

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session



HOUSE BILL NO. **6075**

Introduced by **Representative JOEY SARTE SALCEDA**

**AN ACT CREATING THE DEPARTMENT OF DISASTER RESILIENCY AND
DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Why We Need to Amend our Disaster Risk Reduction and Management Law?

Eight years after the enactment of R.A. 10121, concern about the destruction and sufferings that typhoons and earthquakes cause goads the President of the Philippines, His Excellency Rodrigo Roa Duterte to ask, during his State of the Nation Address (SONA) delivered on July 24, 2017, "both houses of Congress to expeditiously craft a law establishing a new authority or department that is responsive to the prevailing 21st century conditions and empowered to best deliver [an] enhanced disaster resiliency and quick disaster response."

R.A. 10121 was a landmark legislation for Philippine disaster risk reduction and management. It initiated a shift from our decades-old DRRM policy on reactive emergency management and preparedness, to one that is proactive by prioritizing disaster risk reduction, prevention and mitigation over disaster response. Many years of intense advocacy work by stakeholders and two unfortunate large scale disasters – Typhoons Reming, Ondoy and Pepeng – hitting Luzon particularly hurting Albay, Bicol in 2006 and Metro Manila in 2009 finally compelled the passage of R.A. 10121 after 32 years from P.D. 1566 of 1978.

Among the institutional innovations of R.A. 10121 is the establishment of permanent disaster management offices at all levels of local government in contrast to the disaster management councils before but which for economic expediency was maintained at the barangay level. The practice of permanent disaster management office was pioneered by the Province of Albay in 1994 which was hailed internationally as one of the best working practices in achieving goal of zero casualty during disasters. Likewise, there was consensus that the membership of the inter-agency body, the National Disaster Coordinating Council (NDCC), was radically expanded, transforming it into the National Disaster Risk Reduction and

Management Council (NDRRMC) as we know it today, which is now mandated to supervise and lead not only in emergency management but also in the implementation of disaster risk reduction through its “policy-making, coordination, integration, supervision, monitoring and evaluation” functions.

One of the key policy contentions is whether to establish an independent, high-level institution or to maintain the existing institutional set up was already adequate to address the country’s mounting challenges in disaster risk reduction and management as risks of climate change and urbanization were rising just as ambitions for social change were similarly heightening. R.A. 10121 decided that the organizational structure, financial and human resources of the Office of Civil Defense (OCD) were adequate to make it the lead agency in “administering a comprehensive national civil defense and disaster risk reduction and management program.”

But the structural strength of R.A. 10121 was to be continuously stress-tested by several disasters which culminated with Super Typhoon Yolanda – which took almost 10,000 lives and destroying billions of pesos of livelihoods and economic assets in one fell swoop. This exposed the weaknesses of the institutional set up under R.A. 10121 where extreme difficulties were encountered in carrying out the heavy responsibility of concretely integrating the disaster risk management framework in our national and local planning processes, and ensuring that institutions tasked with safeguarding environmental protection, health and well-being, sustainable livelihoods, social protection and the regulation of public and private infrastructure are actually equipped with skills and knowledge necessary for effective risk assessments and vulnerability reduction, so that the impacts of disasters are truly prevented or mitigated.

While R.A. 10121’s strength lies in its institutionalization of stakeholder participation in policymaking for disaster risk reduction and management, through an expanded membership of the Council, and while this, in itself, is a development by leaps and bounds, R.A. 10121’s shortcoming is its failure to create an institution that is in a sufficiently high position to oversee the implementation of streamlined disaster risk reduction and management policies nationwide, an institution that has the necessary authority, mandate and resources to lead and coordinate the efforts of different stakeholders towards a more resilient nation. The occurrence of Super Typhoon Yolanda and other large-scale disasters revealed that problems encountered in coordinating and implementing large-scale disaster risk reduction and management efforts are rooted primarily in the nature of our governance framework for disaster risk reduction and management.

Renowned American jurist Oliver Wendell Holmes once said that the life of the law has not been logic, but experience. Our policies should be responsive to lessons learned through experience, and this could not be truer than in the realm of disaster risk reduction and management. In 2015, the Global Climate Risk Index ranked the Philippines fifth among the most affected countries within a 20-year period (1994 to 2013), with the most number of climate-related extreme weather events during that period. In 2015, the World Risk Index raised the ranking of the Philippines as the second most at-risk country out of 171 countries in the world. Because of the adverse impacts of climate change as well as the increasing number of human settlements, the risks that we as a country face increase every day, and these risks can only be expected to become worse in the face of the new normal. Our policies should be designed to face this new normal.

In line with the mechanism of the Sunset Review, which mandates the Congressional Oversight Committee to conduct a systematic evaluation of the accomplishments and impact of R.A. 10121 as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation within five years from the law's effectivity, member agencies of the NDRRMC, civil society organizations and basic sectors have conducted consultations and dialogues on their experiences in implementing R.A. 10121 through the past disasters, identified the issues and gaps of the law, and looked at how the law can be further improved to address the ever increasing challenges of disaster risk reduction and management in the Philippines.

The Department of Disaster Resiliency:

This present bill is the product of action research, sharing of practical learning experiences, learning by doing, and dynamic discussions among multiple stakeholders from national and local government agencies, academe, private sectors, non-government organizations and community practitioners while benefitting from comparable international experiences. As a answer to the result and output of these consultations and research, it is the intention of this bill to establish a much-needed, stronger, self-governing Department of Disaster Resiliency (DRR), one that is clearly mandated to lead in the planning, coordination, monitoring, oversight and implementation of disaster risk and vulnerability reduction and management, equipped with the necessary competency and resources to engage new actors, particularly in the field of risk transfer and insurance, and built with the necessary structure to manage broader climate-disaster governance arrangements and oversee the implementation of disaster risk and vulnerability reduction and management towards Sendai Framework on Disaster Risk Reduction and the Sustainable Development Goals, as enshrined in the 2030 Agenda for Sustainable Development. These agreements are of particular significance for the Philippines for addressing common, interlocking issues affecting the country's aspiration for a prosperous, sustainable future. These issues converge on the Philippines' vulnerabilities which stem from its geographical location, socioeconomic features including a rapidly growing population, and external factors like climate change which is outstripping the country's natural coping capacity.

This bill has the strategic clarity of describing and empowering the DRR as the lead agency for the implementation of (1) vulnerability and risk reduction policies, programs and projects; (2) rehabilitation and reconstruction; and (3) assess collective progress towards achieving purpose of Agreement and its long-term goals, and to do so in a comprehensive sustainable manner, considering prevention, mitigation, anticipatory adaptation measures and support, in the light of equity, capacity building, best available science, technology transfer and other development.

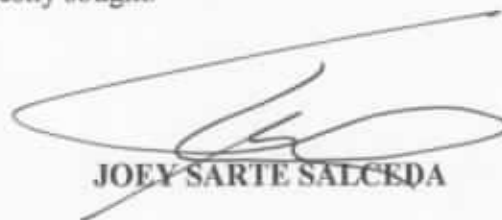
The Department, ensure that it has a sufficiently high level of expert to orchestrate different actors, policies and programs for disaster risk and vulnerability reduction and management. It has the authority not only to receive but also to administer, mobilize, report, monitor and

oversee the utilization of the DRR Fund, recovery and rehabilitation accessing funds, and absorbing funds and donations for disaster risk reduction and management.

The DRR will be separated from the Office of Civil Defense which will continue to perform its original mandate under L.O.I. 19 (1971) and P.D. 1566 that are not directly or indirectly repealed by this amendatory bill, particularly its duty to administer a comprehensive national civil defense and civil assistance program, the training of community volunteers for civil defense and assistance, and other mechanisms for community preparedness. The National Disaster Risk Reduction and Management Council (NDRRMC) will now focus solely on policy-making and function as a platform for coordination of policy concerns with the DRR organizing and managing the secretariat and the operations center to support the NDRRMC.

The propose Department of Disaster Resiliency is a robust response to the call of President Rodrigo Roa Duterte during his State of the Nation Address (SONA) delivered on 24 July 2017, lessons identified and learned throughout the country's recent catastrophes while applying and employing the mechanisms provided by R.A. 10121 – they invariably point to the need for a strong and independent regulator and monitoring body that will ensure the effectiveness and accountability of duty-bearers in the performance of disaster risk reduction and management. Most importantly, this bill seeks to ensure the safety and welfare of both present and future generations of Filipinos, and establish a strong Department and more inclusive climate change adaptation, disaster risk and vulnerability reduction and management policies so that the needs of those who are most at-risk will be met.

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



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

**CHAPTER I
GENERAL PROVISIONS**

SECTION 1. *Short Title* – This Act shall be known as the “**Department of Disaster Resilience Act of 2017**”.

SECTION 2. *Declaration of Policies and Principles* – (a) **DUTIES OF THE STATE.** The State as the duty-bearer has the responsibility to carry out our policies on disaster risk reduction and management, and harmonize disaster risk reduction and management policies to climate change, sustainable development, and environmental management to protect the welfare and advance the future of right-holders principally the vulnerable sectors of society.

It shall be the duty of the State to:

- i. Uphold the people's constitutional right to life and property by minimizing, if not eradicating, the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk and vulnerability reduction and management, and building the resilience of local communities to disasters including climate change impacts, and human induced disasters;
- ii. Incorporate internationally accepted principles of disaster risk and vulnerability reduction and management and climate change adaptation, including universal principles and standards for humanitarian assistance, when

developing and implementing national, regional and local sustainable development and poverty reduction strategies, policies, plans and budgets, as part of the country's commitment to overcome human suffering due to disasters;

- iii. Ensure a science-based in a whole-of-society approach and bottom-up participation, representation, and decision-making in climate-disaster risk governance, risk assessment, risk reduction and risk management, and adopt a comprehensive, integrated, and proactive approach to lessening the socioeconomic and environmental impacts of disasters and climate change;
- iv. Promote and advance the implementation of a comprehensive Disaster Risk and Vulnerability Reduction Plan (DRVRP) that aims to strengthen the capacity of the national government and the local government units (LGUs), together with development partner stakeholders, build the disaster resilience of communities, and institutionalize arrangements and measures for reducing disaster risks, including projected climate risks, and enhance disaster preparedness and response capabilities at all levels;
- v. Uphold mainstreaming of disaster risk and vulnerability reduction and climate change adaptation in development processes such as policy formulation, socio-economic development planning, budgeting, and governance, particularly in the areas of Coastal Health, Agriculture, Water Forestry, Fishery, Biodiversity, Environment, Ecosystem, Energy, Education Tourism, Infrastructure, Settlement and Mining (CHAWFFBEEETISM), poverty reduction, land-use and urban planning, and housing, among others;
- vi. Develop, maintain, and ensure the accessibility of climate and geospatial information and services to the public through Open Data, which means data that can be freely used, re-used, and redistributed by anyone - subject only, at most, to the requirement to attribute and share alike. This includes the use of a complete coverage and access to large scale 1:10,000 probabilistic hazard maps and high resolution topographic maps in digital format (i.e. LiDAR, IfSAR, digital photogrammetry – derived topography).
- vii. Ensure that disaster risk and vulnerability reduction and climate change adaptation measures are gender and culturally sensitive, recognizing indigenous knowledge systems and practices, and respecting human rights;
- viii. Recognize and strengthen the capacities of LGUs, communities and multiple stakeholders in mitigating and preparing for, responding to, and recovering from the impact of disasters through identification of local risk patterns, and decentralized powers, responsibilities, and resources at the regional and local levels;
- ix. Adopt and implement a comprehensive, integrated, efficient and responsive disaster risk and vulnerability reduction program that is incorporated in the development plan at various levels of government adhering

to transparency, accountability and other principles of good governance within the context of poverty alleviation and environmental protection;

- x. Mainstream disaster risk and vulnerability reduction in government by ensuring risk-informed planning, programming, implementation, monitoring, and evaluation, and the use of quality management, accountability, and performance systems in measuring and improving the effectiveness and efficiency of DRVRM processes across all government levels, including those offices which manage peace processes and conflict-resolution approaches, so as to minimize loss of lives and damage to properties and ensure that communities in conflict zones can immediately resume their normal lives at the conclusion of episodes of intermittent conflicts.
- xi. Adopt a disaster risk and vulnerability reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and environmental impacts of disasters including climate change, and promote the involvement and participation of all sectors and all stakeholders concerned, at all levels, especially the local community.
- xii. Prioritize the development of disaster prevention and mitigation measures involving all levels of society and government;
- xiii. Adopt risk sharing and risk transfer mechanisms to ensure appropriate, efficient, and timely recovery of disaster-stricken communities, especially for the poorest and most vulnerable;
- xiv. Adhere to the principle of "Build Better Forward" in recovery and rehabilitation efforts by applying sustainable standards, programs, technologies, and techniques which enhance resilience against future hazards;
- xv. Recognize and respond to the differentiated concerns and needs of vulnerable groups such as women and girls, children and youth, older persons, persons with disabilities, urban poor, and indigenous peoples with respect to disaster risk reduction and management, at the same time, recognizing their inherent capacities to contribute to resilience;
- xvi. Create an enabling environment for substantial and sustainable participation of CSOs, private groups, volunteers and communities, and recognize their contributions to the disaster risk reduction and management efforts of government;
- xvii. Ensure the use of advanced science and the most up-to-date technologies in climate change adaptation, disaster risk and vulnerability reduction and management through engagement, consultation, and employment with a regular department funding of academe/higher education institutions (i.e. University of the Philippines Resilience Institute, University of the Philippines Nationwide Operational Assessment of Hazards Center) that have a credible track record both locally and internationally as well as capacity to implement the science and engineering requirements necessary for effective CCA-DRVR.

- xviii. Ensure workers' rights are respected during the disaster preparedness and response phases, and actively engage workers and employers' organizations to share expertise and capacities in disaster risk reduction and climate change adaptation programs;
- xix. Ensure transparency and accountability in disaster risk governance, by facilitating access to financial records of public funds and disaster risk reduction and management data, and ensure the transparency of humanitarian assistance from all sources;
- xx. Adopt and manage a mechanism for the effective resolution of DRVRM-related grievances;
- xxi. Recognize families as the most basic unit of DRVRM through developing the capacity of local institutions and providing technical assistance and financial support to the most vulnerable communities;
- xxii. Ensure that the best possible assistance and services are delivered to individuals and families affected by disaster and emergency rehabilitation projects which resumption of normal social and economic activities; and,
- xxiii. Uphold provision of protection and humanitarian assistance by the national and local government to internally displaced persons within its jurisdiction as a result of natural or human-induced disasters. The State shall ensure that the following rights of internally displaced persons during and after a disaster shall be protected: provision and access to basic necessities, protection against criminal offenses and other unlawful acts, freedom of movement, recognition, issuance and replacement of document, family unity and missing persons, health and education, and property and possessions.

(b) **ROLES AND RESPONSIBILITIES OF STAKEHOLDERS.** The commitment, goodwill, knowledge, experience and resources of relevant stakeholders are required for the realization of a safer, adaptive, resilient and inclusive Filipino community. Citizens have the shared vision and duty to provide support to the State in the implementation of policies and programs, particularly the Disaster Resilience Framework and Plan at the national, regional and local levels.

- i. Civil society, non-governmental organizations, volunteers, organized voluntary work organizations and community-based organizations shall participate, in collaboration with public institutions, to, inter alia, provide specific knowledge and pragmatic guidance in the context of the development and implementation of normative frameworks, standards and plans for disaster risk reduction; engage in the implementation of local, national, regional and global plans and strategies; contribute to and support public awareness, a culture of prevention and education on disaster risk; and advocate for resilient communities and an inclusive and whole of society disaster

risk reduction and management which strengthen the synergies across groups, as appropriate;

- a) Women and girls shall contribute to and participate in effectively managing disaster risk and designing, resourcing and leading implementation of gender sensitive disaster risk reduction and management policies, plans, and programmes.
 - b) Children and youth as agents of change shall contribute to disaster risk reduction, in accordance with legislation, national practice and educational curricula; disaster risk reduction and management at all levels and processes of disaster risk reduction and management, including data gathering, planning, programming, budgeting, implementation, monitoring and evaluation;
 - c) Older persons, having years of knowledge, skills and wisdom, are invaluable assets to reducing disaster risk, and shall therefore participate in the design of policies, plans and mechanisms, including those for early warning;
 - d) Migrants shall contribute to the resilience of communities and societies using their knowledge, skills and capacities in the design and implementation of disaster risk reduction;
 - e) Indigenous peoples and Muslim Filipinos, through their experience and traditional knowledge, shall contribute to the development and implementation of policies, plans and mechanisms, including those for early warning;
 - f) The urban poor shall contribute to resilience building as well as in the promotion of a more inclusive and transformative resettlement for informal settler families in reducing their vulnerability to threats of disaster and climate risks through state and non-state programs; Farmers and fisher folks shall contribute to the promotion and protection of the environmental resource management that will secure food and nutrition resilience through the integration of disaster risk reduction into sustainable development policies and planning; and
 - g) Emergency responders, volunteers, and organized volunteer organizations shall contribute to resilience by aiding timely and efficient emergency response and providing training on basic life support, first aid, and search and rescue, in accordance with the standards provided by the Research and Training Institute.
- ii. Academia, scientific and research entities and networks are encouraged to focus their DRVRM studies on disaster risk factors and scenarios, including emerging disaster risks, in the medium and long term; partner with government and increase research for regional, national and local application;

support action by local communities and authorities; and support the interface between policy and science for decision-making;

- iii. Business, professional associations and private sector financial institutions, including financial regulators and accounting bodies, as well as philanthropic foundations shall integrate disaster risk management, including business continuity, into business models and practices via disaster risk-informed investments, especially in micro, small and medium-sized enterprises; engage in awareness-raising and training for their employees and customers; engage in and support research and innovation as well as technological development for disaster risk management; share and disseminate knowledge, practices and non-sensitive data; and actively participate, as appropriate and under the guidance of the public sector, in the development of normative frameworks and technical standards that incorporate disaster risk management;
- iv. Media shall take an active and inclusive role at local, regional and national levels in contributing to the raising of public awareness and understanding, and disseminate accurate and non-sensitive disaster risk, hazard and disaster information, including on small-scale disasters, in a simple, transparent, easy-to-understand and accessible manner, in close cooperation with national authorities; adopt specific disaster risk reduction communication policies; support, as appropriate, early warning systems and life-saving protective measures; and stimulate a culture of prevention and strong community involvement in sustained public education campaigns and public consultations at all levels of society, in accordance with national practices;

SECTION 3. *Definition of Terms* – For purposes of this Act, the following shall refer to:

- a) “Adaptation” – the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.
- b) “Assisting Actor” – any Assisting International Actor and any Assisting Domestic Actor responding to a disaster in the country.
- c) “Assisting Domestic Actor” – any not-for-profit entity established under domestic laws, which is responding to a disaster in the country.
- d) “Assisting International Actor” – any foreign state, organization, entity or individual responding to a Disaster within or transiting through the country to respond to a disaster in another country.
- e) “Capacity” – the combination of all strengths, attributes and resources available within a community, society or organization that can reduce the level of risk, or impacts of a disaster. Capacity may include infrastructure and physical means, institutions, societal coping abilities, as well as human

knowledge, skills and collective attributes such as social relationships, leadership and management. Capacity may also be described as capability.

- f) "Civil Society Organizations (CSOs)" – non-state actors whose aims are neither to generate profits nor to seek governing power, but to unite people to advance shared goals and interests. They have a presence in public life, expressing the interests and values of their members or others, and are based on ethical, cultural, scientific, religious or philanthropic considerations. CSOs include nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, people's organizations, social movements, and labor unions.
- g) "Climate Change" – A change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persists in an extended period, typically decades or longer, whether due to natural internal processes or external forces such as modulation of the solar cycles, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or in land use.
- h) "Community-Based Disaster Risk Reduction and Management (CBDRRM)" – a process of disaster risk reduction and management in which at risk communities are actively engaged in the identification, analysis, treatment, monitoring and evaluation of disaster risks in order to reduce their vulnerabilities and enhance their capacities, and where the people are at the heart of decision-making and implementation of disaster risk reduction and management activities.
- i) "Complex Emergency" – a form of human-induced emergency in which the cause of the emergency as well as the assistance to the afflicted is complicated by intense level of political considerations.
- j) "Contingency Planning" – a management process that analyzes specific potential events or emerging situations that might threaten society or the environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events and situations.
- k) "Disability" – an evolving concept that results from the interaction between persons with impairments, as defined under RA 7277, and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.
- l) "Disaster" – a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community to cope using its own resources.
- m) "Disaster Mitigation" – the lessening or limitation of the adverse impacts of hazards. Mitigation measures encompass engineering techniques and

hazard- resistant construction as well as improved environmental, land use planning, climate change and other sectoral policies and public awareness.

- n) "Disaster Preparedness" – the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the Impacts of likely, imminent or current hazard events or conditions. It includes preparedness for response such as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation and public information, and preparedness for recovery such as procurement of land for resettlement sites.
- o) "Disaster Prevention" – the outright avoidance of adverse impacts of hazards. It expresses the concept and intention to completely avoid potential adverse impacts through action taken in advance such as construction of dams or embankments that eliminate flood risks, land-use regulations that do not permit any settlement in high-risk zones, and seismic engineering designs that ensure the survival and function of a critical building in any likely earthquake.
- p) "Disaster Response" – the provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Disaster response is predominantly focused on immediate and short-term needs and is sometimes called "disaster relief".
- q) "Disaster Risk" – The potential disaster losses in lives, health status, livelihoods, assets and services that could occur to a particular community or society in the future, and is determined by a combination of the vulnerability, capacity, exposure of persons and assets, hazard characteristics and the environment.
- r) "Disaster Risk Governance" – the way in which the public authorities, civil servants, media, private sector, and civil society coordinate at community, national and regional levels in order to manage disaster and climate related risks. This means ensuring that sufficient levels of capacity and resources are made available to prevent, prepare for, manage and recover from disasters. It also entails mechanisms, institutions and processes for citizens to articulate their interests, exercise their legal rights and obligations, and mediate their differences.
- s) "Disaster Risk Management" – The systematic process of using administrative directives, organizations, and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster.
- t) "Disaster Risk Reduction" – the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposure to hazards, lessened

vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.

- u) "Disaster Risk and Vulnerability Reduction" – the concept and practice of reducing potential loss of life, injury, or destroyed or damaged assets or disrupted which could occur to a system, society or a community in a specific period of time, determined probabilistically and conditions determined by physical, social, economic and environmental factors or processes which increase the susceptibility of an individual, a community, assets or system to the impacts of hazards through systematic efforts to analyse and reduce the causal factors of disasters all of which contribute to strengthening resilience and therefore to the achievement of sustainable development.
- v) "Disaster Risk Reduction and Management Information System" – a specialized database which contains, among others, information on disasters and their human, material, economic and environmental impact, risk assessment and mapping, and vulnerable and marginalized groups.
- w) "Early Warning System" – the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss. A people-centered early warning system necessarily comprises four (4) key elements: knowledge of the risks; monitoring, analysis and forecasting of the hazards; communication or dissemination of alerts and warnings; and local capabilities to respond to the warnings received. The expression "end-to-end warning system" is also used to emphasize that warning systems need to span all steps from hazard detection to community response. Early warning systems include systems developed at the level of communities or based on indigenous knowledge.
- x) "Ecosystem Management and Restoration" – an integrated process to conserve, improve and restore the health of the ecosystem that sustains ecosystem services for human well-being.
- y) "Eligible Assisting Actor" – any assisting actor that has been determined to be eligible to receive legal facilities as provided in this Act and its implementing rules and regulations.
- z) "Emergency" – unforeseen or sudden occurrence, especially danger, demanding immediate action.
- aa) "Emergency Management" – the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.
- bb) "Exposure" – the degree to which the elements at risk are likely to experience hazard events of different magnitudes.

- cc) "Gender-based Violence" – violence that is directed against a woman because of her gender, or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.
- dd) "Geographic Information System (GIS)" – a system used to capture, store, manipulate, manage and display all types of spatial or geographical data.
- ee) "Geographically Isolated and Disadvantaged Area (GIDA)" – areas with a marginalized population which is physically and socio-economically separated from the mainstream society and characterized by physical factors – isolated due to distance, weather conditions and transportation difficulties (island, upland lowland, landlocked, hard to reach and underserved communities); and/or socio-economic factors – (high poverty incidence, presence of vulnerable sector, communities in or recovering from situation of crisis or armed conflict).
- ff) "Hazard" – a dangerous phenomenon, either natural or human-induced, that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.
- gg) "Human-Induced Hazard" – an event that is caused by humans and occur in or close to human settlements or a particular environmental area. This can include environmental degradation, technological or industrial conditions, pollution, accidents (e.g. high density events, industrial and transport accidents) complex emergencies, armed conflict, situations of generalized and/or organized violence, and violation of human rights.
- hh) "International Disaster Relief and Initial Recovery Period" – the period which commences upon the issuance of a request for international disaster assistance or upon acceptance of an offer, and shall continue until terminated pursuant to guidelines set in the implementing rules and regulations
- ii) "Internally Displaced Persons" – persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence within national borders, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized and/or organized violence, violations of human rights, implementation of development projects, or natural or human-induced disasters.
- jj) "International Personnel" – the staff and volunteers of any assisting actor providing disaster relief or initial recovery assistance being persons who are neither citizens of nor domiciled in the Philippines prior to their recruitment by the international assisting actor.
- kk) "Land-Use Planning" – the process undertaken by public authorities to identify, evaluate and decide on different options for the use of land, including consideration of long-term economic, social and

environmental objectives and the implications for different communities and interest groups, and the subsequent formulation and promulgation of plans that describe the permitted or acceptable uses.

- ll) "Legal Facilities" – special entitlements and exemptions that are made available to eligible assisting actors under this Act
- mm) "National Disaster Risk Reduction and Management Framework" – provides for comprehensive, all hazards, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management.
- nn) "National Disaster Risk Reduction and Management Plan (NDRRMP)" – the document to be formulated by the NDRRMC and implemented by the Authority that sets out goals and specific objectives for reducing disaster risks together with related actions to accomplish these objectives. The NDRRMP shall provide for the identification of hazards, vulnerabilities and risks to be managed at the national level; disaster risk reduction and management approaches and strategies to be applied in managing said hazards and risks; agency roles, responsibilities and lines of authority at all government levels; and vertical and horizontal coordination of disaster risk reduction and management in the pre- disaster and post-disaster phases. It shall be in conformity with the national disaster risk reduction and management framework.
- oo) "Natural Hazards" – naturally occurring physical phenomena caused either by rapid or slow onset events which can be geological (earthquakes ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity), hydrological and meteorological (floods, severe winds, typhoons, storm surges), climatological variability (extreme temperatures, El Niño, La Niña, forest fires), or biological (disease, epidemics and insect/animal plagues).
- pp) "Open Data" – data that can be freely used, shared and built-on by anyone, anywhere, for any purpose. It must be available in bulk, it should be available free of charge, or at least at no more than a reasonable reproduction cost. The information should be digital, preferably available by downloading through the internet, and easily processed by a computer too. It also must permit people to use it, re-use it, and redistribute it, including intermixing with other datasets and distributing the results. Lastly, it does not allow conditions to be placed on how people can use Open Data, but it does permit a data provider to require that data users credit them in some appropriate way, make it clear if the data has been changed, or that any new datasets created using their data are also shared as open data.
- qq) "Persons with Disabilities" – include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

- rr) "Pre-Disaster Risk Assessment" – a process to evaluate a hazard's level of risk given the degree of exposure and vulnerability in a specific area likely to be affected by an imminent hazard. It presents the possible impacts on the population and forms a basis to determine the appropriate level of response actions from the national level government agencies down to the local government units. It is hazard-specific, area focused and time-bound.
- ss) "Post-Disaster Recovery" – the restoration and improvement where appropriate, of facilities, livelihood and living conditions of disaster-affected communities, including efforts to reduce disaster risk factors, in accordance with the principles of "build back better".
- tt) "Private Sector" – comprises private corporations, households, non-profit institutions serving households, and other economic enterprises outside of government.
- uu) "Public Sector Employees" – all persons in the civil service.
- vv) "Recovery" – rehabilitation measures that ensure the ability of affected communities or areas to restore their normal level of functioning by restoring livelihoods and services, reconstruction of damaged infrastructures and increasing the communities' organizational capacity.
- ww) "Resilience" – the ability of a system, community or society exposed to hazards to resist, absorb, adapt and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions.
- xx) "Response" – any effort to provide assistance or intervention during or immediately after a disaster to meet the life preservation and basic subsistence needs of affected people and in the restoration of essential public activities and facilities.
- yy) "Risk Assessment" – a methodology to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed people, property, services, livelihood and the environment on which they depend.
- zz) "Probabilistic Risk Assessment" – simulates those future disasters which, based on scientific evidence, are likely to occur (UNISDR, 2015). As a result, these risk assessments resolve the problem posed by the limits of historical data (UNISDR, 2015). Probabilistic models "complete" historical records by reproducing the physics of the phenomena and recreating the intensity of a large number of synthetic events (UNISDR, 2015). Probabilistic Risk Assessment considers all possible scenarios, their likelihood, and associated impacts. It is characterized by inherent uncertainties partly related to the natural randomness of hazards, and partly because of our incomplete understanding and measurement of the hazards, exposure, and vulnerability.

- aaa) "Deterministic Risk Assessment" – is an assessment that considers the possible disaster impacts of a single scenario. This is in contrast to probabilistic risk assessment which considers all possible scenarios, their likelihood, and associated impacts.
- bbb) "Risk Transfer" – the process of formally or informally shifting the financial consequences of particular risks from one party to another whereby a household, community, enterprise or state authority will obtain resources from the other party after a disaster occurs, in exchange for ongoing or compensatory social or financial benefits provided to that other party.
- ccc) "State of Calamity" – a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of the occurrence of natural or human- induced hazard.
- ddd) "Sustainable Development" – development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
- eee) "Vulnerability" – the characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effects of a hazard. Vulnerability may arise from various physical, social, economic, and environmental factors.
- fff) "Vulnerable and Marginalized Groups" – those who are at risk due to poverty and other underlying risk factors including, but not limited to, women, children, elderly, differently-abled people, and ethnic minorities.
- ggg) "Whole-of-society Approach" – the meaningful participation of and synergy of stakeholders that represent different interests in all aspects of climate change adaptation, disaster risk and vulnerability reduction and management across all levels. "Acknowledge the contribution of and important role played by all relevant stakeholders, including individuals, families and communities, intergovernmental organizations and religious institutions, civil society, academia, the media, voluntary associations and, where and as appropriate, the private sector and industry."
- hhh) "Whole of Government Approach, an approach that integrates the collaborative efforts of the departments and agencies to achieve unity of effort toward a shared goal to broadens the government's options, increases efficiency to maximize all available resources in a collaborative effort."
- iii) "Whole of Nation Approach, an approach that seeks to bring about a concerted effort towards national peace and security by creating consensus and understanding of security, that is shared not just among core security forces and oversight government institutions, but also by civil society and all the nation's communities."

- iii) "Youth" – those persons aged fifteen (15) to thirty (30) years old, as provided for under R.A. 8044, or the "Youth in Nation-Building Act".

CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

SECTION 4. *Creation of the Department of Disaster Resilience*– For the purpose of carrying out and effecting the declared policies of this Act, there is hereby created a Department of Disaster Resilience, herein after referred to as the Department. Considering its important role in times of disasters.

It shall be the primary government agency accountable and responsible for overseeing, coordinating and implementing a comprehensive disaster risk and vulnerability reduction and management program. It shall provide leadership in the continuous development of strategic and systematic approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation. Moreover, it shall augment implementation of DRVRM programs in collaboration with relevant national government agencies, LGUs, civil society and people's organizations, and other stakeholders.

SECTION 5. *Powers and Functions of the Department* – The Department shall exercise and perform the following functions:

- a) Monitor the integration of disaster risk and vulnerability reduction and management policies into national development plans to achieve Sendai Framework and Agenda 2030 for sustainable development goals;
- b) Oversee and direct the comprehensive implementation of disaster risk and vulnerability reduction and management policies, plans and programs as embodied in the National Framework and Plan ;
- c) Review and evaluate the Local Disaster Resilience Plan (LDRP) and other local plans to ensure their consistency with the National Disaster Risk Reduction and Management Framework and Plan;
- d) Oversee, direct and undertake programs and projects to identify, assess, prioritize and localize hazards and risks in the country in consultation with key national government agencies and stakeholders especially local governments and local communities;
- e) Oversee a national early warning and emergency alert system which shall provide accurate, timely and accessible advice, through diverse mass media and telecommunications, to national and local emergency response organizations and the general public;
- f) Deploy rapid assessment teams, gather information, and, guided by the principle of inter-operability, coordinate information-sharing and other

disaster risk reduction and management protocols among national and local government agencies before, during and after a disaster.

- g) Receive, administer, mobilize, report and monitor and oversee the utilization of the Department of Disaster Resilience Fund (DDRF), recovery and rehabilitation funds, and donations for disaster risk reduction and management, unless otherwise specified;
- h) Procure goods and services during emergencies in accordance with existing emergency procurement rules and regulations;
- i) Issue special procurement rules for preparedness, response and recovery activities including those prompted by a declaration of state of calamity and a state of imminent disaster;
- j) Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with DOF and GSIS;
- k) Assist in mobilizing necessary resources to increase the overall capacity of LGUs, specifically those with low income and situated in high-risk areas;
- l) Prepare, organize, lead, control and manage the post-disaster recovery and rehabilitation programs in coordination with the affected local governments and national government agencies, in so doing, implement the cluster approach to expedite the reconstruction effort and orchestrate and serve as the clearing house for the participation of international players in such process;
- m) Establish a Disaster Resilience Research and Training Center that shall provide a ladderized training program on disaster risk and vulnerability reduction and management for DDRM professionals and other stakeholders in the public and private sector. The Research and Training Center shall accredit disaster risk and vulnerability reduction and management trainers or instructors;
- n) Ensure the use of advanced science and the most up-to-date technologies in climate change adaptation and disaster risk reduction and management through engagement, consultation, and employment with a regular department funding of academe/higher education institutions (i.e. University of the Philippines Resilience Institute, University of the Philippines Nationwide Operational Assessment of Hazards Center) that have a credible track record both locally and internationally as well as capacity to implement the science and engineering requirements necessary for effective CCA-DRVR.
- o) Establish the DDR Council Secretariat and an operating facility to be known as the Department of Disaster Resilience Council Secretariat and Operations Center (DDRCSOC) under the operational control of the Secretary and

functional supervision of the Operations Service that shall be operated and staffed on a twenty-four (24) hour basis;

- p) Establish a Department of Disaster Resilience Information System (DDRIS) to facilitate reporting;
- q) Develop the criteria and procedure for the enlistment of accredited community disaster resilience volunteers (ACDRVs). It shall include a manual of operations for the volunteers which shall be developed by the Authority in consultation with various stakeholders;
- r) Create the necessary offices to perform its mandate as provided under this Act; and
- s) Perform such other functions as may be necessary for effective operations and implementation of this Act.

SECTION 6. *Office of the Department Secretary* – (a) The Department shall be headed by a Secretary with the rank and emoluments of a Cabinet Secretary. The Secretary shall be appointed by the President based on qualifications herein provided and shall hold office for a period of six (6) years. His or her appointment may be extended for another non-extendible term of six (6) years and shall only be removed for cause in accordance with the rules and regulations prescribed by the Civil Service Commission.

(b) All appointees shall be universally acknowledged experts in the field of disaster risk and vulnerability reduction and management and climate change and of proven honesty and integrity.

SECTION 7. *Powers of the Secretary* – The Secretary shall exercise the following functions:

- a) Establish policies and standards for the effective, efficient, and economical operation of the Department in accordance with the programs of the Government;
- b) Exercise direct supervision and control over all functions and activities of the Authority, as well as all its officers and personnel;
- c) Call upon other instrumentalities or entities of the government and non-government and civic organizations for assistance in terms of the use of their facilities and resources for the protection and preservation of life and properties in the whole range of disaster risk and vulnerability reduction and management and climate change adaptation. This authority includes the power to call on the reserve force as defined in Republic Act No. 7077 to assist in relief and rescue during disasters or calamities;
- d) Create regional and field offices and such other service units and divisions as may be necessary; and

- e) Perform such other functions as may be necessary or proper to attain the objectives of this Act.

CHAPTER III

HUMAN RESOURCE MANAGEMENT

SECTION 8. *Organizational Structure* – The Department shall be composed of the following key offices:

- a) Office of the Secretary as provided in Section 6.
- b) Three (3) services, namely the Operations Service, the Administration and Finance Service, and the Capacity Development Service. Each service shall be headed by and with the rank of Undersecretary.

The Operations Service is responsible for coordinating, monitoring, implementing and augmenting, as appropriate, programs for disaster risk prevention and mitigation, preparedness, response, and recovery. The Administration and Finance Service shall be in charge of managing the internal operations of the Department. The Capacity Development Service is responsible for building and developing the capacity of the Department's personnel, DRVRM practitioners, communities and other public or private stakeholders for disaster risk and vulnerability reduction and management and climate change adaptation

- c) Seven (7) divisions, namely the Administration Division and Finance Division under the Administration Service, the Resiliency Division and Disaster Management Division under the Operations Service, and the Training Institute Division, Information Management Division, and External Relations Division under the Capacity Development Service. Each Division shall be headed by and with the rank of Assistant Secretary.
- d) Regional and other field offices that the Department may establish, operate and maintain to perform its mandate.
- e) Public Assistance and Complaints Office (PACO) –
 - i. The Department shall establish a PACO in every region. The PACO shall work jointly with the DOJ and DOF, as appropriate, to render assistance to and receive complaints from the public regarding alleged violations of this Act. It shall assist the complainant in the gathering of relevant documentation and other evidence to support said complaint. The PACO shall facilitate the forwarding of the complaint to the appropriate venue within 15 days from receipt thereof.
 - ii. The PACO is encouraged to use the best available technology to ensure that complaints are endorsed to the proper venue and are addressed in a timely manner.

- f) Seconded personnel from relevant agencies and detailed service from the AFP, as appropriate.

SECTION 9. *Selection of Personnel* – The selection of personnel of the Department shall be based strictly on merit and fitness in accordance with the Civil Service Code and other pertinent laws. In accordance with the existing occupational index, the formulation of the organizational structure and staffing pattern shall be completed by within one (1) year after the effectivity of this Act, and shall be fully implemented within a period of one (1) year thereafter.

SECTION 10. *Transfer of OCD Personnel to the Department* – Upon approval of this Act, personnel from the Office of Civil Defense may opt to transfer to the Department .

CHAPTER IV FINANCE AND ADMINISTRATION

SECTION 11. *Fiscal Management* – The Department shall manage all funds appropriated to it by Congress and from other sources. This shall include all donations as contemplated under the succeeding paragraph, subject to provisions of Article 9(D), Section 3 of the 1987 Constitution on the auditing powers of the Commission on Audit.

The Department shall have the power to collect minimum fees derived from the Training Institute and other related activities to fund its operations.

SECTION 12. *Donation* – (a) The Department shall have the power to receive donations and grants from any persons, government institutions, corporations, international organizations and other similar entities, and the power to recommend the procurement of developmental assistance for the purpose of disaster risk and vulnerability reduction and management.

(b) It shall be mandatory for the Department to certify the receipt of all DDR donated funds and ensure their judicious management including their proper and accurate audit reporting to constituents.

(c) The importation and donation of food, clothing, medicine and equipment for relief and recovery and other disaster management and recovery-related supplies is hereby authorized in accordance with Section 105 of the Tariff and Customs Code of the Philippines, as amended, and the prevailing provisions of the General Appropriations Act covering national internal revenue taxes and import duties of national and local government agencies;

All importations and donations under Section 12 (b) shall be considered as importation by and/or donation to the Department , subject to the approval of the Office of the President.

CHAPTER V

ROLE OF GOVERNMENT AGENCIES AND STAKEHOLDERS

SECTION 13. *Role of Government Agencies* – To ensure the effective implementation of this Act, concerned agencies shall perform the following functions:

a) DEPARTMENT OF DISASTER RESILIENCE COUNCIL –

- (1) **Policy-Formulating Body** – The DDRC shall continue to perform its functions as a policy-formulating body as provided in Section 6 (a), (b), (c), (d) (f) (j), (k), (l), (m) and (n) of Republic Act 10121.

It shall advise the Department on matters relating to disaster risk and vulnerability reduction and management consistent with policies and scope as defined in this Act,

- (2) **Composition** – The DDRC shall be headed by the Secretary as the Council Chairperson for Inter-agency Coordination, the Secretary of the Department of National Defense (DND) as the Vice-Chairperson for Logistics and Resource Mobilization, 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 President may delegate the convening of the DDRC to the DDR Secretary shall lead policy-making for their respective thematic area.

The members of the DDRC shall be the following:

- i. Secretary of the Department of Disaster Resilience (DDR);
- ii. Secretary of the Department of Health (DOH);
- iii. Secretary of the Department of Environment and Natural Resources (DENR);
- iv. Secretary of the Department of Agriculture (DA);
- v. Secretary of the Department of Education (DepEd);
- vi. Secretary of the Department of Energy (DOE);
- vii. Secretary of the Department of Finance (DOF);
- viii. Secretary of the Department of Trade and Industry (DTI);

- ix. Secretary of the Department of Transportation and Communications (DOTC);
- x. Secretary of the Department of Budget and Management (DBM);
- xi. Secretary of the Department of Public Works and Highways (DPWH);
- xii. Secretary of the Department of Foreign Affairs (DFA);
- xiii. Secretary of the Department of Justice (DOJ);
- xiv. Secretary of the Department of Labor and Employment (DOLE);
- xv. Secretary of the Department of Tourism (DOT);
- xvi. The Executive Secretary;
- xvii. Secretary of the Office of the Presidential Adviser on the Peace Process (OPAPP);
- xviii. Chairperson of the Commission on Higher Education (CHED);
- xix. Chief of Staff of the Armed Forces of the Philippines (AFP);
- xx. Commandant of the Philippine Coast Guard (PCG);
- xxi. Chief of the Philippine National Police (PNP);
- xxii. Secretary of the Presidential Communications Operations Office (PCOO);
- xxiii. Secretary-General of the Philippine Red Cross (PRC);
- xxiv. Chairperson of the Commission on Human Rights (CHR);
- xxv. Executive Director of the Council for Welfare of Children (CWC);
- xxvi. Basic Sector Vice-Chairperson of the National Anti-Poverty Commission (NAPC);
- xxvii. Chairperson of the Philippine Commission on Women (PCW);
- xxviii. Chairperson of the Housing and Urban Development Coordinating Council (HUDCC);
- xxix. Executive Director, Climate Change Office, Climate Change Commission;

- xxx. Chairperson of the National Council for Disability Affairs (NCDA);
 - xxxi. Chairperson of the National Commission on Indigenous Filipinos (NCIP);
 - xxxii. Secretary of the National Commission on Muslim Filipinos (NCMF);
 - xxxiii. Chairperson of the National Youth Commission (NYC);
 - xxxiv. President of the Government Service Insurance System (GSIS);
 - xxxv. President of the Social Security System (SSS);
 - xxxvi. President of the Philippine Health Insurance Corporation (PhilHealth);
 - xxxvii. President of the Union of Local Authorities of the Philippines (ULAP);
 - xxxviii. President of the League of Provinces of the Philippines (LPP);
 - xxxix. President of the League of Cities of the Philippines (LCP);
 - xl. President of the League of Municipalities of the Philippines (LMP);
 - xli. President of the Liga ng mga Barangay (LMB);
 - xl. Two (2) representatives from the University of the Philippines Resilience Institute and the Nationwide Operational Assessment of Hazards Center;
 - xl. Six (6) representatives from the CSOs; and
 - xl. Two (2) representatives from the private sector.
- (3) Technical Management Group – The DDRC shall constitute a technical management group composed of representatives of the above mentioned departments, offices, and organizations, that shall coordinate and meet with the Department as often as necessary to effectively manage and sustain national efforts on disaster risk reduction and management; and
 - (4) Guidelines for the DDR Fund and Local DRFund– The DDRC shall provide the necessary guidelines and procedures on the Department of Disaster Resilience Fund (DDR Fund) and the Local Disaster Resilience Fund (LDRF) releases as well as utilization, accounting and auditing thereof
 - (5) Monitoring, Reporting and Validation –

- i. *Monitoring and Reporting.* On or before the last quarter of the preceding year, member-agencies of the Council shall submit to the Department through the Council Secretariat their respective DDR annual work and financial plans (AWFPs) for the next year. The AWFPs shall be based on the DDR Plan.

The member-agencies shall submit to the Secretariat quarterly progress reports of their implementation of the AWFPs within thirty (30) days from the end of each quarter.

The Department is likewise responsible for monitoring the appropriate implementation of remedial measures by member-agencies of the Council during a state of calamity. It shall have the authority to require reports from the appropriate member-agencies regarding implementation of such measures.

- ii. *Validation.* The Secretariat shall require the submission of reports from LGUs to validate the progress reports of the Council member-agencies. Submission shall be through the local field offices of the Authority.

Every two (2) years, the implementation of the Disaster Resilience Plan (DRP) and utilization of the Local Disaster Resilience Fund (LDRF) of each province and independent city shall be evaluated by the Regional Disaster Resilience Council (RDRC) based on appropriate criteria, such as the Gawad Kalasag Award criteria for provinces and cities.

b) THE REGIONAL DISASTER RESILIENCE COUNCILS –

The Regional Disaster Resilience Councils (RDRCs) shall coordinate, integrate, supervise, and evaluate the activities of the LDRCs. It shall be responsible for ensuring climate-disaster risk sensitive and inclusive regional development plans, and in case of emergencies shall convene the different regional line agencies and authorities, concerned institutions and developmental partners.

The RDRCs shall establish the RDRC Secretariat and operating facility to be known as the Regional Disaster Resilience Secretariat and Operations Center (RDRSOC) whenever necessary. The RDRSOC shall be under the operational control of the Regional Director of the Department and functional supervision of the Operations Service of the regional office.

The Regional Directors of the Department shall serve as chairpersons of the RDRCs. Its Vice Chairpersons shall be the Regional Directors of the DSWD, the DILG, the DOST, and the NEDA. In the case of the Autonomous Region in Muslim Mindanao (ARMM), the Regional Governor shall be the RDRC Chairperson. In the case of Metro Manila, the MDRC shall be headed by the Chairperson of the Metro Manila Development Authority.

The RDRRMCs shall be composed of the executives of regional offices and field stations at the regional level of the government agencies.

c) THE LOCAL DISASTER RESILIENCE COUNCILS –

(1) Composition – The LDRC at the provincial, city and municipal level shall be composed of, but not limited to, the following:

- i. The Local Chief Executive, Chairperson;
- ii. The Local Planning and Development Officer, member;
- iii. The Head of the LDRO, member;
- iv. The Head of the Local Social Welfare and Development Office, member;
- v. The Head of the Local Health Office, member;
- vi. The Head of the Local Agriculture Office, member;
- vii. The Head of the Gender and Development Office, member;
- viii. The Head of the Local Engineering Office, member;
- ix. The Head of the Local Veterinary Office, member;
- x. The Head of the Local Budget Office, member;
- xi. The Division Head / Superintendent of Schools of the DepEd member;
- xii. The highest-ranking officer of the Armed Forces of the Philippines (AFP) assigned in the area, member;
- xiii. The Provincial Director / City / Municipal Chief of the Philippine National Police (PNP), member;
- xiv. The Provincial Director / City / Municipal Fire Marshall of the Bureau of Fire Protection (BFP), member;
- xv. The President of the Association of Barangay Captains (ABC), member;
- xvi. The Philippine Red Cross (PRC), member;
- xvii. Four (4) accredited CSOs, members; and
- xviii. One (1) private sector representative, member.

The existing Barangay Development Councils (BDCs) shall serve as the LDRRMCs in every barangay.

(2) Functions of the LDRC – The LDRCs shall have the following functions:

- i. Approve, monitor and evaluate the implementation of the LDRPs and regularly review and test the plan consistent with other national and local planning programs;
- ii. Ensure the integration of disaster risk and vulnerability reduction and climate change adaptation into local development plans, programs such as Local Disaster Resilience Plan and Local Climate Change Action Plan (LCCAP) at the provincial, cities and municipalities and and Community Climate Vulnerability and Disaster Risk Assessment (CVDRA) of the Barangay Contingency and Adaptation Plan (BCAP) at the Barangay level and budgets as a strategy in sustainable development and poverty reduction;
- iii. Recommend the implementation of forced or preemptive evacuation of local residents, if necessary; and
- iv. Convene the local council once every three (3) months or as necessary.

d) LOCAL DISASTER RESILIENCE OFFICE (LDRO) –

(1) Functions of the LDRO – All local government units must establish a local disaster resilience office at the provincial, city and municipal level and a Barangay Disaster Resilience Committee (BDRC) in every barangay to perform the following functions:

- i. Design, program, and coordinate disaster risk and vulnerability reduction and climate change adaptation activities consistent with the DDRC's standards and guidelines;
- ii. Conduct climate vulnerability and disaster risk assessments, local disaster resilience plan, contingency and adaptation planning activities at the local level, in coordination with the field office of the Department and other multi-stakeholders, including the vulnerable and marginalized groups, to ensure that assessments and plans are validated and integrated in the national, regional and provincial, city and municipal ecological risk profile;
- iii. Consolidate local climate-disaster risk information which includes risk from natural and human-induced hazards, and maintain a local risk map for the community;

- iv. Organize and conduct training, orientation, and knowledge management activities on disaster risk and vulnerability reduction and management at the local level, in coordination with the Disaster Resilience Research and Training Center;
- v. Operate a multi-hazard and inclusive early warning system to provide accurate and timely report to national or local emergency response organizations and to the general public, through diverse mass media, telecommunications, and technologies for communication within rural communities;
- vi. Formulate and implement a comprehensive and integrated LDRP in accordance with the national, regional and provincial framework and policies on disaster risk and vulnerability reduction and climate change adaptation in close coordination with the LDRC to identify, determine and implement cost-effective climate-disaster risk reduction contingencies, measures, strategies;
- vii. Prepare and submit to the local sanggunian through the LDRC the annual LDR Plan, the proposed programming of the LDRF, other dedicated disaster risk and vulnerability reduction and resources, and other regular funding source of the LDRO;
- viii. Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs, CSOs, private sector, organized volunteers, and sectoral organizations for disaster preparedness and response to utilize their facilities and resources for the protection and preservation of life and properties during emergencies in accordance with existing policies and procedures;
- ix. Include food security and agriculture livelihoods in the preparedness and response plans, programs and other mechanisms;
- x. Disseminate information and raise public awareness about vulnerabilities and risks, their nature, effects, early warning signs and counter-measures;
- xi. Establish an resilience information management system within the LGU and maintain a disaggregated database of human resource, equipment, services, resources, directories and location of critical infrastructures and their capacities such as hospitals and evacuation centers;
- xii. Develop, strengthen and operationalize mechanisms for partnership or networking with the private sector, nongovernmental organizations, CSOs, humanitarian organizations, volunteer groups and other stakeholders;

- xiii. Maintain and provide suitably-trained and competent personnel for effective disaster risk and vulnerability reduction and climate change adaptation in its communities and areas ;
- xiv. Organize, train, equip and supervise the local emergency response teams and the Accredited Community Disaster Resilience Volunteers (ACDRVs), ensuring that humanitarian workers are equipped with basic skills, including gender-sensitive case management and handling cases of gender-based violence in times of disasters;
- xv. Respond to and manage the adverse effects of emergencies and carry out recovery activities in the affected area, ensuring that there is an efficient and accessible mechanism for immediate delivery of food, water, sanitation and hygiene (WASH) services, shelter, health and nutrition intervention and medical supplies for the affected population, particularly the vulnerable and marginalized groups;
- xvi. Serve as the secretariat and executive arm of the LDRC;
- xvii. Establish linkage / network with other LGUs for disaster risk and vulnerability reduction, climate change adaptation and emergency response purposes;
- xviii. Recommend through the LDRC the enactment of local ordinances consistent with the requirements of this Act;
- xix. Establish a Provincial / City / Municipal / Barangay Disaster Resilience Operations Center;
- xx. Prepare and submit, through the LDRC, the report on the utilization of the LDRF and other dedicated disaster risk and vulnerability reduction, climate change adaptation and management resources to the local Commission on Audit (COA), furnishing a copy to the regional director of the Department and the Local Government Operations Officer of the DILG; and
- xxi. Act on other matters that may be authorized by the LDRC;

- (2) Organizational Structure of the Local Disaster Resilience Office (LDRO) and Barangay Disaster Resilience Council (BDRC) – The LDRO shall be under the office of the governor, city or municipal mayor. The level of organization of the LDRO can either be a department, division, or section, depending on the financial capability of the LGU.

The LDRO shall be established and headed by a local disaster risk and vulnerability reduction and management officer with regular plantilla position. The LDR officer shall likewise have mandatory regular plantilla

staff responsible for: administration and training, research and planning, operations and warning, and information management system.

The BDRC shall be a regular committee of the existing barangay development council (BDC) and shall be subject thereto. The punong barangay shall facilitate and ensure the participation of at least two (2) CSO representatives from existing and active community-based people's organizations representing the most vulnerable and marginalized groups in the barangay.

- (3) Budgetary Requirements of LDRO – The budgetary requirements for personal services, maintenance and other operating expenditures, and capital outlay of the LDRO shall be sourced from the General Fund of the LGU, subject to Section 76 of R.A. 7160.

The enforcement of Sections 325(a) and 331(b) of R.A. 7160 shall be waived to enable the LGUs to fund the initial year requirements for the creation of the minimum five (5) mandatory positions of the LDRO.

Other maintenance and operating expenditures, and other capital outlay requirements of the LDRO in the implementation of DRVRM and CCA programs shall be charged to the Local Disaster Resilience Fund.

CHAPTER VI

DISASTER RISK AND VULNERABILITY REDUCTION AND CLIMATE CHANGE ADAPTATION MAINSTREAMING, INTEGRATION AND CONVERGENCE

SECTION 14. Integration of DRVR and CCA in the Disaster Resilience Framework and Plan – The Disaster Resilience Framework shall provide for the comprehensive, probabilistic multi-hazards, multi-sectorial, resilience-building and community risk-based approach and management of disaster and climate risk, and provide for the integration of disaster risk and vulnerability reduction and climate change adaptation, as well as the mainstreaming in other sectoral policies. It shall be reviewed on a three (3) years interval, or as may be deemed necessary, in order to ensure its relevance to the times.

The Disaster Resilience Plan shall provide for the following: (1) identification of the underlying factors of risk, or the nature and degree of hazards, vulnerabilities, exposure and capacity, which need to be managed at the national level; (2) disaster risk and vulnerabilities reduction and management approaches and strategies to be applied in managing said hazards and risks; (3) agency roles, responsibilities, and lines of authority at all government levels; and (4) vertical and horizontal coordination of climate change adaptation, disaster risk and vulnerability reduction and management before, during, and after a disaster. The Disaster Resilience Plan shall be in conformity with the Framework.

The Disaster Resilience Framework and Plan for climate-disaster risk governance, risk assessment and risk management shall be formulated and approved by the DDRC .

SECTION 15. *National Policy on Climate Vulnerability and Disaster Risk Assessment* – The DDRC shall formulate a national policy on vulnerability and risk assessment for technological and environmental risk, natural disaster risk and climate change risk. It shall include a multi-hazard multi-sectoral and inclusive assessment of risk, taking into consideration the interdependence of disaster risk reduction, environmental management, climate change adaptation and sustainable development.

For this purpose, national government agencies in charge of climate vulnerability and disaster risk assessment shall be guided by a probabilistic risk assessment methodology, as appropriate, and shall make sure that there is consistent and appropriate application of the risk assessment methodology for each type of hazard. Since climate change impacts are potential disasters of the future, probabilistic risk assessment is imperative. It is the only kind of risk assessment that considers multi-scenarios of a given hazard, including the predicted impacts of climate change that may occur in the future.

SECTION 16. *Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation and Recovery from Disasters* – The Department shall ensure the application of ecosystems-based approaches in disaster risk and vulnerability reduction and climate change adaptation, particularly through ecosystem management and restoration as defined in this Act, and ensuring that environmental and natural resource policies are risk-informed.

CHAPTER VII DDR RESEARCH AND TRAINING CENTER

SECTION 17. *Creation of the Department Disaster Resilience Research and Training Center (DDR -RTC)* – (a) Within one year from approval of this Act, the Department shall establish the Disaster Resilience Research and Training Center in collaboration with Higher Education Institutions such as University of the Philippines Resilience Institute (UP RI) which shall serve as a world class center of excellence for learning and research in the field of disaster risk and vulnerability reduction and management and climate change adaptation;

(b) The Research and Training Center shall be headed by an Assistant Secretary. The organizational structure and staffing pattern shall be determined by the Department in consultation with DBM and in accordance with civil service rules and regulations.

(c) The Research and Training Center shall have the following functions:

- 1) Establish regional branches in Luzon, Visayas and Mindanao, as well as provincial, city or municipal branches if deemed necessary, to train individuals from public and private sectors in the fields of disaster risk and vulnerability reduction and management, climate change adaptation, and ecosystem management and restoration, among others;

- 2) Develop and implement an inclusive and ladderized curricula on disaster risk and vulnerability reduction and management;
- 3) Develop research programs and a knowledge management system on DRVRM for the purpose of innovation, capacity building and development;
- 4) Partner with the academe and research institutions, private sector, civil society, community-based DRVRM-CCA practitioners and other relevant sectors in developing research opportunities and programs climate vulnerability, disaster risk assessment;
- 5) Establish a resource center for IEC materials, research, publications, best working practices, lessons identified and learned and other knowledge products on disaster risk and vulnerability reduction and management;
- 6) Consolidate and prepare IEC and training materials or publications to assist disaster risk and vulnerability reduction and management, and climate change adaptation practitioners in the planning and implementation of their program and projects;
- 7) Organize a community of climate change adaptation, disaster risk reduction and management practitioners; and
- 8) Accredited, recognize, monitor and evaluate climate change adaptation, disaster risk and vulnerability reduction and management training institutions.

(d) Financial Support to the Center:

- 1) The budget for the Disaster Resilience Research and Training Center shall be sourced from the annual General Appropriations Act. It shall have the authority to collect the necessary minimum fees that shall be used for maintenance and other operating expenses of the Research and Training Center.
- 2) The Department shall assist in the creation of Research and Training Centers at the provincial, city, and municipal governments, as appropriate. The funding for such local Research and Training Centers may be sourced from the seventy (70%) percent portion of the LDRF and other financial sources of the local government unit concerned.

CHAPTER VIII DISASTER RESILIENCE INFORMATION, EDUCATION AND COMMUNICATION

SECTION 18. Disaster Resilience *Information Management System (DRIMS)* – The Department shall establish a National and Regional Information Management System for Disaster Resilience. It shall constitute a physical central database of all disaster risk reduction and climate change data, including a geographic information system on geo-hazard

assessments and climate risk. It shall be the repository of current and multi-temporal information for wide-scale disaster risk analysis and climate change vulnerability assessment. The DRIMS shall at all times be made available to the Emergency Operations Center of the National and Regional Disaster Resilience Council (N/RDRC) to ensure the use of timely, accurate and reliable information for decision-making.

SECTION 19. *Disaster Resilience and Climate Change Education and Training* – (a) The DepEd, the CHED, the Technical Education and Skills Development Authority (TESDA), in coordination with the CCC, the National Youth Commission (NYC), the Department of Science and Technology (DOST), the Department of Environment and Natural Resources (DENR), the Department of Interior and Local Government Bureau of Fire (DILG-BFP), the Department of Health (DOH), the Department of Social Welfare and Development (DSWD) and other relevant agencies, developmental institutions, nongovernment organizations shall integrate disaster risk and vulnerability reduction and climate change adaptation education in the school curricula at all levels of education, from K to 12 to tertiary levels, including the early and adult learning programs, National Service Training Program (NSTP), and education for children and persons with special needs, whether private or public, including formal and non-formal, technical-vocational, indigenous learning, out-of-school youth courses and programs, and other channels of educational integration, including but not limited to media, church, entertainment centers (malls), international and domestic airports and transport terminals (OFWs).

(b) The Civil Service Commission (CSC), Professional Regulatory Commission (PRC) and other licensure-giving bodies shall integrate DRVRM-CCA questions in all professional and licensure examinations.

(c) The Commission on Higher Education (CHED), in coordination with the DDR and the Disaster Resilience Research and Training Institute, shall develop a curriculum for courses or subjects specific to DRVRM and CCA, and shall mandate all tertiary learning institutions to offer these subjects.

(d) The Parents and Teachers Community Association should initiate, support, and participate in DRVRM-CCA related activities in schools and host communities.

(e) The DepEd, the CHED, and the Technical Education and Skills Development Authority (TESDA) and other developmental institutions/organizations shall formulate and institutionalize flexible learning options (modules, online learning platforms, etc.) as part of its disaster risk governance, analysis, and management strategy.

(f) The DepEd, CHED and TESDA and other developmental institutions/organizations shall regularly review, monitor, evaluate and report to the Council the status of integration and implementation of DRVRM-CCA in schools and other learning institutions.

(g) The LDRCs shall form formal partnerships with tertiary learning institutions within their respective jurisdictions to provide standard and ladderized training programs for LGU officials and other DRVRM-CCA multi-stakeholders.

(h) The DRC, the RDRCs, the LDRCs, the LDROs, the BDRCs, and the Sangguniang Kabataan shall encourage the community, specifically the youth, participation in disaster risk and vulnerability reduction and climate change adaptation activities, such as Information, Education and Communication (IEC) Campaigns organizing quick response groups, particularly in identified disaster-prone areas, as well as the inclusion of DRVR-CCA programs as part of programs and projects of the Sangguniang Kabataan, youth organizations and community-based DRVRM and anticipatory adaptation initiatives.

(i) The public sector employees, including teachers and Disaster Resilience and Climate Change Adaptation Coordinators from both the public and private learning institutions, shall be trained in emergency preparedness and response. The training is mandatory for such employees and coordinators to comply with the provisions of this Act.

SECTION 20. *Standard Mechanism for Cascading Information, Education and Communication on CCA-DRVRM* – (a) The DRC shall promote and advocate a culture of resilience and responsible-accountable citizenship through information, education and communication that is appropriate, integrated, inclusive, localized, science-based, gender, culture and disability sensitive and accessible using multimedia. IEC on CCA-DRVRM should be compelling but not alarming.

(b) The DDRC shall formulate a Strategic Risk Communications Plan to encompass the entirety of disaster risk and vulnerability reduction and climate change adaptation to achieve the desired behavioural and attitudinal change towards responsible citizenship and culture of resilience. It shall serve as a reference on continuous awareness raising and education at all levels of the government.

(c) A Disaster Resilience Information Officer shall be designated at all levels of the Department to ensure implementation of the disaster risk reduction and management IEC campaign. The DRRM Information Officer shall serve as the primary coordinator for the dissemination of IEC on CCA-DRVRM.

CHAPTER IX DRRM INSURANCE AND INCENTIVES

SECTION 21. *Disaster Risk Transfer, Insurance and Social Welfare* – (a) The Authority shall oversee all disaster risk transfer and other related initiatives to ensure the protection of property and livelihood, both public and private.

(b) The Department shall make mandatory the insurance of all assets and properties of national government agencies including government-owned and controlled corporations, and those over which the government has insurable interest, as prescribed under R.A. 656. The insurance shall be provided by any government insurance agency.

(c) The Department shall encourage the local government units to insure assets, properties and livelihood of vulnerable and marginalized groups for unforeseen or contingent losses from natural hazards and human-induced disasters which may be

charged against the LDRRM Fund in coordination with concerned national government agencies.

SECTION 22. *Incentives* – Unless otherwise provided, the Department shall establish an incentives program that recognizes outstanding performance of LDRC, nongovernmental organizations (NGOs), CSOs, schools, hospitals, and other stakeholders in promoting and implementing significant DRVRM-CCA programs and innovations, and meritorious acts of individuals, groups or institutions during natural or human-induced disasters.

CHAPTER X

PREPAREDNESS AND EARLY WARNING

SECTION 23. *Standards for Disaster Preparedness Activities* – (a) The DRC shall establish standards for disaster preparedness, including, but not limited to contingency planning, localizing and operationalizing disaster risk reduction and management, preparedness for disaster response, preparedness for early recovery, including continuity of essential services, and other relevant preparedness activities.

(b) LGUs shall identify or build evacuation centers in accordance with government-approved standards to minimize the use of schools as such and to avoid disruption of classes. Schools that have been used as evacuation centers shall be immediately compensated by the LGU concerned, with respect to damages or renovation expenses incurred as a result of such use.

SECTION 24. Multi-Hazard Early Warning and Risk Communication Standards – (a) There shall be a streamlined policy governing early warning systems and risk communication protocols to ensure effective and efficient measures to prevent, prepare for, respond to and recover from possible risk caused by natural and human-induced hazards and climate risk. The DRC shall issue and the Authority shall oversee and monitor the implementation of this policy.

(b) The Department and all other concerned agencies with an early warning mandate shall collaborate among people at the local level to disseminate climate-disaster risk information through the involvement of local government units, community-based organizations, civil society organizations, and other non-governmental organizations.

SECTION 25. *Early Warning Mandate* – (a) Department to Issue Early Warning. Early warnings for hydro-meteorological, geologic, or terrestrial phenomena is lodged with the appropriate government agencies or government-accredited organizations for purposes of forecasting and early warning. This notwithstanding, the State shall recognize and proactively support local or indigenous modes of early warning systems and allow open access to near real-time data from both local and international sources made available through various platforms such as websites, mobile apps, and social media to empower local communities and individuals.

(b) Transmission of Early Warning. A person who transmits early warning concerning the abovementioned phenomena by means of signs in designs, colors, lights, or sound shall do so in compliance with the methods recognized or approved by the DRC.

CHAPTER XI

DISASTER RESPONSE AND EARLY RECOVERY

SECTION 26. *Declaration of State of Calamity* – The DRC shall recommend to the President of the Philippines the declaration of a cluster of barangays, municipalities, cities, provinces, and regions under a state of calamity, and the lifting thereof, based on the criteria

set by the DRC. The President's declaration may warrant international humanitarian assistance as deemed necessary.

The declaration and lifting of the state of calamity may also be issued by the local sanggunian, upon the recommendation of the LDRC, based on the results of the damage assessment and needs analysis. Moreover, on the basis of official warning by government warning agencies such as PAGASA, PhiVolcs and MGB, the LDRC may seek from the sanggunian, the declaration of a state of imminent disaster to enable the local executives to implement precautionary measures principally pre-emptive evacuation in order to save lives and minimize damage to property which would require the use of resources principally lodged in the LDRRMF.

SECTION 27. *Emergency Management* – The respective Disaster Resilience Councils shall take the lead in preparing for, responding to, and recovering from the effects of any disaster, giving due consideration to the economic classification, capacity and vulnerability of the local governments concerned and based on the following criteria:

- a) The BDRC, if a barangay is affected;
- b) The city / municipal DRCs, if two (2) or more barangays are affected;
- c) The provincial DRC, if two (2) or more cities/municipalities are affected;
- d) The regional DRC, if two (2) or more provinces are affected;
- e) The NDRC, if two (2) or more regions are affected; and
- f) After 24 hours without report, the nearest field office of the Authority may take the lead, in partnership with local authorities in managing emergency situation to save lives and alleviate human suffering until such time that the local officials may exercise full leadership and assume their functions.

The Department in cooperation with the DRC and intermediary LDRCs 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 DRC and concerned LDRCs.

SECTION 28. *Humanitarian Assistance Action Center* – The DRC shall institutionalize a one-stop shop mechanism through the Humanitarian Assistance Action Center for the processing and release of goods, articles or equipment intended for humanitarian assistance and the processing of necessary documents for international assisting actors. The Humanitarian Assistance Action Center shall be managed by the Authority and shall be composed of the following DRC agencies:

- a) Department of Finance-Bureau of Customs;
- b) Department of Foreign Affairs;

- c) Department of Social Welfare and Development;
- d) Department of Health;
- e) Food and Drug Administration;
- f) Department of Agriculture;
- g) Department of Energy;
- h) Philippine National Police;
- i) Philippine Coast Guard; and
- j) Department of Justice - Bureau of Immigration

SECTION 29. *Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector* – The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the list of volunteers to the Department, through the LDROs, for accreditation and inclusion in the database of community disaster volunteers.

A national roster of ACDRVs, National Service Reserve Corps, CSOs and the private sector shall be maintained by the Authority through the LDROs. Accreditation shall be done at the municipal or city level.

Mobilization of volunteers shall be in accordance with this Act and implementing guidelines to be formulated by the DRC. Any volunteer who incurs death or injury while engaged in any of the activities defined under this Act shall be entitled to compensatory benefits and individual personnel accident insurance as may be defined under the guidelines.

SECTION 30. *Reporting of Humanitarian Assistance* – The concerned local government unit shall submit a report to the Department, taking into account all domestic or international humanitarian assistance received and distributed within its area of responsibility.

CHAPTER XII

LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS

SECTION 31. *Guidelines for Coordination of International Humanitarian Assistance* – The DRC shall issue comprehensive guidelines on the initiation, entry, facilitation, transit and regulation of international relief goods and personnel, as well as eligibility guidelines to utilize the legal facilities for assisting international actors provided hereunder.

PART I. INTERNATIONAL PERSONNEL

SECTION 32. *Visa Waiver* – Eligible assisting international actors shall be entitled to waiver of entry visa requirements, including any associated fees or charges, to perform Disaster Relief and Initial Recovery Assistance work for their sponsoring entities without the requirement to seek a separate residence or work permit.

SECTION 33. *Recognition of Foreign Professional Qualifications* – (a) Eligible assisting international actors wishing to deploy international personnel for tasks requiring legal recognition of their foreign professional qualifications shall certify the validity of those qualifications under the law of the country where they were obtained and the competence of their personnel for the tasks envisaged.

(b) The DRC shall establish the guidelines and scope for recognition of foreign professional qualifications for disaster response and early recovery.

(c) Recognition of qualifications shall remain valid until the end of the International Initial Recovery Period, absent individual criminal conduct or other professional misconduct sufficient to bar the individual from professional practice in the country.

SECTION 34. *Recognition of Foreign Driving Licenses* – Foreign driving licenses of eligible assisting international actors shall be accorded temporary recognition during the International Disaster Relief and Initial Recovery Periods.

SECTION 35. *Facilitation of Access* – The international personnel of eligible assisting international actors shall be allowed access to disaster-affected areas and persons requiring Disaster Relief or Initial Recovery Assistance, subject to coordination requirements as mandated by the Authority and limitations based on national security, public order or public health, weighed in the context of the urgency of the disaster needs. They shall be permitted to provide their goods and services directly to affected persons.

PART II. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT

SECTION 36. *Customs Facilitation and Priority Treatment* – The Department shall facilitate the rapid importation of consignments of goods and equipment by eligible assisting actors and shall accord them priority treatment in handling.

SECTION 37. *Duty of Compliance by Eligible Assisting Actors* – In order to benefit from the aforementioned legal facilities, eligible assisting international actors shall:

- a) Declare that all the goods and equipment they seek to import under this Part are exclusively for Disaster Relief or Initial Recovery Assistance and that they comply with any relevant standards under Philippine laws; and
- b) Pack, classify and mark their consignments in accordance with the requirements described in this Act and its implementing rules and regulations.

SECTION 38. *Exemption from Import Duties, Taxes and Restrictions* – Consignments of goods and equipment by or on behalf of eligible assisting international actors shall benefit from:

- a) Exemption from all duties and taxes;
- b) Waiver of economic prohibitions and restrictions except for categories of special goods and equipment that may be indicated by the DRC; and
- c) Clearance without regard to the country of origin or the country from which the goods have arrived, subject to monitoring for reasons of public health and security.

SECTION 39. *Simplification of Documentation Requirements* – (a) Consignment of goods and equipment sent by or on behalf of eligible assisting international actors shall be cleared or released on the basis of a simplified goods declaration providing the minimum information necessary for the Bureau of Customs to identify the goods and equipment and subject, when deemed necessary, to completion of a more complete declaration within a specified period.

(b) The requirements for the declaration for all imports of goods or equipment by or on behalf of eligible assisting international actors and any supporting documents relating to said consignment, release and clearance of goods or equipment shall be simplified and lodged without fee.

PART III. EXPEDITED ENTRY AND USE RESTRICTIONS FOR SPECIFIC INTERNATIONAL DISASTER GOODS AND EQUIPMENT

SECTION 40. *Telecommunications Equipment* – Eligible assisting international actors shall be permitted to import telecommunications equipment for the purpose of Disaster Relief or Initial Recovery Assistance without restrictions, except as required by DRC guidelines and other laws for purposes of national security or public order. The DRC shall provide guidelines for the manner of use telecommunications equipment as well as a waiver of licensing requirements or fees.

SECTION 41. *Medications* – Eligible assisting international actors shall be permitted to import and transport medications and medical equipment for the purpose of Disaster Relief or Initial Recovery Assistance so long as they conform to the implementing rules and regulations to be provided by the DRC.

SECTION 42. *Food* – Food imported by eligible assisting international actors for disaster relief and recovery shall be admitted pursuant to expedited procedures set out by the DRC.

SECTION 43. *Imported Vehicles* – The granting of local registration and plates for vehicles imported by eligible assisting international actors shall be expedited.

PART IV. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOOD

SECTION 44. *Disposition of Equipment and Unused Goods* – The DRC shall provide for the guidelines for retention, re-exportation, donation and disposal of unused goods and equipment after the termination of Disaster Relief and Initial Recovery Assistance operations.

CHAPTER XIII RECOVERY

SECTION 45. *Standards for Recovery* – The planning, programming and implementation of the recovery process shall:

- a) Improve the community's physical, social and economic resilience, consistent with the principle of "building better forward";
- b) Use locally-driven, centrally-supported processes based on legal mandates with supplementary capacity support when requested;
- c) Redirect development outside danger zones to minimize loss of lives and structures resulting from typhoons, flooding, landslides, and other hazards
- d) Employ outcome-driven planning and implementation;
- e) Maximize use of Private-Public sector partnership where possible;
- f) Consider local conditions such as culture, security situation and existing capacities of communities in identifying programs and projects;
- g) Ensure access to public transport, physical and mental health services, markets, schools and other public services in planning for settlement areas; and
- h) Ensure restoration of peace and order and recovery of government functions.

CHAPTER XIV REMEDIAL MEASURES

SECTION 46. *Remedial Measures* – The declaration of a state of calamity shall make mandatory the immediate undertaking of the following remedial measures by the agencies concerned at the national and local levels, subject to existing rules and regulations:

- a) Upon the declaration of a state of calamity, the activation of the price coordinating council is enforced automatically, subject to existing rules and regulations;
- b) Imposition of price ceiling on basic necessities and prime commodities by the President upon the recommendation of the implementing agency as provided

for under R.A. 7581, otherwise known as the "Price Act", or the National Price Coordinating Council;

- c) Monitoring, prevention and control by the Local Price Coordination Council of overpricing / profiteering and hoarding of prime commodities, medicines and petroleum products;
- d) Programming / reprogramming of funds for the repair of critical facilities or public infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce further threat to lives and arrest further deterioration of properties in the affected communities, following the "build back better" principle;
- e) Granting of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals; and
- f) Local tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected local government unit.

The implementation of the foregoing measures shall be monitored by the Authority through reports from the government financing or lending institutions.

CHAPTER XV PROCUREMENT

SECTION 47. *General Rule on Procurement* – Any procurement of goods, services, consultancy or infrastructure for disaster risk reduction and management, whether at the national or local level, shall abide by the provisions of the Government Procurement Reform Act or RA 9184 and its Implementing Rules and Regulations.

SECTION 48. *Emergency Procurement* – In order to expedite disaster response and early recovery, and when the conditions required are present, the procurement or lease of equipment and delivery of goods and services through emergency procurement or purchase at site shall be allowed. Periods of action on procurement activities may also be waived for the same purpose and conditions.

CHAPTER XVI PROHIBITED ACTS AND PENALTIES

SECTION 49. *Prohibited Acts* – Any person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the criminal and administrative penalties as provided for in Section 50 of this Act, without prejudice to the imposition of other criminal, civil and administrative liabilities under other existing laws.

- a) **PROHIBITED ACTS OF PUBLIC OFFICIALS** – The following acts, if committed by public officials without justifiable cause, shall be considered as gross neglect of duty:

- (1) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
 - (2) Failure to create a functional LDR Office within six (6) months from approval of this Act;
 - (3) Failure to prepare and implement a Contingency and Adaptation Plan for hazards frequently occurring within their jurisdictions; and
 - (4) Failure to formulate and implement the LDRP with the corresponding budget allocation.
- b) PROHIBITED ACTS OF PUBLIC OFFICIALS AND PRIVATE PERSONS OR INSTITUTIONS –
- (1) Delay, without justifiable cause in the delivery or improper handling or storage of aid commodities, resulting to damage or spoilage;
 - (2) Withholding the distribution of relief goods due to (a) political or partisan considerations; (b) discrimination based on race, ethnicity, religion, or gender; and (c) other similar circumstances;
 - (3) Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams / experts;
 - (4) Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other and commodities which are intended for distribution to disaster affected communities;
 - (5) Buying, for consumption or resale, from the recipient disaster affected persons any relief goods, equipment or other aid commodities received by them;
 - (6) Selling of relief goods, equipment or other aid commodities which are intended for distribution to disaster victims;
 - (7) Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;
 - (8) Diverting or misdelivery of relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;
 - (9) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to him or her;

- (10) Misrepresenting the source of relief goods, equipment or other aid commodities by:
- i. Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;
 - ii. Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons;
 - iii. Making false verbal claim that the goods, equipment or other and commodity in its untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency or persons;
- (11) Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;
- (12) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the DRC;
- (13) Deliberate use of false or inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects; and
- (14) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.

SECTION 50. *Penalties* – Any individual, corporation, partnership, association or other juridical entity that commits any of the prohibited acts in the preceding paragraph shall be made liable for the following:

- a) A fine of not less than One hundred thousand pesos (Php 100,000.00) or any amount not to exceed Five hundred thousand pesos (Php 500,000.00) or imprisonment of not less than six (6) years and one (1) day or more than twelve (12) years, or both, at the discretion of the court, including perpetual disqualification from public office if the offender is a public officer, and confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in committing any of herein prohibited acts.
- b) If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association or entity responsible for the violation without prejudice to the cancellation or revocation of these entities license or accreditation issued to them by any licensing or accredited body of the government. If such offender is an alien, he or she shall, in addition to the

penalties prescribed in this Act, be deported without further proceedings after service of the sentence.

- c) If the offender is a public officer, the offense shall also be punishable by administrative suspension of six (6) months and one (1) day to one (1) year for the first offense, and dismissal from the service for the second offense. The penalty of dismissal shall carry with it the cancellation of eligibility to or forfeiture of retirement benefits, perpetual disqualification from holding public office and disqualification from taking civil service examinations.
- d) The prosecution for offenses set forth under Section 27 of this Act shall be without prejudice to any criminal liability for violation of the Revised Penal Code (Republic Act No. 3185, as amended) and other existing laws, as well as the imposition of applicable administrative or civil liabilities.

CHAPTER XVII APPROPRIATIONS

SECTION 51. *Appropriations* –

- a) **BUDGET.** The Department shall be allocated a budget of ten billion pesos (Php 10,000,000,000.00) from the National Treasury starting from the effectivity of this Act. Thereafter, the amount needed for its operation, personal services, maintenance and other operating expenses, and capital outlay shall be included in the General Appropriations Act annually.
- b) **DEPARTMENT OF DISASTER RESILIENCE FUND.** In accordance with Section 5(k), the DR Fund shall be managed by the Department. The specific guidelines on the release and utilization of the DR Fund shall be issued by the DRC in accordance with the recommendation of the Authority.
 - (1) The DR Fund shall be used for disaster risk and vulnerability reduction or mitigation, prevention and preparedness programs. It can also be utilized for relief, recovery, reconstruction and other work or services in connection with natural or human-induced disasters which may occur during the budget year or those that occurred in the past two (2) years from the budget year.
 - (2) Of the annual appropriation of DRF, seventy percent (70%) shall be appropriated for disaster risk and vulnerability reduction, prevention and mitigation programs and project focusing on both institutional capacity building of vulnerable communities and risk-reducing infrastructure. The DRC shall pass a resolution to set the priority allocations and govern and trigger the implementation of this section.
 - (3) Of the amount appropriated for the DR Fund, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for

prepositioning of goods and equipment and relief and early recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, epidemics, or complex emergencies, may be normalized as quickly as possible.

- (4) All departments/agencies and LGUs that are allocated with DR fund shall submit to the Department their monthly statements on the utilization of DR funds and make an accounting thereof in accordance with existing accounting and auditing rules.
 - (5) All departments, bureaus, offices and agencies of the government are hereby authorized to use a portion of their appropriations to implement projects designed to address DRVRM-CCA activities in accordance with the DRP and the guidelines to be issued by the DRC in coordination with the DBM and COA.
- c) **LOCAL DISASTER RESILIENCE FUND.** Not less than five percent (5%) of the estimated revenue from regular sources shall be set aside as the LDRF to support disaster risk and vulnerability reduction and climate change adaptation programs. The LDRC shall monitor and evaluate the use and disbursement of the LDRF based on the LDRP as incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the LDRO and approval of the sanggunian concerned, the LDRC may transfer the said fund to support the disaster risk and vulnerability reduction and climate change adaptation work of other LDRCs that are declared under a state of calamity.

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

Unexpended LDRF shall accrue to a trust fund solely for the purpose of supporting disaster risk reduction and management activities of the LDRCs within the next five (5) years. Any such amount still not fully utilized after five (5) years shall revert back to the general fund and will be available for other social services to be identified by the local sanggunian.

The NDRRMC shall issue guidelines on the utilization and release of LDRRMF in coordination with other concerned government agencies.

- d) **PREVENTION, MITIGATION AND PREPAREDNESS FUND FOR 3rd TO 6TH CLASS MUNICIPALITIES.** There shall be in the annual general appropriations act an amount allotted solely for the use of 3rd to 6th class municipalities for the purpose of augmenting their LDRF with respect to programs and procurement for disaster risk prevention, mitigation and preparedness. The requirements to avail of this subsidy shall laid down in the implementing rules and regulations of this law.

CHAPTER XVIII TRANSITORY PROVISIONS

SECTION 52. *Transfer of DRRM Powers and Functions of OCD* – All powers and functions of the existing Office of Civil Defense related to disaster risk and vulnerability reduction and management are hereby transferred to the Department within one (1) year from the effectivity of this Act.

SECTION 53. *Separation Benefits of Officials and Employees of Affected Agencies* – National government employees displaced or separated from the service as a result of this Act, shall be entitled to either a separation pay and other benefits in accordance with existing laws, rules or regulations or be entitled to avail of the privileges provided under a separation plan which shall be one and one-half month salary for every year of service in the government: Provided, however, That those who avail of such privilege shall start their government service anew if absorbed by the Department. In no case shall there be any diminution of benefits under the separation plan until the full implementation of the Act. Displaced or separated personnel as a result, if qualified, shall be given preference in the hiring of the manpower requirements of the Department. With respect to employees who are not retained by DDR, the government, through the Department of Labor and Employment, shall endeavor to implement re-training, job counseling, and job placement programs.

The foregoing transfer of powers and functions shall include all applicable funds and appropriations, plantilla positions, records, equipment, and property as may be necessary.

The movement of qualified OCD personnel to the new Department shall be governed by Section 10 of this Act.

CHAPTER IX MISCELLANEOUS PROVISIONS

SECTION 54. *Implementing Rules and Regulations* – The DDRC, through its Secretary, shall issue the necessary rules and regulations for the effective implementation of this Act within sixty (60) days from its approval. The Department, in consultation with key stakeholders, shall take the lead in the preparation of the implementing rules and regulations with the active involvement of the technical management group of DRC.

SECTION 55. *Congressional Oversight Committee* – The Congressional Oversight Committee created to monitor and oversee the implementation of the provisions of R.A. 10121 shall retain the same mandate for this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on National Defense and Security of both the Senate and the House of Representatives as joint Chairpersons of this Committee. The five (5) other members from each Chamber are to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The minority shall be entitled to pro rata representation but shall have at least two (2) representatives from each Chamber.

SECTION 56. *Sunset Review* – Within five (5) years after the effectivity of this Act, or as the need arises, the Congressional Oversight Committee shall conduct a sunset review. For purposes of this Act, the term "sunset review" shall mean 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.

SECTION 57. *Repealing Clause* – The provisions of R.A. 10121 and all other laws, decrees, executive orders, proclamations and other executive issuances which are not consistent with or contrary to the provisions of this Act are hereby repealed or amended.

SECTION 58. *Separability Clause* – Any portion or provision of this Law that may be declared unconstitutional or invalid shall not have the effect of nullifying other portions or provisions hereof as long as such remaining portion or provision can still subsist and be given effect in their entirety.

SECTION 59. *Effectivity Clause* – This Law shall take effect upon its approval.

Approved.