



HOUSE OF REPRESENTATIVES

H. No. 8165

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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:

CHAPTER I

GENERAL PROVISIONS

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

SEC. 2. *Declaration of Policies and Principles*. – (a) Duties of the State.

The State shall carry out and harmonize the policies on disaster risk and vulnerability reduction and management, environmental management, and climate change adaptation, and sustainable development to uphold the welfare of the people particularly the vulnerable sectors of society.

The State shall uphold its commitment to the achievement of the sustainable development goals specifically, integrating and implementing policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, and develop and implement a holistic disaster risk management at all levels in line with the Sendai Framework for Disaster Risk Reduction 2015-2030.

The State shall uphold its commitment to the United Nations Framework Convention on Climate Change (UNFCCC) in the stabilization of greenhouse gas concentrations in the atmosphere at a level that prevents dangerous anthropogenic interference with the climate system, achievable within a time frame sufficient to allow the natural adaptation of the ecosystem to climate change, to ensure

1 food production and food security, and to secure sustainable
2 economic development.

3 The State shall integrate and accelerate the implementation of
4 the principles, and concepts of climate change, disaster risk and
5 vulnerability reduction contained in the Paris Agreement of the
6 United Nations Framework Convention on Climate Change
7 (UNFCCC), the Sendai Framework for Disaster Risk Reduction
8 2015-2030, the 2015 Asia-Pacific Economic Cooperation (APEC)
9 Disaster Risk Reduction (DDR) Framework, the 2030 Agenda for
10 Sustainable Development Goals (SDGs), and the Philippine
11 Development Plan (PDP) 2017-2022 in various phases of policy
12 formulation, development plans and investments, poverty reduction
13 strategies and other development tools, and techniques by all
14 national and local agencies, institutions and instrumentalities of the
15 government to enhance the country's climate change adaptive
16 capacity.

17 It shall be the duty of the State to:

18 (1) Uphold the people's constitutional right to life and
19 property by minimizing, if not eradicating, the root causes of
20 vulnerabilities to disasters, strengthening the country's institutional
21 capacity for disaster risk and vulnerability reduction and
22 management, and building the resilience of local communities to
23 disasters including climate change impacts, and human induced
24 disasters;

25 (2) Incorporate internationally accepted principles of disaster
26 risk and vulnerability reduction and management, and climate
27 change adaptation, including universal principles and standards for
28 humanitarian assistance, developing and implementing national,
29 regional and local sustainable development and poverty reduction

1 strategies, policies, plans and budgets, as part of the country's
2 commitment to overcome human suffering due to disasters;

3 (3) Ensure a science-based in a whole-of-society approach and
4 bottom-up participation, representation, and decision-making in
5 climate-disaster risk governance, risk assessment, risk reduction
6 and risk management, and adopt a comprehensive, integrated,
7 and proactive approach to lessening the socioeconomic and
8 environmental impacts of disasters and climate change;

9 (4) Promote and advance the implementation of a
10 comprehensive Disaster Risk and Vulnerability Reduction Plan
11 (DRVRP) that aims to strengthen the capacity of the national
12 government and the local government units (LGUs), together with
13 development partner stakeholders, build the disaster resilience of
14 communities, and institutionalize arrangements and measures for
15 reducing disaster risks, including projected climate risks, and
16 enhance disaster preparedness and response capabilities at all
17 levels;

18 (5) Recognize the role of, and work with international
19 humanitarian and development partners especially those with
20 established presence in the country;

21 (6) Develop, maintain, and ensure the accessibility of climate
22 and geospatial information and services to the public through Open
23 Data, which means data that can be freely used, reused, and
24 redistributed by anyone, subject to limitations on account of national
25 security considerations. This may include the use of impact-based
26 forecast models, and probabilistic hazard maps;

27 (7) Ensure that disaster risk and vulnerability reduction and
28 climate change adaptation measures are gender, disability, and
29 vulnerability sensitive, and culturally sensitive, recognizing

1 indigenous knowledge systems and practices, and respecting human
2 rights;

3 (8) Recognize and strengthen the capacities of LGUs,
4 communities and multiple stakeholders in mitigating and preparing
5 for, responding to, and recovering from the impact of disasters
6 through identification of local risk patterns, and decentralized
7 powers, responsibilities, and resources at the regional and local
8 levels;

9 (9) Adopt and implement a comprehensive, integrated,
10 efficient and responsive disaster risk and vulnerability reduction
11 program that is incorporated in the development plan at various
12 levels of government adhering to transparency accountability and
13 other principles of good governance within the context of poverty
14 alleviation and environmental protection;

15 (10) Mainstream disaster risk and vulnerability reduction in
16 government by ensuring risk-informed planning, programming,
17 implementation, monitoring, and evaluation, and the use of quality
18 management, accountability, and performance systems in
19 measuring and improving the effectiveness and efficiency of disaster
20 risk and vulnerability reduction management processes across all
21 government levels, including those offices which manage peace
22 processes and conflict-resolution approaches, so as to minimize loss
23 of lives and damage to properties and ensure that communities in
24 conflict zones can immediately resume their normal lives at the
25 conclusion of episodes of intermittent conflicts;

26 (11) Adopt a disaster risk and vulnerability reduction and
27 management approach that is holistic, comprehensive, integrated,
28 and proactive in lessening the socioeconomic and environmental
29 impacts of disasters including climate change, and promote the

1 involvement and participation of all sectors and all stakeholders
2 concerned, at all levels, especially the local community;

3 (12) Prioritize the development of disaster prevention and
4 mitigation measures involving all levels of society and government;

5 (13) Adopt risk sharing and risk transfer mechanisms to
6 ensure the appropriate, efficient, and timely recovery of disaster-
7 stricken communities, especially for the poorest and most
8 vulnerable;

9 (14) Adhere to the principle of "Build Forward Better"
10 in recovery and rehabilitation efforts by applying sustainable
11 standards, programs, technologies, and techniques which enhance
12 resilience against future hazards;

13 (15) Recognize and respond to the differentiated concerns and
14 needs of vulnerable groups such as women and girls, children and
15 youth, older persons, persons with disabilities, urban poor, and
16 indigenous peoples with respect to disaster risk reduction and
17 management, at the same time, recognizing their inherent capacities
18 to contribute to resilience;

19 (16) Create an enabling environment for substantial and
20 sustainable participation of civil society organizations (CSOs),
21 private groups, volunteers and communities, and recognize their
22 contributions to the disaster risk reduction and management efforts
23 of the government;

24 (17) Ensure the use of advanced science and the most up-to-
25 date technologies in climate change adaptation, disaster risk, and
26 vulnerability reduction and management through engagement,
27 consultation, and employment with a regular department funding of
28 academe or higher education institutions, such as the University of
29 the Philippines Resilience Institute, University of the Philippines

1 Nationwide Operational Assessment of Hazards Center and other
2 scientific research and academic institutions that have a track
3 record and expertise recognized both locally and internationally as
4 well as the capacity to implement the science and engineering
5 requirements necessary for effective climate change adaptation, and
6 disaster risk and vulnerability reduction;

7 (18) Ensure workers' rights are proactively respected during
8 the disaster preparedness and response, and actively engage
9 workers' and employers' organizations to share expertise and
10 capacities in disaster risk reduction and climate change adaptation
11 programs;

12 (19) Ensure transparency and accountability in climate-
13 disaster risk governance by facilitating access to financial records
14 of public funds and disaster risk and vulnerability reduction and
15 management data, and ensure the transparency of humanitarian
16 assistance from all sources;

17 (20) Adopt and manage a mechanism for the effective
18 resolution of climate change, disaster risk, and vulnerability
19 reduction and management related grievances;

20 (21) Recognize families as the most basic unit of disaster risk
21 and vulnerability reduction and management and climate change
22 adaptation by developing the capacity of local institutions and
23 providing technical assistance and financial support to the most
24 vulnerable communities;

25 (22) Ensure that the best possible assistance and services are
26 delivered to individuals and families affected by disaster and
27 emergency rehabilitation projects to guarantee the resumption of
28 normal social and economic activities;

1 (23) Establish and maintain the National Loss and Damage
2 Registry; and

3 (24) Mainstream gender and social inclusion in all aspects of
4 the Department of Disaster Resilience work from planning,
5 monitoring, to evaluation.

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

14 (1) Civil society organizations, nongovernmental
15 organizations, international nongovernmental organizations,
16 private sector, practitioners of climate and disaster mitigation,
17 organized voluntary work organizations and community-based
18 organizations shall participate, in collaboration with public
19 institutions, to, *inter alia*, provide specific knowledge and pragmatic
20 guidance in the context of the development and implementation of
21 normative frameworks, standards and plans for disaster risk and
22 vulnerability reduction; engage in the implementation of local,
23 national, regional, and global plans and strategies; contribute to and
24 support public awareness, a culture of protection, prevention and
25 conservation, and education on disaster risk; and advocate for
26 resilient communities and an inclusive and whole of society risk
27 reduction and management which shall strengthen the synergies
28 across groups, as appropriate;

1 (2) Women and girls shall contribute to and participate in
2 effectively managing disaster risk and designing, resourcing, and
3 leading implementation of gender sensitive disaster risk and
4 vulnerability reduction and management policies, plans, and
5 programs;

6 (3) Children and the youth as agents of change shall endeavor
7 to actively contribute to disaster risk and vulnerability reduction, in
8 accordance with legislation, national practice, and educational
9 curricula; disaster risk reduction and management at all levels and
10 processes of disaster risk and vulnerability reduction and
11 anticipatory adaptation, including data gathering, planning,
12 programming, budgeting, implementation, monitoring and
13 evaluation;

14 (4) For citizens having years of knowledge, skills on climate
15 change adaptation and disaster risk reduction and wisdom are
16 invaluable assets to reducing disaster risk, and shall therefore
17 participate in the design of policies, plans and mechanisms,
18 including those for early warning;

19 (5) Persons with disabilities, through their existing network or
20 organizations, shall participate in activities related to assessment,
21 programming, and the designs of policies, plans, and mechanisms;

22 (6) Migrants shall contribute to the resilience of communities
23 and societies using their knowledge, skills and capacities in the
24 design and implementation of disaster risk and vulnerability
25 reduction and climate change adaptation;

26 (7) Indigenous peoples and Muslim Filipinos, through their
27 practical experience and traditional knowledge, shall contribute to
28 the development and implementation of policies, plans and
29 mechanisms, including those for early warning;

1 (8) Urban and rural poor shall contribute to resilience building
2 as well as in the promotion of a more inclusive and transformative
3 resettlement for informal settler families in reducing their
4 vulnerability to threats of disaster and climate risks through state
5 and non-state programs;

6 (9) Farmers and fisherfolk shall contribute to the promotion
7 and protection of the environmental resource management that will
8 secure food and nutrition resilience through the integration of
9 disaster risk and vulnerability reduction into sustainable
10 development policies and planning;

11 (10) Emergency responders, community practitioners, and
12 organized volunteer organizations shall contribute to resilience by
13 providing timely and efficient emergency response and providing
14 training on basic life support, first aid, and search and rescue, in
15 accordance with the standards provided by the Research, Education,
16 and Training Institute of the Department;

17 (11) Academic and scientific and research entities and
18 networks are encouraged to focus their research efforts on disaster
19 risk factors and scenarios, including emerging disaster risks, in the
20 medium- and long-term; partner with government and increase
21 research for regional, national and local application; support action
22 by local communities and authorities; and support the interface
23 between policy and science for decision-making;

24 (12) Businesses, private sector financial institutions,
25 professional associations, as well as philanthropic foundations
26 together with financial regulators shall be encouraged to integrate
27 disaster risk management, including business continuity, into
28 business models and core business values and practices via
29 disaster risk-informed investments, especially in micro, small and

1 medium-sized enterprises; engage in awareness-raising and training
2 for their employees and customers; engage in and support research
3 and innovation as well as technological development for disaster risk
4 management; share and disseminate knowledge, practices and data;
5 and actively participate, as appropriate and under the guidance of
6 the public sector, in the development of normative frameworks and
7 technical standards that incorporate disaster risk management; and

8 (13) The media shall take an active and inclusive role at the
9 local, regional, and national levels in contributing to the raising of
10 public awareness and understanding, and disseminate accurate
11 disaster risk, hazard and disaster information, including on small-
12 scale disasters, in a simple, transparent, easy-to-understand and
13 accessible manner, in close cooperation with national and local
14 authorities; adopt specific disaster risk and vulnerability reduction
15 communication policies; support, as appropriate, early warning
16 systems and life-saving protective measures; and stimulate a culture
17 of prevention and strong community involvement in sustained
18 public education campaigns and public consultations at all levels of
19 society, in accordance with national practices.

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

21 (a) *Adaptation* refers to the adjustment in natural or human
22 systems in response to actual or expected climactic stimuli or their
23 effects, which moderates harm or exploits beneficial opportunities.

24 (b) *Assisting Actor* refers to any Assisting International Actor
25 and any Assisting Domestic Actor responding to a disaster in the
26 country.

27 (c) *Assisting Domestic Actor* refers to any not-for-profit entity
28 established under domestic laws, which is responding to a disaster
29 in the country.

1 (d) *Assisting International Actor* refers to any foreign state,
2 organization, entity or individual responding to a disaster within or
3 transiting through the country to respond to a disaster in another
4 country.

5 (e) *Build Forward Better* refers to an approach to building
6 and/or reconstructing an area or community, which entails a shift
7 from simple recovery and restoration to safer, more adaptive,
8 resilient, and inclusive communities.

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

17 (g) *Civil Society Organizations (CSOs)* refer to non-state
18 actors whose aims are neither to generate profits nor to seek
19 governing power, but to unite people to advance shared goals and
20 interests. They have a presence in public life, expressing the
21 interests and values of their members or others, based on ethical,
22 cultural, scientific, religious or philanthropic considerations. CSOs
23 include nongovernment organizations (NGOs), professional
24 associations, foundations, independent research institutes,
25 community-based organizations (CBOs), faith-based organizations,
26 people's organizations, social movements, and labor unions.

27 (h) *Climate Change* refers to a change in the state of the
28 climate that can be identified by changes in the mean and/or the
29 variability of its properties, and that persists in an extended period,

1 typically decades or longer, whether due to natural variability or as
2 a result of human activity as defined under Republic Act No. 9729,
3 otherwise known as the "Climate Change Act of 2009". These include
4 internal processes or external forces such as modulation of the solar
5 cycles, volcanic eruptions and persistent anthropogenic changes in
6 the composition of the atmosphere or in land use.

7 (i) *Climate Change Adaptation* refers to the adjustment in
8 natural or human systems in response to actual or expected climatic
9 stimuli or their effects, which moderates harm or exploits beneficial
10 opportunities.

11 (j) *Climate Finance* refers to finance that aims at reducing
12 emissions, and enhancing sinks of greenhouse gases and aims at
13 reducing vulnerability of, and maintaining, and increasing the
14 resilience of, human and ecological systems to negative climate
15 change impacts.

16 (k) *Community-Based Disaster Risk Reduction and*
17 *Management (CBDRRM)* refers to a process of disaster risk
18 reduction and management in which at risk communities are
19 actively engaged in the identification, analysis, treatment,
20 monitoring and evaluation of disaster risks in order to reduce their
21 vulnerabilities and enhance their capacities, and where the people
22 are at the heart of decision-making and implementation of disaster
23 risk reduction and management activities.

24 (l) *Complex Emergency* refers to a form of human-induced
25 emergency in which the cause of the emergency as well as the
26 assistance to the afflicted is complicated by intense level of political
27 considerations.

28 (m) *Contingency Planning* refers to a management process
29 that analyzes specific potential events or emerging situations that

1 might threaten society or the environment and establishes
2 arrangements in advance to enable timely, effective and appropriate
3 responses to such events and situations.

4 (n) *Dangerous Anthropogenic Interference* refers to the effect in
5 the climate system as a result of the increase of greenhouse gas
6 concentrations in the atmosphere that leads to widespread climate
7 change impacts such as widespread demise of coral reefs.

8 (o) *Disability* refers to an evolving concept that results
9 from the interaction between persons with impairments, societal
10 barriers, as defined under Republic Act No. 7277, and attitudinal
11 and environmental barriers that hinder their full and effective
12 participation in society on an equal basis with others.

13 (p) *Disaster* refers to a serious disruption of the functioning of
14 a community or a society involving widespread human, material,
15 economic or environmental losses and impacts, which exceeds the
16 ability of the affected community or society to cope using its own
17 resources.

18 (q) *Disaster Mitigation* refers to the lessening or limitation of
19 the adverse impacts of hazards and related disasters. Mitigation
20 measures encompass engineering techniques and hazard-resistant
21 construction as well as improved environmental policies and public
22 awareness, land use planning, and climate change.

23 (r) *Disaster Preparedness* refers to the knowledge and
24 capacities developed by governments, professional response and
25 recovery organizations, communities and individuals to effectively
26 anticipate, respond to, and recover from, the impacts of likely,
27 imminent or current hazard events or conditions. It includes
28 preparedness for response such as contingency planning, stockpiling
29 of equipment and supplies, the development of arrangements for

1 coordination, evacuation, and public information, and preparedness
2 for recovery such as procurement of land for resettlement sites.

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

11 (t) *Disaster Response* refers to the provision of emergency
12 services and public assistance during or immediately after a disaster
13 in order to secure and save lives, reduce health impacts, ensure
14 public safety and meet the basic subsistence needs of the people
15 affected. Disaster response includes disaster relief focused on
16 immediate and short-term needs of the victims and the vulnerable.

17 (u) *Disaster Risk* refers to the potential disaster losses in lives,
18 health status, livelihoods, assets and services that could occur to a
19 particular community or society in the future, and is determined by a
20 combination of the vulnerability, capacity, exposure of persons and
21 assets, hazard characteristics and the environment.

22 (v) *Disaster Risk Governance* refers to the way in which
23 public authorities, civil servants, media, private sector, and civil
24 society coordinate at community, national and regional levels in
25 order to manage disaster and climate related risks. This means
26 ensuring that sufficient levels of capacity and resources are made
27 available to prevent, prepare for, manage, and recover from
28 disasters. It also entails mechanisms, institutions, and processes

1 for citizens to articulate their interests, exercise their legal rights
2 and obligations, and mediate their differences.

3 (w) *Disaster Risk Management* refers to the systematic process
4 of using administrative directives, organizations, and operational
5 skills and capacities to implement strategies, policies and improved
6 coping capacities in order to lessen the adverse impacts of hazards
7 and the possibility of disaster.

8 (x) *Disaster Risk Reduction* refers to the concept and practice
9 of reducing disaster risks through systematic efforts to analyze and
10 manage the causal factors of disasters, including through reduced
11 exposure to hazards, lessened vulnerability of people and property,
12 wise management of land and the environment, and improved
13 preparedness for adverse events.

14 (y) *Disaster Risk and Vulnerability Reduction (DRVR)* refers
15 to the concept and practice of reducing potential loss of life, injury, or
16 destroyed or damaged assets or disruption which could occur to a
17 system, society or a community in a specific period of time,
18 determined probabilistically and conditions determined by physical,
19 social, economic and environmental factors or processes which
20 increase the susceptibility of an individual, a community, assets or
21 system to the impacts of hazards through systematic efforts to
22 analyze and reduce the causal factors of disasters all of which
23 contribute to strengthening resilience and therefore to the
24 achievement of sustainable development.

25 (z) *Disaster Risk Reduction and Management Information*
26 *System* refers to a specialized database which contains, among
27 others, information on disasters and their human, material,
28 economic, and environmental impact, risk assessment and mapping,
29 and vulnerable and marginalized groups.

1 (aa) *Early Warning System* refers to the set of capacities
2 needed to generate and disseminate timely and meaningful warning
3 information to enable individuals, communities and organizations
4 threatened by a hazard to prepare and to act appropriately and
5 in sufficient time to reduce the possibility of harm or loss.
6 A people-centered early warning system necessarily comprises four
7 (4) key elements: knowledge of the risks; monitoring, analysis and
8 forecasting of the hazards; communication or dissemination of
9 alerts and warnings; and local capabilities to respond to the
10 warnings received. The concept of "end-to-end warning system"
11 emphasizes that warning systems need to span all steps from hazard
12 detection to community response. Early warning systems include
13 systems developed at the level of communities or based on
14 indigenous knowledge.

15 (bb) *Ecosystem Management and Restoration* refers to an
16 integrated process to conserve, improve and restore the health of the
17 ecosystem that sustains ecosystem services for human well-being.

18 (cc) *Eligible Assisting Actor* refers to any assisting actor that
19 has been determined to be eligible to receive legal facilities as
20 provided in this Act and its implementing rules and regulations.

21 (dd) *Emergency* refers to unforeseen or sudden occurrence,
22 especially danger, demanding immediate action.

23 (ee) *Emergency Management* refers to the organization and
24 management of resources and responsibilities for addressing all
25 aspects of emergencies, in particular preparedness, response and
26 initial recovery steps.

27 (ff) *Exposure* refers to the degree to which the elements at risk
28 are likely to experience hazard events of different magnitudes.

1 (gg) *Gender-Based Violence* refers to violence that is directed
2 against a woman because of her gender, or that affects women
3 disproportionately. It includes acts that inflict physical, mental or
4 sexual harm or suffering, threats of such acts, coercion and other
5 deprivations of liberty.

6 (hh) *Geographic Information System (GIS)* refers to a system
7 used to capture, store, manipulate, manage and display all types of
8 spatial or geographical data.

9 (ii) *Geographically Isolated and Disadvantaged Area (GIDA)*
10 refers to areas with a marginalized population which is physically
11 and socioeconomically separated from the mainstream society and
12 characterized by physical factors, and isolated due to distance,
13 weather conditions and transportation difficulties in island, upland
14 lowland, landlocked, hard to reach and underserved communities;
15 and/or socioeconomic factors such as high poverty incidence,
16 presence of vulnerable sectors, communities in or recovering from
17 situation of crisis or armed conflict.

18 (jj) *Hazard* refers to a dangerous phenomenon, either natural
19 or human-induced, that may cause loss of life, injury or other health
20 impacts, property damage, loss of livelihood and services, social and
21 economic disruption, or environmental damage.

22 (kk) *Human-Induced Hazard* refers to an event caused by
23 humans and occurs in or close to human settlements or a particular
24 environmental area. This can include environmental degradation,
25 technological or industrial conditions, pollution, accidents such as
26 high density events, industrial and transport accidents, complex
27 emergencies, armed conflict, situations of generalized or organized
28 violence, and violation of human rights.

1 (II) *Imminent Danger* refers to a situation where, on the basis
2 of official forecasts, a disaster will or is expected to occur in a
3 particular geographical area and within an estimated period of time,
4 and where necessary preparedness actions or financing are required.

5 (mm) *International Disaster Relief and Initial Recovery Period*
6 refers to the period which commences upon the issuance of a request
7 for international disaster assistance or upon acceptance of an offer,
8 and shall continue until terminated pursuant to guidelines set in the
9 implementing rules and regulations.

10 (nn) *Internally Displaced Persons* refer to persons or groups of
11 persons who have been forced or obliged to flee or to leave their
12 homes or places of habitual residence within national borders, in
13 particular as a result of or in order to avoid the effects of armed
14 conflict, situations of generalized and/or organized violence,
15 violations of human rights, implementation of development projects,
16 or natural or human-induced disasters.

17 (oo) *International Personnel* refers to the staff and volunteers
18 of any assisting actor providing disaster relief or initial recovery
19 assistance, being persons who are neither citizens of, nor domiciled
20 in the Philippines prior to their recruitment by the international
21 assisting actor.

22 (pp) *Land-Use Planning* refers to the process undertaken by
23 public authorities to identify, evaluate and decide on different
24 options the use of land, including consideration of long-term
25 economic, social and environmental objectives and the implications
26 for different communities and interest groups, and the subsequent
27 formulation and promulgation of plans that describe the permitted
28 or acceptable uses.

1 (qq) *Legal Facilities* refer to special entitlements and
2 exemptions that are made available to eligible assisting actors under
3 this Act.

4 (rr) *Mitigation* refers to effort to reduce or limit greenhouse
5 gas emissions or enhance greenhouse gas sequestration.

6 (ss) *National Continuity Policy* refers to a policy aimed at
7 the development of an organizational culture that has the ability
8 to provide a minimum level of service during interruptions,
9 emergencies, and disasters, and return to full operations quickly.

10 (tt) *National Disaster Risk Reduction and Management*
11 *Framework* refers to the comprehensive, all hazards, multi-sectoral,
12 inter-agency and community-based approach to disaster risk
13 reduction and management.

14 (uu) *National Disaster Resilience Plan (NDRP)* refers to the
15 document to be formulated by the National Disaster Resilience
16 Council (NDRC) and implemented by the Authority that sets out
17 goals and specific objectives for reducing disaster risks together with
18 related actions to accomplish these objectives. The NDRP shall
19 provide for the identification of hazards, vulnerabilities, and risks to
20 be managed at the national level; disaster risk reduction and
21 management approaches and strategies to be applied in managing
22 said hazards and risks; agency roles, responsibilities and lines of
23 authority at all government levels; and vertical and horizontal
24 coordination of disaster risk reduction and management in the pre-
25 disaster and post-disaster phases. It shall be in conformity with the
26 national disaster risk reduction and management framework.

27 (vv) *Natural Hazard* refers to naturally occurring physical
28 phenomena caused either by rapid or slow onset events which can be
29 geological such as earthquakes, ground rupture, liquefaction,

1 landslides, tsunamis, sinkholes, and volcanic activity; hydrological
2 and meteorological such as floods, severe winds, typhoons, storm
3 surges, climatological variability such as extreme temperatures, El
4 Niño, La Niña, forest fires, or biological such as disease, epidemics
5 and insect/animal plagues.

6 (ww) *Open Data* refer to facts and statistics that can be freely
7 used, shared and built-on by anyone, anywhere, for any purpose.
8 These must be available in bulk, should be available free of charge,
9 or at least at no more than a reasonable reproduction cost. The
10 information should be digital, preferably available by downloading
11 through the internet, and easily processed by a computer. These
12 must permit people to use, reuse, and redistribute, intermix with
13 other data providers. These do not allow conditions to be placed on
14 how people can use Open Data, but permit a data provider to require
15 that data users credit them in some appropriate way, clarify if the
16 data have been changed, or that new datasets created using their
17 data are also shared as open data.

18 (xx) *Persons with Disabilities* refer to individuals who have
19 long-term physical, mental, intellectual or sensory impairments
20 which in interaction with various barriers may hinder their full and
21 effective participation in society on an equal basis with others.

22 (yy) *Pre-Disaster Risk Assessment* refers to a process to
23 evaluate a hazard's level of risk given the degree of exposure and
24 vulnerability in a specific area likely to be affected by an imminent
25 hazard. It presents the possible impacts on the population and
26 provides a basis to determine the appropriate level of response
27 actions of government agencies from the national to the local levels.
28 It is hazard-specific, area focused and time-bound.

1 (zz) *Post-Disaster Recovery* refers to the restoration and
2 improvement, where appropriate, of facilities, livelihood, and living
3 conditions of disaster-affected communities, including efforts to
4 reduce disaster risk factors, in accordance with the principle of
5 “Build Forward Better”.

6 (aaa) *Private Sector* refers to private corporations, households,
7 non-profit institutions serving households, and other economic
8 enterprises outside of government.

9 (bbb) *Public Sector Employee* refers to all persons in the civil
10 service.

11 (ccc) *Recovery* refers to rehabilitation measures that ensure
12 the ability of affected communities or areas to restore their
13 normal level of functioning by restoring livelihoods and services,
14 reconstructing damaged infrastructures and increasing the
15 communities' organizational capacity.

16 (ddd) *Resilience* refers to the ability of a system, community or
17 society exposed to hazards to resist, absorb, adapt to, transform,
18 accommodate, and recover from the effects of a hazard in a timely
19 and efficient manner, including through the preservation and
20 restoration of its essential basic structures and functions through
21 risk management in such ways as to enhance their capacities to
22 withstand current and future risk.

23 (eee) *Response* refers to any effort to provide assistance or
24 intervention during or immediately after a disaster to meet the life
25 preservation and basic subsistence needs of affected people and in
26 the restoration of essential public activities and facilities.

27 (fff) *Risk Assessment* refers to a methodology which includes
28 risk assessment with mapping to determine the nature and extent of
29 risk by analyzing potential hazards and evaluating existing

1 conditions of vulnerability that together could potentially harm
2 exposed people, property, services, livelihood and the environment
3 on which they depend.

4 (ggg) *Probabilistic Risk Assessment* refers to the simulation of
5 those future disasters based on scientific evidence, which are likely
6 to occur. As a result, these risk assessments resolve the problem
7 posed by the limits of historical data. Probabilistic models "complete"
8 historical records by reproducing the physics of the phenomena and
9 recreating the intensity of a large number of synthetic events.
10 Probabilistic Risk Assessment considers all possible scenarios, their
11 likelihood, and associated impacts. It is characterized by inherent
12 uncertainties partly related to the natural randomness of hazards,
13 and partly because of incomplete understanding and measurement
14 of the hazards, exposure, and vulnerability.

15 (hhh) *Deterministic Risk Assessment* refers to an assessment
16 that considers the possible disaster impacts of a single scenario. This
17 is in contrast to probabilistic risk assessment which considers all
18 possible scenarios, their likelihood, and associated impacts.

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

26 (jjj) *State of Calamity* refers to a condition involving mass
27 casualty and/or major damage to property, disruption of means of
28 livelihoods, roads, and normal way of life of people in the affected

1 areas as a result of the occurrence of natural or human-induced
2 hazard.

3 (kkk) *Sustainable Development* refers to development that
4 meets the needs of the present without compromising the ability of
5 future generations to meet their own needs.

6 (lll) *Vital Facility Items* refer to government risk reduction
7 and preparedness equipment, accessories and other items such
8 as radars, weather forecasting equipment, flood monitoring
9 instruments, seismographs, tsunami warning systems, and
10 automated weather systems.

11 (mmm) *Vulnerability* refers to the characteristics and
12 circumstances of a community, system or asset that make it
13 susceptible to the damaging effects of a hazard. Vulnerability may
14 arise from various physical, social, economic, and environmental
15 factors.

16 (nnn) *Vulnerable and Marginalized Groups* refer to those who
17 are at risk due to poverty and other underlying risk factors including
18 women, children, the elderly, differently-abled people, and ethnic
19 minorities.

20 (ooo) *Whole-of-Society Approach* refers to the meaningful
21 participation and synergy of stakeholders that represent different
22 interests in all aspects of climate change adaptation, and disaster
23 risk reduction and management across all levels.

24 (ppp) *Whole-of-Government Approach* refers to an approach
25 that integrates the collaborative efforts of the government
26 departments and agencies to achieve unity of effort toward a shared
27 goal to broaden the government's options, and increases efficiency to
28 maximize all available resources in a collaborative effort.

1 (qqq) *Whole-of-Nation Approach* refers to an approach that
2 seeks to bring about a concerted effort towards national peace and
3 security by creating consensus and understanding of security that is
4 shared not just among core security forces and oversight government
5 institutions, but also by civil society and all the nation's
6 communities.

7 (rrr) *Youth* refers to those persons aged fifteen (15) to thirty
8 (30) years old, as provided for under Republic Act No. 8044,
9 otherwise known as "Youth in Nation-Building Act".

10 CHAPTER II

11 DEPARTMENT OF DISASTER RESILIENCE

12 SEC. 4. *Creation of the Department of Disaster Resilience.* –

13 There is hereby created a Department of Disaster Resilience,
14 hereinafter referred to as the Department.

15 The Department shall be the primary government agency
16 responsible for leading, organizing, and managing the national
17 effort to reduce disaster risk, prepare for and respond to disasters,
18 recover and rehabilitate, and "Build Forward Better" after the
19 occurrence of disasters.

20 The Department shall oversee and coordinate the
21 preparation, implementation, monitoring, and evaluation of
22 disaster and climate change resilience plans, programs, projects,
23 and activities, provide leadership in the continuous development of
24 strategic and systematic approaches to disaster prevention,
25 mitigation, preparedness, response, recovery and rehabilitation,
26 to anticipatory adaptation strategies, measures, techniques and
27 options.

28 The Department shall augment the capacity of LGUs in
29 collaboration with relevant national government agencies and other

1 stakeholders to implement disaster risk reduction and
2 management and climate change action plans, programs, projects,
3 and activities.

4 SEC. 5. *Powers and Functions of the Department.* – The
5 Department shall exercise and perform the following powers and
6 functions:

7 (a) Risk Reduction

8 (1) Oversee, direct, and undertake programs and projects to
9 identify, assess, prioritize and localize hazards and risks in the
10 country, in consultation with national government agencies, LGUs,
11 communities, and stakeholders that shall be involved in disaster
12 risk reduction efforts;

13 (2) Monitor and ensure the integration of disaster risk and
14 vulnerability reduction and management and climate change
15 adaptation policies into national development plans;

16 (3) Design and implement an incentive system for greater
17 private and public investment, both local and national, in disaster
18 risk reduction;

19 (4) Oversee and ensure the mainstreaming of climate change
20 adaptation and disaster risk reduction in development planning,
21 including disaster-proofing and climate-proofing of land-use plans
22 and the preparation of contingency plans;

23 (5) Create an enabling environment for the design of relevant
24 and appropriate risk-sharing and risk-transfer instruments;

25 (6) Create an enabling environment that shall promote
26 broader multi-stakeholder participation and integrate climate
27 change mitigation, adaptation, and disaster risk and vulnerability
28 reduction;

1 (7) Coordinate directly with LGUs and private entities to
2 address climate vulnerabilities and disaster risk assessment
3 (CVDRA) of regions and provinces at the meso-scale, cities and
4 municipalities at the micro-scale, and barangays at the meta-scale;

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

10 (9) Formulate the National Disaster Resilience Framework,
11 National Disaster Resilience Plan, and the National Continuity
12 Policy;

13 (10) Oversee and direct the comprehensive implementation
14 of disaster risk reduction and climate change adaptation and
15 mitigation policies, plans, and programs, as embodied in the
16 National Disaster Resilience Framework and National Disaster
17 Resilience Plan;

18 (11) Coordinate directly with LGUs and private entities to
19 address Disaster Risk Assessment (DRA) of regions and provinces
20 at the meso-scale, cities and municipalities at the micro-scale, and
21 barangays at the meta-scale; and

22 (12) Review and evaluate local disaster resilience plans and
23 other local plans to ensure their consistency with the Climate-
24 Disaster Resilience Framework and Plan.

25 (b) Disaster Preparedness and Response

26 (1) Oversee and maintain a national early-warning and
27 emergency alert system that shall provide accurate, timely, and
28 accessible information to national and local emergency response
29 organizations and the general public;

1 (2) Coordinate information-sharing and other risk reduction
2 protocols following the principle of interoperability among national
3 government agencies and LGUs;

4 (3) Establish and maintain a national humanitarian logistics
5 system with a network of warehouses, transport, and resources,
6 including response assets and disaster relief items, such as food and
7 non-food items;

8 (4) Exercise command and control over relevant government
9 agencies, including government-owned and -controlled corporations,
10 the Philippine National Police and other law enforcement agencies,
11 during an imminent or actual disaster. Such command and control
12 shall include the authority to utilize available services, assets,
13 equipment, personnel, facilities, and other resources;

14 (5) Call on the reserve force, as defined in Republic Act
15 No. 7077, otherwise known as the "Citizen Armed Force or Armed
16 Forces of the Philippines Reservist Act", to assist in relief and rescue
17 operations during disasters;

18 (6) Work with the private sector and CSOs for assistance
19 with regard to the use of facilities and resources for the protection
20 and preservation of life and property;

21 (7) Implement pre-disaster risk assessments, to include
22 deployment of rapid assessment teams to gather information for
23 precise actions as a basis for emergency preparedness and
24 humanitarian response;

25 (8) Organize, train, equip, and maintain a system of response
26 capacity for search, rescue, and retrieval, and the delivery and
27 distribution of relief goods;

1 (9) Monitor and support LGUs in the management of
2 evacuation centers and ensure the welfare and dignity of internally-
3 displaced persons;

4 (10) Procure goods and services during emergencies, in
5 accordance with existing emergency procurement rules and
6 regulations;

7 (11) Issue special procurement rules and regulations for
8 preparedness, response, and recovery activities, including those
9 prompted by a declaration of a state of calamity or of an imminent
10 disaster; and

11 (12) Assist in mobilizing the necessary resources to increase
12 the overall capacity of LGUs, specifically those with low income and
13 situated in high-risk areas.

14 (c) Rehabilitation and Recovery

15 (1) Prepare, organize, lead, implement, and manage post-
16 disaster assessment and recovery and rehabilitation programs, in
17 coordination with the affected LGUs, national government agencies,
18 and other stakeholders;

19 (2) Implement the cluster approach to expedite
20 reconstruction efforts and orchestrate and serve as the clearinghouse
21 for the participation of assisting actors in such efforts; and

22 (3) Ensure that the principle of "Build Forward Better" is
23 applied to rehabilitation and recovery efforts.

24 (d) Other Powers and Functions

25 (1) Provide or designate a secretariat to the Climate Change
26 Commission;

27 (2) Establish and monitor local and national capacity for
28 climate-disaster risk financing and insurance and other risk transfer
29 strategies in coordination with the Department of Finance (DOF),

1 the Government Service Insurance System (GSIS), and the Land
2 Bank of the Philippines (LBP);

3 (3) Coordinate information-sharing and other disaster risk
4 and vulnerability reduction and climate change adaptation protocols
5 following the principle of interoperability among national
6 government agencies and LGUs before, during, and after a disaster.
7 Administer, oversee, and monitor the utilization of the National
8 Disaster Resilience Fund (NDRF), the Disaster Resilience Support
9 Fund (DRSF) for third (3rd) to sixth (6th) class provinces and
10 municipalities, and other grants and donations for disaster risk
11 reduction and management and climate change adaptation, unless
12 otherwise specified;

13 (4) Receive, administer, mobilize, and monitor and oversee
14 the utilization of the National Disaster Resilience Fund, the
15 Prevention, Mitigation, and Preparedness Fund for third (3rd) to
16 sixth (6th) Class Provinces and Municipalities, and donations for
17 disaster risk and vulnerability reduction and management and
18 climate change adaptation, unless otherwise specified;

19 (5) Use of advanced science and technologies in disaster risk
20 reduction and management by engaging, consulting with, employing
21 and regularly funding the academe or higher education and research
22 institutions such as the University of the Philippines Resilience
23 Institute and the University of the Philippines Nationwide
24 Operational Assessment of Hazards Center or other institutions that
25 have a recognized and credible track record, as well as the capacity
26 to conceptualize and implement the science and engineering
27 requirements necessary for effective climate change adaptation and
28 disaster risk reduction;

1 as emergency responders, to assist in the implementation of
2 emergency measures.

3 SEC. 8. *Emergency Measures at the Local Level.* –

4 (a) LGUs shall enact an ordinance on and implement
5 through the Local Disaster Resilience Office (LDRO) the necessary
6 and appropriate emergency measures, including preemptive and
7 forced evacuation, in anticipation of, during, and in the aftermath of
8 emergencies, hazards and disasters, and only when there is
9 imminent danger of loss of lives and/or damage to property.

10 (b) Emergency measures, including preemptive and forced
11 evacuation, shall be carried out in a manner that is humane,
12 respectful of the dignity and culture of persons, without using
13 disproportionate force, without discrimination, and with conscious
14 attention to the needs of vulnerable and marginalized groups.

15 (c) All measures shall be taken to inform the population, in
16 a manner and language that they can understand, of the need for
17 emergency measures and evacuation for their safety, as well as the
18 location where they will be taken and for how long they are going to
19 stay there. Adequate evacuation centers and transportation to and
20 from the affected area shall be provided by the local government.

21 SEC. 9. *Hierarchy of Evacuation Measures.* –

22 (a) Preemptive evacuation shall be the preferred and primary
23 mode of evacuation of people that will be affected by emergencies,
24 hazards and disasters.

25 (b) Forced evacuation shall be considered as an emergency
26 measure of last resort that may be undertaken in anticipation of,
27 during or after an emergency, hazard or disaster and be carried out
28 by the affected local government in accordance with a duly issued
29 order by the local chief executive: *Provided*, That in case of the

1 failure of the local government to appropriately issue such order, the
2 forced evacuation shall be implemented by the Department, which
3 may direct and compel the assistance of law enforcement and other
4 relevant national agencies to implement said emergency measure.

5 During such forced evacuation, government officials may
6 direct and compel the population to be affected or is currently
7 affected by an emergency, hazard or disaster to relocate to safer
8 locations for their own safety.

9 SEC. 10. *Release from Liability in Case of Refusal to*
10 *Evacuate.* —

11 (a) Any person who willfully and deliberately disregards or
12 opposes the order of forced evacuation issued by the local chief
13 executive or the Department, releases the local government or the
14 Department from any liability for injury, death, damage to or loss of
15 property attributed to said disobedience.

16 (b) During evacuation, priority assistance shall be given to
17 the vulnerable groups and persons who willfully comply with the
18 order of forced evacuation.

19 SEC. 11. *Inspection and Implementation Powers.* — The
20 Department shall have inspection, visitorial and examining
21 authority over government and nongovernmental entities to ensure
22 that all funds and assets allocated for disaster resilience are actually
23 used for said purposes. The Department shall likewise have the
24 power to inspect and examine the status of projects and programs
25 being undertaken in furtherance of disaster resilience efforts.

26 Whenever it becomes necessary, the Department may assume
27 responsibility over the implementation of and directly implement
28 any program or project in anticipation of, during, and in the
29 aftermath of emergencies, hazards and disasters.

1 SEC. 12. *Utilization of Private Property for Public Purpose.* -

2 The Department shall have the power to utilize any private
3 property for urgent public purpose in anticipation of, during,
4 and in the aftermath of emergencies, hazards and disasters and only
5 when there is imminent danger of loss of lives and/or damage to
6 property, subject to payment of just compensation in appropriate
7 cases.

8 SEC. 13. *Emergency Powers.* - Whenever it becomes

9 necessary, the Department, subject to the approval of the President,
10 may call on the AFP or the PNP, in coordination with the
11 Secretary of National Defense and the Secretary of the Interior and
12 Local Government, to prevent or suppress lawless violence and
13 ensure the protection and preservation of life or property in
14 anticipation of, during, and in the aftermath of emergencies, hazards
15 and disasters.

16 Whenever warranted by circumstances, the Department
17 may call upon other agencies and instrumentalities of the
18 government, as well as nongovernment organizations for the
19 protection and preservation of life and/or property in anticipation of,
20 during, and in the aftermath of emergencies, hazards and disasters
21 including private organizations, for assistance in the use of their
22 facilities and resources.

23 SEC. 14. *Emergency Arrangements.* - The Department shall

24 have the power to negotiate, enter into, institutionalize and
25 coordinate arrangements with any private person or juridical entity
26 for the purpose of ensuring the adequate and prompt availability of
27 all goods and services necessary in anticipation of, during, and in the
28 aftermath of emergencies, hazards and disasters and only when
29 there is imminent danger of loss of lives and/or damage to property.

CHAPTER IV

ORGANIZATION AND MANAGEMENT

1
2
3 SEC. 15. *The Secretary.* – The Department shall be headed by
4 a Secretary who shall be appointed by the President.

5 SEC. 16. *Powers and Functions of the Secretary.* – The
6 Secretary of the Department shall exercise the following powers and
7 functions:

8 (a) Establish and promulgate policies, rules, and regulations
9 for the effective and efficient operation of the Department;

10 (b) Exercise executive direction over the operations of the
11 Department and administrative supervision over its attached
12 agencies;

13 (c) Manage the financial and human resources of the
14 Department;

15 (d) Appoint officers and employees of the Department, except
16 presidential appointees, in accordance with civil service law, rules,
17 and regulations;

18 (e) Exercise disciplinary authority over officers and
19 employees of the Department in accordance with law;

20 (f) Coordinate with other government agencies, the private
21 sector, and CSOs on the policies, programs, projects, and activities
22 of the Department, as may be necessary;

23 (g) Advise the President on the promulgation of executive
24 and administrative issuances and the formulation of regulatory and
25 legislative proposals on matters pertaining to disaster resilience;

26 (h) Serve as the Vice-Chairperson of the Climate Change
27 Commission (CCC);

28 (i) In coordination with the Department of Foreign Affairs,
29 represent the Philippines in the climate change negotiations and

1 articulate the national contribution to global, regional, and other
2 inter-governmental disaster risk reduction and humanitarian
3 platforms;

4 (j) Call upon the AFP and the PNP to render assistance in
5 disaster-affected areas; and

6 (k) Promulgate such rules and regulations and perform
7 such other functions as may be necessary or proper to attain the
8 objectives of this Act.

9 SEC. 17. *Organizational Structure, Functions and*
10 *Management.* - The Department shall be composed of the
11 following officials and offices:

12 (a) The Secretary, as provided for under this Act;

13 (b) Five (5) Undersecretaries, to be appointed by the
14 President, who shall assist the Secretary in administering the
15 affairs of the Department, one to be responsible for Resilience,
16 one to be responsible for Policy and Governance, one to be
17 responsible for Operations, one to be responsible for
18 Administration and Finance, and the Senior Undersecretary.
19 The Undersecretaries shall have functional and operational
20 supervision over the bureaus, divisions, offices and units assigned
21 to their respective functional areas;

22 (c) Ten (10) Assistant Secretaries, to be appointed by the
23 President, who shall assist the Secretary in administering the
24 affairs of the Department to be responsible for overall staff
25 supervision, Internal Audit, Administration, Disaster Resilience
26 Fund Management, Fiscal Management, Operations, Mobilization,
27 Plans and Programs, Legal, Project Management and Sustainable
28 Development;

1 (d) Eleven (11) Service Directors who shall head the
2 following Services: the Administrative and Financial Management
3 Service, the Logistics and Resource Management Service, the
4 Operations Service, the Responders Management Service, the Policy
5 Development and Planning Service, the Capacity-Building and
6 Training Service, the Legal Affairs and Compliance Service, the
7 Disaster Risk Reduction Service, the Climate Change Service, the
8 Recovery and Reconstruction Service, and the Strategic
9 Communications Service:

10 (1) The Administrative and Financial Management Service
11 shall provide the Department with economical, efficient and effective
12 services relating to human resource management and development,
13 financial management and general administration services to
14 support civil defense and disaster risk reduction and management
15 operations and functions.

16 (2) The Logistics and Resource Management Service shall
17 be responsible for the efficient and effective management of all
18 the assets and resources of the Department; the efficient and
19 effective gathering, maintenance and updating of a database of
20 pertinent assets and resources belonging to any and all agencies
21 and instrumentalities of the Government, as well as nongovernment
22 and civic organizations in support of operational readiness for
23 utilization by the Department; and the procurement of necessary
24 assets and resources to be maintained and utilized by the
25 Department.

26 (3) The Operations Service shall be responsible for
27 formulating, implementing and monitoring the operational plans of
28 the Department and ensuring its operational readiness, as well as

1 the effective functional management of the Emergency Management
2 Operations Center.

3 (4) The Responders Management Service shall be responsible
4 for the efficient and effective gathering, management, and updating
5 of a national roster of individuals and groups from the civilian
6 sector, volunteer organizations, uniformed services and the reserve
7 force in support of operational readiness for utilization by the
8 Department.

9 (5) The Policy Development and Planning Service shall be
10 responsible for providing responsive, efficient and effective services
11 relating to research, planning, programming, budgeting, project
12 development, and policy formulation of civil defense and disaster
13 risk reduction and management projects and activities.

14 (6) The Capacity-Building and Training Service shall be
15 responsible for building and developing the capacity of the
16 Department's personnel, civil defense practitioners, communities
17 and other stakeholders.

18 (7) The Legal Affairs and Compliance Service shall provide
19 legal advice to the Department; interpret laws and rules affecting
20 the administration and operations of the Department; prepare and
21 review contracts and instruments to which the Department is a
22 party; interpret provisions of contracts covering work involving the
23 Department; and monitor the compliance with regulatory and
24 reportorial matters involving the Department.

25 (8) The Disaster Risk Reduction Service shall be responsible
26 for reducing disaster risks through systematic efforts and programs
27 of the Department to analyze and reduce the causal factors of
28 disasters such as exposure to hazards, lessening vulnerability of
29 people and property, wise management of land and the environment,

1 and improving preparedness and early warning for adverse events
2 which are all examples of disaster risk reduction.

3 (9) The Climate Change Service shall lead in the
4 development and mainstreaming of evidence-based climate
5 adaptation and mitigation policies of the Department through
6 optimum coordination among key stakeholders towards achieving a
7 climate-resilient and climate-smart Philippines with healthy, safe,
8 prosperous, and self-reliant communities.

9 (10) The Recovery and Reconstruction Service shall provide
10 responsive, efficient and effective services relating to the
11 formulation of standards for rehabilitation and recovery programs,
12 projects, activities, and their subsequent implementation.

13 (11) The Strategic Communications Service shall be
14 responsible for the formulation and implementation of the strategic
15 communications plans and programs of the Department; serve as
16 the public affairs arm of the Department tasked with directing,
17 supervising and controlling the Department's public information
18 programs and activities, as well as establishing and maintaining
19 rapport with the media and the general public;

20 (e) Divisions, units and offices as may be created by the
21 Department and whose officers and employees shall be appointed in
22 accordance with civil service law, rules, and regulations;

23 (f) The National Climate and Disaster Resilience Research,
24 Education, and Training Institute under the Capacity-Building and
25 Training Service, to be headed by a Director with the rank of
26 Director IV;

27 (g) Regional and other field offices of the Department that
28 shall be established in each administrative region, each to be headed
29 by a Regional Director with the rank of Director IV;

1 (h) Bureaus that are under the supervision and control of the
2 Department;

3 (i) Secoded personnel from relevant agencies and detailed
4 service from the uniformed services, as appropriate; and

5 (j) Grievance desks in every region, which shall serve as a
6 referral mechanism and shall work jointly with relevant agencies,
7 to receive complaints from the public regarding violations of this
8 Act. It shall assist the complainant in the gathering of relevant
9 documentation and other evidence to support said complaint. The
10 grievance desk shall facilitate the forwarding of the complaint to the
11 appropriate office within fifteen (15) days from receipt thereof, and
12 shall provide timely feedback and updates regarding the status of
13 the complaint. The grievance desk shall use the best available
14 technology to ensure that complaints are endorsed to the proper
15 office and are addressed in a timely manner.

16 CHAPTER V

17 FINANCE AND ADMINISTRATION

18 SEC. 18. *Fiscal Management.* - The Department shall
19 manage all funds appropriated to it by Congress and from other
20 sources. This shall include all donations, as contemplated under
21 the succeeding paragraph, subject to the provisions of Section 3,
22 paragraph (D) of Article IX, of the 1987 Constitution on the auditing
23 powers of the Commission on Audit.

24 SEC. 19. *Donation.* - (a) The Department shall have the
25 power to receive donations and grants from any person, government
26 institution, corporation, international organization and other
27 similar entities, and the power to recommend the procurement
28 of developmental assistance for the purpose of disaster risk and

1 vulnerability reduction and management and climate change
2 adaptation;

3 (b) It shall be mandatory for the Department to acknowledge
4 and certify the receipt of all Department of Disaster Resilience
5 (DDR) grants and donated funds and ensure their judicious
6 management including their proper and accurate audit reporting to
7 constituents;

8 (c) The importation and donation of food, clothing, medicine
9 and equipment for relief and recovery and other disaster
10 management and recovery-related supplies is hereby authorized
11 in accordance with, Section 800, Chapter 1, Title 8, of Republic
12 Act No. 10863, otherwise known as the "Customs Modernization and
13 Tariff Act (CMTA)", as amended, and the prevailing provisions of
14 the General Appropriations Act covering national internal revenue
15 taxes and import duties of national and local government agencies;

16 All importations and donations under Section 11(c) of
17 Republic Act No. 10863, otherwise known as the "Customs
18 Modernization and Tariff Act (CMTA)" shall be considered as
19 importation or donation to the Department, subject to the approval
20 of the Office of the President.

21 CHAPTER VI

22 WHOLE-OF-GOVERNMENT AND WHOLE-OF-NATION APPROACH

23 SEC. 20. *National Disaster Resilience Council.* – (a) There is
24 hereby created the National Disaster Resilience Council (NDRC),
25 which shall serve as the policy advisory body to the Department
26 on disaster risk reduction and management and climate change
27 adaptation, consistent with the policies and scope as defined in
28 this Act.

1 (b) The NDRC shall be chaired by the Secretary of Disaster
2 Resilience and shall be composed of the following:

- 3 (1) Secretary of Science and Technology;
- 4 (2) Secretary of the Interior and Local Government;
- 5 (3) Secretary of Social Welfare and Development;
- 6 (4) Secretary of National Defense;
- 7 (5) Director-General of the National Economic and
8 Development Authority;
- 9 (6) Secretary of Health;
- 10 (7) Secretary of Environment and Natural Resources;
- 11 (8) Secretary of Agriculture;
- 12 (9) Secretary of Education;
- 13 (10) Secretary of Energy;
- 14 (11) Secretary of Finance;
- 15 (12) Secretary of Trade and Industry;
- 16 (13) Secretary of Transportation;
- 17 (14) Secretary of Budget and Management;
- 18 (15) Secretary of Public Works and Highways;
- 19 (16) Secretary of Foreign Affairs;
- 20 (17) Secretary of Justice;
- 21 (18) Secretary of Labor and Employment;
- 22 (19) Secretary of Tourism;
- 23 (20) Secretary of Information and Communications
24 Technology;
- 25 (21) Presidential Adviser on the Peace Process;
- 26 (22) Chairperson of the Commission on Higher Education;
- 27 (23) Chief of Staff of the Armed Forces of the Philippines;
- 28 (24) Chief of the Philippine National Police;

- 1 (25) Head of the Presidential Communications Operations
2 Office;
- 3 (26) Secretary-General of the Philippine National Red Cross;
4 (27) Chairperson of the Commission on Human Rights;
5 (28) Executive Director of the Council for Welfare of Children;
6 (29) Lead Convenor of the National Anti-Poverty Commission;
7 (30) Chairperson of the Philippine Commission on Women;
8 (31) Chairperson of the Housing and Urban Development
9 Coordinating Council;
- 10 (32) Chairperson of the National Council for Disability Affairs;
11 (33) Chairperson of the National Commission on Indigenous
12 Peoples;
- 13 (34) Chairperson of the National Commission on Muslim
14 Filipinos;
- 15 (35) Chairperson of the National Youth Commission;
16 (36) President of the Government Service Insurance System;
17 (37) President of the Social Security System;
18 (38) President of the Philippine Health Insurance
19 Corporation;
- 20 (39) President of the Home Development Mutual Fund;
21 (40) President of the Union of Local Authorities of the
22 Philippines;
- 23 (41) President of the League of Provinces of the Philippines;
24 (42) President of the League of Cities of the Philippines;
25 (43) President of the League of Municipalities of the
26 Philippines;
- 27 (44) President of the Liga ng mga Barangays;
28 (45) Maximum of six (6) representatives from the academe
29 and other relevant research institutions;

1 (46) Maximum of six (6) representatives from the civil society
2 organizations; and

3 (47) Maximum of six (6) representatives from the private
4 sector.

5 (c) Composition – The Council is hereby organized into
6 five (5) clusters, namely: Disaster Prevention and Mitigation to
7 be led by DOST, Disaster Preparedness to be led by DILG,
8 Disaster Response by DSWD, Logistics led by DND, and Recovery
9 and Sustainable Development led by NEDA.

10 (d) Technical Management Advisory Group – The
11 Department may constitute, as the need arises, a technical
12 management advisory group from the different stakeholders, that
13 shall coordinate and meet with the Department as often as necessary
14 to effectively manage and sustain national efforts on disaster risk
15 and vulnerability reduction and emergency management, and
16 climate change adaptation and mitigation.

17 (e) Guidelines for the Department of Disaster Resilience
18 Fund (DDRF) and Local Disaster Resilience Fund (LDRF) – The
19 Department shall provide the necessary guidelines and procedures
20 on the DDRF and the LDRF releases as well as utilization,
21 accounting and auditing thereof.

22 *SEC. 21. Monitoring, Reporting and Validation. –*

23 (a) Monitoring and Reporting. On or before the last quarter
24 of the preceding year, member-agencies of the National Disaster
25 Resilience Council shall submit to the Department through the
26 Council Secretariat their respective DDR annual work and financial
27 plans (AWFPs) for the next year. The AWFPS shall be based on the
28 DDR Plan.

1 The member-agencies shall submit to the Secretariat quarterly
2 progress reports of their implementation of the AWFPs within thirty
3 (30) days from the end of each quarter.

4 The Department is likewise accountable, liable and
5 responsible for monitoring and requiring the appropriate
6 implementation of remedial measures by member-agencies of the
7 Council during a state of calamity. It shall have the authority and
8 power to require reports from the appropriate member-agencies
9 regarding implementation of such measures.

10 (b) Validation. The Secretary shall require the submission of
11 reports from LGUs to validate the progress reports of the Council
12 member-agencies. Submission shall be through the local field offices
13 of the DDR.

14 Every two (2) years, the implementation of the Climate-
15 Disaster Resilience Plan (CDRP) and utilization of the Local Disaster
16 Resilience Fund (LDRF) of each province, LGUs, independent city
17 shall be evaluated by the Regional Disaster Resilience Council
18 (RDRC) based on appropriate criteria, such as the award,
19 recognition, citation criteria for provinces, cities and municipalities,
20 barangay and stakeholders.

21 (1) The Regional Disaster Resilience Councils (RDRC) –

22 The Regional Disaster Resilience Councils (RDRCs) shall
23 coordinate, integrate, supervise, and evaluate the activities of the
24 LDRCs. It shall be accountable, responsible and liable for ensuring
25 climate-disaster risk sensitive and inclusive regional development
26 plans, and in case of emergencies shall convene the different
27 regional line agencies and authorities, concerned institutions,
28 developmental partners and multiple stakeholders.

1 The Regional Directors of the Department shall serve as
2 chairpersons of the RDRCs and the Regional Directors of the DSWD,
3 the DILG, and the NEDA shall serve as cluster heads. In the case of
4 the Bangsamoro Autonomous Region in Muslim Mindanao, the Chief
5 Minister shall be the RDRC Chairperson. In the case of Metro
6 Manila, the MDRC shall be headed by the Chairperson of the Metro
7 Manila Development Authority (MMDA).

8 The RDRCs shall establish the RDRC Secretariat and
9 operating facility to be known as the Regional Disaster Resilience
10 Council Secretariat and Operations Center.

11 The RDRCs shall be composed of concerned regional agencies,
12 offices, LGUs and other multiple stakeholders.

13 (i) LDRC Budgetary Requirements of LDRO – The
14 budgetary requirements for personal services, maintenance and
15 other operating expenditures, and capital outlay of the LDRO
16 shall be sourced from the General Fund of the LGU, subject to
17 Section 76 of Republic Act No. 7160, otherwise known as the
18 “Local Government Code of 1991, as amended. The enforcement of
19 Sections 325(a) and 331(b) of Republic Act No. 7160, as amended,
20 shall be waived to enable the LGUs to fund the initial year
21 requirements for the creation of the minimum five (5) mandatory
22 positions of the LDRO.

23 Other maintenance and operating expenditures, and other
24 capital outlay requirements of the LDRO in the implementation of
25 disaster risk and vulnerability reduction management and climate
26 change adaptation programs shall be charged to the Local Climate-
27 Disaster Resilience Fund of the LGUs;

1 (ii) Establish linkage or network with other LGUs for
2 disaster risk and vulnerability reduction, climate change adaptation
3 and emergency response purposes;

4 (iii) Recommend through the LDRC, the enactment of local
5 ordinances consistent with the requirements of this Act;

6 (iv) Establish a Provincial, City, Municipal, and Barangay
7 Climate and Disaster Resilience Operations Center; and

8 (v) Encourage Government-Owned and -Controlled
9 Corporations (GOCCs) to establish their own Climate and Disaster
10 Resilience Operations Center within their territories.

11 *SEC. 22. Synergy with Stakeholders.* – The Department shall
12 ensure seamless synergy and coordination with stakeholders,
13 including CSOs, the academe, and the private sector, in relation to
14 disaster resilience programs and projects and the development and
15 promotion of research, education, and training mechanism with
16 relevant stakeholders.

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

21 *SEC. 23. Establishment of Multi-Stakeholders Convergence*
22 *Unit.* – The Department, with the assistance of other relevant
23 government agencies and stakeholders, shall establish a
24 Multi-Stakeholders Convergence Unit (MSCU), which shall align
25 the disaster resilience efforts of the private sector, CSOs, academe,
26 and other stakeholders with the Department by assisting,
27 coordinating, or providing services that strengthen public-private
28 cooperation and coordination in disaster resilience, including the
29 following:

1 (a) Establishment and implementation of business continuity
2 practices to ensure the continued delivery of products and services,
3 in the event of disasters;

4 (b) Establishment and implementation of a National
5 Continuity Policy to ensure service continuity during power and
6 utilities interruptions, emergencies, and disasters and ensure the
7 quick return to full operations;

8 (c) Establishment, incorporation, and application of business
9 continuity plans as part of the disaster resilience plans of local
10 government units;

11 (d) Facilitation or assistance in obtaining or processing
12 incentives for the private sector or other nongovernment
13 stakeholders; and

14 (e) Preparation and facilitation of the issuance of appropriate
15 guidelines for MSMEs relating to mechanisms on procurement and
16 liquidity to create enabling environment for DDR.

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

20 CHAPTER VII

21 DISASTER RISK AND VULNERABILITY REDUCTION AND 22 CLIMATE CHANGE ADAPTATION MAINSTREAMING, 23 INTEGRATION AND CONVERGENCE

24 SEC. 24. *Integration of DRR and Climate Change Adaptation*
25 *in the Climate and Disaster Resilience Framework and Plan.* – The
26 existing National Disaster Resilience Framework and plan and
27 the National Climate Change Strategic Framework and Plan shall
28 be enhanced by the Climate and Disaster Resilience Framework

1 and plan which provides for the comprehensive probabilistic
2 multi-hazards, multi-scenario, multi-sectoral, resilience-building,
3 and community risk-based approach and management of disaster
4 and climate risk, and provide for the integration of disaster risk
5 and vulnerability reduction and climate change adaptation, as
6 well as the mainstreaming in other sectoral policies. It shall be
7 reviewed every three (3) years.

8 The Climate and Disaster Resilience Plan shall provide for the
9 following: (1) identification of the underlying factors of risk, or the
10 nature and degree of hazards, vulnerabilities, exposures and
11 capacities, which need to be managed at the national level; (2)
12 disaster risk and vulnerabilities reduction and management
13 approaches and strategies to be applied in managing said hazards
14 and risks; (3) agency roles, responsibilities, and lines of authority at
15 all government levels; and (4) vertical and horizontal coordination of
16 climate change adaptation, disaster risk and vulnerability reduction
17 and management before, during, and after a disaster. The Climate
18 and Disaster Resilience Plan shall be in conformity with the
19 framework.

20 The Climate and Disaster Resilience Framework and Plan for
21 climate-disaster risk governance, climate vulnerability assessment,
22 risk assessment and risk management shall be formulated and
23 jointly approved by the NDRC and the CCC.

24 *SEC. 25. Ecosystem-Based Approach to Prevention and*
25 *Mitigation, Rehabilitation and Recovery from Disaster.* – The
26 Department shall ensure the application of ecosystems-based
27 approaches in disaster risk and vulnerability reduction and climate
28 change adaptation, particularly through ecosystem management and

1 restoration as defined in this Act, and ensuring that environmental
2 and natural resource policies are risk-informed.

3 CHAPTER VIII

4 CLIMATE AND DISASTER RESILIENCE RESEARCH,

5 EDUCATION, AND TRAINING INSTITUTE

6 SEC. 26. *Creation of the Climate and Disaster Research,*
7 *Education, and Training Institute.* – (a) Within one (1) year
8 from approval of this Act, the Department shall establish the
9 Climate and Disaster Resilience Research, Education, and Training
10 Institute in collaboration with higher education institutions and
11 private and state universities and colleges (SUCs) which shall be a
12 world-class center of excellence for learning and research in the
13 field of disaster risk and vulnerability reduction and management
14 and climate change adaptation;

15 (b) The Climate and Disaster Resilience Research,
16 Education, and Training Institute shall be headed by a Director.
17 The organizational structure and staffing pattern shall be
18 determined by the Department in consultation with the DBM and in
19 accordance with civil service laws, rules, and regulations.

20 (c) The Climate and Disaster Resilience Research,
21 Education, and Training Institute shall have the following functions:

22 (1) Establish regional branches as well as provincial, city
23 or municipal branches, if deemed necessary, to train individuals
24 from the public and private sectors in the fields of disaster risk
25 and vulnerability reduction and management, climate change
26 adaptation, and ecosystem management and restoration, among
27 others;

- 1 (2) Develop and implement an inclusive and ladderized
2 curricula on climate change adaptation, and disaster risk and
3 vulnerability reduction and management;
- 4 (3) Develop research programs and a knowledge
5 management system on climate change adaptation and disaster risk
6 and vulnerability reduction management for the purpose of
7 innovation and capacity-building and development;
- 8 (4) Partner with public and private academic and research
9 institutions, the private sector, civil society, community-based
10 disaster risk and vulnerability reduction management and climate
11 change adaptation practitioners, and other relevant sectors in
12 developing research opportunities and programs on climate
13 vulnerability and disaster risk assessment;
- 14 (5) Establish a resource center for information, education
15 and communication materials, research, publications, best work
16 practices, lessons identified and learned, and other knowledge
17 products on disaster risk and vulnerability reduction and
18 management, and climate change adaptation;
- 19 (6) Consolidate and prepare information, education and
20 communication and training materials or publications to assist
21 disaster risk and vulnerability reduction and management, and
22 climate change adaptation practitioners in the planning and
23 implementation of their plans, programs, projects and activities;
- 24 (7) Organize and recognize a community of climate change
25 adaptation and disaster risk reduction and management
26 practitioners; and
- 27 (8) Accredite, recognize, monitor and evaluate climate change
28 adaptation, disaster risk and vulnerability reduction and
29 management training institutions.

1 (d) Financial Support to the Center:

2 (1) The budget for the Climate and Disaster Resilience
3 Research and Training Center shall be sourced from the annual
4 General Appropriations Act.

5 (2) The Department shall assist in the establishment of
6 Research and Training Centers at the provincial, city, and municipal
7 governments, as appropriate. The funding for such local Climate and
8 Disaster Resilience Research and Training Centers may be sourced
9 from the eighty (80%) percent portion of the LDRF and other
10 financial sources of the local government unit concerned.

11 CHAPTER IX

12 INTEGRATION, MAINSTREAMING CLIMATE AND DISASTER RESILIENCE
13 INFORMATION, EDUCATION, AND COMMUNICATION CONVERGENCE

14 SEC. 27. *Climate and Disaster Resilience Information*
15 *Management System (CDRIMS)*. – The Department shall establish
16 a National and Regional Information Management System for
17 Climate and Disaster Resilience. It shall constitute a physical
18 central database of all disaster risk reduction and climate change
19 data, including a geographic information system on geo-hazard
20 assessments and climate risk. It shall be the repository of
21 current and multi-temporal information for wide-scale disaster
22 risk analysis and climate change vulnerability assessment. The
23 CDRIMS shall at all times be made available to the Emergency
24 Operations Center of the National and Regional Climate and
25 Disaster Resilience Council (NRCDC) development partners and
26 multi-stakeholders to access critical information and ensure that
27 the collection processing, analysis and dissemination of information
28 is timely, reliable and accurate to support overall decision making

1 and effective coordination both at the national and subnational
2 level.

3 SEC. 28. *Disaster Resilience and Climate Change Education*
4 *and Training.* – (a) The Department of Education, CHED, and
5 Technical Education and Skills Development Authority (TESDA), in
6 coordination with the National Youth Commission (NYC), the
7 Department of Science and Technology (DOST), Department of
8 Environment and Natural Resources (DENR), Department of the
9 Interior and Local Government (DILG), Department of Health
10 (DOH), Department of Social Welfare and Development (DSWD),
11 and other relevant agencies, developmental institutions, and
12 nongovernment organizations shall integrate disaster risk and
13 vulnerability reduction and climate change adaptation education
14 in the school curricula at all levels of education, from K to 12 to
15 tertiary levels, including the early and adult learning programs,
16 National Service Training Program (NSTP), and education for
17 children and persons with special needs, whether private or public,
18 including formal and non-formal, technical-vocational, indigenous
19 learning, out-of-school youth courses and programs, and other
20 channels of educational integration, including media, church,
21 entertainment centers (malls), international and domestic airports
22 and transport terminals.

23 (b) The Civil Service Commission (CSC), Professional
24 Regulation Commission (PRC), and other licensure bodies shall
25 integrate disaster risk and vulnerability reduction management and
26 climate change adaptation questions in all professional and
27 licensure examinations.

1 (c) In coordination with the Department and the Climate and
2 Disaster Resilience Research, Education, and Training Institute
3 shall develop a curriculum for courses or subjects specific to disaster
4 risk and vulnerability reduction management and climate change
5 adaptation, and shall mandate all tertiary learning institutions to
6 offer these subjects.

7 (d) The Parents and Teachers Community Associations shall
8 initiate, support, and participate in disaster risk and vulnerability
9 reduction management and climate change adaptation related
10 activities in schools and host communities.

11 (e) The DepEd, the CHED, and the Technical Education and
12 Skills Development Authority (TESDA) and other developmental
13 institutions, community-based practitioners and organized
14 nongovernmental organizations shall formulate and institutionalize
15 flexible learning options such as online modules, supplemental
16 learning materials, resources and platforms, as part of its climate
17 change adaptation, disaster risk and vulnerability reduction and
18 governance, analysis, and management strategy.

19 (f) The DepEd, CHED, TESDA, developmental institutions
20 and community-based organizations shall regularly review, monitor,
21 evaluate and report to the Council the status of integration,
22 mainstreaming and implementation of climate change adaptation,
23 disaster risk and vulnerability reduction and management in public-
24 private schools and other learning institutions.

25 (g) The LDROs shall form formal partnerships with tertiary
26 learning institutions within their respective jurisdictions to provide
27 standard and ladderized training programs for LGU officials and

1 other disaster risk and vulnerability reduction management and
2 climate change adaptation.

3 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the
4 BDRCs, and the Sangguniang Kabataan shall encourage
5 community, specifically the youth, participation in disaster risk
6 and vulnerability reduction and climate change adaptation
7 activities, such as Information, Education and Communication
8 (IEC) campaigns organizing quick response groups, particularly
9 in identified disaster-prone areas, as well as the inclusion of
10 DRVR-climate change adaptation programs as part of programs
11 and projects of the Sangguniang Kabataan, youth organizations
12 and community-based disaster risk and vulnerability reduction
13 management and anticipatory adaptation initiatives.

14 (i) There shall be a mandatory training on climate change
15 adaptation-DRVR for public and private sector employees, including
16 teachers and Climate-Disaster Resilience Coordinators from both
17 the public and private learning institutions, who shall be trained
18 in emergency preparedness and response in compliance with the
19 provisions of this Act.

20 *SEC. 29. Standard Mechanism for Cascading Information,*
21 *Education and Communication on Climate Change Adaptation and*
22 *Disaster Risk and Vulnerability Reduction.* – (a) The DRC
23 shall promote and advocate a culture of resilience and
24 responsible-accountable, liable and responsible citizenship through
25 information, education and communication that is appropriate,
26 integrated, calibrated, inclusive, localized, science- and risk-based,
27 gender, culture and disability sensitive and accessible using
28 multimedia. Information, education, and communication on climate

1 change adaptation and disaster risk and vulnerability reduction
2 management should be compelling but not alarming.

3 (b) The NDRC shall formulate a Strategic Risk
4 Communications Plan to encompass the entirety of disaster risk and
5 vulnerability reduction and climate change adaptation to achieve the
6 desired behavioral and attitudinal change towards responsible
7 citizenship and culture of resilience. It shall serve as a reference on
8 continuous awareness raising and education at all levels of the
9 government and multiple stakeholders.

10 (c) A Climate and Disaster Resilience Information Officer
11 shall be designated at all levels of the Department to ensure
12 implementation of the disaster risk and vulnerability reduction and
13 management and climate change adaptation information, education,
14 and communication campaign and shall serve as the primary
15 coordinator for the dissemination of information, education, and
16 communication on climate change adaptation and disaster risk and
17 vulnerability reduction management.

18 SEC. 30. *Declaration of Imminent Disaster.* – The DDR shall
19 provide guidance and operating guidelines to LDRCs for the
20 declaration of imminent disaster in their respective areas which
21 shall allow them to implement preemptive measures and use their
22 quick response funds in order to save lives and minimize damage to
23 property, loss of livelihoods and other assets.

24 SEC. 31. *Flash Appeal or Appeal for International Assistance.*
25 – Upon consultation with the NDRC and in cognizance of the
26 urgency, criticality and intensity of an imminent risk, the DDR
27 shall issue a flash appeal to the family of nations, under regional
28 and multilateral conventions, for assistance in preparedness

1 including preemptive measures, search, rescue and retrieval, relief,
2 recovery, and reconstruction.

3 CHAPTER X

4 CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES

5 SEC. 32. *Climate and Disaster Risk Transfer, Insurance and*
6 *Social Welfare.* – (a) The Department shall oversee all climate
7 and disaster risk-sharing and risk-transfer instruments and other
8 related initiatives to ensure the protection of property and
9 livelihood, both public and private.

10 (b) The Department shall ensure the mandatory insurance
11 of all assets and properties of national government agencies
12 including government-owned or -controlled corporations, and
13 those over which the government has insurable interest, as
14 prescribed under Republic Act No. 656, otherwise known as
15 the “Property Insurance Law”. The insurance shall be provided by
16 any government insurance agency.

17 (c) The Department shall oblige the LGUs the mandatory
18 insurance coverage of assets, properties and livelihood of
19 vulnerable and marginalized groups for unforeseen or contingent
20 potential losses, damages and disruption from natural hazards
21 and human-induced disasters chargeable against the LDRF.

22 SEC. 33. *Recognition and Incentives.* – Unless otherwise
23 provided, the Department shall establish an incentives program that
24 recognizes outstanding performance of LDRC, NGOs, CSOs, private
25 sectors, schools, hospitals, and other stakeholders in promoting and
26 implementing significant disaster risk and vulnerability reduction
27 management-climate change adaptation programs and innovations,

1 and meritorious acts of individuals, groups or institutions during
2 natural or human-induced disasters.

3 CHAPTER XI

4 PREPAREDNESS AND INTEGRATED EARLY WARNING

5 SEC. 34. *Standards for Disaster Preparedness Activities.* –

6 (a) The NDRC shall establish standards for disaster preparedness,
7 contingency planning, localizing and operationalizing disaster risk
8 and vulnerability reduction and management, preparedness for
9 disaster response, preparedness for early recovery, continuity of
10 essential services, and other relevant preparedness activities.

11 (b) LGUs shall identify safe or strategic sites, and establish
12 evacuation centers with appropriate and adequate facilities in
13 accordance with government-approved standards as provided under
14 Republic Act No. 10821, otherwise known as the “Children’s
15 Emergency Relief and Protection Act”, in order to avoid disruption of
16 school classes and lessen the use of school buildings and facilities as
17 evacuation centers.

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

21 SEC. 35. *Multi-Hazard Early Warning and Risk*
22 *Communication Standards.* – (a) There shall be a streamlined
23 policy governing early warning systems and risk communication
24 protocols to ensure effective and efficient measures to prevent,
25 prepare for, respond to, and recover from possible risk caused by
26 natural and human-induced hazards and climate risk. The NDRC
27 shall issue policy and the Department shall oversee and monitor the
28 implementation of this policy.

1 (b) The Department and all other concerned agencies
2 with an integrated early warning and information mandate
3 shall collaborate with the local executives and officers to
4 disseminate climate-disaster risk information through the
5 involvement of LGUs, community-based organizations, CSOs, and
6 other nongovernmental organizations.

7 SEC. 36. *Early Warning Mandate.* – (a) The Department shall
8 issue an integrated early warning for hydro-meteorological, geologic,
9 or terrestrial phenomena to the appropriate government agencies
10 or government-accredited organizations for forecasting and early
11 warning purposes. The Department shall recognize and proactively
12 support local or indigenous modes of early warning systems and
13 allow open access to real-time data from both local and international
14 sources made available through various platforms such as websites,
15 mobile applications, and social media to empower local communities
16 and individuals.

17 (b) The Department shall enhance and strengthen
18 Philippine Atmospheric, Geophysical and Astronomical Services
19 Administration (PAGASA) and the Philippine Institute of
20 Volcanology and Seismology (PHIVOLCS) mandates under
21 Republic Act No. 10692 and Executive Order No. 128, Series of 1987,
22 respectively.

23 (c) The Department shall recognize and proactively support
24 local or indigenous modes of early warning systems and allow open
25 access to real-time data from both local and international sources
26 made available through various platforms such as websites, mobile
27 applications, and social media to empower local communities and
28 individuals.

1 (d) Transmission of Early Warning. A person who transmits
2 early warning concerning the abovementioned phenomena by means
3 of signs in designs, colors, lights, or sound shall do so in compliance
4 with the methods recognized or approved by the NDRC.

5 (e) The NDRC at the national and subnational level shall
6 consider the use of integrated early warning system to ensure it is
7 consistent and locally contextualized with the communication
8 protocol and safe evacuation procedure of the affected communities
9 to achieve zero casualty, to zero death.

10 (f) The Department shall consider working with other
11 agencies or organizations on pre-crisis information mapping of the
12 humanitarian needs of the at-risk community that will enhance the
13 overall prepositioning of resources at the national and local levels.

14 CHAPTER XII

15 DISASTER RESPONSE AND EARLY RECOVERY

16 SEC. 37. *Declaration of State of Calamity.* – The Department
17 shall declare a cluster of barangays, municipalities, cities, provinces,
18 and regions under a state of calamity, and the lifting thereof, based
19 on the criteria set by the NDRC.

20 The declaration and lifting of the state of calamity may also be
21 issued by the local Sanggunian, upon the recommendation of the
22 LDRO, based on the results of the damage assessment and needs
23 analysis: *Provided*, That the Department, through the LDRC, may
24 seek from the local legislative body or Sanggunian, the declaration of
25 a state of imminent disaster to enable the local executives to
26 implement preemptive evacuation and precautionary measures in
27 order to save lives and minimize damage to property, loss of
28 livelihood, and disruption of livelihood that require the use of funds
29 and resources under the LDRF.

1 SEC. 38. *Emergency Management.* – The respective Climate
2 and Disaster Resilience Councils shall lead in preparing for,
3 responding to, and recovering from the effects of any disaster,
4 upon due consideration to the economics of classification, capacity
5 and vulnerability of the local governments concerned:

6 (a) The Barangay Disaster Resilience Council (BDRC), if one
7 barangay is affected;

8 (b) The city/municipal Disaster Resilience Councils (DRCs),
9 if two (2) or more barangays are affected;

10 (c) The provincial Disaster Resilience Council (DRC), if
11 two (2) or more cities/municipalities are affected;

12 (d) The regional Disaster Resilience Council (DRC), if
13 two (2) or more provinces are affected; and

14 (e) The NDRC, if two (2) or more regions are affected.

15 SEC. 39. *Humanitarian Assistance Action Center.* – The DRC
16 shall institutionalize a one-stop shop mechanism through the
17 Humanitarian Assistance Action Center for the processing and
18 release of goods, articles or equipment intended for humanitarian
19 assistance and the processing of necessary documents for
20 international assisting actors. The Humanitarian Assistance Action
21 Center shall be managed by the Department and shall be composed
22 of the following NDRC agencies:

23 (a) Department of Finance - Bureau of Customs;

24 (b) Department of Foreign Affairs;

25 (c) Department of Social Welfare and Development;

26 (d) Department of Health;

27 (e) Food and Drug Administration;

28 (f) Department of Agriculture;

29 (g) Department of Energy;

- 1 (h) Philippine National Police;
- 2 (i) Philippine Coast Guard; and
- 3 (j) Department of Justice - Bureau of Immigration.

4 *SEC. 40. Accreditation, Mobilization, and Protection of*
5 *Disaster Volunteers and National Service Reserve Corps, CSOs*
6 *and the Private Sector.* – The government agencies, CSOs, private
7 sector and LGUs may mobilize individuals or organized volunteers
8 to augment their respective personnel complement and logistical
9 requirements in the delivery of disaster risk reduction programs and
10 activities. The agencies, CSOs, private sector, and LGUs concerned
11 shall take full responsibility for the enhancement, welfare and
12 protection of volunteers, and shall submit the list of volunteers to
13 the Department, through the LDROs, for accreditation and inclusion
14 in the database of community disaster volunteers.

15 A national roster of Accredited Community Disaster Resilience
16 Volunteers (ACDRVs) and institutions, National Service Reserve
17 Corps, CSOs and the private sector shall be maintained by the
18 Department through the LDROs. Accreditation shall be done at the
19 municipal or city level.

20 The mobilization of volunteers shall be in accordance with this
21 Act and implementing guidelines to be formulated by the NDRC.
22 Any volunteer who died or was injured while engaging in any of the
23 activities defined under this Act shall be entitled to compensatory
24 benefits and individual personal accident insurance as may be
25 defined under the guidelines.

26 *SEC. 41. Reporting of Humanitarian Assistance.* – The
27 concerned LGU shall submit a report to the Department, all
28 domestic or international humanitarian assistance received and
29 distributed within its area of responsibility.

CHAPTER XIII

INTERNATIONAL HUMANITARIAN ASSISTANCE

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3 SEC. 42. *International Humanitarian Assistance.* – The
4 Department shall promulgate guidelines on international
5 humanitarian assistance, including the initiation, entry, facilitation,
6 transit, regulation, and termination thereof, as well as those
7 involving international disaster relief and personnel assisting
8 international actors, visa waiver, recognition of foreign professional
9 qualifications, entry of international disaster goods and equipment,
10 and exemption from port duties, taxes and restrictions.

11 SEC. 43. *Assessment of the Need for International*
12 *Humanitarian Assistance.* – (a) Immediately after the declaration
13 of a state of calamity by the sanggunian of an LGU or by the
14 Department, as the case may be, the Department shall determine as
15 to whether domestic capacities are likely to be sufficient to attend to
16 the needs of affected persons for international humanitarian
17 assistance. This determination may also be made by the President,
18 prior to the onset of an imminent disaster.

19 (b) In the event the Department determines that domestic
20 response capacities are not likely to be sufficient due to the impact of
21 the disaster, the Department shall recommend to the President that
22 a request be made for international humanitarian assistance.

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

CHAPTER XV

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LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS

SEC. 48. *Guidelines for Coordination of International Humanitarian Assistance.* — The DRC shall issue comprehensive guidelines on the initiation, entry, facilitation, transit and regulation of international relief goods and personnel, as well as eligibility guidelines to utilize the legal facilities for assisting international actors provided hereunder.

SEC. 49. *Visa Waiver.* — Eligible assisting international actors shall be entitled to waiver of entry visa requirements, including any associated fees or charges, to perform Disaster Relief and Initial Recovery Assistance work for their sponsoring entities without the requirement to seek a separate residence or work permit.

SEC. 50. *Recognition of Foreign Professional Qualifications.* — (a) Eligible assisting international actors wishing to deploy international personnel for tasks requiring legal recognition of their foreign professional qualifications shall certify the validity of those qualifications under the law of the country where they were obtained and the competence of their personnel for the tasks envisaged.

(b) The Department shall establish the guidelines and scope for recognition of foreign professional qualifications for disaster response and early recovery.

(c) Recognition of qualifications shall remain valid until the end of the International Initial Recovery Period, absent individual criminal conduct or other professional misconduct sufficient to bar the individual from professional practice in the country.

1 SEC. 51. *Recognition of Foreign Driving Licenses.* – Foreign
2 driving licenses of eligible assisting international actors shall be
3 accorded temporary recognition during the International Disaster
4 Relief and Initial Recovery Periods.

5 SEC. 52. *Facilitation of Access.* – The international personnel
6 of eligible assisting international actors shall be allowed access
7 to disaster-affected areas and persons requiring Disaster Relief
8 or Initial Recovery Assistance, subject to coordination requirements
9 as mandated by the Department and limitations based on national
10 security, public order or public health, weighed in the context of
11 the urgency of the disaster needs. They shall be permitted to
12 provide their goods and services directly to affected persons.

13 A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT

14 SEC. 53. *Customs Facilitation and Priority Treatment.* – The
15 Department shall facilitate the rapid importation or consignment
16 of goods and equipment by eligible assisting actors and shall accord
17 them priority treatment in handling.

18 SEC. 54. *Duty of Compliance by Eligible Assisting Actors.* –
19 In order to benefit from the aforementioned legal facilities, eligible
20 assisting international actors shall:

21 (a) Declare that all the goods and equipment they seek to
22 import under this Act are exclusively for Disaster Relief or Initial
23 Recovery Assistance and that they comply with any relevant
24 standards under Philippine laws; and

25 (b) Pack, classify and mark their consignments in accordance
26 with the requirements described in this Act and its implementing
27 rules and regulations.

1 SEC. 55. *Exemption from Import Duties, Taxes and*
2 *Restrictions.* – Consignment of goods and equipment by or on
3 behalf of eligible assisting international actors shall benefit from:

4 (a) Exemption from all duties and taxes;

5 (b) Waiver of economic prohibitions and restrictions except
6 for categories of special goods and equipment that may be indicated
7 by the Department; and

8 (c) Clearance without regard to the country of origin or the
9 country from which the goods have arrived, subject to monitoring for
10 reasons of public health and security.

11 B. EXPEDITED ENTRY AND USE RESTRICTIONS FOR SPECIFIC
12 INTERNATIONAL DISASTER GOODS AND EQUIPMENT

13 SEC. 56. *Simplification of Documentation Requirements.* –

14 (a) Consignment of goods and equipment sent by or on behalf of
15 eligible assisting international actors shall be cleared or released on
16 the basis of a simplified goods declaration providing the minimum
17 information necessary for the Bureau of Customs to identify the
18 goods and equipment and subject, when deemed necessary, to
19 completion of a more complete declaration within a specified period.

20 (b) The requirements for the declaration for all imports of
21 goods or equipment by or on behalf of eligible assisting international
22 actors and any supporting documents relating to said consignment,
23 release and clearance of goods or equipment shall be simplified and
24 lodged without fee.

25 SEC. 57. *Telecommunications Equipment.* – Eligible
26 assisting international actors shall be permitted to import
27 telecommunications equipment for the purpose of Disaster Relief
28 or Initial Recovery Assistance without restrictions, except as
29 required by NDRC guidelines and other laws for purposes of

1 national security or public order. The NDRC shall provide
2 guidelines for the manner of use of telecommunications equipment
3 as well as a waiver of licensing requirements or fees.

4 SEC. 58. *Medications.* – Eligible assisting international
5 actors shall be permitted to import and transport medications
6 and medical equipment for the purpose of Disaster Relief or
7 Initial Recovery Assistance so long as they conform to the
8 implementing rules and regulations to be provided by the NDRC.

9 SEC. 59. *Food.* – Food imported by eligible assisting
10 international actors for disaster relief and recovery shall be
11 admitted pursuant to expedited procedures set out by the DRC.

12 SEC. 60. *Imported Vehicles.* – The granting of local
13 registration and plates for vehicles imported by eligible assisting
14 international actors shall be expedited.

15 C. PERMITTED DISPOSITION OF EQUIPMENT AND UNUSED GOODS

16 SEC. 61. *Disposition of Equipment and Unused Goods.* –
17 The DRC shall provide for the guidelines for retention,
18 reexportation, donation and disposal of unused goods and equipment
19 after the termination of Disaster Relief and Initial Recovery
20 Assistance operations.

21 CHAPTER XVI

22 RECOVERY

23 SEC. 62. *Standards for Recovery.* – The Department shall
24 observe internationally accepted standards for recovery, planning,
25 programming and implementation of the recovery process and shall:

26 (a) Improve the community's physical, social and economic
27 resilience, consistent with the principle of "Build Forward Better";

1 (b) Use locally-driven and centrally-supported processes
2 based on legal mandates with supplementary capacity support when
3 requested;

4 (c) Redirect development outside danger zones to minimize
5 loss of lives and structures resulting from typhoons, flooding,
6 landslides, and other hazards;

7 (d) Employ outcome-driven planning and implementation;

8 (e) Maximize use of private-public sector partnership where
9 possible;

10 (f) Consider local conditions such as culture, security
11 situation, and existing capacities of communities in identifying
12 programs and projects;

13 (g) Ensure access to public transport, physical and mental
14 health services, markets, schools, sustainable livelihoods, and
15 other public services in planning for settlement areas; and

16 (h) Ensure restoration of peace and order and recovery of
17 government functions.

18 CHAPTER XVII

19 REMEDIAL MEASURES UNDER STATE OF CALAMITY

20 SEC. 63. *Remedial Measures Under State of Calamity.* -

21 Upon the declaration of a state of calamity, the following
22 remedial measures shall be immediately undertaken by concerned
23 government agencies both of national and local levels: -

24 (a) Imposition of price ceiling on basic necessities and prime
25 commodities by the National Price Control Council, as provided for
26 under Republic Act No. 7581, otherwise known as the "*Price Act*", as
27 amended by Republic Act. No.10623;

1 (b) Monitoring, prevention and control by the Local Price
2 Coordinating Council of overpricing/profitteering and hoarding of
3 prime commodities, medicines and petroleum products;

4 (c) Programming/reprogramming of funds for the repair of
5 critical facilities or public infrastructures that are vital for the
6 quick delivery of humanitarian assistance, to reduce further threat
7 to lives and arrest further deterioration of properties and loss
8 of livelihoods in the affected communities, following the "Build
9 Forward Better" principle:

10 (1) Grant of no-interest loans by government financing or
11 lending institutions to the most vulnerable and marginalized groups
12 or individuals; and

13 (2) Local tax exemptions, incentives or reliefs under such
14 terms and conditions as may be deemed necessary by the affected
15 LGU.

16 CHAPTER XVIII

17 PROCUREMENT

18 SEC. 64. *General Rule on Procurement.* – Any procurement of
19 goods, services, consultancy or infrastructure for disaster risk and
20 vulnerability reduction and climate risk, whether at the national or
21 local level shall conform to the provisions and implementing rules
22 and regulations (IRR) of Republic Act No. 9184, otherwise known as
23 "Government Procurement Reform Act", as amended.

24 SEC. 65. *Emergency Procurement.* – In order to expedite
25 disaster response and early recovery, the procurement or lease of
26 equipment and delivery of goods and services through emergency
27 procurement or purchase at site shall be allowed. Periods of action
28 on procurement activities may also be waived for the same purpose
29 and conditions.

CHAPTER XIX

PROHIBITED ACTS AND PENALTIES

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3 SEC. 66. *Prohibited Acts.* – Any public official, private person,
4 group or corporation who commits any of the following prohibited
5 acts shall be liable and be subjected to the criminal and
6 administrative penalties as provided for in Section 67 of this Act,
7 without prejudice to the imposition of other criminal, civil and
8 administrative liabilities under existing laws.

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

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

14 (2) Failure to create a functional LDR office within six (6)
15 months from the approval of this Act;

16 (3) Failure to appoint a permanent local disaster resilience
17 officer within six (6) months from the approval of this Act;

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

21 (5) Failure to formulate and implement the LDRP with the
22 corresponding budget allocation.

23 Sexual exploitation and abuse, and other forms of sexual
24 misconduct to the affected population or at-risk communities shall
25 be punishable under existing criminal and administrative laws.

26 (b) Prohibited Acts of Public Officials and Private Persons or
27 Institutions –

1 (1) Delaying, without justifiable cause the delivery or
2 improper handling or storage of aid commodities, resulting to
3 damage or spoilage;

4 (2) Withholding the distribution of relief goods due to: (a)
5 political or partisan considerations; (b) discrimination based on race,
6 ethnicity, religion, or gender; and (c) other similar circumstances;

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

10 (4) Buying, for consumption or resale, from disaster relief
11 agencies any relief goods, equipment or other aid commodities
12 which are intended for distribution to disaster affected communities;

13 (5) Buying, for consumption or resale, from disaster affected
14 persons, relief goods, equipment or other aid commodities received
15 by them;

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

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

21 (8) Diverting or misdelivery of relief goods, equipment, or
22 other aid commodities to persons other than the rightful recipient or
23 consignee;

24 (9) Accepting, possessing, using or disposing relief goods,
25 equipment or other aid commodities not intended for nor consigned
26 to them;

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

1 (i) Either covering, replacing or defacing the labels of the
2 containers to make it appear that the goods, equipment, or other aid
3 commodities came from another agency or persons;

4 (ii) Repacking the goods, equipment, or other aid
5 commodities into containers with different markings to make it
6 appear that the goods came from another agency or persons or was
7 released upon the instance of a particular agency or persons; and

8 (iii) Making a false verbal claim that the goods, equipment or
9 other aid commodities in their untampered original containers
10 actually came from another agency or persons or was released upon
11 the instance of a particular agency or persons;

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

14 (12) Illegal solicitations by persons or organizations
15 representing others as defined in the standards and guidelines
16 set by the NDRC;

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

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

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

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

26 (17) Attempting to commit any of the abovementioned
27 prohibited acts; and

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

4 SEC. 67. *Penalties.* - The following penalties shall be
5 imposed on any individual, corporation, partnership, association or
6 other juridical entity that commits any of the prohibited acts in
7 the preceding section:

8 (a) Imprisonment of not less than twelve (12) years but not
9 more than fifteen (15) years or a fine of not less than One million
10 pesos (P1,000,000.00) but not more than Three million pesos
11 (P3,000,000.00), or both imprisonment and fine at the discretion of
12 the court, shall be imposed upon any person found guilty of violating
13 subsections (b)(1) to (b)(16), as well as the confiscation or forfeiture
14 in favor of the government of the objects and the instrumentalities
15 used in the commission of the prohibited acts;

16 (b) Imprisonment of not less than six (6) years but not
17 more than eight (8) years or a fine of not less than Five hundred
18 thousand pesos (P500,000.00) but not more than One million pesos
19 (P1,000,000.00), or both imprisonment and fine at the discretion of
20 the court, shall be imposed upon any person who attempts to commit
21 any of the prohibited acts in the preceding section, in violation of
22 subsection (b)(17) thereof;

23 (c) Imprisonment of not less than two (2) years but not more
24 than six (6) years or a fine of not less than Two hundred thousand
25 pesos (P200,000.00) but not more than Five hundred thousand
26 pesos (P500,000.00), or both imprisonment and fine at the discretion
27 of the court, shall be imposed upon any person found guilty of
28 unlawfully benefiting from the proceeds or fruits of any of

1 the prohibited acts in the preceding section, in violation of
2 subsection (b)(18) thereof;

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

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

18 (f) Payment of the full cost of repair or replacement of the
19 government risk reduction and preparedness equipment, accessories
20 and other vital facility or items, or any part thereof, which is the
21 object of the crime shall likewise be imposed upon any person who
22 shall commit any of the prohibited acts in the preceding section; and

23 (g) The prosecution for offenses set forth under the preceding
24 section shall be without prejudice to any criminal liability for
25 violation of Act No. 3815, as amended, otherwise known as the
26 "The Revised Penal Code", and other existing laws, as well as the
27 imposition of applicable administrative or civil liabilities.

CHAPTER XX
APPROPRIATIONS

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3 SEC. 68. *Appropriations.* – (a) The amount needed for the
4 initial implementation of this Act shall be taken from the current
5 fiscal year's unexpended appropriation of all agencies herein
6 absorbed, transferred, and attached to the Department. Thereafter,
7 the amount needed for the operation and maintenance of the
8 Department shall be included in the General Appropriations Act.

9 (b) National Disaster Resilience Fund (NDRF). The
10 utilization and allocation of the entire NDRF (Calamity Fund) and
11 its quick response fund component shall be managed by the
12 Department except as provided for by specific laws.

13 (c) Local Disaster Resilience Fund (LDRF). Not less than
14 seven percent (7%) of the estimated revenue from regular sources
15 shall be set aside as the LDRF to support disaster risk and
16 vulnerability reduction and climate change adaptation and
17 mitigation programs, projects and activities. The LDRC shall
18 monitor and evaluate the use and disbursement of the LDRF based
19 on the LDRP as incorporated in the local development plans and
20 annual work and financial plan. Upon the recommendation of the
21 LDRO and approval of the sanggunian concerned, the LDRC may
22 transfer the said fund to support the disaster risk and vulnerability
23 reduction and climate change adaptation work and initiatives of
24 other LDRCs that are declared under a state of calamity.

25 (1) Of the amount appropriated for LDRF, twenty percent
26 (20%) shall be allocated as Quick Response Fund (QRF) or standby
27 fund for prepositioning of goods and relief and early recovery
28 programs in order that the situation and living conditions of

1 people in communities or areas stricken by disasters, epidemics, or
2 complex emergencies, may be normalized as quickly as possible.

3 (2) Of the annual appropriation for the LDRF, eighty percent
4 (80%) shall be appropriated for climate change adaptation, disaster
5 risk and vulnerability reduction, prevention, adaptation and
6 mitigation programs, projects and activities focusing on both
7 institutional capacity building of vulnerable communities and
8 risk-reducing infrastructure. The NDRC shall pass a resolution to
9 set the priority allocations and govern and trigger the acceleration
10 and implementation of this section.

11 (3) Of the amount appropriated for the Disaster Resilience
12 Fund, twenty percent (20%) shall be allocated as Quick Response
13 Fund (QRF) or standby fund for prepositioning of goods and
14 equipment and relief and early recovery programs in order that the
15 situation and living conditions of people in communities or areas
16 stricken by disasters, epidemics, or complex emergencies, may be
17 normalized as quickly as possible.

18 (4) All departments/agencies and LGUs that are allocated
19 with LDRF shall submit to the Department their monthly
20 statements on the utilization of LDRF and make an accounting
21 thereof in accordance with existing accounting and auditing rules.

22 (5) All departments, bureaus, offices and agencies of the
23 government are hereby authorized to use a portion of their
24 appropriations to implement projects designed to address disaster
25 risk and vulnerable reduction-climate change adaptation activities
26 in accordance with the DRP and the guidelines to be issued by the
27 DRC in coordination with the Department Budget and Management
28 (DBM) and Commission on Audit (COA).

1 and Management Bureau (DREAMB) of the DSWD, and the
2 Bureau of Fire Protection are hereby transferred to the Department.

3 (b) The disaster risk reduction and management functions,
4 assets and personnel of the Office of Civil Defense (OCD)
5 currently under the DND, are hereby transferred to the
6 Department, and the civil defense functions shall remain with
7 the DND;

8 (c) The existing organizational and administrative systems
9 and processes of the transferred OCD shall serve as the core
10 organization of the Department.

11 (d) The Climate Change Office of the Climate Change
12 Commission shall continue its functions under Republic Act
13 No. 10174 under the Department.

14 (e) The following agencies are hereby attached to the
15 Department:

16 (1) Philippine Atmospheric, Geophysical and Astronomical
17 Services Administration (PAGASA); and

18 (2) Philippine Institute of Volcanology and Seismology
19 (PHIVOLCS).

20 (f) The employees of the Bureau of Fire Protection (BFP)
21 shall remain as a distinct entity within the Department including
22 their uniformed personnel status and benefits.

23 The Department shall, by virtue of this Act, be subrogated to
24 all the rights and assume all the liabilities of the agencies absorbed
25 under this Act, and all their funds, records, property, assets,
26 equipment, and such personnel as necessary, including unexpended
27 appropriations or allocations. All contracts and liabilities of the said
28 agencies are hereby transferred to and assumed by the Department

1 House of Representatives with the Chairpersons of the Committees
2 on National Defense and Security of both the Senate and the
3 House of Representatives as joint Chairpersons of this Committee.
4 The five (5) other members from each Chamber are to be designated
5 by the Senate President and the Speaker of the House of
6 Representatives, respectively. The minority shall be entitled to
7 *pro rata* representation but shall have at least two (2)
8 representatives from each Chamber.

9 SEC. 74. *Review.* – Five (5) years after the effectivity of this
10 Act, or as the need arises, the Congressional Oversight Committee
11 shall conduct a systematic evaluation of the accomplishments and
12 impact of this Act, as well as the performance and organizational
13 structure of its implementing agencies, for purposes of determining
14 remedial legislation.

15 SEC. 75. *Separability Clause.* – If any provision of this Act
16 shall be declared unconstitutional or invalid, the other provisions
17 not otherwise affected shall remain in full force and effect.

18 SEC. 76. *Repealing Clause.* – (a) Republic Act No. 10121,
19 otherwise known as the “Philippine Disaster Risk Reduction and
20 Management Act of 2010,” is hereby repealed.

21 (b) The following provisions are hereby amended or modified,
22 accordingly:

23 (1) Section 30 of Executive Order No. 128, Series of 1987,
24 Reorganizing the National Science and Technology Authority;

25 (2) Section 6 of Republic Act 6975, otherwise known as
26 the “Department of the Interior and Local Government Act of 1990”;

1 (3) Sections 3(d) and 5 of Republic Act No. 9729, otherwise
2 known as the "Climate Change Act of 2009", as amended by
3 Republic Act No. 10174;

4 (4) Section 4 of Republic Act No. 10639, otherwise known
5 as "The Free Mobile Disaster Alerts Act"; and

6 (5) Section 5 of Republic Act No. 10692, otherwise known
7 as "The PAGASA Modernization Act of 2015".

8 (c) All other laws, decrees, executive orders and issuances,
9 proclamations, rules and regulations, and other issuances or parts
10 thereof that are inconsistent with the provisions of this Act are
11 hereby repealed or amended accordingly.

12 SEC. 77. *Effectivity.* – This Act shall take effect fifteen (15)
13 days after its publication in the *Official Gazette* or in a newspaper
14 of general circulation.

Approved,

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