

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES

HOUSE BILL No. 3132



Introduced by REPRESENTATIVES LANI MERCADO-REVILLA,
BRYAN B. REVILLA AND RAMON "JOLO" B. REVILLA III

**AN ACT
CREATING THE NATIONAL RESILIENCY AND DISASTER MANAGEMENT
AUTHORITY, PRESCRIBING ITS POWERS AND FUNCTIONS, APPROPRIATING
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The Philippines ranks third among all the countries worldwide with the highest disaster risk, according to the World Risk Report 2018. Due to its location in the Pacific Ring of Fire, it is perpetually exposed to multiple hazards, including persistent typhoons, earthquake and 53 active volcanoes.

Because of its geographical location, one study reported that at least 60% of the country's total land area is exposed to multiple hazards and 74% of the population is susceptible to their impact. In fact, since 1990, the Philippines has been besieged by 565 disasters which have caused \$23 billion in damages. It has been estimated that the typhoon season cost 2% of the country's GDP on average, and another 2% is consumed for recovery efforts. This recurrence of frequent disasters has hindered the country's efforts to achieve long term economic growth. (Disaster Risk Reduction in the Philippines, Status Report 2019)

The country's vulnerability to disasters has made the biggest impact on the poor and has become an increasing threat to national security and economic stability.

To minimize the disruption caused by these hazards, the government's preparedness mechanisms must be scrutinized. Strengthening institutional capacities in addressing disaster risk should also be prioritized.

The creation of a National Resiliency and Disaster Management Authority under the Office of the President (OP), which this measure proposes, will improve the current practice of risk reduction. The Authority being under the direct supervision of the Office of the President, immediate risk reduction response can be dispatched without the bureaucratic traffic, thereby minimizing the loss of lives and property.

As Senator Imee Marcos has stated in her explanatory note to the Senate version of the same bill, "the Authority under the Office of the President will have the capacity to exercise command and control over concerned departments, agencies, government-owned and controlled corporations, and local government units, including the Armed Forces of the Philippines and the Philippine National Police, on their respective functions, and be able to provide immediate response in times of disaster and other hazards."

Immediate approval of this bill is earnestly sought.



REP. LANI MERCADO-REVILLA
Representative
2nd District of Cavite



REP. BRYAN B. REVILLA
Representative
AGIMAT Partylist



REP. RAMON "JOLO" REVILLA III
Representative
1st District of Cavite

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

Section 1. *Short Title.* – This Act shall be known as the “National Resiliency
and Disaster Management Authority Act.”

Sec. 2. *Declaration of Policy.* – The State shall uphold the people’s right to life
and property, strengthen the country’s institutional capacity for disaster resiliency
and disaster management, strengthen the capacities of departments, agencies, and
Local Government Units (LGUs) in mitigating, preparing, responding, and recovering
from the impact of disasters.

Sec. 3. *National Resiliency and Disaster Management Authority.* – There is
hereby created the “National Resiliency and Disaster Management Authority,”
hereinafter referred to as the “Authority” which shall be under the Office of the
President.

The Authority shall be the primary agency responsible for preparing, leading,
organizing, and managing the government’s effort to disaster resiliency and
management, including coordination with different departments, agencies, and LGUs

in the different phases of disaster: (1) Prevention and Mitigation, (2) Preparedness, (3) Response, (4) Rehabilitation, and (5) Recovery.

The Authority shall be empowered with policy-making, coordination, integration, supervision, monitoring, implementation, evaluation, and capacity-building functions. The primary mission of the Agency is to reduce the loss of life and property and protect the country from all hazards, including natural and man-made disasters and armed conflicts.

Upon its creation, a Resiliency Administrator shall be appointed by the President, having a rank of cabinet secretary, who shall manage and coordinate the effective implementation of this Act.

Sec. 4. Powers and Functions. – The Authority shall have the following powers and functions:

- (1) Formulate, in coordination with the Council, the “National Resiliency and Disaster Management Plan,” as provided in Sections 5 and 6 of this Act;
- (2) Issue administrative directives and promote operational skills and capacities to implement strategies, policies, and improved disaster resilience and management capacities in order to lessen the adverse impacts of hazards;
- (3) Monitor the integration of disaster resilience and climate change adaptation in the national development plans and create enabling environment that shall promote multi-stakeholder participation of concerned departments, agencies, local government units (LGUs), organizations, and other stakeholders;
- (4) Coordinate and exercise command and control with the concerned departments, agencies, government-owned and controlled corporations (GOCCs), and LGUs, including the Armed forces of the Philippines (AFP)

and the Philippine National Police (PNP), on their respective functions in times of disaster and other hazards;

- (5) Organize, train, equip, and maintain a response capacity system for search, rescue, retrieval and delivery and distribution of relief goods;
- (6) Monitor the implementation of this Act and the active participation of the concerned departments, agencies, GOCCs and LGUs, including the AFP and the PNP; and
- (7) Perform such other functions as may be necessary for the effective implementation of this Act.

Sec. 5. *Council.* – To ensure the effective implementation of this Act, a “National Resilience and Disaster Management Council” hereinafter referred to as the “Council,” shall be constituted to assist the Authority which shall be composed of the following:

- (1) Secretary of the Department of National Defense (DND);
- (2) Secretary of the Department of Interior and Local Government (DILG);
- (3) National Security Adviser of the National Security Council (NSC);
- (4) Secretary of the Department of Social Welfare and Development (DSWD);
- (5) Secretary of the Department of Health (DOH);
- (6) Secretary of the Department of Public Works and Highways (DPWH);
- (7) Secretary of the Department of Agriculture (DA)
- (8) Secretary of the Department of Environment and Natural Resources (DENR);
- (9) Secretary of the Department of Science and Technology (DOST)
- (10) Secretary of the Department of Information and Communications (DICT); and
- (11) One (1) Commissioner from the Climate Change Commission.

The abovementioned members shall be considered as ex officio members.

Sec. 6. *National Resiliency and Disaster Management Plan.* – Within ninety (90) days after the effectivity of this Act, the Authority shall establish a “National Resiliency and Disaster Management Plan,” hereinafter referred to as the “Plan” which shall contain comprehensive, all hazards, multi-sectoral, inter-agency, and community-based strategy that shall build and strengthen capabilities necessary to prepare, respond, and recover from natural disasters, armed conflicts, and other man-made disasters while also building the unique capabilities necessary to respond to specific types of incidents that may pose greater risk.

The Plan shall set goals, objectives, and guidelines for disaster resiliency and management in national and local levels, with a whole-of-nation approach. It shall also serve as the principal guide for the implementation of this Act and shall be reviewed every three (3) years thereafter, or as may be deemed necessary.

For purposes of this Act, “resilience” shall mean the ability of a system exposed to hazards to be able to, continuously and all year round, resist, absorb, respond, and recover from the immediate effects of a hazard, natural or man-made calamity, and/or armed conflict in a timely and efficient manner.

Sec. 7. *Preparedness and Early Warning.* – The Authority shall establish standards for disaster preparedness, contingency planning, localizing, operationalizing, disaster risk and vulnerability reduction and management, preparedness for disaster response and early recovery, continuity of essential needs and services, and other relevant preparedness activities.

The Authority shall mandate concerned government departments and agencies, such as the DOST, DICT, DILG, AFP, and PNP to establish integrated early warning systems, including information mechanisms, regarding meteorological, geologic, or terrestrial phenomena and man-made threats from real-time data both local and international sources.

The LGU shall assist the Authority in identifying and/or establishing safe or strategic sites and evacuation centers with adequate facilities and in hazards assessment.

Provided, That early warning system shall refer to the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities, and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss. The system comprises of the following elements: (1) knowledge or risks; (2) monitoring analysis, and forecasting of the hazards; (3) communication or dissemination of alerts and warnings; and (4) local capabilities to respond to the warning received.

Sec. 8. Disaster Response and Early Recovery. – The Authority shall ensure the provision of emergency services and public assistance during or immediately after a disaster or armed conflict in order to secure and save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Such response includes immediate relief assistance focused on immediate and short-term needs of the victims and the vulnerable.

The Authority may declare a state of calamity, when appropriate, of affected barangays, municipalities, cities, provinces, and region and the lifting thereof based on the criteria set forth by the Council. *Provided, That* the declaration and lifting of the declaration may be issued by the LGUs, through a Resolution by the concerned Sanggunian, or by the President through the recommendation of the Authority based on the results of the damage and assessment and needs analysis.

The Authority shall ensure that the concerned departments and agencies, such as the DOH, DOWH, and DSWD will deliver immediate and adequate goods, articles, and/or equipment for relief assistance to affected areas.

Emergency responders, community practitioners, and organized volunteer organizations may contribute by providing timely and efficient emergency response

and providing training on basic life support, first aid, and search and rescue, in accordance with the standards as may be provided by the Authority.

Sec. 9. *Rehabilitation and Recovery.* – The Authority shall coordinate and ensure that concerned departments and agencies, such as the DSWD, DPWH, and DOH prepare, organize, implement, and manage post-disaster assessment and recovery and rehabilitation programs, in coordination with the affected LGUs, and other stakeholders.

Rehabilitative measures should also provide the affected individuals and communities the ability to restore their normal level of functioning by restoring livelihood and services, reconstructing damaged infrastructures and increasing the communities' organizational capacity, among others.

The Authority shall also encourage and promote an approach to expedite rehabilitation and reconstruction efforts. Provided that, the principle of “Build Forward Better” shall be applied to rehabilitation and recovery efforts. For purposes of this Act, “Build Forward Better” shall refer to an approach to building and/or reconstructing an area or community, which entails a shift from simple recovery and restoration to safer, more adaptive, resilient, and inclusive communities.

Sec. 10. *Regional Offices.* – Upon the effectivity of this Act, Regional Offices shall be established in each region shall be headed by a Regional Administrator who shall be appointed by the Resiliency Administrator and shall have the expertise in emergency response and management taking into consideration his/her familiarity with the geographic and demographic characteristics of the region.

Provided, that, no person shall be appointed Regional Administrator unless he/she is a citizen and resident of the Republic of the Philippines, is of good moral character, and is of proven competence and integrity.

The Regional Administrator shall have the following responsibilities:

- (a) Ensure coordinated and integrated regional preparedness, protection, response, recovery, and mitigation activities and programs for natural disasters, acts of terrorism, and other man-made disasters (including planning, training, exercises, and professional development);
- (b) Assist in the development of regional capabilities needed for a national catastrophic response team;
- (c) Coordinate the establishment of effective regional operable and interoperable emergency communications capabilities with the concerned stakeholders;
- (d) Designate an individual responsible for the development of strategic and operational regional plans in support of the Framework;
- (e) Foster and promote the development of mutual aid and other cooperative agreements;
- (f) Identify critical gaps in regional capabilities to respond to populations with special needs;
- (g) Maintain and operate a Regional Response Coordination Center;
- (h) Coordinate with the private sector to help ensure private sector preparedness for natural disasters, armed conflicts, and other man-made disasters;
- (i) Assist State, local and tribal governments, where appropriate, to pre-identify and evaluate suitable sites where a multi-jurisdictional incident command system may quickly be established and operated from, if the need for such system arises; and
- (j) Perform such other responsibilities, as may be necessary in the implementation of this Act.

Sec. 11. *Donations.* – The Authority shall 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 and vulnerability reduction and management and climate change adaptation.

The importation and donation of food, clothing, medicine, and equipment for relief and recovery and other disaster management and recovery-related supplies is authorized in accordance with Sec. 800 of RA No. 10863 otherwise known as the “Customs Modernization and Tariff Act (CMTA),” as amended, and the prevailing provisions of the General Appropriations Act. Provided that, the Authority shall acknowledge, through receipts, all donations and grants to ensure judicious management including proper and accurate audit reporting.

Sec. 12. *International Humanitarian Assistance.* – The Authority, in coordination with the Council, shall promulgate guidelines on international assistance including initiation, entry, facilitation, transit, regulations, and termination thereof, as well as those involving international disaster relief and personnel assisting international actors, visa waiver, and recognition of foreign professional qualifications, entry of international disaster goods and equipment, and exemption from port duties, taxes, and restrictions.

In the event, that the Authority determines that domestic response capabilities are not sufficient, the Authority may recommend to the President that request/s be made for international humanitarian assistance.

Sec. 13. *Visa Waiver.* – As may be determined by the Authority, eligible assisting international actors who shall perform disaster relief and initial recovery assistance shall be entitled to waiver of entry visa requirements, including associated fees and charges, in so far as such are still needed in the affected areas.

Sec. 14. *Customs Facilitation and Priority Treatment.* – The Bureau of Customs (BOC) shall facilitate and assist in the rapid importation and/or

consignment of goods and equipment by eligible assisting actors and shall accord them priority treatment in handling.

Sec. 15. *Exemption of Import Duties, Taxes, and Restrictions.* – Consignment of goods and equipment by or on behalf of eligible assisting international actors shall benefit from exemption of all duties and taxes; waiver of economic prohibitions and restrictions, except for categories of special goods, as may be determined by the Authority; and clearance without regard to the country of origin or the country from which the goods have arrived, subject to monitoring for public health and security concerns.

Sec. 16. *Emergency Procurement.* – In order to expedite disaster response and 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.

Sec. 17. *Disaster Resilience and Climate Change Management Information System.* – The Authority shall establish a Disaster Resilience and Climate Change Management Information System which shall constitute an online central database of all disaster and climate change data including a geographic information system on mapping, geo-hazard assessment, climate risks, disaster-risk analysis, and climate change vulnerability assessment. Such Information System shall be made available to all concerned departments and agencies.

Sec. 18. *Transfer and Attachment.* – Upon effectivity of this Act, the applicable powers, functions, funds, assets, personnel, and appropriation of the National Disaster Risk Reduction and Management Council (NDRRMC) shall be transferred to the Authority.

Sec. 19. *Fiscal Management.* – The Authority shall manage all funds appropriated to it by Congress and from other sources, including donations as provided in Sec. 11 of this Act.

Sec. 20. *National Disaster Resilience Fund (NDRF).* – The utilization and allocation of the entire NDRF and its quick response fund component shall be managed by the Authority except as provided in other laws.

Sec. 21. *Appropriation.* – The amount needed for the implementation of this Act shall be included in the General Appropriations Act (GAA).

Sec. 22. *Implementing Rules and Regulations.* – Within ninety (90) days, the Authority, in coordination with the Council, shall issue the necessary rules and regulations for the effective implementation of this Act.

Sec. 23. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in force and effect.

Sec. 24. *Repealing Clause.* – All provisions of existing laws, orders, rules and regulations or parts thereof which are in conflict or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 25. *Effectivity.* – This Act shall take effect after fifteen (15) days following the completion of its publication either in the *Official Gazette* or in a newspaper of general circulation in the Philippines.

Approved,