

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

3999
HOUSE BILL NO. _____



Introduced by Representative **TYRONE D AGABAS**

EXPLANATORY NOTE

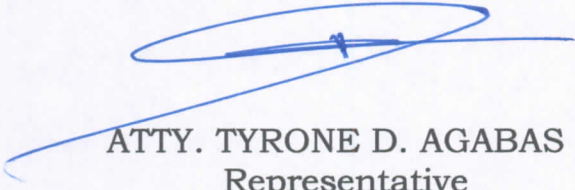
This bill seeks to create the Department of Disaster Resilience (DDR) which will carry out and harmonize among others, the policies on disaster risk and vulnerability reduction and management, environmental management, climate change adaptation, and sustainable development to uphold the welfare of our people particularly the vulnerable sectors of our society before, during, and after each and every calamity. This bill has already been approved by the House of Representatives on its 3rd and final reading in the 17th Congress. This bill is however being refiled on account of the bill's importance in disaster preparedness, management and recovery.

The Philippines "is one of the world's most disaster-prone countries. Located along the boundary of major tectonic plates and at the center of a typhoon belt, its islands are regularly impacted by floods, typhoons [at least 20 a year], landslides, earthquakes, volcanoes, and droughts. The Philippines also ranks among the top three counties in the world for population exposure and vulnerability to hazards. The Philippine government has developed strong coping mechanisms over long history of experience with disasters. Yet, significant gaps remain in disaster management capacities across different regions of the Philippines and surprisingly little data are available referencing local levels of disaster resilience and preparedness" (Perceptions Disaster Resilience Preparedness in the Philippines, Bollettino, Alcayna, Enriquez and Vinck, July 2018)

Today, the biggest threat against human race is climate change. It is real. Recently, Itbayat, Batanes was struck by an earthquake resulting

to nine (9) deaths and multiple injuries, an incident which has not occurred for many years. Given the peculiar situation of our country to natural calamities, aggravated by human induced disasters, there is an imperative need, through this legislative measure, to institutionalize, adopt and implement a comprehensive, integrated, efficient, and responsive disaster risk and vulnerability reduction program that is incorporated in the development plan at various levels of government.

This is a race against time and opportunities. Hence, the urgent need for the approval of this bill.



ATTY. TYRONE D. AGABAS
Representative
6th District, Pangasinan

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

HOUSE BILL NO. **3999**

Introduced by Representative **TYRONE D. AGABAS**

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

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

1 CHAPTER I

2 GENERAL PROVISIONS

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

5 SEC. 2. *Declaration of Policies and Principles-* (a) Duties of the State.

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

10 The State shall uphold its commitment to the achievement of the
11 sustainable development goals specifically, integrating and implementing
12 policies and plans towards inclusion, resource efficiency, mitigation and

13 adaption to climate change, resilience to disaster, and develop and
14 implement a holistic disaster risk management at all levels in line with the
15 Sendai Framework for Disaster Risk Reduction 2015-2030.

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

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

35 It shall be the duty of the State to:

- 36 (1) Uphold the people's constitutional right to life and property by
37 minimizing, if not eradicating, the root causes of
38 vulnerabilities to disasters, strengthening the country's
39 institutional capacity for disaster risk and vulnerability
40 reduction and management, and building the resilience of

- 41 local communities to disasters including climate change
42 impacts, and human induced disasters;
- 43 (2) Incorporate internationally accepted principles of disaster risk
44 and vulnerability reduction and management, and climate
45 change adaptation, including universal principles and
46 standards for humanitarian assistance, developing and
47 implementing national, regional and local sustainable
48 development and poverty reduction strategies, policies, plans
49 and budgets, as part of the country's commitment to
50 overcome human suffering due to disasters;
- 51 (3) Ensure a science-based in a whole-of-society approach and
52 bottom-up participation, representation, and decision-making
53 in climate-disaster risk governance, risk assessment, risk
54 reduction and risk management, and adopt a comprehensive,
55 integrated, and proactive approach to lessening
56 socioeconomic and environmental impacts of disasters and
57 climate change;
- 58 (4) Promote and advance the implementation of a
59 comprehensive Disaster Risk and Vulnerability Reduction
60 Plan (DRVRP) that aims to strengthen the capacity of the
61 national government and the local government units (LGUs),
62 together with development partner stakeholders, build the
63 disaster resilience of communities, and institutionalize
64 arrangements and measures for reducing disaster risks,
65 including projected climate risks, and enhance disaster
66 preparedness and response capabilities at all levels;
- 67 (5) Recognize the role of, and work with international
68 humanitarian and development partners especially those with
69 established presence in the country;

- (6) Develop, maintain, and ensure the accessibility of climate and geospatial information and services to the public through Open Data, which means data that can be freely used, reused, and redistributed by anyone, subject to limitations on account of national security considerations. This may include the use of impact-based forecast models, and probabilistic hazard maps;
- (7) Ensure that disaster risk and vulnerability reduction and climate change adaptation measures are gender, disability, and vulnerability sensitive, and culturally sensitive, recognizing indigenous knowledge systems and practices, and respecting human rights;
- (8) Recognize and strengthen the capacities of LGUs, communities and multiple stakeholders in mitigating and preparing for, responding to, and recovering from the impact of disasters through identification of local risk patterns, and decentralized powers, responsibilities, and resources at the regional and local levels;
- (9) Adopt and implement a comprehensive, integrated, efficient and responsive disaster risk and vulnerability reduction program that is incorporated in the development plan at various levels of government adhering to transparency accountability and other principles of good governance within the context of poverty alleviation and environmental protection;
- (10) Mainstream disaster risk and vulnerability reduction in government by ensuring risk-informed planning, programming, implementation, monitoring, and evaluation, and the use of quality management, accountability, and

99 performance systems in measuring and improving the
100 effectiveness and efficiency of disaster risk and vulnerability
101 reduction management process across all government
102 levels, including those offices which manage peace
103 processes and conflict- resolution approaches, so as to
104 minimize the loss of lives and damage to properties and
105 ensure that communities in conflict zones can immediately
106 resume their normal lives at the conclusion of episodes of
107 intermittent conflicts;

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

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

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

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

- 126 (15) Recognize and respond to the differentiated concerns and
127 needs of vulnerable groups such as women and girls, children
128 and youth, older persons, persons with disabilities, urban
129 poor, and indigenous people with respect to disaster risk
130 reduction and management, at the same time, recognizing
131 their inherent capacities to contribute to resilience;
- 132 (16) Create an enabling environment for substantial and
133 sustainable participation of civil society organizations (CSOs),
134 private groups, volunteers and communities, and recognize
135 their contributions to the disaster risk reduction and
136 management efforts of the government;
- 137 (17) Ensure the use of advanced science and the most up-to-date
138 technologies in climate change adaptation, disaster risk, and
139 vulnerability reduction and management through
140 engagement, consultation, and employment with a regular
141 department funding of academe or higher education
142 institutions, such as the University of the Philippines
143 Resilience Institute, University of the Philippines Nationwide
144 Operational Assessment of Hazards Center and other
145 scientific research and academic institutions that have track
146 record and expertise recognized both locally and
147 internationally as well as the capacity to implement the
148 science and engineering requirements necessary for effective
149 climate change adaptation, and disaster risk and vulnerability
150 reduction;
- 151 (18) Ensure workers' rights are proactively respected during the
152 disaster preparedness and response, and actively engage
153 workers' and employers' organizations to share expertise and

154 capacities in disaster risk reduction and climate change
155 programs;

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

161 (20) Adopt and manage a mechanism for the effective resolution
162 of climate change, disaster risk, and vulnerability reduction
163 and management related grievances;

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

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

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

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

178 (b) Roles and Responsibilities of Stakeholders. The commitment,
179 goodwill, knowledge, experience, and resources of relevant
180 stakeholders are critical to realize a safer, adaptive, resilient and

181 inclusive Filipino community. Citizens shall have the shared vision
182 and duty to provide support to the State in the implementation of
183 policies and programs, particularly the Disaster Resilience
184 Framework and Plan at the national, regional and local levels.

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

201 (2) Women and girls shall contribute to and participate in
202 effectively managing disaster risk and designing, resourcing,
203 and leading implementation of gender sensitive disaster risk
204 and vulnerability reduction and management policies, plans,
205 and programs;

206 (3) Children and the youth as agents of change shall endeavor to
207 actively contribute to disaster risk and vulnerability reduction,
208 in accordance with legislation, national practice, and
209 educational curricula; disaster risk reduction and

210 management at all levels and processes of disaster risk and
211 vulnerability reduction and anticipatory adaptation, including
212 data gathering, planning, programming, budgeting,
213 implementation, monitoring and evaluation;

214 (4) For citizens having years of knowledge, skills on climate
215 change adaption and disaster risk reduction and wisdom are
216 invaluable assets to reducing disaster risk, and shall therefore
217 participate in the design of policies, plans and mechanisms,
218 including those for early warning;

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

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

227 (7) Indigenous peoples and Muslim Filipinos, through their
228 practical experience and traditional knowledge, shall
229 contribute to the development and implementation of policies,
230 plans and mechanisms, including those for early warning;

231 (8) Urban and rural poor shall contribute to resilience building as
232 well as in the promotion of more inclusive and transformative
233 resettlement for informal settler families in reducing their
234 vulnerability to threats of disaster and climate risk through
235 state and non-state programs;

236 (9) Farmers and fisherfolk shall contribute to the promotion and
237 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 the 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 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. *Definitions of Terms.* – As used in this Act:

- (a) *Adaptation* refers to the adjustment in natural or human system in response to actual or expected climatic 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 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 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 presence in public life, expressing the interests and values of their member 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 persist 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 Adaption* 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 engage in the identification, analysis, treatment, monitoring and evaluation of disaster risks in order to reduce their vulnerability 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 response to such events and situations.

- 350 (n) *Dangerous Anthropogenic Interference* refers to the effects in the
351 climate system as a result of the increase of greenhouse gas
352 concentrations in the atmosphere that leads to widespread climate
353 change impacts such as widespread demise of coral reefs.
- 354 (o) *Disability* refers to an evolving concept that results from the
355 interaction between persons with impairments, societal barriers, as
356 defined under Republic Act No. 7277, attitudinal and environmental
357 barriers that hinder their full and effective participation in society on
358 an equal basis with others.
- 359 (p) *Disaster* refers to a serious disruption of the functioning of a
360 community or a society involving widespread human, material,
361 economic or environmental losses and impacts, which exceeds the
362 ability of the affected community or society to cope using its own
363 resources.
- 364 (q) *Disaster Mitigation* refers to the lessening or limitation of the adverse
365 impacts of hazards and related disasters. Mitigation measures
366 encompass engineering techniques and hazard-resistant
367 construction as well as improved environmental policies and public
368 awareness, land use planning, and climate change.
- 369 (r) *Disaster Preparedness* refers to the knowledge and capacities
370 developed by governments, professional response and recovery
371 organizations, communities and individuals to effectively anticipate,
372 respond to, and recover from, the impacts of likely, imminent or
373 current hazard events or conditions. It includes preparedness for
374 response such as contingency planning, stockpiling of equipment
375 and supplies, the development of arrangements for coordination,
376 evacuation, and public information, and preparedness for recovery
377 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 casual factors of disasters, including through reduced exposure 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 damage assets or disruption which could occur to a system, society or 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 casual factors of disasters all 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 contains, among others, information on disasters and their human, material, economic, and environmental impact, risk assessment and mapping, and vulnerable and marginalized groups.
- (aa) *Early Warning System* refers to the set of capacities needed to generate and disseminate timely and meaningful warning

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

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

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

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

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

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

(gg) *Gender-Based Violence* refers to violence that is directed against a woman because of her gender, or that affects the women

disproportionately. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations on liberty.

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

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

(jj) *Hazard* refers to 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.

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

(ll) *Imminent Danger* refers to a situation where, on the basis of official forecast, a disaster will or is expected to occur in a particular

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

493 (mm) *International Disaster Relief and Initial Recovery Period* refers to the
494 period which commences upon the assurance of a request for
495 international disaster assistance or upon acceptance of an offer, and
496 shall continue until terminated pursuant to guidelines set in the
497 implementing rules and regulations.

498 (nn) *Internally Displaced Persons* refers to a persons or groups of
499 persons who have been forced or obliged to flee or to leave their
500 homes or places of habitual residence within national borders, in
501 particular as a result of or in order to avoid the effects of armed
502 conflict, situations of generalized and/or organizes violence,
503 violations of human rights, implementation of development projects,
504 or natural or human-induced disasters.

505 (oo) *International Personnel* refers to the staff and volunteers of any
506 assisting actor providing disaster relief or initial recovery assistance,
507 being persons who are neither citizens of, nor domiciled in the
508 Philippines prior to their requirement by the international assisting
509 actor.

510 (pp) *Land-Use Planning* refers to the process undertaken by public
511 authorities to identify, evaluate and decide on different options the
512 use of land, including considerations of long-term economic, social
513 and environment objectives and the implications for different
514 communities and interest groups, and the subsequent formulation
515 and promulgation of plans that describe the permitted or acceptable
516 uses.

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

- 519 (rr) *Mitigation* refers to effort to reduce or limit greenhouse gas
520 emissions or enhance greenhouse gas sequestration.
- 521 (ss) *National Continuity Policy* refers to policy aimed at the development
522 of an organizational culture that has the ability to provide a minimum
523 level of service during interruptions, emergencies, and disasters,
524 and return to full operations quickly.
- 525 (tt) *National Disaster Risk Reduction and Management Framework*
526 refers to the comprehensive, all hazards, multi-sectoral, inter-agency
527 and community-based approach to disaster risk reduction and
528 management.
- 529 (uu) *National Disaster Resilience Plan (NDRP)* refers to the document to
530 be formulated by the National Disaster Resilience Council (NDRC)
531 and implemented by the Authority that sets out goals and specific
532 objectives for reducing disaster risk together with related actions
533 accomplish these objectives. The NDRP shall provide for the
534 identification of hazards, vulnerabilities, and risks to be managed at
535 the national level; disaster risk reduction and management
536 approaches and strategies to be applied in managing said hazards
537 and risk; agency roles, responsibilities and lines of authority at all
538 government levels; and vertical and horizontal coordination of
539 disaster risk reduction and management in the pre-disaster and
540 post-disaster phase. It shall be conformity with the national disaster
541 risk reduction and management framework.
- 542 (vv) *Natural Hazard* refers to naturally occurring physical phenomena
543 caused either by rapid or slow onset events which can be geological
544 such as earthquakes, ground rupture, liquefaction, landslides,
545 tsunamis, sinkholes, and volcanic activity: hydrological and
546 meteorological such as floods, severe winds, typhoons, storm
547 surges, climatological variability such as extreme temperatures, El

Niño, La Niña, forest fires, or biological such as disease, epidemics and insect/animal plagues.

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

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

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

(zz) *Post-Disaster Recovery* refers to the restoration and improvement, where appropriate, of facilities, livelihood, and living conditions of disaster-affected communities, including efforts to reduce disaster

576 risk factors, in accordance with the principle of “Build Forward
577 Better”.

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

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

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

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

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

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

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

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

(iii) *Risk Transfer* refers to 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.

(jjj) *State 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 occurrences of natural or human-induced hazard.

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

(III) *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 system, and automated weather systems.

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

(nnn) *Vulnerable and Marginalized Groups* refers 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.

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

(ppp) *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.

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

(rrr) *Youth* refers to those persons aged fifteen (15) to thirty (30) years old, as provided for under Republic Act No. 8044, otherwise known as “Youth in Nation-Building Act”.

CHAPTER II

DEPARTMENT OF DISASTER RESILIENCE

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

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

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

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

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

(a) Risk Reduction

- 684 (1) Oversee, direct, and undertake programs and projects to
685 identify, assess, prioritize and localize hazards and risk in the
686 country, in consultation with national government agencies,
687 LGUs, communities, and stakeholders that shall be involved
688 in disaster risk reduction efforts;
- 689 (2) Monitor and ensure the integration of the disaster risk and
690 vulnerability reduction and management and climate change
691 adaptation policies into national development plans;
- 692 (3) Design and implement an incentive system for greater private
693 and public investment, both local and national, in disaster risk
694 reduction;
- 695 (4) Oversee and ensure the mainstreaming of climate change
696 adaptation and disaster risk reduction in development
697 planning, including disaster-proofing and climate-proofing of
698 land-use plans and the preparation of contingency plans;
- 699 (5) Create an enabling environment for the design of relevant
700 and appropriate risk-sharing and risk-transfer instruments;
- 701 (6) Create an enabling environment that shall promote broader
702 multi-stakeholder participation and integrate climate change
703 mitigation, adaptation, and disaster risk and vulnerability
704 reduction;
- 705 (7) Coordinate directly with LGUs and private entities to address
706 climate vulnerabilities and disaster risk assessment (CVDRA)
707 of regions and provinces at the meso-scale, cities and
708 municipalities at the micro-scale, and barangays at the meta-
709 scale;

710 (8) Establish and monitor local and national capacity for disaster
711 risk financing and insurance and other risk transfer strategies
712 in coordination with the Department of Finance (DOF), the
713 Government Service Insurance System (GSIS), and the Land
714 Bank of the Philippines (LBP);

715 (9) Formulate the National Disaster Resilience Framework,
716 National Disaster Resilience Plan, and the National Continuity
717 Policy;

718 (10) Oversee and direct the comprehensive implementation of
719 disaster risk reduction and climate change adaptation and
720 mitigation policies, plans, and programs, as embodied in the
721 National Disaster Resilience Framework and National
722 Disaster Resilience Plan;

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

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

730 (b) Disaster Preparedness and Response

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

- 735 (2) Coordinate information-sharing and other risk reduction
736 protocols following the principle of interoperability among
737 national government agencies and LGUs;
- 738 (3) Establish and maintain a national humanitarian logistics
739 system with a network of warehouses, transport, and
740 resources, including response assets and disaster relief
741 items, such as food and non-food items;
- 742 (4) Exercise command and control over relevant government
743 agencies, including government-owned and controlled
744 corporations, the Philippines National Police and other law
745 enforcement agencies, during an imminent or actual disaster.
746 Such command and control shall include the authority to
747 utilize available services, assets, equipment, personnel,
748 facilities, and other resources;
- 749 (5) Call on the reserve force, as defined in Republic Act No.
750 7077, otherwise known as the "Citizen Armed Forces or
751 Armed Forces of the Philippines Reservist Act", to assist in
752 relief and rescue operations during disasters;
- 753 (6) Work with the private sector and CSOs for assistance with
754 regard to the use of facilities and resources for the protection
755 and preservation of life and property;
- 756 (7) Implement pre-disaster risk assessments, to include
757 deployment of rapid assessment teams to gather information
758 for precise actions as a basis for emergency preparedness
759 and humanitarian response;
- 760 (8) Organize, train, equip, and maintain a system of response
761 capacity for search, rescue, and retrieval, and the delivery
762 and distribution of relief goods;

- 763 (9) Monitor and support LGUs in the management of evacuation
764 centers and ensure the welfare and dignity of internally-
765 displaced persons;
- 766 (10) Procure goods and services during emergencies, in
767 accordance with existing emergency procurement rules and
768 regulations;
- 769 (11) Issue special procurement rules and regulations for
770 preparedness, response, and recovery activities, including
771 those prompted by a declaration of a state of calamity or of an
772 imminent disaster; and
- 773 (12) Assist in mobilizing the necessary resources to increase the
774 overall capacity of LGUs, specifically those with low income
775 and situated in high-risk areas.
- 776 (c) Rehabilitation and Recovery
- 777 (1) Prepare, organize, lead, implement, and manage post-
778 disaster assessment and recovery and rehabilitation
779 programs, in coordination with the affected LGUs, national
780 government agencies, and other stakeholders;
- 781 (2) Implement the cluster approach to expedite reconstruction
782 efforts and orchestrate and serve as the clearinghouse for the
783 participation of assisting actors in such efforts; and
- 784 (3) Ensure that the principle of “Build Forward Better” is applied
785 to rehabilitation and recovery efforts.
- 786 (d) Other Powers and Functions
- 787 (1) Provide or designate a secretariat to the Climate Change
788 Commission;

- 789 (2) Establish and monitor local and national capacity for climate-
790 disaster risk financing and insurance and other risk transfer
791 strategies in coordination with the Department of Finance
792 (DOF), THE Government Service Insurance System (GSIS),
793 and the Land Bank of the Philippines (LBP);
- 794 (3) Coordinate information-sharing and other disaster risk and
795 vulnerability reduction and climate change adaptation
796 protocols following the principle of interoperability among
797 national government agencies and LGUs before, during, and
798 after a disaster. Administer, oversee, and monitor the
799 utilization of the National Disaster Resilience Fund (NDRF),
800 the Disaster Resilience Support Fund (DRSF) for their (3rd) to
801 sixth (6th) class provinces and municipalities, and other grants
802 and donations for disaster risk reduction and management
803 and climate change adaptation, unless otherwise specified;
- 804 (4) Receive, administer, mobilize, and monitor and oversee the
805 utilization of the National Disaster Resilience Fund, the
806 Prevention, Mitigation, and Preparedness Fund for third (3rd)
807 to sixth (6th) Class Provinces and Municipalities, and
808 donations for disaster risk and vulnerability reduction and
809 management and climate change adaptation, unless
810 otherwise specified;
- 811 (5) Use of advanced science and technologies in disaster risk
812 reduction and management by engaging, consulting with,
813 employing and regularly funding the academe or higher
814 education and research institutions such as the University of
815 the Philippines Resilience Institute and the University of the
816 Philippines Nationwide Operational Assessment of Hazards
817 Center or other institutions that have a recognized and

818 credible track record, as well as the capacity to conceptualize
819 and implement the science and engineering requirements
820 necessary for effective climate change adaptation and
821 disaster risk reduction;

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

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

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

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

837 CHAPTER III

838 GENERAL WELFARE AND EMERGENCY MEASURES

839 SEC. 6. *General Welfare.* – The Department shall exercise the powers
840 expressly granted, those necessarily implied therefrom, as well as the
841 powers necessary, appropriate or incidental for its efficient and effective
842 governance, and those which are essential to the promotion of the general
843 welfare, such as the implementation of emergency measures including
844 preemptive and forced evacuation, in anticipation of, during, and in the

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

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

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

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

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

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

869 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 appropriate 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 attribute 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

898 disaster resilience are actually used for said purpose. The Department shall
899 likewise have the power to inspect and examine the status of projects and
900 programs being undertaken in furtherance of disaster resilience efforts.

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

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

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

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

924 SEC. 14. *Emergency Arrangements.* – The Department shall have the
925 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 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 such other functions as may be necessary or proper to attain the objectives of this Act.

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

- (a) The Secretary, as provided for under this Act;
- (b) Five (5) Undersecretaries, to be appointed by the President, who shall assist the Secretary in administering the affairs of the Department, one to be responsible for Resilience, one to be responsible for Policy and Governance, one to be responsible for Operations, one to be responsible for Administration and Finance, and the Senior Undersecretary. The Undersecretaries shall have functional and operational supervision over the bureaus, divisions, offices and units assigned to their respective functional areas;
- (c) Ten (10) Assistant Secretaries, to be appointed by the President, who shall assist the Secretary in administering the affairs of the

Department to be responsible for overall staff supervision, Internal Audit, Administration, Disaster Resilience Fund Management, Fiscal Management, Operations, Mobilization, Plans and Programs, Legal, Project Management and Sustainable Development;

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

(1) The Administrative and Financial Management Service shall provide the Department with economical, efficient and effective services relating to human resource management and development, financial management and general administration services to support civil defense and disaster risk reduction and management operations and functions.

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

- 1005 (3) The Operations Service shall be responsible for formulating,
1006 implementing and monitoring the operational plans of the
1007 Department and ensuring its operational readiness, as well as
1008 the effective functional management of the Emergency
1009 Management Operations Center.
- 1010 (4) The Responders Management Service shall be responsible
1011 for the efficient and effective gathering, management, and
1012 updating of a national roster of individuals and groups from
1013 the civilian sector, volunteer organizations, uniformed
1014 services and the reserve force in support of operational
1015 readiness for utilization by the Department.
- 1016 (5) The Policy Development and Planning Service shall be
1017 responsible for providing responsive, efficient and effective
1018 services relating to research, planning, programming,
1019 budgeting, project development, and policy formulation of civil
1020 defense and disaster risk reduction and management projects
1021 and activities.
- 1022 (6) The Capacity-Building and Training Service shall be
1023 responsible for building and developing the capacity of the
1024 Department's personnel, civil defense practitioners,
1025 communities and other stakeholders.
- 1026 (7) The Legal Affairs and Compliance Service shall provide legal
1027 advice to the Department; interpret laws and rules affecting
1028 the administration and operations of the Department; prepare
1029 and review contracts and instruments to which the
1030 Department is a party; interpret provisions of contracts
1031 covering work involving the Department; and monitor the
1032 compliance with regulatory and reportorial matters involving
1033 the Department.

- 1034 (8) The Disaster Risk Reduction Service shall be responsible for
1035 reducing disaster risks through systematic efforts and
1036 programs of the Department to analyze and reduce the
1037 causal factors of disasters such as exposure to hazards,
1038 lessening vulnerability of people and property, wise
1039 management of land and the environment, and improving
1040 preparedness and early warning for adverse events which are
1041 all examples of disaster risk reduction.
- 1042 (9) The Climate Change Service shall lead in the development
1043 and mainstreaming of evidence-based climate adaptation and
1044 mitigation policies of the Department through optimum
1045 coordination among key stakeholders towards achieving a
1046 climate-resilience and climate-smart Philippines with healthy,
1047 safe, prosperous, and self-reliant communities,
- 1048 (10) The Recovery and Reconstruction Service shall provide
1049 responsive, efficient and effective services relating to the
1050 formulation of standards for rehabilitation and recovery
1051 programs, projects, activities, and their subsequent
1052 implementation.
- 1053 (11) The Strategic Communications Service shall be responsible
1054 for the formulation and implementation of the strategic
1055 communications plans and programs of the Department;
1056 serve as the public affairs arm of the Department tasked with
1057 directing, supervising and controlling the Department's public
1058 information programs and activities, as well as establishing
1059 and maintaining rapport with the media and the general
1060 public;

- 1061 (e) Divisions, units and offices as may be created by the Department
1062 and whose officers and employees shall be appointed in accordance
1063 with civil service law, rules, and regulations;
- 1064 (f) The National Climate and Disaster Resilience Research, Education,
1065 and Training Institute under the Capacity-Building and Training
1066 Service, to be headed by a Director with the rank of Director IV;
- 1067 (g) Regional and other field offices of the Department that shall be
1068 established in each administrative region, each to be headed by a
1069 Regional Director with the rank of Director IV;
- 1070 (h) Bureaus that are under the supervision and control of the
1071 Department;
- 1072 (i) Seconded personnel from relevant agencies and detailed service
1073 from the uniformed services, as appropriate; and
- 1074 (j) Grievance desks in every region, which shall serve as a referral
1075 mechanism and shall work jointly with relevant agencies, to receive
1076 complaints from the public regarding violations of this Act. It shall
1077 assist the complainant in the gathering of relevant documentation
1078 and other evidence to support said complaint. The grievance desk
1079 shall facilitate the forwarding of the complaint to the appropriate
1080 office within fifteen (15) days from receipt thereof, and shall provide
1081 timely feedback and updates regarding the status of the complaint.
1082 The grievance desk shall use the best available technology to
1083 ensure that complaints are endorsed to the proper office and are
1084 addressed in a timely manner.

1085

CHAPTER V

1086

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 the 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

1115 WHOLE-OF-GOVERNMENT AND WHOLE-OF-NATION APPROACH

1116 SEC. 20. *National Disaster Resilience Council.*

1117 (a) There is hereby created the National Disaster Resilience Council
1118 (NDRC), which shall serve as the policy advisory body to the
1119 Department on disaster risk reduction and management and climate
1120 change adaption, consistent with the policies and scope as defined
1121 in this Act.

1122 (b) The NDRC shall be chaired by the Secretary of Disaster Resilience
1123 and shall be composed of the following:

- 1124 (1) Secretary of Science and Technology
- 1125 (2) Secretary of the Interior and Local Government;
- 1126 (3) Secretary of Social Welfare and Development;
- 1127 (4) Secretary of National Defense;
- 1128 (5) Director-General of the National Economic and
1129 Development Authority;
- 1130 (6) Secretary of Health;
- 1131 (7) Secretary of Environment and Natural Resources;
- 1132 (8) Secretary of Agriculture;
- 1133 (9) Secretary of Education;
- 1134 (10) Secretary of Energy;
- 1135 (11) Secretary of Finance;
- 1136 (12) Secretary of Trade and Industry;

- 1137 (13) Secretary of Transportation;
- 1138 (14) Secretary of Budget and Management;
- 1139 15) Secretary of Public Works and Highways;
- 1140 (16) Secretary of Foreign Affairs;
- 1141 (17) Secretary of Justice;
- 1142 (18) Secretary of Labor and Employment;
- 1143 (19) Secretary of Tourism;
- 1144 (20) Secretary of Information and Communications
1145 Technology;
- 1146 (21) Presidential Adviser on the Peace Process;
- 1147 (22) Chairperson of the Commission on Higher Education;
- 1148 (23) Chief of Staff of the Armed Forces of the Philippines;
- 1149 (24) Chief of the Philippine National Police;
- 1150 (25) Head of the Presidential Communications Operations
1151 Office;
- 1152 (26) Secretary-General of the Philippine National Red
1153 Cross;
- 1154 (27) Chairperson of the Commission on Human Rights;
- 1155 (28) Executive Director of the Council for Welfare of
1156 Children;
- 1157 (29) Lead Convenor of the National Anti-Poverty
1158 Commission;

- 1159 (30) Chairperson of the Philippine Commission on Women;
- 1160 (31) Chairperson of the Housing and Urban Development
1161 Coordinating Council;
- 1162 (32) Chairperson of the National Council for Disability
1163 Affairs;
- 1164 (33) Chairperson of the National Commission on
1165 Indigenous Peoples;
- 1166 (34) Chairperson of the National Commission on Muslim
1167 Filipinos;
- 1168 (35) Chairperson of the National Youth Commission;
- 1169 (36) President of the Government Service Insurance
1170 System;
- 1171 (37) President of the Social Security System;
- 1172 (38) President of the Philippine Health Insurance
1173 Corporation;
- 1174 (39) President of the Home Development Mutual Fund;
- 1175 (40) President of the Union of Local Authorities of the
1176 Philippines;
- 1177 (41) President of the League of Provinces of the
1178 Philippines;
- 1179 (42) President of the League of Cities of the Philippines;
- 1180 (43) President of the League of Municipalities of the
1181 Philippines;

- 1182 (44) President of the Liga ng mga Barangays;
- 1183 (45) Maximum of six (6) representatives from the academe
- 1184 and other relevant research institutions;
- 1185 (46) Maximum of six (6) representatives from the civil
- 1186 society organizations; and
- 1187 (47) Maximum of six (6) representatives from the private
- 1188 sector.

1189 (c) Composition – The Council is hereby organized into five (5) clusters,

1190 namely: Disaster Prevention and Mitigation to be led by DOST,

1191 Disaster Preparedness to be led by DILG, Disaster Response by

1192 DSWD, Logistic led by DND, and Recovery and Sustainable

1193 Development led by NEDA.

1194 (d) Technical Management Advisory Group – The Department may

1195 constitute, as the need arises, a technical management advisory

1196 group from the different stakeholders, that shall coordinate and meet

1197 with the Department as often as necessary to effectively manage

1198 and sustain national efforts on disaster risk and vulnerable reduction

1199 and emergency management, and climate change adaptation and

1200 mitigation.

1201 (e) Guidelines for the Department of Disaster Resilience Fund (DDRF)

1202 and Local Disaster Resilience Fund (LDRF)- The Department shall

1203 provide the necessary guidelines and procedures on the DDRF and

1204 LDRF releases as well as utilization, accounting and auditing

1205 thereof.

1206 SEC. 21. *Monitoring, Reporting and Validation.*

1207 (a) Monitoring and Reporting. On or before the last quarter of the

1208 preceding year, member-agencies of the National Disaster

1209 Resilience Council shall submit to the Department through the
1210 Council Secretariat their respective DDR annual work and financial
1211 plans (AWFPS) for the next year. The AWFPS shall be used on the
1212 DDR Plan.

1213 The member-agencies shall submit to the Secretariat
1214 quarterly progress reports of their implementation of the AWFPS
1215 within thirty (30) days from the end of each quarter.

1216 The Department is likewise accountable, liable and
1217 responsible for monitoring and requiring the appropriate
1218 implementation of remedial measures by member-agencies of the
1219 Council during a state of calamity. It shall have the authority and
1220 power to require reports from the appropriate member-agencies
1221 regarding implementation of such measures.

1222 (b) Validation. The Secretary shall require the submission of reports
1223 from LGUs to validate the progress reports of the Council members-
1224 agencies. Submissions shall be through the local field offices of the
1225 DDR.

1226 Every two (2) years, the implementation of the Climate-
1227 Disaster Resilience Plan (CDRP) and utilization of the Local Disaster
1228 Resilience Fund (LDRF) of each province, LGUs, independent city
1229 shall be evaluated by the Regional Disaster Resilience Council
1230 (RDRC) based on appropriate criteria, such as the award,
1231 recognition, citation criteria for provinces, cities and municipalities,
1232 barangay and stakeholders.

1233 (1) The Regional Disaster Resilience Councils (RDRC) –

1234 The Regional Disaster Resilience Councils (RDRC) shall
1235 coordinate, integrate, supervise, and evaluate the activities of the
1236 LDRCs. It shall be accountable, responsible and liable for ensuring

1237 climate- disaster risk sensitive and inclusive regional development
1238 plans, and in case of emergencies shall convene the different
1239 regional line agencies and authorities, concerned institutions,
1240 developmental partners and multiple stakeholders.

1241 The Regional Directors of the Department shall serve as
1242 chairpersons of the RDRCs and the Regional Directors of the DSWD
1243 and DILG and the NEDA shall serve as cluster heads. In the case of
1244 the Bangsamoro Autonomous Region in Muslim Mindanao, the Chief
1245 Minister shall be the RDRC Chairperson. In the case of Metro
1246 Manila, the MDRC shall be headed by the Chairperson of the Metro
1247 Manila Development Authority (MMDA).

1248 The RDRCs shall establish the RDRC Secretariat and
1249 operating facility to be known as the Regional Disaster Resilience
1250 Council Secretariat and Operations Center.

1251 The RDRCs shall be composed of concerned regional
1252 agencies, offices, LGUs and other multiple stakeholders.

1253 (i) LDRC Budgetary Requirements of LDRO – The
1254 budgetary requirements for personal services,
1255 maintenance and other operating expenditures, and
1256 capital outlay of the LDRO shall be sourced from the
1257 General Fund of the LGU, subject to Section 76 of
1258 Republic Act No. 7160, otherwise known as the “Local
1259 Government Code of 1991, as amended. The
1260 enforcement of Sections 325(a) and 331(b) of Republic
1261 Act No. 7160, as amended, shall be waived to enable
1262 the LGUs to fund the initial year requirements for the
1263 creation of the minimum five (5) mandatory positions of
1264 the LDRO.

1265 Other maintenance and operating expenditures,
1266 and other capital outlay requirements of the LDRO in
1267 the implementation of disaster risk and vulnerability
1268 reduction management and climate change adaptation
1269 program shall be charged to the Local Climate-
1270 Disaster Resilience Fund of the LGUs;

1271 (ii) Establish linkage or network with other LGUs for
1272 disaster risk and vulnerability reductions, climate
1273 change adaptation and emergency response
1274 purposes;

1275 (iii) Recommend through the LDRC, the enactment of local
1276 ordinances consistent with the requirement of this Act;

1277 (iv) Establish a Provincial, City, Municipal, and Barangay
1278 Climate and Disaster Resilience Operations Center;
1279 and

1280 (v) Encourage Government-Owned and Controlled
1281 Corporations (GOCCs) to establish their own Climate
1282 and Disaster Resilience Operations Center within their
1283 territories.

1284 SEC. 22. *Synergy with Stakeholders.* – The Department shall ensure
1285 seamless synergy and coordination with stakeholders, including CSOs, the
1286 academe, and the private sector, in relation to disaster resilience and
1287 projects and the development and promotion of research, education and
1288 training mechanism with relevant stakeholders.

1289 The Department shall establish a platform, paradigm, and
1290 mechanism for convergence and coordination with stakeholders, including
1291 the development of standards, protocols and procedures for collaboration
1292 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.

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

CHAPTER VII

DISASTER RISK AND VULNERABILITY REDUCTION AND CLIMATE
CHANGE ADAPTATION MAINSTREAMING, INTEGRATION AND
CONVERGENCE

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

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

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

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

CHAPTER VIII

CLIMATE AND DISASTER RESILIENCE RESEARCH, EDUCATION, AND TRAINING INSTITUTE

SEC. 26. *Creation of the Climate and Disaster Research, Education, and Training Institute.* –

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

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

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

- (1) Establish regional branches as well as provincial, city or municipal branches, if deemed necessary, to train

1375 individuals from the public and private sectors in the
1376 fields of disaster risk and vulnerability reduction and
1377 management, climate change adaptation, and
1378 ecosystem management and restoration, among
1379 others;

1380 (2) Develop and implement an inclusive and ladderized
1381 curricula on climate change adaptation, and disaster
1382 risk and vulnerability reduction and management;

1383 (3) Develop research programs and a knowledge
1384 management system on climate change adaptation
1385 and disaster risk and vulnerability reduction
1386 management for the purpose of innovation and
1387 capacity-building and development;

1388 (4) Partner with public and private academic and research
1389 institutions, the private sector, civil society, community-
1390 based disaster risk and vulnerability reduction
1391 management and climate change adaptation
1392 practitioners, and other relevant sectors in developing
1393 research opportunities and programs on climate
1394 vulnerability and disaster risk assessment;

1395 (5) Establish a resource center for information, education
1396 and communication materials, research, publications,
1397 best work practices, lessons identified and learned,
1398 and other knowledge products on disaster risk and
1399 vulnerability reduction and management, and climate
1400 change adaptation;

1401 (6) Consolidate and prepare information, education and
1402 communication and training materials or publications to

1403 assist disaster risk and vulnerability reduction an
1404 management, and climate change adaptation
1405 practitioners in the planning and implementation of
1406 their plans, programs, projects and activities;

1407 (7) Organize and recognize a community of climate
1408 change adaptation and disaster risk reduction and
1409 management practitioners; and

1410 (8) Accredite, recognize, monitor and evaluate climate
1411 change adaptation, disaster risk and vulnerability
1412 reduction and management training institutions.

1413 (d) Financial Support to the Center;

1414 (1) The budget for the Climate and Disaster Resilience
1415 Research and Training Center shall be sourced from
1416 the annual General Appropriations Act.

1417 (2) The Department shall assist in the establishment of
1418 Research and Training Centers at the provincial, city
1419 and municipal governments, as appropriate. The
1420 funding for such local Climate and Disaster Resilience
1421 Research and Training Centers may be sourced from
1422 the eighty (80%) percent portion of the LDRF and other
1423 financial sources of the local government unit
1424 concerned.

1425 CHAPTER IX

1426 INTEGRATION, MAINSTREAMING CLIMATE AND DISASTER 1427 RESILIENCE INFORMATION, EDUCATION, AND COMMUNICATION 1428 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 (NDCDRC) development partners and multi-stakeholders to access critical information and ensure that the collection processing, analysis and dissemination of information is timely, reliable and accurate to support overall decision making and effective coordination both at the national and subnational level.

SEC. 28. *Disaster Resilience and Climate Change and Training.* – (a) The Department Of Education, CHED, and Technical Educational and Skills 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 nongovernment organizations shall integrate disaster risk and vulnerability reduction and climate change adaptation education in the school curricula at all levels of education, from K to 12 to tertiary levels, including the early and adult learning programs, National Service Training Program (NSTP), and education for children and persons with special needs, whether private or public, including formal and non-formal, technical-vocational, indigenous learning, out-of-school youth courses and programs, and other channels of

1459 educational integration, including media, church, entertainment centers
1460 (malls), international and domestic airports and transport terminals.

1461 (b) The Civil Service Commission (CSC), Professional Regulation
1462 Commission (PRC), and other licensure bodies shall integrate
1463 disaster risk and vulnerability reduction management and climate
1464 change adaptation questions in all professional and licensure
1465 examinations.

1466 (c) In coordination with the Department and the Climate and Disaster
1467 Resilience Research, Education, and Training Institute shall develop
1468 a curriculum for courses or subjects specific to disaster risk and
1469 vulnerability reduction management and climate change adaptation,
1470 and shall mandate all tertiary learning institutions to offer these
1471 subjects.

1472 (d) The Parents And Teachers Community Associations shall initiate,
1473 support, and participate in disaster risk and vulnerability reduction
1474 management and climate change adaptation related activities in
1475 schools and host communities.

1476 (e) The DepEd, the CHED and the Technical Education and Skills
1477 Development Authority (TESDA) and other developmental
1478 institution, community-based practitioners and organized
1479 nongovernmental organizations shall formulate and institutionalize
1480 flexible learning options such as online modules, supplemental
1481 learning materials, resources and platforms, as part of its climate
1482 change adaptation, disaster risk and vulnerability reduction and
1483 governance, analysis, and management strategy.

1484 (f) The DepEd, CHED, TESDA, developmental institutions and
1485 community-based organizations shall regularly review, monitor
1486 evaluate and report to the Council the status of integration,

1487 mainstreaming and implementation of climate change adaptation,
1488 disaster risk and vulnerability reduction and management in public-
1489 private schools and other learning institutions.

1490 (g) The LDROs shall form formal partnerships with tertiary learning
1491 institutions within their respective jurisdictions to provide standard
1492 and ladderized training programs for LGU officials and other disaster
1493 risk and vulnerability reduction management and climate change
1494 adaptation.

1495 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the BDRCs, and the
1496 Sangguniang Kabataan shall encourage community, specifically the
1497 youth, participation in disaster risk and vulnerability reduction and
1498 climate change adaptation activities, such as Information, Education
1499 and Communication (IEC) campaigns organizing quick response
1500 groups, particularly in identified disaster-prone areas, as well as the
1501 inclusion of DRVR-climate change adaptation programs as part of
1502 programs and projects of the Sangguniang Kabataan, youth
1503 organizations and community-based disaster risk and vulnerability
1504 reduction management and anticipatory adaptation initiatives.

1505 (i) There shall be a mandatory training on climate change adaptation-
1506 DRVR for public and private sector employees, including teachers
1507 and Climate-Disaster Resilience Coordinators from both the public
1508 and private learning institutions, who shall be trained in emergency
1509 preparedness and response in compliance with the provisions of this
1510 Act.

1511 *SEC. 29 Standard Mechanism for Cascading Information, Education and*
1512 *Communication on Climate Change Adaptation and Disaster Risk and*
1513 *Vulnerability Reduction. – (a) The DRC shall promote and advocate a*
1514 *culture of resilience and responsible-accountable, liable and responsible*
1515 *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 resilience. It shall serve as a reference on continuous awareness raising and education at all levels of the government and multiple stakeholders.

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

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

SEC. 31. *Flash Appeal or Appeal for International Assistance.*- Upon consultation with the NDRC and in cognizance of the urgency, criticality and intensity of an imminent risk, the DDR shall issue a flash appeal to the

family of nations, under regional and multilateral conventions, for assistance in preparedness including preemptive measures, search, rescue and retrieval, relief, recovery, and reconstruction.

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 the LDRF.

SEC 33. *Recognition and Incentives.* – Unless otherwise provided, the Department shall establish an incentives program that recognizes outstanding of LDRC, NGOs, CSOs, private sectors, schools, hospitals and other stakeholders in promoting and implementing significant disaster risk and 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 nongovernmental organizations.

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

(b) The Department shall enhance and strengthen Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) and the Philippine Institute of Volcanology and Seismology (PHILVOLCS) 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 system 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 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

1627 procedure of the affected communities to achieve zero casualty, to zero
1628 death.

1629 (f) The Department shall consider working with other agencies or
1630 organizations on pre-crisis information mapping of the humanitarian needs
1631 of the at-risk community that will enhance the overall prepositioning of
1632 resources at the national and local levels.

1633 CHAPTER XII

1634 DISASTER RESPONSE AND EARLY RECOVERY

1635 SEC 37. *Declaration of State of Calamity.* – The Department shall declare a
1636 cluster of barangays, municipalities, cities, provinces, and regions under a
1637 state of calamity, and the lifting thereof, based on the criteria set by the
1638 NDRC.

1639 The declaration and lifting of the state of calamity may also be
1640 issued by the local Sanggunian, upon the recommendation of the LDRO,
1641 based on the results of the damage assessment and needs analysis:
1642 *Provided*, That the Department, through the LDRC, may seek from the local
1643 legislative body or Sanggunian, the declaration of the state of imminent
1644 disaster to enable the local executives to implement preemptive evacuation
1645 and precautionary measures in order to save lives and minimize damage to
1646 property, loss of livelihood, and disruption of livelihood that require the use
1647 of funds and resources under the LDRF.

1648 SEC. 38. *Emergency Management.* – The respective Climate and Disaster
1649 Resilience Councils shall lead in preparing for, responding to, and
1650 recovering from the effects of any disaster, upon due consideration to the
1651 economics of classification, capacity and vulnerability of the local
1652 governments concerned;

- 1653 (a) The Barangay Disaster Resilience Council (BDRC), if one barangay
1654 is affected;
- 1655 (b) The city/municipal Disaster Resilience Councils (DRCs), if two (2) or
1656 more barangays are affected;
- 1657 (c) The provincial Disaster Resilience Council (DRC), if two (2) or more
1658 cities and municipalities are affected;
- 1659 (d) The regional Disaster Resilience Council (DRC), if two (2) or more
1660 provinces are affected; and
- 1661 (e) The NDRC, if two (2) or more regions are affected.

1662 SEC. 39. *Humanitarian Assistance Action Center.* – The DRC shall
1663 institutionalize a one-stop shop mechanism through the Humanitarian
1664 Assistance Action Center for the processing and release of goods, articles
1665 or equipment intended for humanitarian assistance and the processing of
1666 necessary documents for international assisting actors. The Humanitarian
1667 Assistance Action Center shall managed by the Department and shall be
1668 composed of the following NDRC agencies:

- 1669 (a) Department of Finance- Bureau of Customs;
- 1670 (b) Department of Foreign Affairs;
- 1671 (c) Department of Social Welfare and Development;
- 1672 (d) Department of Health;
- 1673 (e) Food and Drug Administration;
- 1674 (f) Department of Agriculture;
- 1675 (g) Department of Energy;
- 1676 (h) Philippine National Police;

- (i) Philippine Coast Guard; and
- (j) Department of Justice- Bureau of Immigration.

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

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

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

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

CHAPTER XIII

INTERNATIONAL HUMANITARIAN ASSISTANCE

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

SEC. 43. *Assessment of the Need for International Humanitarian Assistance.*

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

(b) In the event the Department determines that domestic response capacities are not likely to be sufficient due to 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.

1731 SEC. 44. *Request for International Humanitarian Assistance.* – The
1732 President may request for international humanitarian assistance upon the
1733 advice of the Department. Such request may be specifically directed to
1734 particular assisting international actors, or it may be a general request
1735 directed to the international community.

1736 SEC. 45. *Humanitarian Assistance Action Center.* – The Department shall
1737 institutionalize an interagency one-stop shop mechanism called through the
1738 Philippine International Humanitarian Assistance Action Center (PIHARAC)
1739 for the processing and release of entry and facilitation of goods, articles or
1740 equipment, and services of international relief workers for the provision of
1741 international humanitarian assistance, and the processing of necessary
1742 documents for assisting international actors.

1743 CHAPTER XIV

1744 OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE TO 1745 FOREIGN STATES

1746 SEC. 46. *Offer and Facilitation of International Humanitarian Assistance to*
1747 *Foreign States.* – In the event of a disaster occurring in a foreign state for
1748 which international humanitarian assistance is required, the Department
1749 may offer, facilitate and provide international humanitarian assistance to
1750 such foreign state, which shall be subject to guidelines to be promulgated
1751 by the Department for the purpose.

1752 SEC. 47. *Accreditation.* – The Department, in coordination with relevant
1753 government agencies and organizations, shall provide and facilitate the
1754 necessary training and accreditation to the respective government
1755 personnel to be deployed for such offer, facilitation and provision of
1756 international humanitarian assistance to a foreign state.

1757 CHAPTER XV

LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL
ACTORS

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

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

SEC. 50. *Recognition of Foreign Professional Qualifications.*

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

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

(c) Recognition of qualifications shall remain valid until the end of the International Initial Recovery Period, absent individual criminal conduct or other professional misconduct sufficient to bar the individual from professional 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 or 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 declarations 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 telecommunications equipment as well as a waiver of licensing requirements of fees.

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

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

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

C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS

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

CHAPTER XVI

RECOVERY

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

- (a) Improve the community's physical, social and economic resilience, consistent with the principle of "Build Forward Better";
- (b) Use locally-driven and centrally-supported processes based on legal mandates with supplementary capacity support when requested;

- 1864 (c) Redirect development outside danger zones to minimize loss of lives
1865 and structures resulting from typhoons, flooding, landslides, and
1866 other hazards;
- 1867 (d) Employ outcome-driven planning and implementation;
- 1868 (d) Maximize use of private-public sector partnership where possible;
- 1869 (f) Consider local conditions such as culture, security situation, and
1870 existing capacities of communities in identifying programs and
1871 projects;
- 1872 (g) Ensure access to public transport, physical and mental health
1873 services, markets, school, sustainable livelihoods, and other public
1874 services in planning for settlement areas; and
- 1875 (h) Ensure restoration of peace and order and recovery of government
1876 functions.

1877

CHAPTER XVII

1878

REMEDIAL MEASURES UNDER STATE OF CALAMITY

1879 SEC. 63. *Remedial Measures Under State of Calamity.* – Upon the
1880 declaration of a state of calamity, the following remedial measures shall be
1881 immediately undertaken by concerned government agencies both of
1882 national and local levels:

- 1883 (a) Imposition of price ceiling on basic necessities and prime
1884 commodities by the National Price Control Council, as provided for
1885 under Republic Act No. 7581, otherwise as the “*Price Act*”, as
1886 amended by Republic Act. No. 10623;

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

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

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

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

CHAPTER XVIII

PROCUREMENT

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

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

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CHAPTER XIX

1915

PROHIBITED ACTS AND PENALTIES

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

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

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

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

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

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

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

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

1939	(b)	Prohibited Acts of Public Officials and Private Persons or Institutions—
1940		
1941	(1)	Delaying, without justifiable cause the delivery or improper handling or storage of aid commodities, resulting to damage or spoilage;
1942		
1943		
1944	(2)	Withholding the distribution of relief goods due to: (a) political or partisan considerations; (b) discrimination based on race, ethnicity, religion, or gender; and (c) other similar circumstances;
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1948	(3)	Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment accessories, disaster teams or experts;
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1950		
1951	(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;
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1954		
1955	(5)	Buying, for consumption or resale, from disaster affected persons, relief goods, equipment or other aid commodities received by them;
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1958	(6)	Selling of relief goods, equipment, or other aid commodities which are intended for distribution to disaster victims;
1959		
1960	(7)	Forcibly seizing relief goods, equipment, or other aid commodities intended for or consigned to a specific group of victims or relief agency;
1961		
1962		
1963	(8)	Diverting or misdelivery of relief goods, equipment, or other aid commodities to persons other than the rightful recipient or consignee;
1964		
1965		

- 1966 (9) Accepting, possessing, using or disposing relief goods,
1967 equipment or other aid commodities not intended for nor
1968 consigned to them;
- 1969 (10) Misrepresenting the source of relief goods, equipment, or
1970 other aid commodities by;
- 1971 (i) Either covering, replacing or defacing the labels of the
1972 containers to make it appear that the goods,
1973 equipment, or other aid commodities came from
1974 another agency or persons;
- 1975 (ii) Repacking the goods, equipment or other aid
1976 commodities into containers with different markings to
1977 make it appear that the goods came from another
1978 agency or person or was released upon the instance of
1979 a particular agency or persons; and
- 1980 (iii) Making a false verbal claim that the goods, equipment
1981 or other aid commodities in their untampered original
1982 containers actually came from another agency or
1983 persons or was released upon the instance of
1984 particular agency or persons:
- 1985 (11) Substituting or replacing relief goods, equipment, or other aid
1986 commodities with the same items or of inferior/cheaper
1987 quality:
- 1988 (12) Illegal solicitations by persons or organizations representing
1989 others as defined in the standards and guidelines set by the
1990 NDRC;

- 1991 (13) Deliberate use of false or inflated data in support of the
1992 request for funding, relief goods, equipment, or other aid
1993 commodities for emergency assistance or livelihood projects;
- 1994 (14) Stealing, taking, or possessing of any of the equipment,
1995 accessories and other vital facility or item or any part thereof;
- 1996 (15) Selling or buying stolen equipment, accessories, and other
1997 vital facility or items or any part thereof;
- 1998 (16) Tampering with or stealing hazard monitoring and disaster
1999 preparedness equipment and paraphernalia;
- 2000 (17) Attempting to commit any of the abovementioned prohibited
2001 acts; and
- 2002 (18) Benefitting from the proceeds or fruits of any the
2003 abovementioned prohibited acts knowing that the proceeds of
2004 fruits are derived from the commission of the prohibited acts.
- 2005 SEC. 67. *Penalties.* – The following penalties shall be imposed on any
2006 individual, corporation, partnership, association or other juridical entity that
2007 commits any of the prohibited acts in the preceding section:
- 2008 (a) Imprisonment of not less than twelve (12) years but not more than
2009 fifteen (15) years or a fine of not less than One million pesos
2010 (P1,000,000.00) but not more than Three million pesos
2011 (P3,000,000.00), or both imprisonment and fine at the discretion of
2012 the court, shall be imposed upon any person found guilty of violating
2013 subsections (b)(1) to (b)(16), as well as the confiscation or forfeiture
2014 in favor of the government of the objects and the instrumentalities
2015 used in the commission of the prohibited acts;
- 2016 (b) Imprisonment of not less than six (6) years but not more than eight
2017 (8) years or a fine of not less than Five hundred thousand pesos

2018 (P500,000.00) but not more than One million pesos (P1,000,000.00),
2019 or both imprisonment and fine at the discretion of the court, shall be
2020 imposed upon any person who attempts to commit any of the
2021 prohibited acts in the preceding section, violation of subsection
2022 (b)(17) thereof;

2023 (c) Imprisonment of not less than two (2) years but not more than six (6)
2024 years or a fine of not less than Two hundred thousand pesos
2025 (P200,000.00) but not more than Five hundred thousand pesos
2026 (P500,000.00), or both imprisonment and fine at the discretion of the
2027 court, shall be imposed upon any person found guilty of unlawfully
2028 benefiting from the proceeds or fruits of any of the prohibited acts in
2029 the preceding section, in violation of subsection (b)(18) thereof;

2030 (d) Perpetual disqualification from office aside from the penalty of fine or
2031 imprisonment or both, shall be imposed if the offender is a public
2032 officer, and confiscation or forfeiture in favor of the government of
2033 the objects and instrumentalities used in the commission of any of
2034 the prohibited acts in the preceding section;

2035 (e) If the offender is a corporation, partnership or association, or other
2036 juridical entity, the penalty shall be imposed upon the officer or
2037 officers of the corporation, partnership, association or entity
2038 responsible for the violation without prejudice to the cancellation or
2039 revocation of these entities' registration, license or accreditation
2040 issued to them by any licensing or accredited body of the
2041 government. If such offender is an alien, the person shall, in addition
2042 to the penalties prescribed in this Act, be deported without further
2043 proceedings after service of the sentence;

2044 (f) Payment of the full cost of repair or replacement of the government
2045 risk reduction and preparedness equipment, accessories and other
2046 vital facility or items, or any part thereof, which is the object of the

2047 crime shall likewise be imposed upon any person who shall commit
2048 any of the prohibited acts in the preceding section; and

2049 (g) The prosecution for offenses set forth under the preceding section
2050 shall be without prejudice to any criminal liability for violation of Act
2051 No. 3815, as amended, otherwise known as the "The Revised Penal
2052 Code", and other existing laws, as well as the imposition of
2053 applicable administrative or civil liabilities.

2054 CHAPTER XX

2055 APPROPRIATIONS

2056 SEC. 68. *Appropriation.* – (a) The amount needed for the initial
2057 implementation of this Act shall be taken from the current fiscal year's
2058 unexpected appropriation of all agencies herein absorbed , transferred, and
2059 attached to the Department. Thereafter, the amount needed for the
2060 operation and maintenance of the Department shall be included in the
2061 General Appropriations Act.

2062 (b) National Disaster Resilience Fund (NDRF). The utilization and
2063 allocation of the entire NDRF (Calamity Fund) and its quick response fund
2064 component shall be managed by the Department except as provided for by
2065 specific laws.

2066 (c) Local Disaster Resilience Fund (LDRF). Not less than seven percent
2067 (7%) of the estimated revenue from regular sources shall be set aside as
2068 the LDRF to support disaster risk and vulnerability reduction and climate
2069 change adaption and mitigation programs, projects and activities. The
2070 LDRC shall monitor and evaluate the use and disbursement of the LDRF
2071 based on the LDRP as incorporated in the local development plans and
2072 annual work and financial plan. Upon the recommendation of the LDRO
2073 and approval of the sangunian concerned, the LDRC may transfer the said
2074 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 the 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 allotted as Quick Response Fund (QRF) or standby fund for prepositioning of goods and equipment and relief and early recovery programs in order that the situation and living conditions of people in communities or areas stricken by disasters, epidemics, or complex emergencies, may be normalized as quickly as possible.

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

(5) All 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 (3rd) to sixth (6th) class provinces and municipalities. There shall be in the annual General Appropriations Act an amount allotted solely for the use of the 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.

- 2130 (a) The applicable powers, functions, funds, and appropriations of the
2131 Office of Civil Defense (OCD) and the Climate Change Office
2132 (CCO), Geo-Hazard Assessment and Engineering Geology Section
2133 of the Mines and Geosciences Bureau (MGB), Health and
2134 Emergency Management Bureau of the Department of Health
2135 (DOH), the Disaster Response Assistance and Management Bureau
2136 (DREAMB) of the DSWD, and the Bureau of Fire Protection are
2137 hereby transferred to the Department.
- 2138 (b) The disaster risk reduction and management functions, assets and
2139 personnel of the Office of Civil Defense [OCD] currently under the
2140 DND, are hereby transferred to the Department, and the civil
2141 defense functions shall remain with the DND;
- 2142 (c) The existing organizational and administrative systems and
2143 processes of the transferred OCD shall serve as the core
2144 organization of the Department.
- 2145 (d) The Climate Change Office of the Climate Change Commission shall
2146 continue its functions under Republic Act No. 10174 under the
2147 Department.
- 2148 (e) The following agencies are hereby attached to the Department:
- 2149 (1) Philippine Atmospheric, Geophysical and Astronomical
2150 Services Administration [PAGASA]; and
- 2151 (2) Philippine Institute of Volcanology and Seismology
2152 (PHIVOLCS).
- 2153 (f) The employees of the Bureau of Fire Protection (BFP) shall remain
2154 as a distinct entity within the Department including their uniformed
2155 personnel status and benefits.

2156 The Department shall, by virtue of this Act, be subrogated to
2157 all the rights and all the liabilities of the agencies absorbed under
2158 this Act, and all their funds, records, property, assets, equipment,
2159 and such personnel as necessary, including unexpended
2160 appropriations or allocations. All contracts and liabilities of the said
2161 agencies are hereby transferred to and assumed by the Department
2162 and shall be acted upon in accordance with the Auditing Code and
2163 other pertinent laws, rules, and regulations.

2164 SEC. 70. *Separation Benefits of Officials and Employees of Affected*
2165 *Agencies.* – National government employees displaced or separated from
2166 the service as a result of this Act shall be entitled to separation pay and
2167 other benefits in accordance with Republic Act No. 6656, and other existing
2168 laws, rules or regulations: *Provided,* That those who are qualified to retire
2169 under existing retirement laws shall be allowed to retire and receive
2170 retirement benefits to which they may be entitled under applicable laws and
2171 issuances.

2172 SEC. 71. *Magna Carta for DDR Personnel.* – Qualified employees of the
2173 DDR, LGU's and its attached units shall be covered by Republic Act No.
2174 8439, known as the "Magna Carta for Scientists, Engineers, Researchers
2175 and Other S & T Personnel in the Government", and Republic Act No.
2176 7305, otherwise known as the "Magna Carta of Public Health Workers".

2177 CHAPTER XXII

2178 MISCELLANEOUS PROVISIONS

2179 SEC. 72. *Implementing Rules and Regulations.* – The Department, in
2180 consultation with concerned stakeholders, shall issue the necessary rules
2181 and regulations for the effective implementation of this Act within ninety [90]
2182 days from the effectivity of this Act.

2183 SEC. 73. *Congressional Oversight Committee.* – There shall be created a
2184 Congressional Oversight Committee on Climate Change and Disaster
2185 Resilience to monitor and oversee the implementation of the provisions of
2186 this Act. The Committee shall be composed of six [6] members from the
2187 Senate and six [6] members from the House of Representatives with the
2188 Chairpersons of the Committees on National Defense and Security of both
2189 the Senate and the House of Representatives as joint Chairpersons of this
2190 Committee. The five (5) other members from each Chamber are to be
2191 designated by the Senate President and the Speaker of the House of
2192 Representatives, respectively. The minority shall be entitled to *pro rata*
2193 representation but shall have at least two (2) representatives from each
2194 Chamber.

2195 SEC. 74. *Review.* – Five (5) years after the effectivity of this Act, or as the
2196 need arises, the Congressional Oversight Committee shall conduct a
2197 systematic evaluation of the accomplishments and impact of this Act, as
2198 well the performance and organizational structure of its implementing
2199 agencies, for purposes of determining remedial legislation.

2200 SEC. 75. *Separability Clause.* – If any provision of this Act shall be
2201 declared unconstitutional or invalid, the other provisions not otherwise
2202 affected shall remain in full force and effect.

2203 SEC. 76. *Repealing Clause.* – (a) Republic Act No. 10121, otherwise
2204 known as the “Philippine Disaster Risk Reduction and Management Act of
2205 2010,” is hereby repealed.

2206 (b) The following provisions are hereby amended or modified,
2207 accordingly:

- 2208 (1) Section 30 of Executive Order No. 128, Series of 1987,
2209 Reorganizing the National Science and Technology Authority;

2210 (2) Section 6 of Republic Act 6975, otherwise known as the
2211 "Department of the Interior and Local Government Act of
2212 1990";

2213 (3) Section 3(d) and 5 of Republic Act No. 9729, otherwise
2214 known as the "Climate Change Act of 2009", as amended by
2215 Republic Act No. 10174;

2216 (4) Section 4 of Republic Act No. 10639, otherwise known as
2217 "The Free Mobile Disaster Alerts Act"; and

2218 (5) Section 5 of Republic Act No. 10692, otherwise known as
2219 "The PAGASA Modernization Act of 2015".

2220 (c) All other laws, decrees, executive orders and issuances,
2221 proclamations, rules and regulations, and other issuances or parts thereof
2222 that are inconsistent with the provisions of this Act are hereby repealed or
2223 amended accordingly.

2224 SEC. 77. *Effectivity.* – This Act shall take effect fifteen (15) days after its
2225 publication in the *Official Gazette* or in a newspaper of general circulation.

2226 *Approved,*