S. No. 2999
H. No. 10422

Republic of the Philippines
Congress of the Philippines
Metro Manila

Nineteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second day of July, two thousand twenty-four.

[REPUBLIC ACT NO. 12287]

AN ACT ESTABLISHING A MECHANISM ON THE DECLARATION OF STATE OF IMMINENT DISASTER, PROVIDING THE CRITERIA FOR ITS DECLARATION AND LIFTING, ENABLING ANTICIPATORY MEASURES, AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Short Title.* – This Act shall be known as the "Declaration of State of Imminent Disaster Act".

SEC. 2. *Statement of Policy.* – It shall be the policy of the State to:

(a) Protect the lives, properties, and livelihoods of its citizens by addressing risks, particularly the root causes of vulnerabilities, exposure to hazards, and the capacity to anticipate and cope with such hazards;

(b) Provide maximum care, assistance, protection, and services to individuals and families to be affected by a disaster, implement anticipatory action and response measures to lessen the impact of a disaster, and facilitate implementation of contingency plans to minimize disruptions to normal social and economic activities;

(c) Bridge the gap between long term disaster risk reduction efforts and reactive humanitarian response, by enabling the implementation of shorter term measures based on forecasts and data on the impact of past events, potential exposure, and vulnerability;

(d) Integrate Anticipatory Action principles into existing plans and policies at the national and local levels;

(e) Acknowledge and strengthen the capacities of local government units (LGUs), relevant national government agencies, and communities in preparing for, anticipating, responding to, and recovering from the impact of disasters;

(f) Respond to the differentiated concerns and needs of vulnerable and marginalized groups with respect to disaster resilience and disaster management;

(g) Provide various mechanisms that ensure transparency and accountability in disaster and climate risk governance; and

(h) Establish a funding source for sustainable implementation of programs, projects, and activities for Anticipatory Actions.

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

(a) *Anticipatory Action* refers to action taken to reduce **the adverse humanitarian and other impacts of a forecasted** hazard before it occurs, or before its most acute impacts are felt. It is performed by any individual, organization, or concerned government agency to mitigate a disaster's impact on people, animals, and properties that are likely to be affected;

(b) *Cascading hazards* refer to hazards with a systematic causal relationship and expressed in a sequence of secondary events in natural and human systems that lead to physical, environmental, societal, or economic disruption;

(c) *Declaration of a State of Imminent Disaster* refers to the declaration made in anticipation of a highly probable disaster with projected catastrophic impacts based on forecast and on the results of pre-disaster risk assessment to supplement national and local resources in preventing or mitigating damages and losses;

(d) *Hazard* refers to a hydrometeorological, geological, and climatic hazard that can be modeled and forecasted within the allowable or sufficient lead time before impact, such as but not limited to flood, typhoons, droughts, heat or cold waves, and storm surges;

(e) *Imminent Disaster* refers to a highly probable disaster with severe projected impacts;

(f) *Lead time* refers to the period between the issuance of a forecast and the expected or estimated occurrence of a predicted event. The time span can range from hours to days which may depend on the nature and scale of the forecasted hazard;

(g) *Pre-Disaster Risk Assessment* refers to the process of evaluating a hazard's level of risk given the degree of exposure and vulnerability in a specific area. It presents the possible impacts on the people, animals, production capacities, environmental services, and properties and serves as basis to

determine the appropriate level of response actions from the national government agencies down to LGUs; and

(h) *Severe* refers to an impact level with major, large-scale, and possibly catastrophic damage or disruption with anticipated collapse in the socio-economic systems in the affected areas.

ARTICLE II

STATE OF IMMINENT DISASTER

SEC. 4. *Coverage.* – This Act shall cover hazards, as defined in Section 3, with projected catastrophic impacts based on forecast and the results of pre-disaster risk assessment.

SEC. 5. *Declaration of State of Imminent Disaster.* – The President of the Philippines, upon the recommendation of the National Disaster Risk Reduction and Management Council (NDRRMC) utilizing recognized and adopted pre-disaster risk assessment mechanisms as informed by mandated national government agencies, may declare a State of Imminent Disaster over a cluster of barangays, municipalities, cities, provinces, and regions.

The local chief executives, upon the recommendation of the Regional Disaster Risk Reduction Management (DRRM) Councils, may declare a State of Imminent Disaster through an executive order in their respective jurisdictions that are forecasted to be affected by an imminent disaster.

SEC. 6. *Criteria for Declaration of State of Imminent Disaster.* – The NDRRMC or the Regional DRRM Councils shall conduct a pre-disaster risk assessment in anticipation of a highly probable disaster with projected catastrophic impacts which shall serve as the basis for the Declaration of a State of Imminent Disaster. The following conditions shall be present in the pre-disaster risk assessment:

(a) Classification of a forecasted hazard's impacts as severe or its equivalent, with adverse effects on the concerned population, particularly vulnerable groups of the community, and on significant sectors such as, but not limited to, agricultural, business, and industrial sectors taking into

consideration the local risk profiles, institutional capacities, and potential for occurrence of cascading hazards notwithstanding the forecasted impacts falling below the established thresholds for scenarios classified as severe; and

(b) An allowable or sufficient lead time of three (3) days, which may be extended to five (5) days for the national or local government to implement Anticipatory Action interventions.

SEC. 7. *Duration and Lifting of the Declaration of State of Imminent Disaster.* – If the latest pre-disaster risk assessment states that the projected impacts are not met, the National or Regional DRRM Councils shall recommend the immediate lifting of such declaration by the President or the local chief executive.

The State of Imminent Disaster shall automatically be lifted upon the occurrence of the hazard.

SEC. 8. *Monitoring of Declaration of State of Imminent Disaster.* – The Office of Civil Defense (OCD) shall monitor the areas declared by the President to be under a State of Imminent Disaster, while concerned government agencies shall report to the OCD: (a) the status of declarations at the local level, (b) Anticipatory Action Funds and utilizations, and (c) estimated economic and social costs minimized.

A summary report on the overall status of areas declared to be under a State of Imminent Disaster shall be submitted by the OCD to the NDRRMC.

ARTICLE III

MEASURES TO BE UNDERTAKEN UPON DECLARATION OF STATE OF IMMINENT DISASTER

SEC. 9. *Anticipatory Measures for the Disaster Risk Reduction Management Councils.* – The Declaration of a State of Imminent Disaster shall allow the National, Regional, and Local DRRM Councils the use of national and local resources and mechanisms to implement anticipatory actions within the

identified or allowable lead time, including but not limited to the following:

(a) Issue and disseminate public information advisories on recommended actions to relevant sectors in consultation with experts from various concerned agencies;

(b) Mobilize and strategically preposition inter-agency response teams;

(c) Initiate pre-emptive or forced evacuation, as needed;

(d) Mobilize duly accredited and trained volunteers;

(e) Procure, mobilize, strategically preposition, and distribute food and non-food items to forecasted affected population;

(f) Implement a social amelioration program for the indigent and most vulnerable members of the population within their jurisdiction;

(g) Implement contingency plans to mitigate damage to agricultural products and food supply; and

(h) Provide technical and advisory assistance for the management, control, and reduction of the immediate threats to public health and safety.

SEC. 10. *Funding.* – The LGUs shall include anticipatory action measures in their regular Programs, Plans, and Activities (PPAs) lodged under their respective Local DRRM Funds, as reflected in their Local DRRM Plans. The unexpended fund from the Local DRRM Fund accruing to the Special Trust Fund may also be used for such anticipatory action measures, in addition to the purposes provided under Section 21 of Republic Act No. 10121 or the "Philippine Disaster Risk Reduction and Management Act of 2010". Further, LGUs may obtain funds from other sources to fulfill the objectives of this Act, subject to pertinent accounting and auditing laws and regulations.

The disbursement of funds shall be graduated and proportionate to the forecasted severity, lead time, and anticipated extent of damage as determined in the pre-disaster

risk assessment. The graduation of allowable disbursements for each level of forecasted hazard and risk shall be defined in the implementing rules and regulations (IRR), taking into account scientific forecasts, operational feasibility, and the need to balance responsiveness with fiscal prudence. The graduation of disbursement shall not apply to other funding sources that may be lawfully utilized for anticipatory action, including agency budgets, external grants or donations, or other sources authorized by law.

All relevant national government agencies shall ensure that anticipatory action measures are included in their regular agency PPAs to be funded by their regular agency budgets as Anticipatory Action Funds and properly included in the General Appropriations Act. The National DRRM Fund may also be used to fund anticipatory action programs.

Identified funds shall be disbursed immediately for this purpose and may be used until the lifting of the Declaration of a State of Imminent Disaster.

SEC. 11. *Changes in Hazard Forecast.* – The following courses of action shall be observed in cases of non-occurrence of the predicted hazard or event despite the Declaration of a State of Imminent Disaster:

(a) The unutilized funds in the case of LGUs shall accrue to the Special Trust Fund. Unutilized funds of the national government agency shall revert to the National Treasury as part of the General Funds upon the lifting or termination of the Declaration of a State of Imminent Disaster.

(b) The Department of Social Welfare and Development and the Local Social Welfare and Development Office concerned shall take charge of the storage of food and other non-food items at the national and local levels, respectively, if the concerned government agency has already acquired the additional resources needed through the use of funds released for anticipatory action.

(c) Services rendered by third parties shall be subject to just compensation on a *quantum meruit* basis.

SEC. 12. *Prohibited Acts.* – In addition to the prohibited acts under Section 19 of Republic Act No. 10121, any person, group, or corporation who commits any of the following acts shall be held liable and be subjected to the penalties prescribed in Section 13 of this Act:

(a) Malicious creation or spreading of false information, including hazard and risk information, from demonstrably spurious sources, whether domestic or foreign; or

(b) Manipulation of assessment reports and related information to support improper declaration of a State of Imminent Disaster.

SEC. 13. *Penal Clause.* – Any individual, corporation, partnership, association, or other juridical entity that commits any of the prohibited acts provided in Section 12 of this Act shall be prosecuted and, upon conviction, suffer a fine of not less than Fifty thousand pesos (P50,000) but not more than Five hundred thousand pesos (P500,000), or imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years, or both, at the discretion of the court, including perpetual disqualification from public office if the offender is a public officer, and confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in committing any of herein prohibited acts.

If the offender is a corporation, partnership, 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 the entities' licenses or accreditation issued by any licensing or accredited government body. 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.

The prosecution for offenses set forth in Section 12 of this Act shall be without prejudice to any liability for violation of Act No. 3815, as amended, otherwise known as "The Revised Penal Code", and other civil liabilities.

Persons who conspire to commit any of the prohibited acts under Section 12 shall be punished by the same penalty prescribed herein.

ARTICLE IV

FINAL PROVISIONS

SEC. 14. *Implementing Rules and Regulations.* – The NDRRMC, through its Chairperson, upon consultation with relevant stakeholders, shall issue the necessary rules and regulations, including operational guidelines and procedures, for the effective implementation of this Act within sixty (60) days after the approval of this Act.

SEC. 15. *Congressional Oversight Committee.* – There is hereby created a Congressional Oversight Committee (COC) to monitor and oversee the implementation of the provisions of this Act. The COC shall be composed of five (5) members of the House of Representatives and five (5) members of the Senate. The minority shall be entitled to *pro rata* representation but shall have at least one (1) representative from each Chamber. It shall be jointly chaired by the Committee on Disaster Resilience Chairperson for the House of Representatives and the Committee on National Defense and Security, Peace, Unification and Reconciliation Chairperson for the Senate. It shall render a report and recommendation to Congress, which shall be the basis for policy legislation in disaster resilience.

SEC. 16. *Separability Clause.* – If, for any reason, any provision or part of this Act is declared unconstitutional or invalid, such parts not affected thereby shall remain in full force and effect.

SEC. 17. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are contrary to or inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

FERDINAND MARTIN G. ROMUALDEZ
Speaker of the House of Representatives

FRANCIS "CHIZ" G. ESCUDERO
President of the Senate

This Act was passed by the Senate of the Philippines as Senate Bill No. 2999 on June 9, 2025 and adopted by the House of Representatives as an amendment to House Bill No. 10422 on June 10, 2025.

REGINALD S. VELASCO
Secretary General
House of Representatives

RENATO N. BANTUG JR.
Secretary of the Senate

Approved: SEP 1 2 2025

FERDINAND ROMUALDEZ MARCOS JR.
President of the Philippines

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