

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

Eighteenth Congress
Third Regular Session

HOUSE BILL NO. 10654



Introduced by **REP. EDGAR MARY S. SARMIENTO**

EXPLANATORY NOTE

As a country geographically situated in the Pacific Typhoon Belt, the Philippines is always at the risk of being directly on the path of some tropical weather activity. An average of 24 typhoons enter the Philippine Area of Responsibility annually, making several landfalls in various islands of the archipelago.

Scientists worldwide and the evidence at hand are in consensus: the global warming is taking effect, we – the countries astride the Pacific Ocean – are at high risk. Typhoons are getting stronger, more dangerous and damaging resulting in global damage amounting to a total of USD 170.3 billion this year.

When Severe Tropical Storm Odette (internationally known as Rai) entered the Philippine Area of Responsibility last 14 December 2021, it made 9 landfalls in various provinces across six regions in the Visayas and Mindanao.

The path it traversed was almost the same as that of Super Typhoon Yolanda in 2013. It flattened almost every structure it passed, affecting millions in population in the regions and cutting the supply and logistic chain to include damage to airports, seaports and major highways.

Due to the severity of the damage brought about by these typhoons, search and rescue is an utmost importance. People in the affected areas should right away be provided with basic essentials for survival, which is food, drinking water, and shelter. These supplies, should must reach all affected areas the soonest time possible

and the support on logistical requirement should come from the unaffected or less affected areas in the country. Thus, immediate transport of these goods are vital.

In addition to the search and rescue, the immediate relief of the victims and individuals in the areas severely affected should be given due consideration on the regulatory requirements such as vehicle registrations and renewal of licenses set to expire in just few days or in a month since their priority is survival and it is expected that the offices both in government and private will be temporarily closed due to situation on the ground.

These are recurring scenarios every time there is a weather catastrophe such as Typhoon Yolanda, Pablo and Sendong.

Moving forward, as a country prone to tropical cyclones and weather related natural disasters, it is best that the nation take measures to ensure immediate conduct of search and rescue and relief operation that will have the logistical support to address them. As an archipelago, we heavily rely on our nautical highways and maritime transportation.

Hence, to hasten and make the process of transporting goods efficient, the government should be given the power to take immediate control of its maritime assets, and to enlist the participation of the private sector as well. This is to immediately respond and carry the needed search and rescue and immediate relief from the nearest unaffected areas to the affected areas. Neighboring provinces should likewise be involved and mandated to mobilize and allow their ports – both sea and air – to be used for the transport of goods and rescue services free of charge.

Furthermore, the government should suspend transport charges and different added costs to encourage more private companies and individuals from all sectors to lend their resources and transportation assets (whether land or marine) to be used in transporting essential relief goods to address the shortage brought about by the damaged land and marine vehicles.

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


REP. EDGAR MARY S. SARMIENTO
First District of Samar

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Introduced by **REP. EDGAR MARY S. SARMIENTO**

**AN ACT MANDATING IMMEDIATE NATURAL CALAMITY
RESPONSE BY ALLOWING THE GOVERNMENT TO
COMMANDEER TRANSPORTATION ASSETS, SUSPEND
TRANSPORT CHARGES, TRUCK BANS, AND
SUSPEND REGULATORY REQUIREMENTS IN AREAS THAT
ARE SEVERELY DAMAGED UPON PRESIDENTIAL
DECLARATION OF A STATE OF CALAMITY**

Be it enacted by the Senate and House of Representative of the Philippines in
Congress assembled.

SECTION 1. *Short title.* This Act shall be known as the “Immediate Natural
Calamity Rescue and Relief Act of 2021.”

SECTION 2. *Suspension of Transport Charges and Fees.* Upon Presidential
declaration of a State of Calamity on severely affected areas, the President may
declare the following transport charges in any area where the signal is raised as
immediately suspended:

- a. Seaport charges and fees in all ports where the signal is raised for cargo vessels, Roll-on Roll-Off (RORO), and passenger ships used for immediate evacuation and transport of goods and essentials to affected Local Government Units;
- b. Airport charges and fees in all airports where the signal is raised for all evacuation/sweeper flights and transport of goods and essentials to affected Local Government Units;
- c. Land terminal charges and fees in all terminals where the signal is raised for all evacuation/mercy trips and transport of goods and essentials to affected Local Government Units;
- d. Expressway Toll fees as may be applicable for all evacuation/mercy trips and transport of goods and essentials to affected Local Government Units;
- e. Usage, wharfage and anchorage fees for vessels carrying relief goods and essentials, as well as for vessels unable to dock or waiting to be docked in affected seaports;
- f. Storage Fees for containers already deposited at ports affected upon the issuance of the Tropical Cyclone Warning up to the lifting of the suspension, or upon resumption of normal port operations, whichever comes first;
- g. Arrastre, stevedoring, and cargo handling fees for relief goods and equipment to be used in clearing and rescue operations.

Any fee and charge paid when the same should have been suspended shall be applied to future billings in favor of the payor, subject to approval by the local port authority involved.

In addition to suspension of Charges for Ports and Terminal Fees and Charges, there shall likewise be a Price Freeze on fares for all land, maritime, rail, and air travel for all evacuation/mercy trips and transport of goods and essentials to affected Local Government Units.

SECTION 3. *Extension of Motor Vehicle Registration and Driver's License Validity.* The validity of motor vehicle registrations and drivers licenses of individuals in the areas where the Tropical Cyclone Warning signals 3 to 5 are raised that are set to expire within 60 days from the issuance of the said warning signal are automatically extended 2 months from the day of their original expiry. Affected individuals shall present a Sworn Statement stating he/she was in the affected area during and/at the time of the tropical cyclone and present proof of residence therein at the time of renewing said registration/license and when availing of the extension of validity.

SECTION 4. *Suspension of and Exemption from Truck Bans* – Upon Presidential declaration of the State of Calamity on severely affected areas, the President may declare truck bans implemented in any affected Local Government Unit as immediately suspended.

Trucks not within areas where Tropical Cyclone Warning Signals 3 to 5 is raised but will be used in transporting relief goods, equipment, and personnel to said affected areas shall likewise be exempt from truck bans. To avail of the exemption,

the operator/driver must present proof by way of waybill or certification from sender/consignee that the goods, equipment, and/or passengers are transported for relief and rescue operations.

SECTION 5. *Enlistment of Maritime Assets and Incentives* – Upon Presidential declaration of a State of Calamity on severely affected areas, the Maritime Industry Authority (MARINA) and Philippine Ports Authority (PPA) shall immediately commandeer unaffected and available government-owned vessels, RoRo ships, cargo ships, passenger ships, fast crafts, and all other marine vehicles to transport essential relief goods, equipment (medical and road-clearing), and rescue personnel from unaffected areas to those areas that were severely affected;

Unaffected and available privately-owned vessels, RoRo ships, cargo ships, passenger ships, fast crafts, and all other marine vehicles duly registered with MARINA shall also be enlisted and commandeered with consent from the registered owner for immediate use for transport of rescue and relief operations.

Provided, that any such volunteer vessels, RoRo ships, cargo ships, passenger ships, fast crafts, and all other marine vehicles shall receive, upon presentation of receipts for costs and certification by the Office of the Civil Defense (OCD), incentives in the form of just compensation and fuel refunds. These incentives shall be on top of the non-payment of port fees, anchorages, toll fees and other charges as listed under Section 2 hereof. Payment of these incentives and refunds shall be sourced from the designated disaster fund;

Provided further, that MARINA and PPA shall only enlist and commandeer ships and vessels exclusively for the following purposes and only during the period applicable under Section 6 hereof:

- a. Search and Rescue Operations
- b. Emergency Medical Services
- c. Immediate Recovery and Recuperation (temporary and evacuation shelters)

SECTION 6. *Period of Suspension.* The suspension of the truck bans, transport fees and charges as applicable in Sections 2 and 4 hereof shall be fifteen (15) days;

Provided, such period may be lifted earlier or extended by the President upon recommendation by the National Disaster Coordinating Council, taking into consideration the severity of the damage sustained and the number of areas/Local Government Units affected.

Provided further, that any suspension and corresponding extensions shall not exceed three (3) months in total, to curtail the possibility of abuse of the suspension as well as to encourage immediate transportation of relief goods and rescue services.

SECTION 7. *Priority Dockage and Airport Queue; Cargo Handling.* – Considering the urgency of the transport of essential goods, equipment, and rescue service personnel, vessels, trucks, and planes shall be afforded priority dockage, boarding, flight queueing, and cargo handling in seaports and airports for any of the duration in Section 6 hereof, as the case may be. The usual cash transactions for cargo

handling fees shall be suspended, allowing for streamlined release of cargo and extension of credits for the fees for the same.

SECTION 8. *Implementing Body.* – Upon Presidential declaration of a State of Calamity and subsequent suspension of all charges and truck bans, and application of all other provisions of Sections 2, 3, 4, 5, and 7 hereof, the Secretary of the Department of Transportation shall act as Emergency Transportation Chief and ensure implementation of the provisions of the Act.

SECTION 9. *Separability Clause* – In the event that any provision of this Act is declared invalid, the remainder of this Act not affected thereby shall continue in operation.

SECTION 9. *Repealing Clause* - All laws, presidential decrees, executive orders or parts thereof that are inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 10. Effectivity - This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Adopted,