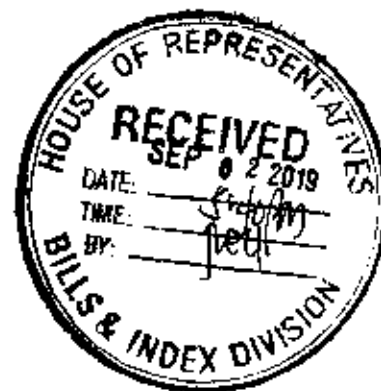


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVE

H. B. No. 4313

INTRODUCED BY REPRESENTATIVE FERDINAND L. HERNANDEZ

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

EXPLANATORY NOTE

President Rodrigo Roa Duterte has repeatedly called for the enactment of a law creating a highly-specialized agency that will focus on the harmful effects of natural disasters and climate change. This way, all the resources, knowledge, and skill of the said agency can be focused towards achieving the goal of ensuring the safety and security of our fellow Filipinos against natural calamities.

This bill is an answer to the president's call for action.

The Department of Disaster Resilience (the Department), once established by law, shall possess the necessary powers and functions, along with the technical expertise and government support to carry out its mandate. The Department shall initiate and integrate the crafting and implementation of comprehensive, continuous, and strategic plans, programs and projects aimed at reducing the risk of all types of natural hazards and the harmful effects of climate change, with the primordial goal of ensuring the safety of our fellow Filipinos.

The bill identifies three (3) key result areas to be focused upon by the Department upon its establishment: (1) Disaster Risk Reduction; (2) Disaster Preparedness and Response; and (3) Recovery and Building Forward Better. As such, the Department shall be armed with all the necessary powers by which it can effectively address these key result areas.

The bill likewise authorizes the Department to exercise such emergency powers and remedial measures that will be necessary to provide for a timely response mechanism during, and in the aftermath of, a natural calamity or disaster. These powers and measures shall be granted to the Department primarily to help mitigate the unavoidable consequences of natural disasters, and to help alleviate any future harm that may be suffered by our fellow Filipinos.

The bill also recognizes the importance of utilizing present, as well as future, developments in information technology as a means of achieving the Department's primary functions. For instance, the bill requires the Department to establish an Integrated Disaster Resilience Information System (IDRIS), which shall serve as a national database of all relevant disaster risk reduction and climate change data. The bill also tasks the Department with the creation of an early warning system which shall make use of risk communication protocols to ensure effective and efficient measures to prepare for, respond to, and recover from present and potential risks and disasters.

In terms of disaster relief and response operations, the bill seeks to streamline the process with the establishment of a Humanitarian Assistance Action Center (HAAC), which shall serve as a mechanism for the processing and release of goods, articles, equipment and services, including international relief efforts.

Furthermore, the bill also highlights the involvement of other government agencies and instrumentalities, such as the various Local Government Units (LGUS), as well as civic society organizations and the communities that are in threat of being

affected by natural calamities in addressing issues relating to disaster preparedness, prevention, reparation, and relief.

As a final note, this bill strives to help ensure that the painful lessons learned from typhoons such as Ondoy and Yolanda, as well as natural disasters that befell our country in past, are translated into laws, systems, structures, and policies that are truly responsive, with the ultimate goal of protecting the present and future generations of Filipinos.

In light of the foregoing, the immediate enactment of this proposed legislation is sought.



REPRESENTATIVE FERDINAND L. HERNANDEZ

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POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I
GENERAL PROVISIONS

Section 1. *Short Title.* – This Act shall be known as the "Disaster Resilience Act of 2019".

Sec 2. *Declaration of Policies and Principles.* – The State recognizes that:

- a. The Philippines is one of the countries most vulnerable to climate change and various kinds natural hazards, including, among others, typhoons, earthquakes, floods, volcanic eruptions, landslides, storm surges, and drought;
- b. Tremendous physical and economic losses are sustained by the country, and in certain cases, damage to our national, cultural, and historical heritage, each time such natural hazards wreak havoc on an unsuspecting and unprepared populace;
- c. There is an urgent need to establish a focused, streamlined, independent, empowered, capacitated, full-time, specialized agency on disaster risk reduction and management as well as emergency response, which is national

1 in scope and civilian in character;

2

3 d. The people are the most important assets of the nation, and all disaster risk
4 reduction and management efforts shall be responsive to the humanitarian
5 needs of the people, the dignity and value of the human person, and respect
6 for property.

7 Towards this end, the state shall endeavor to ensure:

8 a. That a strategic, systematic, continuous, comprehensive, inclusive, and
9 integrated approach to disaster risk reduction and management is
10 established, with the end in view of substantially reducing vulnerabilities and
11 the risk of disasters and other humanitarian emergencies, towards the
12 preservation of life and property, thereby ultimately preventing or deterring
13 the loss of lives and the social, economic, cultural, and environmental assets
14 of the country;

15 b. That a permanent, institutionalized, cohesive and comprehensive framework
16 for disaster preparedness, prevention and mitigation, and response, is
17 adopted, to be implemented by a highly specialized and focused agency
18 bearing its own mandate, powers, and funding, in coordination and with the
19 participation of the Philippine government, other foreign governments and
20 financial institutions, international organizations, the private sector, and civil
21 society;

22 c. That the differing concerns and needs of various sectors or those with higher
23 vulnerabilities such as women, children, elderly, persons with disabilities, and
24 indigenous peoples, are specifically served, with respect to disaster resilience
25 and disaster management;

26 d. The implementation of the principles, concepts and action plans of climate
27 change and disaster risk reduction contained in international and national
28 frameworks and commitments in various phases of policy formulation,
29 development and investment plans, poverty reduction strategies and other
30 development tools, and techniques by all national and local agencies,
31 institutions and instrumentalities of the government to enhance the country's
32 capacity for climate change adaptation and mitigation;

- e. To inculcate a culture of resilience and preparedness for natural disasters at the national, regional and local levels, and adopt a whole-of-society approach in disaster resilience to enhance collaboration, planning, and dialogue among all sectors of society, and in improving their strategies and/or action plans for disaster risk reduction.

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

- a. *Adaptation* shall refer to the adjustment in natural or human systems in response to actual or expected climactic stimuli or their effects, which moderates harm or exploits beneficial opportunities.
- b. *Assisting Actor* shall refer to any Assisting International Actor and any Assisting Domestic Actor responding to a disaster in the country.
- c. *Assisting Domestic Actor* shall refer to any not-for-profit entity established under domestic laws, which is responding to a disaster in the country.
- d. *Assisting International Actor* shall refer to any foreign state, organization, entity or individual responding to a disaster within or transiting through the country to respond to a disaster in another country
- e. *Biological Hazards* shall refer to hazards that are of organic origin or conveyed by biological vectors, including pathogenic microorganisms, toxins and bioactive substances. Examples are bacteria, viruses or parasites, as well as venomous wildlife and insects, poisonous plants and mosquitoes carrying disease-causing agents;
- f. *Build Forward Better* shall refer to an approach to building and/or reconstructing an area or community which entails a shift from simple recovery and restoration to safer, more adaptive, resilient, and inclusive communities.
- g. *Business Continuity* shall refer to the capacity of a business entity to continue the delivery of its products and/or services at acceptable pre-defined levels following a disruptive incident;
- h. *Capacity* shall refer to the combination of all strengths, attributes and resources available within a community, society or organization that can reduce the level of risk, or impacts of a disaster. Capacity may include infrastructure and physical means, institutions, societal coping abilities, as

well as human knowledge, skills and collective attributes such as social relationships, leadership and management. Capacity may also be described as capability.

- i. *Civil Society Organizations (CSOs)* shall refer to non-state actors whose aims are neither to generate profits nor to seek governing power, but to unite people to advance shared goals and interests. They have a presence in public life, expressing the interests and values of their members or other, based on ethical, cultural, scientific, religious or philanthropic considerations. CSOs include nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, people's organization, social movements, and labor unions
- j. *Climate Change* shall refer to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persist in an extended period, typically decades or longer, whether due to natural variability or as a result of human activity as defined under Republic Act No. 9729, otherwise known as the "Climate Change Act of 2009". These include internal processes or external forces such as modulation of the solar cycles, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or in land use.
- k. *Climate Mitigation* shall refer to efforts to reduce or limit greenhouse gas emissions or enhance greenhouse gas sequestration;
- l. *Cultural Heritage* shall refer to the totality of cultural property preserved and developed through time and passed on to posterity;
- m. *Contingency Planning* shall refer to a management process that analyzes specific potential events or emerging situations that might threaten society or the environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events and situations.
- n. *Department* shall refer to the Department of Disaster Resilience or the DDR;
- o. *Development Assistance* shall refer to any financial, material or other forms of assistance to support the economic, social, and environmental well-being of areas and/or people affected by a natural disaster;

- 1 p. *Disability* shall refer to an evolving concept that results from the interaction
2 between persons with impairments, societal barriers, as defined under
3 Republic Act No. 7277, and attitudinal and environmental barriers that hinder
4 their full and effective participation in society on an equal basis with others.
- 5 q. *Disaster* shall refer to a serious disruption of the functioning of a community
6 or a society involving widespread human, material, economic or
7 environmental losses and impacts, which exceeds the ability of the affected
8 community or society to cope using its own resources. Unless otherwise used
9 specifically in this Act, the term "disaster shall refer to "natural disaster";
- 10 r. *Disaster Contingency Fund* shall refer to a fund, in lump-sum form, managed
11 by the Department to expediently provide funds and resources for disaster
12 relief or response in affected areas;
- 13 s. *Disaster Mitigation* or *Mitigation* shall refer to the lessening or limitation of the
14 adverse impacts of hazards and related disasters. Mitigation measures include
15 hazard-resistant structures as well as improved environmental, land use
16 planning, climate change and other sectoral policies and public awareness;
- 17 t. *Disaster Preparedness* shall refer to the knowledge and capacities developed
18 by governments, professional, professional response and recovery
19 organizations, communities and individuals to effectively anticipate, respond
20 to, and recover from, the impacts of likely, imminent or current hazard events
21 or conditions. It includes preparedness for response such as contingency
22 planning, stockpiling of equipment and supplies, the development of
23 arrangements for coordination, evacuation, and public information, and
24 preparedness for recovery such as procurement of land for resettlement sites.
- 25 u. *Disaster Prevention* shall refer to the intention to avoid, or the outright
26 avoidance, of potential adverse impacts of disasters and related hazards
27 through action(s) taken in advance. It expresses the concept and intention to
28 completely avoid potential adverse impacts through action taken in advance
29 such as construction of dams or embankments that eliminate flood risks,
30 land-use regulations that do not permit any settlement in high- risk zones,
31 and seismic engineering designs that ensure the survival and function of a
32 critical building in any likely earthquake;

- 1 v. *Disaster Resilience* shall refer to the ability of a system, community, or society
2 exposed to hazards to resist, absorb, accommodate, adapt to, transform, and
3 recover from the effects of a hazard and/or the long-term impact of climate
4 change in a timely and efficient manner, including through the preservation
5 and restoration of its essential basic structures and functions through risk
6 management;
- 7 w. *Disaster Response* shall refer to the provision of emergency services and
8 public assistance during or immediately after a disaster in order to secure and
9 save lives, reduce health impacts, ensure public safety and meet the basic
10 subsistence needs of the people affected. Disaster response includes disaster
11 relief focused on immediate and short-term needs of the victims and the
12 vulnerable.
- 13 x. *Disaster Resilience Fund* shall refer to the budget managed by the
14 Department, which includes funds appropriated to it by Congress pursuant to
15 an Appropriations Act, the Disaster Contingency Fund, and the Rehabilitation
16 and Recovery Fund;
- 17 y. *Disaster Risk* shall refer to the potential disaster losses in lives, health status,
18 livelihoods, assets and services that could occur to a particular community or
19 society in the future, and is determined by a combination of the vulnerability,
20 capacity, exposure of persons and assets, hazard characteristics and the
21 environment.
- 22 z. *Disaster Risk Governance* shall refer to the way in which public authorities,
23 civil servants, media, private sector, and civil society coordinate at
24 community, national and regional levels in order to manage disaster and
25 climate related risks. This means ensuring that sufficient levels of capacity
26 and resources are made available to prevent, prepare for, manage and
27 recover from disasters. It also entails mechanisms, institutions, and processes
28 for citizens to articulate their interests, exercise their legal rights and
29 obligations, and mediate their differences.
- 30 aa. *Disaster Risk Management* (DRM) shall refer to the systematic process of
31 using administrative directives, organizations, and operational skills and

- 1 capacities to implement strategies, policies and improved coping capacities in
2 order to lessen the adverse impacts of hazards and the possibility of disaster;
- 3 bb. *Disaster Risk Reduction* (DRR) shall refer to the prevention of new, and/or
4 reduction of existing, disaster risk(s) and the management of residual risk, to
5 enhance resilience to disasters;
- 6 cc. *Early Warning System* shall refer to an integrated system of hazard
7 monitoring, forecasting and prediction, disaster risk assessment, and
8 communication and preparedness activities and processes that enable
9 individuals, communities, national government agencies, local government
10 units, the private sector, and others to take timely action to reduce disaster
11 risks and adequately prepare for disasters;
- 12 dd. *Eligible Assisting Actor* shall refer to any assisting actor that has been
13 determined to be eligible to receive legal facilities as provided for in this Act
14 and/or its Implementing Rules and Regulations (IRR);
- 15 ee. *Emergency* shall refer to an unforeseen or sudden occurrence, especially
16 danger, demanding immediate and decisive action;
- 17 ff. *Emergency Management* shall refer to the organization and management of
18 resources and responsibilities for addressing all aspects of emergencies, in
19 particular preparedness, response and initial recovery steps;
- 20 gg. *Environmental Hazards* the hazards that may be chemical, natural, and
21 biological, and can be created by environmental degradation or physical or
22 chemical pollution in the air, water, and soil. However, many of the processes
23 and phenomena that fall into this category may be termed drivers of hazard
24 and risk rather than hazards themselves, such as soil degradation,
25 deforestation, loss of biodiversity, salinization, and sea-level rise;
- 26 hh. *Exposure* shall refer to the degree to which the elements at risk are likely to
27 experience hazard events of different magnitudes;
- 28 ii. *Geographic Information System (GIS)* shall refer to a system used to capture,
29 store, manipulate, manage and display all types of spatial or geographical
30 data;
- 31 jj. *Geographically Isolated and Disadvantaged Area (GIDA)* shall refer to areas
32 with a marginalized population, which is physically and socio-economically

- 1 separated from the mainstream society and characterized by physical
2 factors—isolated due to distance, weather conditions and transportation
3 difficulties (island, upland lowland, landlocked, hard to reach and underserved
4 communities); and/or socio-economic factors—(highly poverty incidence,
5 presence of vulnerable sector, communities in or recovering from situation of
6 crisis or armed conflict);
- 7 **kk. *Geological or geophysical hazards*** shall refer to the hazards that originate
8 from internal earth processes, such as earthquakes, volcanic activities and
9 emissions, and related geophysical processes, which include mass
10 movements, landslides, rockslides, surface collapses, and debris or mud
11 flows. Hydrometeorological factors are important contributors to some of
12 these processes. While tsunamis are triggered by undersea earthquakes and
13 others geological events, they essentially become an oceanic process that is
14 manifested as a coastal water-related hazard;
- 15 **ll. *Hazard*** shall refer to a phenomenon, substance, human activity or condition
16 that may cause loss of life, injury or impacts to health; social and economic
17 disruption, environmental damage, or loss of/disruption to property,
18 livelihood, and/or services;
- 19 **mm. *Historical landmarks*** shall refer to sites or structures that are associated with
20 events or achievements significant to Philippine history as declared by the
21 National Historical Institute or the applicable agency;
- 22 **nn. *Human-Induced Hazard*** shall refer to an event that is caused by humans and
23 occur in or close to human settlements or a particular environmental area.
24 This can include environmental degradation, technological or industrial
25 conditions, pollution, accidents, e.g. high density events, industrial and
26 transport accidents, complex emergencies, armed conflict, situations of
27 generalized or organized violence, and violation of human rights;
- 28 **oo. *Humanitarian assistance*** shall refer to financial, material or other similar forms
29 of assistance to address the immediate needs of people affected by a natural
30 disaster;
- 31 **pp. *Hydrometeorological hazards*** shall refer to hazards that are of atmospheric,
32 hydrological, or oceanographic origin, such as tropical cyclones (also known

1 as typhoons and hurricanes); floods, including flash floods; drought; heat
2 waves and cold spells; and coastal storm surges. Hydrometeorological
3 conditions may also be a factor in other hazards such as landslides, wildland
4 fires, locust plagues, epidemics, and in the transport and dispersal of toxic
5 substances and volcanic eruption material;

6 qq. *Impact and needs assessment* shall refer to the assessment of the nature and
7 magnitude of a disaster, its impact on affected populations, the type and
8 extent of emergency, and the requirements for recovery and rehabilitation of
9 affected area(s);

10 rr. *Immediate Danger* shall refer to a situation where, on the basis of official
11 forecasts, it could reasonably be expected that a disaster will occur in a
12 particular geographical area and within an estimated period of time, and
13 where necessary preparedness actions or financing are required;

14 ss. *Integrated Disaster Resilience Information System* shall refer to a specialized
15 database, which contains, among others, information on disasters and their
16 human, material, economic and environmental impact, risk assessment and
17 mapping, and vulnerable and marginalized groups;

18 tt. *International Disaster Relief and Initial Recovery Period* shall refer to the
19 period that commences upon the issuance of a request for international
20 disaster assistance or upon acceptance of an offer, and shall continue until
21 terminated, pursuant to guidelines set in the implementing rules and
22 regulations;

23 uu. *Internally Displaced Persons* shall refer to persons or groups of persons who
24 have been forced or obliged to flee or to leave their homes or places of
25 habitual residence within national borders;

26 vv. *International Personnel* shall refer to staff and volunteers of any assisting
27 actor providing disaster relief or initial recovery assistance being persons who
28 are neither citizens of nor domiciled in the Philippines prior to their
29 recruitment by the international assisting actor;

30 ww. *Land Use Planning* shall refer to the process undertaken by public authorities
31 to identify, evaluate and decide on different options for the use of land,
32 including consideration of long-term economic, social and environmental

1 objectives and the implications for different communities and interest groups,
2 and the subsequent formulation and promulgation of plans that describe the
3 permitted or acceptable uses;

4 *xx. Legal Facilities* shall refer to entitlements and exemptions that are granted to
5 Assisting Domestic or International Actors that are declared to be eligible
6 pursuant to this Act and its implementing rules and regulations;

7 *yy. Local Disaster Resilience Plan (LDRP)* shall refer to a document prepared by
8 an LGU based on the National Disaster Resilience Framework (NDRF) and the
9 National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets out
10 specific programs, objectives and goals to implement disaster risk
11 management and climate change adaptation measures at the local level. The
12 plan includes, among others, an evaluation and analysis of emerging disaster
13 risks, hazards and vulnerabilities applicable to an LGU, and specific programs
14 and activities to ensure responsive, effective, and appropriate disaster
15 preparedness and managements at the local level;

16 *zz. National Continuity Policy* shall refer to a comprehensive national policy
17 consisting of a set of programs and projects aimed at capacitating the
18 government to ensure the continuity of governance and the delivery of public
19 services during and after any disaster;

20 *aaa. National Disaster Resilience Framework (NDRF)* shall refer to a framework
21 that provides for a comprehensive, multi-sectoral, whole-of-government, and
22 whole-of-society approach to attaining safe, adaptive, and resilient
23 communities that can resist, prevent, mitigate against, absorb,
24 accommodate, adapt to, recover, or build back better form the effects of a
25 natural hazard in a timely and efficient manner through, among others,
26 disaster risk reduction and management, and climate change adaptation and
27 mitigation. The NDRF shall be composed of a National Disaster Risk
28 Reduction and Management Framework (NDRRMF), and National Framework
29 Strategy on Climate Change (NFSCC);

30 *bbb. National Disaster Resilience Plan and Investment Program (NDRPIP)* shall
31 refer to a plan formulated and implemented by the national and local
32 governments, in collaboration with NGOs, the private sector, academe,

international development partners, and others, in accordance with the NDRF that sets out the outcomes, goals and objectives, priorities, programs and corresponding action plans for disaster risk reduction, preparedness, and management, and climate change mitigation. The NDRPIP shall also include, among others, goals, objectives and action plans for a national continuity policy.—It shall be in conformity with the national disaster risk reduction and management framework.

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

ddd. *Open Data* shall refer to a set of data that can be freely used, shared and built-on by anyone, anywhere, for any purpose, it must be available in bulk, and should be available free of charge, or at least at no more than a reasonable reproduction cost. The information should be digital, preferably available by downloading through the internet, and easily processed by the end-user's computer. The data must permit people to use, re-use, and redistribute it, including intermixing it with other data sets and distributing the results. Lastly, it does not allow conditions to be placed on how people can use such data but permit a data provider to require that data has been changed, or that any new datasets created using their data are also shared as open data;

eee. *Pre-Disaster Recovery Plan (PDRP)* shall refer to a plan intended to help government officials working in small communities or across an entire nation, to define and follow a process to pre plan for disaster recovery, and thereby strengthen their own future recovery efforts and outcomes;

fff. *Pre-Disaster Risk Assessment (PDRA)* shall refer to a process to evaluate a hazard's level of risk given the degree of exposure and vulnerability in a specific area likely to be affected by an imminent hazard. It presents the

1 possible impacts on the population and forms a basis to determine the
2 appropriate level of response actions from the national level government
3 agencies down to the local government units. It is hazard-specific, area
4 focused, and time-bound;

5 ggg. *Recovery* shall refer to rehabilitation measures that ensure the ability of
6 affected communities or areas to return their normal level of functioning by
7 restoring livelihoods and services, reconstruction of damaged infrastructures
8 and increasing the communities' organizational capacity;

9 hhh. *Rehabilitation* shall refer to restoration of basic services and facilities for the
10 functioning of a community or a society affected by a disaster;

11 iii. *Response* shall refer to any effort to provide assistance or intervention during
12 or immediately after a disaster to meet the life preservation and basic
13 subsistence needs of affected people and communities; and in the restoration
14 of essential public activities and facilities;

15 jjj. *Retrofitting* shall refer to the reinforcement or upgrading of existing structures
16 to make them more resistant and resilient to the damaging effects of hazards;

17 kkk. *Risk assessment* shall refer to a methodology to determine the nature and
18 extent of risk by analyzing potential hazards and evaluating existing
19 conditions of vulnerability that together could potentially harm exposed
20 people, property, services, livelihood and the environment on which they
21 depend;

22 lll. *Risk Transfer* shall refer to the process of formally or informally shifting the
23 financial consequences of particular risks from one party to another whereby
24 a household, community, enterprise or state authority will obtain resources
25 from the other party after a disaster occurs, in exchange for ongoing or
26 compensatory social or financial benefits provided to that other party;

27 mmm. *Safety stock* shall refer to items, such as raw materials, component parts,
28 or finished goods, maintained in inventory to reduce the risk that such
29 item will be out of stock, in anticipation of unforeseen shortages or
30 unusual demand for such items;

1 nnn. *Service Continuity* shall refer to the capacity of a government instrumentality
2 to continue delivering its mandated outputs and/or services to the public
3 during and after a disaster;
4 ooo. *State of Calamity* shall refer to a condition involving endangered to and/or
5 loss of lives, damages to property, economic and/or social disruption,
6 interruption and/or loss of livelihood and/or services, and destruction and/or
7 damages to infrastructure as a result of natural disaster(s) or related
8 hazard(s);
9 ppp. *Simplified or Pre-Arranged Contract* shall refer to a written agreement in the
10 nature of an option contract between the procuring entity on one hand, and
11 the most responsive and lowest calculated bidder on the other, granting the
12 procuring entity the option to either place an order for any of the goods
13 identified therein or not buy at all, within a given period of time;
14 qqq. *Sustainable Development* shall refer to development that meets the needs of
15 the present without compromising the ability of future generations to meet
16 their own needs;
17 rr. *Volunteers* shall refer to individuals, groups or entities that offer and/or
18 provide services or assistance, without compensation, to help people and/or
19 areas affected by disasters;
20 sss. *Vulnerability* shall refer to the conditions determined by physical, social,
21 economic, organizational, and environmental factors or processes, which
22 increase the susceptibility of an individual, a community, assets or systems
23 to the impacts of hazards;
24 ttt. *Whole-of-Society Approach* shall refer to an approach that encourages the
25 meaningful the active participation and synergy of the different stakeholders
26 of society toward climate change adaptation and mitigation, and disaster risk
27 reduction and management at the national and local levels;
28 uuu. *Whole-of-Government Approach* shall refer to an approach that instills and
29 fosters collaboration among all government instrumentalities both at the
30 national and local levels toward shared sustainable development goals and
31 outcomes; and

vvv. *Whole-of-Nation Approach* shall refer to an approach that seeks to bring about a concerted effort towards sustainable development, national peace and security by creating consensus and understanding of development and security that is shared not just among core security forces and oversight government institutions, but also by the nation's stakeholders, e.g., government, civil society, private sector, and the communities.

ARTICLE II
THE DEPARTMENT OF DISASTER RESILIENCE:
MANDATE, POWERS, AND FUNCTIONS

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

The Department shall be the principal government institution responsible for ensuring safe, adaptive, and disaster-resilient communities. It shall lead, spearhead, initiate, and integrate the crafting and implementation of comprehensive, continuous, and strategic plans, programs, projects and activities to reduce the risk of all types of natural hazards and effects of climate change, and manage the impact of disasters with the primordial goal of saving lives and minimizing damage to property, in close collaboration with all relevant stakeholders at the national and local levels.

The Department shall oversee and coordinate the preparation, implementation, monitoring, and evaluation of disaster and climate resilience plans, programs, projects and activities, provide leadership in the continuous development of strategic and systematic approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation and anticipatory adaptation strategies, measures, techniques, and options. It shall also manage and direct the implementation of national, local, and community-based disaster resilience programs in collaboration with relevant national government agencies, LOUs, CSOs, and other stakeholders, as applicable.

1 Sec. 5. *Powers and Functions of the Department.* – The Department shall
2 exercise and perform the following powers and functions:

3 Overall functions:

- 4 1. Craft the policies and lead the implementation of the programs, projects and
5 activities necessary to reduce the country's vulnerabilities to natural hazards
6 and climate change, using the PDRP and the relevant climate change and
7 DRR frameworks as anchors;
- 8 2. Review and build upon, to the extent necessary, the existing disaster
9 resilience framework, plans and strategies in the crafting of an NDRF and the
10 corresponding NDRPIP;
- 11 3. Oversee, review, and approve the translation, integration, and
12 implementation of the NDRPIP into LDRPs;
- 13 4. Communicate and disseminate critical information to help the public prepare
14 for, respond to, and recover from a disaster;
- 15 5. Receive, manage, and administer the Disaster Resilience Fund, the Disaster
16 Contingency Fund, donations and other funds, assets and/or properties
17 received by the Department to accomplish the purposes of this Act;
- 18 6. Recommend to the President of the Philippines the declaration of a state of
19 calamity due to a natural disaster, and the lifting thereof when conditions
20 stabilize;
- 21 7. Direct any government entity to help ensure the attainment of the goals and
22 objectives of this Act;
- 23 8. Advance the country's interests relating to disaster resilience and climate
24 change in the regional and global arena;
- 25 9. Advise the President on matters concerning disaster resilience and make
26 recommendations, as appropriate; and
- 27 10. Perform such other functions, as provided by law or assignment of the
28 President, and undertake all other necessary actions to ensure the attainment
29 of the overall goals and objectives of this Act.

30 Disaster Risk Reduction;

1. Develop coordinated national, regional, and local strategies for the effective prevention and mitigation of disaster risk resulting from natural hazards, including the effects of climate change;
2. Monitor and ensure the integration of disaster risk reduction and management, and climate change adaptation policies into national development plans;
3. Establish a disaster resilience information system to facilitate the creation of an integrated risk assessment platform built from the inputs of government and private scientific and academic institutions, national government agencies and local government units, local communities, and other stakeholders and that is able to provide readily accessible and actionable information for purposes of risk governance and humanitarian action;
4. Formulate plans and programs to establish and implement government redundancy, service and business continuity, and a National Continuity Policy, as a high priority and urgent undertaking;
5. Ensure the use of advanced science and technology in anticipatory planning of communities against the impact of natural hazards and climate change through consultation, and employment with a regular department funding the academe or higher education institutions;
6. Develop and implement policies and programs related to the construction of new settlements or relocation of settlements in safe areas that shall, to the extent such policies and programs relate to disaster risk reduction, mitigation, prevention or building forward better, prevail over policies or decisions of other government departments, government agencies, government owned or controlled corporations, LGUs, and other government instrumentalities;
7. Design and implement an incentive system for greater private and public investment, both at the local and national levels, on disaster risk reduction;
8. Oversee and ensure the mainstreaming of climate change adaptation and disaster risk reduction in development and land use planning, and the preparation of contingency plans;

9. Create an enabling environment that shall promote broader multi-stakeholder participation for disaster risk reduction and climate change adaptation and mitigation;
10. Communicate and disseminate critical information to help the public prepare for, respond to, and recover from a disaster;
11. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the Department of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the Philippines (LBP), and the Insurance Commission;
12. Coordinate directly with local government units and private entities to address Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale, cities and municipalities at the micro-scale, and barangays at the meta-scale;
13. Review and evaluate local disaster resilience plans and other local plans to ensure their consistency with the National Disaster Resilience Framework; and
14. Undertake all other programs, projects, and actions necessary to attain the overall goals and intended outcome of this key result area.

Disaster Preparedness and Response

1. Lead, manage, and collaborate with the relevant government instrumentalities, non-government stakeholders, and international partners in providing the minimum basic needs of people in affected areas before, during and/or immediately after a disaster to save lives and minimize casualties;
2. Ensure the efficient prepositioning of goods, maintenance, and disposal of safety stocks;
3. Prepare pre-disaster recovery plans in anticipation of future disasters by engaging the community and planning for recovery activities that are comprehensive and long-term;
4. Establish a corps of first responders in partnership with national and local stakeholders, both public and private;
5. Formulate standards for contingency planning for adoption by both national government agencies and local government units;

- 1 6. Recommend to the President of the Philippines the declaration of a state of
2 calamity due to a natural disaster, and the lifting thereof when conditions
3 stabilize;
- 4 7. Oversee and maintain a national early-warning and emergency alert system
5 that must provide a specific, areas-focused and time-bound warning that are
6 accurate, timely, understandable and readily accessible to national and local
7 emergency response organizations and the general public;
- 8 8. Implement Pre-Disaster Risk Assessments to include deployment of rapid
9 assessment teams to gather information for precise actions as a basis for
10 emergency preparedness and humanitarian response;
- 11 9. Coordinate information-sharing and other disaster risk reduction protocols
12 following the principle of inter-operability among national government
13 agencies and local government units;
- 14 10. Establish and maintain a national humanitarian logistics system with a
15 network of warehouses, transport and resources, including response assets
16 and disaster relief food and non-food items;
- 17 11. Call upon the relevant government instrumentalities, non-government
18 stakeholders, CSOs, and international partners for assistance in ensuring the
19 protection and preservation of life and property such as through the use of
20 their resources and facilities, among others. This function includes the power
21 to call on the reserve force as defined in Republic Act no. 7077 to assist in
22 search and rescue, and the relief and disaster preparedness and response
23 operations;
- 24 12. Organize, train, equip, and maintain a system of response capacity for search,
25 rescue and retrieval and the delivery and distribution of relief goods;
- 26 13. Monitor and support LGUs in the management of evacuation centers and
27 ensure the welfare and dignity of internally-displaced persons;
- 28 14. Procure goods and services prior to, during, and after emergencies for
29 preparedness, response, and recovery activities, including those prompted by
30 a declaration of a state of calamity or of an imminent disaster;
- 31 15. Issue special procurement rules and regulations, in close coordination with
32 the Government Procurement Policy Board, for preparedness, response, and

- 1 recovery activities, including those prompted by a declaration of a state of
2 calamity or of an imminent disaster;
- 3 16. Assist in mobilizing necessary resources to increase the overall capacity of
4 local government units, specifically those with low income and situated in
5 high-risk areas;
- 6 17. By the authority of the President, secure the assistance of the Armed Forces
7 of the Philippines (APP), the Philippine National Police (PNP), DILG-Bureau of
8 Fire Protection (BFP), DOTr-Philippine Coast Guard (PCG), and other
9 uniformed services in undertaking disaster preparedness and response
10 operations in at-risk and/or disaster-affected areas; and
- 11 18. Undertake all other programs, projects, and actions necessary to attain the
12 overall goals and intended outcomes of this key result area.
- 13 Recovery and Building Forward Better;
- 14 1. Prepare, organize, lead, implement, and manage post-disaster assessment
15 and recovery and rehabilitation programs and plans, in coordination with the
16 affected local governments units, national government agencies, and other
17 stakeholders;
- 18 2. Establish a system that utilizes templates, exposure database, and other
19 tools; and develop the Department's in-house capacity for the prompt and
20 expedient preparation of rehabilitation plans, when needed, for disaster
21 affected areas;
- 22 3. Prepare and implement the recovery and rehabilitation plan(s) for disaster
23 affected areas;
- 24 4. Implement the cluster approach to expedite reconstruction efforts, e.g., post-
25 disaster shelter recovery, and orchestrate and serve as the clearinghouse for
26 the participation of assisting actors in such efforts;
- 27 5. Collaborate with relevant government agencies and non-government
28 stakeholders in undertaking programs and projects to restore and/or generate
29 livelihood and entrepreneurial activities and opportunities in disaster-affected
30 areas;
- 31 6. Ensure that the principle of Building Forward Better, not mere restoration, is
32 applied to all recovery, reconstruction, and rehabilitation efforts; and

7. Undertake all other programs, projects, and actions necessary to attain the overall goals and intended outcomes of this key result area.

Other Powers and Functions;

1. Constitute, call, convene and/or deputize agencies of government, and invite non- government and private organizations, to assist, advise, and/or coordinate with the Department to achieve the goals and purposes of this act;
2. Provide operating guidelines to the LDROs for the Declaration of Imminent Disaster in their respective areas, which shall allow them to implement preemptive measures and use their quick response funds in order to save lives and minimize damage to property, loss of livelihood, and other assets;
3. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the DOF, GSIS, LBP, and the Insurance Commission;
4. Coordinate information-sharing and other disaster risk reduction protocols following the principle of inter-operability among National Government Agencies and Local Government Units, before, during, and after a disaster;
5. Administer, mobilize, monitor, and oversee the utilization of disaster resilience-related funds, including, but not limited to, the National Disaster Resilience Fund and the Supplemental Disaster Resilience Support Fund for low income provinces, cities, and municipalities, and multi-hazard local government units;
6. Inspect and examine the status of projects, programs, and activities undertaken by national government agencies and local government units in furtherance of disaster resilience efforts;
7. Whenever it becomes necessary, to save lives and/or minimize damages to livelihood and property, assume supervision over the implementation of any government program, project, or activity in anticipation of, during, and in the aftermath of a disaster;
8. Negotiate, enter into, institutionalize, and coordinate arrangements with any private person or entity for the purpose of ensuring the adequate and prompt availability of goods and services necessary in anticipation of, during, and in the aftermath of disasters;

- 1 9. Manage all funds appropriated to it by law and from other sources, including
2 all donations and grants received by it;
- 3 10. Promulgate rules and regulations for the receipt, management, and
4 accounting of donations that are consistent with the rules of the Commission
5 on Audit (COA) on the use of foreign and local aid during calamities and
6 disasters;
- 7 11. Receive humanitarian assistance from local and foreign sources, recommend
8 the acquisition of developmental assistance for the purpose of disaster
9 resilience, acknowledge and certify the receipt of all humanitarian assistance,
10 and ensure their judicious use and management;
- 11 12. Establish and operate a platform, including an online platform, to monitor and
12 provide public access to information on humanitarian assistance received by
13 the Department;
- 14 13. Secure the assistance of the AFP, PNP, DILG- BFP, DOTr-PCG, and other
15 uniformed services and government instrumentalities to ensure the
16 attainment of the three key result areas, and the overall goals and objectives
17 of this Act;
- 18 14. In consultation with the COA, promulgate rules and regulations for the
19 retention, re-exportation, donation, and disposition of unused goods and
20 equipment after the termination of disaster relief and initial recovery
21 operations;
- 22 15. Assist appropriate national government agencies and offices and concerned
23 local government units in protecting national cultural heritage including
24 national treasures and national historical landmarks, sites or monuments from
25 hazards and disasters; and
- 26 16. Perform such other functions, as provided by law or assignment of the
27 President, and undertake the necessary actions to ensure the attainment of
28 the overall goals and objectives of this Act.

30 **ARTICLE III**
31 **EMERGENCY MEASURES**

1 *Sec. 6. Emergency Measures. –*

- 2 a. The Department shall undertake and implement such immediate measures
3 as may be necessary to ensure the protection and preservation of life or
4 property in anticipation of, during, and in the aftermath of emergencies,
5 hazards and disasters, including preemptive and forced evacuations.

6 Local government units shall enact an ordinance on and implement
7 necessary and appropriate emergency measures, including preemptive
8 and forced evacuations, to ensure the protection and preservation of life
9 or property in anticipation of, during, and in the aftermath of disasters.

10 It shall be mandatory for Local Government Units to provide evacuation
11 centers, with due consideration to the capacity of local facilities, when
12 requested by the Department, in anticipation of, during, and in the
13 aftermath of emergencies, hazards and disasters. In providing such
14 evacuation centers, due regard shall be given to the most vulnerable and
15 marginalized groups, respecting the dignity and culture of persons,
16 observing equality, and using proportionate force in implementing such
17 emergency measures.

18 Preemptive evacuation shall be the preferred as the primary mode of
19 moving people that will be affected by disasters.

20
21 Forced evacuation shall be considered as an emergency measure of last
22 resort, and shall be carried out by the affected local government unit,
23 pursuant to a duly issued order by the local chief executive: *Provided,*
24 That in case of the failure of the local chief executive to issue such an
25 order, the forced evacuation shall be implemented by the Department,
26 which may direct and compel the assistance of law enforcement and other
27 relevant government agencies to implement such measure.

28 Any person who willfully and deliberately disregards or disobeys a
29 preemptive or forced evacuation implemented by the local government
30 unit or the Department, as the case may be, releases such local
31 government unit or the Department from any liability for injury, death,
32 damage to, or loss of property due to such disobedience.

- 1 b. Whenever necessary, the Department may recommend to the President
2 the calling out of the Armed Forces of the Philippines to prevent or
3 suppress lawless violence occurring before, during, and in the aftermath of
4 disasters.
- 5 c. The Department may ration the distribution of basic goods in critical
6 shortage, and/or restrict or ban the transfer of such goods outside the
7 area covered by the emergency measure.
- 8 d. The Department may temporarily take over or direct the operation of any
9 private utility or business for urgent public purpose in anticipation of,
10 during, and in the aftermath of emergencies, hazards, and disasters and
11 only when there is imminent danger of loss of lives and/or damage to
12 property, subject to the payment of just compensation.
- 13 e. Local government units shall likewise enact the abovementioned
14 emergency measures including preemptive and forced evacuations, to
15 ensure the protection and preservation of life or property in anticipation
16 of, during, and in the aftermath of disaster.
- 17 f. With the concurrence of the DOF, the Department shall recommend to the
18 Monetary Board the deferment of payment for monetary debts of LGUs
19 and/or private entities that have been affected by disasters
20

21 **ARTICLE IV**
22 **ORGANIZATION AND MANAGEMENT**
23

24 *Sec. 7. The Secretary.* – The Department shall be headed by the Secretary of
25 Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed
26 by the President, subject to confirmation by the Commission on Appointments.

27 The Secretary shall preferably have a solid background in any of the scientific,
28 engineering, and public management fields relevant to resilience to natural hazards
29 and climate change; and demonstrated managerial acumen.

30 *Sec. 8. Powers and Functions of the Secretary.* – The Secretary shall exercise
31 the following powers and functions:

- a. Establish and promulgate policies, rules, and regulations for the effective and efficient operation of the Department and implement these to carry out its mandate, functions, programs, and activities;
- b. Exercise executive direction over the operations of the Department and administrative supervisions over its attached agencies;
- c. Exercise control and supervision over all functions and activities of the Department and its officers and personnel;
- d. Appoint officers and employees of the Department, except those whose appointments are vested in the President, in accordance with civil service law, rules, and regulations;
- e. Exercise disciplinary authority over officers and employees of the Department in accordance with law, and investigate such officers and employees, or designate a committee or officer to conduct an investigation;
- f. Manage the financial, human, and other resources of the Department;
- g. Collaborate with other government agencies, the private sector, and civil society organizations on the policies, programs, projects, and activities of the Department, as may be necessary;
- h. Advise the President on the promulgation of executive and administrative issuances and the formulation of regulatory and legislative proposals on matters pertaining to disaster resilience;
- i. Represent the Philippines and articulate the national contribution to global, regional, and other inter-governmental disaster risk reduction and humanitarian platforms, in coordination with the Department of Foreign Affairs; and
- j. Perform such other functions as may be provided by law or assigned by the President.

Sec. 9. The Undersecretaries. – The Secretary shall be assisted by at least four (4) Undersecretaries, who shall be responsible for the following functional areas, including the establishment of a robust and responsive ICT system to effectively support the mandate and operations of the Department:

- a. Disaster Risk Reduction - the formulation, adoption, and implementation of policies and programs to reduce existing and future disaster risks to minimize

1 loss and damage to lives and properties, including the formulation of the
2 required policies and programs in the NDRF and relevant national investment
3 plans;

4 b. Disaster Preparedness and Response - the implementation of projects and
5 programs to prepare and respond to disasters, including the enhancement of
6 capabilities of local government units, the development of a database of
7 exposure or elements at risk per area and database of volunteers, the
8 establishment of safe and strategic evacuation centers, and the
9 implementation of responsive and efficient prepositioning and distribution of
10 goods;

11 c. Recovery and Building Forward Better – the formulation and implementation
12 of rehabilitation plans for disaster-affected areas and ensuring the
13 implementation of disaster recovery and rehabilitation measures, such as
14 post-disaster shelters and livelihood projects, in collaboration with relevant
15 government agencies, local government units, and other stakeholders; and

16 d. Support to Operations - the formulation and implementation of policies,
17 programs, projects, and activities to ensure the efficient, effective, and
18 responsive performance of the Department's mandate, powers, and functions.
19 Support to operations includes knowledge management, institutional
20 development and planning, finance, administration, and human resources
21 management.

22 The Undersecretaries shall have operational control and supervision over the
23 bureaus, divisions, offices, and units assigned to their respective functional areas.

24 *Sec. 10. The Assistant Secretaries and Directors.* – The Department shall have
25 such number of Assistant Secretaries and Directors as may be necessary for the
26 effective and efficient implementation and performance of its mandate, powers, and
27 functions.

28 *Sec. 11. Qualifications.* – All the Undersecretaries, Assistant Secretaries, and
29 other officials of the Department shall preferably be specialists and have a good
30 track record in any of the following fields, as applicable to their mandated key
31 result areas and functions: disaster risk reduction and management, science and

1 technology, environmental science or management, urban planning, civil
2 engineering, public finance, information and communications technology, logistics
3 management, mass communication, among other fields directly relevant to
4 ensuring the country's disaster resilience. The appointing authority and other
5 responsible officials shall ensure that the Department's human resources possess
6 the competencies, skills, behavioral attributes, training and experience necessary
7 for them to become efficient, effective, and responsive in performing their
8 functions and contribute to the attainment of the overall goals and delivery of the
9 intended outcomes of this Act.

10 Sec. 12. *Structure and Staffing Pattern.* –The Department shall determine its
11 organizational structure and staffing pattern and create such services, divisions,
12 and units, as it may require or deem necessary, subject to the approval of the
13 Department of Budget and Management.

14 Sec. 13. *Regional Disaster Resilience Offices.* – The Department shall
15 establish and maintain Regional Disaster Resilience Offices (RDROs) in each
16 administrative region, to be headed by a Regional Director. The Department shall
17 create policies and programs to establish collaboration and coordination among the
18 different RDROs.

19 Sec. 14. *Powers and Functions of RDROs.* – The RDROs shall have the
20 following powers and functions:

- 21 a. Review the LDRPs and Provincial DRPs of LGUs within its jurisdiction, and
22 require the amendment of such LDRPs and/or Provincial DRPs if necessary, to
23 ensure compliance with the NDRF and relevant national investment plans;
- 24 b. Monitor and direct LDROs and PDROs to implement their respective LDRPs
25 and PDRPs;
- 26 c. Recommend to the appropriate local legislative body the enactment of
27 ordinances to implement the LDRP, NDRF and relevant national investment
28 plans at the city, municipal or provincial level, and to comply with other
29 requirements of this Act;
- 30 d. Review reports on the utilization of the LDRF and other disaster risk and
31 management resources of LGUs within its jurisdiction, and give
32 recommendations, as necessary;

- e. Disburse to, and monitor the use by, LGUs of funds granted by the Department pursuant to this Act and its IRR;
- f. Provide, upon the request of LGUs or unilaterally at its own discretion, assistance to LGU(s) within its jurisdiction as necessary to ensure the implementation of LDRPs/Provincial LDRPs, NDRF and relevant national investment plans, and to render efficient and timely disaster preparedness, response and recovery measures;
- g. Identify and report to the Department issues and problems relating to, or affecting, the disaster resilience of LGUs within its jurisdiction, and make recommendations to the Department and/or to the LGUs to address such issues or problems;
- h. Formulate and establish mechanisms to mobilize and direct LDROs and PDROs within its jurisdiction as necessary for disaster preparedness and response at the regional level;
- i. Establish and maintain, in coordination with the Department, a Regional Command and Control Center (RCCC), which includes, among others, an information management system at the regional level, which consolidates and integrates information from the provinces, cities and municipalities within its jurisdiction, a multi-hazard early warning and communications system, and a monitoring system that enables the RDRO to oversee, supervise, monitor and respond to the needs of LGUs within its jurisdiction in relation to disaster resilience activities;
- j. Assist in the implementation, of rehabilitation plan(s) for LGUs within its coverage; and
- k. Conduct other activities and act on other matters, in accordance with policies and procedures of the Department and applicable laws, to achieve the purposes of this Act.

Sec 15. Special Disaster Response Teams. – The RDROs may organize and/or activate Special Disaster Response Teams (SDRTs) to assist LGUs in responding to hazards and disasters that are beyond their capacities, as deemed necessary.

Sec. 16. Local Disaster Resilience Offices. – The Local Disaster Risk Reduction Management Offices in provinces, cities, and municipalities are hereby renamed as

1 the Provincial, City, and Municipal Disaster Resilience Offices, respectively, and shall
2 collectively be called the Local Disaster Resilience Offices (LDROs). Provincial, city,
3 and municipal governments shall establish their respective LDROs.

4 The Barangay Disaster Risk Reduction and Management Committees are
5 hereby renamed as the Barangay Disaster Resilience Committees (BDRC).

6 All Local Disaster Risk Reduction Management Councils are hereby abolished.

7 The LDROs shall be under the control and supervision of the provincial
8 governor or the city or municipal mayor, as the case may be. The budgetary
9 requirements for personal services, maintenance and other operating expenditures,
10 and capital outlay of the LDROs shall be sourced from the General Fund of the local
11 government units concerned: *Provided, That*, the personal services limitations under
12 Section 325(a) of Republic Act No. 7160, otherwise known as the Local Government
13 Code of 1991, shall not apply in relation to the creation and appointment of at least
14 five (5) positions in the LDROs. Other maintenance and operating expenditures and
15 the capital outlay requirements of LDROs in the implementation of disaster risk
16 reduction management and climate change adaptation programs shall be charged to
17 the Local Disaster Resilience Fund of local government units.

18 *Sec. 17. Local Disaster Resilience Officer.* – The LDRO shall be headed by a
19 full- time Local Disaster Resilience Officer, who shall have a regular plantilla position
20 and shall be appointed by the local chief executive: *Provided, That* the qualifications
21 standards pertaining to experience and training set by the Civil Service Commission
22 for the position may be waived by the Department in exceptional cases upon the
23 request of the local chief executive.

24 *Sec. 18. Powers and Functions of City and Municipal Disaster Resilience*
25 *Offices.* – The City and Municipal Disaster Resilience Offices shall have the following
26 powers and functions:

- 27 a. Formulate and implement, in coordination with the Department, a
28 comprehensive and integrated Local Disaster Resilience Plan in accordance
29 with the NDRF and the relevant national investment plans;
- 30 b. Design, program, coordinate, and implement disaster resilience activities
31 consistent with the standards and guidelines provided by the Department,

- 1 and implement the NDRF and the relevant national investment plans at the
2 city or municipal level;
- 3 c. Prepare and submit to the Sangguniang Panglungsod or Bavan, as the case
4 may be, the LDRP, the proposed programming of the LDR Fund, other
5 dedicated disaster resilience resources, and other funds of the LDRO;
- 6 d. Recommend to the Sangguniang Panglungsod or Bavan, as the case may be,
7 the enactment of ordinances to implement the LDRP, NDRF, relevant national
8 investment plans, and the provisions of this Act;
- 9 e. Prepare and submit to the Department a report on the utilization of its Local
10 Disaster Resilience Fund and other disaster risk reduction and management
11 resources;
- 12 f. Establish and maintain, in coordination with the Department, an information
13 management system within the LGU, which, among others, consolidates and
14 includes local risk information (such as natural hazards, profile of the LOU's
15 vulnerable or marginalized groups), local risk maps, and a disaggregated
16 database of human resource, equipment, services, resources, directories and
17 location of critical infrastructures with their capacities (such as hospitals and
18 evacuation centers);
- 19 g. Operate and maintain, in coordination with the Department, a multi-hazard
20 early warning and communications system to provide accurate and timely
21 information to the public;
- 22 h. Organize and conduct training and knowledge management activities on
23 disaster resilience at the local level, in coordination with the Disaster
24 Research, Education, and Training Institute;
- 25 i. Recommend to the local chief executive the procurement of emergency
26 works, goods, and services in compliance with the regulations, orders, and
27 policies of DBM and Government Procurement Policy Board (GPPB), to
28 implement the LDRP or support early recovery and post-disaster activities;
- 29 j. Recommend, in coordination with the DOF and other relevant agencies, to the
30 local chief executive, access to foreign loans to finance projects, programs,
31 and policies for disaster preparedness, response, recovery, and rehabilitation,

- 1 subject to terms and conditions agreed upon by the local government unit
2 and the lender;
- 3 k. Monitor and mobilize instrumentalities and entities of the LGU and its partner
4 LGUs, CSOs, private sector, organized volunteers, and sectoral organizations
5 for disaster resilience activities, in accordance with policies and procedures of
6 the Department and applicable laws;
- 7 l. Coordinate and provide the necessary support or assistance to the
8 Department in the implementation of rehabilitation plan(s) within the city or
9 municipality covered by the LDRO;
- 10 m. Coordinate with the Department, other government agencies, members of the
11 private sector and other stakeholders in the LGU to establish a Business
12 Continuity Plan as part of their LDRP's disaster preparedness measures;
- 13 n. Establish linkage/network and coordination mechanisms with other LGUs and
14 the Department for disaster resilience activities and to achieve the purposes
15 of this Act; and
- 16 o. Conduct other activities and act on other matters, in accordance with policies
17 and procedures of the Department and applicable laws, to achieve the
18 purposes of this Act.
- 19

20 *Sec. 19. Powers and Functions of the Provincial Disaster Resilience Offices. —*

21 The Provincial Disaster Resilience Offices shall have the following powers and
22 functions:

- 23 a. Formulate and implement, in close coordination with the Department and the
24 local government units under the jurisdiction of the provincial government, a
25 comprehensive and integrated Provincial Disaster Resilience Plan in
26 accordance with the NDRF;
- 27 b. Review the LDRPs of cities and/or municipalities within its jurisdiction, and
28 require the amendment of such LDRPs if necessary, to ensure compliance
29 with the Provincial DRP and the NDRF;
- 30 c. Design, program, coordinate, or implement disaster resilience activities
31 consistent with the standards and guidelines provided by the Department,

- 1 and implement the NDRF and the relevant national investment plans at the
2 provincial level;
- 3 d. Prepare and submit to the Sangguniang Panlalawigan, the Provincial DRP, the
4 proposed programming of the province's Local Disaster Resilience Fund, other
5 dedicated disaster resilience resources, and other funding sources of the
6 PDRO;
- 7 e. Recommend to the Sangguniang Panlalawigan the enactment of local
8 ordinances to implement the Provincial LDRP, NDRF and relevant national
9 investment plans at the provincial level, and to comply with other
10 requirements of this Act:
- 11 f. Prepare and submit to the Department, a report on the utilization of the
12 province's Local Disaster Resilience Fund and other disaster risk reduction and
13 management resources;
- 14 g. Establish and maintain, in coordination with the Department, a Provincial
15 Command and Control Center (PCCC), which includes, among others, an
16 information management system at the provincial level, which consolidates
17 and integrates information from the cities and/or municipalities within its
18 jurisdiction, a multi-hazard early warning and communications system that is
19 connected with the cities and/or municipalities within its jurisdiction, and a
20 monitoring system that enables the PDRO to oversee, supervise, monitor and
21 respond to the needs of cities and/or municipalities within its jurisdiction in
22 relation to disaster resilience activities;
- 23 h. Recommend to the Provincial Governor the procurement of emergency works,
24 goods, and services in compliance with the regulations, orders, and policies of
25 DBM and GPPB, to implement the provincial LDRP or support early recovery
26 and post-disaster activities of the PDRO;
- 27 i. Recommend, in coordination with the DOF, to the Provincial Governor to
28 access foreign loans to finance its policies, programs, projects, and activities
29 for disaster preparedness, response, recovery, and rehabilitation, subject to
30 terms and conditions agreed upon by the Provincial Government and the
31 lender;

- 1 j. Formulate and establish mechanisms to mobilize and direct LDROs within its
2 jurisdiction as necessary for disaster preparedness and response at the
3 provincial level;
- 4 k. Coordinate and provide the necessary support or assistance to the
5 Department in the implementation of rehabilitation plan(s) within the cities
6 and/or municipalities covered by the PDRO; and
- 7 l. Conduct other activities and/or act on other matters, in accordance with
8 policies and procedures of the Department and applicable laws, to achieve the
9 purposes of this Act.

10 *Sec. 20. Service continuity of the Department.* – To ensure service continuity,
11 the Department and its regional and attached offices shall be established in a
12 reasonably resilient location; and/or undertake the necessary interventions to make
13 its offices and systems disaster- resilient.
14

15 **ARTICLE V**

16 **WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH**

17

18 *Sec. 21. Synergy with Stakeholders.* – The Department shall ensure seamless
19 synergy and coordination with stakeholders, including national government agencies,
20 local government units, government-owned or -controlled corporations (GOCCs),
21 CSOs, the academe, and the private sector, in relation to disaster resilience
22 programs and projects and the development and promotion of research, education,
23 and training mechanisms. The Department shall establish a platform, paradigm, and
24 mechanisms for convergence and coordination with stakeholders, including the
25 development of standards, protocols, and procedures for seamless collaboration for
26 disaster resilience.

27 *Sec. 22. Establishment of Multi-Stakeholders convergence Unit.* – The
28 Department, with the assistance of other relevant government agencies and
29 stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU), which
30 shall closely engage the private sector, CSOs, academe, and other non-government

1 stakeholders and strengthen public-private collaboration towards disaster resilience
2 by way of the following interventions, among others:

- 3 a. Implementation of business continuity practices to ensure the continued
4 delivery of products and services, in the event of disasters;
- 5 b. Crafting and implementation of a National Continuity Policy to ensure
6 government service continuity during and after emergencies and disasters,
7 and ensure the quick return of government to full operations;
- 8 c. Establishment, incorporation, and application of business continuity plans as
9 part of the LDRPs of LGUs;
- 10 d. Facilitation or assistance in obtaining and/or processing incentives for the
11 private sector and other non-government stakeholders, such as but not
12 limited to tax credits;
- 13 e. Preparation and facilitation of the issuance of special rules for Micro, Small,
14 and Medium Enterprises (MSMEs) such as, but not limited to, mechanisms
15 involving procurement and liquidity to create enabling environments for
16 disaster preparedness, recovery and building forward better; and
- 17 f. Formulation of investment programs for disaster affected areas in partnership
18 with the private business sector and civil society organizations.

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

21 *Sec. 23. Roles and Responsibilities of Stakeholders.* – The commitment,
22 goodwill, knowledge, experience and resources of relevant stakeholders are critical
23 to realize a safer, adaptive, resilient and inclusive Filipino community. Citizens have
24 the shared vision and duty to provide support to the State in the implementation of
25 policies and programs, particularly the Disaster Resilience Framework and Disaster
26 Resilience Plan at the national, regional and local levels.

- 27 a. Civil society, non-governmental organizations, international non-governmental
28 organizations, private sector, practitioners, and volunteers shall participate, in
29 collaboration with public institutions, in the exchange of information,
30 learnings, and guidance on disaster resilience. The Department shall
31 encourage and institutionalize their engagement in the implementation of

- 1 local, regional, national, and global plans and strategies: enhance public
2 awareness and promote a culture of disaster resilience;
- 3 b. The women, children, and youth, as agents of change, shall endeavor to
4 contribute actively and participate in disaster resilience trainings and
5 information dissemination;
- 6 c. Senior citizens, and persons with disabilities shall contribute their knowledge
7 and experience on disaster preparedness and resiliency;
- 8 d. Indigenous peoples and Muslim Filipinos shall share their traditional
9 knowledge and practical experience on disaster resiliency;
- 10 e. Urban and rural poor, and migrants shall participate in building resilient
11 resettlement communities;
- 12 f. Emergency responders and volunteer organizations shall contribute to
13 resilience by promptly and efficiently responding to disasters and emergencies
14 consistent with the policies of the Research, Education and Training Institute
15 of the Department;
- 16 g. Academia, scientific and research entities, and networks are encouraged to
17 undertake relevant research on disaster resiliency in partnership with the
18 Department and other stakeholders for better decision-making;
- 19 h. The private sector is encouraged to integrate disaster resiliency projects and
20 programs in their corporate social responsibility initiatives; and
- 21 i. The media shall provide prompt and accurate information to the public on
22 early warning systems, natural hazards, and disaster resilience activities of
23 the Department.
- 24

25 *Sec. 24. Disaster Resilience Assembly.* – The Department, with the assistance
26 of RDROs, shall establish and convene a Disaster Resilience Assembly (DRA), at the
27 regional and national level, which will be held on a semestral basis, or as frequently
28 as necessary to ensure the proactive engagement of the relevant government and
29 non-government stakeholders, such as the Union of Local Authorities of the
30 Philippines (ULAP), League of Municipalities of the Philippines (LMP), CSOs,
31 academe, DRRM practitioners, the private sector, and the national government

1 agencies, among others, to ensure effective collaboration towards achieving the
2 goals of this Act.

3 The LGUs may convene local DRAs within their jurisdictions, as necessary for
4 the attainment of disaster resilience at the local level.

5 *Sec. 25. Inter-operability of Systems.* – The Department shall establish
6 mechanisms to ensure the inter-operability of systems among government agencies,
7 and to allow access of agencies to the IDRIS (Integrated Disaster Resilience
8 Information System). It shall develop protocols to allow real-time access to
9 information by government agencies in relation to natural disasters and the
10 implementation of disaster resilience measures.

11 *Sec. 26. National organization of all Local Disaster Resilience Officers.* –
12 There shall be a national organization of all local disaster resilience officers for the
13 primary purpose of:

- 14 a. Developing capacity, and exchanging knowledge, experiences, and best
15 practices concerning local government disaster resilience;
- 16 b. Fostering inter-operability of the local disaster resilience offices' systems;
17 Facilitating inter-LGU cooperation and collaboration;
- 18 c. Providing inputs and feedback to the Department on resilience concerns at
19 the local level; and
- 20 d. Enhancing synergy in other areas of common concern.

21 22 **ARTICLE VI**

23 **MAINSTREAMING, INTEGRATION AND CONVERGENCE**

24 **OF DISASTER RISK REDUCTION**

25

26 *Sec. 27. Integration of DRR and Climate Change Adaptation in the National*
27 *Disaster Resilience Framework and Disaster Resilience Plan.* – The existing NDRRM
28 Framework and Plan, and the National Climate Change Strategic Framework and
29 Plan shall be integrated and harmonized into the NDRF and the NDRPIP. The NDRF
30 and NDRPIP shall be reviewed and updated every three (3) years.

31 *Sec. 28. Ecosystem-Based Approach to Prevention and Mitigation,*

1 *Rehabilitation and Recovery from Disasters.* – The Department shall ensure the
2 application of ecosystems-based approaches in disaster risk reduction, particularly
3 through ecosystem management and restoration as defined in this Act, and ensuring
4 that environmental and natural resource policies are risk-informed.

6 **ARTICLE VII**

7 **NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE COMMAND** 8 **CENTER, AND RESEARCH AND TRAINING INSTITUTE**

9
10 *Sec. 29. National Disaster Operations center.* – The Department shall
11 establish, within one (1) year from the approval of this Act, and act as the primary
12 operator of, the National Disaster Operations Center (NDOC), Alternative Command
13 and Control Centers (ACCCs), and a Disaster Resilience Research and Training
14 Institute (DRRTI).

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

20 The ACCCs are command centers established in other locations as alternative
21 or to provide supplemental support to the NDOC. The number and location of ACCCs
22 shall be determined by the Department as may be necessary in each of the country's
23 major island groups. Temporary ACCC may likewise be established by the
24 Department, if necessary.

25 *Sec. 30. DRRTI functions and inter-agency knowledge sharing.* – The DRRTI
26 shall be a platform for providing training, and for collecting, consolidating,
27 managing, analyzing, and/or sharing knowledge and information to improve and/or
28 enhance disaster resilience. The DRRTI shall:

- 29 a. Establish reliable and up-to-date IDRIS through close and seamless
30 collaboration with the Department of Science and Technology (DOST),
31 Department of Information and Communications Technology (DICT), and
32 other appropriate agencies;

- 1 *b.* Conduct disaster-related research programs, seminars, and trainings for all
2 types of stakeholders;
- 3 *c.* Consolidate, organize and/or prepare training materials and publications;
- 4 *d.* Conduct other activities consistent with promoting the formation and
5 dissemination of knowledge and information relating to disaster resilience and
6 disaster management;
- 7 *e.* Establish a database that includes relevant information from other
8 government agencies and third parties for the department to better prepare
9 and respond to natural hazards including, but not limited to, an inventory of
10 hazardous materials per area; and
- 11 *f.* Consult and coordinate with, and consolidate information/data from, relevant
12 government agencies, such as, but not limited to, DOST, LGUs and relevant
13 CSOs to enhance the IDRIS and to promote knowledge sharing among all
14 stakeholders.

15 *Sec. 31. Compliance and Accreditation of DRRTI with International Standards.*

16 – The Department shall strive to obtain certification from, and accreditation by,
17 international accreditation bodies of the DRRTI to ensure DRRTI's compliance with
18 international standards. The Department shall likewise ensure collaboration with key
19 countries and international organizations to incorporate best practices on disaster
20 resilience in the Department's policies and programs.

21
22 **ARTICLE VIII**

23 **INTEGRATION, MAINSTREAMING**

24 **DISASTER RESILIENCE INFORMATION,**

25 **EDUCATION AND COMMUNICATION CONVERGENCE**

26
27 *Sec. 32. Integrated Disaster Resilience Information System.* – The
28 Department shall establish a National and Regional Information Management System
29 for Disaster Resilience, which shall be a database of all relevant disaster risk
30 reduction and climate change data, including a geographic information system on
31 geo-hazard assessments and climate risk. It shall be the repository of current and
32 multi- temporal information for wide-scale disaster risk analysis. The IDRIS shall be

1 accessible at all times to the responsible officials and entities to enable the timely,
2 reliable, and accurate collection, processing, analysis, and dissemination of
3 information to support overall decision-making and effective coordination at both the
4 national and sub-national level. The protocols and procedures for this shall be
5 defined in the IRR of this Act.

6 Sec. 33. *Disaster Resilience Education and Training.* – To instill a culture of
7 safety and security including emergency preparedness and disaster resiliency, the
8 Department, in partnership with the public and private sectors shall encourage the
9 inclusion of appropriate information on disaster resilience in their various training
10 programs and immersion activities. The Information Education and Communication
11 materials on disaster resilience shall be informative and holistic, gender, culture and
12 disability sensitive using various available platforms.

13
14 **ARTICLE IX**
15 **DISASTER RISK TRANSFER,**
16 **INSURANCE AND INCENTIVES**
17

18 Sec. 34. *Disaster Risk Transfer Insurance and Social Welfare.* –

- 19 a. The Department shall oversee all disaster risk-sharing and risk-transfer
20 instruments and other related initiatives to ensure the protection of
21 property and livelihood, both public and private.
- 22 b. The Department, in collaboration with the DOF, BSP, LBP, GSIS, and the
23 Insurance Commission, shall create, establish, and implement, among
24 others, disaster insurance pools, revolving funds, insurance and risk-
25 transfer schemes and/or facilities, and other financial disaster resilience
26 measures to ensure the protection of public and/or private properties and
27 livelihood against the adverse effects of natural disasters. For this
28 purpose, the Department and/or DOF may engage or require the
29 participation of government banks, insurance agencies and financial
30 institutions.
- 31 c. To attain disaster resilience and to achieve the purposes of this Act, the
32 Department shall have the discretion and authority to require government

1 agencies and GOCCs to insure their assets and/or properties such as,
2 among others, vessels, vehicles, equipment, machineries, permanent
3 buildings, properties stored therein, or properties in transit, against
4 insurable risks and pay the premiums therefor, to compensate the
5 Government and/or GOCC, as applicable, for any damage to, or loss of
6 properties due to a natural disaster.

- 7 d. The Department shall endeavor the local government units to insure
8 primary assets for unforeseen or contingent potential losses, damages and
9 disruption from natural hazards chargeable against their respective Local
10 Disaster Resilience Fund (LDRF).

11 *Sec. 35. Recognition and Incentives.* —The Department, in partnership with
12 the private sector, shall establish an incentives program that recognizes outstanding
13 performance of LDRO, NGOs, CSOs, schools, hospitals, and other stakeholders in
14 promoting and implementing significant disaster risk reduction management-climate
15 change adaptation programs and innovations, and meritorious acts of individuals,
16 groups or institutions during natural.

18 **ARTICLE X**

19 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

20
21 *Sec. 36. Standards for Disaster Preparedness Activities.* —

- 22 a. The Department shall establish standards and protocols for disaster
23 preparedness, contingency planning, localizing and operationalizing
24 disaster risk reduction and management, preparedness for disaster
25 response, preparedness for early recovery, continuity of essential services,
26 and other relevant preparedness activities.
- 27 b. The LGUs shall identify safe and strategic sites, and establish evacuation
28 centers with appropriate and adequate facilities in accordance with
29 government-approved standards as provided under Republic Act No.
30 10821, otherwise known as "The Children 's Emergency Relief Protection

1 Act", to avoid disruption of school classes and lessen the use of school
2 buildings and facilities as evacuation centers.

3 The LGUs shall immediately compensate said schools used as evacuation
4 centers. The schools may seek compensation for renovation, replacement, or repairs
5 of damaged facilities for such use.

6 *Sec. 37. Multi-Hazard Early Warning and Risk communication Standards. –*

- 7 a. There shall be a streamlined policy governing early warning systems and risk
8 communication protocols to ensure effective and efficient measures to
9 prepare for, respond to and recover from potential risks and disasters.
- 10 b. The Department shall formulate and implement multi-hazard early warning
11 protocols integrating all disaster preparedness systems in collaboration with
12 local executives, community-based organizations, civil society organizations,
13 and other non-governmental organizations for proper use and application.

14 *Sec. 38. Early Warning Mandate. –*

- 15 a. The Department shall issue an integrated early warning alert for the
16 impending occurrence of hazards that will enable the public to prepare timely
17 and act appropriately to minimize potential harm or loss.
- 18 b. The Department shall require mobile phone service providers to send out
19 alerts at regular intervals in the event of an impending natural hazard, in
20 accordance with Republic Act No.10639, otherwise known as the "Free Mobile
21 Disaster Alerts Act".
- 22 c. The Department shall recognize and proactively support local or indigenous
23 modes of early warning systems and allow open access to near real-time data
24 from both local and international sources made available through various
25 platforms such as websites, mobile apps, and social media to empower local
26 communities and individuals.
- 27 d. Any person who transmits early warning concerning the abovementioned
28 phenomena by means of signs in designs, colors, lights, or sound shall do so
29 in compliance with the methods recognized or approved by the Department.
- 30 e. The Department at the national and local level shall use an integrated early
31 warning system to ensure it is consistent and locally contextualized with the

1 communication protocol and safe evacuation procedure of the affected
2 communities.

3 f. The Department shall work with other agencies or organizations on pre-crisis
4 information mapping of the humanitarian needs of at-risk Communities that
5 will enhance the overall prepositioning of resources at the national and local
6 level.

7 g. The Department shall recognize and proactively support local or indigenous
8 modes of early warning systems and allow open access to near real-time data
9 from both local and international sources made available through various
10 platforms such as websites, mobile apps, and social media to empower local
11 communities and individuals.

13 **ARTICLE XI**

14 **DISASTER RESPONSE AND EARLY RECOVERY**

15
16 *Sec. 39. Declaration of State of Calamity.* - The Department shall declare a
17 cluster of barangays, municipalities, cities, provinces, and regions under a state of
18 calamity, and the lifting thereof, based on the criteria set by the Department.

19 The declaration and lifting of the state of calamity may also be issued by the
20 local Sanggunian, upon the recommendation of the LDRO, based on the results of
21 the damage assessment and needs analysis: *Provided,* That through the
22 Department, the LDRO may seek from the local legislative body or Sanggunian, the
23 declaration of a state of imminent disaster to enable the local executives to
24 implement pre-emptive evacuation and precautionary measures in order to save
25 lives and minimize damage to property, loss and disruption of livelihood that require
26 the use of funds and resources under the LDRF.

27
28 *Sec. 40. Levels of Responsibility for Disaster Preparedness and Response.* -
29 The primary responsibility for disaster preparedness and response shall be exercised
30 at the local or national level, as applicable, in close and seamless collaboration with
31 the relevant national government instrumentalities, non-government stakeholders,

- 1 and international partners. The four levels of responsibility and the conditions that
- 2 warrant each are as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1: City or Municipality	Lead Official: Mayor of the affected city or municipality Support: City or Municipal Disaster Resilience Officer	If a disaster affects a single city or municipality
Level 2: Province	Lead Official: Provincial Governor of the affected province Support: Provincial Disaster Resilience Officer Municipal and/or City Disaster Resilience Officers concerned	If a disaster affects two or more municipalities and/or cities within a province
Level 3: Region	Lead Official: Regional Director, DDR Support: Governors of affected provinces Concerned Provincial Disaster Resilience Officers	
Level 4: National	Lead Official: Secretary of Disaster Resilience (SDR) Support: Governors concerned Disaster Resilience Officers concerned	<ol style="list-style-type: none"> a. If a disaster affects at least two (2) regions; b. When the LGU is unable to effectively cope with the risk and/or impact of a hazard; or c. When the President directs a Level 4 response

		or declares a state of calamity.
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1 *Sec. 41. Disaster Preparedness and Response in the NCR.* – When at least
2 two cities and/or municipality in the NCR are affected, the SDR shall be responsible
3 for leading the disaster preparedness and response efforts, in collaboration with the
4 affected LGUs, the MMDA, and the concerned government instrumentalities and
5 non-government stakeholders.

6 *Sec. 42. Inter-Local Government Assistance.* – LGUs are hereby authorized to
7 extend the necessary assistance to another LGU, whether through funding or
8 donation of goods and/or services, and conducting disaster preparedness and
9 response operations, to help save lives and minimize damage to property. These
10 include the pre-positioning and provision of basic goods, training of first responders,
11 among others, subject to the accounting and auditing rules to be defined in the IRR
12 of this Act.

13 *Sec. 43. Accreditation, Mobilization, and Protection of Disaster Volunteers and*
14 *National Service Reserve Corps, CSOs and the Private Sector.* – The government
15 agencies, CSOs, private sector and LGUs may mobilize individuals or organized
16 volunteers to augment their respective personnel complement and logistical
17 requirements in the delivery of disaster risk reduction programs and activities. The
18 agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for
19 the enhancement, welfare and protection of volunteers, and shall submit the list of
20 volunteers to the Department, through the LDROs, for accreditation and inclusion in
21 the database of community disaster volunteers.

22 A national roster of Accredited Disaster Resilience Volunteers and Institutions,
23 National Service Reserve Corps, CSOs and the private sector shall be maintained by
24 the Department through the LDROs. Accreditation shall be done at the municipal or
25 city level.

26
27 The mobilization of volunteers shall be in accordance with this Act and
28 implementing guidelines to be formulated by the Department. Any volunteer who
29 incurs death or injury while engaged in any of the activities defined under this Act

1 shall be entitled to compensatory benefits and individual personnel accident
2 insurance as may be defined in the IRR.

3 Sec 44. *Reporting of Humanitarian Assistance.* – The concerned local
4 government unit shall submit a report to the Department, taking into account all
5 domestic or international humanitarian assistance received and distributed within its
6 area of responsibility.

7
8 **ARTICLE XII**
9 **HUMANITARIAN ASSISTANCE**

10
11 Sec. 45. *Management of Humanitarian Assistance.* –

12 a. The Department shall have the power to receive and manage
13 humanitarian assistance from any person or entity, whether from local or
14 international sources.

15 b. The importation by, and humanitarian assistance to, the Department of,
16 among others, food, clothing, medical assistance, equipment, and
17 materials for relief, recovery and other disaster management activities are
18 hereby authorized in accordance with Section 105 of the Tariff and
19 Customs Code of the Philippines, as amended, and the prevailing
20 provisions of the General Appropriations Act covering national internal
21 revenue taxes and import duties of national and local government
22 agencies.

23 Sec. 46. *International Humanitarian Assistance.* – The Department shall
24 promulgate guidelines on international humanitarian assistance, including the
25 initiation, entry, facilitation, transit, regulation and termination thereof, as well as
26 those involving international disaster relief and personnel assisting international
27 actors, visa waiver, recognition of foreign professional qualifications, entry of
28 international disaster goods and equipment, and exemption from port duties, taxes,
29 and restrictions.

30
31 Sec. 47. *Assessment of the Need for International Humanitarian Assistance.* –

- a. Immediately after the declaration of a state of calamity by the local sanggunian of the relevant local government unit or by the Department, as the case may be, the Department shall determine whether domestic capacities are likely to be sufficient to attend to the needs of affected persons for international humanitarian assistance. This determination may also be made, at the discretion of the President, prior to the onset of an imminent disaster.
- b. In the event of a determination by the Department that domestic response capacities are not likely to be sufficient due to the impact of the disaster, the Department shall recommend to the President that a request be made for international humanitarian assistance.
- c. A determination that domestic capacities are likely to be sufficient and that international humanitarian assistance is therefore unnecessary may be reviewed and rescinded by the Department, with the approval of the President, at any time, in light of prevailing circumstances and available information.

Sec. 48. *Humanitarian Assistance Action Center.* – The Department shall create an inter-agency one-stop shop mechanism called the Humanitarian Assistance Action Center (HAAC) for the processing and release of entry and facilitation of goods, articles or equipment and services and international relief workers for the provision of international humanitarian assistance and the processing of necessary documents for assisting international actors.

The Department shall lead and manage the HAAC, which shall be composed of the following:

- a. Bureau of Customs;
- b. Department of Foreign Affairs;
- c. Department of Social Welfare and Development;
- d. Department of Health;
- e. Food and Drug Administration;
- f. Department of Agriculture;
- g. Department of Energy;
- h. Department of National Defense;

- i. Philippine National Police;
- j. Philippine Coast Guard; and
- k. Bureau of Immigration.

Sec. 49. *Request for international Humanitarian Assistance.* –

- a. In cognizance of the urgency, criticality and intensity of an imminent risk, the Department shall issue a flash appeal to the family of nations, under regional and multilateral conventions, for assistance in preparedness, including preemptive measures, search, rescue, and retrieval, relief, recovery, and reconstruction.
- b. The President may request international humanitarian assistance, upon the advice of the Secretary. Such request may be specifically directed to particular assisting international actors or may be a general request directed to the international community.

Sec. 50. *Regulation of Humanitarian Assistance.* –

- a. The Department shall ensure the efficient and effective monitoring of humanitarian assistance from domestic or international donors, establish and operate a platform, including an online platform, to facilitate, and provide public access to information on donations.
- b. The Department shall include in the IRR of this Act guidelines and accountabilities on the receipt, management, distribution, accounting, and reporting of all humanitarian assistance, whether in cash or in kind, consistent with the rules on the use of foreign and local aid during calamities and disasters issued by the COA and other relevant government agencies.

ARTICLE XIII

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

Sec. 51. *Offer and Facilitation of International Humanitarian Assistance to Foreign States.* - In the event of a disaster occurring in a foreign state for which international humanitarian assistance is required, the Department, in coordination

1 with the DFA, may offer, facilitate, provide, and deploy international humanitarian
2 assistance to said foreign state, which shall be subject to guidelines to be
3 promulgated by the Department for the purpose.

4 *Sec. 52. Accreditation.* - The Department, in coordination with relevant
5 government agencies and organizations, shall provide and facilitate the necessary
6 training and accreditation to the respective government personnel to be deployed for
7 such offer, facilitation and provision of international humanitarian assistance to a
8 foreign state.

10 **ARTICLE XIV**

11 **RECOVERY**

12 *Sec. 53. Standards for Recovery.* - The Department shall observe
13 internationally accepted standards for recovery, planning, programming and
14 implementation of the recovery process. Towards this end, the Department shall:

- 15 a. Improve the community's physical, social and economic resilience,
16 consistent with the principle of "building forward better";
- 17 b. Use locally-driven, centrally-supported processes based on legal mandates
18 with supplementary capacity support when requested;
- 19 c. Redirect development outside danger zones to minimize loss of lives and
20 structures resulting from typhoons, flooding, landslides, and other hazards
- 21 d. Employ outcome-driven planning and implementation;
- 22 e. Maximize use of Private-Public sector partnership where possible;
- 23 f. Consider local conditions such as culture, security situation and existing
24 capacities of communities in identifying programs and projects;
- 25 g. Ensure access to public transport, physical and mental health services,
26 markets, schools, sustainable livelihoods, and other public services in
27 planning for settlement areas; and
- 28 h. Ensure restoration of peace and order and recovery of government
29 functions.

31 **ARTICLE XV**

32 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**

1
2 *Sec. 54. Declaration of State of Calamity.* – A state of calamity may be
3 declared when any of the following requisites are present:

- 4 a. A natural hazard, including climate change, poses imminent threat to
5 human life and/or danger to property; or
- 6 b. A significant impact is caused by a natural hazard or climate change,
7 which demands immediate action.

8 The following shall exercise this power, respectively:

- 9 a. The President, upon recommendation of the SDR, whether in whole or
10 part of an area;
- 11 b. The SDR, upon recommendation of the RDRO, for disasters covering two
12 or more provinces of the same region; and
- 13 c. The local sanggunian, upon recommendation of the concerned local
14 disaster resilience office, within its jurisdiction.

15 *Sec. 55. Remedial Measures under State of Calamity.* – Upon the declaration
16 of a state of calamity, the following remedial measures shall be immediately
17 undertaken by concerned government agencies at the national and local levels:

- 18 a. Imposition of price ceiling on basic necessities and prime commodities by
19 the Price Coordinating Council (PCC), as provided for under Republic Act
20 no. 7581, otherwise known as the "Price Act", as amended by Republic Act
21 no. 10623;
- 22 b. Monitoring, prevention and control by the Local Price Coordination Council
23 of overpricing or profiteering and hoarding of prime commodities,
24 medicines and petroleum products;
- 25 c. Programming or reprogramming of funds for the repair of critical facilities
26 or public infrastructures that are vital for the quick delivery of
27 humanitarian assistance, to reduce further threat to lives and arrest
28 further deterioration of properties and loss of livelihoods in the affected
29 communities, following the "build forward better" principle;
- 30 d. Grant of no-interest loans by government financing or lending institutions
31 to the most vulnerable and marginalized groups or individuals;

- e. Local tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected local government unit; and
- f. Use of alternative modes of procurement under Article XVI of this Act, by the Department, LGUs or the relevant government instrumentalities in relation to the urgent procurement of emergency works, goods or services to effectively respond to, quickly recover from disasters, and build forward better.

ARTICLE XVI

PROCUREMENT

Sec. 56. *Procurement.* – In general, the procurement rules provided under Republic 31 32 Act No. 9184, otherwise known as the "Government Procurement Reform Act", shall apply. However, alternative modes of procurement as provided in this Act may be resorted to by the Department, RDROs, or LGUs in any of the following emergency situations:

- a. There is imminent danger to life or property during a state of calamity, as provided under this Act, and the procurement is necessary to avert or reduce such danger to life or property; or
- b. The procurement is necessary to restore vital public services, infrastructure facilities and other public utilities; or
- c. Time is of the essence in implementing a project, program or activity to effectively respond to a disaster and save lives or
- d. There are other circumstances that require immediate procurement necessary to prevent damage to or loss of life or property.

Sec. 57. *Alternative Modes of Procurement.* – During emergency situations as provided under this Act, the Department, RDROs or LGUs may resort to the following modes of procurement:

- a. Direct negotiation under Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", and its implementing rules and regulations;

- 1 b. Simplified or pre-arranged contracts such as, among others, pre-signed
2 agreements, stand-by contracts, pre-arranged systems of procurement
3 with a pre-approved list of contractors for construction projects, pre-
4 negotiated contracts, advanced procurements contracts, and framework
5 contracts. The parameters, requirements and conditions for these types of
6 contracts shall be defined in this Act's IRR.

7 *Sec. 58. Special Rules on Procurement for Reconstruction and Rehabilitation*
8 *of Affected Areas. –*

- 9 a. The Department, with the assistance of, or in collaboration with, relevant
10 government agencies, shall create special rules on procurement for
11 services, goods, and materials to be used for reconstruction and
12 rehabilitation efforts in case of a natural disaster, including but not limited
13 to, the construction of post-disaster shelters and provision of service
14 contracts, to ensure the procurement of quality-oriented goods, materials,
15 and equipment and to guarantee effective, efficient, and speedy
16 procurement to achieve the goals of this act.
- 17 b. In case of procurement of services, goods, or materials for reconstruction
18 and rehabilitation efforts, whether from local or international sources, the
19 Department and the relevant government agencies shall provide less
20 bureaucratic restrictions, more flexible procurement policies, or exemption
21 from, or reduction of, customs duties

22 *Sec. 59. Procurement from Qualified Suppliers or Contractors. –* As an
23 exception to the provisions of Republic Act No. 9184, otherwise known as the
24 "Government Procurement Reform Act", and its implementing rules and regulations,
25 the Department shall have the power to procure goods and services from either local
26 or foreign suppliers or contractors for purposes of implementing programs, projects,
27 and activities related to disaster resilience and disaster management. The conditions,
28 limitations, application processes, eligibility requirements and assessment criteria for
29 local and foreign suppliers and contractors shall be provided in this Act's IRR.

30 *Sec. 60. Pre-Arranged Contracts or Agreements with Private Sector Entities. –*
31 Notwithstanding Republic Act No. 9184, otherwise known as the "Government
32 Procurement Reform Act", the Department shall have authority to enter into pre-

arranged or contingency contracts or agreements with private sector entities for the purpose of, among others, establishing, a logistics system for the efficient and prompt distribution of goods, equipment or other materials required for disaster response and management; securing food, medicines, fuel, or other supplies from groceries, pharmacies, gas stations or other sources in the event of a disaster in a specific area; ensuring an alternative source of power or water from private utilities in the event of a disaster in a specific area; or other arranging the immediate supply of other goods, services or equipment necessary for disaster response and management. The conditions, limitations and parameters of contracts or arrangements authorized under this Section shall be provided in this Act's IRR.

Sec. 61. *Other Procurement Rules and Policies.* – In view of the urgency and to avoid unnecessary delays to procure goods, services, and implement projects for the purpose of providing responsive, effective, and efficient rescue, recovery, relief, and rehabilitation efforts for, and to continue the provision of basic services to, disaster victims or disaster affected areas, the DBM and GPPB shall issue appropriate resolutions, orders, and policies to effectively implement the provisions of this Act.

Sec. 62. *Government Accounting and Auditing Policies.* – The COA shall review, align, and issue policies or rules to improve the efficiency and expediency of procurement and audit processes for programs and projects related to disaster resilience and management.

ARTICLE XVII

SPECIAL RULES ON BORROWINGS AND TAXES

Sec. 63. *Rules on Borrowing.* – The LGUs shall access foreign financing, through the DOF, Bangko Sentral ng Pilipinas (BSP), and other relevant agencies, as applicable, to implement disaster prevention, mitigation, early recovery, and rehabilitation measures at the provincial, city, or municipal level.

Sec. 64. Special Rules on Tax and Duties. – To facilitate prompt, efficient and effective response to, recovery from disasters, and building forward better in disaster-affected areas, the following shall be granted special exemptions from existing taxation laws, rules, and regulations:

- a. Exemption from taxes and import duties for foreign disaster assistance or international donations coursed through the Department;
- b. Exemption from donor's tax and allowing the treatment of donations as a deductible expense for local disaster assistance coursed through the Department;
- c. Exemption from the Value Added Tax (VAT) for goods or services donated from abroad as coursed through the Department;
- d. Tax incentives to encourage members of the private sector to render aid or provide disaster assistance, and/or to invest in disaster resilience and climate change adaptation and mitigation measures for their residences, communities and/or businesses.

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

Sec. 65. Customs Duties and Tariffs on Donations. – The BOC shall create rules that would, among others, hasten the processing and release of donated goods and equipment to disaster victims and/or affected areas.

Sec. 66. Economic Recovery and Development of Disaster-Prone Areas. – The Department, in coordination with the Department of Trade and Industry (DTI) and other relevant agencies, shall craft policies, and implement the necessary programs and projects to stimulate economic activities and encourage investments to assist disaster-affected areas develop or recover faster, as applicable.

The Department, in collaboration with the relevant LGUs and other stakeholders, shall likewise establish dual purpose structures in disaster-affected areas, such as, among others, community agricultural centers, classrooms, and water harvesting tanks to develop and promote investments in disaster-prone or affected areas.

ARTICLE XVIII

PROHIBITED ACTS AND PENALTIES

1 **Sec. 67. *Prohibited Acts.*** – Any public official, private person, group or
2 corporation who commits any of the following prohibited acts shall be held liable and
3 be subjected to the criminal and administrative penalties as provided for in Section
4 71 of this Act, without prejudice to the imposition of other criminal, civil and
5 administrative liabilities under existing laws.

6 **a. Prohibited Acts of Public Officials.** - The following acts, if committed by
7 public officials without justifiable cause, shall be considered as gross
8 neglect of duty:

- 9 1. Dereliction of duties that leads to destruction, loss of lives, critical
10 damage of facilities and misuse of funds;
- 11 2. Failure to enforce laws, standards, or regulations such as the
12 National Building Code, Solid Waste Management Act, Water Code,
13 and other relevant laws, leading to destruction, loss of lives, and/or
14 critical damage of facilities;
- 15 3. Failure to create a functional LDR Office within six (6) months from
16 the approval of this Act;
- 17 4. Failure to appoint a permanent local disaster resilience officer
18 within six (6) months from approval of this Act;
- 19 5. Failure to prepare and implement a Contingency and Adaptation
20 Plan for hazards frequently occurring within their jurisdictions;
- 21 6. Failure to formulate and implement the LDRP with the
22 corresponding budget allocation; and
- 23 7. Sexual exploitation and abuse and other forms of sexual
24 misconduct on the affected population or at-risk communities.

25 **b. Prohibited Acts of Public Officials and Private Persons or Institutions.** –

- 26 1. Delay, without justifiable cause in the delivery, proper handling or
27 storage of aid commodities, resulting to damage or spoilage; (2)
- 28 2. Withholding the distribution of relief goods due to (i) political or
29 partisan considerations; (ii) discrimination based on race, ethnicity,
30 religion, or gender; and (iii) other similar circumstances;

3. Preventing the entry and distribution of relief goods in disaster-stricken areas. including appropriate technology, tools, equipment, accessories, disaster teams or experts;
4. Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other aid 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 misdelivery of 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, person, or persons; and

1 iii. Making false verbal claim that the goods, equipment or other
2 and commodity in its untampered original containers actually
3 came from another agency or persons or was released upon
4 the instance of a particular agency, person, or persons;

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

7 12.Illegal solicitations by persons or organizations representing others
8 as defined in the standards and guidelines set by the Department;

9 13.Deliberate use of false at inflated data in support of the request for
10 funding, relief goods, equipment or other aid commodities for
11 emergency assistance or livelihood projects;

12 14.Stealing, taking, or processing of any of the equipment, accessories
13 and other vital facility or items or any part thereof;

14 15.Selling or buying stolen equipment, accessories, and other vital
15 facility items or any part thereof;

16 16.Tampering with or stealing hazard monitoring and disaster
17 preparedness equipment and paraphernalia;

18 17.Attempting to commit any of the abovementioned prohibited acts;
19 and

20 18.Benefitting from the proceeds or fruits of any of the
21 abovementioned prohibited acts knowing that the proceeds or fruits
22 are derived from the commission of said prohibited acts.

23 Sec. 68. *Penalties.* – Any individual, corporation, partnership, association or
24 other juridical entity that commits any of the prohibited acts in the preceding section
25 shall be made liable for the following:

26 a. The penalty of imprisonment of not less than twelve (12) years but not
27 more than fifteen (15) years or a fine of not less than One Million Pesos
28 (Php 1,000,000.00) but not more than Three Million Pesos
29 (Php3,000,000.00), or both imprisonment and fine at the discretion of the
30 court shall be imposed upon any person found guilty of violating
31 subsections (a)(1) to (b)(16) of the preceding section, as well as the

- 1 confiscation or forfeiture in favor of the government of the objects and the
2 instrumentalities used in the commission of the prohibited acts;
- 3 b. The penalty of imprisonment of not less than six (6) years but not more
4 than eight (8) years or a fine of not less than Five Hundred Thousand
5 Pesos (Php 500,000.00) but not more than One Million Pesos (Php
6 1,000,000.00), or both imprisonment and fine at the discretion of the
7 court, shall be imposed upon any person who attempts to commit any of
8 the prohibited acts in the preceding Section, in violation of Subsection
9 (b)(17) thereof;
- 10 c. The penalty of imprisonment of not less than two (2) years but not more
11 than six (6) years or a fine of not less than Two Hundred Thousand Pesos
12 (Php 200,000.00) but not more than Five Hundred Thousand Pesos (Php
13 500,000.00), or both imprisonment and fine at the discretion of the court,
14 shall be imposed upon any person found guilty of unlawfully benefiting
15 from the proceeds or fruits of any of the prohibited in the preceding
16 section, in violation of subsection (b)(18) thereof;
- 17 d. Aside from the penalty of fine or imprisonment or both, perpetual
18 disqualification from public office shall be imposed if the offender is a
19 public officer, along with the confiscation or forfeiture in favor of the
20 government of the objects and the instrumentalities used in the
21 commission of any of the prohibited acts in the preceding section;
- 22 e. If the offender is a corporation, partnership or association, or other
23 juridical entity, the penalty shall be imposed upon the officer or officers of
24 the corporation, partnership, association or entity responsible for the
25 violation without prejudice to the cancellation or revocation of these
26 entities' registration, license or accreditation issued to them by any
27 licensing or accredited body of the government. If such offender is an
28 alien, he or she shall, in addition to the penalties prescribed in this act, be
29 deported without further proceedings after service of sentence;
- 30 f. Payment of the full cost of repair or replacement of the government risk
31 reduction and preparedness equipment, accessories and other vital facility
32 items, or any part thereof; which is the object of the crime shall likewise

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

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

8 *Sec. 69. Liability for Unlawful Performance of Duties and State Liability in case*
9 *of Defense Litigation.* – In case a lawsuit is filed against any personnel of the
10 Department as a result of the performance of his or her duties, and such
11 performance was found to be lawful, or she shall be reimbursed by the Department
12 for reasonable costs of litigation. For this purpose, the Department is authorized to
13 procure applicable liability insurance for its officers and employees.

14 *Sec. 70. Disciplinary Powers of the President.* – The President, subject to the
15 recommendation of the Department Secretary and the Department of the Interior
16 and Local Government (DILG), shall have the power to impose administrative
17 sanctions against local chief executives and barangay officials for willful or negligent
18 acts that relate to the implementation of, or compliance with, this Act and its IRR or
19 relating to their official functions, which adversely affect disaster resilience projects
20 such as, but not limited to, delayed issuance of permits or failure to implement local
21 ordinances.

22 23 **ARTICLE XIX**

24 **DISASTER RESILIENCE FUND**

25
26 *Sec. 71. Appropriations and Management of Disaster Resilience Fund.* – The
27 budget of the Department shall be composed of the following, which shall be
28 collectively called the Disaster Resilience Fund:

- 29 a. Annual General Appropriations - shall provide the funding requirements
30 for, among others, research, operations, maintenance, plans, and
31 programs of the Department of Disaster Resilience, including, but not
32 limited to, establishment of evacuation centers, retrofitting of structures,

1 establishment of emergency operating centers, and implementation of
2 other disaster risk reduction projects.

3 b. Disaster Contingency Fund - shall be in a lump-sum form to provide funds
4 in case of imminent hazards or actual disasters for, among others,
5 immediate response, relief and quick recovery measures for disaster
6 affected areas.

7 c. Rehabilitation and Recovery Fund - shall provide the funding requirements
8 for rehabilitation and/or reconstruction projects of disaster affected areas
9 such as public classrooms, government buildings, public hospitals,
10 permanent shelters and livelihood programs.

11 The Disaster Resilience Fund shall be managed by the Department to finance
12 its operations, and disaster risk reduction, disaster preparedness, response,
13 recovery, rehabilitation and building forward better programs, projects and activities
14 formulated at the national level.

15 *Sec. 72. Continuing Appropriations.* – The unutilized balances from the
16 Disaster Contingency Fund, and Rehabilitation and Recovery Fund shall be treated as
17 Continuing Appropriations, which may be used to finance the cost of projects,
18 programs, and/or activities even when such costs are incurred beyond the fiscal year
19 of the GAA from which such funds were appropriated.

20 *Sec. 73. Fund Regulations.* – The DBM and COA shall establish rules and
21 regulations that apply specifically to the Disaster Resilience Fund to ensure that
22 funds required for disaster response, recovery, and rehabilitation are available
23 and/or released efficiently and expeditiously through innovative budgeting and
24 auditing mechanisms, which may include, among others, providing for longer validity
25 periods for funds and/or exemption from cash-based budgeting rules; imposing
26 auditing or reporting requirements, which apply specifically to the utilization of the
27 Disaster Resilience Fund.

28 *Sec. 74. Local Disaster Resilience Fund and Local Disaster Contingency Fund.*
29 – LGUs shall annually set aside not less than ten percent (10%) of their local
30 budget, to constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its
31 LDRF to maintain and operate its local disaster resilience office to maintain its
32 officers, employees and staff, and to implement plans, programs and activities under

1 its LDRP. Thirty percent (30%) of the LDRF shall be set aside as Local Disaster
2 Contingency Fund (LDCF), which shall be used for disaster response and quick
3 recovery measures. Nothing contained in this Act shall prevent LGUs from providing
4 additional funding or allocating additional resources for disaster resilience activities,
5 plans and programs within their jurisdiction.

6 *Sec. 75. Supplemental LDRF.* – The Department may allocate and disburse
7 funds to supplement an LGU's LDRF based on the parameters and requirements
8 indicated in the IRR. In determining such parameters and requirements, the IRR
9 shall aim to provide supplemental funds to LGUs with low income and/or high
10 exposure to natural hazards. Supplemental LDRFs shall, as much as possible, fill
11 gaps or shortages in LGU resources to ensure that LGUs can implement disaster
12 resilience measures such as, among others, implementing their LDRP/Provincial
13 LDRP, establishing their local disaster resilience offices, obtaining and/or maintaining
14 the necessary equipment and staff in their local disaster resilience offices, and
15 implementing the NDRF and at the local levels.

16 *Sec. 76. People's Survival Fund.* – The Department shall manage and
17 administer the People's Survival Fund, created under Republic Act no. 10174, and
18 facilitate its utilization by LGUs, through RDROs, to implement climate change
19 adaptation and mitigation projects of LGUs and enhance the climate resilience of
20 vulnerable communities.

21 *Sec. 77. Multi-Donor Trust Fund.* – The Department shall create and manage,
22 together with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing,
23 releasing and accounting of money and other similar resources intended for disaster
24 assistance. The Department shall establish a system to ensure transparency in the
25 management and use of the Multi-Donor Trust Fund.

26 *Sec. 78. Financial Administration.* – The Department shall manage all funds
27 appropriated to it by Congress and received from other sources. The Department
28 shall also manage all donations received by it, subject to the auditing powers of the
29 COA. To fund its operations, the Department shall have the power to collect fees
30 derived from the DRRTI and other related activities.

31 32 **ARTICLE XX**

SPECIAL COURTS AND INJUNCTIONS

Sec. 79. Special Courts on Disaster Resilience Matters. – To ensure the prompt and expeditious resolution of disputes relating to disaster response, recovery or rehabilitation measures, the Supreme Court shall designate special courts to hear, try, and decide cases arising from the following, among others:

- a. Expropriation, eminent domain or right-of-way issues related to the implementation of disaster resilience projects;
- b. Failure to comply with standards for disaster risk reduction and continuity planning, including, but not limited to, infrastructure standards and designs;
- c. Commission of prohibited acts under Article XVIII of this Act; and
- d. Disputes involving donations, relief goods, or contracts executed or implemented pursuant to the provisions of this Act.

Sec. 80. Dispute Resolution Mechanisms. – The Department shall establish a Disaster Resolution Board, which shall resolve disputes involving administrative matters related to:

- a. Accreditation or denial of accreditation of disaster resilience training institutions, trainers, instructors, donors, volunteers, and Assisting Domestic or International Actors;
- b. Decisions of the RDROs;
- c. Contracts entered into by the Department or any of its agents pursuant to the provisions of this Act; and
- d. Other administrative matters or issues as may be determined by the Department.

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

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

ARTICLE XXI
FINAL PROVISIONS

Sec. 82. *Transfer of Functions.* – The following are hereby transferred to the Department:

- a. All the functions of the Climate Change Commission (CCC);
- b. Natural disaster-related functions of the National Disaster Risk Reduction and Management Council (NDRRMC) and the Office of Civil Defense (OCD); and
- c. Natural disaster-response functions of the Department of Social Welfare and Development (DSWD).

Accordingly, the CCC and NDRRMC are hereby abolished. The DILG, DND, DSWD, and other relevant government instrumentalities, including the AFP, BFP, PNP, PCG, and OCD, shall continue to perform their functions related to the management of human-induced disasters, as provided by existing laws.

Sec. 83. *Transfer of Resources.* – The transfer of powers and functions listed above shall include the corresponding funds and appropriations, plantilla positions, data, records, equipment, facilities, properties and other resources of the concerned government instrumentalities. The Department shall have the power to reorganize or reallocate these resources and positions, as may be necessary to attain the goals and objectives of this Act.

Sec. 84. *Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area.* – The Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area (PMO-ERG), as created pursuant to and mandated by Executive Order no. 52, s. 2018, shall be attached to the Department and be authorized to implement earthquake resiliency programs, projects, and activities, as it may deem necessary to carry out its mandate and attain its overall goals. The Head of the PMO-ERG shall report directly to the SDR.

Sec. 85. *Post-Disaster Shelters.* – The Department shall establish a post-disaster shelter recovery policy framework for low-income/informal settler families, with the assistance of the appropriate housing agencies and the applicable LGUs. It shall determine, among others, the appropriate shelter modalities depending on the

1 following phases: emergency, temporary or transitional, and permanent. The
2 Department shall likewise identify, assess, and decide on safe zones for the
3 implementation of recovery or rehabilitation projects.

4 *Sec. 86. Cultural Heritage.* – To protect, preserve, and promote the nation's
5 historical and cultural heritage, the Department shall assist the relevant cultural and
6 heritage agencies and the appropriate LGUs to give priority protection and
7 restoration to all national cultural treasures or national historical landmarks, sites, or
8 monuments in post-disaster recovery or rehabilitation measures.

9 *Sec. 87. Indigenous People.* – The Department, with the assistance of the
10 National Commission on Indigenous Peoples (NCIP) and the applicable LGUs, shall
11 devise and implement mechanisms that foster social protection for indigenous
12 communities that are vulnerable to the effects of natural disasters.

13 The Department shall ensure respect for, and protection of, the traditional
14 resource right of the Indigenous Cultural Communities/Indigenous Peoples
15 (ICCs/IPs) to their ancestral domains, and recognize the customary laws and
16 traditional resource use and management, knowledge, and practices in ancestral
17 domains.

18 In ancestral domains that are disaster-prone, the Department, with the
19 assistance of the NCIP and applicable LGUs, shall create an Ancestral Domain
20 Disaster Management and Resiliency Plan. It shall likewise properly communicate
21 and explain information on disaster risks in ancestral domains with the concerned
22 ICCs/IPs and, as much as possible, engage such ICCs/IPs in jointly formulating a
23 disaster resiliency plan for their ancestral domain.

24 *Sec. 88. Incentives Program.* – The Department shall establish an incentives
25 program that recognizes the outstanding promotion and implementation by local
26 disaster resilience offices, CSOs, academe, and other institutions of disaster
27 resilience programs and/or projects, and the meritorious acts of individuals or
28 entities during natural disasters.

29 *Sec. 89. Structural Audit of Government Buildings and Critical Infrastructure.*
30 – The Department shall be assisted by the DPWH, DOTr, Department of Energy
31 (DOE), DOH, DepEd, DICT, DILG, local building officials, and other relevant
32 government instrumentalities and stakeholders, in ensuring the effective and

1 expeditious conduct of structural audit, as often as necessary, on government
2 buildings, critical infrastructure, and private structures to attain the disaster risk
3 reduction goals of this Act.

4
5 Sec. 90. *Transitory Provision.* – The functions, assets, funds, equipment,
6 properties, transactions, and personnel of the affected and transferred agencies, and
7 the formulation of the internal organic structure, staffing pattern, operating system,
8 and revised budget of the Department, shall be completed within one (1) year from
9 the effectivity of this Act, during which time the existing personnel shall continue to
10 assume their posts on holdover capacity. The Department, in collaboration with the
11 DBM, shall come up with its Organizational Structure and Staffing Pattern, both of
12 which shall be approved within thirty (30) days from the effectivity of this Act.

13 The Secretary of National Defense shall serve as the interim SDR until such
14 time that the SDR has been appointed and taken his/her oath of office. Upon
15 assumption to duty, the SDR shall make use of the existing structure, systems, and
16 personnel in responding to natural hazards and disasters within the transition period.

17 In accordance with Section 12 of this Act and the critical importance of
18 attracting the most competent and dedicated personnel to the Department, suitable
19 and qualified career personnel from the NDRRMC-OCD, DSWD, and the CCC, as
20 defined by the CSC and other pertinent rules, may be absorbed by the Department.
21 The system and mechanics for this shall be defined in the IRR of this Act.

22 Sec. 91. *Magna carta Benefits.* – Qualified employees of the Department,
23 including those of its attached agencies, shall be covered by and entitled to the
24 benefits under Republic Act No. 8439, otherwise known as the Magna Carta for
25 Scientists, Engineers, Researchers and other S & T Personnel in the Government,
26 and Republic Act No. 7305, otherwise known as the Magna Carta of Public Health
27 Workers.

28 Sec. 92. *Hazard Pay.* – All personnel of the Department and the local disaster
29 resilience offices are entitled to receive hazard pay, subject to the guidelines to be
30 set forth in the IRR of this Act.

31 Sec. 93. *Separation Benefits of Officials and Employees of Affected Agencies.*
32 – National government employees displaced or separated from service as a result of

1 this Act shall be entitled to either separation pay and other benefits in accordance
2 with existing laws, rules, or regulations, or be entitled to avail themselves of the
3 privileges provided under a separation plan that shall be one and one-half month
4 salary for every year of service in the government.

5
6 In no case shall there be any diminution of benefits under the separation plan
7 until the full implementation of this Act. With respect to employees who are not
8 retained by the Department, the government, through the Department of Labor and
9 Employment, shall endeavor to implement training, job counseling, and job
10 placement programs.

11 Sec. 94. *Appropriations.* – The amount necessary for the initial
12 implementation of this Act shall be taken from the current fiscal year's unexpended
13 and unobligated appropriations of all agencies herein absorbed, transferred, and
14 attached to the Department. Thereafter, the amounts necessary for the operation of
15 the Department and the implementation of this Act shall be included in the annual
16 General Appropriations Act.

17 Sec. 95. *Implementing Rules and Regulations.* – The Department, DBM, DND,
18 DOF, DILG, DOST, NEDA, and the PMS shall collectively craft and issue, within
19 ninety (90) days from the effectivity of this Act, the Implementing Rules and
20 Regulations (IRR) for the effective implementation of this Act. They may call upon
21 other relevant government instrumentalities and stakeholders to assist in the
22 crafting of the IRR.

23 Sec. 96. *Joint Congressional Oversight Committee on Disaster Resilience.* –
24 There shall be created a Joint Congressional Oversight Committee on Disaster
25 Resilience to monitor the implementation of this Act. The committee shall be
26 composed of six (6) Members of the House of Representatives and six (6) Senators
27 to be designated by the Speaker of the House of Representatives and the President
28 of the Senate, respectively; Provided, That; two (2) Members of the House of
29 Representatives and two (2) Senators shall come from the Minority of their
30 respective houses of Congress. The committee shall be jointly chaired by a Member
31 of the House of Representatives and a Senator designated by the Speaker of the
32 House of Representatives and the President of the Senate, respectively.

1 *Sec. 97. Mandatory Review.* – Within five (5) years after the effectivity of this
2 Act, or as the need arises, the Joint Congressional Oversight Committee on Disaster
3 Resilience shall conduct systematic evaluation of the accomplishments and impact of
4 this Act, as well as the performance of the Department of its mandate and functions,
5 for purposes of determining remedial legislation.

6
7 *Sec 98. Interpretation.* – Any doubt in the interpretation of any provision of
8 this Act shall be resolved in favor of a liberal interpretation that will fulfill the
9 objectives of this Act, especially in relation to the provision of effective, efficient and
10 timely disaster response, rehabilitation and recovery.

11 *Sec. 99. Separability Clause.* – If any provision of this Act shall be declared
12 unconstitutional or invalid, the other provisions or parts thereof not otherwise
13 affected shall remain in full force and effect.

14 *Sec. 100. Repealing Clause.* – The provisions of Republic Act no. 10121,
15 Republic Act no. 7160, Republic Act no. 7916, Republic Act no. 9184, and all other
16 laws, decrees, executive orders, proclamations and other executive issuances, which
17 are not consistent with or contrary to the provisions of this Act, are hereby repealed
18 or amended.

19 *Sec. 101. Effectivity.* – This Act shall take effect fifteen (15) days after its
20 publication in the Official Gazette or in a newspaper of general circulation.

21 Approved,