

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3459



Introduced by: HON. LORD ALLAN JAY Q. VELASCO

EXPLANATORY NOTE

The Philippines is situated along the Pacific Typhoon Belt and the Pacific Ring of Fire. An average of 20 typhoons affects the country annually and around 20 earthquakes are recorded daily¹. As such, the country is deemed to be one of the most vulnerable to disasters; and the most disaster-risk prone country in the world in terms of number of people affected². A World Bank report stated that natural disasters could cost as much as 6.5% of the Philippine GDP in well-being losses every year³.

Republic Act No. 10121 (R.A. No. 10121), otherwise known as "The Philippine Disaster Risk Reduction and Management Act of 2010," created and mandated the National Disaster Risk Reduction Management Council (NDRRMC) as the lead entity for Disaster Risk Reduction and Management (DRRM) process. Currently, the council set-up of the NDRRMC means that the actual implementation of disaster reliance program of the government is diffused among many agencies; that the council members are composed of officials from various agencies who have otherwise full-time jobs; and lastly, that the government's supposed coordinated response to natural hazards and human-induced disasters are lumped into one agency. President Rodrigo Roa Duterte has repeatedly made the call to Congress in the past State of the Nation Addresses (SONAs) of the urgent need to create a Department of Disaster Resilience.

This proposed bill seeks to address the shortcomings of the current law and heed the call of the President to have one lead agency for disaster resilience. This bill seeks to establish a Department of Disaster Resilience (DDR) that is mandated to spearhead government's response in times of natural disasters. Among the key features of this law are the following: (a) Unity of Command because the overall powers and functions to lead the country's disaster resilience efforts are lodged in one department; (b) Full-time focus on resilience to natural hazards; (c) Take-over capacity in times of disaster because in extreme conditions, the DDR shall have the power to temporarily take-over or direct any private utility to avert disasters and save lives; (d) Rationalized fund-use for disasters; (e) Fast and responsive procurement; (f) Science- and Information Communications Technology (ICT)-based system because it shall ensure inter-operability of systems among relevant agencies; (g) Highly-specialized functions and highly-skilled personnel requirements; and (h) Institutional partnerships with LGUs, NGOs and academia.

¹ DOST-Philvolcs, April 2019.

² Bündnis Entwicklung Hilft, World Risk Report: Analysis and Prospects, 2017.

³ World Bank, Unbreakable: Building the Resilience of the Poor in the Face of Natural Disasters.

This proposed bill recognizes that disaster resilience is everybody's business, thus it takes a 'whole-of-society' approach to ensure our country's resilience to natural hazards. With this bill, there will be a clear system of responsibility for disaster preparedness, response and rebuilding.

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

A handwritten signature in black ink, appearing to read "Allan", with a long, sweeping horizontal stroke extending to the right.

HON. LORD ALLAN JAY Q. VELASCO

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House Bill No. **3459**

Introduced by: HON. LORD ALLAN JAY Q. VELASCO

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:

ARTICLE I

GENERAL PROVISIONS

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

SECTION 2. *Declaration of Policies and Principles.* – The State, in recognition of the following:

a. The Philippines is located along the Pacific Ring of Fire and the Tropical Cyclone Belt, and is considered as one of the most vulnerable countries to natural hazards and climate change;

b. Each year, the Philippines sustains immense damage and loss due to natural disasters, including loss of life or injury, damage to buildings, infrastructures, properties, and equipment, damage to or interruption of food supply, loss of public and other critical services, loss of livelihood, business or revenues from business interruption, disruption of economic development, and damage to the environment;

c. *Transforming our World: The 2030 Agenda for Sustainable Development*, which was adopted by Heads of State and Government at a special UN Summit in September 2015, reaffirms the urgent need to reduce the risk of disasters and recognizes disaster resiliency as fundamental to the achievement of the 17 Sustainable Development Goals (SDGs) and its 169 targets;

d. *The Sendai Framework for Disaster Risk Reduction 2015-2030* and the *Paris Agreement of the United Nations Framework Convention on Climate Change* (UNFCCC) recognize the need for an effective and progressive response to the threats of climate change, as one of the

1 drivers of disaster risk, by fostering collaboration among the national and local governments,
2 across nations, with other stakeholders including non-government organization (NGOs),
3 international organizations, the academe, and the private sector;

4 e. The Philippines initiated the *Asia-Pacific Economic Cooperation (APEC) Disaster Risk*
5 *Reduction (DRR) Framework of 2015*, which the 21-member body adopted to facilitate
6 collective work in the Asia-Pacific Region in building adaptive and disaster-resilient
7 economies supporting inclusive and sustainable development in the face of the “new normal”
8 of increased natural disasters and climate change;

9 f. The National Disaster Risk Reduction and Management Council (NDRRMC), which was
10 created under Republic Act (RA) No. 10121, mandates the Office of Civil Defense under
11 the Department of National Defense (DND) to manage both human-induced and natural
12 disasters;

13 g. The *Philippine Development Plan (PDP) 2017-2022* recognizes the great importance of
14 ensuring the country’s resilience to natural disasters and mandates the urgent
15 implementation of effective disaster resilience measures to help induce poverty-reducing
16 growth and reduce inequality;

17 h. The Philippines’ experiences with previous disasters have shown that the existing laws,
18 policies, resources, and institutional arrangements are inadequate in squarely addressing the
19 country’s disaster prevention, mitigation, preparedness, response and rehabilitation
20 requirements; and

21 i. Resilience to natural disasters warrant skills, resources, and methods that are different from
22 that required to address human-induced disasters;

23 *It shall be the Duty of the State to:*

24 2.1. Protect the lives and properties of its citizens by addressing and preventing the causes
25 of vulnerabilities to natural disasters;

26 2.2. Inculcate a culture of resilience and preparedness for natural disasters at the national,
27 regional and local levels;

28 2.3. Establish a strong and empowered institution capable of responding to the “*new normal*”
29 of natural disasters and climate change, and spearhead efforts to ensure disaster resilience
30 by delivering on the highly critical and intertwined functions of disaster risk reduction,
31 preparedness and response, and recovery and ‘building forward better’;

32 2.4. Address the concerns and needs of sectors with special needs or higher vulnerabilities
33 such as women, children, elderly, persons with disabilities, and indigenous peoples with
34 respect to disaster resilience and disaster management;

35 2.5. Protect the nation’s historical and cultural heritage and resources from natural hazards;

2.6. Integrate and accelerate the implementation of the action plans of climate change and disaster risk reduction contained in the above-mentioned international and national frameworks and commitments in various phases of policy formulation, development, and investment plans, 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 capacity for climate change adaptation and mitigation;

2.7. Foster an enabling environment for substantial and sustainable participation of non-government stakeholders such as the academe, Civil Society Organizations (CSOs), private sector groups, volunteers and communities in disaster resilience programs and projects;

2.8. Adopt a 'whole-of-society' approach in disaster resilience to enhance collaboration, planning, and dialogue among all sectors of society, and in improving their strategies and/or action plans for disaster risk reduction; and

2.9. Strengthen the chain of command and establish a unified command system to enhance our country's disaster resilience.

SECTION 3. *Definition of Terms.* – As used in this Act:

- a) **Adaptation** – adjustment in natural or human systems in response to actual or expected climactic stimuli or their effects, which moderates harm or exploits beneficial opportunities;
- b) **Assisting Actor** – refers to any assisting international actor and any assisting domestic actor responding to a disaster in the country;
- c) **Assisting Domestic Actor** – any not-for-profit entity established under domestic laws, which is responding to a disaster in the country;
- d) **Assisting International Actor** – any foreign state, organization, entity or individual responding to a disaster within or transiting through the country to respond to a disaster in another country;
- e) **Biological hazards** – hazards that are of organic origin or conveyed by biological vectors, including pathogenic microorganisms, toxins and bioactive substances. Examples are bacteria, viruses or parasites, as well as venomous wildlife and insects, poisonous plants and mosquitoes carrying disease-causing agents;
- f) **Building Forward Better** – an approach to building, reconstructing, and/or rehabilitating an area or community that entails a shift from simple recovery and restoration to safer, more adaptive, resilient, and inclusive communities;
- g) **Business Continuity** – the capacity of a business entity to continue the delivery of its products and/or services at acceptable pre-defined levels following a disruptive incident;
- h) **Capacity** – the combination of all strengths, attributes and resources available within a community, society or organization that can reduce the level of risk, or impact of a disaster. Capacity may include infrastructure and physical means, institutions, societal

1 coping abilities, as well as human knowledge, skills and collective attributes such as
2 social relationships, leadership and management. Capacity may also be described as
3 capability;

- 4 i) **Civil Society Organizations (CSOs)** – non-state actors whose aims are neither to
5 generate profits nor seek governing power but to unite people behind shared goals and
6 interests. They have a presence in public life, expressing the interests and values of their
7 members or others, and are based on ethical, cultural, scientific, religious or
8 philanthropic considerations. CSOs include NGOs, professional associations,
9 foundations, independent research institutes, community-based organizations (CBOs),
10 faith-based organizations, people’s organizations, social movements, and labor unions;
- 11 j) **Climate Change** – a change in the state of the climate that can be identified by changes
12 in the mean and the variability of its properties, and that persists in an extended period,
13 typically decades or longer, whether due to natural internal processes or external forces
14 such as modulation of the solar cycles, volcanic eruptions and persistent anthropogenic
15 changes in the composition of the atmosphere or in land use;
- 16 k) **Climate Change Mitigation** – efforts to reduce or limit greenhouse gas emissions or
17 enhance greenhouse gas sequestration;
- 18 l) **Cultural Heritage** – the totality of cultural property preserved and developed through
19 time and passed on for posterity;
- 20 m) **Contingency Planning** – a management process that analyzes specific potential events
21 or emerging situations that might threaten society or the environment and establishes
22 arrangements in advance to enable timely, effective, and appropriate responses to such
23 events and situations;
- 24 n) **Department** – the Department of Disaster Resilience or the DDR;
- 25 o) **Development Assistance** – refers to any financial, material or other forms of assistance to
26 support the economic, social, and environmental well-being of areas and/or people
27 affected by a natural disaster;
- 28 p) **Disability** – an evolving concept that results from the interaction between persons with
29 impairments, as defined under RA No. 7277, and attitudinal and environmental barriers
30 that hinder their full and effective participation in society on an equal basis with others;
- 31 q) **Disaster** a serious disruption of the functioning of a community or a society involving
32 widespread human, material, economic or environmental losses and impact, which
33 exceeds the ability of the affected community to cope using its own resources. Unless
34 otherwise specifically indicated in this act, the term “disaster” shall refer to “natural
35 disaster”;
- 36 r) **Disaster Contingency Fund** – a fund, in lump-sum form, managed by the Department to
37 expeditiously provide funds and resources for disaster relief or response in affected areas;
- 38 s) **Disaster Mitigation or mitigation** – the lessening or limitation of the adverse impact of

1 hazards. Mitigation measures include the application of engineering techniques and
2 construction of hazard-resistant structures as well as improved environmental, land use
3 planning, climate change and other sectoral policies and public awareness programs;

- 4 t) **Disaster Preparedness** – the knowledge and capacities developed by governments,
5 professional response and recovery organizations, communities and individuals to
6 effectively anticipate, respond to, and recover from, the impact of likely, imminent or
7 current hazard events or conditions. It includes preparedness for response such as
8 contingency planning, stockpiling of equipment and supplies, the development of
9 arrangements for coordination, evacuation and public information, and preparedness for
10 recovery such as provision of land for resettlement sites;
- 11 u) **Disaster Prevention** – the intention to avoid, or the outright avoidance, of potential
12 adverse impact of disasters and related hazards through action(s) taken in advance. It
13 expresses the concept and intention to completely avoid potential adverse impact
14 through action taken in advance such as construction of dams or embankments that
15 eliminate flood risks, land-use regulations that do not permit any settlement in high-risk
16 zones, and seismic engineering designs that ensure the survival and function of a critical
17 building in any likely earthquake;
- 18 v) **Disaster Resilience** – the ability of a system, community, or society exposed to hazards
19 to resist, absorb, accommodate, adapt to, transform, and recover from the effects of a
20 hazard and/or the long-term impact of climate change in a timely and efficient manner,
21 including through the preservation and restoration of its essential basic structures and
22 functions through risk management;
- 23 w) **Disaster Response** – the provision of emergency services and public assistance during
24 or immediately after a disaster in order to secure and save lives, reduce health impact,
25 ensure public safety and meet the basic subsistence needs of the people affected.
26 Disaster response includes disaster relief focused on immediate and short-term needs of
27 victims and vulnerable people;
- 28 x) **Disaster Resilience Fund** – the budget managed by the Department, which includes funds
29 appropriated to it by Congress pursuant to an Appropriations Act, the Disaster
30 Contingency Fund, and the Rehabilitation and Recovery Fund;
- 31 y) **Disaster Risk** – the potential disaster losses in lives, health status, livelihoods, assets and
32 services that could occur to a particular community or society in the future, and is
33 determined by a combination of the vulnerability, capacity, exposure of persons and
34 assets, hazard characteristics and the environment;
- 35 z) **Disaster Risk Governance** – the way in which the public authorities, civil servants,
36 media, private sector, and civil society collaborate at the community, regional and
37 national levels to manage disaster risks and climate-related risks. This means ensuring
38 that sufficient levels of capacity and resources are made available to the relevant actors

1 and stakeholders to prevent, prepare for, manage, and recover from disasters. It also
2 entails mechanisms, institutions, and processes for citizens to articulate their interests,
3 exercise their legal rights and obligations, and mediate their differences;

- 4 a) **Disaster Risk Management** – the systematic process of using administrative directives,
5 organizations, and operational skills and capacities to implement strategies, policies and
6 improved coping capacities to lessen the adverse impact of hazards and the possibility
7 of disaster;
- 8 bb) **Disaster Risk Reduction** – the prevention of new, and/or reduction of existing, disaster
9 risk(s) and the management of residual risk, to enhance resilience to disasters;
- 10 cc) **Early Warning System** – an integrated system of hazard monitoring, forecasting and
11 prediction, disaster risk assessment, and communication and preparedness activities and
12 processes that enable individuals, communities, national government agencies, local
13 government units, the private sector, and others to take timely action to reduce disaster
14 risks and adequately prepare for disasters;
- 15 dd) **Eligible Assisting Actor** – any assisting actor that has been determined to be eligible to
16 receive legal facilities as provided for in this Act and/or its Implementing Rules and
17 Regulations (IRR);
- 18 ee) **Emergency** – an unforeseen or sudden occurrence, especially danger, demanding
19 immediate and decisive action;
- 20 ff) **Emergency Management** – the organization and management of resources and
21 responsibilities for addressing all aspects of emergencies, in particular preparedness,
22 response, and initial recovery steps;
- 23 gg) **Environmental hazards** – the hazards that may be chemical, natural, and biological, and
24 can be created by environmental degradation or physical or chemical pollution in the air,
25 water, and soil. However, many of the processes and phenomena that fall into this
26 category may be termed “drivers of hazard and risk” rather than hazards in themselves,
27 such as soil degradation, deforestation, loss of biodiversity, salinization, and sea-level
28 rise;
- 29 hh) **Exposure** – the degree to which the elements at risk are likely to experience hazard events
30 of different magnitudes;
- 31 ii) **Geographic Information System (GIS)** – a system used to capture, store, manipulate,
32 manage and display all types of spatial or geographical data;
- 33 jj) **Geographically Isolated and Disadvantaged Area (GIDA)** – areas with a marginalized
34 population, which is physically and socio-economically separated from the mainstream
35 society and characterized by physical factors – isolated due to distance, weather
36 conditions and transportation difficulties (island, upland lowland, landlocked, hard to
37 reach and underserved communities); and/or socio-economic factors – (high poverty
38 incidence, presence of vulnerable sectors, communities in or recovering from situation

of crisis or armed conflict);

- kk) ***Geological or geophysical hazards*** – the hazards that originate from internal earth processes, such as earthquakes, volcanic activities and emissions, and related geophysical processes, which include mass movements, landslides, rockslides, surface collapses, and debris or mud flows. Hydrometeorological factors are important contributors to some of these processes. While tsunamis are triggered by undersea earthquakes and other geological events, they essentially become an oceanic process that is manifested as a coastal water-related hazard;
- ll) ***Hazard*** – a phenomenon, substance, human activity or condition that may cause loss of life, injury or impact to health; social and economic disruption, environmental damage, or loss of/disruption to property, livelihood, and/or services;
- mm) ***Historical landmarks*** – sites or structures that are associated with events or achievements significant to Philippine history as declared by the National Historical Institute or the applicable agency;
- nn) ***Human-Induced Hazard*** – an event that is caused by humans and occur in or close to human settlements or a particular environmental area. This can include environmental degradation, technological or industrial conditions, pollution, accidents, e.g. high density events, industrial and transport accidents, complex emergencies, armed conflict, situations of generalized or organized violence, and violation of human rights;
- oo) ***Humanitarian assistance*** – financial, material or other similar forms of assistance to address the immediate needs of people affected by a natural disaster;
- pp) ***Hydrometeorological hazards*** – hazards that are of atmospheric, hydrological, or oceanographic origin, such as tropical cyclones (also known as typhoons and hurricanes); floods, including flash floods; drought; heat waves and cold spells; and coastal storm surges. Hydrometeorological conditions may also be a factor in other hazards such as landslides, wildland fires, locust plagues, epidemics, and in the transport and dispersal of toxic substances and volcanic eruption material;
- qq) ***Impact and needs assessment*** – assessing the nature and magnitude of a disaster, its impact on affected populations, the type and extent of emergency, and the requirements for recovery and rehabilitation of the affected area(s);
- rr) ***Imminent Danger*** – a situation where, on the basis of official forecasts, it could reasonably be expected that a disaster will occur in a particular geographical area and within an estimated period of time, and where necessary preparedness actions or financing are required;
- ss) ***Integrated Disaster Resilience Information System*** – a specialized database, which contains, among others, information on disasters and their human, material, economic and environmental impact, risk assessment and mapping, and vulnerable and marginalized groups;

- 1 ti) ***International Disaster Relief and Initial Recovery Period*** – the period that commences
2 upon the issuance of a request for international disaster assistance or upon acceptance
3 of an offer, and shall continue until terminated, pursuant to guidelines set in the
4 implementing rules and regulations;
- 5 ui) ***Internally Displaced Persons*** – persons or groups of persons who have been forced or
6 obliged to flee or to leave their homes or places of habitual residence within national
7 borders;
- 8 wv) ***International Personnel*** – staff and volunteers of any assisting actor providing disaster
9 relief or initial recovery assistance being persons who are neither citizens of nor
10 domiciled in the Philippines prior to their recruitment by the international assisting
11 actor;
- 12 ww) ***Land Use Planning*** – the process undertaken by public authorities to identify, evaluate
13 and decide on different options for the use of land, including consideration of long-term
14 economic, social and environmental objectives and the implications for different
15 communities and interest groups, and the subsequent formulation and promulgation of
16 plans that describe the permitted or acceptable uses;
- 17 xx) ***Legal Facilities*** – entitlements and exemptions that are granted to Assisting Domestic or
18 International Actors that are declared to be eligible pursuant to this Act and its
19 implementing rules and regulations;
- 20 yy) ***Local Disaster Resilience Plan (LDRP)*** – a document prepared by a Local Government
21 Unit (LGU) based on the National Disaster Resilience Framework (NDRF) and the
22 National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets out specific
23 programs, objectives and goals to implement disaster risk management and climate
24 change adaptation measures at the local level. The plan includes, among others, an
25 evaluation and analysis of emerging disaster risks, hazards, and vulnerabilities applicable
26 to an LGU, and specific programs and activities to ensure responsive, effective, and
27 appropriate disaster preparedness and management at the local level;
- 28 zz) ***National Continuity Policy*** – is a comprehensive national policy consisting of a set of
29 programs and projects aimed at enhancing the capacity of the government to ensure the
30 continuity of governance and the delivery of public services during and after any
31 disaster;
- 32 aaa) ***National Disaster Resilience Framework (NDRF)*** – a framework that provides for a
33 comprehensive, multi-sectoral, whole-of-government, and whole-of-society approach to
34 attaining safe, adaptive, and resilient communities that can resist, prevent, mitigate
35 against, absorb, accommodate, adapt to, recover, or build back better from the effects of
36 a natural hazard in a timely and efficient manner through, among others, disaster risk
37 reduction and management, and climate change adaptation and mitigation. The NDRF
38 shall be composed of a National Disaster Risk Reduction and Management Framework

(NDRRMF), and National Framework Strategy on Climate Change (NFSCC);

bbb) **National Disaster Resilience Plan and Investment Program (NDRPIP)** – a plan formulated and implemented by the national and local governments, in collaboration with NGOs, the private sector, academe, international development partners, and others, in accordance with the NDRF that sets out the outcomes, goals and objectives, priorities, programs and corresponding action plans for disaster risk reduction, preparedness, and management, and climate change mitigation. The NDRPIP shall also include, among others, goals, objectives and action plans for a national continuity policy. It shall be in conformity with the national disaster risk reduction and management framework;

ccc) **Natural Hazard** – naturally occurring physical phenomena caused either by rapid or slow-onset events, which can be geological (earthquakes, ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity), hydrological and meteorological (floods, severe winds, typhoons, storm surges), climatological variability (extreme temperatures, El Niño, La Niña, forest fires), or biological (disease, epidemics and insect/animal plagues);

ddd) **Open Data** – a set of data that can be freely used, shared and built-on by anyone, anywhere, for any purpose. It must be available in bulk, and should be available free of charge, or at least at no more than a reasonable reproduction cost. The information should be digital, preferably available by downloading through the internet, and easily processed by the end-user's computer. The data must permit people to use, re-use, and redistribute it, including intermixing it with other data sets and distributing the results. Lastly, it does not allow conditions to be placed on how people can use such data but permit a data provider to require that data users credit them in some appropriate way, make it clear if the data has been changed, or that any new datasets created using their data are also shared as open data;

eee) **Pre-Disaster Recovery Plan** – a plan intended to help government officials working in small communities or across an entire nation, to define and follow a process to pre plan for disaster recovery, and thereby strengthen their own future recovery efforts and outcomes;

fff) **Pre-Disaster Risk Assessment (PDRA)**– 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 impact on the population and forms a basis to determine the appropriate level of response actions from the national level government agencies down to the local government units. It is hazard-specific, area focused, and time-bound;

ggg) **Recovery** – rehabilitation measures that ensure the ability of affected communities or areas to return their normal level of functioning by restoring livelihoods and services,

- 1 reconstruction of damaged infrastructures and increasing the communities'
2 organizational capacity;
- 3 hh) **Rehabilitation** – restoration of basic services and facilities for the functioning of a
4 community or a society affected by a disaster;
- 5 iii) **Response** – any effort to provide assistance or intervention during or immediately after
6 a disaster to meet the life preservation and basic subsistence needs of affected people
7 and communities; and the restoration of essential public activities and facilities;
- 8 jii) **Retrofitting** – the reinforcement or upgrading of existing structures to make them more
9 resistant and resilient to the damaging effects of hazards;
- 10 kkk) **Risk Assessment** – a methodology to determine the nature and extent of risk by analyzing
11 potential hazards and evaluating existing conditions of vulnerability that together could
12 potentially harm exposed people, property, services, livelihood and the environment on
13 which they depend;
- 14 lll) **Risk Transfer** – the process of formally or informally shifting the financial
15 consequences of particular risks from one party to another whereby a household,
16 community, enterprise or state authority will obtain resources from the other party after
17 a disaster occurs, in exchange for ongoing or compensatory social or financial benefits
18 provided to that other party;
- 19 mmm) **Safety stock** – items, such as raw materials, component parts, or finished goods,
20 maintained in inventory to reduce the risk that such item will be out of stock, in
21 anticipation of unforeseen shortages or unusual demand for such items;
- 22 nn) **Service Continuity** -- the capacity of a government instrumentality to continue
23 delivering its mandated outputs and/or services to the public during and after a disaster;
- 24 ooo) **State of Calamity** – a condition involving endangerment to or loss of lives, damages to
25 property, economic or social disruption, interruption or loss of livelihood or services,
26 and destruction or damages to infrastructure as a result of natural disasters or related
27 hazards;
- 28 ppp) **Simplified or Pre-Arranged Contract** – a written agreement in the nature of an option
29 contract between the procuring entity on one hand, and the most responsive and lowest
30 calculated bidder on the other, granting the procuring entity the option to either place an
31 order for any of the goods identified therein or not buy at all, within a given period of
32 time;
- 33 qqq) **Sustainable Development** – development that meets the needs of the present without
34 compromising the ability of future generations to meet their own needs;
- 35 rr) **Volunteers** – individuals, groups or entities that offer or provide services or assistance,
36 without compensation, to help people or areas affected by disasters;
- 37 sss) **Vulnerability** – the conditions determined by physical, social, economic, organizational,
38 and environmental factors or processes, which increase the susceptibility of an

- individual, a community, assets or systems to the impact of hazards;
- iii) ***Whole-of-Society Approach*** – an approach that encourages the meaningful and active participation and synergy of the different stakeholders of society toward climate change adaptation and mitigation, and disaster risk reduction and management at the national and local levels;
 - iiii) ***Whole-of-Government Approach*** – an approach that instills and fosters collaboration among all government instrumentalities both at the national and local levels toward shared sustainable development goals and outcomes; and
 - v) ***Whole-of-Nation Approach*** – an approach that seeks to bring about a concerted effort towards sustainable development, national peace and security by creating consensus and understanding of development and security that is shared not just among core security forces and oversight government institutions, but also by the nation’s stakeholders, e.g., government, civil society, private sector, and the communities.

ARTICLE II

THE DEPARTMENT OF DISASTER RESILIENCE:
MANDATE, POWERS, AND FUNCTIONS

SECTION 4. *Creation of the Department of Disaster Resilience.* – There is hereby created the Department of Disaster Resilience, hereinafter referred to as the Department.

SECTION 5. *Mandate.* The Department shall be the principal government institution responsible for ensuring safe, adaptive, and disaster-resilient communities. It shall lead, spearhead, initiate, and integrate the crafting and implementation of plans, programs, projects, and activities to reduce the risk of natural hazards and effects of climate change, and manage the impact of disasters with the primordial goal of saving lives and minimizing damage to property, in close collaboration with all relevant stakeholders at the national and local levels.

The mandate of the Department shall cover all natural hazards, including the effects of climate change, such as the following:

- 1. Geological Phenomena and Related Hazards
 - a. Earthquake – ground rupture, ground shaking, liquefaction, tsunami, fire, and landslides;
 - b. Volcanic activity – ash fall, pyroclastic flow, lava flow, lahar, fissuring, volcanic gas, and *seiche* (lake water oscillation);
 - c. Mass movement – landslides, debris flow, sinkholes;
- 2. Hydrological and Meteorological Phenomena and Related Hazards
 - a. Tropical cyclone – severe winds, storm surge, hail;
 - b. Flood;
 - c. Erosion;
- 3. Climatological variability

- a. El Niño;
- b. Extreme temperatures;
- c. La Niña; and
- d. Solar radiation, among others.

The Department shall oversee and coordinate the preparation, implementation, monitoring, and evaluation of disaster and climate 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 and anticipatory adaptation strategies, measures, techniques, and options. It shall also manage and direct the implementation of national, local, and community-based disaster resilience programs in collaboration with relevant national government agencies, LGUs, CSOs, and other stakeholders, as applicable.

SECTION 6. *Powers and Functions of the Department.* – The Department shall exercise and perform the following powers and functions:

(a) *Overall Functions*

1. Craft the policies and lead the implementation of the programs, projects and activities necessary to reduce the country’s vulnerabilities to natural hazards and climate change, using the PDP and the relevant climate change and DRR frameworks as anchors;
2. Review and build upon, to the extent necessary, the existing disaster resilience framework, plans and strategies in the crafting of an NDRF and the corresponding NDRPIP;
3. Oversee, review, and approve the translation, integration, and implementation of the NDRPIP into LDRPs;
4. Communicate and disseminate critical information to help the public prepare for, respond to, and recover from, a disaster;
5. Receive, manage, and administer the Disaster Resilience Fund, the Disaster Contingency Fund, donations and other funds, assets and/or properties received by the Department to accomplish the purposes of this Act;
6. Recommend to the President of the Philippines the declaration of a state of calamity due to a natural disaster, and the lifting thereof when conditions stabilize;
7. Direct any government entity to help ensure the attainment of the goals and objectives of this Act;
8. Advance the country’s interests relating to disaster resilience and climate change in the regional and global arena;
9. Advise the President on matters concerning disaster resilience and make recommendations, as appropriate; and
10. Perform such other functions, as provided by law or assignment of the President, and undertake all other necessary actions to ensure the attainment of the overall goals and objectives of this Act.

1 (b) Disaster Risk Reduction

- 2 1. Develop coordinated national, regional, and local strategies for the effective prevention
3 and mitigation of disaster risk resulting from natural hazards, including the effects of
4 climate change;
- 5 2. Monitor and ensure the integration of disaster risk reduction and management, and climate
6 change adaptation policies into national development plans;
- 7 3. Establish a disaster resilience information system to facilitate the creation of an integrated
8 risk assessment platform built from the inputs of government and private scientific and
9 academic institutions, national government agencies and local government units, local
10 communities, and other stakeholders and that is able to provide readily accessible and
11 actionable information for purposes of risk governance and humanitarian action;
- 12 4. Formulate plans and programs to establish and implement government redundancy,
13 service and business continuity, and a National Continuity Policy, as a high priority and
14 urgent undertaking;
- 15 5. Ensure the use of advanced science and technology in anticipatory planning of
16 communities against the impact of natural hazards and climate change through
17 consultation, and employment having a regular department funding the academe or higher
18 education institutions;
- 19 6. Develop and implement policies and programs related to the construction of new
20 settlements or relocation of settlements in safe areas that shall, to the extent such policies
21 and programs relate to disaster risk reduction, mitigation, prevention or building forward
22 better, prevail over policies or decisions of other government departments, government
23 agencies, government-owned or -controlled corporations, LGUs, and other government
24 instrumentalities;
- 25 7. Design and implement an incentive system for greater private and public investment, both
26 at the local and national levels, on disaster risk reduction;
- 27 8. Oversee and ensure the mainstreaming of climate change adaptation and disaster risk
28 reduction in development and land use planning, and the preparation of contingency plans;
- 29 9. Create an enabling environment that shall promote broader multi-stakeholder participation
30 for disaster risk reduction and climate change adaptation and mitigation;
- 31 10. Communicate and disseminate critical information to help the public prepare for, respond
32 to, and recover from a disaster;
- 33 11. Establish and monitor local and national capacity for disaster risk financing and insurance
34 and other risk transfer strategies in coordination with the Department of Finance (DOF),
35 the Government Service Insurance System (GSIS), and the Land Bank of the Philippines
36 (LBP), and the Insurance Commission;
- 37 12. Coordinate directly with local government units and private entities to address Disaster
38 Risk Assessment (DRA) of regions and provinces at the meso-scale, cities and

1 municipalities at the micro-scale, and barangays at the meta-scale;

2 13. Review and evaluate local disaster resilience plans and other local plans to ensure their
3 consistency with the National Disaster Resilience Framework; and

4 14. Undertake all other programs, projects, and actions necessary to attain the overall goals
5 and intended outcomes of this key result area.

6 (c) Disaster Preparedness and Response

7 1. Lead, manage, and collaborate with the relevant government instrumentalities, non-
8 government stakeholders, and international partners in providing the minimum basic
9 needs of people in affected areas before, during and/or immediately after a disaster to save
10 lives and minimize casualties;

11 2. Ensure the efficient prepositioning of goods, maintenance, and disposal of safety stocks;

12 3. Prepare pre-disaster recovery plans in anticipation of future disasters by engaging the
13 community and planning for recovery activities that are comprehensive and long-term;

14 4. Establish a corps of first responders in partnership with national and local stakeholders,
15 both public and private;

16 5. Formulate standards for contingency planning for adoption by both national government
17 agencies and local government units;

18 6. Recommend to the President of the Philippines the declaration of a state of calamity due
19 to a natural disaster, and the lifting thereof when conditions stabilize;

20 7. Oversee and maintain a national early-warning and emergency-alert system that must
21 provide hazard-specific, area-focused and time-bound warning that are accurate, timely,
22 understandable and readily accessible to national and local emergency response
23 organizations and the general public;

24 8. Implement pre-disaster risk assessments to include deployment of rapid assessment teams
25 to gather information for precise actions as a basis for emergency preparedness and
26 humanitarian response;

27 9. Coordinate information-sharing and other disaster-risk-reduction protocols following the
28 principle of inter-operability among national government agencies and local government
29 units;

30 10. Establish and maintain a national humanitarian logistics system with a network of
31 warehouses, transport and resources, including response assets and disaster relief food and
32 non-food items;

33 11. Call upon the relevant government instrumentalities, non-government stakeholders,
34 CSOs, and international partners for assistance in ensuring the protection and preservation
35 of life and property such as through the use of their resources and facilities, among others.
36 This function includes the power to call on the reserve force as defined in Republic Act
37 no. 7077 to assist in search and rescue, and disaster preparedness and response operations;

38 12. Implement Pre-Disaster Risk Assessments to include deployment of rapid assessment

1 teams to gather information for precise actions as a basis for emergency preparedness and
2 humanitarian response;

3 13. Organize, train, equip, and maintain a system of response capacity for search, rescue and
4 retrieval and the delivery and distribution of relief goods;

5 14. Monitor and support LGUs in the management of evacuation centers and ensure the
6 welfare and dignity of internally-displaced persons;

7 15. Procure goods and services prior to, during, and after emergencies for preparedness,
8 response, and recovery activities, including those prompted by a declaration of a state of
9 calamity or of an imminent disaster;

10 16. Issue special procurement rules and regulations, in close coordination with the
11 Government Procurement Policy Board, for preparedness, response, and recovery
12 activities, including those prompted by a declaration of a state of calamity or of an
13 imminent disaster;

14 17. Assist in mobilizing necessary resources to increase the overall capacity of local
15 government units, specifically those with low income and situated in high-risk areas;

16 18. By the authority of the President, secure the assistance of the Armed Forces of the
17 Philippines (AFP), the Philippine National Police (PNP), DILG-Bureau of Fire Protection
18 (BFP), DOTr-Philippine Coast Guard (PCG), and other uniformed services in undertaking
19 disaster preparedness and response operations in at-risk or disaster-affected areas; and

20 19. Undertake all other programs, projects, and actions necessary to attain the overall goals
21 and intended outcomes of this Act.

22 (d) Recovery and Building Forward Better

23 1. Prepare, organize, lead, implement, and manage post-disaster assessment and recovery
24 and rehabilitation programs and plans, in coordination with the affected local governments
25 units, national government agencies, and other stakeholders;

26 2. Establish a system that utilizes templates, exposure database, and other tools; and develop
27 the Department's in-house capacity for the prompt and expedient preparation of
28 rehabilitation plans, when needed, for disaster-affected areas;

29 3. Prepare and implement the recovery and rehabilitation plans for disaster-affected areas;

30 4. Implement the cluster approach to expedite reconstruction efforts, e.g., post-disaster
31 shelter recovery, and orchestrate and serve as the clearinghouse for the participation of
32 assisting actors in such efforts;

33 5. Collaborate with relevant government agencies and non-government stakeholders in
34 undertaking programs and projects to restore and/or generate livelihood and
35 entrepreneurial activities and opportunities in disaster-affected areas;

36 6. Ensure that the principle of Building Forward Better, not mere restoration, is applied to
37 all recovery, reconstruction, and rehabilitation efforts; and

38 7. Undertake all other programs, projects, and actions necessary to attain the overall goals

and intended outcomes of this Act.

(e) Other Powers and Functions

1. Constitute, call, convene and/or deputize agencies of government, and invite non-government and private organizations, to assist, advise, and coordinate with the Department to achieve the goals and purposes of this Act;
2. Provide operating guidelines to the LDROs 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 livelihood, and other assets;
3. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the DOF, GSIS, LBP, and the Insurance Commission;
4. Coordinate information-sharing and other disaster-risk-reduction protocols following the principle of inter-operability among National Government Agencies and Local Government Units, before, during, and after a disaster;
5. Administer, mobilize, monitor, and oversee the utilization of disaster resilience-related funds, including, but not limited to, the National Disaster Resilience Fund and the Supplemental Disaster Resilience Support Fund for low income provinces, cities, and municipalities, and multi-hazard local government units;
6. Inspect and examine the status of projects, programs, and activities undertaken by national government agencies and local government units in furtherance of disaster resilience efforts;
7. Whenever it becomes necessary, to save lives or minimize damages to livelihood and property, assume supervision over the implementation of any government program, project, or activity in anticipation of, during, and in the aftermath of a disaster;
8. Negotiate, enter into, institutionalize, and coordinate arrangements with any private person or entity for the purpose of ensuring the adequate and prompt availability of goods and services necessary in anticipation of, during, and in the aftermath of disasters;
9. Manage all funds appropriated to it by law and from other sources, including all donations and grants received by it;
10. Promulgate rules and regulations for the receipt, management, and accounting of donations that are consistent with the rules of the Commission on Audit (COA) on the use of foreign and local aid during calamities and disasters;
11. Receive humanitarian assistance from local and foreign sources, recommend the acquisition of developmental assistance for the purpose of disaster resilience, acknowledge and certify the receipt of all humanitarian assistance, and ensure their judicious use and management;
12. Establish and operate a platform, including an online platform, to monitor and provide public access to information on humanitarian assistance received by the Department;

13. Secure the assistance of the AFP, PNP, DILG- BFP, DOTr-PCG, and other uniformed services and government instrumentalities to ensure the attainment of the three key result areas, and the overall goals and objectives of this Act;

14. In consultation with the Commission on Audit (COA), promulgate rules and regulations for the retention, re-exportation, donation, and disposition of unused goods and equipment after the termination of disaster relief and initial recovery operations;

15. Assist appropriate national government agencies and offices and concerned local government units in protecting national cultural heritage including national treasures and national historical landmarks, sites or monuments from hazards and disasters; and

16. Perform such other functions, as provided by law or assignment of the President, and undertake the necessary actions to ensure the attainment of the overall goals and objectives of this Act.

ARTICLE III

EMERGENCY MEASURES

SECTION 7. *Emergency Measures.* – (a) The Department may undertake and implement such immediate measures as may be necessary to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of emergencies, hazards and disasters, including preemptive and forced evacuations.

Local government units shall enact an ordinance on and implement necessary and appropriate emergency measures, including preemptive and forced evacuations, to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of disasters.

Emergency measures, including preemptive and forced evacuations, shall be carried out to save lives and minimize loss of property and livelihood, while respecting the dignity and culture of persons, observing equality, and using proportionate force, and with conscious attention to the needs of vulnerable and marginalized groups.

Appropriate steps shall be taken to inform the public of the need to implement emergency measures, such as evacuations, for their safety.

Preemptive evacuation shall be the preferred primary mode of moving people that will be affected by disasters.

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

Any person who willfully and deliberately disregards or disobeys a preemptive or forced evacuation implemented by the local government unit or the Department, as the case may be, releases

1 such local government unit or the Department from any liability for injury, death, damage to, or loss
2 of property due to such disobedience.

3 (b) Whenever it becomes necessary, the Department may recommend to the President the
4 calling out of the Armed Forces of the Philippines to prevent or suppress lawless violence occurring
5 before, during, and in the aftermath of disasters.

6 (c) The Department shall ration the distribution of basic goods in critical shortage, and/or
7 restrict or ban the transfer of such goods outside the area covered by the emergency measure.

8 (d) The Department may temporarily take over or direct the operation of any private
9 utility or business for urgent public purpose in anticipation of, during, and in the aftermath of
10 emergencies, hazards, and disasters and only when there is imminent danger of loss of lives or
11 damage to property, subject to payment of just compensation.

12 (e) Local government units shall likewise enact the above-mentioned emergency
13 measures including preemptive and forced evacuations, to ensure the protection and preservation of
14 life or property in anticipation of, during, and in the aftermath of disaster.

15 (f) With the concurrence of the DOF, the Department shall recommend to the Monetary
16 Board the deferment of payment for monetary debts of LGUs and/or private entities affected by
17 disasters.

18
19 **ARTICLE IV**

20 **ORGANIZATION AND MANAGEMENT**

21 **SECTION 8. *The Secretary.*** – The Department shall be headed by the Secretary of Disaster
22 Resilience, hereinafter referred to as the Secretary, who shall be appointed by the President, subject
23 to confirmation by the Commission on Appointments. The Secretary shall preferably have a solid
24 background in any of the scientific, engineering, and public management fields relevant to
25 resilience to natural hazards and climate change; and demonstrated managerial acumen.

26 **SECTION 9. *Powers and Functions of the Secretary.*** – The Secretary shall exercise the
27 following powers and functions:

- 28 a) Establish and promulgate policies, rules, and regulations for the effective and
29 efficient operation of the Department and implement these to carry out its mandate,
30 functions, programs, and activities;
- 31 b) Exercise executive direction over the operations of the Department and
32 administrative supervisions over its attached agencies;
- 33 c) Exercise control and supervision over all functions and activities of the Department
34 and its officers and personnel;
- 35 d) Appoint officers and employees of the Department, except those whose
36 appointments are vested in the President, in accordance with civil service law, rules,
37 and regulations;

- e) Exercise disciplinary authority over officers and employees of the Department in accordance with law, and investigate such officers and employees, or designate a committee or officer to conduct an investigation;
- f) Manage the financial, human, and other resources of the Department;
- g) Collaborate with other government agencies, the private sector, and civil society organizations on the policies, programs, projects, and activities of the Department, as may be necessary;
- h) 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;
- i) Represent the Philippines and articulate the national contribution to global, regional, and other inter-governmental disaster risk reduction and humanitarian platforms, in coordination with the Department of Foreign Affairs; and
- j) Perform such other functions as may be provided by law or assigned by the President.

SECTION 10. *The Undersecretaries.* – The Secretary shall be assisted by at least four (4) Undersecretaries, who shall be responsible for the following functional areas, including the establishment of a robust and responsive ICT system to effectively support the mandate and operations of the Department:

- a) Disaster Risk Reduction – the formulation, adoption, and implementation of policies and programs to reduce existing and future disaster risks to minimize loss and damage to lives and properties, including the formulation of the required policies and programs in the NDRF and relevant national investment plans;
- b) Disaster Preparedness and Response – the implementation of projects and programs to prepare and respond to disasters, including the enhancement of capabilities of local government units, the development of a database of exposure or elements at risk per area and database of volunteers, the establishment of safe and strategic evacuation centers, and the implementation of responsive and efficient prepositioning and distribution of goods;
- c) Recovery and Building Forward Better – the formulation and implementation of rehabilitation plans for disaster-affected areas and ensuring the implementation of disaster recovery and rehabilitation measures, such as post-disaster shelters and livelihood projects, in collaboration with relevant government agencies, local government units, and other stakeholders; and
- d) Support to Operations – the formulation and implementation of policies, programs, projects, and activities to ensure the efficient, effective, and responsive performance of the Department’s mandate, powers, and functions. Support to operations includes knowledge management, institutional development and planning, finance, administration, and human resources management.

1 The Undersecretaries shall have operational control and supervision over the bureaus, divisions,
2 offices, and units assigned to their respective functional areas.

3 SECTION 11. *The Assistant Secretaries and Directors.* – The Department shall have such number
4 of Assistant Secretaries and Directors as may be necessary for the effective and efficient
5 implementation and performance of its mandate, powers, and functions.

6 SECTION 12. *Qualifications.* All the Undersecretaries, Assistant Secretaries, and other officials
7 of the Department shall preferably be specialists and have a good track record in any of the following
8 fields, as applicable to their mandated key result areas and functions: disaster risk reduction and
9 management, science and technology, environmental science or management, urban planning, civil
10 engineering, public finance, information and communications technology, logistics management,
11 mass communication, among other fields directly relevant to ensuring the country's disaster
12 resilience.

13 The appointing authority and other responsible officials shall ensure that the Department's human
14 resources possess the competencies, skills, behavioral attributes, training and experience necessary
15 for them to become efficient, effective, and responsive in performing their functions and contribute
16 to the attainment of the overall goals and delivery of the intended outcomes of this Act.

17 SECTION 13. *Structure and Staffing Pattern.* The Department shall determine its organizational
18 structure and staffing pattern and create such services, divisions, and units, as it may require or deem
19 necessary, subject to the approval of the Department of Budget and Management.

20 SECTION 14. *Regional Disaster Resilience Offices.* – The Department shall establish and
21 maintain Regional Disaster Resilience Offices (RDROs) in each administrative region, to be headed
22 by a Regional Director. The Department shall create policies and programs to establish collaboration
23 and coordination among the different RDROs.

24 SECTION 15. *Powers and Functions of RDROs.* – The RDROs shall have the following powers
25 and functions:

- 26 a) Review the LDRPs and Provincial DRPs of LGUs within its jurisdiction, and require the
27 amendment of such LDRPs or Provincial DRPs if necessary, to ensure compliance with the
28 NDRF and relevant national investment plans;
- 29 b) Monitor and direct LDROs and PDROs to implement their respective LDRPs and PDRPs;
- 30 c) Recommend to the appropriate local legislative body the enactment of ordinances to
31 implement the LDRP, NDRF and relevant national investment plans at the city, municipal or
32 provincial level, and to comply with other requirements of this Act;
- 33 d) Review reports on the utilization of the LDRF and other disaster risk and management
34 resources of LGUs within its jurisdiction, and give recommendations, as necessary;
- 35 e) Disburse to, and monitor the use by, LGUs of funds granted by the Department pursuant to
36 this Act and its IRR;
- 37 g) Provide, upon the request of LGUs or unilaterally at its own discretion, assistance to LGU(s)
38 within its jurisdiction as necessary to ensure the implementation of LDRPs/Provincial

1 LDRPs, NDRF and relevant national investment plans, and to render efficient and timely
2 disaster preparedness, response and recovery measures;

3 h) Identify and report to the Department issues and problems relating to, or affecting, the disaster
4 resilience of LGUs within its jurisdiction, and make recommendations to the Department
5 and/or to the LGUs to address such issues or problems;

6 j) Formulate and establish mechanisms to mobilize and direct LDROs and PDROs within its
7 jurisdiction as necessary for disaster preparedness and response at the regional level;

8 k) Establish and maintain, in coordination with the Department, a Regional Command and
9 Control Center (RCCC), which includes, among others, an information management system
10 at the regional level, which consolidates and integrates information from the provinces, cities
11 and municipalities within its jurisdiction, a multi-hazard early warning and communications
12 system, and a monitoring system that enables the RDRO to oversee, supervise, monitor and
13 respond to the needs of LGUs within its jurisdiction in relation to disaster resilience activities;

14 l) Assist in the implementation, of rehabilitation plan(s) for LGUs within its coverage; and

15 m) Conduct other activities and act on other matters, in accordance with policies and procedures
16 of the Department and applicable laws, to achieve the purposes of this Act.

17 SECTION 16. *Special Disaster Response Teams.* The RDROs may organize and/or activate
18 Special Disaster Response Teams (SDRTs) to assist LGUs in responding to hazards and disasters that
19 are beyond their capacities, as deemed necessary.

20 SECTION 17. *Local Disaster Resilience Offices.* – The Local Disaster Risk Reduction
21 Management Offices in provinces, cities, and municipalities are hereby renamed as the Provincial,
22 City, and Municipal Disaster Resilience Offices, respectively, and shall collectively be called the
23 Local Disaster Resilience Offices (LDROs). Provincial, city, and municipal governments shall
24 establish their respective LDROs.

25 The Barangay Disaster Risk Reduction and Management Committees are hereby renamed as
26 the Barangay Disaster Resilience Committees (BDRC).

27 All Local Disaster Risk Reduction Management Councils are hereby abolished.

28 The LDROs shall be under the control and supervision of the provincial governor or the city
29 or municipal mayor, as the case may be. The budgetary requirements for personal services,
30 maintenance and other operating expenditures, and capital outlay of the LDROs shall be sourced
31 from the General Fund of the local government units concerned; *Provided, That*, the personal services
32 limitations under Section 325(a) of Republic Act No. 7160, otherwise known as the *Local*
33 *Government Code of 1991*, shall not apply in relation to the creation and appointment of at least five
34 (5) positions in the LDROs.

35 Other maintenance and operating expenditures and the capital outlay requirements of
36 LDROs in the implementation of disaster risk reduction management and climate change adaptation
37 programs shall be charged to the Local Disaster Resilience Fund of local government units.

1 SECTION 18. *Local Disaster Resilience Officer.* – The LDRO shall be headed by a full-time
2 Local Disaster Resilience Officer, who shall have a regular *plantilla* position and shall be appointed
3 by the local chief executive: *Provided, That* the qualifications standards pertaining to experience and
4 training set by the Civil Service Commission for the position may be waived by the Department in
5 exceptional cases upon the request of the local chief executive.

6 SECTION 19. *Powers and Functions of City and Municipal Disaster Resilience Offices.* –
7 The City and Municipal Disaster Resilience Offices shall have the following powers and functions:

- 8 a) Formulate and implement, in coordination with the Department, a comprehensive and
9 integrated Local Disaster Resilience Plan in accordance with the NDRF and the relevant
10 national investment plans;
- 11 b) Design, program, coordinate, and implement disaster resilience activities consistent with
12 the standards and guidelines provided by the Department, and implement the NDRF and
13 the relevant national investment plans at the city or municipal level;
- 14 c) Prepare and submit to the *Sangguniang Panglungsod* or *Sangguniang Bayan*, as the case
15 may be, the LDRP, the proposed programming of the LDR Fund, other dedicated disaster
16 resilience resources, and other funds of the LDRO;
- 17 d) Recommend to the *Sangguniang Panglungsod* or *Sangguniang Bayan*, as the case may
18 be, the enactment of ordinances to implement the LDRP, NDRF, relevant national
19 investment plans, and the provisions of this Act;
- 20 e) Prepare and submit to the Department a report on the utilization of its Local Disaster
21 Resilience Fund and other disaster risk reduction and management resources;
- 22 f) Establish and maintain, in coordination with the Department, an information management
23 system within the LGU, which, among others, consolidates and includes local risk
24 information (such as natural hazards, profile of the LGU's vulnerable or marginalized
25 groups), local risk maps, and a disaggregated database of human resource, equipment,
26 services, resources, directories, and location of critical infrastructures with their capacities
27 (such as hospitals and evacuation centers);
- 28 g) Operate and maintain, in coordination with the Department, a multi-hazard early warning
29 and communications system to provide accurate and timely information to the public;
- 30 h) Organize and conduct training and knowledge management activities on disaster
31 resilience at the local level, in coordination with the Disaster Research, Education, and
32 Training Institute;
- 33 i) Recommend to the local chief executive the procurement of emergency works, goods, and
34 services in compliance with the regulations, orders, and policies of DBM and GPPB, to
35 implement the LDRP or support early recovery and post-disaster activities;
- 36 j) Recommend, in coordination with the DOF and other relevant agencies, to the local chief
37 executive, access to foreign loans to finance projects, programs, and policies for disaster
38 preparedness, response, recovery, and rehabilitation, subject to terms and conditions

1 agreed upon by the local government unit and the lender;

- 2 k) Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs,
3 CSOs, private sector, organized volunteers, and sectoral organizations for disaster
4 resilience activities, in accordance with policies and procedures of the Department and
5 applicable laws;
- 6 l) Coordinate and provide the necessary support or assistance to the Department in the
7 implementation of rehabilitation plans within the city or municipality covered by the
8 LDRO;
- 9 m) Coordinate with the Department, other government agencies, members of the private
10 sector and other stakeholders in the LGU to establish a Business Continuity Plan as part
11 of their LDRP's disaster preparedness measures;
- 12 n) Establish linkage or network and coordination mechanisms with other LGUs and the
13 Department for disaster resilience activities and to achieve the purposes of this Act; and
- 14 o) Conduct other activities and act on other matters, in accordance with policies and
15 procedures of the Department and applicable laws, to achieve the purposes of this Act.

16 SECTION 20. *Powers and Functions of the Provincial Disaster Resilience Offices.* –The
17 Provincial Disaster Resilience Offices shall have the following powers and functions:

- 18 a) Formulate and implement, in close coordination with the Department and the local
19 government units under the jurisdiction of the provincial government, a comprehensive
20 and integrated Provincial Disaster Resilience Plan in accordance with the NDRF;
- 21 b) Review the LDRPs of cities and municipalities within its jurisdiction, and require the
22 amendment of such LDRPs if necessary, to ensure compliance with the Provincial DRP
23 and the NDRF;
- 24 c) Design, program, coordinate, or implement disaster resilience activities consistent with
25 the standards and guidelines provided by the Department, and implement the NDRF and
26 the relevant national investment plans at the provincial level;
- 27 d) Prepare and submit to the *Sangguniang Panlalawigan*, the Provincial DRP, the proposed
28 programming of the province's Local Disaster Resilience Fund, other dedicated disaster
29 resilience resources, and other funding sources of the PDRO;
- 30 e) Recommend to the *Sangguniang Panlalawigan* the enactment of local ordinances to
31 implement the Provincial LDRP, NDRF and relevant national investment plans at the
32 provincial level, and to comply with other requirements of this Act;
- 33 f) Prepare and submit to the Department, a report on the utilization of the province's Local
34 Disaster Resilience Fund and other disaster risk reduction and management resources;
- 35 g) Establish and maintain, in coordination with the Department, a Provincial Command and
36 Control Center (PCCC), which includes, among others, an information management
37 system at the provincial level, which consolidates and integrates information from the
38 cities and municipalities within its jurisdiction, a multi-hazard early warning and

1 communications system that is connected with the cities and municipalities within its
2 jurisdiction, and a monitoring system that enables the PDRO to oversee, supervise,
3 monitor and respond to the needs of cities and municipalities within its jurisdiction in
4 relation to disaster resilience activities;

- 5 h) Recommend to the Provincial Governor the procurement of emergency works, goods, and
6 services in compliance with the regulations, orders, and policies of DBM and GPPB, to
7 implement the provincial LDRP or support early recovery and post-disaster activities of
8 the PDRO;
- 9 i) Recommend, in coordination with the DOF, to the Provincial Governor to access foreign
10 loans to finance its policies, programs, projects, and activities for disaster preparedness,
11 response, recovery, and rehabilitation, subject to terms and conditions agreed upon by the
12 Provincial Government and the lender;
- 13 j) Formulate and establish mechanisms to mobilize and direct LDROs within its jurisdiction
14 as necessary for disaster preparedness and response at the provincial level;
- 15 k) Coordinate and provide the necessary support or assistance to the Department in the
16 implementation of rehabilitation plan(s) within the cities and/or municipalities covered by
17 the PDRO; and
- 18 l) Conduct other activities and/or act on other matters, in accordance with policies and
19 procedures of the Department and applicable laws, to achieve the purposes of this Act.

20 SECTION 21. *Service Continuity of the Department.* To ensure service continuity, the
21 Department and its regional and attached offices shall be established in a reasonably resilient
22 location; and/or undertake the necessary interventions to make its offices and systems disaster-
23 resilient.

24 ARTICLE V

25 WHOLE-OF-GOVERNMENT AND WHOLE-OF-NATION

26 APPROACH

27 SECTION 22. *Synergy with Stakeholders.* – The Department shall ensure seamless synergy
28 and coordination with stakeholders, including national government agencies, local government
29 units, government-owned or -controlled corporations (GOCCs), CSOs, the academe, and the private
30 sector, in relation to disaster resilience programs and projects and the development and promotion
31 of research, education, and training mechanisms.

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

35 SECTION 23. *Establishment of Multi-Stakeholders Convergence Unit.* – The Department, with
36 the assistance of other relevant government agencies and stakeholders, shall establish a Multi-
37 Stakeholders Convergence Unit (MSCU), which shall closely engage the private sector, CSOs,

1 academe, and other non-government stakeholders and strengthen public-private collaboration
2 towards disaster resilience by way of the following interventions, among others:

- 3 a. Implementation of business continuity practices to ensure the continued delivery of products
4 and services, in the event of disasters;
- 5 b. Crafting and implementation of a National Continuity Policy to ensure government service
6 continuity during and after emergencies and disasters, and ensure the quick return of
7 government to full operations;
- 8 c. Establishment, incorporation, and application of business continuity plans as part of the
9 LDRPs of LGUs;
- 10 d. Facilitation or assistance in obtaining and processing incentives for the private sector and
11 other non-government stakeholders, such as but not limited to tax credits;
- 12 e. Preparation and facilitation of the issuance of special rules for Micro, Small, and Medium
13 Enterprises (MSMEs) such as, but not limited to, mechanisms involving procurement and
14 liquidity to create enabling environments for disaster preparedness, recovery and building
15 forward better; and
- 16 f. Formulation of investment programs for disaster-affected areas in partnership with the
17 private business sector and civil society organizations.

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

20 SECTION 24. *Roles and Responsibilities of Stakeholders.* – The commitment, goodwill,
21 knowledge, experience and resources of relevant stakeholders are critical to realize a safer,
22 adaptive, resilient and inclusive Filipino community. Citizens have the shared vision and duty to
23 provide support to the State in the implementation of policies and programs, particularly the
24 Disaster Resilience Framework and Disaster Resilience Plan at the national, regional and local
25 levels.

- 26 a) Civil society, non-governmental organizations, international non-governmental
27 organizations, private sector, practitioners, and volunteers shall participate, in
28 collaboration with public institutions, in the exchange of information, learnings, and
29 guidance on disaster resilience. The Department shall encourage and institutionalize
30 their engagement in the implementation of local, regional, national, and global plans
31 and strategies; enhance public awareness and promote a culture of disaster resilience;
- 32 b) The women, children, and youth, as agents of change, shall endeavor to contribute
33 actively and participate in disaster resilience trainings and information dissemination;
- 34 c) Senior citizens, and persons with disabilities shall contribute their knowledge and
35 experience on disaster preparedness and resiliency;
- 36 d) Indigenous peoples and Muslim Filipinos shall share their traditional knowledge and

- 1 practical experience on disaster resiliency;
- 2 e) Urban and rural poor, and migrants shall participate in building resilient resettlement
- 3 communities;
- 4 f) Emergency responders and volunteer organizations shall contribute to resilience by
- 5 promptly and efficiently responding to disasters and emergencies consistent with the policies of
- 6 the Research, Education and Training Institute of the Department;
- 7 g) Academia, scientific and research entities, and networks are encouraged to undertake
- 8 relevant research on disaster resiliency in partnership with the Department and other
- 9 stakeholders for better decision-making;
- 10 h) The private sector is encouraged to integrate disaster resiliency projects and programs
- 11 in their corporate social responsibility initiatives; and
- 12 i) The media shall provide prompt and accurate information to the public on early warning
- 13 systems, natural hazards, and disaster resilience activities of the Department.

14 SECTION 25. *Disaster Resilience Assembly*. The Department, with the assistance of RDROs,

15 shall establish and convene a Disaster Resilience Assembly (DRA), at the regional and national

16 level, which will be held on a semestral basis, or as frequently as necessary to ensure the proactive

17 engagement of the relevant government and non-government stakeholders, such as the Union of

18 Local Authorities of the Philippines (ULAP), League of Municipalities of the Philippines (LMP),

19 CSOs, academe, DRRM practitioners, the private sector, and the national government agencies,

20 among others, to ensure effective collaboration towards achieving the goals of this Act.

21 The LGUs may convene local DRAs within their jurisdictions, as necessary for the attainment

22 of disaster resilience at the local level.

23 SECTION 26. *Inter-operability of Systems*. The Department shall establish mechanisms to

24 ensure the inter-operability of systems among government agencies, and to allow access of agencies

25 to the IDRIS. It shall develop protocols to allow real-time access to information by government

26 agencies in relation to natural disasters and the implementation of disaster resilience measures.

27 SECTION 27. *National organization of all Local Disaster Resilience Officers*. There shall

28 be a national organization of all local disaster resilience officers for the primary purpose of:

- 29 a) Developing capacity, and exchanging knowledge, experiences, and best practices
- 30 concerning local government disaster resilience;
- 31 b) Fostering inter-operability of the local disaster resilience offices' systems;
- 32 c) Facilitating inter-LGU cooperation and collaboration;
- 33 d) Providing inputs and feedback to the Department on resilience concerns at the local
- 34 level; and
- 35 e) Enhancing synergy in other areas of common concern.
- 36

37 ARTICLE VI

38 MAINSTREAMING, INTEGRATION, AND CONVERGENCE

1 **OF DISASTER RISK REDUCTION**

2 SECTION 28. *Integration of DRR and Climate Change Adaptation in the National*
3 *Disaster Resilience Framework and Disaster Resilience Plan.* – The existing NDRRM Framework
4 and Plan, and the National Climate Change Strategic Framework and Plan shall be integrated and
5 harmonized into the NDRF and the NDRPIP. The NDRF and NDRPIP shall be reviewed and
6 updated every three (3) years.

7 SECTION 29. *Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation*
8 *and Recovery from Disasters.* – The Department shall ensure the application of ecosystems-based
9 approaches in disaster risk reduction, particularly through ecosystem management and restoration
10 as defined in this Act, and ensuring that environmental and natural resource policies are risk-
11 informed.

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16 **ARTICLE VII**

17 **NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE COMMAND**
18 **CENTER, AND RESEARCH AND TRAINING INSTITUTE**

19 SECTION 30. *National Disaster Operations Center.* The Department shall establish, within
20 one (1) year from the approval of this Act, and act as the primary operator of, the National Disaster
21 Operations Center (NDOC), Alternative Command and Control Centers (ACCCs), and a Disaster
22 Resilience Research and Training Institute (DRRTI).

23 The NDOC is a physical center equipped with the necessary tools and systems to monitor,
24 manage, and respond to disasters in all areas of the country. The NDOC shall also provide the
25 necessary support for the overall coordination and implementation of emergency and disaster
26 response measures throughout the country.

27 The ACCCs are command centers established in other locations as an alternative or to
28 provide supplemental support to the NDOC. The number and location of ACCCs shall be determined
29 by the Department as may be necessary in each of the country's major island groups. Temporary
30 ACCC may likewise be established by the Department, if necessary.

31 SECTION 31. *DRRTI functions and inter-agency knowledge sharing.* The DRRTI shall be
32 a platform for providing training, and for collecting, consolidating, managing, analyzing, and/or
33 sharing knowledge and information to improve and/or enhance disaster resilience. The DRRTI shall:

- 34
35 a) Establish reliable and up-to-date Integrated Disaster Resilience Information System (IDRIS)
36 through close and seamless collaboration with the Department of Science and Technology
37 (DOST), Department of Information and Communications Technology (DICT), and other
38 appropriate agencies;

- b) Conduct disaster-related research programs, seminars, and trainings for all types of stakeholders;
- c) Consolidate, organize and/or prepare training materials and publications;
- d) Conduct other activities consistent with promoting the formation and dissemination of knowledge and information relating to disaster resilience and disaster management;
- e) Establish a database that includes relevant information from other government agencies and third parties for the department to better prepare and respond to natural hazards including, but not limited to, an inventory of hazardous materials per area; and
- f) Consult and coordinate with, and consolidate information/data from, relevant government agencies, such as, but not limited to, DOST, LGUs and relevant CSOs to enhance the IDRIS and to promote knowledge sharing among all stakeholders.

Section 32. *Compliance and accreditation of DRRTI with international standards.* The Department shall strive to obtain certification from, and accreditation by, international accreditation bodies of the DRRTI to ensure DRRTI's compliance with international standards. The Department shall likewise ensure collaboration with key countries and international organizations to incorporate best practices on disaster resilience in the Department's policies and programs.

ARTICLE VIII

INTEGRATION, MAINSTREAMING DISASTER RESILIENCE INFORMATION, EDUCATION AND COMMUNICATION CONVERGENCE

SECTION 33. *Integrated Disaster Resilience Information System (IDRIS)* – The Department shall establish a National and Regional Information Management System for Disaster Resilience, which shall be a database of all relevant disaster risk reduction and climate change data, including a geographic information system on geo-hazard assessments and climate risk. It shall be the repository of current and multi- temporal information for wide-scale disaster risk analysis. The IDRIS shall be accessible at all times to the responsible officials and entities to enable the timely, reliable, and accurate collection, processing, analysis, and dissemination of information to support overall decision-making and effective coordination at both the national and sub-national level. The protocols and procedures for this shall be defined in the IRR of this Act.

SECTION 34. *Disaster Resilience Education and Training.* –

(a) To instill a culture of safety and security including emergency preparedness and disaster resiliency, the Department, in partnership with the public and private sectors shall encourage the inclusion of appropriate information on disaster resilience in their various training programs and immersion activities.

(b) The IEC on disaster resilience shall be informative and holistic, gender, culture and

1 disability sensitive using various available platforms.

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4 **ARTICLE IX**

5 **DISASTER RISK TRANSFER, INSURANCE AND INCENTIVES**

6 **SECTION 35. *Disaster Risk Transfer, Insurance and Social Welfare.* –**

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

9 (b) The Department, in collaboration with the DOF, BSP, LBP, GSIS, and the Insurance
10 Commission, shall create, establish, and implement, among others, disaster insurance pools,
11 revolving funds, insurance and risk-transfer schemes and/or facilities, and other financial disaster
12 resilience measures to ensure the protection of public and/or private properties and livelihood
13 against the adverse effects of natural disasters. For this purpose, the Department and/or DOF may
14 engage or require the participation of government banks, insurance agencies and financial
15 institutions.

16 (c) To attain disaster resilience and achieve the purposes of this Act, the Department
17 shall have the discretion and authority to require government agencies and GOCCs to insure their
18 assets and/or properties such as, among others, vessels, vehicles, equipment, machineries,
19 permanent buildings, properties stored therein, or properties in transit, against insurable risks and
20 pay the premiums therefor, to compensate the Government and/or GOCC, as applicable, for any
21 damage to, or loss of, properties due to a natural disaster.

22 (d) The Department shall endeavor the local government units to insure primary assets for
23 unforeseen or contingent potential losses, damages and disruption from natural hazards chargeable
24 against their respective Local Disaster Resilience Fund (LDRF).

25 **SECTION 36. *Recognition and Incentives.* –**The Department, in partnership with the
26 private sector, shall establish an incentives program that recognizes outstanding performance of
27 LDRC, NGOs, CSOs, schools, hospitals, and other stakeholders in promoting and implementing
28 significant disaster risk reduction management-climate change adaptation programs and
29 innovations, and meritorious acts of individuals, groups or institutions during natural.

30 **ARTICLE X**

31 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

32 **SECTION 37. *Standards for Disaster Preparedness Activities.* –**

33 (a) The Department shall establish standards and protocols for disaster preparedness,
34 contingency planning, localizing and operationalizing disaster risk reduction and management,
35 preparedness for disaster response, preparedness for early recovery, continuity of essential services,
36 and other relevant preparedness activities.

37 (b) The LGUs shall identify safe and strategic sites, and establish evacuation centers
38 with appropriate and adequate facilities in accordance with government-approved standards as

1 provided under Republic Act No. 10821, otherwise known as “*The Children’s Emergency Relief*
2 *Protection Act*”, to avoid disruption of school classes and lessen the use of school buildings and
3 facilities as evacuation centers.

4 The LGUs shall immediately compensate said schools used as evacuation centers. The
5 schools may seek compensation for renovation, replacement, or repair of damaged facilities for
6 such use.

7 SECTION 38. *Multi-Hazard Early Warning and Risk Communication Standards.* –

8 (a) There shall be a streamlined policy governing early warning systems and risk
9 communication protocols to ensure effective and efficient measures to prepare for, respond to and
10 recover from potential risks and disasters.

11 (b) The Department shall formulate and implement multi-hazard early warning protocols
12 integrating all disaster preparedness systems in collaboration with local executives, community-
13 based organizations, civil society organizations, and other non-governmental organizations for
14 proper use and application.

15 SECTION 39. *Early Warning Mandate.* –

16 (a) The Department shall issue an integrated early warning alert for the impending occurrence of hazards
17 that will enable the public to prepare timely and act appropriately to minimize potential harm or loss.

18 (b) The Department shall require mobile phone service providers to send out alerts at regular intervals in the
19 event of an impending natural hazard, in accordance with Republic Act No. 10639, otherwise known as the “Free
20 Mobile Disaster Alerts Act”.

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

25 (d) Any person who transmits early warning concerning the above-mentioned phenomena
26 by means of signs in designs, colors, lights, or sound shall do so in compliance with the methods
27 recognized or approved by the Department.

28 (e) The Department at the national and local level shall use an integrated early warning
29 system to ensure it is consistent and locally contextualized with the communication protocol and
30 safe evacuation procedure of the affected communities.

31 (f) The Department shall work with other agencies or organizations on pre-crisis
32 information mapping of the humanitarian needs of at-risk communities that will enhance the
33 overall prepositioning of resources at the national and local level.

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

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ARTICLE XI

DISASTER RESPONSE AND EARLY RECOVERY

SECTION 40. *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 Department.

The declaration and lifting of the state of 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 through the Department, the LDRO may seek from the local legislative body or *Sanggunian*, the declaration of a state of imminent disaster to enable the local executives to implement pre-emptive evacuation and precautionary measures to save lives and minimize damage to property, loss and disruption of livelihood that require the use of funds and resources under the LDRF.

SECTION 41. *Levels of Responsibility for Disaster Preparedness and Response.* – The primary responsibility for disaster preparedness and response shall be exercised at the local or national level, as applicable, in close and seamless collaboration with the relevant national government instrumentalities, non-government stakeholders, and international partners. The four levels of responsibility and the conditions that warrant each are as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1: City or Municipality	Lead Official: Mayor of the affected city or municipality Support: City or Municipal Disaster Resilience Officer	If a disaster affects a single city or municipality
Level 2: Province	Lead Official: Provincial Governor of the affected province Support: Provincial Disaster Resilience Officer Municipal and/or City Mayors concerned Municipal and/or City Disaster Resilience Officers concerned	If a disaster affects two or more municipalities or cities within a province
Level 3: Region	Lead Official: Regional Director, DDR Support: Governors of affected provinces	If a disaster affects two or more provinces within a region (except for the National Capital Region)

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
	Concerned Provincial Disaster Resilience Officers	
Level 4: National	Lead Official: Secretary of Disaster Resilience (SDR) Support: Governors concerned Disaster Resilience Officers concerned	a. If a disaster affects at least two (2) regions; b. When the LGU is unable to effectively cope with the risk and/or impact of a hazard; or c. When the President directs a Level 4 response or declares a state of calamity.

SECTION 42. *Disaster Preparedness and Response in the NCR.* When at least two cities and/or municipality in the NCR are affected, the SDR shall be responsible for leading the disaster preparedness and response efforts, in collaboration with the affected LGUs, the MMDA, and the concerned government instrumentalities and non-government stakeholders.

SECTION 43. *Inter-Local Government Assistance.* LGUs are hereby authorized to extend the necessary assistance to another LGU, whether through funding or donation of goods and services, and conducting disaster preparedness and response operations, to help save lives and minimize damage to property. These include the pre-positioning and provision of basic goods, training of first responders, among others, subject to the accounting and auditing rules to be defined in the IRR of this Act.

SECTION 44. *Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector.* – The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the list of volunteers to the Department, through the LDROs, for accreditation and inclusion in the database of community disaster volunteers.

A national roster of ACDRVs 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 Department. Any volunteer who incurs death or injury while engaged in any of the activities defined under this Act shall be entitled to compensatory benefits and

individual personnel accident insurance as may be defined in the IRR.

SECTION 45. *Reporting of Humanitarian Assistance.* – The concerned local government unit shall submit a report to the Department, taking into account all domestic or international humanitarian assistance received and distributed within its area of responsibility.

ARTICLE XII
HUMANITARIAN ASSISTANCE

SECTION 46. *Management of Humanitarian Assistance.*

(a) The Department shall have the power to receive and manage humanitarian assistance from any person or entity, whether from local or international sources.

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

SECTION 47. *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.

SECTION 48. *Assessment of the Need for International Humanitarian Assistance.* –

(a) Immediately after the declaration of a state of calamity by the local *Sanggunian* of the relevant local government unit or by the Department, as the case may be, the Department shall determine 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, at the discretion of the President, prior to the onset of an imminent disaster.

(b) In the event of a determination by the Department 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 reviewed and rescinded by the Department, with the approval of the President, at any time, in light of prevailing circumstances and available information.

SECTION 49. *Humanitarian Assistance Action Center.* – The Department shall create an inter-agency one-stop shop mechanism called the Humanitarian Assistance Action Center (HAAC) for the processing and release of entry and facilitation of goods, articles or equipment and services

1 and international relief workers for the provision of international humanitarian assistance and the
2 processing of necessary documents for assisting international actors.

3 The Department shall lead and manage the HAAC, which shall be composed of the
4 following:

- 5 (a) Bureau of Customs;
- 6 (b) Department of Foreign Affairs;
- 7 (c) Department of Social Welfare and Development;
- 8 (d) Department of Health;
- 9 (e) Food and Drug Administration;
- 10 (f) Department of Agriculture;
- 11 (g) Department of Energy;
- 12 (h) Department of National Defense;
- 13 (i) Philippine National Police;
- 14 (j) Philippine Coast Guard; and
- 15 (k) Bureau of Immigration.

16
17 SECTION 50. *Request for International Humanitarian Assistance.* –

18 (a) In cognizance of the urgency, criticality and intensity of an imminent risk, the Department
19 shall issue a flash appeal to the family of nations, under regional and multilateral conventions, for
20 assistance in preparedness, including preemptive measures, search, rescue, and retrieval, relief,
21 recovery, and reconstruction.

22 (b) The President may request international humanitarian assistance, upon the advice of the
23 Secretary. Such request may be specifically directed to particular assisting international actors or
24 may be a general request directed to the international community.

25 SECTION 51. *Regulation of Humanitarian Assistance.* –

26 (a) The Department shall ensure the efficient and effective monitoring of humanitarian assistance
27 from domestic or international donors, establish and operate a platform, including an online platform,
28 to facilitate, and provide public access to information on donations.

29 (b) The Department shall include in the IRR of this Act guidelines and accountabilities on the
30 receipt, management, distribution, accounting, and reporting of all humanitarian assistance, whether
31 in cash or in kind, consistent with the rules on the use of foreign and local aid during calamities and
32 disasters issued by the COA and other relevant government agencies.

33
34 **ARTICLE XIII**

35 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE**
36 **TO FOREIGN STATES**

37 SECTION 52. *Offer and Facilitation of International Humanitarian Assistance to Foreign*
38 *States.* In the event of a disaster occurring in a foreign state for which international humanitarian

1 assistance is required, the Department, in coordination with the DFA, may offer, facilitate, provide,
2 and deploy international humanitarian assistance to said foreign state, which shall be subject to
3 guidelines to be promulgated by the Department for the purpose.

4 SECTION 53. *Accreditation.* – The Department, in coordination with relevant government
5 agencies and organizations, shall provide and facilitate the necessary training and accreditation to the
6 respective government personnel to be deployed for such offer, facilitation and provision of
7 international humanitarian assistance to a foreign state.

8
9 **ARTICLE XIV**
10 **RECOVERY**

11 SECTION 54. *Standards for Recovery.* – The Department shall observe internationally
12 accepted standards for recovery, planning, programming and implementation of the recovery
13 process. Towards this end, the Department shall:

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

27
28 **ARTICLE XV**
29 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**

30 SECTION 55. *Declaration of State of Calamity.* A state of calamity may be declared when
31 any of the following requisites are present:

- 32 a. A natural hazard, including climate change, poses imminent threat to human life and
33 danger to property; or
- 34 b. A significant impact is caused by a natural hazard or climate change, which demands
35 immediate action.

36 The following shall exercise this power, respectively:

- 37 a. The President, upon recommendation of the SDR, whether in whole or part of an area;

- b. The SDR, upon recommendation of the RDRO, for disasters covering two or more provinces of the same region; and
- c. The local *Sanggunian*, upon recommendation of the concerned local disaster resilience office, within its jurisdiction.

SECTION 56. *Remedial Measures under State of Calamity.* – Upon the declaration of a state of calamity, the following remedial measures shall be immediately undertaken by concerned government agencies at the national and local levels:

- a) Imposition of price ceiling on basic necessities and prime commodities by the Price Coordinating Council (PCC), as provided for under Republic Act no. 7581, otherwise known as the “*Price Act*”, as amended;
- b) Monitoring, prevention and control by the Local Price Coordination Council of overpricing or profiteering and hoarding of prime commodities, medicines and petroleum products;
- c) Programming or reprogramming of funds for the repair of critical facilities or public infrastructure that are vital for the quick delivery of humanitarian assistance, to reduce further threat to lives and arrest further deterioration of properties and loss of livelihoods in the affected communities, following the “build forward better” principle;
- d) Grant of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals;
- e) Local tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected local government unit; and
- f) Use of alternative modes of procurement under Article XVI of this Act, by the Department, LGUs or the relevant government instrumentalities in relation to the urgent procurement of emergency works, goods or services to effectively respond to, quickly recover from disasters, and build forward better.

ARTICLE XVI

PROCUREMENT

SECTION 57. *Procurement.* In general, the procurement rules provided under Republic Act No. 9184, otherwise known as the “*Government Procurement Reform Act*”, shall apply. However, alternative modes of procurement as provided in this Act may be resorted to by the Department, RDROs, or LGUs in any of the following emergency situations:

- a) There is imminent danger to life or property during a state of calamity, as provided under this Act, and the procurement is necessary to avert or reduce such danger to life or property; or
- b) The procurement is necessary to restore vital public services, infrastructure facilities and other public utilities; or

- 1 c) Time is of the essence in implementing a project, program or activity to effectively respond
2 to a disaster and save lives; or
3 d) There are other circumstances that require immediate procurement necessary to prevent
4 damage to or loss of life or property.

5 SECTION 58. *Alternative Modes of Procurement.* During emergency situations as provided
6 under this Act, the Department, RDROs or LGUs may resort to the following modes of procurement:

- 7 a) Direct negotiation under Republic Act No. 9184, otherwise known as the “*Government*
8 *Procurement Reform Act*”, and its implementing rules and regulations;
9 b) Simplified or pre-arranged contracts such as, among others, pre-signed agreements, stand-
10 by contracts, pre-arranged systems of procurement with a pre-approved list of contractors
11 for construction projects, pre-negotiated contracts, advanced procurements contracts, and
12 framework contracts. The parameters, requirements and conditions for these types of
13 contracts shall be defined in this Act’s IRR.

14 SECTION 59. *Special Rules on Procurement for Reconstruction and Rehabilitation of*
15 *Affected Areas.* – (a) The Department, with the assistance of, or in collaboration with, relevant
16 government agencies, shall create special rules on procurement for services, goods, and materials to
17 be used for reconstruction and rehabilitation efforts in case of a natural disaster, including but not
18 limited to, the construction of post-disaster shelters and provision of service contracts, to ensure the
19 procurement of quality-oriented goods, materials, and equipment and to guarantee effective, efficient,
20 and speedy procurement to achieve the goals of this act.

21 (b) In case of procurement of services, goods, or materials for reconstruction and
22 rehabilitation efforts, whether from local or international sources, the Department and the relevant
23 government agencies shall provide less bureaucratic restrictions, more flexible procurement policies,
24 or exemption from, or reduction of, customs duties.

25 SECTION 60. *Procurement from Qualified Suppliers or Contractors.* – As an exception to
26 the provisions of Republic Act No. 9184, otherwise known as the “*Government Procurement Reform*
27 *Act*”, and its implementing rules and regulations, the Department shall have the power to procure
28 goods and services from either local or foreign suppliers or contractors for purposes of implementing
29 programs, projects, and activities related to disaster resilience and disaster management. The
30 conditions, limitations, application processes, eligibility requirements and assessment criteria for
31 local and foreign suppliers and contractors shall be provided in this Act’s IRR.

32 SECTION 61. *Pre-Arranged Contracts or Agreements with Private Sector Entities.* –
33 Notwithstanding Republic Act No. 9184, otherwise known as the “*Government Procurement Reform*
34 *Act*”, the Department shall have authority to enter into pre-arranged or contingency contracts or
35 agreements with private sector entities for the purpose of, among others, establishing, a logistics
36 system for the efficient and prompt distribution of goods, equipment or other materials required for
37 disaster response and management; securing food, medicines, fuel, or other supplies from groceries,
38 pharmacies, gas stations or other sources in the event of a disaster in a specific area; ensuring an

alternative source of power or water from private utilities in the event of a disaster in a specific area; or other arranging the immediate supply of other goods, services or equipment necessary for disaster response and management. The conditions, limitations and parameters of contracts or arrangements authorized under this Section shall be provided in this Act's IRR.

SECTION 62. *Other Procurement Rules and Policies.* – In view of the urgency and avoid unnecessary delays to procure goods, services, and implement projects for the purpose of providing responsive, effective, and efficient rescue, recovery, relief, and rehabilitation efforts for, and to continue the provision of basic services to, disaster victims or disaster-affected areas, the DBM and GPPB shall issue appropriate resolutions, orders, and policies to effectively implement the provisions of this Act.

SECTION 63. *Government Accounting and Auditing Policies.* – The COA shall review, align, and issue policies or rules to improve the efficiency and expediency of procurement and audit processes for programs and projects related to disaster resilience and management.

ARTICLE XVII

SPECIAL RULES ON BORROWINGS AND TAXES

SECTION 64. *Rules on Borrowing.* The LGUs shall access foreign financing, through the DOF, Bangko Sentral ng Pilipinas (BSP), and other relevant agencies, as applicable, to implement disaster prevention, mitigation, early recovery, and rehabilitation measures at the provincial, city, or municipal level.

SECTION 65. *Special Rules on Tax and Duties.* To facilitate prompt, efficient and effective response to, recovery from disasters, and building forward better in disaster-affected areas, the following shall be granted special exemptions from existing taxation laws, rules, and regulations:

- a. Exemption from taxes and import duties for foreign disaster assistance or international donations coursed through the Department;
- b. Exemption from donor's tax and allowing the treatment of donations as a deductible expense for local disaster assistance coursed through the Department;
- c. Exemption from the Value Added Tax (VAT) for goods or services donated from abroad as coursed through the Department;
- d. Tax incentives to encourage members of the private sector to render aid or provide disaster assistance, and/or to invest in disaster resilience and climate change adaptation and mitigation measures for their residences, communities and/or businesses.

1 LGUs may also implement local tax rules that would grant disaster victims reasonable
2 reduction, exemption, or deferment of local taxes or other types of tax assessments; or take other
3 necessary action at the local level to provide tax relief to disaster victims.

4
5 SECTION 66. *Custom Duties and Tariffs on Donations.* The BOC shall create rules that
6 would, among others, hasten the processing and release of donated goods and equipment to disaster
7 victims and/or affected areas.

8
9 SECTION 67. *Economic Recovery and Development of Disaster-Prone Areas.* The
10 Department, in coordination with the Department of Trade and Industry (DTI) and other relevant
11 agencies, shall craft policies, and implement the necessary programs and projects to stimulate
12 economic activities and encourage investments to assist disaster-affected areas develop or recover
13 faster, as applicable.

14
15 The Department, in collaboration with the relevant LGUs and other stakeholders, shall
16 likewise establish dual purpose structures in disaster-affected areas, such as, among others,
17 community agricultural centers, classrooms, and water harvesting tanks to develop and promote
18 investments in disaster-prone or affected areas.

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20
21 **ARTICLE XVIII**

22 **PROHIBITED ACTS AND PENALTIES**

23 SECTION 68. *Prohibited Acts.* – Any public official, private person, group or corporation
24 who commits any of the following prohibited acts shall be held liable and be subjected to the
25 criminal and administrative penalties as provided for in Section 71 of this Act, without prejudice
26 to the imposition of other criminal, civil and administrative liabilities under existing laws.

27 a) *Prohibited Acts of Public Officials.* – The following acts, if committed by
28 public officials without justifiable cause, shall be considered as gross neglect of duty:

- 29 (1) Dereliction of duties that leads to destruction, loss of lives, critical damage of
30 facilities and misuse of funds;
- 31 (2) Failure to enforce laws, standards, or regulations such as the National Building Code,
32 Solid Waste Management Act, Water Code, and other relevant laws, leading to
33 destruction, loss of lives, and/or critical damage of facilities;
- 34 (3) Failure to create a functional LDR Office within six (6) months from the approval of
35 this Act;
- 36 (4) Failure to appoint a permanent local disaster resilience officer within six (6) months
37 from approval of this Act;
- 38 (5) Failure to prepare and implement a Contingency and Adaptation Plan for hazards

- frequently occurring within their jurisdictions;
- (6) Failure to formulate and implement the LDRP with the corresponding budget allocation; and
- (7) Sexual exploitation and abuse and other forms of sexual misconduct on the affected population or at-risk communities.
- b) *Prohibited Acts of Public Officials and Private Persons or Institutions.* –
- (1) Delay, without justifiable cause in the delivery, proper handling or storage of aid commodities, resulting to damage or spoilage;
- (2) Withholding the distribution of relief goods due to (i) political or partisan considerations; (ii) discrimination based on race, ethnicity, religion, or gender; and (iii) other similar circumstances;
- (3) Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams or experts;
- (4) Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other and commodities, which are intended for distribution to disaster-affected communities;
- (5) Buying, for consumption or resale, from the recipient disaster-affected persons any relief goods, equipment or other aid commodities received by them;
- (6) Selling of relief goods, equipment or other aid commodities, which are intended for distribution to disaster victims;
- (7) Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;
- (8) Diverting or misdelivery of relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;
- (9) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to him or her;
- (10) Misrepresenting the source of relief goods, equipment or other aid commodities by:
- i. Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;
 - ii. Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency, person, or persons; and
 - iii. Making false verbal claim that the goods, equipment or other and commodity in its untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency, person, or persons;

- (11) Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;
- (12) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the Department;
- (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 processing of any of the equipment, accessories and other vital facility or items or any part thereof;
- (15) Selling or buying stolen equipment, accessories, and other vital facility 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 above-mentioned prohibited acts; and
- (18) Benefitting from the proceeds or fruits of any of the above-mentioned prohibited acts knowing that the proceeds or fruits are derived from the commission of said prohibited acts.

SECTION 69. *Penalties.* – Any individual, corporation, partnership, association or other juridical entity that commits any of the prohibited acts in the preceding section shall be made liable for the following:

- (a) The penalty of 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 (Php1,000,000.00) but not more than Three Million Pesos (Php3,000,000.00), or both imprisonment and fine at the discretion of the court shall be imposed upon any person found guilty of violating subsections (a)(1) to (b)(18) of the preceding section, as well as the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of the prohibited acts;
- (b) The penalty of 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 (Php 500,000.00) but not more than One Million Pesos (Php 1,000,000.00), 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) The penalty of 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 (Php 200,000.00) but not more than Five Hundred Thousand Pesos (Php 500,000.00), 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 in the preceding section, in violation of subsection (b)(18) thereof;

- 1 (d) Aside from the penalty of fine or imprisonment or both, perpetual disqualification from
2 public office shall be imposed if the offender is a public officer, and confiscation or
3 forfeiture in favor of the government of the objects and the instrumentalities used in the
4 commission of any of the prohibited in the preceding section;
- 5 (e) If the offender is a corporation, partnership or association, or other juridical entity, the
6 penalty shall be imposed upon the officer or officers of the corporation, partnership,
7 association or entity responsible for the violation without prejudice to the cancellation
8 or revocation of these entities' registration, license or accreditation issued to them by
9 any licensing or accredited body of the government. If such offender is an alien, he or
10 she shall, in addition to the penalties prescribed in this act, be deported without further
11 proceedings after service of sentence;
- 12 (f) Payment of the full cost of repair or replacement of the government risk reduction and
13 preparedness equipment, accessories and other vital facility items, or any part thereof,
14 which is the object of the crime shall likewise be imposed upon any person who shall
15 commit any of the prohibited acts in the preceding Section; and
- 16 (g) The prosecution for offenses set forth under the preceding section shall be without
17 prejudice to any criminal liability for violation of Republic Act No. 3815, as amended,
18 otherwise known as the "*Revised Penal Code*", and other existing laws, as well as the
19 imposition of applicable administrative or civil liabilities.
- 20

21 SECTION 70. *Liability for Unlawful Performance of Duties and State Liability in case of*
22 *Defense Litigation.* In case a lawsuit is filed against any personnel of the Department as a result of
23 the performance of his or her duties, and such performance was found to be lawful, he or she shall
24 be reimbursed by the Department for reasonable costs of litigation. For this purpose, the
25 Department is authorized to procure applicable liability insurance for its officers and employees.

26

27 SECTION 71. *Disciplinary powers of the President.* The President, subject to the
28 recommendation of the Department Secretary and the Department of the Interior and Local
29 Government (DILG), shall have the power to impose administrative sanctions against local chief
30 executives and barangay officials for willful or negligent acts that relate to the implementation of,
31 or compliance with, this Act and its IRR or relating to their official functions, which adversely
32 affect disaster resilience projects such as, but not limited to, delayed issuance of permits or failure
33 to implement local ordinances.

34

35 **ARTICLE XIX**

36 **DISASTER RESILIENCE FUND**

37 SECTION 72. *Appropriations and Management of Disaster Resilience Fund.* The budget of
38 the Department shall be composed of the following, which shall be collectively called the Disaster

1 Resilience Fund:

- 2 a. Annual General Appropriations – shall provide the funding requirements for, among others,
3 research, operations, maintenance, plans, and programs of the Department of Disaster
4 Resilience, including, but not limited to, establishment of evacuation centers, retrofitting of
5 structures, establishment of emergency operating centers, and implementation of other
6 disaster risk reduction projects.
- 7 b. Disaster Contingency Fund – shall be in a lump-sum form to provide funds in case of
8 imminent hazards or actual disasters for, among others, immediate response, relief and
9 quick recovery measures for disaster-affected areas.
- 10 c. Rehabilitation and Recovery Fund – shall provide the funding requirements for
11 rehabilitation and reconstruction projects of disaster-affected areas such as public
12 classrooms, government buildings, public hospitals, permanent shelters and livelihood
13 programs.

14
15 The Disaster Resilience Fund shall be managed by the Department to finance its operations,
16 and disaster risk reduction, disaster preparedness, response, recovery, rehabilitation, and building
17 forward better programs, projects and activities formulated at the national level.

18
19 SECTION 73. *Continuing Appropriations.* The unutilized balances from the Disaster
20 Contingency Fund, and Rehabilitation and Recovery Fund shall be treated as Continuing
21 Appropriations, which may be used to finance the cost of projects, programs, and activities even
22 when such costs are incurred beyond the fiscal year of the GAA from which such funds were
23 appropriated.

24
25 SECTION 74. *Fund Regulations.* The DBM and COA shall establish rules and regulations
26 that apply specifically to the Disaster Resilience Fund to ensure that funds required for disaster
27 response, recovery, and rehabilitation are available and/or released efficiently and expeditiously
28 through innovative budgeting and auditing mechanisms, which may include, among others, providing
29 for longer validity periods for funds or exemption from cash-based budgeting rules; imposing
30 auditing or reporting requirements, which apply specifically to the utilization of the Disaster
31 Resilience Fund.

32
33 SECTION 75. *Local Disaster Resilience Fund and Local Disaster Contingency Fund.* LGUs
34 shall annually set aside not less than ten percent (10%) of their local budget, to constitute a Local
35 Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to maintain and operate its local
36 disaster resilience office to maintain its officers, employees and staff, and to implement plans,
37 programs and activities under its LDRP. Thirty percent (30%) of the LDRF shall be set aside as
38 Local Disaster Contingency Fund (LDCF), which shall be used for disaster response and quick

1 recovery measures. Nothing contained in this Act shall prevent LGUs from providing additional
2 funding or allocating additional resources for disaster resilience activities, plans and programs within
3 their jurisdiction.

4
5 SECTION 76. *Supplemental LDRF.* The Department may allocate and disburse funds to
6 supplement an LGU's LDRF based on the parameters and requirements indicated in the IRR. In
7 determining such parameters and requirements, the IRR shall aim to provide supplemental funds to
8 LGUs with low income and/or high exposure to natural hazards. Supplemental LDRFs shall, as much
9 as possible, fill gaps or shortages in LGU resources to ensure that LGUs can implement disaster
10 resilience measures such as, among others, implementing their LDRP/Provincial LDRP, establishing
11 their local disaster resilience offices, obtaining and/or maintaining the necessary equipment and staff
12 in their local disaster resilience offices, and implementing the NDRF and NDRPIP at the local levels.

13
14 SECTION 77. *People's Survival Fund.* The Department shall manage and administer the
15 People's Survival Fund, created under Republic Act no. 10174, and facilitate its utilization by LGUs,
16 through RDROs, to implement climate change adaptation and mitigation projects of LGUs and
17 enhance the climate resilience of vulnerable communities.

18
19 SECTION 78. *Multi-Donor Trust Fund.* The Department shall create and manage, together with
20 the Bureau of Treasury, a Multi-Donor Trust Fund for the processing, releasing and accounting of
21 money and other similar resources intended for disaster assistance. The Department shall establish a
22 system to ensure transparency in the management and use of the Multi-Donor Trust Fund.

23
24 SECTION 79. *Financial Administration.* The Department shall manage all funds appropriated
25 to it by Congress and received from other sources. The Department shall also manage all donations
26 received by it, subject to the auditing powers of the COA.

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

29
30 **ARTICLE XX**

31 **SPECIAL COURTS AND INJUNCTIONS**

32 SECTION 80. *Special Courts on Disaster Resilience Matters.* To ensure the prompt and
33 expeditious resolution of disputes relating to disaster response, recovery or rehabilitation measures,
34 the Supreme Court shall designate special courts to hear, try, and decide cases arising from the
35 following, among others:

36
37 (a) Expropriation, eminent domain or right-of-way issues related to the implementation of

- 1 disaster resilience projects;
- 2 (b) Failure to comply with standards for disaster risk reduction and continuity planning,
- 3 including, but not limited to, infrastructure standards and designs;
- 4 (c) Commission of prohibited acts under Article XVIII of this Act; and
- 5 (d) Disputes involving donations, relief goods, or contracts executed or implemented
- 6 pursuant to the provisions of this Act.

7

8 SECTION 81. *Dispute Resolution Mechanisms.* The Department shall establish a Disaster

9 Resolution Board, which shall resolve disputes involving administrative matters related to:

- 10
- 11 (a) Accreditation or denial of accreditation of disaster resilience training institutions, trainers,
- 12 instructors, donors, volunteers, and Assisting Domestic or International Actors;
- 13 (b) Decisions of the RDROs;
- 14 (c) Contracts entered into by the Department or any of its agents pursuant to the provisions
- 15 of this Act; and
- 16 (d) Other administrative matters or issues as may be determined by the Department.

17

18 The composition, structure, and other organizational matters related to the DRB shall be

19 defined and provided in this Act's IRR.

20

21 SECTION 82. *Imposition of Temporary Restraining Order.* No Court, except the Supreme

22 Court, shall have the power to issue an injunction or a temporary restraining order against any action

23 taken or projects implemented by the Department or its agents pursuant to this Act.

24

25 **ARTICLE XXI**

26 **FINAL PROVISIONS**

27 SECTION 83. *Transfer of Functions.* The following are hereby transferred to the Department:

- 28
- 29 a. All the functions of the Climate Change Commission (CCC);
- 30 b. Natural disaster-related functions of the National Disaster Risk Reduction and
- 31 Management Council (NDRRMC) and the Office of Civil Defense (OCD); and
- 32 c. Natural disaster-response functions of the Department of Social Welfare and
- 33 Development (DSWD).

34 Accordingly, the CCC and NDRRMC are hereby abolished.

35 The DILG, DND, DSWD, and other relevant government instrumentalities, including the

36 AFP, BFP, PNP, PCG, and OCD, shall continue to perform their functions related to the

37 management of human-induced disasters, as provided for by existing laws.

1 SECTION 84. *Transfer of Resources.* The transfer of powers and functions listed above shall
2 include the corresponding funds and appropriations, plantilla positions, data, records, equipment,
3 facilities, properties and other resources of the concerned government instrumentalities. The
4 Department shall have the power to reorganize or reallocate these resources and positions, as may
5 be necessary to attain the goals and objectives of this Act.

6 SECTION 85. *Program Management Office for the Earthquake Resiliency of the Greater*
7 *Metro Manila Area.* The Program Management Office for the Earthquake Resiliency of the Greater
8 Metro Manila Area (PMO-ERG), as created pursuant to, and mandated by Executive Order no. 52,
9 s. 2018, shall be attached to the Department and be authorized to implement earthquake resiliency
10 programs, projects, and activities, as it may deem necessary to carry out its mandate and attain its
11 overall goals. The Head of the PMO-ERG shall report directly to the SDR.

12 SECTION 86. *Post-Disaster Shelters.* The Department shall establish a post-disaster shelter
13 recovery policy framework for low-income/informal settler families, with the assistance of the
14 appropriate housing agencies and the applicable LGUs. It shall determine, among others, the
15 appropriate shelter modalities depending on the following phases: emergency, temporary or
16 transitional, and permanent. The Department shall likewise identify, assess, and decide on safe zones
17 for the implementation of recovery or rehabilitation projects.

18 SECTION 87. *Cultural Heritage.* To protect, preserve, and promote the nation's historical
19 and cultural heritage, the Department shall assist the relevant cultural and heritage agencies and the
20 appropriate LGUs to give priority protection and restoration to all national cultural treasures or
21 national historical landmarks, sites, or monuments in post-disaster recovery or rehabilitation
22 measures.

23 SECTION 88. *Indigenous People.* The Department, with the assistance of the National
24 Commission on Indigenous Peoples (NCIP) and the applicable LGUs, shall devise and implement
25 mechanisms that foster social protection for indigenous communities that are vulnerable to the
26 effects of natural disasters.

27 The Department shall ensure respect for, and protection of, the traditional resource right of
28 the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs) to their ancestral domains, and
29 recognize the customary laws and traditional resource use and management, knowledge, and
30 practices in ancestral domains.

31 In ancestral domains that are disaster-prone, the Department, with the assistance of the NCIP
32 and applicable LGUs, shall create an Ancestral Domain Disaster Management and Resiliency Plan.
33 It shall likewise properly communicate and explain information on disaster risks in ancestral
34 domains with the concerned ICCs/IPs and, as much as possible, engage such ICCs/IPs in jointly
35 formulating a disaster resiliency plan for their ancestral domain.

36 SECTION 89. *Incentives Program.* The Department shall establish an incentives program that

1 recognizes the outstanding promotion and implementation by local disaster resilience offices, CSOs,
2 academe, and other institutions of disaster resilience programs and projects, and the meritorious acts
3 of individuals or entities during natural disasters.

4 SECTION 90. *Structural audit of government buildings and critical infrastructure.* The
5 Department shall be assisted by the DPWH, DOTr, Department of Energy (DOE), DOH, DepEd,
6 DICT, DILG, local building officials, and other relevant government instrumentalities and
7 stakeholders, in ensuring the effective and expeditious conduct of structural audit, as often as
8 necessary, on government buildings, critical infrastructure, and private structures to attain the
9 disaster risk reduction goals of this Act.

10 SECTION 91. *Transitory Provision.* The functions, assets, funds, equipment, properties,
11 transactions, and personnel of the affected and transferred agencies, and the formulation of the
12 internal organic structure, staffing pattern, operating system, and revised budget of the Department,
13 shall be completed within one (1) year from the effectivity of this Act, during which time the existing
14 personnel shall continue to assume their posts on holdover capacity. The Department, in
15 collaboration with the DBM, shall come up with its Organizational Structure and Staffing Pattern,
16 both of which shall be approved within thirty (30) days from the effectivity of this Act.

17 The Secretary of National Defense shall serve as the interim SDR until such time that the
18 SDR has been appointed and taken the oath of office. Upon assumption to duty, the SDR shall make
19 use of the existing structure, systems, and personnel in responding to natural hazards and disasters
20 within the transition period.

21 In accordance with Section 12 of this Act and the critical importance of attracting the most
22 competent and dedicated personnel to the Department, suitable and qualified career personnel from
23 the NDRRMC-OCD, DSWD, and the CCC, as defined by the CSC and other pertinent rules, may
24 be absorbed by the Department. The system and mechanics for this shall be defined in the IRR of
25 this Act.

26 SECTION 92. *Magna Carta Benefits.* – Qualified employees of the Department, including
27 those of its attached agencies, shall be covered by and entitled to the benefits under Republic Act
28 No. 8439, otherwise known as the Magna Carta for Scientists, Engineers, Researchers and other S
29 & T Personnel in the Government, and Republic Act No. 7305, otherwise known as the Magna Carta
30 of Public Health Workers.

31 SECTION 93. *Hazard Pay.* All personnel of the Department and the local disaster resilience
32 offices are entitled to receive hazard pay, subject to the guidelines to be set forth in the IRR of this
33 Act.

34 SECTION 94. *Separation Benefits of Officials and Employees of Affected Agencies.* National
35 government employees displaced or separated from service as a result of this Act shall be entitled to
36 either separation pay and other benefits in accordance with existing laws, rules, or regulations, or be
37 entitled to avail themselves of the privileges provided under a separation plan that shall be one and

1 one-half month salary for every year of service in the government.

2 In no case shall there be any diminution of benefits under the separation plan until the full
3 implementation of this Act. With respect to employees who are not retained by the Department, the
4 government, through the Department of Labor and Employment, shall endeavor to implement
5 training, job counseling, and job placement programs.

6 SECTION 95. *Appropriations.* – The amount necessary for the initial implementation of this
7 Act shall be taken from the current fiscal year’s unexpended and unobligated appropriations of all
8 agencies herein absorbed, transferred, and attached to the Department. Thereafter, the amounts
9 necessary for the operation of the Department and the implementation of this Act shall be included
10 in the annual General Appropriations Act.

11 SECTION 96. *Implementing Rules and Regulations.* – The Department, DBM, DND, DOF,
12 DILG, DOST, NEDA, and the PMS shall collectively craft and issue, within ninety (90) days from
13 the effectivity of this Act, the Implementing Rules and Regulations (IRR) for the effective
14 implementation of this Act. They may call upon other relevant government instrumentalities and
15 stakeholders to assist in the crafting of the IRR.

16 SECTION 97. *Joint Congressional Oversight Committee on Disaster Resilience.* – There
17 shall be created a Joint Congressional Oversight Committee on Disaster Resilience to monitor the
18 implementation of this Act. The committee shall be composed of six (6) Members of the House of
19 Representatives and six (6) Senators to be designated by the Speaker of the House of
20 Representatives and the President of the Senate, respectively; *Provided, That*, two (2) Members of
21 the House of Representatives and two (2) Senators shall come from the Minority of their respective
22 houses of Congress. The committee shall be jointly chaired by a Member of the House of
23 Representatives and a Senator designated by the Speaker of the House of Representatives and the
24 President of the Senate, respectively.

25 SECTION 98. *Mandatory Review.* – Within five (5) years after the effectivity of this Act,
26 or as the need arises, the Joint Congressional Oversight Committee on Disaster Resilience shall
27 conduct systematic evaluation of the accomplishments and impact of this Act, as well as the
28 performance of the Department of its mandate and functions, for purposes of determining remedial
29 legislation.

30 SECTION 99. *Interpretation.* Any doubt in the interpretation of any provision of this Act
31 shall be resolved in favor of a liberal interpretation that will fulfill the objectives of this Act,
32 especially in relation to the provision of effective, efficient and timely disaster response,
33 rehabilitation and recovery.

34 SECTION 100. *Separability Clause.* – If any provision of this Act shall be declared
35 unconstitutional or invalid, the other provisions or parts thereof not otherwise affected, shall remain
36 in full force and effect.

37 SECTION 101. *Repealing Clause.* – The provisions of Republic Act no. 10121, Republic
38 Act no. 7160, Republic Act no. 7916, Republic Act no. 9184, and all other laws, decrees, executive

1 orders, proclamations and other executive issuances, which are not consistent with, or contrary to
2 the provisions of this Act, are hereby repealed or amended.

3 SECTION 102. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication
4 in the *Official Gazette* or in a newspaper of general circulation.

5 *Approved,*