



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 70

Submitted by the Committee on Disaster Management on **OCT 02 2019**

Re : **House Bill No. 5070**

Recommending its approval in substitution of House Bill Number 2389

Sponsors: Representatives Lucy Torres-Gomez and Florida "Rida" Robes

Mr. Speaker:

The Committee on Disaster Management, to which was referred **House Bill No. 2389**, introduced by Rep. Florida Robes, entitled:

"AN ACT
PROVIDING FOR FREIGHT SERVICES IN THE TRANSPORTATION OF RELIEF
GOODS TO CALAMITY-STRICKEN AREAS"

has considered the same and recommends that the attached House Bill No. **5070**, entitled:

"AN ACT
PROVIDING FOR FREIGHT SERVICES IN THE TRANSPORTATION OF RELIEF
GOODS TO CALAMITY-STRICKEN AREAS"

Be approved in substitution of House Bill Number 2389, with Reps. Florida "Rida P. Robes, Lucy Torres-Gomez, Romeo Momo Sr., Alfred Vargas, John Reynald Tiangco, Juliet Marie De Leon Ferrer, Ansarrudin Abdul Malik Adiong, Micaela Violago and Vicente "Ching" Veloso as authors thereof.

Respectfully submitted:


LUCY TORRES-GOMEZ

Chairperson

Committee on Disaster Management

THE HONORABLE SPEAKER
HOUSE OF REPRESENTATIVES
Quezon City

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EIGHTEENTH CONGRESS
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HOUSE BILL NO. **5070**
(In substitution of House Bill No. 2389)

Introduced by Representatives Florida Robes, Lucy Torres-Gomez, Romeo Momo Sr., Alfred Vargas, John Reynald Tiangco, Juliet Marie De Leon Ferrer, Ansarrudin Abdul Malik Adiong, Micaela Violago and Vicente “Ching” Veloso

AN ACT
PROVIDING FOR FREE FREIGHT SERVICES IN THE TRANSPORTATION
OF RELIEF GOODS TO CALAMITY-STRICKEN AREAS

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

1 SEC. 1. *Short Title.* – This Act shall be known as the “*Relief Goods Free*
2 *Transportation Act.*”

3 SEC. 2. *Declaration of Policy.* – It is the policy of the State to strengthen
4 existing mechanisms that will facilitate quick responses to the demands and
5 needs during disasters and emergencies and to encourage altruism among the
6 citizens when it is necessary to provide timely relief to the victims of catastrophic
7 phenomena by engaging the services of both public and private common carriers,
8 freight forwarders, freight companies and other logistics companies to collect,
9 sort, store, transport, and deliver relief goods donated by international and local
10 donors to areas declared in a “state of calamity” in the most economical, reliable,
11 speedy and secured manner.

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

2 (a) *Common carriers* refer to persons, corporations, firms or associations
3 offering their services to the public and engaged in the business of
4 carrying or transporting passengers or goods or both, by land, water, or
5 air, for compensation;

6 (b) *Disaster* refers to a serious disruption of the functioning of a
7 community or a society involving widespread human, material,
8 economic or environmental losses and impacts, which exceeds the
9 ability of the affected community to cope using its own resources;

very good!

10 (c) *Donated goods or articles* refer to food or non-food items responsive to
11 any situation affecting disadvantaged or distressed individuals and
12 families in order to meet their basic needs, given in kind by any
13 individual or group or entities;

14 (d) *Duly registered relief organization* refers to any relief organization, not
15 operated for profit, duly registered, licensed or accredited with any
16 national government agency;

17 (e) *Emergency* refers to an unforeseen or sudden occurrence, especially
18 danger, demanding immediate action;

19 (f) *Freight companies* refer to companies that specialize in the moving or
20 transporting of freight or cargo from one place to another and
21 categorized either as international freight forwarders or domestic
22 freight forwarders;

23 (g) *Freight forwarders* refer to persons or companies that organize
24 shipments for individuals or corporations to get goods from the

1 manufacturer or producer to a market, customer or final point of
2 distribution;

3 (h) *International humanitarian assistance (IHA)* refers to any aid and
4 action taken by any duly coordinated foreign government or
5 organization in the form of financial donations, international relief
6 workers and in-kind donations, for the benefit of disaster-stricken
7 areas, aimed at providing emergency response, rehabilitation and
8 recovery operations to mitigate the effects of disasters or major
9 emergencies;

10 (i) *Private carriers* refer to those entities, that undertake the delivery of
11 goods or passengers for compensation, without being engaged in the
12 business of carrying as a public employment;

13 (j) *Relief* refers to interventions to alleviate, ease, or mitigate a distressed
14 or critical situation affecting persons, families, groups or communities;

15 (k) *Relief goods* refer to food packs and non-food items such as clothing
16 articles, mats, blankets, mosquito nets, kitchen wares, water
17 containers, hygiene kits, and medical and health-related products to be
18 given directly to the victims of a disaster or an emergency;

19 (l) *Response Cluster* refers to the National Disaster Risk Reduction and
20 Management Council (NDRRMC) cluster of government agencies and
21 instrumentalities and humanitarian agencies working in a unified
22 manner to provide assistance to the needs of communities affected by a
23 disaster; and

1 (m) *State of calamity* refers to a condition involving mass casualty or
2 major damages to property and public infrastructure, disruption of
3 means of livelihood, and the normal way of life in the areas affected by
4 the occurrence of a disaster, whether natural or human induced.

5 **SEC. 4. *Free Freight Services for the Transportation of Relief Goods –***

6 With the aim of bringing immediate relief to victims of natural or man-made
7 disasters when government resources are not available or are insufficient to
8 address the needs of the emergency, the Logistics Cluster of the Office of Civil
9 Defense (OCD), in coordination with the Philippine Postal Corporation (PPC)
10 and all freight companies, common carriers, private carriers, freight forwarders
11 and other companies providing logistic services in the Philippines are hereby
12 mandated to provide free freight services to duly registered relief organizations
13 in the transportation of emergency relief goods and donated articles to areas
14 declared to be in a state of calamity by the President or a local government unit
15 (LGU) concerned through its *Sanggunian*.

16 These common carriers, freight forwarders, and other similar entities are
17 mandated to deliver goods and services free of charge to areas where they
18 operate.

19 When the area is not accessible, such relief goods shall be sent or delivered to
20 the nearest LGU and shall be consigned to the concerned local chief executive.

21 Certain shipping auxiliary cost, such as those for *arrastre* services, pilotage,
22 and other port charges that are routinely passed on to customers, shall be borne
23 by the concerned *arrastre*, pilotage and port authorities: *Provided, That*
24 container van costs, turnaround time, and volume of cargo being shipped free of

1 charge shall be considered in order to minimize the loss of profits of the private
2 sector.

3 **SEC. 5. *Vigilance Over Relief Goods.*** – The Law and Order Cluster of the
4 NDRRMC shall be responsible for providing security and traffic management
5 assistance to the Response Cluster's operations to facilitate the speedy
6 movement of people, goods, and equipment to the affected population and
7 responding agencies.

8 **SEC. 6. *Release of Donated Relief Goods and Articles.*** – The release of
9 donated relief goods and articles intended for distribution to areas under a state
10 of calamity shall be in accordance with existing rules and procedures of
11 responsible government agencies such as the DSWD, Bureau of Customs (BOC),
12 Department of Education (DepEd), Department of Health (DOH), LGUs, and
13 other government agencies mandated to authorize the distribution of these relief
14 goods and articles, with proper verification of the receiver and in consideration of
15 prevailing policies of freight service and logistics companies and carriers.

16 **SEC. 7. *Implementing Agency.*** – The Office of Civil Defense (OCD) and
17 the Department of Transportation (DOTr), through the Civil Aeronautics Board
18 (CAB), Maritime Industry Authority (MARINA), and Land Transportation
19 Franchising and Regulatory Board (LTFRB), shall implement the provisions of
20 this Act, monitor and oversee compliance of freight service companies, common
21 and private carriers and other companies providing logistics services as provided
22 under this Act.

23 **SEC. 8. *Implementing Rules and Regulation.*** – To carry out the
24 provisions of this Act, the OCD, in coordination with the DOTr, through the

CAB, MARINA and LTFRB, BOC, PPC, DSWD, and the association or authorized representatives of freight services companies and freight forwarders, common and private carriers and other companies offering logistics services in the country shall, within sixty (60) days from the effectivity of this Act, issue the implementing rules and regulations, including a mechanism or procedure in availing the free services as provided for under this Act.

SEC. 9. *Separability Clause.* – In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

SEC. 10. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations, or parts thereof which are inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 11. *Effectivity.*– This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

5070

FACT SHEET ON HOUSE BILL NO. _____
(IN SUBSTITUTION OF HOUSE BILL NO. 2389)

(Approved by the Committee on Disaster Management on 30 September 2019)

House Bill No. **5070**

AN ACT
ESTABLISHING FOR FREE FREIGHT SERVICES IN THE TRANSPORTATION OF
RELIEF GOODS TO CALAMITY-STRICKEN AREAS

Introduced by: REPRESENTATIVES FLORIDA ROBES, LUCY TORRES-GOMEZ,
ROMEO MOMO, SR., ALFRED VARGAS, JOH REYNALD TIANGCO, JULIET MARIE DE
LEON FERRER, ANSARRUDIN ABDUL MALIK ADIONG, MICAELA VIOLAGO AND
VICENTE "CHING" VELOSO

Committee Referral: COMMITTEE ON DISASTER MANAGEMENT

Committee Chairperson: LUCY TORRES-GOMEZ

OBJECTIVES:

- To strengthen existing mechanisms that will facilitate quick responses to the demands and needs of communities after the occurrence of disasters and emergencies
- To ensure that adequate and timely relief assistance is given to individuals and communities most devastated by a disaster

KEY PROVISIONS:

- Engages the services of both public and private common carriers, freight forwarders, freight companies and other logistics companies to collect, sort, store, transport, and deliver relief goods donated by international and local donors to areas declared in a "state of calamity" in the most economical, reliable, speedy and secured manner, free of charge
- Mandates the Law and Order Cluster of the National Disaster Risk Reduction and Management Council (NDRRMC) to provide security and traffic management assistance to the Response Cluster's operations to facilitate the speedy movement of people, goods and equipment to the affected population and responding agencies

RELATED LAWS:

Republic Act No. 776 - "The Civil Aeronautics Act of the Philippines" (20 June 1952)

Republic Act No. 10121 - "The Philippine Disaster Risk Reduction and Management Act of 2010" (01 February 2010)

Republic Act No. 10863 - "Customs Modernization and Tariff Act (10 June 2016)