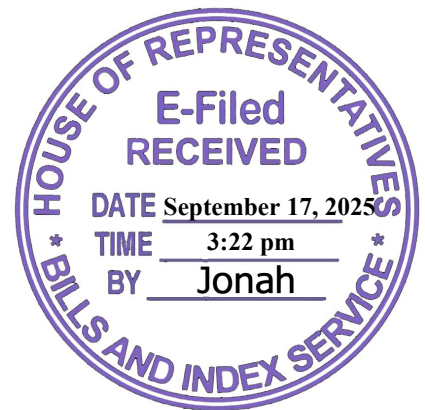




Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Twentieth Congress
First Regular Session

HOUSE BILL NO. 4652



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 impact 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

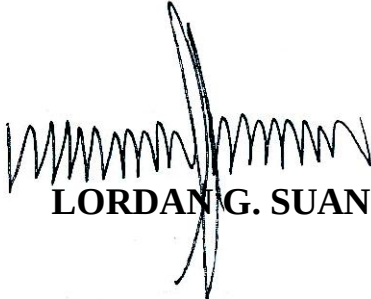
losses, extreme weather events cost the Philippines an average of US\$3.2 billion per year which ranked us at eighth (8th) in the world. The Philippine Statistics Authority (PSA) in its 2020 published report put the damages at a total of Php463 billion from 2010 to 2019, with the agricultural sector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

1 at 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,
9 persons with disabilities, and indigenous peoples, with respect to
10 disaster 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
13 contained in the international and national frameworks and
14 commitments in various phases of policy formulation, development
15 and investment plans, poverty reduction strategies, and other
16 development tools, and techniques applied by all national and local
17 agencies, institutions and instrumentalities of the government, to
18 enhance the country's capacity for climate change adaptation and
19 mitigation;

20 6. Foster an enabling environment for substantial and sustainable
21 participation of non-government stakeholders such as the academe,

Civil Society Organizations (CSOs), private sector groups, volunteers
and communities in disaster resilience programs and projects;

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

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

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

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

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

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

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

e) Biological hazards – hazards that are of organic origin or conveyed

1 by biological vectors, including pathogenic microorganisms, toxins and
2 bioactive substances. Examples are bacteria, viruses or parasites, as well as
3 venomous wildlife and insects, poisonous plants and mosquitoes carrying
4 disease-causing agents;

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

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

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

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

on ethical, cultural, scientific, religious or philanthropic considerations. CSOs include NGOs, professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, people's organizations, social movements, and labor unions;

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

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

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

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

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

o) Development Assistance – refers to any financial, material or other forms of assistance to support the economic, social, and environmental well-

1 being of areas and/or people affected by a natural disaster;

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

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

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

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

19 t) Disaster Preparedness – the knowledge and capacities developed by
20 governments, professional response and recovery organizations, communities
21 and individuals to effectively anticipate, respond to, and recover from, the

1 impacts of likely, imminent or current hazard events or conditions. It includes
2 preparedness for response such as contingency planning, stockpiling of
3 equipment and supplies, the development of arrangements for coordination,
4 evacuation and public information, and preparedness for recovery such as
5 provision of land for resettlement sites;

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

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

20 w) Disaster Response – the provision of emergency services and public
21 assistance during or immediately after a disaster in order to secure and save

1 lives, reduce health impacts, ensure public safety and meet the basic
2 subsistence needs of the people affected. Disaster response includes disaster
3 relief focused on immediate and short-term needs of victims and vulnerable;

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

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

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

21 aa) Disaster Risk Management – the systematic process of using

1 administrative directives, organizations, and operational skills and capacities
2 to implement strategies, policies and improved coping capacities in order to
3 lessen the adverse impacts of hazards and the possibility of disaster;

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

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

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

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

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

21 gg) Environmental hazards – the hazards that may be chemical, natural,

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

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

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

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

19 kk) Geological or geophysical hazards – the hazards that originate from
20 internal earth processes, such as earthquakes, volcanic activities and
21 emissions, and related geophysical processes, which include mass

1 movements, landslides, rockslides, surface collapses, and debris or mud
2 flows. Hydrometeorological factors are important contributors to some of
3 these processes. While tsunamis are triggered by undersea earthquakes and
4 other geological events, they essentially become an oceanic process that is
5 manifested as a coastal water-related hazard;

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

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

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

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

1 pp) Hydrometeorological hazards – hazards that are of atmospheric,
2 hydrological, or oceanographic origin, such as tropical cyclones (also known
3 as typhoons and hurricanes); floods, including flash floods; drought; heat
4 waves and cold spells; and coastal storm surges. Hydrometeorological
5 conditions may also be a factor in other hazards such as landslides, wildland
6 fires, locust plagues, epidemics, and in the transport and dispersal of toxic
7 substances and volcanic eruption material;

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

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

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

20 tt) International Disaster Relief and Initial Recovery Period – the
21 period that commences upon the issuance of a request for international

1 disaster assistance or upon acceptance of an offer, and shall continue until
2 terminated, pursuant to guidelines set in the implementing rules and
3 regulations;

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

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

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

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

20 yy) Local Disaster Resilience Plan (LDRP) – a document prepared by
21 an LGU based on the National Disaster Resilience Framework (NDRF) and

1 the National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets
2 out specific programs, objectives and goals to implement disaster risk
3 management and climate change adaptation measures at the local level. The
4 plan includes, among others, an evaluation and analysis of emerging disaster
5 risks, hazards and vulnerabilities applicable to an LGU, and specific programs
6 and activities to ensure responsive, effective, and appropriate disaster
7 preparedness and management at the local level;

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

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

1 bbb) National Disaster Resilience Plan and Investment Program
2 (NDRPIP) – a plan formulated and implemented by the national and local
3 governments, in collaboration with NGOs, the private sector, academe,
4 international development partners, and others, in accordance with the NDRF
5 that sets out the outcomes, goals and objectives, priorities, programs and
6 corresponding action plans for disaster risk reduction, preparedness, and
7 management, and climate change mitigation. The NDRPIP shall also include,
8 among others, goals, objectives and action plans for a national continuity
9 policy. It shall be in conformity with the national disaster risk reduction and
10 management framework;

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

18 ddd) Open Data – a set of data that can be freely used, shared and
19 built-on by anyone, anywhere, for any purpose. It must be available in bulk,
20 and should be available free of charge, or at least at no more than a reasonable
21 reproduction cost. The information should be digital, preferably available by

1 downloading through the internet, and easily processed by the end-user's
2 computer too. The data must permit people to use it, re-use it, and redistribute
3 it, including intermixing it with other data sets and distributing the results.
4 Lastly, it does not allow conditions to be placed on how people can use such
5 data but permit a data provider to require that data users credit them in some
6 appropriate way, make it clear if the data has been changed, or that any new
7 datasets created using their data are also shared as open data;

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

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

19 ggg) Recovery – rehabilitation measures that ensure the ability of
20 affected communities or areas to return their normal level of functioning by
21 restoring livelihoods and services, reconstruction of damaged infrastructures

and increasing the communities' organizational capacity;

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

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

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

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

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

mmm) Safety stock – items, such as raw materials, component parts, or finished goods, maintained in inventory to reduce the risk that such item

1 will be out of stock, in anticipation of unforeseen shortages or unusual
2 demand for such items;

3 nnn) Service Continuity -- the capacity of a government
4 instrumentality to continue delivering its mandated outputs and/or services to
5 the public during and after a disaster;

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

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

15 qqq) Sustainable Development – development that meets the
16 needs of the present without compromising the ability of future generations to
17 meet their own needs;

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

21 sss) Vulnerability – the conditions determined by physical, social,

1 economic, organizational, and environmental factors or processes, which
2 increase the susceptibility of an individual, a community, assets or systems to
3 the impacts of hazards;

4 ttt) Whole-of-Society Approach – an approach that encourages the
5 meaningful active participation and synergy of the different stakeholders of
6 society toward climate change adaptation and mitigation, and disaster risk
7 reduction and management at the national and local levels;

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

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

20 **ARTICLE II**

21 **THE DEPARTMENT OF DISASTER RESILIENCE**

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

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

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

1. Geological Phenomena and Related Hazards

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

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

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

2. Hydrological and Meteorological Phenomena and Related Hazards

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

2 b. Flood;

3 c. Erosion;

4 3. Climatological variability

5 a. El Niño;

6 b. Extreme temperatures;

7 c. La Niña; and

8 d. Solar radiation, among others.

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

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

20 **(a) Overall Functions**

1 1. Craft the policies and lead the implementation of the programs,
2 projects and activities necessary to reduce the country's vulnerabilities to
3 natural hazards and climate change, using the PDP and the relevant climate
4 change and DRR frameworks as anchors;

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

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

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

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

15 6. Recommend to the President of the Philippines the declaration of a
16 state of calamity due to a natural disaster, and the lifting thereof when
17 conditions stabilize;

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

20 8. Advance the country's interests relating to disaster resilience and

climate change in the regional and global arena; and

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

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

(b) Disaster Risk Reduction

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

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

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

4. Formulate plans and programs to establish and implement

1 government redundancy, service and business continuity, and a National
2 Continuity Policy, as a high priority and urgent undertaking;

3 5. Ensure the use of advanced science and technology in anticipatory
4 planning of communities against the impact of natural hazards and climate
5 change through consultation, and employment with a regular department
6 funding the academe or higher education institutions;

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

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

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

20 9. Create an enabling environment that shall promote broader multi-
21 stakeholder participation for disaster risk reduction and climate change

adaptation and mitigation;

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

11. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the Department of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the Philippines (LBP), and the Insurance Commission;

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

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

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

(c) Disaster Preparedness and Response

1. Lead, manage, and collaborate with the relevant government instrumentalities, non-government stakeholders, and international partners in

1 providing the minimum basic needs of people in affected areas before, during
2 and/or immediately after a disaster to save lives and minimize casualties;

3 2. Ensure the efficient prepositioning of goods, maintenance, and
4 disposal of safety stocks;

5 3. Prepare pre-disaster recovery plans in anticipation of future
6 disasters by engaging the community and planning for recovery activities that
7 are comprehensive and long-term;

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

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

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

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

19 8. Implement pre-disaster risk assessments to include deployment of
20 rapid assessment teams to gather information for precise actions as a basis for

1 emergency preparedness and humanitarian response;

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

5 10. Establish and maintain a national humanitarian logistics system
6 with a network of warehouses, transport and resources, including response
7 assets and disaster relief food and non-food items;

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

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

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

21 14. Monitor and support LGUs in the management of evacuation

1 centers and ensure the welfare and dignity of internally-displaced persons;

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

6 16. Issue special procurement rules and regulations, in close
7 coordination with the Government Procurement Policy Board, for
8 preparedness, response, and recovery activities, including those prompted by
9 a declaration of a state of calamity or of an imminent disaster;

10 17. Assist in mobilizing necessary resources to increase the overall
11 capacity of local government units, specifically those with low income and
12 situated in high-risk areas;

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

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

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

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

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

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

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

14 5. Collaborate with relevant government agencies and non-
15 government stakeholders in undertaking programs and projects to restore
16 and/or generate livelihood and entrepreneurial activities and opportunities in
17 disaster-affected areas;

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

21 7. Undertake all other programs, projects, and actions necessary to

1 attain the overall goals and intended outcomes of this key result area.

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

3 1. Constitute, call, convene and/or deputize agencies of
4 government, and invite non-government and private organizations, to
5 assist, advise, and/or coordinate with the Department to achieve the goals and
6 purposes of this act;

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

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

15 4. Coordinate information-sharing and other disaster risk r education
16 protocols following the principle of inter-operability among National
17 Government Agencies and Local Government Units, before, during, and after
18 a disaster;

19 5. Administer, mobilize, monitor, and oversee the utilization of
20 disaster resilience-related funds, including, but not limited to, the National

1 Disaster Resilience Fund and the Supplemental Disaster Resilience Support
2 Fund for low income provinces, cities, and municipalities, and multi-hazard
3 local government units;

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

7 7. Whenever it becomes necessary, to save lives and/or minimize
8 damages to livelihood and property, assume supervision over the
9 implementation of any government program, project, or activity in
10 anticipation of, during, and in the aftermath of a disaster;

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

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

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

21 11. Receive humanitarian assistance from local and foreign sources,

1 recommend the acquisition of developmental assistance for the purpose of
2 disaster resilience, acknowledge and certify the receipt of all humanitarian
3 assistance, and ensure their judicious use and management;

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

7 13. Secure the assistance of the AFP, PNP, DILG- BFP, PCG, and
8 other uniformed services and government instrumentalities to ensure the
9 attainment of the three key result areas, and the overall goals and objectives of
10 this Act;

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

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

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

1
2 **ARTICLE III**

3 **EMERGENCY MEASURES**

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

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

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

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

20 Preemptive evacuation shall be the preferred and primary mode of

1 moving people that will be affected by disasters.

2 Forced evacuation shall be considered as an emergency measure of last
3 resort that may be undertaken in anticipation of, during, or after a disaster and
4 carried out by the affected local government unit, pursuant to a duly issued
5 order by the local chief executive: Provided, That in case of the failure of the
6 local chief executive to issue such an order, the forced evacuation shall be
7 implemented by the Department, which may direct and compel the assistance
8 of law enforcement and other relevant government agencies to implement
9 such measure.

10 Any person who willfully and deliberately disregards or disobeys a
11 preemptive or forced evacuation implemented by the local government unit or
12 the Department releases such local government unit or the Department from
13 any liability for injury, death, damage to, or loss of property due to such
14 disobedience.

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

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

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

6 (e) Local government units shall likewise enact the abovementioned
7 emergency measures including preemptive and forced evacuations, to ensure
8 the protection and preservation of life or property in anticipation of, during,
9 and in the aftermath of disaster.

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

14 **ARTICLE IV**

15 **ORGANIZATION AND MANAGEMENT**

16 **SECTION 8. The Secretary.** – The Department shall be headed by the
17 Secretary of Disaster Resilience, hereinafter referred to as the Secretary, who
18 shall be appointed by the President, subject to confirmation by the
19 Commission on Appointments. The Secretary shall preferably have a solid
20 background in any of the scientific, engineering, and public management
21 fields relevant to resilience to natural hazards and climate change; and

1 demonstrated managerial acumen.

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

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

7 b) Exercise executive direction over the operations of the Department
8 and administrative supervisions over its attached agencies;

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

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

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

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

19 g) Collaborate with other government agencies, the private sector, and
20 civil society organizations on the policies, programs, projects, and activities

of the Department, as may be necessary;

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

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

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

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

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

b) Disaster Preparedness and Response – the implementation of projects and programs to prepare and respond to disasters, including the

enhancement of capabilities of local government units, the development of a database of exposure or elements at risk per area and database of volunteers, the establishment of safe and strategic evacuation centers, and the implementation of responsive and efficient prepositioning and distribution of goods;

c) Recovery and Building Forward Better – the formulation and implementation of rehabilitation plans for disaster-affected areas and ensuring the implementation of disaster recovery and rehabilitation measures, such as post-disaster shelters and livelihood projects, in collaboration with relevant government agencies, local government units, and other stakeholders; and

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

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

SECTION 11. The Assistant Secretaries and Directors. – The Department shall have such number of Assistant Secretaries and Directors as may be

necessary for the effective and efficient implementation and performance of its mandate, powers, and functions.

SECTION 12. Qualifications – All the Undersecretaries, Assistant Secretaries, and other officials of the Department shall preferably be specialists and have a good track record in any of the following fields, as applicable to their mandated key result areas and functions: disaster risk reduction and management, science and technology, environmental science or management, urban planning, civil engineering, public finance, information and communications technology, logistics management, mass communication, among other fields directly relevant to ensuring the country’s disaster resilience.

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

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

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

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

8 a) Review the LDRPs and Provincial DRPs of LGUs within its
9 jurisdiction, and require the amendment of such LDRPs and/or Provincial
10 DRPs if necessary, to ensure compliance with the NDRF and relevant national
11 investment plans;

12 b) Monitor and direct LDROs and PDROs to implement their
13 respective LDRPs and PDRPs;

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

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

21 e) Disburse to, and monitor the use by, LGUs of funds granted by the

1 Department pursuant to this Act and its IRR;

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

7 h) Identify and report to the Department issues and problems relating
8 to, or affecting, the disaster resilience of LGUs within its jurisdiction, and
9 make recommendations to the Department and/or to the LGUs to address such
10 issues or problems;

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

14 k) Establish and maintain, in coordination with the Department, a
15 Regional Command and Control Center (RCCC), which includes, among
16 others, an information management system at the regional level, which
17 consolidates and integrates information from the provinces, cities and
18 municipalities within its jurisdiction, a multi-hazard early warning and
19 communications system, and a monitoring system that enables the RDRO to
20 oversee, supervise, monitor and respond to the needs of LGUs within its
21 jurisdiction in relation to disaster resilience activities;

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

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

6 SECTION 16. Special Disaster Response Teams. The RDROs may
7 organize and/or activate Special Disaster Response Teams (SDRTs) to assist
8 LGUs in responding to hazards and disasters that are beyond their capacities,
9 as deemed necessary.

10 **SECTION 17. Local Disaster Resilience Offices.** – The Local Disaster Risk
11 Reduction Management Offices in provinces, cities, and municipalities are
12 hereby renamed as the Provincial, City, and Municipal Disaster Resilience
13 Offices, respectively, and shall collectively be called the Local Disaster
14 Resilience Offices (LDROs). Provincial, city, and municipal governments
15 shall establish their respective LDROs.

16 The Barangay Disaster Risk Reduction and Management Committees
17 are hereby renamed as the Barangay Disaster Resilience Committees
18 (BDRC).

19 All Local Disaster Risk Reduction Management Councils are hereby
20 abolished.

21 The LDROs shall be under the control and supervision of the provincial

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

Other maintenance and operating expenditures and the capital outlay requirements of LDROs in the implementation of disaster risk reduction management and climate change adaptation programs shall be charged to the Local Disaster Resilience Fund of local government units.

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

SECTION 19. Powers and Functions of City and Municipal Disaster Resilience Offices. – The City and Municipal Disaster Resilience Offices

1 shall have the following powers and functions:

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

5 b) Design, program, coordinate, and implement disaster resilience
6 activities consistent with the standards and guidelines provided by the
7 Department, and implement the NDRF and the relevant national investment
8 plans at the city or municipal level;

9 c) Prepare and submit to the SangguniangPanlungsod or Bayan, as
10 the case may be, the LDRP, the proposed programming of the LDR Fund,
11 other dedicated disaster resilience resources, and other funds of the LDRO;

12 d) Recommend to the SangguniangPanlungsod or Bayan, as the case
13 may be, the enactment of ordinances to implement the LDRP, NDRF, relevant
14 national investment plans, and the provisions of this Act;

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

18 f) Establish and maintain, in coordination with the Department, an
19 information management system within the LGU, which, among others,
20 consolidates and includes local risk information (such as natural hazards,
21 profile of the LGU's vulnerable or marginalized groups), local risk maps, and

1 a disaggregated database of human resource, equipment, services, resources,
2 directories and location of critical infrastructures with their capacities (such as
3 hospitals and evacuation centers);

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

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

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

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

19 k) Monitor and mobilize instrumentalities and entities of the LGU
20 and its partner LGUs, CSOs, private sector, organized volunteers, and sectoral
21 organizations for disaster resilience activities, in accordance with policies and

1 procedures of the Department and applicable laws;

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

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

9 n) Establish linkage/network and coordination mechanisms with other
10 LGUs and the Department for disaster resilience activities and to achieve the
11 purposes of this Act; and

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

15 SECTION 20. Powers and Functions of the Provincial Disaster
16 Resilience Offices. –The Provincial Disaster Resilience Offices shall have the
17 following powers and functions:

18 a) Formulate and implement, in close coordination with the
19 Department and the local government units under the jurisdiction of the
20 provincial government, a comprehensive and integrated Provincial Disaster
21 Resilience Plan in accordance with the NDRF;

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

4 c) Design, program, coordinate, or implement disaster resilience
5 activities consistent with the standards and guidelines provided by the
6 Department, and implement the NDRF and the relevant national investment
7 plans at the provincial level;

8 d) Prepare and submit to the SangguniangPanlalawigan, the Provincial
9 DRP, the proposed programming of the province's Local Disaster Resilience
10 Fund, other dedicated disaster resilience resources, and other funding sources
11 of the PDRO;

12 e) Recommend to the SangguniangPanlalawigan the enactment of
13 local ordinances to implement the Provincial LDRP, NDRF and relevant
14 national investment plans at the provincial level, and to comply with other
15 requirements of this Act;

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

19 g) Establish and maintain, in coordination with the Department, a
20 Provincial Command and Control Center (PCCC), which includes, among
21 others, an information management system at the provincial level, which

1 consolidates and integrates information from the cities and/or municipalities
2 within its jurisdiction, a multi-hazard early warning and communications
3 system that is connected with the cities and/or municipalities within its
4 jurisdiction, and a monitoring system that enables the PDRO to oversee,
5 supervise, monitor and respond to the needs of cities and/or municipalities
6 within its jurisdiction in relation to disaster resilience activities;

7 h) Recommend to the Provincial Governor the procurement of
8 emergency works, goods, and services in compliance with the regulations,
9 orders, and policies of DBM and GPPB, to implement the provincial LDRP or
10 support early recovery and post-disaster activities of the PDRO;

11 i) Recommend, in coordination with the DOF, to the Provincial
12 Governor to access foreign loans to finance its policies, programs, projects,
13 and activities for disaster preparedness, response, recovery, and rehabilitation,
14 subject to terms and conditions agreed upon by the Provincial Government
15 and the lender;

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

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

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

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

8 9 **ARTICLE V**

10 **COMPREHENSIVE NATIONAL APPROACH**

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

17 The Department shall establish a platform, paradigm, and mechanisms
18 for convergence and coordination with stakeholders, including the
19 development of standards, protocols, and procedures for seamless
20 collaboration for disaster resilience.

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

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

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

10 b. Crafting and implementation of a National Continuity Policy to
11 ensure government service continuity during and after emergencies and
12 disasters, and ensure the quick return of government to full operations;

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

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

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

1 and

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

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

7 **SECTION 24. Roles and Responsibilities of Stakeholders.** – The
8 commitment, goodwill, knowledge, experience and resources of relevant
9 stakeholders are critical to realize a safer, adaptive, resilient and inclusive
10 Filipino community. Citizens have the shared vision and duty to provide
11 support to the State in the implementation of policies and programs,
12 particularly the Disaster Resilience Framework and Disaster Resilience Plan
13 at the national, regional and local levels.

14 a) Civil society, non-governmental organizations, international non-
15 governmental organizations, private sector, practitioners, and volunteers shall
16 participate, in collaboration with public institutions, in the exchange of to
17 provide information, learnings, and guidance on disaster resilience. The
18 Department shall encourage and institutionalize their engagement in the
19 implementation of local, regional, national, regional and global plans and
20 strategies; enhance public awareness and promote a culture of disaster
21 resilience;

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

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

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

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

10 f) Emergency responders and volunteer organizations shall contribute
11 to resilience by promptly and efficiently responding to disasters and
12 emergencies consistent with the policies of the Research, Education and
13 Training Institute of the Department;

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

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

19 i) The media shall provide prompt and accurate information to the
20 public on early warning systems, natural hazards, and disaster resilience

activities of the Department.

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

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

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

SECTION 27. National organization of all Local Disaster Resilience Officers – There shall be a national organization of all local disaster

resilience officers for the primary purpose of:

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

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

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

d) Enhancing synergy in other areas of common concern.

ARTICLE VI

MAINSTREAMING, INTEGRATION AND CONVERGENCE OF DISASTER RISK REDUCTION

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

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

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

1 ensure the application of ecosystems-based approaches in disaster risk
2 reduction, particularly through ecosystem management and restoration as
3 defined in this Act, and ensuring that environmental and natural resource
4 policies are risk-informed.

6 **ARTICLE VII**

7 **NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE** 8 **COMMAND CENTER, AND RESEARCH AND TRAINING** 9 **INSTITUTE**

10 **SECTION 30. National Disaster Operations Center.** – The Department
11 shall establish, within one (1) year from the approval of this Act, and act as
12 the primary operator of, the National Disaster Operations Center (NDOC),
13 Alternative Command and Control Centers (ACCCs), and a Disaster
14 Resilience Research and Training Institute (DRRTI).

15 The NDOC is a physical center equipped with the necessary tools and
16 systems to monitor, manage, and respond to disasters in all areas of the
17 country. The NDOC shall also provide the necessary support for the overall
18 coordination and implementation of emergency and disaster response
19 measures throughout the country.

20 The ACCCs are command centers established in other locations as an
21 alternative or to provide supplemental support to the NDOC. The number and

1 location of ACCCs shall be determined by the Department as may be
2 necessary in each of the country's major island groups. Temporary ACCC
3 may likewise be established by the Department, if necessary.

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

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

8 a) Establish reliable and up-to-date Integrated Disaster Resilience
9 Information System (IDRIS) through close and seamless collaboration with
10 the Department of Science and Technology (DOST), Department of
11 Information and Communications Technology (DICT), and other appropriate
12 agencies;

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

15 c) Consolidate, organize and/or prepare training materials and
16 publications;

17 d) Conduct other activities consistent with promoting the formation
18 and dissemination of knowledge and information relating to disaster resilience
19 and disaster management;

20 e) Establish a database that includes relevant information from other
21 government agencies and third parties for the department to better prepare and

1 respond to natural hazards including, but not limited to, an inventory of
2 hazardous materials per area; and

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

7 **SECTION 32. Compliance and Accreditation of DRRTI with**
8 **International Standards.** – The Department shall strive to obtain
9 certification from, and accreditation by, international accreditation bodies of
10 the DRRTI to ensure DRRTI’s compliance with international standards. The
11 Department shall likewise ensure collaboration with key countries and
12 international organizations to incorporate best practices on disaster resilience
13 in the Department’s policies and programs.

14 15 **ARTICLE VIII**

16 **INTEGRATION, MAINSTREAMING DISASTER RESILIENCE** 17 **INFORMATION, EDUCATION AND COMMUNICATION** 18 **CONVERGENCE**

19 **SECTION 33. Integrated Disaster Resilience Information System**
20 **(IDRIS)** – The Department shall establish a National and Regional
21 Information Management System for Disaster Resilience, which shall be a

1 database of all relevant disaster risk reduction and climate change data,
2 including a geographic information system on geo-hazard assessments and
3 climate risk. It shall be the repository of current and multi- temporal
4 information for wide-scale disaster risk analysis. The IDRIS shall be
5 accessible at all times to the responsible officials and entities to enable the
6 timely, reliable, and accurate collection, processing, analysis, and
7 dissemination of information to support overall decision-making and effective
8 coordination at both the national and sub-national level. The protocols and
9 procedures for this shall be defined in the IRR of this Act.

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

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

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

18 19 **ARTICLE IX**

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

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

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

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

(c) To attain disaster resilience and achieve the purposes of this Act, the Department shall have the discretion and authority to require government agencies and GOCCs to insure their assets and/or properties such as, among others, vessels, vehicles, equipment, machineries, permanent buildings, properties stored therein, or properties in transit, against insurable risks and pay the premiums therefor, to compensate the Government and/or GOCC, as applicable, for any damage to, or loss of, properties due to a natural disaster.

(d) The Department shall endeavor the local government units to insure primary assets for unforeseen or contingent potential losses, damages and

1 disruption from natural hazards chargeable against their respective Local
2 Disaster Resilience Fund (LDRF).

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

11 **ARTICLE X**

12 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

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

14 (a) The Department shall establish standards and protocols for disaster
15 preparedness, contingency planning, localizing and operationalizing disaster
16 risk reduction and management, preparedness for disaster response,
17 preparedness for early recovery, continuity of essential services, and other
18 relevant preparedness activities.

19 (b) The LGUs shall identify safe and strategic sites, and establish
20 evacuation centers with appropriate and adequate facilities in accordance with

1 government-approved standards as provided under Republic Act No. 10821,
2 otherwise known as “The Children’s Emergency Relief Protection Act”, to
3 avoid disruption of school classes and lessen the use of school buildings and
4 facilities as evacuation centers.

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

8 **SECTION 38. Multi-Hazard Early Warning and Risk Communication**
9 **Standards. –**

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

13 (b) The Department shall formulate and implement multi-hazard early
14 warning protocols integrating all disaster preparedness systems in
15 collaboration with local executives, community-based organizations, civil
16 society organizations, and other non-governmental organizations for proper
17 use and application.

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

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

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

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

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

14 (e) The Department at the national and local level shall use an
15 integrated early warning system to ensure it is consistent and locally
16 contextualized with the communication protocol and safe evacuation
17 procedure of the affected communities.

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

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

6 7 **ARTICLE XI**

8 **DISASTER RESPONSE AND EARLY RECOVERY**

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

13 The declaration and lifting of the state of calamity may also be issued
14 by the local Sanggunian, upon the recommendation of the LDRO, based on
15 the results of the damage assessment and needs analysis: Provided, That
16 through the Department, the LDRO may seek from the local legislative body
17 or Sanggunian, the declaration of a state of imminent disaster to enable the
18 local executives to implement pre-emptive evacuation and precautionary
19 measures in order to save lives and minimize damage to property, loss and
20 disruption of livelihood that require the use of funds and resources under the
21 LDRF.

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

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

8 **LEVELS OF RESPONSIBILITY RESPONSIBLE OFFICIALS**
9 **CONDITIONS**

10 **Level 1: City or Municipality**

11 Lead Official: Mayor of the affected city or municipality

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

14 **Level 2: Province**

15 Lead Official: Provincial Governor of the affected province

16 Support: Provincial Disaster Resilience Officer, Municipal and/or City
17 Mayors concerned. Municipal and/or City Disaster Resilience Officers
18 concerned

19 If a disaster affects two or more municipalities and/or cities within a
20 province

1 Level 3: Region

2 Lead Official: Regional Director, DDR

3 Support: Governors of affected provinces Concerned Provincial
4 Disaster Resilience Officers

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

7 Level 4: National

8 Lead Official: Secretary of Disaster Resilience (SDR)

9 Support: Governors concerned Disaster Resilience Officers concerned

10
11 a. If a disaster affects at least two (2) regions;

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

14 c. When the President directs a Level 4 response or declares a state of
15 calamity.

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

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

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

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

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

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

10 11 **ARTICLE XII**

12 **HUMANITARIAN ASSISTANCE**

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

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

17 (b) The importation by, and humanitarian assistance to, the Department
18 of, among others, food, clothing, medical assistance, equipment, and materials
19 for relief, recovery and other disaster management activities are hereby
20 authorized in accordance with Section 105 of the Tariff and Customs Code of

1 the Philippines, as amended, and the prevailing provisions of the General
2 Appropriations Act covering national internal revenue taxes and import duties
3 of national and local government agencies.

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

11 **SECTION 48. Assessment of the Need for International Humanitarian**
12 **Assistance.** –

13 (a) Immediately after the declaration of a state of calamity by the local
14 sanggunian of the relevant local government unit or by the Department, as the
15 case may be, the Department shall determine whether domestic capacities are
16 likely to be sufficient to attend to the needs of affected persons for
17 international humanitarian assistance. This determination may also be made,
18 at the discretion of the President, prior to the onset of an imminent disaster.

19 (b) In the event of a determination by the Department that domestic
20 response capacities are not likely to be sufficient due to the impact of the
21 disaster, the Department shall recommend to the President that a request be

1 made for international humanitarian assistance.

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

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

14 The Department shall lead and manage the HAAC, which shall be
15 composed of the following:

16 (a) Bureau of Customs;

17 (b) Department of Foreign Affairs;

18 (c) Department of Social Welfare and Development;

19 (d) Department of Health;

20 (e) Food and Drug Administration;

- (f) Department of Agriculture;
- (g) Department of Energy;
- (h) Department of National Defense;
- (i) Philippine National Police;
- (j) Philippine Coast Guard; and
- (k) Bureau of Immigration.

SECTION 50. Request for International Humanitarian Assistance. –

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

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

SECTION 51. Regulation of Humanitarian Assistance. –

(a) The Department shall ensure the efficient and effective monitoring of humanitarian assistance from domestic or international donors, establish

1 and operate a platform, including an online platform, to facilitate, and provide
2 public access to information on donations.

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

8 9 **ARTICLE XIII**

10 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE** 11 **TO FOREIGN STATES**

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

18 **SECTION 53. Accreditation.** – The Department, in coordination with
19 relevant government agencies and organizations, shall provide and facilitate
20 the necessary training and accreditation to the respective government
21 personnel to be deployed for such offer, facilitation and provision of

1 international humanitarian assistance to a foreign state.

3 **ARTICLE XIV**

4 **RECOVERY**

5 **SECTION 54. Standards for Recovery.** – The Department shall observe
6 internationally accepted standards for recovery, planning, programming and
7 implementation of the recovery process. Towards this end, the Department
8 shall:

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

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

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

16 d) Employ outcome-driven planning and implementation;

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

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

20 g) Ensure access to public transport, physical and mental health

1 services, markets, schools, sustainable livelihoods, and other public services
2 in planning for settlement areas; and

3 h) Ensure restoration of peace and order and recovery of government
4 functions.

6 **ARTICLE XV**

7 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**

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

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

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

14 The following shall exercise this power, respectively:

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

17 b. The SDR, upon recommendation of the RDRO, for disasters
18 covering two or more provinces of the same region; and

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

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

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

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

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

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

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

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

6 7 **ARTICLE XVI**

8 **PROCUREMENT**

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

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

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

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

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

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

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

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

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

17 (a) The Department, with the assistance of, or in collaboration with, relevant
18 government agencies, shall create special rules on procurement for services,
19 goods, and materials to be used for reconstruction and rehabilitation efforts in
20 case of a natural disaster, including but not limited to, the construction of
21 post-disaster shelters and provision of service contracts, to ensure the

1 procurement of quality-oriented goods, materials, and equipment and to
2 guarantee effective, efficient, and speedy procurement to achieve the goals of
3 this act.

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

9 **SECTION 60. Procurement from Qualified Suppliers or Contractors. –**

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

18 **SECTION 61. Pre-Arranged Contracts or Agreements with Private**

19 **Sector Entities. –** Notwithstanding Republic Act No. 9184, otherwise known
20 as the “Government Procurement Reform Act”, the Department shall have
21 authority to enter into pre-arranged or contingency contracts or agreements

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

related to disaster resilience and management.

ARTICLE XVII

SPECIAL RULES ON BORROWINGS AND TAXES

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

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

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

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

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

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
21 in disaster-prone or affected areas.

1
2 **ARTICLE XVIII**

3 **PROHIBITED ACTS AND PENALTIES**

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

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

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

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

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

1 (4) Failure to appoint a permanent local disaster resilience officer
2 within six (6) months from approval of this Act;

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

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

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

9 **b) Prohibited Acts of Public Officials and Private Persons or**
10 **Institutions. –**

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

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

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

19 (4) Buying, for consumption or resale, from disaster relief agencies any
20 relief goods, equipment or other and commodities, which are intended for

1 distribution to disaster-affected communities;

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

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

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

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

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

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

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

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

1 agency, person, or persons; and

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

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

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

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

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

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

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

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

1 (18) Benefitting from the proceeds or fruits of any of the
2 abovementioned prohibited acts knowing that the proceeds or fruits are
3 derived from the commission of said prohibited acts.

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

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

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

1 (c) The penalty of imprisonment of not less than two (2) years but not
2 more than six (6) years or a fine of not less than Two Hundred Thousand
3 Pesos (Php 200,000.00) but not more than Five Hundred Thousand Pesos
4 (Php 500,000.00), or both imprisonment and fine at the discretion of the court,
5 shall be imposed upon any person found guilty of unlawfully benefiting from
6 the proceeds or fruits of any of the prohibited in the preceding section, in
7 violation of subsection (b)(18) thereof;

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

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

21 (f) Payment of the full cost of repair or replacement of the government

1 risk reduction and preparedness equipment, accessories and other vital facility
2 items, or any part thereof, which is the object of the crime shall likewise be
3 imposed upon any person who shall commit any of the prohibited acts in the
4 preceding Section; and

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

10 **SECTION 72. Liability for Unlawful Performance of Duties and State**
11 **Liability in case of Defense Litigation.** – In case a lawsuit is filed against
12 any personnel of the Department as a result of the performance of his or her
13 duties, and such performance was found to be lawful, he or she shall be
14 reimbursed by the Department for reasonable costs of litigation. For this
15 purpose, the Department is authorized to procure applicable liability insurance
16 for its officers and employees.

17 **SECTION 73. Disciplinary powers of the President.** – The President,
18 subject to the recommendation of the Department Secretary and the
19 Department of the Interior and Local Government (DILG), shall have the
20 power to impose administrative sanctions against local chief executives and
21 barangay officials for willful or negligent acts that relate to the

1 implementation of, or compliance with, this Act and its IRR or relating to
2 their official functions, which adversely affect disaster resilience projects such
3 as, but not limited to, delayed issuance of permits or failure to implement
4 local ordinances.

6 **ARTICLE XIX**

7 **DISASTER RESILIENCE FUND**

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

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

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

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

1 c. Rehabilitation and Recovery Fund – shall provide the funding
2 requirements for rehabilitation and/or reconstruction projects of disaster
3 affected areas such as public classrooms, government buildings, public
4 hospitals, permanent shelters and livelihood programs.

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

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

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

1 **SECTION 77. Local Disaster Resilience Fund and Local Disaster**

2 **Contingency Fund.** – LGUs shall annually set aside not less than ten percent

3 (10%) of their local budget, to constitute a Local Disaster Resilience Fund

4 (LDRF). The LGU shall use its LDRF to maintain and operate its local

5 disaster resilience office to maintain its officers, employees and staff, and to

6 implement plans, programs and activities under its LDRP. Thirty percent

7 (30%) of the LDRF shall be set aside as Local Disaster Contingency Fund

8 (LDCF), which shall be used for disaster response and quick recovery

9 measures. Nothing contained in this Act shall prevent LGUs from providing

10 additional funding or allocating additional resources for disaster resilience

11 activities, plans and programs within their jurisdiction.

12 **SECTION 78. Supplemental LDRF.** – The Department may allocate and

13 disburse funds to supplement an LGU's LDRF based on the parameters and

14 requirements indicated in the IRR. In determining such parameters and

15 requirements, the IRR shall aim to provide supplemental funds to LGUs with

16 low income and/or high exposure to natural hazards. Supplemental LDRFs

17 shall, as much as possible, fill gaps or shortages in LGU resources to ensure

18 that LGUs can implement disaster resilience measures such as, among others,

19 implementing their LDRP/Provincial LDRP, establishing their local disaster

20 resilience offices, obtaining and/or maintaining the necessary equipment and

21 staff in their local disaster resilience offices, and implementing the NDRF and

1 NDRPIP at the local levels.

2 **SECTION 79. People’s Survival Fund.** – The Department shall manage and
3 administer the People’s Survival Fund, created under Republic Act no. 10174,
4 and facilitate its utilization by LGUs, through RDROs, to implement climate
5 change adaptation and mitigation projects of LGUs and enhance the climate
6 resilience of vulnerable communities.

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

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

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

19
20 **ARTICLE XX**

SPECIAL COURTS AND INJUNCTIONS

SECTION 84. Special Courts on Disaster Resilience Matters. – To ensure the prompt and expeditious resolution of disputes relating to disaster response, recovery or rehabilitation measures, the Supreme Court shall designate special courts to hear, try, and decide cases arising from the following, among others:

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

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

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

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

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

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

1 (b) Decisions of the RDROs;

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

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

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

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

12
13 **ARTICLE XXI**

14 **FINAL PROVISIONS**

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

17 a. All the functions of the Climate Change Commission
18 (CCC);

19 b. Natural disaster-related functions of the National Disaster Risk
20 Reduction and Management Council (NDRRMC) and the Office of Civil

1 Defense (OCD); and

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

4 Accordingly, the CCC and NDRRMC are hereby abolished.

5 The DILG, DND, DSWD, and other relevant government
6 instrumentalities, including the AFP, BFP, PNP, PCG, and OCD, shall
7 continue to perform their functions related to the management of human-
8 induced disasters, as provided for by existing laws.

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

16 **SECTION 89. Program Management Office for the Earthquake**
17 **Resiliency of the Greater Metro Manila Area.** –The Program Management
18 Office for the Earthquake Resiliency of the Greater Metro Manila Area
19 (PMO-ERG), as created pursuant to and mandated by Executive Order no. 52,
20 s. 2018, shall be attached to the Department and be authorized to implement
21 earthquake resiliency programs, projects, and activities, as it may deem

necessary to carry out its mandate and attain its overall goals. The Head of the PMO-ERG shall report directly to the SDR.

SECTION 90. Post-Disaster Shelters. –The Department shall establish a post-disaster shelter recovery policy framework for low-income/informal settler families, with the assistance of the appropriate housing agencies and the applicable LGUs. It shall determine, among others, the appropriate shelter modalities depending on the following phases: emergency, temporary or transitional, and permanent. The Department shall likewise identify, assess, and decide on safe zones for the implementation of recovery or rehabilitation projects.

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

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

1 The Department shall ensure respect for, and protection of, the
2 traditional resource right of the Indigenous Cultural Communities/Indigenous
3 Peoples (ICCs/IPs) to their ancestral domains, and recognize the customary
4 laws and traditional resource use and management, knowledge, and practices
5 in ancestral domains.

6 In ancestral domains that are disaster-prone, the Department, with the
7 assistance of the NCIP and applicable LGUs, shall create an Ancestral
8 Domain Disaster Management and Resiliency Plan. It shall likewise properly
9 communicate and explain information on disaster risks in ancestral domains
10 with the concerned ICCs/IPs and, as much as possible, engage such ICCs/IPs
11 in jointly formulating a disaster resiliency plan for their ancestral domain.

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

17 **SECTION 94. Structural Audit of Government Buildings and Critical**
18 **Infrastructure.** –The Department shall be assisted by the DPWH, DOTr,
19 Department of Energy (DOE), DOH, DepEd, DICT, DILG, local building
20 officials, and other relevant government instrumentalities and stakeholders, in
21 ensuring the effective and expeditious conduct of structural audit, as often as

necessary, on government buildings, critical infrastructure, and private structures to attain the disaster risk reduction goals of this Act.

SECTION 95. Transitory Provision – The functions, assets, funds, equipment, properties, transactions, and personnel of the affected and transferred agencies, and the formulation of the internal organic structure, staffing pattern, operating system, and revised budget of the Department, shall be completed within one (1) year from the effectivity of this Act, during which time the existing personnel shall continue to assume their posts on holdover capacity. The Department, in collaboration with the DBM, shall come up with its Organizational Structure and Staffing Pattern, both of which shall be approved within thirty (30) days from the effectivity of this Act.

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

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

1 defined in the IRR of this Act.

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

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

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

18 In no case shall there be any diminution of benefits under the separation
19 plan until the full implementation of this Act. With respect to employees who
20 are not retained by the Department, the government, through the Department
21 of Labor and Employment, shall endeavor to implement training, job

1 counseling, and job placement programs.

2 **SECTION 99. Appropriations.** – The amount necessary for the initial
3 implementation of this Act shall be taken from the current fiscal year’s
4 unexpended and unobligated appropriations of all agencies herein absorbed,
5 transferred, and attached to the Department. Thereafter, the amounts
6 necessary for the operation of the Department and the implementation of this
7 Act shall be included in the annual General Appropriations Act.

8 **SECTION 100. Implementing Rules and Regulations.** – The Department,
9 DBM, DND, DOF, DILG, DOST, NEDA, and the PMS shall collectively
10 craft and issue, within ninety (90) days from the effectivity of this Act, the
11 Implementing Rules and Regulations (IRR) for the effective implementation
12 of this Act. They may call upon other relevant government instrumentalities
13 and stakeholders to assist in the crafting of the IRR.

14 **SECTION 101. Joint Congressional Oversight Committee on Disaster**
15 **Resilience.** – There shall be created a Joint Congressional Oversight
16 Committee on Disaster Resilience to monitor the implementation of this Act.
17 The committee shall be composed of six (6) Members of the House of
18 Representatives and six (6) Senators to be designated by the Speaker of the
19 House of Representatives and the President of the Senate, respectively;
20 Provided, That, two (2) Members of the House of Representatives and two (2)
21 Senators shall come from the Minority of their respective houses of Congress.

1 The committee shall be jointly chaired by a Member of the House of
2 Representatives and a Senator designated by the Speaker of the House of
3 Representatives and the President of the Senate, respectively.

4 **SECTION 102. Mandatory Review.** – Within five (5) years after the
5 effectivity of this Act, or as the need arises, the Joint Congressional Oversight
6 Committee on Disaster Resilience shall conduct systematic evaluation of the
7 accomplishments and impact of this Act, as well as the performance of the
8 Department of its mandate and functions, for purposes of determining
9 remedial legislation.

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

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

17 **SECTION 105. Repealing Clause.** – The provisions of Republic Act no.
18 10121, Republic Act no. 7160, Republic Act no. 7916, Republic Act no.
19 9184, and all other laws, decrees, executive orders, proclamations, and other
20 executive issuances, which are not consistent with or contrary to the
21 provisions of this Act, are hereby repealed or amended.

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

4 Approved,