

Republic of the Philippines
HOUSE OF THE REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5725



Introduced by: Christopher S. Co., Hon. Rodel M. Batocabe, and Alfredo A. Garbin, Jr.

EXPLANATORY NOTE

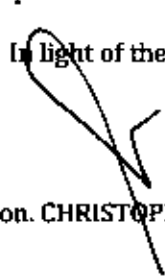
This bill seeks to penalize any person who refuses to comply with Forced/Mandatory evacuation orders from the local government unit (LGU) of his/her place of residence.

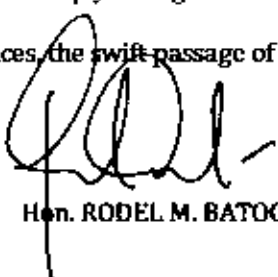
The National Disaster Risk Reduction and Management Council (NDRRMC) has a "Zero Casualty" policy during calamities, especially during slow onset disasters such as typhoons and other weather disturbances. In 2003, the President authorized the use of police powers to force the evacuation of residents living along riverbanks, low-lying areas, mountain slopes and other vulnerable areas during typhoons and heavy downpours.

According to the Implementing Rules and Regulations of the Philippine Disaster Risk Reduction and Management Act of 2010 (RA 10121), the local councils are responsible for recommending the implementation of forced or preemptive evacuation of local residents in times of calamity, if necessary. These shall be based on vulnerability assessments of areas that are prone to hazards.

However, these policies will be worthless if residents of hazardous areas refuse to comply with regulations to ensure their safety. The Zero Casualty goals of the Council will be put to waste. In this regard, and to create a better and more efficient risk mitigation and preparedness program, this bill seeks to penalize those who refuse to comply with government orders for mandatory evacuation.

In light of these circumstances, the swift passage of this bill is earnestly sought.


Hon. CHRISTOPHER S. CO


Hon. RODEL M. BATOCABE

Hon. ALFREDO A. GARBIN, JR.

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AN ACT PENALIZING ANY PERSON WHO REFUSES TO COMPLY WITH GOVERNMENT ORDERS OF MANDATORY OR FORCED EVACUATION DURING TIMES OF CALAMITY OR DISASTER, AMENDING FOR THE PURPOSE 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 9 of Republic Act no. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010" is hereby further amended by inserting a new subparagraph (n), to read as follows:

Sec. 19. Prohibited Acts. - Any person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the penalties as prescribed in Section 20 of this Act:

X X X

(n) Refusal to comply with government orders of mandatory or forced evacuation during times of calamity or disaster.

SECTION 8. Separability Clause. - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 9. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or inconsistent with, the provision of this Act is hereby repealed, modified or amended accordingly.

6 Approved.

SECTION 2. Effectivity. This Act shall take effect fifteen (15) days in at least one (1) newspaper of general circulation.