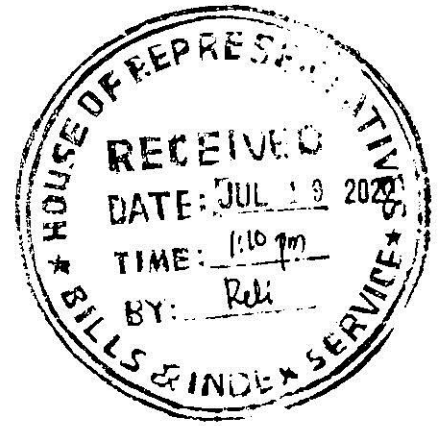


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2135



Introduced by **Representative Florida P. Robes**

EXPLANATORY NOTE

Natural disasters such as typhoons, floods, earthquakes and volcanic eruptions can happen unexpectedly while human-induced disasters such as war and famine may not occur so sudden but their effects can be so devastating as well. When they strike, they are tests to the resilience of humanity and their steadfastness to respond to those in need as quickly and as effectively as they can. In times like these, aids and assistance pour from all parts of the world to help alleviate the situation of disaster victims. Many thousands of lives would have been needlessly lost without the support and assistance of people from all walks of life and in all dimensions.

As humans can only last few days without food and water, relief operations are important. In this case, response mechanisms and guidelines must be geared towards saving lives in the immediate aftermath of any disaster. Proper management of relief, particularly collecting and sending of goods, must be in place. And to entice people in donating relief goods to be distributed to people affected by disasters, this bill seeks to mandate freight companies, freight forwarders, common and private carriers and other logistic companies to provide free freight services in the transportation of relief goods and donated articles to calamity-stricken areas. This will further ensure that adequate relief assistance is given to individuals and communities most devastated by the disaster.

It has been said that "the primary goals of humanitarian action are to save lives, alleviate suffering and maintain human dignity during and in the aftermath of humanitarian crises" (White Paper on Irish Aid, 2006). This is clearly manifested in our "bayanihan spirit." As the tradition of helping victims of disaster is engrained in our values system as Filipinos, the approval of this Bill is earnestly sought.


FLORIDA P. ROBES

Republic of the Philippines
HOUSE OF REPRESENTATIVES
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House Bill No. 2135

Introduced by **Representative Florida P. Robes**

AN ACT
PROVIDING FOR FREE FREIGHT SERVICES IN THE
TRANSPORTATION OF RELIEF GOODS TO CALAMITY-STRICKEN
AREAS

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

1 **SECTION 1. Short Title.** - This Act shall be known as the "Relief Goods Free
2 Transportation Act".

3 **SEC. 2. Declaration of Policy.** - It is the policy of the State to strengthen existing
4 mechanisms that will facilitate quick responses to the demands and needs during disasters and
5 emergencies and to encourage altruism among the citizens when it is necessary to provide
6 timely relief to the victims of catastrophic phenomena by engaging the services of both public
7 and private common carriers, freight forwarders, freight companies, and other logistics
8 companies to collect, sort, store, transport, and deliver relief goods donated by international
9 and local donors to areas declared in a "state of calamity" in the most economical, reliable,
10 speedy, and secured manner.

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

12 (a) *Common carriers* refer to persons, corporations, firms, or associations offering their
13 services to the public and engaged in the business of carrying or transporting passengers or
14 goods or both, by land, water, or air, for compensation;

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

1 (c) *Donated goods* or *articles* refer to food or non-food items responsive to any situation
2 affecting disadvantaged or distressed individuals and families in order to meet their basic
3 needs, given in kind by any individual or group or entities:

4 (d) *Duly registered relief organization* refers to any relief organization, not operated
5 for profit, duly registered, licensed or accredited with any national government agency:

6 (e) *Emergency* refers to unforeseen or sudden occurrence, especially danger,
7 demanding immediate action;

8 (f) *Freight companies* refer to companies that specialize in the moving or transporting
9 of freight or cargo from one place to another and categorized either as international freight
10 forwarders or domestic freight forwarders:

11 (g) *Freight forwarders* refer to persons or companies that organize shipments for
12 individuals or corporations to get goods from the manufacturer or producer to a market,
13 customer, or final point of distribution:

14 (h) *International humanitarian assistance (IHA)* refers to any aid and action taken by
15 any duly coordinated foreign government or organization in the form of financial donations,
16 international relief workers, and in-kind donations, for the benefit of disaster-stricken areas,
17 aimed at providing emergency response, rehabilitation and recovery operations to mitigate the
18 effects of disasters or major emergencies:

19 (i) *Private carriers* refer to those entities that undertake the delivery of goods or
20 passengers for compensation, without being engaged in the business of carrying as a public
21 employment.

22 (j) *Relief* refers to interventions to alleviate, ease, or mitigate a distressed or critical
23 situation affecting persons, families, groups or communities:

24 (k) *Relief goods* refer to food packs and non-food items such as clothing articles, mats,
25 blankets, mosquito nets, kitchen wares, water containers, hygiene kits, and medical and health-
26 related products to be given directly to the victims of a disaster or an emergency:

27 (l) *Response Cluster* refers to the National Disaster Risk Reduction and Management
28 Council (NDRRMC) cluster of government agencies and instrumentalities and humanitarian
29 agencies working in a unified manner to provide assistance to the needs of communities
30 affected by the disaster; and

31 (m) *State of calamity* refers to a condition involving mass casualty or major damages
32 to property and public infrastructure, disruption of means of livelihood and the normal way of

1 life in the areas affected by the occurrence of disaster, whether natural or human induced.

2 **SEC. 4. *Free Freight Services for the Transportation of Relief Goods.*** - With the aim
3 of bringing immediate relief to victims of natural or man-made disasters when government
4 resources are not available or are insufficient to address the needs of the emergency, the
5 Logistics Cluster of the Office of Civil Defense (OCD), in coordination with the Philippine
6 Postal Corporation (PPC) and all freight companies, common carriers, private carriers, freight
7 forwarders, and other companies providing logistic services in the Philippines are hereby
8 mandated to provide free freight services to duly registered relief organizations in the
9 transportation of emergency relief goods and donated articles to areas declared to be in a state
10 of calamity by the President or a local government unit (LGU) concerned through its
11 Sanggunian.

12 These common carriers, freight forwarders, and other similar entities are mandated to
13 deliver goods and services for free to areas where they operate.

14 When the area is not accessible, such relief goods shall be sent or delivered to the
15 nearest LGU and shall be consigned to the concerned local chief executive.

16 Certain shipping auxiliary cost, such as those for *arrastre* services, pilotage, and other
17 port charges that are routinely passed on to customers, shall be borne by the concerned *arrastre*,
18 pilotage, and port authorities: *Provided*, That container van costs, turnaround time, and volume
19 of cargo being shipped free of charge shall be considered in order to minimize the loss of profits
20 for the private sector.

21 **SEC. 5. *Vigilance Over Relief Goods.*** - The Law and Order Cluster of the NDRRMC
22 shall be responsible providing security and traffic management assistance to the Response
23 Cluster's operations to facilitate the speedy movement of people, goods, and equipment to the
24 affected population and responding agencies.

25 **SEC. 6. *Release of Donated Relief Goods and Articles.*** - The release of donated relief
26 goods and articles intended for distribution to areas under a state of calamity shall be in
27 accordance with existing rules and procedures of responsible government agencies such as the
28 Department of Social Welfare and Development (DSWD), Bureau of Customs (BOC),
29 Department of Education (DepEd), Department of Health (DOH), LGUs, and other
30 government agencies mandated to authorize the distribution of these relief goods and articles,
31 with proper verification of the receiver and in consideration of prevailing policies of freight
32 service and logistics companies and carriers.

1 **SEC. 7. *Implementing Agency.*** - The OCD and the Department of Transportation
2 (DOTr), through the Civil Aeronautics Board (CAB), Maritime Industry Authority
3 (MARINA), and Land Transportation Franchising and Regulatory Board (LTFRB), shall
4 implement the provisions of this Act, monitor and oversee compliance of freight service
5 companies, common and private carriers and other companies providing logistics services as
6 provided under this Act.

7 **SEC. 8. *Implementing Rules and Regulations.*** - To carry out the provisions of this
8 Act, the OCD, in coordination with the DOTr, through CAB, MARINA and LTFRB, BOC,
9 PPC, DSWD and the association or authorized representatives of freight service companies and
10 freight forwarders, common and private carriers and other companies offering logistics services
11 in the country shall, within sixty (60) days from the effectivity of this Act, issue the
12 implementing rules and regulations, including a mechanism or procedure in availing the free
13 services as provided for under this Act.

14 **SEC. 9. *Separability Clause.*** - In the event that any provision of this Act or any portion
15 thereof is declared unconstitutional by a competent court, the other provisions shall not be
16 affected thereby and shall remain valid and enforceable.

17 **SEC. 10. *Repealing Clause.*** - All laws, decrees, executive orders, rules and
18 regulations, or parts thereof which are inconsistent with this Act are hereby repealed or
19 amended accordingly.

20 **SEC. 11. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
21 in the *Official Gazette* or in a newspaper of general circulation.

22 **Approved,**