

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2896



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.,
HON. MIGUEL LUIS R. VILLAFUERTE, HON. TSUYOSHI ANTHONY G.
HORIBATA AND HON. NICOLAS ENCISO VIII**

EXPLANATORY NOTE

The distinct geography of the Philippines exposes it to natural hazards. Located along the so-called "Pacific Ring of Fire," the Philippines is regularly impacted by floods, typhoons, landslides, earthquakes, volcano eruptions, and droughts. According to the status report of the Asian Disaster Preparedness Center and UN Office for Disaster Risk Reduction, at least 60% of the country's total land area is vulnerable to natural hazards.¹ An average of 20 major storms hit the Philippines a year. Additionally, it is home to 25 active volcanoes.

In 2020, Super Typhoon Goni which is considered the strongest landfalling tropical cyclone on record slammed into the Philippines affecting approximately 2,030,130 people and damaging infrastructure worth Php 12,867,014,693.78 and agriculture worth Php 5,008,430,180.00.² Goni's peak winds were as high as 195 mph, comparable to Super Typhoon Haiyan in 2013. Meanwhile, the Taal volcano, one of the Philippines' most active volcanoes erupted in July 2021 displacing almost 20,000 persons from 190 Barangays in CALABARZON.³

These, among many other circumstances, exposed the weakness in the structural and institutional set-up of Republic Act No. 10121 or the Philippine Disaster Risk Reduction Act and Management of 2010.

¹ <https://reliefweb.int/report/philippines/disaster-risk-reduction-philippines-status-report-july-2019>

² <https://www.sciencedirect.com/science/article/pii/S2225603221000278>

³ <https://reliefweb.int/disaster/vo-2021-000071-phl>

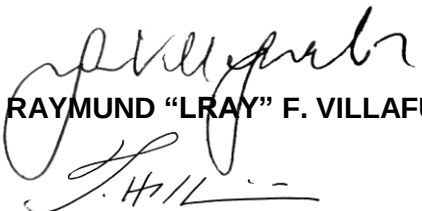
To further strengthen our country's capacity to address impacts brought by climate change, this bill proposes to establish the Department of Disaster Resilience and Emergency Management which would oversee the implementation of disaster risk reduction and management policies and programs nationwide. Under the bill, the DDR shall be the primary 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. It shall oversee and coordinate the preparation, implementation, and 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, preparedness, response, recovery and rehabilitation, to anticipatory adaptation strategies, measures, techniques, and options.

It shall integrate the Climate Change Commission (CCC), National Disaster Risk Reduction, People's Survival Fund (PSF), Yolanda Recovery and Rehabilitation Efforts, and Office of the Presidential Assistant for Rehabilitation and Recovery (OPARR). This shall streamline the planning and execution of policies and projects on climate change and unify the country's approach towards resiliency. It shall also do away with redundant bureaucratic processes that may result in delays, confusion and diluted accountability.

The DRR shall coordinate with other pertinent agencies, local government units (LGUs), and even private entities and establish a Multi-stakeholder Convergence Unit which shall align disaster resilience efforts of the private sector, civil society organizations, academe and other stakeholders by assisting, coordinating or providing services that strengthen public-private cooperate and coordination in disaster resilience.

True economic progress is unattainable when we continuously fail to deal with reality of climate change and hence, suffer from its effects. With the creation of the FRR, the Philippine will be able to quickly respond, prepare, implement, monitor, and evaluate disaster and climate resilience plans, programs, and projects for the welfare of the people, particularly the vulnerable and the poor.

The approval of this bill is earnestly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

TSUYOSHI ANTHONY G. HORIBATA



MIGUEL LUIS R. VILLAFUERTE



NICOLAS ENCISO VIII

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AN ACT
REORGANIZING AND STRENGTHENING THE DISASTER RISK REDUCTION
AND MANAGEMENT SYSTEM OF THE PHILIPPINES, ESTABLISHING FOR THE
PURPOSE THE DEPARTMENT OF DISASTER RESILIENCE AND EMERGENCY
MANAGEMENT, EMPOWERING THE REGIONAL FIELD OFFICES,
ESTABLISHING COORDINATING MECHANISMS, STRENGTHENING
COMMUNITY PARTICIPATION, APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES

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

ARTICLE I
GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the “*The Philippine Disaster Risk Reduction and Management System Act*”.

Sec. 2. *Declaration of Policy.* – The State recognizes the country's severe vulnerability to natural and man-made disasters and their catastrophic impact on the people's constitutional rights to life, liberty and property, particularly of the poor and the marginalized. The State further recognizes the need to institutionalize the principles of climate change adaptation and disaster risk reduction and management, and the imperative to embody these principles in responsive and capable institutions. As such, it is hereby declared a policy of the State to:

- a) Address the root causes of vulnerabilities to disasters by strengthening the country's institutional capacity for disaster risk reduction and management and

building the resilience of local communities to disasters including climate change impacts;

- b) Adopt a disaster risk reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and environmental impacts of disasters including climate change, and promote the involvement and participation of all sectors and all stakeholders concerned, at all levels, especially the local community;
- c) Promote a whole-of-government and whole-of society approach to the development of disaster risk reduction and management, to ensure the buy-in of all concerned stakeholders, whether from the government sector, private sector, or non-government sector;
- d) Adhere to and adopt the universal norms, principles and standards of humanitarian assistance and the global effort on risk reduction as concrete expression of the country's commitment to overcome human sufferings due to recurring disasters;
- e) Develop, promote, and implement a comprehensive National Disaster Risk Reduction and Management Plan (NDRRMP) that aims to strengthen the capacity of the national government and the local government units (LGUs), together with partner stakeholders to build the disaster resilience of communities, and to institutionalize arrangements and measures for reducing disaster risks, including projected climate risks, and enhancing disaster preparedness and response capabilities at all levels;
- f) Incorporate internationally accepted principles of disaster risk management in the creation and implementation of national, regional and local sustainable development and poverty reduction strategies, policies, plans and budgets;
- g) Adopt and implement a coherent, comprehensive, integrated, efficient and responsive disaster risk reduction program incorporated in the development plan at various levels of government adhering to the principles of good governance such as transparency and accountability within the context of poverty alleviation and environmental protection;
- h) Mainstream disaster risk reduction and climate change in development processes such as policy formulation, socioeconomic development planning, budgeting, and governance, particularly in the areas of environment, agriculture,

water, energy, health, education, poverty reduction, land-use and urban planning, and public infrastructure and housing, among others;

- i) Institutionalize the policies, structures, coordination mechanisms and programs with continuing budget appropriation on disaster risk reduction from national down to local levels towards building a disaster-resilient nation and communities;
- j) Streamline existing disaster risk reduction and management institutions, structures and mechanisms, in order to reduce redundancy, increase synergy and efficiency, and provide decisive and accountable leadership in times of crisis.
- k) Ensure that disaster risk reduction and climate change measures are gender responsive, sensitive to indigenous knowledge systems, and respectful of human rights;
- l) Develop and strengthen the capacities of vulnerable and marginalized groups to mitigate, prepare for, respond to, and recover from the effects of disasters;
- m) Incorporate community and people's participation on a greater level, to ensure that all national disaster risk reduction programs, activities and policies are aligned with and responsive to the needs of the people;
- n) Recognize the local risk patterns across the country and strengthen the capacity of LGUs for disaster risk reduction and management through decentralized powers, responsibilities, and resources at the regional and local levels;
- o) Recognize and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters;
- p) Engage the participation of civil society organizations (CSOs), the private sector and volunteers in the government's disaster risk reduction programs towards complementation of resources and effective delivery of services to the Citizenry;
- q) Provide maximum care, assistance and services to individuals and families affected by disaster, implement emergency rehabilitation projects to lessen the impact of disaster, and facilitate resumption of normal social and economic activities; and
- r) Ensure that affected communities rise stronger than they were before incidents of disasters, towards reducing their vulnerability and preventing the repetition of the catastrophic loss of human life and livelihood and destruction of property.

Sec. 3. Definition of Terms. – The following terms are defined for the purposes of this Act:

- a) Build Back Better – refers to an approach to disaster recovery and reconstruction which not only rebuilds communities to pre-disaster standards but also increases their resilience to future disasters;
- b) LERC – refers to the Local Emergency Response Corps created under this Act;
- c) Department – refers to the Department of Disaster Resilience and Emergency Assistance and Management which encompasses the National Disaster Risk Reduction and Management Council (NDRRMC) and the Department proper;
- d) Department proper – refers to the offices, agencies, bureaus, and services under the authority of the Secretary of the Department of Disaster Resilience and Emergency Assistance and Management;
- e) Secretary – refers to the Secretary of the Department Resilience and Emergency Assistance Management;
- f) NERC – refers to the National Emergency Response Corps created under this Act;
- g) NDRRMC – refers to the National Disaster Risk Reduction and Management Council created under R.A. No. 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010";
- h) RERC – refers to the Regional Emergency Response Corps created under this Act;
- i) RFO – refers to the Regional Disaster Risk Reduction and Management Councils created under R.A. No. 10121 and renamed as "Regional Field 3 Offices" under this Act.

Unless expressly defined in this Section, the other technical terms and concepts used in this Act shall be read as defined under Section 3 of Republic Act 6 No. 10121, otherwise known as the *"Philippine Disaster Risk Reduction and Management Act of 2010"*.

ARTICLE II

THE DEPARTMENT OF DISASTER RESILIENCE AND EMERGENCY ASSISTANCE AND MANAGEMENT

Sec. 4. *The Department of Disaster Resilience and Emergency Assistance and Management.* –To carry out the objectives of this Act and those of R.A. No. 10121, the Department of Disaster Resilience and Emergency Assistance and Management is hereby established. The Department shall be the primary policy-making, planning,

coordinating, integrating, supervising, implementing, monitoring and evaluating authority with regard to disaster risk reduction and management in the country.

Sec. 5. *Organization of the Department.* – The Department shall consist of two separate and distinct entities: The National Disaster and Risk Reduction and Management Council (NDRRMC) and the Department Proper. The NDRRMC shall be attached for administrative and budgetary purposes to the Department.

Sec. 6. *Organization of the Department Proper.* – The Department proper shall be comprised of the following:

- a) The Office of the Secretary, which shall encompass the Office of the Secretary and the Offices of the Undersecretaries and the Assistant Secretaries, and their immediate support staff;
- b) The Regional Field Offices;
- c) The Bureaus enumerated under Section 17 of this Act;
- d) The National Emergency Response Corps (NERC);
- e) The National Disaster Risk Reduction and Management Research and Training Center (NDRRMC-RTC)
- f) The attached agencies enumerated under Section 21 of this Act; *and*
- g) The Department Services enumerated under Section 18 of this Act;

Sec. 7. *Selection of Personnel.* – The selection of the personnel of the Department shall be based strictly on merit and fitness in accordance with the Civil Service Code and other applicable laws and rules and regulations. The formulation of the organizational structure and staffing pattern shall be completed within one (1) year after the effectivity of this Act.

ARTICLE III

THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL

Sec. 8. *The National Disaster Risk Reduction Council.* – The NDRRMC shall be the policy-formulating and coordinating body of the Department which shall ensure a whole-of-government approach to formulating and implementing the National Disaster Risk Reduction and Management Plan.

Sec. 9. *Organization.* – The membership of the NDRRMC under R.A. No. 10121 shall be retained: Provided, that the NDRRMC shall be chaired by the President: Provided further, that the Secretary of the Department of Disaster Management shall be the vice-chair of the NDRRMC, and shall preside as Chairman when the President is unable to attend a meeting.

Sec. 10. *Powers and Functions of the NDRRMC.* – The NDRRMC shall:

- a) Formulate the NDRRMP which shall be a comprehensive, all-hazards, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management. The NDRRMP shall serve as the principal guide to disaster risk reduction and management efforts in the country and shall be reviewed on a ten (10)-year interval, or as may be deemed necessary, in order to ensure its relevance to the times;
- b) Develop vertical and horizontal coordination mechanisms for a more coherent implementation of disaster risk reduction and management policies and programs by sectoral agencies and LGUs;
- c) Constitute a technical management group composed of representatives of the concerned departments, offices, and organizations, that shall coordinate and meet as often as necessary to effectively manage and sustain national efforts on disaster risk reduction and management;
- d) Serve as a coordinating body for all inter-agency efforts during risk reduction and management operations;
- e) Advise the President on the status of disaster preparedness, prevention, mitigation, response and rehabilitation operations being undertaken by the government, CSOs, private sector, and volunteers, and submit proposals to restore normalcy in affected areas;
- f) Recommend to the President the declaration of a State of Calamity in areas extensively damaged and to submit proposals to restore normalcy in the affected areas;
- g) In coordination with the Climate Change Commission, formulate and implement a single harmonized framework and action plan for climate change adaptation and disaster mitigation;
- h) Receive, administer, mobilize and report the National Disaster Risk Reduction and Management Fund, and other recovery and rehabilitation funds;

- i) Receive donations and grants from any person, government institution, corporation, international organization, and other similar entities, and the power to recommend the procurement of developmental assistance for the purpose of disaster risk reduction and management subject to Section 32 of this Act;
- j) Monitor and provide the necessary guidelines and procedures on the Local Disaster Risk Reduction and Management Fund (LDRRMF) releases as well as utilization, accounting and auditing thereof;
- k) Develop appropriate risk transfer mechanisms that shall guarantee social and economic protection and increase resiliency in the face of disaster; *and*
- l) Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies.

Sec. 11. *Monitoring and Reporting.* –

- a) On or before the last quarter of the preceding year, the member-agencies of the NDRRMC shall submit to the Secretary their respective disaster risk reduction and management annual work and financial management plans for the next year;
- b) The member-agencies of the NDRRMC shall also submit to the Secretary quarterly progress reports on the implementation of their respective DRRM annual work and financial management plans within thirty (30) days from the end of each quarter.

ARTICLE IV

THE DEPARTMENT PROPER

Sec. 12. *The Department Proper.* – The Department proper shall be the Secretariat and executive arm of the Department. It shall be in charge of implementing and monitoring the implementation of disaster risk reduction and management policies, activities and programs as embodied in the NDRRMP.

Sec. 13. *The Secretary.* – The Department shall be headed by a Department Secretary who shall be a member of the Cabinet. He shall be appointed by the President for a term of six (6) years and shall be a member of the Cabinet

Sec. 14. *Powers and Functions of the Secretary.* – The Secretary shall:

- a) Monitor the integration of disaster risk reduction and management policies into local and national development plans;
- b) Oversee and direct the comprehensive implementation of disaster risk reduction and management policies, plans and programs as embodied in the NDRRMP;
- c) Review and evaluate Local Disaster Risk Reduction and Management Plans to ensure their consistency with the NDRRMP through the regional offices;
- d) Call upon other instrumentalities or entities of the government and nongovernment and civic organizations for assistance in terms of the use of their facilities and resources for the protection and preservation of life and properties in the whole range of disaster risk reduction and management, which includes the power to call on the reserve force as defined in Republic Act No. 7077 to assist in relief and rescue during disasters or calamities;
- e) Exercise visitorial and examining powers over governmental and non-governmental entities engaged in DRRM operations;
- f) Commandeer any private property for urgent public purposes, subject to payment of just compensation in appropriate cases;
- g) Coordinate or oversee the implementation of the country's obligations with disaster risk reduction and management treaties to which it is a party and see to it that the country's disaster risk management treaty obligations be incorporated in its disaster risk reduction and management frameworks, policies, plans, programs, and projects; and
- h) Lead the mainstreaming of disaster risk reduction and management in all stages and levels of national and local planning and budgeting processes;
- i) Raise awareness among national agencies, local government units, and local communities on the importance of disaster risk reduction and management;
- j) In lieu of the President, preside and lead meetings of the NDRRMC;
- k) Coordinate with the members of the NDRRMC for the implementation, monitoring, review, and revision of the NDRRMP;
- l) Provide secretarial support to the NDRRMC;
- m) Advise the NDRRMC on matters relating to disaster risk reduction and management consistent with the policies and scope as defined in this Act;
- n) Assess the strengths and weaknesses of NDRRMC members on aspects of DRRM and provide the corresponding capacity building through the Department proper;

- o) Direct the deployment of the National Emergency Response Corps (NERC) and/or Regional Emergency Response Corps (RERC) to assist in relief and rescue during disasters or calamities;
- p) Create regional and field offices and such other service units and divisions as may be necessary;
- q) Exercise administrative supervision and control over the Regional Field Offices (RFOs);
- r) Exercise supervision over the Local Disaster Risk Reduction and Management Offices (LDRRMOs) in all provinces, cities, municipalities, and barangays in the country;
- s) Exercise all powers and functions provided to department secretaries under Book IV, Chapter 2 of Executive Order No. 292, otherwise known as the "*Administrative Code of 1987*"; and
- t) Perform such other functions as may be necessary or proper to attain the objectives of this Act.

Sec. 15. *The Undersecretaries and Assistant Secretaries.* – The Secretary shall be assisted by three (3) undersecretaries for disaster mitigation, disaster preparedness and response, and disaster recovery and rehabilitation, respectively, and four (4) career assistant secretaries who shall perform such functions as may be assigned by the Secretary.

Sec. 16. *Qualifications.* – No person shall be appointed as Secretary, undersecretary or assistant secretary unless he is a citizen and resident of the Philippines, is of good moral character, and is of proven competence and expertise in disaster risk reduction and management over the course of his career. He shall not hold any other position, whether public or private, during his tenure.

Sec. 17. *The Department Bureaus.* – The Department shall have the following bureaus:

- a) The Bureau of Disaster Resilience (BDR) – The BDR shall assist the Secretary in formulating, implementing, monitoring, and reviewing policies and programs with regard to disaster mitigation, prevention, and post disaster rehabilitation. To this end, the BDR shall:

1. Advise the Secretary on all matters regarding disaster and emergency mitigation and preparation;
2. Advise the Secretary on the status of disaster mitigation and prevention and post-disaster rehabilitation operations being undertaken by the government, CSOs, private sector, and volunteers;
3. Cascade technical expertise on disaster mitigation and prevention and post-disaster rehabilitation to LGUs through the RFOs;
4. Develop, update, and make available a Disaster Risk Reduction and Management Information System and Geographic Information System based national and local risk maps as policy, planning, and decision-making tools;
5. Conduct and institutionalize pre-disaster risk assessment to identify vulnerable and at-risk communities and local government units, and provide technical assistance and capacity building on the same to local government units through the RFOs;
6. Develop unified and harmonized tools, guidelines, and policies on the existing and potential hazards and risks brought about by climate change in coordination with the Climate Change Commission;
7. Conduct a review of the National Building Code and Fire Code of the Philippines, together with the relevant government departments and the concerned stakeholders and technical experts, and submit the same to the Senate and House of Representatives of the Philippines towards the development of legislation which seek to strengthen infrastructure in line with disaster prevention and mitigation;
8. Conduct public information campaigns and drills on disaster preparedness;
9. Issue guidelines and rules and regulations to institutionalize the principle of "build back better" in all disaster reconstruction and rehabilitation operations;
10. Issue guidelines for the reconstruction and rehabilitation of disaster affected areas and institutionalize the principles of "*Build Back Better*"; and
11. Recommend the issuance of government bonds to secure the funding for the reconstruction of disaster-stricken areas; and

12. Prepare, organize and lead post-disaster recovery and rehabilitation programs in coordination with the concerned regional field office and the local government unit.
- b) The Bureau of Disaster Preparation and Response (BDPR) The BDPR shall assist the Secretary in formulating, implementing, monitoring, and reviewing policies and programs with regard to disaster preparation and response. To this end, the BDR shall:
1. Advise the Secretary on all matters regarding disaster preparation and response;
 2. Monitor and advise the Secretary on the status of disaster preparation and response operations being undertaken by the government, CSOs, private sector, and volunteers;
 3. Cascade technical expertise on disaster preparation and response to LGUs through the RFOs;
 4. Exercise administrative control over the National Emergency Response corps (NERC);
 5. Implement pre-positioning of necessary goods and supplies at least twenty-four (24) hours before an expected disaster;
 6. If needed, procure goods and services during emergencies in accordance with existing emergency procurement rules and regulations;
 7. Establish and maintain an inventory of all necessary personnel, equipment and supplies critical during disasters in all RFOs and LGUs, and ensure that they are delivered within forty-eight (48) hours after the aftermath of a disaster;
 8. Establish and maintain a national early warning and emergency alert system to provide accurate and timely advice to national or local emergency response, and to the general public through diverse mass media such as digital and analogue broadcast, cable, satellite television and radio, wireless communications, and landline communications;
 9. Implement the provisions of Republic Act No. 10639, otherwise known as "The Free Mobile Disaster Alerts Act";
 10. Establish and maintain an emergency communication system with and among LGUs through the RFOs;

11. Establish standard operating procedures for emergency response and cascade the same to the LGUs through the NDEMA RFOs; and
 12. Establish unified guidelines and mechanisms for the recruitment, training, and deployment of the NERC, in coordination with the concerned government agencies and stakeholders.
- c) The Bureau of Knowledge Management and Dissemination (BKMD) – The BKMD shall serve as the administrator of the Department's technical knowledge, materials, and research and development on disaster risk reduction and management. Towards this end, the BDKD shall:
1. Exercise supervision and control over the DRRM Research and Training Center;
 2. Expand the content and materials of the DRRM Research and Training Center and ensure that they are up to date;
 3. Liaise with international and domestic stakeholders towards the expansion of the DRRM Research and Training Center;
 4. Provide full and free access to the materials in the DRRM Research and Training Center;
 5. Disseminate materials on disaster risk reduction and management to the LGUs through the RFOs, to all stakeholders, and to the general public;
 6. Provide short courses and trainings on disaster risk reduction and management and its various aspects, in coordination with the relevant Bureau(s) of the Department;
 7. Offer grants and other financial incentives for researchers, members of the academe and/or developers in the field of disaster risk reduction and management; and
 8. Partner with the academe and research institutions, private sector, civil society, and community-based DRRM practitioners and other relevant sectors in developing research opportunities and programs on DRRM.

Sec. 18. *The Department Services.* – The Department shall have the following Services:

- a) Planning Service – The Planning Service shall provide the department with services relating to planning, programming, and project development, and discharge such other functions as may be provided by law;
- b) Financial and Management Service – The Financial and Management Services shall advise and assist the Secretary on budgetary, financial and management matters and shall perform such other functions as may be provided by law; and
- c) Administrative Service – The Administrative Service shall provide the Department with effective services relating to personnel, legal assistance, information, records, delivery and receipt of correspondence, supplies, equipment, collections, disbursement, security and custodial work.

Sec. 19. The National Emergency Response Corps. – There is hereby established a National Emergency Response Corps (NERC). The NERC shall be a dedicated, trained and reliable team who can be deployed on short notice in the event of a disaster. It shall be composed of full-time and part-time disaster managers, paramedics, debris clearing personnel, volunteers, and aid and relief managers. The NERC shall be under the administrative control of the BDPR.

Sec. 20. The National Disaster Risk Reduction and Management Research and Training Center. – Within one (1) year from the approval of this Act, the Authority shall establish a National Disaster Risk Reduction and Management Research and Training center which shall serve as the Department's centralized repository and for its technical materials and research and development on disaster risk reduction and management.

Sec. 21. The Attached Agencies. – The following agencies and offices and their respective appropriations, records, equipment, property and personnel are hereby transferred to the Department:

- a) The Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAG-ASA);
- b) The Philippine Institute of Volcanology (PHIVOLCS);
- c) The Bureau of Fire Protection (BFP);
- d) The Health Emergency Management Bureau (HEMB);
- e) The Philippine National Volunteer Service Coordinating Agency; and

- f) All civilian personnel and operating units of the Department of National Defense (DND) and the Office of Civil Defense (OCD) with functions and responsibilities dealing with disaster risk reduction and management;

The agencies transferred above shall continue to perform such functions as provided in existing laws: *Provided*, that the Department shall exercise administrative supervision over the transferred agencies.

Sec. 22. The Regional Field Offices. – The current Regional Disaster Risk Reduction and Management Councils are hereby renamed as the "Regional Field Offices" (RFOs) and are hereby transferred under the administrative supervision of the Department. RFOs shall have the following mandates:

- a) To ensure that the principles of disaster risk reduction and management are institutionalized on the local level, particularly in their Comprehensive Development Plan (CDP) and Comprehensive Land-Use Plan (CLUP), and in pursuit of this mandate thereof, review the Local Disaster Risk Reduction and Management Plan (LDRRMP) of LGUs within their jurisdiction and ensure their alignment with the NDRRMP;
- b) To ensure the compliance of LGUs with their mandates under R.A. 10121;
- c) To pro-actively assess the weaknesses and vulnerabilities of LGUs in all phases of disaster risk reduction and management and remedy the same through technical assistance and capacity building activities;
- d) To consult LGUs and communities within their jurisdiction on their vulnerabilities in all phases of disaster risk reduction and management and forward their concerns to the central office to be included in the formulation and review of the NDRRMP; and
- e) To act as the operations center during disaster preparation and response operations.

Sec. 23. Divisions. – To achieve the mandates stated above, each RFO shall have the following divisions:

- a) Disaster Resilience. – This division shall be in charge of all matters on disaster mitigation and rehabilitation. It shall have the following powers and functions:
 - 1. Serve as liaison between the Department and the LGUs and establish efficient lines of communication and coordination between them;

2. Provide technical assistance and capacity to LGUs on pre-disaster risk assessment and empower them to identify vulnerable communities and groups in their area;
 3. Collect and consolidate information on the vulnerabilities of local government units in their jurisdiction and submit the same to the Central Office;
 4. Provide technical assistance and capacity building to LGUs to empower them to institutionalize and Disaster Risk Reduction and Management Information System and Geographic Information System-based national and local risk maps as policy, planning, and decision-making tools;
 5. Conduct and institutionalize pre-disaster risk assessment to identify vulnerable and at-risk communities and local government units, and provide technical assistance and capacity building on the same to local government units through the RFOs;
 6. Conduct drills and information campaigns on disaster preparedness;
 7. Aid households in the preparation of disaster readiness kits, which shall serve as a pack of essential goods needed in the aftermath of a disaster; and
 8. Lead rehabilitation operations and ensure their completion within their established schedule.
- b) Disaster Preparation and Response. – This division shall be in charge of all matters on disaster preparation and response. It shall have the following powers and functions:
1. Establish a Regional Emergency Response Corps (RERC);
 2. Establish a Regional Disaster Risk Reduction and Management Operations Center (RDRRMC-OC) that shall be operated and staffed on a twenty-four-hour basis;
 3. Establish and maintain an inventory of all necessary personnel, equipment and supplies critical during disasters in all RFOs and LGUs, and ensure that they are delivered within forty-eight (48) hours after the aftermath of a disaster;
 4. Implement pre-positioning of necessary goods and supplies at least twenty-four (24) hours before an expected disaster;

5. Establish and maintain an emergency communication system with and among LGUs;
 6. When necessary, procure goods and services during emergencies in accordance with existing emergency rules and regulations;
 7. Cascade the established Standard Operating Procedures for emergency response to the LGUs; and
 8. Receive donations and grants from any person, government institution, corporation, international organization, and other similar entities, and the power to recommend the procurement of developmental subject to section 32 of this Act.
- c) Knowledge Management. – This division shall be in charge of managing and disseminating technical knowledge and information on disaster risk and reduction in the region. It shall have the following functions:
- a) Establish a Regional Disaster Risk Reduction and Management Research and Training Center (RDRRM-RTC);
 - b) Expand the content and materials of the DRRM Research and Training Center and ensure that they are up to date;
 - c) Liaise with international and domestic stakeholders towards the expansion of the DRRM Research and Training Center;
 - d) Provide full and free access to the materials in the DRRM Research and Training Center;
 - e) Disseminate materials on disaster risk reduction and management to LGUs and local communities; and
 - f) Provide short courses and trainings on disaster risk reduction and management and its various aspects, in coordination with the relevant divisions of the RFO.

Sec. 24. The Regional Directors. – The RFOs shall be headed by a Regional Director who shall be assisted by three Assistant Regional Directors for Disaster Resilience, Disaster Preparation and Response, and Knowledge Management. No person shall be appointed as Regional Director unless he is a citizen and resident of the Philippines, is of good moral character, and is of proven competence/expertise in emergency management and disaster risk reduction and management over the course of his

career. He shall not hold any other position, whether public or private, during his tenure.

ARTICLE V

DISASTER MITIGATION AND PREVENTION

Sec. 25. *Harmonization of CCA and DRRM Plans.* – The NDRRMC shall ensure that the Disaster Risk Reduction and Management Plan is harmonized and consistent with the National Climate Change Action Plan as defined under Republic Act No. 9279, otherwise known as the "*Climate Change Act of 2009*" as amended. To this end, the NDRRMC shall coordinate with the Climate Change Commission: Provided, that this provision shall not be construed as a limitation on the mandate, powers, and functions of the Climate Change Commission as set forth in R.A. No. 9279.

Sec. 26. *Pre-Disaster Risk Assessment.* – The Department proper shall formulate a national policy on risk assessment for environmental risk, national disaster risk, natural disaster risk and climate change risk, and shall take into consideration the interdependence of disaster risk reduction, environmental management, climate change adaptation and sustainable development. The Department proper shall develop tools and standards for Pre-disaster risk assessment and ensure that it is cascaded to the LDRRMOs through the RFOs.

Sec. 27. *National DRRM Information Management System.* – The Department proper shall establish a National Information Management System for DRRM. It shall be the centralized repository of all disaster risk-reduction and climate change data, which shall include a geographic information system component, down to the barangay level. The database shall be available at all times to all levels of the DRRM system, to members of academe and experts in the field of DRRM, and to the general public.

Sec. 28. *Risk Assessment on the Local Level.* – The LDRRMOs and BDRRMOs shall conduct risk assessments in coordination with the appropriate RFO and other stakeholders, which shall include vulnerable and marginalized groups, and submit the same to the RFOs. The LDRRMOs, with assistance provided by the RFOs, shall also develop Disaster Risk Reduction and Management Information System and

Geographic Information System-based national and local risk maps as policy, planning, and decision-making tools.

ARTICLE VI

DISASTER PREPARATION AND RESPONSE

Sec. 29. *Standing Orders for Disaster Preparation and Response.* – Within one (1) year from the effectivity of this Act, the NDRRMC shall formulate and publish standing orders for all its member-agencies and their respective field office which shall delineate their respective roles and functions and the chain of command during disaster preparation and response: *Provided*, that the standing orders shall take into Section 15 of R.A. No 10121.

Sec. 30. *Regional Field Offices as Operations Center.* – The Regional Field Offices shall serve as the Operations Center for all disaster preparation and response operations within their jurisdiction. For the purpose of effective coordination, there shall be formed a Disaster Response Committee to be composed, as a minimum, of the concerned local chief executives and their LDRRMO officers, the Regional Director of the RFOs, and such officers as may be assigned by the Secretary.

Sec. 31. *Evacuation Centers.* – LGUs shall identify and build permanent evacuation centers in accordance with standards to be issued by the Department proper to minimize the use of schools: *Provided*, that schools which are used as evacuation centers shall be provided with just compensation by the concerned LGU.

Sec. 32. *Donations.* – The Secretary shall have the power have the power to receive donations and grants from any person, government institution, corporation, international organization, and other similar entities, and the power to recommend the procurement of developmental assistance for the purpose of disaster risk reduction and management: *Provided*, that the Department shall certify the receipt of all DRRM donated funds and ensure their judicious management including their proper and accurate audit reporting to constituents.

Sec. 33. *Procurement.* – The declaration of a state of calamity, as defined in R.A. No. 10121, shall be a sufficient basis for an LGU to undergo negotiated procurement, as

defined under R.A. No. 9184, otherwise known as the “*Government Procurement Reform Act*”.

ARTICLE VII

POST-DISASTER REHABILITATION AND RECOVERY

Sec. 34. *Rehabilitation Committee.* – The members of the Disaster Response Committee as defined under Sec. 30 of this Act may continue to serve as the coordinating committee for disaster rehabilitation and recovery operations.

Sec. 36. *Standards for Rehabilitation and Recovery.* – The Secretary shall promulgate rules and regulations which will set standards for disaster rehabilitation operations. Such rules and regulations shall, at the very least:

- a) Improve the physical, social and economic resilience of the community, in accordance with the principles of "Build Back Better";
- b) Redirect development outside of danger zones; and
- c) Maximize the use of Public-Private Partnerships.

ARTICLE VIII

COMMUNITY PARTICIPATION

Sec. 37. *Community Input in Pre-Disaster Risk Assessment.* – In conducting pre-disaster risk assessments, the LDRRMO and BDRRMO shall include interviews and consultations with local communities in order to identify their vulnerabilities, Such consultations shall complement data gathered from data-oriented pre-disaster risk assessments and shall be incorporated in the formulation of all disaster risk reduction and management plans on the local and national levels.

Sec. 38. *Volunteers.* – The Department proper and the RFOs shall provide training in first aid, disaster management and leadership in times of disasters. Individuals who complete such training shall be deputized by the Department and considered as partners in disaster management who shall have the following responsibilities:

- a) Directly receive early warning messages from the Department and disseminate the same to their communities;
- b) Mobilize their communities away from vulnerable areas;

- c) Disseminate the provisions of this Act as well as its corresponding rules and regulations to local communities;
- d) Conduct interviews and consultations with local communities on their satisfaction with the DRRM programs, activities and policies of the government;
- e) Provide first aid when necessary; and
- f) Aid the government in distributing goods and maintaining order during disaster response and rehabilitation operations.

ARTICLE IX

RESOURCES FOR DISASTER RISK REDUCTION AND MANAGEMENT

Sec. 39. *Human Resources for Disaster Risk Reduction and Management.* – The department proper shall provide grants and other forms of support for individuals who study and complete courses in disaster risk reduction and management: Provided, that individuals shall render disaster risk reduction and management service for at least two (2) years in a community determined by the Department proper.

Sec. 40. *The NDRRM Fund.* – At least three per cent (3%) of all estimated regular government revenues shall be set aside for the NDRRM Fund to be used for the purposes identified under Section 22 of R.A. No. 10121. The NDRRM fund shall not be reduced, transferred, realigned, or used for purposes other than those identified under R.A. No. 10121.

ARTICLE X

MISCELLANEOUS AND FINAL PROVISIONS

Sec. 41. *Transition Period.* – The transfer of functions, assets, funds, equipment, properties, transactions, assets, funds, properties transactions and personnel of the affected agencies, and the formulation of the internal organic structure, staffing pattern, operating and revised budget of the Department, shall be completed within six (6) months from the effectivity of this Act, during which time the existing personnel shall continue to assume their posts in holdover capacities until new appointments are issued.

Sec. 42. *Separation from Service.* – Employees separated from the service as a result of this reorganization shall, within six (6) months from their separation from the

service, receive the retirement benefits to which they may be entitled under existing laws, rules and regulations.

Sec. 43. Prohibited Acts. – The following Acts shall be prohibited:

- a) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
- b) Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams/experts;
- c) Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other and commodities which are intended for distribution to disaster affected communities;
- d) Buying, for consumption or resale, from the recipient disaster affected persons any relief goods, equipment or other aid commodities received by them;
- e) Selling of relief goods, equipment or other aid commodities which are intended for distribution to disaster victims;
- f) Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;
- g) Diverting or mis delivery of relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;
- h) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to him/her;
- i) Misrepresenting the source of relief goods, equipment or other aid commodities by:
 - 1) Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;
 - 2) Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons; or
 - 3) Making false verbal claim that the goods, equipment or other and commodity in its untampered original containers actually came from

another agency or persons or was released upon the instance of a particular agency or persons;

- j) Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;
- k) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the Authority
- l) Deliberate use of false or inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects; and
- m) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.

Sec. 44. Penal Clause. – Any individual, corporation, partnership, association, or other juridical entity that commits any of the prohibited acts provided for in the preceding section shall be prosecuted and upon conviction shall suffer a fine of not less than one hundred thousand pesos (Php 100,000.00) or any amount not to exceed seven hundred fifty thousand pesos (Php 750,000.00) or imprisonment of not less than six (6) years and one (1) day or more than twelve (12) years, or both, at the discretion of the court, including perpetual disqualification from public office if the offender is a public officer, and confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in committing any of herein prohibited acts.

Sec. 45. Appropriations. – The amount needed for the initial implementation of this Act shall be taken from the current fiscal year's appropriation of the NDRRMC, OCD, and all agencies herein transferred to the Department as well. Thereafter, the amount needed for the operation and maintenance of the Authority shall be included in the General Appropriations Act.

Sec. 46. Implementing Rules and Regulations. – The members of the NDRRMC shall within sixty (60) days from the effectivity of this Act the implementing rules and regulations necessary for its effective implementation.

Sec. 47. Repealing Clause. – Sections 6, 7, 8, 9, 10, 13, 19, and 20 of R.A. No. 10121 are hereby repealed. The provisions of R.A. No. 10121 not expressly repealed in this section shall remain in full force and effect: *Provided*, that all references to the

NDRRMC and OCD shall be understood to refer to the Department, unless otherwise provided in this Act.

All other decrees, laws, executive orders, proclamations and administrative regulations or parts thereof inconsistent with the provisions of this Act are likewise repealed, amended or modified accordingly.

Sec. 48. *Separability Cause.* – If any provision or part of this Act is declared unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Sec. 49. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in a newspaper of general

Approved,