

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Sixteenth Congress
Third Regular Session

House Bill No. **6128**



Introduced by RODEL M. BATOCABE

Explanatory Note

Five years from the passage of the landmark Philippine Disaster Risk Reduction and Management Act in 2010, there is now ample experience on the ground from the various disasters and hazards that the country has had in the preceding years to improve on the current measure. These experiences will all be set out and identified through the Act's sunset review clause, which the law itself describes as a "systematic evaluation by the Congressional Oversight Committee of the accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation."

The civil society organizations led by Partnership of Philippine Support Service Agencies (PHILSSA), Aksyon sa Kahandaan sa Kalamidad at Klima (AKKMA), and the Caucus of Development NGO Networks (CODE-NGO) supported by Christian Aid through Scaling Up Resilience in Governance (SURGE), a consortium composed of Christian Aid, Handicap International, Oxfam and Plan International, which aims to build and increase the resilience of high-risk communities by promoting inclusive community-based disaster risk reduction practices and taking the learning to other communities in the Philippines, took upon themselves to conduct their own sunset review process and this proposed measure is the outcome of such efforts.

The review that the civil society organizations have undertaken has resulted in the realization that the enhancement of disaster risk management policies and practices must be informed by the successful experiences on inclusive community-based disaster risk reduction (ICBDRR), including lessons from the aftermath of Typhoon Haiyan. ICBDRR puts premium on the role of local stakeholders—LGUs and grassroots organizations—in increasing community resilience to confront disaster risks and climate change impacts. National DRRM institutions must not stifle ICBDRR practices and should instead support enhancing local capacities.

Learning from successful ICBDRR should be adopted by more local Disaster Risk Management plans and processes through peer-to-peer mentoring methodologies. Local government units (LGUs) and Disaster Risk Reduction champions should be enabled to hand-over their knowledge and skills on ICBDRR to more LGUs.

Diverse experiences should be supported to voice their views and have meaningful participation. Experiences of women and men, girls and boys, persons with disabilities, older persons and other individuals who have been rendered vulnerable by structural and practical barriers, must be integrated in DRM processes. Inclusive processes must respect each person's dignity, capacities and resources with a collectively strengthened community.

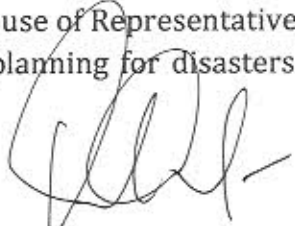
Towards this end, the proposed measure fine-tunes the key provisions of Republic Act 10121 by inserting specific amendments therein addressing the following concerns identified by the CSO sunset review process, particularly the following:

- **Improving the current institutional structure for better implementation of the law** since, at present, the vulnerable sectors are not represented in the various disaster and risk reduction management councils in local government units and that mainly, only NGOs are represented despite the fact that it is the peoples' organizations (POs) of these vulnerable sectors that are the frontline organizations in the communities; CSO (NGO & PO) participation in many LGUs is still a token participation and not really as development partners
- **Clarifying the various elements for a successful effort in preparedness** as, in the present day, planning and the resultant plans are usually given the "copy and paste" treatment from sample templates sometimes without consideration of the vulnerable sectors; an information campaign is necessary to ensure that the community is aware of all aspects of the DRRM Plan (evacuation/safe areas, things to do, etc.) and that drills and other related activities are not institutionalized and are only done as a project or initiative rather than a requirement on a weekly basis and vulnerability-mapping is still not widely done by the LGUs
- **Setting out other what other elements need to be looked into when it comes to response** for, baseline data is not readily available, making response difficult in communities; the LGU-level protocol on response is not also standard or is absent at all and response prioritization is still vague
- **Identifying further measures in adaptation and mitigation** to address the current situation where data on ecological services are not available making it harder to take into account the contribution of these ecosystem services to the resilience of the community (availability of crops or fish stocks after disaster; hence relief goods are not the first priority); what must also be taken into account is that LGUs have rarely prioritized the implementation of environmental laws, many of which laws or ordinances, where available, could help in the adaptation and mitigation action of the communities; what must also be noted is the fact that early warning systems are not readily available in many LGUs particularly the most vulnerable ones and climate change adaptation measures are rarely heard in LGUs as most still do not understand how it is to be done
- **Improved rehabilitation and recovery** by institutionalizing rights-based approach to rehabilitation and recovery and more specifically, making housing efforts apt or responsive to people's needs and livelihood is only given token attention in rehabilitation and recovery planning efforts as most of the livelihood programs are only limited to cash for work which is temporary
- **Making funding and its mechanisms more responsive** to the needs of the community since 4th, 5th and 6th class municipalities that are most likely to be the most vulnerable have the lowest funding for DRR-CCA plans, programs and activities; then there is the issue of procurement, which is strictly implemented even during calamities making it very difficult for LGUs to source materials to respond to communities; on top of these concerns, there is a need to strike a balance between fast tracking the release of funds but at the same time safeguarding against possible corruption and to address this, even the long-standing Civil Code provision on liability for tort and/or damages of province, cities and municipalities in case of defective infrastructure and civil works in their respective jurisdictions is updated to take into account the need to adequately prepare for these hazards.

Given that the Philippines actively participated in the recently-concluded 4th World Conference on Disaster Risk Reduction last March 2015 in Sendai, Japan, the key elements of the SENDAI FRAMEWORK OF ACTION, a successor framework to the Hyogo Framework of Action to which Republic Act 10121 took into account, is likewise incorporated in this proposed measure, particularly on institutionalizing greater understanding of multi-hazard disaster risk that also identifies clearly the country's challenges as regards disaster risk reduction and climate change adaptation (DRR-CCA), strengthens disaster risk governance to manage disaster risk and promotes and facilitates investment in disaster risk reduction for resilience that also includes taking up specific initiatives to deal with loss and damage arising from slow-onset impacts from climate change.

A high priority accorded to these proposals by the House of Representatives would only be proper since not only will proper preparation and planning for disasters save money and misery, they also save people.

Approved,



HON. RODEL M. BATOCABE

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House Bill No. **6128**

Introduced by **RODEL M. BATOCABE**

AN ACT AMENDING REPUBLIC ACT No. 10121, AND RELATED LAWS, INCORPORATING AMENDMENTS TO THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT SYSTEM, MAKING THEM INCLUSIVE AND STRENGTHENING THE DISASTER RISK REDUCTION-CLIMATE CHANGE ADAPTATION LINKAGES, INCREASING APPROPRIATIONS THEREFOR AND FOR OTHER PURPOSES.

Section 1. Title. - This Act shall be known as the *"Enhancing the Inclusiveness of the Philippine Disaster Risk Reduction and Management System Act of 2016"*.

Section 2. Secs. 2 (c) and (f) of the Act, Declaration of Policy, is hereby amended as follows :

(c) Incorporate internationally accepted principles of disaster risk management, ESPECIALLY THE SENDAI FRAMEWORK OF ACTION AND THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE ON DISASTER RISK REDUCTION-CLIMATE CHANGE ADAPTATION AND LOSS AND DAMAGE, in the creation and implementation of national, regional and local sustainable development and poverty reduction strategies, policies, plans and budgets;

(f) Adopt and implement a coherent, comprehensive, integrated, efficient and responsive disaster risk reduction program incorporated in the development plan THAT IS ADEQUATELY FUNDED at various levels of government GIVING PRIORITY TO LOCAL GOVERNMENT UNITS THAT ARE HIGHLY VULNERABLE, GEOGRAPHICALLY ISOLATED AND BELONGING TO THE POOREST OF THE POOR LOCAL GOVERNMENT UNITS adhering to the principles of good governance such as transparency and accountability within the context of poverty alleviation and environmental protection

Section 3. Sec. 3(ee) of the Act, Definition of Terms, is hereby amended as follows :

(ee) *"Rehabilitation AND RECOVERY"* - measures that ensure the ability of affected communities/areas to restore their FUNCTIONALITY by rebuilding AS A MATTER OF PRIORITY APPROPRIATE livelihoods and damaged infrastructures PARTICULARLY SHELTER and increasing the communities' organizational capacity TO ENHANCE THEIR EARNING ABILITY; RECOVERY EFFORTS SHALL GIVE PRIORITY TO OPPORTUNITIES TO BUILD BACK BETTER, ENABLING GREATER RESILIENCY OF COMMUNITIES TO DISASTERS

Section 4. Sec. 4 of the Act, on Scope, is hereby amended as follows :

Sec. 4 - This Act provides for the development of policies and plans and the implementation of actions and measures pertaining to all aspects of disaster risk reduction and management, including good governance, risk assessment and early warning, knowledge building and awareness raising, reducing underlying risk factors, and preparedness for effective response and early recovery AND REHABILITATION INCLUDING ADAPTATION AND MITIGATION.

Section 5. Sec. 5 (hh) of Republic Act 10121, on *National Disaster Risk Reduction and Management Council*, is hereby amended, as follows:

Sec. 5. - The present National Disaster Coordinating Council or NDCC shall henceforth be known as the National Disaster Risk Reduction and Management Council, hereinafter referred to as the NDRRMC or the National Council.

The National Council shall be headed by the Secretary of the Department of National Defense (DND) as Chairperson with the Secretary of the Department of the Interior and Local Government (DILG) as Vice Chairperson for Disaster Preparedness, the Secretary of the Department of Social Welfare and Development (DSWD) as Vice Chairperson for Disaster Response, the Secretary of the Department of Science and Technology (DOST) as Vice Chairperson for Disaster Prevention and Mitigation, and the Director-General of the National Economic and Development Authority (NEDA) as Vice Chairperson for Disaster Rehabilitation and Recovery.

The National Council's members shall be the following:

“(hh) REPRESENTATIVES FROM THE FOLLOWING BASIC SECTORS:

- (1) FARMERS AND LANDLESS RURAL WORKERS;
- (2) ARTISANAL FISHERFOLK;
- (3) URBAN POOR;
- (4) INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES;
- (5) WORKERS IN THE FORMAL SECTOR AND MIGRANT WORKERS;
- (6) WORKERS IN THE INFORMAL SECTOR;
- (7) WOMEN;
- (8) YOUTH AND STUDENTS;
- (9) PERSONS WITH DISABILITIES;
- (10) VICTIMS OF DISASTERS AND CALAMITIES;
- (11) SENIOR CITIZENS;
- (12) NONGOVERNMENT ORGANIZATIONS (NGOS);
- (13) CHILDREN; AND
- (14) COOPERATIVES.

PROVIDED THAT, THE VULNERABLE SECTORS AND THEIR ORGANIZATIONS ARE GIVEN PRIORITY IN THE SELECTION OF THESE REPRESENTATIVES.”

(kk) REPRESENTATIVE FROM THE SCIENTIFIC COMMUNITY

Section 6. Sec. 6 (a), *Powers and Functions of the NDRRMC*, is hereby amended as follows :

“Sec. 6. - The National Council, being empowered with policy-making, coordination, integration, supervision, monitoring and evaluation functions, shall have the following responsibilities:

- (a) Develop a NDRRMF which shall provide for a comprehensive, all-hazards AND VULNERABILITY RISK ASSESSMENT, PREPAREDNESS, RESPONSE, REHABILITATION & RECOVERY , multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management. The Framework shall serve as the principal guide to disaster risk reduction and management efforts in the country and shall be reviewed on a five(5)-year interval, or as may be deemed necessary, in order to ensure its relevance to the times;

(a)bis SUPPORT AND FUND LGU EFFORTS IN HAZARD, RISK AND VULNERABILITY ASSESSMENT, PREPAREDNESS, RESPONSE, ADAPTATION AND MITIGATION, AND, REHABILITATION AND RECOVERY, AS SPELLED OUT IN THIS ACT

Section 7. Sec. 10, first paragraph, of Republic Act 10121, on *Disaster Risk Reduction and Management Organization at the Regional Level*, is hereby amended, as follows

The current Regional Disaster Coordinating Councils TO WHICH SHALL BE INCLUDED THE SAME BASIC SECTOR, PRIVATE AND SCIENTIFIC COMMUNITY REPRESENTATIVES AS THE NDRRMC, shall henceforth be known as the Regional Disaster Risk Reduction and Management Councils (RDRRMCs) which shall coordinate, integrate, supervise, and evaluate the activities of the LDRRMCs. The RDRRMC shall be responsible in ensuring disaster sensitive regional development plans, and in case of emergencies shall convene the different regional line agencies and concerned institutions and authorities.

Section 8. Sec. 11 (a) (17) of Republic Act 10121 is hereby amended as follows

(17) REPRESENTATIVES FROM THE FOLLOWING BASIC SECTORS:

- (a) FARMERS AND LANDLESS RURAL WORKERS;
- (b) ARTISANAL FISHERFOLK;
- (c) URBAN POOR;
- (d) INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES;
- (e) WORKERS IN THE FORMAL SECTOR AND MIGRANT WORKERS;
- (f) WORKERS IN THE INFORMAL SECTOR;
- (g) WOMEN;
- (h) YOUTH AND STUDENTS;
- (i) PERSONS WITH DISABILITIES;
- (j) VICTIMS OF DISASTERS AND CALAMITIES;
- (k) SENIOR CITIZENS;
- (l) NONGOVERNMENT ORGANIZATIONS (NGOS);
- (m) CHILDREN; AND
- (n) COOPERATIVES.

PROVIDED THAT, THE VULNERABLE SECTORS AND THEIR ORGANIZATIONS ARE GIVEN PRIORITY IN THE SELECTION OF THESE REPRESENTATIVES."

Section 9. Sec. 12 (c) of Republic Act 10121, on *Local Disaster Risk Reduction and Management Office (LDRRMO)*, is hereby amended, as follows:

"(c) The provincial, city and municipal DRRMOs or BDRRMCs shall perform the following functions with impartiality given the emerging challenges brought by disasters of our times, WITH CLEARLY-DEFINED ROLES TO CSOs and POs RELATING TO THE PLANNING, IMPLEMENTATION, MONITORING AND EVALUATION OF PROGRAMS INVOLVING ANY OF THE TASKS ENUMERATED BELOW WITH ADEQUATE FINANCIAL SUPPORT TO THESE CSOs and POs SO THAT

CAPACITY-BUILDING ACTIVITIES ON ANY OF THESE FUNCTIONS MAY BE REGULARLY CONDUCTED :

- (1) Design, program, and coordinate disaster risk reduction and management activities consistent with the National Council's standards and guidelines;
- (2) Facilitate and support risk assessments and contingency planning activities at the local level;
- (3) Consolidate local disaster risk information which includes natural hazards, vulnerabilities, and climate change risks, and maintain a local risk map;
- (4) Organize and conduct training, orientation, and knowledge management activities on disaster risk reduction and management at the local level;
- (5) Operate a multi-hazard early warning system, linked to disaster risk reduction to provide accurate and timely advice to national or local emergency response organizations and to the general public, through diverse mass media, particularly radio, landline communications, and technologies for communication within rural communities;
- (6) Formulate and implement a comprehensive and - integrated LDRRMP in accordance with the national, regional and provincial framework, and policies on disaster risk reduction in close coordination with the local development councils (LDCs);
- (7) Prepare and submit to the local sanggunian through the LDRRMC and the LDC the annual LDRRMO Plan and budget, the proposed programming of the LDRRMF, other dedicated disaster risk reduction and management resources, and other regular funding source/s and budgetary support of the LDRRMO/BDRRMC;
- (8) Conduct continuous disaster monitoring and mobilize instrumentalities and entities of the LGUs, CSOs, private groups and organized volunteers, to utilize their facilities and resources for the protection and preservation of life and properties during emergencies in accordance with existing policies and procedures;
- (9) Identify, assess and manage the hazards vulnerabilities and risks that may occur in their locality;
- (10) Disseminate information and raise public awareness about those hazards, vulnerabilities and risks, their nature, effects, early warning signs and counter-measures;
- (11) Identify and implement cost-effective risk reduction measures/strategies;
- (12) Maintain a database of human resource, equipment, directories, and location of critical infrastructures and their capacities such as hospitals and evacuation centers;
- (13) Develop, strengthen and operationalize mechanisms for partnership or networking with the private sector, CSOs, and volunteer groups;
- (14) Take all necessary steps on a continuing basis to maintain, provide, or arrange the provision of, or to otherwise make available, suitably-trained and competent personnel for effective civil defense and disaster risk reduction and management in its area;

(15) Organize, train, equip and supervise the local emergency response teams and the ACDVs, ensuring that humanitarian aid workers are equipped with basic skills to assist mothers to breastfeed;

(16) Respond to and manage the adverse effects of emergencies and carry out recovery activities in the affected area, ensuring that there is an efficient mechanism for immediate delivery of food, shelter and medical supplies for women and children, endeavor to create a special place where internally-displaced mothers can find help with breastfeeding, feed and care for their babies and give support to each other;

(17) Within its area, promote and raise public awareness of and compliance with this Act and legislative provisions relevant to the purpose of this Act;

(18) Serve as the secretariat and executive arm of the LDRRMC;

(19) Coordinate other disaster risk reduction and management activities;

(20) Establish linkage/network with other LGUs for disaster risk reduction and emergency response purposes;

(21) Recommend through the LDRRMC the enactment of local ordinances consistent with the requirements of this Act;

(22) Implement policies, approved plans and programs of the LDRRMC consistent with the policies and guidelines laid down in this Act;

(23) Establish a Provincial/City/Municipal/Barangay Disaster Risk Reduction and Management Operations Center;

(24) Prepare and submit, through the LDRRMC and the LDC, the report on the utilization of the LDRRMF and other dedicated disaster risk reduction and management resources to the local Commission on Audit (COA), copy furnished the regional director of the OCD and the Local Government Operations Officer of the DILG; and

(25) Act on other matters that may be authorized by the LDRRMC.

Section 10. Insert and renumber Secs. 15, 16, 17, 18 and 19 of Republic Act 10121, to read as follows:

SEC. 15. HAZARD, RISK AND VULNERABILITY ASSESSMENT – THE LOCAL GOVERNMENT UNITS SHALL CONDUCT AN INCLUSIVE HAZARD, RISK AND VULNERABILITY ASSESSMENT THAT IS GEOGRAPHY-SPECIFIC, MULTI-HAZARD AND CLEARLY LINKED TO CLEAR PLANS AND BUDGET, INCORPORATING RELEVANT AND UPDATED SCIENTIFIC KNOWLEDGE AND APPROPRIATE INDIGENOUS KNOWLEDGE OF INDIGENOUS PEOPLES AND LOCAL COMMUNITIES IN THE LOCALITY

SEC. 16. PREPAREDNESS – ALL LOCAL GOVERNMENT UNITS SHALL AIM TO ACHIEVE A HIGH LEVEL OF READINESS ON THE FOLLOWING, SO IT MAY BE ABLE TO WITHSTAND THE CHALLENGES OF AN IMPENDING DISASTER :

(A) PLANNING SHOULD RESULT TO A COMPREHENSIVE PREPAREDNESS PLAN THAT INCLUDES ALL SECTORS OF SOCIETY, PARTICULARLY THE VULNERABLE SECTORS IN GEOGRAPHICALLY-SPECIFIC AREAS, ALSO TAKING INTO ACCOUNT GENDER AND CULTURAL SENSITIVITY.

- (B) PLANS SHALL BE FORMULATED IN ACCORDANCE WITH THE TYPE OF HAZARDS THAT ARE ANTICIPATED TO OCCUR IN A LOCAL GOVERNMENT UNIT AND NOT BE GENERIC IN NATURE OR WHAT IS CALLED THE "ONE SIZE FITS ALL" TYPE;
- (C) AN EFFECTIVE INFORMATION, EDUCATION AND COMMUNICATION CAMPAIGN THAT IS REGULAR AND CONSISTENT TO ENSURE THAT THE COMMUNITIES ARE ENABLED AND CAPACITATED;
- (D) INSTITUTIONALIZED IMPLEMENTATION OF DRILLS, LIKE EARTHQUAKE AND FIRE DRILLS, SEARCH AND RESCUE, ETC, WITH TRUE PARTICIPATION FROM VULNERABLE MEMBERS OF SOCIETY ON A CONSISTENT BASIS;
- (E) THERE SHALL BE SUFFICIENT DATA AND MAPPING TOOLS AVAILABLE WITH CLEAR IDENTIFICATION OF WHAT IS APPROPRIATE IN EVERY LGU THAT SHOULD INCLUDE PAST DATA ON THE AREA'S VULNERABILITIES, INCLUDING COMPREHENSIVE INFORMATION ON EXISTING CAPACITIES;
- (F) INCLUSION OF EARLY WARNING SYSTEMS CASCADED FOR USE BY THE LOCAL GOVERNMENT UNITS SENSITIVE TO THE NEEDS OF THE DIFFERENTLY-ABLED, PREGNANT WOMEN, CHILDREN AND SENIOR CITIZENS;

SEC. 17. RESPONSE – ALL LOCAL GOVERNMENT UNITS SHALL HAVE THE FOLLOWING IN ORDER THAT IT WILL BE ABLE TO DELIVER EFFECTIVE, TIMELY AND APPROPRIATE DISASTER RESPONSE :

- (A) BASELINE DATA SUCH AS GEOGRAPHIC LOCATION, POPULATION, VULNERABLE GROUPS, ETC. MUST ALWAYS BE AVAILABLE AND UPDATED TO ENSURE THAT IN TIMES OF CALAMITIES IT IS EASIER TO DETERMINE RESPONSE MEASURES
- (B) THE LGU-LEVEL PROTOCOL MUST BE SET BY THE LGU WITH CSOS CONTRIBUTING TO THE PROTOCOL DEVELOPMENT; IT SHALL BE MADE READILY AVAILABLE AS WELL SO THAT DURING THE RESPONSE PHASE, ALL STAKEHOLDERS (WHETHER LOCAL OR FOREIGN) ARE AWARE OF WHAT TO DO AND WITH WHOM OR WHAT TO COORDINATE;
- (C) THE FOLLOWING SHALL BE THE PRIORITY CONCERNS AND ACTION POINTS DURING THE RESPONSE PHASE STRICTLY IN ACCORDANCE WITH NATIONAL AND INTERNATIONAL STANDARDS, AS APPROPRIATE :
 - (i) ACCESS TO FOOD AID, FOOD PRODUCTION SUPPLY OF SEEDS, HEALTH AND NUTRITION INTERVENTION
 - (ii) SHELTER OPTIONS
 - (iii) TRANSITORY EVACUATION CENTERS THAT ARE GENDER-SENSITIVE WITH PROVISIONS FOR FRIENDLY SPACES
 - (iv) ACCESS TO CLEAN WATER, WASH SERVICES
 - (v) ACCESS TO PSYCHOLOGICAL SUPPORT INCLUDING STRESS DEBRIEFING
 - (vi) IMMEDIATE RE-ESTABLISHMENT OF COMMUNITY SERVICES, PROTECTION SERVICES, ESPECIALLY AS REGARDS VULNERABLE GROUPS, PEACE AND ORDER, HEALTH FACILITIES, SCHOOLS AND THE LIKE

SEC. 18. ADAPTATION AND MITIGATION - THE FOLLOWING ARE ADDITIONAL ACTIONS THAT THE LGUS MAY UNDERTAKE TO ADAPT TO AND MITIGATE THE ADVERSE IMPACTS OF DISASTERS:

- (A) BASELINE DATA ON ECOLOGICAL SERVICES MUST BE ATTEMPTED TO BE COMPILED WHERE FEASIBLE SO THEY MAY BE MADE AVAILABLE TO THE LGU OFFICIALS CONCERNED TO ENSURE THAT RESPONSE MEASURES ARE RESPONSIVE TO THE NEEDS OF AFFECTED COMMUNITIES AND AVOID UNNECESSARY WASTAGE;
- (B) LGUs SHOULD STRICTLY ENFORCE RA 9003, OR THE SOLID WASTE MANAGEMENT ACT, THE CLEAN AIR ACT AND OTHER RELEVANT ENVIRONMENTAL LAWS SUCH AS THE ORGANIC AGRICULTURE ACT AND AIM TO INNOVATE ON ALL ASPECTS OF THESE ENVIRONMENTAL LAWS, SUCH AS ON WASTE MATERIALS AND MODELLING FARMS; DESIGNED WITH DRR-CCA CONCEPTS, WATER CATCHMENTS, WINDBREAKS, CLIMATE RESISTANCE CROPS, SEED BANKING, INCLUDING ALLOCATED LOTS FOR PLANING IN SUBDIVISIONS;
- (C) THE DOST SHALL ACCELERATE EFFORTS TO TRANSFER APPROPRIATE CLIMATE AND DISASTER MITIGATION TECHNOLOGIES TO LGUs WHICH SHOULD INCLUDE CAPACITY DEVELOPMENT OF LGU PERSONNEL SO THEY MAY BE ABLE TO OPERATE AND MAINTAIN THESE TECHNOLOGIES;
- (D) PLANNING UNITS WITHIN LGUs SHALL BE CAPACITATED SO THEY CAN COME UP WITH EFFECTIVE AND RESPONSIVE ADAPTATION MEASURES, LAND USE PLANS AND BUILDING CODES, INCLUDING BUT NOT LIMITED TO THE CREATION OF ZONES FOR SETTLEMENT, COMMUNAL SPACE FOR GARDENING IN SUBDIVISIONS, URBAN BARANGAYS AND COMMUNITIES, AND CREATE SCIENCE-BASED MAPPING OF HAZARD AREAS ZONES UTILIZING CULTURE AND HISTORY

SECTION 19. PREREQUISITES FOR ACTIONS OF LOCAL GOVERNMENT UNITS IN RELATION TO DANGER ZONES - THE DETERMINATION BY THE LOCAL GOVERNMENT UNITS OF A PUBLIC INTEREST RATIONALE FOR THE DESIGNATION OF DANGER ZONES SHALL BE APPROPRIATE AND NECESSARY AND SHALL BE IN ACCORDANCE WITH AN ORDINANCE DULY-APPROVED BY THE SANGGUNIAN CONCERNED AND SHALL BE IMPLEMENTED ONLY IN THE PRESENCE OF ALL THE FOLLOWING REQUISITES:

- (A) CONDUCT OF A THOROUGH STUDY SUBJECT TO THE PRECAUTIONARY PRINCIPLE SUCH THAT THE LACK OF FULL SCIENTIFIC CERTAINTY SHALL RESULT IN THE LOCAL GOVERNMENT UNIT FROM NOT PROCEEDING IN THE ACTION;
- (B) CONSIDERATION OF APPROPRIATE ENGINEERING SOLUTIONS; AND
- (C) A SOUND RELOCATION ACTION PLAN WITH CLEAR BUDGET

Section 11. The succeeding sections shall be renumbered accordingly.

Section 12. Section 15, last paragraph, of Republic Act 10121, renumbered as section 20, is hereby amended as follows :

The NDRRMC and intermediary LDRRMCs shall always act as support to LGUs which have the primary responsibility as first disaster responders. Private sector and civil society groups shall work in accordance with the coordination mechanism and policies set by the NDRRMC and concerned LDRRMCs MINDFUL THAT LOCAL LEADERSHIP AND INSTITUTIONS SHALL NOT BE SET ASIDE IN SUCH COORDINATION.

Section 13. Insert and renumber Sec. 23 of Republic Act 10121, to read as follows:

SEC. 23 REHABILITATION AND RECOVERY – THE AFFECTED LOCAL GOVERNMENT UNITS SHALL UNDERTAKE THE FOLLOWING DURING THE REHABILITATION AND RECOVERY PHASE:

- (a) REHABILITATION MUST TAKE INTO ACCOUNT THAT DISPLACED PERSONS NEED TO HAVE THEIR RIGHTS TO LIFE, LIVELIHOOD, ETC. THAT MUST BE MADE PART OF CONSIDERATIONS IN DECIDING TO CREATE A NEW SETTLEMENT FOR THEM;
- (b) THERE SHALL BE DECENT AND SECURE SHELTER IN A SAFE ZONE THAT IS APT FOR THE LOCATION AND CULTURE, AND SUITABLE TO THE NEEDS AND ASPIRATIONS OF BENEFICIARIES, WITH ACCESS TO COMPLETE SERVICES.
- (c) LIVELIHOOD MUST BE APPROPRIATE TO THE CAPACITY OF EACH FAMILY, INCLUDING WOMEN, CHILDREN, AND OTHER VULNERABLE SECTORS; TRAINING AS WELL AS CONTINUOUS UPDATING MUST BE GIVEN TO THE BENEFICIARIES TO ENSURE AND MAINTAIN THEIR EARNING CAPABILITIES;
- (d) THERE SHOULD ALSO BE CLEAR COORDINATION WITH DIFFERENT FUNDING AGENCIES BOTH PUBLIC AND PRIVATE ARE IMPORTANT TO ENSURE THAT PRODUCTS AND SERVICES ARE UTILIZED THEREBY GIVING INCOME TO THE DISPLACED INDIVIDUALS

Provided that DISASTER RISK REDUCTION EFFORTS SHALL BE INTEGRATED INTO DEVELOPMENT MEASURES SUCH THAT THE RECOVERY, REHABILITATION AND RECONSTRUCTION PHASES GIVE OPPORTUNITIES TO BUILD BACK BETTER, ENABLING GREATER RESILIENCY OF COMMUNITIES TO DISASTERS.

THE EFFORTS OF THE LGUs SHALL BE INTEGRATED AND MAINSTREAMED IN THE LOCAL DEVELOPMENT PLANS, PROGRAMS AND BUDGET

Section 14. The succeeding sections shall be renumbered accordingly.

Section 15. Insert and renumber Secs. 25, 26, 27 of Republic Act 10121, to read as follows:

SEC. 25 - GREATER UNDERSTANDING OF MULTI-HAZARD DISASTER RISK - THE NDRRMC SHALL ALLOCATE FUNDING FOR RESEARCH AND EXPERIMENTATION THAT WILL FOSTER INCREASED UNDERSTANDING OF DISASTER RISK IN ALL ITS DIMENSIONS OF VULNERABILITY, CAPACITY, EXPOSURE OF PERSONS AND ASSETS, HAZARD CHARACTERISTICS AND THE ENVIRONMENT, GIVING PARTICULAR EMPHASIS TO CLEARLY IDENTIFYING DISASTER RISK REDUCTION AND CLIMATE CHANGE ADAPTATION CHALLENGES FOR THE COUNTRY AS A WHOLE AND IN SPECIFIC REGIONS OF THE COUNTRY. TOWARDS THIS END, THE RESULTS OF THIS RESEARCH AND EXPERIMENTATION EFFORT SHALL LEAD TO PROMOTION OF REAL-TIME ACCESS TO RELIABLE DATA; PERIODIC ASSESSMENT OF DISASTER RISKS, INCLUDING EXISTING, EMERGING AND NEW SOURCES OF DISASTER RISK AND TO PROMOTION OF NATIONAL STRATEGIES TO STRENGTHEN PUBLIC EDUCATION AND AWARENESS IN MULTI-HAZARD DRRM.

SEC. 26 - STRENGTHENING DISASTER RISK GOVERNANCE TO MANAGE DISASTER RISK – AT THE NATIONAL AND LOCAL LEVELS, THERE SHALL BE WORK UNDERTAKEN TOWARDS THE MAINSTREAMING AND INTEGRATION OF DISASTER RISK REDUCTION WITHIN AND ACROSS ALL SECTORS; THE ADOPTION

AND IMPLEMENTATION OF NATIONAL AND LOCAL DISASTER RISK REDUCTION STRATEGIES AND PLANS, ACROSS DIFFERENT TIMESCALES WITH TARGETS, INDICATORS AND TIME FRAMES; AND THE ESTABLISHMENT AND STRENGTHENING OF GOVERNMENT COORDINATION FORUMS, SUCH AS THE REGIONAL AND LOCAL DEVELOPMENT COUNCILS AND OTHER RELATED COUNCILS DEALING WITH CLIMATE CHANGE, ETC., COMPOSED OF RELEVANT STAKEHOLDERS AT NATIONAL AND LOCAL LEVELS, WITH THEIR DESIGNATED FOCAL POINTS FOR IMPLEMENTING THE POST-2015 FRAMEWORK.

SEC. 27 - **INVESTMENT IN DISASTER RISK REDUCTION FOR RESILIENCE**, THE NDRRMC SHALL PROMOTE AND FACILITATE PUBLIC AND PRIVATE INVESTMENT IN DISASTER RISK PREVENTION AND REDUCTION THROUGH STRUCTURAL AND NON-STRUCTURAL MEASURES ARE ESSENTIAL TO ENHANCE THE ECONOMIC, SOCIAL, HEALTH AND CULTURAL RESILIENCE OF PERSONS, COMMUNITIES, COUNTRIES AND THEIR ASSETS, AS WELL AS THE ENVIRONMENT WHILE DEVELOPING AT THE SAME TIME APPROPRIATE FINANCIAL INSTRUMENTS THAT WILL DEAL WITH LOSS AND DAMAGE FROM SLOW-ONSET IMPACTS ARISING FROM CLIMATE CHANGE.

Section 16. The succeeding sections shall be renumbered accordingly.

Section 17. Sec. 19 (a) of Republic Act 10121, is hereby amended and renumbered as Sec. 28, as follows :

(a) Dereliction of duties OF PUBLIC OFFICIALS, EMPLOYEES AND OTHER DUTY-BOUND PERSONS which leads to destruction, loss of lives, critical damage of facilities and misuse of funds, INCLUDING MISAPPROPRIATION AND DIVERSION OF FUNDS BEING FAST-TRACKED FOR SUPPORTING DISASTER RISK REDUCTION AND MANAGEMENT ACTIVITIES;

Section 18. Sec. 22 (c) of Republic Act 10121, is hereby amended and renumbered as Sec. , as follows :

(c) Of the amount appropriated for the NDRRM Fund, 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; AND SEVENTY PERCENT MAY BE USED TO AUGMENT THE FUNDS OF HIGHLY-VULNERABLE 4TH, 5TH AND 6TH-CLASS MUNICIPALITIES FOR THEIR ACTIVITIES IN SECS. 15 TO 18 AND 23 OF THIS ACT.

Section 19. The succeeding sections shall be renumbered accordingly.

Section 20. Sec. 324 (d) of Republic Act 7160, as amended by Republic Act 8185, is hereby further amended, as follows:

(e) Five percent (5%) of the estimated revenue from regular sources shall be set aside as an annual lump sum appropriation for unforeseen expenditures arising from the occurrence of calamities. Provided, however, That such appropriation shall be used only in the area, or a portion thereof, of the local government unit or other areas declared by the President in a state of calamity; PROVIDED FURTHER, THAT 4th, 5th AND 6th CLASS MUNICIPALITIES AND GEOGRAPHICALLY ISOLATED COMMUNITIES MAY BE PROVIDED AUGMENTED FUNDING FROM THE FIVE PERCENT (5%) OF THE PROVINCE TO WHICH THEY ARE A CONSTITUENT PART.

Calamity shall be defined as a state of extreme distress or misfortune, produced by some adverse circumstance or event or any great misfortune or cause or loss or misery caused by natural forces

In case of fire or conflagration the calamity fund shall be utilized only for relief operations.

The local development council shall monitor the use and disbursement of the local calamity fund.

Section 21. Art. 2189 of Republic Act No. 386, the Civil Code of the Philippines, is hereby amended, as follows :

Art. 2189. Provinces, cities and municipalities shall be liable for damages for the death of, or injuries suffered by any person by reason of the defective condition of roads, streets, bridges, public buildings, and other public works under their control or supervision. THE SAME LIABILITY ATTACHES IN CASE THE DAMAGE TO THESE PUBLIC WORKS IS CAUSED BY EXTREME WEATHER EVENTS WHICH WERE NOT ADEQUATELY ANTICIPATED AND INCLUDED IN THE PLANS AND PROGRAMS OF THE PROVINCES, CITIES AND MUNICIPALITIES CONCERNED.

Section 22. - If, for any reason, any section or provision of this Act is declared as unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

Section 23. Repealing Clause. - All laws, ordinances, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

Section 24. Effectivity Clause. - This Act shall take effect after fifteen (15) days following its complete publication in at least two (2) national newspapers of general circulation.

Approved,



HON. RODEL M. BATOCABE