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

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

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

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

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

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

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

38 (8) Establish and monitor local and national capacity for
39 disaster risk financing and insurance and other risk transfer strategies
40 in coordination with the Department of Finance (DOF), the Government

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

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

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

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

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

16 (b) Disaster Preparedness

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

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

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

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

34 (5) Call on the reserve force, as defined in Republic Act No.
35 7077, otherwise known as the "Citizen Armed Force or Armed Forces of
36 the Philippines Reservist Act", to assist in relief and rescue operations
37 during disasters;

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

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

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

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

11 (10) Procure goods and services during emergencies, in
12 accordance with existing emergency procurement rules and
13 regulations;

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

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

21 (c) Rehabilitation and Recovery

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

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

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

31 (d) Other Powers and Functions

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

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

1 (3) Coordinate information-sharing and other disaster risk
2 and vulnerability reduction and climate change adaptation protocols
3 following the principle of interoperability among national government
4 agencies and LGUs before, during, and after a disaster;

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

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

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

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

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

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

35 **CHAPTER III**

36 **GENERAL WELFARE AND EMERGENCY MEASURES**

37 **SEC. 6. General Welfare.** – The Department shall exercise the powers
38 expressly granted, those necessarily implied therefrom, as well as the powers
39 necessary, appropriate or incidental for its efficient and effective governance,
40 and those which are essential to the promotion of the general welfare, such
41 as the implementation of emergency measures including preemptive and

1 forced evacuation, in anticipation of, during, and in the aftermath of
2 emergencies, hazards and disasters and only when there is imminent danger
3 of loss of lives and/or damage to property.

4 **SEC. 7. *Emergency Measures at the National Level.*** –The Department may
5 require the assistance of law enforcement agencies and the uniformed
6 services, such as the PNP and the AFP, as well as emergency responders, to
7 assist in the implementation of emergency measures.

8 **SEC. 8. *Emergency Measures at the Local Level.*** –

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

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

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

26 **SEC. 9. *Hierarchy of Evacuation Measures.*** –

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

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

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

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

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

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

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

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

20 **SEC. 12. Utilization of Private Property for Public Purpose. –** The
21 Department shall have the power to utilize any private property for urgent
22 public purpose in anticipation of, during, and in the aftermath of emergencies,
23 hazards and disasters and only when there is imminent danger of loss of lives
24 and/or damage to property, subject to payment of just compensation in
25 appropriate cases.

26 **SEC. 13. Emergency Powers. –** Whenever it becomes necessary, the
27 Department, subject to the approval of the President, may call on the AFP or
28 the PNP, in coordination with the Secretary of National Defense and the
29 Secretary of the Interior and Local Government, to prevent or suppress
30 lawless violence and ensure the protection and preservation of life or property
31 in anticipation of, during, and in the aftermath of emergencies, hazards and
32 disasters.

33 Whenever warranted by circumstances, the Department may call upon
34 other agencies and instrumentalities of the government, as well as
35 nongovernment organizations for the protection and preservation of life
36 and/or property in anticipation of, during, and in the aftermath of
37 emergencies, hazards and disasters including private organizations, for
38 assistance in the use of their facilities and resources.

39 **SEC. 14. Emergency Arrangements. –** The Department shall have the power
40 to negotiate, enter into, institutionalize and coordinate arrangements with any
41 private person or juridical entity for the purpose of ensuring the adequate and

1 prompt availability of all goods and services necessary in anticipation of,
2 during, and in the aftermath of emergencies, hazards and disasters and only
3 when there is imminent danger of loss of lives and/or damage to property.

4 **CHAPTER IV**

5 **ORGANIZATION AND MANAGEMENT**

6 **SEC. 15. *The Secretary.*** – The Department shall be headed by a Secretary
7 who shall be appointed by the President.

8 **SEC. 16. *Powers and Functions of the Secretary.*** – The Secretary of the
9 Department shall exercise the following powers and functions:

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

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

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

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

18 (e) Exercise disciplinary authority over officers and employees of the
19 Department in accordance with law;

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

23 (g) Advise the President on the promulgation of executive and
24 administrative issuances and the formulation of regulatory and legislative
25 proposals on matters pertaining to disaster resilience;

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

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

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

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

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

1 (a) The Secretary, as provided for under this Act;

2 (b) Five (5) Undersecretaries, to be appointed by the President, who
3 shall assist the Secretary in administering the affairs of the Department, one
4 to be responsible for Resilience, one to be responsible for Policy and
5 Governance, one to be responsible for Operations, one to be responsible for
6 Administration and Finance, and the Senior Undersecretary. The
7 Undersecretaries shall have functional and operational supervision over the
8 bureaus, divisions, offices and units assigned to their respective functional
9 areas;

10 (c) Ten (10) Assistant Secretaries, to be appointed by the President,
11 who shall assist the Secretary in administering the affairs of the Department
12 to be responsible for overall staff supervision, Internal Audit, Administration,
13 Disaster Resilience Fund Management, Fiscal Management, Operations,
14 Mobilization, Plans and Programs, Legal, Project Management and
15 Sustainable Development;

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

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

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

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

41 (4) The Responders Management Service shall be responsible for the
42 efficient and effective gathering, management, and updating of a national

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 CHAPTER V

25 FINANCE AND ADMINISTRATION

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

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

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

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

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

CHAPTER VI

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

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

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

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

- 1 (15) Secretary of Public Works and Highways;
- 2 (16) Secretary of Foreign Affairs;
- 3 (17) Secretary of Justice;
- 4 (18) Secretary of Labor and Employment;
- 5 (19) Secretary of Tourism;
- 6 (20) Secretary of Information and Communications Technology;
- 7 (21) Presidential Advise on the Peace Process;
- 8 (22) Chairperson of the Commission on Higher Education;
- 9 (23) Chief of Staff of the Armed Forces of the Philippines;
- 10 (24) Chief of Staff of the Philippine National Police;
- 11 (25) Head of the Presidential Communications Operations Office;
- 12 (26) Secretary-General of the Philippine National Red Cross;
- 13 (27) Chairperson of the Commission on Human Rights;
- 14 (28) Executive Director of the Council for Welfare of Children;
- 15 (29) Lead Convenor of the National Anti-Poverty Commission;
- 16 (30) Chairperson of the Philippine Commission on Women;
- 17 (31) Chairperson of the Housing and Urban Development
- 18 Coordinating Council;
- 19 (32) Chairperson of the National Council for Disability Affairs;
- 20 (33) Chairperson of the National Commission on Indigenous
- 21 Peoples;
- 22 (34) Chairperson of the National Commission on Muslim Filipinos;
- 23 (35) Chairperson of the National Youth Commission;
- 24 (36) President of the Government Service Insurance System;
- 25 (37) President of the Social Security System;
- 26 (38) President of the Philippine Health Insurance Corporation;
- 27 (39) President of the Home Development Mutual Fund;
- 28 (40) President of the Union of Local Authorities of the Philippines;
- 29 (41) President of the League of Provinces of the Philippines;
- 30 (42) President of the League of Cities of the Philippines;
- 31 (43) President of the League of Municipalities of the Philippines;

1 (44) President of the Liga ng mga Barangays;

2 (45) Maximum of six (6) representatives from the academe and
3 other relevant research institutions;

4 (46) Maximum of six (6) representatives from the civil society
5 organizations; and

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

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

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

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

21 **SEC. 21. Monitoring, Reporting and Validation. –**

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

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

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

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

38 Every two (2) years, the implementation of the Climate-Disaster
39 Resilience Plan (CDRP) and utilization of the Local Disaster Resilience Fund

(LDRF) of each province, LGUs, independent city shall be evaluated by the Regional Disaster Resilience Council (RDRC) based on appropriate criteria, such as the award, recognition, citation criteria for provinces, cities and municipalities, barangay and stakeholders.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAPTER VII

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

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

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

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

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

35 **CHAPTER VIII**

36 **CLIMATE AND DISASTER RESILIENCE RESEARCH, EDUCATION, AND**
37 **TRAINING INSTITUTE**

38 **SEC. 26. *Creation of the Climate and Disaster Research, Education, and***
39 ***Training Institute.*** – (a) Within one (1) year from approval of this Act, the
40 Department shall establish the Climate and Disaster Resilience Research,
41 Education, and Training Institute in collaboration with higher education
42 institutions and private and state universities and colleges (SUCs) which shall

1 be a world-class center of excellence for learning and research in the field of
2 disaster risk and vulnerability reduction and management and climate
3 change adaptation;

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

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

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

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

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

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

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

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

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

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

4 (d) Financial Support to the Center:

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

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

13 CHAPTER IX

14 INTEGRATION, MAINSTREAMING CLIMATE AND DISASTER 15 RESILIENCE INFORMATION, EDUCATION, AND COMMUNICATION 16 CONVERGENCE

17 **SEC. 27. Climate and Disaster Resilience Information Management**
18 **System (CDRIMS).** – The Department shall establish a National and Regional
19 Information Management System for Climate and Disaster Resilience. It shall
20 constitute a physical central database of all disaster risk reduction and
21 climate change data, including a geographic information system on geo-
22 hazard assessments and climate risk. It shall be the repository of current and
23 multi-temporal information for wide-scale disaster risk analysis and climate
24 change vulnerability assessment. The CDRIMS shall at all times be made
25 available to the Emergency Operations Center of the National and Regional
26 Climate and Disaster Resilience Council (NRCDC) development partners and
27 multi-stakeholders to access critical information and ensure that the
28 collection processing, analysis and dissemination of information is timely,
29 reliable and accurate to support overall decision-making and effecting
30 coordination both at the national and subnational level.

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

1 for children and persons with special needs, whether private or public,
2 including formal and non-formal, technical-vocational, indigenous learning,
3 out-of-school youth courses and programs, and other channels of educational
4 integration, including media, church, entertainment centers (malls),
5 international and domestic airports and transport terminals.

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

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

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

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

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

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

35 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the BDRCs, and the
36 Sangguniang Kabataan shall encourage community, specifically the youth,
37 participation in disaster risk and vulnerability reduction and climate change
38 adaptation activities, such as Information, Education and Communication
39 (IEC) campaigns organizing quick response groups, particularly in identified
40 disaster-prone areas, as well as the inclusion of DRVR-climate change
41 adaptation programs as part of programs and projects of the Sangguniang

1 Kabataan, youth organizations and community-based disaster risk and
2 vulnerability reduction management and anticipatory adaptation initiatives.

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

8 **SEC. 29. Standard Mechanism for Cascading Information, Education**
9 **and Communication on Climate Change Adaptation and Disaster Risk**
10 **and Vulnerability Reduction.** – (a) The DRC shall promote and advocate a
11 culture of resilience and responsible-accountable, liable and responsible
12 citizenship through information, education and communication that is
13 appropriate, integrated, calibrated, inclusive, localized, science- and risk-
14 based, gender, culture and disability sensitive and accessible using
15 multimedia. Information, education, and communication on climate change
16 adaptation and disaster risk and vulnerability reduction management should
17 be compelling but not alarming.

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

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

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

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

42 **CHAPTER X**

CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

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

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

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

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

CHAPTER XI

PREPAREDNESS AND INTEGRATED EARLY WARNING

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

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

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

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

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

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

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

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

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

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

40 (f) The Department shall consider working with other agencies or
41 organizations on pre-crisis information mapping of the humanitarian needs

1 of the at-risk community that will enhance the overall prepositioning of
2 resources at the national and local levels.

3 **CHAPTER XII**

4 **DISASTER RESPONSE AND EARLY RECOVERY**

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

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

17 **SEC. 38. Emergency Management.** – The respective Climate and Disaster
18 Resilience Councils shall lead in preparing for, responding to, and recovering
19 from the effects of any disaster, upon due consideration to the economics of
20 classification, capacity and vulnerability of the local governments concerned:

21 (a) The Barangay Disaster Resilience Council (BDRC), if one (1) barangay
22 is affected;

23 (b) The city/municipal Disaster Resilience Council (DRC), if two (2) or more
24 barangays are affected;

25 (c) The provincial Disaster Resilience Council (DRC), if two (2) or more
26 cities/municipalities are affected;

27 (d) The regional Disaster Resilience Council (DRC), if two (2) or more
28 provinces are affected; and

29 (e) The NDRC, if two (2) or more regions are affected.

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

37 (a) Department of Finance – Bureau of Customs;

38 (b) Department of Foreign Affairs;

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

SEC. 40. Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector. – The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the list of volunteers to the Department, through the LDROs, for accreditation and inclusion in the database of community disaster volunteers.

A national roster of Accredited Community Disaster Resilience Volunteers (ACDRVs) and institutions, National Service Reserve Corps, CSOs and the private sector shall be maintained by the Department through the LDROs. Accreditation shall be done at the municipal or city level.

The mobilization of volunteers shall be in accordance with this Act and implementing guidelines to be formulated by the NDRC. Any volunteer who died or was injured while engaging in any of the activities defined under this Act shall be entitled to compensatory benefits and individual personal accident insurance as may be defined under the guidelines.

SEC. 41. Reporting of Humanitarian Assistance. – The concerned LGU shall submit a report to the Department, all domestic or international humanitarian assistance received and distributed within its area of responsibility.

CHAPTER XIII

INTERNATIONAL HUMANITARIAN ASSISTANCE

SEC. 42. International Humanitarian Assistance. – The Department shall promulgate guidelines on international humanitarian assistance, including the initiation, entry, facilitation, transit, regulation, and termination thereof, as well as those involving international disaster relief and personnel assisting international actors, visa waiver, recognition of foreign professional

1 qualifications, entry of international relief goods and equipment, and
2 exemption from port duties, taxes and restrictions.

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

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

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

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

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

31 **CHAPTER XIV**

32 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE TO** 33 **FOREIGN STATES**

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

40 **SEC. 47. *Accreditation.*** – The Department, in coordination with relevant
41 government agencies and organizations shall provide and facilitate the

1 necessary training and accreditation to the respective government personnel
2 to be deployed for such offer, facilitation and provision of international
3 humanitarian assistance to a foreign state.

4 **CHAPTER XV**

5 **LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL** 6 **ACTORS**

7 **SEC. 48. *Guidelines for Coordination of International Humanitarian***
8 ***Assistance.*** – The DRC shall issue comprehensive guidelines on the
9 initiation, entry, facilitation, transit and regulation of international relief
10 goods and personnel, as well as eligibility guidelines to utilize the legal
11 facilities for assisting international actors provided herein.

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

17 **SEC. 50. *Recognition of Foreign Professional Qualifications.*** – (a) Eligible
18 assisting international actors wishing to deploy international personnel for
19 tasks requiring legal recognition of their foreign professional qualifications
20 shall certify the validity of those qualifications under the law of the country
21 where they were obtained and the competence of their personnel for the tasks
22 envisaged.

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

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

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

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

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

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

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

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

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

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

18 (a) Exemption from all duties and taxes;

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

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

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

27 **SEC. 56. *Simplification of Documentation Requirements.*** –

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

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

38 **SEC. 57. *Telecommunications Equipment.*** – Eligible assisting international
39 actors shall be permitted to import telecommunications equipment for the

1 purpose of Disaster Relief or Initial Recovery Assistance without restrictions,
2 except as required by NDRC guidelines and other laws for purposes of
3 national security or public order. The NDRC shall provide guidelines for the
4 manner of use of telecommunications equipment as well as waiver of licensing
5 requirements or fees.

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

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

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

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

18 **SEC. 61. Disposition of Equipment and Unused Goods.** – The DRC shall
19 provide for the guidelines for retention, reexportation, donation and disposal
20 of unused goods and equipment after the termination of Disaster Relief and
21 Initial Recovery Assistance operations.

22 **CHAPTER XVI**

23 **RECOVERY**

24 **SEC. 62. Standards for Recovery.** – The Department shall observe
25 internationally accepted standards for recovery, planning, programming and
26 implementation of the recovery process and shall:

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

29 (b) Use locally-driven and centrally-supported processes based on
30 legal mandate with supplementary capacity support when requested;

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

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

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

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

1 (g) Ensure access to public transport, physical and mental health
2 services, markets, schools, sustainable livelihoods, and other public services
3 in planning for settlement areas; and

4 (h) Ensure restoration of peace and order and recovery of
5 government functions.

6 CHAPTER XVII

7 REMEDIAL MEASURES UNDER STATE OF CALAMITY

8 **SEC. 63. Remedial Measures Under State of Calamity.** – Upon the
9 declaration of a state of calamity, the following remedial measures shall be
10 immediately undertaken by concerned government agencies both of national
11 and local levels:

12 (a) Imposition of price ceiling on basic necessities and prime
13 commodities by the National Price Control Council, as provided for under
14 Republic Act No. 7581, otherwise known as the “Price Act”, as amended by
15 Republic Act No. 10623;

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

19 (c) Programming/reprogramming of funds for the repair of critical
20 facilities or public infrastructures that are vital for the quick delivery of
21 humanitarian assistance, to reduce further threat to lives and arrest further
22 deterioration of properties and loss of livelihoods in the affected communities,
23 following the “Build Forward Better” principle;

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

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

29 CHAPTER XVIII

30 PROCUREMENT

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

37 **SEC. 65. Emergency Procurement.** – In order to expedite disaster response
38 and early recovery, the procurement or lease of equipment and delivery of
39 goods and services through emergency procurement or purchase at site shall

1 be allowed. Periods of action on procurement activities may also be waived for
2 the same purpose and conditions.

3 **CHAPTER XIX**

4 **PROHIBITED ACTS AND PENALTIES**

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

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

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

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

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

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

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

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

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

28 (1) Delaying, without justifiable cause the delivery or improper
29 handing or storage of aid commodities, resulting to damage or spoilage;

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

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

36 (4) Buying, for consumption or resale, from disaster relief agencies
37 any relief goods, equipment or other aid commodities which are intended for
38 distribution to disaster-affected communities;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35 (16) Tampering with or stealing hazard monitoring and disaster
36 preparedness equipment and paraphernalia;

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

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

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

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

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

20 (c) Imprisonment of not less than two (2) years but not more than
21 six (6) years or a fine of not less than Two hundred thousand pesos
22 (P200,000.00) but not more than Five hundred thousand pesos
23 (P500,000.00), or both imprisonment and fine at the discretion of the court,
24 shall be imposed upon any person found guilty of unlawfully benefitting from
25 the proceeds or fruits of any of the prohibited acts in the preceding section,
26 in violation of subsection (b)(18) thereof;

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

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

40 (f) Payment of the full cost of repair or replacement of the
41 government risk reduction and preparedness equipment, accessories, and
42 other vital facility or items, or any part thereof, which is the object of the crime

1 shall likewise be imposed upon any person who shall commit any of the
2 prohibited acts in the preceding section; and

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

8 **CHAPTER XX**

9 **APPROPRIATIONS**

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

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

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

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

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

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

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

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

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

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

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

CHAPTER XXI

FINAL PROVISIONS

SEC. 69. *Transfer and Attachment.* –

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

1 Development (DSWD), and the Bureau of Fire Protection are hereby
2 transferred to the Department.

3 (b) The disaster risk reduction and management functions, assets
4 and personnel of the Office of Civil Defense (OCD) currently under the DND,
5 are hereby transferred to the Department, and the civil defense functions shall
6 remain in the DND.

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

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

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

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

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

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

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

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

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

39 CHAPTER XXII

MISCELLANEOUS PROVISIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

Approved,