

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Seventeenth Congress
First Regular Session

4521

HOUSE BILL NO. _____



Introduced by Honorable Divina Grace C. Yu

EXPLANATORY NOTE

This bill seeks to establish the Nationwide Operational Assessment of Hazards (NOAH) Center, defining its powers and functions and appropriating funds for its operation.

The Philippines is a hotbed of disasters because the country is a locus of typhoons, storm surges, tsunamis, earthquakes, landslides and volcanic eruptions. Natural hazards have inflicted thousands of deaths and billions of pesos as cost of damage to property in recent years. In the 2012 World Risk Report, the Philippines ranked third out of 173 countries in terms of disaster risk.

In July 2012, the Department of Science and Technology launched Project NOAH, a multi-billion program for disaster prevention and mitigation. With Project NOAH's technical assistance, government agencies, especially the National Disaster Risk Reduction and Management Council (NDRRMC) through its Pre-Disaster Risk Assessment (PDRA) system, are now able to provide hours in advance lead-time warning to vulnerable communities against impending floods and multi-scenario maps for flood, landslide and storm surge hazards for probabilistic risk assessment.

Project NOAH has proven to be effective in contributing to disaster prevention and mitigation. In August 2012 and 2013, Marikina officials credited Project NOAH for the zero casualty rate when *Habagat* events

inundated the metropolis. More recently, the CNN cited Project NOAH as an invaluable resource as it provided advance warnings when Typhoon Glenda hit the country in July 2014. Since its launch in July 2012, Project NOAH has been instrumental in averting at least 15 potential disasters that saved countless lives because of hazards-specific, area-focused and time-bound information provided to NDRRMC, who in turn gave early-warning to affected communities.

Currently, Project NOAH remains a project-based initiative of DOST with no guarantee of funding in the future. Many researchers and technical people who have worked with Project NOAH since inception have already gained valuable experience and skills which are essential for future disaster prevention work. Sadly, many of these technical personnel have gone abroad for greener pasture. Thus, the present technical manpower composed of scientists, engineers, social scientists and communication experts, as well as resources and organization are inadequate to cope with the demand for highly trained specialists in disaster science. With this in mind, there is a need to provide adequate support to NOAH so that its present operations and programs for the continuation of their life-saving operations and the development of qualified technical manpower and research on disaster science can be strengthened, improved, and expanded. Likewise, there is a need to institutionalize the NOAH Program to sustain and further advance climate change adaptation strategies and disaster management in the country.

Under the proposed measure, the Project NOAH is reorganized as the Nationwide Operational Assessment of Hazards (NOAH) Center with a permanent office under the Office of the President. Adopting the principles and methods of Project NOAH, the NOAH Center will provide assistance and assessment on disaster prevention and mitigation, specifically for the agencies of the government, to be able to provide timely, reliable and readily accessible data and information to vulnerable communities as basis for their action against impending floods, typhoons and other natural hazards.

Also, NOAH Center is envisioned to provide a venue for continuing studies and research in disaster science as there are always new lessons to be learned from disasters, new technologies invented and updates in the understanding of natural hazards phenomena. The NOAH Center will bring together scientists from different fields and will focus on research and development to enhance the country's Climate Change Adaptation and Disaster Risk Reduction (CCA-DRR) efforts, consistent with the provisions stated in the Climate Change Act of 2009 (RA 9728), the Disaster Risk

Reduction and Management Act of 2010 (RA 10121), and the Sendai Framework.

In view of the foregoing, passage of this bill is earnestly sought.



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1 to empower vulnerable communities with information as basis for their
2 action against impending floods, typhoons and other natural hazards.

3 SEC. 3. *Nationwide Operational Assessment of Hazards Center.* –

4 The Nationwide Operational Assessment of Hazards Project, established
5 through Department of Science and Technology Special Order No. 595,
6 Series of 2012, which provides locally-developed weather sensors and high-
7 resolution 3D mapping technology for hazards identification, is hereby
8 established as the Nationwide Operational Assessment of Hazards (NOAH)
9 Center, hereinafter referred to as the NOAH Center, to improve climate
10 change adaptation and disaster risk reduction capabilities of the country.

11 The NOAH Center shall be attached to the Office of the President
12 and will have its principal office at the University of the Philippines (UP),
13 Diliman Campus in Quezon City by virtue of the current NOAH program
14 being mainly implemented in U.P. Diliman. It may establish other offices
15 elsewhere in the Philippines as may be necessary or proper for the
16 accomplishment of its purposes and objectives of policy formulation,
17 scientific research and program coordination.

18 SEC. 4. *Objectives.* – The objectives of the NOAH Center are as
19 follows:

20 a) Assist the people and the communities throughout the country
21 in climate change adaptation and disaster risk reduction by providing
22 timely, reliable and readily accessible data and information such as hazard

1 and risk maps as a basis for action against possible disasters that may occur
2 from floods, typhoons and other natural hazards;

3 b) Encourage private professionals and organizations to assist and
4 take increasing responsibility in preventing and mitigating disasters by
5 providing to them the necessary incentives and assistance;

6 c) Support disaster risk reduction and management and climate
7 change adaptation efforts, and encourage public and private sector
8 cooperation and partnership in the prevention and mitigation of disasters;
9 and

10 d) Establish and sustain a national scientific research center for
11 disaster risk reduction to generate science-based information, models and
12 applications useful for disaster risk reduction and management, climate
13 change adaptation, resource management, water conservation and planning,
14 land use planning, urban development and engineering designs.

15 SEC. 5. *Powers and Functions.* – The NOAH Center shall
16 exercise the following powers and functions:

17 a) Advise the Office of the President, the National Disaster Risk
18 Reduction Management Council and other agencies on matters related to
19 natural hazards and climate change risks for disaster risk reduction and
20 management at all levels of society;

21 b) Undertake, promote and support research activities or studies
22 on natural hazards and climate change risks aimed at preventing and

mitigating risks from disasters that may occur from floods, typhoons and other natural hazards using frontier science and advanced technology;

c) Develop and maintain data bases and other science-based information on natural hazards and climate change risks that is useful for disaster risk reduction and management, climate change adaptation, resource management, water conservation and planning, land use planning, urban development, and engineering designs;

d) Generate and strengthen the library of geo-hazard maps and related materials, laboratory, remote sensing, and other facilities, teaching and research capabilities of public or private institutions and foundations of like or similar objectives, alone or in conjunction with others;

e) Create, establish and distribute or cause to be published or distributed without profit, flood, landslide, storm surge hazard and risk maps, books, information, case studies, or data on climate change, including rainfall and water level data, disaster risk reduction and management, and other related subjects as a result of studies, researches or projects made thereon;

f) Make data generated by the NOAH Center conform to the guidelines set in the Department of Science and Technology Data Sharing Policy as provided under DOST Administrative Order No. 003, Series of 2015;

g) Assist public and private educational institutions in formulating curricular offerings and instructional materials to support the

1 training and education of future disaster scientists and acquiring equipment
2 related to natural hazards and climate change for disaster risk reduction and
3 management;

4 h) Conduct or support training programs, seminars, conferences,
5 and other continuing education courses on disaster risk reduction and
6 management throughout the nation as needed;

7 i) Conduct local and international conferences or symposia in
8 coordination with other private and public institutions on problems and
9 solutions related to weather, climate change and disasters;

10 j) Promote greater public awareness of natural hazards and
11 climate change, disasters, risk reduction and management as well as
12 acquisition of knowledge and methods underlying the same;

13 k) Obtain the services of scientists and technical personnel of
14 local and international agencies to accomplish its objectives and to pay such
15 personnel compensation that is competitive locally or internationally;

16 l) Fix charges for its services as the Governing Board may deem
17 proper. Such fees and charges, including government support and other
18 income generated by the NOAH Center, shall constitute special trust fund
19 and shall be deposited in an authorized government depository bank. Any
20 and all interest that shall accrue therefrom shall form part of the trust fund
21 for use of the NOAH Center.

22 All incomes generated by the NOAH Center shall, upon their
23 collection, be retained by the NOAH Center and disbursed at the discretion

1 of the Governing Board for expenses necessary for the attainment of its
2 purposes;

3 If the NOAH Center, for reasons beyond its control, shall not be able
4 to pursue any project for which funds have been appropriated and allocated
5 under its program of expenditures, the Governing Board may authorize the
6 use of the said fund for any reasonable purpose for which it deems
7 necessary and urgent for the attainment of the objectives of the NOAH
8 Center;

9 m) Receive gifts and donations of real and personal property of all
10 kinds and to administer and dispose of the same when necessary for the
11 benefit of the NOAH Center and subject to the instructions of the donor, if
12 any;

13 n) Create and invest endowment funds to enable it to have the
14 funds and earnings with which to compensate its operating management
15 and personnel and to enable it to finance activities, programs and projects
16 related to disaster risk reduction and management that it may promote,
17 organize or implement;

18 o) Receive and appropriate all sums as may be provided by law to
19 carry out the purposes and functions of the NOAH Center;

20 p) Authorize the construction, maintenance or repair of buildings,
21 machinery, equipment and other facilities, and the purchase and acquisition
22 of real and personal properties, including necessary supplies, materials and
23 equipment;

1 q) Give or administer grants and donations of cash, property or
2 service in support of research and dissemination activities related to
3 weather, climate change, and disaster risk reduction and management;

4 r) Undertake its activities in collaboration with other local and
5 international agencies and public or private agencies which shall be covered
6 by a memorandum of agreement stating the roles and contributions of all
7 parties concerned;

8 s) Establish linkages with international organizations involved in
9 activities related to generating science-based information on weather and
10 climate change for disaster risk reduction and management;

11 t) Enter into any lawful agreement, or any reciprocal concession
12 or cooperation contract or other arrangements that may redound to the
13 attainment or enhancement of its objectives and purposes; and

14 u) Undertake such other activities and functions as may be
15 directed by the Office of the President from time to time to carry out the
16 objectives of this Act.

17 SEC. 6. ***Governing Board.*** – The plans and programs of the
18 NOAH Center shall be reviewed and approved by the Governing Board
19 which is composed of the following:

20 a) Vice-Chairman of the Climate Change Commission, as
21 Chairperson;

22 b) Undersecretary of the National Disaster Risk Reduction and
23 Management Council; as Vice-chairperson;

- c) Secretary of the Department of Science and Technology;
- d) President of the University of the Philippines;
- e) Executive Director, NOAH Center, as members; and
- f) Two (2) representatives from the private or educational sectors.

The representatives from the private or educational sectors shall be appointed by the President of the Philippines upon recommendation by the Chairperson of the Governing Board. They shall serve for a term of two (2) years and are eligible for reappointment: *Provided, however*, that they shall not be reappointed for more than three (3) terms.

In case of vacancy by reason of death, resignation, removal for cause or incapacity of the representatives from the private or public sector, the successors shall hold office only for the unexpired portion of the term.

SEC. 7. ***Powers and Functions of the Governing Board.*** – The Board shall exercise the following powers and functions:

- a) Formulate, review and approve the plans, policies, programs and projects for the development of the NOAH Center;
- b) Review, recommend and approve the annual budget of the NOAH Center;
- c) Review and approve the organizational structure and staffing pattern of the NOAH Center;
- d) Review and approve the compensation or salaries of personnel and consultants of the NOAH Center;

1 e) Review, recommend and approve the policies and internal
2 rules and procedures of the NOAH Center;

3 f) Review and approve contracts, memorandum of agreements
4 and other agreements of the NOAH Center;

5 g) Evaluate the implementation, efficiency and effectiveness of the
6 programs and projects of the NOAH Center; and

7 h) Promulgate rules and regulations not contrary to law as may be
8 necessary to carry out the purposes and functions of the NOAH Center.

9 SEC. 8. *Executive Director.* – The President of the Philippines
10 shall appoint, upon the recommendation of the Governing Board, an
11 Executive Director who shall render full time service as the chief executive
12 officer of the NOAH Center. The appointed Executive Director should be a
13 highly qualified professional, with an esteemed international reputation in
14 the field of climate change adaptation and disaster risk reduction (CCA-
15 DRR) and experienced in the operations of Project NOAH. The appointed
16 Executive Director shall have a term of six (6) years.

17 In case of vacancy by reason of death, compulsory retirement,
18 resignation, removal for cause or incapacity of the Executive Director to
19 perform the functions of the office, the Governing Board shall designate an
20 officer-in-charge within six (6) months from the date of vacancy, pending
21 the appointment of a new Executive Director. In case of vacancy in the
22 office of the Executive Director, the successor shall hold office only for the
23 unexpired portion of the term.

1 The salary of the Executive Director shall be in accordance with the
2 Revised Compensation and Position Classification System, as amended,
3 and other pertinent budget and compensation laws. The salary of the
4 Executive Director is equivalent to that being received by a Department
5 Undersecretary with the same privileges accorded to the position of a
6 Department Undersecretary.

7 **SEC. 9. *Powers and Duties of the Executive Director.*** – The
8 Executive Director shall exercise the following powers and duties:

9 a) Submit for the consideration of the Governing Board the
10 policies and measures necessary to carry out the purposes and objectives of
11 the NOAH Center;

12 b) Recommend, coordinate and administer the programs and
13 projects of the NOAH Center;

14 c) Direct and supervise the operations and internal administration
15 of the NOAH Center, and delegate administrative responsibilities in
16 accordance with the rules and regulations of the NOAH Center;

17 d) Submit an annual report to the Governing Board setting forth
18 the work of the NOAH Center during the year, its financial operations and
19 status, and its program and budget for the ensuing year; and

20 e) Exercise such other powers and functions that may be assigned
21 by the Governing Board.

22 **SEC. 10. *Development Plan and Organizational Structure.*** –
23 Within one hundred twenty (120) days after the approval of this Act, the

1 NOAH Center through the Governing Board shall accomplish the
2 following:

3 a) Submit to the President of the Philippines and to both Houses
4 of Congress a five (5) year development plan, including program budget;
5 and

6 b) Set up its organizational and administrative structure including
7 the appointment of key officials, secretariat personnel and technical
8 working groups necessary to accomplish the purposes and functions of the
9 NOAH Center.

10 SEC. 11. ***Building Construction and Equipment Purchase.*** – The
11 NOAH Center is hereby authorized to construct buildings and other
12 facilities and to purchase equipment locally and abroad as may be necessary
13 to carry out its functions. However, the Governing Board may request the
14 Board of Regents of the University of the Philippines to identify available
15 government buildings within the UP Diliman Campus which may be
16 utilized by the NOAH Center as its initial head office. The NOAH Center is
17 also allowed to utilize other idle or available government real property to
18 fulfill its mandate.

19 SEC. 12. ***Regional Offices.*** – The NOAH Center is hereby
20 authorized to establish, operate and maintain offices throughout the country
21 as deemed necessary by the Governing Board to accomplish its objectives
22 and functions.

1 SEC. 13. ***Magna Carta for Scientists.*** – Qualified personnel of
2 the NOAH Center may apply for additional compensation benefits under
3 the Republic Act No. 8439, otherwise known as the “*Magna Carta for*
4 *Scientists, Engineers, Researchers and Other Science and Technology*
5 *Personnel in Government,*” and the corresponding rules and regulations.

6 SEC. 14. ***Transfer of Equipment and Other Assets.*** – Ownerships
7 of all equipment and other assets purchased under the NOAH Program,
8 including the “Extended NOAH Program” shall be transferred to the
9 NOAH Center. However, said assets and other equipment to be purchased
10 in the future may be located in various research units or venues where the
11 Governing Board may deem appropriate provided there is a Memorandum
12 of Agreement between the NOAH Center and the unit where the equipment
13 or other assets are to be located and utilized.

14 SEC. 15. ***Exemptions.*** – The NOAH Center shall be exempt from
15 the application of the provisions of Republic Act No. 9184, otherwise
16 known as the “*Government Procurement Reform Act,*” particularly in the
17 procurement of items, supplies, materials and general support services,
18 including consulting services, which may be necessary in the pursuit of any
19 research and development undertaking, project or activity by departments,
20 agencies, state universities and colleges, government-owned or-controlled
21 corporations, and organizations.

22 For this purpose, the Governing Advisory Board shall certify such
23 procurement whether in the nature of equipment, furniture, materials for

1 construction, or personal property of any kind, including non-personal or
2 contractual services, repair and maintenance of equipment and furniture, as
3 well as trucking, hauling, and related or analogous services such as lease or
4 purchase of office space, media advertisements, health maintenance
5 services, and other services essential to the operation of the procuring
6 entity engaged in any research and development undertaking, project or
7 activity.

8 SEC. 16. *Tax Exemptions.* – The provisions of any general or
9 special law to the contrary notwithstanding:

10 a) All revenues and assets of the NOAH Center used for scientific
11 research, educational, promotion, and dissemination activities or in support
12 thereof shall be exempt from all taxes and duties;

13 b) Gifts and donations of real and personal properties of all kinds
14 shall be exempt from the donor's tax and the same shall be considered as
15 allowable deductions from the gross income of the donor, in accordance
16 with the provisions of the National Internal Revenue Code of 1997, as
17 amended: *Provided*, That the allowable deductions shall be equivalent to
18 one hundred fifty percent (150%) of the value of such donation. Valuation
19 of assistance and other money shall be based on the acquisition cost of the
20 property. Such valuation shall take into consideration the depreciated value
21 of the property in case the said property has been used;

22 c) Importation of economic, technical, scientific books,
23 equipment, supplies and materials duly certified by the Governing Board,

1 including scientific and educational computer and software equipment shall
2 be exempt from customs duties;

3 d) The NOAH Center shall only pay zero percent (0%) value-
4 added tax for all transactions.

5 SEC. 17. ***Institutional Autonomy.*** – To provide greater flexibility
6 in the performance of its functions, the NOAH Center shall be treated in a
7 manner consistent with institutional requirements as the national scientific
8 research center on disaster risk reduction and climate change adaptation by
9 service-wide agencies in the exercise of their respective jurisdiction.
10 Taking into account national goals and priorities, it shall exclusively
11 determine its research and extension plans, policies, programs and
12 standards, and, on the basis of such determination, the NOAH Center shall
13 recommend its annual budget to the President of the Republic of the
14 Philippines.

15 SEC. 18. ***Appropriations.*** – The amount of One Billion Pesos
16 (P1,000,000,000.00) for the initial operation of the NOAH Center is hereby
17 appropriated out of any funds in the National Treasury not otherwise
18 appropriated. Thereafter, such sum as may be necessary for the continued
19 operation of the NOAH Center shall be included in the annual General
20 Appropriations Act.

21 SEC. 19. ***Separability Clause.*** – If any provision or part of this Act
22 is declared unconstitutional or invalid, the remaining parts or provisions not
23 affected remain in full force and effect.

1 SEC. 20. *Repealing Clause.* – All laws, decrees, executive
2 issuances, ordinances, rules and regulations and other issuances or parts
3 thereof, which are inconsistent with this Act, are hereby repealed, amended
4 or modified accordingly.

5 SEC. 21. *Effectivity Clause.* - This Act shall take effect fifteen (15)
6 days after publication in the *Official Gazette* or in a national newspaper of
7 general circulation.

8 Approved,