

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

SENATE
S. B. No. 205



INTRODUCED BY SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

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

EXPLANATORY NOTE

The National Disaster Risk Reduction and Management Council (the Council) was created by virtue of Republic Act No. 10121. The NDRRMC was tasked to develop a framework which shall provide for a comprehensive, all-hazards, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management.¹ The Council was tasked to perform policy making, coordination, integration, supervision, monitoring, and evaluation functions. The Office of Civil Defense (OCD), on the other hand, was mandated by the law to administer a comprehensive national civil defense and disaster risk reduction and management program. The law was passed with the end in view of providing a more effective system towards achieving disaster resilience.

However, years after the creation of the Council, and several major disasters after, it became apparent that the solution of creating a body composed of multiple offices of the government primarily responsible for disaster preparedness and response, was not optimal. Natural disasters have the capability to cause such far-reaching and impactful consequences that it has become clear that a comprehensive,

¹ Section 6, Republic Act No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010.

specialized, and focused approach is the only way to move forward from the effects of natural disasters. It is only through the creation of a highly specialized government agency, with all its resources fully focused on its mandate, that the events of past disasters can be avoided.

President Rodrigo Roa Duterte has repeatedly called for the enactment of a law for the purpose of creating a highly-specialized agency that can focus on the effects of natural disasters and climate change, leaving other catastrophes such as man-made disasters under the purview of other government agencies. This way, all the resources, knowledge, and skill of the Department can be focused towards achieving the goal of ensuring the safety and security of our communities from natural hazards. This Bill is a response to the President's call.

The Department of Disaster Resilience, once established by law, shall possess the necessary powers and functions, along with the technical expertise and government support to carry out the ideas and plans which our earlier laws failed to realize. The establishment of a Department solely focused on this mandate will ensure that there shall be a body focused on the continuous development and growth of programs aimed towards ensuring disaster resilience.

To ensure that proper attention is given to each of the three (3) key result areas of (1) Disaster Risk Reduction, (2) Disaster Preparedness and Response; and (3) Recovery and Building Forward Better, Undersecretaries for Disaster Risk Reduction, Disaster Preparedness and Response, Recovery and Building Forward better shall be appointed. Another Undersecretary shall be tasked to focus on knowledge management, institutional development and planning, finance, administration, and human resources management. With this set-up, each Undersecretary to which a key result area is assigned can focus on achieving their respective objectives.

The utilization of advancements in information technology is also encouraged in this measure. The Bill requires the establishment of an Integrated Disaster Resilience Information System (IDRIS) by the Department, which shall serve as a database of all relevant disaster risk reduction and climate change data, including a geographic information system on geo-hazard assessments and climate risk. The IDRIS shall be made accessible at all times to the relevant officials and entities to enable the timely, reliable, and accurate collection, processing, analysis, and dissemination of information to support overall decision-making and effective coordination at both the national and subnational level.

An early warning system shall also be established by the Department, which shall make use of risk communication protocols to ensure effective and efficient measures to prepare for, respond to, and recover from potential risks and disasters. Pursuant to this function, the Department shall have the authority to require mobile phone service providers to send out alert at regular intervals in accordance with Republic Act No. 10639, also known as the "Free Mobile Data Alerts Act".

Emergency powers during, and in the aftermath of emergencies, hazards and disasters, shall be exercised by the Department to provide timely response and to mitigate the sometimes unavoidable consequences of natural disasters. Internationally accepted standards shall be used as basis for recovery efforts, guided primarily by the principle of "Building-Forward-Better".

Rules on procurement which aim to facilitate the flow of basic goods to affected areas shall prove to be useful in achieving the goal of establishing a system where the needs of disaster-hit areas are not impeded by bureaucratic obstacles. Further, penalties on unscrupulous public officers and private individuals will work to safeguard the interests of those who are in need.

The Bill also provides for remedial measures under a state of calamity that may be exercised at the national and local levels. Some examples of such remedial measures area the imposition of price ceiling on basic necessities and prime

commodities, the programming or reprogramming of funds for the repair of critical facilities or public infrastructures, and the grant of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals.

The Bill shall also provide for the establishment of a Humanitarian Assistance Action Center (HAAC), which shall serve as a one-stop shop mechanism for the processing and release of goods, articles, equipment and services, including international relief workers.² The HAAC shall be established with the recurring theme of streamlining disaster response efforts to provide timely and efficient response to disaster-stricken areas. Further, in recognition of the Philippines being a part of the international community of nations, the Bill also addresses the need to offer international humanitarian assistance to foreign states.

Cultural heritage and the interests of indigenous peoples are given importance in this measure. The Department shall be required assist the relevant cultural and heritage agencies and the appropriate LGUs to give priority protection and restoration to all national cultural treasures or national historical landmarks. The Department shall also be authorized to seek the assistance of the National Commission on Indigenous Peoples (NCIP) to formulate and implement mechanisms that foster social protection for indigenous communities that are vulnerable to the effects of natural disasters.

The Bill mandates LGUs to provide evacuation centers, when requested by the Department, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters. In providing such evacuation centers, due regard shall be given to the most vulnerable and marginalized groups, respecting the dignity and culture of persons and using proportionate force in implementing such emergency measures.

² The Bill provides that 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.

Further, there shall be a National Disaster Operations Center (NDOC) and its corresponding Alternative Command and Control Centers (ACCC5), as may be necessary, to monitor, assess, manage, and respond to disasters in all areas of the archipelago. There shall also be Disaster Resilience Research and Training Institute (DRRTI), which shall be a platform for providing training, and for collecting, consolidating, managing, and/or sharing knowledge and information resources to improve and/or boost disaster resilience.

The Department, which will operate through a whole-of-society approach, shall manage, direct, and foster an enabling environment for the implementation of national, local, and community-based disaster resilience programs in collaboration with national government agencies, Local Government Units (LGUs), civil society organizations (CSOs), civic organizations, the communities themselves, and other stakeholders, as necessary.

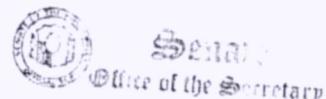
To achieve this, the local DRRM Offices shall be empowered, renamed aptly as Local Disaster Resilience Offices, and have three levels - provincial, city and municipal disaster resilience offices. The Department shall likewise be authorized to call upon all relevant government instrumentalities and facilitate the assistance of non-government and private organizations, especially in emergency cases, to empower the regional and local levels.

Last but not least, this bill strives to help ensure that the painful lessons learned from super typhoon Yolanda and other natural disasters are translated into actual laws, systems, structures, and policies that are truly responsive to the disaster resilience and climate change adaptation and mitigation requirements of the present and future generations of Filipinos.

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


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session



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SENATE
S. B. No. 205

RECEIVED

A handwritten signature in black ink, appearing to read "R" or "Go".

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**AN ACT
CREATING THE DEPARTMENT OF DISASTER RESILIENCE, DEFINING ITS
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Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1

ARTICLE I

2

GENERAL PROVISIONS

3

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

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

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

18

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

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

- 6 a. That a strategic, systematic, continuous, comprehensive, inclusive, and
7 integrated approach to disaster risk reduction and management is established,
8 with the end in view of substantially reducing vulnerabilities and the risk of
9 disasters and other humanitarian emergencies, towards the preservation of life
10 and property, thereby ultimately preventing or deterring the loss of lives and
11 the social, economic, cultural, and environmental assets of the country;
- 12 b. That a permanent, institutionalized, cohesive and comprehensive framework
13 for disaster preparedness, prevention and mitigation, and response, is adopted,
14 to be implemented by a highly specialized and focused agency bearing its own
15 mandate, powers, and funding, in coordination and with the participation of the
16 Philippine government, other foreign governments and financial institutions,
17 international organizations, the private sector, and civil society;
- 18 c. That the differing concerns and needs of various sectors or those with higher
19 vulnerabilities such as women, children, elderly, persons with disabilities, and
20 indigenous peoples, are specifically served, with respect to disaster resilience
21 and disaster management;
- 22 d. The implementation of the principles, concepts and action plans of climate
23 change and disaster risk reduction contained in international and national
24 frameworks and commitments in various phases of policy formulation,
25 development and investment plans, poverty reduction strategies and other
26 development tools, and techniques by all national and local agencies,
27 institutions and instrumentalities of the government to enhance the country's
28 capacity for climate change adaptation and mitigation;
- 29 e. To inculcate a culture of resilience and preparedness for natural disasters at
30 the national, regional and local levels, and adopt a whole-of-society approach
31 in disaster resilience to enhance collaboration, planning, and dialogue among
32 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. CGOs 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;
- p. *Disability* shall refer to an evolving concept that results from the interaction between persons with impairments, societal barriers, as defined under Republic Act No. 7277, and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.
- q. *Disaster* shall refer to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or

1 society to cope using its own resources. Unless otherwise used specifically in
2 this Act, the term "disaster shall refer to "natural disaster";

3 r. *Disaster Contingency Fund* shall refer to a fund, in lump-sum form, managed
4 by the Department to expediently provide funds and resources for disaster relief
5 or response in affected areas;

6 s. *Disaster Mitigation* or *Mitigation* shall refer to the lessening or limitation of the
7 adverse impacts of hazards and related disasters. Mitigation measures include
8 hazard-resistant structures as well as improved environmental, land use
9 planning, climate change and other sectoral policies and public awareness;

10 t. *Disaster Preparedness* shall refer to the knowledge and capacities developed
11 by governments, professional, professional response and recovery
12 organizations, communities and individuals to effectively anticipate, respond to,
13 and recover from, the impacts of likely, imminent or current hazard events or
14 conditions. It includes preparedness for response such as contingency planning,
15 stockpiling of equipment and supplies, the development of arrangements for
16 coordination, evacuation, and public information, and preparedness for
17 recovery such as procurement of land for resettlement sites.

18 u. *Disaster Prevention* shall refer to the intention to avoid, or the outright
19 avoidance, of potential adverse impacts of disasters and related hazards
20 through action(s) taken in advance. It expresses the concept and intention to
21 completely avoid potential adverse impacts through action taken in advance
22 such as construction of dams or embankments that eliminate flood risks, land-
23 use regulations that do not permit any settlement in high- risk zones, and
24 seismic engineering designs that ensure the survival and function of a critical
25 building in any likely earthquake;

26 v. *Disaster Resilience* shall refer to the ability of a system, community, or society
27 exposed to hazards to resist, absorb, accommodate, adapt to, transform, and
28 recover from the effects of a hazard and/or the long-term impact of climate
29 change in a timely and efficient manner, including through the preservation
30 and restoration of its essential basic structures and functions through risk
31 management;

- 1 w. *Disaster Response* shall refer to the provision of emergency services and public
2 assistance during or immediately after a disaster in order to secure and save
3 lives, reduce health impacts, ensure public safety and meet the basic
4 subsistence needs of the people affected. Disaster response includes disaster
5 relief focused on immediate and short-term needs of the victims and the
6 vulnerable.
- 7 x. *Disaster Resilience Fund* shall refer to the budget managed by the Department,
8 which includes funds appropriated to it by Congress pursuant to an
9 Appropriations Act, the Disaster Contingency Fund, and the Rehabilitation and
10 Recovery Fund;
- 11 y. *Disaster Risk* shall refer to the potential disaster losses in lives, health status,
12 livelihoods, assets and services that could occur to a particular community or
13 society in the future, and is determined by a combination of the vulnerability,
14 capacity, exposure of persons and assets, hazard characteristics and the
15 environment.
- 16 z. *Disaster Risk Governance* shall refer to the way in which public authorities, civil
17 servants, media, private sector, and civil society coordinate at community,
18 national and regional levels in order to manage disaster and climate related
19 risks. This means ensuring that sufficient levels of capacity and resources are
20 made available to prevent, prepare for, manage and recover from disasters. It
21 also entails mechanisms, institutions, and processes for citizens to articulate
22 their interests, exercise their legal rights and obligations, and mediate their
23 differences.
- 24 aa. *Disaster Risk Management* (DRM) shall refer to the systematic process of using
25 administrative directives, organizations, and operational skills and capacities to
26 implement strategies, policies and improved coping capacities in order to lessen
27 the adverse impacts of hazards and the possibility of disaster;
- 28 bb. *Disaster Risk Reduction* (DRR) shall refer to the prevention of new, and/or
29 reduction of existing, disaster risk(s) and the management of residual risk, to
30 enhance resilience to disasters;
- 31 cc. *Early Warning System* shall refer to an integrated system of hazard monitoring,
32 forecasting and prediction, disaster risk assessment, and communication and

1 preparedness activities and processes that enable individuals, communities,
2 national government agencies, local government units, the private sector, and
3 others to take timely action to reduce disaster risks and adequately prepare for
4 disasters;

5 dd. *Eligible Assisting Actor* shall refer to any assisting actor that has been
6 determined to be eligible to receive legal facilities as provided for in this Act
7 and/or its Implementing Rules and Regulations (IRR);

8 ee. *Emergency* shall refer to an unforeseen or sudden occurrence, especially
9 danger, demanding immediate and decisive action;

10 ff. *Emergency Management* shall refer to the organization and management of
11 resources and responsibilities for addressing all aspects of emergencies, in
12 particular preparedness, response and initial recovery steps;

13 gg. *Environmental Hazards*- the hazards that may be chemical, natural, and
14 biological, and can be created by environmental degradation or physical or
15 chemical pollution in the air, water, and soil. However, many of the processes
16 and phenomena that fall into this category may be termed drivers of hazard
17 and risk rather than hazards themselves, such as soil degradation,
18 deforestation, loss of biodiversity, salinization, and sea-level rise;

19 hh. *Exposure* shall refer to the degree to which the elements at risk are likely to
20 experience hazard events of different magnitudes;

21 ii. *Geographic Information System (GIS)* shall refer to a system used to capture,
22 store, manipulate, manage and display all types of spatial or geographical data;

23 jj. *Geographically Isolated and Disadvantaged Area (GIDA)* shall refer to areas
24 with a marginalized population, which is physically and socio-economically
25 separated from the mainstream society and characterized by physical factors—
26 isolated due to distance, weather conditions and transportation difficulties
27 (island, upland lowland, landlocked, hard to reach and underserved
28 communities); and/or socio-economic factors—(highly poverty incidence,
29 presence of vulnerable sector, communities in or recovering from situation of
30 crisis or armed conflict);

31 kk. *Geological or geophysical hazards* shall refer to the hazards that originate from
32 internal earth processes, such as earthquakes, volcanic activities and emissions,

and related geophysical processes, which include mass movements, landslides, rockslides, surface collapses, and debris or mud flows. Hydrometeorological factors are important contributors to some of these processes. While tsunamis are triggered by undersea earthquakes and others geological events, they essentially become an oceanic process that is manifested as a coastal water-related hazard;

ii. *Hazard* shall refer to a phenomenon, substance, human activity or condition that may cause loss of life, injury or impacts to health; social and economic disruption, environmental damage, or loss of/disruption to property, livelihood, and/or services;

mm. *Historical landmarks* shall refer to sites or structures that are associated with events or achievements significant to Philippine history as declared by the National Historical Institute or the applicable agency;

nn. *Human-Induced Hazard* shall refer to an event that is caused by humans and occur in or close to human settlements or a particular environmental area. This can include environmental degradation, technological or industrial conditions, pollution, accidents, e.g. high density events, industrial and transport accidents, complex emergencies, armed conflict, situations of generalized or organized violence, and violation of human rights;

oo. *Humanitarian assistance* shall refer to financial, material or other similar forms of assistance to address the immediate needs of people affected by a natural disaster;

pp. *Hydrometeorological hazards* shall refer to hazards that are of atmospheric, hydrological, or oceanographic origin, such as tropical cyclones (also known as typhoons and hurricanes); floods, including flash floods; drought; heat waves and cold spells; and coastal storm surges. Hydrometeorological conditions may also be a factor in other hazards such as landslides, wildland fires, locust plagues, epidemics, and in the transport and dispersal of toxic substances and volcanic eruption material;

qq. *Impact and needs assessment* shall refer to the assessment of the nature and magnitude of a disaster, its impact on affected populations, the type and extent

1 of emergency, and the requirements for recovery and rehabilitation of affected
2 area(s);

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

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

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

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

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

22 ww. *Land Use Planning* shall refer to the process undertaken by public authorities
23 to identify, evaluate and decide on different options for the use of land,
24 including consideration of long-term economic, social and environmental
25 objectives and the implications for different communities and interest groups,
26 and the subsequent formulation and promulgation of plans that describe the
27 permitted or acceptable uses;

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

31 yy. *Local Disaster Resilience Plan (LDRP)* shall refer to a document prepared by an
32 LGU based on the National Disaster Resilience Framework (NDRF) and the

1 National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets out
2 specific programs, objectives and goals to implement disaster risk management
3 and climate change adaptation measures at the local level. The plan includes,
4 among others, an evaluation and analysis of emerging disaster risks, hazards
5 and vulnerabilities applicable to an LGU, and specific programs and activities to
6 ensure responsive, effective, and appropriate disaster preparedness and
7 managements at the local level;

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

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

22 bbb. *National Disaster Resilience Plan and Investment Program (NDRPIP)* shall
23 refer to a plan formulated and implemented by the national and local
24 governments, in collaboration with NGOs, the private sector, academe,
25 international development partners, and others, in accordance with the NDRF
26 that sets out the outcomes, goals and objectives, priorities, programs and
27 corresponding action plans for disaster risk reduction, preparedness, and
28 management, and climate change mitigation. The NDRPIP shall also include,
29 among others, goals, objectives and action plans for a national continuity
30 policy.—It shall be in conformity with the national disaster risk reduction and
31 management framework.

- 1 ccc. *Natural Hazard* shall refer to naturally occurring physical phenomena caused
2 either by rapid or slow onset events, which can be geological (earthquakes,
3 ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic
4 activity), hydrological and meteorological (floods, sever winds, typhoons,
5 storm surges), climatological variability (extreme temperatures, El Niño, La
6 Niña, forest fires), or biological (disease, epidemics and insect/animal
7 plagues);
- 8 ddd. *Open Data* shall refer to a set of data that can be freely used, shared and
9 built-on by anyone, anywhere, for any purpose, it must be available in bulk,
10 and should be available free of charge, or at least at no more than a
11 reasonable reproduction cost. The information should be digital, preferably
12 available by downloading through the internet, and easily processed by the
13 end-user's computer. The data must permit people to use, re-use, and
14 redistribute it, including intermixing it with other data sets and distributing the
15 results. Lastly, it does not allow conditions to be places on how people can
16 use such data but permit a data provider to require that data has been
17 changed, or that any new datasets created using their data are also shared
18 as open data;
- 19 eee. *Pre-Disaster Recovery Plan (PDRP)* shall refer to a plan intended to help
20 government officials working in small communities or across an entire nation,
21 to define and follow a process to pre plan for disaster recovery, and thereby
22 strengthen their own future recovery efforts and outcomes;
- 23 fff. *Pre-Disaster Risk Assessment (PDRA)* shall refer to a process to evaluate a
24 hazard's level of risk given the degree of exposure and vulnerability in a specific
25 area likely to be affected by an imminent hazard. It presents the possible
26 impacts on the population and forms a basis to determine the appropriate level
27 of response actions from the national level government agencies down to the
28 local government units. It is hazard-specific, area focused, and time-bound;
- 29 ggg. *Recovery* shall refer to rehabilitation measures that ensure the ability of
30 affected communities or areas to return their normal level of functioning by
31 restoring livelihoods and services, reconstruction of damaged infrastructures
32 and increasing the communities' organizational capacity;

- 1 hhh. *Rehabilitation* shall refer to restoration of basic services and facilities for the
2 functioning of a community or a society affected by a disaster;
- 3 iii. *Response* shall refer to any effort to provide assistance or intervention during
4 or immediately after a disaster to meet the life preservation and basic
5 subsistence needs of affected people and communities; and in the restoration
6 of essential public activities and facilities;
- 7 jjj. *Retrofitting* shall refer to the reinforcement of upgrading of existing structures
8 to make them more resistant and resilient to the damaging effects of hazards;
- 9 kkk. *Risk assessment* shall refer to a methodology to determine the nature and
10 extent of risk by analyzing potential hazards and evaluating existing conditions
11 of vulnerability that together could potentially harm exposed people, property,
12 services, livelihood and the environment on which they depend;
- 13 III. *Risk Transfer* shall refer to the process of formally or informally shifting the
14 financial consequences of particular risks from one party to another whereby a
15 household, community, enterprise or state authority will obtain resources from
16 the other party after a disaster occurs, in exchange for ongoing or
17 compensatory social or financial benefits provided to that other party;
- 18 mmm. *Safety stock* shall refer to items, such as raw materials, component parts,
19 or finished goods, maintained in inventory to reduce the risk that such item
20 will be out of stock, in anticipation of unforeseen shortages or unusual
21 demand for such items;
- 22 nnn. *Service Continuity* shall refer to the capacity of a government instrumentality
23 to continue delivering its mandated outputs and/or services to the public
24 during and after a disaster;
- 25 ooo. *State of Calamity* shall refer to a condition involving endangered to and/or
26 loss of lives, damages to property, economic and/or social disruption,
27 interruption and/or loss of livelihood and/or services, and destruction and/or
28 damages to infrastructure as a result of natural disaster(s) or related
29 hazard(s);
- 30 ppp. *Simplified or Pre-Arranged Contract* shall refer to a written agreement in the
31 nature of an option contract between the procuring entity on one hand, and
32 the most responsive and lowest calculated bidder on the other, granting the

procuring entity the option to either place an order for any of the goods identified therein or not buy at all, within a given period of time;

qqq. *Sustainable Development* shall refer to development that meets the needs of the present without compromising the ability of future generations to meet their own needs;

rrr. *Volunteers* shall refer to individuals, groups or entities that offer and/or provide services or assistance, without compensation, to help people and/or areas affected by disasters;

sss. *Vulnerability* shall refer to the conditions determined by physical, social, economic, organizational, and environmental factors or processes, which increase the susceptibility of an individual, a community, assets or systems to the impacts of hazards;

ttt. *Whole-of-Society Approach* shall refer to an approach that encourages the meaningful participation and synergy of the different stakeholders of society toward climate change adaptation and mitigation, and disaster risk reduction and management at the national and local levels;

uuu. *Whole-of-Government Approach* shall refer to an approach that instills and fosters collaboration among all government instrumentalities both at the national and local levels toward shared sustainable development goals and 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

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

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

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

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

23 Overall functions:

- 24 1. Craft the policies and lead the implementation of the programs, projects and
25 activities necessary to reduce the country's vulnerabilities to natural hazards
26 and climate change, using the PDRP and the relevant climate change and DRR
27 frameworks as anchors;
- 28 2. Review and build upon, to the extent necessary, the existing disaster resilience
29 framework, plans and strategies in the crafting of an NDRF and the
30 corresponding NDRPIP;
- 31 3. Oversee, review, and approve the translation, integration, and implementation
32 of the NDRPIP into LDRPs;

4. Communicate and disseminate critical information to help the public prepare for, respond to, and recover from a disaster;
5. Receive, manage, and administer the Disaster Resilience Fund, the Disaster Contingency Fund, donations and other funds, assets and/or properties received by the Department to accomplish the purposes of this Act;
6. Recommend to the President of the Philippines the declaration of a state of calamity due to a natural disaster, and the lifting thereof when conditions stabilize;
7. Direct any government entity to help ensure the attainment of the goals and objectives of this Act;
8. Advance the country's interests relating to disaster resilience and climate change in the regional and global arena;
9. Advise the President on matters concerning disaster resilience and make recommendations, as appropriate; and
10. Perform such other functions, as provided by law or assignment of the President, and undertake all other necessary actions to ensure the attainment of the overall goals and objectives of this Act.

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;

- 1 5. Ensure the use of advanced science and technology in anticipatory planning of
- 2 communities against the impact of natural hazards and climate change through
- 3 consultation, and employment with a regular department funding the acaderne
- 4 or higher education institutions;
- 5 6. Develop and implement policies and programs related to the construction of
- 6 new settlements or relocation of settlements in safe areas that shall, to the
- 7 extent such policies and programs relate to disaster risk reduction, mitigation,
- 8 prevention or building forward better, prevail over policies or decisions of other
- 9 government departments, government agencies, government owned or
- 10 controlled corporations, LGUs, and other government instrumentalities;
- 11 7. Design and implement an incentive system for greater private and public
- 12 investment, both at the local and national levels, on disaster risk reduction;
- 13 8. Oversee and ensure the mainstreaming of climate change adaptation and
- 14 disaster risk reduction in development and land use planning, and the
- 15 preparation of contingency plans;
- 16 9. Create an enabling environment that shall promote broader multi-stakeholder
- 17 participation for disaster risk reduction and climate change adaptation and
- 18 mitigation;
- 19 10. Communicate and disseminate critical information to help the public prepare
- 20 for, respond to, and recover from a disaster;
- 21 11. Establish and monitor local and national capacity for disaster risk financing and
- 22 insurance and other risk transfer strategies in coordination with the Department
- 23 of Finance (DOF), the Government Service Insurance System (GSIS), and the
- 24 Land Bank of the Philippines (LBP), and the Insurance Commission;
- 25 12. Coordinate directly with local government units and private entities to address
- 26 Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale,
- 27 cities and municipalities at the micro-scale, and barangays at the meta-scale;
- 28 13. Review and evaluate local disaster resilience plans and other local plans to
- 29 ensure their consistency with the National Disaster Resilience Framework; and
- 30 14. Undertake all other programs, projects, and actions necessary to attain the
- 31 overall goals and intended outcome of this key result area.

1 Disaster Preparedness and Response

- 2 1. Lead, manage, and collaborate with the relevant government instrumentalities,
3 non-government stakeholders, and international partners in providing the
4 minimum basic needs of people in affected areas before, during and/or
5 immediately after a disaster to save lives and minimize casualties;
- 6 2. Ensure the efficient prepositioning of goods, maintenance, and disposal of
7 safety stocks;
- 8 3. Prepare pre-disaster recovery plans in anticipation of future disasters by
9 engaging the community and planning for recovery activities that are
10 comprehensive and long-term;
- 11 4. Establish a corps of first responders in partnership with national and local
12 stakeholders, both public and private;
- 13 5. Formulate standards for contingency planning for adoption by both national
14 government agencies and local government units;
- 15 6. Recommend to the President of the Philippines the declaration of a state of
16 calamity due to a natural disaster, and the lifting thereof when conditions
17 stabilize;
- 18 7. Oversee and maintain a national early-warning and emergency alert system
19 that must provide a specific, areas-focused and time-bound warning that are
20 accurate, timely, understandable and readily accessible to national and local
21 emergency response organizations and the general public;
- 22 8. Implement Pre-Disaster Risk Assessments to include deployment of rapid
23 assessment teams to gather information for precise actions as a basis for
24 emergency preparedness and humanitarian response;
- 25 9. Coordinate information-sharing and other disaster risk reduction protocols
26 following the principle of inter-operability among national government agencies
27 and local government units;
- 28 10. Establish and maintain a national humanitarian logistics system with a network
29 of warehouses, transport and resources, including response assets and disaster
30 relief food and non-food items;
- 31 11. Call upon the relevant government instrumentalities, non-government
32 stakeholders, CSOs, and international partners for assistance in ensuring the

protection and preservation of life and property such as through the use of their resources and facilities, among others. This function includes the power to call on the reserve force as defined in Republic Act no. 7077 to assist in search and rescue, and the relief and disaster preparedness and response operations;

12. Organize, train, equip, and maintain a system of response capacity for search, rescue and retrieval and the delivery and distribution of relief goods;

13. Monitor and support LGUs in the management of evacuation centers and ensure the welfare and dignity of internally-displaced persons;

14. Procure goods and services prior to, during, and after emergencies for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster;

15. Issue special procurement rules and regulations, in close coordination with the Government Procurement Policy Board, for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster;

16. Assist in mobilizing necessary resources to increase the overall capacity of local government units, specifically those with low income and situated in high-risk areas;

17. By the authority of the President, secure the assistance of the Armed Forces of the Philippines (APP), the Philippine National Police (PNP), DILG-Bureau of Fire Protection (BFP), DOTr-Philippine Coast Guard (PCG), and other uniformed services in undertaking disaster preparedness and response operations in at-risk and/or disaster- affected areas; and

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

Recovery and Building Forward Better;

1. Prepare, organize, lead, implement, and manage post-disaster assessment and recovery and rehabilitation programs and plans, in coordination with the affected local governments units, national government agencies, and other stakeholders;

2. Establish a system that utilizes templates, exposure database, and other tools; and develop the Department's in-house capacity for the prompt and expedient preparation of rehabilitation plans, when needed, for disaster affected areas;
3. Prepare and implement the recovery and rehabilitation plan(s) for disaster affected areas;
4. Implement the cluster approach to expedite reconstruction efforts, e.g., post-disaster shelter recovery, and orchestrate and serve as the clearinghouse for the participation of assisting actors in such efforts;
5. Collaborate with relevant government agencies and non-government stakeholders in undertaking programs and projects to restore and/or generate livelihood and entrepreneurial activities and opportunities in disaster-affected areas;
6. Ensure that the principle of Building Forward Better, not mere restoration, is 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.

17 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

- 1 Fund and the Supplemental Disaster Resilience Support Fund for low income
2 provinces, cities, and municipalities, and multi-hazard local government units;
- 3 6. Inspect and examine the status of projects, programs, and activities
4 undertaken by national government agencies and local government units in
5 furtherance of disaster resilience efforts;
- 6 7. Whenever it becomes necessary, to save lives and/or minimize damages to
7 livelihood and property, assume supervision over the implementation of any
8 government program, project, or activity in anticipation of, during, and in the
9 aftermath of a disaster;
- 10 8. Negotiate, enter into, institutionalize, and coordinate arrangements with any
11 private person or entity for the purpose of ensuring the adequate and prompt
12 availability of goods and services necessary in anticipation of, during, and in
13 the aftermath of disasters;
- 14 9. Manage all funds appropriated to it by law and from other sources, including
15 all donations and grants received by it;
- 16 10. Promulgate rules and regulations for the receipt, management, and accounting
17 of donations that are consistent with the rules of the Commission on Audit
18 (COA) on the use of foreign and local aid during calamities and disasters;
- 19 11. Receive humanitarian assistance from local and foreign sources, recommend
20 the acquisition of developmental assistance for the purpose of disaster
21 resilience, acknowledge and certify the receipt of all humanitarian assistance,
22 and ensure their judicious use and management;
- 23 12. Establish and operate a platform, including an online platform, to monitor and
24 provide public access to information on humanitarian assistance received by
25 the Department;
- 26 13. Secure the assistance of the AFP, PNP, DILG-BFP, DOTR-PCG, and other
27 uniformed services and government instrumentalities to ensure the attainment
28 of the three key result areas, and the overall goals and objectives of this Act;
- 29 14. In consultation with the COA, promulgate rules and regulations for the
30 retention, re-exportation, donation, and disposition of unused goods and
31 equipment after the termination of disaster relief and initial recovery
32 operations;

- 1 15. Assist appropriate national government agencies and offices and concerned
2 local government units in protecting national cultural heritage including national
3 treasures and national historical landmarks, sites or monuments from hazards
4 and disasters; and
5 16. Perform such other functions, as provided by law or assignment of the
6 President, and undertake the necessary actions to ensure the attainment of the
7 overall goals and objectives of this Act.

8

9 **ARTICLE III**

10 **EMERGENCY MEASURES**

11 Sec. 6. *Emergency Measures.* –

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

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

20 It shall be mandatory for Local Government Units to provide evacuation
21 centers, with due consideration to the capacity of local facilities, when
22 requested by the Department, in anticipation of, during, and in the
23 aftermath of emergencies, hazards and disasters. In providing such
24 evacuation centers, due regard shall be given to the most vulnerable and
25 marginalized groups, respecting the dignity and culture of persons,
26 observing equality, and using proportionate force in implementing such
27 emergency measures.

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

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

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

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

ARTICLE IV

ORGANIZATION AND MANAGEMENT

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

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

10 Sec. 8. *Powers and Functions of the Secretary.* – The Secretary shall exercise
11 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;

- 1 i. Represent the Philippines and articulate the national contribution to global,
2 regional, and other inter-governmental disaster risk reduction and
3 humanitarian platforms, in coordination with the Department of Foreign Affairs;
4 and
- 5 j. Perform such other functions as may be provided by law or assigned by the
6 President.

7 Sec. 9. *The Undersecretaries.* –The Secretary shall be assisted by at least four

8 (4) Undersecretaries, who shall be responsible for the following functional areas,
9 including the establishment of a robust and responsive ICT system to effectively
10 support the mandate and operations of the Department:

- 11 a. Disaster Risk Reduction - the formulation, adoption, and implementation of
12 policies and programs to reduce existing and future disaster risks to minimize
13 loss and damage to lives and properties, including the formulation of the
14 required policies and programs in the NDRF and relevant national investment
15 plans;
- 16 b. Disaster Preparedness and Response - the implementation of projects and
17 programs to prepare and respond to disasters, including the enhancement of
18 capabilities of local government units, the development of a database of
19 exposure or elements at risk per area and database of volunteers, the
20 establishment of safe and strategic evacuation centers, and the implementation
21 of responsive and efficient prepositioning and distribution of goods;
- 22 c. Recovery and Building Forward Better – the formulation and implementation of
23 rehabilitation plans for disaster-affected areas and ensuring the implementation
24 of disaster recovery and rehabilitation measures, such as post-disaster shelters
25 and livelihood projects, in collaboration with relevant government agencies,
26 local government units, and other stakeholders; and
- 27 d. Support to Operations - the formulation and implementation of policies,
28 programs, projects, and activities to ensure the efficient, effective, and
29 responsive performance of the Department's mandate, powers, and functions.
30 Support to operations includes knowledge management, institutional
31 development and planning, finance, administration, and human resources
32 management.

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

3 *Sec. 10. The Assistant Secretaries and Directors.* – The Department shall have
4 such number of Assistant Secretaries and Directors as may be necessary for the
5 effective and efficient implementation and performance of its mandate, powers, and
6 functions.

7 *Sec. 11. Qualifications.* – All the Undersecretaries, Assistant Secretaries, and
8 other officials of the Department shall preferably be specialists and have a good track
9 record in any of the following fields, as applicable to their mandated key result areas
10 and functions: disaster risk reduction and management, science and technology,
11 environmental science or management, urban planning, civil engineering, public
12 finance, information and communications technology, logistics management, mass
13 communication, among other fields directly relevant to ensuring the country's
14 disaster resilience. The appointing authority and other responsible officials shall
15 ensure that the Department's human resources possess the competencies, skills,
16 behavioral attributes, training and experience necessary for them to become
17 efficient, effective, and responsive in performing their functions and contribute to
18 the attainment of the overall goals and delivery of the intended outcomes of this Act.

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

23 *Sec. 13. Regional Disaster Resilience Offices.* – The Department shall
24 establish and maintain Regional Disaster Resilience Offices (RDROs) in each
25 administrative region, to be headed by a Regional Director. The Department shall
26 create policies and programs to establish collaboration and coordination among the
27 different RDROs.

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

30 a. Review the LDRPs and Provincial DRPs of LGUs within its jurisdiction, and
31 require the amendment of such LDRPs and/or Provincial DRPs if necessary, to
32 ensure compliance with the NDRF and relevant national investment plans;

- 1 b. Monitor and direct LDROs and PDROs to implement their respective LDRPs and
- 2 PDRPs;
- 3 c. Recommend to the appropriate local legislative body the enactment of
- 4 ordinances to implement the LDRP, NDRF and relevant national investment
- 5 plans at the city, municipal or provincial level, and to comply with other
- 6 requirements of this Act;
- 7 d. Review reports on the utilization of the LDRF and other disaster risk and
- 8 management resources of LGUs within its jurisdiction, and give
- 9 recommendations, as necessary;
- 10 e. Disburse to, and monitor the use by, LGUs of funds granted by the Department
- 11 pursuant to this Act and its IRR;
- 12 f. Provide, upon the request of LGUs or unilaterally at its own discretion,
- 13 assistance to LGU(s) within its jurisdiction as necessary to ensure the
- 14 implementation of LDRPs/Provincial LDRPs, NDRF and relevant national
- 15 investment plans, and to render efficient and timely disaster preparedness,
- 16 response and recovery measures;
- 17 g. Identify and report to the Department issues and problems relating to, or
- 18 affecting, the disaster resilience of LGUs within its jurisdiction, and make
- 19 recommendations to the Department and/or to the LGUs to address such issues
- 20 or problems;
- 21 h. Formulate and establish mechanisms to mobilize and direct LDROs and PDROs
- 22 within its jurisdiction as necessary for disaster preparedness and response at
- 23 the regional level;
- 24 i. Establish and maintain, in coordination with the Department, a Regional
- 25 Command and Control Center (RCCC), which includes, among others, an
- 26 information management system at the regional level, which consolidates and
- 27 integrates information from the provinces, cities and municipalities within its
- 28 jurisdiction, a multi-hazard early warning and communications system, and a
- 29 monitoring system that enables the RDRO to oversee, supervise, monitor and
- 30 respond to the needs of LGUs within its jurisdiction in relation to disaster
- 31 resilience activities;

- 1 j. Assist in the implementation, of rehabilitation plan(s) for LGUs within its
2 coverage: and
3 k. Conduct other activities and act on other matters, in accordance with policies
4 and procedures of the Department and applicable laws, to achieve the purposes
5 of this Act.

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

9 Sec. 16. *Local Disaster Resilience Offices.* – The Local Disaster Risk Reduction
10 Management Offices in provinces, cities, and municipalities are hereby renamed as
11 the Provincial, City, and Municipal Disaster Resilience Offices, respectively, and shall
12 collectively be called the Local Disaster Resilience Offices (LDROs). Provincial, city,
13 and municipal governments shall establish their respective LDROs.

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

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

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

28 Sec. 17. *Local Disaster Resilience Officer.* – The LDRO shall be headed by a
29 full- time Local Disaster Resilience Officer, who shall have a regular plantilla position
30 and shall be appointed by the local chief executive: *Provided*, That the qualifications
31 standards pertaining to experience and training set by the Civil Service Commission

1 for the position may be waived by the Department in exceptional cases upon the
2 request of the local chief executive.

3 *Sec. 18. Powers and Functions of City and Municipal Disaster Resilience Offices.*

4 – The City and Municipal Disaster Resilience Offices shall have the following powers
5 and functions:

- 6 a. Formulate and implement, in coordination with the Department, a
7 comprehensive and integrated Local Disaster Resilience Plan in accordance with
8 the NDRF and the relevant national investment plans;
- 9 b. Design, program, coordinate, and implement disaster resilience activities
10 consistent with the standards and guidelines provided by the Department, and
11 implement the NDRF and the relevant national investment plans at the city or
12 municipal level;
- 13 c. Prepare and submit to the Sangguniang Panglungsod or Bavan, as the case
14 may be, the LDRP, the proposed programming of the LDR Fund, other
15 dedicated disaster resilience resources, and other funds of the LDRO;
- 16 d. Recommend to the Sangguniang Panglungsod or Bavan, as the case may be,
17 the enactment of ordinances to implement the LDRP, NDRF, relevant national
18 investment plans, and the provisions of this Act;
- 19 e. Prepare and submit to the Department a report on the utilization of its Local
20 Disaster Resilience Fund and other disaster risk reduction and management
21 resources;
- 22 f. Establish and maintain, in coordination with the Department, an information
23 management system within the LGU, which, among others, consolidates and
24 includes local risk information (such as natural hazards, profile of the LOU's
25 vulnerable or marginalized groups), local risk maps, and a disaggregated
26 database of human resource, equipment, services, resources, directories and
27 location of critical infrastructures with their capacities (such as hospitals and
28 evacuation centers);
- 29 g. Operate and maintain, in coordination with the Department, a multi-hazard
30 early warning and communications system to provide accurate and timely
31 information to the public;

- 1 h. Organize and conduct training and knowledge management activities on
2 disaster resilience at the local level, in coordination with the Disaster Research,
3 Education, and Training Institute;
- 4 i. Recommend to the local chief executive the procurement of emergency works,
5 goods, and services in compliance with the regulations, orders, and policies of
6 DBM and Government Procurement Policy Board (GPPB), to implement the
7 LDRP or support early recovery and post-disaster activities;
- 8 j. Recommend, in coordination with the DOF and other relevant agencies, to the
9 local chief executive, access to foreign loans to finance projects, programs, and
10 policies for disaster preparedness, response, recovery, and rehabilitation,
11 subject to terms and conditions agreed upon by the local government unit and
12 the lender;
- 13 k. Monitor and mobilize instrumentalities and entities of the LGU and its partner
14 LGUs, CSOs, private sector, organized volunteers, and sectoral organizations
15 for disaster resilience activities, in accordance with policies and procedures of
16 the Department and applicable laws;
- 17 l. Coordinate and provide the necessary support or assistance to the Department
18 in the implementation of rehabilitation plan(s) within the city or municipality
19 covered by the LDRO;
- 20 m. Coordinate with the Department, other government agencies, members of the
21 private sector and other stakeholders in the LGU to establish a Business
22 Continuity Plan as part of their LDRP's disaster preparedness measures;
- 23 n. Establish linkage/network and coordination mechanisms with other LGUs and
24 the Department for disaster resilience activities and to achieve the purposes of
25 this Act; and
- 26 o. Conduct other activities and act on other matters, in accordance with policies
27 and procedures of the Department and applicable laws, to achieve the purposes
28 of this Act.

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

2 The Provincial Disaster Resilience Offices shall have the following powers and
3 functions:

- 4 a. Formulate and implement, in close coordination with the Department and the
5 local government units under the jurisdiction of the provincial government, a
6 comprehensive and integrated Provincial Disaster Resilience Plan in accordance
7 with the NDRF;
- 8 b. Review the LDRPs of cities and/or municipalities within its jurisdiction, and
9 require the amendment of such LDRPs if necessary, to ensure compliance with
10 the Provincial DRP and the NDRF;
- 11 c. Design, program, coordinate, or implement disaster resilience activities
12 consistent with the standards and guidelines provided by the Department, and
13 implement the NDRF and the relevant national investment plans at the
14 provincial level;
- 15 d. Prepare and submit to the Sangguniang Panlalawigan, the Provincial DRP, the
16 proposed programming of the province's Local Disaster Resilience Fund, other
17 dedicated disaster resilience resources, and other funding sources of the PDRO;
- 18 e. Recommend to the Sangguniang Panlalawigan the enactment of local
19 ordinances to implement the Provincial LDRP, NDRF and relevant national
20 investment plans at the provincial level, and to comply with other requirements
21 of this Act;
- 22 f. Prepare and submit to the Department, a report on the utilization of the
23 province's Local Disaster Resilience Fund and other disaster risk reduction and
24 management resources;
- 25 g. Establish and maintain, in coordination with the Department, a Provincial
26 Command and Control Center (PCCC), which includes, among others, an
27 information management system at the provincial level, which consolidates and
28 integrates information from the cities and/or municipalities within its
29 jurisdiction, a multi-hazard early warning and communications system that is
30 connected with the cities and/or municipalities within its jurisdiction, and a
31 monitoring system that enables the PDRO to oversee, supervise, monitor and

- 1 respond to the needs of cities and/or municipalities within its jurisdiction in
2 relation to disaster resilience activities;
- 3 h. Recommend to the Provincial Governor the procurement of emergency works,
4 goods, and services in compliance with the regulations, orders, and policies of
5 DBM and GPPB, to implement the provincial LDRP or support early recovery
6 and post-disaster activities of the PDRO;
- 7 i. Recommend, in coordination with the DOF, to the Provincial Governor to access
8 foreign loans to finance its policies, programs, projects, and activities for
9 disaster preparedness, response, recovery, and rehabilitation, subject to terms
10 and conditions agreed upon by the Provincial Government and the lender;
- 11 j. Formulate and establish mechanisms to mobilize and direct LDROs within its
12 jurisdiction as necessary for disaster preparedness and response at the
13 provincial level;
- 14 k. Coordinate and provide the necessary support or assistance to the Department
15 in the implementation of rehabilitation plan(s) within the cities and/or
16 municipalities covered by the PDRO; and
- 17 l. Conduct other activities and/or act on other matters, in accordance with policies
18 and procedures of the Department and applicable laws, to achieve the purposes
19 of this Act.

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

24

25 **ARTICLE V**

26 **WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH**

27

28 Sec. 21. *Synergy with Stakeholders.* – The Department shall ensure seamless
29 synergy and coordination with stakeholders, including national government agencies,
30 local government units, government-owned or -controlled corporations (GOCCs),
31 CSOs, the academe, and the private sector, in relation to disaster resilience programs

1 and projects and the development and promotion of research, education, and training
2 mechanisms. The Department shall establish a platform, paradigm, and mechanisms
3 for convergence and coordination with stakeholders, including the development of
4 standards, protocols, and procedures for seamless collaboration for disaster resilience.

5 Sec. 22. *Establishment of Multi-Stakeholders convergence Unit.* – The
6 Department, with the assistance of other relevant government agencies and
7 stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU), which
8 shall closely engage the private sector, CSOs, academe, and other non-government
9 stakeholders and strengthen public-private collaboration towards disaster resilience by
10 way of the following interventions, among others:

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

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

29 Sec. 23. *Roles and Responsibilities of Stakeholders.* – The commitment,
30 goodwill, knowledge, experience and resources of relevant stakeholders are critical to
31 realize a safer, adaptive, resilient and inclusive Filipino community. Citizens have the
32 shared vision and duty to provide support to the State in the implementation of policies

1 and programs, particularly the Disaster Resilience Framework and Disaster Resilience
2 Plan at the national, regional and local levels.

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

31

1 Sec. 24. *Disaster Resilience Assembly.* – The Department, with the assistance
2 of RDROs, shall establish and convene a Disaster Resilience Assembly (DRA), at the
3 regional and national level, which will be held on a semestral basis, or as frequently
4 as necessary to ensure the proactive engagement of the relevant government and
5 non-government stakeholders, such as the Union of Local Authorities of the Philippines
6 (ULAP), League of Municipalities of the Philippines (LMP), CSOs, academe, DRRM
7 practitioners, the private sector, and the national government agencies, among
8 others, to ensure effective collaboration towards achieving the goals of this Act.

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

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

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

- 20 a. Developing capacity, and exchanging knowledge, experiences, and best
21 practices concerning local government disaster resilience;

22 b. Fostering inter-operability of the local disaster resilience offices' systems;
23 Facilitating inter-LGU cooperation and collaboration;

24 c. Providing inputs and feedback to the Department on resilience concerns at the
25 local level; and

26 d. Enhancing synergy in other areas of common concern.

ARTICLE VI

MAINSTREAMING, INTEGRATION AND CONVERGENCE OF DISASTER RISK REDUCTION

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

6 Sec. 28. *Ecosystem-Based Approach to Prevention and Mitigation,*
7 *Rehabilitation and Recovery from Disasters.* – The Department shall ensure the
8 application of ecosystems-based approaches in disaster risk reduction, particularly
9 through ecosystem management and restoration as defined in this Act, and ensuring
10 that environmental and natural resource policies are risk-informed.

ARTICLE VII

NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE COMMAND CENTER, AND RESEARCH AND TRAINING INSTITUTE

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

20 The NDOC is a physical center equipped with the necessary tools and systems
21 to monitor, manage, and respond to disasters in all areas of the country. The NDOC
22 shall also provide the necessary support for the overall coordination and
23 implementation of emergency and disaster response measures throughout the
24 country.

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

30 Sec. 30. *DRRTI functions and inter-agency knowledge sharing.* – The DRRTI
31 shall be a platform for providing training, and for collecting, consolidating, managing,
32 analyzing, and/or sharing knowledge and information to improve and/or enhance

- 1 disaster resilience. The DRRTI shall:
- 2 a. Establish reliable and up-to-date IDRIS through close and seamless
3 collaboration with the Department of Science and Technology (DOST),
4 Department of Information and Communications Technology (DICT), and other
5 appropriate agencies;
- 6 b. Conduct disaster-related research programs, seminars, and trainings for all
7 types of stakeholders;
- 8 c. Consolidate, organize and/or prepare training materials and publications;
- 9 d. Conduct other activities consistent with promoting the formation and
10 dissemination of knowledge and information relating to disaster resilience and
11 disaster management;
- 12 e. Establish a database that includes relevant information from other government
13 agencies and third parties for the department to better prepare and respond to
14 natural hazards including, but not limited to, an inventory of hazardous
15 materials per area; and
- 16 f. Consult and coordinate with, and consolidate information/data from, relevant
17 government agencies, such as, but not limited to, DOST, LGUs and relevant
18 CSOs to enhance the IDRIS and to promote knowledge sharing among all
19 stakeholders.

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

- 21 – The Department shall strive to obtain certification from, and accreditation by,
22 international accreditation bodies of the DRRTI to ensure DRRTI's compliance with
23 international standards. The Department shall likewise ensure collaboration with key
24 countries and international organizations to incorporate best practices on disaster
25 resilience in the Department's policies and programs.

26

27 **ARTICLE VIII**

28 **INTEGRATION, MAINSTREAMING**

29 **DISASTER RESILIENCE INFORMATION,**

30 **EDUCATION AND COMMUNICATION CONVERGENCE**

31

32 *Sec. 32. Integrated Disaster Resilience Information System.* – The Department

1 shall establish a National and Regional Information Management System for Disaster
2 Resilience, which shall be a database of all relevant disaster risk reduction and climate
3 change data, including a geographic information system on geo-hazard assessments
4 and climate risk. It shall be the repository of current and multi- temporal information
5 for wide-scale disaster risk analysis. The IDRIS shall be accessible at all times to the
6 responsible officials and entities to enable the timely, reliable, and accurate collection,
7 processing, analysis, and dissemination of information to support overall decision-
8 making and effective coordination at both the national and sub-national level. The
9 protocols and procedures for this shall be defined in the IRR of this Act.

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

17

18 **ARTICLE IX**
19 **DISASTER RISK TRANSFER,**
20 **INSURANCE AND INCENTIVES**

21

22 Sec. 34. *Disaster Risk Transfer Insurance and Social Welfare.* –
23 a. The Department shall oversee all disaster risk-sharing and risk-transfer
24 instruments and other related initiatives to ensure the protection of property
25 and livelihood, both public and private.
26 b. The Department, in collaboration with the DOF, BSP, LBP, GSIS, and the
27 Insurance Commission, shall create, establish, and implement, among
28 others, disaster insurance pools, revolving funds, insurance and risk-
29 transfer schemes and/or facilities, and other financial disaster resilience
30 measures to ensure the protection of public and/or private properties and
31 livelihood against the adverse effects of natural disasters. For this purpose,

1 the Department and/or DOF may engage or require the participation of
2 government banks, insurance agencies and financial institutions.

- 3 c. To attain disaster resilience and to achieve the purposes of this Act, the
4 Department shall have the discretion and authority to require government
5 agencies and GOCCs to insure their assets and/or properties such as, among
6 others, vessels, vehicles, equipment, machineries, permanent buildings,
7 properties stored therein, or properties in transit, against insurable risks and
8 pay the premiums therefor, to compensate the Government and/or GOCC,
9 as applicable, for any damage to, or loss of properties due to a natural
10 disaster.
- 11 d. The Department shall endeavor the local government units to insure primary
12 assets for unforeseen or contingent potential losses, damages and
13 disruption from natural hazards chargeable against their respective Local
14 Disaster Resilience Fund (LDRF).

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

21

22

ARTICLE X

PREPAREDNESS AND INTEGRATED EARLY WARNING

23 Sec. 36. *Standards for Disaster Preparedness Activities*. —

- 24
- 25 a. The Department shall establish standards and protocols for disaster
26 preparedness, contingency planning, localizing and operationalizing disaster
27 risk reduction and management, preparedness for disaster response,
28 preparedness for early recovery, continuity of essential services, and other
29 relevant preparedness activities.

1 b. The LGUs shall identify safe and strategic sites, and establish evacuation
2 centers with appropriate and adequate facilities in accordance with
3 government-approved standards as provided under Republic Act No. 10821,
4 otherwise known as "The Children 's Emergency Relief Protection Act", to
5 avoid disruption of school classes and lessen the use of school buildings and
6 facilities as evacuation centers.

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

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

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

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

- 19 a. The Department shall issue an integrated early warning alert for the impending
20 occurrence of hazards that will enable the public to prepare timely and act
21 appropriately to minimize potential harm or loss.
- 22 b. The Department shall require mobile phone service providers to send out alerts
23 at regular intervals in the event of an impending natural hazard, in accordance
24 with Republic Act No.10639, otherwise known as the "Free Mobile Disaster
25 Alerts Act".
- 26 c. The Department shall recognize and proactively support local or indigenous
27 modes of early warning systems and allow open access to near real-time data
28 from both local and international sources made available through various
29 platforms such as websites, mobile apps, and social media to empower local
30 communities and individuals.

- 1 d. Any person who transmits early warning concerning the abovementioned
2 phenomena by means of signs in designs, colors, lights, or sound shall do so in
3 compliance with the methods recognized or approved by the Department.
- 4 e. The Department at the national and local level shall use an integrated early
5 warning system to ensure it is consistent and locally contextualized with the
6 communication protocol and safe evacuation procedure of the affected
7 communities.
- 8 f. The Department shall work with other agencies or organizations on pre-crisis
9 information mapping of the humanitarian needs of at-risk Communities that will
10 enhance the overall prepositioning of resources at the national and local level.
- 11 g. The Department shall recognize and proactively support local or indigenous
12 modes of early warning systems and allow open access to near real-time data
13 from both local and international sources made available through various
14 platforms such as websites, mobile apps, and social media to empower local
15 communities and individuals.

16

17 **ARTICLE XI**

18 **DISASTER RESPONSE AND EARLY RECOVERY**

19

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

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

1 Sec. 40. *Levels of Responsibility for Disaster Preparedness and Response.* –
 2 The primary responsibility for disaster preparedness and response shall be exercised
 3 at the local or national level, as applicable, in close and seamless collaboration with
 4 the relevant national government instrumentalities, non-government stakeholders,
 5 and international partners. The four levels of responsibility and the conditions that
 6 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	a. If a disaster affects at least two (2) regions; b. When the LGU is unable to effectively cope

	Disaster Resilience Officers concerned	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 two
 2 cities and/or municipality in the NCR are affected, the SDR shall be responsible for
 3 leading the disaster preparedness and response efforts, in collaboration with the
 4 affected LGUs, the MMDA, and the concerned government instrumentalities and non-
 5 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 donation
 8 of goods and/or services, and conducting disaster preparedness and response
 9 operations, to help save lives and minimize damage to property. These include the
 10 pre-positioning and provision of basic goods, training of first responders, among
 11 others, subject to the accounting and auditing rules to be defined in the IRR of this
 12 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

1 The mobilization of volunteers shall be in accordance with this Act and
2 implementing guidelines to be formulated by the Department. Any volunteer who
3 incurs death or injury while engaged in any of the activities defined under this Act
4 shall be entitled to compensatory benefits and individual personnel accident insurance
5 as may be defined in the IRR.

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

10

ARTICLE XII

HUMANITARIAN ASSISTANCE

13

14 Sec. 45. *Management of Humanitarian Assistance.* –

- 15 a. The Department shall have the power to receive and manage humanitarian
16 assistance from any person or entity, whether from local or international
17 sources.
- 18 b. The importation by, and humanitarian assistance to, the Department of,
19 among others, food, clothing, medical assistance, equipment, and materials
20 for relief, recovery and other disaster management activities are hereby
21 authorized in accordance with Section 105 of the Tariff and Customs Code
22 of the Philippines, as amended, and the prevailing provisions of the General
23 Appropriations Act covering national internal revenue taxes and import
24 duties of national and local government agencies.

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

- 1 Sec. 47. *Assessment of the Need for International Humanitarian Assistance.* –
- 2 a. Immediately after the declaration of a state of calamity by the local
3 sanggunian of the relevant local government unit or by the Department, as
4 the case may be, the Department shall determine whether domestic
5 capacities are likely to be sufficient to attend to the needs of affected
6 persons for international humanitarian assistance. This determination may
7 also be made, at the discretion of the President, prior to the onset of an
8 imminent disaster.
- 9 b. In the event of a determination by the Department that domestic response
10 capacities are not likely to be sufficient due to the impact of the disaster,
11 the Department shall recommend to the President that a request be made
12 for international humanitarian assistance.
- 13 c. A determination that domestic capacities are likely to be sufficient and that
14 international humanitarian assistance is therefore unnecessary may be
15 reviewed and rescinded by the Department, with the approval of the
16 President, at any time, in light of prevailing circumstances and available
17 information.

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

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

- 26 a. Bureau of Customs;
- 27 b. Department of Foreign Affairs;
- 28 c. Department of Social Welfare and Development;
- 29 d. Department of Health;
- 30 e. Food and Drug Administration;
- 31 f. Department of Agriculture;
- 32 g. Department of Energy;

- 1 h. Department of National Defense;
- 2 i. Philippine National Police;
- 3 j. Philippine Coast Guard; and
- 4 k. Bureau of Immigration.

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

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

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

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

26 **ARTICLE XIII**

27 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE 28 TO FOREIGN STATES**

30 Sec. 51. *Offer and Facilitation of International Humanitarian Assistance to*

31 *Foreign States.* - In the event of a disaster occurring in a foreign state for which
32 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 promulgated
3 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.

9

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.

30
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 declared
3 when any of the following requisites are present:

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

8 The following shall exercise this power, respectively:

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

15 Sec. 55. *Remedial Measures under State of Calamity.* – Upon the declaration of
16 a state of calamity, the following remedial measures shall be immediately undertaken
17 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 no.
20 7581. otherwise known as the "Price Act", as amended by Republic Act no.
21 10623;
22 b. Monitoring, prevention and control by the Local Price Coordination Council
23 of overpricing or profiteering and hoarding of prime commodities, medicines
24 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 humanitarian
27 assistance, to reduce further threat to lives and arrest further deterioration
28 of properties and loss of livelihoods in the affected communities, following
29 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 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 qf 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 with
3 a pre-approved list of contractors for construction projects, pre-negotiated
4 contracts, advanced procurements contracts, and framework contracts. The
5 parameters, requirements and conditions for these types of contracts shall
6 be defined in this Act's IRR.

7 *Sec. 58. Special Rules on Procurement for Reconstruction and Rehabilitation of
8 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 services,
11 goods, and materials to be used for reconstruction and rehabilitation efforts
12 in case of a natural disaster, including but not limited to, the construction
13 of post-disaster shelters and provision of service contracts, to ensure the
14 procurement of quality-oriented goods, materials, and equipment and to
15 guarantee effective, efficient, and speedy procurement to achieve the goals
16 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 exception
23 to the provisions of Republic Act No. 9184, otherwise known as the "Government
24 Procurement Reform Act", and its implementing rules and regulations, the Department
25 shall have the power to procure goods and services from either local or foreign
26 suppliers or contractors for purposes of implementing programs, projects, and
27 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. –* Notwithstanding Republic Act No. 9184, otherwise known as the "Government
31 Procurement Reform Act", the Department shall have authority to enter into pre-

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

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

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

21

22 **ARTICLE XVII**

23 **SPECIAL RULES ON BORROWINGS AND TAXES**

24

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

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

- a. Exemption from taxes and import duties for foreign disaster assistance or international donations coursing through the Department;
- b. Exemption from donor's tax and allowing the treatment of donations as a deductible expense for local disaster assistance coursing through the Department;
- c. Exemption from the Value Added Tax (VAT) for goods or services donated from abroad as coursing 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 71
4 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 neglect
8 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 within
18 six (6) months from approval of this Act;
- 19 5. Failure to prepare and implement a Contingency and Adaptation Plan
20 for hazards frequently occurring within their jurisdictions;
- 21 6. Failure to formulate and implement the LDRP with the corresponding
22 budget allocation; and
- 23 7. Sexual exploitation and abuse and other forms of sexual misconduct
24 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
 - iii. Making false verbal claim that the goods, equipment or other aid commodity in its untampered original containers actually

came from another agency or persons or was released upon the instance of a particular agency, person, or persons;

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

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

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

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

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

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

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

18. Benefiting from the proceeds or fruits of any of the abovementioned prohibited acts knowing that the proceeds or fruits are derived from the commission of said prohibited acts.

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

a. The penalty of imprisonment of not less than twelve (12) years but not more than fifteen (15) years or a fine of not less than One Million Pesos (Php 1,000,000.00) but not more than Three Million Pesos (Php3,000,000.00), or both imprisonment and fine at the discretion of the court shall be imposed upon any person found guilty of violating subsections (a)(1) to (b)(16) of the preceding section, as well as the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of the prohibited acts;

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

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

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

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

19

20 **ARTICLE XIX**

21 **DISASTER RESILIENCE FUND**

22

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

26 a. Annual General Appropriations - shall provide the funding requirements for,
27 among others, research, operations, maintenance, plans, and programs of
28 the Department of Disaster Resilience, including, but not limited to,
29 establishment of evacuation centers, retrofitting of structures,
30 establishment of emergency operating centers, and implementation of other
31 disaster risk reduction projects.

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

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

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

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

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

26 Sec. 74. Local Disaster Resilience Fund and Local Disaster Contingency Fund.
27 – LGUs shall annually set aside not less than ten percent (10%) of their local budget,
28 to constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to
29 maintain and operate its local disaster resilience office to maintain its officers,
30 employees and staff, and to implement plans, programs and activities under its LDRP.
31 Thirty percent (30%) of the LDRF shall be set aside as Local Disaster Contingency
32 Fund (LDCF), which shall be used for disaster response and quick recovery measures.

1 Nothing contained in this Act shall prevent LGUs from providing additional funding or
2 allocating additional resources for disaster resilience activities, plans and programs
3 within their jurisdiction.

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

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

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

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

29

30 **ARTICLE XX**

31

32 **SPECIAL COURTS AND INJUNCTIONS**

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

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

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

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

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

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

29

30 **ARTICLE XXI**
31 **FINAL PROVISIONS**

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

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

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

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

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

26 *Sec. 85. Post-Disaster Shelters.* – The Department shall establish a post-
27 disaster shelter recovery policy framework for low-income/informal settler families,
28 with the assistance of the appropriate housing agencies and the applicable LGUs. It
29 shall determine, among others, the appropriate shelter modalities depending on the
30 following phases: emergency, temporary or transitional, and permanent. The
31 Department shall likewise identify, assess, and decide on safe zones for the
32 implementation of recovery or rehabilitation projects.

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

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

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

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

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

25 Sec. 89. *Structural Audit of Government Buildings and Critical Infrastructure*. –
26 The Department shall be assisted by the DPWH, DOTr, Department of Energy (DOE),
27 DOH, DepEd, DICT, DILG, local building officials, and other relevant government
28 instrumentalities and stakeholders, in ensuring the effective and expeditious conduct
29 of structural audit, as often as necessary, on government buildings, critical
30 infrastructure, and private structures to attain the disaster risk reduction goals of this
31 Act.

32

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

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

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

18 Sec. 91. *Magna carta Benefits.* – Qualified employees of the Department,
19 including those of its attached agencies, shall be covered by and entitled to the
20 benefits under Republic Act No. 8439, otherwise known as the Magna Carta for
21 Scientists, Engineers, Researchers and other 5 & T Personnel in the Government, and
22 Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers.

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

26 Sec. 93. *Separation Benefits of Officials and Employees of Affected Agencies.* –
27 National government employees displaced or separated from service as a result of this
28 Act shall be entitled to either separation pay and other benefits in accordance with
29 existing laws, rules, or regulations, or be entitled to avail themselves of the privileges
30 provided under a separation plan that shall be one and one-half month salary for every
31 year of service in the government.

32

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

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

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

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

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

32

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

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

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

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

15 Approved,