

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

19TH CONGRESS
First Regular Session

HOUSE BILL NO. 4395



Introduced by Representative Michael L. Romero

EXPLANATORY NOTE

During turmoil as experienced during World War II, the country's vulnerability to all types of disasters particularly typhoons and floods, and the nuclear arms race of the three superpowers in the 1950's, have prompted the government to promulgate a law - **Republic Act 1190**, otherwise known as the **Civil Defense Act of 1954**.

Under this law, a **National Civil Defense Administration (NCDA)** was established which was tasked primarily to provide protection and welfare to the civilian population during war or other national emergencies of equally grave character. To support the NCDA in carrying out its mission, RA 1190 also provided for the establishment of civil defense councils at the national and local levels, namely: the National Civil Defense Council (**NCDC**) and the provincial, city and municipal civil defense councils, respectively. The Chairman of the NCDC was the NCDC Administrator.

The Members of the Council were the chairman of the Committee on National Defense and Security of both Houses of Congress. Chief, Philippine Constabulary, Commissioner of Social Welfare, Managers of the Philippine National Red Cross, Philippine National Development Company and Price Stabilization Council. On the other hand, the organization of the local civil defense council was not specifically provided for in the locality but designated the Provincial Governor, City and Municipal Mayor as the Provincial, City and Municipal Civil Defense Director, respectively.

The municipalities and cities which were directly under the supervision of the Provincial Civil Defense Director relative to civil defense services were the main basic operating units for the purpose. The operating services of the national and civil defense organizations were as follows: Warden, Police, Fire, Health, Rescue and Engineering, Emergency Welfare, Transportation, Communication, Evacuation, Air-raid Warning, and Auxiliary.

This House Bill seeks to Strengthen the **Office of Civil defense (OCD)**, providing additional funds therefor, to foster the protection and welfare of the general population during emergencies and disasters.

Thus, the early passage of this bill is earnestly requested.

A handwritten signature in black ink, appearing to read 'Michael L. Romero', with a long horizontal line extending to the right.

MICHAEL L. ROMERO

Republic of the Philippines
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AN ACT

STRENGTHENING THE OFFICE OF CIVIL DEFENCE (**OCD**)
PROVIDING FOR ADDITIONAL FUNDING, DEFINING ITS POWERS
AND FUNCTIONS AND FOR OTHER PURPOSES

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

SECTION 1. TITLE – This act shall be known as the “**Office of Civil Defense (OCD) Modernization Act of 2022**”

SECTION 2. DECLARATION OF POLICY – It shall hereby be a declared policy of the state to

- (1) establish and administer a comprehensive national civil defense program;
- (2) formulate and prepare at all times plans and policies for the protection and welfare of the civilian population in time of war directly involving the Philippines or other national emergency of equally grave character;
- (3) estimate the total material, manpower and fiscal requirements for carrying out the national civil defense program, and allocate to the provinces and cities such aid in facilities, materials, and funds as may be made available from the National Government or as may be authorized by Congress;

(4) coordinate on the national level the activities and functions of the several executive departments, agencies and instrumentalities of the National Government, and of private institutions and civic organizations devoted to public or social welfare, so that the facilities and resources of the entire nation may be utilized to the maximum extent for civil defense purposes;

(5) develop and coordinate a program for informing, educating and training the general public and volunteer workers on civil defense measures and activities;

(6) furnishing guidance to the various provinces, cities and municipalities in the planning, organization and operation of their civil defense organizations;

(7) advising the President on matters concerning civil defense, and make such recommendation from time to time as it deems appropriate or as the President may require.

In the event of war directly involving the Philippines or other national emergency of equally grave character proclaimed by the President with the concurrence of two-thirds of the members of each House of Congress, the Administration shall, under the direction and control of the Administrator—

(1) Execute plans and policies relating to civil defense as provided for in section four of this Act;

(2) Coordinate and supervise the operations and activities of national, provincial, city and municipal civil defense organizations.

In performing its functions, the Administration shall utilize to the maximum extent the existing personnel, facilities and resources of the several executive departments, agencies, and instrumentalities of the National Government, except those needed by the Armed Forces of the Philippines for the national defense, as determined by the President.

The President, upon recommendation of the Administrator, shall be and is hereby authorized to prescribe the detailed organization, functions and duties and the different offices and agencies of the Administration.

The State shall undertake the modernization of the Office of Civil Defense **(OCD)** to improve its technological, operational or organizational capacity,

strengthen its role as the premier national emergency and disaster coordinating center of excellence and services.

SECTION 3. PERIOD OF IMPLEMENTATION – The modernization program under this Act shall be implemented for an initial period of two **(2)** years:

Provided, that payments for multi-year contract obligations incurred under this Act may extend beyond this period:

Provided, further, That **OCD** shall continue to modernize and constantly update its operational capabilities to keep pace with best global practices.

SECTION 4. OCD MODERNIZATION FUND – There is hereby created the **OCD Modernization Fund** to be used exclusively for the **OCD Modernization Program**.

The PAGASA Modernization Fund shall be sourced from the following:

The **OCD Modernization Fund** shall be administered by the Administrator of the **OCD** in accordance with existing government budgeting, accounting, and auditing rules and regulations.

SECTION 5. PROGRESS REPORT – The Administrator of the **OCD** shall prepare an annual report on the status of the implementation of the **OCD Modernization Program** which shall be submitted, through the Secretary of the **DND**, to the President and to the Chairpersons of the Committees on Defense of the Senate and the House of Representatives.

SECTION 6. APPROPRIATIONS – The amount necessary to carry out the implementation of this Act shall be initially charged against the current fiscal year appropriations of the Department of National Defense **(DND)**.

The sum of five hundred Million **(P500,000,000.00)** pesos is hereby appropriated, out of any funds in the National Treasury not otherwise appropriated, to carry out the purposes of this Act. Not more than twenty per cent of this appropriation shall be expended for overhead and salaries. Appropriations for the operation of the Administration shall hereafter be included in the annual general appropriation for the office of the President

Thereafter, the amount needed for the continued implementation of the modernization program, shall be included in the annual General Appropriations Act **(GAA)**.

SECTION 7. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 8. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 9. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 10. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 11. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,