

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3472

Introduced by: **REP. PROSPERO A. PICHAY, JR.**

EXPLANATORY NOTE

Due to its geo-climactic condition, the Philippines enjoys the benefits of certain natural endowments, like rainfall brought about by storms and typhoons. Yet the same phenomena are also hazards that can cause disasters and tremendous suffering to the unprepared and oblivious. For nature does not bestow the exact amounts of benefit. Frequently, it gives more than necessary. This country can reap the bounties of nature but will need to avoid its unforgiving dimension by being prepared. This bill is about equipping the country with the wherewithal to prevent or minimize the destructive effects of acts of nature, and of man.

About sixty percent (60%) of the world's major natural hazards are said to occur in the Asia-Pacific region thereby making the Philippines perennially vulnerable. In a span of 90 years (1900-1990), the Brussels-based Center for Research on the Epidemiology of Disasters (CRED) cited the Philippines as having the highest natural disaster occurrences in the world. With regard to man-made disasters, the Philippines is equally susceptible. From October to November of 2004 alone, there have been sixty-three (63) recorded occurrences resulting to fifty-two (52) deaths and hundreds of injured persons. The country's vulnerability to disasters, both natural and man-made, is even more exacerbated by its socio-economic conditions.

Yearly, the loss of life and damage to property become new statistics as typhoons, earthquakes and similar phenomena ravage the country. But while we cannot outlaw these occurrences, we can direct our concerted efforts in ensuring proper preparation, mitigation and response in the form of an effective emergency and disaster management.

Thus far, measures toward the devastation caused by disasters are of short-term and reactive nature. But what we truly need is a measure with substantial and long-lasting results. One salient way to bring this about is through a comprehensive and centralized emergency authority.

Hence, there is a need to defragment the emergency and disaster management structure in the country and consolidate it into a new and independent Philippine



Emergency and Disaster Management Authority (PEDMA). This agency transcends the powers and functions of previous emergency and disaster-related bodies. It will be equipped with broader and more proactive powers, sufficient manpower and financial resources thereby bringing about a more active involvement in every phase of the disaster cycle – response, recovery, mitigation, risk reduction, prevention and preparedness.

Concurrent to the creation of a comprehensive and centralized agency is the strengthening of emergency and disaster management in the local levels through the Emergency and Disaster Field Offices to be designated in every province and the formation of a network of volunteer emergency workers across the country. With a comprehensive and centralized national agency, strengthened by equally proficient and equipped local field offices, emergency and disaster management in the Philippines will be more effective thereby bringing about more substantial and lasting results.

This Act is more than just a mere restructuring of the emergency and disaster management system in the country. Rather, it translates to something more infinitely significant -- the prevention of meaningless loss of Filipino lives and property.

Thus, the passage of this bill is fervently sought.


PROSPERO A. PICHAY, JR.



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AN ACT
ESTABLISHING THE PHILIPPINE EMERGENCY AND DISASTER MANAGEMENT
AUTHORITY AND PROVIDING FUNDS THEREFOR

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

SECTION 1. *Short Title.* This Act shall be known as the "Philippine Emergency and Disaster Management Authority Act of 2004."

SEC. 2. *Declaration of Policy.* It shall be the policy of the State to develop, promote and implement a comprehensive program in preparing for, responding to, mitigating the effects of and recovering from disasters and/or emergencies.

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

1. "Disaster" refers to any event, natural or man-made, sudden or progressive, that seriously disrupts the functioning of a society, causing human, material or environmental losses of such severity that the affected community has to respond by taking exceptional measures.

2. "Emergency" refers to unforeseen or sudden occurrence, especially danger, demanding immediate action.

3. "Disaster Management" is a comprehensive set of activities that covers all aspects of disaster work from response, recovery, mitigation, risk reduction, prevention and preparedness.

4. "Emergency and Disaster Field Offices" are stations of the Philippine Disaster Management Authority in the provincial level.

SEC. 4. *The Philippine Emergency and Disaster Management Authority.* There shall be created a Philippine Emergency and Disaster Management Authority (PEDMA or the Authority) which shall be an independent body and of the same status as that of a national agency attached to the Office of the President.

The PEDMA shall be headed by a Board composed of a Chairperson and two (2) Members, to be appointed by the President of the Republic of the Philippines from a list of nominees submitted by agencies and organizations active in disaster management, both in the public and private sectors. All nominees must be considered experts in the field of emergency and disaster management and of proven integrity and competence.

The Chairperson and two (2) Members shall serve for a term of five (5) years and their positions considered as civil service career positions: *Provided*, That the Chairperson or one of the Members first appointed after the effectivity of this Act shall serve for an additional one (1) year to ensure continuity of the programs. The Chairperson shall have the same rank and privileges of a department Secretary while the two (2) Members shall have the same rank and privileges of the Undersecretaries of a department.

SEC. 5. *Powers and Functions of the PEDMA.* The PEDMA shall have the following powers and functions:

1. Formulate policies on emergency and disaster response and management, and develop a comprehensive national Emergency and Disaster Prevention and Preparedness Plan.

2. Advise the President on the status of emergency and disaster response, recovery, mitigation, risk reduction, prevention and preparedness efforts being undertaken by concerned government and private entities.

3. Recommend to the President the declaration of a state of calamity in areas extensively damaged and submit proposals to establish normalcy in the affected areas.

4. Ensure that all emergency and disaster preparedness and mitigation activities such as training, public information and other programs/projects requiring regional and international support shall be carried out in accordance with duly established national policies.

5. Foster and facilitate the participation of non-government agencies in measures taken by the government for emergency and disaster-related concerns.

6. Render annual reports to the President and to Congress.

SEC. 6. *The Philippine Emergency and Disaster Management Authority Secretariat.* The Philippine Emergency and Disaster Management Authority Secretariat (the Secretariat) shall be formed to manage the day-to-day activities of the

Authority. The Board shall determine the staffing pattern and compensation scheme of the Secretariat subject to existing rules and regulations.

The Secretariat shall be headed by an Executive Director who shall serve as the Chief Operations Officer of the PEDMA. It shall serve as the forum for coordination and support of the different volunteer organizations established by the Emergency Field Offices throughout the country.

SEC. 7. *The Emergency and Disaster Field Offices.* Emergency and Disaster Field Offices shall be established in every province, each to be headed by a Director. The National Capital Region shall be considered as one (1) province for purposes of this section.

The Emergency and Disaster Field Offices, through its Directors, shall coordinate all disaster management-related efforts with the provincial, municipal and barangay authorities.

SEC. 8. *Powers and Functions of the Emergency and Disaster Field Offices.* The Emergency and Disaster Field Offices shall be empowered to:

1. Formulate policies on emergency and disaster response and management in accordance with the national policies and the comprehensive national Emergency and Disaster Preparedness and Prevention Plan set down by the Board, taking into account the unique circumstances obtaining in their respective areas of jurisdiction.

2. Identify hazards/disaster risks in their areas of responsibility and draw up counter-emergency and disaster plans/strategies.

3. Identify and source funding for specific emergency and disaster preparedness and management projects.

4. In consultation with the affected province, municipality or barangay, identify evacuation areas, whenever necessary.

5. Coordinate with agencies and organizations involved in emergency and disaster management efforts within their jurisdiction: *Provided*, That the Board, by itself or through the Secretariat, shall make all such coordinative efforts with similar entities on the national and international levels.

6. Organize volunteers in their respective jurisdictions who can be mobilized to undertake emergency or disaster related work.

7. Enforce curfews and compel forced evacuation whenever circumstances warrant such actions.

8. Deputize all law enforcement agencies in enforcing laws designed to protect the environment and prevent disasters, and in implementing its task mentioned in paragraph 5 of this section.

All department agencies within the jurisdiction of a particular Director shall lend its facilities, equipment, services, manpower and the like to the Director in the conduct of emergency and disaster response operations and rehabilitation efforts. Priority shall be given to these activities.

SEC. 9. *Appropriations.* The amount necessary for the implementation of this Act shall be included in the annual General Appropriations Act.

The Calamity Fund shall be incorporated in the annual appropriations for the PEDMA and shall be utilized, upon approval by the President, for aid, relief, rehabilitation and reconstruction efforts.

SEC. 10. *Separability Clause.* If for any reason any part or provision of this Act is declared unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby shall continue in full force and effect.

SEC. 11. *Repealing Clause.* All laws, decrees, orders, rules and regulations, and other issuances or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

SEC. 12. *Effectivity.* This Act shall take effect fifteen days following its complete publication in at least two (2) newspapers of general circulation.

Approved,
