



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila



Twentieth Congress
First Regular Session

HOUSE BILL NO. **2384**

Introduced by Representative Lordan G. Suan

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

EXPLANATORY NOTE

The Philippines lies in a region where disasters happen, naturally. It is in the Pacific Ring of Fire where eighty percent (80%) of the volcanic eruptions and earthquakes occur. According to the Philippine Institute of Volcanology and Seismology (PHILVOLCS), there are twenty-four (24) active volcanoes in the country, today. The country is also located along the “Typhoon Belt”, an area in the western Pacific Ocean where one-third of the world’s tropical cyclones originate. An average of twenty (20) typhoons visits the country every year, seven (7) of which taking landfall endangering lives and creating heavy damage to properties and infrastructures. These geographical location and environmental set up expose the country to climate conditions that increase in frequency and intensity, every year.

According to the Global Risk Index 2021 published by Germanwatch, based on an annual average, from 2000 to 2019, the Philippines ranked fourth among countries most-affected by extreme weather events. This risk index measures and analyses impacts of extreme weather events in terms of fatalities and economic losses. Over the past two decades, our country had the highest extreme weather occurrence in the world experiencing 317 weather-related events. According to the same study, the average fatality per year over the same period was 859.36, ranking us seventh (7th) in the index. In terms of economic

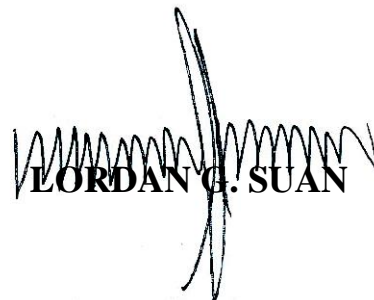
losses, extreme weather events cost the Philippines an average of US\$3.2 billion per year which ranked us at eighth (8th) in the world. The Philippine Statistics Authority (PSA) in its 2020 published report put the damages at a total of Php463 billion from 2010 to 2019, with the agricultural sector taking most of the brunt at sixty-seven (62.7%).

Our vulnerability to the impacts of climate change and natural hazards is exacerbated by the wanton destruction of our environment which causes floods, landslide, forest fires, heat waves, and droughts. It is even worsened by the growth of our population, increasing our consumption on energy which is dependent on fossil fuel. Population increase also means greater consumption of agricultural and marine resources, and an increasing pressure on the natural environment.

The purpose of this measure is to create a department that will focus on our country's effective response to the risks brought about by natural and human-induced calamities. It will be the mandate of this department to create policies to reduce disaster-risks, establish an enabling environment for local and national agencies to collaborate on climate change preparedness and create infrastructures to mitigate the impact of natural hazards. It will also harmonize all local and national plans and policies for short and long-term climate goals. Through the creation of this department, we are putting the climate agenda at the forefront of our policy decision-making.

Our action on this matter, is extremely, urgent. The Climate Change Knowledge Portal even pegged the estimations that sixty percent (60%) of our land area and seventy-four (74%) percent of our population are exposed to natural hazards. We must keep in mind that of the 74% exposed population, most of them come from the marginalized and vulnerable sectors.

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



LORDAN C. SUAN



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2 **AN ACT**
3 **CREATING THE DEPARTMENT OF DISASTER RESILIENCE,**
4 **DEFINING ITS POWERS AND FUNCTIONS, AND APPROPRIATING**
5 **FUNDS THEREFOR**

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

8
9 **ARTICLE I**

10 **GENERAL PROVISIONS**

11 **SECTION 1. Short Title.** – This Act shall be known as the “Disaster
12 Resilience Act of 2022”.

13 **SECTION 2. Declaration of Policies and Principles.** – **It shall be the**
14 **policy of the state to:**

- 15 1. Protect the lives and properties of its citizens by addressing and
16 preventing the causes of vulnerabilities to natural disasters;
- 17 2. Inculcate a culture of resilience and preparedness for natural disasters at

1 the national, regional and local levels;

2 3. Establish a strong and empowered institution capable of responding to
3 natural disasters and climate change, and spearhead efforts to ensure
4 disaster resilience by delivering on the highly critical and intertwined
5 functions of disaster risk reduction, preparedness and response, and
6 recovery-building;

7 4. Address the differentiated concerns and needs of sectors with special
8 needs or higher vulnerabilities such as women, children, elderly, persons
9 with disabilities, and indigenous peoples, with respect to disaster
10 resilience and disaster management;

11 5. Integrate and accelerate the implementation of the principles, concepts
12 and action plans of climate change and disaster risk reduction contained
13 in the international and national frameworks and commitments in
14 various phases of policy formulation, development and investment
15 plans, poverty reduction strategies, and other development tools, and
16 techniques applied by all national and local agencies, institutions and
17 instrumentalities of the government, to enhance the country's capacity
18 for climate change adaptation and mitigation;

19 6. Foster an enabling environment for substantial and sustainable
20 participation of non-government stakeholders such as the academe,
21 Civil Society Organizations (CSOs), private sector groups, volunteers

1 and communities in disaster resilience programs and projects;

2 7. Adopt a comprehensive approach in disaster resilience to enhance
3 collaboration, planning, and dialogue among all sectors of society, and
4 improve their strategies and/or action plans for disaster risk reduction;
5 and

6 8. Strengthen the chain of command and establish a unified command
7 system to enhance our country's disaster resilience.

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

9 a) Adaptation – adjustment in natural or human systems in response to
10 actual or expected climactic stimuli or their effects, which moderates harm or
11 exploits beneficial opportunities;

12 b) Assisting Actor – refers to any assisting international actor and any
13 assisting domestic actor responding to a disaster in the country;

14 c) Assisting Domestic Actor – any not-for-profit entity established
15 under domestic laws, which is responding to a disaster in the country;

16 d) Assisting International Actor – any foreign state, organization, entity
17 or individual responding to a disaster within or transiting through the country
18 to respond to a disaster in another country;

19 e) Biological hazards – hazards that are of organic origin or conveyed
20 by biological vectors, including pathogenic microorganisms, toxins and

1 bioactive substances. Examples are bacteria, viruses or parasites, as well as
2 venomous wildlife and insects, poisonous plants and mosquitoes carrying
3 disease-causing agents;

4 f) Building Forward Better – an approach to building, reconstructing,
5 and/or rehabilitating an area or community that entails a shift from simple
6 recovery and restoration to safer, more adaptive, resilient, and inclusive
7 communities;

8 g) Business Continuity – the capacity of a business entity to continue
9 the delivery of its products and/or services at acceptable pre-defined levels
10 following a disruptive incident;

11 h) Capacity – the combination of all strengths, attributes and resources
12 available within a community, society or organization that can reduce the level
13 of risk, or impacts of a disaster. Capacity may include infrastructure and
14 physical means, institutions, societal coping abilities, as well as human
15 knowledge, skills and collective attributes such as social relationships,
16 leadership and management. Capacity may also be described as capability;

17 i) Civil Society Organizations (CSOs) – non-state actors whose aims
18 are neither to generate profits nor seek governing power but to unite people
19 behind shared goals and interests. They have a presence in public life,
20 expressing the interests and values of their members or others, and are based
21 on ethical, cultural, scientific, religious or philanthropic considerations. CSOs

1 include NGOs, professional associations, foundations, independent research
2 institutes, community-based organizations (CBOs), faith- based organizations,
3 people’s organizations, social movements, and labor unions;

4 j) Climate Change – a change in the state of the climate that can be
5 identified by changes in the mean and the variability of its properties, and that
6 persists in an extended period, typically decades or longer, whether due to
7 natural internal processes or external forces such as modulation of the solar
8 cycles, volcanic eruptions and persistent anthropogenic changes in the
9 composition of the atmosphere or in land use;

10 k) Climate Change Mitigation – efforts to reduce or limit greenhouse
11 gas emissions or enhance greenhouse gas sequestration;

12 l) Cultural Heritage – the totality of cultural property preserved and
13 developed through time and passed on to posterity;

14 m) Contingency Planning – a management process that analyzes specific
15 potential events or emerging situations that might threaten society or the
16 environment and establishes arrangements in advance to enable timely,
17 effective and appropriate responses to such events and situations;

18 n) Department – the Department of Disaster Resilience or the DDR;

19 o) Development Assistance – refers to any financial, material or other
20 forms of assistance to support the economic, social, and environmental well-
21 being of areas and/or people affected by a natural disaster;

1 p) Disability – an evolving concept that results from the interaction
2 between persons with impairments, as defined under RA No. 7277, and
3 attitudinal and environmental barriers that hinder their full and effective
4 participation in society on an equal basis with others;

5 q) Disaster refers to – a serious disruption of the functioning of a
6 community or a society involving widespread human, material, economic or
7 environmental losses and impacts, which exceeds the ability of the affected
8 community to cope using its own resources. Unless otherwise specifically
9 indicated in this act, the term “disaster” shall refer to “natural disaster”;

10 r) Disaster Contingency Fund – a fund, in lump-sum form, managed by
11 the Department to expediently provide funds and resources for disaster relief
12 or response in affected areas;

13 s) Disaster Mitigation or mitigation – the lessening or limitation of the
14 adverse impacts of hazards. Mitigation measures include the application of
15 engineering techniques and construction of hazard-resistant structures as well
16 as improved environmental, land use planning, climate change and other
17 sectoral policies and public awareness;

18 t) Disaster Preparedness – the knowledge and capacities developed by
19 governments, professional response and recovery organizations, communities
20 and individuals to effectively anticipate, respond to, and recover from, the
21 impacts of likely, imminent or current hazard events or conditions. It includes

1 preparedness for response such as contingency planning, stockpiling of
2 equipment and supplies, the development of arrangements for coordination,
3 evacuation and public information, and preparedness for recovery such as
4 provision of land for resettlement sites;

5 u) Disaster Prevention – the intention to avoid, or the outright
6 avoidance, of potential adverse impacts of disasters and related hazards through
7 action(s) taken in advance. It expresses the concept and intention to completely
8 avoid potential adverse impacts through action taken in advance such as
9 construction of dams or embankments that eliminate flood risks, land-use
10 regulations that do not permit any settlement in high-risk zones, and seismic
11 engineering designs that ensure the survival and function of a critical building
12 in any likely earthquake;

13 v) Disaster Resilience – the ability of a system, community, or society
14 exposed to hazards to resist, absorb, accommodate, adapt to, transform, and
15 recover from the effects of a hazard and/or the long-term impact of climate
16 change in a timely and efficient manner, including through the preservation and
17 restoration of its essential basic structures and functions through risk
18 management;

19 w) Disaster Response – the provision of emergency services and public
20 assistance during or immediately after a disaster in order to secure and save
21 lives, reduce health impacts, ensure public safety and meet the basic subsistence

1 needs of the people affected. Disaster response includes disaster relief focused
2 on immediate and short-term needs of victims and vulnerable;

3 x) Disaster Resilience Fund – the budget managed by the Department,
4 which includes funds appropriated to it by Congress pursuant to an
5 Appropriations Act, the Disaster Contingency Fund, and the Rehabilitation and
6 Recovery Fund;

7 y) Disaster Risk – the potential disaster losses in lives, health status,
8 livelihoods, assets and services that could occur to a particular community or
9 society in the future, and is determined by a combination of the vulnerability,
10 capacity, exposure of persons and assets, hazard characteristics and the
11 environment;

12 z) Disaster Risk Governance – the way in which the public authorities,
13 civil servants, media, private sector, and civil society collaborate at the
14 community, regional and national and regional levels to manage disaster and
15 climate related risks. This means ensuring that sufficient levels of capacity and
16 resources are made available to the relevant actors and stakeholders to prevent,
17 prepare for, manage and recover from disasters. It also entails mechanisms,
18 institutions and processes for citizens to articulate their interests, exercise their
19 legal rights and obligations, and mediate their differences;

20 aa) Disaster Risk Management – the systematic process of using
21 administrative directives, organizations, and operational skills and capacities to

1 implement strategies, policies and improved coping capacities in order to lessen
2 the adverse impacts of hazards and the possibility of disaster;

3 bb) Disaster Risk Reduction – the prevention of new, and/or reduction of
4 existing, disaster risk(s) and the management of residual risk, to enhance
5 resilience to disasters;

6 cc) Early Warning System – an integrated system of hazard monitoring,
7 forecasting and prediction, disaster risk assessment, and communication and
8 preparedness activities and processes that enable individuals, communities,
9 national government agencies, local government units, the private sector, and
10 others to take timely action to reduce disaster risks and adequately prepare for
11 disasters;

12 dd) Eligible Assisting Actor – any assisting actor that has been
13 determined to be eligible to receive legal facilities as provided for in this Act
14 and/or its Implementing Rules and Regulations (IRR);

15 ee) Emergency – an unforeseen or sudden occurrence, especially danger,
16 demanding immediate and decisive action;

17 ff) Emergency Management – the organization and management of
18 resources and responsibilities for addressing all aspects of emergencies, in
19 particular preparedness, response and initial recovery steps;

20 gg) Environmental hazards – the hazards that may be chemical, natural,
21 and biological, and can be created by environmental degradation or physical or

1 chemical pollution in the air, water, and soil. However, many of the processes
2 and phenomena that fall into this category may be termed drivers of hazard and
3 risk rather than hazards in themselves, such as soil degradation, deforestation,
4 loss of biodiversity, salinization, and sea-level rise;

5 hh) Exposure – the degree to which the elements at risk are likely to
6 experience hazard events of different magnitudes;

7 ii) Geographic Information System (GIS) – a system used to capture,
8 store, manipulate, manage and display all types of spatial or geographical data;

9 jj) Geographically Isolated and Disadvantaged Area (GIDA) – areas
10 with a marginalized population, which is physically and socio-economically
11 separated from the mainstream society and characterized by physical factors –
12 isolated due to distance, weather conditions and transportation difficulties
13 (island, upland lowland, landlocked, hard to reach and underserved
14 communities); and/or socio- economic factors – (high poverty incidence,
15 presence of vulnerable sector, communities in or recovering from situation of
16 crisis or armed conflict);

17 kk) Geological or geophysical hazards – the hazards that originate from
18 internal earth processes, such as earthquakes, volcanic activities and emissions,
19 and related geophysical processes, which include mass movements, landslides,
20 rockslides, surface collapses, and debris or mud flows. Hydrometeorological
21 factors are important contributors to some of these processes. While tsunamis

1 are triggered by undersea earthquakes and other geological events, they
2 essentially become an oceanic process that is manifested as a coastal water-
3 related hazard;

4 ll) Hazard – a phenomenon, substance, human activity or condition that
5 may cause loss of life, injury or impacts to health; social and economic
6 disruption, environmental damage, or loss of/disruption to property, livelihood,
7 and/or services;

8 mm) Historical landmarks – sites or structures that are associated
9 with events or achievements significant to Philippine history as declared by the
10 National Historical Institute or the applicable agency;

11 nn) Human-Induced Hazard – an event that is caused by humans and
12 occur in or close to human settlements or a particular environmental area. This
13 can include environmental degradation, technological or industrial conditions,
14 pollution, accidents, e.g. high density events, industrial and transport accidents,
15 complex emergencies, armed conflict, situations of generalized or organized
16 violence, and violation of human rights;

17 oo) Humanitarian assistance – financial, material or other similar forms
18 of assistance to address the immediate needs of people affected by a natural
19 disaster;

20 pp) Hydrometeorological hazards – hazards that are of atmospheric,
21 hydrological, or oceanographic origin, such as tropical cyclones (also known

1 as typhoons and hurricanes); floods, including flash floods; drought; heat waves
2 and cold spells; and coastal storm surges. Hydrometeorological conditions may
3 also be a factor in other hazards such as landslides, wildland fires, locust
4 plagues, epidemics, and in the transport and dispersal of toxic substances and
5 volcanic eruption material;

6 qq) Impact and needs assessment – assessing the nature and magnitude
7 of a disaster, its impact on affected populations, the type and extent of
8 emergency, and the requirements for recovery and rehabilitation of the affected
9 area(s);

10 rr) Imminent Danger – a situation where, on the basis of official
11 forecasts, it could reasonably be expected that a disaster will occur in a
12 particular geographical area and within an estimated period of time, and where
13 necessary preparedness actions or financing are required;

14 ss) Integrated Disaster Resilience Information System – a specialized
15 database, which contains, among others, information on disasters and their
16 human, material, economic and environmental impact, risk assessment and
17 mapping, and vulnerable and marginalized groups;

18 tt) International Disaster Relief and Initial Recovery Period – the period
19 that commences upon the issuance of a request for international disaster
20 assistance or upon acceptance of an offer, and shall continue until terminated,
21 pursuant to guidelines set in the implementing rules and regulations;

1 uu) Internally Displaced Persons – persons or groups of persons who
2 have been forced or obliged to flee or to leave their homes or places of habitual
3 residence within national borders;

4 vv) International Personnel – staff and volunteers of any assisting actor
5 providing disaster relief or initial recovery assistance being persons who are
6 neither citizens of nor domiciled in the Philippines prior to their recruitment by
7 the international assisting actor;

8 ww) Land Use Planning – the process undertaken by public
9 authorities to identify, evaluate and decide on different options for the use of
10 land, including consideration of long-term economic, social and environmental
11 objectives and the implications for different communities and interest groups,
12 and the subsequent formulation and promulgation of plans that describe the
13 permitted or acceptable uses;

14 xx) Legal Facilities – entitlements and exemptions that are granted to
15 Assisting Domestic or International Actors that are declared to be eligible
16 pursuant to this Act and its implementing rules and regulations;

17 yy) Local Disaster Resilience Plan (LDRP) – a document prepared by an
18 LGU based on the National Disaster Resilience Framework (NDRF) and the
19 National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets out
20 specific programs, objectives and goals to implement disaster risk management
21 and climate change adaptation measures at the local level. The plan includes,

1 among others, an evaluation and analysis of emerging disaster risks, hazards
2 and vulnerabilities applicable to an LGU, and specific programs and activities
3 to ensure responsive, effective, and appropriate disaster preparedness and
4 management at the local level;

5 zz) National Continuity Policy – is a comprehensive national policy
6 consisting of a set of programs and projects aimed at capacitating the
7 government to ensure the continuity of governance and the delivery of public
8 services during and after any disaster;

9 aaa) National Disaster Resilience Framework (NDRF) – a
10 framework that provides for a comprehensive, multi-sectoral, whole-of-
11 government, and whole-of-society approach to attaining safe, adaptive, and
12 resilient communities that can resist, prevent, mitigate against, absorb,
13 accommodate, adapt to, recover, or build back better from the effects of a
14 natural hazard in a timely and efficient manner through, among others, disaster
15 risk reduction and management, and climate change adaptation and mitigation.
16 The NDRF shall be composed of a National Disaster Risk Reduction and
17 Management Framework (NDRRMF), and National Framework Strategy on
18 Climate Change (NFSCC);

19 bbb) National Disaster Resilience Plan and Investment Program
20 (NDRPIP) – a plan formulated and implemented by the national and local
21 governments, in collaboration with NGOs, the private sector, academe,

1 international development partners, and others, in accordance with the NDRF
2 that sets out the outcomes, goals and objectives, priorities, programs and
3 corresponding action plans for disaster risk reduction, preparedness, and
4 management, and climate change mitigation. The NDRPIP shall also include,
5 among others, goals, objectives and action plans for a national continuity
6 policy. It shall be in conformity with the national disaster risk reduction and
7 management framework;

8 ccc) Natural Hazard – naturally occurring physical phenomena
9 caused either by rapid or slow onset events, which can be geological
10 (earthquakes, ground rupture, liquefaction, landslides, tsunamis, sinkholes, and
11 volcanic activity), hydrological and meteorological (floods, severe winds,
12 typhoons, storm surges), climatological variability (extreme temperatures, El
13 Niño, La Niña, forest fires), or biological (disease, epidemics and insect/animal
14 plagues);

15 ddd) Open Data – a set of data that can be freely used, shared and
16 built-on by anyone, anywhere, for any purpose. It must be available in bulk,
17 and should be available free of charge, or at least at no more than a reasonable
18 reproduction cost. The information should be digital, preferably available by
19 downloading through the internet, and easily processed by the end-user's
20 computer too. The data must permit people to use it, re-use it, and redistribute
21 it, including intermixing it with other data sets and distributing the results.

1 Lastly, it does not allow conditions to be placed on how people can use such
2 data but permit a data provider to require that data users credit them in some
3 appropriate way, make it clear if the data has been changed, or that any new
4 datasets created using their data are also shared as open data;

5 eee) Pre-Disaster Recovery Plan – a plan intended to help
6 government officials working in small communities or across an entire nation,
7 to define and follow a process to pre plan for disaster recovery, and thereby
8 strengthen their own future recovery efforts and outcomes;

9 fff) Pre-Disaster Risk Assessment (PDRA)– a process to evaluate a
10 hazard’s level of risk given the degree of exposure and vulnerability in a
11 specific area likely to be affected by an imminent hazard. It presents the
12 possible impacts on the population and forms a basis to determine the
13 appropriate level of response actions from the national level government
14 agencies down to the local government units. It is hazard-specific, area focused,
15 and time-bound;

16 ggg) Recovery – rehabilitation measures that ensure the ability of
17 affected communities or areas to return their normal level of functioning by
18 restoring livelihoods and services, reconstruction of damaged infrastructures
19 and increasing the communities’ organizational capacity;

20 hhh) Rehabilitation – restoration of basic services and facilities for
21 the functioning of a community or a society affected by a disaster;

1 iii) Response – any effort to provide assistance or intervention during or
2 immediately after a disaster to meet the life preservation and basic subsistence
3 needs of affected people and communities; and in the restoration of essential
4 public activities and facilities;

5 jjj) Retrofitting – the reinforcement or upgrading of existing structures
6 to make them more resistant and resilient to the damaging effects of hazards;

7 kkk) Risk Assessment – a methodology to determine the nature and
8 extent of risk by analyzing potential hazards and evaluating existing conditions
9 of vulnerability that together could potentially harm exposed people, property,
10 services, livelihood and the environment on which they depend;

11 lll) Risk Transfer – the process of formally or informally shifting the
12 financial consequences of particular risks from one party to another whereby a
13 household, community, enterprise or state authority will obtain resources from
14 the other party after a disaster occurs, in exchange for ongoing or compensatory
15 social or financial benefits provided to that other party;

16 mmm) Safety stock – items, such as raw materials, component parts,
17 or finished goods, maintained in inventory to reduce the risk that such item will
18 be out of stock, in anticipation of unforeseen shortages or unusual demand for
19 such items;

20 nnn) Service Continuity -- the capacity of a government
21 instrumentality to continue delivering its mandated outputs and/or services to

1 the public during and after a disaster;

2 ooo) State of Calamity – a condition involving endangerment to
3 and/or loss of lives, damages to property, economic and/or social disruption,
4 interruption and/or loss of livelihood and/or services, and destruction and/or
5 damages to infrastructure as a result of natural disaster(s) or related hazard(s);

6 ppp) Simplified or Pre-Arranged Contract – a written agreement in
7 the nature of an option contract between the procuring entity on one hand, and
8 the most responsive and lowest calculated bidder on the other, granting the
9 procuring entity the option to either place an order for any of the goods
10 identified therein or not buy at all, within a given period of time;

11 qqq) Sustainable Development – development that meets the needs
12 of the present without compromising the ability of future generations to meet
13 their own needs;

14 rrr) Volunteers – individuals, groups or entities that offer and/or provide
15 services or assistance, without compensation, to help people and/or areas
16 affected by disasters;

17 sss) Vulnerability – the conditions determined by physical, social,
18 economic, organizational, and environmental factors or processes, which
19 increase the susceptibility of an individual, a community, assets or systems to
20 the impacts of hazards;

21 ttt) Whole-of-Society Approach – an approach that encourages the

1 meaningful active participation and synergy of the different stakeholders of
2 society toward climate change adaptation and mitigation, and disaster risk
3 reduction and management at the national and local levels;

4 uuu) Whole-of-Government Approach – an approach that instills
5 and fosters collaboration among all government instrumentalities both at the
6 national and local levels toward shared sustainable development goals and
7 outcomes; and

8 vvv) Whole-of-Nation Approach – an approach that seeks to bring
9 about a concerted effort towards sustainable development, national peace and
10 security by creating consensus and understanding of development and security
11 that is shared not just among core security forces and oversight government
12 institutions, but also by the nation’s stakeholders, e.g., government, civil
13 society, private sector, and and all the nation’s the communities.

14
15 **ARTICLE II**

16 **THE DEPARTMENT OF DISASTER RESILIENCE**

17 **SECTION 4. Creation of the Department of Disaster Resilience.** – There is
18 hereby created the Department of Disaster Resilience, herein after referred to
19 as the Department.

20 **SECTION 5. Mandate.** The Department shall be the principal government

1 institution responsible for ensuring safe, adaptive, and disaster-resilient
2 communities. It shall lead, spearhead, initiate, and integrate the crafting and
3 implementation of plans, programs, projects and activities to reduce the risk of
4 natural hazards and effects of climate change, and manage the impact of
5 disasters with the primordial goal of saving lives and minimizing damage to
6 property, in close collaboration with all relevant stakeholders at the national
7 and local levels.

8 The mandate of the Department shall cover all natural hazards, including
9 the effects of climate change, such as the following:

10 **1. Geological Phenomena and Related Hazards**

11 a. Earthquake – ground rupture, ground shaking, liquefaction, tsunami,
12 fire, and landslides;

13 b. Volcanic activity – ash fall, pyroclastic flow, lava flow, lahar,
14 fissuring, volcanic gas, and seiche (lake water oscillation);

15 c. Mass movement – landslides, debris flow, sinkholes;

16 **2. Hydrological and Meteorological Phenomena and Related Hazards**

17 a. Tropical cyclone – severe winds, storm surge, hail;

18 b. Flood;

19 c. Erosion;

20 3. Climatological variability

- 1 a. El Niño;
- 2 b. Extreme temperatures;
- 3 c. La Niña; and
- 4 d. Solar radiation, among others.

5 The Department shall oversee and coordinate the preparation,
6 implementation, monitoring, and evaluation of disaster and climate resilience
7 plans, programs, projects and activities, provide leadership in the continuous
8 development of strategic and systematic approaches to disaster prevention,
9 mitigation, preparedness, response, recovery and rehabilitation and anticipatory
10 adaptation strategies, measures, techniques, and options. It shall also manage
11 and direct the implementation of national, local, and community-based disaster
12 resilience programs in collaboration with relevant national government
13 agencies, LGUs, CSOs, and other stakeholders, as applicable.

14 **SECTION 6. Powers and Functions of the Department.** – The Department
15 shall exercise and perform the following powers and functions:

16 **(a) Overall Functions**

- 17 1. Craft the policies and lead the implementation of the programs,
18 projects and activities necessary to reduce the country’s vulnerabilities to
19 natural hazards and climate change, using the PDP and the relevant climate
20 change and DRR frameworks as anchors;

1 2. Review and build upon, to the extent necessary, the existing disaster
2 resilience framework, plans and strategies in the crafting of an NDRF and the
3 corresponding NDRPIP;

4 3. Oversee, review, and approve the translation, integration, and
5 implementation of the NDRPIP into LDRPs;

6 4. Communicate and disseminate critical information to help the public
7 prepare for, respond to, and recover from a disaster;

8 5. Receive, manage, and administer the Disaster Resilience Fund, the
9 Disaster Contingency Fund, donations and other funds, assets and/or properties
10 received by the Department to accomplish the purposes of this Act;

11 6. Recommend to the President of the Philippines the declaration of a
12 state of calamity due to a natural disaster, and the lifting thereof when
13 conditions stabilize;

14 7. Direct any government entity to help ensure the attainment of the
15 goals and objectives of this Act;

16 8. Advance the country's interests relating to disaster resilience and
17 climate change in the regional and global arena; and

18 9. Advise the President on matters concerning disaster resilience and
19 make recommendations, as appropriate; and

20 10. Perform such other functions, as provided by law or assignment of

1 the President, and undertake all other necessary actions to ensure the attainment
2 of the overall goals and objectives of this Act.

3 **(b) Disaster Risk Reduction**

4 1. Develop coordinated national, regional, and local strategies for the
5 effective prevention and mitigation of disaster risk resulting from natural
6 hazards, including the effects of climate change;

7 2. Monitor and ensure the integration of disaster risk reduction and
8 management, and climate change adaptation policies into national development
9 plans;

10 3. Establish a disaster resilience information system to facilitate the
11 creation of an integrated risk assessment platform built from the inputs of
12 government and private scientific and academic institutions, national
13 government agencies and local government units, local communities, and other
14 stakeholders and that is able to provide readily accessible and actionable
15 information for purposes of risk governance and humanitarian action;

16 4. Formulate plans and programs to establish and implement
17 government redundancy, service and business continuity, and a National
18 Continuity Policy, as a high priority and urgent undertaking;

19 5. Ensure the use of advanced science and technology in anticipatory
20 planning of communities against the impact of natural hazards and climate
21 change through consultation, and employment with a regular department

1 funding the academe or higher education institutions;

2 6. Develop and implement policies and programs related to the
3 construction of new settlements or relocation of settlements in safe areas that
4 shall, to the extent such policies and programs relate to disaster risk reduction,
5 mitigation, prevention or building forward better, prevail over policies or
6 decisions of other government departments, government agencies, government
7 owned or controlled corporations, LGUs, and other government
8 instrumentalities;

9 7. Design and implement an incentive system for greater private and
10 public investment, both at the local and national levels, on disaster risk
11 reduction;

12 8. Oversee and ensure the mainstreaming of climate change adaptation
13 and disaster risk reduction in development and land use planning, and the
14 preparation of contingency plans;

15 9. Create an enabling environment that shall promote broader multi-
16 stakeholder participation for disaster risk reduction and climate change
17 adaptation and mitigation;

18 10. Communicate and disseminate critical information to help the public
19 prepare for, respond to, and recover from a disaster;

20 11. Establish and monitor local and national capacity for disaster risk
21 financing and insurance and other risk transfer strategies in coordination with

1 the Department of Finance (DOF), the Government Service Insurance System
2 (GSIS), and the Land Bank of the Philippines (LBP), and the Insurance
3 Commission;

4 12. Coordinate directly with local government units and private entities
5 to address Disaster Risk Assessment (DRA) of regions and provinces at the
6 meso-scale, cities and municipalities at the micro-scale, and barangays at the
7 meta-scale;

8 13. Review and evaluate local disaster resilience plans and other local
9 plans to ensure their consistency with the National Disaster Resilience
10 Framework; and

11 14. Undertake all other programs, projects, and actions necessary to
12 attain the overall goals and intended outcomes of this key result area.

13 **(c) Disaster Preparedness and Response**

14 1. Lead, manage, and collaborate with the relevant government
15 instrumentalities, non-government stakeholders, and international partners in
16 providing the minimum basic needs of people in affected areas before, during
17 and/or immediately after a disaster to save lives and minimize casualties;

18 2. Ensure the efficient prepositioning of goods, maintenance, and
19 disposal of safety stocks;

20 3. Prepare pre-disaster recovery plans in anticipation of future disasters

1 by engaging the community and planning for recovery activities that are
2 comprehensive and long-term;

3 4. Establish a corps of first responders in partnership with national and
4 local stakeholders, both public and private;

5 5. Formulate standards for contingency planning for adoption by both
6 national government agencies and local government units;

7 6. Recommend to the President of the Philippines the declaration of a
8 state of calamity due to a natural disaster, and the lifting thereof when
9 conditions stabilize;

10 7. Oversee and maintain a national early-warning and emergency alert
11 system that must provide hazards-specific, areas-focused and time-bound
12 warning that are accurate, timely, understandable and readily accessible to
13 national and local emergency response organizations and the general public;

14 8. Implement pre-disaster risk assessments to include deployment of
15 rapid assessment teams to gather information for precise actions as a basis for
16 emergency preparedness and humanitarian response;

17 9. Coordinate information-sharing and other disaster risk reduction
18 protocols following the principle of inter-operability among national
19 government agencies and local government units;

20 10. Establish and maintain a national humanitarian logistics system with

1 a network of warehouses, transport and resources, including response assets
2 and disaster relief food and non-food items;

3 11. Call upon the relevant government instrumentalities, non-
4 government stakeholders, CSOs, and international partners for assistance in
5 ensuring the protection and preservation of life and property such as through
6 the use of their resources and facilities, among others. This function includes
7 the power to call on the reserve force as defined in Republic Act no. 7077 to
8 assist in search and rescue, and the relief and disaster preparedness and
9 response operations;

10 12. Implement Pre-Disaster Risk Assessments to include deployment of
11 rapid assessment teams to gather information for precise actions as a basis for
12 emergency preparedness and humanitarian response;

13 13. Organize, train, equip, and maintain a system of response capacity
14 for search, rescue and retrieval and the delivery and distribution of relief goods;

15 14. Monitor and support LGUs in the management of evacuation centers
16 and ensure the welfare and dignity of internally-displaced persons;

17 15. Procure goods and services prior to, during, and after emergencies
18 for preparedness, response, and recovery activities, including those prompted
19 by a declaration of a state of calamity or of an imminent disaster; in accordance
20 with existing emergency procurement rules and regulations.

21 16. Issue special procurement rules and regulations, in close

1 coordination with the Government Procurement Policy Board, for
2 preparedness, response, and recovery activities, including those prompted by a
3 declaration of a state of calamity or of an imminent disaster;

4 17. Assist in mobilizing 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 18. By the authority of the President, secure the assistance of the Armed
8 Forces of the Philippines (AFP), the Philippine National Police (PNP), DILG-
9 Bureau of Fire Protection (BFP), the Philippine Coast Guard (PCG), and other
10 uniformed services in undertaking disaster preparedness and response
11 operations in at-risk and/or disaster-affected areas; and

12 19. Undertake all other programs, projects, and actions necessary to
13 attain the overall goals and intended outcomes of this key result area.

14 **(d) Recovery and Building Forward Better**

15 1. Prepare, organize, lead, implement, and manage post-disaster
16 assessment and recovery and rehabilitation programs and plans, in coordination
17 with the affected local governments units, national government agencies, and
18 other stakeholders;

19 2. Establish a system that utilizes templates, exposure database, and
20 other tools; and develop the Department's in-house capacity for the prompt and
21 expedient preparation of rehabilitation plans, when needed, for disaster affected

1 areas;

2 3. Prepare and implement the recovery and rehabilitation plan(s) for
3 disaster affected areas;

4 4. Implement the cluster approach to expedite reconstruction efforts,
5 e.g., post-disaster shelter recovery, and orchestrate and serve as the
6 clearinghouse for the participation of assisting actors in such efforts;

7 5. Collaborate with relevant government agencies and non-government
8 stakeholders in undertaking programs and projects to restore and/or generate
9 livelihood and entrepreneurial activities and opportunities in disaster-affected
10 areas;

11 6. Ensure that the principle of Building Forward Better, not mere
12 restoration, is applied to all recovery, reconstruction, and rehabilitation efforts;
13 and

14 7. Undertake all other programs, projects, and actions necessary to
15 attain the overall goals and intended outcomes of this key result area.

16 **(e) Other Powers and Functions**

17 1. Constitute, call, convene and/or deputize agencies of
18 government, and invite non-government and private organizations, to
19 assist, advise, and/or coordinate with the Department to achieve the goals and
20 purposes of this act;

1 2. Provide operating guidelines to the LDROs for the Declaration of
2 Imminent Disaster in their respective areas, which shall allow them to
3 implement preemptive measures and use their quick response funds in order to
4 save lives and minimize damage to property, loss of livelihood, and other
5 assets;

6 3. Establish and monitor local and national capacity for disaster risk
7 financing and insurance and other risk transfer strategies in coordination with
8 the DOF, GSIS, LBP, and the Insurance Commission;

9 4. Coordinate information-sharing and other disaster risk r education
10 protocols following the principle of inter-operability among National
11 Government Agencies and Local Government Units, before, during, and after
12 a disaster;

13 5. Administer, mobilize, monitor, and oversee the utilization of disaster
14 resilience-related funds, including, but not limited to, the National Disaster
15 Resilience Fund and the Supplemental Disaster Resilience Support Fund for
16 low income provinces, cities, and municipalities, and multi-hazard local
17 government units;

18 6. Inspect and examine the status of projects, programs, and activities
19 undertaken by national government agencies and local government units in
20 furtherance of disaster resilience efforts;

21 7. Whenever it becomes necessary, to save lives and/or minimize

1 damages to livelihood and property, assume supervision over the
2 implementation of any government program, project, or activity in anticipation
3 of, during, and in the aftermath of a disaster;

4 8. Negotiate, enter into, institutionalize, and coordinate arrangements
5 with any private person or entity for the purpose of ensuring the adequate and
6 prompt availability of goods and services necessary in anticipation of, during,
7 and in the aftermath of disasters;

8 9. Manage all funds appropriated to it by law and from other sources,
9 including all donations and grants received by it;

10 10. Promulgate rules and regulations for the receipt, management, and
11 accounting of donations that are consistent with the rules of the Commission
12 on Audit (COA) on the use of foreign and local aid during calamities and
13 disasters;

14 11. Receive humanitarian assistance from local and foreign sources,
15 recommend the acquisition of developmental assistance for the purpose of
16 disaster resilience, acknowledge and certify the receipt of all humanitarian
17 assistance, and ensure their judicious use and management;

18 12. Establish and operate a platform, including an online platform, to
19 monitor and provide public access to information on humanitarian assistance
20 received by the Department;

21 13. Secure the assistance of the AFP, PNP, DILG- BFP, PCG, and other

1 uniformed services and government instrumentalities to ensure the attainment
2 of the three key result areas, and the overall goals and objectives of this Act;

3 14. In consultation with the COA, promulgate rules and regulations for
4 the retention, re-exportation, donation, and disposition of unused goods and
5 equipment after the termination of disaster relief and initial recovery
6 operations;

7 15. Assist appropriate national government agencies and offices and
8 concerned local government units in protecting national cultural heritage
9 including national treasures and national historical landmarks, sites or
10 monuments from hazards and disasters; and

11 16. Perform such other functions, as provided by law or assignment of
12 the President, and undertake the necessary actions to ensure the attainment of
13 the overall goals and objectives of this Act.

14
15 **ARTICLE III**

16 **EMERGENCY MEASURES**

17 **SECTION 7. Emergency Measures.** – (a) The Department may undertake and
18 implement such immediate measures as may be necessary to ensure the
19 protection and preservation of life or property in anticipation of, during, and in
20 the aftermath of emergencies, hazards and disasters, including preemptive and

1 forced evacuations.

2 Local government units shall enact an ordinance on and implement
3 necessary and appropriate emergency measures, including preemptive and
4 forced evacuations, to ensure the protection and preservation of life or property
5 in anticipation of, during, and in the aftermath of disasters.

6 Emergency measures, including preemptive and forced evacuations,
7 shall be carried out with the primordial goal of saving lives and minimizing loss
8 of property and livelihood, while respecting the dignity and culture of persons,
9 observing equality, and using proportionate force, and with conscious attention
10 to the needs of vulnerable and marginalized groups.

11 Appropriate steps shall be taken to inform the public of the need to
12 implement emergency measures, such as evacuations, for their safety.

13 Preemptive evacuation shall be the preferred and primary mode of
14 moving people that will be affected by disasters.

15 Forced evacuation shall be considered as an emergency measure of last
16 resort that may be undertaken in anticipation of, during, or after a disaster and
17 carried out by the affected local government unit, pursuant to a duly issued
18 order by the local chief executive: Provided, That in case of the failure of the
19 local chief executive to issue such an order, the forced evacuation shall be
20 implemented by the Department, which may direct and compel the assistance
21 of law enforcement and other relevant government agencies to implement such

1 measure.

2 Any person who willfully and deliberately disregards or disobeys a
3 preemptive or forced evacuation implemented by the local government unit or
4 the Department releases such local government unit or the Department from
5 any liability for injury, death, damage to, or loss of property due to such
6 disobedience.

7 (b) Whenever it becomes necessary, the Department may recommend to
8 the President the calling out of the Armed Forces of the Philippines to prevent
9 or suppress lawless violence occurring before, during, and in the aftermath of
10 disasters.

11 (c) The Department shall ration the distribution of basic goods in
12 critical shortage, and/or restrict or ban the transfer of such goods outside the
13 area covered by the emergency measure.

14 (d) The Department may temporarily take over or direct the operation of
15 any private utility or business for urgent public purpose in anticipation of,
16 during, and in the aftermath of emergencies, hazards, and disasters and only
17 when there is imminent danger of loss of lives and/or damage to property,
18 subject to payment of just compensation.

19 (e) Local government units shall likewise enact the abovementioned
20 emergency measures including preemptive and forced evacuations, to ensure
21 the protection and preservation of life or property in anticipation of, during, and

1 in the aftermath of disaster.

2 (f) With the concurrence of the DOF, the Department shall recommend
3 to the Monetary Board the deferment of payment for monetary debts of LGUs
4 and/or private entities that have been affected by disasters.

5
6 **ARTICLE IV**

7 **ORGANIZATION AND MANAGEMENT**

8 **SECTION 8. The Secretary.** – The Department shall be headed by the
9 Secretary of Disaster Resilience, hereinafter referred to as the Secretary, who
10 shall be appointed by the President, subject to confirmation by the Commission
11 on Appointments. The Secretary shall preferably have a solid background in
12 any of the scientific, engineering, and public management fields relevant to
13 resilience to natural hazards and climate change; and demonstrated managerial
14 acumen.

15 **SECTION 9. Powers and Functions of the Secretary.** – The Secretary shall
16 exercise the following powers and functions:

17 a) Establish and promulgate policies, rules, and regulations for the
18 effective and efficient operation of the Department and implement these to
19 carry out its mandate, functions, programs, and activities;

20 b) Exercise executive direction over the operations of the Department

1 and administrative supervisions over its attached agencies;

2 c) Exercise control and supervision over all functions and activities of
3 the Department and its officers and personnel;

4 d) Appoint officers and employees of the Department, except those
5 whose appointments are vested in the President, in accordance with civil
6 service law, rules, and regulations;

7 e) Exercise disciplinary authority over officers and employees of the
8 Department in accordance with law, and investigate such officers and
9 employees, or designate a committee or officer to conduct an investigation;

10 f) Manage the financial, human, and other resources of the Department;

11 g) Collaborate with other government agencies, the private sector, and
12 civil society organizations on the policies, programs, projects, and activities of
13 the Department, as may be necessary;

14 h) Advise the President on the promulgation of executive and
15 administrative issuances and the formulation of regulatory and legislative
16 proposals on matters pertaining to disaster resilience;

17 i) Represent the Philippines and articulate the national contribution to
18 global, regional, and other inter-governmental disaster risk reduction and
19 humanitarian platforms, in coordination with the Department of Foreign
20 Affairs; and

1 j) Perform such other functions as may be provided by law or assigned
2 by the President.

3 **SECTION 10. The Undersecretaries.** – The Secretary shall be assisted by at
4 least four (4) Undersecretaries, who shall be responsible for the following
5 functional areas, including the establishment of a robust and responsive ICT
6 system to effectively support the mandate and operations of the Department:

7 a) Disaster Risk Reduction – the formulation, adoption, and
8 implementation of policies and programs to reduce existing and future disaster
9 risks to minimize loss and damage to lives and properties, including the
10 formulation of the required policies and programs in the NDRF and relevant
11 national investment plans;

12 b) Disaster Preparedness and Response – the implementation of
13 projects and programs to prepare and respond to disasters, including the
14 enhancement of capabilities of local government units, the development of a
15 database of exposure or elements at risk per area and database of volunteers,
16 the establishment of safe and strategic evacuation centers, and the
17 implementation of responsive and efficient prepositioning and distribution of
18 goods;

19 c) Recovery and Building Forward Better – the formulation and
20 implementation of rehabilitation plans for disaster-affected areas and ensuring
21 the implementation of disaster recovery and rehabilitation measures, such as

1 post-disaster shelters and livelihood projects, in collaboration with relevant
2 government agencies, local government units, and other stakeholders; and

3 d) Support to Operations – the formulation and implementation of
4 policies, programs, projects, and activities to ensure the efficient, effective, and
5 responsive performance of the Department’s mandate, powers, and functions.
6 Support to operations includes knowledge management, institutional
7 development and planning, finance, administration, and human resources
8 management.

9 The Undersecretaries shall have operational control and supervision over
10 the bureaus, divisions, offices, and units assigned to their respective functional
11 areas.

12 **SECTION 11. The Assistant Secretaries and Directors.** – The Department
13 shall have such number of Assistant Secretaries and Directors as may be
14 necessary for the effective and efficient implementation and performance of its
15 mandate, powers, and functions.

16 **SECTION 12. Qualifications** – All the Undersecretaries, Assistant
17 Secretaries, and other officials of the Department shall preferably be specialists
18 and have a good track record in any of the following fields, as applicable to
19 their mandated key result areas and functions: disaster risk reduction and
20 management, science and technology, environmental science or management,
21 urban planning, civil engineering, public finance, information and

1 communications technology, logistics management, mass communication,
2 among other fields directly relevant to ensuring the country's disaster
3 resilience.

4 The appointing authority and other responsible officials shall ensure that
5 the Department's its human resources possess the competencies, skills,
6 behavioral attributes, training and experience necessary for them to become
7 efficient, effective, and responsive in performing their functions and contribute
8 to the attainment of the overall goals and delivery of the intended outcomes of
9 this Act.

10 **SECTION 13. Structure and Staffing Pattern** – The Department shall
11 determine its organizational structure and staffing pattern and create such
12 services, divisions, and units, as it may require or deem necessary, subject to
13 the approval of the Department of Budget and Management.

14 **SECTION 14. Regional Disaster Resilience Offices.** – The Department shall
15 establish and maintain Regional Disaster Resilience Offices (RDROs) in each
16 administrative region, to be headed by a Regional Director. The Department
17 shall create policies and programs to establish collaboration and coordination
18 among the different RDROs.

19 **SECTION 15. Powers and Functions of RDROs.** – The RDROs shall have
20 the following powers and functions:

21 a) Review the LDRPs and Provincial DRPs of LGUs within its

1 jurisdiction, and require the amendment of such LDRPs and/or Provincial
2 DRPs if necessary, to ensure compliance with the NDRF and relevant national
3 investment plans;

4 b) Monitor and direct LDROs and PDROs to implement their respective
5 LDRPs and PDRPs;

6 c) Recommend to the appropriate local legislative body the enactment
7 of ordinances to implement the LDRP, NDRF and relevant national investment
8 plans at the city, municipal or provincial level, and to comply with other
9 requirements of this Act;

10 d) Review reports on the utilization of the LDRF and other disaster risk
11 and management resources of LGUs within its jurisdiction, and give
12 recommendations, as necessary;

13 e) Disburse to, and monitor the use by, LGUs of funds granted by the
14 Department pursuant to this Act and its IRR;

15 g) Provide, upon the request of LGUs or unilaterally at its own
16 discretion, assistance to LGU(s) within its jurisdiction as necessary to ensure
17 the implementation of LDRPs/Provincial LDRPs, NDRF and relevant national
18 investment plans, and to render efficient and timely disaster preparedness,
19 response and recovery measures;

20 h) Identify and report to the Department issues and problems relating
21 to, or affecting, the disaster resilience of LGUs within its jurisdiction, and make

1 recommendations to the Department and/or to the LGUs to address such issues
2 or problems;

3 j) Formulate and establish mechanisms to mobilize and direct LDROs
4 and PDROs within its jurisdiction as necessary for disaster preparedness and
5 response at the regional level;

6 k) Establish and maintain, in coordination with the Department, a
7 Regional Command and Control Center (RCCC), which includes, among
8 others, an information management system at the regional level, which
9 consolidates and integrates information from the provinces, cities and
10 municipalities within its jurisdiction, a multi-hazard early warning and
11 communications system, and a monitoring system that enables the RDRO to
12 oversee, supervise, monitor and respond to the needs of LGUs within its
13 jurisdiction in relation to disaster resilience activities;

14 l) Assist in the implementation, of rehabilitation plan(s) for LGUs
15 within its coverage; and

16 m) Conduct other activities and act on other matters, in accordance with
17 policies and procedures of the Department and applicable laws, to achieve the
18 purposes of this Act.

19 SECTION 16. Special Disaster Response Teams. The RDROs may
20 organize and/or activate Special Disaster Response Teams (SDRTs) to assist
21 LGUs in responding to hazards and disasters that are beyond their capacities,

1 as deemed necessary.

2 **SECTION 17. Local Disaster Resilience Offices.** – The Local Disaster Risk
3 Reduction Management Offices in provinces, cities, and municipalities are
4 hereby renamed as the Provincial, City, and Municipal Disaster Resilience
5 Offices, respectively, and shall collectively be called the Local Disaster
6 Resilience Offices (LDROs). Provincial, city, and municipal governments shall
7 establish their respective LDROs.

8 The Barangay Disaster Risk Reduction and Management Committees are
9 hereby renamed as the Barangay Disaster Resilience Committees (BDRC).

10 All Local Disaster Risk Reduction Management Councils are hereby
11 abolished.

12 The LDROs shall be under the control and supervision of the provincial
13 governor or the city or municipal mayor, as the case may be. The budgetary
14 requirements for personal services, maintenance and other operating
15 expenditures, and capital outlay of the LDROs shall be sourced from the
16 General Fund of the local government units concerned; Provided, That, the
17 personal services limitations under Section 325(a) of Republic Act No. 7160,
18 otherwise known as the Local Government Code of 1991, shall not apply in
19 relation to the creation and appointment of at least five (5) positions in the
20 LDROs.

21 Other maintenance and operating expenditures and the capital outlay

1 requirements of LDROs in the implementation of disaster risk reduction
2 management and climate change adaptation programs shall be charged to the
3 Local Disaster Resilience Fund of local government units.

4 **SECTION 18. Local Disaster Resilience Officer.** – The LDRO shall be
5 headed by a full-time Local Disaster Resilience Officer, who shall have a
6 regular plantilla position and shall be appointed by the local chief executive:
7 Provided, That the qualifications standards pertaining to experience and
8 training set by the Civil Service Commission for the position may be waived
9 by the Department in exceptional cases upon the request of the local chief
10 executive.

11 **SECTION 19. Powers and Functions of City and Municipal Disaster**
12 **Resilience Offices.** – The City and Municipal Disaster Resilience Offices shall
13 have the following powers and functions:

14 a) Formulate and implement, in coordination with the Department, a
15 comprehensive and integrated Local Disaster Resilience Plan in accordance
16 with the NDRF and the relevant national investment plans;

17 b) Design, program, coordinate, and implement disaster resilience
18 activities consistent with the standards and guidelines provided by the
19 Department, and implement the NDRF and the relevant national investment
20 plans at the city or municipal level;

21 c) Prepare and submit to the Sangguniang Panlungsod or Bayan, as the

1 case may be, the LDRP, the proposed programming of the LDR Fund, other
2 dedicated disaster resilience resources, and other funds of the LDRO;

3 d) Recommend to the Sangguniang Panlungsod or Bayan, as the case
4 may be, the enactment of ordinances to implement the LDRP, NDRF, relevant
5 national investment plans, and the provisions of this Act;

6 e) Prepare and submit to the Department a report on the utilization of
7 its Local Disaster Resilience Fund and other disaster risk reduction and
8 management resources;

9 f) Establish and maintain, in coordination with the Department, an
10 information management system within the LGU, which, among others,
11 consolidates and includes local risk information (such as natural hazards,
12 profile of the LGU's vulnerable or marginalized groups), local risk maps, and
13 a disaggregated database of human resource, equipment, services, resources,
14 directories and location of critical infrastructures with their capacities (such as
15 hospitals and evacuation centers);

16 g) Operate and maintain, in coordination with the Department, a multi-
17 hazard early warning and communications system to provide accurate and
18 timely information to the public;

19 h) Organize and conduct training and knowledge management activities
20 on disaster resilience at the local level, in coordination with the Disaster
21 Research, Education, and Training Institute;

1 i) Recommend to the local chief executive the procurement of
2 emergency works, goods, and services in compliance with the regulations,
3 orders, and policies of DBM and GPPB, to implement the LDRP or support
4 early recovery and post-disaster activities;

5 j) Recommend, in coordination with the DOF and other relevant
6 agencies, to the local chief executive, access to foreign loans to finance
7 projects, programs, and policies for disaster preparedness, response, recovery,
8 and rehabilitation, subject to terms and conditions agreed upon by the local
9 government unit and the lender;

10 k) Monitor and mobilize instrumentalities and entities of the LGU and
11 its partner LGUs, CSOs, private sector, organized volunteers, and sectoral
12 organizations for disaster resilience activities, in accordance with policies and
13 procedures of the Department and applicable laws;

14 l) Coordinate and provide the necessary support or assistance to the
15 Department in the implementation of rehabilitation plan(s) within the city or
16 municipality covered by the LDRO;

17 m) Coordinate with the Department, other government agencies,
18 members of the private sector and other stakeholders in the LGU to establish a
19 Business Continuity Plan as part of their LDRP's disaster preparedness
20 measures;

21 n) Establish linkage/network and coordination mechanisms with other

1 LGUs and the Department for disaster resilience activities and to achieve the
2 purposes of this Act; and

3 o) Conduct other activities and act on other matters, in accordance with
4 policies and procedures of the Department and applicable laws, to achieve the
5 purposes of this Act.

6 SECTION 20. Powers and Functions of the Provincial Disaster
7 Resilience Offices. –The Provincial Disaster Resilience Offices shall have the
8 following powers and functions:

9 a) Formulate and implement, in close coordination with the Department
10 and the local government units under the jurisdiction of the provincial
11 government, a comprehensive and integrated Provincial Disaster Resilience
12 Plan in accordance with the NDRF;

13 b) Review the LDRPs of cities and/or municipalities within its
14 jurisdiction, and require the amendment of such LDRPs if necessary, to ensure
15 compliance with the Provincial DRP and the NDRF;

16 c) Design, program, coordinate, or implement disaster resilience
17 activities consistent with the standards and guidelines provided by the
18 Department, and implement the NDRF and the relevant national investment
19 plans at the provincial level;

20 d) Prepare and submit to the Sangguniang Panlalawigan, the Provincial
21 DRP, the proposed programming of the province’s Local Disaster Resilience

1 Fund, other dedicated disaster resilience resources, and other funding sources
2 of the PDRO;

3 e) Recommend to the Sangguniang Panlalawigan the enactment of local
4 ordinances to implement the Provincial LDRP, NDRF and relevant national
5 investment plans at the provincial level, and to comply with other requirements
6 of this Act;

7 f) Prepare and submit to the Department, a report on the utilization of
8 the province's Local Disaster Resilience Fund and other disaster risk reduction
9 and management resources;

10 g) Establish and maintain, in coordination with the Department, a
11 Provincial Command and Control Center (PCCC), which includes, among
12 others, an information management system at the provincial level, which
13 consolidates and integrates information from the cities and/or municipalities
14 within its jurisdiction, a multi-hazard early warning and communications
15 system that is connected with the cities and/or municipalities within its
16 jurisdiction, and a monitoring system that enables the PDRO to oversee,
17 supervise, monitor and respond to the needs of cities and/or municipalities
18 within its jurisdiction in relation to disaster resilience activities;

19 h) Recommend to the Provincial Governor the procurement of
20 emergency works, goods, and services in compliance with the regulations,
21 orders, and policies of DBM and GPPB, to implement the provincial LDRP or

1 support early recovery and post-disaster activities of the PDRO;

2 i) Recommend, in coordination with the DOF, to the Provincial
3 Governor to access foreign loans to finance its policies, programs, projects, and
4 activities for disaster preparedness, response, recovery, and rehabilitation,
5 subject to terms and conditions agreed upon by the Provincial Government and
6 the lender;

7 j) Formulate and establish mechanisms to mobilize and direct LDROs
8 within its jurisdiction as necessary for disaster preparedness and response at the
9 provincial level;

10 k) Coordinate and provide the necessary support or assistance to the
11 Department in the implementation of rehabilitation plan(s) within the cities
12 and/or municipalities covered by the PDRO; and

13 l) Conduct other activities and/or act on other matters, in accordance
14 with policies and procedures of the Department and applicable laws, to achieve
15 the purposes of this Act.

16 SECTION 21. Service Continuity of the Department. To ensure service
17 continuity, the Department and its regional and attached offices shall be
18 established in a reasonably resilient location; and/or undertake the necessary
19 interventions to make its offices and systems disaster-resilient.

20

1 **ARTICLE V**

2 **COMPREHENSIVE NATIONAL APPROACH**

3 **SECTION 22. Synergy with Stakeholders.** – The Department shall ensure
4 seamless synergy and coordination with stakeholders, including national
5 government agencies, local government units, government-owned or -
6 controlled corporations (GOCCs), CSOs, the academe, and the private sector,
7 in relation to disaster resilience programs and projects and the development and
8 promotion of research, education, and training mechanisms.

9 The Department shall establish a platform, paradigm, and mechanisms
10 for convergence and coordination with stakeholders, including the
11 development of standards, protocols, and procedures for seamless collaboration
12 for disaster resilience.

13 **SECTION 23. Establishment of Multi-Stakeholders Convergence Unit.** –

14 The Department, with the assistance of other relevant government agencies and
15 stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU),
16 which shall closely engage the private sector, CSOs, academe, and other non-
17 government stakeholders and strengthen public-private collaboration towards
18 disaster resilience by way of the following interventions, among others:

19 a. Implementation of business continuity practices to ensure the
20 continued delivery of products and services, in the event of disasters;

21 b. Crafting and implementation of a National Continuity Policy to

1 ensure government service continuity during and after emergencies and
2 disasters, and ensure the quick return of government to full operations;

3 c. Establishment, incorporation, and application of business continuity
4 plans as part of the LDRPs of LGUs;

5 d. Facilitation or assistance in obtaining and/or processing incentives
6 for the private sector and other non-government stakeholders, such as but not
7 limited to tax credits;

8 e. Preparation and facilitation of the issuance of special rules for Micro,
9 Small, and Medium Enterprises (MSMEs) such as, but not limited to,
10 mechanisms involving procurement and liquidity to create enabling
11 environments for disaster preparedness, recovery and building forward better;
12 and

13 f. Formulation of investment programs for disaster affected areas in
14 partnership with the private business sector and civil society organizations.

15 The MSCU shall establish a platform that includes, among others, a
16 database for monitoring and coordinating efforts and resources of stakeholders.

17 **SECTION 24. Roles and Responsibilities of Stakeholders.** – The
18 commitment, goodwill, knowledge, experience and resources of relevant
19 stakeholders are critical to realize a safer, adaptive, resilient and inclusive
20 Filipino community. Citizens have the shared vision and duty to provide
21 support to the State in the implementation of policies and programs, particularly

1 the Disaster Resilience Framework and Disaster Resilience Plan at the national,
2 regional and local levels.

3 a) Civil society, non-governmental organizations, international non-
4 governmental organizations, private sector, practitioners, and volunteers shall
5 participate, in collaboration with public institutions, in the exchange of to
6 provide information, learnings, and guidance on disaster resilience. The
7 Department shall encourage and institutionalize their engagement in the
8 implementation of local, regional, national, regional and global plans and
9 strategies; enhance public awareness and promote a culture of disaster
10 resilience;

11 b) The women, children, and youth, as agents of change, shall endeavor
12 to contribute actively and participate in disaster resilience trainings and
13 information dissemination;

14 c) Senior citizens, and persons with disabilities shall contribute their
15 knowledge and experience on disaster preparedness and resiliency;

16 d) Indigenous peoples and Muslim Filipinos shall share their traditional
17 knowledge and practical experience on disaster resiliency;

18 e) Urban and rural poor, and migrants shall participate in building
19 resilient resettlement communities;

20 f) Emergency responders and volunteer organizations shall contribute
21 to resilience by promptly and efficiently responding to disasters and

1 emergencies consistent with the policies of the Research, Education and
2 Training Institute of the Department;

3 g) Academia, scientific and research entities, and networks are
4 encouraged to undertake relevant research on disaster resiliency in partnership
5 with the Department and other stakeholders for better decision-making;

6 h) The private sector is encouraged to integrate disaster resiliency
7 projects and programs in their corporate social responsibility initiatives; and

8 i) The media shall provide prompt and accurate information to the
9 public on early warning systems, natural hazards, and disaster resilience
10 activities of the Department.

11 **SECTION 25. Disaster Resilience Assembly** – The Department, with the
12 assistance of RDROs, shall establish and convene a Disaster Resilience
13 Assembly (DRA), at the regional and national level, which will be held on a
14 semestral basis, or as frequently as necessary to ensure the proactive
15 engagement of the relevant government and non-government stakeholders,
16 such as the Union of Local Authorities of the Philippines (ULAP), League of
17 Municipalities of the Philippines (LMP), CSOs, academe, DRRM practitioners,
18 the private sector, and the national government agencies, among others, to
19 ensure effective collaboration towards achieving the goals of this Act.

20 The LGUs may convene local DRAs within their jurisdictions, as
21 necessary for the attainment of disaster resilience at the local level.

1 **SECTION 26. Inter-operability of Systems** – The Department shall establish
2 mechanisms to ensure the inter-operability of systems among government
3 agencies, and to allow access of agencies to the IDRIS. It shall develop
4 protocols to allow real-time access to information by government agencies in
5 relation to natural disasters and the implementation of disaster resilience
6 measures.

7 **SECTION 27. National organization of all Local Disaster Resilience**
8 **Officers** – There shall be a national organization of all local disaster resilience
9 officers for the primary purpose of:

10 a) Developing capacity, and exchanging knowledge, experiences, and
11 best practices concerning local government disaster resilience;

12 b) Fostering inter-operability of the local disaster resilience offices’
13 systems; Facilitating inter-LGU cooperation and collaboration;

14 c) Providing inputs and feedback to the Department on resilience
15 concerns at the local level; and

16 d) Enhancing synergy in other areas of common concern.

17
18 **ARTICLE VI**

19 **MAINSTREAMING, INTEGRATION AND CONVERGENCE OF**
20 **DISASTER RISK REDUCTION**

1 **SECTION 28. Integration of DRR and Climate Change Adaptation in the**
2 **National Disaster Resilience Framework and Disaster Resilience Plan. –**

3 The existing NDRRM Framework and Plan, and the National Climate Change
4 Strategic Framework and Plan shall be integrated and harmonized into the
5 NDRF and the NDRPIP. The NDRF and NDRPIP shall be reviewed and
6 updated every three (3) years.

7 **SECTION 29. Ecosystem-Based Approach to Prevention and Mitigation,**
8 **Rehabilitation and Recovery from Disasters. –** The Department shall ensure

9 the application of ecosystems-based approaches in disaster risk reduction,
10 particularly through ecosystem management and restoration as defined in this
11 Act, and ensuring that environmental and natural resource policies are risk-
12 informed.

13
14 **ARTICLE VII**

15 **NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE**
16 **COMMAND CENTER, AND RESEARCH AND TRAINING**
17 **INSTITUTE**

18 **SECTION 30. National Disaster Operations Center. –** The Department shall
19 establish, within one (1) year from the approval of this Act, and act as the
20 primary operator of, the National Disaster Operations Center (NDOC),
21 Alternative Command and Control Centers (ACCCs), and a Disaster Resilience

1 Research and Training Institute (DRRTI).

2 The NDOC is a physical center equipped with the necessary tools and
3 systems to monitor, manage, and respond to disasters in all areas of the country.
4 The NDOC shall also provide the necessary support for the overall coordination
5 and implementation of emergency and disaster response measures throughout
6 the country.

7 The ACCCs are command centers established in other locations as an
8 alternative or to provide supplemental support to the NDOC. The number and
9 location of ACCCs shall be determined by the Department as may be necessary
10 in each of the country's major island groups. Temporary ACCC may likewise
11 be established by the Department, if necessary.

12 **SECTION 31. DRRTI functions and inter-agency knowledge sharing. –**

13 The DRRTI shall be a platform for providing training, and for collecting,
14 consolidating, managing, analyzing, and/or sharing knowledge and information
15 to improve and/or enhance disaster resilience. The DRRTI shall:

16 a) Establish reliable and up-to-date Integrated Disaster Resilience
17 Information System (IDRIS) through close and seamless collaboration with the
18 Department of Science and Technology (DOST), Department of Information
19 and Communications Technology (DICT), and other appropriate agencies;

20 b) Conduct disaster-related research programs, seminars, and trainings
21 for all types of stakeholders;

1 c) Consolidate, organize and/or prepare training materials and
2 publications;

3 d) Conduct other activities consistent with promoting the formation and
4 dissemination of knowledge and information relating to disaster resilience and
5 disaster management;

6 e) Establish a database that includes relevant information from other
7 government agencies and third parties for the department to better prepare and
8 respond to natural hazards including, but not limited to, an inventory of
9 hazardous materials per area; and

10 f) Consult and coordinate with, and consolidate information/data from,
11 relevant government agencies, such as, but not limited to, DOST, LGUs and
12 relevant CSOs to enhance the IDRIS and to promote knowledge sharing among
13 all stakeholders.

14 **SECTION 32. Compliance and Accreditation of DRRTI with**
15 **International Standards.** – The Department shall strive to obtain certification
16 from, and accreditation by, international accreditation bodies of the DRRTI to
17 ensure DRRTI’s compliance with international standards. The Department
18 shall likewise ensure collaboration with key countries and international
19 organizations to incorporate best practices on disaster resilience in the
20 Department’s policies and programs.

21

1 **ARTICLE VIII**

2 **INTEGRATION, MAINSTREAMING DISASTER RESILIENCE**
3 **INFORMATION, EDUCATION AND COMMUNICATION**
4 **CONVERGENCE**

5 **SECTION 33. Integrated Disaster Resilience Information System (IDRIS)**

6 – The Department shall establish a National and Regional Information
7 Management System for Disaster Resilience, which shall be a database of all
8 relevant disaster risk reduction and climate change data, including a geographic
9 information system on geo-hazard assessments and climate risk. It shall be the
10 repository of current and multi- temporal information for wide-scale disaster
11 risk analysis. The IDRIS shall be accessible at all times to the responsible
12 officials and entities to enable the timely, reliable, and accurate collection,
13 processing, analysis, and dissemination of information to support overall
14 decision-making and effective coordination at both the national and sub-
15 national level. The protocols and procedures for this shall be defined in the IRR
16 of this Act.

17 **SECTION 34. Disaster Resilience Education and Training. –**

18 (a) To instill a culture of safety and security including emergency preparedness
19 and disaster resiliency, the Department, in partnership with the public and
20 private sectors shall encourage the inclusion of appropriate information on
21 disaster resilience in their various training programs and immersion activities.

1 (b) The IEC on disaster resilience shall be informative and holistic,
2 gender, culture and disability sensitive using various available platforms.

3
4 **ARTICLE IX**

5 **DISASTER RISK TRANSFER, INSURANCE AND INCENTIVES**

6 **SECTION 35. Disaster Risk Transfer, Insurance and Social Welfare. –**

7 (a) The Department shall oversee all disaster risk-sharing and risk-transfer
8 instruments and other related initiatives to ensure the protection of property and
9 livelihood, both public and private.

10 (b) The Department, in collaboration with the DOF, BSP, LBP, GSIS,
11 and the Insurance Commission, shall create, establish, and implement, among
12 others, disaster insurance pools, revolving funds, insurance and risk-transfer
13 schemes and/or facilities, and other financial disaster resilience measures to
14 ensure the protection of public and/or private properties and livelihood against
15 the adverse effects of natural disasters. For this purpose, the Department and/or
16 DOF may engage or require the participation of government banks, insurance
17 agencies and financial institutions.

18 (c) To attain disaster resilience and achieve the purposes of this Act, the
19 Department shall have the discretion and authority to require government
20 agencies and GOCCs to insure their assets and/or properties such as, among

1 others, vessels, vehicles, equipment, machineries, permanent buildings,
2 properties stored therein, or properties in transit, against insurable risks and pay
3 the premiums therefor, to compensate the Government and/or GOCC, as
4 applicable, for any damage to, or loss of, properties due to a natural disaster.

5 (d) The Department shall endeavor the local government units to insure
6 primary assets for unforeseen or contingent potential losses, damages and
7 disruption from natural hazards chargeable against their respective Local
8 Disaster Resilience Fund (LDRF).

9 **SECTION 36. Recognition and Incentives.** – The Department, in partnership
10 with the private sector, shall establish an incentives program that recognizes
11 outstanding performance of LDRC, NGOs, CSOs, schools, hospitals, and other
12 stakeholders in promoting and implementing significant disaster risk reduction
13 management-climate change adaptation programs and innovations, and
14 meritorious acts of individuals, groups or institutions during natural calamities

15
16 **ARTICLE X**

17 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

18 **SECTION 37. Standards for Disaster Preparedness Activities.** –

19 (a) The Department shall establish standards and protocols for disaster
20 preparedness, contingency planning, localizing and operationalizing disaster

1 risk reduction and management, preparedness for disaster response,
2 preparedness for early recovery, continuity of essential services, and other
3 relevant preparedness activities.

4 (b) The LGUs shall identify safe and strategic sites, and establish
5 evacuation centers with appropriate and adequate facilities in accordance with
6 government-approved standards as provided under Republic Act No. 10821,
7 otherwise known as “The Children’s Emergency Relief Protection Act”, to
8 avoid disruption of school classes and lessen the use of school buildings and
9 facilities as evacuation centers.

10 The LGUs shall immediately compensate said schools used as
11 evacuation centers. The schools may seek compensation for renovation,
12 replacement, or repairs of damaged facilities for such use.

13 **SECTION 38. Multi-Hazard Early Warning and Risk Communication**
14 **Standards. –**

15 (a) There shall be a streamlined policy governing early warning systems
16 and risk communication protocols to ensure effective and efficient measures to
17 prepare for, respond to and recover from potential risks and disasters.

18 (b) The Department shall formulate and implement multi-hazard early
19 warning protocols integrating all disaster preparedness systems in collaboration
20 with local executives, community-based organizations, civil society
21 organizations, and other non-governmental organizations for proper use and

1 application.

2 **SECTION 39. Early Warning Mandate. –**

3 (a) The Department shall issue an integrated early warning alert for the
4 impending occurrence of hazards that will enable the public to prepare timely
5 and act appropriately to minimize potential harm or loss.

6 (b) The Department shall require mobile phone service providers to send
7 out alerts at regular intervals in the event of an impending natural hazard, in
8 accordance with Republic Act No. 10639, otherwise known as the “Free Mobile
9 Disaster Alerts Act”.

10 (c) The Department shall recognize and proactively support local or
11 indigenous modes of early warning systems and allow open access to near real-
12 time data from both local and international sources made available through
13 various platforms such as websites, mobile apps, and social media to empower
14 local communities and individuals.

15 (d) Any person who transmits early warning concerning the
16 abovementioned phenomena by means of signs in designs, colors, lights, or
17 sound shall do so in compliance with the methods recognized or approved by
18 the Department.

19 (e) The Department at the national and local level shall use an integrated
20 early warning system to ensure it is consistent and locally contextualized with
21 the communication protocol and safe evacuation procedure of the affected

1 communities.

2 (f) The Department shall work with other agencies or organizations on
3 pre-crisis information mapping of the humanitarian needs of at-risk
4 communities that will enhance the overall prepositioning of resources at the
5 national and local level.

6 (g) The Department shall recognize and proactively support local or
7 indigenous modes of early warning systems and allow open access to near real-
8 time data from both local and international sources made available through
9 various platforms such as websites, mobile apps, and social media to empower
10 local communities and individuals.

11

12 **ARTICLE XI**

13 **DISASTER RESPONSE AND EARLY RECOVERY**

14 **SECTION 40. Declaration of State of Calamity.** – The Department shall
15 declare a cluster of barangays, municipalities, cities, provinces, and regions
16 under a state of calamity, and the lifting thereof, based on the criteria set by the
17 Department.

18 The declaration and lifting of the state of calamity may also be issued by
19 the local Sanggunian, upon the recommendation of the LDRO, based on the
20 results of the damage assessment and needs analysis: Provided, That through

1 the Department, the LDRO may seek from the local legislative body or
2 Sanggunian, the declaration of a state of imminent disaster to enable the local
3 executives to implement pre-emptive evacuation and precautionary measures
4 in order to save lives and minimize damage to property, loss and disruption of
5 livelihood that require the use of funds and resources under the LDRF.

6 **SECTION 41. Levels of Responsibility for Disaster Preparedness and**

7 **Response.** – The primary responsibility for disaster preparedness and response
8 shall be exercised at the local or national level, as applicable, in close and
9 seamless collaboration with the relevant national government instrumentalities,
10 non-government stakeholders, and international partners. The four levels of
11 responsibility and the conditions that warrant each are as follows:

12 **LEVELS OF RESPONSIBILITY RESPONSIBLE OFFICIALS**
13 **CONDITIONS**

14 **Level 1: City or Municipality**

15 Lead Official: Mayor of the affected city or municipality

16 Support: City or Municipal Disaster Resilience Officer. If a disaster
17 affects a single city or municipality

18 **Level 2: Province**

19 Lead Official: Provincial Governor of the affected province

20 Support: Provincial Disaster Resilience Officer, Municipal and/or City

1 Mayors concerned. Municipal and/or City Disaster Resilience Officers
2 concerned

3 If a disaster affects two or more municipalities and/or cities within a
4 province

5 Level 3: Region

6 Lead Official: Regional Director, DDR

7 Support: Governors of affected provinces Concerned Provincial Disaster
8 Resilience Officers

9 If a disaster affects two or more provinces within a region (except for the
10 National Capital Region)

11 Level 4: National

12 Lead Official: Secretary of Disaster Resilience (SDR)

13 Support: Governors concerned Disaster Resilience Officers concerned

14

15 a. If a disaster affects at least two (2) regions;

16 b. When the LGU is unable to effectively cope with the risk and/or
17 impact of a hazard; or

18 c. When the President directs a Level 4 response or declares a state of
19 calamity.

1 **SECTION 42. Disaster Preparedness and Response in the NCR.** – When at
2 least two cities and/or municipality in the NCR are affected, the SDR shall be
3 responsible for leading the disaster preparedness and response efforts, in
4 collaboration with the affected LGUs, the MMDA, and the concerned
5 government instrumentalities and non-government stakeholders.

6 **SECTION 43. Inter-Local Government Assistance.** – LGUs are hereby
7 authorized to extend the necessary assistance to another LGU, whether through
8 funding or donation of goods and/or services, and conducting disaster
9 preparedness and response operations, to help save lives and minimize damage
10 to property. These include the pre-positioning and provision of basic goods,
11 training of first responders, among others, subject to the accounting and
12 auditing rules to be defined in the IRR of this Act.

13 **SECTION 44. Accreditation, Mobilization, and Protection of Disaster**
14 **Volunteers and National Service Reserve Corps, CSOs and the Private**
15 **Sector.** – The government agencies, CSOs, private sector and LGUs may
16 mobilize individuals or organized volunteers to augment their respective
17 personnel complement and logistical requirements in the delivery of disaster
18 risk reduction programs and activities. The agencies, CSOs, private sector, and
19 LGUs concerned shall take full responsibility for the enhancement, welfare and
20 protection of volunteers, and shall submit the list of volunteers to the
21 Department, through the LDROs, for accreditation and inclusion in the

1 database of community disaster volunteers.

2 A national roster of ACDRVs and Institutions, National Service Reserve
3 Corps, CSOs and the private sector shall be maintained by the Department
4 through the LDROs. Accreditation shall be done at the municipal or city level.

5 The mobilization of volunteers shall be in accordance with this Act and
6 implementing guidelines to be formulated by the Department. Any volunteer
7 who incurs death or injury while engaged in any of the activities defined under
8 this Act shall be entitled to compensatory benefits and individual personnel
9 accident insurance as may be defined in the IRR.

10 **SECTION 45. Reporting of Humanitarian Assistance.** – The
11 concerned local government unit shall submit a report to the Department, taking
12 into account all domestic or international humanitarian assistance received and
13 distributed within its area of responsibility.

14
15 **ARTICLE XII**

16 **HUMANITARIAN ASSISTANCE**

17 **SECTION 46. Management of Humanitarian Assistance.** –

18 (a) The Department shall have the power to receive and manage
19 humanitarian assistance from any person or entity, whether from local or
20 international sources.

1 (b) The importation by, and humanitarian assistance to, the Department
2 of, among others, food, clothing, medical assistance, equipment, and materials
3 for relief, recovery and other disaster management activities are hereby
4 authorized in accordance with Section 105 of the Tariff and Customs Code of
5 the Philippines, as amended, and the prevailing provisions of the General
6 Appropriations Act covering national internal revenue taxes and import duties
7 of national and local government agencies.

8 **SECTION 47. International Humanitarian Assistance.** – The Department
9 shall promulgate guidelines on international humanitarian assistance, including
10 the initiation, entry, facilitation, transit, regulation and termination thereof, as
11 well as those involving international disaster relief and personnel assisting
12 international actors, visa waiver, recognition of foreign professional
13 qualifications, entry of international disaster goods and equipment, and
14 exemption from port duties, taxes, and restrictions.

15 **SECTION 48. Assessment of the Need for International Humanitarian**
16 **Assistance.** –

17 (a) Immediately after the declaration of a state of calamity by the local
18 sanggunian of the relevant local government unit or by the Department, as the
19 case may be, the Department shall determine whether domestic capacities are
20 likely to be sufficient to attend to the needs of affected persons for international
21 humanitarian assistance. This determination may also be made, at the discretion

1 of the President, prior to the onset of an imminent disaster.

2 (b) In the event of a determination by the Department that domestic
3 response capacities are not likely to be sufficient due to the impact of the
4 disaster, the Department shall recommend to the President that a request be
5 made for international humanitarian assistance.

6 (c) A determination that domestic capacities are likely to be sufficient
7 and that international humanitarian assistance is therefore unnecessary may be
8 reviewed and rescinded by the Department, with the approval of the President,
9 at any time, in light of prevailing circumstances and available information.

10 **SECTION 49. Humanitarian Assistance Action Center.** – The Department
11 shall create an inter-agency one-stop shop mechanism called the Humanitarian
12 Assistance Action Center (HAAC) for the processing and release of entry and
13 facilitation of goods, articles or equipment and services and international relief
14 workers for the provision of international humanitarian assistance and the
15 processing of necessary documents for assisting international actors.

16 The Department shall lead and manage the HAAC, which shall be
17 composed of the following:

18 (a) Bureau of Customs;

19 (b) Department of Foreign Affairs;

20 (c) Department of Social Welfare and Development;

- 1 (d) Department of Health;
- 2 (e) Food and Drug Administration;
- 3 (f) Department of Agriculture;
- 4 (g) Department of Energy;
- 5 (h) Department of National Defense;
- 6 (i) Philippine National Police;
- 7 (j) Philippine Coast Guard; and
- 8 (k) Bureau of Immigration.

9

10 **SECTION 50. Request for International Humanitarian Assistance. –**

11 (a) In cognizance of the urgency, criticality and intensity of an imminent risk,
12 the Department shall issue a flash appeal to the family of nations, under regional
13 and multilateral conventions, for assistance in preparedness, including
14 preemptive measures, search, rescue, and retrieval, relief, recovery, and
15 reconstruction.

16 (b) The President may request international humanitarian assistance,
17 upon the advice of the Secretary. Such request may be specifically directed to
18 particular assisting international actors or may be a general request directed to
19 the international community.

1 **SECTION 51. Regulation of Humanitarian Assistance. –**

2 (a) The Department shall ensure the efficient and effective monitoring of
3 humanitarian assistance from domestic or international donors, establish and
4 operate a platform, including an online platform, to facilitate, and provide
5 public access to information on donations.

6 (b) The Department shall include in the IRR of this Act guidelines and
7 accountabilities on the receipt, management, distribution, accounting, and
8 reporting of all humanitarian assistance, whether in cash or in kind, consistent
9 with the rules on the use of foreign and local aid during calamities and disasters
10 issued by the COA and other relevant government agencies.

11
12 **ARTICLE XIII**

13 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE**
14 **TO FOREIGN STATES**

15 **SECTION 52. Offer and Facilitation of International Humanitarian**
16 **Assistance to Foreign States. –** In the event of a disaster occurring in a foreign
17 state for which international humanitarian assistance is required, the
18 Department, in coordination with the DFA, may offer, facilitate, provide, and
19 deploy international humanitarian assistance to said foreign state, which shall
20 be subject to guidelines to be promulgated by the Department for the purpose.

1 **SECTION 53. Accreditation.** – The Department, in coordination with relevant
2 government agencies and organizations, shall provide and facilitate the
3 necessary training and accreditation to the respective government personnel to
4 be deployed for such offer, facilitation and provision of international
5 humanitarian assistance to a foreign state.

6
7 **ARTICLE XIV**

8 **RECOVERY**

9 **SECTION 54. Standards for Recovery.** – The Department shall observe
10 internationally accepted standards for recovery, planning, programming and
11 implementation of the recovery process. Towards this end, the Department
12 shall:

13 a) Improve the community’s physical, social and economic resilience,
14 consistent with the principle of “building forward better”;

15 b) Use locally-driven, centrally-supported processes based on legal
16 mandates with supplementary capacity support when requested;

17 c) Redirect development outside danger zones to minimize loss of lives
18 and structures resulting from typhoons, flooding, landslides, and other hazards

19 d) Employ outcome-driven planning and implementation;

20 e) Maximize use of Private-Public sector partnership where possible;

1 f) Consider local conditions such as culture, security situation and
2 existing capacities of communities in identifying programs and projects;

3 g) Ensure access to public transport, physical and mental health
4 services, markets, schools, sustainable livelihoods, and other public services in
5 planning for settlement areas; and

6 h) Ensure restoration of peace and order and recovery of government
7 functions.

8
9 **ARTICLE XV**

10 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**

11 **SECTION 55. Declaration of State of Calamity.** – A state of calamity may
12 be declared when any of the following requisites are present:

13 a. A natural hazard, including climate change, poses imminent threat to
14 human life and/or danger to property; or

15 b. A significant impact is caused by a natural hazard or climate change,
16 which demands immediate action.

17 The following shall exercise this power, respectively:

18 a. The President, upon recommendation of the SDR, whether in whole
19 or part of an area;

20 b. The SDR, upon recommendation of the RDRO, for disasters

1 covering two or more provinces of the same region; and

2 c. The local sanggunian, upon recommendation of the concerned local
3 disaster resilience office, within its jurisdiction.

4 **SECTION 56. Remedial Measures under State of Calamity.** – Upon the
5 declaration of a state of calamity, the following remedial measures shall be
6 immediately undertaken by concerned government agencies at the national and
7 local levels:

8 a) Imposition of price ceiling on basic necessities and prime
9 commodities by the Price Coordinating Council (PCC), as provided for under
10 Republic Act no. 7581, otherwise known as the “Price Act”, as amended by
11 Republic Act no. 10623;

12 b) Monitoring, prevention and control by the Local Price Coordination
13 Council of overpricing or profiteering and hoarding of prime commodities,
14 medicines and petroleum products;

15 c) Programming or reprogramming of funds for the repair of critical
16 facilities or public infrastructures that are vital for the quick delivery of
17 humanitarian assistance, to reduce further threat to lives and arrest further
18 deterioration of properties and loss of livelihoods in the affected communities,
19 following the “build forward better” principle;

20 d) Grant of no-interest loans by government financing or lending
21 institutions to the most vulnerable and marginalized groups or individuals;

1 e) Local tax exemptions, incentives or reliefs under such terms and
2 conditions as may be deemed necessary by the affected local government unit;

3 and

4 f) Use of alternative modes of procurement under Article XVI of this
5 Act, by the Department, LGUs or the relevant government instrumentalities in
6 relation to the urgent procurement of emergency works, goods or services to
7 effectively respond to, quickly recover from disasters, and build forward better.

8
9 **ARTICLE XVI**

10 **PROCUREMENT**

11 **SECTION 57. Procurement.** – In general, the procurement rules provided
12 under Republic Act No. 9184, otherwise known as the “Government
13 Procurement Reform Act”, shall apply. However, alternative modes of
14 procurement as provided in this Act may be resorted to by the Department,
15 RDROs, or LGUs in any of the following emergency situations:

16 a) There is imminent danger to life or property during a state of
17 calamity, as provided under this Act, and the procurement is necessary to avert
18 or reduce such danger to life or property; or

19 b) The procurement is necessary to restore vital public services,
20 infrastructure facilities and other public utilities; or

1 c) Time is of the essence in implementing a project, program or activity
2 to effectively respond to a disaster and save lives; or

3 d) There are other circumstances that require immediate procurement
4 necessary to prevent damage to or loss of life or property.

5 **SECTION 58. Alternative Modes of Procurement.** – During emergency
6 situations as provided under this Act, the Department, RDROs or LGUs may
7 resort to the following modes of procurement:

8 a) Direct negotiation under Republic Act No. 9184, otherwise known
9 as the “Government Procurement Reform Act”, and its implementing rules and
10 regulations;

11 b) Simplified or pre-arranged contracts such as, among others, pre-
12 signed agreements, stand-by contracts, pre-arranged systems of procurement
13 with a pre-approved list of contractors for construction projects, pre-negotiated
14 contracts, advanced procurements contracts, and framework contracts. The
15 parameters, requirements and conditions for these types of contracts shall be
16 defined in this Act’s IRR.

17 **SECTION 59. Special Rules on Procurement for Reconstruction and**
18 **Rehabilitation of Affected Areas.** –

19 (a) The Department, with the assistance of, or in collaboration with, relevant
20 government agencies, shall create special rules on procurement for services,
21 goods, and materials to be used for reconstruction and rehabilitation efforts in

1 case of a natural disaster, including but not limited to, the construction of post-
2 disaster shelters and provision of service contracts, to ensure the procurement
3 of quality-oriented goods, materials, and equipment and to guarantee effective,
4 efficient, and speedy procurement to achieve the goals of this act.

5 (b) In case of procurement of services, goods, or materials for
6 reconstruction and rehabilitation efforts, whether from local or international
7 sources, the Department and the relevant government agencies shall provide
8 less bureaucratic restrictions, more flexible procurement policies, or exemption
9 from, or reduction of, customs duties.

10 **SECTION 60. Procurement from Qualified Suppliers or Contractors.** – As
11 an exception to the provisions of Republic Act No. 9184, otherwise known as
12 the “Government Procurement Reform Act”, and its implementing rules and
13 regulations, the Department shall have the power to procure goods and services
14 from either local or foreign suppliers or contractors for purposes of
15 implementing programs, projects, and activities related to disaster resilience
16 and disaster management. The conditions, limitations, application processes,
17 eligibility requirements and assessment criteria for local and foreign suppliers
18 and contractors shall be provided in this Act’s IRR.

19 **SECTION 61. Pre-Arranged Contracts or Agreements with Private Sector**
20 **Entities.** – Notwithstanding Republic Act No. 9184, otherwise known as the
21 “Government Procurement Reform Act”, the Department shall have authority

1 to enter into pre-arranged or contingency contracts or agreements with private
2 sector entities for the purpose of, among others, establishing, a logistics system
3 for the efficient and prompt distribution of goods, equipment or other materials
4 required for disaster response and management; securing food, medicines, fuel,
5 or other supplies from groceries, pharmacies, gas stations or other sources in
6 the event of a disaster in a specific area; ensuring an alternative source of power
7 or water from private utilities in the event of a disaster in a specific area; or
8 other arranging the immediate supply of other goods, services or equipment
9 necessary for disaster response and management. The conditions, limitations
10 and parameters of contracts or arrangements authorized under this Section shall
11 be provided in this Act's IRR.

12 **SECTION 62. Other Procurement Rules and Policies.** – In view of the
13 urgency and avoid unnecessary delays to procure goods, services, and
14 implement projects for the purpose of providing responsive, effective, and
15 efficient rescue, recovery, relief, and rehabilitation efforts for, and to continue
16 the provision of basic services to, disaster victims or disaster affected areas, the
17 DBM and GPPB shall issue appropriate resolutions, orders, and policies to
18 effectively implement the provisions of this Act.

19 **SECTION 63. Government Accounting and Auditing Policies.** – The COA
20 shall review, align, and issue policies or rules to improve the efficiency and
21 expediency of procurement and audit processes for programs and projects

1 related to disaster resilience and management.

2 **ARTICLE XVII**

3 **SPECIAL RULES ON BORROWINGS AND TAXES**

4 **SECTION 66. Rules on Borrowing.** – The LGUs shall access foreign
5 financing, through the DOF, Bangko Sentral ng Pilipinas (BSP), and other
6 relevant agencies, as applicable, to implement disaster prevention, mitigation,
7 early recovery, and rehabilitation measures at the provincial, city, or municipal
8 level.

9 **SECTION 67. Special Rules on Tax and Duties.** – To facilitate prompt,
10 efficient and effective response to, recovery from disasters, and building
11 forward better in disaster-affected areas, the following shall be granted special
12 exemptions from existing taxation laws, rules, and regulations:

13 a. Exemption from taxes and import duties for foreign disaster
14 assistance or international donations coursed through the Department;

15 b. Exemption from donor's tax and allowing the treatment of donations
16 as a deductible expense for local disaster assistance coursed through the
17 Department;

18 c. Exemption from the Value Added Tax (VAT) for goods or services
19 donated from abroad as coursed through the Department;

20 d. Tax incentives to encourage members of the private sector to render

1 aid or provide disaster assistance, and/or to invest in disaster resilience and
2 climate change adaptation and mitigation measures for their residences,
3 communities and/or businesses.

4 LGUs may also implement local tax rules that would grant disaster
5 victims reasonable reduction, exemption, or deferment of local taxes or other
6 types of tax assessments; or take other necessary action at the local level to
7 provide tax relief to disaster victims.

8 **SECTION 68. Custom Duties and Tariffs on Donations.** – The BOC shall
9 create rules that would, among others, hasten the processing and release of
10 donated goods and equipment to disaster victims and/or affected areas.

11 **SECTION 69. Economic Recovery and Development of Disaster-Prone**
12 **Areas.** – The Department, in coordination with the Department of Trade and
13 Industry (DTI) and other relevant agencies, shall craft policies, and implement
14 the necessary programs and projects to stimulate economic activities and
15 encourage investments to assist disaster-affected areas develop or recover
16 faster, as applicable.

17 The Department, in collaboration with the relevant LGUs and other
18 stakeholders, shall likewise establish dual purpose structures in disaster-
19 affected areas, such as, among others, community agricultural centers,
20 classrooms, and water harvesting tanks to develop and promote investments in
21 disaster-prone or affected areas.

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ARTICLE XVIII

PROHIBITED ACTS AND PENALTIES

SECTION 70. Prohibited Acts. – Any public official, private person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the criminal and administrative penalties as provided for in Section 71 of this Act, without prejudice to the imposition of other criminal, civil and administrative liabilities under existing laws.

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

(1) Dereliction of duties that leads to destruction, loss of lives, critical damage of facilities and misuse of funds;

(2) Failure to enforce laws, standards, or regulations such as the National Building Code, Solid Waste Management Act, Water Code, and other relevant laws, leading to destruction, loss of lives, and/or critical damage of facilities;

(3) Failure to create a functional LDR Office within six (6) months from the approval of this Act;

(4) Failure to appoint a permanent local disaster resilience officer within

1 six (6) months from approval of this Act;

2 (5) Failure to prepare and implement a Contingency and Adaptation Plan
3 for hazards frequently occurring within their jurisdictions;

4 (6) Failure to formulate and implement the LDRP with the
5 corresponding budget allocation; and

6 (7) Sexual exploitation and abuse and other forms of sexual misconduct
7 on the affected population or at-risk communities.

8 **b) Prohibited Acts of Public Officials and Private Persons or Institutions.**

9 –

10 (1) Delay, without justifiable cause in the delivery, proper handling or
11 storage of aid commodities, resulting to damage or spoilage;

12 (2) Withholding the distribution of relief goods due to (i) political or
13 partisan considerations; (ii) discrimination based on race, ethnicity, religion, or
14 gender; and (iii) other similar circumstances;

15 (3) Preventing the entry and distribution of relief goods in disaster-
16 stricken areas, including appropriate technology, tools, equipment, accessories,
17 disaster teams or experts;

18 (4) Buying, for consumption or resale, from disaster relief agencies any
19 relief goods, equipment or other and commodities, which are intended for
20 distribution to disaster-affected communities;

1 (5) Buying, for consumption or resale, from the recipient disaster
2 affected persons any relief goods, equipment or other aid commodities received
3 by them;

4 (6) Selling of relief goods, equipment or other aid commodities, which
5 are intended for distribution to disaster victims;

6 (7) Forcibly seizing relief goods, equipment or other aid commodities
7 intended for or consigned to a specific group of victims or relief agency;

8 (8) Diverting or mis-delivery of relief goods, equipment or other aid
9 commodities to persons other than the rightful recipient or consignee;

10 (9) Accepting, possessing, using or disposing relief goods, equipment or
11 other aid commodities not intended for nor consigned to him or her;

12 (10) Misrepresenting the source of relief goods, equipment or other
13 aid commodities by:

14 i. Either covering, replacing or defacing the labels of the containers to
15 make it appear that the goods, equipment or other aid commodities came from
16 another agency or persons;

17 ii. Repacking the goods, equipment or other aid commodities into
18 containers with different markings to make it appear that the goods came from
19 another agency or persons or was released upon the instance of a particular
20 agency, person, or persons; and

1 iii. Making false verbal claim that the goods, equipment or other and
2 commodity in its untampered original containers actually came from another
3 agency or persons or was released upon the instance of a particular agency,
4 person, or persons;

5 (11) Substituting or replacing relief goods, equipment or other aid
6 commodities with the same items or inferior/cheaper quality;

7 (12) Illegal solicitations by persons or organizations representing
8 others as defined in the standards and guidelines set by the Department;

9 (13) Deliberate use of false at inflated data in support of the request
10 for funding, relief goods, equipment or other aid commodities for
11 emergency assistance or livelihood projects;

12 (14) Stealing, taking, or processing of any of the equipment,
13 accessories and other vital facility or items or any part thereof;

14 (15) Selling or buying stolen equipment, accessories, and other
15 vital facility items or any part thereof;

16 (16) Tampering with or stealing hazard monitoring and disaster
17 preparedness equipment and paraphernalia;

18 (17) Attempting to commit any of the abovementioned prohibited
19 acts; and

20 (18) Benefitting from the proceeds or fruits of any of the

1 abovementioned prohibited acts knowing that the proceeds or fruits are derived
2 from the commission of said prohibited acts.

3 **SECTION 71. Penalties.** – Any individual, corporation, partnership,
4 association or other juridical entity that commits any of the prohibited acts in
5 the preceding section shall be made liable for the following:

6 (a) The penalty of imprisonment of not less than twelve (12) years but
7 not more than fifteen (15) years or a fine of not less than One Million Pesos
8 (Php1,000,000.00) but not more than Three Million Pesos (Php3,000,000.00),
9 or both imprisonment and fine at the discretion of the court shall be imposed
10 upon any person found guilty of violating subsections (a)(1) to (b)(18) of the
11 preceding section, as well as the confiscation or forfeiture in favor of the
12 government of the objects and the instrumentalities used in the commission of
13 the prohibited acts;

14 (b) The penalty of imprisonment of not less than six (6) years but not
15 more than eight (8) years or a fine of not less than Five Hundred Thousand
16 Pesos (Php 500,000.00) but not more than One Million Pesos (Php
17 1,000,000.00), or both imprisonment and fine at the discretion of the court, shall
18 be imposed upon any person who attempts to commit any of the prohibited acts
19 in the preceding Section, in violation of Subsection (b)(17) thereof;

20 (c) The penalty of imprisonment of not less than two (2) years but not
21 more than six (6) years or a fine of not less than Two Hundred Thousand Pesos

1 (Php 200,000.00) but not more than Five Hundred Thousand Pesos (Php
2 500,000.00), or both imprisonment and fine at the discretion of the court, shall
3 be imposed upon any person found guilty of unlawfully benefiting from the
4 proceeds or fruits of any of the prohibited in the preceding section, in violation
5 of subsection (b)(18) thereof;

6 (d) Aside from the penalty of fine or imprisonment or both, perpetual
7 disqualification from public office shall be imposed if the offender is a public
8 officer, and confiscation or forfeiture in favor of the government of the objects
9 and the instrumentalities used in the commission of any of the prohibited in the
10 preceding section;

11 (e) If the offender is a corporation, partnership or association, or other
12 juridical entity, the penalty shall be imposed upon the officer or officers of the
13 corporation, partnership, association or entity responsible for the violation
14 without prejudice to the cancellation or revocation of these entities'
15 registration, license or accreditation issued to them by any licensing or
16 accredited body of the government. If such offender is an alien, he or she shall,
17 in addition to the penalties prescribed in this act, be deported without further
18 proceedings after service of sentence;

19 (f) Payment of the full cost of repair or replacement of the government
20 risk reduction and preparedness equipment, accessories and other vital facility
21 items, or any part thereof, which is the object of the crime shall likewise be

1 imposed upon any person who shall commit any of the prohibited acts in the
2 preceding Section; and

3 (g) The prosecution for offenses set forth under the preceding section
4 shall be without prejudice to any criminal liability for violation of Republic Act
5 No. 3815, as amended, otherwise known as the “Revised Penal Code”, and
6 other existing laws, as well as the imposition of applicable administrative or
7 civil liabilities.

8 **SECTION 72. Liability for Unlawful Performance of Duties and State**

9 **Liability in case of Defense Litigation.** – In case a lawsuit is filed against any
10 personnel of the Department as a result of the performance of his or her duties,
11 and such performance was found to be lawful, he or she shall be reimbursed by
12 the Department for reasonable costs of litigation. For this purpose, the
13 Department is authorized to procure applicable liability insurance for its
14 officers and employees.

15 **SECTION 73. Disciplinary powers of the President.** – The President, subject

16 to the recommendation of the Department Secretary and the Department of the
17 Interior and Local Government (DILG), shall have the power to impose
18 administrative sanctions against local chief executives and barangay officials
19 for willful or negligent acts that relate to the implementation of, or compliance
20 with, this Act and its IRR or relating to their official functions, which adversely
21 affect disaster resilience projects such as, but not limited to, delayed issuance

1 of permits or failure to implement local ordinances.

2
3 **ARTICLE XIX**

4 **DISASTER RESILIENCE FUND**

5 **SECTION 74. Appropriations and Management of Disaster Resilience**

6 **Fund.** - The budget of the Department shall be composed of the following,
7 which shall be collectively called the Disaster Resilience Fund:

8 a. Annual General Appropriations – shall provide the funding
9 requirements for, among others, research, operations, maintenance, plans, and
10 programs of the Department of Disaster Resilience, including, but not limited
11 to, establishment of evacuation centers, retrofitting of structures, establishment
12 of emergency operating centers, and implementation of other disaster risk
13 reduction projects.

14 b. Disaster Contingency Fund – shall be in a lump-sum form to provide
15 funds in case of imminent hazards or actual disasters for, among others,
16 immediate response, relief and quick recovery measures for disaster affected
17 areas.

18 c. Rehabilitation and Recovery Fund – shall provide the funding
19 requirements for rehabilitation and/or reconstruction projects of disaster
20 affected areas such as public classrooms, government buildings, public

1 hospitals, permanent shelters and livelihood programs.

2 The Disaster Resilience Fund shall be managed by the Department to
3 finance its operations, and disaster risk reduction, disaster preparedness,
4 response, recovery, rehabilitation and building forward better programs,
5 projects and activities formulated at the national level.

6 **SECTION 75. Continuing Appropriations.** – The unutilized balances from
7 the Disaster Contingency Fund, and Rehabilitation and Recovery Fund shall be
8 treated as Continuing Appropriations, which may be used to finance the cost of
9 projects, programs, and/or activities even when such costs are incurred beyond
10 the fiscal year of the GAA from which such funds were appropriated.

11 **SECTION 76. Fund Regulations.** – The DBM and COA shall establish rules
12 and regulations that apply specifically to the Disaster Resilience Fund to ensure
13 that funds required for disaster response, recovery, and rehabilitation are
14 available and/or released efficiently and expeditiously through innovative
15 budgeting and auditing mechanisms, which may include, among others,
16 providing for longer validity periods for funds and/or exemption from cash-
17 based budgeting rules; imposing auditing or reporting requirements, which
18 apply specifically to the utilization of the Disaster Resilience Fund.

19 **SECTION 77. Local Disaster Resilience Fund and Local Disaster**
20 **Contingency Fund.** – LGUs shall annually set aside not less than ten percent
21 (10%) of their local budget, to constitute a Local Disaster Resilience Fund

1 (LDRF). The LGU shall use its LDRF to maintain and operate its local disaster
2 resilience office to maintain its officers, employees and staff, and to implement
3 plans, programs and activities under its LDRP. Thirty percent (30%) of the
4 LDRF shall be set aside as Local Disaster Contingency Fund (LDCF), which
5 shall be used for disaster response and quick recovery measures. Nothing
6 contained in this Act shall prevent LGUs from providing additional funding or
7 allocating additional resources for disaster resilience activities, plans and
8 programs within their jurisdiction.

9 **SECTION 78. Supplemental LDRF.** – The Department may allocate and
10 disburse funds to supplement an LGU’s LDRF based on the parameters and
11 requirements indicated in the IRR. In determining such parameters and
12 requirements, the IRR shall aim to provide supplemental funds to LGUs with
13 low income and/or high exposure to natural hazards. Supplemental LDRFs
14 shall, as much as possible, fill gaps or shortages in LGU resources to ensure
15 that LGUs can implement disaster resilience measures such as, among others,
16 implementing their LDRP/Provincial LDRP, establishing their local disaster
17 resilience offices, obtaining and/or maintaining the necessary equipment and
18 staff in their local disaster resilience offices, and implementing the NDRF and
19 NDRPIP at the local levels.

20 **SECTION 79. People’s Survival Fund.** – The Department shall manage and
21 administer the People’s Survival Fund, created under Republic Act no. 10174,

1 and facilitate its utilization by LGUs, through RDROs, to implement climate
2 change adaptation and mitigation projects of LGUs and enhance the climate
3 resilience of vulnerable communities.

4 **SECTION 80. Multi-Donor Trust Fund.** – The Department shall create and
5 manage, together with the Bureau of Treasury, a Multi-Donor Trust Fund for
6 the processing, releasing and accounting of money and other similar resources
7 intended for disaster assistance. The Department shall establish a system to
8 ensure transparency in the management and use of the Multi-Donor Trust Fund.

9 **SECTION 81. Financial Administration.** – The Department shall manage all
10 funds appropriated to it by Congress and received from other sources. The
11 Department shall also manage all donations received by it, subject to the
12 auditing powers of the COA.

13 To fund its operations, the Department shall have the power to collect
14 fees derived from the DRRTI and other related activities.

15
16 **ARTICLE XX**

17 **SPECIAL COURTS AND INJUNCTIONS**

18 **SECTION 84. Special Courts on Disaster Resilience Matters.** – To ensure
19 the prompt and expeditious resolution of disputes relating to disaster response,
20 recovery or rehabilitation measures, the Supreme Court shall designate special

1 courts to hear, try, and decide cases arising from the following, among others:

2 (a) Expropriation, eminent domain or right-of-way issues related to the
3 implementation of disaster resilience projects;

4 (b) Failure to comply with standards for disaster risk reduction and
5 continuity planning, including, but not limited to, infrastructure
6 standards and designs;

7 (c) Commission of prohibited acts under Article XVIII of this Act; and

8 (d) Disputes involving donations, relief goods, or contracts executed or
9 implemented pursuant to the provisions of this Act.

10 **SECTION 85. Dispute Resolution Mechanisms.** – The Department shall
11 establish a Disaster Resolution Board, which shall resolve disputes involving
12 administrative matters related to:

13 (a) Accreditation or denial of accreditation of disaster resilience training
14 institutions, trainers, instructors, donors, volunteers, and Assisting Domestic or
15 International Actors;

16 (b) Decisions of the RDROs;

17 (c) Contracts entered into by the Department or any of its agents
18 pursuant to the provisions of this Act; and

19 (d) Other administrative matters or issues as may be determined by the
20 Department.

1 The composition, structure, and other organizational matters related to
2 the DRB shall be defined and provided in this Act's IRR.

3 SECTION 86. Imposition of Temporary Restraining Order. - No Court,
4 except the Supreme Court, shall have the power to issue an injunction or a
5 temporary restraining order against any action taken or projects implemented
6 by the Department or its agents pursuant to this Act.

7
8 **ARTICLE XXI**

9 **FINAL PROVISIONS**

10 **SECTION 87. Transfer of Functions.** – The following are hereby transferred
11 to the Department:

12 a. All the functions of the Climate Change Commission
13 (CCC);

14 b. Natural disaster-related functions of the National Disaster Risk
15 Reduction and Management Council (NDRRMC) and the Office of Civil
16 Defense (OCD); and

17 c. Natural disaster-response functions of the Department of Social
18 Welfare and Development (DSWD).

19 Accordingly, the CCC and NDRRMC are hereby abolished.

20 The DILG, DND, DSWD, and other relevant government

1 instrumentalities, including the AFP, BFP, PNP, PCG, and OCD, shall continue
2 to perform their functions related to the management of human-induced
3 disasters, as provided for by existing laws.

4 **SECTION 88. Transfer of Resources.** – The transfer of powers and functions
5 listed above shall include the corresponding funds and appropriations, plantilla
6 positions, data, records, equipment, facilities, properties and other resources of
7 the concerned government instrumentalities. The Department shall have the
8 power to reorganize or reallocate these resources and positions, as may be
9 necessary to attain the goals and objectives of this Act.

10 **SECTION 89. Program Management Office for the Earthquake Resiliency**
11 **of the Greater Metro Manila Area.** – The Program Management Office for
12 the Earthquake Resiliency of the Greater Metro Manila Area (PMO-ERG), as
13 created pursuant to and mandated by Executive Order no. 52, s. 2018, shall be
14 attached to the Department and be authorized to implement earthquake
15 resiliency programs, projects, and activities, as it may deem necessary to carry
16 out its mandate and attain its overall goals. The Head of the PMO-ERG shall
17 report directly to the SDR.

18 **SECTION 90. Post-Disaster Shelters.** – The Department shall establish a
19 post-disaster shelter recovery policy framework for low-income/informal
20 settler families, with the assistance of the appropriate housing agencies and the
21 applicable LGUs. It shall determine, among others, the appropriate shelter

1 modalities depending on the following phases: emergency, temporary or
2 transitional, and permanent. The Department shall likewise identify, assess, and
3 decide on safe zones for the implementation of recovery or rehabilitation
4 projects.

5 **SECTION 91. Cultural Heritage.** – To protect, preserve, and promote the
6 nation’s historical and cultural heritage, the Department shall assist the relevant
7 cultural and heritage agencies and the appropriate LGUs to give priority
8 protection and restoration to all national cultural treasures or national historical
9 landmarks, sites, or monuments in post-disaster recovery or rehabilitation
10 measures.

11 **SECTION 92. Indigenous People.** – The Department, with the assistance of
12 the National Commission on Indigenous Peoples (NCIP) and the applicable
13 LGUs, shall devise and implement mechanisms that foster social protection for
14 indigenous communities that are vulnerable to the effects of natural disasters.

15 The Department shall ensure respect for, and protection of, the traditional
16 resource right of the Indigenous Cultural Communities/Indigenous Peoples
17 (ICCs/IPs) to their ancestral domains, and recognize the customary laws and
18 traditional resource use and management, knowledge, and practices in ancestral
19 domains.

20 In ancestral domains that are disaster-prone, the Department, with the
21 assistance of the NCIP and applicable LGUs, shall create an Ancestral Domain

1 Disaster Management and Resiliency Plan. It shall likewise properly
2 communicate and explain information on disaster risks in ancestral domains
3 with the concerned ICCs/IPs and, as much as possible, engage such ICCs/IPs
4 in jointly formulating a disaster resiliency plan for their ancestral domain.

5 **SECTION 93. Incentives Program.** – The Department shall establish an
6 incentives program that recognizes the outstanding promotion and
7 implementation by local disaster resilience offices, CSOs, academe, and other
8 institutions of disaster resilience programs and/or projects, and the meritorious
9 acts of individuals or entities during natural disasters.

10 **SECTION 94. Structural Audit of Government Buildings and Critical**
11 **Infrastructure.** – The Department shall be assisted by the DPWH, DOTr,
12 Department of Energy (DOE), DOH, DepEd, DICT, DILG, local building
13 officials, and other relevant government instrumentalities and stakeholders, in
14 ensuring the effective and expeditious conduct of structural audit, as often as
15 necessary, on government buildings, critical infrastructure, and private
16 structures to attain the disaster risk reduction goals of this Act.

17 **SECTION 95. Transitory Provision** – The functions, assets, funds,
18 equipment, properties, transactions, and personnel of the affected and
19 transferred agencies, and the formulation of the internal organic structure,
20 staffing pattern, operating system, and revised budget of the Department, shall
21 be completed within one (1) year from the effectivity of this Act, during which

1 time the existing personnel shall continue to assume their posts on holdover
2 capacity. The Department, in collaboration with the DBM, shall come up with
3 its Organizational Structure and Staffing Pattern, both of which shall be
4 approved within thirty (30) days from the effectivity of this Act.

5 The Secretary of National Defense shall serve as the interim SDR until
6 such time that the SDR has been appointed and taken his/her oath of office.
7 Upon assumption to duty, the SDR shall make use of the existing structure,
8 systems, and personnel in responding to natural hazards and disasters within
9 the transition period.

10 In accordance with Section 12 of this Act and the critical importance of
11 attracting the most competent and dedicated personnel to the Department,
12 suitable and qualified career personnel from the NDRRMC-OCD, DSWD, and
13 the CCC, as defined by the CSC and other pertinent rules, may be absorbed by
14 the Department. The system and mechanics for this shall be defined in the IRR
15 of this Act.

16 **SECTION 96. Magna Carta Benefits.** – Qualified employees of the
17 Department, including those of its attached agencies, shall be covered by and
18 entitled to the benefits under Republic Act No. 8439, otherwise known as the
19 Magna Carta for Scientists, Engineers, Researchers and other S & T Personnel
20 in the Government, and Republic Act No. 7305, otherwise known as the Magna
21 Carta of Public Health Workers.

1 **SECTION 97.** Hazard Pay. All personnel of the Department and the local
2 disaster resilience offices are entitled to receive hazard pay, subject to the
3 guidelines to be set forth in the IRR of this Act.

4 **SECTION 98.** Separation Benefits of Officials and Employees of Affected
5 Agencies. - National government employees displaced or separated from
6 service as a result of this Act shall be entitled to either separation pay and other
7 benefits in accordance with existing laws, rules, or regulations, or be entitled to
8 avail themselves of the privileges provided under a separation plan that shall be
9 one and one-half month salary for every year of service in the government.

10 In no case shall there be any diminution of benefits under the separation
11 plan until the full implementation of this Act. With respect to employees who
12 are not retained by the Department, the government, through the Department
13 of Labor and Employment, shall endeavor to implement training, job
14 counseling, and job placement programs.

15 **SECTION 99. Appropriations.** – The amount necessary for the initial
16 implementation of this Act shall be taken from the current fiscal year’s
17 unexpended and unobligated appropriations of all agencies herein absorbed,
18 transferred, and attached to the Department. Thereafter, the amounts necessary
19 for the operation of the Department and the implementation of this Act shall be
20 included in the annual General Appropriations Act.

21 **SECTION 100. Implementing Rules and Regulations.** – The Department,

1 DBM, DND, DOF, DILG, DOST, NEDA, and the PMS shall collectively craft
2 and issue, within ninety (90) days from the effectivity of this Act, the
3 Implementing Rules and Regulations (IRR) for the effective implementation of
4 this Act. They may call upon other relevant government instrumentalities and
5 stakeholders to assist in the crafting of the IRR.

6 **SECTION 101. Joint Congressional Oversight Committee on Disaster**

7 **Resilience.** – There shall be created a Joint Congressional Oversight
8 Committee on Disaster Resilience to monitor the implementation of this Act.

9 The committee shall be composed of six (6) Members of the House of
10 Representatives and six (6) Senators to be designated by the Speaker of the
11 House of Representatives and the President of the Senate, respectively;
12 Provided, That, two (2) Members of the House of Representatives and two (2)
13 Senators shall come from the Minority of their respective houses of Congress.

14 The committee shall be jointly chaired by a Member of the House of
15 Representatives and a Senator designated by the Speaker of the House of
16 Representatives and the President of the Senate, respectively.

17 **SECTION 102. Mandatory Review.** – Within five (5) years after the

18 effectivity of this Act, or as the need arises, the Joint Congressional Oversight
19 Committee on Disaster Resilience shall conduct systematic evaluation of the
20 accomplishments and impact of this Act, as well as the performance of the
21 Department of its mandate and functions, for purposes of determining remedial

1 legislation.

2 **SECTION 103. Interpretation.** - Any doubt in the interpretation of any
3 provision of this Act shall be resolved in favor of a liberal interpretation that
4 will fulfill the objectives of this Act, especially in relation to the provision of
5 effective, efficient and timely disaster response, rehabilitation and recovery.

6 **SECTION 104. Separability Clause.** – If any provision of this Act shall be
7 declared unconstitutional or invalid, the other provisions or parts thereof not
8 otherwise affected shall remain in full force and effect.

9 **SECTION 105. Repealing Clause.** – The provisions of Republic Act no.
10 10121, Republic Act no. 7160, Republic Act no. 7916, Republic Act no. 9184,
11 and all other laws, decrees, executive orders, proclamations, and other
12 executive issuances, which are not consistent with or contrary to the provisions
13 of this Act, are hereby repealed or amended.

14 **SECTION 106. Effectivity.** – This Act shall take effect fifteen (15) days after
15 its publication in the Official Gazette or in two (2) newspapers of general
16 circulation.

17 Approved,