

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5211



Introduced by Representative Joseph Gilbert F. Violago

EXPLANATORY NOTE

This commendable bill had been filed in the past Congress and the present proponent is acknowledging the wisdom and hard work of his predecessors.

According to the World Bank, the Philippines, by virtue of its geographical circumstances, is vulnerable to natural disasters. The country is located in the typhoon belt, an area in the western Pacific wherein nearly one-third of the world's tropical cyclones form. Likewise, the country is also situated in the Pacific Ring of Fire where 75% of the world's volcanoes are located and 90% of the world's earthquakes occur. There are also other disasters – natural or manmade – to which the Philippines is prone to, e.g., flooding, landslides, droughts, among others.

As a result, schools are often used as evacuation centers. Thus, these temporary shelters are inaccessible to its students and teachers to accommodate the evacuees. Learning, therefore, is hampered. Considering that schools were constructed for educational purposes, it is unfortunate that these temporary facilities do not have the complete amenities that evacuees need. Churches and convents - which were constructed for religious purposes - are sometimes used as evacuation centers.

It is the duty of the State to protect the lives and welfare of the people. In view hereof, this measure aims to establish evacuation centers in every city and municipality in the country.

In view of the foregoing, the urgent passage of this measure is sought.


JOSEPH GILBERT F. VIOLAGO

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AN ACT ESTABLISHING
EVACUATION CENTERS IN EVERY CITY AND MUNICIPALITY, AND
APPROPRIATING FUNDS THEREFOR

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

SEC. 1. Declaration of Policy. – It shall be the policy of the State to uphold the constitutional right of the people for the protection of their life and property and the promotion of the general welfare. Towards this end, the State, shall establish and maintain a fully equipped and fully operational evacuation center, responsive to environmental or climatic events, in recognition of the vulnerability of the Philippines to climate change, the occurrence of severe floods, typhoons, and other natural or human-induced disasters, illnesses, diseases and other factors that affect the environment.

SEC. 2. Establishment of Evacuation Centers. – There shall be established an evacuation center in every city and municipality in the country which shall provide immediate and temporary accommodation for people who have been evacuated or displaced from their homes due to emergency events such as typhoons, floods, storm surges, drought and other severe climate disturbances, as well as fire, and the outbreak of illnesses and diseases that present imminent danger to life and property.

Existing structures that would meet the minimum requirements or could be upgraded to effectively serve as evacuation centers could be designated as such in compliance with the local government unit concerned.

SEC. 3. Requirements. – The following shall be the minimum requirements for every evacuation center that will be established under this Act:

a. Location/Designation – Each location for every evacuation center shall be determined by the Department of Environment and Natural Resources (DENR), in close coordination with the LGUs concerned.

The location shall be determined based on the following criteria:

1. It must be centrally located in the community;
2. It must be of a safe distance from large trees, structures where hazardous materials are used and stored, Of high-voltage power lines;
3. It must be near a health facility;
4. It must be located on geotechnically stable land to avoid risk of landslides or exposure to potential landslide of adjacent lands; and
5. It must not be located near military base camps, camps of insurgent groups, power plants, factories, and other areas where the occurrence of human-induced disasters are very high.

b. **Structural and Building Capacity** – The evacuation centers shall be constructed and designed to withstand super typhoons or wind speeds of at least three hundred kilometers per hour (300 kph) and seismic activity of at least 8.0 magnitude. The structure must be calamity resilient, built with sturdy materials, and in accordance with the specifications of Republic Act No. 6541, otherwise known as the "National Building Code of the Philippines" or shall be at par with the standards set by the International Building Code.

The Department of Public Works and Highways (DPWH) shall be in charge of the construction of evacuation centers, including the formulation of building specifications and shall ensure that the same are based on standards, issuances, and other guidelines set by the DPWH, and are compliant with the provisions of the National Building Code. The DPWH shall also ensure that the construction of such evacuation centers is in accordance with the abovementioned requirements during its construction phase.

The specifications of the evacuation centers shall be periodically reviewed and, if necessary, revised by the DPWH every three (3) years.

The evacuation center must at least meet the following parameters:

1. The structure must be elevated, in such a manner that is safely above the reach of a high tide storm surge level of at least ten (10) meters;
2. The structure must be a minimum of one (1) meter above the average flood level in the area where the same shall be built; and
3. The structure shall not be less than nine (9) meters in height and shall be designed in accordance with earthquake load standards.

c. **Amenities and Accessibility.** – The evacuation centers shall be well-ventilated and shall have the capacity to accommodate a large number of evacuees. The evacuation centers shall have the following minimum amenities:

1. Sleeping quarters for the evacuees;
2. Separate shower and toilet facilities designated for males and females, with one (1) facility for every twenty (20) persons;
3. Amenities to enable access thereto by persons with disabilities;
4. Emergency exit doors;
5. Food preparation areas with adequate ventilation;

6. Trash and waste segregation and collection areas;
7. Health care areas which shall include an isolation or quarantine area for potentially infectious persons;
8. Rainwater harvesting and collection facilities; and
9. Other facilities as may be prescribed by the appropriate authorities.

SEC. 4. Operation and Management. – The LGUs concerned shall be primarily responsible for the operation, supervision, and management of evacuation centers established under this Act. They are also hereby authorized to issue rules and regulations on their proper use and maintenance.

The local sanggunian shall promulgate guidelines and procedures for the use and operation of the evacuation center under its jurisdiction. The guidelines shall prescribe rules on the utilization of the evacuation center when it is not used as such: *Provided*, That the evacuation center may only be used for such other activities or purposes that involve the use of collapsible amenities only and those that shall not in any way compromise the serviceability of the evacuation center or impede the use thereof when a disaster occurs: *Provided further*, That the LGU shall impose such penalties as may be deemed proper on the organizers of authorized activities when the evacuation center suffers any damage, defacement, or loss during or as a result of such activities.

The mandatory audit of infrastructures used as evacuation centers shall be conducted by the City or Municipality at least once every year and immediately after the occurrence of a hazard or disaster.

SEC 5. Role of the National Disaster Risk Reduction and Management Council (NDRRMC).

– The National Disaster Risk Reduction and Management Council (NDRRMC) shall be the lead implementing agency of this Act. It shall give utmost priority to those areas of the country that (a) are identified as disaster prone; (b) are financially incapable to establish their own evacuation centers; and (c) do not have existing evacuation centers of their own.

It shall enter into memoranda of agreement (MOA) with the concerned LGUs for the maintenance, operation, and management of a permanent evacuation center in their respective areas of jurisdiction. It shall provide technical assistance and support services to these LGUs in the management of the facility.

Local chief executives concerned shall evaluate and provide suitable sites for evacuation centers to determine their geographical stability, and public accessibility in times of disasters. They shall provide for the maintenance, operation, and management of the facility taking into consideration the goal of life preservation and meeting the basic subsistence needs of affected population based on acceptable standards during or immediately after a disaster.

SEC. 6. *Coordination Among Agencies.* – The NDRRMC shall coordinate with the DPWH and the Department of Science and Technology (DOST) with regard to the design specifications, cost estimates, and construction details of the evacuation centers that will be constructed pursuant to this Act.

Concerned government agencies and instrumentalities, when necessary, shall provide assistance to the NDRRMC to ensure the effective and efficient implementation of this Act.

SEC. 7. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the NDRRMC shall, in consultation with the DPWH, DOST, League of Cities of the Philippines, League of Municipalities of the Philippines, and other concerned government and private agencies, promulgate the necessary rules and regulations to carry out the provisions of this Act.

SEC. 8. *Appropriations.* – The amount necessary for the initial implementation to fund the construction and maintenance of multi-purpose gyms to serve as evacuation centers shall be charged against the budget provided for this purpose under the DPWH. Thereafter, such amounts necessary for the construction of multipurpose gyms as evacuation centers shall be included in the annual General Appropriations Act. The LGU concerned shall provide the continued maintenance, operation and management of the facility.

SEC. 9. *Separability Clause.* – If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

SEC.10. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed or amended accordingly.

SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,