

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **6335**



Introduced by Representative Florida P. Robes

EXPLANATORY NOTE

Natural disasters such as typhoons, floods, earthquakes and volcanic eruptions can happen unexpectedly while human-induced disasters such as war and famine may not occur so sudden but their effects can be so devastating as well. When they strike, they are tests to the resilience of humanity and their steadfastness to respond to those in need as quickly and as effectively as they can. In times like these, aids and assistance pour from all parts of the world to help alleviate the situation of disaster victims. Many thousands of lives would have been needlessly lost without the support and assistance of people from all walks of life and in all dimensions.

As humans can only last few days without food and water, relief operations are important. In this case, response mechanisms and guidelines must be geared towards saving lives in the immediate aftermath of any disaster. Proper management of relief, particularly collecting and sending of goods, must be in place. And to entice people in donating relief goods to be distributed to people affected by disasters, this bill seeks to mandate freight companies, freight forwarders, common and private carriers and other logistic companies to provide free freight services in the transportation of relief goods and donated articles to calamity-stricken areas. This will further ensure that adequate relief assistance is given to individuals and communities most devastated by the disaster.

It has been said that "the primary goals of humanitarian action are to save lives, alleviate suffering and maintain human dignity during and in the aftermath of humanitarian crises" (White Paper on Irish Aid, 2006). This is clearly manifested in

our "bayanihan spirit." As the tradition of helping victims of disaster is engrained in our values system as Filipinos, the approval of this Bill is earnestly sought.



REP. FLORIDA P. ROBES

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**AN ACT PROVIDING FOR FREE FREIGHT SERVICES IN THE
TRANSPORTATION OF RELIEF GOODS TO CALAMITY-STRICKEN AREAS**

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

SECTION. 1. Short Title. This Act shall be known as the "Free Relief
Goods Transportation Act."

SEC. 2. Declaration of Policy. It is the policy of the State to strengthen
existing mechanisms which address the quick response to the demands and needs
during disasters and emergencies and to encourage altruism among the citizens in
heeding to the call of providing relief to the victims of such catastrophic
phenomenon by engaging the services of both public and private common carriers,
freight forwarders, freight companies and other logistics companies to collect, sort,
store, transport, and deliver relief goods donated by international and local donors
to areas declared in "state of calamity" in the most economical, reliable, speedy and
secured manner.

SEC. 3. Definition of Terms. - As used in this Act, the following terms shall
mean:

- (a) "Common Carriers" refer to persons, corporations, firms or associations
engaged in the business of carrying or transporting passengers or goods
or both, by land, water, or air, for compensation, offering their services to
the public;
- (b) "Disaster" refers to 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 or society to cope using its own resources and often
described as a result of the combination of the exposure to a hazard; the
conditions and vulnerability that are present; and insufficient capacity or
measures to reduce or cope with the potential negative consequences

which include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, social and economic disruption and environmental degradation;

- (c) "Donated Goods/Articles" refer to food or non-food items responsive to any situation affecting disadvantaged or distressed individuals and families in order to meet their basic needs;
- (d) "Duly Registered Relief Organization" refers to any relief organization, not operated for profit, duly registered or accredited with the Department of Social Welfare and Development (DSWD);
- (e) "Freight Companies" refer to companies that specialize in the moving or transporting of freight or cargo from one to another and divided as international freight forwarders or domestic freight forwarders;
- (f) "Freight Forwarders" refer to person or company that organizes shipments for individuals or corporations to get goods from the manufacturer or producer to a market, customer or final point of distribution;
- (g) "Private Carriers" refer to those entities, without being engaged in the business of carrying as a public employment, which undertake to deliver goods or passengers for compensation;
- (h) "Relief" refers to the provision of interventions to alleviate, ease, and/or mitigate a distressed and/or critical situation affecting persons, families, groups or communities;

SEC. 4. Free Freight Services for Relief Goods Transportation. - With the aim of bringing immediate relief to victims of natural or man-made disasters, the Philippine Postal Corporation (PPC) and all freight companies, common carriers, private carriers, freight forwarders and other companies providing logistic services in the Philippines are hereby mandated to grant free freight services to any individual or relief organizations and charities in the transportation of emergency relief goods and donated articles to areas declared to be in a "state of calamity" by the President or the local government unit concerned through the Sanggunian. When the area is not accessible, such relief goods shall be sent or delivered to proximate locations.

SEC. 5. Vigilance over Relief Goods. - Albeit their being free of charge, freight service companies, freight forwarders, common and private carriers, and other companies providing logistic services, are bound to observe extraordinary diligence and vigilance in the transportation of relief goods as expressed in the Civil Code of the Philippines.

Sec. 6. Release of Relief Goods and Articles Donated By Local Entities. - Relief goods and donated articles intended for distribution to calamity-declared areas

and victims of disasters/calamities from any local entities shall be released in accordance with proper verification of the receiver and in compliance with prevailing policies of the freight service and logistics company and carriers.

Sec. 7. Release of Relief Goods and Donated Articles by Foreign Entities. - Prior to the release of foreign relief goods and donated articles intended for distribution to calamity-declared areas and victims of disasters/calamities, the donor and the donee shall comply with the rules and regulations imposed by the Bureau of Customs (BOC) in accordance with pertinent laws and issuances. Further, such relief goods and donated articles shall be under the account of DSWD or any DSWD-registered or accredited relief organizations;

Sec. 8. Implementing Agency. - The Department of Transportation (DOTr), through the Civil Aeronautics Board (CAB), Maritime Industry Authority (MARINA), and Land Transportation Franchising Board (LTFRB), shall implement the provisions of this act, monitor and oversee compliance of freight service companies, common and private carriers and other companies providing logistic services to this Act.

SEC. 9. Implementing Rules and Regulations. - The DOTr, through CAB, MARINA and LTFRB, and in coordination with the BOC, the PPC, the DSWD and the association or authorized representatives of freight services companies and freight forwarders, common and private carriers and other companies offering logistic services in the country shall issue and promulgate the Implementing Rules and Regulations to carry out the provisions of this Act.

SEC. 10. Separability Clause. - In the event that any provision of this Act or any portion thereof is declared unconstitutional by a competent court, the other provisions shall not be affected thereby and shall remain valid and enforceable.

SEC. 11. Repealing Clause. - All laws, decrees, executive orders, rules and regulations, or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SEC. 12. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,