

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY
FIFTEENTH CONGRESS
First Regular Session
House Bill No. 4108



Introduced by: Representative Jeffrey P. Ferrer

The 1987 Constitution provides that "The State shall ensure the autonomy of local governments" (Article II, Section 25). The Local Government Code of 1991 or Republic Act No. 7160 also states that "the State shall provide for a more responsive and accountable local government structure instituted through a system of decentralization whereby local government units shall be given more powers, authority, responsibilities, and resources" (Section 2).

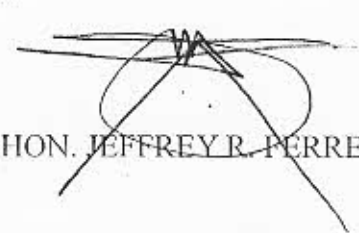
However, Section 21 of the Republic Act No. 10121 or the Philippine Disaster Risk Reduction and Management Act of 2010 states that unexpended funds intended for disaster-related endeavors "shall accrue to a special trust fund solely for the purpose of supporting disaster risk reduction and management activities ... within the next five (5) years".

While the intent of said provision clearly pursues disaster-related ends, it ironically abandons the immediate, equally-important and urgent needs within the LGU's jurisdiction. In economically challenged areas, for example, there is always that vital need for funding basic social services.

Section 21 of RA 10121 provides for an emergency fund for relief and rehabilitation, but a scenario may arise when more funds are needed, and the local sanggunian's mandate to tap this source must not be compromised by the said law. To illustrate, the need may arise when the LGU must quickly respond to disease outbreaks and it cannot wait for outside help because time is of the essence in saving the lives of its constituents. In another scenario, if there occurs a sudden influx of people from other localities, or if any other unforeseen social event occurs and disrupts the carrying capacity of the locality, the LGU must respond swiftly, and it cannot do so if funds cannot be released because these have been reserved for future natural disasters.

Therefore, the power and authority of the LGUs must be upheld so that they can make available the said unused portion of the 5% calamity fund within a given year for the delivery of social services and other priorities identified by the LGU.

In view thereof, the passage of this bill is most earnestly sought


HON. JEFFREY R. FERRER

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AN ACT

AMENDING SECTION 21 OF THE REPUBLIC ACT No. 10121
OTHERWISE KNOWN AS "AN ACT STRENGTHENING THE PHILIPPINE DISASTER RISK
REDUCTION AND MANAGEMENT SYSTEM, PROVIDING FOR THE NATIONAL DISASTER
RISK REDUCTION AND MANAGEMENT FRAMEWORK
AND INSTITUTIONALIZING THE NATIONAL DISASTER RISK REDUCTION AND
MANAGEMENT PLAN, APPROPRIATING FUNDS THEREFOR AND
FOR OTHER PURPOSES"

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

SECTION. 1. Section 21 of the Republic Act No. 10121, otherwise known as "AN ACT STRENGTHENING THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT SYSTEM, PROVIDING FOR THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT FRAMEWORK AND INSTITUTIONALIZING THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT PLAN, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES, is hereby amended to read as follows:

SEC. 21. Local Disaster Risk Reduction and Management Fund (LDRRMF). – The present Local Calamity Fund shall henceforth be known as the Local Disaster Risk Reduction and Management Fund (LDRRMF). Not less than five percent (5%) of the estimated revenue from regular sources shall be set aside as the LDRRMF to support disaster risk management activities such as, but not limited to, pre-disaster preparedness programs including training, purchasing life-saving rescue equipment, supplies and medicines, for post-disaster activities, and for the payment of premiums on calamity insurance. The LDRRMC shall monitor and evaluate the use and disbursement of the LDRRMF based on the LDRRMP as incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the LDRRMO and approval of the sanggunian concerned, the LDRRMC may transfer the said fund to support disaster risk reduction work of other LDRRMCs which are declared under state of calamity.

Of the amount appropriated for LDRRMF, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for relief and recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, calamities, epidemics, or complex emergencies, may be normalized as quickly as possible.

Unspent LDRRMF WITHIN THE GIVEN YEAR shall revert back to the general fund and will be available for other social services to be identified by the local sanggunian.

SECTION 2. Repealing Clause. – All laws, rules, regulations, orders, circulars and memorandums inconsistent with this Act are hereby repealed or modified accordingly.

SECTION. 3. Effectivity.- This act shall take effect immediately upon approval.

Approved.