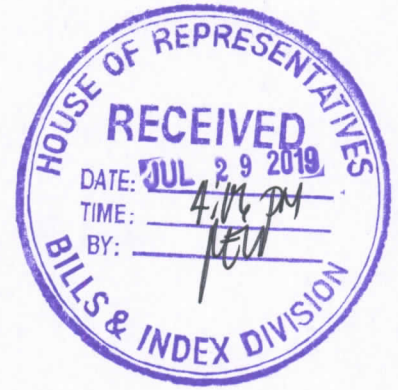


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

EIGHTEENTH (18th) CONGRESS
1st Regular Session

3023
HOUSE BILL NO. _____



Introduced by **Hon. WILTER "SHARKY" WEE PALMA II**

EXPLANATORY NOTE

With the prevalence of natural disasters such as typhoons, storms surges, earthquakes, volcanic eruptions, it is only right and just to formulate a definitive, precise, and well planned counter measures in order to address potential risk posed by these natural calamities.

As it stands, the Philippines is one of the major countries in South East Asia that are at risk from various natural disasters such as: cyclones, earthquakes, floods, landslides, tsunamis, and volcanic eruptions. In fact according to the Global Facility for Reduction and Recovery (GDFRR), since 1990 the Philippines has been devastated by 565 natural disaster events which claimed the lives of hundreds and thousands of Filipinos and caused billions in damages.

Studies show that an average of 20 typhoons make landfall every year, and due to effect of climate change, these typhoons are getting stronger through time. In 2013, typhoon Yolanda has devastated majority of Visayas and MIMAROPA region. Almost 4.1 million people were greatly affected and over half a million of houses were destroyed and 8,000 people have died or gone missing. With the advent of climate change which could result to stronger typhoons and harsher weather conditions, the arrival of another "Yolanda" is inevitable.

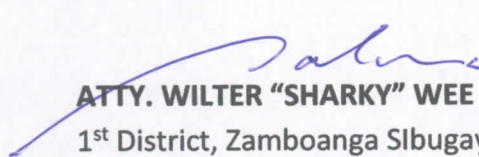
Moreover, the country is also pestered with frequent earthquakes and volcanic eruptions. And with the threat of the "Big One" and other natural calamities of such caliber looming around the corner, it is but right and just that

we arm ourselves with the necessary counter measures aiming to alleviate further deaths and massive damages from future disasters.

As it stands, the National Disaster Risk Reduction Management Council administered by the Office of Civil Defense under the Department of National Defense is the primary agency in charge of spearheading the implementation of emergency disaster risk reduction efforts through its "policy-making, coordination, integration, supervision, monitoring and evaluation" functions. However, despite the presence of such committee, the advent of large scale natural disasters much like typhoon Yolanda have revealed the weaknesses of the NDRRMC in carrying out their responsibility in mainstreaming the various risk reduction management efforts by the government as well as lapses in ensuring that the concerned government agencies are well equipped with the necessary skills, equipment and training to ensure the safety of the citizens before, during and after natural calamities.

With this, the creation of the Department of Disaster Resilience would in turn address the lapses of the NDRRMC by serving as the central agency and is tasked to lead, organize and manage a national effort to reduce disaster risk and prepare for and respond to disasters. Moreover, the Department of Disaster Resilience is also mandated to formulate and integrate various vulnerability and risk reduction policies to be implemented by the local government units, oversee the implementation of streamlined risk reduction policies as well as facilitate the rehabilitation efforts of affected communities and assess the collective progress of their overall quality of life after the events of a natural disaster. As such, with the presence of the department, it will lead towards strengthening the disaster preparedness and response mechanisms of not only the LGU's but also the local field offices in order to preserve the safety of its citizens.

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



ATTY. WILTER "SHARKY" WEE PALMA II
1st District, Zamboanga Sibugay

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

EIGHTEENTH (18th) CONGRESS
First Regular Session
HOUSE BILL NO. 3023

Introduced By **HON. WILTER “SHARKY” WEE PALMA II**

AN ACT
CREATING THE DEPARTMENT OF DISASTER RESILIENCE,
DEFINING ITS POWERS AND FUNCTIONS,
AND APPROPRIATING FUNDS THEREFOR

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

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

3 **SEC. 2. *Declaration of Policies and Principles.*** – (a) Duties of the State.

4 The State shall carry out and harmonize the policies on disaster risk and
5 vulnerability reduction and management, environmental management, and
6 climate change adaptation, and sustainable development to uphold the welfare of
7 the people particularly in the vulnerable sectors of society.

8 The State shall uphold its commitment to the achievement of the
9 sustainable development goals specifically, integrating and implementing policies

and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, and develop and implement a holistic disaster risk management at all levels in line with the Sendai Framework for Disaster Risk Reduction 2015-2030.

The State shall uphold its commitment to the United Nations Framework Convention on Climate Change (UNFCCC) in the stabilization of greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system, achievable within a time frame sufficient to allow the natural adaptation of the ecosystem to climate change, to ensure food production and food security, and to secure sustainable economic development.

The State shall integrate and accelerate the implementation of the principles, and concepts of climate change, disaster risk and vulnerability reduction contained in the Paris Agreement of the United Nations Framework Convention on Climate Change (UNFCCC), the Sendai Framework for Disaster Risk Reduction 2015-2030, the 2015 Asia-Pacific Economic Cooperation (APEC) Disaster Risk Reduction (DRD) Framework, the 2030 Agenda for Sustainable Development Goals (SDGs), and the Philippine Development Plan (PDP) 2017-2022 in various phases of policy formulation, development plans and investments, poverty reduction strategies and other development tools, and techniques by all national and local agencies, institutions and instrumentalities of the government to enhance the country's climate change adaptive capacity.

It shall be the duty of the State to:

(1) Uphold the people's constitutional right to life and property by minimizing, if not eradicating, the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk and vulnerability reduction and management, and building the resilience of local communities to disasters including climate change impacts, and human induced disasters;

(2) Incorporate internationally accepted principles of disaster risk and vulnerability reduction and management, and climate change adaptation

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

(3) Ensure a science-based in a whole-of-society approach and bottom-up participation, representation, and decision-making in climate-disaster risk governance, risk assessment, risk reduction and risk management, and adopt a comprehensive, integrated, and proactive approach to lessening the socioeconomic and environmental impacts of disasters and climate change;

(4) Promote and advance the implementation of a comprehensive Disaster Risk and Vulnerability Reduction Plan (DRVPR) that aims to strengthen the capacity of the national government and local government units (LGUs), together with development partner stakeholders, build the disaster resilience of communities, and institutionalize arrangements and measures for reducing disaster risk including projected climate risks, and enhance disaster preparedness and response capabilities at all levels;

(5) Recognize the role of, and work with international humanitarian and development partners especially those with established presence in the country;

(6) Develop, maintain, and ensure the accessibility of climate and geospatial information and services to the public through Open Data, which means data that can be freely used, reused, and redistributed by anyone, subject to limitations on account of national security considerations. This may include the use of impact-based forecast models, and probabilistic hazard maps;

(7) Ensure that disaster risk and vulnerability reduction and climate change adaptation measures are gender, disability, and vulnerability sensitive, and culturally sensitive, recognizing indigenous knowledge systems and practices, and respecting human rights;

(8) Recognize and strengthen the capacities of LGUs, communities and multiple stakeholders in mitigating and preparing for, responding to, and recovering from the impact of disasters through identification of local risk

patterns, and decentralized powers, responsibilities, and resources at the regional and local levels;

(9) Adopt and implement a comprehensive, integrated, efficient and responsive disaster risk and vulnerability reduction program that is incorporated in the development plan at various levels of government adhering to transparency accountability and other principles of good governance within the context of poverty alleviation and environmental protection;

(10) Mainstream disaster risk and vulnerability reduction in government by ensuring the risk-informed planning programming, implementation, monitoring, and evaluation, and the use of quality management, accountability, and performance systems in measuring, and improving the effectiveness and efficiency of disaster risk and vulnerability reduction management processes across all government levels, including those offices which manage peace processes and conflict-resolution approaches, so as to minimize loss of lives and damage to properties and ensure that communities in conflict zones can immediately resume their normal lives at the conclusion of episodes of intermittent conflicts;

(11) Adopt a disaster risk and vulnerability reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and environmental impacts of disasters including climate change, promote the involvement and participation of all sectors and all stakeholders concerned, at all levels, especially the local community;

(12) Prioritize the development of disaster prevention and mitigation measures involving all levels of society and government;

(13) Adopt risk sharing and risk transfer mechanisms to ensure the appropriate, efficient, and timely recovery of disaster-stricken communities, especially for the poorest and most vulnerable;

(14) Adhere to the principle of “Build Forward Better” in recovery and rehabilitation efforts by applying sustainable standards, programs, technologies, and techniques which enhance resilience against future hazards;

101 (15) Recognize and respond to the differentiated concerns and needs of
102 vulnerable groups such as women and girls, children and youth, older persons
103 with disabilities, urban poor, and indigenous peoples with respect to disaster risk
104 reduction and management, at the same time, recognizing their inherent
105 capacities to contribute to resilience;

106 (16) Create an enabling environment for substantial and sustainable
107 participation of civil society organizations (CSOs), private groups, volunteers and
108 communities, and recognize their contributions to the disaster risk reduction and
109 management efforts of the government;

110 (17) Ensure the use of advanced science and the most up-to-date
111 technologies in climate change adaptation, disaster risk, and vulnerability
112 reduction and management through engagement, consultation, and employment
113 with a regular department funding of academe or higher education institutions,
114 such as the University of the Philippines Resilience Institute, University of the
115 Philippines Nationwide Operational Assessment of Hazards Center and other
116 scientific research and academic institutions that have a track record and
117 expertise recognized both locally and internationally as well as the capacity to
118 implement the science and engineering requirements necessary for effective
119 climate change adaptation, and disaster risk and vulnerability reduction;

120 (18) Ensure workers' rights are proactively respected during the disaster
121 preparedness and response, and actively engage workers' and employers'
122 organizations to share expertise and capacities in disaster risk reduction and
123 climate change adaptation programs;

124 (19) Ensure transparency and accountability in climate-disaster risk
125 governance by facilitating access to financial records of public funds and disaster
126 risk and vulnerability reduction and management data, and ensure the
127 transparency of humanitarian assistance from all sources;

128 (20) Adopt and manage a mechanism for the effective resolution of climate
129 change, disaster risk, and vulnerability reduction and management related to
130 grievances;

(21) Recognize families as the most basic unit of disaster risk and vulnerability reduction and management and climate change adaptation by developing the capacity of local institutions and providing technical assistance and financial support to the most vulnerable communities;

(22) Ensure that the best possible assistance and services are delivered to individuals and families affected by disaster and emergency rehabilitation projects to guarantee the resumption of normal social and economic activities;

(23) Establish and maintain the National Loss and Damage Registry; and

(24) Mainstream gender and social inclusion in all aspects of the Department of Disaster Resilience work from planning, monitoring, to evaluation.

(b) Roles and Responsibilities of Stakeholders. The commitment, goodwill, knowledge, experience, and resources of relevant stakeholders are critical to realize a safer, adaptive, resilient and inclusive Filipino community. Citizens shall have the shared vision and duty to provide support to the State in the implementation of policies and programs, particularly the Disaster Resilience Framework and Plan at the national, regional, and local levels.

(1) Civil society organizations, nongovernmental organizations, international nongovernmental organizations, private sector, practitioners of climate and disaster mitigation, organized voluntary work organizations and community-based organizations shall participate, in collaboration with public institutions, to *inter alia*, provide specific knowledge and pragmatic guidance in the context of the development and implementation of normative frameworks, standards and plans for disaster risk and vulnerability reduction; engage in the implementation of local, national, regional, and global plans and strategies; contribute to and support public awareness, a culture of protection, prevention and conservation, and education on disaster risk; and advocate for resilient communities and an inclusive and whole of society risk reduction and management which shall strengthen the synergies across groups, as appropriate;

(2) Women and Girls shall contribute to and participate in effectively managing disaster risk and designing, resourcing, and leading implementation of

161 gender sensitive disaster risk and vulnerability reduction and management
162 policies, plans, and programs;

163 (3) Children and the youth as agents of change shall endeavour to actively
164 contribute to disaster risk and vulnerability reduction, in accordance with
165 legislation, national practice, and educational curricula; disaster risk reduction
166 and management at all levels and processes of disaster risk and vulnerability
167 reduction and anticipatory adaption, including data gathering, planning,
168 programming, budgeting, implementation, monitoring and evaluation;

169 (4) For citizens having years of knowledge, skills on climate change
170 adaptation and disaster risk reduction and wisdom are invaluable assets to
171 reducing disaster risk, and shall therefore participate in the design of policies,
172 plans and mechanisms, including those of early warning;

173 (5) Persons with disabilities, through their existing network or
174 organizations, shall participate in activities related to assessment, programming,
175 and the designs of policies, plans, and mechanisms;

176 (6) Migrants shall contribute to the resilience of communities and societies
177 using their knowledge, skills and capacities in the design and implementation of
178 disaster risk and vulnerability reduction and climate change adaptation;

179 (7) Indigenous peoples and Muslim Filipinos, through their practical
180 experience and traditional knowledge, shall contribute to the development and
181 implementation of policies, plans and mechanisms, including for early warning;

182 (8) Urban and rural poor shall contribute to resilience building as well as in
183 the promotion of a more inclusive and transformative resettlement for informal
184 settler families in reducing their vulnerability to threats of disaster and climate
185 risks through state and non-state programs;

186 (9) Farmers and fisherfolk shall contribute to the promotion and protection
187 of the environmental resource management that will secure food and nutrition
188 resilience through the integration of disaster risk and vulnerability reduction into
189 sustainable development policies and planning;

(10) Emergency responders, community practitioners, and organized volunteer organizations shall contribute to resilience by providing training on basic life support, first aid, and search and rescue, in accordance with the standards provided by the Research, Education, and Training Institute of the Department;

(11) Academic and scientific and research entities and networks are encouraged to focus on their research efforts on disaster risk factors and scenarios, including emerging disaster risks, in the medium- and long term; partner with government and increase research for regional, national and local application; support action by local communities and authorities; and support the interface between policy and science for decision-making;

(12) Businesses, private sector financial institutions, professional associations, as well as philanthropic foundations together with financial regulators shall be encouraged to integrate disaster risk management, including business continuity, into business models and core business values and practices via disaster risk-informed investments, especially in micro, small and medium-sized enterprises; engage in awareness-raising and training for their employees and customers; engage in and support research and innovation as well as technological development for disaster risk management; share and disseminate knowledge, practices and data; and actively participate, as appropriate under the guidance of the public sector, in the development of normative frameworks and technical standards that incorporate disaster risk management; and

(13) The media shall take an active and inclusive role at the local, regional, and national levels in contributing to the raising of public awareness and understanding, and disseminate accurate disaster risk, hazard and disaster information, including on small scale disasters, in a simple, transparent, easy-to-understand and accessible manner, in close cooperation with national and local authorities, adopt specific disaster risk and vulnerability reduction communication policies, support, as appropriate, early warning systems and life-saving protective measures; and stimulate a culture of prevention and strong community

220 involvement in sustained public education campaigns and public consultations at
221 all levels of society, in accordance with national practices.

222 **SEC. 3. *Definition of Terms.*** - As used in this Act:

223 (a) *Adaptation* refers to the adjustment in natural or human systems in
224 response to actual or expected climactic stimuli or their effects, which moderates
225 harm or exploits beneficial opportunities.

226 (b) *Assisting Actor* refers to any Assisting International Actor and any
227 Assisting Domestic Actor responding to a disaster in the country.

228 (c) *Assisting Domestic Actor* refers to any not-for-profit entity established
229 under domestic laws, which is responding to a disaster in the country.

230 (d) *Assisting International Actor* refers to any foreign state, organization,
231 entity or individual responding to a disaster within or transiting through the
232 country to respond to a disaster in another country.

233 (e) *Build Forward Better* refers to an approach to building and/or
234 reconstructing an area or community, which entails a shift from simple recovery
235 and restoration to safer, more adaptive, resilient, and inclusive communities.

236 (f) *Capacity* refers to the combination of all strengths, attributes and
237 resources available within a community, society or organization that can reduce
238 the level of risk, or impacts of a disaster. Capacity may include infrastructure and
239 physical means, institutions, societal coping abilities, as well as human
240 knowledge, skills and collective attributes such as social relationships, leadership
241 and management. Capacity may also be described as capability.

242 (g) *Civil Society Organizations (CSOs)* refer to non-state actors whose aims
243 are neither to generate profits nor to seek governing power, but to unite people
244 to advance shared goals and interests. They have a presence in public life,
245 expressing the interests and values of their members or others, based on ethical,
246 cultural, scientific, religious or philanthropic considerations. CSOs include
247 nongovernment organizations (NGOs), professional associations, foundations,

independent research institutes, community-based organizations (CBOs), faith-based organizations, people's organizations, social movements, and labor unions.

(h) *Climate Change* refers to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its purposes, and that persists in an extended period, typically decades or longer, whether due to natural variability or as a result of human activity as defined under Republic Act No. 9729, otherwise known as the "Climate Change Act of 2009". These include internal processes or external forces such as modulation of the solar cycles, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or in land use.

(i) *Climate Change Adaptation* refers to the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderate harm or exploits beneficial opportunities.

(j) *Climate Finance* refers to finance that aims to reducing emissions, and enhancing sinks of greenhouse gases and aims at reducing vulnerability of, and maintaining, and increasing the resilience of, human and ecological systems to negative climate change impacts.

(k) *Community-Based Disaster Risk Reduction and Management (CBDRRM)* refers to a process of disaster risk reduction and management in which at risk communities are actively engaged in the identification, analysis treatment, monitoring and evaluation of disaster risks in order to reduce their vulnerabilities and enhance their capacities, and where the people are at the heart of decision-making and implementation of disaster risk reduction and management activities.

(l) *Complex Emergency* refers to a form of human-induced emergency in which the cause of the emergency as well as the assistance to the afflicted is complicated by intense level of political considerations.

(m) *Contingency Planning* refers to a management process that analyses specific potential events or emerging situations that might threaten society or the environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events and situations.

(n) *Dangerous Anthropogenic Interference* refers to the effect in the climate system as a result of the increase of greenhouse gas concentrations in the atmosphere that leads to widespread climate change impacts such as widespread demise of coral reefs.

(o) *Disability* refers to an evolving concept that results from the interaction between persons with impairments, societal barriers, as defined under Republic Act No. 7277, and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.

(p) *Disaster* refers to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources.

(q) *Disaster Mitigation* refers to the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures encompass engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness, land use planning, and climate change.

(r) *Disaster Preparedness* refers to the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions. It includes preparedness for response such as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation, and public information, and preparedness for recovery such as procurement of land for resettlement sites.

(s) *Disaster Prevention* refers to the outright avoidance of adverse impacts of hazards. It expresses the concept and intention to completely avoid potential adverse impacts through action taken in advance such as construction of dams or embankments that eliminate flood risks, land-use regulations that do not permit any settlement in high-risk zones, and seismic engineering designs that ensure the survival and function of a critical building in any likely earthquake.

(t) *Disaster Response* refers to the provision of emergency services and public assistance during or immediately after a disaster in order to secure and save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Disaster response includes disaster relief focused on immediate and short-term needs of the victims and the vulnerable.

(u) *Disaster Risk* refers to the potential disaster losses in lives, health status, livelihoods, assets and services that could occur to a particular community or society in the future, and is determined by a combination of the vulnerability, capacity, exposure of persons and assets, hazard characteristics and the environment.

(v) *Disaster Risk Governance* refers to the way in which public authorities, civil servants, media, private sector, and civil society coordinate at community, national and regional levels in order to manage disaster and climate related risks. This means ensuring that sufficient levels of capacity and resources are made available to prevent, prepare for, manage, and recover from disasters. It also entails mechanisms, institutions, and processes for citizens to articulate their interests, exercise their legal rights and obligations, and mediate their differences.

(w) *Disaster Risk Management* refers to the systematic process of using administrative directives, organizations, and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster.

(x) *Disaster Risk Reduction* refers to the concept and practice of reducing risks through systematic efforts to analyse and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.

(y) *Disaster Risk and Vulnerability Reduction (DRVR)* refers to the concept and practice of reducing potential loss of life, injury, or destroyed or damaged assets or disruption which could occur to a system, society or a community in a specific period of time, determined probabilistically and conditions determined by

physical, social, economic and environmental factors or processes which increase the susceptibility of an individual, a community, assets or system to the impacts of hazards through systematic efforts to analyse and reduce the casual factors of disasters all of which contribute to strengthening resilience and therefore to the achievement of sustainable development.

(z) *Disaster Risk Reduction and Management Information System* refers to a specialized database which contains, among others, information on disasters and their human, material, economic, and environmental impact, risk assessment and mapping, and vulnerable and marginalized groups.

(aa) *Early Warning System* refers to the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss. A people-centered early warning system necessarily comprises four (4) key elements: knowledge of the risks; monitoring, analysis and forecasting of the hazards; communication or dissemination of alerts and warnings; and local capabilities to respond to the warnings received. The concept of “end-to-end warning system” emphasizes that warning systems need to span all steps from hazard detection to community response. Early warning systems include systems developed at the level of communities or based on indigenous knowledge.

(bb) *Ecosystem Management and Restoration* refers to an integrated process to conserve, improve and restore the health of the ecosystem that sustains ecosystem services for human well-being.

(cc) *Eligible Assisting Actor* refers to any assisting actor that has been determined to be eligible to receive legal facilities as provided in this Act and its implementing rules and regulations.

(dd) *Emergency* refers to unforeseen or sudden occurrence, especially danger, demanding immediate action.

(ee) *Emergency Management* refers to the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.

(ff) *Exposure* refers to the degree to which the elements at risk are likely to experience hazard events of different magnitudes.

(gg) *Gender-Based Violence* refers to violence that is directed against a woman because of her gender, or that affects women disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.

(hh) *Geographic Information System (GIS)* refers to a system used to capture, store, manipulate, manage and display all types of spatial or geographical data.

(ii) *Geographically Isolated and Disadvantaged Area (GIDA)* refers to areas with a marginalized population which is physically and socioeconomically separated from the mainstream society and characterized by physical factors, and isolated due to distance, weather conditions and transportation difficulties in island, upland, lowland, landlocked, hard to reach and underserved communities; and/or socioeconomic factors such as high poverty incidence, presence of vulnerable sectors, communities in or recovering from situation of crisis or armed conflict.

(jj) *Hazard* refers to dangerous phenomenon, either natural or human-induced, that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.

(kk) *Human-Induced Hazard* refers to an event caused by humans and occurs in or close to human settlements or a particular environmental area. This can include environmental degradation, technological or industrial conditions, pollution, accidents such as high density events, industrial and transport accidents, complex emergencies, armed conflict, situations of generalized or organized violence, and violation of human rights.

398 (ll) *Imminent Danger* refers to a situation where, on the basis of official
399 forecasts, a disaster will or is expected to occur in a particular geographical area
400 and within an estimated period of time, and where necessary preparedness
401 actions or financing are required.

402 (mm) *International Disaster Relief and Initial Recovery Period* refers to the
403 period which commences upon the issuance of a request for international
404 disaster assistance or upon acceptance of an offer, and shall continue until
405 terminated pursuant to guidelines set in the implementing rules and regulations.

406 (nn) *Internally Displaced Persons* refers to persons or groups of persons
407 who have been forced or obliged to flee or to leave their homes or places of
408 habitual residence within national borders, in particular as a result of or in order
409 to avoid the effects of armed conflict, situations of generalized and/or organized
410 violence, violations of human rights, implementation of development projects, or
411 natural or human-induced disasters.

412 (oo) *International Personnel* refers to the staff and volunteers of any
413 assisting actor providing disaster relief or initial recovery assistance, being
414 persons who are neither citizens of, nor domiciled in the Philippines prior to their
415 recruitment by the international assisting actor.

416 (pp) *Land-Use Planning* refers to the process undertaken by public
417 authorities to identify, evaluate and decide on different options the use of land,
418 including consideration of long-term economic, social and environmental
419 objectives and the implications for different communities and interest groups,
420 and the subsequent formulation and promulgation of plans that describe the
421 permitted or acceptable uses.

422 (qq) *Legal Facilities* refer to special entitlements and exemptions that are
423 made available to eligible assisting actors under this Act.

424 (rr) *Mitigation* refers to effort to reduce or limit greenhouse gas emissions
425 or enhance greenhouse gas sequestration.

426 (ss) *National Continuity Policy* refers to a policy aimed at the development
427 of an organizational culture that has the ability to provide a minimum level of

428 service during interruptions, emergencies, and disasters, and return to full
429 operations quickly.

430 (tt) *National Disaster Risk Reduction and Management Framework* refers to
431 the comprehensive, all hazards, multi-sectoral, inter-agency and community
432 based approach to disaster risk reduction and management.

433 (uu) *National Disaster Resilience Plan (NDRP)* refers to the document to be
434 formulated by the National Disaster Resilience Council (NDRC) and implemented
435 by the Authority that sets out goals and specific objectives for reducing disaster
436 risks together with related actions to accomplish these objectives. The NDRP shall
437 provide for the identification of hazards, vulnerabilities, and risks to be managed
438 at the national level; disaster risk reduction and management approaches and
439 strategies to be applied in managing said hazards and risks; agency roles,
440 responsibilities and lines of authority at all government levels; and a vertical and
441 horizontal coordination of disaster risk reduction and management in the pre-
442 disaster and post-disaster phases. It shall be in conformity with the national
443 disaster risk reduction and management framework.

444 (vv) *Natural Hazard* refers to naturally occurring physical phenomena cause
445 either by rapid or slow onset events which can be geological such as earthquakes,
446 ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity;
447 hydrological and meteorological such as floods, sever winds, typhoons, storm
448 surges, climatological variability such as extreme temperatures, El Nino, La Nina,
449 forest fires, or biological such as disease, epidemics and insect/animal plagues.

450 (ww) *Open Data* refer to facts and statistics that can be freely used, shared
451 and built-on by anyone, anywhere, for any purpose. These must be available in
452 bulk, should be available free of charge, or at least at no more than a reasonable
453 reproduction cost. The information should be digital, preferably available by
454 downloading through the internet, and easily processed by a computer. These
455 must permit people to use, reuse, and redistribute, intermix with other data
456 providers. These do not allow conditions to be placed on how people can use
457 Open Data, but permit a data provider to require that data users credit them in

some appropriate way, clarify if the data have been changed, or that new datasets created using their data are also shared as open data.

(xx) *Persons with Disabilities* refer to individuals who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others.

(yy) *Pre-Disaster Risk Assessment* refers to a process to evaluate a hazard's level of risk given the degree of exposure and vulnerability in a specific area likely to be affected by an imminent hazard. It presents the possible impacts on the population and provides a basis to determine the appropriate level of response actions of government agencies from the national to the local levels. It is hazard-specific, area focused and time-bound.

(zz) *Post-Disaster Recovery* refers to the restoration and improvement, where appropriate, of facilities, livelihood, and living conditions of disaster-affected communities, including efforts to reduce disaster risk factors, in accordance with the principle of "Build Forward Better".

(aaa) *Private Sector* refers to private corporations, households, non-profit institutions serving households, and other economic enterprises outside of government.

(bbb) *Public Sector Employee* refers to all persons in the civil service.

(ccc) *Recovery* refers to rehabilitation measures that ensure the ability of affected communities or areas to restore their normal level of functioning by restoring livelihoods and services, reconstructing damage infrastructures and increasing the communities' organizational capacity.

(ddd) *Resilience* refers to the ability of a system, community or society exposed to hazards to resist, absorb, adapt to, transform, accommodate, and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management in such ways as to enhance their capacities to withstand current and future risk.

(eee) *Response* refers to any effort to provide assistance or intervention during or immediately after a disaster to meet the life preservation and basic subsistence needs of affected people and in the restoration of essential public activities and facilities.

(fff) *Risk Assessment* refers to a methodology which includes risk assessment with mapping to determine the nature and extent of risk by analysing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed people, property, services, livelihood and the environment on which they depend.

(ggg) *Probabilistic Risk Assessment* refers to the simulation of those future disasters based on scientific evidence, which are likely to occur. As a result, these risk assessments resolve the problem posed by the limits of historical data. Probabilistic models “complete” historical records by reproducing the physics of the phenomena and recreating the intensity of a large number of synthetic events. Probabilistic Risk Assessment considers all possible scenarios, their likelihood, and associated impacts. It is characterized by the inherent uncertainties partly related to the natural randomness of hazards, and partly because of incomplete understanding and measurement of the hazards, exposure, and vulnerability.

(hhh) *Deterministic Risk Assessment* refers to an assessment that considers the possible disaster impacts of a single scenario. This is in contrast to probabilistic risk assessment which considers all possible scenarios, their likelihood, and associated impacts.

(iii) *Risk Transfer* refers to the process of formally or informally shifting the financial consequences of particular risks from one party to another whereby a household, community, enterprise, or state authority will obtain resources from the other party after a disaster occurs, in exchange for on-going or compensatory social or financial benefits provided to that other party.

(jjj) *State of Calamity* refers to a condition involving mass casualty and/or major damage to property, disruption of means of livelihoods, roads, and normal

518 way of life of people in the affected areas as a result of the occurrence of natural
519 or human-induced hazard.

520 (kkk) *Sustainable Development* refers to development that meets the needs
521 of the present without compromising the ability of future generations to meet
522 their own needs.

523 (III) *Vital Facility Items* refer to government risk reduction and preparedness
524 equipment, accessories and other items such as radars, weathering forecasting
525 equipment, flood monitoring instruments, seismographs, tsunami warning
526 systems, and automated weather systems.

527 (mmm) *Vulnerability* refers to the characteristics and circumstances of a
528 community, system or asset that will make it susceptible to the damaging effects
529 of a hazard. Vulnerability may arise from various physical, social, economic, and
530 environmental factors.

531 (nnn) *Vulnerable and Marginalized Groups* refer to those who are at risk
532 due to poverty and other underlying risk factors including women, children, the
533 elderly, differently-abled people, and ethnic minorities.

534 (ooo) *Whole-of-Society Approach* refers to the meaningful participation
535 and synergy of stakeholders that represent different interests in all aspects of
536 climate change adaptation, disaster risk reduction and management across all
537 levels.

538 (ppp) *Whole-of-Government Approach* refers to an approach that
539 integrates the collaborative efforts of the government departments and agencies
540 to achieve unity of effort toward a shared goal to broaden the government's
541 options, and increases efficiency to maximize all available resources in a
542 collaborative effort.

543 (qqq) *Whole-of-Nation Approach* refers to an approach that seeks to bring
544 about a concerted effort towards national peace and security by creating
545 consensus and understanding of security that is shared not just among core
546 security forces and oversight government institutions, but also by civil society and
547 all the nation's communities.

(rrr) *Youth* refers to those persons aged fifteen (15) to thirty (3) years old, as provided for under Republic Act No. 8044, otherwise known as “Youth in Nation-Building Act”.

CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

SEC. 4. *Creation of the Department of Disaster Resilience.* - There is hereby created a Department of Disaster Resilience, hereinafter referred to as the Department,

The Department shall be the primary government agency responsible for leading, organizing, and managing the national effort to reduce disaster risk, prepare for and respond to disasters, recover and rehabilitate, and “Build Forward Better” after the occurrence of disasters.

The Department shall oversee and coordinate the preparation, implementation, monitoring, and evaluation of disaster and climate change resilience plans, programs, projects, and activities, provide leadership in the continuous development of strategic and systematic approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation, to anticipatory adaptation strategies, measures, techniques and options.

The Department shall augment the capacity of LGUs in collaboration with relevant national government agencies and other stakeholders to implement disaster risk reduction and management and climate change action plans, programs, projects, and activities.

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

(a) Risk Reduction

(1) Oversee, direct, and undertake programs and projects to identify, assess, prioritize and localize hazards and risks in the country, in consultation with

576 national government agencies, LGUs, communities, and stakeholders that shall be
577 involved in disaster risk reduction efforts.

578 (2) Monitor and ensure the integration of disaster risk and vulnerability
579 reduction and management and climate change adaptation policies into national
580 development plans;

581 (3) Design and implement an incentive system for greater private and
582 public investment, both local and national, in disaster risk reduction:

583 (4) Oversee and ensure the mainstreaming of climate change adaptation
584 and disaster risk reduction in development planning, including disaster-proofing
585 and climate-proofing of land-use plans and the preparation of contingency plans;

586 (5) Create an enabling environment for the design of relevant and
587 appropriate risk-sharing and risk-transfer instruments;

588 (6) Create an enabling environment that shall promote broader multi-
589 stakeholder participation and integrate climate change mitigation, adaptation,
590 and disaster risk and vulnerability reduction;

591 (7) Coordinate directly with LGUs and private entities to address climate
592 vulnerabilities and disaster risk assessment (CVDRA) of regions and provinces at
593 the meso-scale, cities and municipalities at the micro-scale, and barangays at the
594 meta-scale;

595 (8) Establish and monitor local and national capacity for disaster risk
596 financing and insurance and other risk transfer strategies in coordination of the
597 Department of Finance (DOF), the Government Service Insurance System (GSIS)m
598 and the Land Bank of the Philippines (LBP);

599 (9) Formulate the National Disaster Resilience Framework, National
600 Disaster Resilience Plan, and the National Continuity Policy;

601 (10) Oversee and direct the comprehensive implementation of disaster risk
602 reduction and climate change adaptation and mitigation policies, plans, and
603 programs, as embodied in the National Disaster Resilience Framework and
604 National Disaster Resilience Plan;

(11) Coordinate directly with LGUs and private entities to address Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale, cities, and municipalities at the micro-scale, and barangays at the meta-scale; and

(12) Review and evaluate local disaster resilience plans and other local plans to ensure their consistency with the Climate Disaster Resilience Framework and Plan.

(b) Disaster Preparedness and Response

(1) Oversee and maintain a national early-warning and emergency alert system that shall provide accurate, timely, and accessible information to national and local emergency response organizations and the general public;

(2) Coordinate information-sharing and other risk reduction protocols following the principle of interoperability among national government agencies and LGUs;

(3) Establish and maintain a national humanitarian logistics system with a network of warehouses, transport, and resources, including response assets and disaster relief items, such as food and non-food items;

(4) Exercise command and control over relevant government agencies, including government-owned and –controlled corporations, the Philippine National Police and other law enforcement agencies, during an imminent or actual disaster. Such command and control shall include the authority to utilize available services, assets, equipment, personnel, facilities, and other resources;

(5) Call on the reserve force, as defined in Republic Act No. 7077, otherwise known as the “Citizen Armed Force or Armed Forces of the Philippines Reservist Act”, to assist in relief and rescue operations during disasters;

(6) Work with the private sector and CSOs for assistance with regard to the use of facilities and resources for the protection and preservation of life and property;

(7) Implement pre-disaster risk assessments to include deployment of rapid assessment teams to gather information for precise actions as a basis for emergency preparedness and humanitarian response;

(8) Organize, train, equip, and maintain a system of response capacity for search, rescue, and retrieval, and the delivery and distribution of relief goods;

(9) Monitor and support LGUs in the management of evacuation centers and ensure the welfare and dignity of internally displaced persons;

(10) Procure goods and services during emergencies, in accordance with existing emergency procurement rules and regulations;

(11) Issue special procurement rules and regulations for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster; and

(12) Assist in mobilizing the necessary resources to increase the overall capacity of LGUs, specifically those with low income and situated in high-risk areas.

(c) Rehabilitation and Recovery

(1) Prepare, organize, lead, implement, and manage post-disaster assessment and recovery and rehabilitation programs, in coordination with the affected LGUs, national government agencies, and other stakeholders;

(2) Implement the cluster approach to expedite reconstruction efforts and orchestrate and serve as the clearinghouse for the participation of assisting actors in such efforts; and

(3) Ensure that the principle of “Build Forward Better” is applied to rehabilitation and recovery efforts.

(d) Other Powers and Functions

(1) Provide or designate a secretariat to the Climate Change Commission;

(2) Establish and monitor local and national capacity for climate-disaster risk financing and insurance and other risk transfer strategies in coordination with

the Department of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the Philippines (LBP);

(3) Coordinate information-sharing and other disaster risk and vulnerability reduction and climate change adaptation protocols following the principle of interoperability among national government agencies and LGUs before, during, and after a disaster. Administer, oversee, and monitor the utilization of the National Disaster Resilience Fund (NDRF), the disaster Resilience Support Funds (DRSF) for third (3rd) to sixth (6th) class provinces and municipalities, and other grants and donations for disaster risk reduction and management and climate change adaptation, unless otherwise specified;

(4) Receive, administer, mobilize, and monitor and oversee the utilization of the National Disaster Resilience Fund, the Prevention, Mitigation, and Preparedness Fund for third (3rd) to sixth (6th) Class Provinces and Municipalities, and donations for disaster risk and vulnerability reduction and management and climate change adaptation, unless otherwise specified;

(5) Use of advanced science and technologies in disaster risk reduction and management by engaging, consulting with, employing and regularly funding the academe or higher education and research institutions such as the University of the Philippines Resilience Institute and University of the Philippines Nationwide Operational Assessment of Hazards Center or other institutions that have a recognized and credible track record, as well as the capacity to conceptualize and implement the science and engineering requirements necessary for effective climate change adaptation and disaster risk reduction;

(6) Establish a disaster resilience information system to facilitate the creation of an integrated risk assessment platform that is built from the inputs of government and private scientific and academic institutions, national government agencies and LGUs, local communities and other stakeholders, and is able to provide readily accessible and actionable information for purposes of risk governance and humanitarian action;

(7) Develop the criteria and procedure for the enlistment of accredited community disaster resilience volunteers and institutions;

(8) Create and continuously update, in consultation with stakeholders, a manual of operations for accredited community disaster resilience volunteers and institutions; and

(9) Perform such other functions as may be necessary for the effective implementation of this Act.

CHAPTER III

GENERAL WELFARE AND EMERGENCY MEASURES

SEC. 6. *General Welfare.* – The Department shall exercise the powers expressly granted, those necessarily implied therefrom, as well as the powers necessary, appropriate or incidental for its efficient and effective governance, and those which are essential to the promotion of the general welfare, such as the implementation of emergency measures including preemptive and forced evacuation, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters and only when there is imminent danger and loss of lives and/or damage to property.

SEC. 7. *Emergency Measures at the National Level.* – The Department may require the assistance of law enforcement agencies and the uniformed services, such as the PNP and the AFP, as well as emergency responders, to assist in the implementation of emergency measures.

SEC. 8. *Emergency Measures at the Local Level.* –

(a) LGUs shall enact an ordinance on and implement through the Local Disaster Resilience Office (LDRO) the necessary and appropriate emergency measures, including preemptive and forced evacuation, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters, and only when there is imminent danger of loss of lives and/or damage to property.

(b) Emergency measures, including preemptive and force evacuation, shall be carried out in a manner that is humane, respectful of the dignity and culture of

persons, without using disproportionate force, without discrimination, and with conscious attention to the needs of vulnerable and marginalized groups.

(c) All measures shall be taken to inform the population, in a manner and language that they can understand, of the need for emergency measures and evacuation for their safety, as well as the location where they will be taken and for how long they are going to stay there. Adequate evacuation centers and transportation to and from the affected area shall be provided by the local government.

SEC. 9. *Hierarchy of Evacuation Measures.* –

(a) Preemptive evacuation shall be the preferred and primary mode of evacuation of people that will be affected by emergencies, hazards and disasters.

(b) Forced evacuation shall be considered as an emergency measure of last resort that may be undertaken in anticipation of, during or after an emergency, hazard or disaster and be carried out by the affected local government in accordance with a duly issued order by the local chief executive: *Provided*, That in case of the failure of the local government to appropriately issue such order, the forced evacuation shall be implemented by the Department, which may direct and compel the assistance of law enforcement and other relevant national agencies to implement said emergency measure.

During such forced evacuation, government officials may direct and compel the population to be affected or is currently affected by an emergency, hazard or disaster to relocate to safer locations for their own safety.

SEC. 10. *Release from Liability in Case of Refusal to Evacuate.* –

(a) Any person who wilfully and deliberately disregards or opposes the order of forced evacuation issued by the local chief executive or the Department, releases the local government or the Department from any liability for injury, death, damage to or loss of property attributed to said disobedience.

(b) During evacuation, priority assistance shall be given to the vulnerable groups and persons who wilfully comply with the order of forced evacuation.

748 **SEC. 11. *Inspection and Implementation Powers.*** – The Department shall
749 have inspection, visitorial and examining authority over government and
750 nongovernmental entities to ensure that all funds and assets allocated for
751 disaster resilience are actually used for said purposes. The Department shall
752 likewise have the power to inspect and examine the status of projects and
753 programs being undertaken in furtherance of disaster resilience efforts.

754 Whenever it becomes necessary, the Department may assume
755 responsibility over the implementation of, during, and in the aftermath of
756 emergencies, hazards and disasters.

757 **SEC. 12. *Utilization of Private Property for Public Purpose.*** – The
758 Department shall have the power to utilize any private property for urgent public
759 purposes in anticipation of, during, and in the aftermath of emergencies, hazards
760 and disasters and only when there is imminent danger of loss of lives and/or
761 damage to property, subject to payment of just compensation in appropriate
762 cases.

763 **SEC. 13. *Emergency Powers.*** – Whenever it becomes necessary, the
764 Department, subject to the approval of the President, may call on the AFP or the
765 PNP, in coordination with the Secretary of National Defense and the Secretary of
766 the Interior and Local Government, to prevent or suppress lawless violence and
767 ensure the protection and preservation of life or property in anticipation of,
768 during and in the aftermath of emergencies, hazards and disasters.

769 Whenever warranted by circumstances, the Department may call upon
770 other agencies and instrumentalities of the government, as well as
771 nongovernment organizations for the protection and preservation of life and/or
772 property in anticipation of, during, and in the aftermath of emergencies, hazards
773 and disasters including private organizations, for assistance in the use of their
774 facilities and resources.

775 **SEC. 14. *Emergency Arrangements.*** – The Department shall have the power
776 to negotiate, enter into, institutionalize and coordinate arrangements with any
777 private person or juridical entity for the purpose of ensuring the adequate and
778 prompt availability of all goods and services necessary in the anticipation of,

during, and in the aftermath of emergencies, hazards and disasters and only when there is imminent danger of loss of lives and/or damage to property.

CHAPTER IV

ORGANIZATION MANAGEMENT

SEC. 15. *The Secretary.* – The Department shall be headed by a Secretary who shall be appointed by the President.

SEC. 16. *Powers and Functions of the Secretary.* – The Secretary of the Department shall exercise the following powers and functions:

(a) Establish and promulgate policies, rules, and regulations for the effective and efficient operation of the Department;

(b) Exercise executive direction over the operations of the Department and administrative supervision over its attached agencies;

(c) Manage the financial and human resources of the Department;

(d) Appoint officers and employees of the Department, except presidential appointees, in accordance with civil service law, rules, and regulations;

(e) Exercise disciplinary authority over officers and employees of the Department in accordance with law;

(f) Coordinate with other government agencies, the private sector, and CSOs on the policies, programs, projects, and activities of the Department, as may be necessary;

(g) Advise the President on the promulgation of executive and administrative issuances and the formulation of regulatory and legislative proposals on matters pertaining to disaster resilience;

(h) Serve as the Vice-Chairperson of the Climate Change Commission (CCC);

(i) In coordination with the Department of Foreign Affairs, represent the Philippines in the climate change negotiations and articulate the national

contribution to global, regional, and other inter-governmental disaster risk reduction and humanitarian platforms;

(j) Call upon the AFP and the PNP to render assistance in disaster-affected areas; and

(k) Promulgate such rules and regulations and perform such other functions as may be necessary or proper to attain the objectives of this Act.

SEC. 17. *Organizational Structure, Functions and Management.* – The Department shall be composed of the following officials and offices:

(a) The Secretary, as provided for under this Act;

(b) Five (5) Undersecretaries, to be appointed by the President, who shall assist the Secretary in administering the affairs of the Department, one to be responsible for Resilience, one to be responsible for Policy and Governance, one to be responsible for Operations, one to be responsible for Administration and Finance, and the Senior Undersecretary. The Undersecretaries shall have functional and operational supervision over the bureaus, divisions, offices and units assigned to their respective functional areas;

(c) Ten (10) Assistant Secretaries, to be appointed by the President, who shall assist the Secretary in administering the affairs of the Department to be responsible for overall staff supervision, Internal Audit, Administration, Disaster Resilience Fund Management, Fiscal Management, Operations, Mobilization, Plans and Programs, Legal, Project Management and Sustainable Development;

(d) Eleven (11) Service Directors who shall head the following Services; the Administrative and Financial Management Service, the Logistics and Resource Management Service, the Operations Service, the Responders Management Service, the Policy Development and Planning Service, the Climate Change Service, the Recovery and Reconstruction Service, and the Strategic Communications Service;

(1) The Administrative and Financial Management Service shall provide the Department with economical, efficient and effective services relating to human

resource management and development, financial management and general administration services to support civil defense and disaster risk reduction and management operations and functions.

(2) The Logistics and Resource Management Service shall be responsible for the efficient and effective management of all the assets and resources of the Department; the efficient and effective gathering, maintenance and updating of a database of pertinent assets and resources belonging to any and all agencies and instrumentalities of the Government, as well as nongovernment and civic organizations in support of operational readiness for utilization by the Department; and the procurement of necessary assets and resources to be maintained and utilized by the Department.

(3) The Operations Service shall be responsible for formulating, implementing and monitoring the operational plans of the Department and ensuring its operational readiness, as well as the effective functional management of the Emergency Management Operations Center.

(4) The Responders Management Service shall be responsible for the efficient and effective gathering, management, and updating of a national roster of individuals and groups from the civilian sector, volunteer organizations, uniformed services and the reserve force in support of operational readiness for utilization by the Department.

(5) The Policy Development and Planning Services shall be responsible for providing responsive, efficient and effective services relating to research, planning, programming, budgeting, project development, and policy formulation of civil defense and disaster risk reduction and management projects and activities.

(6) The Capacity-Building and Training Service shall be responsible for building and developing the capacity of the Department's personnel, civil defense practitioners, communities and other stakeholders.

(7) The Legal Affairs and Compliance Service shall provide legal advise to the Department; interpret laws and rules affecting the administration and

operations of the Department; prepare and review contracts and instruments to which the Department is a party; interpret provisions of contracts covering work involving the Department; and monitor the compliance with regulatory and reportorial matters involving the Department.

(8) The Disaster Risk Reduction Service shall be responsible for reducing disaster risks through systematic efforts and programs of the Department to analyse and reduce the casual factors of disasters such as exposure to hazards, lessening vulnerability of people and property, wise management of land and the environment, and improving preparedness and early warning for adverse events which are all examples of disaster risk reduction.

(9) The Climate Change Service shall lead in the development and mainstreaming of evidence-based climate adaptation and mitigation policies of the Department through optimum coordination among key stakeholders towards achieving a climate-resilient and climate-smart Philippines with healthy, safe, prosperous, and self-reliant communities.

(10) The Recovery and Reconstruction Service shall provide responsive, efficient and effective services relating to the formulation of standards for rehabilitation and recovery programs, projects, activities, and their subsequent implementation.

(11) The Strategic Communications Service shall be responsible for the formulation and implementation of the strategic communications plans and programs of the Department; serve as the public affairs arm of the Department tasked with directing, supervising and controlling the Department's public information programs and activities, as well as establishing and maintaining rapport with the media and the general public;

(e) Divisions, units and offices as may be created by the Department and whose officers and employees shall be appointed in accordance with civil service law, rules, and regulations;

892 (f) The National Climate and Disaster Resilience Research, Education, and
893 Training Institute under the Capacity-Building and Training Service, to be headed
894 by a Director with the rank of Director IV;

895 (g) Regional and other field offices of the Department that shall be
896 established in each administrative region, each to be headed by a Regional
897 Director with the rank of Director IV;

898 (h) Bureaus that are under the supervision and control of the Department;

899 (i) Seconded personnel from relevant agencies and detailed service from
900 the uniformed services, as appropriate; and

901 (j) Grievance desks in every region, which shall serve as a referral
902 mechanism and shall work jointly with relevant agencies, to receive complaints
903 from the public regarding violations of this Act. It shall assist the complaint in the
904 gathering of relevant documentation and other evidence to support said
905 complaint. The grievance desk shall facilitate the forwarding of the complaint to
906 the appropriate office within fifteen (15) days from receipt thereof, and shall
907 provide timely feedback and updates regarding the status of the complaint. The
908 grievance desk shall use the best available technology to ensure that the
909 complaints are endorsed to the proper office and are addressed in a timely
910 manner.

911 912 CHAPTER V

913 FINANCE AND ADMINISTRATION

914 **SEC. 18. *Fiscal Management.*** – The Department shall manage all funds
915 appropriated to it by Congress and from other sources. This shall include all
916 donations, as contemplated under the succeeding paragraph, subject to the
917 provisions of Section 3, paragraph (D) of Article IX, of the 1987 Constitution on
918 the auditing powers of the Commission on Audit.

SEC. 19. *Donation.* – (a) The Department shall have the power to receive donations and grants from any person, government institution, corporation, international organization and other similar entities, and the power to recommend the procurement of developmental assistance for the purpose of disaster risk and vulnerability reduction and management and climate change adaptation;

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

(c) The importation and donation of food, clothing, medicine and equipment for relief and recovery and other disaster management and recovery-related supplies is hereby authorized in accordance with, Section 800, Chapter 1, Title 8, of Republic Act No. 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”, as amended, and the prevailing provisions of the General Appropriations Act, covering national internal revenue taxes and import duties of national and local government agencies;

All importations and donations under Section 11(c) of Republic Act No. 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)” shall be considered as importation or donation to the Department, subject to the approval of the Office of the President.

CHAPTER VI

WHOLE-OF-GOVERNMENT AND WHOLE-OF-NATION APPROACH

SEC. 20. *National Disaster Resilience Council.* – (a) There is hereby created the National Disaster Resilience Council (NDRC), which shall serve as the policy advisory body to the Department on disaster risk reduction and management and climate change adaptation, consistent with the policies and scope as defined in this Act.

949 (b) The NDRC shall be chaired by the Secretary of Disaster Resilience and
950 shall be composed of the following:

- 951 (1) Secretary of Science and Technology;
- 952 (2) Secretary of the Interior and Local Government;
- 953 (3) Secretary of Social Welfare and Development;
- 954 (4) Secretary of National Defense;
- 955 (5) Director-General of the National Economic and Development Authority;
- 956 (6) Secretary of Health;
- 957 (7) Secretary of Environment and Natural Resources;
- 958 (8) Secretary of Agriculture;
- 959 (9) Secretary of Education;
- 960 (10) Secretary of Energy;
- 961 (11) Secretary of Finance;
- 962 (12) Secretary of Trade and Industry;
- 963 (13) Secretary of Transportation;
- 964 (14) Secretary of Budget and Management;
- 965 (15) Secretary of the Public Works and Highways;
- 966 (16) Secretary of Foreign Affairs;
- 967 (17) Secretary of Justice;
- 968 (18) Secretary of Labor and Employment;
- 969 (19) Secretary of Tourism;
- 970 (20) Secretary of Information and Communications Technology;
- 971 (21) Presidential Adviser on the Peace Process;
- 972 (22) Chairperson of the Commission on Higher Education;

- 973 (23) Chief of Staff of the Armed Forces of the Philippines;
974 (24) Chief of the Philippine National Police;
975 (25) Head of the Presidential Communications Operations Office;
976 (26) Secretary-General of the Philippine National Red Cross;
977 (27) Chairperson of the Commission on Human Rights;
978 (28) Executive Director of the Council for Welfare of Children;
979 (29) Lead Convenor of the National Anti-Poverty Commission;
980 (30) Chairperson of the Philippine Commission on Women;
981 (31) Chairperson of the Housing and Urban Development Council;
982 (32) Chairperson of the National Council for Disability Affairs;
983 (33) Chairperson of the National Commission on Indigenous Peoples;
984 (34) Chairperson of the National Commission on Muslim Filipinos;
985 (35) Chairperson of the National Youth Commission;
986 (36) President of the Government Service Insurance System;
987 (37) President of the Social Security System;
988 (38) President of the Philippine Health Insurance Corporation;
989 (39) President of the Home Development Mutual Fund;
990 (40) President of the Union of Local Authorities of the Philippines;
991 (41) President of the League of Provinces of the Philippines;
992 (42) President of the League of Municipalities of the Philippines;
993 (43) President of the League of Cities of the Philippines;
994 (44) President of the Liga ng mga Barangays;
995 (45) Maximum of six (6) representatives from the academe and other
996 relevant research institutions;

(46) Maximum of six (6) representatives from the civil society organizations;
and

(47) Maximum of six (6) representatives from the private sector.

(c) Composition – The Council is hereby organized into five (5) clusters, namely; Disaster Prevention and Mitigation to be led by DOST, Disaster Preparedness to be led by DILG, Disaster Response by DSWD, Logistics led by DND, and Recovery and Sustainable Development led by NEDA.

(d) Technical Management Advisory Group – The Department may constitute, as the need arises, a technical management advisory group from the different stakeholders, that shall coordinate and meet with the Department as often as necessary to effectively manage and sustain national efforts on disaster risk and vulnerability reduction and emergency management, and climate change adaptation and mitigation.

(e) Guidelines for the Department of Disaster Resilience Fund (DRRF) and Local Disaster Resilience Fund (LDRF) – The Department shall provide the necessary guidelines and procedures on the DRRF and the LDRF releases as well as utilization, accounting, and auditing thereof.

SEC. 21. Monitoring, Reporting and Validation. –

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

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

The Department is likewise accountable, liable and responsible for monitoring and requiring the appropriate implementation of remedial measures by member-agencies of the Council during a state of calamity. It shall have the

authority and power to require reports from the appropriate member-agencies regarding implementation of such measures.

(b) Validation. The Secretary shall require the submission of reports from the LGUs to validate the progress reports of the Council member-agencies. Submission shall be through the local field offices of the DDR.

Every two (2) years, the implementation of the Climate Disaster Resilience Plan (CDRP) and utilization of the Local Disaster Resilience Fund (LDRF) of each province, LGUs, independent city shall be evaluated by the Regional Disaster Resilience Council (RDRC) based on appropriate criteria, such as the award, recognition, citation criteria for provinces, cities and municipalities, barangay and stakeholders.

(1) The Regional Disaster Resilience Councils (RDRC)-

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

The Regional Directors of the Department shall serve as chairpersons of the RDRCs and the Regional Directors of the DSWD, the DILG, and the NEDA shall serve as cluster heads. In the case of the Bangsamoro Autonomous Region in Muslim Mindanao, the Chief Minister shall be the RDRC Chairperson. In the case of Metro Manila, the MDRC shall be headed by the Chairperson of the Metro Manila Development Authority (MMDA).

The RDRCs shall establish the RDRC Secretariat and operating facility to be known as the Regional Disaster Resilience Council Secretariat and Operations Center.

The RDRCs shall be composed of concerned regional agencies, offices, LGUs and other multiple stakeholders.

(i) LDRC Budgetary Requirements of LDRO – The budgetary requirements for personal services, maintenance and other operating expenditures, and capital outlay of the LDRO shall be sourced from the General Fund of the LGU, subject to Section 76 of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991, as amended. The enforcement of Sections 325(a) and 331(b) of Republic Act No. 7160, as amended, shall be waived to enable the LGUs to fund the initial year requirements for the creation of the minimum five (5) mandatory positions of the LDRO.

Other maintenance and operating expenditures, and other capital outlay requirements of the LDRO in the implementation of disaster risk and vulnerability reduction management and climate change adaptation programs shall be charged to the Local Climate Disaster Resilience Fund of the LGUs;

(ii) Establish linkage or network with other LGUs for disaster risk and vulnerability reduction, climate change adaptation and emergency response purposes;

(iii) Recommend through the LDRC, the enactment of local ordinances consistent with the requirements of this Act;

(iv) Establish a Provincial, City, Municipal, and Barangay Climate and Disaster Resilience Operations Center; and

(v) Encourage Government-owned and –Controlled Corporations (GOCCs) to establish their own Climate and Disaster Resilience Operations Center within their territories.

SEC. 22. Synergy with Stakeholders. – The Department shall ensure seamless synergy 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 research, education, and training mechanism with relevant stakeholders.

The Department shall establish a platform, paradigm, and mechanisms for convergence and coordination with stakeholders, including the development of standards, protocols, procedures for collaboration for disaster resilience.

SEC. 23. Establishment of Multi-Stakeholders Convergence Unit. – The Department, with the assistance of other relevant government agencies and stakeholders, shall establish Multi-Stakeholders Convergence Unit (MSCU), 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 cooperation and coordination in disaster resilience, including the following:

(a) Establishment and implementation of business continuity practices to ensure the continued delivery of products and services, in the event of disasters;

(b) Establishment and implementation of a National Continuity Policy to ensure service continuity during power and utilities interruptions, emergencies, and disasters and ensure the quick return of full operations;

(c) Establishment, incorporation, and application of business continuity plans as part of the disaster resilience plans of local government units;

(d) Facilitation or assistance in obtaining or processing incentives for the private sector or other nongovernment stakeholders; and

(e) Preparation and facilitation of the issuance of appropriate guidelines for MSMEs relating to mechanisms on procurement and liquidity to create enabling for DDR.

The MSCU shall establish a platform that includes, among others, a database for monitoring and coordinating efforts and resources of stakeholders.

1112 CHAPTER VII

1113 DISASTER RISK AND VULNERABILITY REDUCTION AND

1114 CLIMATE CHANGE ADAPTATION MAINSTREAMING,

1115 INTEGRATION AND CONVERGENCE

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1117 **SEC. 24. *Integration of DDR and Climate Change Adaptation in the Climate***
1118 ***and Disaster Resilience Framework and Plan.*** – The existing National Disaster
1119 Resilience Framework and plan and the National Climate Change Strategic
1120 Framework and Plan shall be enhanced by the Climate and Disaster Resilience
1121 Framework and plan which provides for the comprehensive probabilistic multi-
1122 hazards, multi-scenario, multi-sectoral, resilience-building and community risk-
1123 based approach and management of disaster and climate risk, and provide for the
1124 integration of disaster risk and vulnerability reduction and climate change
1125 adaptation, as well the mainstreaming in other sectoral policies. It shall be
1126 reviewed every three (3) years.

1127 The Climate and Disaster Resilience Plan shall provide for the following: (1)
1128 identification of the underlying factors of risk, or the nature and degree of
1129 hazards, vulnerabilities, exposures and capacities, which need to be managed at
1130 the national level; (2) disaster risk and vulnerabilities reduction and management
1131 approaches and strategies to be applied in managing said hazards and risks; (3)
1132 agency roles, responsibilities, and lines of authority at all government levels; and
1133 (4) vertical and horizontal coordination of climate change adaptation, disaster risk
1134 and vulnerability reduction and management before, during, and after a disaster.
1135 The Climate and Disaster Resilience Plan shall be in conformity with the
1136 framework.

1137 The Climate and Disaster Resilience Framework and Plan for climate-
1138 disaster risk governance, climate vulnerability assessment, risk assessment and
1139 risk management shall be formulated and jointly approved by the NDRC and the
1140 CCC.

SEC. 25. *Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation and Recovery from Disaster.* – The Department shall ensure the application of ecosystems-based approaches in disaster risk and vulnerability reduction and climate change adaptation, particularly through ecosystem management and restoration as defined in this Act, and ensuring that environmental and natural resource policies are risk informed.

CHAPTER VIII

**CLIMATE AND DISASTER RESILIENCE RESEARCH,
EDUCATION, AND TRAINING INSTITUTE**

SEC. 26. *Creation of the Climate and Disaster Research, Education, and Training Institute.* - (a) Within one (1) year from approval of this Act, the Department shall establish the Climate and Disaster Resilience Research, Education, and Training Institute in collaboration with higher education institutions and private and state universities and colleges (SUCs) which shall be a world-class center of excellence for learning and research in the field of disaster risk and vulnerability reduction and management and climate change adaptation;

(b) The Climate and Disaster Resilience Research, Education, and Training Institute shall be headed by a Director. The organizational structure and staffing pattern shall be determined by the Department in consultation with the DBM and in accordance with civil service laws, rules, and regulations.

(c) The Climate and Disaster Resilience Research, Education and Training Institute shall have the following functions:

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

1170 (2) Develop and implement an inclusive and ladderized curricula on climate
1171 change adaptation, and disaster risk and vulnerability reduction and
1172 management;

1173 (3) Develop research programs and a knowledge management system on
1174 climate change adaptation and disaster risk and vulnerability reduction
1175 management for the purpose of innovation and capacity-building and
1176 development;

1177 (4) Partner with public and private academic and research institutions, the
1178 private sector, civil society, community-based disaster risk and vulnerability
1179 reduction management and climate change adaptation practitioners, and other
1180 relevant sectors in developing research opportunities and programs on climate
1181 vulnerability and disaster risk assessment;

1182 (5) Establish a resource center for information, education and
1183 communication materials, research, publications, best work practices, lessons
1184 identified and learned, and other knowledge products on disaster risk and
1185 vulnerability reduction and management, and climate change adaptation;

1186 (6) Consolidate and prepare information, education and communication
1187 and training materials or publications to assist disaster risk and vulnerability
1188 reduction and management, and climate change adaptation practitioners in the
1189 planning and implementation of their plans, programs, projects and activities;

1190 (7) Organize and recognize a community of climate change adaptation and
1191 disaster risk reduction and management practitioners; and

1192 (8) Accredite, recognize, monitor and evaluate climate change adaptation,
1193 disaster risk and vulnerability reduction and management training institutions.

1194 (d) Financial Support to the CenterL

1195 (1) The budget for the Climate and Disaster Resilience Research and
1196 Training Center shall be sourced from the annual General Appropriations Act.

1197 (2) The Department shall assist in the establishment of Research and
1198 Training Centers at the provincial, city, and municipal governments, as

appropriate. The funding for such local Climate and Disaster Resilience Research and Training Centers may be sourced from the eighty (80%) percent portion of the LDRF and other financial sources of the local government unit concerned.

CHAPTER IX

INTEGRATION, MAINSTREAMING CLIMATE AND DISASTER RESILIENCE INFORMATION, EDUCATION, AND COMMUNICATION CONVERGENCE

SEC. 27. *Climate and Disaster Resilience Information Management System (CDRIMS)*. – The Department shall establish a National and Regional Information Management System for Climate and Disaster Resilience. It shall constitute a physical central database of all disaster risk reduction and climate change data, including a geographic information system on geohazard assessments and climate risk. It shall be repository of current and multi-temporal information for wide-scale disaster risk analysis and climate change vulnerability assessment. The CDRIMS shall at all times be made available to the Emergency Operations Center of the National and Regional Climate and Disaster Resilience Council (NRCDC) development partners and multi-stakeholders to access critical information and ensure that the collection processing, analysis and dissemination of information is timely, reliable and accurate to support overall decision making and effective coordination both at the national and subnational level.

SEC. 28. *Disaster Resilience and Climate Change Education and Training*. – (a) The Department of Education, CHED, and Technical Education and Skills Development Authority (TESDA), in coordination with the National Youth Commission (NYC), the Department of Science and Technology (DOST), Department of Environment and Natural Resources (DENR), Department of the Interior and Local Government (DILG), Department of Health (DOH), Department of Social Welfare and Development (DSWD), and other relevant agencies,

development institutions, and nongovernment organizations shall integrate disaster risk and vulnerability reduction and climate change adaptation education in the school curricula at all levels of education, from K to 12 to tertiary levels, including the early and adult learning programs, National Service Training Program (NSTP), and education for children and persons with special needs, whether private or public, including formal and non-formal, technical-vocational, indigenous learning, out-of-school youth courses and programs, and other channels of educational integration, including media, church, entertainment centers (malls), international and domestic airports and transport terminals.

(b) The Civil Service Commission (CSC), Professional Regulation Commission (PRC), and other licensure bodies shall integrate disaster risk and vulnerability reduction management and climate change adaptation questions in all professional and licensure examinations.

(c) In coordination with the Department and the Climate and Disaster Resilience Research, Education, and Training Institute shall develop a curriculum for courses or subjects specific to disaster risk and vulnerability reduction management and climate change adaptation, and shall mandate all tertiary learning institutions to offer these subjects.

(d) The Parents and Teachers Community Associations shall initiate, support, and participate in disaster risk and vulnerability reduction management and climate change adaptation related activities in schools and host communities.

(e) The DepEd, the CHED, and the Technical Education and Skills Development Authority (TESDA) and other developmental institutions, community-based practitioners and organized nongovernmental organizations shall formulate and institutionalize flexible learning options such as online modules, supplemental learning materials, resources and platforms, as part of its climate change adaptation, disaster risk and vulnerability reduction and governance, analysis, and management strategy.

(f) The DepEd, CHED, TESDA, developmental institutions and community-based organizations shall regularly review, monitor, evaluate and report to the Council the status of integration, mainstreaming and implementation of climate

1259 change adaptation, disaster risk and vulnerability reduction and management in
1260 public-private schools and other learning institutions.

1261 (g) The LDROs shall form formal partnerships with tertiary learning
1262 institutions within their respective jurisdictions to provide standard and
1263 ladderized training programs for LGU officials and other disaster risk and
1264 vulnerability reduction management and climate change adaptation.

1265 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the BRDCs, and the
1266 Sangguniang Kabataan shall encourage community, specifically the youth,
1267 participation in disaster risk and vulnerability reduction and climate change
1268 adaptation activities, such as Information, Education and Communication (IEC)
1269 campaigns organizing quick response groups, particularly in indentified disaster-
1270 prone areas, as well as the inclusion of DRVR-climate change adaptation programs
1271 as part of programs and projects of the Sangguniang Kabataan, youth
1272 organizations and community-based disaster risk and vulnerability reduction
1273 management and anticipatory adaptation initiatives.

1274 (i) There shall be a mandatory training on climate change adaptation-DRVR
1275 for public and private sector employees, including teachers and Climate-Disaster
1276 Resilience Coordinators from both the public and private learning institutions,
1277 who shall be trained in emergency preparedness and response in emergency
1278 preparedness and response in compliance with the provisions of this Act.

1279 **SEC. 29. Standard Mechanism for Cascading Information, Education and**
1280 **Communication on Climate Change Adaptation and Disaster Risk and**
1281 **Vulnerability Reduction.** – (a) The DRC shall promote and advocate a culture of
1282 resilience and responsible-accountable, liable and responsible citizenship through
1283 information, education and communication that is appropriate, integrated,
1284 calibrated and communication that is appropriate, integrated, calibrated,
1285 inclusive, localized, science- and risk-based, gender, culture and disability
1286 sensitive and accessible using multimedia. Information, education, and
1287 communication on climate change adaptation and disaster risk and vulnerability
1288 reduction management should be compelling but not alarming.

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

(c) A Climate and Disaster Resilience Information Officer shall be designated at all levels of the Department to ensure implementation of the disaster risk and vulnerability reduction and management and climate change adaptation information, education, and communication campaign and shall serve as the primary coordinator for the dissemination of information, education, and communication on climate change adaptation and disaster risk and vulnerability reduction management.

SEC. 30. Declaration of Imminent Disaster. – The DDR shall provide guidance and operating guidelines to LDRCs for the declaration of imminent disaster in their respective areas which shall allow them to implement preemptive measures and use their quick response funds in order to save lives and minimize damage to property, loss of livelihoods and other assts.

SEC. 31. Flash Appeal or Appeal for International Assistance. – Upon consultation with the NDRC and in cognizance of the urgency, criticality and intensity of an imminent risk, the DDR shall issue a flash appeal to the family of nations, under regional and multilateral conventions, for assistance in preparedness including preemptive measures, search, rescue and retrieval, relief, recovery, and reconstruction.

1318 CHAPTER X

1319 CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

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1321 **SEC. 32. *Climate and Disaster Risk Transfer, Insurance and Social Welfare.***

1322 – (a) The Department shall oversee all climate and disaster risk-sharing and risk-
1323 transfer instruments and other related initiatives to ensure the protection of
1324 property and livelihood, both public and private.

1325 (b) The Department shall ensure the mandatory insurance of all assets and
1326 properties of national government agencies including government-owned or –
1327 controlled corporations, and those over which the government has insurable
1328 interest, as prescribed under Republic Act No. 656, otherwise known as the
1329 “Property Insurance Law”. The insurance shall be provided by any government
1330 insurance agency.

1331 (c) The Department shall oblige the LGUs the mandatory insurance
1332 coverage of assets, properties and livelihood of vulnerable and marginalized
1333 groups of unforeseen or contingent potential losses, damages and disruption
1334 from natural hazards and human-induced disasters chargeable against the LDRF.

1335 **SEC. 33. *Recognition and Incentives.*** – Unless otherwise provided, the
1336 Department shall establish an incentives program that recognizes outstanding
1337 performance of LDRC, NGOs, CSOs, private sectors, schools, hospitals, and other
1338 stakeholders in promoting and implementing significant disaster risk and
1339 vulnerability reduction management-climate change adaptation programs and
1340 innovations, and meritorious acts of individuals, groups or institutions during
1341 natural or human-induced disasters.

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1347 CHAPTER XI

1348 PREPAREDNESS AND INTEGRATED EARLY WARNING

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1350 **SEC. 34. *Standards for Disaster Preparedness Activities.*** – (a) The NDRC
1351 shall establish standards for disaster preparedness, contingency planning,
1352 localizing and operationalizing disaster risk and vulnerability reduction and
1353 management, preparedness for disaster response, preparedness for early
1354 recovery, continuity of essential services, and other relevant preparedness
1355 activities.

1356 (b) LGUs shall identify sage or strategic sites, and establish evacuation
1357 centers with appropriate and adequate facilities in accordance with government-
1358 approved standards as provided under Republic Act No. 10821, otherwise known
1359 as the “Children’s Emergency Relief and Protection Act”, in order to avoid
1360 disruption of school classes and lessen the use of school buildings and facilities as
1361 evacuation centers.

1362 The LGUs shall immediately compensate schools used as evacuation
1363 centers. The schools may seek compensation on renovation or repairs of
1364 damaged facilities for such use.

1365 **SEC. 35. *Multi-Hazard Early Warning and Risk Communication Standards.***
1366 – (a) There shall be a streamlined policy governing early warning systems and risk
1367 communication protocols to ensure effective and efficient measures to prevent,
1368 prepare for, respond to, and recover from possible risk caused by natural and
1369 human-induced hazards and climate risk. The NDRC shall issue policy and the
1370 Department shall oversee and monitor the implementation of this policy.

1371 (b) The Department and all other concerned agencies with an integrated
1372 early warning and information mandate shall collaborate with the local executives
1373 and officers to disseminate climate-disaster risk information through the

involvement of LGUs, community-based organizations, CSGOs, and other nongovernmental organizations.

SEC. 36. Early Warning Mandate. – (a) The Department shall issue an integrated early warning for hydro-meteorological, geologic, or terrestrial phenomena to the appropriate government agencies or government-accredited organizations for forecasting and early warning purposes. The Department shall recognize and proactively support local or indigenous modes of early warning systems and allow open access to real-time data from both local and international sources made available through various platforms such as websites, mobile applications, and social media to empower local communities and individuals.

(b) The Department shall enhance and strengthen Philippine Atmospheric, Geophysical and Astronomical Services Administration and Seismology (PHIVOLCS) mandates under Republic Act No. 10692 and Executive Order No. 128, Series of 1987, respectively.

(c) The Department shall recognize and proactively support local or indigenous modes of early warning systems and allow open access to real-time data from both local and international sources made available through various platforms such as websites, mobile applications, and social media to empower local communities and individuals.

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

(e) The NDRC at the national and subnational level shall consider the use of integrated early warning system to ensure it is consistent and locally contextualized with the communication protocol and safe evacuation procedure of the affected communities to achieve zero casualty, to zero death.

(f) The Department shall consider working with other agencies or organizations on pre-crisis information mapping of the humanitarian needs of the

at-risk community that will enhance the overall prepositioning of resources at the national and local levels.

CHAPTER XII

DISASTER RESPONSE AND EARLY RECOVERY

SEC. 37. *Declaration of State of Calamity.* – The Department shall declare a cluster of barangays, municipalities, cities, provinces, and regions under a state of calamity, and the lifting thereof, based on the criteria set by the NDRC.

The declaration and lifting of the state calamity may also be issued by the local Sanggunian, upon the recommendation of the LDRO, based on the results of the damage assessment and needs analysis: *Provided*, that the Department through the LDRC, may seek from the local legislative body or Sanggunian, the declaration of a state of imminent disaster to enable the local executives to implement preemptive evacuation and precautionary measures in order to save lives and minimize damage to property, loss of livelihood, and disruption of livelihood that require the use of funds and resources under the LDRF.

SEC. 38. *Emergency Management.* – The respective Climate and Disaster Resilience Councils shall lead in preparing for, responding to, and recovering from the effects of any disaster, upon due consideration to the economics of classification, capacity and vulnerability of the local governments concerned:

(a) The Barangay Disaster Resilience Council (BDRC), if one barangay is affected;

(b) The city/municipal Disaster Resilience Council (DRC), if two (2) or more barangays are affected;

(c) The Provincial Disaster Resilience Council (DRC), if two (2) or more cities/municipalities are affected;

(d) The Regional Disaster Resilience Council (DRC), if two (2) or more provinces are affected; and

(e) The NDRC, if two (2) or more regions are affected.

SEC. 39. Humanitarian Assistance Action Center. – The DRC shall institutionalize a one-stop mechanism through the Humanitarian Assistance Action Center for the processing and release of goods, articles or equipment intended for humanitarian assistance and the processing of necessary documents for international assisting actors. The Humanitarian Assistance Action Center shall be managed by the Department and shall be composed of the following NDRC agencies:

(a) Department of Finance – Bureau of Customs;

(b) Department of Foreign Affairs;

(c) Department of Social Welfare and Development;

(d) Department of Health;

(e) Food and Drug Administration;

(f) Department of Agriculture;

(g) Department of Energy;

(h) Philippine National Police;

(i) Philippine Coast Guard; and

(j) Department of Justice – Bureau of Immigration.

SEC. 40. Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector. – The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and

shall submit the list of volunteers to the Department, through the LDROs, for accreditation and inclusion in the database of community disaster volunteers.

A national roster of Accredited Community Disaster Resilience Volunteers (ACDRVs) and institutions, National Service Reserve Corps, CSOs and the private sector shall be maintained by the Department through the LDROs. Accreditation shall be done at the municipal or city level.

The mobilization of volunteers shall be in accordance with this Act and implementing guidelines to be formulated by the NDRC. Any volunteer who died or was injured while engaging in any of the activities defined under this act shall be entitled to compensatory benefits and individual personal accident insurance as may be defined under the guidelines.

SEC. 41. *Reporting of Humanitarian Assistance.* – The concerned LGU shall submit a report to the Department, all domestic or international humanitarian assistance received and distributed within its area of responsibility.

CHAPTER XIII

INTERNATIONAL HUMANITARIAN ASSISTANCE

SEC. 42. *International Humanitarian Assistance.* – The Department shall promulgate guidelines on international humanitarian assistance, including the initiation, entry, facilitation, transit, regulation, and termination thereof, as well as those involving international disaster relief and personnel assisting international actors, visa waiver, recognition of foreign professional qualifications, entry of international disaster goods and equipment, and exemption from port duties, taxes and restrictions.

SEC. 43. *Assessment of the Need for International Humanitarian Assistance.* – (a) Immediately after the declaration of a state of calamity by the sanggunian of an LGU or by the Department, as the case may be, the Department shall determine as to whether domestic capacities are likely to be sufficient to attend to the needs of affected persons for international humanitarian assistance.

This determination may also be made by the President, prior to the onset of an imminent disaster.

(b) In the event the Department determines that domestic response capacities are not likely to be sufficient due to the impact of the disaster, the Department shall recommend to the president that a request be made for international humanitarian assistance.

(c) A determination that domestic capacities are likely to be sufficient and that international humanitarian assistance is therefore unnecessary may be viewed and rescinded by the Department, with the approval of the President, at any time, in light of prevailing circumstances and available information.

SEC. 44. *Request for International Humanitarian Assistance.* – The President may request for international, humanitarian assistance upon the advise of the Department. Such request may be specifically directed to particular assisting international actors, or it may be a general request directed to the international community.

SEC. 45. *Humanitarian Assistance Action Center.* – The Department shall institutionalize an interagency one-stop shop mechanism called through the Philippine International Humanitarian Assistance Reception Action Center (PIHARAC) for the processing and release of entry and facilitation of goods, articles or equipment, and services of international relief workers for the provision of international humanitarian assistance, and the processing of necessary documents for assisting international actors.

CHAPTER XIV

OFFER AND FACILITATION OF HUMANITARIAN

ASSISTANCE TO FOREIGN STATES

SEC. 46. *Offer and Facilitation of International Humanitarian Assistance to Foreign States.* – In the event of a disaster occurring in a foreign state for which

international humanitarian assistance is required, the Department may offer, facilitate and provide international humanitarian assistance to such foreign state, which shall be subject to guidelines to be promulgated by the Department for the purpose.

SEC. 47. Accreditation. – The Department, in coordination with relevant government agencies and organizations, shall provide and facilitate the necessary training and accreditation to the respective government personnel to be deployed for such offer, facilitation and provision of international humanitarian assistance to a foreign state.

CHAPTER XV

LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS

SEC. 48. Guidelines for Coordination of International Humanitarian Assistance. – The DRC shall issue comprehensive guidelines on the initiation, entry, facilitation, transit and regulation of international relief goods and personnel, as well as eligibility guidelines to utilize the legal facilities for assisting international actors provided hereunder.

SEC. 49. Visa Waiver. – Eligible assisting international actors shall be entitled to waiver of entry visa requirements, including any associated fees or charges, to perform Disaster Relief and Initial Recovery Assistance work for their sponsoring entities without the requirement to seek a separate residence or work permit.

SEC. 50. Recognition of Foreign Professional Qualifications. – (a) Eligible assisting international actors wishing to deploy international personnel for tasks requiring legal recognition of their foreign professional qualifications shall certify the validity of those qualifications under the law of the country where they were obtained and the competence of their personnel for the tasks envisaged.

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

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

SEC. 51. *Recognition of Foreign Driving Licenses.* – Foreign driving licenses of eligible assisting international actors shall be accorded temporary recognition during the International Disaster Relief and Initial Recovery Periods.

SEC. 52. *Facilitation of Access.* – The international personnel of eligible assisting international actors shall be allowed access to disaster-affected areas and persons requiring Disaster Relief or Initial Recovery Assistance, subject to coordination requirements as mandated by the Department and limitations based on national security, public order or public health, weighed in the context of the urgency of the disaster needs. They shall be permitted to provide their goods and services directly to affected persons.

A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT

SEC. 53. *Customs Facilitation and Priority Treatment.* – The Department shall facilitate the rapid importation or consignment of goods and equipment by eligible assisting actors and shall accord them priority treatment and handling.

SEC. 54. *Duty of Compliance by Eligible Assisting Actors.* – In order to benefit from the aforementioned legal facilities, eligible assisting international actors:

(a) Declare that all goods and equipment they seek to import under this Act are exclusively for Disaster Relief or Initial Recovery Assistance and that they comply with any relevant standards under Philippine laws; and

(b) Pack, classify and mark their consignments in accordance with the requirements described in this Act and its implementing rules and regulations.

1572 **SEC. 55. *Exemption from Import Duties, Taxes and Restrictions.*** –
1573 Consignment of goods and equipment by or on behalf of eligible assisting
1574 international actors shall benefit from:

1575 (a) Exemption from all duties and taxes;

1576 (b) Waiver of economic prohibitions and restrictions except for categories
1577 of special goods and equipment that may be indicated by the Department; and

1578 (c) Clearance without regard to the country of origin or the country from
1579 which the goods have arrived, subject to monitoring for reasons of public health
1580 and security.

1581 B. EXPEDITED ENTRY AND USE RESTRICTIONS FOR SPECIFIC
1582 INTERNATIONAL DISASTER GOODS AND EQUIPMENT
1583

1584 **SEC. 56. *Simplification of Document Requirements.*** – (a) Consignment of
1585 goods and equipment sent by or on behalf of eligible assisting international actors
1586 shall be cleared or released on the basis of a simplified goods declaration
1587 providing the minimum information necessary for the Bureau of Customs to
1588 identify the goods and equipment and subject, then deemed necessary, to
1589 completion of a more complete declaration within a specified period.

1590 (b) The requirements for the declaration for all imports of goods or
1591 equipment by or on behalf of eligible assisting international actors and any
1592 supporting documents relating to said consignment, release and clearance of
1593 goods or equipment shall be simplified and lodged without fee.

1594 **SEC. 57. *Telecommunications Equipment.*** – Eligible assisting international
1595 actors shall be permitted to import telecommunications equipment for the
1596 purpose of Disaster Relief or Initial Recovery Assistance without restrictions,
1597 except as required by NDRC guidelines and other laws for purposes of national
1598 security or public order. The NDRC shall provide the guidelines for the manner of
1599 use of telecommunications equipment as well as a waiver of licensing
1600 requirements or fees.

SEC. 58. *Medications.* – Eligible assisting international actors shall be permitted to import and transport medications and medical equipment for the purpose of Disaster Relief or Initial Recovery Assistance so long as they conform to the implementing rules and regulations to be provided by the NDRC.

SEC. 59. *Food.* – Food imported by eligible assisting international actors for disaster relief and recovery shall be admitted pursuant to expedited procedures set out by the DRC.

SEC. 60. *Imported Vehicles.* – The granting of local registration and plates for vehicles imported by eligible assisting international actors shall be expedited.

C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS

SEC. 61. *Disposition of Equipment and Unused Goods.* – The DRC shall provide for the guidelines for retention, reexportation, donation and disposal of unused goods and equipment after the termination of Disaster Relief and Initial Recovery Assistance operations.

CHAPTER XVII

REMEDIAL MEASURES UNDER STATE OF CALAMITY

SEC. 62. *Standards for Recovery.* – The Department shall observe internationally accepted standards for recovery, planning, programming and implementation of the recovery process and shall:

(a) Improve the community's physical, social and economic resilience, consistent with the principle of "Build Forward Better";

(b) Use locally-driven and centrally-supported processes based on legal mandates with supplementary capacity support when requested;

(c) Redirect development outside danger zones to minimize loss of lives and structures resulting from typhoons, flooding, landslides, and other hazards;

(d) Employ outcome-driven planning and implementation;

- 1628 (e) Maximize use of private-public sector partnership where possible;
- 1629 (f) Consider local conditions such as culture, security situation, and existing
1630 capacities of communities in identifying programs and projects;
- 1631 (g) Ensure access to public transport, physical and mental health services,
1632 markets, schools, sustainable livelihoods, and other public services in planning for
1633 settlement areas; and
- 1634 (h) Ensure restoration of peace and order and recovery of government
1635 functions.

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1637 **SEC. 63. Remedial Measures Under State of Calamity.** – Upon the
1638 declaration of a state of calamity, the following remedial measures shall be
1639 immediately undertaken by concerned government agencies both of national and
1640 local levels:

1641 (a) Imposition of price ceiling on basic necessities and prime commodities
1642 by the National Price Control Council, as provided for under Republic Act No.
1643 7581, otherwise known as the “*Price Act*” , as amended by Republic Act. No.
1644 10623;

1645 (b) Monitoring, prevention and control by the Local Price Coordinating
1646 Council of overpricing/profitteering and hoarding of prime commodities,
1647 medicines and petroleum products;

1648 (c) Programming/reprogramming of funds for the repair of critical facilities
1649 or public infrastructures that are vital for the quick delivery of humanitarian
1650 assistance, to reduce further threat to lives and arrest further deterioration of
1651 properties and loss of livelihoods in the affected communities, following the
1652 “Build Forward Better” principle:

1653 (1) Grant of no-interest loans by government financing or lending
1654 institutions to the most vulnerable and marginalized groups or individuals; and

1655 (2) Local Tax exemptions, incentives or reliefs under such terms and
1656 conditions as may be deemed necessary by the affected LGU.

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1658 CHAPTER XVIII

1659 PROCUREMENT

1660 **SEC.64. General Rule on Procurement.** – Any procurement of goods,
1661 services, consultancy or infrastructure for disaster risk and vulnerability reduction
1662 and climate risk, whether at the national or local level shall conform to the
1663 provisions and implementing rules and regulations (IRR) of Republic Act No. 9184,
1664 otherwise known as “Government Procurement Reform Act”, as amended.

1665 **SEC. 65. Emergency Procurement.** – In order to expedite disaster response
1666 and early recovery, the procurement or lease of equipment and delivery of goods
1667 and services through emergency procurement or purchase at site shall be
1668 allowed. Periods of action on procurement activities may also be waived for the
1669 same purpose and conditions.

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1672 CHAPTER XIX

1673 PROHIBITED ACTS AND PENALTIES

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1675 **SEC. 66. Prohibited Acts.** – Any public official, private person, group or
1676 corporation who commits any of the following prohibited acts shall be liable and
1677 be subjected to the criminal and administrative penalties as provided for in
1678 Section 67 of this Act, without prejudice to the imposition of other criminal, civil
1679 and administrative liabilities under existing laws.

1680 (a) Prohibited acts of Public Officials – The following acts, if committed by
1681 public officials without justifiable cause, shall be considered as gross neglect of
1682 duty:

1683 (1) Dereliction of duties which leads to destruction, loss of lives, critical
1684 damage of facilities and misuse of funds;

1685 (2) Failure to create a functional LDR office within six (6) months from the
1686 approval of this Act;

1687 (3) Failure to appoint a permanent local disaster resilience officer within six
1688 (6) months from the approval of this Act;

1689 (4) Failure to prepare and implement a Contingency and Adaption Plan for
1690 hazards frequently occurring within their jurisdictions; and

1691 (5) Failure to formulate and implement the LDRP with the corresponding
1692 budget allocation.

1693 Sexual exploitation and abuse, and other forms of sexual misconduct to the
1694 affected population or at-risk communities shall be punishable under existing
1695 criminal and administrative laws.

1696 (b) Prohibited Acts of Public Officials and Private Persons or Institutions –

1697 (1) Delaying, without justifiable cause the delivery or improper handling or
1698 storage of aid commodities, resulting to damage or spoilage;

1699 (2) Withholding the distribution of relief goods due to; (a) political or
1700 partisan considerations; (b) discrimination based on race, ethnicity, religion, or
1701 gender; and (c) other similar circumstances;

1702 (3) Preventing the entry and distribution of relief goods due in disaster-
1703 stricken areas, including appropriate technology, tools, equipment, accessories,
1704 disaster teams or experts;

1705 (4) Buying, for consumption or resale, from disaster relief agencies any
1706 relief goods, equipment or other aid commodities which are intended for
1707 distribution to disaster affected communities;

1708 (5) Buying, for consumption or resale, from disaster affected persons, relief
1709 goods, equipment or other aid commodities received by them;

1710 (6) Selling of relief goods, equipment, or other aid commodities which are
1711 intended for distribution to disaster victims;

(7) Forcibly seizing relief goods, equipment, or other aid commodities intended for or consigned to a specific group of victims or relief agency;

(8) Diverting or misdelivery of relief goods, equipment, or other aid commodities intended for or consigned to a specific group of victims or relief agency;

(9) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned for them;

(10) Misrepresenting the source of relief goods, equipment, or other aid commodities by:

(i) Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment, or other aid commodities came from another agency or persons;

(ii) Repacking the goods, equipment, or other aid commodities into containers with different markings to make it appear that the goods came from other agency or persons or was released upon the instance of a particular agency or persons; and

(iii) Making a false verbal claim that the goods, equipment or other aid commodities in their untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency or persons;

(11) Substituting or replacing relief goods, equipment, or other aid commodities with the same items or of inferior/cheaper quality;

(12) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the NDRC;

(13) Deliberate use of false or inflated data in support of the request for funding, relief goods, equipment, or other aid commodities for emergency assistance or livelihood projects;

(14) Stealing, taking, or possessing of any if the equipment, accessories and other vital facility or items or any part thereof;

(15) Selling or buying stolen equipment, accessories, and other vital facility or items or any part thereof;

(16) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia;

(17) Attempting to commit any of the abovementioned prohibited acts; and

(18) Benefitting from the proceeds or fruits of any of the abovementioned prohibited acts knowing that the proceeds or fruits are derived from the commission of the prohibited acts.

SEC. 67. Penalties. – The following penalties shall be imposed on any individual, corporation, partnership, association or other juridical entity that commits any of the prohibited acts in the preceding section:

(a) Imprisonment of not less than twelve (12) years but not more than fifteen (15) years or a fine of not less than One million pesos (P1,000,000.00) but not more than Three million pesos (P3,000,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person found guilty of violating subsections (b)(1) to (b)(16), as well as the confiscation and forfeiture in favour of the government of the object and the instrumentalities used in the commission of the prohibited acts;

(b) Imprisonment of not less than six (6) years but not more than eight (8) years or a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than One million pesos (P1,000,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person who attempts to commit any of the prohibited acts in the preceding section, in violation of subsection (b)(17) thereof;

(c) Imprisonment of not less than two (2) years but not more than six (6) years or a fine of not less than Two hundred thousand pesos (P200,000.00) but not more than Five hundred thousand pesos (P500,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person found guilty of unlawfully benefiting from the proceeds or fruits of any of the prohibited acts in the preceding section, in violation of subsection (b)(18) thereof;

(d) Perpetual disqualification from public office aside from the penalty of fine or imprisonment or both, shall be imposed if the offender is a public officer, confiscation or forfeiture in favour of the government of the objects and the instrumentalities used in the commission of any of the prohibited acts in the preceding section;

(e) If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association or entity responsible for the violation without prejudice to the cancellation or revocation of these entities' registration, license or accreditation issued to them by any licensing or accredited body of the government. If such offender is an alien, the person shall, in addition to the penalties prescribed in this Act, be deported without further proceedings after service of the sentence;

(f) Payment of the full cost of repair or replacement of the government risk reduction and preparedness equipment, accessories and other vital facility or items, or any part thereof, which is the object of the crime shall likewise be imposed upon any person who shall commit any of the prohibited acts in the preceding section; and

(g) The prosecution of offenses set forth under the preceding section shall be without prejudice to any criminal liability for violation of Act No. 3815, as amended, otherwise known as the "The Revised Penal Code", and other existing laws, as well as the imposition of applicable administrative or civil liabilities.

CHAPTER XX

APPROPRIATIONS

SEC. 68. Appropriations. – (a) The amount needed for the initial implementation of this Act shall be taken from the current fiscal year's expanded appropriation of all agencies herein absorbed, transferred, and attached to the Department. Thereafter, the amount needed for the operation and maintenance of the Department shall be included in the General Appropriations Act.

(b) National Disaster Resilience Fund (NDRF). The utilization and allocation of the entire NDRF (Calamity Fund) and its quick response fund component shall be managed by the Department except as provided for by specific laws.

(c) Local Disaster Resilience Fund (LDRF). Not less than seven percent (7%) of the estimated revenue from regular sources shall be set aside as the LDRF to support disaster risk and vulnerability reduction and climate change adaptation and mitigation programs, projects and activities. The LDRC shall monitor and evaluate the use and disbursement of the LDRF based on the LDRP as incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the LDRO and approval of the sanggunian concerned, the LDRC may transfer the said fund to support the disaster risk and vulnerability reduction and climate change adaptation work and initiatives of other LDRCs that are declared under a state of calamity.

(1) Of the amount appropriated for LDRF, twenty percent (20%) shall be allocated as Quick Response Fund (QRF) or standby fund for prepositioning of goods and relief and early recovery programs in order that the situation and living conditions of people in communities or areas stricken by disasters, epidemics, or complex emergencies, may be normalized as quickly as possible.

(2) Of the annual appropriation for the LDRF, eighty percent (80%) shall be appropriated for climate change adaptation, disaster risk and vulnerability reduction, prevention, adaptation and mitigation programs, projects and activities focusing on both institutional capacity building of vulnerable communities and risk-reducing infrastructure. The NDRC shall pass a resolution to set the priority allocations and govern and trigger the acceleration and implementation of this section.

(3) Of the amount appropriated for the Disaster Resilience Fund, twenty percent (20%) shall be allocated as Quick Response Fund (QRF) or standby fund for prepositioning of goods and equipment and relief and early recovery programs in order that the situation and living conditions of people in communities or areas stricken by disasters, epidemics, or complex emergencies, may be normalized as quickly as possible.

(4) All departments/agencies and LGUs that are allocated with LDRF shall submit to the Department their monthly statements on the utilization of LDRF and make an accounting thereof in accordance with existing accounting and auditing rules.

(5) All department, bureaus, offices and agencies of the government are hereby authorized to use a portion of their appropriations to implement projects designed to address disaster risk and vulnerable reduction-climate change adaptation activities in accordance with the DRP and the guidelines to be issued by the DRC in coordination with the Department Budget and Management (DBM) and Commission on Audit (COA).

Unexpanded LDRF shall accrue to a trust fund solely for the purpose of supporting disaster risk reduction and management and climate change adaptation activities of the LDRCs within the next two (2) years. Any such amount still not fully utilized after two (2) years shall revert back to the general fund and will be available for other social services to be identified by the local sanggunian.

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

(d) Prevention, Mitigation and Preparedness Fund for third (3rd) to Sixth (6th) class provinces and municipalities. There shall be in the annual General Appropriations Act an amount allotted solely for the use third (3rd) to sixth (6th) class provinces and municipalities for the purpose of augmenting their LDRF with respect to plans, programs, projects, and procurement for climate change adaptation, disaster risk prevention, mitigation, and preparedness. The requirements to avail of this fund shall be laid down in the rules and regulations to be promulgated by the Secretary.

1861 CHAPTER XXI

1862 FINAL PROVISIONS

1863 **SEC. 69. *Transfer and Attachment.* –**

1864 (a) The applicable powers, functions, funds, and appropriations of the
1865 Office of Civil Defense (OCD) and the Climate Change Office (CCO), Geo-Hazard
1866 Assessment and Engineering Geology Section of the Mines and Geosciences
1867 Bureau (MGB), Health and Emergency Management Bureau of the Department of
1868 Health (DOH), the Disaster Response Assistance and Management Bureau
1869 (DREAMB) of the DSWD, and the Bureau of Fire Protection are hereby transferred
1870 to the Department.

1871 (b) The disaster risk reduction and management functions, assets and
1872 personnel of the Office of Civil Defense (OCD) currently under the DND, are
1873 hereby transferred to the Department, and the civil defense gunctions shall
1874 remain in the DND;

1875 (c) The existing organizational and administrative systems and processes of
1876 the transferred OCD shall serve as the core organization of the Department.

1877 (d) The Climate Change Office of the Climate Change Commission shall
1878 continue its functions under Republic Act No. 10174 under the Department.

1879 (e) The following agencies are hereby attached to the Department:

1880 (1) Philippine Atmospheric, Geophysical and Astronomical Services
1881 Administration (PAGASA); and

1882 (2) Philippine Institute of Volcanology and Seismology (PHIVOLCS).

1883 (f) The employees of the Bureau of Fire Protection (BFP) shall remain as
1884 distinct entity within the Department including their uniformed personnel status
1885 and benefits.

1886 The Department shall, by virtue of this Act, be subrogated to all the rights
1887 and assume all the liabilities of the agencies absorbed under this Act, and all their
1888 funds, records, property, assets, equipment, and such personnel as necessary,

including unexpanded appropriations or allocations. All contracts and liabilities of the said agencies are hereby transferred to and assumed by the Department and shall be acted upon in accordance with the Auditing Code and other pertinent laws, rules, and regulations.

SEC. 70. Separation Benefits of Officials and Employees of Affected Agencies. – National government employees displaced or separated from the service as a result of this Act shall be entitled to separation pay and other benefits in accordance with Republic Act No. 6656, and other existing laws, rules or regulations: *Provided*, That those who are qualified to retire under existing retirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws and issuances.

SEC. 71. Magna Carta for DDR Personnel. – Qualified employees of the DDR, LGUs and its attached units shall be covered by Republic Act No. 8439, otherwise known as the “Magna Carta for Scientists, Engineers, Researchers and Other S and T Personnel in the Government”, and Republic Act No. 7305, otherwise known as the “Magna Carta of Public Health Workers”.

CHAPTER XXII

MISCELLANEOUS PROVISIONS

SEC. 72. Implementing Rules and Regulations. – The Department, in consultation with concerned stakeholders, shall issue the necessary rules and regulations for the effective implementation of this Act within ninety (90) days from the effectivity of this Act.

SEC. 73. Congressional Oversight Committee. – There shall be created a Congressional Oversight Committee on Climate Change and Disaster Resilience to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on National Defense and Security of both the Senate and the House of Representatives as joint Chairpersons of this Committee. The five (5) other

members from each Chamber are to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The minority shall be entitled to *pro rata* representation but shall have at least two (2) representatives from each Chamber.

SEC. 74. Review. – Five (5) years after the effectivity of this Act, or as the need arises, the Congressional Oversight Committee shall conduct a systematic evaluation of the accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation.

SEC. 75. Separability Clause. – If any provision of this Act shall be declared unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 76. Repealing Clause. – (a) Republic Act No. 10121, otherwise known as the “Philippine Disaster Risk Reduction and Management act of 2010”, is hereby repealed.

(b) The following provisions are hereby amended or modified, accordingly:

(1) Section 30 of Executive Order No. 128, Series of 1987, Reorganizing the National Science and Technology Authority;

(2) Section 6 of Republic Act 6975, otherwise known as the “Department of the Interior and Local Government Act of 1990”;

(3) Sections 3(d) and 5 of Republic Act No. 9729, otherwise known as the “Climate Change Act of 2009”, as amended by Republic Act No. 10174;

(4) Section 4 of Republic Act No. 10639, otherwise known as “The Free Mobile Disaster Alerts Act”; and

(5) Section 5 of Republic Act No. 10692, otherwise known as “The PAGASA Modernization Act of 2015”.

(c) All other laws, decrees, executive orders and issuances, proclamations, rules and regulations, and other issuances or parts thereof that

1948 are inconsistent with the provisions of this Act are hereby repealed or amended
1949 accordingly.

1950

1951 **SEC. 77. Effectivity.** – This Act shall take effect fifteen (15) days after its
1952 publication in the *Official Gazette* or a newspaper of general circulation.

1953 Approved,

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