



HOUSE OF REPRESENTATIVES

H. No. 5070

BY REPRESENTATIVES ROBES, TORRES-GOMEZ, MOMO, VARGAS,
TIANGCO, FERRER (J.M.), ADIONG, VIOLAGO, VELOSO, NIETO,
BARBA AND SANGCOPAN, PER COMMITTEE REPORT NO. 70

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

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

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

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

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

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

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

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

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

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

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

23 (g) *Freight forwarders* refer to persons or companies that
24 organize shipments for individuals or corporations to get goods from
25 the manufacturer or producer to a market, customer or final point of
26 distribution;

27 (h) *International Humanitarian Assistance (IHA)* refers to
28 any aid and action taken by any duly coordinated foreign
29 government or organization in the form of financial donations,

1 international relief workers and in-kind donations, for the benefit of
 2 disaster-stricken areas, aimed at providing emergency response,
 3 rehabilitation and recovery operations to mitigate the effects of
 4 disasters or major emergencies;

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

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

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

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

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

26 SEC. 4. *Free Freight Services for the Transportation of*
 27 *Relief Goods.* – With the aim of bringing immediate relief to
 28 victims of natural or man-made disasters when government
 29 resources are not available or are insufficient to address the needs

1 of the emergency, the Logistics Cluster of the Office of Civil Defense
 2 (OCD), in coordination with the Philippine Postal Corporation
 3 (PPC) and all freight companies, common carriers, private carriers,
 4 freight forwarders and other companies providing logistic services
 5 in the Philippines are hereby mandated to provide free freight
 6 services to duly registered relief organizations in the transportation
 7 of emergency relief goods and donated articles to areas declared to
 8 be in a state of calamity by the President or a local government unit
 9 (LGU) concerned through its Sanggunian.

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

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

16 Certain shipping auxiliary cost, such as those for *arrastre*
 17 services, pilotage, and other port charges that are routinely passed
 18 on to customers, shall be borne by the concerned *arrastre*, pilotage,
 19 and port authorities: *Provided*, That container van costs,
 20 turnaround time, and volume of cargo being shipped free of charge
 21 shall be considered in order to minimize the loss of profits of the
 22 private sector.

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

28 SEC. 6. *Release of Donated Relief Goods and Articles.* – The
 29 release of donated relief goods and articles intended for distribution

1 to areas under a state of calamity shall be in accordance with
 2 existing rules and procedures of responsible government agencies
 3 such as the Department of Social Welfare and Development
 4 (DSWD), Bureau of Customs (BOC), Department of Education
 5 (DepEd), Department of Health (DOH), LGUs, and other
 6 government agencies mandated to authorize the distribution of
 7 these relief goods and articles, with proper verification of the
 8 receiver and in consideration of prevailing policies of freight service
 9 and logistics companies and carriers.

10 SEC. 7. *Implementing Agency.* – The OCD and the
 11 Department of Transportation (DOTr), through the Civil
 12 Aeronautics Board (CAB), Maritime Industry Authority (MARINA),
 13 and Land Transportation Franchising and Regulatory Board
 14 (LTFRB), shall implement the provisions of this Act, monitor and
 15 oversee compliance of freight service companies, common and
 16 private carriers and other companies providing logistic services as
 17 provided for under this Act.

18 SEC. 8. *Implementing Rules and Regulations.* – To carry out
 19 the provisions of this Act, the OCD, in coordination with the DOTr,
 20 through the CAB, MARINA and LTFRB, BOC, PPC, DSWD, and
 21 the association or authorized representatives of freight service
 22 companies and freight forwarders, common and private carriers and
 23 other companies offering logistic services in the country shall,
 24 within sixty (60) days from the effectivity of this Act, issue the
 25 implementing rules and regulations, including a mechanism or
 26 procedure in availing the free services as provided for under this
 27 Act.

28 SEC. 9. *Separability Clause.* – In the event that any
 29 provision of this Act or any portion thereof is declared

1 unconstitutional by a competent court, the other provisions shall not
 2 be affected thereby and shall remain valid and enforceable.

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

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

Approved,

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