

HOUSE OF REPRESENTATIVES

H. No. 5989

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

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

Article I

GENERAL PROVISIONS

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

SEC. 2. *Declaration of Policy.* - It shall be the policy of the State to:

- (a) Protect the lives and properties of its citizens by addressing and preventing the causes of vulnerabilities to natural disasters;
- (b) Uphold the sacredness of human life by efficiently and effectively addressing humanitarian emergencies, including calamities and disasters, through the establishment of a focused, streamlined, independent, empowered, capacitated, specialized agency on disaster risk reduction and management as well as emergency response, which is national in scope and civilian in character. The people are the most important assets of the nation, and all disaster risk and management efforts shall be responsive to the humanitarian needs of the people, the dignity and value of the human person, and respect for property;
- (c) Promote a simple, strategic, systematic, continuous, comprehensive, inclusive, and integrated approach to disaster risk reduction and management aimed at substantially reducing vulnerabilities and the risk of disasters and other humanitarian emergencies, towards the preservation of life and property, thereby ultimately preventing or deterring the loss of lives and protecting the social, economic, historical and cultural heritage, and environmental assets of the country;
- (d) Establish a permanent, institutionalized, cohesive, and comprehensive framework for disaster preparedness, prevention and mitigation, and response, to be implemented by a focused specialized agency with its own mandate, powers, and funding, and coordinating with the Philippine government, other foreign governments and financial institutions, international organizations, the private sector, and civil society. Disaster risk reduction and management shall first aim for the outright avoidance of the adverse impacts of hazards and related disasters. With the knowledge and capacities to effectively anticipate, respond to, and recover from the impacts of likely, imminent or current hazard events or conditions, preparedness action shall be carried out in the most

1 effective and efficient manner. In a disaster scenario, the response shall ensure the
2 provision of emergency services and public assistance, during or immediately after a
3 disaster;

4 (e) Create an integrated, systematic, comprehensive, and cohesive plan to simplify,
5 streamline, integrate, and coordinate the various programs, projects, and activities of
6 the Government and such other actors or stakeholders in disaster risk reduction and
7 management to ensure accountability, responsibility, and transparency as well as to
8 ensure the efficient and effective performance of their functions;

9 (f) Inculcate a culture of resilience and preparedness against natural disasters at the
10 national, regional, and local levels;

11 (g) Establish a strong and empowered institution capable of responding to the greater
12 onslaught of normal or natural disasters brought by climate change, and spearhead
13 efforts to ensure disaster resilience by delivering the highly critical and intertwined
14 functions of disaster risk reduction and response, with a recovery strategy of
15 "building forward better";

16 (h) Address the different concerns and needs of sectors with special needs or higher
17 vulnerabilities such as women, children, elderly, persons with disabilities, and
18 indigenous peoples with respect to disaster resilience and disaster management;

19 (i) Foster an enabling environment for substantial and sustainable participation of
20 nongovernment stakeholders such as civil society organizations, private groups,
21 volunteers, and communities in disaster resilience programs and projects;

22 (j) Adopt a whole-of-society, whole-of-government, and whole-of-nation approach in
23 disaster preparedness to increase collaboration, planning, and dialogue among all
24 sectors of society in preparing for natural disasters and in improving their strategies
25 and action plans for disaster risk reduction; and

26 (k) Strengthen the chain of command and establish a unified command system for
27 disaster management.

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

29 (a) *Adaptation* refers to the adjustment in natural or human systems in response to actual
30 or expected climactic stimuli or their effects, which moderates harm or exploits
31 beneficial opportunities;

32 (b) *Assisting actor* refers to any assisting international or domestic actor following a
33 disaster in the country;

- 1 (c) *Assisting domestic actor* refers to any not-for-profit entity established under
2 domestic laws, which is extending help following a disaster in the country;
- 3 (d) *Assisting international actor* refers to any foreign State, organization, entity or
4 individual extending help following a disaster within the country or transiting
5 through the country to extend help following a disaster in another country;
- 6 (e) *Biological hazards* refer to hazards that are of organic origin or conveyed by
7 biological vectors, including pathogenic microorganisms, toxins, and bioactive
8 substances. Examples are bacteria, viruses or parasites as well as venomous
9 wildlife and insects, poisonous plants and mosquitoes carrying disease-causing
10 agents;
- 11 (f) *Building forward better* refers to an approach to building or reconstructing
12 an area or community, which entails a shift from achieving simple recovery and
13 restoration to creating safer, more adaptive, resilient, and inclusive communities;
- 14 (g) *Business continuity* refers to the capability of an organization to continue the
15 delivery of products or services at acceptable predefined levels following a
16 disruptive incident;
- 17 (h) *Capacity* refers to the combination of attributes and resources available within a
18 community or area that can reduce the level of risk(s) from, or impact(s) of,
19 a disaster;
- 20 (i) *Civil society organizations (CSOs)* refer to non-State actors whose aims are neither
21 to generate profits nor to seek governing power, but to unite people to advance
22 shared goals and interests. CSOs may include nongovernment organizations
23 (NGOs), professional associations, foundations, independent research institutions,
24 community-based organizations, and social movements;
- 25 (j) *Climate change* refers to a change in the state of the climate that can be identified
26 by changes in the mean and/or the variability of its properties, and that persists in an
27 extended period, typically decades or longer, whether due to natural internal
28 processes or external forces such as modulation of the solar cycles, volcanic
29 eruptions, and persistent anthropogenic changes in the composition of the
30 atmosphere or in land use;
- 31 (k) *Complex emergency* refers to a form of human-induced emergency in which the
32 cause of the emergency as well as the assistance to the afflicted is complicated by
33 an intense level of political considerations;

- 1 (l) *Consequence management* refers to the totality of interventions and measures taken
2 to restore essential operations and services in a permissive environment, including
3 measures to protect public health and safety, restore essential government services,
4 and provide emergency relief to individuals, stakeholders, and communities
5 affected by the consequences of emergencies, hazards, and disasters;
- 6 (m) *Contingency planning* refers to a management process that analyzes specific
7 potential events or emerging situations that might threaten society or the
8 environment and establishes arrangements in advance to enable timely, effective,
9 and appropriate responses to such events and situations;
- 10 (n) *Cultural heritage* refers to the totality of cultural property preserved and developed
11 through time and passed on to posterity;
- 12 (o) *Deterministic risk assessment* refers to an assessment that considers the possible
13 disaster impacts of a single scenario, in contrast to probabilistic risk assessment
14 which considers all possible scenarios, their likelihood, and associated impacts;
- 15 (p) *Development assistance* refers to financial, material or other forms of assistance
16 to support the economic, social, and environmental well-being of areas or people
17 affected by a natural disaster;
- 18 (q) *Disability* refers to an evolving concept that results from the interaction between
19 persons with impairments, as defined under Republic Act No. 7277, otherwise
20 known as the "Magna Carta for Disabled Persons" and attitudinal and environmental
21 barriers that hinder their full and effective participation in society on an equal basis
22 with others;
- 23 (r) *Disaster* refers to a serious disruption of the functioning of a community or
24 a society involving widespread human, material, economic or environmental losses
25 and impacts, which exceeds the ability of the affected community to cope using its
26 own resources. Disasters are often described as a result of the combination of: the
27 exposure to a hazard; the conditions of vulnerability that are present; and insufficient
28 capacity or measures to reduce or cope with the potential negative consequences.
29 Disaster impacts may include loss of life, injury, disease and other negative effects
30 on human, physical, mental and social well-being, together with damage to property,
31 destruction of assets, loss of services, social and economic disruption and
32 environmental degradation. Unless otherwise specifically indicated in this Act, the
33 term "disaster" shall refer to "natural disaster";

- 1 (s) *Disaster assistance* refers to financial, material, or other forms of assistance to
2 address the immediate and long-term needs of people, communities or areas
3 affected by a disaster. This term includes humanitarian assistance and development
4 assistance;
- 5 (t) *Disaster management* refers to the planning, organization, and application of
6 measures preparing for, responding to, and recovering from disasters;
- 7 (u) *Disaster mitigation* refers to the reduction or limitation of the adverse impacts of
8 disasters and its related hazards;
- 9 (v) *Disaster preparedness* refers to the knowledge and capacities developed by
10 governments, professional response and recovery organizations, communities and
11 individuals to effectively anticipate, respond to, and recover from, the impacts of
12 likely, imminent or current disasters and related hazards;
- 13 (w) *Disaster prevention* refers to the intention to avoid, or the outright avoidance,
14 of potential adverse impacts of disasters and related hazards through action(s) taken
15 in advance;
- 16 (x) *Disaster recovery* refers to restoration or improvement of livelihoods and health, as
17 well as economic, physical, social, cultural and environmental assets, systems and
18 activities, of a disaster-affected community or society, aligning with the principles
19 of sustainable development and “build forward better” to avoid or reduce future
20 disaster risk;
- 21 (y) *Disaster response* or *disaster relief* refers to the provision of emergency services
22 and public assistance during or immediately after a disaster in order to secure and
23 save lives, reduce health impacts, ensure public safety and meet the basic
24 subsistence needs of the people affected. Disaster response is predominantly
25 focused on immediate and short-term needs and is sometimes called “disaster
26 relief”;
- 27 (z) *Disaster rehabilitation* refers to restoration of basic services and facilities for the
28 function of a community or a society affected by a disaster;
- 29 (aa) *Disaster resilience* refers to the ability of a system, community, or society
30 exposed to hazards to resist, absorb, accommodate, adapt to, transform, and recover
31 from the effects of a hazard, including the long-term impact of climate change, in a
32 timely and efficient manner, including through the preservation and restoration of
33 its essential basic structures and functions through risk management;

- 1 (bb) *Disaster risk* refers to the potential losses in lives, health status, livelihoods, assets and
2 services that may occur to a particular community or society due to a disaster in the future,
3 and is determined by a combination of the vulnerability, capacity, exposure of persons and
4 assets, hazard characteristics and the environment;
- 5 (cc) *Disaster risk governance* refers to the manner in which public authorities, civil
6 servants, media, private sector, and civil society coordinate at community, national
7 and regional levels in order to manage disaster and climate related risks. This
8 includes ensuring that sufficient levels of capacity and resources are made available
9 to prevent, prepare for, manage and recover from disasters. It also entails
10 mechanisms, institutions, and processes for citizens to articulate their interests,
11 exercise their legal rights and obligations, and mediate their differences;
- 12 (dd) *Disaster risk management* refers to the systematic approach or process of
13 implementing strategies, policies and programs to lessen the possibility and/or
14 adverse impacts of disasters and related hazards;
- 15 (ee) *Disaster risk reduction* refers to the prevention of new, or reduction of existing,
16 disaster risks and the management of residual risk, to enhance resilience to disasters;
- 17 (ff) *Early warning system* refers to an integrated system of hazard monitoring,
18 forecasting and prediction, disaster risk assessment, and communication and
19 preparedness activities and processes that enable individuals, communities,
20 national government agencies, local government units, the private sector, and others
21 to take timely action to reduce disaster risks and adequately prepare for disasters;
- 22 (gg) *Emergency* refers to unforeseen or sudden occurrence, especially danger,
23 demanding immediate action;
- 24 (hh) *Emergency management* refers to the organization and management of resources
25 and responsibilities for addressing all aspects of emergencies, in particular,
26 preparedness, response and initial recovery steps;
- 27 (ii) *Environmental hazards* refer to hazards which may be chemical, natural and
28 biological, and can be created by environmental degradation or physical or chemical
29 pollution in the air water and soil. However, many of the processes and phenomena
30 that fall into this category may be termed drivers of hazard and risk rather than
31 hazards in themselves, such as soil degradation, deforestation, loss of biodiversity,
32 salinization and sea-level rise;
- 33 (jj) *Exposure* refers to the situation of people, infrastructure, housing, production
34 capacities and other tangible human assets located in hazard-prone areas;

1 (kk) *Framework Agreement* shall refer to a written agreement between a procuring entity
2 and a supplier or service provider that identifies the terms and conditions under
3 which specific purchases are made for the duration of the agreement.

4 The Framework Agreement is in the nature of an option contract between the
5 procuring entity and the bidder(s) granting the procuring entity the option to either
6 place an order for any of the goods or services identified in the Framework
7 Agreement List or not buy at all, within the period of the Framework Agreement;

8 (ll) *Geological or geophysical hazards* refer to hazards which originate from
9 internal earth processes, such as earthquakes, volcanic activities and emissions,
10 and related geophysical processes which include mass movements, landslides,
11 rockslides, surface collapses and debris or mud flows. Hydrometeorological
12 factors are important contributors to some of these processes. While tsunamis
13 are triggered by undersea earthquakes and other geological events, they
14 essentially become an oceanic process that is manifested as a coastal water-related
15 hazards;

16 (mm) *Geographic information system* refers to a database which contains, among others,
17 geo-hazard assessments, information on climate change, and climate risk reduction
18 and management;

19 (nn) *Geographically isolated and disadvantaged area* (GIDA) refers to an area
20 with a marginalized population, which is physically and socio-economically
21 separated from the mainstream society and characterized by physical factor
22 such as isolated due to distance, weather conditions and transportation difficulties
23 due to island, upland lowland, landlocked, hard to reach and underserved
24 communities; and/or socio-economic factors such as high poverty incidence,
25 presence of vulnerable sector, communities in or recovering from a situation of crisis
26 or armed conflict;

27 (oo) *Hazard* refers to a phenomenon, substance, human activity, or condition that may
28 cause loss of life, injury or impacts to health; and social and economic disruption,
29 environmental damage, or loss of or disruption to property, livelihood and/or
30 services;

31 (pp) *Historical landmarks* refer to sites or structures that are associated with events or
32 achievements significant to Philippine history as declared by the National Historical
33 Institute or the applicable agency;

- 1 (qq) *Human-induced disasters* refer to disasters induced entirely or predominantly
2 by human activities or choices, such as ideologically motivated conflict or
3 criminality;
- 4 (rr) *Humanitarian assistance* refers to financial, material or other similar forms of
5 assistance to address the immediate needs of people affected by a natural disaster;
- 6 (ss) *Hydrometeorological hazards* refer to hazards that are of atmospheric, hydrological
7 and oceanographic origin, such as tropical cyclones also known as typhoons and
8 hurricanes; floods, including flash floods, drought; heatwaves and cold spells, coastal
9 storm surges, and marine heatwaves, extreme sea events, and sea level rise.
10 Hydrometeorological conditions may also be a factor in other hazards such as
11 landslides, wildland fires, locust plagues, epidemics, and in the transport and
12 dispersal of toxic substances and volcanic eruption material;
- 13 (tt) *Impact and needs assessment* refers to assessing the nature and magnitude of a
14 disaster, its impact on affected populations, the type and extent of emergency, and
15 the requirements for recovery and rehabilitation of the affected areas;
- 16 (uu) *Land-use planning* refers to the process undertaken by public authorities to
17 identify, evaluate, and decide on different options for the use of land, including
18 consideration of long-term economic, social, and environmental objectives and
19 the implications for different communities and interest groups, and the
20 subsequent formulation and promulgation of plans that describe the permitted or
21 acceptable uses;
- 22 (vv) *Legal facilities* refer to entitlements and exemptions that are granted to assisting
23 domestic or international actors which are declared to be eligible pursuant to this Act
24 and its implementing rules and regulations;
- 25 (ww) *Local Disaster Resilience Plan (LDRP)* refers to a document prepared by a local
26 government unit (LGU) based on the National Disaster Resilience Framework
27 (NDRF) and National Disaster Resilience Plan and Investment Program (NDRPIP)
28 that sets out specific programs, objectives and goals to implement disaster risk
29 management and climate change adaptation measures at the local level. The plan shall
30 include among others, an evaluation and analysis of emerging disaster risks, hazards
31 and vulnerabilities applicable to an LGU, and specific programs and activities to
32 ensure responsive, effective, and the appropriate disaster preparedness and
33 management at the local level;

- 1 (xx) *National continuity policy* refers to a policy aimed at the development of an
2 organizational culture that has the ability to provide a minimum level of service
3 during interruptions, emergencies, and disasters, and return to full operations quickly;
- 4 (yy) *National cultural treasure* refers to a unique cultural property found locally,
5 possessing outstanding historical, cultural, artistic and/or scientific value which
6 is highly significant and important to the country and nation, and officially declared
7 as such by the pertinent cultural agency;
- 8 (zz) *National Disaster Resilience Framework (NDRF)* refers to a framework that
9 provides for a comprehensive, all-hazards, multi-sectoral, inter-agency and
10 community-based approach to enable communities to resist, prevent, mitigate
11 against, absorb, accommodate, adapt to, recover, or build forward better from the
12 effects of a hazard in a timely and efficient manner through, among others, disaster
13 risk reduction and management and climate change adaptation and mitigation. The
14 NDRF shall be composed of a National Disaster Risk Reduction and Management
15 Framework (NDRRMF), and National Framework Strategy on Climate Change
16 (NFSCC);
- 17 (aaa) *National Disaster Resilience Plan and Investment Program (NDRPIP)* refers to a
18 plan formulated and implemented by the Department of Disaster Resilience in
19 accordance with the NDRF that sets out the outcomes, goals and objectives, priorities,
20 programs and corresponding action plans for disaster risk reduction, preparedness,
21 and management, and climate change mitigation. It shall also include, among others,
22 the goals, objectives and action plans for a National Continuity Policy;
- 23 (bbb) *Natural disaster* refers to a disaster predominantly associated with and/or caused
24 by natural processes or phenomena, such as those related to geology
25 such as earthquakes, ground rupture, liquefaction, landslides, tsunamis, sinkholes,
26 volcanic activity; hydrology and meteorology such as floods, severe winds, typhoons,
27 storm surges, climatological variability such as extreme temperatures, El Niño, La
28 Niña, and forest fires; biological events such as epidemics or pandemics caused by
29 outbreaks of viral, bacterial, parasitic, fungal or prion infectious diseases affecting
30 human, animal or plant life, insect infestations or swarms; and extraterrestrial events
31 such as a meteorite or asteroid strikes;
- 32 (ccc) *Open data* refer to facts and statistics that can be freely used, shared and built-on
33 by anyone, anywhere, for any purpose, which must be available in bulk, free of

charge, or at least at no more than a reasonable cost and permit people to use, re-use, and redistribute, intermix with other data providers;

(ddd) *Post-Disaster recovery* refers to the restoration improvement where appropriate, of facilities, livelihood and living conditions, of disaster-affected communities, including efforts to reduce disaster risk factors, in accordance with the principle of “build forward better”;

(eee) *Preparedness* refers to pre-disaster actions and measures being undertaken within the context of disaster risk reduction and management and are based on sound risk analysis as well as pre-disaster activities to avert or minimize loss of life and property such as community organizing, training, planning, equipping, stockpiling, hazard mapping, insuring of assets, and public information and education initiatives. This also includes the development or enhancement of an overall preparedness strategy, policy, institutional structure, warning and forecasting capabilities, and plans that define measures geared to help at-risk communities safeguard their lives and assets by being alert to hazards and taking appropriate action in the face of an imminent threat or an actual disaster;

(fff) *Prevention* refers to activities and measures to avoid existing and new disaster risks, and the concept and intention to avoid potential adverse impacts of hazardous events;

(ggg) *Probabilistic risk assessment* refers to the simulation of those future disasters based on scientific evidence, and which are likely to occur in order to resolve the problem posed by the limits of historical data by reproducing the physics of the phenomena and recreating the intensity of a large number of synthetic events, including all possible scenarios, their likelihood, and associated impacts;

(hhh) *Rehabilitation* refers to measures that ensure the ability of affected communities or areas to restore their normal level of functioning by rebuilding livelihood and infrastructures and increasing the communities’ organizational capacity;

(iii) *Resilience* refers to the ability of a system, community or society exposed to hazards to resist, absorb, accommodate, and recover from the effects thereof in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions in a manner that will make them more resistant to future risks;

(jjj) *Response* refers to any concerted effort by two (2) or more agencies, public or private, to provide assistance or intervention during or immediately after a disaster to

1 meet the life preservation and basic subsistence needs of those people affected and in
2 the restoration of essential public activities and facilities;

3 (kkk) *Retrofitting* refers to an act reinforcing or upgrading existing structures to make
4 them more resistant and resilient to the damaging effects of hazards;

5 (lll) *Risk* refers to the combination of the probability of an event and its negative
6 consequences;

7 (mmm) *Risk assessment* refers to a methodology to determine the nature and extent of
8 risks by analyzing potential hazards and evaluating existing conditions of
9 vulnerability that together could potentially harm exposed people, property, services,
10 livelihood and the environment on which they depend. Risk assessment with
11 associated risk mapping include: a review of the technical characteristics of hazards
12 such as their location, intensity, frequency and probability; the analysis of exposure
13 and vulnerability including the physical, social, health, economic, and environmental
14 dimensions; and the evaluation of the effectiveness of prevailing and alternative
15 coping capacities in respect to likely risk scenarios;

16 (nnn) *Risk transfer* refers to the process of formally or informally shifting the financial
17 consequences of particular risks from one party to another whereby a household,
18 community, enterprise or State authority will obtain resources from the other party
19 after a disaster occurs, in exchange for ongoing or compensatory social or financial
20 benefits provided to that other party;

21 (ooo) *Safety stock* refers to items of raw materials, component parts, or finished goods
22 maintained in inventory in order to reduce the risk that such item will be out of stock,
23 in anticipation of unforeseen shortages or unusual demand for such items;

24 (ppp) *State of Calamity* refers to a condition involving mass casualty, disruption of
25 means of livelihoods, and/or major damages to property, roads and normal way of
26 life of people in the affected areas as a result of the occurrence of natural or
27 human-induced hazard;

28 (qqq) *Sustainable development* refers to development that meets the needs of the present
29 generation without compromising the ability of future generations to meet their own.
30 It contains within it two (2) key concepts: first, the concept of “needs”, in particular,
31 the essential needs of the world’s poor, to which overriding priority should be given;
32 and second, the idea of limitations imposed by the state of technology and social
33 cohesion and harmony, and ecological integration of a sound and viable economy,

1 responsible governance, and ecological integrity to ensure that human development
2 now and through future generations is a life enhancing process;

3 (rrr) *Volunteers* refer to individuals, groups or entities that offer and provide
4 services or assistance, without compensation, to help people and areas affected by
5 disasters;

6 (sss) *Vulnerability* refers to the characteristics and circumstances of a community,
7 system or asset that make it susceptible to the damaging effects of a hazard.
8 Vulnerability may arise from various physical, social, economic, and environmental
9 factors such as poor design and construction of buildings, inadequate protection of
10 assets, lack of public information and awareness, limited official recognition of risks
11 and preparedness measures, and disregard for wise environmental management;

12 (ttt) *Vulnerable and marginalized groups* refer to those that face higher exposure to
13 disaster risk and poverty including women, children, the elderly, differently abled
14 people, and ethnic minorities;

15 (uuu) *Whole-of-Society Approach* refers to an approach that encourages the meaningful
16 and active participation and synergy of the different stakeholders of society toward
17 climate change adaptation and mitigation, and disaster risk reduction and
18 management at the national and local levels;

19 (vvv) *Whole-of-Government Approach* refers to an approach that instills and fosters
20 collaboration among all government instrumentalities both at the national and local
21 levels toward shared sustainable development goals and outcomes; and

22 (www) *Whole-of-Nation Approach* refers to an approach that seeks to bring about a
23 concerted effort towards sustainable development, and national peace and security by
24 creating consensus and understanding of development and security that is shared not
25 just among core security forces and oversight government institutions, but also by the
26 nation's stakeholders such as government, civil society, private sector, and the
27 communities.

28 Article II

29 THE DEPARTMENT OF DISASTER RESILIENCE:

30 MANDATE, POWERS, AND FUNCTIONS

31 SEC. 4. *Creation and Mandate of the Department of Disaster Resilience.* –

32 There is hereby created a Department of Disaster Resilience, herein after referred to as the
33 Department.

1 The Department shall be the primary government agency responsible for leading,
2 organizing, and managing the national effort to reduce disaster risk, prepare for and
3 respond to disasters, recover and rehabilitate, and build forward better after the occurrence of
4 disasters.

5 The Department shall oversee and coordinate the preparation, implementation,
6 monitoring, and evaluation of disaster and climate resilience plans, programs, projects and
7 activities, provide leadership in the continuous development of strategic and systematic
8 approaches to disaster prevention, mitigation, preparedness, response, recovery and
9 rehabilitation, to anticipatory adaptation strategies, measures, techniques, and options.

10 The Department shall augment the capacity of local governments units in collaboration
11 with relevant national government agencies and other stakeholders to implement disaster
12 risk reduction and management and climate change action plans, programs, projects, and
13 activities.

14 The Department shall be the principal government institution responsible for ensuring
15 safe, adaptive, and disaster resilient communities. It is mandated to provide a clear and
16 comprehensive direction in the implementation of plans, programs, and projects to reduce the
17 risk of natural hazards and the effects of climate change and manage the impact of disasters.

18 The mandate of the Department covers all natural hazards, which include, among
19 others, the following:

20 (a) Geological Phenomena and Related Hazards

- 21 1) Earthquake – ground rupture, ground shaking, liquefaction, tsunami, fire,
22 landslides, and seiche or lake water oscillation
23 2) Volcanic activity – ash fall, pyroclastic flow, lava flow, lahar, fissuring, and
24 volcanic gas
25 3) Mass movement – landslides, debris flow, sinkholes

26 (b) Hydrological, Oceanographic and Meteorological Phenomena and Related Hazards

- 27 1) Tropical cyclone – severe winds, storm surge, rouge waves, severe rainfall
28 including hail
29 2) Flood, rain-triggered landslides and storm surges
30 3) Erosion
31 4) Marine heatwaves, extreme sea events, and sea level rise

32 (c) Climate Variability/Change with Related Hazards of Compound Events and Cascading
33 Impacts

1 1) El Niño or La Niña (ENSO) with associated rainfall and temperature (in particular,
2 projected extreme ENSOs)

3 2) Extreme temperature (heat wave or cold wave), extreme weather conditions
4 (drought or excessive rainfall)

5 3) Wildfire (forest or land fires)

6 (d) Biological and Related Hazards

7 1) Epidemic/Pandemic – viral, bacterial, parasitic, fungal, prion infectious diseases

8 2) Insect Infestation – grasshoppers/locusts

9 (e) Extra-Terrestrial – Meteorite/Asteroid impact

10 The Department shall manage and direct the implementation of national, local, and
11 community-based disaster resilience and disaster management programs, projects and activities,
12 including disaster response, recovery and rehabilitation, when applicable, in collaboration with
13 relevant national government agencies, LGUs, CSOs, academic institutions and other
14 stakeholders: *Provided*, That for human-induced disasters, the Department of the Interior and
15 Local Government (DILG), Department of National Defense (DND), Department of Social
16 Welfare and Development (DSWD), and other relevant government instrumentalities, including
17 the Armed Forces of the Philippines (AFP), Bureau of Fire Protection (BFP), Philippine National
18 Police (PNP), Philippine Coast Guard (PCG), and Office of Civil Defense (OCD), shall continue
19 to perform their functions: *Provided, further*, That the Department shall remain as the lead
20 agency in recovery and rehabilitation efforts in collaboration with all stakeholders when
21 applicable.

22 Notwithstanding, the mandates and powers stated herein shall be without prejudice
23 to the President's directive to address natural, human-induced, or other disasters such as an
24 epidemic.

25 **SEC. 5. Powers and Functions of the Department.** - The Department shall exercise the
26 following powers and functions, in collaboration with the relevant departments, agencies, and
27 nongovernment stakeholders:

28 **(a) General Functions**

29 1) Conduct risk and vulnerability assessment at the local level based on the national
30 criteria, and establish a database that includes, among others, an inventory of
31 hazards to better prepare for and respond to natural disasters;

32 2) Undertake the establishment or construction of evacuation centers that conform to the
33 standards under the United Nations (UN) Humanitarian Charter and Minimum Standards

1 in Humanitarian Response or The Sphere Minimum Standards for Shelter and Settlement,
2 and Republic Act No. 10821, otherwise known as the “Children’s Emergency Relief and
3 Protection Act”, among others. The upkeep and maintenance of the evacuation centers
4 shall be the responsibility of the concerned LGUs;

- 5 3) Develop, maintain and update an integrated disaster management and disaster
6 resilience information system that includes, among others, multi-hazard mapping,
7 vulnerability and probabilistic risk assessments, early warning, exposure database,
8 communication and emergency management systems at the national, regional, and
9 provincial levels;
- 10 4) Undertake the formulation and implementation of the government’s policies, plans,
11 programs, projects, and budget for disaster resilience including those related to
12 disaster risk reduction, response, recovery, rehabilitation, and building forward
13 better;
- 14 5) Review and build upon, to the extent necessary, the existing disaster resilience
15 framework, plans and strategies in the crafting of an NDRF and the corresponding
16 NDRPIP;
- 17 6) Oversee, review, and approve the translation, integration, and implementation of
18 the NDRPIP into LDRPs;
- 19 7) Facilitate the availability of highly competent DRR professionals at all levels and
20 prescribe benefits, allowances, and similar emoluments for DRR professionals, as
21 it may deem fit;
- 22 8) Communicate and disseminate critical information to help the public prepare for,
23 respond to, and recover from a disaster;
- 24 9) Receive, manage, administer and control all the funds, assets and properties
25 received by the Department to accomplish the purposes of this Act;
- 26 10) Recommend to the President of the Philippines the declaration of a state of
27 calamity due to a natural disaster, and the lifting thereof when conditions stabilize;
- 28 11) Advise the President on matters concerning disaster resilience and make
29 recommendations, as appropriate;
- 30 12) Advance the country’s interests relating to disaster resilience in the regional and
31 global arena;
- 32 13) Collaborate with any government entity to help ensure the attainment of the goals
33 and objectives of this Act; and

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

(b) Disaster Risk Reduction

- 1) Develop coordinated regional and local strategies for the effective prevention and mitigation of disaster risk resulting from natural hazards, including the effects of climate change;
- 2) Develop and implement policies and programs relating to the construction of new settlements or relocation of settlements in safe areas which shall, to the extent such policies and programs relate to disaster risk reduction, mitigation, prevention or building forward better, prevail over policies or decisions of other government departments, government agencies, government owned and/or controlled corporations, LGUs, or other government institutions;
- 3) Develop, in coordination with relevant government agencies, policies and programs on land-use planning, urban planning and zoning which shall, to the extent such policies and programs relate to disaster risk reduction, mitigation, prevention or building forward better, prevail over policies or decisions of other government departments, government agencies, government owned and/or controlled corporations, LGUs, or other government institutions;
- 4) Establish or enhance standards for disaster preparedness and continuity planning, such as on infrastructure standards and designs;
- 5) Collaborate with the Department of Public Works and Highways (DPWH) and other relevant government agencies in the conduct of regular structural, safety audit of buildings and other types of infrastructure, and require the submission of necessary data, information or reports related thereto;
- 6) Formulate a National Continuity Policy including plans and programs to implement government governance and business continuity;
- 7) Ensure the use of advanced science and technology in the anticipatory planning of communities against the impact of natural hazards and climate change through consultation, and employment with a regular department funding for relevant academic or higher educational institutions with proven risk reduction record;

- 1 8) Establish a system to ensure that all disaster-related data are accessible to all
2 stakeholders to generate the best scientific information and technological products
3 for use in disaster resilience;
- 4 9) Ensure that all climate change-related hazards are included in the development of
5 climate risk profiles of targeted LGUs as provided for in the Climate Risk and
6 Management Framework (CRMF) policy document of the Climate Change
7 Commission (CCC) and that the appropriate institutions such as the academe and
8 other science experts or organizations who have the capability to develop or have
9 developed methodologies to establish climate change risk profile are officially
10 engaged;
- 11 10) Undertake programs and projects to reduce the vulnerability of physical
12 infrastructure, assets, and facilities including retrofitting, and structural and non-
13 structural upgrading, in coordination with the relevant government agencies;
- 14 11) Call on relevant government agencies to develop alternative livelihood programs
15 to reduce the vulnerability to disasters of certain areas or certain sectors of society;
- 16 12) Formulate, facilitate and monitor efforts relating to certain resources or sectors
17 toward addressing the long-term effects of climate change on sustainable
18 development, such as water resources, agriculture, forestry, coastal and marine
19 resources, health, and infrastructure, in coordination with relevant government
20 agencies;
- 21 13) Design and implement an incentive system for greater private and public
22 investment, both at the local and national levels, on disaster risk reduction;
- 23 14) Oversee and ensure the mainstreaming of climate change adaptation and disaster
24 risk reduction in development and land use planning, and the preparation of
25 contingency plans;
- 26 15) Create an enabling environment that shall promote broader multi-stakeholder
27 participation for disaster risk reduction and climate change adaptation and mitigation;
- 28 16) Establish, develop, and monitor programs and projects, in coordination with
29 relevant government agencies, that consider climate projections, including
30 temperature increase and rainfall change in the Philippines to ensure climate-
31 resilient communities;
- 32 17) Establish and monitor national and local capacity for disaster risk financing and
33 insurance and other risk transfer strategies in coordination with the Department of

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

3 18) Review and evaluate local disaster resilience plans and other local plans to ensure
4 their consistency with the National Disaster Resilience Framework; and

5 19) Undertake all other programs and projects necessary to attain the necessary
6 outcomes for disaster risk reduction.

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

8 1) Lead, manage, and collaborate with the relevant government instrumentalities,
9 nongovernment stakeholders, and international partners in providing the minimum
10 basic needs of people in affected areas before, during and/or immediately after a
11 disaster to save lives and minimize casualties;

12 2) Establish a corps of first responders in partnership with national and local
13 stakeholders, both public and private;

14 3) Implement projects and programs that will enhance the capacity of LGUs to prepare
15 for and respond to disasters, giving priority to LGUs with low income or those
16 situated in high-risk areas;

17 4) Ensure the efficient prepositioning of goods, maintenance and disposal of safety
18 stocks;

19 5) Accredite, monitor, and evaluate training institutions on disaster resilience;

20 6) Regulate the accreditation of donors, volunteers, and assisting nongovernment
21 stakeholders, both domestic and international;

22 7) Formulate standards for contingency planning that shall be adopted by the LGUs;

23 8) Develop a database of exposure or elements at risk per area to facilitate and ensure
24 quick impact and needs assessment in the event of a disaster;

25 9) Facilitate and regulate the acceptance, inventory, and accounting of humanitarian
26 assistance, including relief goods;

27 10) Maintain a database of volunteers and, when necessary, mobilize volunteers to
28 augment the personnel complement and logistical requirements for disaster
29 response and/or for the delivery of DRRM programs, projects and activities;

30 11) Oversee and maintain a national early-warning and emergency alert system that
31 must provide a specific, areas-focused and time-bound warning that are accurate,
32 timely, understandable and readily accessible to national and local emergency
33 response organizations and the general public;

- 12) Coordinate information-sharing and other disaster risk reduction protocols following the principle of inter-operability among national government agencies and local government units;
- 13) Call upon other instrumentalities or entities of the government and nongovernment and civic organizations for assistance in terms of the use of their facilities and resources for the protection and preservation of life and properties in the whole range of disaster risk reduction and management. This function includes the power to call on the reserve force as defined in Republic Act No. 7077, otherwise known as the "Citizen Armed Forces of the Philippines Reservist Act" to assist in relief, rescue, retrieval and management of dead and missing persons during disasters or calamities;
- 14) Organize, train, equip, and maintain a system of response capacity for search, rescue and retrieval and the delivery and distribution of relief goods;
- 15) Recommend to the President to call upon the AFP and PNP to render the necessary assistance in a disaster-affected area by the authority of the President;
- 16) Call upon, by authority of the President, the Armed Forces of the Philippines, the Philippine National Police, the Bureau of Fire Protection (BFP), the Philippine Coast Guard, and other uniformed services to the extent necessary for the Department to achieve the purposes of this Act;
- 17) Establish a National Corps of Volunteers to be composed of, among others: Reserve Officers' Training Corps (ROTC), National Service Training Program (NSTP), reservists, and other socio-civic organizations;
- 18) Assist in mobilizing necessary resources to increase the overall capacity of local government units, specifically those with low income and situated in high-risk areas; and
- 19) Undertake all other programs and projects necessary to attain the necessary outcomes for disaster preparedness and response.

(d) Recovery and Building Forward Better

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

- 2) Establish a system to promptly perform impact and needs assessment, including strengthening the in-house capacity of the Department to conduct accurate and timely impact and needs assessment;
- 3) Establish a system that utilizes templates, exposure database, and other tools, and develop the Department's in-house capacity for the prompt and expedient preparation of rehabilitation plans, when needed, for disaster affected areas;
- 4) Formulate or direct relevant government agencies and LGUs to issue guidelines for fast-tracking the issuance of permits, certifications, clearances and licenses to implement disaster recovery and rehabilitation measures, including housing projects, in affected areas;
- 5) Prepare and implement rehabilitation plans for disaster affected areas;
- 6) Manage and oversee the implementation of disaster recovery and rehabilitation measures;
- 7) Collaborate with relevant government agencies to establish programs to restore or generate livelihood in disaster affected areas;
- 8) Formulate policies and standards for post-disaster shelter recovery which may include, among others, implementation arrangements, coordination arrangements with relevant agencies and LGUs, and modalities for emergency transitional and permanent shelter recovery;
- 9) Ensure that the principle of building forward better is applied to rehabilitation or reconstruction efforts; and
- 10) Undertake all other programs and projects necessary to attain the necessary outcomes for recovery and safer, adaptive, resilient, and inclusive communities.

(e) Other Functions

- 1) Constitute, call, convene or deputize agencies of government, and invite nongovernment and private organizations, to assist, advise, or coordinate with the Department to achieve the purposes of this Act;
- 2) Inspect and examine the status of projects, programs, and activities undertaken by national government agencies and local government units in furtherance of disaster resilience efforts;
- 3) Save lives and/or minimize damages to livelihood and property, complement and collaborate with relevant government agencies and nongovernment stakeholders in

1 providing humanitarian response and the consequence management of human-
2 induced disasters whenever it becomes necessary;

- 3 4) Negotiate, enter into, institutionalize, and coordinate arrangements with any private
4 person or entity for the purpose of ensuring the adequate and prompt availability
5 of goods and services necessary in anticipation of, during, and in the aftermath of
6 disasters;
- 7 5) Promulgate rules and regulations for the receipt, management, and accounting of
8 donations that are consistent with the rules of the Commission on Audit (COA) on
9 the use of foreign and local aid during calamities and disasters;
- 10 6) Create or reorganize offices and/or task forces, as may be necessary to carry out
11 the objectives of this Act; and
- 12 7) Perform such other functions, as may be necessary, for the attainment of the
13 objectives of this Act.

14 Article III

15 EMERGENCY MEASURES

16 **SEC. 6. *Emergency Measures.*** – (a) To protect and preserve life and property and ensure
17 and promote public safety and welfare, the Department may undertake and implement the
18 following emergency measures in anticipation of, during, and in the aftermath of disasters:

- 19 1) Carrying out of preemptive evacuation;
- 20 2) Imposition of curfew;
- 21 3) Rationing of the distribution of basic goods in critical shortage, and when
22 necessary, preventing or restricting the transfer of such goods outside of the area
23 affected by the disaster, including access to rice inventory of the National
24 Food Authority (NFA) office or storage located in the affected area;
- 25 4) When there is imminent danger of loss of lives or damage to property, temporarily
26 take over or direct the operation of any private utility or business, subject to payment
27 of just compensation; and
- 28 5) With the concurrence of the DOF, recommend to the Monetary Board the deferment
29 of the payment of monetary obligations of local government units and private entities
30 that have been severely affected by disaster.

31 (b) Local government units shall enact ordinances on and implement necessary
32 and appropriate emergency measures to ensure the protection and preservation of life and

property and the promotion of public safety and welfare in anticipation of, during, and in the aftermath of disasters.

(c) Emergency measures shall be carried out in a manner that is humane, respectful of the dignity and culture of persons, without the use of discrimination and disproportionate force, and with conscious attention to the needs of vulnerable and marginalized groups.

(d) Appropriate steps shall be taken to inform the public of the need to implement emergency measures for their safety.

SEC. 7. *Preemptive and Force Evacuations.* – Preemptive evacuation shall be the preferred and primary mode of moving and relocating people that will be affected by impending disasters.

A forced evacuation shall be considered as an emergency measure of last resort that may be undertaken in anticipation of or during a disaster and carried out by the concerned local government unit: *Provided*, That in case of the failure or inability of the local government units to implement the same, the forced evacuation shall be implemented by the Department, which may direct and compel the assistance of law enforcement and other government agencies to implement such measure.

Any person who willfully disregards or disobeys a preemptive or forced evacuation carried out by the local government unit or the Department releases such local government unit or the Department, as the case may be, from any liability for injury, death, damage to, or loss of property due to such disobedience.

Article IV

ORGANIZATION AND MANAGEMENT

SEC. 8. *The Secretary.* - The Department shall be headed by the Secretary of Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed by the President, subject to confirmation by the Committee on Appointments. The Secretary shall preferably have a good background in any of the scientific, engineering, and public management fields relevant to the attainment and promotion of resiliency to natural hazards and climate change, and demonstrated managerial acumen.

SEC. 9. *Powers and Functions of the Secretary.* – The Secretary shall have the following powers and functions:

- a) Provide executive direction and supervision over the entire operations of the Department;

- b) Establish and promulgate policies, rules, and regulations for the effective and efficient operation of the Department and implement these to carry out its mandate, functions, programs, and activities;
- c) Exercise control and supervision over all functions and activities of the Department and its officers and personnel;
- d) Manage the financial, human and other resources of the Department;
- e) Appoint and designate officers and employees of the Department, excluding those requiring presidential appointment as provided for by law;
- f) Exercise disciplinary powers over officers and employees of the Department in accordance with law, and investigate such erring officers and employees, or designate a committee or officer to conduct an investigation;
- g) Collaborate with other government agencies, the private sector, and civil society organizations on the policies, programs, projects, and activities of the Department, as may be necessary;
- h) Advise the President on the promulgation of executive and administrative orders, and the formulation of regulatory and legislative proposals on matters pertaining to disaster resilience;
- i) Represent the Philippines and articulate the national contribution to global, regional, and other inter-governmental disaster risk reduction and humanitarian platforms, in coordination with the Department of Foreign Affairs;
- j) Formulate such rules and regulations, and exercise such other powers as may be required to implement the objectives of this Act;
- k) Serve as a member of the Government Procurement Policy Board (GPPB); and
- l) Perform such other tasks as may be provided by law or assigned by the President.

SEC. 10. *The Undersecretaries.* - The Secretary shall be assisted by four (4) Undersecretaries, which shall be responsible for the following key result areas:

- a) *Disaster Preparedness and Response* - to implement projects and programs that will enhance the capacity of LGUs to prepare against, and respond to, disasters. This also includes development of a database of exposure or elements at risk per area and database of volunteers, among others. It involves the establishment of evacuation centers and the implementation of responsive and efficient prepositioning of goods, maintenance and disposal of stocks, among others;

- 1 b) *Disaster Risk Reduction* - to formulate, adopt, and/or implement, among others, a
2 whole-of-society approach in policies and programs to prevent new, if not reduce
3 existing disaster risks, to address the effects of climate change, and to minimize loss
4 and damage to lives and properties. This includes the formulation of the required
5 policies and/or programs for disaster risk reduction and climate change adaptation in,
6 among others, the NDRF and the NDRPIP;
- 7 c) *Recovery and Building Forward and Better* - to formulate and implement
8 rehabilitation plans for disaster-affected areas, and to ensure the implementation of
9 disaster recovery and rehabilitation measures, such as, but not limited to, post-disaster
10 shelters and livelihood projects, in collaboration with relevant agencies, LGUs, and
11 other stakeholders; and
- 12 d) *Support to Operations* - to formulate and implement, among others, policies,
13 programs and/or projects to ensure the efficient, effective, and responsive delivery of
14 the Department's key result areas. Support to Operations covers knowledge
15 management, institutional development and planning, finance, office administration,
16 human resources management, and development of the Department's in-house
17 capacities, among others.

18 **SEC. 11. *The Assistant Secretaries and Directors.*** - The Department shall have four (4)
19 Assistant Secretaries and appropriate number of Directors to ensure for the effective, efficient,
20 and responsive implementation of the mandate and functions of the Department.

21 **SEC. 12. *Qualifications.*** - No person shall be appointed Secretary, Undersecretary, or
22 Assistant Secretary of the Department unless a citizen and resident of the Philippines, of good
23 moral character, and of proven experience, competence or expertise in humanitarian relief
24 assistance and disaster management. The Secretary, Undersecretary, or Assistant Secretary shall
25 not hold any other position, public or private, during their terms of office.

26 **SEC 13. *Structure and Staffing Pattern.*** - The Department shall determine its
27 organizational structure and staffing pattern and create such services, divisions, and units, as it
28 may require or deem necessary, subject to the approval of the Department of Budget and
29 Management.

30 **SEC. 14. *National Disaster Operations Center, Alternative Command Center, and***
31 ***Research and Training Institute.*** - The Department shall establish, within one (1) year from the
32 approval of this Act, and act as the primary operator, the National Disaster Operations Center
33 (NDOC), Alternative Command and Control Center (ACCCs) as may be necessary in each of

1 the country's major island groups, and the Disaster Resilience Research and Training Institute
2 (DRRTI).

3 The Department is authorized to collect fees derived from the DRRTI.

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

8 The ACCCs are command centers established in other locations to provide supplemental
9 support to the NDOC. The number and location of ACCCs shall be determined by the
10 Department. Temporary ACCCs may likewise be established by the Department, if necessary.

11 **SEC. 15. DRRTI Functions and Inter-Agency Knowledge Sharing.** - The DRRTI shall
12 be a platform for providing training preferably on site, and for collecting, consolidating,
13 managing, analyzing, and sharing knowledge and information to improve or enhance disaster
14 resilience.

15 The DRRTI shall:

16 a) Establish reliable and up-to-date disaster-related information and communication
17 systems and technologies through close collaboration with the DOST and with academic
18 institutions;

19 b) Institutionalize, maintain, and update an integrated disaster resilience information
20 system (IDRIS), which includes, among others, multi-hazard mapping, probabilistic risk
21 assessment, risk analysis, early warning, exposure database, communication and emergency
22 management systems;

23 c) Establish a database that includes relevant information from other government agencies
24 and third parties for the Department to better prepare and respond to natural hazards including,
25 but not limited to, an inventory of hazardous materials per area;

26 d) Consult and coordinate with, and consolidate information/data from, relevant
27 government agencies, such as, but not limited to, DOST, LGUs, academic institutions, and
28 relevant CSOs to enhance the IDRIS and to promote knowledge sharing among all stakeholders;

29 e) Conduct disaster-related research programs, seminars, and trainings for all types of
30 stakeholders;

31 f) Consolidate, organize and/or prepare training materials and publications; and

32 g) Conduct other activities consistent with promoting the formation and dissemination of
33 knowledge and information relating to disaster resilience and disaster management.

1 as applicable. The LDRO shall be composed of an officer and five (5) permanent
2 personnel responsible for, among others, administration, research and planning, training, and
3 operations. The organization, composition, functions, and responsibilities of retained
4 LDRMOs shall be modified to the extent provided in, and shall comply with the requirements
5 and standards of, this Act and the IRR for the establishment, maintenance and operations of
6 LDROs.

7 **SEC. 21. Local Disaster Resilience Officer.** - The LDRO shall be headed and managed
8 by a well-qualified and full-time Local Disaster Resilience Officer with regular plantilla position.
9 The Local Disaster Resilience Officer and Staff shall be appointed by the Local Chief Executive
10 subject to the requirements and endowed with the emoluments and benefits in accordance with
11 existing laws, rules and regulations.

12 **SEC. 22. Powers and Functions of City and Municipal DROs.** - The City and Municipal
13 (CDRO and MDRO) shall have the following powers and functions:

- 14 (a) Formulate and implement, in close coordination with the Department, a comprehensive
15 and integrated LDRP in accordance with the NDRF and the NDRPIP;
- 16 (b) Design, program, coordinate, and implement disaster resilience activities
17 including preparedness, risk reduction, response, recovery and rehabilitation
18 measures consistent with the standards and guidelines provided by the
19 Department, and implement the NDRF and the NDRPIP at the city or municipal
20 level;
- 21 (c) Prepare and submit to the local *Sanggunian*, the LDRP, the proposed programming of
22 the LDR Fund, other dedicated disaster resilience resources, and other regular funding
23 source of the LDRO;
- 24 (d) Recommend to the local *Sanggunian* the enactment of local ordinances to implement
25 the LDRP, NDRF and NDRPIP at the city or municipal level, and to comply with other
26 requirements of this Act;
- 27 (e) Prepare and submit to the Department, the local Commission on Audit, and the
28 applicable Regional Disaster Resilience Office a report on the utilization of
29 its Local Disaster Resilience Fund and other disaster risk reduction and management
30 resources;
- 31 (f) Establish and maintain, in coordination with the Department, an information
32 management system within the LGU which, among others, consolidates and

- 1 includes local risk information on natural hazards, profile of the LGU's vulnerable or
2 marginalized groups, local risk maps, and a disaggregated database of human resource,
3 equipment, services, resources, directories and location of critical infrastructures with
4 their capacities as hospitals and evacuation centers;
- 5 (g) Operate and maintain, in coordination with the Department, a multi-hazard early
6 warning and communications system to provide accurate and timely information to the
7 public;
- 8 (h) Organize and conduct training and knowledge management activities on disaster
9 resilience at the local level, in coordination with the DRRTI;
- 10 (i) Procure emergency works, goods, and services in compliance with the
11 regulations, orders, and policies of DBM and Government Procurement Policy
12 Board (GPPB), to implement the DRP or support early recovery and post-disaster
13 activities;
- 14 (j) In coordination with the Department, the DOF and other relevant agencies, access
15 foreign loans to finance its projects, programs, and policies for disaster preparedness,
16 response, recovery, and rehabilitation, subject to terms and conditions agreed upon by
17 the LDRO and the lender;
- 18 (k) Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs,
19 CSOs, private sector, organized volunteers, and sectoral organizations for disaster
20 resilience activities, in accordance with policies and procedures of the Department and
21 applicable laws;
- 22 (l) Coordinate and provide the necessary support or assistance to the Department in the
23 implementation of rehabilitation plan within the city or municipality covered by the
24 LDRO;
- 25 (m) Coordinate with the Department, other government agencies, members of the private
26 sector and other stakeholders in the LGU to establish a Business Continuity Plan as
27 part of their LDRP's disaster preparedness measures;
- 28 (n) Establish linkage or network and coordination mechanisms with other LGUs and the
29 Department for disaster resilience activities and to achieve the purposes of this Act;
30 and
- 31 (o) Conduct other activities and/or act on other matters, in accordance with policies
32 and procedures of the Department and applicable laws, to achieve the purposes of
33 this Act.

1 **SEC. 23. Provincial Disaster Resilience Officer.** - The Provincial Disaster Resilience
2 Office (PDRO) shall be headed and managed by a Provincial Disaster Resilience Officer with
3 regular plantilla position.

4 **SEC. 24. Powers and Functions of the PDRO.** - The PDRO shall have the following
5 powers and functions:

- 6 (a) Formulate and implement, in close coordination with the Department and cities or
7 municipalities within its jurisdiction, a comprehensive and integrated Provincial LDRP
8 in accordance with the NDRF and the NDRPIP;
- 9 (b) Review the LDRPs of cities and municipalities within its jurisdiction, and require the
10 amendment of such LDRPs if necessary, to ensure compliance with the Provincial LDRP
11 and/or the NDRF and NDRPIP;
- 12 (c) Design, program, coordinate, and/or implement disaster resilience activities consistent
13 with the standards and guidelines provided by the Department, and implement the NDRF
14 and the NDRPIP at the provincial level;
- 15 (d) Prepare and submit to the *Sangguniang Panlalawigan*, the Provincial LDRP,
16 the proposed programming of the province's Local Disaster Resilience Fund,
17 other dedicated disaster resilience resources, and other funding sources of
18 the PDRO;
- 19 (e) Recommend to the *Sangguniang Panlalawigan* the enactment of local ordinances to
20 implement the Provincial LDRP, NDRF and NDRPIP at the provincial level, and to
21 comply with other requirements of this Act;
- 22 (f) Prepare and submit to the Department, the local Commission on Audit, and the
23 applicable Regional Disaster Resilience Office a report on the utilization of the
24 province's Local Disaster Resilience Fund and other disaster risk reduction and
25 management resources;
- 26 (g) Establish and maintain, in coordination with the Department, a Provincial Command and
27 Control Center (PCC) which includes, among others, an information management system
28 at the provincial level which consolidates and integrates information from the cities
29 and/or municipalities within its jurisdiction, a multi-hazard early warning and
30 communications system that is connected with the cities and/or municipalities within its
31 jurisdiction, and a monitoring system that enables the PDRO to oversee, supervise,
32 monitor and respond to the needs of cities and/or municipalities within its jurisdiction in
33 relation to disaster resilience activities;

(h) Procure emergency works, goods, and services in compliance with the regulations, orders, and policies of DBM and GPPB, to implement the provincial LDRP or support early recovery and post-disaster activities of the PDRO;

(i) In coordination with the Department and the DOF, access foreign loans to finance its projects, programs, and policies for disaster preparedness, response, recovery, and rehabilitation, subject to terms and conditions agreed upon by the PDRO and the lender;

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

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

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

SEC. 25. Regional Offices. - The Department shall establish and maintain Regional Offices (ROs) at each region, and a National Capital Region Office (NCR). The size, composition and organization of ROs and NCR shall be based on parameters provided in the IRR on the ability of LGUs within its jurisdiction to cope with previous disasters, or to implement their LDRPs or Provincial LDRPs; the level of income, population, hazard exposure of LGUs. The ROs and NCR shall be funded by the Department.

SEC. 26. Regional Director. - Each RO and the NCR shall be headed and managed by a Regional Director with regular *plantilla* position. The Regional Director shall be appointed by the Department Secretary for a fixed term pursuant to requirements, terms of office and endowed with the emoluments and benefits subject to existing laws, rules and regulations.

SEC. 27. Powers and Functions of ROs and NCR. - The ROs and the NCR shall have the following powers and functions:

(a) Review the LDRPs and Provincial LDRPs of LGUs within its jurisdiction, and require the amendment of such LDRPs and/or Provincial LDRPs if necessary, to ensure compliance with the NDRF and NDRPIP;

(b) Monitor and direct LDROs and PDROs to implement their respective LDROs and PDROs;

(c) Recommend to the appropriate *Sanggunian* at the city, municipal or provincial level, the enactment of local ordinances to implement the LDRP, NDRF and NDRPIP at the city, municipal or provincial level, and to comply with other requirements of this Act;

- 1 (d) Review reports on the utilization of the LDRF and other disaster risk reduction and
2 management resources of LGUs within its jurisdiction, and give recommendations, as
3 necessary;
- 4 (e) Disburse to, and monitor the use by, LGUs of Supplemental LDRF as granted by the
5 Department pursuant to this Act and its IRR;
- 6 (f) Provide, upon the request of LGUs or unilaterally at its own discretion, assistance to
7 LGU(s) within its jurisdiction as necessary to ensure the implementation of LDRPs or
8 Provincial LDRPs, NDRF and NDRPIP, and to render efficient and timely disaster
9 preparedness, response and recovery measures;
- 10 (g) Identify and report to the Department issues and problems relating to, or affecting, the
11 disaster resilience of LGUs within its jurisdiction, and make recommendations to the
12 Department and/or to the LGUs to address such issues or problems;
- 13 (h) Procure goods and services in compliance with the regulations, orders, and policies of
14 DBM and GPPB, to implement the NDRPIP and NDRF at the regional level;
- 15 (i) Formulate and establish mechanisms to mobilize and direct LDROs and PDROs within
16 its jurisdiction as necessary for disaster preparedness and response at the regional level;
- 17 (j) Establish and maintain, in coordination with the Department, a Regional Command
18 and Control Center (RCC) which includes, among others, an information
19 management system at the regional level which consolidates and integrates
20 information from the provinces, cities and municipalities within its jurisdiction,
21 a multi-hazard early warning and communications system, and a monitoring
22 system that enables the RO to oversee, supervise, monitor and respond to the needs
23 of LGUs within its jurisdiction in relation to disaster resilience activities; implement
24 or assist in the implementation, as directed by the Department, of rehabilitation
25 plans for LGUs within its coverage; and
- 26 (k) Conduct other activities and/or act on other matters, in accordance with policies and
27 procedures of the Department and applicable laws, to achieve the purposes of this Act.

28 **SEC. 28. *Inter-Regional Disaster Resilience Office Collaboration.*** - The Department
29 shall create policies and programs to establish collaboration and coordination among the
30 different ROs.

31 **SEC. 29. *Levels of Responsibility for Disaster Preparedness and Response.*** -
32 The primary responsibility for disaster preparedness and response shall be exercised at

- 1 the local and national level in collaboration with the relevant departments and agencies,
- 2 as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1 – City or Municipality	<p>Mayor of the City / Municipality (Lead)</p> <p>Local Disaster Resilience Office</p> <p>(In the case of BARMM: Municipal / City Mayor and BARMM Local Disaster Resilience Office)</p>	If a disaster affects a single municipality / city
Level 2 – Province	<p>Governor (Lead)</p> <p>Provincial Disaster Resilience Office</p> <p>Applicable Local Disaster Resilience Offices</p> <p>(In the case of BARMM: Provincial Governor and BARMM Local Disaster Resilience Office/s)</p>	If a disaster affects two or more municipalities / cities
Level 3 – Region	<p>Regional Director of the Regional Office (RO) (Lead)</p> <p>Applicable Governors</p> <p>Applicable Provincial Disaster Resilience Offices</p> <p>(In the case of BARMM: Regional Governor and ARMM</p>	If a disaster affects two or more provinces and/or independent component or highly urbanized cities

	Local Disaster Resilience Office/s) (In the case of Metro Manila: MMDA Chair)	
Level 4 – National During a state of calamity in any area(s) or affecting several regions	Secretary of the Department of Disaster Resilience (Lead) Governors of the affected Provinces	a. When a state of calamity is declared by the President b. If a disaster affects at least two (2) regions c. When the affected LGU cannot dispense its functions, or respond to the threat or effect of disaster; d. When the local chief executive or, in his/her absence or incapacity, the next high-ranking official, directly requests the Department to take over; When the President directs a Level 4 response.

SEC. 30. *Inter-Local Government Assistance.* - LGUs are hereby authorized to extend assistance to another LGU, whether through funding or donation of goods and/or services, to ensure effective disaster preparedness and response, such as the pre-positioning and provision of basic goods, and training of first responders, among others, subject to auditing and accounting.

SEC. 31. *Reconstruction and Rehabilitation Powers of the Department.* - The Department shall be primarily responsible for the identification, planning and funding of priority reconstruction and rehabilitation projects and programs on areas affected by disasters: *Provided,* That the Department of Public Works and Highways shall be the primary implementor of all infrastructure-related rehabilitation and reconstruction projects, including retrofitting of structures to make them more resistant and resilient to the effects of natural disasters.

SEC. 32. *Service Continuity of the Department.* – To ensure service continuity, the Department and its regional and attached offices shall be established in a reasonably resilient location; and undertake the necessary interventions to make its offices and systems disaster- resilient.

SEC. 33. Assistance to Bangsamoro Autonomous Region in Muslim Mindanao. – The National Government, thru the Secretary of Disaster Resilience, and the Bangsamoro Autonomous Regional Government shall create an inter-governmental mechanism for humanitarian relief assistance in the BARMM during times of natural disasters.

Article VI

**WHOLE OF GOVERNMENT, WHOLE OF NATION, AND WHOLE OF SOCIETY
APPROACH AND INSTITUTIONAL ARRANGEMENTS**

SEC. 34. *Inter-operability of Systems.* - The Department shall establish mechanisms to ensure the inter-operability of systems among government agencies, and to allow access of agencies to the IDRIS as established pursuant to Section 15 of this Act. It shall develop protocols to allow real-time access to information by government agencies in relation to natural disasters and the implementation of disaster resilience measures.

SEC. 35. Synergy with Stakeholders. - The Department shall ensure close collaboration and coordination with stakeholders, including CSOs, the academe, and the private sector, in relation to disaster resilience programs and projects, and the development and promotion of education and training mechanisms with relevant stakeholders.

The Department shall establish a platform and mechanisms for coordination with stakeholders, including the development of standard operating procedures for collaboration in the event of a disaster.

SEC. 36. *Establishment of Multi-Stakeholders Convergence Unit.* - The Department shall, with the assistance of other relevant government agencies and stakeholders, establish a Multi-Stakeholders Convergence Unit (MSCU) which shall align the disaster resilience efforts of the private sector, CSOs, academe and other stakeholders with that of the Department by assisting, coordinating or providing services that strengthen public-private coordination in disaster resilience, including the following:

(a) Establishment and implementation of business continuity practices to ensure the continued delivery of products and services in the event of a natural disaster;

- (b) Crafting and implementation of a National Continuity Policy to ensure service continuity during interruptions, emergencies, and disasters and ensure the quick return to full operations;
- (c) Establishment, incorporation, and application of business continuity plans as part of the LDRP of LGUs;
- (d) Facilitation or assistance in obtaining or processing incentives for the private sector or other nongovernment stakeholders, such as tax credits; and
- (e) Preparation and facilitating the issuance of special rules for Micro, Small, and Medium Enterprises (MSMEs) such as mechanisms involving procurement and liquidity to create enabling environments for disaster preparedness and recovery.

The MSCU shall establish a platform that includes, among others, a database for monitoring and coordinating efforts and resources of nongovernment stakeholders. It shall be headed by one (1) of the Undersecretaries of the Department

SEC. 37. Roles and Responsibilities of Stakeholders. – The commitment, goodwill, knowledge, experience and resources of relevant stakeholders are critical to realize a safer, adaptive, resilient and inclusive Filipino community. Citizens shall have the shared vision and duty to provide support to the State in the implementation of policies and programs, particularly the Disaster Resilience Framework and Disaster Resilience Plan at the national, regional, and local levels.

- (a) Civil society, nongovernmental organizations, international nongovernmental organizations, private sector, DRRM practitioners, and volunteers shall participate, in collaboration with public institutions, in the exchange of information, learnings, and guidance on disaster resilience. The Department shall encourage and institutionalize their engagement in the implementation of local, regional, national, and global plans and strategies to enhance public awareness and promote a culture of disaster resilience;
- (b) Women, children, and youth, as agents of change, shall endeavor to contribute actively and participate in disaster resilience trainings and information dissemination;
- (c) Senior citizens and persons with disabilities shall contribute their knowledge and experience on disaster preparedness and resiliency;
- (d) Migrants and the urban and rural poor shall participate in building resilient resettlement communities;

1 (e) Emergency responders and volunteer organizations shall contribute to resilience by
2 promptly and efficiently responding to disasters and emergencies consistent with the
3 policies of the Department;

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

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

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

11 The Department, with the assistance of the ROs, shall establish and convene a Disaster
12 Resilience Assembly at the regional and national levels which shall be held on a quarterly basis
13 to ensure the proactive engagement of different stakeholders, such as government agencies, the
14 Union of Local Authorities of the Philippines (ULAP), League of Cities of the Philippines (LCP),
15 League of Municipalities of the Philippines (LMP), CSOs, NGOs, academe, DRRM
16 practitioners, and the private sector, to ensure and foster coordination and collaboration towards
17 achieving the goals of this Act.

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

20 **SEC. 38. *Recognition and Incentives.*** - The Department, in partnership with the private
21 sector, shall establish an incentives program that shall recognize the outstanding performance of
22 LDRO, NGOs, CSOs, schools, hospitals, and other stakeholders in promoting and implementing
23 significant disaster risk reduction management-climate change adaptation programs and
24 innovations, and meritorious acts of individuals, groups or institutions during natural disasters
25 subject to existing laws, rules and regulations.

26 **Article VII**

27 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

28 **SEC. 39. *Standards for Disaster Preparedness Activities.*** - (a) The Department shall
29 establish standards and protocols for disaster preparedness, contingency planning, localizing and
30 operationalizing disaster risk reduction and management, preparedness for responding to
31 disasters and undertaking early recovery, continuity of essential services, and other relevant
32 preparedness activities.

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

(c) The concerned LGUs shall immediately compensate schools used as evacuation centers. The schools used as evacuation centers may seek compensation for renovation, replacement, or repairs of damaged facilities for such use.

SEC. 40. *Multi-Hazard Early Warning and Risk Communication Standards.* – There shall be a streamlined policy governing early warning systems and risk communication protocols to ensure effective and efficient measures to prepare for, respond to and recover from potential risks and disasters.

The Department shall formulate and implement multi-hazard early warning protocols integrating all disaster preparedness systems in collaboration with local executives, community-based organizations, civil society organizations, and other nongovernmental organizations for proper use and application.

SEC. 41. *Early Warning Mandate.* – (a) The Department shall issue an integrated early warning alert for the impending occurrence of hazards that will enable the public to prepare in time and act appropriately to minimize potential harm or loss.

(b) The Department at the national and local level shall use an integrated early warning system to ensure it is consistent and locally contextualized with the communication protocol and safe evacuation procedure of the affected communities. It shall work with other agencies or organizations on pre-crisis information mapping of the humanitarian needs of at-risk communities that will enhance the overall prepositioning of resources at the national and local level.

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

(d) The Department shall recognize and proactively support local or indigenous modes of early warning systems and allow open access to near real-time data from both local and international sources made available through various platforms such as websites, mobile apps, and social media to empower local communities and individuals. Any person who transmits early warning concerning the abovementioned phenomena by means of signs in

1 designs, colors, lights, or sound shall do so in compliance with the methods recognized
2 or approved by the Department.

3 Article VIII

4 HUMANITARIAN ASSISTANCE

5 **SEC. 42. *Management of Humanitarian Assistance.*** - (a) The Department shall have
6 the power to receive and manage humanitarian assistance from any person or entity, whether
7 from local or international sources.

8 (b) The importation by, and acceptance of humanitarian assistance donated to the
9 Department, consisting of, among others, food, clothing, medical assistance, equipment, and
10 materials for relief, recovery and other disaster management activities, are hereby authorized in
11 accordance with Sections 120 and 121 of Republic Act No. 10863, otherwise known as the
12 "Customs Modernization and Tariff Act (CMTA)", and the prevailing provisions of the General
13 Appropriations Act covering national internal revenue taxes and import duties of national and
14 local government agencies.

15 **SEC. 43. *International Humanitarian Assistance.*** - The Department, in consultation
16 with the Bureau of Immigration and the Bureau of Customs shall promulgate guidelines on
17 international humanitarian assistance, including the initiation, entry, facilitation, transit,
18 regulation and termination thereof, as well as those involving international disaster relief and
19 personnel assisting international actors, visa waiver, recognition of foreign professional
20 qualifications, entry of international disaster goods and equipment, and exemption from port
21 duties, taxes, and restrictions.

22 **SEC. 44. *Assessment of the Need for International Humanitarian Assistance.*** -
23 (a) Immediately after the declaration of a state of calamity by the local *Sanggunian*
24 of the relevant local government unit or by the Department, as the case may be, the
25 Department shall determine whether domestic capacities are likely to be sufficient
26 to attend to the needs of affected persons for international humanitarian assistance. This
27 determination may also be made, at the discretion of the President, prior to the onset
28 of an imminent disaster.

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

32 (c) A determination that domestic capacities are likely to be sufficient and that
33 international humanitarian assistance is therefore unnecessary may be reviewed and rescinded

1 by the Department, with the approval of the President, at any time, in light of prevailing
2 circumstances and available information.

3 **SEC. 45. *Humanitarian Assistance Action Center.*** – The Department shall create an
4 inter-agency one-stop shop mechanism called the Humanitarian Assistance Action
5 Center (HAAC) for the processing and release of entry and facilitation of goods, articles or
6 equipment and services and international relief workers for the provision of international
7 humanitarian assistance and the processing of necessary documents for assisting international
8 actors.

9 The Department shall lead and manage the HAAC, which shall be composed of the
10 following:

- 11 (a) Bureau of Customs;
- 12 (b) Department of Foreign Affairs;
- 13 (c) Department of Social Welfare and Development;
- 14 (d) Department of Health;
- 15 (e) Food and Drug Administration;
- 16 (f) Department of Agriculture;
- 17 (g) Department of Energy;
- 18 (h) Department of National Defense;
- 19 (i) Philippine National Police;
- 20 (j) Philippine Coast Guard;
- 21 (k) Department of Transportation;
- 22 (l) Department of Environment and Natural Resources; and
- 23 (m) Bureau of Immigration.

24 **SEC. 46. *Request for International Humanitarian Assistance.*** – (a) In cognizance of
25 the urgency, criticality and intensity of an imminent risk, the Department shall issue a flash
26 appeal to the family of nations, under regional and multilateral conventions, for assistance in
27 preparedness, including preemptive measures, search, rescue, and retrieval, relief, recovery, and
28 reconstruction.

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

32 **SEC. 47. *Regulation of Humanitarian Assistance.*** – (a) The Department shall ensure
33 the efficient and effective monitoring of humanitarian assistance from domestic or international

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

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

8 **SEC. 48. *Humanitarian Relief for Human-Induced Disasters.*** – The Secretary of the
9 Department of Disaster Resilience shall have the authority to provide humanitarian relief in the
10 consequence management of human-induced emergencies such as acts of terrorism, insurgency,
11 fire, and other related human-induced disasters.

12 **Article IX**

13 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE**

14 **TO FOREIGN STATES**

15 **SEC. 49. *Offer and Facilitation of International Humanitarian Assistance to Foreign***
16 ***States.*** - In the event of a disaster occurring in a foreign State for which international
17 humanitarian assistance is required, the Department, in coordination with the DFA, may offer,
18 facilitate, provide, and deploy international humanitarian assistance to said foreign State, which
19 shall be subject to guidelines to be promulgated by the Department for the purpose.

20 **SEC. 50. *Accreditation.*** – The Department, in coordination with relevant government
21 agencies and organizations, shall provide and facilitate the necessary training and accreditation
22 to the respective government personnel to be deployed for such offer, facilitation and provision
23 of international humanitarian assistance to a foreign State.

24 **Article X**

25 **DECLARATION OF STATE OF CALAMITY**

26 **SEC. 51. *Declaration of State of Calamity.*** - The Department shall recommend
27 to the President the declaration of a state of calamity, whether in whole or part of an area, in case
28 of an extraordinary disaster wherein the repercussions on public safety and welfare are serious
29 and far-reaching.

30 **SEC. 52. *Conditions for the Declaration of a State of Calamity.*** - The President shall
31 declare a state of calamity when all of the following requisites are present:

- 32 (a) There is a grave, unforeseen, or sudden occurrence which demands immediate action;
33 (b) The occurrence was caused by a natural disaster;

1 (c) The occurrence is likely to cause a threat to life and/or danger to property; and

2 (d) The declaration of a state of calamity shall cover a limited period only.

3 **SEC. 53. *Mandatory and Remedial Measures.*** - The declaration of a state of calamity
4 shall allow the immediate implementation of any or all of the following remedial measures:

5 (a) Imposition of price ceiling on basic necessities and prime commodities by the
6 President upon the recommendation of the implementing agency as provided for
7 under Republic Act No. 7581, otherwise known as the “Price Act”, or the National
8 Price Coordinating Council;

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

12 (c) Grant of tax credits or exemptions by the BIR, upon the recommendation of the
13 President or the Department; and

14 (d) Use of alternative methods of procurement under Article XVI of Republic Act (RA)
15 No. 9184, otherwise known as the “Government Procurement Reform Act”, its
16 implementing rules and regulations (IRR) and other issuances of the Government
17 Procurement Policy Board by the Department, LGUs or the relevant government
18 instrumentalities in relation to the urgent procurement of emergency works, goods
19 and services to effectively respond to, quickly respond to disasters, and build forward
20 better.

21 **Article XI**

22 **RECOVERY**

23 **SEC. 54. *Standards for Recovery.*** – The Department shall observe internationally
24 accepted standards for recovery, planning, programming and implementation of the recovery
25 process. Towards this end, the Department shall:

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

28 (b) Use locally driven centrally supported processes based on legal mandates with
29 supplementary capacity support when requested;

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

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

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

- (f) Consider local conditions such as culture, security situation and existing capacities of communities in identifying programs and projects;
- (g) Ensure access to public transport, physical and mental health services, markets, schools, sustainable livelihoods, and other public services in planning for settlement areas; and
- (h) Ensure restoration of peace and order and recovery of government functions.

Article XII

FUNDS AND RESOURCES

SEC. 55. *Fund Regulations.* - The DBM and COA shall establish rules and regulations to ensure that funds required for disaster response, recovery, and rehabilitation are available and/or released efficiently and expeditiously through innovative budgeting and auditing mechanisms.

SEC. 56. *Local Disaster Resilience Fund and Local Disaster Contingency Fund.* - LGUs shall annually set aside not less five percent (5%) of their local budget, to constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to maintain and operate its LDRO to maintain the officers, employees and staff of the LDRO, and to implement plans, programs and activities under its LDRP. Thirty percent (30%) of the LDRF shall be set aside as Local Disaster Contingency Fund (LDCF) which shall be used for disaster response and quick recovery measures.

Nothing contained in this Act shall prevent LGUs from providing additional funding or allocating additional resources for disaster resilience activities, plans and programs within their jurisdiction.

SEC. 57. *Supplemental LDRF.* - The Department may allocate and disburse funds to supplement an LGU's LDRF based on parameters and requirements indicated in the IRR. In determining such parameters and requirements, the IRR shall aim to provide supplemental funds to LGUs with low income and/or high exposure to natural hazards. Supplemental LDRFs shall, as much as possible, fill gaps or shortages in LGU resources to ensure that LGUs can implement disaster resilience measures such as, among others, implementing their LDRP or Provincial LDRP, establishing their LDROs or PDROs, obtaining and/or maintaining the necessary equipment and staff in their LDROs or PDROs, and implementing the NDRF and the NDRPIP at the local levels.

1 **SEC. 58. *National Disaster Resilience Fund.*** – (a) The National Disaster Risk
2 Reduction and Management Fund (NDRRM Fund) created under Section 22 of Republic Act
3 No. 10121, otherwise known as the “Philippine Disaster Risk Reduction and Management Act
4 of 2010”, appropriated under the annual General Appropriations Act is hereby renamed as the
5 National Disaster Resilience Fund (NDRF) and shall be managed and controlled by the
6 Department. The NDRF shall be used for disaster risk reduction or mitigation, prevention, and
7 preparedness activities such as training of personnel, procurement of equipment, and capital
8 expenditures. It can also be utilized for relief, recovery, reconstruction, and other work or
9 services in connection with natural or human-induced calamities which may occur during the
10 budget year or those that occurred in the past two (2) years from the budget year.

11 (b) Thirty percent (30%) of the amount appropriated for the NDRF shall be allocated
12 as Quick Response Fund (QRF) or stand-by fund and shall also be under the management and
13 control of the Department. The QRF shall be used for relief and recovery programs to quickly
14 normalize the situation and living conditions of people in communities or areas stricken by
15 disasters, calamities, epidemics, or complex emergencies, and other related programs, projects
16 and activities formulated at the national level.

17 **SEC. 59. *People’s Survival Fund.*** - The Secretary of the Department shall be a member
18 of the People’s Survival Fund Board mandated to manage and administer the People’s
19 Survival Fund created under Republic Act No. 10174, otherwise known as the “Climate Change
20 Act of 2009”, and facilitate its utilization by LGUs, through ROs, to implement climate change
21 adaptation projects of LGUs, and equip vulnerable LGU communities against the impacts of
22 climate change.

23 **SEC. 60. *Multi-Donor Trust Fund.*** - The Department shall create and manage, together
24 with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing, releasing and
25 accounting of money and other similar resources intended for disaster assistance. The
26 Department shall establish a system to ensure transparency in the management and use of the
27 Multi-Donor Trust Fund.

28 **SEC. 61. *Donations Management.*** - The Department shall have the power to receive and
29 manage donations from any person or entity, whether from local or international sources.

30 The importation by, and donation to, the Department of, among others, food, clothing,
31 medical assistance, equipment, and materials for relief, recovery and other disaster management
32 activities are hereby authorized in accordance with Sections 120 and 121 of Republic Act
33 No. 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”, and the

prevailing provisions of the General Appropriations Act covering national internal revenue taxes and import duties of national and local government agencies.

SEC. 62. Regulation of Donations. - The Department shall establish and operate a platform, including an online platform, to facilitate, monitor, and provide public access to information on donations. To ensure complete accounting and reporting of donations, the Department shall formulate and issue rules and guidelines for the receipt, management and accounting of donations, which are consistent with the rules on the use of foreign and local aid during calamities and disasters issued by COA and other relevant government agencies.

Article XIII

SPECIAL RULES ON BORROWING, TAXES, ECOZONES AND PROCUREMENT

SEC. 63. Rules on Borrowing. - The LGUs shall coordinate with the DOF, Bangko Sentral ng Pilipinas (BSP), and other relevant agencies to access foreign loans to implement disaster prevention, mitigation, early recovery, and rehabilitation measures at the provincial, city, or municipal level.

SEC. 64. Special Rules on Tax and Duties. - To facilitate prompt and efficient response to, and/or recovery from disasters, the following shall be granted special exemptions from existing taxation laws, rules, and regulations:

- (a) Foreign disaster assistance or international donations coursed through the Department shall be exempted from taxes and import duties;
- (b) Local disaster assistance shall be exempted from donor's tax and allowing the treatment of donations as a deductible expense for local disaster assistance coursed through the Department;
- (c) Goods or services donated from abroad coursed through the Department shall be exempted from the value added tax (VAT); and
- (d) Aid or assistance rendered by members of the private sector or their investments in disaster resilience and climate change adaptation measures for their residence, communities or businesses.

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

SEC. 65. Customs Duties and Tariffs on Donations. - The BOC shall create rules which would, among others, hasten the processing and release of donated goods and equipment to

1 disaster victims and/or affected areas pursuant to Sections 120 and 121 of Republic Act
2 No. 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”.

3 **SEC. 66. *Economic Recovery and Development of Disaster-Prone Areas.*** - (a) The
4 Department, in coordination with the Department of Trade and Industry (DTI) and other relevant
5 agencies, shall create and provide policies, programs, and projects, such as, business tax relief
6 and subsidies, to encourage business investments, and to stimulate economic activities in
7 affected or disaster-prone areas.

8 (b) The Department, in the collaboration with the relevant LGUs and other stakeholders,
9 shall likewise establish dual purpose structures in disaster affected areas, such as, among others,
10 community agricultural centers, classrooms, and water harvesting tanks to develop and promote
11 investments in affected or disaster-prone areas.

12 **SEC. 67. *Procurement.*** – The Department, ROs, or LGUs may resort to any of the
13 Alternative Methods of Procurement provided in RA No. 9184, including Negotiated
14 Procurement (Emergency Cases) under Section 53(b) of RA No. 9184, in any of the following
15 instances:

- 16 a) In case of imminent danger to life or property during a state of calamity;
- 17 b) When time is of the essence arising from natural or man-made calamities; and
- 18 c) Other causes where immediate action is:
 - 19 i. To prevent damage to or loss of life or property, or
 - 20 ii. Restore vital public services, infrastructure facilities and other public utilities.

21 Furthermore, the Department, ROs, or LGUs may use Shopping under Section 52(a) of
22 RA No. 9184, when there is an unforeseen contingency requiring immediate purchase.

23 **SEC. 68. *Alternative Modes of Procurement.*** – The Department, ROs, or LGUs may
24 resort to any of the Alternative Methods of Procurement provided in RA No. 9184, including but
25 not limited to, Shopping and Negotiated Procurement (Emergency Cases) under Sections 52(a)
26 and 53(b) of RA No. 9184.

27 The Department, ROs, or LGUs may also use Framework Agreements in accordance
28 with the rules and regulations of the GPPB.

29 **SEC. 69. *Special Rules on Procurement for Reconstruction and Rehabilitation of***
30 ***Affected Areas.*** – (a) The GPPB shall create special rules on procurement for services, goods,
31 and materials to be used for reconstruction and rehabilitation efforts in case of a natural disaster

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

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

8 **SEC. 70. *Procurement from Qualified Suppliers or Contractors.*** – The Department
9 shall have the power to procure goods and services from either local or foreign suppliers or
10 contractors for purposes of implementing programs, projects, and activities related to disaster
11 resilience and disaster management in accordance with RA No. 9184, its IRR and other issuances
12 of the GPPB.

13 **SEC. 71. *Framework Agreements.*** – The Department shall have authority to enter into
14 Framework Agreements for the purpose of, among others, establishing a logistics system for the
15 efficient and prompt distribution of goods, equipment or other materials required for disaster
16 response and management; securing food, medicines, fuel, or other supplies from groceries,
17 pharmacies, gas stations or other sources in the event of a disaster in a specific area; ensuring
18 an alternative source of power or water from private utilities in the event of a disaster in
19 a specific area; or arranging the immediate supply of other goods, services or equipment
20 necessary for disaster response and management. The conditions, limitations and parameters
21 of contracts or arrangements authorized under this section shall be provided in RA No. 9184 and
22 its 2016 IRR.

23 **SEC. 72. *Other Procurement Rules and Policies.*** – In view of the urgency and avoid
24 unnecessary delays to procure goods, services, and implement projects for the purpose of
25 providing responsive, effective, and efficient rescue, recovery, relief, and rehabilitation efforts
26 for, and to continue the provision of basic services to, disaster victims or disaster affected areas,
27 the GPPB shall issue appropriate resolutions, orders, and policies to effectively implement the
28 provisions of this Act.

29 **Article XIV**

30 **DISASTER RISK TRANSFER AND INSURANCE**

31 **SEC. 73. *Mandated Insurance Coverage.*** – To attain disaster resilience and achieve
32 the purposes of this Act, the Department shall have the discretion and authority to require

1 government agencies, government-owned and controlled corporations (GOCCs), or LGUs to
2 insure their assets and/or properties such as, among others, vessels, vehicles, equipment,
3 machineries, permanent buildings, properties stored therein, or properties in transit
4 against insurable risks and pay the premiums therefor, to compensate the Government,
5 GOCC or LGU, as applicable, for any damage to, or loss of, properties due to a natural
6 disaster.

7 **Article XV**

8 **YOUTH ASSISTANCE AND PARTICIPATION**

9 **SEC. 74. *Youth Organizations.*** - The Department, with the assistance of the
10 National Youth Commission (NYC), shall create policies, projects, and programs that address
11 the special needs of the youth for disaster preparedness and management which shall include,
12 among others:

- 13 (a) Supporting youth-oriented pre- and post-disaster activities;
- 14 (b) Conducting disaster risk training and management programs involving the youth;
15 Coordinating with the Department of Education to create school curricula or
16 programs that educate and train children on disaster risk awareness and disaster
17 preparedness;
- 18 (c) Mobilizing youth organizations; and
- 19 (d) Encouraging the participation of the youth, through the barangay youth representative
20 and the *Sangguniang Kabataan* (SK) to participate in disaster resilience and disaster
21 management activities.

22 **SEC. 75. *Youth Oriented Disaster-Related Programs, Policies, and Projects.*** - (a) The
23 Department, with the assistance of the National Youth Commission, shall provide training on,
24 and implement, response and rehabilitation programs for the youth, including mental health and
25 psycho-social services.

26 (b) The Department, in collaboration with the Department of Education (DepEd),
27 the Technical Education and Skills Development Authority (TESDA) and other relevant
28 agencies, shall integrate disaster risk and disaster resilience education in the school
29 curriculum.

30 **SEC. 76. *Comprehensive Emergency Program for Children, Pregnant and Lactating***
31 ***Mothers.*** - The Department shall establish and implement a comprehensive emergency program
32 to provide emergency relief and protection to children, and pregnant and lactating mothers in the
33 event of a natural disaster.

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- 1 6) Selling of relief goods, equipment or other aid commodities which are intended for
2 distribution to disaster victims;
- 3 7) Forcibly seizing relief goods, equipment or other aid commodities intended for or
4 consigned to a specific group of victims or relief agency;
- 5 8) Diverting or misdelivering relief goods, equipment or other aid commodities to persons
6 other than the rightful recipient or consignee;
- 7 9) Accepting, possessing, using or disposing relief goods, equipment or other aid
8 commodities intended for or consigned to other rightful recipient or consignee;
- 9 10) Misrepresenting the source of relief goods, equipment or other aid commodities by:
10 i. Either covering, replacing or defacing the labels of the containers to make it appear
11 that the goods, equipment or other aid commodities came from another agency or
12 person;
- 13 ii. Repacking the goods, equipment or other aid commodities into containers
14 with different markings to make it appear that the goods came from another
15 agency or persons or was released upon the instance of a particular agency
16 or person;
- 17 iii. Making false verbal claim that the goods, equipment or other and commodity in its
18 untampered original containers actually came from another agency or person or
19 was released upon the instance of a particular agency or person;
- 20 11) Substituting or replacing relief goods, equipment or other aid commodities with the
21 same items or inferior or cheaper quality;
- 22 12) Illegal soliciting of relief goods, equipment or other aid commodities by persons or
23 organizations representing others as defined in the standards and guidelines set by this
24 Act's IRR;
- 25 13) Deliberately using false or inflated data in support of the request for funding, relief
26 goods, equipment or other aid commodities for emergency assistance or other projects;
27 and
- 28 14) Tampering with or stealing hazard monitoring and disaster preparedness equipment
29 and paraphernalia.

30 **SEC. 78. Penalties.** - Any individual, corporation, partnership, association or other
31 juridical entity that commits any of the prohibited acts in the preceding Section shall be made
32 liable for the following:

1 (a) A fine of not less than One hundred thousand pesos (PhP 100,000.00) or not to exceed
2 Five hundred thousand pesos (PhP 500,000.00), or imprisonment of not less than six (6)
3 months and one (1) day nor more than twelve (12) years, or both, at the discretion of the
4 court, including perpetual disqualification from public office if the offender is a public
5 officer, and confiscation or forfeiture in favor of the government of the objects and the
6 instrumentalities used in committing any of herein prohibited acts.

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

14 (c) If the offender is a public officer, the offense shall also be punishable by administrative
15 suspension of six (6) months and one (1) day to one (1) year for the first offense, and
16 dismissal from the service for the second offense. The penalty of dismissal shall carry
17 with it the cancellation of eligibility to or forfeiture of retirement benefits, perpetual
18 disqualification from holding public office and disqualification from taking civil service
19 examinations.

20 Acts committed in violation of this Section shall be without prejudice to the imposition
21 of other criminal, civil and administrative liabilities under other existing laws.

22 **SEC. 79. *Liability for Unlawful Performance of Duties and State Liability in Case of***
23 ***Defense Litigation.*** - In case a lawsuit is filed against an officer or employee of the Department
24 as a result of the performance of official duties, and such performance was found to be lawful,
25 the officer shall or employee shall be reimbursed by the Department for reasonable costs of
26 litigation. For this purpose, the Department is authorized to procure the applicable liability
27 insurance for its officers and employees.

28 **SEC. 80. *Disciplinary Powers of the President.*** - The President, upon the
29 recommendation of the Department Secretary, shall impose administrative sanctions against
30 local chief executives and barangay officials for willful or negligent acts performed in the
31 implementation of, or compliance with, this Act and its IRR or relating to their official functions
32 which adversely affect disaster resilience projects such as delayed issuance of permits or failure
33 to implement local ordinances.

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SEC. 81. *Special Courts on Disaster Resilience Matters.* - To ensure the prompt and expeditious resolution of disputes relating to disaster response, recovery or rehabilitation measures, the Supreme Court shall establish special courts to hear, try, and decide cases arising from the following, among others:

- SEC. 82. *Dispute Resolution Mechanisms.*** - The Department shall establish a Disaster Resolution Board which shall resolve disputes involving administrative matters related to:

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

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

4 The composition, structure, and other organizational matters related to the DRB shall be
5 defined and provided in the IRR of this Act.

6 **SEC. 83. *Special Prosecutors.*** - The Ombudsman shall designate special prosecutors
7 to handle and prosecute violations of this Act involving public officials and employees.

8 **SEC. 84. *Imposition of Temporary Restraining Order.*** - No Court, except the
9 Supreme Court, shall have the powers to issue an injunction or a temporary restraining order
10 against any action taken or projects implemented by the Department or its agents pursuant to this
11 Act.

12 **Article XVIII**

13 **FINAL PROVISIONS**

14 **SEC. 85. *Transfer.*** -

15 a) The disaster risk reduction and management powers, functions, assets, personnel,
16 fund and appropriations of the Office of Civil Defense (OCD) currently under the
17 DND, are hereby transferred to the Department, and the civil defense functions shall
18 remain with the DND.

19 The existing organizational and administrative systems and processes of the OCD, as
20 transferred, shall serve as the core organization of the Department.

21 b) The applicable powers, functions, funds and appropriations of the Disaster
22 Response Assistance and Management Bureau and the National Resource and
23 Logistics Management Bureau under the DSWD, are hereby transferred to the
24 Department.

25 c) The NDRRMC is hereby abolished.

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

29 The Department shall, by virtue of this Act, be subrogated to all the rights and assume all
30 the liabilities of the agencies transferred under this Act, and all their funds, records, property,
31 assets, equipment, and such personnel as necessary, including unexpended appropriations or
32 allocations. All contracts and liabilities of the said agencies are hereby transferred to and

1 assumed by the Department and shall be acted upon in accordance with the Auditing Code and
2 other pertinent laws, rules, and regulations.

3 **SEC. 86. *Coordination and Convergence with the Climate Change Commission.*** -

4 The Department, and the Climate Change Commission, pursuant to its mandate under Republic
5 Act No. 9729, as amended, shall establish and implement a convergence mechanism to facilitate
6 coordination on the following areas:

- 7 a) Conduct of current and future climate and disaster risk assessment as basis for
8 sustainable development and resilient investment planning and programming at the
9 national, sectorial, and local levels;
- 10 b) Establishment of a National Integrated Climate and Disaster Risk Information
11 System, a singular platform for integrating and sharing climate and disaster risk
12 information;
- 13 c) Development and implementation of capacity-building and technical assistance
14 programs for local government units and stakeholders on climate change adaptation
15 and disaster risk reduction;
- 16 d) Monitoring and evaluation of progress of implementation of national, sectorial, and
17 local plans and programs on climate change adaptation and disaster risk reduction;
18 and
- 19 e) Development of knowledge exchange platforms and implementation of information,
20 education, and communication program, including good practices on Climate Change
21 Adaptation and Disaster Risk Reduction.

22 **SEC. 87. *Transitory Provision.*** - The transfer of functions, assets, funds, equipment,
23 properties, transactions, and personnel of the affected and transferred agencies, and the
24 formulation of the internal organic structure, staffing pattern, operating system, and revised
25 budget of the Department, shall be completed within two (2) years from the effectivity of this
26 Act, during which time the existing personnel shall continue to assume their posts in holdover
27 capacities until new appointments are issued: *Provided, That*, after the abolition of the agencies
28 as specified in Section 85 of this Act, the Department, in coordination with the DBM,
29 shall evaluate, abolish old and/or create new positions.

30 **SEC. 88. *Interdepartmental Relations and Coordination.*** - The DDR shall
31 continuously call upon the following departments: (a) DOST for the Philippine Atmospheric,
32 Geophysical and Astronomical Services Administration (PAGASA) and Philippine Institute of
33 Volcanology and Seismology (PHIVOLCS); (b) DENR for the Geohazard Assessment and

1 Engineering, Geology Section of the Mines and Geosciences Bureau (MGB); (c) DOH for the
2 Health Emergency Management Bureau (HEMB); and (d) DILG for the Bureau of Fire and
3 Protection: *Provided*, That DDR and these departments shall establish systems and protocols for
4 fostering interdepartmental relations and close coordination, through sustained sharing of data,
5 information technology, facilities, and other resources critical to the DDR, among others:
6 *Provided, further*, That the said agencies will cooperate fully with the DDR, in anticipation of,
7 during and as necessary in the determination of the DDR Secretary, and perform agency
8 mandates in close coordination with DDR as circumstances warrant in the aftermath of
9 emergencies and disasters: *Provided, finally*, That PAGASA, PHIVOLCS and the Geohazards
10 Unit of the MGB shall provide staff augmentation to DDR Operations Center as the need arises.

11 **SEC. 89. *Transfer of Resources.*** - The transfer of powers and functions of agencies
12 listed in Section 85 shall include the corresponding funds and appropriations, *plantilla* positions,
13 records, equipment, facilities, and properties of such agencies, subject to the power of the
14 Department to reorganize or reallocate the resources and positions from such agencies, as may
15 be necessary to attain the objectives of this Act.

16 **SEC. 90. *Program Management Office for the Earthquake Resiliency of the Greater***
17 ***Metro Manila Area.*** - The Program Management Office for the Earthquake Resiliency
18 of the Greater Metro Manila Area (PMOERG), as created pursuant to Executive Order
19 No. 52, s. 2018, shall be transferred to the Department under the supervision and control of the
20 Secretary and shall continue to exercise its mandated functions.

21 **SEC. 91. *Post-Disaster Shelters.*** - The Department shall establish a post-disaster shelter
22 recovery policy framework for low-income or informal settler families, with the assistance of
23 the appropriate housing agencies and the concerned LGUs. It shall, among others, determine the
24 appropriate shelter modalities depending on the following post-disaster phases: emergency,
25 temporary or transitional, and permanent. The Department shall likewise identify, assess, and
26 designate safe zones where the appropriate shelters shall be built.

27 **SEC. 92. *Cultural Heritage.*** - To protect, preserve, and promote the nation's historical
28 and cultural heritage, the Department shall assist the appropriate cultural agencies and the
29 appropriate LGUs to give priority protection and restoration to all national cultural treasures or
30 national historical landmarks, sites, or monuments in post-disaster recovery or rehabilitation
31 measures.

32 **SEC. 93. *Indigenous People.*** - (a) The Department shall, with the assistance of the
33 National Commission on Indigenous Peoples (NCIP) and the concerned LGUs, devise and

1 implement mechanisms that foster social protection for indigenous communities that are
2 vulnerable to the effects of natural disasters.

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

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

12 **SEC. 94. *Livelihood.*** - The Department shall, with the assistance of the relevant
13 government agencies, such as the DTI and Department of Labor and Employment (DOLE),
14 establish policies and programs to restore and/or generate livelihood in areas affected by natural
15 disasters.

16 **SEC. 95. *Structural Audit of Government Buildings.*** - The Department, with the
17 assistance of the DPWH and other relevant government agencies and stakeholders, shall ensure
18 and conduct structural audit, as often as necessary, on government buildings, especially those
19 located in congested and disaster-prone areas, to ensure structural integrity and disaster risk of
20 urban buildings and to prevent the loss of life and property in the event of an anticipated natural
21 disaster.

22 **SEC. 96. *Magna Carta Benefits.*** - Qualified employees of the Department including
23 those of its attached agencies, shall be covered by and entitled to the benefits under Republic Act
24 No. 8439, otherwise known as the "Magna Carta for Scientists, Engineers, Researchers and other
25 Science and Technology Personnel in the Government"; and Republic Act No. 7305, otherwise
26 known as the "Magna Carta of Public Health Workers"; and Republic Act No. 9433, otherwise
27 known as the "Magna Carta for Public Social Workers".

28 **SEC. 97. *Hazard Pay.*** - Qualified personnel of the Department and the local disaster
29 resilience offices are entitled to receive hazard pay, subject to existing policies and guidelines.

30 **SEC. 98. *Separation Benefits of Officials and Employees of Affected Agencies.*** -

31 Public sector employees who have been displaced or separated from the service pursuant
32 to reorganization under this Act shall be entitled to separation pay, retirement and other benefits
33 in accordance with Republic Act No. 6656 or the Government Reorganization Law, and other

1 laws, and rules, and regulations issued by the Civil Service Commission on government
2 reorganization.

3 In no case shall there be any diminution of benefits under the separation plan until the full
4 implementation of this Act.

5 Employees who shall be displaced or separated as a result of the implementation of this Act
6 shall be given preference for appointment in the Department and in other government agencies
7 if they meet the qualification requirements of the positions.

8 No new employees shall be considered for appointment until all incumbent employees
9 have been placed. The placement of an incumbent employee to a higher position which
10 constitutes a promotion shall not be allowed until all incumbent employees have been placed to
11 comparable positions for which they are considered.

12 **SEC. 99. Appropriations.** – The amount necessary for the initial implementation of
13 this Act shall be taken from the current fiscal year's appropriations of all agencies herein
14 absorbed, and transferred to the Department. Thereafter, the amounts necessary for the operation
15 of the Department and the implementation of this Act shall be included in the annual General
16 Appropriations Act.

17 **SEC. 100. Implementing Rules and Regulations.** – The Department, DBM, GPPB,
18 DND, DOF, DILG, DOST, NEDA, DSWD, CSC, and the Career Executive Service Board
19 (CESB), the House and Senate Committees on Government Reorganization, and representatives
20 from relevant government agencies, academe, business sector, nongovernment organizations,
21 and civil society organizations shall prepare and issue the implementing rules and regulations
22 (IRR) to implement this Act within ninety (90) days from its effectivity.

23 **SEC. 101. Joint Congressional Oversight Committee on Disaster Resilience.** – There
24 shall be created a Joint Congressional Oversight Committee on Disaster Resilience to monitor
25 the implementation of this Act. The Committee shall be composed of six (6) members of the
26 House of Representatives and six (6) members of the Senate to be designated by the Speaker of
27 the House of Representatives and the President of the Senate, respectively: *Provided*, That two
28 (2) members of the House of Representatives and two (2) Senators shall come from the Minority
29 of their respective houses of Congress. The Committee shall be jointly chaired by a Member of
30 the House of Representatives and a Senator designated by the Speaker of the House of
31 Representatives and the President of the Senate, respectively.

1 The Joint Congressional Oversight Committee on Disaster Resilience shall be assisted by
2 a secretariat to be composed by personnel under secondment from the Senate and the House of
3 Representatives and may retain consultants.

4 **SEC. 102. *Mandatory Review.*** - Within five (5) years after the effectivity of this Act, or
5 as the need arises, the Congressional Oversight Committee shall conduct a systematic evaluation
6 of the accomplishments and impacts of this Act, as well as the performance, and organizational
7 structure of the Department, for purposes of determining remedial legislation.

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

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

15 **SEC. 105. *Repealing Clause.*** - The provisions of Republic Act No. 10121, otherwise
16 known as the “Philippine Disaster Risk Reduction and Management Act of 2010”; Republic Act
17 No. 7160, otherwise known as the “Local Government Code of 1991”; Republic Act No. 7916,
18 otherwise known as “The Special Economic Zone Act of 1995”; and all other laws, decrees,
19 executive orders, proclamations and other executive issuances, which are not consistent with or
20 contrary to the provisions of this Act, are hereby repealed or amended.

21 **SEC. 106. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in
22 the *Official Gazette* or in a newspaper of general circulation.

23 Approved,