

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

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2774



Introduced by **ANG PROBINSYANO**
Party-List Representative Alfred Delos Santos

EXPLANATORY NOTE

Article II, Section 9 of the 1987 Constitution gives the State the responsibility of promoting a just and dynamic social order that will free the people from poverty, through the provision of adequate social services. Operationalizing this in the context of the occurrence of disasters and emergencies is Republic Act No. 10121 ("Philippine Disaster Risk Reduction and Management Act of 2010"), Section 2 of which declared it State policy to:

(a) Uphold the people's constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country's institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impacts;

x x x

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

x x x

(h) Institutionalize the policies, structures, coordination mechanisms and programs with continuing budget appropriation on disaster risk reduction from national down to local levels towards building a disaster-resilient nation and communities;

x x x

(l) Recognize and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disaster's;

x x x (n) Develop and strengthen the capacities of vulnerable and marginalized groups to mitigate, prepare for, respond to, and recover from the effects of disasters;

x x x

It is therefore clear that whenever any locality is placed under a state of emergency, or of calamity, the State must, as swiftly as possible, deliver

aid to affected families—such as might be necessitated by their immediate needs, whether it be in the form of goods or in cash.

The problem, though, is that aid delivery or distribution is so often plagued by delays, especially when the aid is in cash.

We need look no further than our experiences with the ongoing COVID-19 pandemic. Both the Departments of Social Welfare and Development (DSWD)¹ and of Labor and Employment (DOLE)² have admitted that cash aid distribution has not been on time. Indeed, the situation has reached the point where President Rodrigo Duterte has had to personally “apologize[] to households who have not received help from the government since the enhanced community quarantine (ECQ) was imposed in Luzon.”³ He has, on top of this, had to “warn[] local government officials anew that the Office of the Ombudsman could order their suspension over delays in the distribution of cash aid for low-income families.”⁴

Hence the need for this Bill. It shall ensure timely distribution of monthly cash assistance to families affected by emergencies or disasters, for the duration of the emergency or disaster.

It is for the foregoing premises that the approval of this Bill is earnestly sought.



ALFRED C. DELOS SANTOS

Representative, Ang Probinsyano Party-List

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https://cnnphilippines.com/news/2020/4/22/cash-aid-distribution-delays.html?fbclid=IwAR22_u3Nlx2SG88upOkU4NYPKXHxyOxylUnYZiZhxJbJ338OgYzqFiofmHQ

2

<https://newsinfo.inquirer.net/1254468/processing-of-p5k-cash-aid-delayed-due-to-dole-limited-workforce-banking-systems>

3

<https://www.onenews.ph/delayed-cash-aid-for-households-ofws-workers-farmers-lgus-told-to-act-quickly-or-else>

⁴ <https://www.pna.gov.ph/articles/1119825>

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AN ACT
PROVIDING FOR THE AUTOMATIC RELEASE OF MONTHLY CASH
ASSISTANCE TO PROVINCES, UPON OCCURRENCE OF
DISASTERS OR EMERGENCIES

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

SECTION 1. *Short Title.* – This Act shall be known as the “Automatic Emergency or Disaster Relief Act.”

SECTION 2. *Declaration of Policy.* – The State acknowledges the importance of ensuring that emergency or disaster response, specifically aid or relief distribution, is made more responsive to the immediate needs of Filipinos affected by emergencies or disasters. The State recognizes that this goes beyond extending the right or appropriate kind of aid to beneficiaries, encompassing even the very promptness of distribution.

Thus, it shall be State policy to immediately, or without delay, give cash assistance to affected localities, to capacitate each family to freely attend to or satisfy their unique needs, which cannot be simply resolved by the distribution of traditional or usual relief goods.

SECTION 3. *Definition of Terms.* – The following terms, as used in this Act, shall be understood thusly:

- A. **Emergency.** – Any unforeseen or sudden occurrence, especially danger, demanding immediate action, which causes, prompts, or results in a declaration of a state of emergency, in accordance with the provisions of the 1987 Constitution.

This shall encompass public health emergencies.

- B. Disaster. – A serious disruption of the functioning of a community or a society involving widespread human, material, economic, or environmental losses and impacts, which the affected community or society cannot feasibly cope with using only its own resources.

It also refers to any happening which causes, prompts, or results in a declaration of a state of calamity, pursuant to the provisions of Republic Act. No. 10121 (“Philippine Disaster Risk Reduction and Management Act of 2010”).

- C. Automatic Relief. – Automatic cash assistance to provinces upon occurrence of disasters or emergencies.

SECTION 4. *Automatic Emergency or Disaster Relief.* – Upon the declaration of a state of emergency, or of calamity, the Regional Offices (ROs) of the Department of Social Welfare and Development (DSWD) shall automatically begin releasing cash assistance to families in the affected localities.

The release shall be done per family and by province. Each family living in a province that has been placed under a state of emergency, or of calamity, shall receive Five thousand to Eight thousand pesos (PhP5,000.00 to PhP8,000.00), depending on the minimum wage rate in their respective region, or any other amount as determined by the Congress upon the recommendation of the relevant government agencies, per month, until the issuance of the declaration officially lifting the state of emergency, or of calamity.

SECTION 5. *Participation of Local Government Units (LGUs).* – The funds for the monthly cash assistance to affected families shall be devolved by the DSWD to its ROs, which will take charge of distribution to beneficiary families, and shall not be given to the LGUs. LGUs’ participation shall be limited to the following:

- 1) Preparing, validating, and submitting to the DSWD’s involved ROs a list of beneficiary families, based on their records of families actually residing within their jurisdiction upon the declaration of the state of emergency, or of calamity; and
- 2) Providing the necessary support to the DSWD’s involved ROs’ cash assistance distribution, including in terms of logistics and security.

SECTION 6. *Appropriations.* – Such an amount as may be necessary to implement the provisions of this Act is hereby authorized to be appropriated from the National Treasury. Congress shall enact a special

appropriation within 15 days from the occurrence of an emergency or disaster.

SECTION 7. *Implementing Rules and Regulations.* – Within ninety (90) days after this Act takes effect, the DSWD, in consultation and coordination with appropriate government agencies, representatives from the private sector, and other stakeholders, shall promulgate the necessary implementing rules and regulations for the effective implementation of this Act.

SECTION 8. *Separability Clause.* – If any provision or part of this Act is held invalid or unconstitutional, the remaining provisions or parts unaffected shall remain in full force and effect.

SECTION 9. *Repealing Clause.* – All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules, and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

SECTION 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,