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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3490



Introduced by Representative **John Marvin "Yul Servo" C. Nieto**

EXPLANATORY NOTE

As a manifestation of support to this timely piece of legislation, this representation respectfully refiles this bill, which has constantly been receiving support from the senate and the past and present Congress.

During the 17th Congress, the Committees on Government Reorganization and National Defense and Security of the House of Representative approved the bill creating the Department of Disaster Resilience (DDR).

This proposed act is a manifestation of the country's immediate need for a better state of preparedness during times of natural calamities. The destruction of the past typhoons could have been minimized further if we were better equipped with the resources to respond more efficiently during times of natural disasters.

This measure seeks to establish the Department of Disaster Resilience that will be mandated to create and implement policies and programs that aims to reduce risk, educate the country in terms of disaster preparedness and response, and introduce various recovery and rehabilitation systems. It is the hope of this representation that this bill benefits the whole nation towards the development of better strategies during times of disaster, ultimately, improving the country's overall resilience.

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


JOHN MARVIN "YUL SERVO" C. NIETO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 3490

Introduced by Representative **John Marvin "Yul Servo" C. Nieto**

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:

CHAPTER I
GENERAL PROVISIONS

SECTION 1. Short Title - This Act shall be known as the Department of Disaster Resilience Act".

SEC. 2. Declaration of Policies and Principles. - *A. Duties of the State.* The State shall carry out and harmonize the policies on disaster risk and vulnerability reduction and management, environmental management, and climate change adaptation, and sustainable development to uphold the welfare of the people particularly the vulnerable sectors of society.

The State shall uphold its commitment to the achievement of the sustainable development goals specifically, integrating and implementing policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, and develop and implement a holistic disaster risk management at all levels in line with the Sendai Framework for Disaster Risk Reduction 2015-2030.

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

The State shall integrate and accelerate the implementation of the principles, and concepts of climate change, disaster risk and vulnerability reduction contained in the Paris Agreement of the United Nations Framework Convention on Climate Change (UNFCCC), the Sendai Framework for Disaster Risk Reduction 2015-2030, the 2015 Asia-Pacific Economic Cooperation (APEC) Disaster Risk Reduction (DDR)

Framework, the 2030 Agenda for Sustainable Development Goals (SDGS), and the Philippine Development Plan (PDP) 2017-2022 in various phases of policy formulation, development plans and investments, poverty reduction strategies and other development tools, and techniques by all national and local agencies, institutions and instrumentalities of the government to enhance the country's climate change adaptive capacity.

It shall be the duty of the State to:

1. Uphold the people's constitutional right to life and property by minimizing, if not eradicating, the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk and vulnerability reduction and management, and building the resilience of local communities to disasters including climate change impacts, and human induced disasters;
2. Incorporate internationally accepted principles of disaster risk and vulnerability reduction and management, and climate change adaptation, including universal principles and standards for humanitarian assistance, developing and implementing national, regional and local sustainable development and poverty reduction strategies, policies, plans and budgets, as part of the country's commitment to overcome human suffering due to disasters;
3. Ensure a science-based in a whole-of-society approach and bottom up participation, representation, and decision-making in climate-disaster risk governance, risk assessment, risk reduction and risk management, and adopt a comprehensive, integrated, and proactive approach to lessening the socio-economic and environmental impacts of disasters and climate change;
4. Promote and advance the implementation of a comprehensive Disaster Risk and Vulnerability Reduction Plan (DRVPR) that aims to strengthen the capacity of the national government and the local government units (LGUs), together with development partner stakeholders, build the disaster resilience of communities, and institutionalize arrangements and measures for reducing disaster risks, including projected climate risks, and enhance disaster preparedness and response capabilities at all levels;
5. Recognize the role of, and work with international humanitarian and development partners especially those with established presence in the country;
6. Develop, maintain, and ensure the accessibility of climate and geospatial information and services to the public through Open Data, which means data that can be freely used, reused, and redistributed by anyone, subject to limitations on account of national security considerations. This may include the use of impact-based forecast models, and probabilistic hazard maps;
7. Ensure that disaster risk and vulnerability reduction and climate change adaptation measures are gender, disability, and vulnerability sensitive, and culturally sensitive, recognizing indigenous knowledge systems and practices, and respecting human rights;
8. Recognize and strengthen the capacities of LGUs, communities and multiple stakeholders in mitigating and preparing for, responding to, and recovering from the impact of disasters through identification of local risk patterns, and decentralized powers, responsibilities, and resources at the regional and local levels;

- 149 9. Adopt and implement a comprehensive, integrated, efficient and
150 responsive disaster risk and vulnerability reduction program that is
151 incorporated in the development plan at various levels of government
152 adhering to transparency accountability and other principles of good
153 governance within the context of poverty alleviation and environmental
154 protection;
- 155 10. Mainstream disaster risk and vulnerability reduction in government by
156 ensuring risk-informed planning programming. implementation, monitoring
157 and evaluation, and the use of quality management, accountability, and
158 performance systems in measuring and improving the effectiveness and
159 efficiency of disaster risk and vulnerability reduction management processes
160 across all government levels, including those offices which manage peace
161 processes and conflict-resolution approaches, so as to minimize loss of lives
162 and damage to properties and ensure that communities in conflict zones can
163 immediately resume their normal lives at the conclusion of episodes of
164 intermittent conflicts;
- 165 11. Adopt a disaster risk and vulnerability reduction and management
166 approach that is holistic, comprehensive, integrated, and proactive in
167 lessening the socioeconomic and environmental impacts of disasters
168 including climate change, and promote the involvement and participation of
169 all sectors and all stakeholders concerned, at all levels, especially the local
170 Community;
- 171 12. Prioritize the development of disaster prevention and mitigation
172 measures involving all levels of society and government;
- 173 13. Adopt risk sharing and risk transfer mechanisms to ensure the
174 appropriate, efficient, and timely recovery of disaster-stricken communities,
175 especially for the poorest and most vulnerable;
- 176 14. Adhere to the principle of "Build Forward Better" in recovery and
177 rehabilitation efforts by applying sustainable standards, programs,
178 technologies, and techniques which enhance resilience against future
179 hazards;
- 180 15. Recognize and respond to the differentiated concerns and needs of
181 vulnerable groups such as women and girls, children and youth, older
182 persons, persons with disabilities, urban poor, and indigenous peoples with
183 respect to disaster risk reduction and management, at the same time,
184 recognizing their inherent capacities to contribute to resilience;
- 185 16. Create an enabling environment for substantial and sustainable
186 participation of civil society organizations (CSOs), private groups, volunteers
187 and communities, and recognize their contributions to the disaster risk
188 reduction and management efforts of the government;
- 189 17. Ensure the use of advanced science and the most up-to-date
190 technologies in climate change adaptation, disaster risk, and vulnerability
191 reduction and management through engagement, consultation, and
192 employment with a regular department funding of academe or higher
193 education institutions, such as the University of the Philippines Resilience
194 Institute, University of the Philippines Nationwide Operational Assessment of
195 Hazards Center and other scientific research and academic institutions that
196 have a track record and expertise recognized both locally and internationally
197 as well as the capacity to implement the science and engineering
198 requirements necessary for effective climate change adaptation, and disaster
199 risk and vulnerability reduction;

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

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

20. Adopt and manage a mechanism for the effective resolution of climate change, disaster risk, and vulnerability reduction and management related grievances;

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

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

23. Establish and maintain the National Loss and Damage Registry; and

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

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

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

2. Women shall contribute to and participate in effectively managing disaster risk and designing, resourcing, and leading implementation of gender sensitive disaster risk and vulnerability reduction and management policies, plans, and programs;

3. Children and the youth as agents of change shall endeavor to actively contribute to disaster risk and vulnerability reduction, in accordance with legislation, national practice, and educational curricula; disaster risk reduction and management at all levels and processes of disaster risk and

vulnerability reduction and anticipatory adaptation, including data gathering planning, programming, budgeting, implementation, monitoring and evaluation;

4. For citizens having years of knowledge, skills on climate change adaptation and disaster risk reduction and wisdom are invaluable assets to reducing disaster risk, and shall therefore participate in the design of policies, plans and mechanisms, including those for early warning:

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

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

7. Indigenous peoples and Muslim Filipinos, through their practical experience and traditional knowledge, shall contribute to the development and implementation of policies, plans and mechanisms, including those for early warning:

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

9. Farmers and fisher folk shall contribute to the promotion and protection of the environmental resource management that will secure food and nutrition resilience through the integration of disaster risk and vulnerability reduction into sustainable development policies and planning;

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

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

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

13. The media shall take an active and inclusive role at the local, regional, and national levels in contributing to the raising of public awareness and understanding, and disseminate accurate disaster risk. hazard and disaster

information, including on small-scale disasters, in a simple, transparent, easy-to-understand and accessible manner, in close cooperation with national and local authorities; adopt specific disaster risk and vulnerability reduction communication policies; support, as appropriate, early warning systems and life-saving protective measures; and stimulate a culture of prevention and strong community involvement in sustained public education campaigns and public consultations at all levels of society, in accordance with national practices.

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

A. *Adaptation* refers to the 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* refers to any not-for-profit entity established under domestic laws, which is responding to a disaster in the country.

D. *Assisting International Actor* refers to 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. *Build Forward Better* refers to an approach to building and/or reconstructing an area or community, which entails a shift from simple recovery and restoration to safer, more adaptive, resilient, and inclusive communities.

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

G. *Civil Society Organizations (CSOs)* refer to non-state actors whose aims are neither to generate profits nor to seek governing power, but to unite people to advance shared goals and interests. They have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, scientific, religious or philanthropic considerations. CSOs include nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, people's Organizations, social movements, and labor unions.

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

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

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

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

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

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

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

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

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

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

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

S. *Disaster Prevention* refers to the outright avoidance of adverse impacts of hazards. It expresses the concept and intention to

completely avoid potential adverse impacts through action taken in advance such as construction of dams or embankments that eliminate flood risks, land-use regulations that do not permit any settlement in high-risk zones, and seismic engineering designs that ensure the survival and function of a critical building in any likely earthquake.

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

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

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

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

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

Y. *Disaster Risk and Vulnerability Reduction (DRVR)* refers to the concept and practice of reducing potential loss of life, injury, or destroyed or damaged assets or disruption which could occur to a system, society or a community in a specific period of time, determined probabilistically and conditions determined by physical, social, economic and environmental factors or processes which increase the susceptibility of an individual, a community, assets or system to the impacts of hazards through systematic efforts to analyze and reduce the causal factors of disasters all of which contribute to strengthening resilience and therefore to the achievement of sustainable development.

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

a. *Early Warning System* refers to the set of capacities needed to generate and disseminate timely and meaningful warning information

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

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

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

d. *Emergency* refers to unforeseen or sudden occurrence, especially danger, demanding immediate action.

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

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

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

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

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

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

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

l. *Imminent Danger* refers to a situation where, on the basis of official forecasts, a disaster will or is expected to occur in a particular

geographical area and within an estimated period of time, and where necessary preparedness actions or financing are required.

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

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

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

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

q. *Legal Facilities* refer to special entitlements and exemptions that are made available to eligible assisting actors under this Act.

r. *Mitigation* refers to effort to reduce or limit greenhouse gas emissions or enhance greenhouse gas sequestration.

s. *National Continuity Policy* refers to a policy aimed at the development of an organizational culture that has the ability to provide a minimum level of service during interruptions, emergencies, and disasters, and return to full operations quickly.

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

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

v. *Natural Hazard* refers to naturally occurring physical phenomena caused either by rapid or slow onset events which can be geological such as earthquakes, ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity: hydrological and

570 meteorological such as floods, severe winds, typhoons, storm surges,
571 climatological variability such as extreme temperatures, El Niño, La
572 Niña, forest fires, or biological such as disease, epidemics and
573 insect/animal plagues.

574 w. *Open Data* refers to facts and statistics that can be freely used,
575 shared and built-on by anyone, anywhere, for any purpose. These
576 must be available in bulk, should be available free of charge, or at
577 least at no more than a reasonable reproduction cost. The information
578 should be digital, preferably available by downloading through the
579 internet, and easily processed by a computer. These must permit
580 people to use, reuse, and redistribute, intermix with other data
581 providers. These do not allow conditions to be placed on how people
582 can use Open Data, but permit a data provider to require that data
583 users credit them in some appropriate way, clarify if the data have
584 been changed, or that new datasets created using their data are also
585 shared as open data.

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

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

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

601 aa. *Private Sector* refers to private corporations, households, non-
602 profit institutions serving households, and other economic enterprises
603 outside of government.

604 bb. *Public Sector Employee* refers to all persons in the civil service.

605 cc. *Recovery* refers to rehabilitation measures that ensure the ability of
606 affected communities or areas to restore their normal level of
607 functioning by restoring livelihoods and services, reconstructing
608 damaged infrastructures and increasing the communities'
609 organizational capacity.

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

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

621 ff. *Risk Assessment* refers to a methodology which includes risk
622 assessment with mapping to determine the nature and extent of risk
623 by analyzing potential hazards and evaluating existing conditions of

vulnerability that together could potentially have exposed people, property, services, livelihood and the environment on which they depend.

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

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

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

jj. *State of Calamity* refers to a condition involving mass casualty and/or major damage to property, disruption of means of livelihoods, roads, and normal way of life of people in the affected areas as a result of the occurrence of natural or human-induced hazard.

kk. *Sustainable Development* refers to development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

ll. *Vital Facility Items* refer to government risk reduction and preparedness equipment, accessories and other items such as radars, weather forecasting equipment, flood monitoring instruments, seismographs, tsunami warning systems, and automated weather systems.

mm. *Vulnerability* refers to the characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effects of a hazard. Vulnerability may arise from various physical, social, economic, and environmental factors.

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

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

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

qq. *Whole-of-Nation Approach* refers to an approach that seeks to bring about a concerted effort towards national peace and security by

678 creating consensus and understanding of security that is shared not
679 just among core security forces and oversight government institutions,
680 but also by civil society and all the nation's communities.
681 rr. *Youth* refers to those persons aged fifteen (15) to thirty (30) years
682 old, as provided for under Republic Act No. 8044, otherwise known as
683 "Youth in Nation-Building Act".
684

685
686 **CHAPTER II**
687 **DEPARTMENT OF DISASTER RESILIENCE**
688

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

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

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

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

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

708 **A. Risk Reduction**

709 1. Oversee, direct, and undertake programs and projects to identify.
710 assess, prioritize and localize hazards and risks in the country, in
711 consultation with national government agencies, LGUs, communities,
712 and stakeholders that shall be involved in disaster risk reduction
713 efforts;

714 2. Monitor and ensure the integration of disaster risk and vulnerability
715 reduction and management and climate change adaptation policies
716 into national development plans;

717 3. Design and implement an incentive system for greater private and
718 public investment, both local and national, in disaster risk reduction;

719 4. Oversee and ensure the mainstreaming of climate change
720 adaptation and disaster risk reduction in development planning,
721 including disaster-proofing and climate-proofing of land-use plans and
722 the preparation of contingency plans;

723 5. Create an enabling environment for the design of relevant and
724 appropriate risk-sharing and risk-transfer instruments;

725 6. Create an enabling environment that shall promote broader multi-
726 stakeholder participation and integrate climate change mitigation,
727 adaptation, and disaster risk and vulnerability reduction;

- 728 7. Coordinate directly with LGUs and private entities to address climate
729 vulnerabilities and disaster risk assessment (CVDRA) of regions and
730 provinces at the meso-scale, cities and municipalities at the micro
731 scale, and barangays at the meta-scale;
- 732 8. Establish and monitor local and national capacity for disaster risk
733 financing and insurance and other risk transfer strategies in
734 coordination with the Department of Finance (DOF), the Government
735 Service Insurance System (GSIS), and the Land Bank of the
736 Philippines (LBP;
- 737 9. Formulate the National Disaster Resilience Framework, National
738 Disaster Resilience Plan, and the National Continuity Policy;
- 739 10. Oversee and direct the comprehensive implementation of disaster
740 risk reduction and climate change adaptation and mitigation policies,
741 plans, and programs, as embodied in the National Disaster Resilience
742 Framework and National Disaster Resilience Plan;
- 743 11. Coordinate directly with LGUs and private entities to address
744 Disaster Risk Assessment (DRA) of regions and provinces at the meso-
745 scale, cities and municipalities at the micro-scale, and barangays at
746 the meta-scale; and
- 747 12. Review and evaluate local disaster resilience plans and other local
748 plans to ensure their consistency with the Climate-Disaster Resilience
749 Framework and Plan.

750 *B. Disaster Preparedness and Response*

- 751 1. Oversee and maintain a national early-warning and emergency alert
752 system that shall provide accurate, timely, and accessible information
753 to national and local emergency response organizations and the
754 general public;
- 755 2. Coordinate information-sharing and other risk reduction protocols
756 following the principle of interoperability among national government
757 agencies and LGUs;
- 758 3. Establish and maintain a national humanitarian logistics system
759 with a network of warehouses, transport, and resources, including
760 response assets and disaster relief items, such as food and non food
761 items;
- 762 4. Exercise command and control over relevant government agencies,
763 including government-owned and -controlled corporations, the
764 Philippine National Police and other law enforcement agencies, during
765 an imminent or actual disaster. Such command and control shall
766 include the authority to utilize available services, assets, equipment,
767 personnel, facilities, and other resources;
- 768 5. Call on the reserve force, as defined in Republic Act No. 7077,
769 otherwise known as the "Citizen Armed Force or Armed Forces of the
770 Philippines Reservist Act", to assist in relief and rescue operations
771 during disasters;
- 772 6. Work with the private sector and CSOs for assistance with regard to
773 the use of facilities and resources for the protection and preservation
774 of life and property;
- 775 7. Implement pre-disaster risk assessments, to include deployment of
776 rapid assessment teams to gather information for precise actions as a
777 basis for emergency preparedness and humanitarian response;

- 778 8. Organize, train, equip, and maintain a system of response capacity
779 for search, rescue, and retrieval, and the delivery and distribution of
780 relief goods;
- 781 9. Monitor and support LGUs in the management of evacuation
782 centers and ensure the welfare and dignity of internally-displaced
783 persons;
- 784 10. Procure goods and services during emergencies, in accordance
785 with existing emergency procurement rules and regulations;
- 786 11. Issue Special procurement rules and regulations for preparedness,
787 response, and recovery activities, including those prompted by a
788 declaration of a state of calamity or of an imminent disaster, and
- 789 12. Assist in mobilizing the necessary resources to increase the
790 overall capacity of LGUs, specifically those with low income and
791 situated in high-risk areas.
- 792 *C. Rehabilitation and Recovery*
- 793 1. Prepare, organize, lead, implement, and manage post-disaster
794 assessment and recovery and rehabilitation programs, in coordination
795 with the affected LGUs, national government agencies, and other
796 stakeholders;
- 797 2. Implement the cluster approach to expedite reconstruction efforts
798 and orchestrate and serve as the clearinghouse for the participation of
799 assisting actors in such efforts; and
- 800 3. Ensure that the principle of "Build Forward Better" is applied to
801 rehabilitation and recovery efforts.
- 802 *D. Other Powers and Functions*
- 803 1. Provide or designate a secretariat to the Climate Change
804 Commission;
- 805 2. Establish and monitor local and national capacity for climate
806 disaster risk financing and insurance and other risk transfer strategies
807 in coordination with the Department of Finance (DOF), the
808 Government Service Insurance System (GSIS), and the Land Bank of
809 the Philippines (LBP);
- 810 3. Coordinate information-sharing and other disaster risk and
811 vulnerability reduction and climate change adaptation protocols
812 following the principle of interoperability among national government
813 agencies and LGUs before, during, and after a disaster. Administer,
814 oversee, and monitor the utilization of the National Disaster Resilience
815 Fund (NDRF), the Disaster Resilience Support Fund (DRSF) for third
816 (3rd) to sixth (6) class provinces and municipalities, and other grants
817 and donations for disaster risk reduction and management and climate
818 change adaptation, unless otherwise specified;
- 819 4. Receive, administer, mobilize, and monitor and oversee the
820 utilization of the National Disaster Resilience Fund, the Prevention,
821 Mitigation, and Preparedness Fund for third (34) to sixth (6th) Class
822 Provinces and Municipalities, and donations for disaster risk and
823 vulnerability reduction and management and climate change
824 adaptation, unless otherwise specified;
- 825 5. Use of advanced science and technologies in disaster risk reduction
826 and management by engaging, consulting with, employing and
827 regularly funding the academe or higher education and research
828 institutions such as the University of the Philippines Resilience Institute

and the University of the Philippines Nationwide Operational Assessment of Hazards Center or other institutions that have a recognized and credible track record, as well as the capacity to conceptualize and implement the science and engineering requirements necessary for effective climate change adaptation and disaster risk reduction;

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

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

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

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

CHAPTER III

GENERAL WELFARE AND EMERGENCY MEASURES

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

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

SEC. 8. Emergency Measures at the Local Level -

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

B. Emergency measures, including preemptive and forced evacuation, shall be carried out in a manner that is humane, respectful of the dignity and culture of persons, without using disproportionate force, without discrimination, and with conscious attention to the needs of vulnerable and marginalized groups.

C. All measures shall be taken to inform the population, in a manner and language that they can understand, of the need for emergency measures and evacuation for their safety, as well as the location where they will be taken and for how long they

are going to stay there. Adequate evacuation centers and transportation to and from the affected area shall be provided by the local government.

SEC. 9. Hierarchy of Evacuation Measures. -

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

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

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

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

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

B. During evacuation, priority assistance shall be given to the vulnerable groups and persons who willfully comply with the order of forced evacuation.

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

Whenever it becomes necessary, the Department may assume responsibility over the implementation of and directly implement any program or project in anticipation of, during, and in the aftermath of emergencies, hazards and disasters.

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

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

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

SEC. 14. Emergency Arrangements. - The Department shall have the power to negotiate, enter into, institutionalize and coordinate arrangements with any private person or juridical entity for the purpose of ensuring the adequate and prompt availability of all goods and services necessary in anticipation of, during, and in the aftermath of emergencies, hazards and disasters and only when there is imminent danger of loss of lives and/or damage to property.

CHAPTER IV ORGANIZATION AND MANAGEMENT

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

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

- A. Establish and promulgate policies, rules, and regulations for the effective and efficient operation of the Department;
- B. Exercise executive direction over the operations of the Department and administrative supervision over its attached agencies;
- C. Manage the financial and human resources of the Department;
- D. Appoint officers and employees of the Department, except presidential appointees, in accordance with civil service law, rules, and regulations;
- E. Exercise disciplinary authority over officers and employees of the Department in accordance with law;
- F. Coordinate with other government agencies, the private sector, and CSOs on the policies, programs, projects, and activities of the Department, as may be necessary;
- G. Advise the President on the promulgation of executive and administrative issuances and the formulation of regulatory and legislative proposals on matters pertaining to disaster resilience;
- H. Serve as the Vice-Chairperson of the Climate Change Commission (CCC);
- I. In coordination with the Department of Foreign Affairs, represent the Philippines in the climate change negotiations and articulate the national contribution to global, regional, and other inter-governmental disaster risk reduction and humanitarian platforms;
- J. Call upon the AFP and the PNP to render assistance in disaster affected areas; and
- K. Promulgate such rules and regulations and perform other functions as may be necessary or proper to attain the objectives of this Act.

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

- A. The Secretary, as provided for under this Act;

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

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

993 D. Eleven (11) Service Directors who shall head the following Services: the
994 Administrative and Financial Management Service, the Logistics and Resource
995 Management Service, the Operations Service, the Responders Management
996 Service, the Policy Development and Planning Service, the Capacity-Building
997 and Training Service, the Legal Affairs and Compliance Service, the Disaster
998 Risk Reduction Service, the Climate Change Service, the Recovery and
999 Reconstruction Service, and the Strategic Communications Service:

1000
1001 1. The Administrative and Financial Management Service shall provide
1002 the Department with economical, efficient and effective services
1003 relating to human resource management and development, financial
1004 management and general administration services to support civil
1005 defense and disaster risk reduction and management operations and
1006 functions.

1007 2. The Logistics and Resource Management Service shall be
1008 responsible for the efficient and effective management of all the assets
1009 and resources of the Department; the efficient and effective gathering,
1010 maintenance and updating of a database of pertinent assets and
1011 resources belonging to any and all agencies and instrumentalities of
1012 the Government, as well as nongovernment and civic organizations in
1013 support of operational readiness for utilization by the Department; and
1014 the procurement of necessary assets and resources to be maintained
1015 and utilized by the Department.

1016 3. The Operations Service shall be responsible for formulating,
1017 implementing and monitoring the operational plans of the Department
1018 and ensuring its operational readiness, as well as the effective
1019 functional management of the Emergency Management Operations
1020 Center.

1021 4. The Responders Management Service shall be responsible for the
1022 efficient and effective gathering, management, and updating of a
1023 national roster of individuals and groups from the civilian sector,
1024 volunteer organizations, uniformed services and the reserve force in
1025 support of operational readiness for utilization by the Department.

1026 5. The Policy Development and Planning Service shall be responsible
1027 for providing responsive, efficient and effective Services relating to
1028 research, planning, programming, budgeting, project development,

1029 and policy formulation of civil defense and disaster risk reduction and
1030 management projects and activities.

1031 6. The Capacity-Building and Training Service shall be responsible for
1032 building and developing the capacity of the Department's personnel,
1033 civil defense practitioners, communities and other stakeholders.

1034 7. The Legal Affairs and Compliance Service shall provide legal advice
1035 to the Department; interpret laws and rules affecting the
1036 administration and operations of the Department; prepare and review
1037 contracts and instruments to which the Department is a party;
1038 interpret provisions of contracts covering work involving the
1039 Department; and monitor the compliance with regulatory and
1040 reportorial matters involving the Department.

1041 8. The Disaster Risk Reduction Service shall be responsible for
1042 reducing disaster risks through systematic efforts and programs of the
1043 Department to analyze and reduce the causal factors of disasters such
1044 as exposure to hazards, lessening vulnerability of people and property,
1045 wise management of land and the environment, and improving
1046 preparedness and early warning for adverse events which are all
1047 examples of disaster risk reduction.

1048 9. The Climate Change Service shall lead in the development and
1049 mainstreaming of evidence-based climate adaptation and mitigation
1050 policies of the Department through optimum coordination among key
1051 stakeholders towards achieving a climate-resilient and climate-smart
1052 Philippines with healthy, safe, prosperous, and self-reliant
1053 communities.

1054 10. The Recovery and Reconstruction Service shall provide
1055 responsive, efficient and effective services relating to the formulation
1056 of standards for rehabilitation and recovery programs, projects,
1057 activities, and their subsequent implementation.

1058 11. The Strategic Communications Service shall be responsible for the
1059 formulation and implementation of the strategic communications plans
1060 and programs of the Department; serve as the public affairs arm of
1061 the Department tasked with directing, supervising and controlling the
1062 Department's public information programs and activities, as well as
1063 establishing and maintaining rapport with the media and the general
1064 public;

1065 E. Divisions, units and offices as may be created by the Department and
1066 whose officers and employees shall be appointed in accordance with civil
1067 service law, rules, and regulations;

1068 F. The National Climate and Disaster Resilience Research, Education, and
1069 Training Institute under the Capacity-Building and Training Service, to be
1070 headed by a Director with the rank of Director IV;

1071 G. Regional and other field offices of the Department that shall be
1072 established in each administrative region, each to be headed by a Regional
1073 Director with the rank of Director IV;

1074 H. Bureaus that are under the supervision and control of the Department;

1075 I. Seconded personnel from relevant agencies and detailed service from the
1076 uniformed services, as appropriate; and

1077 G. Grievance desks in every region, which shall serve as a referral
1078 mechanism and shall work jointly with relevant agencies, to receive
1079 complaints from the public regarding violations of this Act. It shall assist the

complainant in the gathering of relevant documentation and other evidence to support said complaint. The grievance desk shall facilitate the forwarding of the complaint to the appropriate office within fifteen (15) days from receipt thereof, and shall provide timely feedback and updates regarding the status of the complaint. The grievance desk shall use the best available technology to ensure that complaints are endorsed to the proper office and are addressed in a timely manner.

CHAPTER V

FINANCE AND ADMINISTRATION

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

SEC. 19. Donation. -

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

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

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

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

CHAPTER VI

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

SEC. 20. National Disaster Resilience Council. -

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

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

1. Secretary of Science and Technology;

- 1131 2. Secretary of the Interior and Local Government;
- 1132 3. Secretary of Social Welfare and Development;
- 1133 4. Secretary of National Defense;
- 1134 5. Director-General of the National Economic and Development
- 1135 Authority;
- 1136 6. Secretary of Health;
- 1137 7. Secretary of Environment and Natural Resources;
- 1138 8. Secretary of Agriculture;
- 1139 10. Secretary of Energy;
- 1140 11. Secretary of Finance;
- 1141 12. Secretary of Trade and Industry;
- 1142 13. Secretary of Transportation;
- 1143 14. Secretary of Budget and Management;
- 1144 15. Secretary of Public Works and Highways;
- 1145 16. Secretary of Foreign Affairs;
- 1146 17. Secretary of Justice;
- 1147 18. Secretary of Labor and Employment;
- 1148 19. Secretary of Tourism;
- 1149 20. Secretary of information and Communications Technology;
- 1150 21. Presidential Adviser on the Peace Process;
- 1151 22. Chairperson of the Commission on Higher Education;
- 1152 23. Chief of Staff of the Armed Forces of the Philippines;
- 1153 24. Chief of the Philippine National Police;
- 1154 25. Head of the Presidential Communications Operations Office;
- 1155 26. Secretary-General of the Philippine National Red Cross;
- 1156 27. Chairperson of the Commission on Human Rights;
- 1157 28. Executive Director of the Council for Welfare of Children;
- 1158 29. Lead Convenor of the National Anti-Poverty Commission;
- 1159 30. Chairperson of the Philippine Commission on Women;
- 1160 31. Chairperson of the Housing and Urban Development Coordinating
- 1161 Council;
- 1162 32. Chairperson of the National Council for Disability Affairs;
- 1163 33. Chairperson of the National Commission on Indigenous Peoples;
- 1164 34. Chairperson of the National Commission on Muslim Filipinos;
- 1165 35. Chairperson of the National Youth Commission;
- 1166 36. President of the Government Service Insurance System;
- 1167 37. President of the Social Security System;
- 1168 38. President of the Philippine Health Insurance Corporation;
- 1169 39. President of the Home Development Mutual Fund;
- 1170 40. President of the Union of Local Authorities of the Philippines;
- 1171 41. President of the League of Provinces of the Philippines;
- 1172 42. President of the League of Cities of the Philippines;
- 1173 43. President of the League of Municipalities of the Philippines;
- 1174 44. President of the Liga ng mga Barangays;
- 1175 45. Maximum of six (6) representatives from the academe and other
- 1176 relevant research institutions;
- 1177 46. Maximum of six (6) representatives from the civil society
- 1178 organizations; and
- 1179 47. Maximum of six (6) representatives from the private sector.
- 1180 (c) Composition - The Council is hereby organized into five (5) clusters,
- 1181 namely: Disaster Prevention and Mitigation to be led by DOST, Disaster

Preparedness to be led by DILG, Disaster Response by DSWD, Logistics led by DND, and Recovery and Sustainable Development led by NEDA.

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

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

SEC. 21. Monitoring, Reporting and Validation -

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 22. Synergy with Stakeholders. - The Department shall ensure seamless synergy and coordination with stakeholders, including CSOs, the academe, and the private sector, in relation to disaster resilience programs and projects and the development and promotion of research, education, and training mechanism with relevant stakeholders.

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

SEC. 23. Establishment of Multi-Stakeholders Convergence Unit. - The Department, with the assistance of other relevant government agencies and stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU). which shall align the disaster resilience efforts of the private sector, CSOs, academe, and other stakeholders with the Department by assisting, coordinating, or providing services that strengthen public-private cooperation and coordination in disaster resilience, including the following:

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

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

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

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

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

- (i) The MSCU shall establish a platform that includes, among others, the LDRO. Other maintenance and operating expenditures and other capital outlay requirements of the LDRO in the implementation of disaster risk and vulnerability reduction management and climate change adaptation programs shall be charged to the Local Climate-Disaster Resilience Fund of the LGUs;
- (ii) Establish linkage or network with other LGUs for disaster risk and vulnerability reduction, climate change adaptation and emergency response purposes;
- (iii) Recommend through the LDRC, the enactment of local ordinances consistent with the requirements of this Act;
- (iv) Establish a Provincial, City, Municipal, and Barangay Climate and Disaster Resilience Operations Center; and
- (v) Encourage Government-Owned and Controlled Corporations (GOCCs) to establish their own Climate and Disaster Resilience Operations Center within their territories.

SEC. 22. Synergy with Stakeholders. - The Department shall ensure seamless synergy and coordination with stakeholders, including CSOs, the academe, and the private sector, in relation to disaster resilience programs and projects and the development and promotion of research, education, and training mechanism with relevant stakeholders.

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

SEC. 23. Establishment of Multi-Stakeholders Convergence Unit. - The Department, with the assistance of other relevant government agencies and stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU), which shall align the disaster resilience efforts of the private sector, CSOs, academe, and other stakeholders with the Department by assisting, coordinating, or providing services that strengthen public-private cooperation and coordination in disaster resilience, including the following:

- (a) Establishment and implementation of business continuity practices to ensure the continued delivery of products and services, in the event of disasters;
- (b) Establishment and implementation of a National Continuity Policy to ensure service continuity during power and utilities interruptions, emergencies, and disasters and ensure the quick return to full operations;
- (c) Establishment, incorporation, and application of business continuity plans as part of the disaster resilience plans of local government units;
- (d) Facilitation or assistance in obtaining or processing incentives for the private sector or other non-government stakeholders; and
- (e) Preparation and facilitation of the issuance of appropriate guidelines for MSMEs relating to mechanisms on procurement and liquidity to create enabling environment for DDR.

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

1335 **CHAPTER VII**
1336 **DISASTER RISK AND VULNERABILITY REDUCTION AND CLIMATE CHANGE**
1337 **ADAPTATION MAINSTREAMING, INTEGRATION AND CONVERGENCE**
1338

1339 **SEC. 24. Integration of DRR and Climate Change Adaptation in the Climate**
1340 **and Disaster Resilience Framework and Plan** – The existing National Disaster
1341 Resilience Framework and plan and the National Climate Change Strategic
1342 Framework and Plan shall be enhanced by the Climate and Disaster Resilience
1343 Framework and plan which provides for the comprehensive probabilistic multi-
1344 hazards, multi-scenario, multi-sectoral, resilience-building, and community risk-
1345 based approach and management of disaster and climate risk, and provide for the
1346 integration of disaster risk and vulnerability reduction and climate change
1347 adaptation, as well as the mainstreaming in other sectoral policies. It shall be
1348 reviewed every three (3) years.

1349 The Climate and Disaster Resilience Plan shall provide for the following: (1)
1350 identification of the underlying factors of risk, or the nature and degree of hazards,
1351 vulnerabilities, exposures and capacities, which need to be managed at the national
1352 level; (2) disaster risk and vulnerabilities reduction and management approaches
1353 and strategies to be applied in managing said hazards and risks; (3) agency roles,
1354 responsibilities, and lines of authority at all government levels; and (4) vertical and
1355 horizontal coordination of climate change adaptation, disaster risk and vulnerability
1356 reduction and management before, during, and after a disaster. The Climate and
1357 Disaster Resilience Plan shall be in conformity with the framework.

1358 The Climate and Disaster Resilience Framework and Plan for climate disaster risk
1359 governance, climate vulnerability assessment, risk assessment and risk
1360 management shall be formulated and jointly approved by the NDRC and the CCC.
1361

1362 **SEC. 25. Ecosystem-Based Approach to Prevention and Mitigation,**
1363 **Rehabilitation and Recovery from Disaster.** - The Department shall ensure the
1364 application of ecosystems-based approaches in disaster risk and vulnerability
1365 reduction and climate change adaptation, particularly through ecosystem
1366 management and restoration as defined in this Act, and ensuring that
1367 environmental and natural resource policies are risk-informed.
1368

1369 **CHAPTER VIII**
1370 **CLIMATE AND DISASTER RESILIENCE RESEARCH, EDUCATION, AND**
1371 **TRAINING INSTITUTE**
1372

1373 **SEC. 26. Creation of the Climate and Disaster Research, Education, and**
1374 **Training Institute** - (a) Within one (1) year from approval of this Act, the
1375 Department shall establish the Climate and Disaster Resilience Research, Education,
1376 and Training Institute in collaboration with higher education institutions and private
1377 and state universities and colleges (SUCs) which shall be a world-class center of
1378 excellence for learning and research in the field of
1379 (2) The Department shall assist in the establishment of Research and Training
1380 Centers at the provincial, city, and municipal governments, as appropriate. The
1381 funding for such local Climate and Disaster Resilience Research and Training
1382 Centers may be sourced from the eighty (80%) percent portion of the LDRF and
1383 other financial sources of the local government unit concerned.
1384
1385

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

SEC. 27. Climate and Disaster Resilience Information Management System (CDRIMS).

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

SEC. 28. Disaster Resilience and Climate Change Education and Training.

(a) The Department of Education, CHED, and Technical Education and Skills Development Authority (TESDA), in coordination with the National Youth Commission (NYC), the Department of Science and Technology (DOST), Department of Environment and Natural Resources (DENR), Department of the Interior and Local Government (DILG), Department of Health (DOH), Department of Social Welfare and Development (DSWD), and other relevant agencies, developmental institutions, and non-government organizations shall integrate disaster risk and vulnerability reduction and climate change adaptation education in the school curricula at all levels of education, from K to 12 to tertiary levels, including the early and adult learning programs, National Service Training Program (NSTP), and education for children and persons with special needs, whether private or public, including formal and non-formal, technical-vocational, indigenous learning, out-of-school youth courses and programs, and other channels of educational integration, including media, church, entertainment centers (malls), international and domestic airports and transport terminals.

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

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

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

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

(f) The DepEd, CHED, TESDA, developmental institutions and community-based organizations shall regularly review, monitor, evaluate and report to the Council the status of integration, mainstreaming and implementation of climate change adaptation, disaster risk and vulnerability reduction and management in public-private schools and other learning institutions.

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

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

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

SEC. 29. Standard Mechanism for Cascading Information Education and Communication on Climate Change Adaptation and Disaster Risk and Vulnerability Reduction. –

(a) The DRC shall promote and advocate a culture of resilience and responsible-accountable, liable and responsible citizenship through information, education and communication that is appropriate, integrated, calibrated, inclusive, localized, science- and risk-based, gender, culture and disability sensitive and accessible using multimedia. Information, education, and communication on climate-change adaptation and disaster risk and vulnerability reduction management should be compelling but not alarming.

(b) The NDRC shall formulate a Strategic Risk Communications Plan to encompass the entirety of disaster risk and vulnerability reduction and climate change adaptation to achieve the desired behavioral and attitudinal change towards responsible citizenship and culture of resilience. It shall

serve as a reference of continuous awareness raising and education at all levels of the government and multiple stakeholders.

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

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

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

CHAPTER X

CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

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

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

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

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

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

CHAPTER XI
PREPAREDNESS AND INTEGRATED EARLY WARNING

SEC. 34. Standards for Disaster Preparedness Activities. –

(a) The NDRC shall establish standards for disaster preparedness, contingency planning, localizing and operationalizing disaster risk and vulnerability reduction and management preparedness for disaster response, preparedness for early recovery, continuity of essential services, and other relevant preparedness activities.

(b) LGUs shall identify safe or strategic sites, and establish evacuation centers with appropriate and adequate facilities in accordance with government-approved standards as provided under Republic Act No. 10821, otherwise known as the "Children's Emergency Relief and Protection Act", in order to avoid disruption of school classes and lessen the use of school buildings and facilities as evacuation centers.

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

SEC. 35. Multi-Hazard Early Warning and Risk Communication Standards. –

(a) There shall be a streamlined policy governing early warning systems and risk communication protocols to ensure effective and efficient measures to prevent, prepare for, respond to, and recover from possible risk caused by natural and human-induced hazards and climate risk. The NDRC shall issue policy and the Department shall oversee and monitor the implementation of this policy,

(b) The Department and all other concerned agencies with an integrated early warning and information mandate shall collaborate with the local executives and officers to disseminate climate-disaster risk information through the involvement of LGUs, community-based organizations, CSOs, and other non-governmental organizations.

SEC. 36. Early Warning Mandate. –

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

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

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

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

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

(f) The Department shall consider working with other agencies or organizations on pre-crisis information mapping of the humanitarian needs of the at-risk community that will enhance the overall prepositioning of resources at the national and local levels.

CHAPTER XII DISASTER RESPONSE AND EARLY RECOVERY

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

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

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

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

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

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

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

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

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

(a) Department of Finance - Bureau of Customs;

(b) Department of Foreign Affairs;

- 1639 (c) Department of Social Welfare and Development;
- 1640 (d) Department of Health;
- 1641 (e) Food and Drug Administration;
- 1642 (f) Department of Agriculture;
- 1643 (g) Department of Energy;
- 1644 (h) Philippine National Police;
- 1645 (i) Philippine Coast Guard; and
- 1646 (j) Department of Justice - Bureau of Immigration.

1647
1648 **SEC. 40. Accreditation, Mobilization, and Protection of Disaster Volunteers**
1649 **and National Service Reserve Corps, CSOs and the Private Sector** - The
1650 government agencies, CSOs, private sector and LGUs may mobilize individuals or
1651 organized volunteers to augment their respective personnel complement and
1652 logistical requirements in the delivery of disaster risk reduction programs and
1653 activities. The agencies, CSOs, private sector, and LGUs concerned shall take full
1654 responsibility for the enhancement, welfare and protection of volunteers, and shall
1655 submit the list of volunteers to the Department, through the LDROS, for
1656 accreditation and inclusion in the database of community disaster volunteers.

1657
1658 A national roster of Accredited Community Disaster Resilience Volunteers (ACDRVs)
1659 and institutions, National Service Reserve Corps, CSOs and the private sector shall
1660 be maintained by the Department through the LDROS. Accreditation shall be done
1661 at the municipal or city level.

1662
1663 The mobilization of volunteers shall be in accordance with this Act and
1664 implementing guidelines to be formulated by the NDRC. Any volunteer who died or
1665 was injured while engaging in any of the activities defined under this Act shall be
1666 entitled to compensatory benefits and individual personal accident insurance as
1667 may be defined under the guidelines.

1668 **SEC. 41. Reporting of Humanitarian Assistance.** - The concerned LGU shall
1669 submit a report to the Department, all domestic or international humanitarian
1670 assistance received and distributed within its area of responsibility.

1671
1672 **CHAPTER XIII INTERNATIONAL HUMANITARIAN ASSISTANCE**

1673
1674 **SEC. 42. International Humanitarian Assistance** - The Department shall
1675 promulgate guidelines on international humanitarian assistance, including the
1676 initiation, entry, facilitation, transit, regulation, and termination thereof, as well as
1677 those involving international disaster relics and personnel assisting international
1678 actors, visa Waiver, recognition of foreign professional qualifications, entry of
1679 international disaster goods and equipment, and exemption from port duties, taxes
1680 and restrictions.

1681
1682 **SEC. 43. Assessment of the Need for International Humanitarian**
1683 **Assistance.** -

1684 (a) Immediately after the declaration of a state of calamity by the
1685 sanggunian of an LGU or by the Department, as the case may be, the
1686 Department shall determine as to whether domestic capacities are likely to
1687 be sufficient to attend to the needs of affected persons for international
1688 humanitarian assistance. This determination may also be made by the
1689 President, prior to the onset of an imminent disaster.

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

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

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

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

CHAPTER XIV

OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE TO FOREIGN STATES

SEC. 46. Offer and Facilitation of International Humanitarian Assistance to Foreign States. - In the event of a disaster occurring in a foreign, state for which international humanitarian assistance is required, the Department may offer, facilitate and provide international humanitarian assistance to such foreign state, which shall be subject to guidelines to be promulgated by the Department for the purpose.

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

CHAPTER XV

LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS

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

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

SEC. 50. Recognition of Foreign Professional Qualifications. –

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

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

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

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

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

A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT

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

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

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

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

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

(a) Exemption from all duties and taxes;

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

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

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

SEC. 56. Simplification of Documentation Requirements. -

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

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

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

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

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

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

C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS

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

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CHAPTER XVI
RECOVERY

1845 **SEC. 62. Standards for Recovery.** - The Department shall observe internationally
1846 accepted standards for recovery, planning, programming and implementation of the
1847 recovery process and shall:

- 1848 (a) Improve the community's physical, social and economic resilience,
1849 consistent with the principle of "Build Forward Better";
1850 (b) Use locally-driven and centrally-supported processes based on legal
1851 mandates with supplementary capacity support when requested;
1852 (c) Redirect development outside danger zones to minimize loss of lives and
1853 structures resulting from typhoons, flooding, landslides, and other hazards;
1854 (d) Employ outcome-driven planning and implementation;
1855 (e) Maximize use of private-public sector partnership where possible;
1856 (f) Consider local conditions such as culture, security situation, and existing
1857 capacities of communities in identifying programs and projects;
1858 (g) Ensure access to public transport, physical and mental health services,
1859 markets, schools, sustainable livelihoods, and other public services in
1860 planning for settlement areas; and
1861 (h) Ensure restoration of peace and order and recovery of government
1862 functions.

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1865 **CHAPTER XVII**
REMEDIAL MEASURES UNDER STATE OF CALAMITY

1866
1867 **SEC. 63. Remedial Measures Under State of Calamity.** - Upon the declaration
1868 of a state of calamity, the following remedial measures shall be immediately
1869 undertaken by concerned government agencies both of national and local levels:

- 1870 (a) Imposition of price ceiling on basic necessities and prime commodities by
1871 the National Price Control Council, as provided for under Republic Act No.
1872 7581, otherwise known as the "Price Act", as amended by Republic Act.
1873 No.10623;
1874 (b) Monitoring, prevention and control by the Local Price Coordinating Council
1875 of overpricing/profitteering and hoarding of prime commodities, medicines
1876 and petroleum products;
1877 (c) Programming/reprogramming of funds for the repair of critical facilities or
1878 public infrastructures that are vital for the quick delivery of humanitarian
1879 assistance, to reduce further threat to lives and attest further deterioration of
1880 properties and loss of livelihoods in the affected communities, following the
1881 "Build Forward Better principle:
1882 1. Grant of no-interest Joans by government financing or lending
1883 institutions to the most vulnerable and marginalized groups on
1884 individuals, and
1885 2. Local tax exemptions, incentives or reliefs under such terms and
1886 conditions as may be deemed necessary by the affected LGU.
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1893 **CHAPTER XVIII**
1894 **PROCUREMENT**
1895

1896 **SEC. 64. General Rule on Procurement.** - Any procurement of goods, services,
1897 consultancy or infrastructure for disaster risk and vulnerability reduction and
1898 climate risk, whether at the national or local level shall conform to the provisions
1899 and implementing rules and regulations (IRR) of Republic Act No. 9184, otherwise
1900 known as "Government Procurement Reform Act", as amended.

1901
1902 **SEC. 65. Emergency Procurement.** - In order to expedite disaster response and
1903 early recovery, the procurement or lease of equipment and delivery of goods and
1904 services through emergency procurement or purchase at site shall be allowed.
1905 Periods of action on procurement activities may also be waived for the same
1906 purpose and conditions.
1907

1908 **CHAPTER XIX**
1909 **PROHIBITED ACTS AND PENALTIES**
1910

1911 **SEC. 66. Prohibited Acts.** - Any public official, private person, group or
1912 corporation who commits any of the following prohibited acts shall be liable and be
1913 subjected to the criminal and administrative penalties as provided for in Section 67
1914 of this Act, without prejudice to the imposition of other criminal, civil and
1915 administrative liabilities under existing laws,

1916 (a) Prohibited Acts of Public Officials - The following acts, if committed by
1917 public officials without justifiable cause, shall be considered as gross neglect
1918 of duty:

1919 (1.) Dereliction of duties which leads to destruction, loss of lives,
1920 critical damage of facilities and misuse of funds;

1921 (2) Failure to create a functional LDR office within six (6) months from
1922 the approval of this Act;

1923 (3) Failure to appoint a permanent local disaster resilience officer
1924 within six (6) months from the approval of this Act;

1925 (4) Failure to prepare and implement a Contingency and
1926 Adaptation Plan for hazards frequently occurring within their
1927 jurisdictions; and

1928 (5) Failure to formulate and implement the LDRP with the
1929 corresponding budget allocation.

1930 Sexual exploitation and abuse, and other forms of sexual misconduct
1931 to the affected population or at-risk communities shall be punishable
1932 under existing criminal and administrative laws.

1933 (b) Prohibited Acts of Public Officials and Private Persons or Institutions

1934 (1) Delaying, without justifiable cause the delivery or improper
1935 handling or storage of aid commodities, resulting to damage or
1936 spoilage;

1937 (2) Withholding the distribution of relief goods due to: (a) political or
1938 partisan considerations; (b) discrimination based on race, ethnicity,
1939 religion, or gender; and (c) other similar circumstances;

1940 (3) Preventing the entry and distribution of relief goods in disaster
1941 stricken areas, including appropriate technology, tools, equipment,
1942 accessories, disaster teams or experts;

- (4) Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other aid commodities which are intended for distribution to disaster affected communities;
- (5) Buying for consumption or resale, from disaster affected persons, 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 them;
- (10) Misrepresenting the source of relief goods, equipment, or other aid commodities by:
- (i) Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment, or other aid commodities came from another agency or persons;
 - (ii) Repacking the goods, equipment, or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons; and
 - (iii) Making a false verbal claim that the goods, equipment or other aid commodities in their untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency or persons;
- (11) Substituting or replacing relief goods, equipment, or other aid commodities with the same items or of inferior/cheaper quality;
- (12) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the NDRC;
- (13) Deliberate use of false or inflated data in support of the request for funding relief goods, equipment, or other aid commodities for emergency assistance or livelihood projects;
- (14) Stealing, taking, or possessing of any 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 or items or any part thereof;
- (16) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia;
- (17) Attempting to commit any of the abovementioned prohibited acts; and
- (18) Benefitting from the proceeds or fruits of any of the abovementioned prohibited acts knowing that the proceeds or fruits are derived from the commission of the prohibited acts.

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

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

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

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

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

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

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

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

CHAPTER XX APPROPRIATIONS

SEC 68. Appropriations. –

(a) The amount needed for the initial implementation of this Act shall be taken from the current fiscal year's unexpended appropriation of all agencies herein absorbed, transferred, and attached to the Department. Thereafter,

the amount needed for the operation and maintenance of the Department shall be included in the General Appropriations Act.

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

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

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

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

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

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

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

Unexpended LDRF shall accrue to a trust fund solely for the purpose of supporting disaster risk reduction and management and climate change adaptation activities of the LDRCs within the next two (2) years, Any such amount still not fully utilized after two (2) years shall

revert back to the general fund and will be available for other social services to be identified by the local sanggunian.

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

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

CHAPTER XXI FINAL PROVISIONS

SEC. 69. Transfer and Attachment. -

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

(b) The disaster risk reduction and management functions, assets and personnel of the Office of Civil Defense (OCD) currently under the DND, are hereby transferred to the Department, and the civil defense functions shall remain with the DND:

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

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

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

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

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

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

The Department shall, by virtue of this Act, be subrogated to all the rights and assume all the liabilities of the agencies absorbed under this Act, and all their funds, records, property, assets, equipment, and such personnel as necessary, including unexpended appropriations or allocations. All contracts and liabilities of the said agencies are hereby transferred to and assumed by the Department and shall be acted upon in accordance with the Auditing Code and other pertinent laws, rules, and regulations.

SEC. 70. Separation Benefits of Officials and Employees of Affected Agencies. - National government employees displaced or separated from the service as a result of this Act shall be entitled to separation pay and other benefits

in accordance with Republic Act No. 6656, and other existing laws, rules or regulations: *Provided*, That those who are qualified to retire under existing retirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws and issuances.

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

CHAPTER XXII MISCELLANEOUS PROVISIONS

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

SEC. 73. Congressional Oversight Committee. - There shall be created a Congressional Oversight Committee on Climate Change and Disaster Resilience to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on National Defense and Security of both the Senate and the House of Representatives as joint Chairpersons of this Committee. The five (5) other members from each Chamber are to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The minority shall be entitled to pro rata representation but shall have at least two (2) representatives from each Chamber.

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

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

SEC. 76. Repealing Clause –

(a) Republic Act No. 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010," is hereby repealed.

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

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

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

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

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

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

(c) All other laws, decrees, executive orders and issuances, proclamations, rules and regulations, and other issuances or parts thereof that are inconsistent with the provisions of this Act are hereby repealed on amended accordingly.

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

Approved,