



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH (19th) CONGRESS
First Regular Session

House Bill No. 2803



Introduced by: Hon. Ma. Victoria Co - Pilar

EXPLANATORY NOTE

The lives of our ancestors and the passage of time taught us how to strive. They recognized that disasters are a fact of life, and that it is upon them to adapt if they want to survive. They prevented, prepared for and avoided disasters, despite the absence of today's technology. Like them, we established the National Disaster Resiliency and Reduction Management Council. Yet, in the years of implementing the law disasters still ravaged our countrymen, lives and opportunities are forever lost. Our disaster interventions have been under scrutiny for its inefficiency. Hence, let us be swift to review and learn from our shortcomings. Today, let's expediently craft and pass a new policy that will save and secure lives.

The bill aims to establish a Department, that will mobilize and intervene in times of disaster. A Department that will use technology to foresee and prepare the country for different kinds of disaster. Further, this bill aims to provide a holistic and comprehensive framework for disaster management for all the stakeholders. A framework, anchored on time efficient and holistic intervention, from the National Government, Local Government Units, the private sector and the local communities.

In view of the foregoing, approval of this bill is urgently and earnestly sought.



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

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

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CHAPTER 1

11

GENERAL PROVISIONS

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

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

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

1 adaptation to climate change, resilience to disasters, and develop and implement
2 a holistic disaster risk management at all levels.

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

10 The State shall integrate and accelerate the implementation of the
11 principles and concepts of climate change, disaster risk and vulnerability
12 reduction contained in the Paris Agreement of the United Nations Framework
13 Convention on Climate Change (UNFCCC), the Sendai Framework for Disaster
14 Risk Reduction 2015 – 2030, the 2015 Asia – Pacific Economic Cooperation
15 (APEC) Disaster Risk Reduction (DRR) Framework, the 2030 Agenda for
16 Sustainable Development Goals (SDGs), and the Philippine Development Plan
17 (PDP) 2017-2022 in various phases of policy formulation, development plans and
18 investments, poverty reduction strategies and other development tools and
19 techniques by all national and local agencies, institutions and instrumentalities of
20 the government to enhance the country's climate change adaptive capacity.

21 It shall be the duty of the State to:

- 22 1. Uphold the people's constitutional right to life and property by
23 minimizing, if not eradicating, the root causes of vulnerabilities to
24 disasters, strengthening the country's institutional capacity for disaster
25 risk and vulnerability reduction and management, and building the
26 resilience of local communities to disasters including climate change
27 impacts, and human induced disasters;
- 28 2. Incorporate internationally accepted principles of disaster risk and
29 vulnerability reduction and management, and climate change
30 adaptation, including the universal principles and standards for
31 humanitarian assistance, developing and implementing national,
32 regional and local sustainable development and poverty reduction
33 strategies, policies, plans and budgets, as part of the country's
34 commitment to overcome human suffering due to disasters;
- 35 3. Ensure a science – based in a whole of society approach and bottom -
36 up participation, representation, and decision – making in climate –
37 disaster risk governance, risk assessment, risk reduction and risk
38 management, and adopt a comprehensive, integrated, and proactive
39 approach to lessening the socio – economic and environmental impacts
40 of disasters and climate change;

4. Promote and advance the implementation of a comprehensive Disaster Risk and Vulnerability Reduction Plan (DRVRP) that aims to strengthen the capacity of the national government and local government units (LGUs), together with development partners, stakeholders in building disaster resilience of communities, and institutionalize arrangements and measures for reducing disaster risks, including projected climate risks, and enhance disaster preparedness and response capabilities at all levels;
5. Recognize the role of, and work with international humanitarian and development partners especially those with established presence in the country;
6. Develop, maintain and ensure the accessibility of climate and geospatial information and services to the public through OPEN DATA, which means data that can be freely used, reused and redistributed by anyone, subject to limitations on account of national security. This may include the use of impact based forecast models, and probabilistic hazard maps;
- Ensure transparency and accountability in climate disaster risk governance by facilitating access to financial records of public and disaster risk and vulnerability reduction and management data, and ensure the transparency of humanitarian assistance from all sources;
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 performance systems in measuring and improving the effectiveness and efficiency of disaster risk and vulnerability

reduction management processes across all government levels, including those offices which manage peace processes and conflict – resolution approaches, so as to minimize loss of lives and damage to properties and ensure that communities in conflict zones can immediately resume their normal lives at the conclusion of episodes of intermittent conflicts;

11. Adopt a disaster risk and vulnerability reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socio – economic and environmental impacts of disaster including climate change, and promote the involvement and participation of all sectors and stakeholders concerned, at all levels, especially the local communities;
12. Prioritize the development of disaster prevention and mitigation measures involving all levels of society and government;
13. Adopt risk sharing and risk transfer mechanisms to ensure the appropriate efficient and timely recovery of disaster – stricken communities, especially for the poorest and the most vulnerable;
14. Adhere to the principle of “Build Forward Better” in recovery and rehabilitation efforts by applying sustainable standards, programs, technologies and techniques which enhance resilience against future hazards;
15. Recognize and respond to the differentiated concerns and needs of vulnerable groups such as women and girls, children and youth, older persons, persons with disabilities, urban poor, and indigenous peoples with respect to disaster risk reduction and management, at the same time, recognizing their inherent capacities to contribute to resilience;
16. Create an enabling environment for substantial and sustainable participation of civil society organizations (CSOs), private groups, volunteers and communities, and recognize their contributions to the disaster risk reduction and management efforts of the government
17. Ensure the use of advanced science and the most up to date technologies in climate adaptation, disaster risk and vulnerability reduction and management through engagement, consultation, and employment with a regular department funding of academe or higher education institutions, such as the University of the Philippines Resilience Institute, University of the Philippines Nationwide Operational Assessment of Hazards Center and other scientific research and academic institutions that have a track record and expertise recognized both locally and internationally as well as the capacity to implement science and engineering requirements necessary for effective climate change adaptation, and disaster risk and vulnerability reduction;

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2 **SECTION 3. Definition of Terms. – As used in this Act:**

- 3 a. *Adaptation* – refers to the adjustment in natural or human systems in
4 response to actual or expected climactic stimuli or their effects, which
5 moderates harm or exploits beneficial opportunities.
- 6 b. *Assisting Actor* – refers to any Assisting International Actor and any
7 Assisting Domestic Actor responding to a disaster in the country.
- 8 c. *Assisting Domestic Actor* – refers to any not – for – profit entity
9 established under domestic laws, which is responding to a disaster in
10 the country.
- 11 d. *Assisting International Actor* – refers to any foreign state, organization,
12 entity or individual responding to a disaster within or transiting
13 through the country to respond to a disaster in another country.
- 14 e. *Build Forward Better* – refers to an approach to building and/or
15 reconstructing an area or community, which entails a shift from simple
16 recovery and restoration to a safer, more adaptive, resilient, and
17 inclusive communities.
- 18 f. *Capacity* – refers to the combination of all strengths, attributes and
19 resources available within a community, society or organization that
20 can reduce the level of risk, or impacts of a disaster. Capacity may
21 include infrastructure and physical means, institutions, societal coping
22 abilities, as well as human knowledge, skills and collective attribute
23 such as social relationships, leadership and management. Capacity
24 may also be described as capability.
- 25 g. *Civil Society Organizations (CSOs)* - refer to non – state actors whose
26 aims are neither to generate profits nor seek governing power, but to
27 unite people to advance shared goals and interests. They have a
28 presence in public life, expressing the interests and values of their
29 members or others, based on ethical, cultural, scientific, religious or
30 philanthropic considerations. CSOs include non-government
31 organizations (NGOs), professional associations, foundations,
32 independent research institutes, community based organizations
33 (CBOs), faith – based organizations, people’s organizations, social
34 movements, and labor unions.
- 35 h. *Climate Change* – refers to a change in the state of the climate that can be
36 identified by changes in the mean and/or the variability of its
37 properties, and that persists in an extended period, typically decades
38 or longer, whether due to natural variability or as a result of human
39 activity as defined under RA 9729, otherwise known as the “Climate
40 Change Act of 2009”. These include internal processes or external
41 forces such modulation of the solar cycles, volcanic eruptions and

1 persistent anthropogenic changes in the composition of the atmosphere
2 on in land use.

- 3 i. *Climate Change Adaptation* – refers to the adjustment in natural or
4 human systems in response to actual or expected climactic stimuli or
5 their effects, which moderates harm or exploits beneficial
6 opportunities.
- 7 j. *Climate Finance* – refers to finance that aims at reducing emissions, and
8 enhancing sinks of greenhouse gasses and aims at reducing
9 vulnerability of, and maintaining, and increasing the resilience of,
10 human and ecological systems to negative climate change impacts.
- 11 k. *Community Based Disaster Risk Reduction and Management (CBDRRM)* –
12 refers to a process of disaster risk reduction and management I which
13 at risk communities are actively engaged in the identification, analysis,
14 treatment, monitoring and evaluation of disaster risks in order to
15 reduce their vulnerabilities and enhance their capabilities, and where
16 the people are at the heart of decision – making and implementation of
17 disaster risk reduction and management activities.
- 18 l. *Complex Emergency* – refers to a form of human – induced emergency in
19 which the cause of the emergency as well as assistance to the afflicted
20 is complicated by intense level of political considerations.
- 21 m. *Contingency Planning* - refers to a management process that analyzes
22 specific potential events or emerging situations that might threaten
23 society or the environment and established arrangements in advance to
24 enable timely, effective and appropriate responses to such events and
25 situations.
- 26 n. *Dangerous Anthropogenic Interference* – refers to the effect in the climate
27 system as a result of the increase of greenhouse gas concentration in
28 the atmosphere that leads to widespread climate change impacts such
29 as wide spread demise of coral reefs.
- 30 o. *Disability* – refers to an evolving concept that results from the
31 interaction between persons with impairments , societal barriers, as
32 defined under RA 7277, and attitudinal environmental barrier that
33 hinder their fill and effective participation in society on an equal basis
34 with others.
- 35 p. *Disaster* – refers to a serious disruption of the functioning of a
36 community or a society involving widespread human, material,
37 economic or environmental losses and impacts, which exceeds the
38 ability of the affected community or society to cope using its own
39 resources.
- 40 q. *Disaster Mitigation* – refers to the lessening or limitation of the adverse
41 impacts of hazards and related disasters. Mitigation measures
42 encompass engineering techniques and hazard – resistant construction

as well as improved environmental policies and public awareness, land use planning, and climate change.

- r. *Disaster Preparedness* – refers to knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, recover from, the impacts of likely, imminent or current hazard events or conditions. It includes preparedness for response such as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation, and public information, and preparedness for recovery such as procurement of land for resettlement sites.
- s. *Disaster Prevention* - refers to the outright avoidance of adverse impacts of hazards. It expresses the concept and intention to completely avoid potential adverse impacts through action taken in advance such as construction of dams or embankments that eliminate flood risks, land-use regulations that do not permit any settlement in high-risk zones, and seismic engineering designs that ensure the survival and function of a critical building in any likely earthquake.
- t. *Disaster Response* - refers to the provision of emergency services and public assistance during or immediately after a disaster in order to secure and save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Disaster response includes disaster relief focused on immediate and short-term needs of the victims and the vulnerable.
- u. *Disaster Risk* - refers to the potential disaster losses in lives, health status, livelihoods, assets and services that could occur to a particular community or society in the future, and is determined by a combination of the vulnerability, capacity, exposure of persons and assets, hazard characteristics and the environment.
- v. *Disaster Risk Governance* - refers to the way in which the 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.

- 1 x. *Disaster Risk Reduction* - refers to the concept and practice of reducing
2 disaster risks through systematic efforts to analyze and manage the
3 causal factors of disasters, including through reduced exposure to
4 hazards, lessened vulnerability of people and property, wise
5 management of land and the environment, and improved
6 preparedness for adverse events.
- 7 y. *Disaster Risk and Vulnerability Reduction* - refers to the concept and
8 practice of reducing potential loss of life, injury, or destroyed or
9 damaged assets or disrupted which could occur to a system, society or
10 a community in a specific period of time, determined probabilistically
11 and conditions determined by physical, social, economic and
12 environmental factors or processes which increase the susceptibility of
13 an individual, a community, assets or system to the impacts of hazards
14 through systematic efforts to analyze and reduce the causal factors of
15 disasters all of which contribute to strengthening resilience and
16 therefore to the achievement of sustainable development.
- 17 z. *Disaster Risk Reduction and Management Information System* - refers to a
18 specialized database which contains, among others, information on
19 disasters and their human, material, economic, and environmental
20 impact, risk assessment and mapping, and vulnerable and
21 marginalized groups.
- 22 aa. *Early Warning System* - refers to the set of capacities needed to generate
23 and disseminate timely and meaningful warning information to enable
24 individuals, communities and organizations threatened by a hazard to
25 prepare and to act appropriately and in sufficient time to reduce the
26 possibility of harm or loss. A people-centered early warning system
27 necessarily comprises four (4) key elements: knowledge of the risks;
28 monitoring, analysis and forecasting of the hazards; communication or
29 dissemination of alerts and warnings; and local capabilities to respond
30 to the warnings received. The concept of "end-to-end warning system"
31 emphasizes that warning systems need to span all steps from hazard
32 detection to community response. Early warning systems include
33 systems developed at the level of communities or based on indigenous
34 knowledge.
- 35 bb. *Ecosystem Management and Restoration* - refers to an integrated process
36 to conserve, improve and restore the health of the ecosystem that
37 sustains ecosystem services for human well-being.
- 38 cc. *Eligible Assisting Actor* - refers to any assisting actor that has been
39 determined to be eligible to receive legal facilities as provided in this
40 Act and its implementing rules and regulations.
- 41 dd. *Emergency* - unforeseen or sudden occurrence, especially danger,
42 demanding immediate action.

- 1 ee. *Emergency Management* - the organization and management of
2 resources and responsibilities for addressing all aspects of
3 emergencies, in particular preparedness, response and initial recovery
4 ff. *Exposure* - The situation of people, infrastructure, housing, production
5 capacities and other tangible human assets located in hazard-prone
6 areas.
7 gg. *Forced Evacuation* - An order of last resort from competent authority to
8 forcibly evacuate residents to an appropriate evacuation area to
9 forestall their exposure to an imminent disaster or to prevent further
10 exposure to residual risks after the onslaught of a disaster or
11 hh. *Gender-based Violence* - the violence that is directed against a woman
12 because of her gender, or that affects women disproportionately. It
13 includes acts that inflict physical, mental or sexual harm or suffering,
14 threats of such acts, coercion and other deprivations of liberty.
15 ii. *Geographic Information System (GIS)* - refers to a system used to capture,
16 store, manipulate, manage and display all types of spatial or
17 geographical data.
18 jj. *Geographically Isolated and Disadvantaged Area (GIDA)* - the areas with
19 a marginalized population which is physically and socio-economically
20 separated from the mainstream society and characterized by physical
21 factors - isolated due to distance, weather conditions and
22 transportation difficulties (island, upland lowland, landlocked, hard to
23 reach and underserved communities); and/or socio-economic factors -
24 (high poverty incidence, presence of vulnerable sector, communities in
25 or recovering from situation of crisis or armed conflict).
26 kk. *Hazard* - refers to a dangerous phenomenon, either natural or human-
27 induced, that may cause loss of life, injury or other health impacts,
28 property damage, loss of livelihood and services, social and economic
29 disruption, or environmental damage.
30 ll. *Home-based evacuees* - refer to displaced affected population staying
31 with relatives, friends, other host families, community facilities aside
32 from the official evacuation center
33 mm. *Human-Induced Hazard* - refers to an event caused by humans and
34 occurs in or close to human settlements or a particular environmental
35 area. This can include environmental degradation, technological or
36 industrial conditions, pollution, accidents such as high density events,
37 industrial and transport accidents, complex emergencies, armed
38 conflict, situations of generalized or organized violence, and violation
39 of human rights.
40 nn. *International Disaster Response and Early Recovery Period* - the period
41 which commences upon the issuance of a request for international
42 disaster assistance or upon acceptance of an offer, and shall continue

- 1 until terminated pursuant to guidelines set in the implementing rules
2 and regulations
- 3 oo. *Humanitarian Assistance* - Covers disaster response and recovery
4 assistance designed to save lives, alleviate suffering, and maintain and
5 protect human dignity during and in the aftermath of disasters, in line
6 with the principles of humanity, impartiality, and neutrality
- 7 pp. *Imminent Disaster* - Refers to a situation where on the basis of official
8 forecasts it could reasonably be expected that a disaster will occur in a
9 particular geographical area and within an estimated period of time,
10 and where necessary preparedness actions or financing are required.
- 11 qq. *International Disaster Relief and Initial Recovery Period* - refers to the
12 period which commences upon the issuance of a request for
13 international disaster assistance or upon acceptance of an offer, and
14 shall continue until terminated pursuant to guidelines set in the
15 implementing rules and regulations.
- 16 rr. *Internally Displaced Persons* - persons or groups of persons who have
17 been forced or obliged to flee or to leave their homes or places of
18 habitual residence within national borders, in particular as a result of
19 or in order to avoid the effects of armed conflict, situations of
20 generalized and/or organized violence, violations of human rights,
21 implementation of development projects, or natural or human-induced
22 disasters.
- 23 ss. *International Humanitarian Assistance* - Any aid and action taken by any
24 duly coordinated foreign government or organization in the form of
25 financial donations, international relief workers and in-kind donations,
26 for the benefit of disaster affected areas, aimed at providing emergency
27 response, rehabilitation, and recovery operations to mitigate and
28 address the effects of disasters or major emergencies.
- 29 tt. *International Relief Workers* - the staff and volunteers of any assisting
30 actor providing disaster relief or initial recovery assistance being
31 persons who are neither citizens of nor domiciled in the Philippines
32 prior to their recruitment by the international assisting actor.
- 33 uu. *Land-Use Planning* - the process undertaken by public authorities to
34 identify, evaluate and decide on different options for the use of land,
35 including consideration of long-term economic, social and
36 environmental objectives and the implications for different
37 communities and interest groups, and the subsequent formulation and
38 promulgation of plans that describe the permitted or acceptable uses.
- 39 vv. *Legal Facilities* - the special entitlements and exemptions that are made
40 available to eligible assisting actors under this Act.
- 41 ww. *Mitigation* - refers to effort to reduce or limit greenhouse gas
42 emissions or enhance greenhouse gas sequestration.

- xx. *National Continuity Policy* - refers to a policy aimed at the development of an organizational culture that has the ability to provide a minimum level of service during interruptions, emergencies, and disasters, and return to full operations quickly.
- yy. *National Disaster Risk Reduction and Management Framework* - the comprehensive, all hazards, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management.
- zz. *National Disaster Risk Reduction and Management Plan (NDRRMP)* - the document to be formulated by the NDRRMC and implemented by the Department that sets out goals and specific objectives for reducing disaster risks together with related actions to accomplish these objectives. The NDRRMP shall provide for the identification of hazards, vulnerabilities and risks to 'be managed at the national level; disaster risk reduction and management approaches and strategies to be applied managing said hazards and risks; agency roles, responsibilities and lines of authority at all government levels; and vertical and horizontal coordination of disaster risk reduction and management in the pre-disaster and post-disaster phases. It shall be in conformity with the national disaster risk reduction and management framework.
- aaa. *National Service Reserve Corps* - refers to the entity composed of all graduates of non-ROTC components of National Service Training Program in accordance with Republic Act 9163, the National Service Training Program (NSTP) Act of 2001.
- bbb. *Natural Hazards* - naturally occurring physical phenomena caused either by rapid or slow onset events which can be geological (earthquakes ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity), hydrological and meteorological (floods, severe winds, typhoons, storm surges), climatological variability (extreme temperatures, El Niño, La Niña, forest fires), or biological (disease, epidemics and insect/animal plagues and pandemics).
- ccc. *Older persons/senior citizen/elderly* - refers to any resident citizen of the Philippines at least sixty (60) years old.
- ddd. *Open Data* - data that can be freely used, shared and built-on by anyone, anywhere, for any purpose. It must be available in bulk, it 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 too. It also must permit people to use it, re-use it, and redistribute it, including intermixing with other datasets and distributing the results. Lastly, it does not allow conditions to be

- placed on how people can use Open Data, but it does permit a data provider to require that data users credit them in some appropriate way, make it clear if the data has been changed, or that any new datasets created using their data are also shared as open data.
- eee. *Persons with Disabilities* - those 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.
- fff. *Pre-Disaster Risk Assessment* - 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 forms a basis to determine the appropriate level of response actions from the national level government agencies down to the local government units. It is hazard-specific, area focused and time-bound.
- ggg. *Preemptive Evacuation* - An order from competent authority to voluntarily evacuate residents to an appropriate evacuation area to forestall their exposure to an imminent disaster
- hhh. *Post-Disaster Recovery* - the restoration and improvement where appropriate, of facilities, livelihood and living conditions of disaster-affected communities, including efforts to reduce disaster risk factors, in accordance with the principles of "build back better".
- iii. *Private Sector* - private corporations, households, non-profit institutions serving households, and other economic enterprises outside of government.
- jjj. *Public Sector Employees* - all persons in the civil service.
- kkk. *Recovery* - the restoring or improving of livelihoods and health, as well as economic, physical, social, cultural, and environmental assets, systems, and activities, of a disaster-affected community or society, aligning with the principles of sustainable development and "build back better", to avoid or reduce future disaster risk.
- lll. *Reconstruction* - The medium-and long-term rebuilding and sustainable restoration of resilient critical infrastructures, services, housing, facilities, and livelihoods required for the full functioning of a community or a society affected by a disaster, aligning with the principles of sustainable development and "build back better", to avoid or reduce future disaster risk.
- mmm. *Rehabilitation* - The restoration of basic services and facilities for the functioning of a community or a society affected by a disaster.
- nnn. *Relief Goods* - Refer to food packs and non-food items to be given directly to the victims of a disaster or other emergency in order to meet their immediate humanitarian needs.

- ooo. *Resilience* - The ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform, and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.
- ppp. *Response* - any effort to provide assistance or intervention during or immediately after a disaster to meet the life preservation and basic subsistence needs of affected people and in the restoration of essential public activities and facilities.
- qqq. *Risk Assessment* - a methodology to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed people, property, services, livelihood and the environment on which they depend.
- rrr. *Probabilistic Risk Assessment* - simulates those future disasters which, based on scientific evidence, are likely to occur (UNISDR, 2015). As a result, these risk assessments resolve the problem posed by the limits of historical data (UNISDR 2015). Probabilistic models "complete" historical records by reproducing the physics of the phenomena and recreating the intensity of a large number of synthetic events (UNISDR, 2015). 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 our incomplete understanding and measurement of the hazards, exposure, and vulnerability.
- sss. *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.
- ttt. *Risk Transfer* - refers to the process of formally or informally shifting the financial consequences of particular risks from one party to another whereby a household, community, enterprise, or state authority will obtain resources from the other party after a disaster occurs, in exchange for ongoing or compensatory social or financial benefits provided to that other party.
- uuu. *State of Calamity* - a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of the occurrence of natural or human- induced hazard.
- vvv. *Sustainable Development* - the development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

www. *Underlying Disaster Risk Drivers/ Underlying Risk Factors* - Processes or conditions, often development-related, that influence the level of disaster risk by increasing levels of exposure and vulnerability or reducing capacity.

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

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

zzz. *Vulnerable and Marginalized Groups* - those who are at risk due to poverty and other underlying risk factors including, but not limited to, women, children, elderly, differently-abled people, and ethnic minorities.

aaaa. *Whole-of-society Approach* - the meaningful participation of and synergy of stakeholders that represent different interests in all aspects of climate change adaptation, disaster risk and vulnerability reduction and management across all levels. "Acknowledge the contribution of and important role played by all relevant stakeholders, including individuals, families and communities, intergovernmental organizations and religious institutions, civil society, academia, the media, voluntary associations and, where and as appropriate, the private sector and industry."

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

cccc. *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 just among core security forces and oversight government institutions, but also by civil society and all the nation's communities.

dddd. *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

SECTION 4. Creation of the Department of Disaster Resilience. – There is hereby created a Department of Disaster Resilience, herein after 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 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 local governments units 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.

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

Risk Reduction

- a. Oversee, direct, and undertake programs and projects to identify, assess, prioritize and localize hazards and risks in the country, in consultation with national government agencies, local governments units, communities, and stakeholders that shall be involved in disaster risk reduction efforts.
- b. Monitor and ensure the integration of disaster risk and vulnerability reduction and management and climate change adaptation policies into national development plans.
- c. Design and implement an incentive system for greater private and public investment, both local and national, in disaster risk reduction.
- d. Oversee and ensure the mainstreaming of climate change adaptation and disaster risk reduction in development planning, including disaster-proofing and climate-proofing of land use plans and the preparation of contingency plans.
- e. Create an enabling environment for the design of relevant and appropriate risk-sharing and risk-transfer instruments.

- f. Create an enabling environment that shall promote broader multi-stakeholder participation and integrate climate change mitigation, adaptation, and disaster risk and vulnerability reduction.
- g. Coordinate directly with local government units and private entities to address climate vulnerabilities and disaster risk assessment (CVDRA) of regions and provinces at the meso-scale, cities and municipalities at the micro-scale, and barangays at the meta-scale.
- h. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the Department of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the Philippines (LBP).
- i. Formulate the National Disaster Resilience Framework, National Disaster Resilience Plan, and the National Continuity Policy.
- j. Oversee and direct the comprehensive implementation of disaster risk reduction and climate change adaptation and mitigation policies, plans, and programs, as embodied in the Disaster Resilience Framework and Disaster Resilience Plan;
- k. Coordinate directly with local government units and private entities to address Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale, cities and municipalities at the micro-scale, and barangays at the meta-scale.
- l. Review and evaluate local disaster resilience plans and other local plans to ensure their consistency with the Climate-Disaster Resilience Framework and Plan;
- m. Ensure that all disaster risk reduction programs, projects, and activities requiring regional and international support shall be in accordance with duly established national policies and aligned with international agreements that the State is a party to;

Resilience, Framework and Plan;

- 1. Ensure that all disaster risk reduction programs, projects, and activities requiring regional and international support shall be in accordance with duly established national policies and aligned with international agreements that the State is a party to;

Disaster Preparedness and Response

- a. Oversee and maintain a national early-warning and emergency alert system that shall provide accurate, timely, and accessible information to national and local emergency response organizations and the general public.
- b. Coordinate information-sharing and other risk reduction protocols following the principle of interoperability among national government agencies and local government units.
- c. Establish and maintain a national humanitarian logistics system with a network of warehouses, transport, and resources, including response assets and disaster relief items, such as food and non-food items.
- d. Exercise command and control over relevant government agencies, including government-owned and controlled corporations, the Philippine National Police and other law enforcement agencies, during an imminent or actual disaster. Such command and control shall include the authority to utilize available services, assets, equipment, personnel, facilities, and other resources.
- e. Call on the reserve force, as defined in Republic Act No. 7077, otherwise known as the "Citizen Armed Forces of the Philippines Reservist Act", to assist in relief and rescue operations during disasters.
- f. Work with the private sector and civil society organizations for assistance with regard to the use of facilities and resources for the protection and preservation of life and property.
- g. Deploy rapid assessment teams composed of government personnel and non-government stakeholders, gather information, and, guided by the principle of inter-operability, coordinate information-sharing and other disaster risk reduction and management protocols among national and local government agencies before, during and after a disaster.
- h. Establish a National Disaster Resilience Research and Training Center that shall provide a ladderized training program on disaster risk and vulnerability reduction and management for DRRM and CCAM professionals and other stakeholders in the public and private sector. It shall assist local government units in cascading national and regional training programs locally and conduct research programs to upgrade knowledge and skills and document best practices thereon. It shall ensure/oversee the mainstreaming of DRR trainings in academic institutions in coordination with DepEd/CHED. The Research and Training Center shall accredit disaster resilience trainers or instructors, practitioners and institutions.
- i. Monitor and support local government units in the management of evacuation centers and ensure the welfare and dignity of internally-displaced persons.
- j. Procure goods and services during emergencies, in accordance with existing emergency procurement rules and regulations.

- 1 k. Issue special procurement and auditing rules for preparedness, response
2 and recovery activities including those prompted by a declaration of state
3 of calamity and a state of imminent disaster;
- 4 l. Assist in mobilizing the necessary resources to increase the overall
5 capacity of local government units, specifically those with low income and
6 situated in high-risk areas.

7

8 Rehabilitation and Recovery

- 9 1. Prepare, organize, lead, implement, and manage post-disaster assessment
10 and recovery and rehabilitation programs, in coordination with the
11 affected local government units, national government agencies, and other
12 stakeholders.
- 13 2. Implement the cluster approach to expedite reconstruction efforts and
14 orchestrate and serve as the clearinghouse for the participation of assisting
15 actors in such efforts.
- 16 3. Ensure that the principle of Building Forward Better is applied to
17 rehabilitation and recovery efforts.

18

19 Other Powers and Functions

20

- 21 a. Establish the DDR Council Secretariat and an operating facility to be
22 known as the National Disaster Resilience Council Secretariat and
23 Operations Center (NDRCSOC) under the operational control of the
24 Secretary and functional supervision of the Operations Service that shall
25 be operated and staffed on a twenty-four (24) hour basis;
- 26 b. Establish and monitor local and national capacity for climate-disaster risk
27 financing and insurance and other risk transfer strategies in coordination
28 with the Department of Finance (DOF), the Government Service Insurance
29 System (GSIS), and the Land Bank of The Philippines (LBP).
- 30 c. Coordinate information-sharing and other disaster risk and vulnerability
31 reduction and climate change adaptation protocols following the principle
32 of interoperability among national government agencies and local
33 government units before, during, and after a disaster. Administer, oversee,
34 and monitor the utilization of National Disaster Resilience Fund (NDRF),
35 the Disaster Resilience Support Fund (DRSF) for third (3rd) to sixth (6th)
36 class provinces and municipalities, and other grants and donations for

- 1 disaster risk reduction and management and climate change adaptation,
2 unless otherwise specified.
- 3 d. Receive, administer, mobilize, report and monitor and oversee the
4 utilization of the National Disaster Resilience Fund, recovery and
5 rehabilitation funds, and donations for disaster risk and reduction and
6 management, unless otherwise specified and subsequently subject to the
7 regular accounting and auditing procedures or COA rules and regulations;
- 8 e. Formulate and recommend the necessary guidelines and procedures on
9 NDRRM Fund and the Local Disaster Risk Reduction and Management
10 Fund (LDRRM Fund) releases, as well as utilization, accounting and
11 auditing thereof in consultation with DOF, DBM, and COA.
- 12 f. Use of advanced science and technologies in disaster risk reduction and
13 management by engaging, consulting with, employing and regularly
14 funding the academe or higher education and research institutions such as
15 the University of the Philippines Resilience Institute and the University of
16 the Philippines Nationwide Operational Assessment of Hazards Center or
17 other institutions that have a recognized and credible track record, as well
18 as the capacity to conceptualize and implement the science and
19 engineering requirements necessary for effective climate change
20 adaptation and disaster risk reduction.
- 21 g. Establish a Disaster resilience information system to facilitate the creation
22 of an integrated risk assessment platform that is built from the inputs of
23 government and private scientific and academic institutions, national
24 government agencies and local government units, local communities and
25 other stakeholders, and is able to provide readily accessible and actionable
26 information for purposes of risk governance and humanitarian action;
- 27 h. Develop the criteria and procedure for the enlistment of accredited
28 community disaster resilience volunteers (ACDRVs), and organize, train,
29 equip and supervise emergency response teams and ACVs, ensuring that
30 humanitarian workers have been given proper training and are equipped
31 with basic skills, including the management of the differentiated needs of
32 vulnerable and marginalized groups child protection, gender-sensitive
33 case management and handling cases of gender-based violence in times of
34 disasters. It shall include a manual of operations for the volunteers which
35 shall be developed by the Department in consultation with various
36 stakeholders;
- 37 i. Create and continuously update, in consultation with stakeholders, a
38 manual of operations for accredited community disaster resilience
39 volunteers and institutions.
- 40 j. Perform such other functions as may be necessary for effective
41 operations and implementation of this Act.

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CHAPTER III

GENERAL WELFARE AND EMERGENCY MEASURES

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

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

SECTION 8. Emergency Measures at the Local Level.

1. Local government units shall enact an ordinance on and implement through the LDRO the necessary and appropriate emergency measures, including preemptive and forced evacuation, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters, and only when there is imminent danger of loss of lives and/or damage to property.
2. Emergency measures, including preemptive and forced evacuation, shall be carried out in a manner that is humane, respectful of the dignity and culture of persons, without using disproportionate force, without discrimination, and with conscious attention to the needs of vulnerable and marginalized groups.
3. All measures shall be taken to inform the population, in a manner and language that they can understand, of the need for emergency measures and evacuation for their safety, as well as the location where they will be taken and for how long they are going to stay there. Adequate evacuation centers and transportation to and from the affected area shall be provided by the local government.

SECTION 9. Hierarchy of Evacuation Measures.

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

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

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

SECTION 10. Release from Liability in Case of Refusal to Evacuate

1. Any person who willfully and deliberately disregards or opposes the order of forced evacuation issued by the local chief executive or the Department, releases the local government or the Department from any liability for injury, death, damage to or loss of property attributed to said disobedience.
2. During evacuation, priority assistance shall be given to the vulnerable groups and persons who willfully comply with the order of forced evacuation.

SECTION 11. Inspection and Implementation Powers. - The Department shall have inspection, visitorial and examining authority over government and non-governmental entities to ensure that all funds and assets allocated for disaster resilience are actually used for said purposes. The Department shall likewise have the power to inspect and examine the status of projects and programs being undertaken in furtherance of disaster resilience efforts. Whenever it becomes necessary, the Department may assume responsibility over the implementation of and directly implement any program or project in anticipation of, during, and in the aftermath of emergencies, hazards and disasters.

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

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

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

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

CHAPTER IV

ORGANIZATION AND MANAGEMENT

SECTION 15. Office of the Department Secretary. – (a) The Department shall be headed by a Secretary with the rank and emoluments of a Cabinet Secretary. The Secretary shall be appointed by the President, subject to confirmation by the Commission on Appointments.

All appointees shall be universally acknowledged and recognized experts in the field of disaster risk reduction and management and climate change and of proven honesty and integrity.

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

- a. Establish policies and standards for the effective, efficient, and economical operation of the Department in accordance with the

- 1 programs of the Government;
- 2 b. Exercise executive direction over the operations of the Department and
- 3 administrative supervision over its attached agencies.
- 4 c. Manage the financial and human resources of the Department.
- 5 d. Appoint officers and employees of the Department, except presidential
- 6 appointees, in accordance with civil service law, rules, and regulations.
- 7 e. Exercise disciplinary authority over officers and employees of the
- 8 Department in accordance with law.
- 9 f. Call upon any and all agencies and instrumentalities of the State as
- 10 well as nongovernment and civic organizations for assistance in terms
- 11 of the use of their facilities and resources for the protection and
- 12 preservation of life and properties in the whole range of disaster risk
- 13 reduction and management and climate change adaptation. This
- 14 Department includes the power to call on the reserve force as defined
- 15 in Republic Act No. 7077 to assist in relief and rescue during disasters
- 16 or calamities;
- 17 g. Create regional and field offices and such other service units and
- 18 divisions as may be necessary; and
- 19 h. Advise the President on the promulgation of executive and
- 20 administrative issuances and the formulation of regulatory and
- 21 legislative proposals on matters pertaining to disaster resilience.
- 22 i. Serve as the Vice-Chairperson of the Climate Change Commission.
- 23 j. In coordination with the Department of Foreign Affairs, represent the
- 24 Philippines in the climate change negotiations and articulate the
- 25 national contribution to global, regional, and other inter-governmental
- 26 disaster risk reduction and humanitarian platforms.
- 27 k. Call upon the Armed Forces of the Philippines and the Philippine
- 28 National Police to render assistance in disaster-affected areas.
- 29 l. Perform such other functions as may be necessary or proper to attain
- 30 the objectives of this Act.
- 31

32 **SECTION 17. Organizational Structure, Functions and Management. –**

33 The Department shall be composed of the following officials and offices:

34

- 35 1. The Secretary, as provided for under this Act;
- 36 2. Five (5) Undersecretaries, to be appointed by the President, who shall
- 37 assist the Secretary in administering the affairs of the Department, one
- 38 to be responsible for Resilience, one to be responsible for Policy and
- 39 Governance, one to be responsible for Operations, one to be
- 40 responsible for Administration and Finance, and the Senior
- 41 Undersecretary. The Undersecretaries shall have functional and
- 42 operational supervision over the bureaus, divisions, offices and units
- 43 assigned to their respective functional areas;

3. 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;
4. 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 Development 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;
5. 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.
6. 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 non-government 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.
7. The Operations Service shall be responsible for formulating, implementing and monitoring the operational plans of the Department and ensuring its operational readiness, as well as the effective functional management of the Emergency Management Operations Center.
8. The Responders Management Service shall be responsible for the efficient and effective gathering, management, and updating of a national roster of individuals and groups from the civilian sector, volunteer organizations, uniformed services and the reserve force in support of operational readiness for utilization by the Department.
9. The Policy Development and Planning Service shall be responsible for providing responsive, efficient and effective services relating to research, planning, programming, budgeting, project development, and policy formulation of civil defense and disaster risk reduction and

- management projects and activities.
10. The Capacity-Building and Training Service shall be responsible for building and developing the capacity of the Department's personnel, civil defense practitioners, communities and other stakeholders.
 11. The Legal Affairs and Compliance Service shall provide legal advice to the Department; interpret laws and rules affecting the administration and operations of the Department; prepare and review contracts and instruments to which the Department is a party; interpret provisions of contracts covering work involving the Department; and monitor the compliance with regulatory and reportorial matters involving the Department.
 12. The Disaster Risk Reduction Service shall be responsible for reducing disaster risks through systematic efforts and programs of the Department to analyze and reduce the causal factors of disasters such as exposure to hazards, lessening vulnerability of people and property, wise management of land and the environment, and improving preparedness and early warning for adverse events are all examples of disaster risk reduction.
 13. The Climate Change Service shall lead in the development and mainstreaming of evidence-based climate adaptation and mitigation policies of the Department through optimum coordination among key stakeholders towards achieving a climate-resilient and climate-smart Philippines with healthy, safe, prosperous, and self-reliant communities.
 14. The Rehabilitation and Recovery Management Service shall provide responsive, efficient and effective services relating to the formulation of standards for rehabilitation and recovery programs, projects, activities, and their subsequent implementation.
 15. The Strategic Communications Service shall be responsible for the formulation and implementation of the strategic communications plans and programs of the Department; serve as the public affairs arm of the Department tasked with directing, supervising and controlling the Department's public information programs and activities as well as establishing and maintaining rapport with the media and the general public.
 16. Divisions, units and offices as may be created by the Department and whose officers and employees shall be appointed in accordance with civil service law, rules, and regulations;
 17. The National Climate and Disaster Resilience Research, Education, and Training Institute under the Capacity Building and Training Service, to be headed by a Director with the rank of Director IV;
 18. Regional and other field Offices of the Department that shall be established in each administrative region, each to be headed by a

- 1 Regional Director with the rank of Director IV;
2 19. Bureaus that are under the supervision and control of the Department;
3 20. Seconded personnel from relevant agencies and detailed service from
4 the uniformed services, as appropriate; and
5 21. Grievance desks in every region, which shall serve as a referral
6 mechanism and shall work jointly with relevant agencies, to receive
7 complaints from the public regarding violations of this Act. It shall
8 assist the complainant in the gathering of relevant documentation and
9 other evidence to support said complaint. The grievance desk shall
10 facilitate the forwarding of the complaint to the appropriate office
11 within fifteen (15) days from receipt thereof, and shall provide timely
12 feedback and updates regarding the status of the complaint. The
13 grievance desk shall use the best available technology to ensure that
14 complaints are endorsed to the proper office and are addressed in a
15 timely manner.
16 22. Seconded personnel from relevant agencies and detailed service from
17 the AFP, as appropriate.
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20 CHAPTER V

21 FINANCE AND ADMINISTRATION

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23
24 **SECTION 18. Fiscal Management.** – The Department shall manage all
25 funds appropriated to it by Congress and from other sources. This shall include
26 all donations, as contemplated under the succeeding paragraph, subject to
27 provisions of Section 3, paragraph (D) of Article 9, of the 1987 Constitution on the
28 auditing powers of the Commission on Audit.
29

30 **SECTION 19. Donation.** –

- 31
32 a. The Department shall have the power to receive donations and grants
33 from any person, government institution, corporation, international
34 organization and other similar entities, and the power to recommend the
35 procurement of developmental assistance for the purpose of disaster risk
36 and vulnerability reduction and management and climate change
37 adaptation.
38
39 b. It shall be mandatory for the Department to acknowledge and certify the
40 receipt of all DDR grant and donated funds and ensure their judicious
41 management including their proper and accurate audit reporting to
42 constituents.
43

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

9
10 All importations and donations under Section 11 (c) of Republic Act No.
11 10863, otherwise known as the “Customs Modernization and Tariff Act
12 (CTMA)” shall be considered as importation or donation to the
13 Department, subject to the approval of the Office of the President.
14

15 16 **CHAPTER VI**

17 18 **WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH**

19 20 21 **SECTION 20. National Disaster Resilience Council. –**

- 22
23 1. There is hereby created the National Disaster Resilience Council (NDRC),
24 which shall serve as the policy advisory body to the Department on
25 disaster risk reduction and management and climate change adaptation,
26 consistent with the policies and scope as defined in this Act.
27 2. The NDRC shall be chaired by the Secretary of Disaster Resilience and
28 shall be composed of the following:
29 a. Secretary of Science and Technology;
30 b. Secretary of the Interior and Local Government;
31 c. Secretary of Social Welfare and Development;
32 d. Secretary of National Defense;
33 e. Director-General of the National Economic and Development
34 Authority;
35 f. Secretary of Health;
36 g. Secretary of Environment and Natural Resources;
37 h. Secretary of Agriculture;
38 i. Secretary of Education;
39 j. Secretary of Energy;
40 k. Secretary of Finance;
41 l. Secretary of Trade and Industry;
42 m. Secretary of Transportation;
43 n. Secretary of Budget and Management;

- 1 o. Secretary of Public Works and Highways;
- 2 p. Secretary of Foreign Affairs;
- 3 q. Secretary of Justice
- 4 r. Secretary of Labor and Employment;
- 5 s. Secretary of Tourism;
- 6 t. Secretary of Human Settlements and Urban Development
- 7 u. Secretary of Information and Communications Technology;
- 8 v. Presidential Adviser on the Peace Process;
- 9 w. Chairperson of the Commission on Higher Education;
- 10 x. Chief of Staff of the Armed Forces of the Philippines;
- 11 y. Chief of the Philippine National Police;
- 12 z. Head of the Presidential Communications Operations Office;
- 13 aa. Secretary-General of the Philippine National Red Cross;
- 14 bb. Chairperson of the Commission on Human Rights;
- 15 cc. Executive Director of the Council for Welfare of Children;
- 16 dd. Lead Convenor of the National Anti-Poverty Commission;
- 17 ee. Chairperson of the Philippine Commission on Women;
- 18 ff. Chairperson of the Housing and Urban Development Coordinating
- 19 Council;
- 20 gg. Chairperson of the National Council for Disability Affairs;
- 21 hh. Chairperson of the National Commission on Indigenous Filipinos;
- 22 ii. Chairperson of the National Commission on Muslim Filipinos;
- 23 jj. Chairperson of the National Youth Commission;
- 24 kk. President of the Government Service Insurance System;
- 25 ll. President of the Social Security System;
- 26 mm. President of the Philippine Health Insurance Corporation;
- 27 nn. President of the Home Development Mutual Fund;
- 28 oo. President of the Union of Local Authorities of the Philippines;
- 29 pp. President of the League of Provinces of the Philippines;
- 30 qq. President of the League of Cities of the Philippines;
- 31 rr. President of the League of Municipalities of the Philippines;
- 32 ss. President of the Liga ng mga Barangays;
- 33 tt. Maximum of six (6) representatives from the academia and other
- 34 relevant research institutions;
- 35 uu. Maximum of six (6) representatives from the Civil Society
- 36 Organizations; and
- 37 vv. Maximum of six (6) representatives from the private sector.
- 38
- 39 3. Composition – The Council is hereby organized into five (5) clusters,
- 40 namely, Disaster Prevention and Mitigation to be led by DOST, Disaster
- 41 Preparedness to be led by DILG, Disaster Response by DSWD, Logistics
- 42 led by DND, and Recovery and Sustainable Development led by NEDA.
- 43 4. Technical Management Advisory Group – The Department may

1 constitute, as the need arises, a technical management advisory group
2 from the different stakeholders, that shall coordinate and meet with the
3 Department as often as necessary to effectively manage and sustain
4 national efforts on disaster risk and vulnerability reduction and
5 emergency management, and climate change adaptation and mitigation;
6 and

- 7 5. Guidelines for the Department of Disaster Resilience Fund (DDRF) and
8 Local Disaster Resilience Fund (LDRF) – The Department shall provide the
9 necessary guidelines and procedures on the DDRF and the LDRF releases
10 as well as utilization, accounting and auditing thereof.
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14 **SECTION 21. Monitoring, Reporting and Validation**

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- 16 a. Monitoring and Reporting. On or before the last quarter of the preceding
17 year, member-agencies of the National Disaster Resilience Council shall
18 submit to the Department through the Council Secretariat their respective
19 DDR annual work and financial plans (AWFPs) for the next year. The
20 AWFPs shall be based on the DDR Plan.
21

22 The member-agencies shall submit to the Secretariat quarterly progress
23 reports of their implementation of the AWFPs within thirty (30) days from
24 the end of each quarter.
25

26 The Department is likewise accountable, liable and responsible for
27 monitoring and requiring the appropriate implementation of remedial
28 measures by member-agencies of the Council during a state of calamity. It
29 shall have the authority and power to require reports from the appropriate
30 member-agencies regarding implementation of such measures.
31

- 32 b. Validation. The Secretary shall require the submission of reports from
33 LGUs to validate the progress reports of the Council member-agencies.
34 Submission shall be through the local field offices of the DDR.
35

36 Every two (2) years, the implementation of the Climate-Disaster Resilience
37 Plan (CDRP) and utilization of the Local Disaster Resilience Fund (LDRF)
38 of each province, LGUs, independent city shall be evaluated by the
39 Regional Disaster Resilience Council (RDRC) based on appropriate
40 criteria, such as the award, recognition, citation criteria for provinces,
41 cities and municipalities, barangay and stakeholders.
42

- 43 1. The Regional Disaster Resilience Councils (RDRC) –

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

8
9 The Regional Directors of the Department shall serve as chairpersons of
10 the RDRCs and the Regional Directors of the DSWD, the DILG, and the
11 NEDA shall serve as cluster heads. In the case of the Bangsamoro
12 Autonomous Region in Muslim Mindanao, the Chief Minister shall be the
13 RDRC Chairperson. In the case of Metro Manila, the MDRC shall be
14 headed by the Chairperson of the Metro Manila Development Authority
15 (MMDA).

16
17 The RDRCs shall establish the RDRC Secretariat and operating facility to
18 be known as the Regional Disaster Resilience Council Secretariat and
19 Operations Center (RDRC). The RDRCs shall be composed of concerned
20 regional agencies, offices, LGUs and other multiple stakeholders.

- 21
22 1. LDRC Budgetary Requirements of LDRO – The budgetary requirements
23 for personal services, maintenance and other operating expenditures, and
24 capital outlay of the LDRO shall be sourced from the General Fund of the
25 LGU, subject to Section 76 of Republic Act No. 7160, as amended,
26 otherwise known as the “Local Government Code of 1991, as amended.
27 The enforcement of Sections 325(a) and 331(b) of Republic Act No. 7160, as
28 amended shall be waived to enable the LGUs to fund the initial year
29 requirements for the creation of the minimum five (5) mandatory positions
30 of the LDRO.

31
32 Other maintenance and operating expenditures, and other capital outlay
33 requirements of the LDRO in the implementation of disaster risk and
34 vulnerability reduction management and climate change adaptation
35 programs shall be charged to the Local Climate-Disaster Resilience Fund
36 of the LGUs.

- 37
38 2. Establish linkage or network with other LGUs for disaster risk and
39 vulnerability reduction, climate change adaptation and emergency
40 response purposes;
41
42 3. Recommend through the LDRC, the enactment of local ordinances
43 consistent with the requirements of this Act;

4. Establish a Provincial City, Municipal, and Barangay Climate and Disaster Resilience Operations Center; and
5. Encourage Government-Owned and Controlled Corporations OCCs to establish their own Climate and Disaster Resilience Operations Center within their territories.

SECTION 22. Synergy with Stakeholders. – The Department shall ensure seamless synergy and coordination with stakeholders, including CSOs, the academe, and the private sector, in relation to disaster resilience programs and projects and the development and promotion of research, education, and training mechanism with relevant stakeholders. The Department shall establish a platform, paradigm, and mechanisms for convergence and coordination with stakeholders, including the development of standards, protocols, and procedures for collaboration for disaster resilience.

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

- a. Establishment and implementation of business continuity practices to ensure the continued delivery of products and services, in the event of disasters.
- b. Establishment and implementation of a National Continuity Policy to ensure service continuity during power and utilities interruptions, emergencies, and disasters and ensure the quick return to full operations.
- c. Establishment, incorporation, and application of business continuity plans as part of the disaster resilience plans of local government units.
- d. Facilitation or assistance in obtaining or processing incentives for the private sector or other non-government stakeholders.
- e. Preparation and facilitating the issuance of micro, small, and medium enterprises (MSMEs), such as mechanisms involving procurement and liquidity to create enabling environments for disaster preparedness and recovery.

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 MAINSTRWAMING, INTEGRATION AND CONVERGENCE

SECTION 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-sectorial, 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.

SECTION 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 defined in this Act, and ensuring that environmental and natural resource policies are risk-informed.

1
2 **CHAPTER VIII**

3
4 **CLIMATE AND DISASTER RESEARCH EDUCATION, AND TRAINING**
5 **INSTITUTE**
6

7 **SECTION 26.** Creation of the Climate and Disaster Research, Education,
8 and Training Institute. –
9

- 10 a. Within one (1) year from approval of this Act, the Department shall
11 establish the Climate and Disaster Research, Education, and Training
12 Institute in collaboration with higher education institutions and Private
13 and State Universities and Colleges (SUCs) which shall be a world-class
14 center of excellence for learning and research in the field of disaster risk
15 and vulnerability reduction and management and climate change
16 adaptation;
- 17 b. The Climate and Disaster Research, Education, and Training Institute shall
18 be headed by a Director. The organizational structure and staffing pattern
19 shall be determined by the Department in consultation with the DBM and
20 in accordance with civil service laws, rules and regulations.
- 21 c. The Climate and Disaster Research, Education, and Training Institute shall
22 have the following functions:
23
- 24 1. Establish regional branches as well as provincial, city or municipal
25 branches if deemed necessary, to train individuals from the public and
26 private sectors in the fields of disaster risk and vulnerability reduction
27 and management, climate change adaptation, and ecosystem
28 management and restoration, among others;
 - 29 2. Develop and implement an inclusive and ladderized curricula on
30 climate change adaptation, and disaster risk and vulnerability
31 reduction and management;
 - 32 3. Develop research programs and a knowledge management system on
33 climate change adaptation and disaster risk and vulnerability
34 reduction management for the purpose of innovation and capacity
35 building and development;
 - 36 4. Partner with public and private academic and research institutions, the
37 private sector, civil society, community-based disaster risk and
38 vulnerability reduction management and climate change adaptation
39 practitioners, and other relevant sectors in developing research
40 opportunities and programs on climate vulnerability and disaster risk
41 assessment;
 - 42 5. Establish a resource center for information, education and
43 communication materials, research, publications, best work practices,

1 lessons identified and learned, and other knowledge products on
2 disaster risk and vulnerability reduction and management, and climate
3 change adaptation;

4 6. Consolidate and prepare information, education and communication
5 and training materials or publications to assist disaster risk and
6 vulnerability reduction and management, and climate change
7 adaptation practitioners in the planning and implementation of their
8 plans, programs, projects and activities;

9 7. Organize and recognize a community of climate change adaptation
10 and disaster risk reduction and management practitioners; and

11 8. Accredit, recognize, monitor and evaluate climate change adaptation,
12 disaster risk and vulnerability reduction and management training
13 institutions.

14
15 d. Financial Support to the Center:

16
17 1. The budget for the Climate and Disaster Resilience Research and Training
18 Center shall be sourced from the annual General Appropriations Act.

19 2. The Department shall assist in the establishment of Research and Training
20 Centers at the provincial, city, and municipal governments, as
21 appropriate. The funding for such local Climate and Disaster Research and
22 Training Centers may be sourced from the eighty (80%) percent portion of
23 the LDRF and other financial sources of the local government unit
24 concerned.

25 26 27 **CHAPTER IX**

28 29 **INTEGRATION MAINSTREAMING CLIMATE AND DISASTER** 30 **RESILIENCE INFORMATION, EDUCATION, AND COMMUNICATION** 31 **CONVERGENCE** 32 33

34 **SECTION 27.** The Department shall establish a National and Regional
35 Information Management System for Climate and Disaster Resilience. It shall
36 constitute a physical central database of all disaster risk reduction and climate
37 change data, including a geographic information system on geo-hazard
38 assessments and climate risk. It shall be the repository of current and multi-
39 temporal information for wide-scale disaster risk analysis and climate change
40 vulnerability assessment. The CDRIMS shall at all times be made available to the
41 Emergency Operations Center of the National and Regional Climate and Disaster
42 Resilience Council (NRCDRC) development partners and multi-stakeholders to
43 access critical information and ensure that the collection processing, analysis and

dissemination of information is timely, reliable and accurate to support overall decision making and effective coordination both at the national and sub-national level.

SECTION 28. Disaster Resilience and Climate Change Education and Training. –

- a. The Department of Education, CHED, and Technical Education and Skills Development Authority (TESDA), in coordination with the National Youth Commission (NYC), the Department of Science and Technology (DOST), Department of Environment and Natural Resources (DENR), Department of Interior and Local Government (DILG), Department of Health (DOH), Department of Social Welfare and Development (DSWD), and other relevant agencies, developmental institutions, and non-government organizations shall integrate disaster risk and vulnerability reduction and climate change adaptation education in the school curricula at all levels of education, from K to 12 to tertiary levels, including the early and adult learning programs, National Service Training Program (NSTP), and education for children and persons with special needs, whether private or public, including formal and non-formal, technical-vocational, indigenous learning, out-of-school youth courses and programs, and other channels of educational integration, including media, church, entertainment centers (malls), international and domestic airports and transport terminals.
- b. The Civil Service Commission (CSC), Professional Regulatory Commission (PRC), and other licensure bodies shall integrate disaster risk and vulnerability reduction management and climate change adaptation questions in all professional and licensure examinations.
- c. In coordination with the Department and the Disaster Resilience Research and Training Institute shall develop a curriculum for courses or subjects specific to disaster risk and vulnerability reduction management and climate change adaptation, and shall mandate all tertiary learning institutions to offer these subjects.
- d. The Parents and Teachers Community Associations shall initiate, support, and participate in disaster risk and vulnerability reduction management and climate change adaptation related activities in schools and host communities.
- e. The DepEd, the CHED, and the Technical Education and Skills Development Authority (TESDA) and other developmental institutions, community-based practitioners and organized non-governmental organizations shall formulate and institutionalize flexible learning options such as online modules, supplemental learning materials, resources and platforms, as part of its climate change adaptation, disaster risk and

- 1 vulnerability reduction and governance, analysis, and management
2 strategy.
- 3 f. The DepEd, CHED, TESDA, developmental institutions and community-
4 based organizations shall regularly review, monitor, evaluate and report
5 to the Council the status of integration, mainstreaming and
6 implementation of climate change adaptation, disaster risk and
7 vulnerability reduction and management in public-private schools and
8 other learning institutions.
- 9 g. The LDROs shall form formal partnerships with tertiary learning
10 institutions within their respective jurisdictions to provide standard and
11 ladderized training programs for LGU officials and other disaster risk and
12 vulnerability reduction management and climate change adaptation.
- 13 h. The DRC, the RDRCs, the LDRCs, the LDROs, the BDRCs, and the
14 Sangguniang Kabataan shall encourage the community, specifically the
15 youth, participation in disaster risk and vulnerability reduction and
16 climate change adaptation activities, such as Information, Education and
17 Communication (IEC) Campaigns organizing quick response groups,
18 particularly in identified disaster-prone areas, as well as the inclusion of
19 DRVR-climate change adaptation programs as part of programs and
20 projects of the Sangguniang Kabataan, youth organizations and
21 community-based disaster risk and vulnerability reduction management
22 and anticipatory adaptation initiatives.
- 23 i. There shall be a mandatory training climate change adaptation-DRVR for
24 public and private sector employees, including teachers and Climate-
25 Disaster Resilience Coordinators from both the public and private learning
26 institutions, shall be trained in emergency preparedness and response in
27 compliance with the provisions of this Act.

28
29 SECTION 29. Standard Mechanism for Cascading Information, Education
30 and Communication on Climate Change Adaptation and Disaster Risk and
31 Vulnerability Reduction Management. –
32

- 33 1. The DRC shall promote and advocate a culture of resilience and
34 responsible-accountable, liable and responsible citizenship through
35 information, education and communication that is appropriate, integrated,
36 calibrated, inclusive, localized, science- and risk-based, gender, culture
37 and disability sensitive and accessible using multimedia. Information,
38 education, and communication on climate change adaptation and disaster
39 risk and vulnerability reduction management should be compelling but
40 not alarming.
- 41 2. The NDRC shall formulate a Strategic Risk Communications Plan to
42 encompass the entirety of disaster risk and vulnerability reduction and
43 climate change adaptation to achieve the desired behavioral and

attitudinal change towards responsible citizenship and culture of resilience. It shall serve as a reference on continuous awareness raising and education at all levels of the government and multiple stakeholders.

3. 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.

SECTION 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 livelihood and other assets;

SECTION 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

SECTION 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 local government units the mandatory

insurance coverage of assets, properties and livelihood of vulnerable and marginalized groups for unforeseen or contingent potential losses, damages and disruption from natural hazards and human-induced disasters chargeable against the LDRF.

- d. Recognition and Incentives. – Unless otherwise provided, the Department shall establish an incentives program that recognizes outstanding performance of LDRC, non-governmental organizations (NGOs), civil society organizations (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

SECTION 34. Standards for Disaster Preparedness Activities. –

1. 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.
2. 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 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 renovation or repairs of damaged facilities for such use.

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

- a. There shall be a streamlined policy governing early warning systems

1 and risk communication protocols to ensure effective and efficient
2 measures to prevent, prepare for, respond to, and recover from
3 possible risk caused by natural and human-induced hazards and
4 climate risk. The NDRC shall issue and the Department shall oversee
5 and monitor the implementation of this policy.

- 6 b. The Department and all other concerned agencies with an integrated
7 early warning and information mandate shall collaborate with the local
8 executives and officers to disseminate climate-disaster risk information
9 through the involvement of local government units, community-based
10 organizations, civil society organizations, and other non- governmental
11 organizations.

12
13 **SECTION 36. Early Warning Mandate. -**
14

- 15 1. Department shall issue an integrated early warning for hydro-
16 meteorological, geologic, or terrestrial phenomena to the appropriate
17 government agencies or government-accredited organizations for
18 forecasting and early warning purposes. The Department shall recognize
19 and proactively support local or indigenous modes of early warning
20 systems and allow open access to real-time data from both local and
21 international sources made available through various platforms such as
22 websites, mobile apps, and social media to empower local communities
23 and individuals.
- 24 2. The Department shall enhance and strengthen Philippine Atmospheric,
25 Geophysical and Astronomical Services Administration (PAGASA) and
26 Philippine Institute of Volcanology and Seismology (PHIVOLCS)
27 mandates under the Republic Act No. 10692 and Executive Order No. 128
28 s. 1987, respectively.
- 29 3. The Department shall recognize and proactively support local or
30 indigenous modes of early warning systems and allow open access to real-
31 time data from both local and international sources made available
32 through various platforms such as websites, mobile apps, and social
33 media to empower local communities and individuals.
- 34 4. Transmission of Early Warning. A person who transmits early warning
35 concerning the abovementioned phenomena by means of signs in designs,
36 colors, lights, or sound shall do so in compliance with the methods
37 recognized or approved by the NDRC.
- 38 5. The NDRC at the national and subnational level shall consider the use of
39 integrated early warning system to ensure it is consistent and locally
40 contextualized with the communication protocol and safe evacuation
41 procedure of the affected communities to achieve zero casualty, to zero
42 death.
- 43 6. The Department shall consider working with other agencies or

1 organizations on pre-crisis information mapping of the humanitarian
2 needs of the at-risk community that will enhance the overall
3 prepositioning of resources at the national and local level.
4

5 6 CHAPTER XII

7 8 DISASTER RESPONSE AND EARLY RECOVERY 9

10 **SECTION 37.** Declaration of State of Calamity. – The Department shall
11 declare a cluster of barangays, municipalities, cities, provinces, and regions
12 under a state of calamity, and the lifting thereof, based on the criteria set by the
13 NDRC.
14

15 The declaration and lifting of the state of calamity may also be issued by
16 the local Sanggunian, upon the recommendation of the LDRO, based on the
17 results of the damage assessment and needs analysis. Provided: That the
18 Department, through the LDRC, may seek from the local legislative body or
19 Sanggunian, the declaration of a state of imminent disaster to enable the local
20 executives to implement pre-emptive evacuation and precautionary measures in
21 order to save lives and minimize damage to property, loss of livelihoods, and
22 disruption of livelihood that require the use of funds and resources under the
23 LDRF.
24

25 **SECTION 38.** Emergency Management. – The respective Climate and
26 Disaster Resilience Councils shall lead in preparing for, responding to, and
27 recovering from the effects of any disaster, upon due consideration to the
28 economics of classification, capacity and vulnerability of the local governments
29 concerned:
30

- 31 a. The BDRC, if one barangay is affected;
32 b. The city/municipal DRCs, if two (2) or more barangays are affected;
33 c. The provincial DRC, if two (2) or more cities/municipalities are affected;
34 d. The regional DRC, if two (2) or more provinces are affected; and
35 e. The NDRC, if two (2) or more regions are affected
36

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

1. Department of Finance-Bureau of Customs;
2. Department of Foreign Affairs;
3. Department of Social Welfare and Development;
4. Department of Health;
5. Food and Drug Administration;
6. Department of Agriculture;
7. Department of Energy;
8. Philippine National Police;
9. Philippine Coast Guard; and
10. Department of Justice - Bureau of Immigration

SECTION 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.

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

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CHAPTER XIII

INTERNATIONAL HUMANTARIAN ASSISTANCE

SECTION 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, recognition of foreign professional qualifications, entry of international disaster goods and equipment, and exemption from port duties, taxes and restrictions.

SECTION 43. Assessment of the Need for International Humanitarian Assistance. —

- a. Immediately after the declaration of a state of calamity by the sanggunian of a local government unit 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 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.

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

SECTION 45. Humanitarian Assistance Action Center. — The Department shall institutionalize an inter-agency one-stop shop mechanism called through the Philippine International Humanitarian Assistance Reception Action Center (PIHARAC) for the processing and release of entry and facilitation of goods, articles or equipment, and services of international relief workers for the

1 provision of international humanitarian assistance, and the processing of
2 necessary documents for assisting international actors.

3 4 5 **CHAPTER XIV**

6 7 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE TO** 8 **FOREIGN STATES**

9
10
11 **SECTION 46.** Offer and Facilitation of International Humanitarian
12 Assistance to Foreign States. – In the event of a disaster occurring in a foreign
13 state for which international humanitarian assistance is required, the Department
14 may offer, facilitate and provide international humanitarian assistance to such
15 foreign state, which shall be subject to guidelines to be promulgated by the
16 Department for the purpose.

17
18 **SECTION 47.** Accreditation. – The Department, in coordination with
19 relevant government agencies and organizations, shall provide and facilitate the
20 necessary training and accreditation to the respective government personnel to
21 be deployed for such offer, facilitation and provision of international
22 humanitarian assistance to a foreign state.

23 24 25 **CHAPTER XV**

26 27 **LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL** 28 **ACTORS**

29
30 **SECTION 48.** Guidelines for Coordination of International Humanitarian
31 Assistance. – The DRC shall issue comprehensive guidelines on the initiation,
32 entry, facilitation, transit and regulation of international relief goods and
33 personnel, as well as eligibility guidelines to utilize the legal facilities for
34 assisting international actors provided hereunder.

35
36 **SECTION 49.** Visa Waiver. – Eligible assisting international actors shall be
37 entitled to waiver of entry visa requirements, including any associated fees or
38 charges, to perform Disaster Relief and Initial Recovery Assistance work for their
39 sponsoring entities without the requirement to seek a separate residence or work
40 permit.

41
42 **SECTION 50.** Recognition of Foreign Professional Qualifications. –
43

1. 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.
2. The Department shall establish the guidelines and scope for recognition of foreign professional qualifications for disaster response and early recovery.
3. 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.

SECTION 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.

SECTION 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 Authority 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 RELIEF GOODS AND EQUIPMENT

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

SECTION 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 Part 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

1 regulations.

2
3 **SECTION 55.** Exemption from Import Duties, Taxes and Restrictions. –
4 Consignments of goods and equipment by or on behalf of eligible assisting
5 international actors shall benefit from:

- 6
7 1. Exemption from all duties and taxes;
8 2. Waiver of economic prohibitions and restrictions except for categories
9 of special goods and equipment that may be indicated by the
10 Department; and
11 3. Clearance without regard to the country of origin or the country from
12 which the goods have arrived, subject to monitoring for reasons of
13 public health and security.

14
15 **B. EXPEDITED ENTRY AND USE RESTRICTION FOR SPECIFIC**
16 **INTERNATIONAL DISASTER RELIEF GOODS AND EQUIPMENT**

17
18 **SECTION 56.** Simplification of Documentation Requirements. –

- 19
20 a. Consignment of goods and equipment sent by or on behalf of eligible
21 assisting international actors shall be cleared or released on the basis of
22 a simplified goods declaration providing the minimum information
23 necessary for the Bureau of Customs to identify the goods and
24 equipment and subject, when deemed necessary, to completion of a
25 more complete declaration within a specified period.
26 b. The requirements for the declaration for all imports of goods or
27 equipment by or on behalf of eligible assisting international actors and
28 any supporting documents relating to said consignment, release and
29 clearance of goods or equipment shall be simplified and lodged
30 without fee.

31
32 **SECTION 58.** Medications. – Eligible assisting international actors shall be
33 permitted to import and transport medications and medical equipment for the
34 purpose of Disaster Relief or Initial Recovery Assistance so long as they conform
35 to the implementing rules and regulations to be provided by the NDRC.

36
37 **SECTION 59.** Food. – Food imported by eligible assisting international
38 actors for disaster relief and recovery shall be admitted pursuant to expedited
39 procedures set out by the DRC.

40
41 **SECTION 60.** . Imported Vehicles. – The granting of local registration and
42 plates for vehicles imported by eligible assisting international actors shall be
43 expedited.

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2 C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED
3 GOODS.
4

5 SECTION 61. Disposition of Equipment and Unused Goods. – The DRC
6 shall provide for the guidelines for retention, re-exportation, donation and
7 disposal of unused goods and equipment after the termination of Disaster Relief
8 and Initial Recovery Assistance operations.
9

10
11 **CHAPTER XVI**

12
13 **RECOVERY**
14

15 SECTION 62. Standards for Recovery. – The Department shall observe
16 internationally accepted standards for recovery, planning, programming and
17 implementation of the recovery process shall:

- 18 1. Improve the community's physical, social and economic resilience,
19 consistent with the principle of "build forward better";
20 2. Use locally-driven and centrally-supported processes based on legal
21 mandates with supplementary capacity support when requested;
22 3. Redirect development outside danger zones to minimize loss of lives and
23 structures resulting from typhoons, flooding, landslides, and other
24 hazards
25 4. Employ outcome-driven planning and implementation;
26 5. Maximize use of private-public sector partnership where possible;
27 6. Consider local conditions such as culture, security situation, and existing
28 capacities of communities in identifying programs and projects;
29 7. Ensure access to public transport, physical and mental health services,
30 markets, schools, sustainable livelihoods, and other public services in
31 planning for settlement areas; and
32 8. Ensure restoration of peace and order and recovery of government
33 functions.

34 **CHAPTER XVII**

35 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**

36 SECTION 63. Remedial Measures under State of Calamity. – Upon the
37 declaration of the state of calamity, the following remedial measures shall be
38 immediately undertaken by concerned government agencies both of national and
39 local levels:

- a. Imposition of price ceiling on basic necessities and prime commodities by the National Price Control Council, as provided for under Republic Act No. 7581, otherwise known as the "Price Act", as amended by Republic Act No.10623;
- b. Monitoring, prevention and control by the Local Price Coordination 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 better forward" principle:
 1. Grant of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals; and
 2. cal tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected local government unit.

CHAPTER XVIII

PROCUREMENT

SECTION 64. General Rule on Procurement. – Any procurement of goods, services, consultancy or 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 9184 otherwise known as "Government Procurement Reform Act", as amended.

SECTION 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.

CHAPTER XIX

PROHIBITED ACTS AND BENALTIES

SECTION 66. Prohibited Acts. – Any public official, private person, group or corporation who commits any of the following prohibited acts shall be liable

1 and be subjected to the criminal and administrative penalties as provided for in
2 Section 67 of this Act, without prejudice to the imposition of other criminal, civil
3 and administrative liabilities under existing laws.

4 a. Prohibited Acts Of Public Officials – The following acts, if committed by
5 public officials without justifiable cause, shall be considered as gross
6 neglect of duty:

- 7 1. Dereliction of duties which leads to destruction, loss of lives, critical
8 damage of facilities and misuse of funds;
- 9 2. Failure to create a functional LDR Office within six (6) months from
10 approval of this Act;
- 11 3. Failure to appoint a permanent local disaster resilience officer within
12 six (6) months from approval of this Act;
- 13 4. Failure to prepare and implement a Contingency and Adaptation Plan
14 for hazards frequently occurring within their jurisdictions;
- 15 5. Failure to formulate and implement the LDRP with the corresponding
16 budget allocation;
- 17 6. Sexual exploitation and abuse, and other forms of sexual misconduct to
18 the affected population or at-risk communities shall be punishable
19 under existing criminal and administrative laws.

20 b. Prohibited Acts of Public Officials and Private Persons or Institutions –

- 21 1. Delaying, without justifiable cause in the delivery or improper
22 handling or storage of aid commodities, resulting to damage or
23 spoilage;
- 24 2. Withholding the distribution of relief goods due to (a) political or
25 partisan considerations; (b) discrimination based on race, ethnicity,
26 religion, or gender; and (c) other similar circumstances;
- 27 3. Preventing the entry and distribution of relief goods in disaster-
28 stricken areas, including appropriate technology, tools, equipment,
29 accessories, disaster teams or experts;
- 30 4. Buying, for consumption or resale, from disaster relief agencies any
31 relief goods, equipment or other and commodities which are intended
32 for distribution to disaster affected communities;
- 33 5. Buying, for consumption or resale, from disaster affected persons,
34 relief goods, equipment or other aid commodities received by them;
- 35 6. Selling of relief goods, equipment, or other aid commodities which are
36 intended for distribution to disaster victims;
- 37 7. Forcibly seizing relief goods, equipment, or other aid commodities
38 intended for or consigned to a specific group of victims or relief
39 agency;

- 1 8. Diverting or misdelivery of relief goods, equipment, or other aid
- 2 commodities to persons other than the rightful recipient or consignee;
- 3 9. Accepting, possessing, using or disposing relief goods, equipment or
- 4 other aid commodities not intended for nor consigned to them;
- 5 10. Misrepresenting the source of relief goods, equipment, or other aid
- 6 commodities by:
 - 7 a. Repacking the goods, equipment, or other aid commodities into
 - 8 containers with different markings to make it appear that the goods
 - 9 came from another agency or persons or was released upon the
 - 10 instance of a particular agency or persons;
 - 11 b. Making a false verbal claim that the goods, equipment or other and
 - 12 commodities in their untampered original containers actually came
 - 13 from another agency or persons or was released upon the instance
 - 14 of a particular agency or persons;
- 15 11. Substituting or replacing relief goods, equipment, or other aid
- 16 commodities with the same items or of inferior/cheaper quality;
- 17 12. Illegal solicitations by persons or organizations representing others
- 18 as defined in the standards and guidelines set by the NDRC;
- 19 13. Deliberate use of false or inflated data in support of the request for
- 20 funding, relief goods, equipment, or other aid commodities for
- 21 emergency assistance or livelihood projects;
- 22 14. Stealing, taking, or possessing of any of the equipment, accessories and
- 23 other vital facility or items or any part thereof;
- 24 15. Selling or buying stolen equipment, accessories, and other vital facility
- 25 items or any part thereof;
- 26 16. Tampering with or stealing hazard monitoring and disaster
- 27 preparedness equipment and paraphernalia.
- 28 17. Attempting to commit any of the abovementioned prohibited acts; and
- 29 18. Benefitting from the proceeds or fruits of any of the abovementioned
- 30 prohibited acts knowing that the proceeds or fruits are derived from
- 31 the commission of the prohibited acts.
- 32 19. Over pricing, profiteering and hoarding of prime commodities,
- 33 medicines and petroleum products as defined in section 5 of RA 7581
- 34 20. Unnecessary increase of price on basic commodities during disaster
- 35 subject to rules and regulations of DTI, LPCC, and other related
- 36 agencies
- 37 21. Dissemination of false information that caused panic, injury, and death

38 **SECTION 67. Penalties.** — The following penalties shall be imposed on
39 any individual, corporation, partnership, association or other juridical entity that
40 commits any of the prohibited acts in the preceding section:

- a. Imprisonment of not less than twelve (12) years but not more than fifteen (15) years or a fine of not less than One million pesos (Php1,000,000.00) but not more than Three million pesos (Php3,000,000.00), or both imprisonment and fine at the discretion of the court shall be imposed upon any person found guilty of violating subsections (b)(1) to (b)(16), as well as the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of the prohibited acts;
- b. Imprisonment of not less than six (6) years but not more than eight (8) years or a fine of not less than Five hundred thousand pesos (Php500,000.00) but not more than One million pesos (Php1,000,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person who attempts to commit any of the prohibited acts in the preceding section, in violation of subsection (b)(17) thereof;
- c. Imprisonment of not less than two (2) years but not more than six (6) years or a fine of not less than Two hundred thousand pesos (Php200,000.00) but not more than Five hundred thousand pesos (Php500,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person found guilty of unlawfully benefiting from the proceeds or fruits of any of the prohibited in the preceding section, in violation of subsection (b)(18) thereof;
- d. Perpetual disqualification from public office aside from the penalty of fine or imprisonment or both, shall be imposed if the offender is a public officer, and confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of any of the prohibited in the preceding section;
- e. If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association or entity responsible for the violation without prejudice to the cancellation or revocation of these entities' registration, license or accreditation issued to them by any licensing or accredited body of the government. If such offender is an alien, the person shall, in addition to the penalties prescribed in this Act, be deported without further proceedings after service of the sentence;
- f. Payment of the full cost of repair or replacement of the government risk reduction and preparedness equipment, accessories and other vital facility items, or any part thereof, which is the object of the crime shall likewise be imposed upon any person who shall commit any of the prohibited acts in the preceding section; and
- g. The prosecution for offenses set forth under the preceding section shall be without prejudice to any criminal liability for violation of Act No.

3815, as amended, otherwise known as the “Revised Penal Code”, and other existing laws, as well as the imposition of applicable administrative or civil liabilities.

CHAPTER XX

APPROPRIATIONS

SECTION 68. Appropriations. –

1. The amount needed for the initial implementation of this Act shall be taken from the current fiscal year’s unexpended appropriation of all agencies herein absorbed, transferred, and attached to the Department. Thereafter, the amount needed for the operation and maintenance of the Department shall be included in the General Appropriations Act.
2. National Disaster Resilience Fund (NDRF). The utilization and allocation of the entire NDRF (Calamity Fund) and its quick response fund component shall be managed by the Department except as provided for by specific laws.
3. Local Disaster Resilience Fund (LDRF). Not less than seven percent (7%) of the estimated revenue from regular sources shall be set aside as the LDRF to support disaster risk and vulnerability reduction and climate change adaptation and mitigation programs, projects and activities. The LDRC shall monitor and evaluate the use and disbursement of the LDRF based on the LDRP as incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the LDRO and approval of the sanggunian concerned, the LDRC may transfer the said fund to support the disaster risk and vulnerability reduction and climate change adaptation work and initiatives of other LDRCs that are declared under a state of calamity.
4. Of the amount appropriated for LDRF, twenty percent (20%) shall be allocated as Quick Response Fund (QRF) or stand-by 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.
5. Of the annual appropriation of LDRF, eighty percent (80%) shall be appropriated for climate change adaptation, disaster risk and vulnerability reduction, prevention, adaptation and mitigation programs, project ands, activities focusing on both institutional capacity building of vulnerable communities and risk-reducing infrastructure. The NDRC shall pass a

- 1 resolution to set the priority allocations and govern and trigger the
2 acceleration and implementation of this section.
- 3 6. Of the amount appropriated for the Disaster Resilience Fund, twenty
4 percent (20%) shall be allocated as Quick Response Fund (QRF) or stand-
5 by fund for prepositioning of goods and equipment and relief and early
6 recovery programs in order that situation and living conditions of people
7 in communities or areas stricken by disasters, epidemics, or complex
8 emergencies, may be normalized as quickly as possible.
- 9 7. All departments/agencies and LGUs that are allocated with Local Disaster
10 Resilience Fund shall submit to the Department their monthly statements
11 on the utilization of Local Disaster Resilience Funds and make an
12 accounting thereof in accordance with existing accounting and auditing
13 rules.
- 14 8. All departments, bureaus, offices and agencies of the government are
15 hereby authorized to use a portion of their appropriations to implement
16 projects designed to address disaster risk and vulnerable reduction-
17 climate change adaptation activities in accordance with the Disaster
18 Resilience Plan and the guidelines to be issued by the DRC in coordination
19 with the Department of Budget and Management (DBM) and Commission
20 on Audit (COA). Unexpended LDRF shall accrue to a trust fund solely for
21 the purpose of supporting disaster risk reduction and management and
22 climate change adaptation activities of the LDRCs within the next two (2)
23 years. Any such amount still not fully utilized after two (2) years shall
24 revert back to the general fund and will be available for other social
25 services to be identified by the local sanggunian. The NDRC shall issue
26 guidelines on the utilization and release of LDRF in coordination with
27 other concerned government agencies.
- 28 9. Prevention, Mitigation and Preparedness Fund for third (3rd) to sixth (6th)
29 class provinces and municipalities. There shall be in the annual General
30 Appropriations Act an amount allotted solely for the use of 3rd to 6th class
31 provinces and municipalities for the purpose of augmenting their LDRF
32 with respect to plans, programs, projects, and procurement for climate
33 change adaptation, disaster risk prevention, mitigation, and preparedness.
34 The requirements to avail of this fund shall be laid down in rules and
35 regulations to be promulgated by the Secretary.
- 36 10.

37 CHAPTER XXI

38 FINAL PROVISIONS

39 SECTION 69. Transfer and Attachment. —

- a. The applicable powers, functions, funds, and appropriations of the Office of Civil Defense (OCD) and the Climate Change Office (CCO), Geo-Hazard Assessment and Engineering Geology Section of Mines and Geosciences Bureau (MGB), Health and Emergency Management Bureau of the Department of Health (DOH), the Disaster Response Assistance and Management Bureau (DREAMB) of the DSWD, and the Bureau of Fire Protection are hereby transferred to the Department.
- b. The disaster risk reduction and management functions, assets and personnel of the Office of Civil Defense (OCD) currently under the DND, are hereby transferred to the Department, and the civil defense functions shall remain with the DND;
- c. The existing organizational and administrative systems and processes of the transferred OCD shall serve as the core organization of the Department.
- d. The Climate Change Office of the Climate Change Commission continue its functions under Republic Act No. 10174 under the Department.
- e. The following agencies are hereby attached to the Department:
 1. Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA); and
 2. Philippine Institute of Volcanology and Seismology (PHIVOLCS).

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

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

SECTION 70. Separation Benefits of Officials and Employees of Affected Agencies – National government employees displaced or separated from the service as a result of this Act shall be entitled to separation pay and other benefits in accordance with Republic Act No. 6656, otherwise known as “Government Reorganization Law” and other existing laws, rules or regulations. Provided, That those who are qualified to retire under existing retirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled under applicable laws and issuances.

SECTION 71. Magna Carta for DDR Personnel. Qualified employees of the DDR, Local Government Units and its attached units shall be covered by Republic Act No. 8439, known as the Magna Carta for Scientists, Engineers, Researchers and Other Science and Technology Personnel in the Government, and Republic Act No. 7005, otherwise known as “Magna Carta for Public Health Workers.”

CHAPTER XXII

MISCELLANEOUS PROVISIONS

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

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

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

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

1 **SECTION 76. . Repealing Clause. –**

2 1. Republic Act No. 10121, otherwise known as the Philippine Disaster Risk
3 Reduction and Management Act of 2010, is hereby repealed.

4 2. The following provisions are hereby amended or modified, accordingly:

5 a. Section 30 of Executive Order No. 128, Series of 1987, otherwise known
6 as the Reorganization Act of the National Science and Technology
7 Authority;

8 b. Section 6 of Republic Act 6975, otherwise known as the Department of
9 the Interior and Local Government Act of 1990;

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

12 d. Section 4 of Republic Act No. 10639, otherwise known as the Free
13 Mobile Disaster Alerts Act; and

14 e. Section 5 of Republic Act No. 10692, otherwise known as the PAGASA
15 Modernization Act of 2016’

16 3. All other laws, decrees, executive orders and issuances, proclamations,
17 rules and regulations, and other issuances or parts thereof that are
18 inconsistent with the provisions of this Act are hereby repealed or
19 amended, accordingly.

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

22 Approved