

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5763



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

The **Philippine Institute of Volcanology and Seismology (PHIVOLCS)** is a service and facility institute of the Department of Science and Technology (DOST) that is primarily mandated to alleviate disasters that arises from volcanic eruptions, earthquakes, tsunami and other related geotectonic phenomena.

This House Bill seeks to provide modernization funding to the Philippine Institute of Volcanology and Seismology (**PHIVOLCS**), to ensure that the country fulfills its commitments to international volcanology and seismology agreements.

Thus, the early passage of this bill is earnestly requested.


MICHAEL L. ROMERO Ph.D.

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AN ACT

PROVIDING FOR MODERNIZATION FUNDING TO THE **PHILIPPINE
INSTITUTE OF VOLCANOLOGY AND SEISMOLOGY (PHIVOLCS)**,
AND FOR OTHER PURPOSES

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

SECTION 1. TITLE – This act shall be known as the “**PHIVOLCS
Modernization Act of 2019**”.

SECTION 2. DECLARATION OF POLICY – It is hereby a declared
policy of the state to provide timely and quality information and services for
warning, **disaster** preparedness and mitigation, as part of the strategic
initiatives, earthquake and volcanic hazards and **risk** assessments are carried
out by the **PHIVOLCS**.

The State shall monitor volcano, earthquake, and tsunami activity, and
issues warnings as necessary.

The State is mandated to mitigate disasters that may arise from such and other related geotectonic phenomena.

SECTION 3. PERIOD OF IMPLEMENTATION – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That **PHIVOLCS** shall continue to modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 4. PHIVOLCS MODERNIZATION FUND – There is hereby created the *PHIVOLCS Modernization Fund* to be used exclusively for the *PHIVOLCS Modernization Program*.

The PHIVOLCS Modernization Fund shall be sourced from the following:

(a) The amount of Three billion pesos (**₱3,000,000,000.00**) to be taken from the share of the National Government in the gross income of the Philippine Amusement and Gaming Corporation (**PAGCOR**) for two (2) years after the effectivity of this Act, the amount of One billion Five hundred million pesos (**₱1,500,000,000.00**) per year shall be released to the PHIVOLCS. The entire amount of Three billion pesos (**₱3,000,000,000.00**), including any interest income thereon, shall be used exclusively for capital outlay; and

(b) Loans, grants, bequests, and donations whether from local or foreign sources. The Secretary of the **DOST** with the approval of the **NEDA** and subsequently the Department of Finance (**DOF**) is hereby granted the authority to enter into loan agreements with foreign financial institutions.

The PHIVOLCS Modernization Fund shall be administered by the Administrator of the PHIVOLCS in accordance with

existing government budgeting, accounting and auditing rules and regulations.

SECTION 5. PROGRESS REPORT – The Administrator of the **PHIVOLCS** shall prepare an annual report on the status of the implementation of the *PHIVOLCS Modernization Program* which shall be submitted, through the Secretary of the DOST, to the President and to the Chairpersons of the Committees on Science and Technology of the Senate and the House of Representatives.

SECTION 6. APPROPRIATIONS – The amount necessary to carry out the implementation of this Act shall be initially charged against the current fiscal year appropriations of the **DOST – PHIVOLCS**.

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act (**GAA**).

SECTION 7. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 8. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 9. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 11. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,