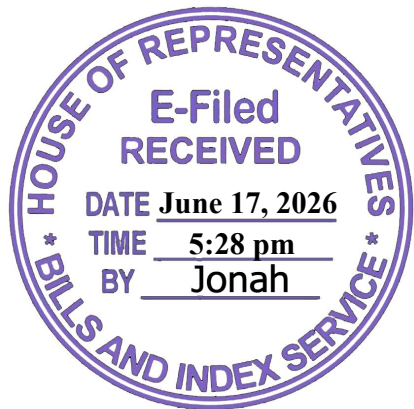


HOUSE OF REPRESENTATIVES

House Bill No. 9897



Introduced by Representative KARL FERNANDEZ LEGAZPI

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

EXPLANATORY NOTE

Every year, Filipino communities face the devastating impact of typhoons, floods, earthquakes, volcanic eruptions, and other natural hazards. These calamities not only threaten lives but also deprive families of their homes, livelihoods, and sources of income. Our Filipino workers, farmers, fisherfolks, and low-income communities are often the first and hardest hit whenever disasters strike. In 2025, the Philippine Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) recorded a total of 23 tropical cyclones that affected more than 20 million Filipinos nationwide.¹

The challenges facing the country are expected to become even more complex in the years ahead. In a report released by the PAGASA on 9 June 2026, the agency warned of the possible persistence of El Niño conditions into early 2027, increasing the risk of drought, extreme heat, and disruptions to agriculture and water supply. These emerging threats, together with the country’s continuing exposure to other natural hazards, highlight the need for a more proactive and holistic approach to disaster resilience.

Modern disasters can no longer be viewed solely as emergencies requiring immediate response. They require comprehensive year-round planning, risk reduction, rehabilitation, and coordinated recovery efforts across all levels of government. This demands sustained coordination among national agencies, local government units (LGUs), and affected communities to minimize risks and strengthen preparedness.

This measure seeks to establish a Department of Disaster Resilience as the primary government agency in protecting communities before, during, and after disasters. It aims to strengthen coordination among national and local governments, improve disaster preparedness and emergency response, and ensure that efforts to save lives, protect livelihoods, and rebuild communities are carried out in a more efficient and coordinated manner.

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


KARL FERNANDEZ LEGAZPI
Pinoy Workers Party List

¹ <https://www.pagasa.dost.gov.ph/tropical-cyclone/publications/preliminary-report>

HOUSE OF REPRESENTATIVES

House Bill No. 9897

Introduced by Representative KARL FERNANDEZ LEGAZPI

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

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

Section 1. *Short Title.* - This Act shall be known as "*Department of Disaster Resilience Act.*"

Sec. 2. *Declaration of Policies and Principles* - The State recognizes that:

- a. The Philippines is one of the most vulnerable countries to climate change and various kinds of natural hazards, including, among others, typhoons, earthquakes, floods, volcanic eruptions, landslides, storm surges, and drought;
- b. Tremendous physical and economic, losses are sustained by the country, and in certain cases, damage to our national, cultural, and historical heritage, each time such natural hazards wreak havoc on an unsuspecting and unprepared populace;
- c. There is an urgent need to establish a focused, streamlined, independent, empowered, capacitated, full-time, specialized agency on disaster risk reduction and management as well as emergency response, which is national in scope and civilian in character; and
- d. The people are the most important assets of the nation, and all disaster risk reduction and management efforts shall be responsive to the humanitarian needs of the people, the dignity and value of the human person, and respect for property.

Towards this end, the state shall endeavor to ensure:

- 1. That a strategic, systematic, continuous, comprehensive, inclusive, and integrated approach to disaster risk reduction and management is established, with the end in view of substantially reducing vulnerabilities and the risk of disasters and other humanitarian emergencies, towards the preservation of life and property, thereby ultimately preventing or deterring the loss of lives and the social, economic, cultural, and environmental assets of the country;
- 2. That a permanent, institutionalized, cohesive and comprehensive framework for disaster preparedness, prevention and mitigation, and response, is adopted, to be implemented by a highly specialized and focused agency bearing its own mandate, powers, and funding, in coordination and with the participation of the Philippine government, other foreign governments and financial institutions, international organizations, the private sector, and civil society;
- 3. That the differing concerns and needs of various sectors or those with higher vulnerabilities such as women, children, elderly, persons with disabilities, and indigenous peoples, are specifically served, with respect to disaster resilience and disaster management;
- 4. The implementation of the principles, concepts and action plans of climate change and disaster risk reduction contained in international and national frameworks and commitments in various phases of policy formulation, development and investment plans, poverty reduction strategies and other development tools, and techniques by all national and local agencies, institutions and instrumentalities of the government to enhance the country's capacity for climate change adaptation and mitigation; and
- 5. To inculcate a culture of resilience and preparedness for natural disasters at the national, regional and local levels, and adopt a whole-of-society approach in disaster resilience to

enhance collaboration, planning, and dialogue among all sectors of society, and in improving their strategies and/or action plans for disaster risk reduction.

Sec. 3. Definition of Terms. - For purposes of this Act, these terms are defined as follows:

- a. Adaptation shall refer to the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities;
- b. Assisting Actor shall refer to any Assisting International Actor and any Assisting Domestic Actor responding to a disaster in the country;
- c. Assisting Domestic Actors shall refer to any not-for-profit entity established under domestic laws, which is responding to a disaster in the country;
- d. Assisting International Actors shall refer to any foreign state, organization, entity or individual responding to a disaster within the country or transiting through the country to provide assistance in another affected State;
- e. Biological Hazards shall refer to hazards that are of organic origin or conveyed by biological vectors, including pathogenic microorganisms, toxins and bioactive substances. Examples are bacteria, viruses or parasites, as well as venomous wildlife and insects, poisonous plants and mosquitoes carrying disease-causing agents;
- f. Build Forward Better shall refer to an approach to building and/or reconstructing an area or community which entails a shift from simple recovery and restoration to safer, more adaptive, resilient, and inclusive communities;
- g. Business Continuity shall refer to the capacity of a business entity to continue the delivery of its products and/or services at acceptable pre-defined levels following a disruptive incident;
- h. Civil Society Organizations (CSOs) shall refer to non-state actors whose aims are neither to generate profits nor to seek governing power, but to unite people to advance shared goals and interests. They have a presence in public life, expressing the interests and values of their members or others, based on ethical, cultural, scientific, religious or philanthropic considerations. CSOs include nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, people's organization, social movements, and labor unions;
- i. Climate Change shall refer to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persist in an extended period, typically decades or longer, whether due to natural variability or as a result of human activity as defined under Republic Act No. 9729, otherwise known as the "Climate Change Act of 2009". These include 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;
- j. Climate Mitigation shall refer to efforts to reduce or limit greenhouse gas emissions or enhance greenhouse gas sequestration;
- k. Cultural Heritage shall refer to the totality of cultural property preserved and developed through time and passed on to posterity;
- l. Contingency Planning shall refer to 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;
- m. Department shall refer to the Department of Disaster Resilience or the DDR;
- n. Development Assistance shall refer to any financial, material or other forms of assistance to support the economic, social, and environmental well-being of areas and/or people affected by a natural disaster;
- o. Disability shall refer to an evolving concept that results from the interaction between persons with impairments, societal barriers, as defined under Republic Act No. 7277, and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others;
- p. Disaster shall refer to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Unless otherwise used specifically in this Act, the term "disaster" shall refer to "natural disaster";

- 1 q. Disaster Contingency Fund shall refer to a fund, in lump-sum form, managed by the
2 Department to expediently provide funds and resources for disaster relief or response in
3 affected areas;
- 4 r. Disaster Mitigation or Mitigation shall refer to the lessening or limitation of the adverse
5 impacts of hazards and related disasters. Mitigation measures include hazard-resistant
6 structures as well as improved environmental, land use planning, climate change and other
7 sectoral policies and public awareness;
- 8 s. Disaster Preparedness shall refer to the knowledge and capacities developed by
9 governments, professional, professional response and recovery organizations, communities
10 and individuals to effectively anticipate, respond to, and recover from, the impacts of
11 likely, imminent or current hazard events or conditions. It includes preparedness for
12 response such as contingency planning, stockpiling of equipment and supplies, the
13 development of arrangements for coordination, evacuation, and public information, and
14 preparedness for recovery such as procurement of land for resettlement sites;
- 15 t. Disaster Prevention shall refer to the intention to avoid, or the outright avoidance, of
16 potential adverse impacts of disasters and related hazards through action(s) taken in
17 advance. It expresses the concept and intention to completely avoid potential adverse
18 impacts through action taken in advance such as construction of dams or embankments that
19 eliminate flood risks, land-use regulations that do not permit any settlement in high-risk
20 zones, and seismic engineering designs that ensure the survival and function of a critical
21 building in any likely earthquake;
- 22 u. Disaster Resilience shall refer to the ability of a system, community, or society exposed to
23 hazards to resist, absorb, accommodate, adapt to, transform, and recover from the effects
24 of a hazard and/or the long-term impact of climate change in a timely and efficient manner,
25 including through the preservation and restoration of its essential basic structures and
26 functions through risk management;
- 27 v. Disaster Response shall refer to the provision of emergency services and public assistance
28 during or immediately after a disaster in order to secure and save lives, reduce health
29 impacts, ensure public safety and meet the basic subsistence needs of the people affected.
30 Disaster response includes disaster relief focused on immediate and short-term needs of
31 the victims and the vulnerable;
- 32 w. Disaster Resilience Fund shall refer to the budget managed by the Department, which
33 includes funds appropriated to it by Congress pursuant to an Appropriations Act, the
34 Disaster Contingency Fund, and the Rehabilitation and Recovery Fund;
- 35 x. Disaster Risk shall refer to the potential disaster losses in lives, health status, livelihoods,
36 assets and services that could occur to a particular community or society in the future, and
37 is determined by a combination of the vulnerability, capacity, exposure of persons and
38 assets, hazard characteristics and the environment;
- 39 y. Disaster Risk Governance shall refer to the way in which public authorities, civil servants,
40 media, private sector, and civil society coordinate at community, national and regional
41 levels in order to manage disaster and climate related risks. This means ensuring that
42 sufficient levels of capacity and resources are made available to prevent, prepare for,
43 manage and recover from disasters. It also entails mechanisms, institutions, and processes
44 for citizens to articulate their interests, exercise their legal rights and obligations, and
45 mediate their differences;
- 46 z. Disaster Risk Management (DRM) shall refer to the systematic process of using
47 administrative directives, organizations, and operational skills and capacities to implement
48 strategies, policies and improved coping capacities in order to lessen the adverse impacts
49 of hazards and the possibility of disaster;
- 50 aa. Disaster Risk Reduction (DRR) shall refer to the prevention of new and/or reduction of
51 existing disaster risks, and the management of residual risk, to enhance resilience to
52 disasters;
- 53 bb. Early Warning System shall refer to an integrated system of hazard monitoring, forecasting
54 and prediction, disaster risk assessment, and communication and preparedness activities
55 and processes that enable individuals, communities, national government agencies, local
56 government units, the private sector, and others to take timely action to reduce disaster
57 risks and adequately prepare for disasters;
- 58 cc. Eligible Assisting Actor shall refer to any assisting actor that has been determined to be
59 eligible to receive legal facilities as provided for in this Act and/or its Implementing Rules
60 and Regulations (IRR);
- 61 dd. Emergency shall refer to an unforeseen or sudden occurrence, especially danger,
62 demanding immediate and decisive action;

- 1 ee. Emergency Management shall refer to the organization and management of resources and
2 responsibilities for addressing all aspects of emergencies, in particular preparedness,
3 response and initial recovery steps;
- 4 ff. Environmental Hazards are hazards that may be chemical, natural, and biological, and can
5 be created by environmental degradation or physical or chemical pollution in the air, water,
6 and soil. However, many of the processes and phenomena that fall into this category may
7 be termed drivers of hazard and risk rather than hazards themselves, such as soil
8 degradation, deforestation, loss of biodiversity, salinization, and sea-level rise;
- 9 gg. Exposure shall refer to the degree to which the elements at risk are likely to experience
10 hazard events of different magnitudes;
- 11 hh. Geographic Information System (GIS) shall refer to a system used to capture, store,
12 manipulate, manage and display all types of spatial or geographical data;
- 13 ii. Geographically Isolated and Disadvantaged Area (GIDA) shall refer to areas with a
14 marginalized population, which is physically and socio-economically separated from the
15 mainstream society and characterized by physical factors-isolated due to distance, weather
16 conditions and transportation difficulties (island, upland lowland, landlocked, hard to reach
17 and underserved communities); and/or socio-economic factors-(highly-poverty incidence,
18 presence of vulnerable sector, communities in or recovering from situation of crisis or
19 armed conflict);
- 20 jj. Geological or geophysical hazards shall refer to the hazards that originate from internal
21 earth processes, such as earthquakes, volcanic activities and emissions, and related
22 geophysical processes, which include mass movements, landslides, rockslides, surface
23 collapses, and debris or mud flows. Hydrometeorological factors are important contributors
24 to some of these processes. While tsunamis are triggered by undersea earthquakes and
25 others geological events, they essentially become an oceanic process that is manifested as
26 a coastal water-related hazard;
- 27 kk. Hazard shall refer to a phenomenon, substance, human activity or condition that may cause
28 loss of life, injury or impacts to health; social and economic disruption, environmental
29 damage, or loss of/disruption to property, livelihood, and/or services;
- 30 ll. Historical landmarks shall refer to sites or structures that are associated with events or
31 achievements significant to Philippine history as declared by the National Historical
32 Institute or the applicable agency;
- 33 mm. Human-Induced Hazard shall refer to an event that is caused by humans and occurs in
34 or close to human settlements or a particular environmental area. This can include
35 environmental degradation, technological or industrial conditions, pollution, accidents, e.g.
36 high-density events, industrial and transport accidents, complex emergencies, armed
37 conflict, situations of generalized or organized violence, and violation of human rights;
- 38 nn. Humanitarian assistance shall refer to financial, material or other similar forms of
39 assistance to address the immediate needs of people affected by a natural disaster;
- 40 oo. Hydrometeorological hazards shall refer to hazards that are of atmospheric, hydrological,
41 or oceanographic origin, such as tropical cyclones (also known as typhoons and
42 hurricanes); floods, including flash floods; drought; heat waves and cold spells; and coastal
43 storm surges. Hydrometeorological conditions may also be a factor in other hazards such
44 as landslides, wildland fires, locust plagues, epidemics, and in the transport and dispersal
45 of toxic substances and volcanic eruption material;
- 46 pp. Impact and needs assessment shall refer to the assessment of the nature and magnitude of
47 a disaster, its impact on affected populations, the type and extent of emergency, and the
48 requirements for recovery and rehabilitation of affected areas;
- 49 qq. Immediate Danger shall refer to a situation where, on the basis of official forecasts, it could
50 reasonably be expected that a disaster will occur in a particular geographical area and
51 within an estimated period of time, and where necessary preparedness actions or financing
52 are required;
- 53 rr. Integrated Disaster Resilience Information System shall refer to a specialized database,
54 which contains, among others, information on disasters and their human, material,
55 economic and environmental impact, risk assessment and mapping, and vulnerable and
56 marginalized groups;
- 57 ss. International Disaster Relief and Initial Recovery Period shall refer to the period that
58 commences upon the issuance of a request for international disaster assistance or upon
59 acceptance of an offer, and shall continue until terminated, pursuant to guidelines set in the
60 implementing rules and regulations;

- 1 tt. Internally Displaced Persons shall refer to persons or groups of persons who have been
2 forced or obliged to flee or to leave their homes or places of habitual residence within
3 national borders;
- 4 uu. International Personnel shall refer to staff and volunteers of any assisting actor providing
5 disaster relief or initial recovery assistance being persons who are neither citizens of nor
6 domiciled in the Philippines prior to their recruitment by the international assisting actor;
- 7 vv. Land Use Planning shall refer to the process undertaken by public authorities to identify,
8 evaluate and decide on different options for the use of land, including consideration of
9 long-term economic, social and environmental objectives and the implications for different
10 communities and interest groups, and the subsequent formulation and promulgation of
11 plans that describe the permitted or acceptable uses;
- 12 ww. Legal Facilities shall refer to entitlements and exemptions that are granted to Assisting
13 Domestic or International Actors that are declared to be eligible pursuant to this Act and
14 its implementing rules and regulations;
- 15 xx. Local Disaster Resilience Plan (LDRP) shall refer to a document prepared by an LGU
16 based on the National Disaster Resilience Framework (NDRF) and the National Disaster
17 Resilience Plan and Investment Plan (NDRPIP) that sets out specific programs, objectives
18 and goals to implement disaster risk management and climate change adaptation measures
19 at the local level. The plan includes, among others, an evaluation and analysis of emerging
20 disaster risks, hazards and vulnerabilities applicable to an LGU, and specific programs and
21 activities to ensure responsive, effective, and appropriate disaster preparedness and
22 management at the local level;
- 23 yy. National Continuity Policy shall refer to a comprehensive national policy consisting of a
24 set of programs and projects aimed at capacitating the government to ensure the continuity
25 of governance and the delivery of public services during and after any disaster;
- 26 zz. National Disaster Resilience Framework (NDRF) shall refer to a framework that provides
27 for a comprehensive, multi-sectoral, whole-of-government, and whole-of-society approach
28 to attaining safe, adaptive, and resilient communities that can resist, prevent, mitigate
29 against, absorb, accommodate, adapt to, recover, or build back better from the effects of a
30 natural hazard in a timely and efficient manner through, among others, disaster risk
31 reduction and management, and climate change adaptation and mitigation. The NDRF shall
32 be composed of a National Disaster Risk Reduction and Management Framework
33 (NDRRMF), and National Framework Strategy on Climate Change (NFSCC);
- 34 aaa. National Disaster Resilience Plan and Investment Program (NDRPIP) shall refer to a
35 plan formulated and implemented by the national and local governments, in collaboration
36 with NGOs, the private sector, academe, international development partners, and others, in
37 accordance with the NDRF that sets out the outcomes, goals and objectives, priorities,
38 programs and corresponding action plans for disaster risk reduction, preparedness, and
39 management, and climate change mitigation. The NDRPIP shall also include, among
40 others, goals, objectives and action plans for a national continuity policy. It shall be in
41 conformity with the national disaster risk reduction and management framework;
- 42 bbb. Natural Hazard shall refer to naturally occurring physical phenomena caused either by
43 rapid or slow onset events, which can be geological (earthquakes, ground rupture,
44 liquefaction, landslides, tsunamis, sinkholes, and volcanic activity), hydrological and
45 meteorological (floods, severe winds, typhoons, storm surges), climatological variability
46 (extreme temperatures, El Niño, La Niña, forest fires), or biological (disease, epidemics
47 and insect/animal plagues);
- 48 ccc. Open Data shall refer to a set of data that can be freely used, shared and built-on by
49 anyone, anywhere, for any purpose, it must be available in bulk, and should be available
50 free of charge, or at least at no more than a reasonable reproduction cost. The information
51 should be digital, preferably available by downloading through the internet, and easily
52 processed by the end-user's computer. The data must permit people to use, re-use, and
53 redistribute it, including intermixing it with other data sets and distributing the results.
54 Lastly, it does not allow conditions to be placed on how people can use such data but permit
55 a data provider to require that data has been changed, or that any new datasets created using
56 their data are also shared as open data;
- 57 ddd. Pre-Disaster Recovery Plan (PDRP) shall refer to a plan intended to help government
58 officials working in small communities or across an entire nation, to define and follow a
59 process to pre plan for disaster recovery, and thereby strengthen their own future recovery
60 efforts and outcomes;
- 61 eee. Pre-Disaster Risk Assessment (PDRA) shall refer to a process to evaluate a hazard's
62 level of risk given the degree of exposure and vulnerability in a specific area likely to be

1 affected by an imminent hazard. It presents the possible impacts on the population and
2 forms a basis to determine the appropriate level of response actions from the national level
3 government agencies down to the local government units. It is hazard-specific, area
4 focused, and time-bound;

5 fff. Recovery shall refer to rehabilitation measures that ensure the ability of affected
6 communities or areas to return their normal level of functioning by restoring livelihoods
7 and services, reconstruction of damaged infrastructures and increasing the communities'
8 organizational capacity;

9 ggg. Rehabilitation shall refer to restoration of basic services and facilities for the
10 functioning of a community or a society affected by a disaster;

11 hhh. Response shall refer to any effort to provide assistance or intervention during or
12 immediately after a disaster to meet the life preservation and basic subsistence needs of
13 affected people and communities; and in the restoration of essential public activities and
14 facilities;

15 iii. Retrofitting shall refer to the reinforcement of upgrading of existing structures to make
16 them more resistant and resilient to the damaging effects of hazards;

17 jjj. Risk assessment shall refer to a methodology to determine the nature and extent of risk by
18 analyzing potential hazards and evaluating existing conditions of vulnerability that together
19 could potentially harm exposed people, property, services, livelihood and the environment
20 on which they depend;

21 kkk. Risk Transfer shall refer to the process of formally or informally shifting the financial
22 consequences of particular risks from one party to another whereby a household,
23 community, enterprise or state authority will obtain resources from the other party after a
24 disaster occurs, in exchange for ongoing or compensatory social or financial benefits
25 provided to that other party;

26 ll. Safety stock shall refer to items, such as raw materials, component parts, or finished goods,
27 maintained in inventory to reduce the risk that such item will be out of stock, in anticipation
28 of unforeseen shortages or unusual demand for such items;

29 mmm. Service Continuity shall refer to the capacity of a government instrumentality to
30 continue delivering its mandated outputs and/or services to the public during and after a
31 disaster;

32 nnn. State of Calamity shall refer to a condition involving danger to life, loss of life, damage
33 to property, economic and social disruption, interruption of livelihoods and services, and
34 damage to infrastructure;

35 ooo. Simplified or Pre-Arranged Contract shall refer to a written agreement in the nature of
36 an option contract between the procuring entity on one hand, and the most responsive and
37 lowest calculated bidder on the other, granting the procuring entity the option to either
38 place an order for any of the goods identified therein or not buy at all, within a given period
39 of time;

40 ppp. Sustainable Development shall refer to development that meets the needs of the present
41 without compromising the ability of future generations to meet their own needs;

42 qqq. Volunteers shall refer to individuals, groups or entities that offer and/or provide
43 services or assistance, without compensation, to help people and/or areas affected by
44 disasters;

45 rrr. Vulnerability shall refer to the conditions determined by physical, social, economic,
46 organizational, and environmental factors or processes, which increase the susceptibility
47 of an individual, a community, assets or systems to the impacts of hazards;

48 sss. Whole-of-Society Approach shall refer to an approach that encourages the meaningful and
49 active participation and synergy of the different stakeholders of society toward climate
50 change adaptation and mitigation, and disaster risk reduction and management at the
51 national and local levels;

52 ttt. Whole-of-Government Approach shall refer to an approach that instills and fosters
53 collaboration among all government instrumentalities both at the national and local levels
54 toward shared sustainable development goals and outcomes; and

55 uuu. Whole-of-Nation Approach refers to an approach that ensures the participation,
56 coordination, and collaboration of all sectors of society, including national government
57 agencies, local government units, civil society organizations, the private sector, academia,
58 communities, and development partners, in the planning, implementation, and evaluation
59 of policies, programs, and activities related to disaster resilience, climate adaptation,
60 preparedness, response, recovery, and rehabilitation.

61 ARTICLE II

1 THE DEPARTMENT OF DISASTER RESILIENCE:
2 MANDATE, POWERS, AND FUNCTIONS
3

4 **Sec. 4. *Creation of the Department of Disaster Resilience.*** - There is hereby created
5 the Department of Disaster Resilience, hereinafter referred to as the Department.
6

7 The Department shall be the principal government institution responsible for ensuring
8 safe, adaptive, and disaster-resilient communities. It shall lead, spearhead, initiate, and integrate
9 the crafting and implementation of comprehensive, continuous, and strategic plans, programs,
10 projects and activities to reduce the risk of all types of natural hazards and effects of climate
11 change, and manage the impact of disasters with the primordial goal of saving lives and minimizing
12 damage to property, in close collaboration with all relevant stakeholders at the national and local
13 levels.
14

15 The Department shall oversee and coordinate the preparation, implementation,
16 monitoring, and evaluation of disaster and climate resilience plans, programs, projects and
17 activities, provide leadership in the continuous development of strategic and systematic
18 approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation
19 and anticipatory adaptation strategies, measures, techniques, and options. It shall also manage and
20 direct the implementation of national, local, and community-based disaster resilience programs in
21 collaboration with relevant national government agencies, LGUs, CSOs, and other stakeholders,
22 as applicable.
23

24 **Sec. 5. *Powers and Functions of the Department.*** - The Department shall exercise
25 and perform the following powers and functions: Overall functions:
26

- 27 1. Craft the policies and lead the implementation of the programs, projects and activities
28 necessary to reduce the country's vulnerabilities to natural hazards and climate change,
29 using the National Disaster Resilience Framework (NDRF) and NDRPIP as anchors;
- 30 2. Review and build upon, to the extent necessary, the existing disaster resilience framework,
31 plans and strategies in the crafting of an NDRF and the corresponding NDRPIP;
- 32 3. Oversee, review, and approve the translation, integration, and implementation of the
33 NDRPIP into LDRPs;
- 34 4. Communicate and disseminate critical information to help the public prepare for, respond
35 to, and recover from a disaster;
- 36 5. Receive, manage, and administer the Disaster Resilience Fund, the Disaster Contingency
37 Fund, donations and other funds, assets and/or properties received by the Department to
38 accomplish the purposes of this Act;
- 39 6. Recommend to the President of the Philippines the declaration of a state of calamity due to
40 a natural disaster, and the lifting thereof when conditions stabilize;
- 41 7. Coordinate with, request the assistance of, and recommend appropriate actions to national
42 government agencies, government-owned or controlled corporations, local government
43 units, and other government instrumentalities to ensure the effective implementation of this
44 Act and the attainment of its goals and objectives;
- 45 8. Advance the country's interests relating to disaster resilience and climate change in the
46 regional and global arena;
- 47 9. Advise the President on matters concerning disaster resilience and make recommendations,
48 as appropriate; and
- 49 10. Perform such other functions, as provided by law or assignment of the President, and
50 undertake all other necessary actions to ensure the attainment of the overall goals and
51 objectives of this Act.
52

53 Disaster Risk Reduction:
54

- 55 1. Develop coordinated national, regional, and local strategies for the effective prevention and
56 mitigation of disaster risk resulting from natural hazards, including the effects of climate
57 change;
- 58 2. Monitor and ensure the integration of disaster risk reduction and management, and climate
59 change adaptation policies into national development plans;
- 60 3. Establish a disaster resilience information system to facilitate the creation of an integrated
61 risk assessment platform built from the inputs of government and private scientific and
62 academic institutions, national government agencies and local government units, local

- 1 communities, and other stakeholders and that is able to provide readily accessible and
- 2 actionable information for purposes of risk governance and humanitarian action;
- 3 4. Formulate plans and programs to establish and implement government redundancy, service
- 4 and business continuity, and a National Continuity Policy, as a high priority and urgent
- 5 undertaking;
- 6 5. Ensure the use of advanced science and technology in anticipatory planning against the
- 7 impacts of natural hazards and climate change through consultation with, and regular
- 8 funding support for, the academe and higher education institutions;
- 9 6. Develop and implement policies and programs related to the construction of new
- 10 settlements or relocation of settlements in safe areas which, to the extent that they relate to
- 11 disaster risk reduction, mitigation, prevention, or building forward better, shall be
- 12 integrated into and harmonized with the policies and plans of concerned agencies and
- 13 LGUs;
- 14 7. Design and implement an incentive system for greater private and public investment, both
- 15 at the local and national levels, on disaster risk reduction;
- 16 8. Oversee and ensure the mainstreaming of climate change adaptation and disaster risk
- 17 reduction in development and land use planning, and the preparation of contingency plans;
- 18 9. Create an enabling environment that shall promote broader multi-stakeholder participation
- 19 for disaster risk reduction and climate change adaptation and mitigation;
- 20 10. Establish and monitor local and national capacity for disaster risk financing and insurance
- 21 and other risk transfer strategies in coordination with the Department of Finance (DOF),
- 22 the Government Service Insurance System (GSIS), and the Land Bank of the Philippines
- 23 (LBP), and the Insurance Commission;
- 24 11. Coordinate directly with local government units and private entities to address Disaster
- 25 Risk Assessment (DRA) of regions and provinces, cities and municipalities, and barangays;
- 26 12. Review and evaluate local disaster resilience plans and other local plans to ensure their
- 27 consistency with the National Disaster Resilience Framework; and
- 28 13. Undertake all other programs, projects, and actions necessary to attain the overall goals
- 29 and intended outcome of this key result area.
- 30

31 Disaster Preparedness and Response:

32

- 33 1. Lead, manage, and collaborate with the relevant government instrumentalities, non-
- 34 government stakeholders, and international partners in providing the minimum basic needs
- 35 of people in affected areas before, during and/or immediately after a disaster to save lives
- 36 and minimize casualties;
- 37 2. Ensure the efficient prepositioning of goods, maintenance, and disposal of safety stocks;
- 38 3. Prepare pre-disaster recovery plans in anticipation of future disasters by engaging the
- 39 community and planning for recovery activities that are comprehensive and long-term;
- 40 4. Establish a corps of first responders in partnership with national and local stakeholders,
- 41 both public and private;
- 42 5. Formulate standards for contingency planning for adoption by both national government
- 43 agencies and local government units;
- 44 6. Oversee and maintain a national early-warning and emergency alert system that must
- 45 provide a specific, areas-focused and time-bound warning that are accurate, timely,
- 46 understandable and readily accessible to national and local emergency response
- 47 organizations and the general public;
- 48 7. Implement Pre-Disaster Risk Assessments to include deployment of rapid assessment
- 49 teams to gather information for precise actions as a basis for emergency preparedness and
- 50 humanitarian response;
- 51 8. Coordinate information-sharing and other disaster risk reduction protocols following the
- 52 principle of inter-operability among national government agencies and local government
- 53 units;
- 54 9. Establish and maintain a national humanitarian logistics system with a network of
- 55 warehouses, transport and resources, including response assets and disaster relief food and
- 56 non-food items;
- 57 10. Call upon the relevant government instrumentalities, non-government stakeholders, CSOs,
- 58 and international partners for assistance in ensuring the protection and preservation of life
- 59 and property such as through the use of their resources and facilities, among others. This
- 60 function includes the power to call on the reserve force as defined in Republic Act no. 7077
- 61 to assist in search and rescue, and the relief and disaster preparedness and response
- 62 operations;

11. Organize, train, equip, and maintain a system of response capacity for search, rescue and retrieval and the delivery and distribution of relief goods;
12. Monitor and support LGUs in the management of evacuation centers and ensure the welfare and dignity of internally-displaced persons;
13. Procure goods and services prior to, during, and after emergencies for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster;
14. Recommend and promulgate supplemental procurement guidelines in coordination with the Government Procurement Policy Board (GPPB), consistent with existing procurement laws;
15. Assist in mobilizing necessary resources to increase the overall capacity of local government units, specifically those with low income and situated in high-risk areas;
16. By the authority of the President, secure the assistance of the Armed Forces of the Philippines (AFP), the Philippine National Police (PNP), DILG-Bureau of Fire Protection (BFP), DOTr-Philippine Coast Guard (PCG), and other uniformed services in undertaking disaster preparedness and response operations in at-risk and/or disaster-affected areas; and
17. Undertake all other programs, projects, and actions necessary to attain the overall goals and intended outcomes of this key result area.

Recovery and Building Forward Better:

1. Prepare, organize, lead, implement, and manage post-disaster assessment and recovery and rehabilitation programs and plans, in coordination with the affected local governments units, national government agencies, and other stakeholders;
2. Establish a system that utilizes templates, exposure database, and other tools; and develop the Department's in-house capacity for the prompt and expedient preparation of rehabilitation plans, when needed, for disaster affected areas;
3. Prepare and implement the recovery and rehabilitation plan(s) for disaster affected areas;
4. Implement the cluster approach to expedite reconstruction efforts, e.g., post-disaster shelter recovery, and orchestrate and serve as the clearinghouse for the participation of assisting actors in such efforts;
5. Collaborate with relevant government agencies and non-government stakeholders in undertaking programs and projects that restore and generate livelihood, employment, skills development, and entrepreneurial opportunities in disaster-affected areas, including through coordination with the Department of Labor and Employment (DOLE), Department of Trade and Industry (DTI), and Technical Education and Skills Development Authority (TESDA);
6. Ensure that the principle of Building Forward Better, not mere restoration, is applied to all recovery, reconstruction, and rehabilitation efforts; and
7. Undertake all other programs, projects, and actions necessary to attain the overall goals and intended outcomes of this key result area.

Other Powers and Functions:

1. Constitute, call, convene and/or deputize agencies of government, and invite non-government and private organizations, to assist, advise, and/or coordinate with the Department to achieve the goals and purposes of this act;
2. Provide operating guidelines to the LDROs for the Declaration of Imminent Disaster in their respective areas, which shall allow them to implement preemptive measures and use their quick response funds in order to save lives and minimize damage to property, loss of livelihood, and other assets;
3. Administer, mobilize, monitor, and oversee the utilization of disaster resilience-related funds, including, but not limited to, the National Disaster Resilience Fund and the Supplemental Disaster Resilience Support Fund for low-income provinces, cities, and municipalities, and multi-hazard local government units;
4. Inspect and examine the status of projects, programs, and activities undertaken by national government agencies and local government units in furtherance of disaster resilience efforts;
5. Whenever it becomes necessary, to save lives and/or minimize damages to livelihood and property, assume supervision over the implementation of any government program, project, or activity in anticipation of, during, and in the aftermath of a disaster;

6. Negotiate, enter into, institutionalize, and coordinate arrangements with any private person or entity for the purpose of ensuring the adequate and prompt availability of goods and services necessary in anticipation of, during, and in the aftermath of disasters;
7. Manage all funds appropriated to it by law and from other sources, including all donations and grants received by it;
8. Promulgate rules and regulations for the receipt, management, and accounting of donations that are consistent with the rules of the Commission on Audit (COA) on¹~~SEP~~ the use of foreign and local aid during calamities and disasters;
9. Receive humanitarian assistance from local and foreign sources, recommend the acquisition of developmental assistance for the purpose of disaster resilience, acknowledge and certify the receipt of all humanitarian assistance, and ensure their judicious use and management;
10. Establish and operate a platform, including an online platform, to monitor and provide public access to information on humanitarian assistance received by the Department;
11. Secure the assistance of the AFP, PNP, DILG- BFP, DOTr-PCG, and other uniformed services and government instrumentalities to ensure the attainment of the three key result areas, and the overall goals and objectives of this Act;
12. In consultation with the COA, promulgate rules and regulations for the retention, re-exportation, donation, and disposition of unused goods and equipment after the termination of disaster relief and initial recovery operations;
13. Assist appropriate national government agencies and offices and concerned local government units in protecting national cultural heritage including national treasures and national historical landmarks, sites or monuments from hazards and disasters; and
14. Perform such other functions, as provided by law or assignment of the President, and undertake the necessary actions to ensure the attainment of the overall goals and objectives of this Act.

ARTICLE III EMERGENCY MEASURES

Sec. 6. *Emergency Measures.* - The Department shall undertake and implement such immediate measures as may be necessary subject to existing laws, due process requirements, and payment of just compensation to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of emergencies, hazards and disasters, including preemptive and forced evacuations.

- a. Local government units shall enact an ordinance on and implement necessary and appropriate emergency measures, including preemptive and forced evacuations, to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of disasters. It shall be mandatory for Local Government Units to provide evacuation centers, with due consideration to the capacity of local facilities, when requested by the Department, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters. In providing such evacuation centers, due regard shall be given to the most vulnerable and marginalized groups, respecting the dignity and culture of persons, observing equality, and using proportionate force in implementing such emergency measures. Preemptive evacuation shall be the primary and preferred mode of moving people who may be affected by disasters.
- b. Forced evacuation shall be considered as an emergency measure of last resort, and shall be carried out by the affected local government unit, pursuant to a duly issued order by the local chief executive: Provided, That in case of the failure of the local chief executive to issue such an order, the forced evacuation shall be implemented by the Department, which may direct and compel the assistance of law enforcement and other relevant government agencies to implement such measure.
- c. Any person who willfully and deliberately disregards or disobeys a preemptive or forced evacuation implemented by the local government unit or the Department, as the case may be, releases such local government unit or the Department from liability arising solely from the person's refusal or failure to comply with such evacuation order.
- d. Whenever necessary, the Department may recommend to the President the calling out of the Armed Forces of the Philippines to prevent or suppress lawless violence occurring before, during, and in the aftermath of disasters.

- e. The Department may ration the distribution of basic goods in critical shortage, and/or restrict or ban the transfer of such goods outside the area covered by the emergency measure.
- f. The Department may temporarily take over or direct the operation of any private utility or business for urgent public purpose in anticipation of, during, and in the aftermath of emergencies, hazards, and disasters and only when there is imminent danger of loss of lives and/or damage to property, subject to existing laws, due process requirements, and the payment of just compensation.
- g. With the concurrence of the DOF, the Department shall recommend to the Monetary Board the deferment of payment for monetary debts of LGUs and/or private entities that have been affected by disasters

ARTICLE IV ORGANIZATION AND MANAGEMENT

Sec. 7. *The Secretary.* - The Department shall be headed by the Secretary of Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed by the President, subject to confirmation by the Commission on Appointments.

The Secretary shall possess substantial experience and demonstrated competence in disaster risk reduction and management, climate resilience, emergency management, environmental science, engineering, public administration, or related fields.

Sec. 8. *Powers and Functions of the Secretary.* - The Secretary shall exercise the following powers and functions:

- a. Establish and promulgate policies, rules, and regulations for the effective and efficient operation of the Department and implement these to carry out its mandate, functions, programs, and activities;
- b. Exercise executive direction over the operations of the Department and administrative supervisions over its attached agencies;
- c. Exercise control and supervision over all functions and activities of the Department and its officers and personnel;
- d. Appoint officers and employees of the Department, except those whose appointments are vested in the President, in accordance with civil service law, rules, and regulations;
- e. Exercise disciplinary authority over officers and employees of the Department in accordance with law, and investigate such officers and employees, or designate a committee or officer to conduct an investigation;
- f. Manage the financial, human, and other resources of the Department;
- g. Collaborate with other government agencies, the private sector, and 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.

Sec. 9. *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

- 1 area and database of volunteers, the establishment of safe and strategic evacuation
2 centers, and the implementation of responsive and efficient prepositioning and
3 distribution of goods;
- 4 c. Recovery and Building Forward Better - the formulation and implementation of
5 rehabilitation plans for disaster-affected areas and ensuring the implementation of
6 disaster recovery and rehabilitation measures, such as post-disaster shelters and
7 livelihood projects, in collaboration with relevant government agencies, local
8 government units, and other stakeholders; and
- 9 d. Support to Operations - the formulation and implementation of policies, programs,
10 projects, and activities to ensure the efficient, effective, and responsive performance of
11 the Department's mandate, powers, and functions. Support to operations includes
12 knowledge management, institutional development and planning, finance,
13 administration, and human resources management.
- 14

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

17

18 **Sec. 10. *The Assistant Secretaries and Directors.*** - The Department shall have
19 Assistant Secretaries and Directors whose number, functions, and assignments shall be determined
20 in accordance with the organizational structure and staffing pattern of the Department to ensure
21 the effective and efficient discharge of its mandate, powers, and functions.

22

23 **Sec. 11. *Qualifications.*** - All the Undersecretaries, Assistant Secretaries, and other
24 officials of the Department shall possess relevant expertise and experience and have a good track
25 record in any of the following fields, as applicable to their mandated key result areas and functions:
26 disaster risk reduction and management, science and technology, environmental science or
27 management, urban planning, civil engineering, public finance, information and communications
28 technology, logistics management, mass communication, among other fields directly relevant to
29 ensuring the country's disaster resilience.

30

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

36

37 **Sec. 12. *Structure and Staffing Pattern.*** -The Department shall determine its
38 organizational structure and staffing pattern and create such services, divisions, and units, as it
39 may require or deem necessary, subject to the approval of the Department of Budget and
40 Management.

41

42 **Sec. 13. *Regional Disaster Resilience Offices.*** - The Department shall establish
43 and maintain Regional Disaster Resilience Offices (RDROs) in each administrative region, to be
44 headed by a Regional Director. The Department shall create policies and programs to establish
45 collaboration and coordination among the different RDROs.

46

47 **Sec. 14. *Powers and Functions of RDROs.*** - The RDROs shall have the following
48 powers and functions:

49

- 50 a. Review the LDRPs and Pre-Disaster Recovery Plan (PDRPs) of LGUs within its
51 jurisdiction, and require the amendment of such LDRPs and/or Pre-Disaster Recovery
52 Plan (PDRPs) if necessary, to ensure compliance with the NDRF and relevant national
53 investment plans;
- 54 b. Monitor and direct LDROs and PDROs to implement their respective LDRPs and Pre-
55 Disaster Recovery Plans (PDRPs);
- 56 c. Recommend to the appropriate local legislative body the enactment of ordinances to
57 implement the LDRP, NDRF and relevant national investment plans at the city,
58 municipal or provincial level, and to comply with other requirements of this Act;
- 59 d. Review reports on the utilization of the LDRF and other disaster risk and management
60 resources of LGUs within its jurisdiction, and give recommendations, as necessary;
- 61 e. Disburse to, and monitor the use by, LGUs of funds granted by the Department
62 pursuant to this Act and its IRR;

- f. Provide, upon the request of LGUs or unilaterally at its own discretion, assistance to LGU(s) within its jurisdiction as necessary to ensure the implementation of LDRPs and/or PDRPs, NDRF and relevant national investment plans, and to render efficient and timely disaster preparedness, response and recovery measures;
- g. Identify and report to the Department issues and problems relating to, or affecting, the disaster resilience of LGUs within its jurisdiction, and make recommendations to the Department and/or to the LGUs to address such issues or problems;
- h. Formulate and establish mechanisms to mobilize and direct LDROs and PDROs within its jurisdiction as necessary for disaster preparedness and response at the regional level;
- i. Establish and maintain, in coordination with the Department, a Regional Command and Control Center (RCCC), which includes, among others, an information management system at the regional level, which consolidates and integrates information from the provinces, cities and municipalities within its jurisdiction, a multi-hazard early warning and communications system, and a monitoring system that enables the RDRO to oversee, supervise, monitor and respond to the needs of LGUs within its jurisdiction in relation to disaster resilience activities;
- j. Assist in the implementation, of rehabilitation plan(s) for LGUs within its coverage: and
- k. Conduct other activities and act on other matters, in accordance with policies and procedures of the Department and applicable laws, to achieve the purposes of this Act.

Sec. 15. *Special Disaster Response Teams.* - The RDROs may organize and/or activate Special Disaster Response Teams (SDRTs) to assist LGUs in responding to hazards and disasters that are beyond their capacities, as deemed necessary.

Sec. 16. *Local Disaster Resilience Offices.* - The Local Disaster Risk Reduction and Management Offices in provinces, cities, and municipalities are hereby renamed as the Provincial, City, and Municipal Disaster Resilience Offices, respectively, and shall collectively be referred to as the Local Disaster Resilience Offices (LDROs). Provincial, city, and municipal governments shall establish and maintain their respective LDROs.

Provincial, City, Municipal, and Barangay Disaster Risk Reduction and Management Councils are hereby renamed as Local Disaster Resilience Councils (LDRCs) and shall continue to serve as the primary multi-sectoral coordinating and policy-making bodies for disaster resilience at the provincial, city, municipal, and barangay levels.

The LDROs shall serve as the technical, operational, and secretariat arm of the LDRCs and shall be responsible for the day-to-day implementation of disaster resilience policies, plans, programs, and activities.

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 capital outlay requirements of the LDROs in the implementation of disaster resilience and climate adaptation programs shall be charged against the Local Disaster Resilience Fund.

Sec. 17. *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, subject to Civil Service Commission rules and regulations.

Sec. 18. *Powers and Functions of City and Municipal Disaster Resilience Offices.* - The City and Municipal Disaster Resilience Offices shall have the following powers and functions:

- a. Formulate and implement, in coordination with the Department, a comprehensive and integrated Local Disaster Resilience Plan in accordance with the NDRF and the relevant national investment plans;

- b. Design, program, coordinate, and implement disaster resilience activities consistent with the standards and guidelines provided by the Department, and implement the NDRF and the relevant national investment plans at the city or municipal level;
- c. Prepare and submit to the Sangguniang Panglungsod or Bayan, as the case may be, the LDRP, the proposed programming of the LDR Fund, other dedicated disaster resilience resources, and other funds of the LDRO;
- d. Recommend to the Sangguniang Panglungsod or Bayan, as the case may be, the enactment of ordinances to implement the LDRP, NDRF, relevant national investment plans, and the provisions of this Act;
- e. Prepare and submit to the Department a report on the utilization of its Local Disaster Resilience Fund and other disaster risk reduction and management resources;
- f. Establish and maintain, in coordination with the Department, an information management system within the LGU, which, among others, consolidates and includes local risk information (such as natural hazards, profile of the LGU's vulnerable or marginalized groups), local risk maps, and a disaggregated database of human resource, equipment, services, resources, directories and location of critical infrastructures with their capacities (such as hospitals and evacuation centers);
- g. Operate and maintain, in coordination with the Department, a multi-hazard early warning and communications system to provide accurate and timely information to the public;
- h. Organize and conduct training and knowledge management activities on disaster resilience at the local level, in coordination with the Disaster Research, Education, and Training Institute;
- i. Recommend to the local chief executive the procurement of emergency works, goods, and services in compliance with the regulations, orders, and policies of DBM and Government Procurement Policy Board (GPPB), to implement the LDRP or support early recovery and post-disaster activities;
- j. Recommend, in coordination with the DOF and other relevant agencies, to the local chief executive, access to foreign loans to finance projects, programs, and policies for disaster preparedness, response, recovery, and rehabilitation, subject to terms and conditions agreed upon by the local government unit and the lender, subject to existing laws, rules, and regulations governing local government borrowing;
- k. Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs, CSOs, private sector, organized volunteers, and sectoral organizations for disaster resilience activities, in accordance with policies and procedures of the Department and applicable laws;
- l. Coordinate and provide the necessary support or assistance to the Department in the implementation of rehabilitation plan(s) within the city or municipality covered by the LDRO;
- m. Coordinate with the Department, other government agencies, members of the private sector and other stakeholders in the LGU to establish a Business Continuity Plan as part of their LDRP's disaster preparedness measures;
- n. Establish linkage/network and coordination mechanisms with other LGUs and the Department for disaster resilience activities and to achieve the purposes of this Act; and
- o. Conduct other activities and act on other matters, in accordance with policies and procedures of the Department and applicable laws, to achieve the purposes of this Act.

Sec. 19. Powers and Functions of the Provincial Disaster Resilience Offices. —The Provincial Disaster Resilience Offices shall have the following powers and functions:

- a. Formulate and implement, in close coordination with the Department and the local government units under the jurisdiction of the provincial government, a comprehensive and integrated Provincial Disaster Resilience Plan in accordance with the NDRF;
- b. Review the LDRPs of cities and/or municipalities within its jurisdiction, and require the amendment of such LDRPs if necessary, to ensure compliance with the Provincial Disaster Resilience Plan and the NDRF;
- c. Design, program, coordinate, or implement disaster resilience activities consistent with the standards and guidelines provided by the Department, and implement the NDRF and the relevant national investment plans at the provincial level;
- d. Prepare and submit to the Sangguniang Panlalawigan, the Provincial Disaster Resilience Plan, the proposed programming of the province's Local Disaster Resilience

- 1 Fund, other dedicated disaster resilience resources, and other funding sources of the
2 PDRO;
- 3 e. Recommend to the Sangguniang Panlalawigan the enactment of local ordinances to
4 implement the Provincial Disaster Resilience Plan, NDRF and relevant national
5 investment plans at the provincial level, and to comply with other requirements of this
6 Act;
- 7 f. Prepare and submit to the Department, a report on the utilization of the province's Local
8 Disaster Resilience Fund and other disaster risk reduction and management resources;
- 9 g. Establish and maintain, in coordination with the Department, a Provincial Command
10 and Control Center (PCCC), which includes, among others, an information
11 management system at the provincial level, which consolidates and integrates
12 information from the cities and/or municipalities within its jurisdiction, a multi-hazard
13 early warning and communications system that is connected with the cities and/or
14 municipalities within its jurisdiction, and a monitoring system that enables the PDRO
15 to oversee, supervise, monitor and respond to the needs of cities and/or municipalities
16 within its jurisdiction in relation to disaster resilience activities;
- 17 h. Recommend to the Provincial Governor the procurement of emergency works, goods,
18 and services in compliance with the regulations, orders, and policies of DBM and
19 GPPB, to implement the Provincial Disaster Resilience Plan or support early recovery
20 and post-disaster activities of the PDRO;
- 21 i. Recommend, in coordination with the DOF, to the Provincial Governor to access
22 foreign loans to finance its policies, programs, projects, and activities for disaster
23 preparedness, response, recovery, and rehabilitation, subject to terms and conditions
24 agreed upon by the Provincial Government and the lender, subject to existing laws,
25 rules, and regulations governing local government borrowing;
- 26 j. Formulate and establish mechanisms to mobilize and direct LDROs within its
27 jurisdiction as necessary for disaster preparedness and response at the provincial level;
- 28 k. Coordinate and provide the necessary support or assistance to the Department in the
29 implementation of rehabilitation plan(s) within the cities and/or municipalities covered
30 by the PDRO; and
- 31 l. Conduct other activities and/or act on other matters, in accordance with policies and
32 procedures of the Department and applicable laws, to achieve the purposes of this Act.

33
34 **Sec. 20. *Service continuity of the Department.*** - To ensure service continuity, the
35 Department and its regional and attached offices shall be established in a reasonably resilient
36 location and undertake the necessary interventions to make their offices and systems disaster-
37 resilient.

38
39 **ARTICLE V**
40 **WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH**
41

42 **Sec. 21. *Synergy with Stakeholders.*** - The Department shall ensure seamless synergy
43 and coordination with stakeholders, including national government agencies, local government
44 units, government-owned or -controlled corporations (GOCCs), CSOs, the academe, and the
45 private sector, in relation to disaster resilience programs and projects and the development and
46 promotion of research, education, and training mechanisms. The Department shall establish a
47 platform, paradigm, and mechanisms for convergence and coordination with stakeholders,
48 including the development of standards, protocols, and procedures for seamless collaboration for
49 disaster resilience.

50
51 **Sec. 22. *Multi-Stakeholder Convergence Unit (MSCU).*** - The Department, with the
52 assistance of other relevant government agencies and stakeholders, shall establish a Multi-
53 Stakeholder Convergence Unit (MSCU), which shall closely engage the private sector, CSOs,
54 academe, and other non-government stakeholders and strengthen public-private collaboration
55 towards disaster resilience by way of the following interventions, among others:

- 56 a. Implementation of business continuity practices to ensure the continued delivery of
57 products and services, in the event of disasters;
- 58 b. Crafting and implementation of a National Continuity Policy to ensure government
59 service continuity during and after emergencies and disasters, and ensure the quick
60 return of government to full operations;
- 61 c. Establishment, incorporation, and application of business continuity plans as part of the
62 LDRPs of LGUs;

- d. Facilitation or assistance in obtaining and/or processing incentives for the private sector and other non-government stakeholders, such as but not limited to tax credits;
- e. Preparation and facilitation of the issuance of special rules for Micro, Small, and Medium Enterprises (MSMEs) such as, but not limited to, mechanisms involving procurement and liquidity to create enabling environments for disaster preparedness, recovery and building forward better; and
- f. Formulation of investment programs for disaster affected areas in partnership with the private business sector and civil society organizations.

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

Sec. 23. Roles and Responsibilities of Stakeholders. - The commitment, goodwill, knowledge, experience and resources of relevant stakeholders are critical to realize a safer, adaptive, resilient and inclusive Filipino community. Citizens have the shared vision and duty to provide support to the State in the implementation of policies and programs, particularly the Disaster Resilience Framework and Disaster Resilience Plan at the national, regional and local levels.

- a. Civil society, non-governmental organizations, international non-governmental organizations, private sector, practitioners, and volunteers shall participate, in collaboration with public institutions, in the exchange of information, learnings, and guidance on disaster resilience. The Department shall encourage and institutionalize their engagement in the implementation of local, regional, national, and global plans and strategies, enhance public awareness, and promote a culture of disaster resilience;
- b. The women, children, and youth, as agents of change, shall endeavor to contribute actively and participate in disaster resilience trainings and information dissemination;
- c. Senior citizens, and persons with disabilities shall contribute their knowledge and experience on disaster preparedness and resiliency;
- d. Indigenous peoples and Muslim Filipinos shall share their traditional knowledge and practical experience on disaster resiliency;
- e. Urban and rural poor, and migrants shall participate in building resilient resettlement communities;
- f. Emergency responders and volunteer organizations shall contribute to resilience by promptly and efficiently responding to disasters and emergencies consistent with the policies of the Research, Education and Training Institute of the Department;
- g. Academia, scientific and research entities, and networks are encouraged to undertake relevant research on disaster resiliency in partnership with the Department and other stakeholders for better decision-making;
- h. The private sector is encouraged to integrate disaster resiliency projects and programs in their corporate social responsibility initiatives; and
- i. The media shall provide prompt and accurate information to the public on early warning systems, natural hazards, and disaster resilience activities of the Department.

Sec. 24. 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.

Sec. 25. 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 (Integrated Disaster Resilience Information System). 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.

Sec. 26. *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

ARTICLE VI MAINSTREAMING, INTEGRATION AND CONVERGENCE OF DISASTER RISK REDUCTION

Sec. 27. *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.

Sec. 28. *Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation and Recovery from Disasters.* - The Department shall ensure the application of ecosystem-based approaches and nature-based solutions in disaster risk reduction, particularly through ecosystem management and restoration as defined in this Act, and ensuring that environmental and natural resource policies are risk-informed.

ARTICLE VII

NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE COMMAND CENTER,
AND RESEARCH AND TRAINING INSTITUTE

Sec. 29. *National Disaster Operations Center.* - The Department shall establish, within one (1) year from the approval of this Act, and act as the primary operator of, the National Disaster Operations Center (NDOC), Alternative Command and Control Centers (ACCCs), and a Disaster Resilience Research and Training Institute (DRRTI).

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

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

Sec. 30. *DRRTI Functions and Inter-agency Knowledge Sharing.* - The DRRTI shall be a platform for providing training, and for collecting, consolidating, managing, analyzing, and/or sharing knowledge and information to improve and/or enhance disaster resilience. The DRRTI shall:

- a. Establish reliable and up-to-date IDRIS through close and seamless collaboration with the Department of Science and Technology (DOST), Department of Information and Communications Technology (DICT), and other appropriate agencies;
- b. Conduct disaster-related research programs, seminars, and trainings for all types of stakeholders;
- c. Consolidate, organize and/or prepare training materials and publications;
- d. Conduct other activities consistent with promoting the formation and dissemination of knowledge and information relating to disaster resilience and disaster management;
- e. Establish a database that includes relevant information from other government agencies and third parties for the department to better prepare and respond to natural hazards including, but not limited to, an inventory of hazardous materials per area; and

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

Sec. 31. Compliance and Accreditation of DRRTI with International Standards. -

The Department shall strive to obtain certification from, and accreditation by international accreditation bodies of the DRRTI to ensure DRRTI's compliance with international standards. The Department shall likewise ensure collaboration with key countries and international organizations to incorporate best practices on disaster resilience in the Department's policies and programs.

ARTICLE VIII

INTEGRATION, MAINSTREAMING

DISASTER RESILIENCE INFORMATION,

EDUCATION AND COMMUNICATION CONVERGENCE

Sec. 32. Integrated Disaster Resilience Information System. -

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

Sec. 33. Disaster Resilience Education and Training. -

To instill a culture of safety and security including emergency preparedness and disaster resiliency, the Department, in partnership with the public and private sectors, shall encourage the inclusion of appropriate information on disaster resilience in their various training programs and immersion activities. The Information Education and Communication materials on disaster resilience shall be informative and holistic, gender, culture and disability sensitive using various available platforms.

ARTICLE IX

DISASTER RISK TRANSFER,

INSURANCE AND INCENTIVES

Sec. 34. 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 may require, subject to existing laws and regulations and in coordination with the DOF, DBM, GSIS, and Insurance Commission, the insurance of government-owned assets against damage to or loss of property arising from natural disasters.
- d. The Department shall encourage local government units to insure primary assets against losses, damages, and disruptions arising from natural hazards, chargeable against their respective Local Disaster Resilience Funds (LDRFs).

Sec. 35. Recognition and Incentives. -

The Department, in partnership with the private sector, shall establish an incentives program that recognizes outstanding performance of LDRO, NGOs, CSOs, schools, hospitals, and other stakeholders in promoting and implementing significant disaster risk reduction management-climate change adaptation programs and

1 innovations, and meritorious acts of individuals, groups, or institutions during natural disasters
2 and emergencies.

3
4 **ARTICLE X**
5 **PREPAREDNESS AND INTEGRATED EARLY WARNING**
6

7 ***Sec. 36. Standards for Disaster Preparedness Activities. -***
8

- 9 a. The Department shall establish standards and protocols for disaster preparedness,
10 contingency planning, localizing and operationalizing disaster risk reduction and
11 management, preparedness for disaster response, preparedness for early recovery,
12 continuity of essential services, and other relevant preparedness activities.
13 b. The LGUs shall identify safe and strategic sites, and establish evacuation centers with
14 appropriate and adequate facilities in accordance with government-approved standards as
15 provided under Republic Act No. 10821, otherwise known as "The Children's Emergency
16 Relief Protection Act", to avoid disruption of school classes and lessen the use of school
17 buildings and facilities as evacuation centers.

18
19 The LGUs shall immediately compensate said schools used as evacuation centers. The
20 schools may seek compensation for renovation, replacement, or repairs of damaged facilities
21 for such use.
22

23 ***Sec. 37. Multi-Hazard Early Warning and Risk Communication Standards. -***
24

- 25 a. There shall be a streamlined policy governing early warning systems and risk
26 communication protocols to ensure effective and efficient measures to prepare for, respond
27 to and recover from potential risks and disasters.
28 b. The Department shall formulate and implement multi-hazard early warning protocols
29 integrating all disaster preparedness systems in collaboration with local executives,
30 community-based organizations, civil society organizations, and other nongovernmental
31 organizations for proper use and application.
32

33 ***Sec. 38. Early Warning Mandate. -***
34

- 35 a. The Department shall issue an integrated early warning alert for the impending occurrence
36 of hazards that will enable the public to prepare timely and act appropriately to minimize
37 potential harm or loss.
38 b. The Department shall require mobile phone service providers to send out alerts at regular
39 intervals in the event of an impending natural hazard, in accordance with Republic Act No.
40 10639, otherwise known as the "Free Mobile Disaster Alerts Act".
41 c. The Department shall recognize and proactively support local or indigenous modes of early
42 warning systems and allow open access to near real-time data from both local and
43 international sources made available through various platforms such as websites, mobile
44 apps, and social media to empower local communities and individuals.
45 d. Any person who transmits early warning concerning the abovementioned phenomena by
46 means of signs in designs, colors, lights, or sound shall do so in compliance with the
47 methods recognized or approved by the Department.
48 e. The Department at the national and local level shall use an integrated early warning system
49 to ensure it is consistent and locally contextualized with the communication protocols and
50 safe evacuation procedures of affected communities.
51 f. The Department shall work with other agencies or organizations on pre-crisis information
52 mapping of the humanitarian needs of at-risk Communities that will enhance the overall
53 prepositioning of resources at the national and local level.
54

55 **ARTICLE XI**
56 **DISASTER RESPONSE AND EARLY RECOVERY**
57

58 ***Sec. 39. Declaration of State of Calamity. -*** The Department may recommend to the
59 President the declaration of a State of Calamity over a cluster of barangays, municipalities, cities,
60 provinces, regions, or the entire country, and the lifting thereof, based on criteria established by
61 the Department.

1 The declaration and lifting of a State of Calamity at the local level may likewise be issued by the
2 appropriate Sanggunian, upon the recommendation of the Local Disaster Resilience Office
3 (LDRO), based on the results of the damage assessment and needs analysis.

4 Provided, That the LDRO may recommend to the local legislative body the declaration of a State
5 of Imminent Disaster to enable the implementation of preemptive evacuation, precautionary
6 measures, and the utilization of funds and resources under the Local Disaster Resilience Fund in
7 order to save lives and minimize damage to property, livelihood, and critical infrastructure.

8 **Sec. 40. *Levels of Responsibility for Disaster Preparedness and Response.*** - The
9 primary responsibility for disaster preparedness and response shall rest with the local government
10 unit concerned, unless the magnitude of the disaster necessitates national government intervention.

11
12 **Sec. 41. *Disaster Preparedness and Response in the NCR.*** - When at least two cities
13 and/or municipalities in the NCR are affected, the Department shall lead the disaster preparedness
14 and response efforts, with the support of the Special Disaster Response Teams (SDRTs), in
15 collaboration with the affected LGUs, the MMDA, and concerned government instrumentalities
16 and non-government stakeholders.

17
18 **Sec. 42. *Inter-Local Government Assistance.*** - LGUs are hereby authorized to extend
19 the necessary assistance to another LGU, whether through funding or donation of goods and/or
20 services, and conducting disaster preparedness and response operations, to help save lives and
21 minimize damage to property. These include the pre-positioning and provision of basic goods,
22 training of first responders, among others, subject to the accounting and auditing rules to be
23 defined in the IRR of this Act.

24
25 **Sec. 43. *Accreditation, Mobilization, and Protection of Disaster Volunteers and***
26 ***National Service Reserve Corps, CSOs and the Private Sector.*** -The government agencies, CSOs,
27 private sector and LGUs may mobilize individuals or organized volunteers to augment their
28 respective personnel complement and logistical requirements in the delivery of disaster risk
29 reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall
30 take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit
31 the list of volunteers to the Department, through the LDROs, for accreditation and inclusion in the
32 database of community disaster volunteers.

33
34 A national roster of Accredited Disaster Resilience Volunteers and Institutions, National
35 Service Reserve Corps, CSOs and the private sector shall be maintained by the Department through
36 the LDROs. Accreditation shall be done at the municipal or city level.

37
38 The mobilization of volunteers shall be in accordance with this Act and implementing
39 guidelines to be formulated by the Department. Any volunteer who incurs death or injury while
40 engaged in any of the activities defined under this Act shall be entitled to compensatory benefits
41 and individual personnel accident insurance as may be defined in the IRR.

42
43 **Sec. 44. *Reporting of Humanitarian Assistance.*** - The concerned local government
44 unit shall submit a report to the Department, taking into account all domestic or international
45 humanitarian assistance received and distributed within its area of responsibility.

46 47 **ARTICLE XII** 48 **HUMANITARIAN ASSISTANCE**

49
50 **Sec. 45. *Management of Humanitarian Assistance.*** -

- 51
52 a. The Department shall have the power to receive and manage humanitarian assistance from
53 any person or entity, whether from local or international sources.
54 b. The importation by, and humanitarian assistance to, the Department of, among others,
55 food, clothing, medical assistance, equipment, and materials for relief, recovery and other
56 disaster management activities are hereby authorized in accordance with Section 105 of
57 the Tariff and Customs Code of the Philippines, as amended, and the prevailing provisions
58 of the General Appropriations Act covering national internal revenue taxes and import
59 duties of national and local government agencies.
60

1 **Sec. 46. *International Humanitarian Assistance.*** - The Department shall promulgate
2 guidelines on international humanitarian assistance, including the initiation, entry, facilitation,
3 transit, regulation and termination thereof, as well as those involving international disaster relief
4 and personnel assisting international actors, visa waiver, recognition of foreign professional
5 qualifications, entry of international disaster goods and equipment, and exemption from port
6 duties, taxes, and restrictions, subject to existing laws and regulations.

7
8 **Sec. 47. *Assessment of the Need for International Humanitarian Assistance.*** -
9

- 10 a. Immediately after the declaration of a State of Calamity by the appropriate local
11 sanggunian or by the President, as the case may be, the Department shall determine whether
12 domestic capacities are likely to be sufficient to attend to the needs of affected persons for
13 international humanitarian assistance. This determination may also be made, at the
14 discretion of the President, prior to the onset of an imminent disaster.
- 15 b. In the event of a determination by the Department that domestic response capacities are
16 not likely to be sufficient due to the impact of the disaster, the Department shall recommend
17 to the President that a request be made for international humanitarian assistance.
- 18 c. A determination that domestic capacities are likely to be sufficient and that international
19 humanitarian assistance is therefore unnecessary may be reviewed and rescinded by the
20 Department, with the approval of the President, at any time, in light of prevailing
21 circumstances and available information.

22
23 **Sec. 48. *Humanitarian Assistance Action Center.*** - The Department shall create an
24 inter-agency one-stop shop mechanism called the Humanitarian Assistance Action Center
25 (HAAC) for the processing and release of entry and facilitation of goods, articles or equipment
26 and services and international relief workers for the provision of international humanitarian
27 assistance and the processing of necessary documents for assisting international actors.

28
29 The Department shall lead and manage the HAAC, which shall be composed of the
30 following:

- 31
32 a. Bureau of Customs;
33 b. Department of Foreign Affairs;
34 c. Department of Social Welfare and Development;
35 d. Department of Health;
36 e. Food and Drug Administration;
37 f. Department of Agriculture;
38 g. Department of Energy;
39 h. Department of National Defense;
40 i. Philippine National Police;
41 j. Philippine Coast Guard; and
42 k. Bureau of Immigration.

43
44 **Sec. 49. *Request for international Humanitarian Assistance.*** -
45

- 46 a. In cognizance of the urgency, criticality and intensity of an imminent risk, the Department
47 shall issue a flash appeal to the family of nations, under regional and multilateral
48 conventions, for assistance in preparedness, including preemptive measures, search,
49 rescue, and retrieval, relief, recovery, and reconstruction.
- 50 b. The President may request international humanitarian assistance, upon the advice of the
51 Secretary. The request may be specifically directed to particular assisting international
52 actors or may be a general request directed to the international community.

53
54 **Sec. 50. *Regulation of Humanitarian Assistance.*** -
55

- 56 a. The Department shall ensure the efficient and effective monitoring of humanitarian
57 assistance from domestic or international donors, establish and operate a platform,
58 including an online platform, to facilitate, and provide public access to information on
59 donations.
- 60 b. The Department shall include in the IRR of this Act guidelines and accountabilities on
61 the receipt, management, distribution, accounting, and reporting of all humanitarian
62 assistance, whether in cash or in kind, consistent with the rules on the use of foreign and

1 local aid during calamities and disasters issued by the COA and other relevant
2 government agencies.

3
4 **ARTICLE XIII**
5 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE**
6 **TO FOREIGN STATES**
7

8 **Sec. 51. *Offer and Facilitation of International Humanitarian Assistance to***
9 ***Foreign States.*** - In the event of a disaster occurring in a foreign state for which international
10 humanitarian assistance is required, the Department, in coordination with the DFA, may offer,
11 facilitate, provide, and deploy international humanitarian assistance to said foreign state, which
12 shall be subject to guidelines to be promulgated by the Department for the purpose.
13

14 **Sec. 52. *Accreditation.*** - The Department, in coordination with relevant government
15 agencies and organizations, shall provide and facilitate the necessary training and accreditation to
16 the respective government personnel to be deployed for such offer, facilitation and provision of
17 international humanitarian assistance to a foreign state.
18

19 **ARTICLE XIV**
20 **RECOVERY**
21

22 **Sec. 53. *Standards for Recovery.*** - The Department shall observe internationally
23 accepted standards for recovery, planning, programming and implementation of the recovery
24 process. Towards this end, the Department shall:
25

- 26 a. Improve the community's physical, social and economic resilience, consistent with the
27 principle of "building forward better";
28 b. Use locally-driven, centrally-supported processes based on legal mandates with
29 supplementary capacity support when requested;
30 c. Redirect development outside danger zones to minimize loss of lives and structures
31 resulting from typhoons, flooding, landslides, and other hazards
32 d. Employ outcome-driven planning and implementation;
33 e. Maximize use of Private-Public sector partnership where possible;
34 f. Consider local conditions such as culture, security situation and existing capacities of
35 communities in identifying programs and projects;
36 g. Ensure access to public transport, physical and mental health services, markets, schools,
37 sustainable livelihoods, and other public services in planning for settlement areas; and
38 h. Ensure restoration of peace and order and recovery of government functions.
39

40 **ARTICLE XV**
41 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**
42

43 **Sec. 54. *Remedial Measures Under a State of Calamity.*** - Upon the declaration of a
44 state of calamity, the following remedial measures shall be immediately undertaken by concerned
45 government agencies at the national and local levels:
46

- 47 a. Imposition of price ceiling on basic necessities and prime commodities by the Price
48 Coordinating Council (PCC), as provided for under Republic Act no. 7581. Otherwise
49 known as the "Price Act", as amended by Republic Act no. 10623;
50 b. Monitoring, prevention and control by the Local Price Coordination Council of overpricing
51 or profiteering and hoarding of prime commodities, medicines and petroleum products;
52 c. Programming or reprogramming of funds for the repair of critical facilities or public
53 infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce
54 further threat to lives and arrest further deterioration of properties and loss of livelihoods
55 in the affected communities, following the "build forward better" principle;
56 d. Grant of no-interest loans by government financing or lending institutions to the most
57 vulnerable and marginalized groups or individuals;
58 e. Local tax exemptions, incentives or reliefs under such terms and conditions as may be
59 deemed necessary by the affected local government unit; and
60 f. Use of alternative modes of procurement under Article XVI of this Act, by the Department,
61 LGUs or the relevant government instrumentalities in relation to the urgent procurement

of emergency works, goods or services to effectively respond to, quickly recover from disasters, and build forward better.

ARTICLE XVI PROCUREMENT

Sec. 55. *Procurement.* - In general, the procurement rules provided under Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act" as amended by RA No. 12009, shall apply. However, alternative modes of procurement as provided in this Act may be resorted to by the Department, RDROs, or LGUs in any of the following emergency situations:

- a. There is imminent danger to life or property during a state of calamity, as provided under this Act, and the procurement is necessary to avert or reduce such danger to life or property; or
- b. The procurement is necessary to restore vital public services, infrastructure facilities and other public utilities; or
- c. Time is of the essence in implementing a project, program or activity to effectively respond to a disaster and save lives; or
- d. There are other circumstances that require immediate procurement necessary to prevent damage to or loss of life or property.

Sec. 56. *Alternative Modes of Procurement* - During emergency situations as provided under this Act, the Department, RDROs or LGUs may resort to the following modes of procurement:

- a. Direct negotiation under Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", as amended, and its implementing rules and regulations; and
- b. Simplified or pre-arranged contracts such as, among others, pre-signed agreements, stand-by contracts, pre-arranged systems of procurement with a pre-approved list of contractors for construction projects, pre-negotiated contracts, advanced procurements contracts, and framework contracts. The parameters, requirements and conditions for these types of contracts shall be defined in this Act's IRR.

Sec. 57. *Special Rules on Procurement for Reconstruction and Rehabilitation of Affected Areas.* -

- a. The Department, with the assistance of, or in collaboration with, relevant government agencies, shall create special rules on procurement for services, goods, and materials to be used for reconstruction and rehabilitation efforts in case of a natural disaster, including but not limited to, the construction of post-disaster shelters and provision of service contracts, to ensure the procurement of quality-oriented goods, materials, and equipment and to guarantee effective, efficient, and speedy procurement to achieve the goals of this act.
- b. In case of procurement of services, goods, or materials for reconstruction and rehabilitation efforts, whether from local or international sources, the Department and the relevant government agencies shall provide less bureaucratic restrictions, more flexible procurement policies, or exemption from, or reduction of, customs duties.

Sec. 58. *Procurement from Qualified Suppliers or Contracts.* - As an exception to the provisions of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", and its implementing rules and regulations, the Department shall have the power to procure goods and services from either local or foreign suppliers or contractors for purposes of implementing programs, projects, and activities related to disaster resilience and disaster management. The conditions, limitations, application processes, eligibility requirements and assessment criteria for local and foreign suppliers and contractors shall be provided in this Act's IRR.

Sec. 59. *Pre-Arranged Contracts or Agreements with Private Sector Entities.* - Notwithstanding Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", the Department shall have authority to enter into pre-arranged or contingency contracts or agreements with private sector entities for the purpose of, among others, establishing, a logistics system for the efficient and prompt distribution of goods, equipment or other materials

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

10 **Sec. 60. *Other Procurement Rules and Policies.*** - In view of the urgency and to avoid
11 unnecessary delays to procure goods, services, and implement projects for the purpose of
12 providing responsive, effective, and efficient rescue, recovery, relief, and rehabilitation efforts for,
13 and to continue the provision of basic services to, disaster victims or disaster affected areas, the
14 DBM and GPPB shall issue appropriate resolutions, orders, and policies to effectively implement
15 the provisions of this Act.
16

17 **Sec. 61. *Government Accounting and Auditing Policies.*** - The COA shall review,
18 align, and issue policies or rules to improve the efficiency and expediency of procurement and
19 audit processes for programs and projects related to disaster resilience and management.
20

21 **ARTICLE XVII**

22 **SPECIAL RULES ON BORROWINGS AND TAXES**

23

24 **Sec. 62. *Rules on Borrowing.*** - The LGUs shall access foreign financing, through the
25 DOF, Bangko Sentral ng Pilipinas (BSP), and other relevant agencies, as applicable, to implement
26 disaster prevention, mitigation, early recovery, and rehabilitation measures at the provincial, city,
27 or municipal level.
28

29 **Sec. 63. *Special Rules on Tax and Duties.*** - To facilitate prompt, efficient and
30 effective response to, recovery from disasters, and building forward better in disaster-affected
31 areas, the following shall be granted special exemptions from existing taxation laws, rules, and
32 regulations:
33

- 34 a. Exemption from taxes and import duties for foreign disaster assistance or international
35 donations coursed through the Department;
- 36 b. Exemption from donor's tax and allowing the treatment of donations as a deductible
37 expense for local disaster assistance coursed through the Department;
- 38 c. Exemption from the Value Added Tax (VAT) for goods or services donated from abroad
39 as coursed through the Department; and
- 40 d. Tax incentives to encourage members of the private sector to render aid or provide disaster
41 assistance, and/or to invest in disaster resilience and climate change adaptation and
42 mitigation measures for their residences, communities and/or businesses.
43

44 LGUs may also implement local tax rules that would grant disaster victims reasonable
45 reduction, exemption, or deferment of local taxes or other types of tax assessments; or take other
46 necessary action at the local level to provide tax relief to disaster victims.
47

48 **Sec. 64. *Customs Duties and Tariffs on Donations.*** - The BOC shall create rules that
49 would, among others, hasten the processing and release of donated goods and equipment to
50 disaster victims and/or affected areas.
51

52 **Sec. 65. *Economic Recovery and Development of Disaster-Prone Areas.*** - The
53 Department, in coordination with the Department of Trade and Industry (DTI) and other relevant
54 agencies, shall craft policies, and implement the necessary programs and projects to stimulate
55 economic activities and encourage investments to assist disaster-affected areas develop or recover
56 faster, as applicable.
57

58 The Department, in collaboration with the relevant LGUs and other stakeholders, shall
59 likewise establish dual purpose structures in disaster-affected areas, such as, among others,
60 community agricultural centers, classrooms, and water harvesting tanks to develop and promote
61 investments in disaster-prone or affected areas.
62

ARTICLE XVIII
PROHIBITED ACTS AND PENALTIES

Sec. 66. *Prohibited Acts.* - Any public official, private person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the criminal and administrative penalties as provided for in Section 71 of this Act, without prejudice to the imposition of other criminal, civil and administrative liabilities under existing laws.

1. Prohibited Acts of Public Officials. - The following acts, if committed by public officials without justifiable cause, shall be considered as gross neglect of duty:
 - i. Dereliction of duties that leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
 - ii. Failure to enforce laws, standards, or regulations such as the National Building Code, Solid Waste Management Act, Water Code, and other relevant laws, leading to destruction, loss of lives, and/or critical damage of facilities;
 - iii. Failure to create a functional LDR Office within six (6) months from the approval of this Act;
 - iv. Failure to appoint a permanent local disaster resilience officer within six (6) months from approval of this Act;
 - v. Failure to prepare and implement a Contingency and Adaptation Plan for hazards frequently occurring within their jurisdictions;
 - vi. Failure to formulate and implement the LDRP with the corresponding budget allocation; and
 - vii. Sexual exploitation and abuse and other forms of sexual misconduct on the affected population or at-risk communities.
2. Prohibited Acts of Public Officials and Private Persons or Institutions. –
 - i. Delay, without justifiable cause in the delivery, proper handling or storage of aid commodities, resulting to damage or spoilage;
 - ii. Withholding the distribution of relief goods due to (i) political or partisan considerations; (ii) discrimination based on race, ethnicity, religion, or gender; and (iii) other similar circumstances;
 - iii. Preventing the entry and distribution of relief goods in disaster-stricken areas. including appropriate technology, tools, equipment, accessories, disaster teams or experts;
 - iv. Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other aid commodities, which are intended for distribution to disaster-affected communities;
 - v. Buying, for consumption or resale, from the recipient disaster affected persons any relief goods, equipment or other aid commodities received by them;
 - vi. Selling of relief goods, equipment or other aid commodities, which are intended for distribution to disaster victims;
 - vii. Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;
 - viii. Diverting or misdelivery of relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;
 - ix. Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to him or her;
 - x. Misrepresenting the source of relief goods, equipment or other aid commodities by:
 1. Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;
 2. Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency. person, or persons; and
 3. Making false verbal claim that the goods, equipment or other commodity in its untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency, person, or persons;
 - xi. Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;

- xii. Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the Department;
- xiii. Deliberate use of false or inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects;
- xiv. Stealing, taking, or processing of any of the equipment, accessories and other vital facility or items or any part thereof;
- xv. Selling or buying stolen equipment, accessories, and other vital facility items or any part thereof;
- xvi. Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia;
- xvii. Attempting to commit any of the abovementioned prohibited acts; and
- xviii. Benefitting from the proceeds or fruits of any of the abovementioned prohibited acts knowing that the proceeds or fruits are derived from the commission of said prohibited acts.

Sec. 67. Penalties. - Any individual, corporation, partnership, association or other juridical entity that commits any of the prohibited acts in the preceding section shall be made liable for the following:

- a. The penalty of imprisonment of not less than twelve (12) years but not more than fifteen (15) years or a fine of not less than One Million Pesos (Php 1,000,000.00) but not more than Three Million Pesos (Php3,000,000.00), or both imprisonment and fine at the discretion of the court shall be imposed upon any person found guilty of violating subsections (a)(1) to (b)(16) of the preceding section, as well as the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of the prohibited acts;
- b. The penalty of imprisonment of not less than six (6) years but not more than eight (8) years or a fine of not less than Five Hundred Thousand Pesos (Php 500,000.00) but not more than One Million Pesos (Php 1,000,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person who attempts to commit any of the prohibited acts in the preceding Section, in violation of Subsection (b)(17) thereof;
- c. The penalty of imprisonment of not less than two (2) years but not more than six (6) years or a fine of not less than Two Hundred Thousand Pesos (Php 200,000.00) but not more than Five Hundred Thousand Pesos (Php 500,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person found guilty of unlawfully benefiting from the proceeds or fruits of any of the prohibited in the preceding section, in violation of subsection (b)(18) thereof;
- d. Aside from the penalty of fine or imprisonment or both, perpetual disqualification from public office shall be imposed if the offender is a public officer, along with the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of any of the prohibited acts in the preceding section;
- e. If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association or entity responsible for the violation without prejudice to the cancellation or revocation of these entities' registration, license or accreditation issued to them by any licensing or accredited body of the government. If such offender is an alien, he or she shall, in addition to the penalties prescribed in this act, be deported without further proceedings after service of sentence;
- f. Payment of the full cost of repair or replacement of the government risk reduction and preparedness equipment, accessories and other vital facility Items, or any part thereof; which is the object of the crime shall likewise be imposed upon any person who shall commit any of the prohibited acts in the preceding Section; and
- g. The prosecution for offenses set forth under the preceding section shall be without prejudice to any criminal liability for violation of Republic Act No. 3815, as amended, otherwise known as the "Revised Penal Code", and other existing laws, as well as the imposition of applicable administrative or civil liabilities.

Sec. 68. Liability for Unlawful Performance of Duties and State Liability in case of Defense Litigation. - In case a lawsuit is filed against any personnel of the Department as a result of the performance of his or her duties, and such performance was found to be lawful, or she shall

1 be reimbursed by the Department for reasonable costs of litigation. For this purpose, the
2 Department is authorized to procure applicable liability insurance for its officers and employees.

3
4 **Sec. 69. *Disciplinary Powers of the President*** - The President, subject to the
5 recommendation of the Department Secretary and the Department of the Interior and Local
6 Government (DILG), shall have the power to impose administrative sanctions against local chief
7 executives and barangay officials for willful or negligent acts that relate to the implementation of,
8 or compliance with, this Act and its IRR or relating to their official functions, which adversely
9 affect disaster resilience projects such as, but not limited to, delayed issuance of permits or failure
10 to implement local ordinances, subject to existing laws, rules, and due process requirements.

11
12 **ARTICLE XIX**
13 **DISASTER RESILIENCE FUND**
14

15 **Sec. 70. *Appropriations and Management of Disaster Resilience Fund*** - The budget
16 of the Department shall be composed of the following, which shall be collectively called the
17 Disaster Resilience Fund:

- 18
19 a. Annual General Appropriations - shall provide the funding requirements for, among others,
20 research, operations, maintenance, plans, and programs of the Department of Disaster
21 Resilience, including, but not limited to, establishment of evacuation centers, retrofitting
22 of structures, establishment of emergency operating centers, and implementation of other
23 disaster risk reduction projects.
24 b. Disaster Contingency Fund - shall be in a lump-sum form to provide funds in case of
25 imminent hazards or actual disasters for, among others, immediate response, relief and
26 quick recovery measures for disaster affected areas.
27 c. Rehabilitation and Recovery Fund - shall provide the funding requirements for
28 rehabilitation and/or reconstruction projects of disaster affected areas such as public
29 classrooms, government buildings, public hospitals, permanent shelters and livelihood
30 programs.

31
32 The Disaster Resilience Fund shall be managed by the Department to finance its
33 operations, and disaster risk reduction, disaster preparedness, response, recovery, rehabilitation
34 and building forward better programs, projects and activities formulated at the national level.

35
36 **Sec. 71. *Continuing Appropriations*** - The unutilized balances from the Disaster
37 Contingency Fund, and Rehabilitation and Recovery Fund shall be treated as Continuing
38 Appropriations, which may be used to finance the cost of projects, programs, and/or activities even
39 when such costs are incurred beyond the fiscal year of the GAA from which such funds were
40 appropriated.

41
42 **Sec. 72. *Fund Regulations*** - The DBM and COA shall establish rules and regulations
43 that apply specifically to the Disaster Resilience Fund to ensure that funds required for disaster
44 response, recovery, and rehabilitation are available and/or released efficiently and expeditiously
45 through innovative budgeting and auditing mechanisms, which may include, among others,
46 providing for longer validity periods for funds and/or exemption from cash-based budgeting rules;
47 imposing auditing or reporting requirements, which apply specifically to the utilization of the
48 Disaster Resilience Fund.

49
50 **Sec. 73. *Local Disaster Resilience Fund and Local Disaster Contingency Fund*** -
51 LGUs shall annually set aside not less than five percent (5%) of their local budget, to constitute a
52 Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to maintain and operate its
53 local disaster resilience office to maintain its officers, employees and staff, and to implement plans,
54 programs and activities under its LDRP. Thirty percent (30%) of the LDRF shall be set aside as
55 Local Disaster Contingency Fund (LDCF), which shall be used for disaster response and quick
56 recovery measures. Nothing contained in this Act shall prevent LGUs from providing additional
57 funding or allocating additional resources for disaster resilience activities, plans and programs
58 within their jurisdiction.

59
60 **Sec. 74. *Supplemental LDRF*** - The Department may allocate and disburse funds to
61 supplement an LGU's LDRF based on the parameters and requirements indicated in the IRR. In
62 determining such parameters and requirements, the IRR shall aim to provide supplemental funds

1 to LGUs with low income and/or high exposure to natural hazards. Supplemental LDRFs shall, as
2 much as possible, fill gaps or shortages in LGU resources to ensure that LGUs can implement
3 disaster resilience measures such as, among others, implementing their LDRPs and Pre-Disaster
4 Recovery Plan (PDRP)s, establishing their local disaster resilience offices, obtaining and/or
5 maintaining the necessary equipment and staff in their local disaster resilience offices, and
6 implementing the NDRF and at the local levels.

7
8 **Sec. 75. *People's Survival Fund.*** - The Department shall manage and administer the
9 People's Survival Fund, created under Republic Act no. 10174, and facilitate its utilization by
10 LGUs, through RDROs, to implement climate change adaptation and mitigation projects of LGUs
11 and enhance the climate resilience of vulnerable communities.

12
13 **Sec. 76. *Multi-Donor Trust Fund.*** - The Department shall create and manage,
14 together with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing, releasing and
15 accounting of money and other similar resources intended for disaster assistance. The Department
16 shall establish a system to ensure transparency in the management and use of the Multi-Donor
17 Trust Fund.

18
19 **Sec. 77. *Financial Administration.*** - The Department shall manage all funds
20 appropriated to it by Congress and received from other sources. The Department shall also manage
21 all donations received by It, subject to the auditing powers of the COA. To fund its operations, the
22 Department shall have the power to collect fees derived from the DRRTI and other related
23 activities.

24
25 **ARTICLE XX**
26 **SPECIAL COURTS AND INJUNCTIONS**
27

28 **Sec. 78. *Special Courts on Disaster Resilience Matters.*** - To ensure the prompt and
29 expeditious resolution of disputes relating to disaster response, recovery or rehabilitation
30 measures, the Supreme Court may designate special courts to hear, try, and decide cases arising
31 from the following, among others:

- 32
33 a. Expropriation, eminent domain or right-of-way issues related to the implementation of
34 disaster resilience projects;
35 b. Failure to comply with standards for disaster risk reduction and continuity planning,
36 including, but not limited to, infrastructure standards and designs;
37 c. Commission of prohibited acts under Article XVIII of this Act; and
38 d. Disputes involving donations, relief goods, or contracts executed or implemented pursuant
39 to the provisions of this Act.

40
41 **Sec. 79. *Dispute Resolution Mechanisms.*** - The Department shall establish a Disaster
42 Resolution Board, which shall resolve disputes involving administrative matters related to:

- 43 a. Accreditation or denial of accreditation of disaster resilience training institutions, trainers,
44 instructors, donors, volunteers, and Assisting Domestic or International Actors;
45 b. Decisions of the RDROs;
46 c. Contracts entered into by the Department or any of its agents pursuant to the provisions of
47 this Act; and
48 d. Other administrative matters or issues as may be determined by the Department.

49
50 The composition, structure, and other organizational matters related to the DRB shall be
51 defined and provided in this Act's IRR.

52
53 **Sec. 80. *Imposition of Temporary Restraining Order.*** - No temporary restraining
54 order, preliminary injunction, or preliminary mandatory injunction shall be issued except by the
55 Supreme Court.

56
57 **ARTICLE XXI**
58 **FINAL PROVISIONS**
59

60 **Sec. 81. *Transfer of Functions.*** - The following are hereby transferred to the
61 Department:
62

- a. All the functions of the Climate Change Commission (CCC);
- b. Natural disaster-related functions of the National Disaster Risk Reduction and Management Council (NDRRMC) and the Office of Civil Defense (OCD); and
- c. Natural disaster-response functions of the Department of Social Welfare and Development (DSWD).

Accordingly, the CCC and NDRRMC are hereby abolished. The DILG, DND, DSWD, and other relevant government instrumentalities, including the AFP, BFP, PNP, PCG, and OCD, shall continue to perform their functions related to the management of human-induced disasters, as provided by existing laws.

Sec. 82. *Transfer of Resources.* - The transfer of powers and functions listed above shall include the corresponding funds and appropriations, plantilla positions, data, records, equipment, facilities, properties and other resources of the concerned government instrumentalities. The Department shall have the power to reorganize or reallocate these resources and positions, as may be necessary to attain the goals and objectives of this Act.

Sec. 83. *Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area.* - The Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area (PMO-ERG), as created pursuant to and mandated by Executive Order no. 52, s. 2018, shall be attached to the Department and be authorized to implement 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 Department.

Sec. 84. *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.

Sec. 85. *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.

Sec. 86. *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.

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

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

Sec. 87. *Incentives Program.* - The Department shall establish an incentives program that recognizes the outstanding promotion and implementation by local disaster resilience offices, CSOs, academe, and other institutions of disaster resilience programs and/or projects, and the meritorious acts of individuals or entities during natural disasters.

Sec. 88. *Structural Audit of Government Buildings and Critical Infrastructure.* - The Department shall be assisted by the DPWH, DOTr, Department of Energy (DOE), DND, DepEd, DICT, DILG, local building officials, and other relevant government instrumentalities and stakeholders, in 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.

Sec. 89. *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 Secretary of Disaster Resilience until such time that the Secretary of Disaster Resilience (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 defined in the IRR of this Act.

Sec. 90. *Magna Carta Benefits.* - Qualified employees of the Department, including those of its attached agencies, shall be covered by and entitled to the benefits under Republic Act No. 8439, otherwise known as the Magna Carta for Scientists, Engineers, Researchers and other 5 & T Personnel in the Government, and Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers.

Sec. 91. *Hazard Pay.* - All personnel of the Department and the local disaster resilience offices are entitled to receive hazard pay, subject to the guidelines to be set forth in the IRR of this Act.

Sec. 92. *Separation Benefits of Officials and Employees of Affected Agencies.* - National government employees displaced or separated from service as a result of this Act shall be entitled to either separation pay and other benefits in accordance with existing laws, rules, or regulations, or be entitled to avail themselves of the privileges provided under a separation plan that shall be one and one-half month salary for every year of service in the government.

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

Sec. 93. *Appropriations.* - The amount necessary for the initial implementation of this Act shall be taken from the current fiscal year's unexpended and unobligated appropriations of all agencies herein absorbed, transferred, and attached to the Department. Thereafter, the amounts necessary for the operation of the Department and the implementation of this Act shall be included in the annual General Appropriations Act.

Sec. 94. *Implementing Rules and Regulations.* - The Office of Civil Defense, in coordination with DBM, DND, DOF, DILG, DOST, NEDA, and other relevant agencies, shall formulate the IRR pending the establishment of the Department.

Sec. 95. *Joint Congressional Oversight Committee on Disaster Resilience.* - There shall be created a Joint Congressional Oversight Committee on Disaster Resilience to monitor the implementation of this Act. The committee shall be composed of six (6) Members of the House of Representatives and six (6) Senators to be designated by the Speaker of the House of Representatives and the President of the Senate, respectively; Provided. That; two (2) Members of the House of Representatives and two (2) Senators shall come from the Minority of their respective houses of Congress. The committee shall be jointly chaired by a Member of the House of

1 Representatives and a Senator designated by the Speaker of the House of Representatives and the
2 President of the Senate, respectively.

3
4 **Sec. 96. *Mandatory Review.*** - Within five (5) years after the effectivity of this Act, or
5 as the need arises, the Joint Congressional Oversight Committee on Disaster Resilience shall
6 conduct systematic evaluation of the accomplishments and impact of this Act, as well as the
7 performance of the Department of its mandate and functions, for purposes of determining remedial
8 legislation.

9
10 **Sec. 97. *Interpretation.*** - Any doubt in the interpretation of any provision of this Act
11 shall be resolved in favor of a liberal interpretation that will fulfill the objectives of this Act,
12 especially in relation to the provision of effective, efficient and timely disaster response,
13 rehabilitation and recovery.

14
15 **Sec. 98. *Separability Clause.*** - If any provision of this Act is declared unconstitutional
16 or invalid, the remaining provisions not affected shall continue to be in full force and effect.

17
18 **Sec. 99. *Repealing Clause.*** - All laws, decrees, executive orders, rules and regulations
19 inconsistent with this Act are hereby repealed or modified accordingly.

20
21 **Sec. 100. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication
22 in the Official Gazette or in a newspaper of general circulation.

23
24 *Approved,*