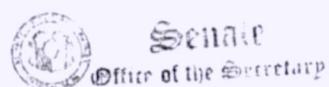


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

'19 JUL -8 P3:21

S. No. 289

RECEIVED BY:

Introduced by Senator PIA S. CAYETANO

AN ACT
CREATING THE DEPARTMENT OF DISASTER RESILIENCE (DDR),
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

In the 2012 World Risk Report, the Philippines ranked third out of 173 countries in terms of disaster risk. Manila, the country's capital has also been ranked by the Climate Change Vulnerability Index (CCVI) as the most vulnerable of the world's twenty (20) "high growth cities" to the effects of climate change. Further, according to Berlin-based environmental organization Germanwatch, the Philippines ranked second among countries most affected by climate-related weather catastrophes in 2012. The Philippines came in second only to Haiti in terms of "relative and absolute number of human victims, and relative and absolute economic damage" caused by natural disasters.

In today's world, disasters are a fact of life. Some emergencies may be totally prevented, while others may not be averted. Worse, climate change is set to magnify the effects of these disasters to unknown magnitudes. While we may not be able to stop these disasters, we can empower ourselves with knowledge, training, education, equipment and tools, and the right infrastructure to cope with disasters, so many lives would not be lost and there would be less devastation. A window of opportunity exists to sow seeds of preparedness in order to reap resilience to disasters.

The present law on disasters, Republic Act No. 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010", revolutionized and pioneered disaster risk reduction and management in the country. Signed into law on May 27, 2010, it ordained a National Disaster Risk Reduction and Management Council with policy-making, coordination, integration, supervision, monitoring and evaluation functions. When the Act was signed into law, it was hailed as a landmark legislation

which adopts the pillars of disaster risk reduction and management in the country. Today, the Act continues to be relevant in preventing/mitigating, preparing for, and responding to disasters, yet recent experience shows us that our disaster risk reduction management model needs to adapt to our culture and existing circumstances, and to the fast-changing environment affected by climate change.

This proposed legislation thus seeks to create an accountable, capable and reliable partner department, namely, the Department of Disaster Resilience (DDR), and to upgrade the capacity of the government to respond to disasters and climate change – simplify/streamline, create clear focus, and hold stakeholders in disaster risk reduction and management and climate change mitigation and adaptation efforts accountable.

The DDR shall take over the policy-making, coordination, integration, supervision, monitoring and evaluation functions of the present *ad hoc* inter-agency council. The proposed department is equipped with bureaus specifically tasked to deal with concerns related to the pillars of disaster risk reduction and management and climate change, namely, disaster prevention and mitigation; and climate change mitigation and adaptation; disaster preparedness; humanitarian and disaster response; and sustainable development. The functions of the bureaus are specified to ensure performance of their critical mandates and roles before, during and after a humanitarian emergency or disaster.

The ultimate goal of this proposed legislation is to uphold the value of human life and the dignity of every person by efficiently and effectively addressing humanitarian emergencies, including disasters, through the establishment of such specialized agency on disaster risk reduction and management and climate change. The end in view consists of preventing or deterring the loss of lives and the social, economic, cultural, and environmental assets of the country, before, during and after a disaster or other humanitarian emergency. The perspective of the legislation is “humanitarian” since it gives supreme value to human life.

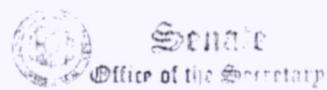
In view of the foregoing, approval of this bill is most urgently and earnestly recommended.



PIA S. CAYETANO

EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

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SENATE

'19 JUL -8 P3:21

S. No. 289

RECEIVED BY

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Introduced by Senator **PIA S. CAYETANO**

AN ACT

**CREATING THE DEPARTMENT OF DISASTER RESILIENCE (DDR),
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1 **CHAPTER I**

2 **GENERAL PROVISIONS**

3
4 Section 1. *Short Title* – This Act shall be known as the "Department of Disaster
5 Resilience Act".

6 Sec. 2 *Declaration of Policies and Principles.* – (a) Duties of the State.

7 The State shall carry out and harmonize the policies on disaster risk and
8 vulnerability reduction and management, environmental management, climate change
9 adaptation and sustainable development to uphold the welfare of the people,
10 particularly the vulnerable sectors of society.

11 The State shall uphold its commitment to the achievement of sustainable
12 development goals, specifically, integrating and implementing policies and plans
13 towards inclusion, resource efficiency, mitigation and adaptation to climate change,
14 resilience to disasters, and developing and implementing a holistic disaster risk
15 management plan at all levels in line with the Sendai Framework for Disaster Risk
16 Reduction 2015-2030.

17 The State shall uphold its commitment to the United Nations Framework
18 Convention on Climate Change (UNFCCC) in the stabilization of greenhouse gas
19 concentrations in the atmosphere at a level that prevents dangerous anthropogenic

1 interference with the climate system, achievable within a time frame sufficient to
2 allow the natural adaptation of the ecosystem to climate change, to ensure food
3 production and food security, and to secure sustainable economic development.

4 The State shall integrate and accelerate the implementation of the principles
5 and concepts of climate change, disaster risk and vulnerability reduction contained
6 in the Paris Agreement of the UNFCCC, the Sendai Framework for Disaster Risk
7 Reduction 2015-2030, the 2015 Asia-Pacific Economic Cooperation (APEC) Disaster
8 Risk Reduction (DDR) Framework, the 2030 Agenda for Sustainable Development
9 Goals (SDGs), and the Philippine Development Plan (PDP) 2017-2022 in various
10 phases of policy formulation, development plans and investments, poverty reduction
11 strategies and other development tools and techniques by all national and local
12 agencies, institutions and instrumentalities of the government to enhance the
13 country's climate change adaptive capacity. It shall be the duty of the State to:

14 (1) Uphold the people's constitutional right to life and property by
15 minimizing, if not eradicating, the root causes of vulnerabilities to disasters,
16 strengthening the country's institutional capacity for disaster risk and vulnerability
17 reduction and management, and building the resilience of local communities to
18 disasters, including climate change impacts and human induced disasters;

19 (2) Incorporate internationally accepted principles of disaster risk and
20 vulnerability reduction and management, and climate change adaptation, including
21 universal principles and standards for humanitarian assistance, and develop and
22 implement national, regional and local sustainable development and poverty
23 reduction strategies, policies, plans and budgets, as part of the country's
24 commitment to overcome human suffering due to disasters;

25 (3) Ensure a science-based in a whole-of-society approach and bottom-up
26 participation, representation, and decision-making in climate disaster risk
27 governance, risk assessment, risk reduction and risk management, and adopt a
28 comprehensive, integrated, and proactive approach to lessening the socioeconomic
29 and environmental impacts of disasters and climate change;

30 (4) Promote and advance the implementation of a comprehensive Disaster
31 Risk and Vulnerability Reduction Plan (DRVRP) that aims to strengthen the capacity
32 of the national government and the local government units (LGUs), together with

1 development partner stakeholders, build the disaster resilience of communities, and
2 institutionalize arrangements and measures for reducing disaster risks, including
3 projected climate risks, and enhance disaster preparedness and response capabilities
4 at all levels;

5 (5) Recognize the role of, and work with international humanitarian and
6 development partners especially those with established presence in the country;

7 (6) Develop, maintain, and ensure the accessibility of climate and
8 geospatial information and services to the public through Open Data, which means
9 data that can be freely used, reused, and redistributed by anyone, subject to
10 limitations on account of national security considerations. This may include the use
11 of impact-based forecast models, and probabilistic hazard maps;

12 (7) Ensure that disaster risk and vulnerability reduction and climate
13 change adaptation measures are gender, disability, and vulnerability sensitive, and
14 culturally sensitive, recognizing indigenous knowledge systems and practices, and
15 respecting human rights;

16 (8) Recognize and strengthen the capacities of LGUs, communities and
17 multiple stakeholders in mitigating and preparing for, responding to, and recovering
18 from the impact of disasters through identification of local risk patterns, and
19 decentralized powers, responsibilities, and resources at the regional and local levels;

20 (9) Adopt and implement a comprehensive, integrated, efficient and
21 responsive disaster risk and vulnerability reduction program that is incorporated in
22 the development plan at various levels of government adhering to transparency,
23 accountability and other principles of good governance within the context of poverty
24 alleviation and environmental protection;

25 (10) Mainstream disaster risk and vulnerability reduction in government by
26 ensuring risk-informed planning, programming, implementation, monitoring, and
27 evaluation, and the use of quality management, accountability, and performance
28 systems in measuring and improving the effectiveness and efficiency of disaster risk
29 and vulnerability reduction management processes across all government levels,
30 including those offices which manage peace processes and conflict-resolution
31 approaches, so as to minimize loss of lives and damage to properties and ensure
32 that communities in conflict zones can immediately resume their normal lives at the

1 conclusion of episodes of intermittent conflicts;

2 (11) Adopt a disaster risk and vulnerability reduction and management
3 approach that is holistic, comprehensive, integrated, and proactive in lessening the
4 socioeconomic and environmental impacts of disasters including climate change, and
5 promote the involvement and participation of all sectors and all stakeholders
6 concerned, at all levels, especially the local community;

7 (12) Prioritize the development of disaster prevention and mitigation
8 measures involving all levels of society and government;

9 (13) Adopt risk sharing and risk transfer mechanisms to ensure the
10 appropriate, efficient, and timely recovery of disaster-stricken communities,
11 especially for the poorest and most vulnerable;

12 (14) Adhere to the principle of "Build Forward Better" in recovery and
13 rehabilitation efforts by applying sustainable standards, programs, technologies, and
14 techniques which enhance resilience against future hazards;

15 (15) Recognize and respond to the differentiated concerns and needs of
16 vulnerable groups such as women and girls, children and youth, older persons,
17 persons with disabilities, urban poor, migrants and indigenous peoples with respect
18 to disaster risk reduction and management, at the same time, recognizing their
19 inherent capacities to contribute to resilience;

20 (16) Create an enabling environment for substantial and sustainable
21 participation of civil society organizations (CSOs), private groups, volunteers and
22 communities, and recognize their contributions to the disaster risk reduction and
23 management efforts of the government;

24 (17) Ensure the use of advanced science and the most up-to-date
25 technologies in climate change adaptation, disaster risk, and vulnerability reduction
26 and management through engagement, consultation, and employment with a regular
27 department funding of academe or higher education institutions, such as the
28 University of the Philippines Resilience Institute, University of the Philippines
29 Nationwide Operational Assessment of Hazards Center and other scientific research
30 and academic institutions that have a track record and expertise recognized both
31 locally and internationally as well as the capacity to implement the science and
32 engineering requirements necessary for effective climate change adaptation, and

- 1 disaster risk and vulnerability reduction;
- 2 (18) Ensure workers' rights are proactively respected during the disaster
3 preparedness and response, and actively engage workers' and employers'
4 organizations to share expertise and capacities in disaster risk reduction and climate
5 change adaptation programs;
- 6 (19) Ensure transparency and accountability in climate disaster risk
7 governance by facilitating access to financial records of public funds and disaster risk
8 and vulnerability reduction and management data, and ensure the transparency of
9 humanitarian assistance from all sources;
- 10 (20) Adopt and manage a mechanism for the effective resolution of climate
11 change, disaster risk, and vulnerability reduction and management related
12 grievances;
- 13 (21) Recognize families as the most basic unit of disaster risk and
14 vulnerability reduction and management and climate change adaptation by
15 developing the capacity of local institutions and providing technical assistance and
16 financial support to the most vulnerable communities;
- 17 (22) Ensure that the best possible assistance and services are delivered to
18 individuals and families affected by disaster and emergency rehabilitation projects to
19 guarantee the resumption of normal social and economic activities;
- 20 (23) Establish and maintain the National Loss and Damage Registry; and
- 21 (24) Mainstream gender and social inclusion in all aspects of the
22 Department of Disaster Resilience work from planning, monitoring, to evaluation.
- 23 (b) Roles and Responsibilities of Stakeholders. The commitment, goodwill,
24 knowledge, experience, and resources of relevant stakeholders are critical to realize
25 a safer, adaptive, resilient and inclusive Filipino community. Citizens shall have the
26 shared vision and duty to provide support to the State in the implementation of
27 policies and programs, particularly the Disaster Resilience Framework and Plan at the
28 national, regional and local levels.
- 29 (1) Civil society organizations, nongovernmental organizations,
30 international nongovernmental organizations, private sector, practitioners of climate
31 and disaster mitigation, organized voluntary work organizations and community-
32 based organizations shall participate, in collaboration with public institutions, to, *inter*

1 *alia*, provide specific knowledge and pragmatic guidance in the context of the
2 development and implementation of normative frameworks, standards and plans for
3 disaster risk and vulnerability reduction; engage in the implementation of local,
4 national, regional, and global plans and strategies; contribute to and support public
5 awareness, a culture of protection, prevention and conservation, and education on
6 disaster risk; and advocate for resilient communities and an inclusive and whole-of-
7 society risk reduction and management which shall strengthen the synergies across
8 groups, as appropriate;

9 (2) Women and girls shall contribute to and participate in effectively
10 managing disaster risk and designing, resourcing, and leading implementation of
11 gender sensitive disaster risk and vulnerability reduction and management policies,
12 plans, and programs;

13 (3) Children and the youth as agents of change shall endeavor to actively
14 contribute to disaster risk and vulnerability reduction, in accordance with legislation,
15 national practice, and educational curricula; and to disaster risk reduction and
16 management at all levels and processes of disaster risk and vulnerability reduction
17 and anticipatory adaptation, including data gathering, planning, programming,
18 budgeting, implementation, monitoring and evaluation;

19 (4) Citizens having years of knowledge and skills on climate change
20 adaptation and disaster risk reduction are invaluable assets to reducing disaster risk,
21 and shall therefore participate in the design of policies, plans and mechanisms,
22 including those for early warning;

23 (5) Persons with disabilities, through their existing network or
24 organizations, shall participate in activities related to assessment, programming, and
25 the designs of policies, plans, and mechanisms;

26 (6) Migrants shall contribute to the resilience of communities and societies
27 using their knowledge, skills and capacities in the design and implementation of
28 disaster risk and vulnerability reduction and climate change adaptation;

29 (7) Indigenous peoples and Muslim Filipinos, through their practical
30 experience and traditional knowledge, shall contribute to the development and
31 implementation of policies, plans and mechanisms, including those for early warning;

32 (8) Urban and rural poor shall contribute to resilience building as well as in

1 the promotion of a more inclusive and transformative resettlement for informal
2 settler families in reducing their vulnerability to threats of disaster and climate risks
3 through state and non-state programs;

4 (9) Farmers and fisherfolk shall contribute to the promotion and protection
5 of the environmental resource management that will secure food and nutrition
6 resilience through the integration of disaster risk and vulnerability reduction into
7 sustainable development policies and planning;

8 (10) Emergency responders, community practitioners, and organized
9 volunteer organizations shall contribute to resilience by providing timely and efficient
10 emergency response as well as training on basic life support, first aid, and search and
11 rescue, in accordance with the standards provided by the Research, Education, and
12 Training Institute of the Department;

13 (11) Academic and scientific and research entities and networks are
14 encouraged to focus their research efforts on disaster risk factors and scenarios,
15 including emerging disaster risks, in the medium- and long-term; partner with
16 government and increase research for regional, national and local application;
17 support action by local communities and authorities; and support the interface
18 between policy and science for decision-making;

19 (12) Businesses, private sector financial institutions, professional
20 associations, as well as philanthropic foundations together with financial regulators
21 shall be encouraged to integrate disaster risk management, including business
22 continuity, into business models and core business values and practices via disaster
23 risk-informed investments, especially in micro, small and medium-sized enterprises;
24 engage in awareness-raising and training for their employees and customers;
25 engage in and support research and innovation as well as technological development
26 for disaster risk management; share and disseminate knowledge, practices and data;
27 and actively participate, as appropriate and under the guidance of the public sector,
28 in the development of normative frameworks and technical standards that
29 incorporate disaster risk management; and

30 (13) The media shall take an active and inclusive role at the local, regional,
31 and national levels in contributing to the raising of public awareness and
32 understanding, and disseminate accurate disaster risk, hazard and disaster

1 information, including on small-scale disasters, in a simple, transparent, easy-to-
2 understand and accessible manner, in close cooperation with national and local
3 authorities; adopt specific disaster risk and vulnerability reduction communication
4 policies; support, as appropriate, early warning systems and life-saving protective
5 measures; and stimulate a culture of prevention and strong community involvement
6 in sustained public education campaigns and public consultations at all levels of
7 society, in accordance with national practices.

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

9 (a) *Adaptation* refers to the adjustment in natural or human systems in
10 response to actual or expected climatic stimuli or their effects, which
11 moderates harm or exploits beneficial opportunities.

12 (b) *Assisting Actor* refers to any Assisting International Actor and any
13 Assisting Domestic Actor responding to a disaster in the country.

14 (c) *Assisting Domestic Actor* refers to any not-for-profit entity established
15 under domestic laws, which is responding to a disaster in the country.

16 (d) *Assisting International Actor* refers to any foreign state, organization,
17 entity or individual responding to a disaster within or transiting through the
18 country to respond to a disaster in another country.

19 (e) *Build Forward Better* refers to an approach to building and/or
20 reconstructing an area or community, which entails a shift from simple
21 recovery and restoration to safer, more adaptive, resilient, and inclusive
22 communities.

23 (f) *Capacity* refers to the combination of all strengths, attributes and
24 resources available within a community, society or organization that can
25 reduce the level of risk or impacts of a disaster. Capacity may include
26 infrastructure and physical means, institutions, societal coping abilities, as well
27 as human knowledge, skills and collective attributes such as social
28 relationships, leadership and management. Capacity may also be described as
29 capability.

30 (g) *Civil Society Organizations (CSOs)* refer to non-state actors whose
31 aims are neither to generate profits nor to seek governing power, but to unite
32 people to advance shared goals and interests. They have a presence in public

life, expressing the interests and values of their members or others, based on ethical, cultural, scientific, religious or philanthropic considerations. CSOs include but are not limited to nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, people's organizations, social movements, and labor unions.

(h) *Climate Change* refers 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 persists 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.

(i) *Climate Change Adaptation* refers to the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.

(j) *Climate Finance* refers to finance that aims at reducing emissions and enhancing sinks of greenhouse gases, and aims at reducing vulnerability of, and maintaining, and increasing the resilience of, human and ecological systems to negative climate change impacts.

(k) *Community-Based Disaster Risk Reduction and Management (CBDRRM)* refers to a process of disaster risk reduction and management in which at risk communities are actively engaged in the identification, analysis, treatment, monitoring and evaluation of disaster risks in order to reduce their vulnerabilities and enhance their capacities, and where the people are at the heart of decision-making and implementation of disaster risk reduction and management activities.

(l) *Complex Emergency* refers to a form of human-induced emergency in which the cause of the emergency as well as the assistance to the afflicted is complicated by intense level of political considerations.

(m) *Contingency Planning* refers 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) *Dangerous Anthropogenic Interference* refers to the effect in the climate system as a result of the increase of greenhouse gas concentrations in the atmosphere that leads to widespread climate change impacts and has a non-negligible possibility of causing unacceptable harm to humans, human societies, or natural ecosystems.

(o) *Disability* refers 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.

(p) *Disaster* refers 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 society to cope using its own resources.

(q) *Disaster Mitigation* refers to the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures encompass engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness, land use planning, and climate change.

(r) *Disaster Preparedness* refers to the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions. It includes preparedness for response such as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation, and public information, and preparedness for recovery such as procurement of land for resettlement sites.

(s) *Disaster Prevention* refers to the outright avoidance of adverse impacts of hazards. It expresses the concept and intention to completely avoid potential adverse impacts through action taken in advance such as

1 construction of dams or embankments that eliminate flood risks, land-use
2 regulations that do not permit any settlement in high-risk zones, and seismic
3 engineering designs that ensure the survival and function of a critical building
4 in any likely earthquake.

5 (t) *Disaster Response* refers to the provision of emergency services and
6 public assistance during or immediately after a disaster in order to secure and
7 save lives, reduce health impacts, ensure public safety and meet the basic
8 subsistence needs of the people affected. Disaster response includes disaster
9 relief focused on immediate and short-term needs of the victims and the
10 vulnerable.

11 (u) *Disaster Risk* refers to the potential disaster losses in lives, health
12 status, livelihoods, assets and services that could occur to a particular
13 community or society in the future, and is determined by a combination of the
14 vulnerability, capacity, exposure of persons and assets, hazard characteristics
15 and the environment.

16 (v) *Disaster Risk Governance* refers to the way in which public authorities,
17 civil 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.
21 It 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 (w) *Disaster Risk Management* refers 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
27 lessen the adverse impacts of hazards and the possibility of disaster.

28 (x) *Disaster Risk Reduction* refers to the concept and practice of reducing
29 disaster risks through systematic efforts to analyze and manage the causal
30 factors of disasters, including through reduced exposure to hazards, lessened
31 vulnerability of people and property, wise management of land and the
32 environment, and improved preparedness for adverse events.

11 (z) *Disaster Risk Reduction and Management Information System* refers to
12 a specialized database which contains, among others, information on disasters
13 and their human, material, economic, and environmental impact, risk
14 assessment and mapping, and vulnerable and marginalized groups.

(aa) *Early Warning System* refers to the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss. A people-centered early warning system necessarily comprises four (4) key elements: knowledge of the risks; monitoring, analysis and forecasting of the hazards; communication or dissemination of alerts and warnings; and local capabilities to respond to the warnings received. The concept of "end-to-end warning system" emphasizes that warning systems need to span all steps from hazard detection to community response. Early warning systems include systems developed at the level of communities or based on indigenous knowledge.

(bb) *Ecosystem Management and Restoration* refers to an integrated process to conserve, improve and restore the health of the ecosystem that sustains ecosystem services for human well-being.

30 (cc) *Eligible Assisting Actor* refers to any assisting actor that has been
31 determined to be eligible to receive legal facilities as provided in this Act and
32 its implementing rules and regulations.

- 1 (dd) *Emergency* refers to unforeseen or sudden occurrence, especially
2 danger, demanding immediate action.
- 3 (ee) *Emergency Management* refers to the organization and management of
4 resources and responsibilities for addressing all aspects of emergencies, in
5 particular preparedness, response and initial recovery steps.
- 6 (ff) *Exposure* refers to the degree to which the elements at risk are likely to
7 experience hazard events of different magnitudes.
- 8 (gg) *Gender-Based Violence* refers to violence that is directed against a
9 woman because of her gender, or that affects women disproportionately. It
10 includes acts that inflict physical, mental or sexual harm or suffering, threats of
11 such acts, coercion and other deprivations of liberty.
- 12 (hh) *Geographic Information System (GIS)* refers to a system used to
13 capture, store, manipulate, manage and display all types of spatial or
14 geographical data.
- 15 (ii) *Geographically Isolated and Disadvantaged Area (GIDA)* refers to areas
16 with a marginalized population which is physically and socioeconomically
17 separated from the mainstream society and characterized by physical factors,
18 and isolated due to distance, weather conditions and transportation difficulties
19 in island, upland lowland, landlocked, hard to reach and underserved
20 communities; and/or socioeconomic factors such as high poverty incidence,
21 presence of vulnerable sectors, communities in or recovering from situation of
22 crisis or armed conflict.
- 23 (jj) *Hazard* refers to a dangerous phenomenon, either natural or human-
24 induced, that may cause loss of life, injury or other health impacts, property
25 damage, loss of livelihood and services, social and economic disruption, or
26 environmental damage.
- 27 (kk) *Human-Induced Hazard* refers to an event caused by humans and
28 occurs in or close to human settlements or a particular environmental area.
29 This can include environmental degradation, technological or industrial
30 conditions, pollution, accidents such as high-density events, industrial and
31 transport accidents, complex emergencies, armed conflict, situations of
32 generalized or organized violence, and violation of human rights.

- 1 (II) *Imminent Danger* refers to a situation where, on the basis of official
2 forecasts, a disaster will or is expected to occur in a particular geographical
3 area and within an estimated period of time, and where necessary
4 preparedness actions or financing are required.
- 5 (mm) *International Disaster Relief and Initial Recovery Period* refers to the
6 period which commences upon the issuance of a request for international
7 disaster assistance or upon acceptance of an offer, and shall continue until
8 terminated pursuant to guidelines set in the implementing rules and
9 regulations.
- 10 (nn) *Internally Displaced Persons* refer to persons or groups of persons who
11 have been forced or obliged to flee or to leave their homes or places of
12 habitual residence within national borders, in particular as a result of or in
13 order to avoid the effects of armed conflict, situations of generalized and/or
14 organized violence, violations of human rights, implementation of development
15 projects, or natural or human-induced disasters, including climate change.
- 16 (oo) *International Personnel* refers to the staff and volunteers of any
17 assisting actor providing disaster relief or initial recovery assistance, being
18 persons who are neither citizens of, nor domiciled in the Philippines prior to
19 their recruitment by the international assisting actor.
- 20 (pp) *Land-Use Planning* refers to the process undertaken by public
21 authorities to identify, evaluate and decide on different options the use of land,
22 including consideration of long-term economic, social and environmental
23 objectives and the implications for different communities and interest groups,
24 and the subsequent formulation and promulgation of plans that describe the
25 permitted or acceptable uses.
- 26 (qq) *Legal Facilities* refer to special entitlements and exemptions that are
27 made available to eligible assisting actors under this Act.
- 28 (rr) *Mitigation* refers to the effort to reduce or limit greenhouse gas
29 emissions or enhance greenhouse gas sequestration.
- 30 (ss) *National Continuity Policy* refers to a policy aimed at the development
31 of an organizational culture that has the ability to provide a minimum level of
32 service during interruptions, emergencies, and disasters, and return to full

1 operations quickly.

2 (tt) *National Disaster Risk Reduction and Management Framework* refers to
3 the comprehensive, all hazards, multi-sectoral, inter-agency and community-
4 based approach to disaster risk reduction and management.

5 (uu) *National Disaster Resilience Plan (NDRP)* refers to the document to be
6 formulated by the National Disaster Resilience Council (NDRC) and
7 implemented by the Authority that sets out goals and specific objectives for
8 reducing disaster risks together with related actions to accomplish these
9 objectives. The NDRP shall provide for the identification of hazards,
10 vulnerabilities, and risks to be managed at the national level; disaster risk
11 reduction and management approaches and strategies to be applied in
12 managing said hazards and risks; agency roles, responsibilities and lines of
13 authority at all government levels; and vertical and horizontal coordination of
14 disaster risk reduction and management in the pre-disaster and post-disaster
15 phases. It shall be in conformity with the national disaster risk reduction and
16 management framework.

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

24 (ww) *Open Data* refer to facts and statistics that can be freely used, shared
25 and built-on by anyone, anywhere, for any purpose. These must be available
26 in bulk, should be available free of charge, or at least at no more than a
27 reasonable reproduction cost. The information should be digital, preferably
28 available by downloading through the internet, and easily processed by a
29 computer. These must permit people to use, reuse, and redistribute, intermix
30 with other data providers. These do not allow conditions to be placed on how
31 people can use Open Data, but permit a data provider to require that data
32 users credit them in some appropriate way, clarify if the data have been

1 changed, or that new datasets created using their data are also shared as
2 open data.

3 (xx) *Persons with Disabilities* refer to individuals who have long-term
4 physical, mental, intellectual or sensory impairments which in interaction with
5 various barriers may hinder their full and effective participation in society on
6 an equal basis with others.

7 (yy) *Pre-Disaster Risk Assessment* refers to a process to evaluate a hazard's
8 level of risk given the degree of exposure and vulnerability in a specific area
9 likely to be affected by an imminent hazard. It presents the possible impacts
10 on the population and provides a basis to determine the appropriate level of
11 response actions of government agencies from the national to the local levels.
12 It is hazard-specific, area focused and time-bound.

13 (zz) *Post-Disaster Recovery* refers to the restoration and improvement,
14 where appropriate, of facilities, livelihood, and living conditions of disaster-
15 affected communities, including efforts to reduce disaster risk factors, in
16 accordance with the principle of "Build Forward Better".

17 (aaa) *Private Sector* refers to private corporations, households, non-profit
18 institutions serving households, and other economic enterprises outside of
19 government.

20 (bbb) *Public Sector Employee* refers to all persons in the civil service.

21 (ccc) *Recovery* refers to rehabilitation measures that ensure the ability of
22 affected communities or areas to restore their normal level of functioning by
23 restoring livelihoods and services, reconstructing damaged infrastructures and
24 increasing the communities' organizational capacity.

25 (ddd) *Resilience* refers to the ability of a system, community or society
26 exposed to hazards to resist, absorb, adapt to, transform, accommodate, and
27 recover from the effects of a hazard in a timely and efficient manner, including
28 through the preservation and restoration of its essential basic structures and
29 functions through risk management in such ways as to enhance their
30 capacities to withstand current and future risk.

31 (eee) *Response* refers to any effort to provide assistance or intervention
32 during or immediately after a disaster to meet the life preservation and basic

1 subsistence needs of affected people and in the restoration of essential public
2 activities and facilities.

3 (fff) *Risk Assessment* refers to a methodology which includes risk assessment
4 with mapping to determine the nature and extent of risk by analyzing potential
5 hazards and evaluating existing conditions of vulnerability that together could
6 potentially harm exposed people, property, services, livelihood and the
7 environment on which they depend.

8 (ggg) *Probabilistic Risk Assessment* refers to the simulation of those future
9 disasters based on scientific evidence, which are likely to occur. As a result,
10 these risk assessments resolve the problem posed by the limits of historical
11 data. Probabilistic models "complete" historical records by reproducing the
12 physics of the phenomena and recreating the intensity of a large number of
13 synthetic events. Probabilistic Risk Assessment considers all possible scenarios,
14 their likelihood, and associated impacts. It is characterized by inherent
15 uncertainties partly related to the natural randomness of hazards, and partly
16 because of incomplete understanding and measurement of the hazards,
17 exposure, and vulnerability.

18 (hhh) *Deterministic Risk Assessment* refers to an assessment that considers
19 the possible disaster impacts of a single scenario. This is in contrast to
20 probabilistic risk assessment which considers all possible scenarios, their
21 likelihood, and associated impacts.

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

27 (jjj) *State of Calamity* refers to a condition involving mass casualty and/or
28 major damage to property, disruption of means of livelihoods, roads, and
29 normal way of life of people in the affected areas as a result of the occurrence
30 of natural or human-induced hazard.

31 (kkk) *Sustainable Development* refers to development that meets the needs
32 of the present without compromising the ability of future generations to meet

1 their own needs.

2 (III) *Vital Facility Items* refer to government risk reduction and
3 preparedness equipment, accessories and other items such as radars, weather
4 forecasting equipment, flood monitoring instruments, seismographs, tsunami
5 warning systems, and automated weather systems.

6 (mmm) *Vulnerability* refers to the characteristics and circumstances of a
7 community, system or asset that make it susceptible to the damaging effects
8 of a hazard. Vulnerability may arise from various physical, social, economic,
9 and environmental factors.

10 (nn) *Vulnerable and Marginalized Groups* refer to those who are at risk due
11 to poverty and other underlying risk factors including women, children, the
12 elderly, differently-abled people, migrants, and ethnic minorities or indigenous
13 peoples.

14 (ooo) *Whole-of-Society Approach* refers to the meaningful participation and
15 synergy of stakeholders that represent different interests in all aspects of
16 climate change adaptation, and disaster risk reduction and management across
17 all levels.

18 (ppp) *Whole-of-Government Approach* refers to an approach that integrates
19 the collaborative efforts of the government departments and agencies to
20 achieve unity of effort toward a shared goal to broaden the government's
21 options, and increases efficiency to maximize all available resources in a
22 collaborative effort.

23 (qqq) *Whole-of-Nation Approach* refers to an approach that seeks to bring
24 about a concerted effort towards national peace and security by creating
25 consensus and understanding of security that is shared not just among core
26 security forces and oversight government institutions, but also by civil society
27 and all the nation's communities.

28 (rrr) *Youth* refers to those persons aged fifteen (15) to thirty (30) years old,
29 as provided for under Republic Act No. 8044, otherwise known as "Youth in
30 Nation-Building Act".

CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

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

The Department shall be the primary government agency responsible for leading, organizing, and managing the national effort to reduce disaster risk, prepare for and respond to disasters, recover and rehabilitate, and "Build Forward Better" after the occurrence of disasters.

The Department shall oversee and coordinate the preparation, implementation, monitoring, and evaluation of disaster and climate change resilience plans, programs, projects, and activities, provide leadership in the continuous development of strategic and systematic approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation, to anticipatory adaptation strategies, measures, techniques and options.

The Department shall augment the capacity of LGUs in collaboration with relevant national government agencies and other stakeholders to implement disaster risk reduction and management and climate change action plans, programs, projects, and activities.

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

(a) Risk Reduction

(1) Oversee, direct, and undertake programs and projects to identify, assess, prioritize and localize hazards and risks in the country, in consultation with national government agencies, LGUs, communities, and stakeholders that shall be involved in climate change mitigation and adaptation and disaster risk reduction efforts:

(2) Monitor and ensure the integration of disaster risk and vulnerability reduction and management and climate change mitigation and adaptation policies into national development plans;

(3) Design and implement an incentive system for greater private and public investment, both local and national, in disaster risk reduction:

1 (4) Oversee and ensure the mainstreaming of climate change mitigation and
2 adaptation and disaster risk reduction in development planning, including disaster-
3 proofing and climate-proofing of land-use plans and the preparation of contingency
4 plans;

5 (5) Create an enabling environment for the design of relevant and appropriate
6 risk-sharing and risk-transfer instruments;

7 (6) Create an enabling environment that shall promote broader multi-
8 stakeholder participation and integrate climate change mitigation, adaptation, and
9 disaster risk and vulnerability reduction;

10 (7) Coordinate directly with LGUs and private entities to address climate
11 vulnerabilities and disaster risk assessment (CVDRA) of regions and provinces at the
12 meso-scale, cities and municipalities at the micro-scale, and barangays at the meta-
13 scale;

14 (8) Establish and monitor local and national capacity for disaster risk financing
15 and insurance and other risk transfer strategies in coordination with the Department
16 of Finance (DOF), the Government Service Insurance System (GSIS), and the Land
17 Bank of the Philippines (LBP);

18 (9) Formulate the National Disaster Resilience Framework, NDRP, and the
19 National Continuity Policy;

20 (10) Oversee and direct the comprehensive implementation of disaster risk
21 reduction and climate change adaptation and mitigation policies, plans, and
22 programs, as embodied in the National Disaster Resilience Framework and NDRP;

23 (11) Coordinate directly with LGUs and private entities to address Disaster Risk
24 Assessment (DRA) of regions and provinces at the meso-scale, cities and
25 municipalities at the micro-scale, and barangays at the meta-scale; and

26 (12) Review and evaluate local disaster resilience plans and other local plans to
27 ensure their consistency with the Climate-Disaster Resilience Framework and Plan.

28 (b) Disaster Preparedness and Response

29 (1) Oversee and maintain a national early-warning and emergency alert system
30 that shall provide accurate, timely, and accessible information to national and local
31 emergency response organizations and the general public;

32 (2) Coordinate information-sharing and other risk reduction protocols following

- 1 the principle of interoperability among national government agencies and LGUs;
- 2 (3) Establish and maintain a national humanitarian logistics system with a
3 network of warehouses, transport, and resources, including response assets and
4 disaster relief items, such as food and non-food items, including facilities for animals;
- 5 (4) Exercise command and control over relevant government agencies,
6 including government-owned and -controlled corporations, the Philippine National
7 Police (PNP) and other law enforcement agencies, during an imminent or actual
8 disaster. Such command and control shall include the authority to utilize available
9 services, assets, equipment, personnel, facilities, and other resources;
- 10 (5) Call on the reserve force, as defined in Republic Act No. 7077, otherwise
11 known as the "Citizen Armed Force or Armed Forces of the Philippines Reservist Act",
12 to assist in relief and rescue operations during disasters;
- 13 (6) Work with the private sector and CSOs for assistance with regard to the
14 use of facilities and resources for the protection and preservation of life and
15 property;
- 16 (7) Implement pre-disaster risk assessments, to include deployment of rapid
17 assessment teams to gather information for precise actions as a basis for emergency
18 preparedness and humanitarian response;
- 19 (8) Organize, train, equip, and maintain a system of response capacity for
20 search, rescue, and retrieval, and the delivery and distribution of relief goods;
- 21 (9) Monitor and support LGUs in the management of evacuation centers and
22 ensure the welfare and dignity of internally-displaced persons;
- 23 (10) Procure goods and services during emergencies, in accordance with
24 existing emergency procurement rules and regulations;
- 25 (11) Issue special procurement rules and regulations for preparedness,
26 response, and recovery activities, including those prompted by a declaration of a
27 state of calamity or of an imminent disaster; and
- 28 (12) Assist in mobilizing the necessary resources to increase the overall
29 capacity of LGUs, specifically those with low income and situated in high-risk areas.

30 (c) Rehabilitation and Recovery

- 31 (1) Prepare, organize, lead, implement, and manage post-disaster assessment
32 and recovery and rehabilitation programs, in coordination with the affected LGUs,

1 national government agencies, and other stakeholders;

2 (2) Implement the cluster approach to expedite reconstruction efforts and
3 orchestrate and serve as the clearinghouse for the participation of assisting actors in
4 such efforts; and

5 (3) Ensure that the principle of "Build Forward Better" is applied to
6 rehabilitation and recovery efforts.

7 (d) Other Powers and Functions

8 (1) Provide or designate a secretariat to the Climate Change Commission;

9 (2) Establish and monitor local and national capacity for climate-disaster risk
10 financing and insurance and other risk transfer strategies in coordination with the
11 Department of Finance (DOF), the Government Service Insurance System (GSIS),
12 and the Land Bank of the Philippines (LBP);

13 (3) Coordinate information-sharing and other disaster risk and vulnerability
14 reduction and climate change mitigation and adaptation protocols following the
15 principle of interoperability among national government agencies and LGUs before,
16 during, and after a disaster.

17 (4) Administer, oversee, and monitor the utilization of the National Disaster
18 Resilience Fund (NDRF), the Disaster Resilience Support Fund (DRSF) for third (3rd)
19 to sixth (6th) class provinces and municipalities, and other grants and donations for
20 disaster risk reduction and management and climate change adaptation, unless
21 otherwise specified;

22 (5) Receive, administer, mobilize, and monitor and oversee the utilization of the
23 NDRF, the Prevention, Mitigation, and Preparedness Fund for third (3rd) to sixth (6th)
24 Class Provinces and Municipalities, and donations for disaster risk and vulnerability
25 reduction and management and climate change mitigation and adaptation, unless
26 otherwise specified;

27 (6) Use advanced science and technologies in disaster risk reduction and
28 management by engaging, consulting with, employing and regularly funding the
29 academe or higher education and research institutions such as the University of the
30 Philippines Resilience Institute and the University of the Philippines Nationwide
31 Operational Assessment of Hazards Center or other institutions that have a
32 recognized and credible track record, as well as the capacity to conceptualize and

1 implement the science and engineering requirements necessary for effective climate
2 change adaptation and disaster risk reduction;

3 (7) Establish a disaster resilience information system to facilitate the creation
4 of an integrated risk assessment platform that is built from the inputs of government
5 and private scientific and academic institutions, national government agencies and
6 LGUs, local communities and other stakeholders, and is able to provide readily
7 accessible and actionable information for purposes of risk governance and
8 humanitarian action;

9 (8) Develop the criteria and procedure for the enlistment of accredited
10 community disaster resilience volunteers and institutions;

11 (9) Create and continuously update, in consultation with stakeholders, a
12 manual of operations for accredited community disaster resilience volunteers and
13 institutions; and

14 (10) Perform such other functions as may be necessary for the effective
15 implementation of this Act.

16 **CHAPTER III**

17 **GENERAL WELFARE AND EMERGENCY MEASURES**

18 Sec. 6. *General Welfare.* – The Department shall exercise the powers
19 expressly granted, those necessarily implied therefrom, as well as the powers
20 necessary, appropriate or incidental for its efficient and effective governance, and
21 those which are essential to the promotion of the general welfare, such as the
22 implementation of emergency measures including preemptive and forced evacuation,
23 in anticipation of, during, and in the aftermath of emergencies, hazards and disasters
24 and only when there is imminent danger of loss of lives and/or damage to property.

25 Sec. 7. *Emergency Measures at the National Level.* – The Department may
26 require the assistance of law enforcement agencies and the uniformed services, such
27 as the PNP and the Armed Forces of the Philippines (AFP), as well as emergency
28 responders, to assist in the implementation of emergency measures.

29 Sec. 8. *Emergency Measures at the Local Level.*

30 (a) LGUs shall enact an ordinance on and implement through the Local Disaster
31 Resilience Office (LDRO) the necessary and appropriate emergency measures,
32 including preemptive and forced evacuation, in anticipation of, during, and in the

1 aftermath of emergencies, hazards and disasters, and only when there is imminent
2 danger of loss of lives and/or damage to property.

3 (b) Emergency measures, including preemptive and forced evacuation, shall be
4 carried out in a manner that is humane, respectful of the dignity and culture of
5 persons, without using disproportionate force, without discrimination, and with
6 conscious attention to the needs of vulnerable and marginalized groups.

7 (c) All measures shall be taken to inform the population, in a manner and
8 language that they can understand, of the need for emergency measures and
9 evacuation for their safety, as well as the location where they will be taken and for
10 how long they are going to stay there. Adequate evacuation centers taking into
11 account the needs of the evacuated population, and transportation to and from the
12 affected area shall be provided by the local government.

13 Sec. 9. *Hierarchy of Evacuation Measures.* –

14 (a) Preemptive evacuation shall be the preferred and primary mode of
15 evacuation of people that will be affected by emergencies, hazards and disasters.

16 (b) Forced evacuation shall be considered as an emergency measure of last
17 resort that may be undertaken in anticipation of, during or after an emergency,
18 hazard or disaster and be carried out by the affected local government in accordance
19 with a duly issued order by the local chief executive: *Provided*, That in case of the
20 failure of the local government to appropriately issue such order, the forced
21 evacuation shall be implemented by the Department, which may direct and compel
22 the assistance of the local government, law enforcement and other relevant national
23 agencies to implement said emergency measure.

24 During such forced evacuation, government officials may direct and compel the
25 population to be affected or is currently affected by an emergency, hazard or disaster
26 to relocate to safer locations for their own safety.

27 Sec. 10. *Release from Liability in Case of Refusal to Evacuate.* –

28 (a) Any person who willfully and deliberately disregards or opposes the order of
29 preemptive or forced evacuation issued by the local chief executive or the
30 Department, releases the local government or the Department from any liability for
31 injury, death, damage to or loss of property attributed to said disobedience.

1 (b) During evacuation, priority assistance shall be given to the vulnerable
2 groups and persons who willfully comply with the order of preemptive or forced
3 evacuation.

4 Sec. 11. *Inspection and Implementation Powers.* — The Department shall have
5 inspection, visitorial and examining authority over government and nongovernmental
6 entities to ensure that all funds and assets allocated for disaster resilience are
7 actually used for said purposes. The Department shall likewise have the power to
8 inspect and examine the status of projects and programs being undertaken in
9 furtherance of disaster resilience efforts.

10 Whenever it becomes necessary, the Department may assume responsibility
11 over the implementation of and directly implement any program or project in
12 anticipation of, during, and in the aftermath of emergencies, hazards and disasters.

13 Sec. 12. *Utilization of Private Property for Public Purpose.* – The Department
14 shall have the power to utilize any private property for urgent public purpose in
15 anticipation of, during, and in the aftermath of emergencies, hazards and disasters
16 and only when there is imminent danger of loss of lives and/or damage to property,
17 subject to payment of just compensation in appropriate cases.

18 Sec. 13. *Emergency Powers.* – Whenever it becomes necessary, the
19 Department, subject to the approval of the President, may call on the AFP or the
20 PNP, in coordination with the Secretary of National Defense and the Secretary of the
21 Interior and Local Government, to prevent or suppress lawless violence and ensure
22 the protection and preservation of life or property in anticipation of, during, and in
23 the aftermath of emergencies, hazards and disasters.

24 Whenever warranted by circumstances, the Department may call upon other
25 agencies and instrumentalities of the government, as well as nongovernment
26 organizations for the protection and preservation of life and/or property in
27 anticipation of, during, and in the aftermath of emergencies, hazards and disasters
28 including private organizations, for assistance in the use of their facilities and
29 resources.

30 Sec. 14. *Emergency Arrangements.* – The Department shall have the power to
31 negotiate, enter into, institutionalize and coordinate arrangements with any private
32 person or juridical entity for the purpose of ensuring the adequate and prompt

1 availability of all goods and services necessary in anticipation of, during, and in the
2 aftermath of emergencies, hazards and disasters and only when there is imminent
3 danger of loss of lives and/or damage to property.

4 **CHAPTER IV**

5 **ORGANIZATION AND MANAGEMENT**

6 *Sec. 15. The Secretary.* – The Department shall be headed by a Secretary who
7 shall be appointed by the President.

8 *Sec. 16. Powers and Functions of the Secretary.* – The Secretary of the
9 Department shall exercise the following powers and functions:

10 (a) Establish and promulgate policies, rules, and regulations for the effective
11 and efficient operation of the Department;

12 (b) Exercise executive direction over the operations of the Department and
13 administrative supervision over its attached agencies;

14 (c) Manage the financial and human resources of the Department;

15 (d) Appoint officers and employees of the Department, except presidential
16 appointees, in accordance with civil service law, rules, and regulations;

17 (e) Exercise disciplinary authority over officers and employees of the
18 Department in accordance with law;

19 (f) Coordinate with other government agencies, the private sector, and CSOs
20 on the policies, programs, projects, and activities of the Department, as may be
21 necessary;

22 (g) Advise the President on the promulgation of executive and administrative
23 issuances and the formulation of regulatory and legislative proposals on matters
24 pertaining to disaster resilience;

25 (h) Serve as the Vice-Chairperson of the Climate Change Commission (CCC);

26 (i) In coordination with the Department of Foreign Affairs, represent the
27 Philippines in the climate change negotiations and articulate the national contribution
28 to global, regional, and other inter-governmental disaster risk reduction and
29 humanitarian platforms;

30 (j) Call upon the AFP and the PNP to render assistance in disaster-affected
31 areas; and

32 (k) Promulgate such rules and regulations and perform such other functions as

1 may be necessary or proper to attain the objectives of this Act.

2 *Sec. 17. Organizational Structure, Functions and Management.* – The
3 Department shall be composed of the following officials and offices:

4 (a) The Secretary, as provided for under this Act;

5 (b) Five (5) Undersecretaries, to be appointed by the President, who shall
6 assist the Secretary in administering the affairs of the Department, one to be
7 responsible for Resilience, one to be responsible for Policy and Governance, one to
8 be responsible for Operations, one to be responsible for Administration and Finance,
9 and the Senior Undersecretary. The Undersecretaries shall have functional and
10 operational supervision over the bureaus, divisions, offices and units assigned to
11 their respective functional areas;

12 (c) Ten (10) Assistant Secretaries, to be appointed by the President, who shall
13 assist the Secretary in administering the affairs of the Department to be responsible
14 for overall staff supervision, Internal Audit, Administration, Disaster Resilience Fund
15 Management, Fiscal Management, Operations, Mobilization, Plans and Programs,
16 Legal, Project Management and Sustainable Development;

17 (d) Eleven (11) Service Directors who shall head the following Services: the
18 Administrative and Financial Management Service, the Logistics and Resource
19 Management Service, the Operations Service, the Responders Management Service,
20 the Policy Development and Planning Service, the Capacity-Building and Training
21 Service, the Legal Affairs and Compliance Service, the Disaster Risk Reduction
22 Service, the Climate Change Service, the Recovery and Reconstruction Service, and
23 the Strategic Communications Service:

24 (1) The Administrative and Financial Management Service shall provide the
25 Department with economical, efficient and effective services relating to human
26 resource management and development, financial management and general
27 administration services to support civil defense and disaster risk reduction and
28 management operations and functions.

29 (2) The Logistics and Resource Management Service shall be responsible for
30 the efficient and effective management of all the assets and resources of the
31 Department; the efficient and effective gathering, maintenance and updating of a
32 database of pertinent assets and resources belonging to any and all agencies and

1 instrumentalities of the Government, as well as nongovernment and civic
2 organizations in support of operational readiness for utilization by the Department;
3 and the procurement of necessary assets and resources to be maintained and
4 utilized by the Department.

5 (3) The Operations Service shall be responsible for formulating, implementing
6 and monitoring the operational plans of the Department and ensuring its operational
7 readiness, as well as the effective functional management of the Emergency
8 Management Operations Center.

9 (4) The Responders Management Service shall be responsible for the efficient
10 and effective gathering, management, and updating of a national roster of
11 individuals and groups from the civilian sector, volunteer organizations, uniformed
12 services and the reserve force in support of operational readiness for utilization by
13 the Department.

14 (5) The Policy Development and Planning Service shall be responsible for
15 providing responsive, efficient and effective services relating to research, planning,
16 programming, budgeting, project development, and policy formulation of civil
17 defense and disaster risk reduction and management projects and activities.

18 (6) The Capacity-Building and Training Service shall be responsible for building
19 and developing the capacity of the Department's personnel, civil defense
20 practitioners, communities and other stakeholders.

21 (7) The Legal Affairs and Compliance Service shall provide legal advice to the
22 Department; interpret laws and rules affecting the administration and operations of
23 the Department; prepare and review contracts and instruments to which the
24 Department is a party; interpret provisions of contracts covering work involving the
25 Department; and monitor the compliance with regulatory and reportorial matters
26 involving the Department.

27 (8) The Disaster Risk Reduction Service shall be responsible for reducing
28 disaster risks through systematic efforts and programs of the Department to analyze
29 and reduce the causal factors of disasters such as exposure to hazards, lessening
30 vulnerability of people and property, wise management of land and the environment,
31 and improving preparedness and early warning for adverse events which are all
32 examples of disaster risk reduction.

1 (9) The Climate Change Service shall lead in the development and
2 mainstreaming of evidence-based climate adaptation and mitigation policies of the
3 Department through optimum coordination among key stakeholders towards
4 achieving a climate-resilient and climate-smart Philippines with healthy, safe,
5 prosperous, and self-reliant communities.

6 (10) The Recovery and Reconstruction Service shall provide responsive,
7 efficient and effective services relating to the formulation of standards for
8 rehabilitation and recovery programs, projects, activities, and their subsequent
9 implementation.

10 (11) The Strategic Communications Service shall be responsible for the
11 formulation and implementation of the strategic communications plans and programs
12 of the Department; serve as the public affairs arm of the Department tasked with
13 directing, supervising and controlling the Department's public information programs
14 and activities, as well as establishing and maintaining rapport with the media and the
15 general public;

16 (e) Divisions, units and offices as may be created by the Department and
17 whose officers and employees shall be appointed in accordance with civil service law,
18 rules, and regulations;

19 (f) The National Climate and Disaster Resilience Research, Education, and
20 Training Institute under the Capacity-Building and Training Service, to be headed by
21 a Director with the rank of Director IV;

22 (g) Regional and other field offices of the Department that shall be established
23 in each administrative region, each to be headed by a Regional Director with the
24 rank of Director IV;

25 (h) Bureaus that are under the supervision and control of the Department;

26 (i) Seconded personnel from relevant agencies and detailed service from the
27 uniformed services, as appropriate; and

28 (j) Grievance desks in every region, which shall serve as a referral mechanism
29 and shall work jointly with relevant agencies, to receive complaints from the public
30 regarding violations of this Act. It shall assist the complainant in the gathering of
31 relevant documentation and other evidence to support said complaint. The grievance
32 desk shall facilitate the forwarding of the complaint to the appropriate office within

1 fifteen (15) days from receipt thereof, and shall provide timely feedback and updates
2 regarding the status of the complaint. The grievance desk shall use the best
3 available technology to ensure that complaints are endorsed to the proper office and
4 are addressed in a timely manner.

5 **CHAPTER V**

6 **FINANCE AND ADMINISTRATION**

7 Sec. 18. *Fiscal Management.* – The Department shall manage all funds
8 appropriated to it by Congress and from other sources. This shall include all
9 donations, as contemplated under the succeeding paragraph, subject to the
10 provisions of Section 2, paragraph (d) of Article IX of the 1987 Constitution on the
11 auditing powers of the Commission on Audit.

12 Sec. 19. *Donation.* – (a) The Department shall have the power to receive
13 donations and grants from any person, government institution, corporation,
14 international organization and other similar entities, and the power to recommend
15 the procurement of developmental assistance for the purpose of disaster risk and
16 vulnerability reduction and management and climate change adaptation;

17 (b) It shall be mandatory for the Department to acknowledge and certify the
18 receipt of all Department of Disaster Resilience (DDR) grants and donated funds and
19 ensure their judicious management including their proper and accurate audit
20 reporting to constituents;

21 (c) The importation and donation of food, clothing, medicine and equipment
22 for relief and recovery and other disaster management and recovery-related supplies
23 is hereby authorized in accordance with, Section 800, Chapter 1, Title 8, of Republic
24 Act No. 10863, otherwise known as the "Customs Modernization and Tariff Act
25 (CMTA)", as amended, and the prevailing provisions of the General Appropriations
26 Act covering national internal revenue taxes and import duties of national and local
27 government agencies;

28 All importations and donations under Section 11(c) of Republic Act No. 10863,
29 otherwise known as the "Customs Modernization and Tariff Act (CMTA)" shall be
30 considered as importation or donation to the Department, subject to the approval of
31 the Office of the President.

CHAPTER VI

WHOLE-OF-GOVERNMENT AND WHOLE-OF-NATION APPROACH

Sec. 20. *National Disaster Resilience Council.* – (a) There is hereby created the National Disaster Resilience Council (NDRC), which shall serve as the policy advisory body to the Department on disaster risk reduction and management and climate change adaptation, consistent with the policies and scope as defined in this Act.

(b) The NDRC shall be chaired by the Secretary of Disaster Resilience and shall be composed of the following:

- (1) Secretary of Science and Technology;
- (2) Secretary of the Interior and Local Government;
- (3) Secretary of Social Welfare and Development;
- (4) Secretary of National Defense;
- (5) Director-General of the National Economic and Development Authority;
- (6) Secretary of Health;
- (7) Secretary of Environment and Natural Resources;
- (8) Secretary of Agriculture;
- (9) Secretary of Education;
- (10) Secretary of Energy;
- (11) Secretary of Finance;
- (12) Secretary of Trade and Industry;
- (13) Secretary of Transportation;
- (14) Secretary of Budget and Management;
- (15) Secretary of Public Works and Highways;
- (16) Secretary of Foreign Affairs;
- (17) Secretary of Justice;
- (18) Secretary of Labor and Employment;
- (19) Secretary of Tourism;
- (20) Secretary of Information and Communications Technology;
- (21) Presidential Adviser on the Peace Process;
- (22) Chairperson of the Commission on Higher Education;
- (23) Chief of Staff of the Armed Forces of the Philippines;
- (24) Chief of the Philippine National Police;

- 1 (25) Head of the Presidential Communications Operations Office;
2 (26) Secretary-General of the Philippine National Red Cross;
3 (27) Chairperson of the Commission on Human Rights;
4 (28) Executive Director of the Council for Welfare of Children;
5 (29) Lead Convenor of the National Anti-Poverty Commission;
6 (30) Chairperson of the Philippine Commission on Women;
7 (31) Chairperson of the Housing and Urban Development Coordinating
8 Council;
9 (32) Chairperson of the National Council for Disability Affairs;
10 (33) Chairperson of the National Commission on Indigenous Peoples;
11 (34) Chairperson of the National Commission on Muslim Filipinos;
12 (35) Chairperson of the National Youth Commission;
13 (36) President of the Government Service Insurance System;
14 (37) President of the Social Security System;
15 (38) President of the Philippine Health Insurance Corporation;
16 (39) President of the Home Development Mutual Fund;
17 (40) President of the Union of Local Authorities of the Philippines;
18 (41) President of the League of Provinces of the Philippines;
19 (42) President of the League of Cities of the Philippines;
20 (43) President of the League of Municipalities of the Philippines;
21 (44) President of the Liga ng mga Barangays;
22 (45) Maximum of six (6) representatives from the academe and other
23 relevant research institutions;
24 (46) Maximum of six (6) representatives from the civil society organizations;
25 and
26 (47) Maximum of six (6) representatives from the private sector.

27 (c) Composition – The Council is hereby organized into five (5) clusters,
28 namely: Disaster Prevention and Mitigation to be led by DOST, Disaster Preparedness
29 to be led by DILG, Disaster Response by DSWD, Logistics to be led by DND, and
30 Recovery and Sustainable Development to be led by NEDA.

31 (d) Technical Management Advisory Group – The Department may constitute,
32 as the need arises, a technical management advisory group from the different

1 stakeholders, that shall coordinate and meet with the Department as often as
2 necessary to effectively manage and sustain national efforts on disaster risk and
3 vulnerability reduction and emergency management, and climate change adaptation
4 and mitigation.

5 (e) Guidelines for the Department of Disaster Resilience Fund (DDRF) and
6 Local Disaster Resilience Fund (LDRF) – The Department shall provide the necessary
7 guidelines and procedures on the DDRF and the LDRF releases as well as utilization,
8 accounting and auditing thereof.

9 *Sec. 21. Monitoring, Reporting and Validation. –*

10 (a) Monitoring and Reporting. On or before the last quarter of the preceding
11 year, member-agencies of the NDRC shall submit to the Department through the
12 Council Secretariat their respective DDR annual work and financial plans (AWFPs) for
13 the next year. The AWFPs shall be based on the DDR Plan.

14 The member-agencies shall submit to the Secretariat quarterly progress reports
15 of their implementation of the AWFPs within thirty (30) days from the end of each
16 quarter.

17 The Department is likewise accountable, liable and responsible for monitoring
18 and requiring the appropriate implementation of remedial measures by member-
19 agencies of the Council during a state of calamity. It shall have the authority and
20 power to require reports from the appropriate member-agencies regarding
21 implementation of such measures.

22 (b) Validation. The Secretary shall require the submission of reports from LGUs
23 to validate the progress reports of the Council member-agencies. Submission shall be
24 through the local field offices of the DDR.

25 Every two (2) years, the implementation of the Climate-Disaster Resilience Plan
26 (CDRP) and utilization of the Local Disaster Resilience Fund (LDRF) of each province,
27 LGUs, independent city shall be evaluated by the Regional Disaster Resilience Council
28 (RDRC) based on appropriate criteria, such as the award, recognition, citation criteria
29 for provinces, cities and municipalities, barangay and stakeholders.

30 (1) The Regional Disaster Resilience Councils (RDRC) –

31 The Regional Disaster Resilience Councils (RDRCs) shall coordinate, integrate,

1 supervise, and evaluate the activities of the Local Disaster Resilience Councils
2 (LDRCs). It shall be accountable, responsible and liable for ensuring climate-disaster
3 risk sensitive and inclusive regional development plans, and in case of emergencies
4 shall convene the different regional line agencies and authorities, concerned
5 institutions, developmental partners and multiple stakeholders.

6 The Regional Directors of the Department shall serve as chairpersons of the
7 RDRCs and the Regional Directors of the DSWD, the DILG, and the NEDA shall serve
8 as cluster heads. In the case of the Bangsamoro Autonomous Region in Muslim
9 Mindanao, the Chief Minister shall be the RDRC Chairperson. In the case of Metro
10 Manila, the MDRC shall be headed by the Chairperson of the Metro Manila
11 Development Authority (MMDA).

12 The RDRCs shall establish the RDRC Secretariat and operating facility to be
13 known as the Regional Disaster Resilience Council Secretariat and Operations Center.

14 The RDRCs shall be composed of concerned regional agencies, offices, LGUs
15 and other multiple stakeholders.

16 (i) LDRC Budgetary Requirements of LDRO – The budgetary requirements for
17 personal services, maintenance and other operating expenditures, and capital outlay
18 of the LDRO shall be sourced from the General Fund of the LGU, subject to Section
19 76 of Republic Act No. 7160, otherwise known as the "Local Government Code of
20 1991, as amended". The enforcement of Sections 325(a) and 331(b) of Republic Act
21 No. 7160, as amended, shall be waived to enable the LGUs to fund the initial year
22 requirements for the creation of the minimum five (5) mandatory positions of the
23 LDRO.

24 Other maintenance and operating expenditures, and other capital outlay
25 requirements of the LDRO in the implementation of disaster risk and vulnerability
26 reduction management and climate change adaptation programs shall be charged to
27 the Local Climate-Disaster Resilience Fund of the LGUs;

28 (i) Establish linkage or network with other LGUs for disaster risk and
29 vulnerability reduction, climate change adaptation and emergency response
30 purposes;

31 (ii) Recommend through the LDRC, the enactment of local ordinances

- 1 consistent with the requirements of this Act;
- 2 (iii) Establish a Provincial, City, Municipal, and Barangay Climate and Disaster
- 3 Resilience Operations Center; and
- 4 (iv) Encourage GOCCs to establish their own Climate and Disaster Resilience
- 5 Operations Center within their territories.

6 Sec. 22. *Synergy with Stakeholders.* – The Department shall ensure seamless

7 synergy and coordination with stakeholders, including CSOs, the academe, and the

8 private sector, in relation to disaster resilience programs and projects and the

9 development and promotion of research, education, and training mechanism with

10 relevant stakeholders.

11 The Department shall establish a platform, paradigm, and mechanisms for

12 convergence and coordination with stakeholders, including the development of

13 standards, protocols, and procedures for collaboration for disaster resilience.

14 Sec. 23. *Establishment of Multi-Stakeholders Convergence Unit.* – The

15 Department, with the assistance of other relevant government agencies and

16 stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU), which

17 shall align the disaster resilience efforts of the private sector, CSOs, academe, and

18 other stakeholders with the Department by assisting, coordinating, or providing

19 services that strengthen public-private cooperation and coordination in disaster

20 resilience, including the following:

21 (a) Establishment and implementation of business continuity practices to

22 ensure the continued delivery of products and services, in the event of disasters;

23 (b) Establishment and implementation of a National Continuity Policy to ensure

24 service continuity during power and utilities interruptions, emergencies, and disasters

25 and ensure the quick return to full operations;

26 (c) Establishment, incorporation, and application of business continuity plans

27 as part of the disaster resilience plans of local government units;

28 (d) Facilitation or assistance in obtaining or processing incentives for the

29 private sector or other nongovernment stakeholders; and

30 (e) Preparation and facilitation of the issuance of appropriate guidelines for

31 MSMEs relating to mechanisms on procurement and liquidity to create enabling

32 environment for DDR.

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

CHAPTER VII

DISASTER RISK AND VULNERABILITY REDUCTION AND CLIMATE CHANGE ADAPTATION MAINSTREAMING, INTEGRATION AND CONVERGENCE

6 Sec. 24. *Integration of DRR and Climate Change Adaptation in the Climate and*
7 *Disaster Resilience Framework and Plan.* – The existing National Disaster Resilience
8 Framework and plan and the National Climate Change Strategic Framework and Plan
9 shall be enhanced by the Climate and Disaster Resilience Framework and Plan which
10 provides for the comprehensive probabilistic multi-hazards, multi-scenario, multi-
11 sectoral, resilience-building, and community risk-based approach and management
12 of disaster and climate risk, and provide for the integration of disaster risk and
13 vulnerability reduction and climate change adaptation, as well as the mainstreaming
14 in other sectoral policies. It shall be reviewed every three (3) years.

The Climate and Disaster Resilience Plan shall provide for the following: (1) identification of the underlying factors of risk, or the nature and degree of hazards, vulnerabilities, exposures and capacities, which need to be managed at the national level; (2) disaster risk and vulnerabilities reduction and management approaches and strategies to be applied in managing said hazards and risks; (3) agency roles, responsibilities, and lines of authority at all government levels; and (4) vertical and horizontal coordination of climate change mitigation and adaptation, disaster risk and vulnerability reduction and management before, during, and after a disaster. The Climate and Disaster Resilience Plan shall be in conformity with the framework.

24 The Climate and Disaster Resilience Framework and Plan for climate-disaster
25 risk governance, climate vulnerability assessment, risk assessment and risk
26 management shall be formulated and jointly approved by the NDRC and the CCC.

27 Sec. 25. *Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation*
28 and Recovery from Disaster. – The Department shall ensure the application of
29 ecosystems-based approaches in disaster risk and vulnerability reduction and climate
30 change mitigation and adaptation, particularly through ecosystem management and
31 restoration as defined in this Act, and ensuring that environmental and natural

1 resource policies are risk-informed.

CHAPTER VIII

CLIMATE AND DISASTER RESILIENCE RESEARCH, EDUCATION, AND TRAINING INSTITUTE

5 *Sec. 26. Creation of the Climate and Disaster Research, Education, and Training Institute.* – (a) Within one (1) year from approval of this Act, the Department shall 6 establish the Climate and Disaster Resilience Research, Education, and Training 7 Institute in collaboration with higher education institutions and private and state 8 universities and colleges (SUCs) which shall be a world-class center of excellence for 9 learning and research in the field of disaster risk and vulnerability reduction and 10 management and climate change adaptation;

12 (b) The Climate and Disaster Resilience Research, Education, and Training 13 Institute shall be headed by a Director. The organizational structure and staffing 14 pattern shall be determined by the Department in consultation with the DBM and in 15 accordance with civil service laws, rules, and regulations.

16 (c) The Climate and Disaster Resilience Research, Education, and Training 17 Institute shall have the following functions:

18 (1) Establish regional branches as well as provincial, city or municipal 19 branches, if deemed necessary, to train individuals from the public and private 20 sectors in the fields of disaster risk and vulnerability reduction and management, 21 climate change adaptation, and ecosystem management and restoration, among 22 others;

23 (2) Develop and implement an inclusive and ladderized curricula on climate 24 change adaptation, and disaster risk and vulnerability reduction and management;

25 (3) Develop research programs and a knowledge management system on 26 climate change adaptation and disaster risk and vulnerability reduction management 27 for the purpose of innovation and capacity-building and development;

28 (4) Partner with public and private academic and research institutions, the 29 private sector, civil society, community-based disaster risk and vulnerability reduction 30 management and climate change adaptation practitioners, and other relevant sectors 31 in developing research opportunities and programs on climate vulnerability and 32 disaster risk assessment;

1 (5) Establish a resource center for information, education and communication
2 materials, research, publications, best work practices, lessons identified and learned,
3 and other knowledge products on disaster risk and vulnerability reduction and
4 management, and climate change adaptation;

5 (6) Consolidate and prepare information, education and communication and
6 training materials or publications to assist disaster risk and vulnerability reduction
7 and management, and climate change adaptation practitioners in the planning and
8 implementation of their plans, programs, projects and activities;

9 (7) Organize and recognize a community of climate change adaptation and
10 disaster risk reduction and management practitioners; and

11 (8) Accredit, recognize, monitor and evaluate climate change adaptation,
12 disaster risk and vulnerability reduction and management training institutions.

13 (d) Financial Support to the Center:

14 (1) The budget for the Climate and Disaster Resilience Research and Training
15 Center shall be sourced from the annual General Appropriations Act.

16 (2) The Department shall assist in the establishment of Research and Training
17 Centers at the provincial, city, and municipal governments, as appropriate. The
18 funding for such local Climate and Disaster Resilience Research and Training Centers
19 may be sourced from the eighty (80%) percent portion of the LDRF and other
20 financial sources of the local government unit concerned.

CHAPTER IX

INTEGRATION, MAINSTREAMING CLIMATE AND DISASTER RESILIENCE

INFORMATION, EDUCATION, AND COMMUNICATION CONVERGENCE

24 *Sec. 27. Climate and Disaster Resilience Information Management System*
25 (*CDRIMS*). – The Department shall establish a National and Regional Information
26 Management System for Climate and Disaster Resilience. It shall constitute a
27 physical central database of all disaster risk reduction and climate change data,
28 including a geographic information system on geo-hazard assessments and climate
29 risk. It shall be the repository of current and multi-temporal information for wide-
30 scale disaster risk analysis and climate change vulnerability assessment. The CDRIMS
31 shall at all times be made available to the Emergency Operations Center of the
32 National and Regional Climate and Disaster Resilience Council (NRCDRC)

1 development partners and multi-stakeholders to access critical information and
2 ensure that the collection processing, analysis and dissemination of information is
3 timely, reliable and accurate to support overall decision making and effective
4 coordination both at the national and subnational level.

5 *Sec. 28. Disaster Resilience and Climate Change Education and Training.* – (a)
6 The Department of Education (DepEd), Commission on Higher Education (CHED), and
7 Technical Education and Skills Development Authority (TESDA), in coordination with
8 the National Youth Commission (NYC), the Department of Science and Technology
9 (DOST), Department of Environment and Natural Resources (DENR), Department of
10 the Interior and Local Government (DILG), Department of Health (DOH),
11 Department of Social Welfare and Development (DSWD), and other relevant
12 agencies, developmental institutions, and non-government organizations shall
13 integrate disaster risk and vulnerability reduction and climate change mitigation and
14 adaptation education in the school curricula at all levels of education, from K to 12 to
15 tertiary levels, including the early and adult learning programs, National Service
16 Training Program (NSTP), and education for children and persons with special needs,
17 whether private or public, including formal and non-formal, technical-vocational,
18 indigenous learning, out-of-school youth courses and programs, and other channels
19 of educational integration, including media, church, entertainment centers (malls),
20 international and domestic airports and transport terminals.

21 (b) The Civil Service Commission (CSC), Professional Regulation Commission
22 (PRC), and other licensure bodies shall integrate disaster risk and vulnerability
23 reduction management and climate change adaptation questions in all professional
24 and licensure examinations.

25 (c) In coordination with the Department, the Climate and Disaster Resilience
26 Research, Education, and Training Institute shall develop a curriculum for courses or
27 subjects specific to disaster risk and vulnerability reduction management and climate
28 change mitigation and adaptation, and shall mandate all tertiary learning institutions to
29 offer these subjects.

30 (d) The Parents and Teachers Community Associations shall initiate, support,
31 and participate in disaster risk and vulnerability reduction management and climate

1 change mitigation and adaptation related activities in schools and host communities.

2 (e) The DepEd, CHED, TESDA and other developmental institutions,
3 community-based practitioners and organized nongovernmental organizations shall
4 formulate and institutionalize flexible learning options such as online modules,
5 supplemental learning materials, resources and platforms, as part of its climate
6 change mitigation and adaptation, disaster risk and vulnerability reduction and
7 governance, analysis, and management strategy.

8 (f) The DepEd, CHED, TESDA, developmental institutions and community-
9 based organizations shall regularly review, monitor, evaluate and report to the
10 Council the status of integration, mainstreaming and implementation of climate
11 change mitigation and adaptation, disaster risk and vulnerability reduction and
12 management in public-private schools and other learning institutions.

13 (g) The LDROs shall form formal partnerships with tertiary learning institutions
14 within their respective jurisdictions to provide standard and ladderized training
15 programs for LGU officials and other disaster risk and vulnerability reduction
16 management and climate change adaptation.

17 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the BDRCs, and the
18 Sangguniang Kabataan shall encourage community, specifically the youth,
19 participation in disaster risk and vulnerability reduction and climate change mitigation
20 and adaptation activities, such as Information, Education and Communication (IEC)
21 campaigns organizing quick response groups, particularly in identified disaster-prone
22 areas, as well as the inclusion of DRVR-climate change mitigation and adaptation
23 programs as part of programs and projects of the Sangguniang Kabataan, youth
24 organizations and community-based disaster risk and vulnerability reduction
25 management and anticipatory adaptation initiatives.

26 (i) There shall be a mandatory training on climate change adaptation-DRVR
27 for public and private sector employees, including teachers and Climate-Disaster
28 Resilience Coordinators from both the public and private learning institutions, who
29 shall be trained in emergency preparedness and response in compliance with the
30 provisions of this Act.

31 Sec. 29. *Standard Mechanism for Cascading Information, Education and*
32 *Communication on Climate Change Adaptation and Disaster Risk and Vulnerability*

1 *Reduction.* – (a) The DRC shall promote and advocate a culture of resilience and
2 responsible-accountable, liable and responsible citizenship through information,
3 education and communication that is appropriate, integrated, calibrated, inclusive,
4 localized, science- and risk-based, gender, culture and disability sensitive and
5 accessible using multimedia. Information, education, and communication on climate
6 change adaptation and disaster risk and vulnerability reduction management should
7 be compelling but not alarming.

8 (b) The NDRC shall formulate a Strategic Risk Communications Plan to
9 encompass the entirety of disaster risk and vulnerability reduction and climate
10 change adaptation to achieve the desired behavioral and attitudinal change towards
11 responsible citizenship and culture of resilience. It shall serve as a reference on
12 continuous awareness raising and education at all levels of the government and
13 multiple stakeholders.

14 (c) A Climate and Disaster Resilience Information Officer shall be designated at
15 all levels of the Department to ensure implementation of the disaster risk and
16 vulnerability reduction and management and climate change adaptation information,
17 education, and communication campaign and shall serve as the primary coordinator
18 for the dissemination of information, education, and communication on climate
19 change adaptation and disaster risk and vulnerability reduction management.

20 Sec. 30. *Declaration of Imminent Disaster.* – The DDR shall provide guidance
21 and operating guidelines to LDRCs for the declaration of imminent disaster in their
22 respective areas which shall allow them to implement preemptive measures and use
23 their quick response funds in order to save lives and minimize damage to property,
24 loss of livelihoods and other assets.

25 Sec. 31. *Flash Appeal or Appeal for International Assistance.* – Upon
26 consultation with the NDRC and in cognizance of the urgency, criticality and intensity
27 of an imminent risk, the DDR shall issue a flash appeal to the family of nations,
28 under regional and multilateral conventions, for assistance in preparedness including
29 preemptive measures, search, rescue and retrieval, relief, recovery, and
30 reconstruction.

CHAPTER X

CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

Sec. 32. Climate and Disaster Risk Transfer, Insurance and Social Welfare. – (a)

4 The Department shall oversee all climate and disaster risk-sharing and risk-transfer
5 instruments and other related initiatives to ensure the protection of property and
6 livelihood, both public and private.

7 (b) The Department shall ensure the mandatory insurance of all assets and
8 properties of national government agencies including government-owned or
9 controlled corporations, and those over which the government has insurable
10 interest, as prescribed under Republic Act No. 656, otherwise known as the
11 "Property Insurance Law". The insurance shall be provided by any government
12 insurance agency.

13 (c) The Department shall oblige the LGUs the mandatory insurance coverage
14 of assets, properties and livelihood of vulnerable and marginalized groups for
15 unforeseen or contingent potential losses, damages and disruption from natural
16 hazards and human-induced disasters chargeable against the LDRF.

17 Sec. 33. *Recognition and Incentives.* – Unless otherwise provided, the
18 Department shall establish an incentives program that recognizes outstanding
19 performance of LDRCs, NGOs, CSOs, private sectors, schools, hospitals, and other
20 stakeholders in promoting and implementing significant disaster risk and vulnerability
21 reduction management-climate change adaptation programs and innovations, and
22 meritorious acts of individuals, groups or institutions during natural or human-
23 induced disasters.

CHAPTER XI

PREPAREDNESS AND INTEGRATED EARLY WARNING

26 Sec. 34. *Standards for Disaster Preparedness Activities.* – (a) The NDRC
27 shall establish standards for disaster preparedness, contingency planning, localizing
28 and operationalizing disaster risk and vulnerability reduction and management,
29 preparedness for disaster response, preparedness for early recovery, continuity of
30 essential services, and other relevant preparedness activities.

31 (b) LGUs shall identify safe or strategic sites, and establish evacuation centers

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

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

9 *Sec. 35. Multi-Hazard Early Warning and Risk Communication Standards.* – (a)
10 There shall be a streamlined policy governing early warning systems and risk
11 communication protocols to ensure effective and efficient measures to prevent,
12 prepare for, respond to, and recover from possible risk caused by natural and human-
13 induced hazards and climate risk. The NDRC shall issue policy and the Department
14 shall oversee and monitor the implementation of this policy.

15 (b) The Department and all other concerned agencies with an integrated early
16 warning and information mandate shall collaborate with the local executives and
17 officers to disseminate climate-disaster risk information through the involvement of
18 LGUs, community-based organizations, CSOs, and other nongovernmental
19 organizations.

20 *SEC. 36. Early Warning Mandate.* – (a) The Department shall issue an integrated
21 early warning for hydro-meteorological, geologic, or terrestrial phenomena to the
22 appropriate government agencies or government-accredited organizations for
23 forecasting and early warning purposes. The Department shall recognize and
24 proactively support local or indigenous modes of early warning systems and allow
25 open access to real-time data from both local and international sources made
26 available through various platforms such as websites, mobile applications, and social
27 media to empower local communities and individuals.

28 (b) The Department shall enhance and strengthen Philippine Atmospheric,
29 Geophysical and Astronomical Services Administration (PAGASA) and the Philippine
30 Institute of Volcanology and Seismology (PHIVOLCS) mandates under Republic Act
31 No. 10692 and Executive Order No. 128, Series of 1987, respectively.

1 (c) The Department shall recognize and proactively support local or indigenous
2 modes of early warning systems and allow open access to real-time data from both
3 local and international sources made available through various platforms such as
4 websites, mobile applications, and social media to empower local communities and
5 individuals.

6 (d) Transmission of Early Warning. A person who transmits early warning
7 concerning the abovementioned phenomena by means of signs in designs, colors,
8 lights, or sound shall do so in compliance with the methods recognized or approved
9 by the NDRC.

10 (e) The NDRC at the national and subnational level shall consider the use of
11 integrated early warning system to ensure it is consistent and locally contextualized
12 with the communication protocol and safe evacuation procedure of the affected
13 communities to achieve zero casualty, to zero death.

14 (f) The Department shall consider working with other agencies or
15 organizations on pre-crisis information mapping of the humanitarian needs of the at-
16 risk community that will enhance the overall prepositioning of resources at the
17 national and local levels.

18 **CHAPTER XII**

19 **DISASTER RESPONSE AND EARLY RECOVERY**

20 *Sec. 37. 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 NDRC.

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
25 the damage assessment and needs analysis: *Provided*, That the Department, through
26 the LDRC, may seek from the local legislative body or Sanggunian, the declaration of
27 a state of imminent disaster to enable the local executives to implement preemptive
28 evacuation and precautionary measures in order to save lives and minimize damage
29 to property, loss of livelihood, and disruption of livelihood that require the use of
30 funds and resources under the LDRF.

1 Sec. 38. *Emergency Management.* – The respective Climate and Disaster
2 Resilience Councils (DRCs) shall lead in preparing for, responding to, and recovering
3 from the effects of any disaster, upon due consideration to the economics of
4 classification, capacity and vulnerability of the local governments concerned:

- 5 (a) The barangay DRC, if one barangay is affected;
- 6 (b) The city/municipal DRC, if two (2) or more barangays are affected;
- 7 (c) The provincial DRC, if two (2) or more cities/municipalities are affected;
- 8 (d) The regional DRC, if two (2) or more provinces are affected; and
- 9 (e) The NDRC, if two (2) or more regions are affected.

10 Sec. 39. *Humanitarian Assistance Action Center.* – The DRC shall institutionalize
11 a one-stop shop mechanism through the Humanitarian Assistance Action Center for
12 the processing and release of goods, articles or equipment intended for humanitarian
13 assistance and the processing of necessary documents for international assisting
14 actors. The Humanitarian Assistance Action Center shall be managed by the
15 Department and shall be composed of the following NDRC agencies:

- 16 (a) Department of Finance - Bureau of Customs;
- 17 (b) Department of Foreign Affairs;
- 18 (c) Department of Social Welfare and Development;
- 19 (d) Department of Health;
- 20 (e) Food and Drug Administration;
- 21 (f) Department of Agriculture;
- 22 (g) Department of Energy;
- 23 (h) Philippine National Police;
- 24 (i) Philippine Coast Guard; and
- 25 (j) Department of Justice - Bureau of Immigration.

26 Sec. 40. *Accreditation, Mobilization, and Protection of Disaster Volunteers and
27 National Service Reserve Corps, CSOs and the Private Sector.* – The government
28 agencies, CSOs, private sector and LGUs may mobilize individuals or organized
29 volunteers to augment their respective personnel complement and logistical
30 requirements in the delivery of disaster risk reduction programs and activities. The
31 agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for

1 the enhancement, welfare and protection of volunteers, and shall submit the list of
2 volunteers to the Department, through the LDROs, for accreditation and inclusion in
3 the database of community disaster volunteers.

4 A national roster of Accredited Community Disaster Resilience Volunteers
5 (ACDRVs) and institutions, National Service Reserve Corps, CSOs and the private
6 sector shall be maintained by the Department through the LDROs. Accreditation shall
7 be done at the municipal or city level.

8 The mobilization of volunteers shall be in accordance with this Act and
9 implementing guidelines to be formulated by the NDRC. Any volunteer who died or
10 was injured while engaging in any of the activities defined under this Act shall be
11 entitled to compensatory benefits and individual personal accident insurance as may
12 be defined under the guidelines.

13 Sec. 41. *Reporting of Humanitarian Assistance.* – The concerned LGU shall
14 submit a report to the Department, all domestic or international humanitarian
15 assistance received and distributed within its area of responsibility.

16 **CHAPTER XIII**

17 **INTERNATIONAL HUMANITARIAN ASSISTANCE**

18 Sec. 42. *International Humanitarian Assistance.* – The Department shall
19 promulgate guidelines on international humanitarian assistance, including the
20 initiation, entry, facilitation, transit, regulation, and termination thereof, as well as
21 those involving international disaster relief and personnel assisting international
22 actors, visa waiver, recognition of foreign professional qualifications, entry of
23 international disaster goods and equipment, and exemption from port duties, taxes
24 and restrictions.

25 Sec. 43. *Assessment of the Need for International Humanitarian Assistance.* –
26 (a) Immediately after the declaration of a state of calamity by the Sanggunian of an
27 LGU or by the Department, as the case may be, the Department shall determine as
28 to whether domestic capacities are likely to be sufficient to attend to the needs of
29 affected persons for international humanitarian assistance. This determination may
30 also be made by the President, prior to the onset of an imminent disaster.

31 (b) In the event the Department determines that domestic response capacities

1 are not likely to be sufficient due to the impact of the disaster, the Department shall
2 recommend to the President that a request be made for international humanitarian
3 assistance.

4 (c) A determination that domestic capacities are likely to be sufficient and that
5 international humanitarian assistance is therefore unnecessary may be reviewed and
6 rescinded by the Department, with the approval of the President, at any time, in light
7 of prevailing circumstances and available information.

8 Sec. 44. *Request for International Humanitarian Assistance*. – The President
9 may request for international humanitarian assistance upon the advice of the
10 Department. Such request may be specifically directed to particular assisting
11 international actors, or it may be a general request directed to the international
12 community.

13 Sec. 45. *Humanitarian Assistance Action Center*. – The Department shall
14 institutionalize an interagency one-stop shop mechanism called through the
15 Philippine International Humanitarian Assistance Reception Action Center (PIHARAC)
16 for the processing and release of entry and facilitation of goods, articles or
17 equipment, and services of international relief workers for the provision of
18 international humanitarian assistance, and the processing of necessary documents
19 for assisting international actors.

20 CHAPTER XIV

21 OFFER AND FACILITATION OF HUMANITARIAN 22 ASSISTANCE TO FOREIGN STATES

23 Sec. 46. *Offer and Facilitation of International Humanitarian Assistance to
Foreign States*. – In the event of a disaster occurring in a foreign state for which
25 international humanitarian assistance is required, the Department may offer,
26 facilitate and provide international humanitarian assistance to such foreign state,
27 which shall be subject to guidelines to be promulgated by the Department for the
28 purpose.

29 Sec. 47. *Accreditation*. – The Department, in coordination with relevant
30 government agencies and organizations, shall provide and facilitate the necessary
31 training and accreditation to the respective government personnel to be deployed for
32 such offer, facilitation and provision of international humanitarian assistance to a

1 foreign state.

CHAPTER XV

LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS

4 Sec. 48. *Guidelines for Coordination of International Humanitarian Assistance.* –

5 The DRC shall issue comprehensive guidelines on the initiation, entry, facilitation,
6 transit and regulation of international relief goods and personnel, as well as eligibility
7 guidelines to utilize the legal facilities for assisting international actors provided
8 hereunder.

9 Sec. 49. *Visa Waiver.* – Eligible assisting international actors shall be entitled to

10 waiver of entry visa requirements, including any associated fees or charges, to
11 perform Disaster Relief and Initial Recovery Assistance work for their sponsoring
12 entities without the requirement to seek a separate residence or work permit.

13 Sec. 50. *Recognition of Foreign Professional Qualifications.* – (a) Eligible

14 assisting international actors wishing to deploy international personnel for tasks
15 requiring legal recognition of their foreign professional qualifications shall certify the
16 validity of those qualifications under the law of the country where they were
17 obtained and the competence of their personnel for the tasks envisaged.

18 (b) The Department shall establish the guidelines and scope for recognition of

19 foreign professional qualifications for disaster response and early recovery.

20 (c) Recognition of qualifications shall remain valid until the end of the

21 International Initial Recovery Period, absent individual criminal conduct or other
22 professional misconduct sufficient to bar the individual from professional practice in
23 the country.

24 Sec. 51. *Recognition of Foreign Driving Licenses.* – Foreign driving licenses of

25 eligible assisting international actors shall be accorded temporary recognition during
26 the International Disaster Relief and Initial Recovery Periods.

27 Sec. 52. *Facilitation of Access.* – The international personnel of eligible

28 assisting international actors shall be allowed access to disaster-affected areas and
29 persons requiring Disaster Relief or Initial Recovery Assistance, subject to
30 coordination requirements as mandated by the Department and limitations based on
31 national security, public order or public health, weighed in the context of the urgency

1 of the disaster needs. They shall be permitted to provide their goods and services
2 directly to affected persons.

3 **A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT**

4 Sec. 53. *Customs Facilitation and Priority Treatment.* – The Department shall
5 facilitate the rapid importation or consignment of goods and equipment by eligible
6 assisting actors and shall accord them priority treatment in handling.

7 Sec. 54. *Duty of Compliance by Eligible Assisting Actors.* – In order to benefit
8 from the aforementioned legal facilities, eligible assisting international actors shall:

9 (a) Declare that all the goods and equipment they seek to import under this Act
10 are exclusively for Disaster Relief or Initial Recovery Assistance and that they comply
11 with any relevant standards under Philippine laws; and

12 (b) Pack, classify and mark their consignments in accordance with the
13 requirements described in this Act and its implementing rules and regulations.

14 Sec. 55. *Exemption from Import Duties, Taxes and Restrictions.* – Consignment
15 of goods and equipment by or on behalf of eligible assisting international actors
16 shall benefit from:

17 (a) Exemption from all duties and taxes;

18 (b) Waiver of economic prohibitions and restrictions except for categories of
19 special goods and equipment that may be indicated by the Department; and

20 (c) Clearance without regard to the country of origin or the country from which
21 the goods have arrived, subject to monitoring for reasons of public health and
22 security.

23 **B. EXPEDITED ENTRY AND USE RESTRICTIONS FOR SPECIFIC
24 INTERNATIONAL DISASTER GOODS AND EQUIPMENT**

26 Sec. 56. *Simplification of Documentation Requirements.* –

27 (a) Consignment of goods and equipment sent by or on behalf of eligible
28 assisting international actors shall be cleared or released on the basis of a simplified
29 goods declaration providing the minimum information necessary for the Bureau of
30 Customs to identify the goods and equipment and subject, when deemed necessary,
31 to completion of a more complete declaration within a specified period.

1 (b) The requirements for the declaration for all imports of goods or equipment
2 by or on behalf of eligible assisting international actors and any supporting
3 documents relating to said consignment, release and clearance of goods or
4 equipment shall be simplified and lodged without fee.

5 Sec. 57. *Telecommunications Equipment.* – Eligible assisting international actors
6 shall be permitted to import telecommunications equipment for the purpose of
7 Disaster Relief or Initial Recovery Assistance without restrictions, except as required
8 by NDRC guidelines and other laws for purposes of national security or public order.
9 The NDRC shall provide guidelines for the manner of use of telecommunications
10 equipment as well as a waiver of licensing requirements or fees.

11 Sec. 58. *Medications.* – Eligible assisting international actors shall be permitted
12 to import and transport medications and medical equipment for the purpose of
13 Disaster Relief or Initial Recovery Assistance so long as they conform to the
14 implementing rules and regulations to be provided by the NDRC.

15 Sec. 59. *Food.* – Food imported by eligible assisting international actors for
16 disaster relief and recovery shall be admitted pursuant to expedited procedures set
17 out by the DRC.

18 Sec. 60. *Imported Vehicles.* – The granting of local registration and plates for
19 vehicles imported by eligible assisting international actors for use in humanitarian
20 assistance and disaster relief and recovery shall be expedited.

C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS

22 Sec. 61. *Disposition of Equipment and Unused Goods.* – The DRC shall provide
23 for the guidelines for retention, re-exportation, donation and disposal of unused
24 goods and equipment after the termination of Disaster Relief and Initial Recovery
25 Assistance operations.

CHAPTER XVI

RECOVERY

28 Sec. 62. *Standards for Recovery.* – The Department shall observe internationally
29 accepted standards for recovery, planning, programming and implementation of the
30 recovery process and shall:

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

CHAPTER XVII

REMEDIAL MEASURES UNDER STATE OF CALAMITY

18 Sec. 63. *Remedial Measures under State of Calamity.* – Upon the declaration of
19 a state of calamity, the following remedial measures shall be immediately undertaken
20 by concerned government agencies both of national and local levels:

- 21 (a) Imposition of price ceiling on basic necessities and prime commodities by
22 the National Price Control Council, as provided for under Republic Act No. 7581,
23 otherwise known as the "*Price Act*", as amended by Republic Act. No.10623;

24 (b) Monitoring, prevention and control by the Local Price Coordinating Council
25 of overpricing/profiteering and hoarding of prime commodities, medicines and
26 petroleum products;

27 (c) Programming/reprogramming of funds for the repair of critical facilities or
28 public infrastructures that are vital for the quick delivery of humanitarian assistance,
29 to reduce further threat to lives and arrest further deterioration of properties and
30 loss of livelihoods in the affected communities, following the "Build Forward Better"
31 principle;

32 (1) Grant of no-interest loans by government financing or lending institutions to

- 1 the most vulnerable and marginalized groups or individuals; and
- 2 (2) Local tax exemptions, incentives or reliefs under such terms and conditions
- 3 as may be deemed necessary by the affected LGU.

CHAPTER XVIII

PROCUREMENT

6 Sec. 64. *General Rule on Procurement.* – Any procurement of goods, services,
7 consultancy or infrastructure for disaster risk and vulnerability reduction and climate
8 risk, whether at the national or local level shall conform to the provisions and
9 implementing rules and regulations (IRR) of Republic Act No. 9184, otherwise known
10 as "Government Procurement Reform Act", as amended.

11 Sec. 65. *Emergency Procurement.* – In order to expedite disaster response and
12 early recovery, the procurement or lease of equipment and delivery of goods and
13 services through emergency procurement or purchase at site shall be allowed.
14 Periods of action on procurement activities may also be waived for the same purpose
15 and conditions.

CHAPTER XIX

PROHIBITED ACTS AND PENALTIES

18 Sec. 66. *Prohibited Acts.* – Any public official, private person, group or
19 corporation who commits any of the following prohibited acts shall be liable and be
20 subjected to the criminal and administrative penalties as provided for in Section 67
21 of this Act, without prejudice to the imposition of other criminal, civil and
22 administrative liabilities under existing laws.

(a) Prohibited Acts of Public Officials – The following acts, if committed by public officials without justifiable cause, shall be considered as gross neglect of duty:

(1) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;

27 (2) Failure to create a functional LDR office within six (6) months from the
28 approval of this Act;

(3) Failure to appoint a permanent local disaster resilience officer within six (6) months from the approval of this Act;

31 (4) Failure to prepare and implement a Contingency and Adaptation Plan for

- 1 hazards frequently occurring within their jurisdictions; and
- 2 (5) Failure to formulate and implement the LDRP with the corresponding
- 3 budget allocation.
- 4 Sexual exploitation and abuse, and other forms of sexual misconduct to the
- 5 affected population or at-risk communities shall be punishable under existing criminal
- 6 and administrative laws.
- 7 (b) Prohibited Acts of Public Officials and Private Persons or Institutions –
- 8 (c) Delaying, without justifiable cause the delivery or improper handling or
- 9 storage of aid commodities, resulting to damage or spoilage;
- 10 (1) Withholding the distribution of relief goods due to: (a) political or partisan
- 11 considerations; (b) discrimination based on race, ethnicity, religion, or gender; and
- 12 (c) other similar circumstances;
- 13 (2) Preventing the entry and distribution of relief goods in disaster-stricken
- 14 areas, including appropriate technology, tools, equipment, accessories, disaster
- 15 teams or experts;
- 16 (3) Buying, for consumption or resale, from disaster relief agencies any relief
- 17 goods, equipment or other aid commodities which are intended for distribution to
- 18 disaster affected communities;
- 19 (4) Buying, for consumption or resale, from disaster affected persons, relief
- 20 goods, equipment or other aid commodities received by them;
- 21 (5) Selling of relief goods, equipment, or other aid commodities which are
- 22 intended for distribution to disaster victims;
- 23 (6) Forcibly seizing relief goods, equipment, or other aid commodities intended
- 24 for or consigned to a specific group of victims or relief agency;
- 25 (7) Diverting or misdelivery of relief goods, equipment, or other aid
- 26 commodities to persons other than the rightful recipient or consignee;
- 27 (8) Accepting, possessing, using or disposing relief goods, equipment or other
- 28 aid commodities not intended for nor consigned to them;
- 29 (9) Misrepresenting the source of relief goods, equipment, or other aid
- 30 commodities by:
- 31 (i) Either covering, replacing or defacing the labels of the containers to make it
- 32 appear that the goods, equipment, or other aid commodities came from

1 another agency or persons;

2 (ii) Repacking the goods, equipment, or other aid commodities into containers
3 with different markings to make it appear that the goods came from another agency
4 or persons or was released upon the instance of a particular agency or persons; and

5 (iii) Making a false verbal claim that the goods, equipment or other aid
6 commodities in their untampered original containers actually came from another
7 agency or persons or was released upon the instance of a particular agency or
8 persons;

9 (10) Substituting or replacing relief goods, equipment, or other aid
10 commodities with the same items or of inferior/cheaper quality;

11 (11) Illegal solicitations by persons or organizations representing others as
12 defined in the standards and guidelines set by the NDRC;

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

16 (13) Stealing, taking, or possessing of any of the equipment, accessories
17 and other vital facility or items or any part thereof;

18 (14) Selling or buying stolen equipment, accessories, and other vital facility
19 or items or any part thereof;

20 (15) Tampering with or stealing hazard monitoring and disaster
21 preparedness equipment and paraphernalia;

22 (16) Attempting to commit any of the abovementioned prohibited acts; and

23 (17) Benefitting from the proceeds or fruits of any of the abovementioned
24 prohibited acts knowing that the proceeds or fruits are derived from the commission
25 of the prohibited acts.

26 Sec. 67. *Penalties.* – The following penalties shall be imposed on any individual,
27 corporation, partnership, association or other juridical entity that commits any of the
28 prohibited acts in the preceding section:

29 (a) Imprisonment of not less than twelve (12) years but not more than fifteen
30 (15) years or a fine of not less than One million pesos (P1,000,000.00) but not more
31 than Three million pesos (P3,000,000.00), or both imprisonment and fine at the
32 discretion of the court, shall be imposed upon any person found guilty of violating

1 subsections (b)(1) to (b)(16), as well as the confiscation or forfeiture in favor of the
2 government of the objects and the instrumentalities used in the commission of the
3 prohibited acts;

4 (b) Imprisonment of not less than six (6) years but not more than eight (8)
5 years or a fine of not less than Five hundred thousand pesos (P500,000.00) but not
6 more than One million pesos (P1,000,000.00), or both imprisonment and fine at the
7 discretion of the court, shall be imposed upon any person who attempts to commit
8 any of the prohibited acts in the preceding section, in violation of subsection (b)(17)
9 thereof;

10 (c) Imprisonment of not less than two (2) years but not more than six (6)
11 years or a fine of not less than Two hundred thousand pesos (P200,000.00) but not
12 more than Five hundred thousand pesos (P500,000.00), or both imprisonment and
13 fine at the discretion of the court, shall be imposed upon any person found guilty of
14 unlawfully benefiting from the proceeds or fruits of any of the prohibited acts in the
15 preceding section, in violation of subsection (b)(18) thereof;

16 (d) Perpetual disqualification from public office aside from the penalty of fine or
17 imprisonment or both, shall be imposed if the offender is a public officer, and
18 confiscation or forfeiture in favor of the government of the objects and the
19 instrumentalities used in the commission of any of the prohibited acts in the
20 preceding section;

21 (e) If the offender is a corporation, partnership or association, or other juridical
22 entity, the penalty shall be imposed upon the officer or officers of the corporation,
23 partnership, association or entity responsible for the violation without prejudice to
24 the cancellation or revocation of these entities' registration, license or accreditation
25 issued to them by any licensing or accredited body of the government. If such
26 offender is an alien, the person shall, in addition to the penalties prescribed in this
27 Act, be deported without further proceedings after service of the sentence;

28 (f) Payment of the full cost of repair or replacement of the government risk
29 reduction and preparedness equipment, accessories and other vital facility or items,
30 or any part thereof, which is the object of the crime shall likewise be imposed upon
31 any person who shall commit any of the prohibited acts in the preceding section;
32 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 Act No. 3815, as amended,
3 otherwise known as the "The Revised Penal Code", and other existing laws, as well
4 as the imposition of applicable administrative or civil liabilities.

CHAPTER XX

APPROPRIATIONS

8 Sec. 68. *Appropriations.* – (a) The amount needed for the initial
9 implementation of this Act shall be taken from the current fiscal year's unexpended
10 appropriation of all agencies herein absorbed, transferred, and attached to the
11 Department. Thereafter, the amount needed for the operation and maintenance of
12 the Department shall be included in the General Appropriations Act.

(b) National Disaster Resilience Fund (NDRF). The utilization and allocation of the entire NDRF (Calamity Fund) and its quick response fund component shall be managed by the Department except as provided for by specific laws.

26 (1) Of the amount appropriated for LDRF, twenty percent (20%) shall be
27 allocated as Quick Response Fund (QRF) or standby fund for prepositioning of goods
28 and relief and early recovery programs in order that the situation and living
29 conditions of people in communities or areas stricken by disasters, epidemics, or
30 complex emergencies, may be normalized as quickly as possible.

31 (2) Of the annual appropriation for the LDRF, eighty percent (80%) shall be
32 appropriated for climate change adaptation, disaster risk and vulnerability reduction.

1 prevention, adaptation and mitigation programs, projects and activities focusing on
2 both institutional capacity building of vulnerable communities and risk-reducing
3 infrastructure. The NDRC shall pass a resolution to set the priority allocations and
4 govern and trigger the acceleration and implementation of this section.

5 (3) Of the amount appropriated for the Disaster Resilience Fund, twenty percent
6 (20%) shall be allocated as Quick Response Fund (QRF) or standby fund for
7 prepositioning of goods and equipment and relief and early recovery programs in
8 order that the situation and living conditions of people in communities or areas
9 stricken by disasters, epidemics, or complex emergencies, may be normalized as
10 quickly as possible.

11 (4) All departments/agencies and LGUs that are allocated with LDRF shall
12 submit to the Department their monthly statements on the utilization of LDRF and
13 make an accounting thereof in accordance with existing accounting and auditing
14 rules.

15 (5) All departments, bureaus, offices and agencies of the government are
16 hereby authorized to use a portion of their appropriations to implement projects
17 designed to address disaster risk and vulnerable reduction-climate change adaptation
18 activities in accordance with the DRP and the guidelines to be issued by the DRC in
19 coordination with the Department Budget and Management (DBM) and Commission
20 on Audit (COA).

21 Unexpended LDRF shall accrue to a trust fund solely for the purpose of
22 supporting disaster risk reduction and management and climate change adaptation
23 activities of the LDRCs within the next two (2) years. Any such amount still not fully
24 utilized after two (2) years shall revert back to the general fund and will be available
25 for other social services to be identified by the local Sanggunian.

26 The NDRC shall issue guidelines on the utilization and release of LDRF in
27 coordination with other concerned government agencies.

28 (d) Prevention, Mitigation and Preparedness Fund for third (3rd) to sixth (6th)
29 class provinces and municipalities. There shall be in the annual General
30 Appropriations Act an amount allotted solely for the use of third (3rd) to sixth (6th)
31 class provinces and municipalities for the purpose of augmenting their LDRF with

1 respect to plans, programs, projects, and procurement for climate change adaptation,
2 disaster risk prevention, mitigation, and preparedness. The requirements to avail of
3 this fund shall be laid down in the rules and regulations to be promulgated by the
4 Secretary.

5 **CHAPTER XXI**

6 **FINAL PROVISIONS**

7 *Sec. 69. Transfer and Attachment. –*

8 (a) The applicable powers, functions, funds, and appropriations of the Office of
9 Civil Defense (OCD) and the Climate Change Office (CCO), Geo-Hazard Assessment
10 and Engineering Geology Section of the Mines and Geosciences Bureau (MGB),
11 Health and Emergency Management Bureau of the DOH, the Disaster Response
12 Assistance and Management Bureau (DREAMB) of the DSWD, and the Bureau of Fire
13 Protection are hereby transferred to the Department.

14 (b) The disaster risk reduction and management functions, assets and
15 personnel of the Office of Civil Defense (OCD) currently under the DND, are hereby
16 transferred to the Department, and the civil defense functions shall remain with
17 the DND;

18 (c) The existing organizational and administrative systems and processes of
19 the transferred OCD shall serve as the core organization of the Department.

20 (d) The Climate Change Office of the Climate Change Commission shall
21 continue its functions under Republic Act No. 10174 under the Department.

22 (e) The following agencies are hereby attached to the Department:

- 23 (1) PAGASA; and
24 (2) PHIVOLCS.

25 (f) The employees of the Bureau of Fire Protection (BFP) shall remain as a
26 distinct entity within the Department including their uniformed personnel status and
27 benefits.

28 The Department shall, by virtue of this Act, be subrogated to all the rights and
29 assume all the liabilities of the agencies absorbed under this Act, and all their funds,
30 records, property, assets, equipment, and such personnel as necessary, including
31 unexpended appropriations or allocations. All contracts and liabilities of the said
32 agencies are hereby transferred to and assumed by the Department and shall be

1 acted upon in accordance with the Auditing Code and other pertinent laws, rules, and
2 regulations.

3 Sec. 70. *Separation Benefits of Officials and Employees of Affected Agencies.* –
4 National government employees displaced or separated from the service as a result
5 of this Act shall be entitled to separation pay and other benefits in accordance with
6 Republic Act No. 6656, and other existing laws, rules or regulations: *Provided*, That
7 those who are qualified to retire under existing retirement laws shall be allowed to
8 retire and receive retirement benefits to which they may be entitled under applicable
9 laws and issuances.

10 Sec. 71. *Magna Carta for DDR Personnel*. – Qualified employees of the DDR,
11 LGUs and its attached units shall be covered by Republic Act No. 8439, known as the
12 "Magna Carta for Scientists, Engineers, Researchers and Other S & T Personnel in
13 the Government", and Republic Act No. 7305, otherwise known as the "Magna Carta
14 of Public Health Workers".

CHAPTER XXII

MISCELLANEOUS PROVISIONS

17 Sec. 72. *Implementing Rules and Regulations.* – The Department, in
18 consultation with concerned stakeholders, shall issue the necessary rules and
19 regulations for the effective implementation of this Act within ninety (90) days from
20 the effectivity of this Act.

Sec. 73. *Congressional Oversight Committee.* – There shall be created a Congressional Oversight Committee on Climate Change and Disaster Resilience to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on National Defense and Security of both the Senate and the House of Representatives as joint Chairpersons of this Committee. The five (5) other members from each Chamber are to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The minority shall be entitled to *pro rata* representation but shall have at least two (2) representatives from each Chamber.

31 Sec. 74. *Review.* – Five (5) years after the effectivity of this Act, or as the need

1 arises, the Congressional Oversight Committee shall conduct a systematic evaluation
2 of the accomplishments and impact of this Act, as well as the performance and
3 organizational structure of its implementing agencies, for purposes of determining
4 remedial legislation.

5 Sec. 75. *Separability Clause.* – If any provision of this Act shall be declared
6 unconstitutional or invalid, the other provisions not otherwise affected shall remain in
7 full force and effect.

8 Sec. 76. *Repealing Clause.* – (a) Republic Act No. 10121, otherwise known as
9 the “Philippine Disaster Risk Reduction and Management Act of 2010,” is hereby
10 repealed.

11 (b) The following provisions are hereby amended or modified, accordingly:

12 (1) Section 30 of Executive Order No. 128, Series of 1987, Reorganizing the
13 National Science and Technology Authority;

14 (2) Section 6 of Republic Act 6975, otherwise known as the “Department of the
15 Interior and Local Government Act of 1990”;

16 (3) Sections 3(d) and 5 of Republic Act No. 9729, otherwise known as the
17 “Climate Change Act of 2009”, as amended by Republic Act No. 10174;

18 (4) Section 4 of Republic Act No. 10639, otherwise known as “The Free Mobile
19 Disaster Alerts Act”; and

20 (5) Section 5 of Republic Act No. 10692, otherwise known as “The PAGASA
21 Modernization Act of 2015”.

22 (c) All other laws, decrees, executive orders and issuances, proclamations,
23 rules and regulations, and other issuances or parts thereof that are inconsistent with
24 the provisions of this Act are hereby repealed or amended accordingly.

25 Sec. 77. *Effectivity.* – This Act shall take effect fifteen (15) days after its
26 publication in the *Official Gazette* or in a newspaper of general circulation.

27 Approved,