

1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Batasan Hills, Quezon City

4
5 **EIGHTEENTH CONGRESS**
6 First Regular Session

7 House Bill No. **1151**
8



9
10
11 Introduced by
12 **HON. YEDDA MARIE K. ROMUALDEZ**
13 and
14 **HON. FERDINAND MARTIN G. ROMUALDEZ**
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19
20 **EXPLANATORY NOTE**
21

22 The Philippines is one of the countries often visited by strong typhoons.
23 Around nineteen tropical storms enter the Philippine area of responsibility in a
24 typical year and, of these, usually six or nine make landfall. Natural disasters of
25 increasing magnitude and frequency, such as typhoon Haiyan, have continued
26 to affect our country, which is now the second most vulnerable in the world to
27 disasters and climate change. Nearly 74 percent of the population and 80
28 percent of the land area are identified as vulnerable to disasters, with the capital
29 of Manila considered at "extreme risk." This "new normal" requires a more
30 focused and in-depth attention in the way we understand, prepare and respond
31 to natural disasters.
32

33 Notwithstanding all the disaster preparation and coordination plans,
34 there were still significant losses of life, injury, and damage to property when
35 Typhoon Yolanda (International Code Name: Haiyan), considered as the
36 world's strongest typhoon ever recorded, struck Philippine territory. Despite the
37 government's efforts and preparations, thousands of people perished. Damage
38 to business, property and agriculture were of such magnitude that economic
39 activities were placed on standstill. A few days after Typhoon Yolanda ravaged
40 the Visayas region, the national government was criticized by international
41 media for the slow response and lack of support to the survivors in the affected
42 areas.
43

44 In light of this, it is high time that we create a truly empowered
45 department that will focus on natural hazards and disasters; and characterized
46 by unity of command, a science-and ICT-based approach, and the capacity to
47 take charge of three (3) key result areas: (a) disaster risk reduction; (b) disaster
48 preparedness and response; and (c) recovery, rehabilitation and building
49 forward better. As the country's primary disaster management agency, the

1 Department of Disaster Resilience shall integrate and define what needs to be
2 done, where it needs to be done, based on what standards, how it should be
3 done and how well it should be done.

4
5 Some of the key elements and features of the proposed Department are
6 as follows:

- 7
8 a. **Unity of command.** The overall powers and functions to lead the
9 country's disaster resilience efforts, both at the policy and execution
10 stages, will be placed under the Department. Thus, the Climate Change
11 Commission (CCC), which is the and the NDRRMC, will be abolished.
12 The Department shall be authorized to call upon relevant government
13 agencies and facilitate the assistance of non-government and private
14 organizations, especially in emergency cases. The bill also defines the
15 levels of responsibility for disaster preparedness and response between
16 the national and local governments.
- 17
18 b. **Full-time focus on resilience to natural hazards.** The Department is
19 mandated to cover the disasters caused by or related to the above-
20 stated natural hazards. The sheer volume and scale of these merit a
21 single Department focused on preparing for and addressing these
22 disasters. These would also require knowledge and skill set different
23 from those needed to address human-induced disasters.
- 24
25 c. **Take-over capacity in times of disasters.** Under extreme conditions,
26 the Department shall have the authority to take the lead, in close
27 collaboration with the local government units, in undertaking disaster
28 preparedness and response in areas that are severely affected by
29 natural disasters. The Department shall have the power to temporarily
30 take-over or direct any private utility for urgent public purpose.
- 31
32 d. **Rationalized fund-use for disasters.** The Department shall be
33 mandated to manage and ensure the judicious and expeditious use of
34 disaster-related funds. It shall streamline and rationalize the systems
35 and procedures in accessing these funds to help ensure the timely
36 provision of support where urgently and critically needed.
- 37
38 e. **Fast and responsive procurement.** The Department shall
39 institutionalize innovative and responsive procurement mechanisms,
40 e.g. stand-by contracts, pre-arranged systems of procurement with a
41 pre-approved list of contractors, pre-negotiated contracts, advanced
42 procurement contracts, and framework contracts, among others, to
43 ensure the country's resilience to natural hazards and disasters.
- 44
45 f. **Science- and ICT-based approach.** The Department shall develop
46 mechanisms to ensure the inter- operability of systems among relevant
47 agencies to ensure real-time access to relevant information, including
48 multi-hazard mapping, risk assessment, early warning, exposure

1 database, and communication and emergency management systems,
2 among others.

3
4 **g. Highly specialized functions and highly-skilled personnel**
5 **requirements.** The Department shall have the resources and authority
6 to engage highly-skilled technical experts, e.g., DRRM specialists,
7 scientists, environmental and/or urban planners, civil engineers, and
8 public finance specialists.

9
10 **h. Institutional partnerships with LGUs, NGOs, and academia.**
11 Recognizing that disaster resilience is everybody's business, the
12 Department shall adopt a whole-of-society approach to ensure our
13 country's resilience to natural hazards. It shall be mandated to establish
14 partnerships with stakeholders in order to attain the goals and objectives
15 of the Department.

16
17 A new Department of Disaster Resilience will effectively improve the
18 institutional capacity of the government for disaster risk reduction and
19 management, reduce the vulnerabilities surrounding the affected local
20 population as well as build the resilience of local communities to both natural
21 disasters and climate change. Given its exposure to disaster risk, the
22 Philippines cannot continue to have a focal disaster organization that only has
23 coordinative functions. Our personal experience during typhoon Haiyan has
24 confirmed that the complexity of large-scale disasters undermines existing
25 policies and structures. The current DRRM structure where authority is shared,
26 responsibility is dispersed and resources are scattered, renders it difficult to
27 operate an appropriate and immediate response, thus delaying critical disaster
28 response and recovery.

29
30 Guaranteeing disaster resiliency through closer coordination and
31 stronger management synchronization at all levels of the country's disaster risk
32 reduction and management system cannot be delayed any further.

33
34 With the lives, safety and the welfare of our people at stake, the passage
35 of this bill is earnestly sought.

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39 **Rep. YEDDA MARIE K. ROMUALDEZ**
40 Representative, Tingog Sinirangan

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47 **Rep. FERDINAND MARTIN G. ROMUALDEZ**
48 Representative, First District of Leyte

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19
20 **AN ACT CREATING THE DEPARTMENT OF DISASTER RESILIENCE,**
21 **DEFINING ITS POWER AND FUNCTIONS, APPROPRIATING FUNDS**
22 **THEREFOR, AND FOR OTHER PURPOSES**
23

24 *Be it enacted by the Senate and the House of the Representatives of the*
25 *Philippines in Congress assembled:*
26

27 **Article I**
28 **GENERAL PROVISIONS**
29

30 **Section 1. Short Title.** – This Act shall be known as the “Disaster
31 Resilience Act of 2019”.
32

33 **Section 2. Declaration of Policy.** It shall be the policy of the State to:
34

35 2.1. Protect the lives and properties of its citizens by addressing and
36 preventing the causes of vulnerabilities to natural disasters;
37

38 2.2. Inculcate a culture of resilience and preparedness against natural
39 disasters at the national, regional and local levels;
40

41 2.3. Establish a strong and empowered institution capable of responding
42 to the “new normal” of natural disasters and climate change, and spearhead
43 efforts to ensure disaster resilience by delivering on the highly critical and
44 intertwined functions of disaster risk reduction, response, and recovery and
45 building forward better;
46

47 2.4. Address the differentiated concerns and needs of sectors with
48

1 special needs or higher vulnerabilities such as women, children, elderly,
2 persons with disabilities, and indigenous peoples with respect to disaster
3 resilience and disaster management;

4
5 2.5. Protect the nation's historical and cultural heritage and resources
6 from natural hazards;

7
8 2.6. Foster an enabling environment for substantial and sustainable
9 participation of non-government stakeholders such as CSOs, private groups,
10 volunteers and communities in disaster resilience programs and projects;

11
12 2.7. Adopt a whole-of-society approach in disaster preparedness to
13 increase collaboration, planning, and dialogue among all sectors of society in
14 preparing for natural disasters and in improving their strategies and/or action
15 plans for disaster risk reduction; and

16
17 2.8. Strengthen the chain of command and establish a unified command
18 system for disaster management.

19
20
21 **Section 3. Definition of Terms.** – For purposes of this Act, the following
22 shall refer to:

23
24 3.1. "*Adaptation*" - the adjustment in natural or human systems in
25 response to actual or expected climatic stimuli or their effects, which moderates
26 harm or exploits beneficial opportunities.

27
28 3.2. "*Assisting Actor*" - any Assisting International Actor and any
29 Assisting Domestic Actor responding to a disaster in the country.

30
31 3.3. "*Assisting Domestic Actor*" - any not-for-profit entity established
32 under domestic laws, which is responding to a disaster in the country.

33
34 3.4. "*Assisting International Actor*" - any foreign state, organization,
35 entity or individual responding to a disaster within the country, or transiting
36 through the country to respond to a disaster in another country.

37
38 3.5. "*Biological hazards*" - hazards that are of organic origin or conveyed
39 by biological vectors, including pathogenic microorganisms, toxins and
40 bioactive substances. Examples are bacteria, viruses or parasites, as well as
41 venomous wildlife and insects, poisonous plants and mosquitoes carrying
42 disease-causing agents.

1 3.6. *"Building Forward Better"* - an approach to building and/or
2 reconstructing an area or community, which entails a shift from simple recovery
3 and restoration to safer, more adaptive, resilient, and inclusive communities.
4

5 3.7. *"Bureau of Customs (BOC)"* - a revenue collection agency under the
6 Department of Finance mandated under Section 602 of Republic Act No. 1937,
7 also known as the Tariff and Customs Code of the Philippines, to: (a) prevent
8 smuggling and other frauds; (b) control vessels/aircrafts doing foreign trade; (c)
9 enforce tariff and customs laws; (d) control the handling of foreign mails for
10 revenues and prevention purposes; (e) control import and export cargoes; and
11 (f) exercise jurisdiction over forfeiture and seizure cases.
12

13 3.8. *"Bureau of Internal Revenue (BIR)"* - a revenue collection agency
14 mandated under Republic Act No. 8424, as amended, to assess and collect all
15 national internal revenue taxes, fees, and charges and to enforce all forfeitures,
16 penalties, and fines connected therewith, including the execution of judgments
17 in all cases.
18

19 3.9. *"Business Continuity"* - capability of an organization to continue
20 delivery of products or services at acceptable predefined levels following a
21 disruptive incident.
22

23 3.10. *"Capacity"* - the combination of attributes and/or resources
24 available within a community or area that can reduce the level of risk(s) from,
25 or impact(s) of, a disaster.
26

27 3.11. *"Civil Society Organizations (CSOs)"* - non-state actors whose
28 aims are neither to generate profits nor to seek governing power, but to unite
29 people to advance shared goals and interests. CSOs may include
30 nongovernment organizations (NGOs), professional associations, foundations,
31 independent research institutes, community-based organizations, and social
32 movements.
33

34 3.12. *"Climate Change"* - a change in the state of the climate that can be
35 identified by changes in the mean and/or the variability of its properties, and
36 that persists in an extended period, typically decades or longer, whether due to
37 natural internal processes or external forces, such as modulation of the solar
38 cycles, volcanic eruptions and persistent anthropogenic changes in the
39 composition of the atmosphere or in land use.
40

41 3.13. *"Complex Emergency"* - a form of human-induced emergency in
42 which the cause of the emergency as well as the assistance to the afflicted is
43 complicated by intense level of political considerations.
44

45 3.14. *"Contingency Planning"* - a management process that analyses
46 specific potential events or emerging situations that might threaten society or

1 the environment and establishes arrangements in advance to enable timely,
2 effective and appropriate responses to such events and situations.

3
4 3.15. "*Commission on Audit (COA)*" - an independent constitutional
5 commission established under Article IX-D of 1987 Constitution tasked to,
6 among others, examine, audit, and settle all accounts and expenditures of
7 funds and properties of the Philippine government in order to prevent the
8 irregular use of government funds or properties.

9
10 3.16. "*Cultural Heritage*" - the totality of cultural property preserved and
11 developed through time and passed on to posterity.

12
13 3.17. "*Department*" - the Department of Disaster Resilience.

14
15 3.18. "*Department of Budget and Management (DBM)*" - an executive
16 body created under Executive Order No. 21 dated April 25, 1936 to promote
17 the sound, efficient, and effective management and utilization of government
18 resources as an instrument in the achievement of national socioeconomic and
19 political development goals.

20
21 3.19. "*Department of Finance (DOF)*" - a government institution
22 mandated under Executive Orders Nos. 127, 127-A, and 292 to: (a) formulate,
23 institutionalize, and administer fiscal policies; (b) manage the financial
24 resources of the government; (c) supervise the revenue operations of all local
25 government units; (d) review, approve, and manage all public sector debt,
26 whether domestic or foreign; and (e) rationalize, privatize, and ensure public
27 accountability of corporations and assets owned, controlled, or acquired by the
28 government to ensure adequate financing for the needs of the country.

29
30 3.20. "*Department of Science and Technology (DOST)*" - a government
31 institution under the executive department of the Philippine government,
32 mandated under Executive Order No. 128 to provide central direction and
33 coordination of scientific and technological efforts and ensure that results
34 therefrom are geared towards, and utilized in, areas of maximum economic and
35 social benefits for the people.

36
37 3.21. "*Development Assistance*" - financial, material or other forms of
38 assistance to support the economic, social and environmental well-being of
39 areas and/or people affected by a natural disaster.

40
41 3.22. "*Disability*" - an evolving concept that results from the interaction
42 between persons with impairments, as defined under Republic Act No. 7277,
43 and attitudinal and environmental barriers that hinder their full and effective
44 participation in society on an equal basis with others.

1 3.24. *"Disaster"* - a serious disruption of the functioning of a community
2 or a society involving widespread human, material, economic or environmental
3 losses and impacts, which exceeds the ability of the affected community to cope
4 using its own resources. Unless otherwise specifically indicated in this Act, the
5 term "disaster" shall refer to "natural disaster".
6

7 3.25. *"Disaster assistance"* - financial, material or other forms of
8 assistance to address the immediate and long-term needs of people,
9 communities or areas affected by a disaster. This term includes humanitarian
10 assistance and development assistance.
11

12 3.26. *"Disaster Contingency Fund"* - refers to a fund, in lump-sum form,
13 managed by the Department to expediently provide funds and resources for
14 disaster relief or response in affected areas.
15

16 3.27. *"Disaster management"* - the planning, organization, and
17 application of measures preparing for, responding to, and recovering from
18 disasters.
19

20 3.28. *"Disaster mitigation"* - the reduction or limitation of the adverse
21 impacts of disasters and its related hazards.
22

23 3.29. *"Disaster preparedness"* - the knowledge and capacities developed
24 by governments, professional response and recovery organizations,
25 communities and individuals to effectively anticipate, respond to, and recover
26 from, the impacts of likely, imminent or current disasters and related hazards.
27

28 3.30. *"Disaster prevention"* - the intention to avoid, or the outright
29 avoidance, of potential adverse impacts of disasters and related hazards
30 through action(s) taken in advance.
31

32 3.31. *"Disaster relief or disaster response"* - the provision of emergency
33 services and public assistance during or immediately after a disaster in order
34 to save lives, reduce health impacts, ensure public safety and meet the basic
35 subsistence needs of the people affected. Disaster response is predominantly
36 focused on immediate and short-term needs and is sometimes called "disaster
37 relief".
38

39 3.32. *"Disaster resilience"* - the ability of a system, community, or society
40 exposed to hazards to resist, absorb, accommodate, adapt to, transform, and
41 recover from the effects of a hazard, including the long-term impact of climate
42 change, in a timely and efficient manner, including through the preservation and
43 restoration of its essential basic structures and functions through risk
44 management.
45
46

1 3.33. *"Disaster recovery"* - restoration or improvement of livelihoods and
2 health, as well as economic, physical, social, cultural and environmental assets,
3 systems and activities, of a disaster-affected community or society, aligning
4 with the principles of sustainable development and "build forward better" to
5 avoid or reduce future disaster risk.

6
7 3.34. *"Disaster rehabilitation"* - restoration of basic services and facilities
8 for the functioning of a community or a society affected by a disaster
9

10 3.35. *"Disaster Resilience Fund"* - refers to the budget managed by the
11 Department which includes funds appropriated to the Department by Congress
12 pursuant to an Appropriations Act, Disaster Contingency Fund, and
13 Rehabilitation and Recovery Fund.
14

15 3.36. *"Disaster Risk"* - the potential disaster losses in lives, health status,
16 livelihood, assets and services, which could occur to a particular community or
17 a Society over some specified future time period.
18

19 3.37. *"Disaster risk management"* - the systematic approach or process
20 of implementing strategies, policies and programs to lessen the possibility
21 and/or adverse impacts of disasters and related hazards.
22

23 3.38. *"Disaster risk reduction"* - the prevention of new, and/or reduction
24 of existing, disaster risk(s) and the management of residual risk, to enhance
25 resilience to disasters.
26

27 3.39. *"Emergency"* - unforeseen or sudden occurrence, especially
28 danger, demanding immediate action.
29

30 3.40. *"Emergency Management"* - the organization and management of
31 resources and responsibilities for addressing all aspects of emergencies, in
32 particular preparedness, response and initial recovery steps.
33

34 3.41. *"Environmental hazards"* - hazards which may be chemical, natural
35 and biological, and can be created by environmental degradation or physical or
36 chemical pollution in the air, water and soil. However, many of the processes
37 and phenomena that fall into this category may be termed drivers of hazard and
38 risk rather than hazards in themselves, such as soil degradation, deforestation,
39 loss of biodiversity, salinization and sea-level rise.
40

41 3.42. *"General Appropriations Act (GAA)"* - refers to general
42 appropriations legislated by Congress for every budget year.
43

44 3.43. *"Geological or geophysical hazards"* - hazards which originate from
45 internal earth processes, such as earthquakes, volcanic activities and
46 emissions, and related geophysical processes which include mass movements,

landslides, rockslides, surface collapses and debris or mud flows. Hydrometeorological factors are important contributors to some of these processes. While tsunamis are triggered by undersea earthquakes and other geological events, they essentially become an oceanic process that is manifested as a coastal water-related hazard.

3.44. *"Government Procurement Policy Board (GPPB)"* - an independent inter-agency body, established in accordance with Article X of Republic Act No 9184, otherwise known as the Government Procurement Reform Act, tasked to, among others, protect the national interest in all matters affecting public procurement.

3.45. *"Geographic Information System"* - a database which contains, among others, geo-hazard assessments, information on climate change, and climate risk reduction and management.

3.46. *"Hazard"* - a phenomenon, substance, human activity or condition that may cause loss of life, injury or impacts to health; social and economic disruption, environmental damage, or loss of/disruption to property, livelihood and/or services.

3.47. *"Historical landmarks"* - sites or structures that are associated with events or achievements significant to Philippine history as declared by the National Historical Institute or the applicable agency.

3.48. *"Human-induced disasters"* - disasters induced entirely or predominantly by human activities and/or choices, such as ideologically-motivated conflict, or criminality.

3.49. *"Humanitarian assistance"* - financial, material or other similar forms of assistance to address the immediate needs of people affected by a natural disaster.

3.50. *"Hydrometeorological hazards"* - hazards that are of atmospheric, hydrological or oceanographic origin, such as tropical cyclones (also known as typhoons and hurricanes); floods, including flash floods; drought; heatwaves and cold spells; and coastal storm surges. Hydrometeorological conditions may also be a factor in other hazards such as landslides, wildland fires, locust plagues, epidemics, and in the transport and dispersal of toxic substances and volcanic eruption material.

3.51. *"Impact and needs assessment"* - involves assessing the nature and magnitude of a disaster, its impact on affected populations, the type and extent of emergency, and the requirements for recovery and rehabilitation of the affected area(s).

1 3.52. *"Implementing Rules and Regulations (IRR)"* - the set of specific
2 rules and regulations, which shall be issued to implement the provisions of this
3 Act.

4
5 3.53. *"Land-Use Planning"* - the process undertaken by public authorities
6 to identify, evaluate and decide on different options for the use of land, including
7 consideration of long-term economic, social and environmental objectives and
8 the implications for different communities and interest groups, and the
9 subsequent formulation and promulgation of plans that describe the permitted
10 or acceptable uses.

11
12 3.54. *"Legal Facilities"* - entitlements and exemptions that are granted to
13 Assisting Domestic or International Actors which are declared to be eligible
14 pursuant to this Act and its implementing rules and regulations.

15
16 3.55. *"Local Disaster Resilience Plan (LDRP)"* - a document prepared by
17 an LGU based on the NDRF and NDRPIP that sets out specific programs,
18 objectives and goals to implement disaster risk management and climate
19 change adaptation measures at the local level. The plan includes, among
20 others, an evaluation and analysis of emerging disaster risks, hazards and
21 vulnerabilities applicable to an LGU, and specific programs and activities to
22 ensure responsive, effective, and appropriate disaster preparedness and
23 management at the local level.

24
25 3.56. *"Local Government Unit (LGU)"* – refers to a body politic and
26 corporate created or recognized under Republic Act No. 7160, otherwise known
27 as the Local Government Code, endowed with powers, both governmental and
28 proprietary, to be exercised by it in conformity with law.

29
30 3.57. *"National cultural treasure"* - a unique cultural property found
31 locally, possessing outstanding historical, cultural, artistic and/or scientific value
32 which is highly significant and important to the country and nation, and officially
33 declared as such by the pertinent cultural agency.

34
35 3.58. *"National Continuity Policy"* - a policy aimed at the development of
36 an organizational culture that has the ability to provide a minimum level of
37 service during interruptions, emergencies, and disasters, and return to full
38 operations quickly.

39
40 3.59. *"National Disaster Resilience Framework (NDRF)"* - a framework
41 that provides for a comprehensive, all-hazards, multi-sectoral, inter-agency and
42 community-based approach to enable communities to resist, prevent, mitigate
43 against, absorb, accommodate, adapt to, recover, or build back better from the
44 effects of a hazard in a timely and efficient manner through, among others,
45 disaster risk reduction and management and climate change adaptation and
46 mitigation. The NDRF shall be composed of a National Disaster Risk Reduction

1 and Management Framework, and National Framework Strategy on Climate
2 Change.

3
4 3.60. *"National Disaster Resilience Plan and Investment Program*
5 *(NDRPIP)"* - a plan formulated and implemented by the Department in
6 accordance with the NDRF that sets out the outcomes, goals and objectives,
7 priorities, programs and corresponding action plans for disaster risk reduction,
8 preparedness, and management, and climate change mitigation. The NDRPIP
9 shall also include, among others, goals, objectives and action plans for a
10 National Continuity Policy.

11
12 3.61. *"Natural disasters"* - disasters predominantly associated with
13 and/or caused by natural processes and/or phenomena, such as those related
14 to geology (i.e., earthquakes, ground rupture, liquefaction, landslides,
15 tsunamis, sinkholes, volcanic activity); hydrology and meteorology (i.e., floods,
16 severe winds, typhoons, storm surges); and climatological variability (i.e.,
17 extreme temperatures, El Niño, La Niña, forest fires).

18
19 3.62. *"Presidential Management Staff (PMS)"* - the primary government
20 agency, created under Executive Order No. 130 dated January 30, 1987,
21 responsible for providing technical assistance and advice to the President in
22 the exercise of the President's overall management of the development
23 process.

24
25 3.63. *"Post-Disaster Recovery"* - the restoration improvement where
26 appropriate, of facilities, livelihood and living conditions, of disaster-affected
27 communities, including efforts to reduce disaster risk factors, in accordance
28 with the principles of "build back better".

29
30 3.64. *"Preparedness"* - pre-disaster actions and measures being
31 undertaken within the context of disaster risk reduction and management and
32 are based on sound risk analysis as well as pre-disaster activities to avert or
33 minimize loss of life and property such as but not limited to, community
34 organizing, training, planning, equipping, stockpiling, hazard mapping, insuring
35 of assets, and public information and education initiatives. This also includes
36 the development/enhancement of an overall preparedness strategy, policy,
37 institutional structure, warning and forecasting capabilities, and plans that
38 define measures geared to help at-risk communities safeguard their lives and
39 assets by being alert to hazards and taking appropriate action in the face of an
40 imminent threat or an actual disaster.

41
42 3.65. *"Private Sector"* - the key factor in the realm of the economy where
43 the central social concern and process are the mutually beneficial production
44 and distribution of goods and services to meet the physical needs of human
45 beings. The private sector comprises private corporations, households and
46 nonprofit serving households.

1 3.66. *"Public Sector Employees"* - all persons in the civil service.

2
3 3.67 *"Rehabilitation"* - measures that ensure the ability of affected
4 communities/areas to restore their normal level of functioning by rebuilding
5 livelihood and infrastructures and increasing the communities' organizational
6 capacity.

7
8 3.68. *"Resilience"* - the ability of a system, community or society exposed
9 to hazards to resist, absorb, accommodate and recover from the effects of a
10 hazard in a timely and efficient manner, including through the preservation and
11 restoration of its essential basic structures and functions.

12
13 3.69. *"Response"* - any concerted effort by two (2) or more agencies,
14 public or private, to provide assistance or intervention during or immediately
15 after a disaster to meet the life preservation and basic subsistence needs of
16 those people affected and in the restoration of essential public activities and
17 facilities.

18
19 3.70. *"Retrofitting"* - reinforcing or upgrading of existing structures to
20 become more resistant and resilient to the damaging effects of hazards.

21
22 3.71. *"Risk"* - the combination of the probability of an event and its
23 negative consequences.

24
25 3.72. *"Risk Assessment"* - a methodology to determine the nature and
26 extent of risk by analyzing potential hazards and evaluating existing conditions
27 of vulnerability that together could potentially harm exposed people, property,
28 services, livelihood and the environment on which they depend. Risk
29 assessment with associated risk mapping include: a review of the technical
30 characteristics of hazards such as their location, intensity, frequency and
31 probability; the analysis of exposure and vulnerability including the physical,
32 social, health, economic, and environmental dimensions; and the evaluation of
33 the effectiveness of prevailing and alternative coping capacities in respect to
34 likely risk scenarios.

35
36 3.73. *"Risk Transfer"* - the process of formally or informally shifting the
37 financial consequences of particular risks from one party to another whereby a
38 household, community, enterprise or state authority will obtain resources from
39 the other party after a disaster occurs, in exchange for ongoing or
40 compensatory social or financial benefits provided to that other party.

41
42 3.74. *"Safety stock"* - items (such as raw materials, component parts, or
43 finished goods) maintained in inventory in order to reduce the risk that such
44 item will be out of stock, in anticipation of unforeseen shortages or unusual
45 demand for such items.

1 3.75. *"State of Calamity"* - a condition involving mass casualty and/or
2 major damages to property, disruption of means of livelihoods, roads and
3 normal way of life of people in the affected areas as a result of the occurrence
4 of natural or human-induced hazard.

5
6 3.76. *"Sustainable Development"* - development that meets the needs of
7 the present without compromising the ability of the future generations to meet
8 their own needs. It contains within it two (2) key concepts: first, the concept of
9 "needs", in particular, the essential needs of the world's poor, to which
10 overriding priority should be given; and second, the idea of limitations imposed
11 by the state of technology and social cohesion and harmony, and ecological
12 integration of a sound and viable economy, responsible governance, social
13 cohesion and harmony, and ecological integrity to ensure that human
14 development now and through future generations is a life-enhancing process.

15
16 3.77. *"Volunteers"* - individuals, groups or entities that offer and/or
17 provide services or assistance, without compensation, to help people and/or
18 areas affected by disasters.

19
20 3.78. *"Vulnerability"* - the characteristics and circumstances of a
21 community, system or asset that make it susceptible to the damaging effects of
22 a hazard. Vulnerability may arise from various physical, social, economic, and
23 environmental factors such as poor design and construction of buildings,
24 inadequate protection of assets, lack of public information and awareness,
25 limited official recognition of risks and preparedness measures, and disregard
26 for wise environmental management.

27
28 3.79. *"Vulnerable and Marginalized Groups"* - those that face higher
29 exposure to disaster risk and poverty including, but not limited to, women,
30 children, elderly, differently-abled people, and ethnic minorities.

31
32
33 **Article II**
34 **THE DEPARTMENT OF DISASTER RESILIENCE:**
35 **MANDATE, POWERS, AND FUNCTIONS**

36
37 **Section 4. *Creation of the Department of Disaster Resilience.*** There
38 is hereby created the Department of Disaster Resilience, hereinafter referred
39 to as the Department.

40
41 **Section 5. *Mandate.*** The Department shall be the principal government
42 institution responsible for ensuring safe, adaptive, and disaster-resilient
43 communities. It is mandated to provide a clear and comprehensive direction in
44 the implementation of plans, programs, and projects to reduce the risk of natural
45 hazards and the effects of climate change, and manage the impact of disasters.

1 The mandate of the Department covers all natural hazards, which
2 includes, among others, the following:

3
4 5.1. Geological Phenomena and Related Hazards

- 5 a. Earthquake – ground rupture, ground shaking, liquefaction,
6 tsunami, fire, and landslides
- 7 b. Volcanic activity – ash fall, pyroclastic flow, lava flow, lahar,
8 fissuring, volcanic gas, and *seiche* (lake water oscillation)
- 9 c. Mass movement – landslides, debris flow, sinkholes

10
11 5.2. Hydrological and Meteorological Phenomena and Related Hazards

- 12 a. Tropical cyclone – severe winds, storm surge, hail
- 13 b. Flood
- 14 c. Erosion

15
16 5.3. Climatological Variability

- 17 a. El Niño
- 18 b. Extreme temperatures
- 19 c. La Niña
- 20 d. Solar radiation

21
22 The Department shall manage and direct the implementation of national,
23 local, and community-based disaster resilience and disaster management
24 programs in collaboration with relevant national government agencies, LGUs,
25 CSOs, and other stakeholders, as applicable.

26
27 **Section 6. Powers and Functions of the Department.** The
28 Department shall exercise the following powers and functions, in collaboration
29 with the relevant departments, agencies, and non-government stakeholders:

30
31 6.1. Overall Functions

- 32 a. Undertake the formulation and implementation of the
33 government's policies, plans, programs, projects, and budget
34 for disaster resilience including those related to disaster risk
35 reduction, response, recovery, rehabilitation and building
36 forward better;
- 37 b. Review and build upon, to the extent necessary, the existing
38 disaster resilience framework, plans and strategies in the
39 crafting of an NDRF and the corresponding NDRPIP;
- 40 c. Oversee, review, and approve the translation, integration, and
41 implementation of the NDRPIP into LDRPs;
- 42 d. Facilitate the availability of highly-competent DRR
43 professionals at all levels and prescribe benefits, allowances,
44 and similar emoluments for DRR professionals, as it may
45 deem fit;
- 46 e. Communicate and disseminate critical information to help the

- 1 public prepare for, respond to, and recover from a disaster;
2 f. Receive, manage, and administer the Disaster Resilience
3 Fund, the Disaster Contingency Fund, donations and other
4 funds; assets and/or properties received by the Department to
5 accomplish the purposes of this Act;
6 g. Recommend to the President of the Philippines the
7 declaration of a state of calamity due to a natural disaster, and
8 the lifting thereof when conditions stabilize;
9 h. Advance the country's interests relating to disaster resilience
10 and climate change in the regional and global arena; and
11 i. Advise the President on matters concerning disaster
12 resilience and make recommendations, as appropriate.
13

14 6.2. *Disaster Risk Reduction*

- 15 a. Develop coordinated regional and local strategies for the
16 effective prevention and mitigation of disaster risk resulting
17 from natural hazards, including the effects of climate change;
18 b. Develop, maintain and update an integrated disaster
19 management and disaster resilience information system that
20 includes, among others, multi-hazard mapping, vulnerability
21 and risk assessments, early warning, exposure database,
22 communication and emergency management systems at the
23 national, regional, and provincial levels;
24 c. Develop and implement policies and programs relating to the
25 construction of new settlements or relocation of settlements in
26 safe areas which shall, to the extent such policies and
27 programs relate to disaster risk reduction, mitigation,
28 prevention or building back better, prevail over policies or
29 decisions of other government departments, government
30 agencies, government owned and/or controlled corporations,
31 LGUs, or other government institutions;
32 d. Develop, in coordination with relevant government agencies,
33 policies and programs on land-use planning, urban planning
34 and zoning which shall, to the extent such policies and
35 programs relate to disaster risk reduction, mitigation,
36 prevention or building back better, prevail over policies or
37 decisions of other government departments, government
38 agencies, government owned and/or controlled corporations,
39 LGUs, or other government institutions;
40 e. Establish and/or enhance standards for disaster
41 preparedness and continuity planning, such as, but not limited
42 to, infrastructure standards and designs;
43 f. Collaborate with the Department of Public Works and
44 Highways (DPWH) and other relevant government agencies
45 in the conduct of regular audit of buildings and other types of
46 infrastructure, and require the submission of necessary data,

- information or reports related thereto;
- g. Formulate plans and programs to establish and implement government redundancy, governance and business continuity, and a National Continuity Policy;
 - h. Undertake programs and projects to reduce the vulnerability of physical infrastructure, assets, and facilities including, but not limited to, retrofitting, and structural and non-structural upgrading, in coordination with the relevant government agencies;
 - i. Call on relevant government agencies to develop alternative livelihood programs to reduce the vulnerability to disasters of certain areas or certain sectors of society;
 - j. Formulate, facilitate and monitor efforts relating to certain resources or sectors toward addressing the long-term effects of climate change on sustainable development, such as water resources, agriculture, forestry, coastal and marine resources, health, and infrastructure, in coordination with relevant government agencies;
 - k. Establish, develop, and monitor programs and projects, in coordination with relevant government agencies, that consider climate projections (including but not limited to temperature increase and rainfall change in the Philippines) to ensure climate-resilient communities; and
 - l. Undertake all other programs and projects necessary to attain the necessary outcomes under this key result area.

6.3. *Disaster Preparedness and Response*

- a. Establish a corps of first responders in partnership with national and local stakeholders, both public and private;
- b. Implement projects and programs that will enhance the capacity of LGUs to prepare for, and respond to disasters, giving priority to LGUs with low income and/or those situated in high-risk areas;
- c. Ensure the efficient prepositioning of goods, maintenance and disposal of safety stocks;
- d. Accredite, monitor and evaluate training institutions on disaster resilience;
- e. Regulate the accreditation of donors, volunteers, and assisting non- government stakeholders, both domestic and international;
- f. Undertake the establishment of evacuation centers, in coordination with the relevant government agencies and/or LGUs, as applicable;
- g. Formulate standards for contingency planning that shall be adopted by the LGUs;
- h. Develop a database of exposure or elements at risk per area

- 1 to facilitate and ensure quick impact and needs assessment
2 in the event of a disaster;
- 3 i. Establish a database that includes, among others, an
4 inventory of hazardous materials per area, to better prepare
5 for and respond to natural disasters.
- 6 j. Lead, manage, and collaborate with other agencies in the
7 provision of minimum basic needs for affected areas;
- 8 k. Facilitate and regulate the acceptance, inventory, and
9 accounting of humanitarian assistance, including relief goods;
- 10 l. Maintain a database of volunteers and, when necessary,
11 mobilize volunteers to augment the personnel complement
12 and logistical requirements for disaster response and/or for
13 the delivery of DRRM programs, projects and activities;
- 14 m. May call upon other instrumentalities or entities of the
15 government and non-government and civic organizations for
16 assistance. In terms of the use of their facilities and resources
17 for the protection and preservation of life and properties in the
18 whole range of disaster risk reduction and management. This
19 function includes the power to call on the reserve force as
20 defined in Republic Act No. 7077 to assist in relief and rescue
21 during disasters or calamities;
- 22 n. By the authority of the President, call upon the AFP and PNP
23 to render the necessary assistance in a disaster-affected area;
24 and
- 25 o. Undertake all other programs and projects necessary to attain
26 the necessary outcomes under this key result area.

27 28 6.4. *Recovery and Building Forward Better*

- 29 a. Establish a system to promptly deliver impact and needs
30 assessment, including, but not limited to, strengthening the in-
31 house capacity of the Department to conduct accurate and
32 timely impact and needs assessment;
- 33 b. Establish a system that utilizes templates, exposure
34 database, and other tools, and develop the Department's in-
35 house capacity for the prompt and expedient preparation of
36 rehabilitation plans, when needed, for disaster affected areas;
- 37 c. Formulate and/or direct relevant government agencies and
38 LGUs to issue guidelines for fast-tracking the issuance of
39 permits, certifications, clearances and licenses to implement
40 disaster recovery and rehabilitation measures, including
41 housing projects, in affected areas;
- 42 d. Prepare and implement rehabilitation plan(s) for disaster
43 affected areas;
- 44 e. Manage and oversee the implementation of disaster recovery
45 and rehabilitation measures;
- 46 f. Collaborate with relevant government agencies to establish

- 1 programs to restore and/or generate livelihood in disaster
2 affected areas;
- 3 g. Formulate policies and standards for post-disaster shelter
4 recovery which may include, among others, implementation
5 arrangements, coordination arrangement with relevant
6 agencies and/or LGUs, and modalities for emergency
7 transitional and permanent shelter recovery;
- 8 h. Ensure that the principle of Building Forward Better is applied
9 to rehabilitation or reconstruction efforts; and
- 10 i. Undertake all other programs and projects necessary to attain
11 the necessary outcomes under this key result area.
- 12

13 **6.5 Other Functions**

- 14 a. Constitute, call, convene and/or deputize agencies of
15 government, and invite non-government and private
16 organizations, to assist, advise, and/or coordinate with the
17 Department to achieve the purposes of this Act.
- 18 b. By authority of the President, call upon the Armed Forces of
19 the Philippines, Philippine National Police, Philippine Coast
20 Guard, and other uniformed services to the extent necessary
21 for the Department to achieve the purposes of this Act;
- 22 c. Establish a National Corps of Volunteers to be composed of,
23 among others: Reserve Officers' Training Corps (ROTC),
24 National Service Training Program (NSTP), reservists, and
25 other socio- civic organizations;
- 26 d. Create or reorganize offices and/or task forces, as may be
27 necessary to carry out the objectives of this Act; and
- 28 e. Perform such other functions, as may be necessary, for the
29 attainment of the objectives of this Act.
- 30

31 **Article III**
32 **ORGANIZATIONAL STRUCTURE**

33
34 **Section 7. Office of the Secretary.** The head of the Department shall
35 have the rank and emoluments of a Cabinet Secretary, and shall be appointed
36 by the President based on qualifications provided in this Act and its
37 implementing rules and regulations.

38

39 **Section 8. Powers and Functions of the Secretary.** – The Secretary
40 shall have the following powers and functions:

41
42 8.1. Provide executive direction and supervision over the entire
43 operations of the Department;

44
45 8.2. Establish policies and standards for the effective, efficient, and
46 economical operation of the Department;

1 8.3. Manage the financial and human resources of the Department;

2
3 8.4. Appoint and designate officers and employees of the Department,
4 excluding those requiring presidential appointment as provided for by law;

5
6 8.5. Exercise disciplinary powers over officers and employees of the
7 Department in accordance with law, and investigate such officers and
8 employees, or designate a committee or officer to conduct an investigation;

9
10 8.6. Coordinate with other agencies and public and private interest
11 groups, including CSOs, on Department policies and initiatives, as necessary;

12
13 8.7. Advise the President on the promulgation of executive and
14 administrative orders, and the formulation of regulatory and legislative
15 proposals on matters pertaining to disaster resilience;

16
17 8.8. Formulate such rules and regulations, and exercise such other
18 powers as may be required to implement the objectives of this Act; and

19
20 8.9. Perform such other tasks as may be provided by law or assigned by
21 the President.

22
23 **Section 9. Undersecretaries.** The Secretary shall be assisted by at
24 least four Undersecretaries, which shall be responsible for the following key
25 result areas:

26
27 9.1. *Disaster Risk Reduction* - to formulate, adopt, and/or implement,
28 among others, a whole-of-society approach in policies and programs to prevent
29 new, if not reduce existing, disaster risks, to address the effects of climate
30 change, and to minimize loss and damage to lives and properties. This includes
31 the formulation of the required policies and/or programs for disaster risk
32 reduction and climate change adaptation in, among others, the NDRF and the
33 NDRPIP;

34
35 9.2. *Disaster Preparedness and Response* - to implement projects and
36 programs that will enhance the capacity of LGUs to prepare against, and
37 respond to, disasters. This also includes development of a database of
38 exposure or elements at risk per area and database of volunteers, among
39 others. It involves the establishment of evacuation centers and the
40 implementation of responsive and efficient prepositioning of goods,
41 maintenance and disposal of stocks, among others.

42
43 9.3. *Recovery and Building Forward Better* - to formulate and implement
44 rehabilitation plans for disaster-affected areas, and to ensure the
45 implementation of disaster recovery and rehabilitation measures, such as, but
46 not limited to, post-disaster shelters and livelihood projects, in collaboration with

relevant agencies, LGUs, and other stakeholders.

9.4. *Support to Operations* - to formulate and implement, among others, policies, programs and/or projects to ensure the efficient, effective, and responsive delivery of the Department's key result areas. Support to Operations covers knowledge management, institutional development and planning, finance, office administration, human resources management, and development of the Department's in-house capacities, among others.

Section 10. Assistant Secretaries and Directors. The Department shall have the appropriate number of Assistant Secretaries and Directors necessary for the effective, efficient, and responsive implementation of the mandate and functions of the Department.

Section 11. Appointment of Department Officials. No person shall be appointed Secretary, Undersecretary or Assistant Secretary unless he/she is a resident and citizen of the Republic of the Philippines, of good moral character, preferably DRRM specialists, scientists, environmental specialists, urban planners, civil engineers, public finance specialists, and meets the qualifications provided for in the implementing rules and regulations.

Section 12. Qualifications. The Secretary of Disaster Resilience shall: be mentally and physically able; have a solid background in any of the scientific and/or engineering fields relevant to disaster resilience for natural hazards and climate change; and be nominated by a reputable entity specializing in disaster resilience.

Section 13. National Disaster Operations Center, Alternative Command Center, and Research and Training Institute. The Department shall establish, within one (1) year from the approval of this Act, and act as the primary operator of the National Disaster Operations Center (NDOC), Alternative Command and Control Center (ACCCs) as may be necessary in each of the country's major island groups, and a Disaster Resilience Research and Training Institute (DRRTI).

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

The ACCCs are command centers established in other locations as an alternative or to provide supplemental support to the NDOC. The number and location of ACCCs shall be determined by the Department. Temporary ACCCs may likewise be established by the Department, if necessary.

1 **Section 14. *DRRTI Functions and Inter-Agency Knowledge Sharing.***

2 The DRRTI shall be a platform for providing training, and for collecting,
3 consolidating, managing, analyze, and/or sharing knowledge and information
4 to improve and/or enhance disaster resilience.

5
6 The DRRTI shall:

7
8 14.1. Establish reliable and up-to-date information and communication
9 systems and technologies through close and seamless collaboration with the
10 DOST;

11
12 14.2. Institutionalize, maintain, and update an integrated disaster
13 resilience information system (IDRIS), which includes, among others, multi-
14 hazard mapping, risk assessment, early warning, exposure database,
15 communication and emergency management systems;

16
17 14.3. Establish a database that includes relevant information from other
18 government agencies and third parties for the Department to better prepare and
19 respond to natural hazards including, but not limited to, an inventory of
20 hazardous materials per area;

21
22 14.4. Consult and coordinate with, and consolidate information/data
23 from, relevant government agencies, such as, but not limited to, DOST, LGUs
24 and relevant CSOs to enhance the IDRIS and to promote knowledge sharing
25 among all stakeholders;

26
27 14.5. Conduct disaster-related research programs, seminars, and
28 trainings for all types of stakeholders;

29
30 14.6. Consolidate, organize and/or prepare training materials and
31 publications; and

32
33 14.7. Conduct other activities consistent with promoting the formation
34 and dissemination of knowledge and information relating to disaster resilience
35 and disaster management.

36
37 **Section 15. *Inter-agency Collaboration.*** The Department shall
38 coordinate and collaborate with relevant government agencies, such as, but not
39 limited to, DOST, to establish a platform for information sharing to provide real-
40 time data for science-based planning and decision-making.

41
42 **Section 16. *Compliance and Accreditation of DRRTI with***
43 ***International Standards.*** The Department shall strive to obtain certification
44 from, and accreditation by, international accreditation bodies of the DRRTI to
45 ensure DRRTI's compliance with international standards. The Department shall
46 likewise ensure collaboration with key countries and international organizations

1 to incorporate best practices on disaster resilience in the Department's policies
2 and programs.

3
4 **Section 17. *Disaster Assistance Action Center.*** The Department shall
5 institutionalize a one-stop shop mechanism through a Disaster Assistance
6 Action Center (DAAC) which shall, among others, process necessary
7 documents for both Domestic and International Assisting Actors.

8
9 **Section 18. *Incentives.*** The Department has the power to prescribe
10 benefits, allowances, and similar emoluments for DRR professionals, Local
11 Disaster Resilience Officers, Provincial Disaster Resilience Officers and
12 Regional Disaster Resilience Officers.

13 14 **Article V**

15 **NATIONAL AND LOCAL GOVERNMENT RELATIONS**

16
17 **Section 19. *Retention of Local DRRM Offices and Creation of Local***
18 ***Disaster Resilience Offices.*** The Local DRRM Offices (LDRRMOs) in
19 provinces, cities, and municipalities shall be retained and renamed as
20 Provincial, City, and Municipality Disaster Resilience Offices, respectively.
21 They shall collectively be called Local Disaster Resilience Offices (LDROs). All
22 LGUs shall establish an LDRO at the provincial, city, and municipal level. All
23 Local DRRM Councils (LDRRMCs) shall be abolished.

24
25 **Section 20. *Composition and Organization of LDROs.*** The LDRO
26 shall be under the supervision and control of the provincial governor, and city
27 or municipal mayor, as applicable. The LDRO shall have regular plantilla staff
28 responsible for, among others, administration, research and planning, training,
29 and operations. The organization, composition, functions, and responsibilities
30 of retained LDRRMOs shall be modified to the extent provided in, and shall
31 comply with the requirements and standards of, this Act and the IRR for the
32 establishment, maintenance and operations of LDROs.

33
34 **Section 21. *Exemption from Personal Services Cap in the Creation***
35 ***of LDROs.*** Provinces, cities or municipalities shall be exempt from the Personal
36 Services (PS) limitation on local government budgets in relation to the creation
37 of the LDROs and the appointment of its officer and personnel.

38
39 **Section 22. *Local Disaster Resilience Officer.*** The LDRO shall be
40 headed and managed by a well-qualified and full-time Local Disaster Resilience
41 Officer with regular plantilla position. The Local Disaster Resilience Officer and
42 Staff shall be appointed by the Local Chief Executive subject to the
43 requirements and endowed with the emoluments and benefits indicated in the
44 IRR and other applicable laws.

1 **Section 23. Powers and Functions of City and Municipal DROs.** The
2 City and Municipal (CDRO and MDRO) shall have the following powers and
3 functions:

4
5 23.1. Formulate and implement, in close coordination with the
6 Department, a comprehensive and integrated LDRP in accordance with the
7 NDRF and the NDRPIP;

8
9 23.2. Design, program, coordinate, and/or implement disaster resilience
10 activities (including preparedness, risk reduction, response, recovery and
11 rehabilitation measures) consistent with the standards and guidelines provided
12 by the Department, and implement the NDRF and the NDRPIP at the city or
13 municipal level;

14
15 23.3. Prepare and submit to the local sanggunian, the LDRP, the
16 proposed programming of the LDR Fund, other dedicated disaster resilience
17 resources, and other regular funding source of the LDRO;

18
19 23.4. Recommend to the local sanggunian the enactment of local
20 ordinances to implement the LDRP, NDRF and NDRPIP at the city/municipal
21 level, and to comply with other requirements of this Act;

22
23 23.5. Prepare and submit to the Department, the local Commission on
24 Audit, and the applicable Regional Disaster Resilience Office a report on the
25 utilization of its Local Disaster Resilience Fund and other disaster risk reduction
26 and management resources;

27
28 23.6. Establish and maintain, in coordination with the Department, an
29 information management system within the LGU which, among others,
30 consolidates and includes local risk information (such as natural hazards,
31 profile of the LGU's vulnerable or marginalized groups), local risk maps, and a
32 disaggregated database of human resource, equipment, services, resources,
33 directories and location of critical infrastructures with their capacities (such as
34 hospitals and evacuation centers);

35
36 23.7. Operate and maintain, in coordination with the Department, a multi-
37 hazard early warning and communications system to provide accurate and
38 timely information to the public;

39
40 23.8. Organize and conduct training and knowledge management
41 activities on disaster resilience at the local level, in coordination with the DRRTI;

42
43 23.9. Procure emergency works, goods, and services in compliance with
44 the regulations, orders, and policies of DBM and GPPB, to implement the LDRP
45 or support early recovery and post-disaster activities;

1 23.10. In coordination with the DOF and other relevant agencies, access
2 foreign loans to finance its projects, programs, and policies for disaster
3 preparedness, response, recovery, and rehabilitation, subject to terms and
4 conditions agreed upon by the LDRO and the lender;
5

6 23.11. Monitor and mobilize instrumentalities and entities of the LGU and
7 its partner LGUs, CSOs, private sector, organized volunteers, and sectoral
8 organizations for disaster resilience activities, in accordance with policies and
9 procedures of the Department and applicable laws;
10

11 23.12. Coordinate and provide the necessary support or assistance to
12 the Department in the implementation of rehabilitation plan(s) within the city or
13 municipality covered by the LDRO;
14

15 23.13. Coordinate with the Department, other government agencies,
16 members of the private sector and other stakeholders in the LGU to establish
17 a Business Continuity Plan as part of their LDRP's disaster preparedness
18 measures;
19

20 23.14. Establish linkage/network and coordination mechanisms with
21 other LGUs and the Department for disaster resilience activities and to achieve
22 the purposes of this Act; and
23

24 23.15. Conduct other activities and/or act on other matters, in
25 accordance with policies and procedures of the Department and applicable
26 laws, to achieve the purposes of this Act.
27

28 **Section 24. Provincial Disaster Resilience Officer.** The Provincial
29 Disaster Resilience Office (PDRO) shall be headed and managed by a
30 Provincial Disaster Resilience Officer with regular plantilla position. The
31 Provincial Disaster Resilience Officer shall be appointed by the Department
32 Secretary for a fixed term pursuant to requirements, terms of office and
33 endowed with the emoluments and benefits indicated in the IRR and other
34 applicable laws.
35

36 **Section 25. Powers and Functions of the PDROs.** The PDROs shall
37 have the following powers and functions:
38

39 25.1. Formulate and implement, in close coordination with the
40 Department and cities/municipalities within its jurisdiction, a comprehensive
41 and integrated Provincial LDRP in accordance with the NDRF and the NDRPIP;
42

43 25.2. Review the LDRPs of cities and/or municipalities within its
44 jurisdiction, and require the amendment of such LDRPs if necessary, to ensure
45 compliance with the Provincial LDRP and/or the NDRF and NDRPIP;
46

1 25.3. Design, program, coordinate, and/or implement disaster resilience
2 activities consistent with the standards and guidelines provided by the
3 Department, and implement the NDRF and the NDRPIP at the provincial level;
4

5 25.4. Prepare and submit to the Sanggunian Panlalawigan, the
6 Provincial LDRP, the proposed programming of the province's Local Disaster
7 Resilience Fund, other dedicated disaster resilience resources, and other
8 funding sources of the PDRO;
9

10 25.5. Recommend to the Sanggunian Panlalawigan the enactment of
11 local ordinances to implement the Provincial LDRP, NDRF and NDRPIP at the
12 provincial level, and to comply with other requirements of this Act;
13

14 25.6. Prepare and submit to the Department, the local Commission on
15 Audit, and the applicable Regional Disaster Resilience Office a report on the
16 utilization of the province's Local Disaster Resilience Fund and other disaster
17 risk reduction and management resources;
18

19 25.7. Establish and maintain, in coordination with the Department, a
20 Provincial Command and Control Center (PCC) which includes, among others,
21 an information management system at the provincial level which consolidates
22 and integrates information from the cities and/or municipalities within its
23 jurisdiction, a multi-hazard early warning and communications system that is
24 connected with the cities and/or municipalities within its jurisdiction, and a
25 monitoring system that enables the PDRO to oversee, supervise, monitor and
26 respond to the needs of cities and/or municipalities within its jurisdiction in
27 relation to disaster resilience activities;
28

29 25.8. Procure emergency works, goods, and services in compliance with
30 the regulations, orders, and policies of DBM and GPPB, to implement the
31 provincial LDRP or support early recovery and post-disaster activities of the
32 PDRO;
33

34 25.9. In coordination with the DOF, access foreign loans to finance its
35 projects, programs, and policies for disaster preparedness, response, recovery,
36 and rehabilitation, subject to terms and conditions agreed upon by the PDRO
37 and the lender;
38

39 25.10. Formulate and establish mechanisms to mobilize and direct
40 LDROs within its jurisdiction as necessary for disaster preparedness and
41 response at the provincial level;
42

43 25.11. Coordinate and provide the necessary support or assistance to
44 the Department in the implementation of rehabilitation plan(s) within the cities
45 and/or municipalities covered by the PDRO; and
46

1 25.12. Conduct other activities and/or act on other matters, in
2 accordance with policies and procedures of the Department and applicable
3 laws, to achieve the purposes of this Act.
4

5 **Section 26. Local Disaster Resilience Fund and Local Disaster**
6 **Contingency Fund.** LGUs shall annually set aside not less than ten percent
7 (10%) of their local budget, to constitute a Local Disaster Resilience Fund
8 (LDRF). The LGU shall use its LDRF to maintain and operate its LDRO to
9 maintain the officers, employees and staff of the LDRO, and to implement
10 plans, programs and activities under its LDRP. Thirty percent (30%) of the
11 LDRF shall be set aside as Local Disaster Contingency Fund (LDCF) which
12 shall be used for disaster response and quick recovery measures. Nothing
13 contained in this Act shall prevent LGUs from providing additional funding or
14 allocating additional resources for disaster resilience activities, plans and
15 programs within their jurisdiction.
16

17 **Section 27. Supplemental LDRF.** The Department may allocate and
18 disburse funds to supplement an LGU's LDRF based on parameters and
19 requirements indicated in the IRR. In determining such parameters and
20 requirements, the IRR shall aim to provide supplemental funds to LGUs with
21 low income and/or high exposure to natural hazards. Supplemental LDRFs
22 shall, as much as possible, fill gaps or shortages in LGU resources to ensure
23 that LGUs can implement disaster resilience measures such as, among others,
24 implementing their LDRP/Provincial LDRP, establishing their LDROs/PDROs,
25 obtaining and/or maintaining the necessary equipment and staff in their
26 LDROs/PDROs, and implementing the NDRF and NDRPIP at the local levels.
27

28 **Section 28. Regional Disaster Resilience Offices.** The Department
29 shall establish and maintain Regional Disaster Resilience Offices (RDROs) at
30 each region, and a Metro Manila Disaster Resilience Office (MMDRO). The
31 size, composition and organization of RDROs and the MMDRO shall be based
32 on parameters provided in the IRR (such as ability of LGUs within its jurisdiction
33 to cope with previous disasters, or to implement their LDRPs/Provincial LDRPs;
34 the level of income, population, hazard exposure of LGUs). The RDROs and
35 MMDRO shall be funded by the Department.
36

37 **Section 29. Regional Disaster Resilience Director.** Each RDRO and
38 the MMDRO shall be headed and managed by a Regional Director with regular
39 plantilla position. The Regional Director shall be appointed by the Department
40 Secretary for a fixed term pursuant to requirements, terms of office and
41 endowed with the emoluments and benefits indicated in the IRR and other
42 applicable laws.
43
44
45
46

1 **Section 30. Powers and Functions of RDROs and MMDRO.** The
2 RDROs and MMDRO shall have the following powers and functions:

3
4 30.1. Review the LDRPs and Provincial LDRPs of LGUs within its
5 jurisdiction, and require the amendment of such LDRPs and/or Provincial
6 LDRPs if necessary, to ensure compliance with the NDRF and NDRPIP;

7
8 30.2. Monitor and direct LDROs and PDROs to implement their
9 respective LDROs and PDROs;

10
11 30.3. Recommend to the appropriate sanggunian (at the city, municipal
12 or provincial level) the enactment of local ordinances to implement the LDRP,
13 NDRF and NDRPIP at the city, municipal or provincial level, and to comply with
14 other requirements of this Act;

15
16 30.4. Review reports on the utilization of the LDRF and other disaster
17 risk reduction and management resources of LGUs within its jurisdiction, and
18 give recommendations, as necessary;

19
20 30.5. Disburse to, and monitor the use by, LGUs of Supplemental LDRF
21 as granted by the Department pursuant to this Act and its IRR;

22
23 30.6. Disburse to, and monitor the use by LGUs of the People's Survival
24 Fund for climate change adaptation projects;

25
26 30.7. Provide, upon the request of LGUs or unilaterally at its own
27 discretion, assistance to LGU(s) within its jurisdiction as necessary to ensure
28 the implementation of LDRPs/Provincial LDRPs, NDRF and NDRPIP, and to
29 render efficient and timely disaster preparedness, response and recovery
30 measures;

31
32 30.8. Identify and report to the Department issues and problems relating
33 to, or affecting, the disaster resilience of LGUs within its jurisdiction, and make
34 recommendations to the Department and/or to the LGUs to address such
35 issues or problems;

36
37 30.9. Procure goods and services in compliance with the regulations,
38 orders, and policies of DBM and GPPB, to implement the NDRPIP and NDRF
39 at the regional level;

40
41 30.10 Formulate and establish mechanisms to mobilize and direct
42 LDROs and PDROs within its jurisdiction as necessary for disaster
43 preparedness and response at the regional level;

44
45 30.11. Establish and maintain, in coordination with the Department, a
46 Regional Command and Control Center (RCC) which includes, among others,

an information management system at the regional level which consolidates and integrates information from the provinces, cities and municipalities within its jurisdiction; a multi-hazard early warning and communications system, and a monitoring system that enables the RDRO to oversee, supervise, monitor and respond to the needs of LGUs within its jurisdiction in relation to disaster resilience activities; Implement or assist in the implementation, as directed by the Department, of rehabilitation plan(s) for LGUs within its coverage; and

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

Section 31. *Inter-Regional Disaster Resilience Office Collaboration.*
The Department shall create policies and programs to establish collaboration and coordination among the different RDROs.

Section 32. *Levels of Responsibility for Disaster Preparedness and Response.* The primary responsibility for disaster preparedness and response shall be exercised at the local and/or national level, in collaboration with the relevant departments and agencies, as follows:

Levels of Responsibility	Responsible Officials	Conditions
Level 1 – City or Municipality	Mayor of the City / Municipality (Lead) Local Disaster Resilience Office (In the case of ARMM: Municipal / City Mayor and ARMM Local Disaster Resilience Office)	If a disaster affects a single municipality / city
Level 2 – Province	Governor (Lead) Provincial Disaster Resilience Office Applicable Local Disaster Resilience Offices (In the case of ARMM: Provincial Governor)	If a disaster affects two or more municipalities / cities

	and ARMM Local Disaster Resilience Office/s)	
Level 3 – Region	<p>Regional Director of the Regional Disaster Resilience Office (RDRO) (Lead)</p> <p>Applicable Governors</p> <p>Applicable Provincial Disaster Resilience Offices</p> <p>(In the case of ARMM: Regional Governor and ARMM Local Disaster Resilience Office/s)</p> <p>(In the case of Metro Manila: MMDA Chair)</p>	If a disaster affects two or more municipalities / cities
<p>Level 4 – National</p> <p>During a state of calamity in any area(s) or affecting several regions</p>	<p>Secretary of the Department of Disaster Resilience (Lead)</p> <p>Governors of the affected Provinces</p>	<p>a. When a state of calamity is declared by the President</p> <p>b. If a disaster affects at least two (2) regions</p> <p>c. When the affected LGU cannot dispense its functions, or respond to the threat or effect of disaster;</p> <p>d. When the local chief executive or, in his/her absence or incapacity, the next high-ranking official, directly requests the Department to take over;</p> <p>e. When the President</p>

		directs a Level 4 response.
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Section 33. *Inter-Local Government Assistance.* LGUs are hereby authorized to extend assistance to another LGU, whether through funding or donation of goods and/or services, to ensure effective disaster preparedness and response, such as the pre-positioning and provision of basic goods, training of first responders, among others, subject to auditing and accounting

Section 34. *Reconstruction and Rehabilitation Powers of the Department.* The Department shall be primarily responsible for reconstruction and rehabilitation efforts in the event of a natural disaster. In undertaking reconstruction and rehabilitation efforts, the Department shall, as much as possible, retrofit structures to make them more resistant and resilient to the effects of natural disasters.

Article VI INSTITUTIONAL ARRANGEMENTS

Section 35. *Collaboration with Stakeholders.* The Department shall ensure seamless collaboration 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 education and training mechanisms with relevant stakeholders.

The Department shall establish a platform and mechanisms for coordination with stakeholders, including the development of standard operating procedures for collaboration in the event of a disaster.

Section 36. *Establishment of Non-Government Stakeholders Coordination Unit.* The Department, with the assistance of other relevant government agencies and stakeholders, shall establish a Non-Government Stakeholders Coordination Unit (NSCU) 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 coordination in disaster resilience, including, but not limited to, the following:

36.1 Establishment and implementation of business continuity practices to ensure the continued delivery of products and services in the event of a natural disaster;

36.2. Establishment and implementation of a National Continuity Policy to ensure service continuity during interruptions, emergencies, and disasters

1 and ensure the quick return to full operations;

2
3 36.3. Establishment, incorporation, and application of business
4 continuity plans as part of the LDRP of LGUs;

5
6 36.4. Facilitation or assistance in obtaining or processing incentives for
7 the private sector or other non-government stakeholders, such as but not
8 limited to tax credits; and

9
10 36.5. Preparation and facilitating the issuance of special rules for Micro,
11 Small, and Medium Enterprises (MSMEs) such as, but not limited to,
12 mechanisms involving procurement and liquidity to create enabling
13 environments for disaster preparedness and recovery.

14
15 The NSCU shall establish a platform that includes, among others, a
16 database for monitoring and coordinating efforts and resources of non-
17 government stakeholders.

18
19 **Section 37. Disaster Resilience Assembly.** The Department, with the
20 assistance of the RDROs, shall establish and convene a Disaster Resilience
21 Assembly, at the regional and national level, which will be held on a quarterly
22 basis to ensure the proactive engagement of different stakeholders, such as,
23 but not limited to, government agencies, the Union of Local Authorities of the
24 Philippines (ULAP), League of Municipalities of the Philippines (LMP), CSOs,
25 academe, DRRM practitioners, and the private sector, to ensure and foster
26 coordination and collaboration towards achieving the goals of this Act.

27
28 **Section 38. Inter-operability of Systems.** The Department shall
29 establish mechanisms to ensure the inter-operability of systems among
30 government agencies, and to allow access of agencies to the IDRIS (as
31 established pursuant to Section 13 of this Act). It shall develop protocols to
32 allow real-time access to information by government agencies in relation to
33 natural disasters and the implementation of disaster resilience measures.

34
35 **Section 39. Transfer of Functions.** The functions of the following
36 agencies and offices are hereby transferred to the Department:

37
38 39.1. Climate Change Commission (CCC);

39
40 39.2. Natural disaster-related functions of the National Disaster Risk
41 Reduction and Management Council (NDRRMC) and Office of Civil Defense
42 (OCD); and

43
44 39.3. Department of Social Welfare and Development (DSWD) -
45 Disaster Response Assistance and Management Bureau (DReAMB)

1 Accordingly, the CCC and NDRRMC are hereby abolished. The OCD
2 shall retain all powers and functions related to addressing human-induced
3 disasters.

4
5 **Section 40. *Transfer of Resources.*** The transfer of powers and
6 functions of agencies listed in Section 39 shall include the corresponding funds
7 and appropriations, plantilla positions, records, equipment, facilities, and
8 properties of such agencies, subject to the power of the Department to
9 reorganize or reallocate the resources and positions from such agencies, as
10 may be necessary to attain the objectives of this Act.

11
12 **Section 41. *Program Management Office for the Earthquake***
13 ***Resiliency of the Greater Metro Manila Area.*** The Program Management
14 Office for the Earthquake Resiliency of the Greater Metro Manila Area (PMO-
15 ERG), as created pursuant to Executive Order no. 981 52, s. 2018, shall be
16 attached to the Department and be given implementation powers, as provided
17 in this Act's IRR.

18
19 **Section 42. *Separation of Benefits of Officials and Employees of***
20 ***Affected Agencies.*** National government employees displaced or separated
21 from service as a result of this Act shall be entitled to either separation pay and
22 other benefits in accordance with existing laws, rules, or regulations, or be
23 entitled to avail themselves of the privileges provided under a separation plan
24 which shall be one and one-half month salary for every year of service in the
25 government; provided, however, that those who avail themselves of such
26 privileges shall start their government service anew if absorbed by the
27 Department. In no case shall there be any diminution of benefits under the
28 separation plan until the full implementation of this Act. Displaced or separated
29 personnel as a result of the implementation of this Act, if qualified, shall be
30 given preference in the hiring of the manpower requirements of the Department.
31 With respect to employees who are not retained by the Department, the
32 government, through the Department of Labor and Employment, shall endeavor
33 to implement training, job counseling, and job placement programs.

34
35
36 **Article VII**
37 **DECLARATION OF STATE OF CALAMITY**
38

39 **Section 43. *Declaration of State of Calamity.*** The Department shall
40 recommend to the President the declaration of a state of calamity, whether in
41 whole or part of an area, in case of an extraordinary disaster wherein the
42 repercussions on public safety and welfare are serious and far-reaching.

43
44 **Section 44. *Conditions for the Declaration of a State of Calamity.***
45 The President shall declare a state of calamity when all of the following
46 requisites are present:

1 44.1. There is a grave, unforeseen, or sudden occurrence which
2 demands immediate action;

3 44.2. The occurrence causes imminent threat to life and/or danger to
4 property;

5
6 44.3. The occurrence is caused by a natural disaster; and

7
8 44.5. The declaration of a state of calamity is for a limited period only.
9

10 **Section 45. *Mandatory and Remedial Measures.*** - The declaration of
11 a state of calamity shall allow the immediate implementation of any or all of the
12 following remedial measures;
13

14 45.1. Imposition of price ceiling on basic necessities and prime
15 commodities by the President upon the recommendation of the implementing
16 agency as provided for under Republic Act No. 7581, otherwise known as the
17 "Price Act", or the National Price Coordinating Council;
18

19 45.2. Monitoring, prevention and control by the Local Price Coordination
20 Council of overpricing/profitteering and hoarding of prime commodities,
21 medicines and petroleum products;
22

23 45.3. Grant of tax reductions or exemptions by the BIR, upon the
24 recommendation of the President or the Department; or
25

26 45.4. Use of alternative modes of procurement, such as negotiated
27 procurement under Section 66 of this Act, by the Department, LGUs or relevant
28 government agencies in relation to the procurement of emergency works,
29 goods or services to respond or quickly recover from disasters.
30

31 **Section 46. *Emergency Measures.*** To ensure public safety and welfare
32 due to impending hazards and actual occurrence of disasters, the Department
33 may implement the following measures:
34

35 46.1. Ration the distribution of basic goods in critical shortage, and/or
36 restrict or ban the transfer of such goods outside the area covered by the
37 emergency measure;
38

39 46.2. Temporarily take over or direct the operation of any private utility
40 or business for urgent public purpose in anticipation of, during, and in the
41 aftermath of emergencies, hazards, and disasters and only when there is
42 imminent danger of loss of lives and/or damage to property, subject to payment
43 of just compensation; and
44
45
46

1 46.3. With the concurrence of the DOF, recommend to the Monetary
2 Board the deferment of payment for monetary debts of LGUs and/or private
3 entities which have been affected by disasters.

4
5 **Article VIII**
6 **FUNDS AND RESOURCES**
7

8 **Section 47. Appropriations and Management of Disaster Resilience**

9 **Fund.** (a) The budget of the Department shall be composed of the following,
10 which shall be collectively called the Disaster Resilience Fund:
11

12 47.1. *Annual General Appropriations* – which shall provide the funding
13 requirements for, among others, research, operations, maintenance, plans, and
14 programs of the Department of Disaster Resilience, including, but not limited
15 to, establishment of evacuation centers, retrofitting of structures, establishment
16 of emergency operating centers, and implementation of other disaster risk
17 reduction projects.
18

19 47.2. *Disaster Contingency Fund* – which shall be in a lump-sum form to
20 provide funds in case of imminent hazards or actual disasters for, among
21 others, immediate response, relief and quick recovery measures for disaster
22 affected areas.
23

24 47.3. *Rehabilitation and Recovery Fund* – which shall provide the
25 funding requirements for rehabilitation and/or reconstruction projects of disaster
26 affected areas such as public classrooms, government buildings, public
27 hospitals, permanent shelters and livelihood programs.
28

29 (b) The Disaster Resilience Fund shall be managed by the Department
30 to finance its operations, and disaster risk reduction, disaster preparedness,
31 response, recovery, rehabilitation and building forward better programs,
32 projects and activities formulated at the national level. Subject to Section 32 of
33 this Act, expenses for projects, programs or activities at the local level shall be
34 governed by Section 31 of this Act.
35

36 **Section 48. Continuing Appropriations.** The unutilized balances from
37 the Disaster Contingency Fund, and Rehabilitation and Recovery Fund shall be
38 treated as Continuing Appropriations which may be used to finance the cost of
39 projects, programs, and/or activities even when such costs are incurred beyond
40 the fiscal year of the GAA where such funds were appropriated.
41

42 **Section 49. Fund Regulations.** The DBM and COA shall establish rules
43 and regulations which apply specifically to the Disaster Resilience Fund to
44 ensure that funds required for disaster response, recovery, and rehabilitation
45 are available and/or released efficiently and expeditiously through innovative
46 budgeting and auditing mechanisms, which may include, among others,

1 providing for longer validity periods for funds and/or exemption from cash-
2 based budgeting rules; imposing auditing or reporting requirements which apply
3 specifically to the utilization of the Disaster Resilience Fund.
4

5 **Section 50. *People's Survival Fund.*** The Department shall manage
6 and administer the People's Survival Fund, created under Republic Act No.
7 10174, and facilitate its utilization by LGUs, through RDROs, to implement
8 climate change adaptation projects of LGUs and equip vulnerable LGU
9 communities against the impacts of climate change.
10

11 **Section 51. *Multi-Donor Trust Fund.*** The Department shall create and
12 manage, together with the Bureau of Treasury, a Multi-Donor Trust Fund for
13 the processing, releasing and accounting of money and other similar resources
14 intended for disaster assistance. The Department shall establish a system to
15 ensure transparency in the management and use of the Multi-Donor Trust
16 Fund.
17

18 **Section 52. *Financial Administration.*** The Department shall manage
19 all funds appropriated to it by Congress and received from other sources. The
20 Department shall also manage all donations received by it, subject to the
21 auditing powers of the COA.
22

23 To fund its operations, the Department shall have the power to collect
24 fees derived from the DRRTI and other related activities.
25

26 **Section 53. *Donations Management.*** The Department shall have the
27 power to receive and manage donations from any person or entity, whether
28 from local or international sources.
29

30 The importation by, and donation to, the Department of, among others,
31 food, clothing, medical assistance, equipment, and materials for relief, recovery
32 and other disaster management activities are hereby authorized in accordance
33 with Section 105 of the Tariff and Customs Code of the Philippines, as
34 amended, and the prevailing provisions of the General Appropriations Act
35 covering national internal revenue taxes and import duties of national and local
36 government agencies.
37

38 **Section 54. *Regulation of Donations.*** The Department shall establish
39 and operate a platform, including an online platform, to facilitate, monitor, and
40 provide public access to information on donations. To ensure complete
41 accounting and reporting of donations, the Department shall formulate and
42 issue rules and guidelines for the receipt, management and accounting of
43 donations, which are consistent with the rules on the use of foreign and local
44 aid during calamities and disasters issued by COA and other relevant
45 government agencies.
46

Article IX
SPECIAL RULES ON BORROWING,
TAXES, ECO-ZONES AND PROCUREMENT

Section 55. Rules on Borrowing. The LGUs shall coordinate with the DOF, Bangko Sentral ng Pilipinas (BSP), and other relevant agencies to access foreign loans to implement disaster prevention, mitigation, early recovery, and rehabilitation measures at the provincial, city, or municipal level.

Section 56. Special Rules on Tax and Duties. To facilitate prompt and efficient response to, and/or recovery from disasters, the following shall be granted special exemptions from existing taxation laws, rules, and regulations:

56.1. Granting exemption from taxes and import duties for foreign disaster assistance or international donations coursed through the Department;

56.2. Granting exemption from donor's tax and allowing the treatment of donations as a deductible expense for local disaster assistance coursed through the Department;

56.3. Granting exemption from Value Added Tax (VAT) for goods or services donated from abroad coursed through the Department;

56.4. Granting tax incentives to encourage members of the private sector to render aid or provide disaster assistance, and/or to invest in disaster resilience and climate change adaptation measures for their residence, communities or businesses.

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

Section 57. Custom Duties and Tariffs on Donations. The BOC shall create rules which would, among others, hasten the processing and release of donated goods and equipment to disaster victims and/or affected areas.

Section 58. Economic Recovery and Development of Disaster-Prone Areas. (a) The Department, in coordination with the Department of Trade and Industry (DTI) and other relevant agencies, shall create and provide policies, programs, and projects, such as, but not limited to, business tax relief and subsidies, to encourage business investments, and to stimulate economic activities in affected or disaster-prone areas.

(b) The Department, in the collaboration with the relevant LGUs and other stakeholders, shall likewise establish dual purpose structures in disaster

1 affected areas, such as, among others, community agricultural centers,
2 classrooms, and water harvesting tanks to develop and promote investments
3 in affected or disaster-prone areas.

4
5 **Section 59. Procurement.** In general, the procurement rules provided
6 under Republic Act No. 9184 shall apply. However, alternative modes of
7 procurement as provided under Section 66 of this Act may be resorted to by
8 the Department, RDROs, or LGUs in any of the following emergency situations:
9

10 59.1. There is imminent danger to life or property during a state of
11 calamity, as provided under Section 51, Article VII of this Act, and the
12 procurement is necessary to avert or reduce such danger to life or property; or
13

14 59.2. The procurement is necessary to restore vital public services,
15 infrastructure facilities and other public utilities; or
16

17 59.3. Time is of the essence in implementing a project, program or
18 activity to effectively respond to a disaster and save lives; or
19

20 59.4. There are other circumstances which require immediate
21 procurement necessary to prevent damage to or loss of life or property.
22

23 **Section 60. Alternative Modes of Procurement.** During emergency
24 situations as provided under Section 65 of this Act, the Department, RDROs or
25 LGUs may resort to the following modes of procurement:
26

27 60.1. Direct Negotiation under Republic Act No. 9184 and its
28 implementing rules and regulations;
29

30 60.2. Simplified or pre-arranged contracts such as, among others, pre-
31 signed agreements, stand-by contracts, pre-arranged systems of procurement
32 with a pre-approved list of contractors for construction projects, pre- negotiated
33 contracts, advanced procurements contracts, and framework contracts. The
34 parameters, requirements and conditions for these types of contracts shall be
35 defined in this Act's IRR.
36

37 **Section 61. Special Rules on Procurement for Reconstruction and**
38 **Rehabilitation of Affected Areas.** (a) The Department, with the assistance of,
39 or in collaboration with, relevant government agencies, shall create special
40 rules on procurement for services, goods, and materials to be used for
41 reconstruction and rehabilitation efforts in case of a natural disaster, including
42 but not limited to, the construction of post-disaster shelters and provision of
43 service contracts, to ensure the procurement of quality-oriented goods,
44 materials, and equipment and to guarantee effective, efficient, and speedy
45 procurement to achieve the goals of this Act.
46

(b) In case of procurement of services, goods, or materials for reconstruction and rehabilitation efforts, whether from local or international sources, the Department and the relevant government agencies (such as the DBM, GPPB, COA, BIR, BOC, as applicable) shall provide less bureaucratic restrictions, more flexible procurement policies, or exemption from, or reduction of, customs duties.

Section 62. Procurement from Qualified Suppliers or Contractors.

As an exception to the provisions of Republic Act No. 9184 and its implementing rules and regulations, the Department shall have the power to procure goods and services from either local or foreign suppliers or contractors for purposes of implementing projects, programs and activities related to disaster resilience and disaster management. The conditions, limitations, application processes, eligibility requirements and assessment criteria for local and foreign suppliers and contractors shall be provided in this Act's IRR.

Section 63. Pre-arranged Contracts or Agreements with Private Sector Entities. Notwithstanding Section 65 of this Act and Republic Act No. 9184, the Department shall have authority to enter into pre-arranged or contingency contracts or agreements with private sector entities for the purpose of, among others, establishing, a logistics system for the efficient and prompt distribution of goods, equipment or other materials required for disaster response and management; securing food, medicines, fuel, or other supplies from groceries, pharmacies, gas stations or other sources in the event of a disaster in a specific area; ensuring an alternative source of power or water from private utilities in the event of a disaster in a specific area; or other arranging the immediate supply of other goods, services or equipment necessary for disaster response and management. The conditions, limitations and parameters of contracts or arrangements authorized under this Section 60 shall be provided in this Act's IRR.

Section 64. Other Procurement Rules and Policies. In view of the urgency to procure goods, services, and implement projects for the purpose of providing responsive, effective, and efficient rescue, recovery, relief, and/or rehabilitation efforts for, and to continue the provision of basic services to, disaster victims or disaster affected areas, the DBM and GPPB shall issue resolutions, orders, and policies which are tailor-fit to promote and not delay the attainment of the goals of disaster management and resilience.

Section 65. Government Accounting and Auditing Policies. The COA shall review, align, and/or issue policies or rules to improve the efficiency and expediency of procurement and audit processes for programs and projects related to disaster resilience and management.

Article X
DISASTER RISK TRANSFER AND INSURANCE

Section 66. *Disaster Risk Transfer and Insurance.* The Department, in collaboration with the DOF and Insurance Commission, shall create, establish, and implement, among others, disaster insurance pools, revolving funds, insurance and risk-transfer schemes and/or facilities, and other financial disaster resilience measures to ensure the protection of public and/or private properties and livelihood against the adverse effects of natural disasters. For this purpose, the Department and/or DOF may engage or require the participation of government banks, insurance agencies and financial institutions.

Section 67. *Mandated Insurance Coverage.* To attain disaster resilience and achieve the purposes of this Act, the Department shall have the discretion and authority to require government agencies, government-owned and controlled corporations (GOCCs), or LGUs to insure their assets and/or properties (such as, among others, vessels, vehicles, equipment, machineries, permanent buildings, properties stored therein, or properties in transit) against insurable risks and pay the premiums therefor, to compensate the Government, GOCC or LGU, as applicable, for any damage to, or loss of, properties due to a natural disaster.

Article XI
YOUTH ASSISTANCE

Section 68. *Civic Society and Youth Organizations.* The Department, with the assistance of the National Youth Commission (NYC), shall create policies, projects, and programs that address the special needs of the youth for disaster preparedness and management which shall include, among others:

68.1. Supporting youth-oriented pre- and post-disaster activities;

68.2. Conducting disaster risk training and management programs involving the youth; Coordinating with the Department of Education to create school curricula or programs that educate and train children on disaster risk awareness and disaster preparedness;

68.3. Mobilizing youth organizations;

68.4. Encouraging the participation of the youth, through the barangay youth representative and the Sangguniang Kabataan (SK) to participate in disaster resilience and disaster management activities.

1 **Section 69. Youth Oriented Disaster-Related Programs, Policies,**
2 **and Projects.** (a) The Department, with the assistance of the National Youth
3 Commission, shall provide training on, and implement, response and
4 rehabilitation programs for the youth, including but not limited to, mental health
5 and psycho-social services.
6

7 (b) The Department, in collaboration with the Department of Education
8 (DepEd), the Technical Education and Skills Development Authority (TESDA)
9 and other relevant agencies, shall integrate disaster risk and disaster resilience
10 education in the school curriculum.
11

12 **Section 70. Comprehensive Emergency Program for Children,**
13 **Pregnant and Lactating Mothers.** The Department shall establish and
14 implement a comprehensive emergency program to provide emergency relief
15 and protection to children, and pregnant and lactating mothers in the event of
16 a natural disaster.
17

18 **Article XII** 19 **PROHIBITED ACTS AND PENALTIES** 20

21 **Section 71. Prohibited Acts and Penalties.** (a) Any individual,
22 corporation, partnership, association or any juridical entity that commits any of
23 the following prohibited acts shall be made liable:
24

25 **71.1. Prohibited Acts of Public Officials.** The following acts, if committed
26 by public officials without justifiable cause, shall be considered as gross neglect
27 of duty:
28

- 29 a. Dereliction of duties which leads to destruction, loss of lives, critical
30 damage of facilities and misuse of funds;
31
- 32 b. Failure to enforce laws, standards, or regulations such as the
33 National Building Code, Solid Waste Management Act, Water Code,
34 and other relevant laws, thereby increasing the risk of disasters or
35 adversely affecting of disaster resilience;
36
- 37 c. Failure to expeditiously act on reported violations;
38
- 39 d. Failure to create LDRO(s) or PDRO(s) within six (6) months from the
40 approval of this Act; and
41
- 42 e. Failure to prepare and implement an LDRP or PDRP, as applicable
43 or a contingency plan for hazards frequently occurring within their
44 jurisdiction.
45
46

1
2 71.2. *Prohibited Acts of Public Officials and Private Persons or*
3 *Institutions.*

- 4
5 a. Delaying without justifiable cause in the delivery, or improper
6 handling or storage of, aid commodities, resulting to damage or
7 spoilage;
8
9 b. Withholding the distribution of relief goods due to a) political or
10 partisan considerations; b) discrimination based on race, ethnicity,
11 religion, or gender and c) other similar circumstances;
12
13 c. Preventing the entry and distribution of relief goods in disaster-
14 stricken areas, including appropriate technology, tools, equipment,
15 accessories, disaster teams/experts;
16
17 d. Buying, for consumption or resale, from disaster relief agencies any
18 relief goods, equipment or other and commodities which are intended
19 for distribution to disaster affected communities;
20
21 e. Buying, for consumption or resale, from the recipient disaster
22 affected persons any relief goods, equipment or other aid
23 commodities received by them;
24
25 f. Selling of relief goods, equipment or other aid commodities which are
26 intended for distribution to disaster victims;
27
28 g. Forcibly seizing relief goods, equipment or other aid commodities
29 intended for or consigned to a specific group of victims or relief
30 agency;
31
32 h. Diverting or misdelivering relief goods, equipment or other aid
33 commodities to persons other than the rightful recipient or consignee;
34
35 i. Accepting, possessing, using or disposing relief goods, equipment or
36 other aid commodities not intended for nor consigned to him or her;
37
38
39 j. Misrepresenting the source of relief goods, equipment or other aid
40 commodities by:
41
42 i. Either covering, replacing or defacing the labels of the
43 containers to make it appear that the goods, equipment or
44 other aid commodities came from another agency or persons;
45
46 ii. Repacking the goods, equipment or other aid commodities

1 into containers with different markings to make it appear that
2 the goods came from another agency or persons or was
3 released upon the instance of a particular agency or persons;
4

5 iii. Making false verbal claim that the goods, equipment or other
6 and commodity in its untampered original containers actually
7 came from another agency or persons or was released upon
8 the instance of a particular agency or persons;
9

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

13 l. Illegal solicitations by persons or organizations representing others
14 as defined in the standards and guidelines set by this Act's IRR;
15

16 m. Deliberately using false or inflated data in support of the request for
17 funding, relief goods, equipment or other aid commodities for
18 emergency assistance or other projects; and
19

20 n. Tampering with or stealing hazard monitoring and disaster
21 preparedness equipment and paraphernalia.
22

23 (b) Any individual, corporation, partnership, association or other juridical entity
24 that commits any of the prohibited acts in the preceding paragraph shall be
25 made liable for the following:
26

27 a. A fine of not less than one hundred thousand pesos (PhP
28 100,000.00) or not to exceed five hundred thousand pesos (PhP
29 500,000.00), or imprisonment of not less than six (6) months and one
30 (1) day nor more than twelve (12) years, or both, at the discretion of
31 the court, including perpetual disqualification from public office if the
32 offender is a public officer, and confiscation or forfeiture in favor of
33 the government of the objects and the instrumentalities used in
34 committing any of herein prohibited acts.
35

36
37 b. If the offender is a corporation, partnership or association, or other
38 juridical entity, the penalty shall be imposed upon the officer or
39 officers of the corporation, partnership, association or entity
40 responsible for the violation without prejudice to the cancellation or
41 revocation of these entities license or accreditation issued to them by
42 any licensing or accredited body of the government. If such offender
43 is an alien, he or she shall, in addition to the penalties prescribed in
44 this Act, be deported without further proceedings after service of the
45 sentence.
46

- 1 c. If the offender is a public officer, the offense shall also be punishable
2 by administrative suspension of six (6) months and one (1) day to
3 one (1) year for the first offense, and dismissal from the service for
4 the second offense. The penalty of dismissal shall carry with it the
5 cancellation of eligibility to or forfeiture of retirement benefits,
6 perpetual disqualification from holding public office and
7 disqualification from taking civil service examinations.
8

9 Acts committed in violation of this Section shall be without prejudice to the
10 imposition of other criminal, civil and administrative liabilities under other
11 existing laws.
12

13 **Section 72. Liability for Unlawful Performance of Duties and State**
14 **Liability in Case of Defense Litigation.** In case a lawsuit is filed against an
15 official of the Department as a result of the performance of his or her duties,
16 and such performance was found to be lawful, he or she shall be reimbursed
17 by the Department for reasonable costs of litigation. For this purpose, the
18 Department is authorized to procure applicable liability insurance for its officers
19 and employees.
20

21 **Section 73. Disciplinary Powers of the President.** The President,
22 subject to the recommendation of the Department Secretary, shall have the
23 power to impose administrative sanctions against local chief executives and
24 barangay officials for willful or negligent acts that relate to the implementation
25 of, or compliance with, this Act and its IRR or relating to their official functions
26 which adversely affect disaster resilience projects such as, but not limited to,
27 delayed issuance of permits or failure to implement local ordinances.
28

29 **Article XIII** 30 **SPECIAL COURTS AND INJUNCTIONS** 31

32 **Section 74. Special Courts on Disaster Resilience Matters.** (a) To
33 ensure the prompt and expeditious resolution of disputes relating to disaster
34 response, recovery or rehabilitation measures, the Supreme Court shall
35 establish special courts to hear, try, and decide cases arising from the following,
36 among others:
37

38 74.1. Implementation of the government's policies, plans, programs,
39 projects and budget related to the NDRPIP, LDRP, PDRP, other disaster
40 resilience activities, or pursuant to the provisions of this Act;
41

42 74.2. Construction of new settlements, or relocation of informal settlers
43 or settlements, to promote disaster resilience;
44

45 74.3. Expropriation, eminent domain or right-of-way issues relating to the
46 implementation of disaster resilience projects;

1
2 74.4. Failure to comply with standards for disaster preparedness and
3 continuity planning, including, but not limited to infrastructure standards and
4 designs;

5
6 74.5. Declaration of state of calamity under Article VII of this Act;

7
8 74.6. Imposition of tax, tariff and customs duties, or the implementation
9 of tax relief, exemptions, reductions and other tax or customs rules and
10 regulations in relation to donations, disaster assistance, or other tax policies
11 implemented by the BIR or BOC pursuant to the provisions of this Act;

12
13 74.7. Commission of prohibited acts under Article XII of this Act;

14
15 74.8. Disputes involving donations, relief goods, or contracts executed
16 or implemented pursuant to the provisions of this Act;

17
18 74.9. Other matters relating to achieving the purposes of this Act which
19 the Supreme Court may determine as falling under the jurisdiction of the special
20 courts created pursuant to this Section 71.

21
22 **Section 75. *Dispute Resolution Mechanisms.*** The Department shall
23 establish a Disaster Resolution Board which shall resolve disputes involving
24 administrative matters related to:

25
26 75.1. Accreditation or denial of accreditation of disaster resilience
27 training institutions, trainers, instructors, donors, volunteers, and Assisting
28 Domestic or International Actors;

29
30 75.2. Decisions of the RDROs;

31
32 75.3. Contracts entered into by the Department or any of its agents
33 pursuant to the provisions of this Act;

34
35 75.4. Other administrative matters or issues as may be determined by
36 the Department.

37
38 The composition, structure, and other organizational matters related to
39 the DRB shall be defined and provided in this Act's IRR.

40
41 **Section 80. *Special Prosecutors.*** The Ombudsman shall designate
42 special prosecutors to handle and prosecute violations of this Act involving
43 public officials and employees.

1 **Section 81. *Imposition of Temporary Restraining Order.*** No Court,
2 except the Supreme Court, shall have the power to issue an injunction or a
3 temporary restraining order against any action taken or projects implemented
4 by the Department or its agents pursuant to this Act.
5

6 **Article XIV**
7 **MISCELLANEOUS PROVISIONS**
8

9 **Section 82. *Post-Disaster Shelters.*** The Department shall establish a
10 post-disaster shelter recovery policy framework for low-income/informal settler
11 families, with the assistance of the appropriate housing agencies and the
12 applicable LGUs. It shall, among others, determine the appropriate shelter
13 modalities depending on the following phases: emergency,
14 temporary/transitional, and permanent. The Department shall likewise identify,
15 assess, and decide on safe zones for the implementation of recovery or
16 rehabilitation projects.
17

18 **Section 83. *Cultural Heritage.*** To protect, preserve, and promote the
19 nation's historical and cultural heritage, the Department shall assist the
20 appropriate cultural agencies and the appropriate LGUs to give priority
21 protection and restoration to all national cultural treasures or national historical
22 landmarks, sites, or monuments in post-disaster recovery or rehabilitation
23 measures.
24

25 **Section 84. *Indigenous People.*** (a) The Department, with the
26 assistance of the National Commission on Indigenous Peoples (NCIP) and the
27 applicable LGUs, shall devise and implement mechanisms which foster social
28 protection for indigenous communities that are vulnerable to the effects of
29 natural disasters.
30

31 (b) The Department shall ensure respect for, and protection of, the
32 traditional resource right of the Indigenous Cultural Communities/Indigenous
33 Peoples (ICCs/IPs) to their ancestral domains, and recognize the customary
34 laws and traditional resource use and management, knowledge, and practices
35 in ancestral domains.
36

37 (c) In ancestral domains which are disaster-prone, the Department, with
38 the assistance of the NCIP and applicable LGUs, shall create an Ancestral
39 Domain Disaster Management and Resiliency Plan. It shall likewise properly
40 communicate and explain information on disaster risks in ancestral domains
41 with the concerned ICCs/IPs and, as much as possible, engage such ICCs/IPs
42 in jointly formulating a disaster resiliency plan for their ancestral domain.
43

44 **Section 85. *Livelihood.*** The Department, with the assistance of the
45 relevant government agencies, such as but not limited to, the DTI and
46 Department of Labor and Employment (DOLE), shall establish policies and

1 programs to restore and/or generate livelihood in areas affected by natural
2 disasters.

3
4 **Section 86. Incentives Program.** The Department shall establish an
5 incentives program that recognizes the outstanding promotion and
6 implementation by LDRMOs, PDRMOs, CSOs, schools, and other institutions
7 of DRRM or CCAM programs and/or projects, and the meritorious acts of
8 individuals or entities during natural disasters.

9
10 **Section 87. Structural Audit of Government Buildings.** The
11 Department, with the assistance of DPWH and other relevant government
12 agencies and stakeholders, shall ensure and conduct structural audit, as often
13 as necessary, on government buildings, especially those located in congested
14 and disaster-prone areas, to ensure structural integrity and disaster risk of
15 urban buildings and to prevent the loss of life and property in the event of an
16 anticipated natural disaster.

17
18 **Section 88. Transition Period.** The functions, assets, funds,
19 equipment, properties, transactions, and personnel of the affected and
20 transferred agencies, and the formulation of the internal organic structure,
21 staffing pattern, operating system, and revised budget of the Department, shall
22 be completed within two (2) years from the effectivity of this Act, during which
23 time the existing personnel shall continue to assume their posts in holdover
24 capacities until new appointments are issued: Provided that, after the abolition
25 of the agencies as specified in Section 39 of this Act, the Department, in
26 coordination with the DBM, shall evaluate, abolish old and/or create new
27 positions.

28
29 **Section 89. Implementing Rules and Regulations.** The Department,
30 DBM, DOF, DILG, and PMS shall issue, within ninety (90) days from the
31 effectivity of this Act, the necessary rules and regulations (IRR) for the effective
32 implementation of this Act. They may call upon other relevant government
33 agencies as well as civil society organizations to assist in the crafting of the
34 IRR.

35
36 **Section 90. Congressional Oversight Committee.** A Congressional
37 Oversight Committee is hereby created to monitor and oversee the
38 implementation of this Act. The Committee shall be composed of six (6)
39 members from the Senate and six (6) members from the House of
40 Representatives with the Chairpersons of the Committee on Government
41 Reorganization of both the Senate and the House of Representatives as joint
42 Chairpersons of this Committee. The five (5) other members from each
43 Chamber are to be designated by the Senate President and the Speaker of the
44 House of Representatives, respectively. The minority shall be entitled to pro
45 rata representation but shall have at least two (2) representatives from each
46 Chamber.

1 **Section 91. *Mandatory Review.*** – Congress shall undertake a
2 mandatory review of this Act within five (5) years after the effectivity of this Act,
3 or as often as it may deem necessary.
4

5 **Section 92. *Interpretation.*** Any doubt in the interpretation of any
6 provision of this Act shall be resolved in favor of a liberal interpretation that will
7 fulfill the objectives of this Act, especially in relation to the provision of effective,
8 efficient and timely disaster response, rehabilitation and recovery.
9

10 **Section 93. *Repealing Clause.*** The provisions of Republic Act
11 No.10121, Republic Act No. 7160, Republic Act No. 7916, Republic Act No.
12 9184, and all other laws, decrees, executive orders, proclamations and other
13 executive issuances, which are not consistent with or contrary to the provisions
14 of this Act, are hereby repealed or amended.
15

16 **Section 94. *Separability Clause.*** If any provision of this Act shall be
17 held unconstitutional or invalid, the other provisions not otherwise affected shall
18 remain in full force and effect.
19

20 **Section 95. *Effectivity.*** This Act shall take effect fifteen (15) days after
21 its publication in at least two (2) newspapers of general circulation.