



Eighteenth Congress
First Regular Session

HOUSE BILL NO. 3913

Introduced by
REPRESENTATIVE LOREN B. LEGARDA

**AN ACT CREATING THE PHILIPPINE DISASTER AND EMERGENCY
MANAGEMENT AUTHORITY, DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The Philippines' geographic location on the Pacific "Ring of Fire" and closeness to the equator renders it vulnerable to extreme natural events such as typhoons (or tropical cyclones) and earthquakes, and its coastline exposed to storm surges and tsunami. The 2018 World Risk Index ranked the Philippines third out of 172 countries with the highest disaster risk. For the last two decades, the Philippines ranked fifth of the 10 countries most affected by climate risk for the period 1998 to 2017.¹

To strengthen disaster risk reduction and management in the country, Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management Act was enacted on May 27, 2010. This landmark legislation was borne out of the resolve to increase national and local capacities to withstand disasters after three typhoons hit the island of Luzon and became large-scale disasters: Typhoon Reming (international code name Durian) that hit Bicol on November 29, 2006; Typhoon Ondoy (international code name Ketsana) that hit Metro Manila and parts of Central Luzon on September 26, 2009; and Typhoon Pepeng (international code name Parma) that hit Pangasinan and northern Luzon on October 3, 2009.

Typhoon Reming affected a total of 649,829 families or 3,190,744 persons in 3,042 barangays of 160 municipalities and 13 cities in 14 provinces of Regions IV-A, IV-B, and V in Luzon with 720 dead, 2,360 injured, and 762 missing with an estimated cost of damage to infrastructure and agriculture amounting to P5.084 billion.² On the other hand, Typhoon Ondoy affected a total of 993,227 families or 4,901,234 individuals in 2,018 barangays. 172 municipalities, 16 cities of 26

¹ Briefing Paper: Global Climate Risk Index 2019. David Eckstein, Marie-Lena Hutfils, and Maik Wingers

² <https://reliefweb.int/report/philippines/philippines-ndcc-media-update-typhoon-reming-durian-13-dec-2006>

provinces in all 8 regions of Luzon, Region VI in the Visayas, and Regions IX, XII and Autonomous Region in Muslim Mindanao (ARMM) in Mindanao with 464 dead, 529 injured, and 37 missing and an estimated cost of damage to infrastructure and agriculture amounting to P11 billion.³ Typhoon Pepeng also affected a total of 954,087 families or 4,478,284 individuals in 5,486 barangays, 334 municipalities, and 33 cities in 27 provinces in Regions I, II, III, V, Cordillera Administrative Region (CAR), and National Capital Region (NCR) in Luzon and Region VI in Visayas with 465 dead, 207 injured, and 47 missing and an estimated cost of damage to infrastructure and agriculture amounting to P27.297 billion.⁴

Three years after the passage of RA 10121, the institutional set up of the law was heavily tested by one of the most powerful typhoons to have made landfall in recorded history: Super Typhoon Yolanda (international code name Haiyan) which is a Category 5 typhoon on the Saffir–Simpson hurricane scale. Typhoon Yolanda affected a total of 3,424,593 families or 16,078,181 individuals in 12,139 barangays, 44 provinces, 591 municipalities, and 57 cities in Regions IV-A, IV-B, and V in Luzon, the whole of Visayas regions, and Regions X, XI, and CARAGA in Mindanao with a total of 6,300 dead, 28,688 injured, and 1,062 missing and a total damaged to infrastructure and agriculture amounting to P89.598 billion and losses of P42.760 billion.⁵

The occurrence of Super Typhoon Yolanda revealed that problems encountered in coordinating and implementing large-scale disaster risk reduction and management efforts are rooted primarily in the nature of the country's governance framework for disaster risk reduction and management.

There is an immediate need to create an institution that is sufficiently capable to exercise command control, coordination and communication in overseeing the implementation of streamlined disaster risk reduction and emergency management policies nationwide, and an institution that has the necessary authority, mandate, and resources to lead and coordinate the efforts of different stakeholders towards a more responsive and resilient disaster risk reduction and emergency management program.

This bill therefore seeks the following:

- 1) The creation of the Philippine Disaster and Emergency Management Authority (PDEMA) under the direct supervision of the President of the Republic of the Philippines, which will exercise central command control, coordination and communication functions in times of calamities, disaster and emergency situations that pose danger and damages to life, limb, and property.
- 2) The reconstitution of the National Disaster Risk Reduction and Management Council (NDRRMC) into a Philippine Disaster and Emergency Management Advisory Board (PDEMAB), which will focus on policy-making and function as a platform for coordination of policy concerns with the PDEMA organizing and managing the secretariat and the Operations Center to support the PDEMAB.

³ NDRRMC Final Report on Tropical Storm Ondoy (international code name Ketsana)

⁴ NDRRMC Final Report on Typhoon Pepeng (international code name Parma)

⁵ NDRRMC Final Report on Typhoon Yolanda (international code name Haiyan)

- 3) The creation of the Philippine Disaster and Emergency Research and Training Center (PDEM-RTC), which will assist the PDEMA in providing advice to the President of the Philippines in setting policies, standards of operations, and promoting a whole of government and society approach in implementing the provisions of this Act.
- 4) The operationalization of a National Loss and Damage Management System (NLDMs), which systematizes assets valuation, validation, and registry nationwide. This system shall be coordinated with the relevant agencies concerned for a holistic and inter-operable data management and policy coordination, including action for support especially for risk valuation, insurance and transfer programs relative to achieving sustainable financing and investment needed to align disaster risk reduction and management for long-term socio-economic development.
- 5) The establishment of a Disaster and Emergency Management Information System (DEMIS), which shall constitute a physical central database of all disaster risk reduction and climate data, including a geographic information system on geo-hazard assessments and climate risk, and acts as the repository of current and multi-temporal information for wide-scale disaster risk analysis and disaster vulnerability assessment.
- 6) The reconstitution of the Regional Disaster Risk Reduction and Management Councils (RDRRMCs) into a Regional Disaster and Emergency Management Advisory Board (RDEMAB), which shall coordinate, integrate, supervise, and evaluate the activities of the Local Disaster and Emergency Management Advisory Board (LDEMAB).
- 7) The reconstitution of the Local Disaster Risk Reduction Management Councils (LDRRMCs) into a Local Disaster and Emergency Management Advisory Board (LDEMAB) at the provincial, city, and municipal level, which shall approve, monitor and evaluate the implementation of the Local Disaster and Emergency Management Plans and ensure the integration of disaster risk reduction and climate change adaptation into local development plans and programs with corresponding budget as a strategy for sustainable development and poverty reduction.
- 8) The reconstitution of the Local Disaster Risk Reduction and Management Office (LDRRMO) into a Local Disaster and Emergency Management Office (LDEMO) at the provincial, city and municipal level, and the reconstitution of the Barangay Disaster Risk Reduction and Management Committee (BDRRMC) into a Barangay Disaster and Emergency Management Committee (BDEMC), which shall design, formulate, implement, and coordinate disaster risk reduction and emergency management activities consistent with PDEMA's standards and guidelines.
- 9) The establishment of incentives program that recognizes outstanding performance of LDEMABs, nongovernmental organizations (NGOs), CSOs, schools, hospitals, and other stakeholders in promoting and implementing significant disaster and emergency

management programs and innovations, and meritorious acts of individuals, groups or institutions during natural or human-induced disasters.

- 10) The institutionalization of a one-stop shop mechanism through the Humanitarian Assistance Action Center for the processing and release of goods, articles or equipment intended for humanitarian assistance and the processing of necessary documents for international assisting actors.
- 11) The establishment of a national roster of Accredited Community Disaster and Emergency Management Volunteers (ACDEMVs) instead of Accredited Community Disaster Volunteers (ACDVs), National Service Reserve Corps, CSOs and the private sector shall be maintained by PDEMA through the LDEMOs.
- 12) The establishment of a Philippine Disaster and Emergency Fund (PDEM) which shall be managed by PDEMA in accordance with the guidelines formulated by the PDEMAB. Of the total annual budget of PDEM, 70% shall be appropriated for disaster risk reduction, prevention and mitigation, and emergency management programs and projects focusing on both institutional capacity building of vulnerable communities and risk-reducing infrastructure, while 30% shall be appropriated for Quick Response Fund (QRF) or stand-by fund for the prepositioning of goods and equipment and relief and early recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, epidemics, or complex emergencies may be normalized as quickly as possible.
- 13) The renaming of the Local Disaster Risk Reduction and Management Fund (LDRRMF) into a Local Disaster and Emergency Management Fund (LDEM) which is not less than five percent (5%) of the estimated revenue from regular sources to be set aside as the LDEM to support disaster risk reduction, emergency management, and climate change adaptation programs.
- 14) The PDEMA shall be allocated a budget of Ten Billion Pesos (Php10,000,000,000.00) from the National Treasury starting from the effectivity of this Act. Thereafter, the amount needed for its operation, personal services, maintenance and other operating expenses, and capital outlay shall be included in the General Appropriations Act annually.

In view of the foregoing, approval of this bill is earnestly sought.



LOREN LEGARDA



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

CHAPTER I
GENERAL PROVISIONS

SECTION 1. Short Title. This Act shall be known as the “**Philippine Disaster and Emergency Management Act of 2019**”.

SECTION 2. Declaration of Policies and Principles. Under the Constitution, the prime duty of the Government is to serve and protect the people. The maintenance of peace and order, the protection of life, liberty and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy. The State shall afford full protection and the advancement of the right of the people to a healthful ecology in accord with the rhythm and harmony of nature, and protect and promote the right to health of the people and instill health consciousness among them.

The State has likewise adopted the Sendai Framework for Disaster Risk Reduction 2015-2030 which aims the “prevention of new and reduction of existing disaster risk through the implementation of integrated and inclusive economic, structural, legal, social, health, cultural, educational, environmental, technological, political and institutional measures that prevent and reduce hazard exposure and vulnerability to disaster, increase preparedness for response and recovery, and thus strengthen resilience”.

The State likewise recognizes the inherent vulnerabilities of the Philippines and its local communities to both natural and human-induced hazards, which include among others, the impacts of climate change and other hydro-meteorological, geological, environmental and human-induced hazards, the State recognizes the vital role of capacity building, communication and information in nation-building.

It is hereby declared the policy of the State to strategically and systematically plan and operationalize disaster risk reduction and emergency management at all levels and phases in policy formulation and development planning undertaken by agencies and instrumentalities of the government.

(a) **GUIDING PRINCIPLES.** Towards this end, the State shall adopt and uphold the following specific guiding principles in the implementation of this Act:

- 1) A comprehensive and integrated disaster risk reduction and management framework that emphasizes the complementation of the four pillars of disaster risk reduction and management: (1) disaster prevention and mitigation; (2) preparedness; (3) response; and (4) rehabilitation and recovery;
- 2) Centralized command and control, coordination, and communication in times of national calamities and emergency crisis situations, to prevent, or at least mitigate, disasters;
- 3) A robust resilience-building of local communities by strengthening the country's institutional capacity for disaster risk reduction and emergency management, focusing on local government capacities, addressing thereby the root causes of vulnerabilities and risks to disasters, ensuring resilience of communities against natural hazards and emergencies to the last mile;
- 4) A strengthened DRRM systems and capacities of the local government units (LGUs) and the local communities, including the establishment of comprehensive and unified systems that avoid fragmentation of domains of various information and dataset types, risk-based and science-based contingency planning, and disaster impact monitoring system, among others;
- 5) A whole-of-government approach supported by society engagement and partnership, including civil society, non-governmental organizations, volunteers, organized voluntary work organizations and community-based organizations, women and girls, children and youth, older persons, migrants, indigenous peoples, urban poor, farmers and fisherfolk, emergency responders, volunteers, academia, scientific and research entities and networks, business and professional associations, industry groups, and financial institutions and intermediaries, and media, among others, that facilitates bottom-up participation, representation and decision-making process by people disproportionately affected by disasters in disaster risk governance, assessment, reduction and management;
- 6) A science-based and data-driven approach supported by provision of systems and technologies, such as multi-hazard impact-based early warning systems, that support adoption of early action measures and systematic mobilization of communities and attendant resources to avoid or reduce loss and damage that might result to disasters and emergencies;
- 7) Accessible, effective and efficient utilization, distribution and allocation of disaster funds and related resources, including local-level operations and external humanitarian assistance;

- 8) A transparent and multi-functional operationalization of a national registry of loss and damage for contingency, resource mobilization, and long-term development planning purposes, including needed convergence with the sustainable development objectives and strategies;
- 9) An enhanced system of the utilization, deployment, and documentation of international humanitarian aid extended to the country during national disasters and emergencies contemplated under this Act, in coordination with the Department of Foreign Affairs and other government agencies, pursuant to their mandates under existing laws; and
- 10) An institutionalized and enhanced adoption of a nexus approach in the implementation of disaster risk reduction and emergency management along other development drivers, such as, but not limited to, sustainable development, new urban agenda for urban development, the “4th Industrial Revolution,” and climate change adaptation.

(b) DUTIES OF THE STATE. The State as the duty-bearer has the responsibility to carry out policies on disaster risk reduction and emergency management, and integrate disaster risk reduction and management policies to climate change, sustainable development, and environmental management to protect the welfare and advance the future of right-holders principally the vulnerable sectors of society.

It is the duty of the State to:

1. Uphold the people’s constitutional right to life and property by minimizing, if not eradicating, the root causes of vulnerabilities and risks to disasters, strengthening the country’s institutional capacity for disaster risk reduction and emergency management, and building the resilience of local communities to disasters and emergencies, including human-induced disasters and climate change impacts;
2. Prioritize and advance disaster prevention and mitigation activities at all levels of government and across all sectors;
3. Incorporate internationally-accepted principles of disaster risk reduction and emergency management, including universal principles and standards for humanitarian assistance, when developing and implementing national, regional and local sustainable development and poverty reduction policies, plans, strategies, and budgets as part of the country’s commitment to overcome human sufferings due to disasters, in conjunction with post-2015 global development frameworks such as the Sendai Framework for Disaster Risk Reduction, 2030 Agenda on Sustainable Development, the Paris Agreement on Climate Change, and the New Urban Agenda, among others;
4. Ensure a science-based whole-of-society approach and bottom-up participation, representation and decision-making process in disaster risk governance, assessment,

reduction and management to lessening the socioeconomic and environmental impacts of disasters and emergencies;

5. Promote and advance the implementation of a comprehensive Disaster Risk Reduction and Emergency Management Plan (DRREMP) to strengthen the capacity of the national government and the local government units (LGU), together with the private sector, development partner stakeholders, academia, and civil society, to build disaster resilience at the community level and institutionalize arrangements and measures for reducing disaster risks, and enhance disaster preparedness and emergency response capabilities at all levels;
6. Uphold and prioritize the mainstreaming of disaster risk reduction and emergency response and management as also informed by sustainable development and climate change adaptation in the areas of policy formulation, socio-economic development planning, budgeting, and governance in relation to poverty reduction, land-use and urban planning, and housing, among others, to pursue an integrated development administration and management in the areas of Coastal Resources, Health, Agriculture, Water Forestry, Fishery, Biodiversity, Environment, Ecosystem Energy, Education Tourism, Infrastructure, Settlement and Mining (CHAWFFBEEFTISM),
7. Undertake effective public engagement and risk communication strategies using advanced science and most up-to-date technologies in disaster risk reduction and management and ensure the accessibility of climate and geospatial risk information and services to the public through Open Data, which means data that can be freely used, re-used, and redistributed by anyone - subject only, at most, to the requirement to attribute and share alike. This includes the use of a complete coverage and access to large scale 1:10,000 probabilistic hazard maps and high resolution topographic maps in digital formal (i.e. LiDAR, IfSAR, digital photogrammetry - derived topography), among others;
8. Recognize the household as the most basic unit of DRRM and develop the capacity of local institutions to provide the best possible assistance and financial support to the most vulnerable communities affected by disaster and emergency rehabilitation projects, until resumption of normal social and economic activities;
9. Uphold provision of protection and humanitarian assistance by the national and local governments to internally-displaced persons within their jurisdiction as a result of natural calamities and disasters or human-induced disasters and emergencies. The State shall ensure that the following rights of internally displaced persons during and after a disaster shall be protected: (1) provision and access to basic necessities, (2) protection against criminal offenses and other unlawful acts, (3) freedom of movement, (4) recognition, issuance and replacement of documents, (5) family unity and missing persons, (6) health and education, and (7) property and possessions;
10. Ensure that disaster risk reduction and emergency management measures, covering all the phases of disaster risk and emergency management, are respecting human rights and responsive to the differentiated concerns of vulnerable groups such as women and girls, children and youth, older persons, persons with disabilities, urban poor, and indigenous peoples, and further recognizing indigenous knowledge

systems and practices, and recognizing their inherent capacities to contribute to resilience;

11. Recognize and strengthen the capacities of LGUs, communities and multiple stakeholders in mitigating and preparing for, responding to, and recovering from the impact of calamities and disasters through identification of local risk patterns, and decentralized powers, responsibilities, and resources at the regional and local levels;
12. Mainstream disaster risk reduction in government by ensuring risk-informed planning, programming, implementation, monitoring, and evaluation, and the use of quality management, accountability, and performance systems in measuring and improving the effectiveness and efficiency of DRRM processes across all government levels, including those offices which manage peace processes and conflict-resolution approaches, to minimize loss of lives, injuries and loss and damage to properties and ensure that communities in conflict zones can immediately resume their normal lives at the conclusion of episodes of intermittent conflict;
13. Ensure transparency and accountability in disaster risk governance by facilitating access to financial records of public funds for disaster risk reduction and management and emergencies, including funds comprising humanitarian assistance from non-public sources in a timely manner;
14. Adopt risk sharing and risk transfer mechanisms to ensure appropriate, efficient, and timely recovery of disaster-stricken communities especially for the poorest and most vulnerable;
15. Adhere to the principle of “Build Better Forward” in recovery and rehabilitation efforts by applying sustainable standards, programs, technologies, and techniques which enhance resilience against future hazards; and
16. Adopt and manage a mechanism for the effective resolution of DRRM-related grievances.

CHAPTER II **PHILIPPINE DISASTER AND EMERGENCY MANAGEMENT AUTHORITY**

SECTION 3. *Creation of the Philippine Disaster and Emergency Management Authority.* For the purpose of carrying out and effecting the declared policies of this Act, there is hereby created a Philippine Disaster and Emergency Management Authority, herein after referred to as the Authority.

The Authority shall be an independent and autonomous body and shall have the same status as that of a national government agency. It shall be directly under the President of the Republic of the Philippines.

Considering its important role in times of disasters and emergencies, it shall be the primary government agency accountable and responsible for overseeing, coordinating and

implementing a comprehensive disaster risk reduction and emergency response management system in the country. It shall provide leadership in the continuous development of strategic and systematic approaches to disaster prevention, mitigation, preparedness and emergency response, recovery and rehabilitation. Moreover, it shall lead in the development of and implementation of DRR programs in collaboration with relevant national government agencies, LGUs, civil society and people's organizations, and other stakeholders.

The Authority shall be organized within sixty (60) days from the effectivity of this Act.

SECTION 4. Powers and Functions of the Authority - The Authority shall perform the following functions:

- a) Exercise central command and control, coordination, and communication functions in times of calamities, disasters, and emergency situations which pose danger and damage to life, limb, and property, including those resulting as consequences of rebellion, civil war, and territorial and sovereignty disputes, or the like;
- b) Monitor the integration of disaster risk reduction and emergency management policies into national development plans, taking into consideration their complementary objectives under the Sendai Framework and Agenda 2030 for Sustainable Development, the Paris Agreement on Climate Change, and the New Urban Agenda, among other post-2015 global development frameworks.
- c) Oversee and direct the comprehensive implementation of disaster risk reduction and emergency management policies, plans and programs as embodied in the National Disaster Risk Reduction and Emergency Management Framework and Plan (NDRREMFP), including its review and updating to conform with exigencies of an effective national response to disasters and emergencies;
- d) Review and evaluate the Local Disaster and Emergency Plan (LDEP) and other local plans to ensure their consistency with the National Disaster Risk Reduction and Emergency Management Framework and Plan (NDRREMFP), consistent with the guidance of local science-based vulnerability and risk assessments, and long-term development policies and strategies;
- e) Oversee, direct and undertake programs and projects to identify, assess, prioritize and localize hazards and measures to address risks in the country in consultation with key national government agencies and stakeholders, especially local governments and local communities;
- f) Manage the nexus-based National Multi-Hazard Impact-based Early Warning System and Emergency Alert System, in coordination with relevant government agencies, which shall provide accurate, timely and accessible public advice, through diverse mass media and telecommunications, to national and local emergency response organizations and the general public, consistent with the "early warning, early action" approach to enhancing appropriate mechanisms to mobilize local communities and related stakeholders to secure lives and properties in the midst of national disasters and emergencies;
- g) Deploy rapid assessment teams, gather information, and, guided by the principle of interoperability, coordinate information-sharing and other disaster risk reduction and

management protocols among national and local government agencies before, during and after a disaster or emergency;

- h) Administer, mobilize, monitor, and report on the utilization of the Philippine Disaster and Emergency Management Fund (PDEM), recovery and rehabilitation funds and donations for disaster risk reduction and emergency management, unless otherwise specified, subject to policies and guidelines to be adopted in coordination with relevant agencies concerned;
 - i) In coordination with the Department of Foreign Affairs, accept and administer the international humanitarian aid and assistance extended to the country from the international community;
 - j) Procure goods and services during emergencies in accordance with existing emergency procurement accounting and auditing rules and regulations, and in coordination with relevant agencies concerned;
 - k) In coordination with the Commission on Audit (COA), Government Procurement Policy Board (GPPB), and the Department of Budget and Management (DBM), issue special procurement rules for preparedness, response and recovery activities including those prompted by a declaration of state of calamity and a state of imminent disaster,
 - l) In coordination with the Department of Finance, Insurance Commission, and the Bangko Sentral ng Pilipinas, establish and monitor national and local capacity for disaster risk financing and insurance and other risk transfer strategies;
 - m) Orchestrate an expedient implementation of post-disaster recovery and rehabilitation programs with the affected communities, through the systems and approaches towards normalization process that ensures their participation to economic activities and achieve sustainable development;
 - n) Establish a Philippine Disaster and Emergency Management Research and Training Center (PDEMRTC) that shall provide a ladderized training program on disaster risk reduction and emergency management for DRRM professionals and other stakeholders in the public and private sector. The PDEMRTC shall accredit disaster risk reduction and management trainers or instructors;
 - o) Ensure the use of advanced science and the most up-to-date technologies in disaster risk reduction and emergency management through engagement, consultation, and employment with a regular funding for academe/higher education institutions that have a credible track record both locally and internationally, as well as the capacity to implement the science and engineering requirements necessary for effective CCA-DRVR;
 - p) Establish, in coordination with the Department of the Interior and Local Government and the Commission on Higher Education, a sustainable technical support network of Higher Educational Institutions for local government units in the assessment and identification of risks and disaster risk reduction and management measures

- q) Establish the Philippine Disaster and Emergency Management Secretariat (PDEMS) and an operating facility to be known as the Philippine Disaster and Emergency Management Secretariat Operations Center (PDEMSOC) under the operational control of the Secretary and functional supervision of the Operations Service that shall be operated and staffed on a twenty-four (24) hour basis;
- r) Establish a Philippine Disaster and Emergency Management Information System (PDEMIS) and the National Loss and Damage Registry (NLDR) to systematize data management, interchange, reporting, and utilization, as well as the valuation and assessment of public and private assets, to serve as basis for risk transfer and insurance purposes, among others;
- s) Develop the criteria and procedure for the enlistment of Accredited Community Disaster and Emergency Management Volunteers (ACDEMVs) and a manual of operations for volunteers. The manual shall be developed by the Authority in consultation with various stakeholders;
- t) Coordinate or oversee the implementation of the country's obligations with disaster management treaties and see to it that the country's disaster management treaty obligations are incorporated in its disaster risk reduction and management frameworks, policies, plans, programs and projects;
- u) In coordination with the National Economic and Development Authority and the Climate Change Commission, formulate and implement a nexus framework for resilience-building within the context of sustainable development and climate change adaptation, aligning thereby policies, programs, and projects that contribute to overall national development;
- v) Create the necessary offices and appoint personnel to perform its mandate as provided under this Act, subject to pertinent budgetary, accounting, auditing, and civil service rules and regulations; and
- w) Perform such other functions as may be necessary for effective operations and implementation of this Act.

SECTION 5. *Composition and Organization of the Authority.* (a) The Authority shall be headed by a Director General with the rank of a Department Secretary; three (3) Deputy Director Generals with the rank of a Department Undersecretary, to oversee the technical services, operations, and internal administration services of the Authority; five (5) Assistant Deputy Director Generals with the rank of a Department Assistant Secretary, to oversee the cluster-based areas of concerns such as policy and planning; legal affairs and international cooperation; operations center management; data and technology services management; finance, administration, and procurement; and such number of service-level directors and regional directors as may be deemed appropriate, in conformity with the functional exigencies of said organizational units towards convergent, responsive and expedient, science-driven, people-oriented, and resource and results-efficient disaster risk reduction and emergency management agency of government.

- (b) The President of the Philippines shall appoint the Director General who shall serve for a term of six (6) years, the Deputy Director Generals, and Assistant Deputy Director Generals.
- (c) The Director General, Deputy Director Generals, Assistant Director Generals, and Directors should be recognized experts in the disciplines of the science or administration of disaster risk reduction and emergency management services.
- (d) The staff and line agencies of the Authority, including the regional offices, command centers and other specialized units, center or institute, as well as the staffing complement thereof, shall be created in coordination with the Department of Budget and Management.

SECTION 6. *Powers of the Secretary.* The Secretary shall exercise the following functions:

- a) Advise the President in issuing executive orders, regulations, proclamations and other issuances, the promulgation of which is expressly vested by law in the President relative to matters under the jurisdiction of the Authority;
- b) Establish the policies and standards for the operations of the Authority pursuant to approved programs of government;
- c) Promulgate rules and regulations necessary to carry out the objectives, policies, functions, plans, programs, and projects of the Authority;
- d) Call upon other instrumentalities or entities of the government and non-government and civic organizations for assistance in terms of the use of their facilities and resources for the protection and preservation of life and properties in the whole range of disaster risk reduction and emergency management.
- e) Subject to applicable provisions of law, call on the citizens and non-government stakeholders to assist in relief and rescue operations, and if so necessary, likewise call on the reserve force;
- f) Promulgate administrative issuances necessary for the effective administration of offices under the Director General and for the proper execution of the laws relative thereto. These issuances shall not prescribe penalties for their violation, except when expressly authorized by law;
- g) Exercise disciplinary powers over officers and employees under the Director General in accordance with law, including investigation and designation of a committee or officer to conduct such investigations;
- h) Except as provided in Section 5 of this Act, appoint all officers and employees of the Authority;
- i) Exercise jurisdiction over all offices, including specialized units, center or institute, as authorized in this Act;
- j) Delegate authority to officers and employees in accordance with law; and
- k) Perform such other functions as the exigencies of the service may warrant, in accordance with law.

SECTION 7. *Functions of the Deputy Director General, Assistant Director General, and Heads of Offices and Other Units of the Authority.* Subject to the provisions of the Administrative Code of 1987, the functions of Deputy Director General, Assistant Director General and heads of the various units of the Authority shall be promulgated in accordance with the needed functional focus of the units concerned, without compromising and taking

into consideration the value of convergent, accountable, and responsive services of the Authority as prescribed in this Act.

SECTION 8. Capacity Building of Disaster Risk Reduction and Emergency Management. The Authority shall establish a capacity building program involving training and certification of public and private sector stakeholders on disaster risk reduction and emergency management, as well as conferment of academic and non-academic degrees subject to policies and regulations to be issued by the Commission on Higher Education.

SECTION 9. National Loss and Damage Management System. The Authority shall operationalize a national system of loss and damage management, which shall have components on assets valuation, validation, and registry, and insurance and other risk transfer programs. This system shall be coordinated with relevant agencies for inter-operable data management and policy coordination.

The NLDMS shall be operated for capture and analysis of material information and data generated from all related offices of the national agencies and local government units, including data produced by private entities in support of the objectives of this Act.

CHAPTER III **FINANCE AND ADMINISTRATION**

SECTION 10. Fiscal Management. The Authority shall manage all funds derived from the congressional appropriations, which shall include all donations, as contemplated under the succeeding paragraph, subject to the provisions of Article 9(D), Section 3 of the 1987 Constitution on the auditing powers of the Commission on Audit.

The Authority shall have the power to collect minimum fees derived from training activities of the PDEMRTC and other related activities to fund its operations.

SECTION 11. Donation. (a) The Authority shall have the power to receive donations, grants, and humanitarian aid from any persons, government institutions, corporations, international organizations and other similar entities, and the power to recommend the procurement of developmental assistance for the purpose of disaster risk reduction and emergency management.

(b) It shall be mandatory for the Authority to certify the receipt of all PDEMA donated funds and ensure their judicious management including their proper and accurate audit reporting to constituents.

(c) The importation and donation of food, clothing, medicine and equipment for relief and recovery and other disaster management and recovery-related supplies is hereby authorized in accordance with Section 105 of the Tariff and Customs Code of the Philippines, as amended, and the prevailing provisions of the General Appropriations Act covering national internal revenue taxes and import duties of national and local government agencies,

All importations and donations under Section 11(b) shall be considered as importation by and/or donation to the Authority subject to the approval of the Office of the President, as may be recommended by the Department of Foreign Affairs and the Authority.

CHAPTER IV

ADVISORY, OPERATIONAL AND CONVERGENCE SYSTEM

SECTION 12. *Convergence System.* To ensure the effective implementation of this Act, the following shall steer the national and local (vertical complementation) and multi-sectoral stakeholder (horizontal complementation) convergence system for disaster risk reduction and emergency management system in the country:

a) **PHILIPPINE DISASTER AND EMERGENCY MANAGEMENT ADVISORY BOARD (PDEMAB).** There is hereby constituted the PDEMAB to assist the Authority in providing advice to the President of the Philippines in setting policies, standards of operations, and promoting whole of government and society approach in implementing the provisions of this Act.

The PDEMAB shall be headed by the Executive Secretary as Chairperson, and the PDEMA Director General as the Vice-Chairperson, with the following as members:

- (a) Secretary of the Department of National Defense (DND)
- (b) Secretary of the Department of Interior and Local Government (DILG)
- (c) Secretary of the Department of Social Welfare and Development (DSWD)
- (d) Secretary of the Department of Science and Technology (DOST)
- (e) Secretary of the Department of Housing and Urban Development (DHUD)
- (f) Secretary of the Department of Foreign Affairs (DFA)
- (g) Secretary of the Department of Health (DOH)
- (h) Director General of the National Economic and Development Authority (NEDA)
- (i) Vice Chairperson of the Climate Change Commission (CCC)
- (j) Representatives from relevant civil society organizations, industry groups, the academe and other development organizations, which shall include among others, representatives of the Philippine National Red Cross (PNRC), accredited CSOs, and private sector.

The Authority may recommend or call upon other heads of departments, agencies, and organizations from non-government entities to serve as resource persons in the deliberative and policy formulation functions of the Authority.

The Authority, in consultation with the Board, shall constitute a technical management group composed of representatives of the above mentioned departments, offices, and organizations that shall coordinate and meet with the Authority as often as necessary to effectively manage and sustain national efforts on disaster risk reduction and emergency management.

Subject to the internal procedure to be adopted for the purpose, matters to be discussed with the Advisory Board shall include the reports on the utilization of the PDRREM Fund and international humanitarian assistance, emerging disaster and emergency management challenges, disaster risk and emergency management operations on the ground, and other matters needing high-level policy guidance.

- b) THE REGIONAL DISASTER AND EMERGENCY MANAGEMENT ADVISORY BOARD (RDEMAB).** There is hereby created a Regional Disaster and Emergency Management Advisory Board (RDEMAB) composed of the executives of regional offices and field stations at the regional level of the national government agencies, and shall report to the PDEMAB, through the Director General.

The RDEMAB shall coordinate, integrate, supervise, and evaluate the activities of the Local Disaster and Emergency Management Advisory Board (LDEMAB). It shall be responsible for coordinating, ensuring and reporting disaster risk sensitive and inclusive regional development plans, and in case of emergencies, shall convene the different regional line agencies and authorities, concerned institutions and developmental partners.

- c) THE LOCAL DISASTER AND EMERGENCY MANAGEMENT ADVISORY BOARD (LDEMAB).** A Local Disaster and Emergency Management Advisory Board, each for the province, city and the municipality is hereby established. The LDEMAB at the provincial, city, and municipal level shall be composed of, but not limited to, the following:

1. The Local Chief Executive, Chairperson;
2. The Local Planning and Development Officer, Vice Chairperson;
3. Heads of the Local Social Welfare and Development Office, Local Budget Office, Local Health Office, Local Agriculture Office, Local Gender and Development Office, Local Engineering Office, Local Employment Office, Local Senior Citizens and Youth Office, Local Investment Office, Provincial Director/City/Municipal Chief of the Philippine National Police (PNP), Provincial Director/City/Municipal Fire Marshall of the Bureau of Fire Protection (BFP), Presidents of the Association of Barangay Captains (ABC), representatives of Philippine Red Cross (PRC), Civil Society Organization, and Private Sector Organization representatives as members.

The LDEMAB shall have the following functions:

- 1) Approve, monitor and evaluate the implementation of the LDEMPs and regularly ensure consistency with other national and local planning programs;
 - 2) Ensure the integration of disaster risk reduction and climate change adaptation into local development plans and programs such as the Local Disaster Risk Reduction and Emergency Management Plan (LDRREMP) and Local Climate Change Action Plan (LCCAP) at the provincial, cities and municipalities; and Community Climate Vulnerability and Disaster Risk Assessment (CVDRA), Barangay Contingency and Adaptation Plan (BCAP) at the Barangay level, and budget as a strategy in sustainable development and poverty reduction,
 - 3) Recommend the implementation of forced or preemptive evacuation of local residents, if necessary, and
 - 4) Convene the LDEMAB once every three (3) months or as necessary, and submit reports to the RDEMAB.
- d) LOCAL DISASTER AND EMERGENCY MANAGEMENT OFFICE (LDEMO).** All local government units must establish a Local Disaster and Emergency Management

Office (LDEMO) at the provincial, city and municipal level and, as much as practicable, a Barangay Disaster and Emergency Management Committee (BDEMC), to perform the following functions:

- 1) Design, formulate, implement, and coordinate disaster risk reduction and emergency management activities consistent with PDEMA's standards and guidelines;
- 2) Conduct climate vulnerability and disaster risk assessments, local disaster resilience plan, and contingency planning activities at the local level, in coordination with the Field Office of the Authority and other multi-stakeholders, including the vulnerable and marginalized groups, to ensure that assessments and plans are validated and integrated in the national, regional and provincial, city and municipal ecological risk profile;
- 3) Consolidate local disaster risk information which includes risk from natural and human-induced hazards, and maintain a local risk map for the community;
- 4) Organize and conduct training, orientation, and knowledge management activities on disaster risk reduction and emergency management at the local level, consistent with the capacity building policies and guidelines of the Authority under this Act;
- 5) Subject to the guidelines of the Authority, operate multi-hazard early warning systems to provide accurate and timely reports to national or local emergency response organizations and to the general public, through diverse mass media, telecommunications, and technologies for communication within rural communities, consistent with the "early warning, early action" approach, to adequately provide actions and solutions to the last mile;
- 6) Formulate and implement a comprehensive and integrated LDEMP in accordance with the national, regional and provincial framework and policies on disaster risk reduction and emergency management in close coordination with the LDEMAB to identify, determine and implement cost-effective disaster risk reduction and emergency management contingencies, measures and strategies effective to the last mile;
- 7) Prepare and submit to the local *sanggunian* through the LDEMAB the annual LDEMP, the proposed programming of the LDEM, other dedicated disaster risk reduction and emergency management resources, and other regular funding source of the LDEMO;
- 8) Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs, CSOs, private sector, organized volunteers, and sectoral organizations for disaster preparedness and response to utilize their facilities and resources for the protection and preservation of life and properties during emergencies in accordance with existing policies and procedures;
- 9) Include food security and climate-smart agro-enterprises in the preparedness and response plans, programs and other mechanisms;

- 10) Disseminate information and raise public awareness about vulnerabilities and risks, their nature, effects, early warning signs and counter-measures;
- 11) Establish a Disaster and Emergency Management Information System (DEMIS) within the LGU and maintain a disaggregated database of human resource, equipment, services, resources, directories and location of critical infrastructures and their capacities such as hospitals and evacuation centers;
- 12) Develop, strengthen and operationalize mechanisms for partnership or networking with the private sector, nongovernmental organizations, CSOs, humanitarian organizations, volunteer groups and other stakeholders;
- 13) Maintain and provide suitably-trained and competent personnel for an effective implementation of disaster risk reduction and emergency management in its communities and areas;
- 14) Organize, train, equip and supervise the local emergency response teams and the Accredited Community Disaster and Emergency Management Volunteers (ACDEMVs), ensuring that humanitarian workers are equipped with basic skills, including gender-sensitive case management and handling cases of gender-based violence in times of disasters;
- 15) Respond to and manage the adverse effects of emergencies and carry out recovery activities in the affected area, ensuring that there is an efficient and accessible mechanism for immediate delivery of food, water, sanitation and hygiene (WASH) services, shelter, health and nutrition intervention and medical supplies for the affected population, particularly the vulnerable and marginalized groups;
- 16) Serve as the secretariat and executive arm of the LDEMAB;
- 17) Establish linkage/network with other LGUs for disaster risk reduction, climate change adaptation and emergency response purposes,
- 18) Recommend through the LDEMAB the enactment of local ordinances consistent with the requirements of this Act;
- 19) Establish a Provincial/City/Municipal/Barangay Disaster and Emergency Management Operations Center (DEMOC), aligned with the systems, policies, and guidelines adopted by the Authority;
- 20) Prepare and submit, through the LDEMAB, the report on the utilization of the LDEMAB and other dedicated disaster risk reduction and emergency management resources to the local Commission on Audit (COA), furnishing a copy to the Regional Director of the PDEMA and the Local Government Operations Officer of the DILG; and
- 21) Act on other related matters, subject to the guidance of the LDEMAB.

Organizational Structure of the Local Disaster and Emergency Management Office (LDEMO) and Barangay Disaster and Emergency Management Committee (BDEMC). The

LDEMO shall be under the Offices of the Governor, City or Municipal Mayor. The budgetary requirements for personnel services, maintenance and other operating expenditures, and capital outlay of the LDEMO shall be sourced from the General Fund of the LGU, subject to Section 76 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, as amended.

The enforcement of Sections 325(a) and 331(b) of Republic Act No. 7160 as amended, shall be waived to enable the LGUs to fund the creation of a minimum of five (5) mandatory plantilla positions for their respective LDEMOs who will perform the frontline services for disaster risk and emergency management as warranted, subject to specific guidelines to be issued jointly by the DILG, DBM, CCC, and COA.

Other maintenance and operating expenditures, and other capital outlay requirements of the LDEMO in the implementation of disaster risk and vulnerability reduction management and climate change adaptation programs shall be charged to the Local Disaster and Emergency Management Fund (LDEM) of the LGUs.

The LDEMO operations, including planning, budgeting, linkages-building, resource and investment mobilization, and advocacy activities shall involve convergence with non-government stakeholders, especially civil society and industry associations supporting resilience to the last mile.

CHAPTER V

DISASTER RISK REDUCTION AND EMERGENCY MANAGEMENT MAINSTREAMING, INTEGRATION AND CONVERGENCE

SECTION 13. Integration of DRVR to the Disaster and Emergency Management Framework and Plan. The Disaster and Emergency Management Framework shall provide for the comprehensive and complementary deterministic-probabilistic multi-hazards/sectoral risk assessment, resilience-building and community development approaches as informed by available science and supported by appropriate technologies, aligned with sustainable development and climate change adaptation, and shall be mainstreamed in all levels of governance, and shall be supported by multi-sectoral participation consistent with whole of government and society approach in disaster risk and emergency management. It shall be reviewed every three (3) years, or as often as may be deemed necessary by the Authority, in order to ensure its relevance to the times.

The enforcement of Sections 325(a) and 331(b) of R.A. 7160 shall be waived to enable the LGUs to fund the initial year requirements for the creation of the minimum five (5) mandatory plantilla positions of the LDEMO. Other maintenance and operating expenditures, and other capital outlay requirements of the LDEMO in the implementation of DRRM programs shall be charged to the Local Disaster and Emergency Management Fund (LDEM).

The Disaster and Emergency Management Plan (DEMP) shall provide for the following: (1) identification of the underlying factors of risk, or the nature and degree of hazards, vulnerabilities, exposure and capacity, which need to be managed at the national level; (2) disaster risk reduction and management approaches and strategies to be applied in managing said hazards and risks; (3) agency roles, responsibilities, and lines of authority at all

government levels, and (4) vertical and horizontal coordination of disaster risk reduction and emergency management before, during, and after a disaster. The DEMP shall be in conformity with the Framework.

The Disaster and Emergency Management Framework and Plan for disaster risk governance, assessment, and emergency management shall be formulated in coordination with the advisory, operational and convergence system contemplated in this Act.

CHAPTER VI

PHILIPPINE DISASTER AND EMERGENCY RESEARCH AND TRAINING CENTER

SECTION 14. Creation of the Philippine Disaster and Emergency Research and Training Center (PDEM-RTC). (a) Within one year from approval of this Act, the Authority shall establish the Philippine Disaster and Emergency Management Research and Training Center in collaboration with Higher Education Institutions that are Centers of Excellence for learning and research in the field of disaster risk reduction and management and climate change adaptation,

- (b) The PDEM-RTC shall be headed by a Deputy Director General. The organizational structure and staffing pattern shall be determined by the Authority in consultation with DBM and in accordance with civil service rules and regulations.
- (c) The PDEM-RTC shall have the following functions:
 - 1) Establish regional branches in Luzon, Visayas and Mindanao, as well as provincial, city or municipal branches if deemed necessary, to train individuals from public and private sectors in the fields of disaster risk reduction and emergency management, climate change adaptation, and ecosystem management and restoration, among others;
 - 2) Develop and implement an inclusive and ladderized curricula on disaster risk reduction and emergency management;
 - 3) Develop research programs and a knowledge management system on DRRM for the purpose of innovation, capacity building and development,
 - 4) Partner with the academe and research institutions, private sector, civil society, community-based DRRM practitioners and other relevant sectors in developing research opportunities and programs on disaster vulnerability and disaster risk assessment;
 - 5) Establish a resource center for IEC materials, research, publications, best working practices, lessons identified and learned and other knowledge products on disaster risk reduction and emergency management,
 - 6) Consolidate and prepare IEC and training materials or publications to assist disaster risk reduction and emergency management practitioners in the planning and implementation of their programs and projects,

- 7) Organize a community of disaster risk reduction and emergency management practitioners; and
- 8) Accredit, recognize, monitor and evaluate disaster risk reduction and emergency management training institutions.

(d) Financial Support to the Center:

- 1) The budget for the PDEM-RTC shall be sourced from the annual General Appropriations Act. It shall have the authority to collect the necessary minimum fees that shall be used for maintenance and other operating expenses of the Research and Training Center.
- 2) The Authority shall assist in the creation of Research and Training Centers at the provincial, city, and municipal governments, as appropriate. The funding for such local Research and Training Centers may be sourced from the seventy (70%) percent portion of the LDEMAB and other financial sources of the local government unit concerned.

CHAPTER VII **DISASTER AND EMERGENCY MANAGEMENT INFORMATION, EDUCATION AND COMMUNICATION**

SECTION 15. *Disaster and Emergency Management Information System (DEMIS)* - The Authority shall establish a National and Regional Management Information System for Disaster and Emergency Management. It shall constitute a physical central database of all disaster risk reduction and climate data, including a geographic information system on geohazard assessments and climate risk. It shall be the repository of current and multi-temporal information for wide-scale disaster risk analysis and disaster vulnerability assessment. The DEMIS shall at all times be made available to the Emergency Operations Center of the PDEMAB/RDEMAB/LDEMAB to ensure the use of timely, accurate and reliable information for decision-making.

SECTION 16. *Disaster and Emergency Management Education and Training.*

- (a) The DepEd, CHED, Technical Education and Skills Development Authority (TESDA), in coordination with the CCC, National Youth Commission (NYC), Department of Science and Technology (DOST), Department of Environment and Natural Resources (DENR), Department of Interior and Local Government Bureau of Fire (DILG-BFP), Department of Health (DOH), Department of Social Welfare and Development (DSWD), and other relevant agencies, developmental institutions, nongovernment organizations shall integrate disaster risk and emergency management, vulnerability reduction, and climate change adaptation education in the school curricula at all levels of education, from K to 12 to tertiary levels, including the Early and adult learning programs, National Service Training Program (NSTP), and education for children and persons with special needs, whether private or public, including formal and non-formal, technical-vocational, indigenous learning, out-of-school youth courses and programs, and other channels of educational integration, including but not limited to media, places of worship, entertainment centers (malls), international and domestic airports and transport terminals.

- (b) The Civil Service Commission (CSC), Professional Regulatory Commission (PRC), and other licensure-giving bodies shall integrate DEM-CCA questions in all professional and licensure examinations.
- (c) The Commission on Higher Education (CHED), in coordination with the PDEMA and the PDEM-RTC, shall develop a curriculum for courses or subjects specific to DEM, and shall mandate all tertiary learning institutions to offer these subjects.
- (d) The Parents and Teachers Community Association should initiate, support, and participate in DEM-CCA related activities in schools and host communities.
- (e) The DepEd, the CHED, and the Technical Education and Skills Development Authority (TESDA) and other developmental institutions/organizations shall formulate and institutionalize flexible learning options (modules, online learning platforms, etc.) as part of its disaster risk governance, analysis, and emergency management strategy.
- (f) The DepEd, CHED and TESDA and other developmental institutions/organizations shall regularly review, monitor, evaluate and report to the Council the status of integration and implementation of DEM in schools and other learning institutions.
- (g) The LDEMABs shall form formal partnerships with tertiary learning institutions within their respective jurisdictions to provide standard and ladderized training programs for LGU officials and other DEM multi-stakeholders.
- (h) The PDEMAB, the RDEMABs, the LDEMABs, the LDEMOs, the BDEMCs, and the Sangguniang Kabataan shall encourage the community, specifically the youth, participation in disaster risk reduction and climate change adaptation activities, such as Information, Education and Communication (IEC) Campaigns organizing quick response groups, particularly in identified disaster-prone areas, as well as the inclusion of DRVR programs as part of programs and projects of the *Sangguniang Kabataan*, youth organizations and community-based DEM anticipatory adaptation initiatives.
- (i) The public sector employees, including teachers and Disaster and Emergency Management Coordinators from both the public and private learning institutions, shall be trained in disaster and emergency preparedness, response and emergency management. The training is mandatory for such employees and coordinators to comply with the provisions of this Act.

SECTION 17. Standard Mechanism for Cascading Information, Education and Communication on DEM.

- (a) The Authority shall promote and advocate a culture of resilience and responsible-accountable citizenship through information, education and communication that is appropriate, integrated, inclusive, localized, science-based, gender, culture and disability sensitive and accessible using multimedia. IEC on DEM should be compelling but not alarming.
- (b) The Authority shall formulate a Strategic Risk Communications Plan to encompass the entirety of disaster risk reduction, emergency management, and climate change

adaptation to achieve the desired behavioral change towards responsible citizenship and a culture of resilience. It shall serve as a reference on continuous awareness raising and education at all levels of the government.

- (c) A Disaster and Emergency Management Information Officer shall be designated at all levels of the Authority to ensure implementation of the disaster risk reduction and emergency management IEC campaign. The DEM Information Officer shall serve as the primary coordinator for the dissemination of IEC on DEM.

CHAPTER VIII **DEM INSURANCE AND INCENTIVES**

SECTION 18. *Disaster Risk Transfer, Insurance and Social Welfare.*

- (a) The Authority shall oversee all disaster risk transfer and other related initiatives to ensure the protection of property and livelihood, both public and private.
- (b) The Authority shall make mandatory the insurance of all assets and properties of national government agencies including government-owned and controlled corporations, and those over which the government has insurable interest, as prescribed under R.A 656. The insurance shall be provided by any government insurance agency.
- (c) The Authority shall encourage the local government units to insure assets, properties and livelihood of vulnerable and marginalized groups for unforeseen or contingent losses from natural hazards and human-induced disasters which may be charged against the LDEM Fund in coordination with concerned national government agencies.

SECTION 19. *Incentives.* Unless otherwise provided, the Authority shall establish an incentives program that recognizes outstanding performance of LDEMABs, nongovernmental organizations (NGOs), CSOs, schools, hospitals, and other stakeholders in promoting and implementing significant DEM programs and innovations, and meritorious acts of individuals, groups or institutions during natural or human-induced disasters.

CHAPTER IX **PREPAREDNESS AND EARLY WARNING**

SECTION 20. *Standards for Disaster Preparedness Activities.*

- (a) The PDEMAB shall establish standards for disaster preparedness, including, but not limited to contingency planning, localizing and operationalizing disaster risk reduction and emergency management, preparedness for disaster response, preparedness for early recovery, including continuity of essential services, and other relevant preparedness activities.
- (b) LGUs shall identify or build evacuation centers in accordance with government-approved standards to minimize the use of schools as such and to avoid disruption of classes. Schools that have been used as evacuation centers shall be immediately compensated by

the LGU concerned, with respect to damages or renovation expenses incurred as a result of such use.

SECTION 21. *Multi-Hazard Impact-based Early Warning and Risk Communication Standards.*

- (a) There shall be a streamlined policy governing early warning systems and risk communication protocol to prevent, prepare for, respond to and recover from impacts of natural and human-induced hazards and climate risk. The PDEMAB shall issue and the Authority shall oversee and monitor the implementation of this policy.
- (b) The Authority and all other concerned agencies with an early warning mandate shall collaborate among people at the local level to disseminate climate-disaster risk information through the involvement of local government units, community-based organizations, civil society organizations, and other non-governmental organizations.

SECTION 22. *Early Warning Mandate.*

- (a) The Authority to Issue Early Warnings for hydro-meteorological, geologic, or terrestrial phenomena is lodged with the appropriate government agencies or government-accredited organizations for purposes of forecasting and early warning. This notwithstanding, the State shall recognize and proactively support local or indigenous modes of early warning systems and allow open access to near real-time data from both local and international sources made available through various platforms such as websites, mobile apps, and social media to empower local communities and individuals.
- (b) *Transmission of Early Warning.* A person who transmits early warning concerning the above-mentioned phenomena by means of signs in designs, colors, lights, or sound shall do so in compliance with the methods recognized or approved by the PDEMAB. The “early warning, early action” approach securing peoples and properties to the last mile shall be the primordial consideration of this system.

CHAPTER X

DISASTER RESPONSE AND EARLY RECOVERY

SECTION 23. *Declaration of State of Calamity.* The PDEMAB shall recommend to the President of the Philippines the declaration of a cluster of barangays, municipalities, cities, provinces, and regions under a state of calamity, and the lifting thereof, based on the criteria set by the PDEMAB. The President's declaration may warrant international humanitarian assistance as deemed necessary.

The declaration and lifting of the state of calamity may also be issued by the local *sanggunian*, upon the recommendation of the LDEMAB, based on the results of the damage assessment and needs analysis. Moreover, on the basis of official warning by government warning agencies such as PAGASA, PhilVolcs and MGB, the LDEMAB may seek from the *sanggunian*, the declaration of a state of imminent disaster to enable the local executives to implement precautionary measures such as preemptive evacuation in order to save lives and

minimize damage to property which would require the use of resources principally lodged in the LDEMF.

SECTION 24. Emergency Management. The respective LDEMABs shall take the lead in preparing for, responding to, and recovering from the effects of any disaster, giving due consideration to the economic classification, capacity and vulnerability of the local governments concerned and based on the following criteria:

- a) The BDEMC, if a barangay is affected;
- b) The city/municipal DEMAB, if two (2) or more barangays are affected,
- c) The provincial DEMAB, if two (2) or more cities/municipalities are affected;
- d) The regional DEMAB, if two (2) or more provinces are affected;
- e) The PDEMAB, if two (2) or more regions are affected, and
- f) After 24 hours without report, the nearest field office of the Authority may take the lead, in partnership with local authorities in managing emergency situations to save lives and alleviate human suffering until such time that the local officials may exercise full leadership and assume their functions.

The Authority, in cooperation with the PDEMAB and intermediary LDEMABs shall always act as support to LGUs which have the primary responsibility as first disaster responders. Private sector and civil society groups shall work in accordance with the coordination mechanism and policies set by the RDEMABs and concerned LDEMABs.

SECTION 25. Humanitarian Assistance Action Center. The PDEMAB shall institutionalize a Humanitarian Assistance Action Center as a one-stop shop mechanism for the processing and release of goods, articles or equipment intended for humanitarian assistance and the processing of necessary documents for international assisting actors. The Center shall be managed by the Authority and shall be composed of the following agencies:

- 1) Department of Finance-Bureau of Customs;
- 2) Department of Foreign Affairs;
- 3) Department of Social Welfare and Development;
- 4) Department of Health;
- 5) Department of Justice - Bureau of Immigration
- 6) Department of Energy;
- 7) Department of Agriculture;
- 8) Food and Drug Administration;
- 9) Philippine National Police;
- 10) Philippine Coast Guard; and
- 11) National Food Authority

SECTION 26. Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector. The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction and emergency management programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the list of volunteers to the Authority, through the LDEMOs, for accreditation and inclusion in the database of community disaster volunteers.

A national roster of ACDEMs, National Service Reserve Corps, CSOs and the private sector shall be maintained by the Authority through the LDEMOs. Accreditation shall be done at the municipal or city level.

Mobilization of volunteers shall be in accordance with this Act and implementing guidelines to be formulated by the PDEMAB. Any volunteer who suffers death or injury while engaged in any of the activities defined under this Act shall be entitled to compensatory death benefits and individual personnel accident insurance as may be defined under the guidelines.

CHAPTER XI **LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS**

SECTION 27. Reporting of Humanitarian Assistance. The concerned local government unit shall submit a report to the Authority, taking into account all domestic or international humanitarian assistance received and distributed within its area of responsibility.

SECTION 28. Guidelines for Coordination of International Humanitarian Assistance. The PDEMC shall issue comprehensive guidelines on the initiation, entry, facilitation, transit and regulation of international relief goods and personnel, as well as eligibility guidelines to utilize the legal facilities for assisting international actors provided hereunder.

PART I. INTERNATIONAL PERSONNEL

SECTION 29. Visa Waiver. Eligible assisting international actors shall be entitled to waiver of entry visa requirements, including any associated fees or charges, to perform Disaster Relief and Initial Recovery Assistance work for their sponsoring entities without the requirement to seek a separate residence or work permit.

SECTION 30. Recognition of Foreign Professional Qualifications.

- (a) Eligible assisting international actors wishing to deploy international personnel for tasks requiring legal recognition of their foreign professional qualifications shall certify the validity of those qualifications under the law of the country where they were obtained and the competence of their personnel for the tasks envisaged.
- (b) The PDEMAB shall establish the guidelines and scope for recognition of foreign professional qualifications for disaster response and early recovery.
- (c) Recognition of qualifications shall remain valid until the end of the international Initial Recovery Period, absent individual criminal conduct or other professional misconduct sufficient to bar the individual from professional practice in the country.

SECTION 31. Recognition of Foreign Driving Licenses. Foreign driving licenses of eligible assisting international actors shall be accorded temporary recognition during the International Disaster Relief and Initial Recovery Periods.

SECTION 32. Facilitation of Access. The international personnel of eligible assisting international actors shall be allowed access to disaster-affected areas and persons requiring

Disaster Relief or Initial Recovery Assistance, subject to coordination requirements as mandated by the Authority and limitations based on national security, public order or public health, weighed in the context or the urgency of the disaster needs. They shall be permitted to provide their goods and services directly to affected persons.

PART II. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT

SECTION 33. *Customs Facilitation and Priority Treatment.* The Authority shall facilitate the rapid importation of consignments of goods and equipment by eligible assisting actors and shall accord them priority treatment in handling.

SECTION 34. *Duty of Compliance by Eligible Assisting Actors.* In order to benefit from the aforementioned legal facilities, eligible assisting international actors shall:

- (a) Declare that all the goods and equipment they seek to import under this Part are exclusively for Disaster Relief or Initial Recovery Assistance and that they comply with any relevant standards under Philippine laws; and
- (b) Pack, classify and mark their consignments in accordance with the requirements described in this Act and its implementing rules and regulations.

SECTION 35. *Exemption from Import Duties, Taxes and Restrictions.* Consignments of goods and equipment by or on behalf of eligible assisting international actors shall benefit from:

- (e) Exemption from all duties and taxes;
- (f) Waiver of economic prohibitions and restrictions except for categories of special goods and equipment that may be indicated by the PDEMAB; and
- (c) Clearance without regard to the country of origin or the country from which *the* goods have arrived, subject to monitoring for reasons of public health and security.

SECTION 36. *Simplification of Documentation Requirements.*

- (a) Consignment of goods and equipment sent by or on behalf of eligible assisting international actors shall be cleared or released on the basis of a simplified goods declaration providing the minimum information necessary for the Bureau of Customs to identify the goods and equipment and subject, when deemed necessary, to completion of a more complete declaration within a specified period.
- (b) The requirements for the declaration for all imports of goods or equipment by or on behalf of eligible assisting international actors and any supporting documents relating to said consignment, release and clearance of goods or equipment shall be simplified and lodged without fee.

PART III. EXPEDITED ENTRY AND USE RESTRICTIONS FOR SPECIFIC INTERNATIONAL DISASTER GOODS AND EQUIPMENT

SECTION 37. Telecommunications Equipment. Eligible assisting international actors shall be permitted to import telecommunications equipment for the purpose of Disaster Relief or Initial Recovery Assistance without restrictions, except as required by PDEMAB guidelines and other laws for purposes of national security or public order. The PDEMAB shall provide guidelines for the manner of use of telecommunications equipment as well as a waiver of licensing requirements or fees.

SECTION 38. Medications. Eligible assisting international actors shall be permitted to import and transport medications and medical equipment for the purpose of Disaster Relief or Initial Recovery Assistance so long as they conform to the implementing rules and regulations to be provided by the PDEMAB.

SECTION 39. Food. Food imported by eligible assisting international actors for disaster relief and recovery shall be admitted pursuant to expedited procedures set out by the PDEMC.

SECTION 40. Imported Vehicles. The granting of temporary local registration and plates for vehicles imported by eligible assisting international actors during the period of response and recovery shall be expedited. Except as indicated in this section, registration and importation of vehicles shall conform to the ordinary standards of the law.

PART IV. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOOD

SECTION 41. Disposition of Equipment and Unused Goods. The PDEMAB shall provide for the guidelines for retention, re-exportation, donation and disposal of unused goods and equipment after the termination of Disaster Relief and Initial Recovery Assistance operations.

CHAPTER XII RECOVERY

SECTION 42. Standards for Recovery. The planning, programming and implementation of the recovery process shall:

- (a) Improve the community's physical, social, and economic resilience, consistent with the principle of "building better forward";
- (b) Use locally-driven, centrally-supported processes based on legal mandates with supplementary capacity support when requested;
- (c) Redirect development outside danger zones to minimize loss of lives and structures resulting from typhoons, flooding, landslides, and other hazards;
- (d) Employ outcome-driven planning and implementation;
- (e) Maximize use of Private-Public sector partnership where possible;
- (f) Consider local conditions such as culture, security situation and existing capacities of communities in identifying programs and projects;

- (g) Ensure access to public transport, physical and mental health services, markets, schools and other public services in planning for settlement areas; and
- (h) Ensure restoration of peace and order and recovery of government functions.

CHAPTER XIII REMEDIAL MEASURES

SECTION 43. *Remedial Measures.* The declaration of a state of calamity shall make mandatory the immediate undertaking of the following remedial measures by the agencies concerned at the national and local levels, subject to existing rules and regulations:

- (a) Upon the declaration of a state of calamity, the Local Price Coordinating Council shall be activated automatically by the concerned local government units, subject to existing rules and regulations;
- (b) Imposition of price ceiling on basic necessities and prime commodities upon the recommendation of the implementing agency as provided for under R.A. 7581, otherwise known as the “Price Act”;
- (c) Monitoring, prevention and control by the Local Price Coordinating Council of overpricing/profiteering and hoarding of prime commodities, medicines and petroleum products;
- (d) Programming/reprogramming of funds for the repair of critical facilities or public infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce further threat to lives and arrest further deterioration of properties in the affected communities, following the “build back better” principle;
- (e) Granting of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals; and
- (f) Local tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected local government units.

The implementation of the foregoing measures shall be monitored by the Authority through reports from the government financing or lending institutions.

CHAPTER XIV PROCUREMENT

SECTION 44. *General Rule on Procurement.* Any procurement of goods, services, consultancy or infrastructure for disaster risk reduction and management, whether at the national or local level, shall abide by the provisions of the Government Procurement Reform Act or R.A. 9184 and its Implementing Rules and Regulations.

SECTION 45. *Emergency Procurement.* In order to expedite disaster response and early recovery, and when the conditions required are present, the procurement or lease of equipment and delivery of goods and services through emergency procurement or purchase at site shall be allowed. Periods of action on procurement activities may also be waived for the same purpose and conditions.

CHAPTER XV **PROHIBITED ACTS AND PENALTIES**

SECTION 46. *Prohibited Acts.* Any person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the criminal and administrative penalties as provided for in Section 50 of this Act, without prejudice to the imposition of other criminal, civil and administrative liabilities and other existing laws.

- (a) **PROHIBITED ACTS OF PUBLIC OFFICIALS.** The following acts, committed by public officials without justifiable cause, shall be considered as gross neglect of duty:
 - 1) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
 - 2) Failure to create a functional LDEM Office within six (6) months from approval of this Act;
 - 3) Failure to prepare and implement a Contingency and Adaptation Plan for hazards frequently occurring within their jurisdictions; and
 - 4) Failure to formulate and implement the LDEMP with the corresponding budget allocation.
- (b) **PROHIBITED ACTS OF PUBLIC OFFICIALS AND PRIVATE PERSONS OR INSTITUTIONS**
 - 1) Delay without justifiable cause in the delivery or improper handling or storage of aid commodities, resulting to damage or spoilage;
 - 2) Withholding the distribution of relief goods due to (a) political or partisan considerations; (b) discrimination based on race, ethnicity, religion, or gender; and other similar circumstances;
 - 3) Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment accessories, disaster teams/experts;
 - 4) Buying for consumption or resale from disaster relief agencies any relief goods, equipment or other and commodities which are intended for distribution to disaster affected communities;

- 5) Buying for consumption or resale from the recipient disaster affected persons any relief goods, equipment, or other aid commodities received by them;
- 6) Selling of relief goods, equipment or other aid commodities which are intended for distribution to disaster victims;
- 7) Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;
- 8) Diverting, or failing to deliver for no lawful or justifiable reason, relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;
- 9) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to him or her.
- 10) Misrepresenting the source of relief goods, equipment or other aid commodities by:
 - i. Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;
 - ii. Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons;
 - iii. Making false claims that the goods, equipment or other aid commodity in its untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency or persons;
- 11) Substituting or replacing relief goods, equipment or other aid commodities with the same items of inferior/cheaper quality;
- 12) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the PDEMAB;
- 13) Deliberately using false or inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects; and
- 14) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.

SECTION 47. *Penalties.* Any individual, corporation, partnership, association or other juridical entity that commits any of the prohibited acts in the preceding paragraph shall be made liable for the following:

- (a) A fine of not less than One Hundred Thousand Pesos (Php 100,000.00) or any amount not to exceed Five Hundred Thousand Pesos (Php 500,000.00) or imprisonment of not less than six (6) years and one (1) day or more than twelve (12) years, or both, at the discretion of the court, including perpetual disqualification from public office if the offender is a public officer, and confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in committing any of herein prohibited acts.
- (b) If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association or entity responsible for the violation without prejudice to the cancellation or revocation or these entities license or accreditation issued to them by any licensing or accredited body of the government. If such offender is an alien, he or she shall, in addition to the penalties prescribed in this Act, be deported without further proceedings after service of the sentence.
- (c) If the offender is a public officer, the offense shall also be punishable by administrative suspension of six (6) months and one (1) day to one (1) year for the first offense, and dismissal from the service for the second offense. The penalty of dismissal shall carry with it the cancellation of eligibility to or forfeiture of retirement benefits, perpetual disqualification from holding public office and disqualification from taking civil service examinations.
- (d) The prosecution for offenses set forth under Section 27 of this Act shall be without prejudice to any criminal liability for violation of the Revised Penal Code (Republic Act No. 3185, as amended) and other existing laws, as well as the imposition of applicable administrative or civil liabilities.

CHAPTER XVI **APPROPRIATIONS**

SECTION 48. *Appropriations.*

- (a) **BUDGET.** The Authority shall be allocated a budget of Ten Billion Pesos (Php 10,000,000,000.00) from the National Treasury starting from the effectivity of this Act. Thereafter, the amount needed for its operation, personal services, maintenance and other operating expenses, and capital outlay shall be included in the General Appropriations Act annually.
- (b) **PHILIPPINE DISASTER AND EMERGENCY MANAGEMENT FUND.** In accordance with Section 4(h), the PDEM Fund shall be managed by the Authority. The specific guidelines on the release and utilization of the PDEM Fund shall be issued by the PDEMAB in accordance with the recommendations of the Authority.
 - 1) The PDEM Fund shall be used for disaster risk reduction or mitigation, prevention and emergency preparedness programs. It can also be utilized for relief, recovery, reconstruction and other works or services in connection with natural or human-induced disasters which may occur during the budget year or those that occurred in the past two (2) years from the budget year.

- 2) Of the annual appropriation of PDEM Fund, seventy percent (70%) shall be appropriated for disaster risk reduction, prevention and mitigation, and emergency management programs and projects focusing on both institutional capacity building of vulnerable communities and risk-reducing infrastructure. The PDEMAB shall pass a resolution to set the priority allocations and govern and trigger the implementation of this section.
 - 3) Of the amount appropriated for the PDEM Fund, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for prepositioning of goods and equipment and relief and early recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, epidemics, or complex emergencies may be normalized as quickly as possible.
 - 4) All departments/agencies and LOA that are allocated with PDEM Fund shall submit to the Authority their monthly statements on the utilization of PDEM funds and make an accounting thereof in accordance with existing accounting and auditing rules.
 - 5) All departments, bureaus, offices and agencies of the government are hereby authorized to use a portion of their appropriations to implement projects designed to address DRRM activities in accordance with the PDEMP and the guidelines to be issued by the PDEMAB in coordination with the DBM and COA.
- (c) ***LOCAL DISASTER AND EMERGENCY MANAGEMENT FUND.*** Not less than five percent (5%) of the estimated revenue from regular sources shall be set aside as the LDEMf to support disaster risk reduction, emergency management, and climate change adaptation programs. The LDEMAB shall monitor and evaluate the use and disbursement of the LDEMf based on the LDEMP as incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the LDEMO and approval of the sanggunian concerned, the LDEMAB may transfer the said fund to support the disaster risk reduction, emergency management, and climate change adaptation work of other LDEMABs that are declared under a state of calamity.
- Of the amount appropriated for LDEMf, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for prepositioning of goods and relief and early recovery programs in order that the situations and living conditions of people in communities or areas stricken by disasters, epidemics, or complex emergencies may be normalized as quickly as possible.
- Unexpended LDEMf shall accrue to a trust fund solely for the purpose of supporting disaster risk reduction and emergency management activities of the LDEMABs within the next five (5) years. Any such amount still not fully utilized after five (5) years shall revert back to the general fund and will be available for other social services to be identified by the local sanggunian.
- The PDEMAB shall issue guidelines on the utilization and release of LDEMf in coordination with other concerned government agencies.

- (d) PREVENTION, MITIGATION, PREPAREDNESS, AND EMERGENCY MANAGEMENT FUND FOR 3rd TO 6TH CLASS MUNICIPALITIES. There shall be in the annual General Appropriations Act an amount allocated solely for the use of 3rd to 6th class municipalities for the purpose of augmenting their LDEMFI with respect to programs and procurement for disaster risk prevention, mitigation, preparedness, and emergency management. The requirements to avail of this Subsidy shall be laid down in the implementing rules and regulations of this law.

CHAPTER XVII **TRANSITORY PROVISIONS**

SECTION 49. *Transfer of DRRM Powers and Functions of OCD.* All powers and functions of the existing Office of Civil Defense related to disaster risk reduction and emergency management are hereby transferred to the Authority within one (1) year from the effectivity of this Act.

SECTION 50. *Separation Benefits of Officials and Employees of Affected Agencies.* National government employees displaced or separated from the service as a result of this Act shall be entitled to either a separation pay and other benefits in accordance with existing laws, rules or regulations or be entitled to avail of the privileges provided under a separation plan which shall be one and one-half month salary for every year of service in the government: Provided, however, That those who avail of such privilege shall be thereafter considered as newly-hired in the government service if absorbed by the Authority. In no case shall there be any diminution of benefits under the separation plan until the full implementation of the Act. Displaced or separated personnel as a result shall be given preference in the hiring of the manpower requirements of the Authority if found qualified. Employees who are not retained by PDEMA may be required to undergo re-training, job counseling, and job placement programs in the government.

The foregoing transfer of powers and functions shall include all applicable funds and appropriations, plantilla positions, records, equipment, and property as may be necessary.

The movement of qualified OCD personnel to the new Authority shall be governed by Section 9 of this Act.

CHAPTER XVIII **MISCELLANEOUS PROVISIONS**

SECTION 51. *Implementing Rules and Regulations.* The PDEMA, through its Director General, shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days from its approval. The Authority, in consultation with key

stakeholders, shall take the lead in the preparation of the implementing rules and regulations with the active involvement of the technical management group of PDEMAB.

SECTION 52. Congressional Oversight Committee. The Congressional Oversight Committee created to monitor and oversee the implementation of the provisions of R.A. 10121 shall retain the same mandate for this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on National Defense and Security of both the Senate and the House of Representatives as joint Chairpersons of this Committee. The five (5) other members from each Chamber are to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The minority shall be entitled to pro rata representation but shall have at least two (2) representatives from each Chamber.

SECTION 53. Sunset Review. Within five (5) years after the effectivity of this Act, or as the need arises, the Congressional Oversight Committee shall conduct a sunset review. For purposes of this Act, the term “sunset review” shall mean a systematic evaluation by the Congressional Oversight Committee of the accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation.

SECTION 54. Repealing Clause. The provisions of R.A. 10121 and all other laws, decrees, executive orders, proclamations and other executive issuances which are not consistent with or contrary to the provisions of this Act are hereby repealed or amended.

SECTION 55. Separability Clause – Any portion or provision of this Law that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portion or provision can still subsist and be given effect in their entirety.

SECTION 56. Effectivity Clause. This Law shall take effect upon its approval.

Approved.