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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 7968



Introduced by
HON. YEDDA MARIE K. ROMUALDEZ

EXPLANATORY NOTE

The Philippines is one of the countries often visited by strong typhoons. Around nineteen tropical storms enter the Philippine area of responsibility in a typical year and, of these, usually six or nine make landfall. Natural disasters of increasing magnitude and frequency, such as typhoon Haiyan, have continued to affect our country, which is now the second most vulnerable in the world to disasters and climate change. Nearly 74 percent of the population and 80 percent of the land area are identified as vulnerable to disasters, with the capital of Manila considered at "extreme risk." This "new normal" requires a more focused and in-depth attention in the way we understand, prepare and respond to natural disasters.

Notwithstanding all the disaster preparation and coordination plans, there were still significant losses of life, injury, and damage to property when Typhoon Yolanda (International Code Name: Haiyan), considered as the world's strongest typhoon ever recorded, struck Philippine territory. Despite the government's efforts and preparations, thousands of people perished. Damage to business, property and agriculture were of such magnitude that economic activities were placed on standstill. A few days after Typhoon Yolanda ravaged the Visayas region, the national government was criticized by international media for the slow response and lack of support to the survivors in the affected areas.

In light of this, it is high time that we create a truly empowered department that will focus on natural hazards and disasters; and characterized by unity of command, a science-and ICT-based approach, and the wherewithal to take charge of three (3) key result areas: (a) disaster risk reduction; (b) disaster preparedness and response; and (c) recovery, rehabilitation and building forward better. As the country's primary disaster management agency, the Department of Disaster Resilience shall integrate and define what needs to be done, where it needs to be done, based on what standards, how it should be done and how well it should be done.

1 Some of the key elements and features of the proposed Department
2 are as follows:

- 3
- 4 a. **Unity of command.** The overall powers and functions to lead the
5 country's disaster resilience efforts, both at the policy and execution
6 stages, will be placed under the Department. Thus, the Climate
7 Change Commission (CCC), which is the and the NDRRMC, will be
8 abolished. The Department shall be authorized to call upon relevant
9 government agencies and facilitate the assistance of non-government
10 and private organizations, especially in emergency cases. The bill also
11 defines the levels of responsibility for disaster preparedness and
12 response between the national and local governments.
- 13
- 14 b. **Full-time focus on resilience to natural hazards.** The Department is
15 mandated to cover the disasters caused by or related to the above-
16 stated natural hazards. The sheer volume and scale of these merit a
17 single Department focused on preparing for and addressing these
18 disasters. These would also require knowledge and skill set different
19 from those needed to address human-induced disasters.
- 20
- 21 c. **Take-over capacity in times of disasters.** Under extreme conditions,
22 the Department shall have the authority to take the lead, in close
23 collaboration with the local government units, in undertaking disaster
24 preparedness and response in areas that are severely affected by
25 natural disasters. The Department shall have the power to temporarily
26 take-over or direct any private utility for urgent public purpose.
- 27
- 28 d. **Rationalized fund-use for disasters.** The Department shall be
29 mandated to manage and ensure the judicious and expeditious use of
30 disaster-related funds. It shall streamline and rationalize the systems
31 and procedures in accessing these funds to help ensure the timely
32 provision of support where urgently and critically needed.
- 33
- 34 e. **Fast and responsive procurement.** The Department shall
35 institutionalize innovative and responsive procurement mechanisms,
36 e.g. stand-by contracts, pre-arranged systems of procurement with a
37 pre-approved list of contractors, pre-negotiated contracts, advanced
38 procurement contracts, and framework contracts, among others, to
39 ensure the country's resilience to natural hazards and disasters.
- 40
- 41 f. **Science- and ICT-based approach.** The Department shall develop
42 mechanisms to ensure the inter- operability of systems among relevant
43 agencies to ensure real-time access to relevant information, including
44 multi-hazard mapping, risk assessment, early warning, exposure
45 database, and communication and emergency management systems,
46 among others.
- 47

1 g. **Highly specialized functions and highly-skilled personnel**
2 **requirements.** The Department shall have the resources and authority
3 to engage highly-skilled technical experts, e.g., DRRM specialists,
4 scientists, environmental and/or urban planners, civil engineers, and
5 public finance specialists.
6

7 h. **Institutional partnerships with LGUs, NGOs, and academia.**
8 Recognizing that disaster resilience is everybody's business, the
9 Department shall adopt a whole-of-society approach to ensure our
10 country's resilience to natural hazards. It shall be mandated to
11 establish partnerships with stakeholders in order to attain the goals and
12 objectives of the Department.
13

14 A new Department of Disaster Resilience will effectively improve the
15 institutional capacity of the government for disaster risk reduction and
16 management, reduce the vulnerabilities surrounding the affected local
17 population as well as build the resilience of local communities to both natural
18 and man-made disasters and calamities. Given its exposure to disaster risk,
19 the Philippines cannot continue to have a focal disaster organization that only
20 has coordinative functions. Our personal experience during typhoon Haiyan
21 has confirmed that the complexity of large-scale disasters undermines
22 existing policies and structures. The current DRRM structure where authority
23 is shared, responsibility is dispersed and resources are scattered, renders it
24 difficult to operate an appropriate and immediate response, thus delaying
25 critical disaster response and recovery.
26

27 Guaranteeing disaster resiliency through closer coordination and
28 stronger management synchronization at all levels of the country's disaster
29 risk reduction and management system cannot be delayed any further.
30

31 With the lives, safety and the welfare of our people at stake, the
32 passage of this bill is earnestly sought.
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38 Rep. YEDDA MARIE K. ROMUALDEZ
39 Representative
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1 Republic of the Philippines
2 **HOUSE OF REPRESENTATIVES**
3 Batasan Hills, Quezon City

4
5 **SEVENTEENTH CONGRESS**
6 Third Regular Session

7
8 House Bill No. 7968
9

10 Introduced by
11 **HON. YEDDA MARIE K. ROMUALDEZ**
12
13

14
15 **AN ACT CREATING THE DEPARTMENT OF DISASTER RESILIENCE,**
16 **DEFINING ITS POWER AND FUNCTIONS, APPROPRIATING FUNDS**
17 **THEREFOR, AND FOR OTHER PURPOSES**
18

19 *Be it enacted by the Senate and the House of the Representatives of*
20 *the Philippines in Congress assembled:*
21

22 **Article I**
23 **GENERAL PROVISIONS**
24

25 **Section 1. Short Title.** – This Act shall be known as the “Disaster
26 Resilience Act of 2018”.
27

28 **Section 2. Declaration of Policy.** It shall be the policy of the State to:
29

30 2.1. Protect the lives and properties of its citizens by addressing and
31 preventing the causes of vulnerabilities to natural disasters;
32

33 2.2. Inculcate a culture of resilience and preparedness against natural
34 disasters at the national, regional and local levels;
35

36 2.3. Establish a strong and empowered institution capable of
37 responding to the “new normal” of natural disasters and climate change, and
38 spearhead efforts to ensure disaster resilience by delivering on the highly
39 critical and intertwined functions of disaster risk reduction, response, and
40 recovery and building forward better;
41

42 2.4. Address the differentiated concerns and needs of sectors with
43 special needs or higher vulnerabilities such as women, children, elderly,
44 persons with disabilities, and indigenous peoples with respect to disaster
45 resilience and disaster management;
46

1 2.5. Protect the nation's historical and cultural heritage and resources
2 from natural hazards;
3

4 2.6. Foster an enabling environment for substantial and sustainable
5 participation of non-government stakeholders such as CSOs, private groups,
6 volunteers and communities in disaster resilience programs and projects;
7

8 2.7. Adopt a whole-of-society approach in disaster preparedness to
9 increase collaboration, planning, and dialogue among all sectors of society in
10 preparing for natural disasters and in improving their strategies and/or action
11 plans for disaster risk reduction; and
12

13 2.8. Strengthen the chain of command and establish a unified
14 command system for disaster management.
15
16

17 **Section 3. Definition of Terms.** – For purposes of this Act, the following
18 shall refer to:
19

20 3.1. "*Adaptation*" - the adjustment in natural or human systems in
21 response to actual or expected climatic stimuli or their effects, which
22 moderates harm or exploits beneficial opportunities.
23

24 3.2. "*Assisting Actor*" - any Assisting International Actor and any
25 Assisting Domestic Actor responding to a disaster in the country.
26

27 3.3. "*Assisting Domestic Actor*" - any not-for-profit entity established
28 under domestic laws, which is responding to a disaster in the country.
29

30 3.4. "*Assisting International Actor*" - any foreign state, organization,
31 entity or individual responding to a disaster within the country, or transiting
32 through the country to respond to a disaster in another country.
33

34 3.5. "*Biological hazards*" - hazards that are of organic origin or
35 conveyed by biological vectors, including pathogenic microorganisms, toxins
36 and bioactive substances. Examples are bacteria, viruses or parasites, as well
37 as venomous wildlife and insects, poisonous plants and mosquitoes carrying
38 disease-causing agents.
39

40 3.6. "*Building Forward Better*" - an approach to building and/or
41 reconstructing an area or community, which entails a shift from simple
42 recovery and restoration to safer, more adaptive, resilient, and inclusive
43 communities.
44

45 3.7. "*Bureau of Customs (BOC)*" - a revenue collection agency under
46 the Department of Finance mandated under Section 602 of Republic Act No.

1 1937, also known as the Tariff and Customs Code of the Philippines, to: (a)
2 prevent smuggling and other frauds; (b) control vessels/aircrafts doing foreign
3 trade; (c) enforce tariff and customs laws; (d) control the handling of foreign
4 mails for revenues and prevention purposes; (e) control import and export
5 cargoes; and (f) exercise jurisdiction over forfeiture and seizure cases.

6
7 3.8. "*Bureau of Internal Revenue (BIR)*" - a revenue collection agency
8 mandated under Republic Act No. 8424, as amended, to assess and collect
9 all national internal revenue taxes, fees, and charges and to enforce all
10 forfeitures, penalties, and fines connected therewith, including the execution
11 of judgments in all cases.

12
13 3.9. "*Business Continuity*" - capability of an organization to continue
14 delivery of products or services at acceptable predefined levels following a
15 disruptive incident.

16
17 3.10. "*Capacity*" - the combination of attributes and/or resources
18 available within a community or area that can reduce the level of risk(s) from,
19 or impact(s) of, a disaster.

20
21 3.11. "*Civil Society Organizations (CSOs)*" - non-state actors whose
22 aims are neither to generate profits nor to seek governing power, but to unite
23 people to advance shared goals and interests. CSOs may include
24 nongovernment organizations (NGOs), professional associations,
25 foundations, independent research institutes, community-based organizations,
26 and social movements.

27
28 3.12. "*Climate Change*" - a change in the state of the climate that can
29 be identified by changes in the mean and/or the variability of its properties,
30 and that persists in an extended period, typically decades or longer, whether
31 due to natural internal processes or external forces, such as modulation of the
32 solar cycles, volcanic eruptions and persistent anthropogenic changes in the
33 composition of the atmosphere or in land use.

34
35 3.13. "*Complex Emergency*" - a form of human-induced emergency in
36 which the cause of the emergency as well as the assistance to the afflicted is
37 complicated by intense level of political considerations.

38
39 3.14. "*Contingency Planning*" - a management process that analyses
40 specific potential events or emerging situations that might threaten society or
41 the environment and establishes arrangements in advance to enable timely,
42 effective and appropriate responses to such events and situations.

43
44 3.15. "*Commission on Audit (COA)*" - an independent constitutional
45 commission established under Article IX-D of 1987 Constitution tasked to,
46 among others, examine, audit, and settle all accounts and expenditures of

1 funds and properties of the Philippine government in order to prevent the
2 irregular use of government funds or properties.

3
4 3.16. "*Cultural Heritage*" - the totality of cultural property preserved and
5 developed through time and passed on to posterity.

6
7 3.17. "*Department*" - the Department of Disaster Resilience.

8
9 3.18. "*Department of Budget and Management (DBM)*" - an executive
10 body created under Executive Order No. 21 dated April 25, 1936 to promote
11 the sound, efficient, and effective management and utilization of government
12 resources as an instrument in the achievement of national socioeconomic and
13 political development goals.

14
15 3.19. "*Department of Finance (DOF)*" - a government institution
16 mandated under Executive Orders Nos. 127, 127-A, and 292 to: (a) formulate,
17 institutionalize, and administer fiscal policies; (b) manage the financial
18 resources of the government; (c) supervise the revenue operations of all local
19 government units; (d) review, approve, and manage all public sector debt,
20 whether domestic or foreign; and (e) rationalize, privatize, and ensure public
21 accountability of corporations and assets owned, controlled, or acquired by
22 the government to ensure adequate financing for the needs of the country.

23
24 3.20. "*Department of Science and Technology (DOST)*" - a government
25 institution under the executive department of the Philippine government,
26 mandated under Executive Order No. 128 to provide central direction and
27 coordination of scientific and technological efforts and ensure that results
28 therefrom are geared towards, and utilized in, areas of maximum economic
29 and social benefits for the people.

30
31 3.21. "*Development Assistance*" - financial, material or other forms of
32 assistance to support the economic, social and environmental well-being of
33 areas and/or people affected by a natural disaster.

34
35 3.22. "*Disability*" - an evolving concept that results from the interaction
36 between persons with impairments, as defined under Republic Act No. 7277,
37 and attitudinal and environmental barriers that hinder their full and effective
38 participation in society on an equal basis with others.

39
40 3.24. "*Disaster*" - a serious disruption of the functioning of a
41 community or a society involving widespread human, material, economic or
42 environmental losses and impacts, which exceeds the ability of the affected
43 community to cope using its own resources. Unless otherwise specifically
44 indicated in this Act, the term "disaster" shall refer to "natural disaster".

1 3.25. *"Disaster assistance"* - financial, material or other forms of
2 assistance to address the immediate and long-term needs of people,
3 communities or areas affected by a disaster. This term includes humanitarian
4 assistance and development assistance.

5
6 3.26. *"Disaster Contingency Fund"* - refers to a fund, in lump-sum form,
7 managed by the Department to expediently provide funds and resources for
8 disaster relief or response in affected areas.

9
10 3.27. *"Disaster management"* - the planning, organization, and
11 application of measures preparing for, responding to, and recovering from
12 disasters.

13
14 3.28. *"Disaster mitigation"* - the reduction or limitation of the adverse
15 impacts of disasters and its related hazards.

16
17 3.29. *"Disaster preparedness"* - the knowledge and capacities
18 developed by governments, professional response and recovery
19 organizations, communities and individuals to effectively anticipate, respond
20 to, and recover from, the impacts of likely, imminent or current disasters and
21 related hazards.

22
23 3.30. *"Disaster prevention"* - the intention to avoid, or the outright
24 avoidance, of potential adverse impacts of disasters and related hazards
25 through action(s) taken in advance.

26
27 3.31. *"Disaster relief or disaster response"* - the provision of emergency
28 services and public assistance during or immediately after a disaster in order
29 to save lives, reduce health impacts, ensure public safety and meet the basic
30 subsistence needs of the people affected. Disaster response is predominantly
31 focused on immediate and short-term needs and is sometimes called
32 "disaster relief".

33
34 3.32. *"Disaster resilience"* - the ability of a system, community, or
35 society exposed to hazards to resist, absorb, accommodate, adapt to,
36 transform, and recover from the effects of a hazard, including the long-term
37 impact of climate change, in a timely and efficient manner, including through
38 the preservation and restoration of its essential basic structures and functions
39 through risk management.

40
41 3.33. *"Disaster recovery"* - restoration or improvement of livelihoods
42 and health, as well as economic, physical, social, cultural and environmental
43 assets, systems and activities, of a disaster-affected community or society,
44 aligning with the principles of sustainable development and "build forward
45 better" to avoid or reduce future disaster risk.

1 3.34. *"Disaster rehabilitation"* - restoration of basic services and
2 facilities for the functioning of a community or a society affected by a disaster
3

4 3.35. *"Disaster Resilience Fund"* - refers to the budget managed by the
5 Department which includes funds appropriated to the Department by
6 Congress pursuant to an Appropriations Act, Disaster Contingency Fund, and
7 Rehabilitation and Recovery Fund.
8

9 3.36. *"Disaster Risk"* - the potential disaster losses in lives, health
10 status, livelihood, assets and services, which could occur to a particular
11 community or a Society over some specified future time period.
12

13 3.37. *"Disaster risk management"* - the systematic approach or process
14 of implementing strategies, policies and programs to lessen the possibility
15 and/or adverse impacts of disasters and related hazards.
16

17 3.38. *"Disaster risk reduction"* - the prevention of new, and/or reduction
18 of existing, disaster risk(s) and the management of residual risk, to enhance
19 resilience to disasters.
20

21 3.39. *"Emergency"* - unforeseen or sudden occurrence, especially
22 danger, demanding immediate action.
23

24 3.40. *"Emergency Management"* - the organization and management of
25 resources and responsibilities for addressing all aspects of emergencies, in
26 particular preparedness, response and initial recovery steps.
27

28 3.41. *"Environmental hazards"* - hazards which may be chemical,
29 natural and biological, and can be created by environmental degradation or
30 physical or chemical pollution in the air, water and soil. However, many of the
31 processes and phenomena that fall into this category may be termed drivers
32 of hazard and risk rather than hazards in themselves, such as soil
33 degradation, deforestation, loss of biodiversity, salinization and sea-level rise.
34

35 3.42. *"General Appropriations Act (GAA)"* - refers to general
36 appropriations legislated by Congress for every budget year.
37

38 3.43. *"Geological or geophysical hazards"* - hazards which originate
39 from internal earth processes, such as earthquakes, volcanic activities and
40 emissions, and related geophysical processes which include mass
41 movements, landslides, rockslides, surface collapses and debris or mud
42 flows. Hydrometeorological factors are important contributors to some of
43 these processes. While tsunamis are triggered by undersea earthquakes and
44 other geological events, they essentially become an oceanic process that is
45 manifested as a coastal water-related hazard.
46

1 3.44. *"Government Procurement Policy Board (GPPB)"* - an
2 independent inter- agency body, established in accordance with Article X of
3 Republic Act No 9184, otherwise known as the Government Procurement
4 Reform Act, tasked to, among others, protect the national interest in all
5 matters affecting public procurement.

6
7 3.45. *"Geographic Information System"* - a database which contains,
8 among others, geo-hazard assessments, information on climate change, and
9 climate risk reduction and management.

10
11 3.46. *"Hazard"* - a phenomenon, substance, human activity or condition
12 that may cause loss of life, injury or impacts to health; social and economic
13 disruption, environmental damage, or loss of/disruption to property, livelihood
14 and/or services.

15
16 3.47. *"Historical landmarks"* - sites or structures that are associated
17 with events or achievements significant to Philippine history as declared by
18 the National Historical Institute or the applicable agency.

19
20 3.48. *"Human-induced disasters"* - disasters induced entirely or
21 predominantly by human activities and/or choices, such as ideologically-
22 motivated conflict, or criminality.

23
24 3.49. *"Humanitarian assistance"* - financial, material or other similar
25 forms of assistance to address the immediate needs of people affected by a
26 natural disaster.

27
28 3.50. *"Hydrometeorological hazards"* - hazards that are of atmospheric,
29 hydrological or oceanographic origin, such as tropical cyclones (also known
30 as typhoons and hurricanes); floods, including flash floods; drought;
31 heatwaves and cold spells; and coastal storm surges. Hydrometeorological
32 conditions may also be a factor in other hazards such as landslides, wildland
33 fires, locust plagues, epidemics, and in the transport and dispersal of toxic
34 substances and volcanic eruption material.

35
36 3.51. *"Impact and needs assessment"* - involves assessing the nature
37 and magnitude of a disaster, its impact on affected populations, the type and
38 extent of emergency, and the requirements for recovery and rehabilitation of
39 the affected area(s).

40
41 3.52. *"Implementing Rules and Regulations (IRR)"* - the set of specific
42 rules and regulations, which shall be issued to implement the provisions of
43 this Act.

1 3.53. *"Land-Use Planning"* - the process undertaken by public
2 authorities to identify, evaluate and decide on different options for the use of
3 land, including consideration of long-term economic, social and environmental
4 objectives and the implications for different communities and interest groups,
5 and the subsequent formulation and promulgation of plans that describe the
6 permitted or acceptable uses.

7
8 3.54. *"Legal Facilities"* - entitlements and exemptions that are granted
9 to Assisting Domestic or International Actors which are declared to be eligible
10 pursuant to this Act and its implementing rules and regulations.

11
12 3.55. *"Local Disaster Resilience Plan (LDRP)"* - a document prepared
13 by an LGU based on the NDRF and NDRPIP that sets out specific programs,
14 objectives and goals to implement disaster risk management and climate
15 change adaptation measures at the local level. The plan includes, among
16 others, an evaluation and analysis of emerging disaster risks, hazards and
17 vulnerabilities applicable to an LGU, and specific programs and activities to
18 ensure responsive, effective, and appropriate disaster preparedness and
19 management at the local level.

20
21 3.56. *"Local Government Unit (LGU)"* – refers to a body politic and
22 corporate created or recognized under Republic Act No. 7160, otherwise
23 known as the Local Government Code, endowed with powers, both
24 governmental and proprietary, to be exercised by it in conformity with law.

25
26 3.57. *"National cultural treasure"* - a unique cultural property found
27 locally, possessing outstanding historical, cultural, artistic and/or scientific
28 value which is highly significant and important to the country and nation, and
29 officially declared as such by the pertinent cultural agency.

30
31 3.58. *"National Continuity Policy"* - a policy aimed at the development
32 of an organizational culture that has the ability to provide a minimum level of
33 service during interruptions, emergencies, and disasters, and return to full
34 operations quickly.

35
36 3.59. *"National Disaster Resilience Framework (NDRF)"* - a framework
37 that provides for a comprehensive, all-hazards, multi-sectoral, inter-agency
38 and community-based approach to enable communities to resist, prevent,
39 mitigate against, absorb, accommodate, adapt to, recover, or build back better
40 from the effects of a hazard in a timely and efficient manner through, among
41 others, disaster risk reduction and management and climate change
42 adaptation and mitigation. The NDRF shall be composed of a National
43 Disaster Risk Reduction and Management Framework, and National
44 Framework Strategy on Climate Change.

1 3.60. *"National Disaster Resilience Plan and Investment Program*
2 *(NDRPIP)"* - a plan formulated and implemented by the Department in
3 accordance with the NDRF that sets out the outcomes, goals and objectives,
4 priorities, programs and corresponding action plans for disaster risk reduction,
5 preparedness, and management, and climate change mitigation. The NDRPIP
6 shall also include, among others, goals, objectives and action plans for a
7 National Continuity Policy.
8

9 3.61. *"Natural disasters"* - disasters predominantly associated with
10 and/or caused by natural processes and/or phenomena, such as those related
11 to geology (i.e., earthquakes, ground rupture, liquefaction, landslides,
12 tsunamis, sinkholes, volcanic activity); hydrology and meteorology (i.e.,
13 floods, severe winds, typhoons, storm surges); and climatological variability
14 (i.e., extreme temperatures, El Niño, La Niña, forest fires).
15

16 3.62. *"Presidential Management Staff (PMS)"* - the primary government
17 agency, created under Executive Order No. 130 dated January 30, 1987,
18 responsible for providing technical assistance and advice to the President in
19 the exercise of the President's overall management of the development
20 process.
21

22 3.63. *"Post-Disaster Recovery"* - the restoration improvement where
23 appropriate, of facilities, livelihood and living conditions, of disaster-affected
24 communities, including efforts to reduce disaster risk factors, in accordance
25 with the principles of "build back better".
26

27 3.64. *"Preparedness"* - pre-disaster actions and measures being
28 undertaken within the context of disaster risk reduction and management and
29 are based on sound risk analysis as well as pre-disaster activities to avert or
30 minimize loss of life and property such as but not limited to, community
31 organizing, training, planning, equipping, stockpiling, hazard mapping,
32 insuring of assets, and public information and education initiatives. This also
33 includes the development/enhancement of an overall preparedness strategy,
34 policy, institutional structure, warning and forecasting capabilities, and plans
35 that define measures geared to help at-risk communities safeguard their lives
36 and assets by being alert to hazards and taking appropriate action in the face
37 of an imminent threat or an actual disaster.
38

39 3.65. *"Private Sector"* - the key factor in the realm of the economy
40 where the central social concern and process are the mutually beneficial
41 production and distribution of goods and services to meet the physical needs
42 of human beings. The private sector comprises private corporations,
43 households and nonprofit serving households.
44

45 3.66. *"Public Sector Employees"* - all persons in the civil service.
46

1 3.67 *"Rehabilitation"* - measures that ensure the ability of affected
2 communities/areas to restore their normal level of functioning by rebuilding
3 livelihood and infrastructures and increasing the communities' organizational
4 capacity.

5
6 3.68. *"Resilience"* - the ability of a system, community or society
7 exposed to hazards to resist, absorb, accommodate and recover from the
8 effects of a hazard in a timely and efficient manner, including through the
9 preservation and restoration of its essential basic structures and functions.

10
11 3.69. *"Response"* - any concerted effort by two (2) or more agencies,
12 public or private, to provide assistance or intervention during or immediately
13 after a disaster to meet the life preservation and basic subsistence needs of
14 those people affected and in the restoration of essential public activities and
15 facilities.

16
17 3.70. *"Retrofitting"* - reinforcing or upgrading of existing structures to
18 become more resistant and resilient to the damaging effects of hazards.

19
20 3.71. *"Risk"* - the combination of the probability of an event and its
21 negative consequences.

22
23 3.72. *"Risk Assessment"* - a methodology to determine the nature and
24 extent of risk by analyzing potential hazards and evaluating existing
25 conditions of vulnerability that together could potentially harm exposed
26 people, property, services, livelihood and the environment on which they
27 depend. Risk assessment with associated risk mapping include: a review of
28 the technical characteristics of hazards such as their location, intensity,
29 frequency and probability; the analysis of exposure and vulnerability including
30 the physical, social, health, economic, and environmental dimensions; and the
31 evaluation of the effectiveness of prevailing and alternative coping capacities
32 in respect to likely risk scenarios.

33
34 3.73. *"Risk Transfer"* - the process of formally or informally shifting the
35 financial consequences of particular risks from one party to another whereby
36 a household, community, enterprise or state authority will obtain resources
37 from the other party after a disaster occurs, in exchange for ongoing or
38 compensatory social or financial benefits provided to that other party.

39
40 3.74. *"Safety stock"* - items (such as raw materials, component parts,
41 or finished goods) maintained in inventory in order to reduce the risk that such
42 item will be out of stock, in anticipation of unforeseen shortages or unusual
43 demand for such items.

44
45 3.75. *"State of Calamity"* - a condition involving mass casualty and/or
46 major damages to property, disruption of means of livelihoods, roads and

1 normal way of life of people in the affected areas as a result of the occurrence
2 of natural or human-induced hazard.

3
4 3.76. *"Sustainable Development"* - development that meets the needs
5 of the present without compromising the ability of the future generations to
6 meet their own needs. It contains within it two (2) key concepts: first, the
7 concept of "needs", in particular, the essential needs of the world's poor, to
8 which overriding priority should be given; and second, the idea of limitations
9 imposed by the state of technology and social cohesion and harmony, and
10 ecological integration of a sound and viable economy, responsible
11 governance, social cohesion and harmony, and ecological integrity to ensure
12 that human development now and through future generations is a life-
13 enhancing process.

14
15 3.77. *"Volunteers"* - individuals, groups or entities that offer and/or
16 provide services or assistance, without compensation, to help people and/or
17 areas affected by disasters.

18
19 3.78. *"Vulnerability"* - the characteristics and circumstances of a
20 community, system or asset that make it susceptible to the damaging effects
21 of a hazard. Vulnerability may arise from various physical, social, economic,
22 and environmental factors such as poor design and construction of buildings,
23 inadequate protection of assets, lack of public information and awareness,
24 limited official recognition of risks and preparedness measures, and disregard
25 for wise environmental management.

26
27 3.79. *"Vulnerable and Marginalized Groups"* – those that face higher
28 exposure to disaster risk and poverty including, but not limited to, women,
29 children, elderly, differently-abled people, and ethnic minorities.

30
31
32 **Article II**
33 **THE DEPARTMENT OF DISASTER RESILIENCE:**
34 **MANDATE, POWERS, AND FUNCTIONS**

35
36 **Section 4. Creation of the Department of Disaster Resilience.** There is
37 hereby created the Department of Disaster Resilience, hereinafter referred to
38 as the Department.

39
40 **Section 5. Mandate.** The Department shall be the principal
41 government institution responsible for ensuring safe, adaptive, and disaster-
42 resilient communities. It is mandated to provide a clear and comprehensive
43 direction in the implementation of plans, programs, and projects to reduce the
44 risk of natural hazards and the effects of climate change, and manage the
45 impact of disasters.

1 The mandate of the Department covers all natural hazards, which
2 includes, among others, the following:

3
4 5.1. Geological Phenomena and Related Hazards

- 5 a. Earthquake – ground rupture, ground shaking, liquefaction,
6 tsunami, fire, and landslides
- 7 b. Volcanic activity – ash fall, pyroclastic flow, lava flow, lahar,
8 fissuring, volcanic gas, and *seiche* (lake water oscillation)
- 9 c. Mass movement – landslides, debris flow, sinkholes

10
11 5.2. Hydrological and Meteorological Phenomena and Related Hazards

- 12 a. Tropical cyclone – severe winds, storm surge, hail
- 13 b. Flood
- 14 c. Erosion

15
16 5.3. Climatological Variability

- 17 a. El Niño
- 18 b. Extreme temperatures
- 19 c. La Niña
- 20 d. Solar radiation

21
22 The Department shall manage and direct the implementation of
23 national, local, and community-based disaster resilience and disaster
24 management programs in collaboration with relevant national government
25 agencies, LGUs, CSOs, and other stakeholders, as applicable.

26
27 **Section 6. Powers and Functions of the Department.** The Department
28 shall exercise the following powers and functions, in collaboration with the
29 relevant departments, agencies, and non-government stakeholders:

30
31 6.1. Overall Functions

- 32 a. Undertake the formulation and implementation of the
33 government's policies, plans, programs, projects, and budget
34 for disaster resilience including those related to disaster risk
35 reduction, response, recovery, rehabilitation and building
36 forward better;
- 37 b. Review and build upon, to the extent necessary, the existing
38 disaster resilience framework, plans and strategies in the
39 crafting of an NDRF and the corresponding NDRPIP;
- 40 c. Oversee, review, and approve the translation, integration,
41 and implementation of the NDRPIP into LDRPs;
- 42 d. Facilitate the availability of highly-competent DRR
43 professionals at all levels and prescribe benefits, allowances,
44 and similar emoluments for DRR professionals, as it may
45 deem fit;
- 46 e. Communicate and disseminate critical information to help the

- 1 public prepare for, respond to, and recover from a disaster;
2 f. Receive, manage, and administer the Disaster Resilience
3 Fund, the Disaster Contingency Fund, donations and other
4 funds, assets and/or properties received by the Department
5 to accomplish the purposes of this Act;
6 g. Recommend to the President of the Philippines the
7 declaration of a state of calamity due to a natural disaster,
8 and the lifting thereof when conditions stabilize;
9 h. Advance the country's interests relating to disaster resilience
10 and climate change in the regional and global arena; and
11 i. Advise the President on matters concerning disaster
12 resilience and make recommendations, as appropriate.
13

14 6.2. *Disaster Risk Reduction*

- 15 a. Develop coordinated regional and local strategies for the
16 effective prevention and mitigation of disaster risk resulting
17 from natural hazards, including the effects of climate change;
18 b. Develop, maintain and update an integrated disaster
19 management and disaster resilience information system that
20 includes, among others, multi-hazard mapping, vulnerability
21 and risk assessments, early warning, exposure database,
22 communication and emergency management systems at the
23 national, regional, and provincial levels;
24 c. Develop and implement policies and programs relating to the
25 construction of new settlements or relocation of settlements
26 in safe areas which shall, to the extent such policies and
27 programs relate to disaster risk reduction, mitigation,
28 prevention or building back better, prevail over policies or
29 decisions of other government departments, government
30 agencies, government owned and/or controlled corporations,
31 LGUs, or other government institutions;
32 d. Develop, in coordination with relevant government agencies,
33 policies and programs on land-use planning, urban planning
34 and zoning which shall, to the extent such policies and
35 programs relate to disaster risk reduction, mitigation,
36 prevention or building back better, prevail over policies or
37 decisions of other government departments, government
38 agencies, government owned and/or controlled corporations,
39 LGUs, or other government institutions;
40 e. Establish and/or enhance standards for disaster
41 preparedness and continuity planning, such as, but not
42 limited to, infrastructure standards and designs;
43 f. Collaborate with the Department of Public Works and
44 Highways (DPWH) and other relevant government agencies
45 in the conduct of regular audit of buildings and other types of
46 infrastructure, and require the submission of necessary data,

- 1 information or reports related thereto;
- 2 g. Formulate plans and programs to establish and implement
- 3 government redundancy, governance and business
- 4 continuity, and a National Continuity Policy;
- 5 h. Undertake programs and projects to reduce the vulnerability
- 6 of physical infrastructure, assets, and facilities including, but
- 7 not limited to, retrofitting, and structural and non-structural
- 8 upgrading, in coordination with the relevant government
- 9 agencies;
- 10 i. Call on relevant government agencies to develop alternative
- 11 livelihood programs to reduce the vulnerability to disasters of
- 12 certain areas or certain sectors of society;
- 13 j. Formulate, facilitate and monitor efforts relating to certain
- 14 resources or sectors toward addressing the long-term effects
- 15 of climate change on sustainable development, such as
- 16 water resources, agriculture, forestry, coastal and marine
- 17 resources, health, and infrastructure, in coordination with
- 18 relevant government agencies;
- 19 k. Establish, develop, and monitor programs and projects, in
- 20 coordination with relevant government agencies, that
- 21 consider climate projections (including but not limited to
- 22 temperature increase and rainfall change in the Philippines)
- 23 to ensure climate-resilient communities; and
- 24 l. Undertake all other programs and projects necessary to
- 25 attain the necessary outcomes under this key result area.
- 26

27 **6.3. Disaster Preparedness and Response**

- 28 a. Establish a corps of first responders in partnership with
- 29 national and local stakeholders, both public and private;
- 30 b. Implement projects and programs that will enhance the
- 31 capacity of LGUs to prepare for, and respond to disasters,
- 32 giving priority to LGUs with low income and/or those situated
- 33 in high-risk areas;
- 34 c. Ensure the efficient prepositioning of goods, maintenance
- 35 and disposal of safety stocks;
- 36 d. Accredit, monitor and evaluate training institutions on
- 37 disaster resilience;
- 38 e. Regulate the accreditation of donors, volunteers, and
- 39 assisting non- government stakeholders, both domestic and
- 40 international;
- 41 f. Undertake the establishment of evacuation centers, in
- 42 coordination with the relevant government agencies and/or
- 43 LGUs, as applicable;
- 44 g. Formulate standards for contingency planning that shall be
- 45 adopted by the LGUs;
- 46 h. Develop a database of exposure or elements at risk per area

- 1 to facilitate and ensure quick impact and needs assessment
2 in the event of a disaster;
- 3 i. Establish a database that includes, among others, an
4 inventory of hazardous materials per area, to better prepare
5 for and respond to natural disasters.
- 6 j. Lead, manage, and collaborate with other agencies in the
7 provision of minimum basic needs for affected areas;
- 8 k. Facilitate and regulate the acceptance, inventory, and
9 accounting of humanitarian assistance, including relief
10 goods;
- 11 l. Maintain a database of volunteers and, when necessary,
12 mobilize volunteers to augment the personnel complement
13 and logistical requirements for disaster response and/or for
14 the delivery of DRRM programs, projects and activities;
- 15 m. May call upon other instrumentalities or entities of the
16 government and non-government and civic organizations for
17 assistance. In terms of the use of their facilities and
18 resources for the protection and preservation of life and
19 properties in the whole range of disaster risk reduction and
20 management. This function includes the power to call on the
21 reserve force as defined in Republic Act No. 7077 to assist in
22 relief and rescue during disasters or calamities;
- 23 n. By the authority of the President, call upon the AFP and PNP
24 to render the necessary assistance in a disaster-affected
25 area; and
- 26 o. Undertake all other programs and projects necessary to
27 attain the necessary outcomes under this key result area.
- 28
- 29 *6.4. Recovery and Building Forward Better*
- 30 a. Establish a system to promptly deliver impact and needs
31 assessment, including, but not limited to, strengthening the
32 in-house capacity of the Department to conduct accurate and
33 timely impact and needs assessment;
- 34 b. Establish a system that utilizes templates, exposure
35 database, and other tools, and develop the Department's in-
36 house capacity for the prompt and expedient preparation of
37 rehabilitation plans, when needed, for disaster affected
38 areas;
- 39 c. Formulate and/or direct relevant government agencies and
40 LGUs to issue guidelines for fast-tracking the issuance of
41 permits, certifications, clearances and licenses to implement
42 disaster recovery and rehabilitation measures, including
43 housing projects, in affected areas;
- 44 d. Prepare and implement rehabilitation plan(s) for disaster
45 affected areas;
- 46

- e. Manage and oversee the implementation of disaster recovery and rehabilitation measures;
- f. Collaborate with relevant government agencies to establish programs to restore and/or generate livelihood in disaster affected areas;
- g. Formulate policies and standards for post-disaster shelter recovery which may include, among others, implementation arrangements, coordination arrangement with relevant agencies and/or LGUs, and modalities for emergency transitional and permanent shelter recovery;
- h. Ensure that the principle of Building Forward Better is applied to rehabilitation or reconstruction efforts; and
- i. Undertake all other programs and projects necessary to attain the necessary outcomes under this key result area.

6.5 Other Functions

- a. Constitute, call, convene and/or deputize agencies of government, and invite non-government and private organizations, to assist, advise, and/or coordinate with the Department to achieve the purposes of this Act.
- b. By authority of the President, call upon the Armed Forces of the Philippines, Philippine National Police, Philippine Coast Guard, and other uniformed services to the extent necessary for the Department to achieve the purposes of this Act;
- c. Establish a National Corps of Volunteers to be composed of, among others: Reserve Officers' Training Corps (ROTC), National Service Training Program (NSTP), reservists, and other socio- civic organizations;
- d. Create or reorganize offices and/or task forces, as may be necessary to carry out the objectives of this Act; and
- e. Perform such other functions, as may be necessary, for the attainment of the objectives of this Act.

Article III ORGANIZATIONAL STRUCTURE

Section 7. Office of the Secretary. The head of the Department shall have the rank and emoluments of a Cabinet Secretary, and shall be appointed by the President based on qualifications provided in this Act and its implementing rules and regulations.

Section 8. Powers and Functions of the Secretary. – The Secretary shall have the following powers and functions:

8.1. Provide executive direction and supervision over the entire operations of the Department;

1
2 8.2. Establish policies and standards for the effective, efficient, and
3 economical operation of the Department;

4 8.3. Manage the financial and human resources of the Department;
5

6 8.4. Appoint and designate officers and employees of the Department,
7 excluding those requiring presidential appointment as provided for by law;
8

9 8.5. Exercise disciplinary powers over officers and employees of the
10 Department in accordance with law, and investigate such officers and
11 employees, or designate a committee or officer to conduct an investigation;
12

13 8.6. Coordinate with other agencies and public and private interest
14 groups, including CSOs, on Department policies and initiatives, as necessary;
15

16 8.7. Advise the President on the promulgation of executive and
17 administrative orders, and the formulation of regulatory and legislative
18 proposals on matters pertaining to disaster resilience;
19

20 8.8. Formulate such rules and regulations, and exercise such other
21 powers as may be required to implement the objectives of this Act; and
22

23 8.9. Perform such other tasks as may be provided by law or assigned
24 by the President.
25

26 **Section 9. Undersecretaries.** The Secretary shall be assisted by at
27 least four Undersecretaries, which shall be responsible for the following key
28 result areas:
29

30 9.1. *Disaster Risk Reduction* - to formulate, adopt, and/or implement,
31 among others, a whole-of-society approach in policies and programs to
32 prevent new, if not reduce existing, disaster risks, to address the effects of
33 climate change, and to minimize loss and damage to lives and properties.
34 This includes the formulation of the required policies and/or programs for
35 disaster risk reduction and climate change adaptation in, among others, the
36 NDRF and the NDRPIP;
37

38 9.2. *Disaster Preparedness and Response* - to implement projects and
39 programs that will enhance the capacity of LGUs to prepare against, and
40 respond to, disasters. This also includes development of a database of
41 exposure or elements at risk per area and database of volunteers, among
42 others. It involves the establishment of evacuation centers and the
43 implementation of responsive and efficient prepositioning of goods,
44 maintenance and disposal of stocks, among others.
45
46

1 9.3. *Recovery and Building Forward Better* - to formulate and
2 implement rehabilitation plans for disaster-affected areas, and to ensure the
3 implementation of disaster recovery and rehabilitation measures, such as, but
4 not limited to, post-disaster shelters and livelihood projects, in collaboration
5 with relevant agencies, LGUs, and other stakeholders.
6

7 9.4. *Support to Operations* - to formulate and implement, among
8 others, policies, programs and/or projects to ensure the efficient, effective,
9 and responsive delivery of the Department's key result areas. Support to
10 Operations covers knowledge management, institutional development and
11 planning, finance, office administration, human resources management, and
12 development of the Department's in-house capacities, among others.
13

14 **Section 10. Assistant Secretaries and Directors.** The Department shall
15 have the appropriate number of Assistant Secretaries and Directors
16 necessary for the effective, efficient, and responsive implementation of the
17 mandate and functions of the Department.
18

19 **Section 11. Appointment of Department Officials.** No person shall be
20 appointed Secretary, Undersecretary or Assistant Secretary unless he/she is
21 a resident and citizen of the Republic of the Philippines, of good moral
22 character, preferably DRRM specialists, scientists, environmental specialists,
23 urban planners, civil engineers, public finance specialists, and meets the
24 qualifications provided for in the implementing rules and regulations.
25

26 **Section 12. Qualifications.** The Secretary of Disaster Resilience shall:
27 be mentally and physically able; have a solid background in any of the
28 scientific and/or engineering fields relevant to disaster resilience for natural
29 hazards and climate change; and be nominated by a reputable entity
30 specializing in disaster resilience.
31

32 **Section 13. National Disaster Operations Center, Alternative**
33 **Command Center, and Research and Training Institute.** The Department shall
34 establish, within one (1) year from the approval of this Act, and act as the
35 primary operator of the National Disaster Operations Center (NDOC),
36 Alternative Command and Control Center (ACCCs) as may be necessary in
37 each of the country's major island groups, and a Disaster Resilience
38 Research and Training Institute (DRRTI).
39

40 The NDOC is a physical center equipped with the necessary tools and
41 systems to monitor, manage, and respond to disasters in all areas of the
42 country. The NDOC shall also provide the necessary support for the overall
43 coordination and implementation of emergency and disaster response
44 measures throughout the country.
45
46

1 The ACCCs are command centers established in other locations as an
2 alternative or to provide supplemental support to the NDOC. The number and
3 location of ACCCs shall be determined by the Department. Temporary
4 ACCCs may likewise be established by the Department, if necessary.
5

6 **Section 14. DRRTI Functions and Inter-Agency Knowledge Sharing.**

7 The DRRTI shall be a platform for providing training, and for collecting,
8 consolidating, managing, analyze, and/or sharing knowledge and information
9 to improve and/or enhance disaster resilience.

10
11 The DRRTI shall:

12
13 14.1. Establish reliable and up-to-date information and communication
14 systems and technologies through close and seamless collaboration with the
15 DOST;

16
17 14.2. Institutionalize, maintain, and update an integrated disaster
18 resilience information system (IDRIS), which includes, among others, multi-
19 hazard mapping, risk assessment, early warning, exposure database,
20 communication and emergency management systems;

21
22 14.3. Establish a database that includes relevant information from other
23 government agencies and third parties for the Department to better prepare
24 and respond to natural hazards including, but not limited to, an inventory of
25 hazardous materials per area;

26
27 14.4. Consult and coordinate with, and consolidate information/data
28 from, relevant government agencies, such as, but not limited to, DOST, LGUs
29 and relevant CSOs to enhance the IDRIS and to promote knowledge sharing
30 among all stakeholders;

31
32 14.5. Conduct disaster-related research programs, seminars, and
33 trainings for all types of stakeholders;

34
35 14.6. Consolidate, organize and/or prepare training materials and
36 publications; and

37
38 14.7. Conduct other activities consistent with promoting the formation
39 and dissemination of knowledge and information relating to disaster resilience
40 and disaster management.

41
42 **Section 15. Inter-agency Collaboration.** The Department shall
43 coordinate and collaborate with relevant government agencies, such as, but
44 not limited to, DOST, to establish a platform for information sharing to provide
45 real-time data for science-based planning and decision-making.
46

Section 16. Compliance and Accreditation of DRRTI with International Standards. The Department shall strive to obtain certification from, and accreditation by, international accreditation bodies of the DRRTI to ensure DRRTI's compliance with international standards. The Department shall likewise ensure collaboration with key countries and international organizations to incorporate best practices on disaster resilience in the Department's policies and programs.

Section 17. Disaster Assistance Action Center. The Department shall institutionalize a one-stop shop mechanism through a Disaster Assistance Action Center (DAAC) which shall, among others, process necessary documents for both Domestic and International Assisting Actors.

Section 18. Incentives. The Department has the power to prescribe benefits, allowances, and similar emoluments for DRR professionals, Local Disaster Resilience Officers, Provincial Disaster Resilience Officers and Regional Disaster Resilience Officers.

Article V

NATIONAL AND LOCAL GOVERNMENT RELATIONS

Section 19. Retention of Local DRRM Offices and Creation of Local Disaster Resilience Offices. The Local DRRM Offices (LDRRMOs) in provinces, cities, and municipalities shall be retained and renamed as Provincial, City, and Municipality Disaster Resilience Offices, respectively. They shall collectively be called Local Disaster Resilience Offices (LDROs). All LGUs shall establish an LDRO at the provincial, city, and municipal level. All Local DRRM Councils (LDRRMCs) shall be abolished.

Section 20. Composition and Organization of LDROs. The LDRO shall be under the supervision and control of the provincial governor, and city or municipal mayor, as applicable. The LDRO shall have regular plantilla staff responsible for, among others, administration, research and planning, training, and operations. The organization, composition, functions, and responsibilities of retained LDRMOs shall be modified to the extent provided in, and shall comply with the requirements and standards of, this Act and the IRR for the establishment, maintenance and operations of LDROs.

Section 21. Exemption from Personal Services Cap in the Creation of LDROs. Provinces, cities or municipalities shall be exempt from the Personal Services (PS) limitation on local government budgets in relation to the creation of the LDROs and the appointment of its officer and personnel.

Section 22. Local Disaster Resilience Officer. The LDRO shall be headed and managed by a well-qualified and full-time Local Disaster Resilience Officer with regular plantilla position. The Local Disaster Resilience

1 Officer and Staff shall be appointed by the Local Chief Executive subject to
2 the requirements and endowed with the emoluments and benefits indicated in
3 the IRR and other applicable laws.

4
5 **Section 23. Powers and Functions of City and Municipal DROs.** The
6 City and Municipal (CDRO and MDRO) shall have the following powers and
7 functions:

8
9 23.1. Formulate and implement, in close coordination with the
10 Department, a comprehensive and integrated LDRP in accordance with the
11 NDRF and the NDRPIP;

12
13 23.2. Design, program, coordinate, and/or implement disaster
14 resilience activities (including preparedness, risk reduction, response,
15 recovery and rehabilitation measures) consistent with the standards and
16 guidelines provided by the Department, and implement the NDRF and the
17 NDRPIP at the city or municipal level;

18
19 23.3. Prepare and submit to the local sanggunian, the LDRP, the
20 proposed programming of the LDR Fund, other dedicated disaster resilience
21 resources, and other regular funding source of the LDRO;

22
23 23.4. Recommend to the local sanggunian the enactment of local
24 ordinances to implement the LDRP, NDRF and NDRPIP at the city/municipal
25 level, and to comply with other requirements of this Act;

26
27 23.5. Prepare and submit to the Department, the local Commission on
28 Audit, and the applicable Regional Disaster Resilience Office a report on the
29 utilization of its Local Disaster Resilience Fund and other disaster risk
30 reduction and management resources;

31
32 23.6. Establish and maintain, in coordination with the Department, an
33 information management system within the LGU which, among others,
34 consolidates and includes local risk information (such as natural hazards,
35 profile of the LGU's vulnerable or marginalized groups), local risk maps, and a
36 disaggregated database of human resource, equipment, services, resources,
37 directories and location of critical infrastructures with their capacities (such as
38 hospitals and evacuation centers);

39
40 23.7. Operate and maintain, in coordination with the Department, a
41 multi-hazard early warning and communications system to provide accurate
42 and timely information to the public;

43
44 23.8. Organize and conduct training and knowledge management
45 activities on disaster resilience at the local level, in coordination with the
46 DRRTI;

1 23.9. Procure emergency works, goods, and services in compliance
2 with the regulations, orders, and policies of DBM and GPPB, to implement the
3 LDRP or support early recovery and post-disaster activities;
4

5 23.10. In coordination with the DOF and other relevant agencies,
6 access foreign loans to finance its projects, programs, and policies for
7 disaster preparedness, response, recovery, and rehabilitation, subject to
8 terms and conditions agreed upon by the LDRO and the lender;
9

10 23.11. Monitor and mobilize instrumentalities and entities of the LGU
11 and its partner LGUs, CSOs, private sector, organized volunteers, and
12 sectoral organizations for disaster resilience activities, in accordance with
13 policies and procedures of the Department and applicable laws;
14

15 23.12. Coordinate and provide the necessary support or assistance to
16 the Department in the implementation of rehabilitation plan(s) within the city or
17 municipality covered by the LDRO;
18

19 23.13. Coordinate with the Department, other government agencies,
20 members of the private sector and other stakeholders in the LGU to establish
21 a Business Continuity Plan as part of their LDRP's disaster preparedness
22 measures;
23

24 23.14. Establish linkage/network and coordination mechanisms with
25 other LGUs and the Department for disaster resilience activities and to
26 achieve the purposes of this Act; and
27

28 23.15. Conduct other activities and/or act on other matters, in
29 accordance with policies and procedures of the Department and applicable
30 laws, to achieve the purposes of this Act.
31

32 **Section 24. Provincial Disaster Resilience Officer.** The Provincial
33 Disaster Resilience Office (PDRO) shall be headed and managed by a
34 Provincial Disaster Resilience Officer with regular plantilla position. The
35 Provincial Disaster Resilience Officer shall be appointed by the Department
36 Secretary for a fixed term pursuant to requirements, terms of office and
37 endowed with the emoluments and benefits indicated in the IRR and other
38 applicable laws.
39

40 **Section 25. Powers and Functions of the PDROs.** The PDROs shall
41 have the following powers and functions:
42

43 25.1. Formulate and implement, in close coordination with the
44 Department and cities/municipalities within its jurisdiction, a comprehensive
45 and integrated Provincial LDRP in accordance with the NDRF and the
46 NDRPIP;

1 25.2. Review the LDRPs of cities and/or municipalities within its
2 jurisdiction, and require the amendment of such LDRPs if necessary, to
3 ensure compliance with the Provincial LDRP and/or the NDRF and NDRPIP;
4

5 25.3. Design, program, coordinate, and/or implement disaster
6 resilience activities consistent with the standards and guidelines provided by
7 the Department, and implement the NDRF and the NDRPIP at the provincial
8 level;
9

10 25.4. Prepare and submit to the Sanggunian Panlalawigan, the
11 Provincial LDRP, the proposed programming of the province's Local Disaster
12 Resilience Fund, other dedicated disaster resilience resources, and other
13 funding sources of the PDRO;
14

15 25.5. Recommend to the Sanggunian Panlalawigan the enactment of
16 local ordinances to implement the Provincial LDRP, NDRF and NDRPIP at the
17 provincial level, and to comply with other requirements of this Act;
18

19 25.6. Prepare and submit to the Department, the local Commission on
20 Audit, and the applicable Regional Disaster Resilience Office a report on the
21 utilization of the province's Local Disaster Resilience Fund and other disaster
22 risk reduction and management resources;
23

24 25.7. Establish and maintain, in coordination with the Department, a
25 Provincial Command and Control Center (PCC) which includes, among
26 others, an information management system at the provincial level which
27 consolidates and integrates information from the cities and/or municipalities
28 within its jurisdiction, a multi-hazard early warning and communications
29 system that is connected with the cities and/or municipalities within its
30 jurisdiction, and a monitoring system that enables the PDRO to oversee,
31 supervise, monitor and respond to the needs of cities and/or municipalities
32 within its jurisdiction in relation to disaster resilience activities;
33

34 25.8. Procure emergency works, goods, and services in compliance
35 with the regulations, orders, and policies of DBM and GPPB, to implement the
36 provincial LDRP or support early recovery and post-disaster activities of the
37 PDRO;
38

39 25.9. In coordination with the DOF, access foreign loans to finance its
40 projects, programs, and policies for disaster preparedness, response,
41 recovery, and rehabilitation, subject to terms and conditions agreed upon by
42 the PDRO and the lender;
43

44 25.10. Formulate and establish mechanisms to mobilize and direct
45 LDROs within its jurisdiction as necessary for disaster preparedness and
46 response at the provincial level;

1
2 25.11. Coordinate and provide the necessary support or assistance to
3 the Department in the implementation of rehabilitation plan(s) within the cities
4 and/or municipalities covered by the PDRO; and
5

6 25.12. Conduct other activities and/or act on other matters, in
7 accordance with policies and procedures of the Department and applicable
8 laws, to achieve the purposes of this Act.
9

10 **Section 26. Local Disaster Resilience Fund and Local Disaster**
11 **Contingency Fund.** LGUs shall annually set aside not less than ten percent
12 (10%) of their local budget, to constitute a Local Disaster Resilience Fund
13 (LDRF). The LGU shall use its LDRF to maintain and operate its LDRO to
14 maintain the officers, employees and staff of the LDRO, and to implement
15 plans, programs and activities under its LDRP. Thirty percent (30%) of the
16 LDRF shall be set aside as Local Disaster Contingency Fund (LDCF) which
17 shall be used for disaster response and quick recovery measures. Nothing
18 contained in this Act shall prevent LGUs from providing additional funding or
19 allocating additional resources for disaster resilience activities, plans and
20 programs within their jurisdiction.
21

22 **Section 27. Supplemental LDRF.** The Department may allocate and
23 disburse funds to supplement an LGU's LDRF based on parameters and
24 requirements indicated in the IRR. In determining such parameters and
25 requirements, the IRR shall aim to provide supplemental funds to LGUs with
26 low income and/or high exposure to natural hazards. Supplemental LDRFs
27 shall, as much as possible, fill gaps or shortages in LGU resources to ensure
28 that LGUs can implement disaster resilience measures such as, among
29 others, implementing their LDRP/Provincial LDRP, establishing their
30 LDROs/PDROs, obtaining and/or maintaining the necessary equipment and
31 staff in their LDROs/PDROs, and implementing the NDRF and NDRPIP at the
32 local levels.
33

34 **Section 28. Regional Disaster Resilience Offices.** The Department
35 shall establish and maintain Regional Disaster Resilience Offices (RDROs) at
36 each region, and a Metro Manila Disaster Resilience Office (MMDRO). The
37 size, composition and organization of RDROs and the MMDRO shall be
38 based on parameters provided in the IRR (such as ability of LGUs within its
39 jurisdiction to cope with previous disasters, or to implement their
40 LDRPs/Provincial LDRPs; the level of income, population, hazard exposure of
41 LGUs). The RDROs and MMDRO shall be funded by the Department.
42

43 **Section 29. Regional Disaster Resilience Director.** Each RDRO and
44 the MMDRO shall be headed and managed by a Regional Director with
45 regular plantilla position. The Regional Director shall be appointed by the
46 Department Secretary for a fixed term pursuant to requirements, terms of

1 office and endowed with the emoluments and benefits indicated in the IRR
2 and other applicable laws.

3
4 **Section 30. Powers and Functions of RDROs and MMDRO.** The
5 RDROs and MMDRO shall have the following powers and functions:

6
7 30.1. Review the LDRPs and Provincial LDRPs of LGUs within its
8 jurisdiction, and require the amendment of such LDRPs and/or Provincial
9 LDRPs if necessary, to ensure compliance with the NDRF and NDRPIP;

10
11 30.2. Monitor and direct LDROs and PDROs to implement their
12 respective LDROs and PDROs;

13
14 30.3. Recommend to the appropriate sanggunian (at the city, municipal
15 or provincial level) the enactment of local ordinances to implement the LDRP,
16 NDRF and NDRPIP at the city, municipal or provincial level, and to comply
17 with other requirements of this Act;

18
19 30.4. Review reports on the utilization of the LDRF and other disaster
20 risk reduction and management resources of LGUs within its jurisdiction, and
21 give recommendations, as necessary;

22
23 30.5. Disburse to, and monitor the use by, LGUs of Supplemental
24 LDRF as granted by the Department pursuant to this Act and its IRR;

25
26 30.6. Disburse to, and monitor the use by LGUs of the People's
27 Survival Fund for climate change adaptation projects;

28
29 30.7. Provide, upon the request of LGUs or unilaterally at its own
30 discretion, assistance to LGU(s) within its jurisdiction as necessary to ensure
31 the implementation of LDRPs/Provincial LDRPs, NDRF and NDRPIP, and to
32 render efficient and timely disaster preparedness, response and recovery
33 measures;

34
35 30.8. Identify and report to the Department issues and problems
36 relating to, or affecting, the disaster resilience of LGUs within its jurisdiction,
37 and make recommendations to the Department and/or to the LGUs to address
38 such issues or problems;

39
40 30.9. Procure goods and services in compliance with the regulations,
41 orders, and policies of DBM and GPPB, to implement the NDRPIP and NDRF
42 at the regional level;

43
44 30.10 Formulate and establish mechanisms to mobilize and direct
45 LDROs and PDROs within its jurisdiction as necessary for disaster
46 preparedness and response at the regional level;

30.11. Establish and maintain, in coordination with the Department, a Regional Command and Control Center (RCC) which includes, among others, an information management system at the regional level which consolidates and integrates information from the provinces, cities and municipalities within its jurisdiction, a multi-hazard early warning and communications system, and a monitoring system that enables the RDRO to oversee, supervise, monitor and respond to the needs of LGUs within its jurisdiction in relation to disaster resilience activities; Implement or assist in the implementation, as directed by the Department, of rehabilitation plan(s) for LGUs within its coverage; and

30.12. Conduct other activities and/or act on other matters, in accordance with policies and procedures of the Department and applicable laws, to achieve the purposes of this Act.

Section 31. Inter-Regional Disaster Resilience Office Collaboration.

The Department shall create policies and programs to establish collaboration and coordination among the different RDROs.

Section 32. Levels of Responsibility for Disaster Preparedness and Response. The primary responsibility for disaster preparedness and response shall be exercised at the local and/or national level, in collaboration with the relevant departments and agencies, as follows:

Levels of Responsibility	Responsible Officials	Conditions
Level 1 – City or Municipality	Mayor of the City / Municipality (Lead) Local Disaster Resilience Office (In the case of ARMM: Municipal / City Mayor and ARMM Local Disaster Resilience Office)	If a disaster affects a single municipality / city
Level 2 – Province	Governor (Lead) Provincial Disaster Resilience Office Applicable Local Disaster Resilience Offices	If a disaster affects two or more municipalities / cities

	(In the case of ARMM: Provincial Governor and ARMM Local Disaster Resilience Office/s)	
Level 3 – Region	Regional Director of the Regional Disaster Resilience Office (RDRO) (Lead) Applicable Governors Applicable Provincial Disaster Resilience Offices (In the case of ARMM: Regional Governor and ARMM Local Disaster Resilience Office/s) (In the case of Metro Manila: MMDA Chair)	If a disaster affects two or more municipalities / cities
Level 4 – National During a state of calamity in any area(s) or affecting several regions	Secretary of the Department of Disaster Resilience (Lead) Governors of the affected Provinces	a. When a state of calamity is declared by the President b. If a disaster affects at least two (2) regions c. When the affected LGU cannot dispense its functions, or respond to the threat or effect of disaster; d. When the local chief executive or, in his/her absence or incapacity, the next high-ranking official, directly requests the Department to take over;

		e. When the President directs a Level 4 response.
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Section 33. Inter-Local Government Assistance. LGUs are hereby authorized to extend assistance to another LGU, whether through funding or donation of goods and/or services, to ensure effective disaster preparedness and response, such as the pre-positioning and provision of basic goods, training of first responders, among others, subject to auditing and accounting

Section 34. Reconstruction and Rehabilitation Powers of the Department. The Department shall be primarily responsible for reconstruction and rehabilitation efforts in the event of a natural disaster. In undertaking reconstruction and rehabilitation efforts, the Department shall, as much as possible, retrofit structures to make them more resistant and resilient to the effects of natural disasters.

Article VI INSTITUTIONAL ARRANGEMENTS

Section 35. Collaboration with Stakeholders. The Department shall ensure seamless collaboration and coordination with stakeholders, including CSOs, the academe, and the private sector, in relation to disaster resilience programs and projects, and the development and promotion of education and training mechanisms with relevant stakeholders.

The Department shall establish a platform and mechanisms for coordination with stakeholders, including the development of standard operating procedures for collaboration in the event of a disaster.

Section 36. Establishment of Non-Government Stakeholders Coordination Unit. The Department, with the assistance of other relevant government agencies and stakeholders, shall establish a Non-Government Stakeholders Coordination Unit (NSCU) which shall align the disaster resilience efforts of the private sector, CSOs, academe and other stakeholders with the Department by assisting, coordinating or providing services that strengthen public-private coordination in disaster resilience, including, but not limited to, the following:

36.1 Establishment and implementation of business continuity practices to ensure the continued delivery of products and services in the event of a natural disaster;

1 36.2. Establishment and implementation of a National Continuity Policy
2 to ensure service continuity during interruptions, emergencies, and disasters
3 and ensure the quick return to full operations;
4

5 36.3. Establishment, incorporation, and application of business
6 continuity plans as part of the LDRP of LGUs;
7

8 36.4. Facilitation or assistance in obtaining or processing incentives for
9 the private sector or other non-government stakeholders, such as but not
10 limited to tax credits; and
11

12 36.5. Preparation and facilitating the issuance of special rules for
13 Micro, Small, and Medium Enterprises (MSMEs) such as, but not limited to,
14 mechanisms involving procurement and liquidity to create enabling
15 environments for disaster preparedness and recovery.
16

17 The NSCU shall establish a platform that includes, among others, a
18 database for monitoring and coordinating efforts and resources of non-
19 government stakeholders.
20

21 **Section 37. Disaster Resilience Assembly.** The Department, with the
22 assistance of the RDROs, shall establish and convene a Disaster Resilience
23 Assembly, at the regional and national level, which will be held on a quarterly
24 basis to ensure the proactive engagement of different stakeholders, such as,
25 but not limited to, government agencies, the Union of Local Authorities of the
26 Philippines (ULAP), League of Municipalities of the Philippines (LMP), CSOs,
27 academe, DRRM practitioners, and the private sector, to ensure and foster
28 coordination and collaboration towards achieving the goals of this Act.
29

30 **Section 38. Inter-operability of Systems.** The Department shall
31 establish mechanisms to ensure the inter-operability of systems among
32 government agencies, and to allow access of agencies to the IDRIS (as
33 established pursuant to Section 13 of this Act). It shall develop protocols to
34 allow real-time access to information by government agencies in relation to
35 natural disasters and the implementation of disaster resilience measures.
36

37 **Section 39. Transfer of Functions.** The functions of the following
38 agencies and offices are hereby transferred to the Department:
39

40 39.1. Climate Change Commission (CCC);
41

42 39.2. Natural disaster-related functions of the National Disaster Risk
43 Reduction and Management Council (NDRRMC) and Office of Civil Defense
44 (OCD); and
45
46

39.3. Department of Social Welfare and Development (DSWD) - Disaster Response Assistance and Management Bureau (DReAMB)

Accordingly, the CCC and NDRRMC are hereby abolished. The OCD shall retain all powers and functions related to addressing human-induced disasters.

Section 40. Transfer of Resources. The transfer of powers and functions of agencies listed in Section 45 shall include the corresponding funds and appropriations, plantilla positions, records, equipment, facilities, and properties of such agencies, subject to the power of the Department to reorganize or reallocate the resources and positions from such agencies, as may be necessary to attain the objectives of this Act.

Section 41. Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area. The Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area (PMO-ERG), as created pursuant to Executive Order no. 981 52, s. 2018, shall be attached to the Department and be given implementation powers, as provided in this Act's IRR.

Section 42. Separation of Benefits of Officials and Employees of Affected Agencies. National government employees displaced or separated from service as a result of this Act shall be entitled to either separation pay and other benefits in accordance with existing laws, rules, or regulations, or be entitled to avail themselves 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 themselves of such privileges 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 this Act. Displaced or separated personnel as a result of the implementation of this Act, 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 the Department, the government, through the Department of Labor and Employment, shall endeavor to implement training, job counseling, and job placement programs.

Article VII

DECLARATION OF STATE OF CALAMITY

Section 43. Declaration of State of Calamity. The Department shall recommend to the President the declaration of a state of calamity, whether in whole or part of an area, in case of an extraordinary disaster wherein the repercussions on public safety and welfare are serious and far-reaching.

1
2 **Section 44. Conditions for the Declaration of a State of Calamity.** The
3 President shall declare a state of calamity when all of the following requisites
4 are present:
5

6 44.1. There is a grave, unforeseen, or sudden occurrence which
7 demands immediate action;

8 44.2. The occurrence causes imminent threat to life and/or danger to
9 property;

10
11 44.3. The occurrence is caused by a natural disaster; and
12

13 44.5. The declaration of a state of calamity is for a limited period only.
14

15 **Section 45. Mandatory and Remedial Measures.** - The declaration of a
16 state of calamity shall allow the immediate implementation of any or all of the
17 following remedial measures:
18

19 45.1. Imposition of price ceiling on basic necessities and prime
20 commodities by the President upon the recommendation of the implementing
21 agency as provided for under Republic Act No. 7581, otherwise known as the
22 "Price Act", or the National Price Coordinating Council;
23

24 45.2. Monitoring, prevention and control by the Local Price
25 Coordination Council of overpricing/profitteering and hoarding of prime
26 commodities, medicines and petroleum products;
27

28 45.3. Grant of tax reductions or exemptions by the BIR, upon the
29 recommendation of the President or the Department; or
30

31 45.4. Use of alternative modes of procurement, such as negotiated
32 procurement under Section 66 of this Act, by the Department, LGUs or
33 relevant government agencies in relation to the procurement of emergency
34 works, goods or services to respond or quickly recover from disasters.
35

36 **Section 46. Emergency Measures.** To ensure public safety and
37 welfare due to impending hazards and actual occurrence of disasters, the
38 Department may implement the following measures:
39

40 46.1. Ration the distribution of basic goods in critical shortage, and/or
41 restrict or ban the transfer of such goods outside the area covered by the
42 emergency measure;
43

44 46.2. Temporarily take over or direct the operation of any private utility
45 or business for urgent public purpose in anticipation of, during, and in the
46 aftermath of emergencies, hazards, and disasters and only when there is

1 imminent danger of loss of lives and/or damage to property, subject to
2 payment of just compensation; and
3

4 46.3. With the concurrence of the DOF, recommend to the Monetary
5 Board the deferment of payment for monetary debts of LGUs and/or private
6 entities which have been affected by disasters.
7

8 **Article VIII**
9 **FUNDS AND RESOURCES**

10
11 **Section 47. Appropriations and Management of Disaster Resilience**
12 **Fund.** (a) The budget of the Department shall be composed of the following,
13 which shall be collectively called the Disaster Resilience Fund:
14

15 47.1. *Annual General Appropriations* – which shall provide the funding
16 requirements for, among others, research, operations, maintenance, plans,
17 and programs of the Department of Disaster Resilience, including, but not
18 limited to, establishment of evacuation centers, retrofitting of structures,
19 establishment of emergency operating centers, and implementation of other
20 disaster risk reduction projects.
21

22 47.2. *Disaster Contingency Fund* – which shall be in a lump-sum form
23 to provide funds in case of imminent hazards or actual disasters for, among
24 others, immediate response, relief and quick recovery measures for disaster
25 affected areas.
26

27 47.3. *Rehabilitation and Recovery Fund* – which shall provide the
28 funding requirements for rehabilitation and/or reconstruction projects of
29 disaster affected areas such as public classrooms, government buildings,
30 public hospitals, permanent shelters and livelihood programs.
31

32 (b) The Disaster Resilience Fund shall be managed by the Department to
33 finance its operations, and disaster risk reduction, disaster preparedness,
34 response, recovery, rehabilitation and building forward better programs,
35 projects and activities formulated at the national level. Subject to Section 32 of
36 this Act, expenses for projects, programs or activities at the local level shall be
37 governed by Section 31 of this Act.
38

39 **Section 48. Continuing Appropriations.** The unutilized balances from
40 the Disaster Contingency Fund, and Rehabilitation and Recovery Fund shall
41 be treated as Continuing Appropriations which may be used to finance the
42 cost of projects, programs, and/or activities even when such costs are
43 incurred beyond the fiscal year of the GAA where such funds were
44 appropriated.
45
46

1 **Section 49. Fund Regulations.** The DBM and COA shall establish rules
2 and regulations which apply specifically to the Disaster Resilience Fund to
3 ensure that funds required for disaster response, recovery, and rehabilitation
4 are available and/or released efficiently and expeditiously through innovative
5 budgeting and auditing mechanisms, which may include, among others,
6 providing for longer validity periods for funds and/or exemption from cash-
7 based budgeting rules; imposing auditing or reporting requirements which
8 apply specifically to the utilization of the Disaster Resilience Fund.
9

10 **Section 50. People's Survival Fund.** The Department shall manage
11 and administer the People's Survival Fund, created under Republic Act No.
12 10174, and facilitate its utilization by LGUs, through RDROs, to implement
13 climate change adaptation projects of LGUs and equip vulnerable LGU
14 communities against the impacts of climate change.
15

16 **Section 51. Multi-Donor Trust Fund.** The Department shall create and
17 manage, together with the Bureau of Treasury, a Multi-Donor Trust Fund for
18 the processing, releasing and accounting of money and other similar
19 resources intended for disaster assistance. The Department shall establish a
20 system to ensure transparency in the management and use of the Multi-Donor
21 Trust Fund.
22

23 **Section 52. Financial Administration.** The Department shall manage all
24 funds appropriated to it by Congress and received from other sources. The
25 Department shall also manage all donations received by it, subject to the
26 auditing powers of the COA.
27

28 To fund its operations, the Department shall have the power to collect
29 fees derived from the DRRTI and other related activities.
30

31 **Section 53. Donations Management.** The Department shall have the
32 power to receive and manage donations from any person or entity, whether
33 from local or international sources.
34

35 The importation by, and donation to, the Department of, among others,
36 food, clothing, medical assistance, equipment, and materials for relief,
37 recovery and other disaster management activities are hereby authorized in
38 accordance with Section 105 of the Tariff and Customs Code of the
39 Philippines, as amended, and the prevailing provisions of the General
40 Appropriations Act covering national internal revenue taxes and import duties
41 of national and local government agencies.
42

43 **Section 54. Regulation of Donations.** The Department shall establish
44 and operate a platform, including an online platform, to facilitate, monitor, and
45 provide public access to information on donations. To ensure complete
46 accounting and reporting of donations, the Department shall formulate and

1 issue rules and guidelines for the receipt, management and accounting of
2 donations, which are consistent with the rules on the use of foreign and local
3 aid during calamities and disasters issued by COA and other relevant
4 government agencies.

5
6 **Article IX**
7 **SPECIAL RULES ON BORROWING,**
8 **TAXES, ECO-ZONES AND PROCUREMENT**
9

10
11 **Section 55. Rules on Borrowing.** The LGUs shall coordinate with the
12 DOF, Bangko Sentral ng Pilipinas (BSP), and other relevant agencies to
13 access foreign loans to implement disaster prevention, mitigation, early
14 recovery, and rehabilitation measures at the provincial, city, or municipal level.

15
16 **Section 56. Special Rules on Tax and Duties.** To facilitate prompt and
17 efficient response to, and/or recovery from disasters, the following shall be
18 granted special exemptions from existing taxation laws, rules, and regulations:

19
20 56.1. Granting exemption from taxes and import duties for foreign
21 disaster assistance or international donations coursed through the
22 Department;

23
24 56.2. Granting exemption from donor's tax and allowing the treatment
25 of donations as a deductible expense for local disaster assistance coursed
26 through the Department;

27
28 56.3. Granting exemption from Value Added Tax (VAT) for goods or
29 services donated from abroad coursed through the Department;

30
31 56.4. Granting tax incentives to encourage members of the private
32 sector to render aid or provide disaster assistance, and/or to invest in disaster
33 resilience and climate change adaptation measures for their residence,
34 communities or businesses.

35
36 LGUs may also implement local tax rules which would grant disaster
37 victims reasonable reduction, exemption, or deferment of local taxes or other
38 types of tax assessments; or take other necessary action at the local level to
39 provide tax relief to disaster victims.

40
41 **Section 57. Custom Duties and Tariffs on Donations.** The BOC shall
42 create rules which would, among others, hasten the processing and release of
43 donated goods and equipment to disaster victims and/or affected areas.

44
45 **Section 58. Economic Recovery and Development of Disaster-Prone**
46 **Areas.** (a) The Department, in coordination with the Department of Trade and

1 Industry (DTI) and other relevant agencies, shall create and provide policies,
2 programs, and projects, such as, but not limited to, business tax relief and
3 subsidies, to encourage business investments, and to stimulate economic
4 activities in affected or disaster-prone areas.

5
6 (b) The Department, in the collaboration with the relevant LGUs and
7 other stakeholders, shall likewise establish dual purpose structures in disaster
8 affected areas, such as, among others, community agricultural centers,
9 classrooms, and water harvesting tanks to develop and promote investments
10 in affected or disaster-prone areas.

11
12 **Section 59. Procurement.** In general, the procurement rules provided
13 under Republic Act No. 9184 shall apply. However, alternative modes of
14 procurement as provided under Section 66 of this Act may be resorted to by
15 the Department, RDROs, or LGUs in any of the following emergency
16 situations:

17
18 59.1. There is imminent danger to life or property during a state of
19 calamity, as provided under Section 51, Article VII of this Act, and the
20 procurement is necessary to avert or reduce such danger to life or property; or

21
22 59.2. The procurement is necessary to restore vital public services,
23 infrastructure facilities and other public utilities; or

24
25 59.3. Time is of the essence in implementing a project, program or
26 activity to effectively respond to a disaster and save lives; or

27
28 59.4. There are other circumstances which require immediate
29 procurement necessary to prevent damage to or loss of life or property.

30
31 **Section 60. Alternative Modes of Procurement.** During emergency
32 situations as provided under Section 65 of this Act, the Department, RDROs
33 or LGUs may resort to the following modes of procurement:

34
35 60.1. Direct Negotiation under Republic Act No. 9184 and its
36 implementing rules and regulations;

37
38 60.2. Simplified or pre-arranged contracts such as, among others, pre-
39 signed agreements, stand-by contracts, pre-arranged systems of procurement
40 with a pre-approved list of contractors for construction projects, pre-
41 negotiated contracts, advanced procurements contracts, and framework
42 contracts. The parameters, requirements and conditions for these types of
43 contracts shall be defined in this Act's IRR.

1 **Section 61. Special Rules on Procurement for Reconstruction and**
2 **Rehabilitation of Affected Areas.** (a) The Department, with the assistance of,
3 or in collaboration with, relevant government agencies, shall create special
4 rules on procurement for services, goods, and materials to be used for
5 reconstruction and rehabilitation efforts in case of a natural disaster, including
6 but not limited to, the construction of post-disaster shelters and provision of
7 service contracts, to ensure the procurement of quality-oriented goods,
8 materials, and equipment and to guarantee effective, efficient, and speedy
9 procurement to achieve the goals of this Act.

10
11 (b) In case of procurement of services, goods, or materials for
12 reconstruction and rehabilitation efforts, whether from local or international
13 sources, the Department and the relevant government agencies (such as the
14 DBM, GPPB, COA, BIR, BOC, as applicable) shall provide less bureaucratic
15 restrictions, more flexible procurement policies, or exemption from, or
16 reduction of, customs duties.

17
18 **Section 62. Procurement from Qualified Suppliers or Contractors.** As
19 an exception to the provisions of Republic Act No. 9184 and its implementing
20 rules and regulations, the Department shall have the power to procure goods
21 and services from either local or foreign suppliers or contractors for purposes
22 of implementing projects, programs and activities related to disaster resilience
23 and disaster management. The conditions, limitations, application processes,
24 eligibility requirements and assessment criteria for local and foreign suppliers
25 and contractors shall be provided in this Act's IRR.

26
27 **Section 63. Pre-arranged Contracts or Agreements with Private Sector**
28 **Entities.** Notwithstanding Section 65 of this Act and Republic Act No. 9184,
29 the Department shall have authority to enter into pre-arranged or contingency
30 contracts or agreements with private sector entities for the purpose of, among
31 others, establishing, a logistics system for the efficient and prompt distribution
32 of goods, equipment or other materials required for disaster response and
33 management; securing food, medicines, fuel, or other supplies from groceries,
34 pharmacies, gas stations or other sources in the event of a disaster in a
35 specific area; ensuring an alternative source of power or water from private
36 utilities in the event of a disaster in a specific area; or other arranging the
37 immediate supply of other goods, services or equipment necessary for
38 disaster response and management. The conditions, limitations and
39 parameters of contracts or arrangements authorized under this Section 60
40 shall be provided in this Act's IRR.

41
42 **Section 64. Other Procurement Rules and Policies.** In view of the
43 urgency to procure goods, services, and implement projects for the purpose of
44 providing responsive, effective, and efficient rescue, recovery, relief, and/or
45 rehabilitation efforts for, and to continue the provision of basic services to,
46 disaster victims or disaster affected areas, the DBM and GPPB shall issue

1 resolutions, orders, and policies which are tailor-fit to promote and not delay
2 the attainment of the goals of disaster management and resilience.

3
4 **Section 65. Government Accounting and Auditing Policies.** The COA
5 shall review, align, and/or issue policies or rules to improve the efficiency and
6 expediency of procurement and audit processes for programs and projects
7 related to disaster resilience and management.

8
9 **Article X**
10 **DISASTER RISK TRANSFER AND INSURANCE**

11
12 **Section 66. Disaster Risk Transfer and Insurance.** The Department, in
13 collaboration with the DOF and Insurance Commission, shall create,
14 establish, and implement, among others, disaster insurance pools, revolving
15 funds, insurance and risk-transfer schemes and/or facilities, and other
16 financial disaster resilience measures to ensure the protection of public and/or
17 private properties and livelihood against the adverse effects of natural
18 disasters. For this purpose, the Department and/or DOF may engage or
19 require the participation of government banks, insurance agencies and
20 financial institutions.

21
22 **Section 67. Mandated Insurance Coverage.** To attain disaster
23 resilience and achieve the purposes of this Act, the Department shall have the
24 discretion and authority to require government agencies, government-owned
25 and controlled corporations (GOCCs), or LGUs to insure their assets and/or
26 properties (such as, among others, vessels, vehicles, equipment,
27 machineries, permanent buildings, properties stored therein, or properties in
28 transit) against insurable risks and pay the premiums therefor, to compensate
29 the Government, GOCC or LGU, as applicable, for any damage to, or loss of,
30 properties due to a natural disaster.

31
32 **Article XI**
33 **YOUTH ASSISTANCE**

34
35 **Section 68. Civic Society and Youth Organizations.** The Department,
36 with the assistance of the National Youth Commission (NYC), shall create
37 policies, projects, and programs that address the special needs of the youth
38 for disaster preparedness and management which shall include, among
39 others:

40
41 68.1. Supporting youth-oriented pre- and post-disaster activities;

42
43 68.2. Conducting disaster risk training and management programs
44 involving the youth; Coordinating with the Department of Education to create
45 school curricula or programs that educate and train children on disaster risk
46 awareness and disaster preparedness;

1
2 68.3. Mobilizing youth organizations;
3

4 68.4. Encouraging the participation of the youth, through the barangay
5 youth representative and the Sangguniang Kabataan (SK) to participate in
6 disaster resilience and disaster management activities.
7

8 **Section 69. Youth Oriented Disaster-Related Programs, Policies, and**
9 **Projects.** (a) The Department, with the assistance of the National Youth
10 Commission, shall provide training on, and implement, response and
11 rehabilitation programs for the youth, including but not limited to, mental
12 health and psycho-social services.
13

14 (b) The Department, in collaboration with the Department of Education
15 (DepEd), the Technical Education and Skills Development Authority (TESDA)
16 and other relevant agencies, shall integrate disaster risk and disaster
17 resilience education in the school curriculum.
18

19 **Section 70. Comprehensive Emergency Program for Children,**
20 **Pregnant and Lactating Mothers.** The Department shall establish and
21 implement a comprehensive emergency program to provide emergency relief
22 and protection to children, and pregnant and lactating mothers in the event of
23 a natural disaster.
24

25 **Article XII**
26 **PROHIBITED ACTS AND PENALTIES**
27

28 **Section 71. Prohibited Acts and Penalties.** (a) Any individual,
29 corporation, partnership, association or any juridical entity that commits any of
30 the following prohibited acts shall be made liable:
31

32 **71.1. *Prohibited Acts of Public Officials.*** The following acts, if
33 committed by public officials without justifiable cause, shall be considered as
34 gross neglect of duty:
35

- 36 a. Dereliction of duties which leads to destruction, loss of lives, critical
37 damage of facilities and misuse of funds;
38
39 b. Failure to enforce laws, standards, or regulations such as the
40 National Building Code, Solid Waste Management Act, Water Code,
41 and other relevant laws, thereby increasing the risk of disasters or
42 adversely affecting of disaster resilience;
43
44 c. Failure to expeditiously act on reported violations;
45
46

- 1 d. Failure to create LDRO(s) or PDRO(s) within six (6) months from
2 the approval of this Act; and
3
4 e. Failure to prepare and implement an LDRP or PDRP, as applicable
5 or a contingency plan for hazards frequently occurring within their
6 jurisdiction.
7

8 *71.2. Prohibited Acts of Public Officials and Private Persons or*
9 *Institutions.*

- 10
11 a. Delaying without justifiable cause in the delivery, or improper
12 handling or storage of, aid commodities, resulting to damage or
13 spoilage;
14
15 b. Withholding the distribution of relief goods due to a) political or
16 partisan considerations; b) discrimination based on race, ethnicity,
17 religion, or gender and c) other similar circumstances;
18
19 c. Preventing the entry and distribution of relief goods in disaster-
20 stricken areas, including appropriate technology, tools, equipment,
21 accessories, disaster teams/experts;
22
23 d. Buying, for consumption or resale, from disaster relief agencies any
24 relief goods, equipment or other aid commodities which are
25 intended for distribution to disaster affected communities;
26
27 e. Buying, for consumption or resale, from the recipient disaster
28 affected persons any relief goods, equipment or other aid
29 commodities received by them;
30
31 f. Selling of relief goods, equipment or other aid commodities which
32 are intended for distribution to disaster victims;
33
34 g. Forcibly seizing relief goods, equipment or other aid commodities
35 intended for or consigned to a specific group of victims or relief
36 agency;
37
38 h. Diverting or misdelivering relief goods, equipment or other aid
39 commodities to persons other than the rightful recipient or
40 consignee;
41
42 i. Accepting, possessing, using or disposing relief goods, equipment
43 or other aid commodities not intended for nor consigned to him or
44 her;
45
46

- 1 j. Misrepresenting the source of relief goods, equipment or other aid
2 commodities by:
3
4 i. Either covering, replacing or defacing the labels of the
5 containers to make it appear that the goods, equipment or
6 other aid commodities came from another agency or
7 persons;
8
9 ii. Repacking the goods, equipment or other aid commodities
10 into containers with different markings to make it appear that
11 the goods came from another agency or persons or was
12 released upon the instance of a particular agency or
13 persons;
14
15 iii. Making false verbal claim that the goods, equipment or other
16 and commodity in its untampered original containers actually
17 came from another agency or persons or was released upon
18 the instance of a particular agency or persons;
19
20 k. Substituting or replacing relief goods, equipment or other aid
21 commodities with the same items or inferior/cheaper quality;
22
23 l. Illegal solicitations by persons or organizations representing others
24 as defined in the standards and guidelines set by this Act's IRR;
25
26 m. Deliberately using false or inflated data in support of the request for
27 funding, relief goods, equipment or other aid commodities for
28 emergency assistance or other projects; and
29
30 n. Tampering with or stealing hazard monitoring and disaster
31 preparedness equipment and paraphernalia.
32
33 (b) Any individual, corporation, partnership, association or other juridical entity
34 that commits any of the prohibited acts in the preceding paragraph shall be
35 made liable for the following:
36
37 a. A fine of not less than one hundred thousand pesos (PhP
38 100,000.00) or not to exceed five hundred thousand pesos (PhP
39 500,000.00), or imprisonment of not less than six (6) months and
40 one (1) day nor more than twelve (12) years, or both, at the
41 discretion of the court, including perpetual disqualification from
42 public office if the offender is a public officer, and confiscation or
43 forfeiture in favor of the government of the objects and the
44 instrumentalities used in committing any of herein prohibited acts.
45
46

1 b. If the offender is a corporation, partnership or association, or other
2 juridical entity, the penalty shall be imposed upon the officer or
3 officers of the corporation, partnership, association or entity
4 responsible for the violation without prejudice to the cancellation or
5 revocation of these entities license or accreditation issued to them
6 by any licensing or accredited body of the government. If such
7 offender is an alien, he or she shall, in addition to the penalties
8 prescribed in this Act, be deported without further proceedings after
9 service of the sentence.

10
11 c. If the offender is a public officer, the offense shall also be
12 punishable by administrative suspension of six (6) months and one
13 (1) day to one (1) year for the first offense, and dismissal from the
14 service for the second offense. The penalty of dismissal shall carry
15 with it the cancellation of eligibility to or forfeiture of retirement
16 benefits, perpetual disqualification from holding public office and
17 disqualification from taking civil service examinations.

18
19 Acts committed in violation of this Section shall be without prejudice to the
20 imposition of other criminal, civil and administrative liabilities under other
21 existing laws.

22
23 **Section 72. Liability for Unlawful Performance of Duties and State**
24 **Liability in Case of Defense Litigation.** In case a lawsuit is filed against an
25 official of the Department as a result of the performance of his or her duties,
26 and such performance was found to be lawful, he or she shall be reimbursed
27 by the Department for reasonable costs of litigation. For this purpose, the
28 Department is authorized to procure applicable liability insurance for its
29 officers and employees.

30
31 **Section 73. Disciplinary Powers of the President.** The President,
32 subject to the recommendation of the Department Secretary, shall have the
33 power to impose administrative sanctions against local chief executives and
34 barangay officials for willful or negligent acts that relate to the implementation
35 of, or compliance with, this Act and its IRR or relating to their official functions
36 which adversely affect disaster resilience projects such as, but not limited to,
37 delayed issuance of permits or failure to implement local ordinances.

38
39 **Article XIII**
40 **SPECIAL COURTS AND INJUNCTIONS**

41
42 **Section 74. Special Courts on Disaster Resilience Matters.** (a) To
43 ensure the prompt and expeditious resolution of disputes relating to disaster
44 response, recovery or rehabilitation measures, the Supreme Court shall
45 establish special courts to hear, try, and decide cases arising from the
46 following, among others:

1
2 74.1. Implementation of the government's policies, plans, programs,
3 projects and budget related to the NDRPIP, LDRP, PDRP, other disaster
4 resilience activities, or pursuant to the provisions of this Act;
5

6 74.2. Construction of new settlements, or relocation of informal settlers
7 or settlements, to promote disaster resilience;
8

9 74.3. Expropriation, eminent domain or right-of-way issues relating to
10 the implementation of disaster resilience projects;
11

12 74.4. Failure to comply with standards for disaster preparedness and
13 continuity planning, including, but not limited to infrastructure standards and
14 designs;
15

16 74.5. Declaration of state of calamity under Article VII of this Act;
17

18 74.6. Imposition of tax, tariff and customs duties, or the implementation
19 of tax relief, exemptions, reductions and other tax or customs rules and
20 regulations in relation to donations, disaster assistance, or other tax policies
21 implemented by the BIR or BOC pursuant to the provisions of this Act;
22

23 74.7. Commission of prohibited acts under Article XII of this Act;
24

25 74.8. Disputes involving donations, relief goods, or contracts executed
26 or implemented pursuant to the provisions of this Act;
27

28 74.9. Other matters relating to achieving the purposes of this Act which
29 the Supreme Court may determine as falling under the jurisdiction of the
30 special courts created pursuant to this Section 71.
31

32 **Section 75. Dispute Resolution Mechanisms.** The Department shall
33 establish a Disaster Resolution Board which shall resolve disputes involving
34 administrative matters related to:
35

36 75.1. Accreditation or denial of accreditation of disaster resilience
37 training institutions, trainers, instructors, donors, volunteers, and Assisting
38 Domestic or International Actors;
39

40 75.2. Decisions of the RDROs;
41

42 75.3. Contracts entered into by the Department or any of its agents
43 pursuant to the provisions of this Act;
44

45 75.4. Other administrative matters or issues as may be determined by
46 the Department.

1
2 The composition, structure, and other organizational matters related to
3 the DRB shall be defined and provided in this Act's IRR.

4
5 **Section 80. Special Prosecutors.** The Ombudsman shall designate
6 special prosecutors to handle and prosecute violations of this Act involving
7 public officials and employees.

8
9 **Section 81. Imposition of Temporary Restraining Order.** No Court,
10 except the Supreme Court, shall have the power to issue an injunction or a
11 temporary restraining order against any action taken or projects implemented
12 by the Department or its agents pursuant to this Act.

13
14 **Article XIV**
15 **MISCELLANEOUS PROVISIONS**

16
17 **Section 82. Post-Disaster Shelters.** The Department shall establish a
18 post-disaster shelter recovery policy framework for low-income/informal settler
19 families, with the assistance of the appropriate housing agencies and the
20 applicable LGUs. It shall, among others, determine the appropriate shelter
21 modalities depending on the following phases: emergency,
22 temporary/transitional, and permanent. The Department shall likewise identify,
23 assess, and decide on safe zones for the implementation of recovery or
24 rehabilitation projects.

25
26 **Section 83. Cultural Heritage.** To protect, preserve, and promote the
27 nation's historical and cultural heritage, the Department shall assist the
28 appropriate cultural agencies and the appropriate LGUs to give priority
29 protection and restoration to all national cultural treasures or national
30 historical landmarks, sites, or monuments in post-disaster recovery or
31 rehabilitation measures.

32
33 **Section 84. Indigenous People.** (a) The Department, with the
34 assistance of the National Commission on Indigenous Peoples (NCIP) and
35 the applicable LGUs, shall devise and implement mechanisms which foster
36 social protection for indigenous communities that are vulnerable to the effects
37 of natural disasters.

38
39 (b) The Department shall ensure respect for, and protection of, the
40 traditional resource right of the Indigenous Cultural Communities/Indigenous
41 Peoples (ICCs/IPs) to their ancestral domains, and recognize the customary
42 laws and traditional resource use and management, knowledge, and practices
43 in ancestral domains.

44
45 (c) In ancestral domains which are disaster-prone, the Department,
46 with the assistance of the NCIP and applicable LGUs, shall create an

1 Ancestral Domain Disaster Management and Resiliency Plan. It shall likewise
2 properly communicate and explain information on disaster risks in ancestral
3 domains with the concerned ICCs/IPs and, as much as possible, engage such
4 ICCs/IPs in jointly formulating a disaster resiliency plan for their ancestral
5 domain.

6
7 **Section 85. Livelihood.** The Department, with the assistance of the
8 relevant government agencies, such as but not limited to, the DTI and
9 Department of Labor and Employment (DOLE), shall establish policies and
10 programs to restore and/or generate livelihood in areas affected by natural
11 disasters.

12
13 **Section 86. Incentives Program.** The Department shall establish an
14 incentives program that recognizes the outstanding promotion and
15 implementation by LDRMOs, PDRMOs, CSOs, schools, and other institutions
16 of DRRM or CCAM programs and/or projects, and the meritorious acts of
17 individuals or entities during natural disasters.

18
19 **Section 87. Structural Audit of Government Buildings.** The
20 Department, with the assistance of DPWH and other relevant government
21 agencies and stakeholders, shall ensure and conduct structural audit, as often
22 as necessary, on government buildings, especially those located in congested
23 and disaster-prone areas, to ensure structural integrity and disaster risk of
24 urban buildings and to prevent the loss of life and property in the event of an
25 anticipated natural disaster.

26
27 **Section 88. Transition Period.** The functions, assets, funds,
28 equipment, properties, transactions, and personnel of the affected and
29 transferred agencies, and the formulation of the internal organic structure,
30 staffing pattern, operating system, and revised budget of the Department,
31 shall be completed within two (2) years from the effectivity of this Act, during
32 which time the existing personnel shall continue to assume their posts in
33 holdover capacities until new appointments are issued: Provided that, after
34 the abolition of the agencies as specified in Section 39 of this Act, the
35 Department, in coordination with the DBM, shall evaluate, abolish old and/or
36 create new positions.

37
38 **Section 89. Implementing Rules and Regulations.** The Department,
39 DBM, DOF, DILG, and PMS shall issue, within ninety (90) days from the
40 effectivity of this Act, the necessary rules and regulations (IRR) for the
41 effective implementation of this Act. They may call upon other relevant
42 government agencies as well as civil society organizations to assist in the
43 crafting of the IRR.

1 **Section 90. Congressional Oversight Committee.** A Congressional
2 Oversight Committee is hereby created to monitor and oversee the
3 implementation of this Act. The Committee shall be composed of six (6)
4 members from the Senate and six (6) members from the House of
5 Representatives with the Chairpersons of the Committee on Government
6 Reorganization of both the Senate and the House of Representatives as joint
7 Chairpersons of this Committee. The five (5) other members from each
8 Chamber are to be designated by the Senate President and the Speaker of
9 the House of Representatives, respectively. The minority shall be entitled to
10 pro rata representation but shall have at least two (2) representatives from
11 each Chamber.

12
13 **Section 91. Mandatory Review.** – Congress shall undertake a
14 mandatory review of this Act within five (5) years after the effectivity of this
15 Act, or as often as it may deem necessary.

16
17 **Section 92. Interpretation.** Any doubt in the interpretation of any
18 provision of this Act shall be resolved in favor of a liberal interpretation that
19 will fulfill the objectives of this Act, especially in relation to the provision of
20 effective, efficient and timely disaster response, rehabilitation and recovery.

21
22 **Section 93. Repealing Clause.** The provisions of Republic Act
23 No.10121, Republic Act No. 7160, Republic Act No. 7916, Republic Act No.
24 9184, and all other laws, decrees, executive orders, proclamations and other
25 executive issuances, which are not consistent with or contrary to the
26 provisions of this Act, are hereby repealed or amended.

27
28 **Section 94. Separability Clause.** If any provision of this Act shall be
29 held unconstitutional or invalid, the other provisions not otherwise affected
30 shall remain in full force and effect.

31
32 **Section 95. Effectivity.** This Act shall take effect fifteen (15) days after
33 its publication in at least two (2) newspapers of general circulation.
34