

**NINETEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
First Regular Session

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Senate
Office of the Secretary

22 JUL -7 P2:10

SENATE

Senate Bill No. 81

RECEIVED BY: _____

Introduced by Senator Juan Miguel F. Zubiri

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

EXPLANATORY NOTE


Given its location just above the equator, facing the open western Pacific Ocean on the east, the Philippines is no stranger to natural disasters, with more or less 20 typhoons entering the Philippine Area of Responsibility every year. The country is also found along the Pacific Ring of Fire, an area in the basin of the Pacific Ocean where many earthquakes and volcanic eruptions occur. As a result, Filipinos have suffered numerous natural disasters over the years that have resulted to loss of lives, injuries, and damaged or destroyed houses and properties, with the cost of damage amounting to billions of dollars.

The country has seen three of the top ten worst disasters in terms of casualties in recent years, with Typhoon Sendong (Washi) killing 1,439 people in December 2011, Typhoon Pablo (Bopha) killing 1,901 people in December 2012, and Typhoon Yolanda (Haiyan) killing 6,300 people in November 2013. Typhoon Yolanda, also referred to as Super Typhoon Yolanda, is considered to be the world's strongest typhoon to hit at the time and is also the deadliest typhoon, affecting mostly low-lying coastal islands where, according to World Bank estimates, more than 60 percent of the population lives.

Considering the vulnerability of the Philippines to various natural disasters such as earthquakes, volcanic activities, tropical cyclones and other phenomena, it is about time that we create a department that would function as the lead

agency in charge of, among others, disaster risk reduction, disaster preparedness and response, rehabilitation and recovery. This bill seeks to create a Department of Disaster Resilience, which shall take on the powers and functions of the Office of Civil Defense, Climate Change Office of the Climate Change Commission, Geo-Hazard Assessment and Engineering Geology Section of the Mines and Geosciences Bureau, Health Emergency Management Bureau of the Department of Health, Disaster Response Assistance and Management Bureau of the Department of Social Welfare and Development, Bureau of Fire Protection, and Program Management Office for Earthquake Resiliency of the Greater Metro Manila Area. The Department shall oversee and coordinate the preparation, implementation, monitoring, and evaluation of disaster and climate resilience plans, programs, projects and activities to reduce the risk of natural hazards and effects of climate change, and manage the impact of disasters with the ultimate goal of saving lives and minimizing damage to property.

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



JUAN MIGUEL F. ZUBIRI

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

**ARTICLE I
GENERAL PROVISIONS**

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4 SECTION 1. *Short Title* – This Act shall be known as the “Department of Disaster
5 Resilience Act.”
6

7 SEC. 2. *Declaration of Policies and Principles.* – (a) The state shall:

8 a) Carry out and harmonize the policies on disaster risk and vulnerability
9 reduction and management, environmental management, climate change adaptation,
10 and sustainable development to uphold the welfare of the people especially the
11 vulnerable sectors of society.

12 b) Uphold its commitment to the achievement of the sustainable development
13 goals specifically, integrating and implementing policies and plans towards inclusion,
14 resource efficiency, mitigation and adaptation to climate change, resilience to disasters,
15 and develop and implement a holistic disaster risk management at all levels.

16 c) Uphold its commitment to the international treaties, conventions and
17 agreement on disaster risk management, climate change, disaster risk and vulnerability
18 reduction and management, and climate change adaptation and mitigation, including
19 universal principles and standards for humanitarian assistance.

20 The State shall integrate and accelerate the implementation of the recognized
21 principles, and concepts of climate change, disaster risk and vulnerability reduction

1 contained in the international agreements, treaties, conventions, and frameworks in the
2 various phases of policy formulation, development plans and investments, poverty
3 reduction strategies and other development tools, and techniques by all national and
4 local agencies, institutions and instrumentalities of the government to enhance the
5 country's climate change adaptive capacity.

6 d) Uphold the people's constitutional right to life and property by minimizing and
7 mitigating the root causes of vulnerabilities to disasters, strengthening the country's
8 institutional capacity for disaster risk and vulnerability reduction and management, and
9 building the resilience of local communities to disasters including climate change
10 impacts, and human induced disasters;

11 e) Ensure a science-based in a whole-of-society approach and bottom-up
12 participation, representation, and decision-making in climate-disaster risk governance,
13 and adopt a comprehensive, integrated, and proactive approach to lessen the
14 socioeconomic and environmental impacts of disasters and climate change;

15 f) Strengthen the capacity of the national government and the local government
16 units, together with development partner stakeholders, build disaster resilient
17 communities, and institutionalize arrangements and measures to reduce disaster risks
18 and projected climate risks, and enhance disaster preparedness and response
19 capabilities at all levels;

20 g) Work with international humanitarian and development partners especially
21 those with established presence in the country;

22 h) Develop, maintain, and ensure the accessibility of climate and geospatial
23 information and services to the public;

24 i) Ensure that disaster risk and vulnerability reduction and climate change
25 adaptation measures are disability and vulnerable sensitive, and culturally sensitive,
26 recognizing indigenous knowledge systems and practices, and respecting human rights;

27 j) Mainstream disaster risk and vulnerability reduction in government by
28 ensuring risk-informed planning, programming, implementation, monitoring, and
29 evaluation, and the use of quality management, accountability, and performance
30 systems in measuring and improving the effectiveness and efficiency of disaster risk
31 and vulnerability reduction management processes across all government levels,
32 including those offices which manage peace processes and conflict-resolution
33 approaches, so as to minimize loss of lives and damage to properties and ensure that
34 communities in conflict zones can immediately resume their normal lives at the
35 conclusion of episodes of intermittent conflicts;

1 k) Adopt risk sharing and risk transfer mechanisms to ensure the appropriate,
2 efficient, and timely recovery of disaster-stricken communities, especially for the
3 poorest and most vulnerable;

4 l) Recognize and respond to the differentiated concerns and needs of vulnerable
5 groups such as women and girls, children and youth, older persons, persons with
6 disabilities, urban poor, and indigenous peoples with respect to disaster risk reduction
7 and management, at the same time, recognizing their inherent capacities to contribute
8 to resilience;

9 m) Create an enabling environment for substantial and sustainable
10 participation of civil society organizations, private organizations, non-government organizations,
11 private sector, volunteers and communities, and recognize their contributions to the
12 disaster risk reduction and management efforts of government;

13 n) Ensure the use of advanced science and the most up-to-date technologies in
14 climate change adaptation, disaster risk, and vulnerability reduction and management;

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

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

23
24 SEC. 3. *Roles and Responsibilities of Stakeholders.* - The commitment, goodwill,
25 knowledge, experience, and resources of relevant stakeholders are critical to realize a
26 safer, adaptive, resilient and inclusive Filipino community. Citizens shall have the shared
27 vision and duty to provide support to the State in the implementation of policies and
28 programs, particularly the Disaster Resilience Framework and Plan at the national,
29 regional and local levels.

30 (1) Civil society, non-governmental organizations, international non-
31 governmental organizations, private sector, practitioners of climate and
32 disaster mitigation, organized voluntary work organizations and community-
33 based organizations shall participate, in collaboration with public institutions,
34 to, *inter alia*, provide specific knowledge and pragmatic guidance in the
35 context of the development and implementation of normative frameworks,

1 standards and plans for disaster risk and vulnerability reduction; engage
2 in the implementation of local, national, regional, and global plans and
3 strategies; contribute to and support public awareness, a culture of
4 protection, prevention and conservation, and education on disaster risk; and
5 advocate for resilient communities and an inclusive and whole of society, risk
6 reduction and management which shall strengthen the synergies across
7 groups, as appropriate;

8 (2) Women and girls shall contribute to and participate in effectively managing
9 disaster risk and designing, resourcing, and leading implementation of
10 gender sensitive disaster risk and vulnerability reduction and management
11 policies, plans, and programs;

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

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

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

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

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

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

- 1 (9) Farmers and fisherfolk shall contribute to the promotion and protection of the
2 environmental resource management that will secure food and nutrition
3 resilience through the integration of disaster risk and vulnerability reduction
4 into sustainable development policies and planning;
- 5 (10) Emergency responders, community practitioners, and organized volunteer
6 organizations shall contribute to resilience by providing timely and efficient
7 emergency response and providing training on basic life support, first aid, and
8 search and rescue, in accordance with the standards provided by the
9 Research, Education, and Training Institute of the Department;
- 10 (11) Academia and scientific and research entities and networks are encouraged
11 to focus their research efforts on disaster risk factors and scenarios, including
12 emerging disaster risks, in the medium and long term; partner with
13 government and increase research for regional, national and local application;
14 support action by local communities and authorities; and support the
15 interface between policy and science for decision-making;
- 16 (12) Businesses, private sector financial institutions, professional associations, as
17 well as philanthropic foundations together with financial regulators shall be
18 encouraged to integrate disaster risk management, including business
19 continuity, into business models and core business values and practices via
20 disaster risk-informed investments, especially in micro, small and medium-
21 sized enterprises; engage in awareness-raising and training for their
22 employees and customers; engage in and support research and innovation as
23 well as technological development for disaster risk management; share and
24 disseminate knowledge, practices and data; and actively participate, as
25 appropriate and under the guidance of the public sector, in the development
26 of normative frameworks and technical standards that incorporate disaster
27 risk management; and
- 28 (13) The media shall take an active and inclusive role at the local, regional, and
29 national levels in contributing to the raising of public awareness and
30 understanding, and disseminate accurate disaster risk, hazard and disaster
31 information, including on small-scale disasters, in a simple, transparent, easy-
32 to-understand and accessible manner, in close cooperation with national and
33 local authorities; adopt specific disaster risk and vulnerability reduction
34 communication policies; support, as appropriate, early warning systems and
35 life-saving protective measures; and stimulate a culture of prevention and

1 strong community involvement in sustained public education campaigns and
2 public consultations at all levels of society, in accordance with national
3 practices.
4

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

- 6 a) **Adaptation** refers to the adjustment in natural or human systems in
7 response to actual or expected climactic stimuli or their effects, which
8 moderates harm or exploits beneficial opportunities.
- 9 b) **Assisting Domestic Entity** refers to any not-for-profit entity established
10 under domestic laws, which is responding to a disaster in the country.
- 11 c) **Assisting International Entity** refers to any foreign state, organization,
12 entity or individual responding to a disaster within or transiting through the
13 country to respond to a disaster in another country.
- 14 d) **Capacity** refers to the combination of all strengths, attributes and resources
15 available within a community, society or organization that can reduce the
16 level of risk, or impacts of a disaster. Capacity may include infrastructure and
17 physical means, institutions, societal coping abilities, as well as human
18 knowledge, skills and collective attributes such as social relationships,
19 leadership and management. Capacity may also be described as capability.
- 20 e) **Civil Society Organizations** refer to non-state actors whose aims are
21 neither to generate profits nor to seek governing power, but to unite people
22 to advance shared goals and interests. They have a presence in public life,
23 expressing the interests and values of their members or others, based on
24 ethical, cultural, scientific, religious or philanthropic considerations. Civil
25 society organizations include non-government organizations, professional
26 associations, foundations, independent research institutes, community-based
27 organizations, faith-based organizations, people's organizations, social
28 movements, and labor unions.
- 29 f) **Climate Change Adaptation** refers to the adjustment in natural or human
30 systems in response to actual or expected climatic stimuli or their effects,
31 which moderates harm or exploits beneficial opportunities.
- 32 g) **Climate Finance** refers to finance that aims at reducing emissions, and
33 enhancing sinks of greenhouse gases and aims at reducing vulnerability of,
34 and maintaining, and increasing the resilience of, human and ecological
35 systems to negative climate change impacts.

- 1 h) **Community-Based Disaster Risk Reduction and Management**
2 **(CBDRRM)** refers to a process of disaster risk reduction and management in
3 which at risk communities are actively engaged in the identification, analysis,
4 treatment, monitoring and evaluation of disaster risks in order to reduce their
5 vulnerabilities and enhance their capacities, and where the people are at the
6 heart of decision-making and implementation of disaster risk reduction and
7 management activities.
- 8 i) **Complex Emergency** refers to a form of human-induced emergency in
9 which the cause of the emergency as well as the assistance to the afflicted is
10 complicated by intense level of political considerations.
- 11 j) **Disaster** refers to a serious disruption of the functioning of a community or
12 a society involving widespread human, material, economic or environmental
13 losses and impacts, which exceeds the ability of the affected community or
14 society to cope using its own resources.
- 15 k) **Disaster Mitigation** refers to the lessening or limitation of the adverse
16 impacts of hazards and related disasters. Mitigation measures encompass
17 engineering techniques and hazard-resistant construction as well as improved
18 environmental policies and public awareness, land use planning, and climate
19 change.
- 20 l) **Disaster Preparedness** refers to the knowledge and capacities developed
21 by governments, professional response and recovery organizations,
22 communities and individuals to effectively anticipate, respond to, and recover
23 from, the impacts of likely, imminent or current hazard events or conditions.
24 It includes preparedness for response such as contingency planning,
25 stockpiling of equipment and supplies, the development of arrangements for
26 coordination, evacuation, and public information, and preparedness for
27 recovery such as procurement of land for resettlement sites.
- 28 m) **Disaster Prevention** refers to the outright avoidance of adverse impacts of
29 hazards. It expresses the concept and intention to completely avoid potential
30 adverse impacts through action taken in advance such as construction of
31 dams or embankments that eliminate flood risks, land-use regulations that do
32 not permit any settlement in high-risk zones, and seismic engineering
33 designs that ensure the survival and function of a critical building in any
34 likely earthquake.
- 35 n) **Disaster Response** refers to the provision of emergency services and public

1 assistance during or immediately after a disaster in order to secure and save
2 lives, reduce health impacts, ensure public safety and meet the basic
3 subsistence needs of the people affected. Disaster response includes disaster
4 relief focused on immediate and short-term needs of the victims and the
5 vulnerable.

- 6 o) **Disaster Risk** refers to the potential disaster losses in lives, health status,
7 livelihoods, assets and services that could occur to a particular community or
8 society in the future, and is determined by a combination of the vulnerability,
9 capacity, exposure of persons and assets, hazard characteristics and the
10 environment.
- 11 p) **Disaster Risk Governance** refers to the way in which the public
12 authorities, civil servants, media, private sector, and civil society coordinate
13 at community, national and regional levels in order to manage disaster and
14 climate related risks. This means ensuring that sufficient levels of capacity
15 and resources are made available to prevent, prepare for, manage, and
16 recover from disasters. It also entails mechanisms, institutions, and
17 processes for citizens to articulate their interests, exercise their legal rights
18 and obligations, and mediate their differences.
- 19 q) **Disaster Risk Management** refers to the systematic process of using
20 administrative directives, organizations, and operational skills and capacities
21 to implement strategies, policies and improved coping capacities in order to
22 lessen the adverse impacts of hazards and the possibility of disaster.
- 23 r) **Disaster Risk Reduction** refers to the concept and practice of reducing
24 disaster risks through systematic efforts to analyze and manage the causal
25 factors of disasters, including through reduced exposure to hazards, lessened
26 vulnerability of people and property, wise management of land and the
27 environment, and improved preparedness for adverse events.
- 28 s) **Disaster Risk and Vulnerability Reduction** refers to the concept and
29 practice of reducing potential loss of life, injury, or destroyed or damaged
30 assets or disrupted which could occur to a system, society or a community in
31 a specific period of time, determined probabilistically and conditions
32 determined by physical, social, economic and environmental factors or
33 processes which increase the susceptibility of an individual, a community,
34 assets or system to the impacts of hazards through systematic efforts to
35 analyze and reduce the causal factors of disasters all of which contribute to

1 strengthening resilience and therefore to the achievement of sustainable
2 development.

- 3 t) **Disaster Risk Reduction and Management Information System** refers
4 to a specialized database which contains, among others, information on
5 disasters and their human, material, economic, and environmental impact,
6 risk assessment and mapping, and vulnerable and marginalized groups.
- 7 u) **Early Warning System** refers to the set of capacities needed to generate
8 and disseminate timely and meaningful warning information to enable
9 individuals, communities and organizations threatened by a hazard to
10 prepare and to act appropriately and in sufficient time to reduce the
11 possibility of harm or loss. A people-centered early warning system
12 necessarily comprises four (4) key elements: knowledge of the risks;
13 monitoring, analysis and forecasting of the hazards; communication or
14 dissemination of alerts and warnings; and local capabilities to respond to the
15 warnings received. The concept of "*end-to-end warning system*" emphasizes
16 that warning systems need to span all steps from hazard detection to
17 community response. Early warning systems include systems developed at
18 the level of communities or based on indigenous knowledge.
- 19 v) **Ecosystem Management and Restoration** refers to an integrated
20 process to conserve, improve and restore the health of the ecosystem that
21 sustains ecosystem services for human well-being.
- 22 w) **Eligible Assisting Entity** refers to any assisting actor that has been
23 determined to be eligible to receive legal facilities as provided in this Act and
24 its implementing rules and regulations.
- 25 x) **Emergency** refers to unforeseen or sudden occurrence, especially danger,
26 demanding immediate action.
- 27 y) **Emergency Management** refers to the organization and management of
28 resources and responsibilities for addressing all aspects of emergencies, in
29 particular preparedness, response and initial recovery steps.
- 30 z) **Exposure** refers to the degree to which the elements at risk are likely to
31 experience hazard events of different magnitudes.
- 32 aa) **Geographic Information System (GIS)** refers to a system used to
33 capture, store, manipulate, manage and display all types of spatial or
34 geographical data.
- 35 bb) **Geographically Isolated and Disadvantaged Area (GIDA)** refers to

1 areas with a marginalized population which is physically and socio-
2 economically separated from the mainstream society and characterized by
3 physical factors, and isolated due to distance, weather conditions and
4 transportation difficulties in island, upland lowland, landlocked, hard to reach
5 and underserved communities; and/or socio-economic factors such as high
6 poverty incidence, presence of vulnerable sectors, communities in or
7 recovering from situation of crisis or armed conflict.

- 8 α) **Hazard** refers to a dangerous phenomenon, either natural or human-
9 induced, that may cause loss of life, injury or other health impacts, property
10 damage, loss of livelihood and services, social and economic disruption, or
11 environmental damage.
- 12 δd) **Human-Induced Hazard** refers to an event caused by humans and occurs
13 in or close to human settlements or a particular environmental area. This can
14 include environmental degradation, technological or industrial conditions,
15 pollution, accidents such as high density events, industrial and transport
16 accidents, complex emergencies, armed conflict, situations of generalized or
17 organized violence, and violation of human rights.
- 18 εε) **Imminent Danger** refers to a situation where, on the basis of official
19 forecasts, that a disaster will or is expected to occur in a particular
20 geographical area and within an estimated period of time, and where
21 necessary preparedness actions or financing are required.
- 22 ff) **International Disaster Relief and Initial Recovery Period** refers to the
23 period which commences upon the issuance of a request for international
24 disaster assistance or upon acceptance of an offer, and shall continue until
25 terminated pursuant to guidelines set in the implementing rules and
26 regulations.
- 27 gg) **Internally Displaced Persons** refer to persons or groups of persons who
28 have been forced or obliged to flee or to leave their homes or places of
29 habitual residence within national borders, in particular as a result of or in
30 order to avoid the effects of armed conflict, situations of generalized and/or
31 organized violence, violations of human rights, implementation of
32 development projects, or natural or human-induced disasters.
- 33 hh) **International Personnel** refers to the staff and volunteers of any assisting
34 actor providing disaster relief or initial recovery assistance, being persons
35 who are neither citizens of, nor domiciled in the Philippines prior to their

1 recruitment by the international assisting actor.

2 ii) **Land Use Planning** refers to the process undertaken by public authorities
3 to identify, evaluate and decide on different options the use of land, including
4 consideration of long-term economic, social and environmental objectives
5 and the implications for different communities and interest groups, and the
6 subsequent formulation and promulgation of plans that describe the
7 permitted or acceptable uses.

8 j) **Legal Facilities** refer to special entitlements and exemptions that are made
9 available to eligible assisting actors under this Act.

10 kk) **Mitigation** refers to effort to reduce or limit greenhouse gas emissions or
11 enhance greenhouse gas sequestration.

12 ll) **National Continuity Policy** refers to a policy aimed at the development of
13 an organizational culture that has the ability to provide a minimum level of
14 service during interruptions, emergencies, and disasters, and return to full
15 operations quickly.

16 mm) **National Disaster Risk Reduction and Management Framework**
17 refers to the comprehensive, all hazards, multi-sectoral, inter-agency and
18 community-based approach to disaster risk reduction and management.

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

30 oo) **Natural Hazard** refers to naturally occurring physical phenomena caused
31 either by rapid or slow onset events which can be geological such as
32 earthquakes ground rupture, liquefaction, landslides, tsunamis, sinkholes, and
33 volcanic activity; hydrological and meteorological such as floods, severe
34 winds, typhoons, storm surges, climatological variability such as extreme
35 temperatures, El Niño, La Niña, forest fires, or biological such as disease,

1 epidemics and insect/animal plagues.

- 2 pp) **Open Data** refer to facts and statistics that can be freely used, shared and
3 built-on by anyone, anywhere, for any purpose. These must be available in
4 bulk, should be available free of charge, or at least at no more than a
5 reasonable reproduction cost. The information should be digital, preferably
6 available by downloading through the internet, and easily processed by a
7 computer. These must permit people to use, re-use, and redistribute,
8 intermix with other data providers. These do not allow conditions to be
9 placed on how people can use Open Data, but permit a data provider to
10 require that data users credit them in some appropriate way, clarify if the
11 data have been changed, or that new datasets created using their data are
12 also shared as open data.
- 13 qq) **Pre-Disaster Risk Assessment** refers to a process to evaluate a hazard's
14 level of risk given the degree of exposure and vulnerability in a specific area
15 likely to be affected by an imminent hazard. It presents the possible
16 impacts on the population and provides a basis to determine the appropriate
17 level of response actions of government agencies from the national to the
18 local levels. It is hazard-specific, area focused and time-bound.
- 19 rr) **Post-Disaster Recovery** refers to the restoration and improvement, where
20 appropriate, of facilities, livelihood, and living conditions of disaster-affected
21 communities, including efforts to reduce disaster risk factors, in accordance
22 with the principle of "*build forward better.*"
- 23 ss) **Private Sector** refers to private corporations, households, non-profit
24 institutions serving households, and other economic enterprises outside of
25 government.
- 26 tt) **Recovery** refers to rehabilitation measures that ensure the ability of affected
27 communities or areas to restore their normal level of functioning by restoring
28 livelihoods and services, reconstructing damaged infrastructures and
29 increasing the communities' organizational capacity.
- 30 uu) **Resilience** refers to the ability of a system, community or society exposed to
31 hazards to resist, absorb, adapt to, transform, accommodate, and recover
32 from the effects of a hazard in a timely and efficient manner, including
33 through the preservation and restoration of its essential basic structures and
34 functions through risk management in such ways as to enhance their
35 capacities to withstand current and future risk.

- 1 w) **Response** refers to any effort to provide assistance or intervention during or
2 immediately after a disaster to meet the life preservation and basic
3 subsistence needs of affected people and in the restoration of essential
4 public activities and facilities.
- 5 ww) **Risk Assessment** refers to a methodology which includes risk assessment
6 with mapping to determine the nature and extent of risk by analyzing
7 potential hazards and evaluating existing conditions of vulnerability that
8 together could potentially harm exposed people, property, services, livelihood
9 and the environment on which they depend.
- 10 xx) **Probabilistic Risk Assessment** refers to the simulation of those future
11 disasters that, based on scientific evidence, are likely to occur. As a result,
12 these risk assessments resolve the problem posed by the limits of historical
13 data. Probabilistic models "complete" historical records by reproducing the
14 physics of the phenomena and recreating the intensity of a large number of
15 synthetic events. Probabilistic Risk Assessment considers all possible
16 scenarios, their likelihood, and associated impacts. It is characterized by
17 inherent uncertainties partly related to the natural randomness of hazards,
18 and partly because of incomplete understanding and measurement of the
19 hazards, exposure, and vulnerability.
- 20 yy) **Deterministic Risk Assessment** refers to an assessment that considers
21 the possible disaster impacts of a single scenario. This is in contrast to
22 probabilistic risk assessment, which considers all possible scenarios, their
23 likelihood, and associated impacts.
- 24 zz) **Risk Transfer** refers to the process of formally or informally shifting the
25 financial consequences of particular risks from one party to another whereby
26 a household, community, enterprise, or state authority will obtain resources
27 from the other party after a disaster occurs, in exchange for ongoing or
28 compensatory social or financial benefits provided to that other party.
- 29 aaa) **State of Calamity** refers to a condition involving mass casualty and/or
30 major damage to property, disruption of means of livelihoods, roads, and
31 normal way of life of people in the affected areas as a result of the
32 occurrence of natural or human-induced hazard.
- 33 bbb) **Sustainable Development** refers to development that meets the needs of
34 the present without compromising the ability of future generations to meet
35 their own needs.

1 the occurrence of disasters.

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

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

12

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

15 (a) Risk Reduction

- 16 1. Oversee, direct, and undertake programs and projects to identify, assess,
17 prioritize and localize hazards and risks in the country, in consultation with
18 national government agencies, local governments units, communities, and
19 stakeholders that shall be involved in disaster risk reduction efforts.
- 20 2. Monitor and ensure the integration of disaster risk and vulnerability reduction
21 and management and climate change adaptation policies into national
22 development plans.
- 23 3. Design and implement an incentive system for greater private and public
24 investment, both local and national, in disaster risk reduction.
- 25 4. Oversee and ensure the mainstreaming of climate change adaptation and
26 disaster risk reduction in development planning, including disaster-proofing
27 and climate-proofing of land use plans and the preparation of contingency
28 plans.
- 29 5. Create an enabling environment for the design of relevant and appropriate
30 risk-sharing and risk-transfer instruments.
- 31 6. Create an enabling environment that shall promote broader multi-stakeholder
32 participation and integrate climate change mitigation, adaptation, and
33 disaster risk and vulnerability reduction.
- 34 7. Coordinate directly with local government units and private entities to
35 address climate vulnerabilities and disaster risk assessment (CVDRA) of

1 regions and provinces at the meso-scale, cities and municipalities at the
2 micro-scale, and barangays at the meta-scale.

- 3 8. Establish and monitor local and national capacity for disaster risk financing
4 and insurance and other risk transfer strategies in coordination with the
5 Department of Finance (DOF), the Government Service Insurance System
6 (GSIS), and the Land Bank of the Philippines (LBP).
- 7 9. Formulate the National Disaster Resilience Framework, National Disaster
8 Resilience Plan, and the National Continuity Policy.
- 9 10. Oversee and direct the comprehensive implementation of disaster risk
10 reduction and climate change adaptation and mitigation policies, plans, and
11 programs, as embodied in the Disaster Resilience Framework and Disaster
12 Resilience Plan;
- 13 11. Coordinate directly with local government units and private entities to
14 address Disaster Risk Assessment (DRA) of regions and provinces at the
15 meso-scale, cities and municipalities at the micro-scale, and barangays at the
16 meta-scale.
- 17 12. Review and evaluate local disaster resilience plans and other local plans to
18 ensure their consistency with the Climate-Disaster Resilience Framework and
19 Plan;

20 (b) Disaster Preparedness and Response

- 21 1. Oversee and maintain a national early-warning and emergency alert system
22 that shall provide accurate, timely, and accessible information to national and
23 local emergency response organizations and the general public.
- 24 2. Coordinate information-sharing and other risk reduction protocols following
25 the principle of interoperability among national government agencies and
26 local government units.
- 27 3. Establish and maintain a national humanitarian logistics system with a
28 network of warehouses, transport, and resources, including response assets
29 and disaster relief items, such as food and non-food items.
- 30 4. Exercise command and control over relevant government agencies, including
31 government-owned and controlled corporations, the Philippine National Police
32 and other law enforcement agencies, during an imminent or actual disaster.
33 Such command and control shall include the authority to utilize available
34 services, assets, equipment, personnel, facilities, and other resources.
- 35 5. Call on the reserve force, as defined in Republic Act No. 7077, otherwise

1 known as the *"Citizen Armed Forces of the Philippines Reservist Act,"* to
2 assist in relief and rescue operations during disasters.

- 3 6. Work with the private sector and civil society organizations for assistance
4 with regard to the use of facilities and resources for the protection and
5 preservation of life and property.
- 6 7. Implement pre-disaster risk assessments, to include deployment of rapid
7 assessment teams to gather information for precise actions as a basis for
8 emergency preparedness and humanitarian response.
- 9 8. Organize, train, equip, and maintain a system of response capacity for
10 search, rescue, and retrieval, and the delivery and distribution of relief goods.
- 11 9. Monitor and support local government units in the management of
12 evacuation centers and ensure the welfare and dignity of internally-displaced
13 persons.
- 14 10. Procure goods and services during emergencies, in accordance with existing
15 emergency procurement rules and regulations.
- 16 11. Issue special procurement rules and regulations for preparedness, response,
17 and recovery activities, including those prompted by a declaration of a state
18 of calamity or of an imminent disaster.
- 19 12. Assist in mobilizing the necessary resources to increase the overall capacity
20 of local government units, specifically those with low income and situated in
21 high-risk areas.

22 (c) Rehabilitation and Recovery

- 23 1. Prepare, organize, lead, implement, and manage post-disaster assessment
24 and recovery and rehabilitation programs, in coordination with the affected
25 local government units, national government agencies, and other
26 stakeholders.
- 27 2. Implement the cluster approach to expedite reconstruction efforts and
28 orchestrate and serve as the clearinghouse for the participation of assisting
29 actors in such efforts.
- 30 3. Ensure that the principle of Building Forward Better is applied to
31 rehabilitation and recovery efforts.

32 (d) Other Powers and Functions

- 33 1. Provide or designate a secretariat to the Climate Change Commission.
- 34 2. Establish and monitor local and national capacity for climate-disaster risk
35 financing and insurance and other risk transfer strategies in coordination with

1 the Department of Finance (DOF), the Government Service Insurance System
2 (GSIS), and the Land Bank of The Philippines (LBP).

- 3 3. Coordinate information-sharing and other disaster risk and vulnerability
4 reduction and climate change adaptation protocols following the principle of
5 interoperability among national government agencies and local government
6 units before, during, and after a disaster. Administer, oversee, and monitor
7 the utilization of National Disaster Resilience Fund (NDRF), the Disaster
8 Resilience Support Fund (DRSF) for third (3rd) to sixth (6th) class provinces
9 and municipalities, and other grants and donations for disaster risk reduction
10 and management and climate change adaptation, unless otherwise specified.
- 11 4. Receive, administer, mobilize, and monitor and oversee the utilization of the
12 national disaster resilience fund, the Prevention, Mitigation, and
13 Preparedness Fund for 3rd to 6th Class Provinces and Municipalities, and
14 donations for disaster risk and vulnerability reduction and management and
15 climate change adaptation, unless otherwise specified.
- 16 5. Use of advanced science and technologies in disaster risk reduction and
17 management by engaging, consulting with, employing and regularly funding
18 the academe or higher education and research institutions such as the
19 University of the Philippines Resilience Institute and the University of the
20 Philippines Nationwide Operational Assessment of Hazards Center or other
21 institutions that have a recognized and credible track record, as well as the
22 capacity to conceptualize and implement the science and engineering
23 requirements necessary for effective climate change adaptation and disaster
24 risk reduction.
- 25 6. Establish a Disaster resilience information system to facilitate the creation of
26 an integrated risk assessment platform that is built from the inputs of
27 government and private scientific and academic institutions, national
28 government agencies and local government units, local communities and
29 other stakeholders, and is able to provide readily accessible and actionable
30 information for purposes of risk governance and humanitarian action.
- 31 7. Develop the criteria and procedure for the enlistment of accredited
32 community disaster resilience volunteers and institutions.
- 33 8. Create and continuously update, in consultation with stakeholders, a manual
34 of operations for accredited community disaster resilience volunteers and
35 institutions.

1 SEC. 9. *Hierarchy of Evacuation Measures.* —

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

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

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

15
16 SEC. 10. *Release from Liability in Case of Refusal to Evacuate.* —

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

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

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

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

33
34 SEC. 12. *Utilization of Private Property for Public Purpose.* — The Department
35 shall have the power to utilize any private property for urgent public purpose in

1 anticipation of, during, and in the aftermath of emergencies, hazards and disasters and
2 only when there is imminent danger of loss of lives and/or damage to property, subject
3 to payment of just compensation in appropriate cases.
4

5 SEC. 13. *Emergency Powers.* — Whenever it becomes necessary, the
6 Department, subject to the approval of the President, may call on the AFP or the PNP,
7 in coordination with the Secretary of National Defense and the Secretary of the Interior
8 and Local Government, to prevent or suppress lawless violence and ensure the
9 protection and preservation of life or property in anticipation of, during, and in the
10 aftermath of emergencies, hazards and disasters.

11 Whenever warranted by circumstances, the Department may call upon other
12 agencies and instrumentalities of the government, as well as non-government and for
13 the protection and preservation of life and/or property in anticipation of, during, and in
14 the aftermath of emergencies, hazards and disasters. Private organizations, for
15 assistance in the use of their facilities and resources.
16

17 SEC. 14. *Emergency Arrangements.* — The Department shall have the power to
18 negotiate, enter into, institutionalize and coordinate arrangements with any private
19 person or juridical entity for the purpose of ensuring the adequate and prompt
20 availability of all goods and services necessary in anticipation of, during, and in the
21 aftermath of emergencies, hazards and disasters and only when there is imminent
22 danger of loss of lives and/or damage to property.
23

24 **ARTICLE IV**
25 **ORGANIZATION AND MANAGEMENT**
26

27 SEC. 15. *The Secretary.* — The Department shall be headed by a Secretary who
28 shall be appointed by the President.
29

30 SEC. 16. *Powers and Functions of the Secretary.* — The Secretary of the
31 Department shall exercise the following powers and functions:

- 32 a) Establish and promulgate policies, rules, and regulations for the effective and
33 efficient operation of the Department.
34 b) Exercise executive direction over the operations of the Department and
35 administrative supervision over its attached agencies.

- 1 c) Manage the financial and human resources of the Department.
- 2 d) Appoint officers and employees of the Department, except presidential
- 3 appointees, in accordance with civil service law, rules, and regulations.
- 4 e) Exercise disciplinary authority over officers and employees of the Department
- 5 in accordance with law.
- 6 f) Coordinate with other government agencies, the private sector, and civil
- 7 society organizations on the policies, programs, projects, and activities of the
- 8 Department, as may be necessary.
- 9 g) Advise the President on the promulgation of executive and administrative
- 10 issuances and the formulation of regulatory and legislative proposals on
- 11 matters pertaining to disaster resilience.
- 12 h) Serve as the Vice-Chairperson of the Climate Change Commission.
- 13 i) In coordination with the Department of Foreign Affairs, represent the
- 14 Philippines in the climate change negotiations and articulate the national
- 15 contribution to global, regional, and other inter-governmental disaster risk
- 16 reduction and humanitarian platforms.
- 17 j) Call upon the Armed Forces of the Philippines and the Philippine National
- 18 Police to render assistance in disaster-affected areas.
- 19 k) Promulgate such rules and regulations and perform such other functions as
- 20 may be necessary or proper to attain the objectives of this Act.

21
22 SEC. 17. *Organizational Structure, Functions and Management.* – The
23 Department shall be composed of the following officials and offices:

- 24 (a) The Secretary, as provided for under this Act;
- 25 (b) Five (5) Undersecretaries, to be appointed by the President, who shall assist
- 26 the Secretary in administering the affairs of the Department, one to be
- 27 responsible for Resilience, one to be responsible for Policy and Governance,
- 28 one to be responsible for Operations, one to be responsible for
- 29 Administration and Finance, and the Senior Undersecretary. The
- 30 Undersecretaries shall have functional and operational supervision over the
- 31 bureaus, divisions, offices and units assigned to their respective functional
- 32 areas;
- 33 (c) The Department shall have such number of assistant secretaries and
- 34 directors as may be necessary for the effective and efficient implementation
- 35 and performance of its mandate, powers, and functions;

- 1 (d) Divisions, units and offices as may be created by the Department and whose
2 officers and employees shall be appointed in accordance with civil service
3 law, rules, and regulations;
- 4 (e) The National Climate and Disaster Resilience Research, Education, and
5 Training Institute under the Capacity Building and Training Service, to be
6 headed by a Director;
- 7 (f) Regional and other field Offices of the Department that shall be established
8 in each administrative region, each to be headed by a Regional Director;
- 9 (g) Seconded personnel from relevant agencies and detailed service from the
10 uniformed services, as appropriate; and
- 11 (h) Grievance desks in every region, which shall serve as a referral mechanism
12 and shall work jointly with relevant agencies, to receive complaints from the
13 public regarding violations of this Act. It shall assist the complainant in the
14 gathering of relevant documentation and other evidence to support said
15 complaint. The grievance desk shall facilitate the forwarding of the complaint
16 to the appropriate office within fifteen (15) days from receipt thereof, and
17 shall provide timely feedback and updates regarding the status of the
18 complaint. The grievance desk shall use the best available technology to
19 ensure that complaints are endorsed to the proper office and are addressed
20 in a timely manner.

21

22 **ARTICLE V**
23 **FINANCE AND ADMINISTRATION**

24

25 SEC. 18. *Fiscal Management.* – The Department shall manage all funds
26 appropriated to it by Congress and from other sources. This shall include all donations,
27 as contemplated under the succeeding paragraph, subject to provisions of Section 3,
28 paragraph (D) of Article 9, of the 1987 Constitution on the auditing powers of the
29 Commission on Audit.

30

31 SEC. 19. *Donation.* – (a) The Department shall have the power to receive
32 donations and grants from any person, government institution, corporation,
33 international organization and other similar entities, and the power to recommend the
34 procurement of developmental assistance for the purpose of disaster risk and
35 vulnerability reduction and management and climate change adaptation.

36 (b) It shall be mandatory for the Department to acknowledge and certify the

1 receipt of all DDR grant and donated funds and ensure their judicious management
2 including their proper and accurate audit reporting to constituents.

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

10 All importations and donations under Section 11 (c) of Republic Act No. 10863,
11 otherwise known as the "*Customs Modernization and Tariff Act (CTMA)*" shall be
12 considered as importation or donation to the Department, subject to the approval of
13 the Office of the President.

14
15 **ARTICLE VI**
16 **WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH**
17

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

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

- 24 1. Secretary of Science and Technology;
- 25 2. Secretary of the Interior and Local Government;
- 26 3. Secretary of Social Welfare and Development;
- 27 4. Secretary of National Defense;
- 28 5. Director-General of the National Economic and Development Authority;
- 29 6. Secretary of Health;
- 30 7. Secretary of Environment and Natural Resources;
- 31 8. Secretary of Agriculture;
- 32 9. Secretary of Education;
- 33 10. Secretary of Energy;
- 34 11. Secretary of Finance;
- 35 12. Secretary of Trade and Industry;
- 36 13. Secretary of Transportation;

- 1 14. Secretary of Budget and Management;
- 2 15. Secretary of Public Works and Highways;
- 3 16. Secretary of Foreign Affairs;
- 4 17. Secretary of Justice
- 5 18. Secretary of Labor and Employment;
- 6 19. Secretary of Tourism;
- 7 20. Secretary of Information and Communications Technology;
- 8 21. Secretary of Human Settlements and Urban Development;
- 9 22. Presidential Adviser on the Peace Process;
- 10 23. Chairperson of the Commission on Higher Education;
- 11 24. Chief of Staff of the Armed Forces of the Philippines;
- 12 25. Chief of the Philippine National Police;
- 13 26. Head of the Presidential Communications Operations Office;
- 14 27. Secretary-General of the Philippine National Red Cross;
- 15 28. Chairperson of the Commission on Human Rights;
- 16 29. Executive Director of the Council for Welfare of Children;
- 17 30. Lead Convenor of the National Anti-Poverty Commission;
- 18 31. Chairperson of the Philippine Commission on Women;
- 19 32. Chairperson of the National Council for Disability Affairs;
- 20 33. Chairperson of the National Commission on Indigenous Filipinos;
- 21 34. Chairperson of the National Commission on Muslim Filipinos;
- 22 35. Chairperson of the National Youth Commission;
- 23 36. President of the Government Service Insurance System;
- 24 37. President of the Social Security System;
- 25 38. President of the Philippine Health Insurance Corporation;
- 26 39. President of the Home Development Mutual Fund;
- 27 40. President of the Union of Local Authorities of the Philippines;
- 28 41. President of the League of Provinces of the Philippines;
- 29 42. President of the League of Cities of the Philippines;
- 30 43. President of the League of Municipalities of the Philippines;
- 31 44. President of the Liga ng mga Barangays;
- 32 45. Maximum of six (6) representatives from the academia and other relevant
- 33 research institutions;
- 34 46. Maximum of six (6) representatives from the civil society organizations; and
- 35 47. Maximum of six (6) representatives from the private sector.

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

5 (d) Technical Management Advisory Group – The Department may constitute, as
6 the need arises, a technical management advisory group from the different stakeholders,
7 that shall coordinate and meet with the Department as often as necessary to effectively
8 manage and sustain national efforts on disaster risk and vulnerability reduction and
9 emergency management, and climate change adaptation and mitigation; and

10 (e) Guidelines for the Department of Disaster Resilience Fund (DDRF) and Local
11 Disaster Resilience Fund (LDRF) – The Department shall provide the necessary
12 guidelines and procedures on the DDRF and the LDRF releases as well as utilization,
13 accounting and auditing thereof.

14
15 **SEC. 21. *Monitoring, Reporting and Validation.* –**

16 a. *Monitoring and Reporting.* On or before the last quarter of the preceding
17 year, member-agencies of the National Disaster Resilience Council shall submit to the
18 Department through the Council Secretariat their respective DDR annual work and
19 financial plans (AWFPs) for the next year. The AWFPs shall be based on the DDR Plan.

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

23 The Department is likewise accountable, liable and responsible for monitoring
24 and requiring the appropriate implementation of remedial measures by member-
25 agencies of the Council during a state of calamity. It shall have the authority and power
26 to require reports from the appropriate member-agencies regarding implementation of
27 such measures.

28 b. *Validation.* The Secretary shall require the submission of reports from local
29 government units to validate the progress reports of the Council member-agencies.
30 Submission shall be through the local field offices of the DDR.

31 Every two (2) years, the implementation of the Climate-Disaster Resilience Plan
32 (CDRP) and utilization of the Local Disaster Resilience Fund (LDRF) of each province,
33 local government units, independent city shall be evaluated by the Regional Disaster
34 Resilience Council (RDRC) based on appropriate criteria, such as the award,
35 recognition, citation criteria for provinces, cities and municipalities, barangay and

1 stakeholders.

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

3 The Regional Disaster Resilience Councils (RDRCs) shall coordinate, integrate,
4 supervise, and evaluate the activities of the LDRCs. It shall be accountable, responsible
5 and liable for ensuring climate-disaster risk sensitive and inclusive regional
6 development plans, and in case of emergencies shall convene the different regional line
7 agencies and authorities, concerned institutions, developmental partners and multiple
8 stakeholders.

9 The Regional Directors of the Department shall serve as chairpersons of the
10 RDRCs and the Regional Directors of the DSWD, the DILG, and the NEDA shall serve as
11 cluster heads. In the case of the Bangsamoro Autonomous Region in Muslim Mindanao,
12 the Chief Minister shall be the RDRC Chairperson. In the case of Metro Manila, the
13 MDRC shall be headed by the Chairperson of the Metro Manila Development Authority
14 (MMDA).

15 The RDRCs shall establish the RDRC Secretariat and operating facility to be
16 known as the Regional Disaster Resilience Council Secretariat and Operations Center
17 (RDRC).

18 The RDRCs shall be composed of concerned regional agencies, offices, local
19 government units and other multiple stakeholders.

20 (i) LDRC Budgetary Requirements of LDRO – The budgetary requirements for
21 personal services, maintenance and other operating expenditures, and capital
22 outlay of the LDRO shall be sourced from the General Fund of the LGU,
23 subject to Section 76 of Republic Act No. 7160, as amended, otherwise
24 known as the "*Local Government Code of 1991*," as amended. The
25 enforcement of Sections 325(a) and 331(b) of Republic Act No. 7160, as
26 amended shall be waived to enable the local government units to fund the
27 initial year requirements for the creation of the minimum five (5) mandatory
28 positions of the LDRO.

29 Other maintenance and operating expenditures, and other capital outlay
30 requirements of the LDRO in the implementation of disaster risk and
31 vulnerability reduction management and climate change adaptation programs
32 shall be charged to the Local Climate-Disaster Resilience Fund of the local
33 government units.

34 (ii) Establish linkage or network with other local government units for disaster
35 risk and vulnerability reduction, climate change adaptation and emergency

- 1 response purposes;
- 2 (iii) Recommend through the LDRC, the enactment of local ordinances consistent
3 with the requirements of this Act;
- 4 (iv) Establish a Provincial City, Municipal, and Barangay Climate and Disaster
5 Resilience Operations Center; and
- 6 (v) Encourage Government-Owned and Controlled Corporations (GOCCs) to
7 establish their own Climate and Disaster Resilience Operations Center within
8 their territories.
- 9

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

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

18

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

- 26 (a) Establishment and implementation of business continuity practices to ensure
27 the continued delivery of products and services, in the event of disasters.
- 28 (b) Establishment and implementation of a National Continuity Policy to ensure
29 service continuity during power and utilities interruptions, emergencies, and
30 disasters and ensure the quick return to full operations.
- 31 (c) Establishment, incorporation, and application of business continuity plans as
32 part of the disaster resilience plans of local government units.
- 33 (d) Facilitation or assistance in obtaining or processing incentives for the private
34 sector or other non-government stakeholders.
- 35 (e) Preparation and facilitating the issuance of micro, small, and medium

1 enterprises (MSMEs), such as mechanisms involving procurement and
2 liquidity to create enabling environments for disaster preparedness and
3 recovery.

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

7 **ARTICLE VII**

8 **DISASTER RISK AND VULNERABILITY REDUCTION AND CLIMATE CHANGE** 9 **ADAPTATION MAINSTREAMING, INTEGRATION AND CONVERGENCE** 10

11 *SEC. 24. Integration of DRR and Climate Change Adaptation in the Climate and*
12 *Disaster Resilience Framework and Plan.* – The existing National Disaster Resilience
13 Framework and plan and the National Climate Change Strategic Framework and Plan
14 shall be enhanced by the Climate and Disaster Resilience Framework and plan, which
15 provides for the comprehensive probabilistic multi-hazards, multi-scenario, multi-
16 sectorial, resilience-building, and community risk-based approach and management
17 of disaster and climate risk, and provide for the integration of disaster risk and
18 vulnerability reduction and climate change adaptation, as well as the mainstreaming in
19 other sectoral policies. It shall be reviewed every three (3) years.

20 The Climate and Disaster Resilience Plan shall provide for the following: (1)
21 identification of the underlying factors of risk, or the nature and degree of hazards,
22 vulnerabilities, exposures and capacities, which need to be managed at the national
23 level; (2) disaster risk and vulnerabilities reduction and management approaches and
24 strategies to be applied in managing said hazards and risks; (3) agency roles,
25 responsibilities, and lines of authority at all government levels; and (4) vertical and
26 horizontal coordination of climate change adaptation, disaster risk and vulnerability
27 reduction and management before, during, and after a disaster. The Climate and
28 disaster resilience plan shall be in conformity with the framework.

29 The climate and disaster resilience framework and plan for climate-disaster risk
30 governance, climate vulnerability assessment, risk assessment and risk management
31 shall be formulated and jointly approved by the NDRC and the CCC.
32

33 *SEC. 25. Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation*
34 *and Recovery from Disaster.* – The Department shall ensure the application of
35 ecosystems-based approaches in disaster risk and vulnerability reduction and climate

1 change adaptation, particularly through ecosystem management and restoration as
2 defined in this Act, and ensuring that environmental and natural resource policies are
3 risk-informed.

4
5 **ARTICLE VIII**
6 **CLIMATE AND DISASTER RESEARCH, EDUCATION,**
7 **AND TRAINING INSTITUTE**
8

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

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

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

- 22 1) Establish regional branches as well as provincial, city or municipal branches if
23 deemed necessary, to train individuals from the public and private sectors in
24 the fields of disaster risk and vulnerability reduction and management,
25 climate change adaptation, and ecosystem management and restoration,
26 among others;
- 27 2) Develop and implement an inclusive and ladderized curricula on climate
28 change adaptation, and disaster risk and vulnerability reduction and
29 management;
- 30 3) Develop research programs and a knowledge management system on climate
31 change adaptation and disaster risk and vulnerability reduction management
32 for the purpose of innovation and capacity building and development;
- 33 4) Partner with public and private academic and research institutions, the
34 private sector, civil society, community-based disaster risk and vulnerability
35 reduction management and climate change adaptation practitioners, and

- 1 other relevant sectors in developing research opportunities and programs on
2 climate vulnerability and disaster risk assessment;
- 3 5) Establish a resource center for information, education and communication
4 materials, research, publications, best work practices, lessons identified and
5 learned, and other knowledge products on disaster risk and vulnerability
6 reduction and management, and climate change adaptation;
- 7 6) Consolidate and prepare information, education and communication and
8 training materials or publications to assist disaster risk and vulnerability
9 reduction and management, and climate change adaptation practitioners in
10 the planning and implementation of their plans, programs, projects and
11 activities;
- 12 7) Organize and recognize a community of climate change adaptation and
13 disaster risk reduction and management practitioners; and
- 14 8) Accredite, recognize, monitor and evaluate climate change adaptation, disaster
15 risk and vulnerability reduction and management training institutions.

16 (d) Financial Support to the Center:

- 17 1) The budget for the Climate and Disaster Resilience Research and Training
18 Center shall be sourced from the annual General Appropriations Act.
- 19 2) The Department shall assist in the establishment of Research and Training
20 Centers at the provincial, city, and municipal governments, as appropriate.
21 The funding for such local Climate and Disaster Research and Training
22 Centers may be sourced from the eighty (80%) percent portion of the LDRF
23 and other financial sources of the local government unit concerned.
- 24
25

26 **ARTICLE IX**

27 **INTEGRATION, MAINSTREAMING CLIMATE AND DISASTER RESILIENCE**
28 **INFORMATION, EDUCATION, AND COMMUNICATION CONVERGENCE**

29

30 SEC. 27. Climate and Disaster Resilience *Information Management System*
31 (*CDRIMS*). – The Department shall establish a National and Regional Information
32 Management System for Climate and Disaster Resilience. It shall constitute a physical
33 central database of all disaster risk reduction and climate change data, including a
34 geographic information system on geo-hazard assessments and climate risk. It shall be
35 the repository of current and multi-temporal information for wide-scale disaster risk

1 analysis and climate change vulnerability assessment. The CDRIMS shall at all times be
2 made available to the Emergency Operations Center of the National and Regional
3 Climate and Disaster Resilience Council (NRCDRC) development partners and multi-
4 stakeholders to access critical information and ensure that the collection processing,
5 analysis and dissemination of information is timely, reliable and accurate to support
6 overall decision making and effective coordination both at the national and sub-national
7 level.

8
9 *SEC. 28. Disaster Resilience and Climate Change Education and Training.* – (a)

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

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

28 (c) The Department, in coordination with the Disaster Resilience Research and
29 Training Institute, shall develop a curriculum for courses or subjects specific to disaster
30 risk and vulnerability reduction management and climate change adaptation, and shall
31 mandate all tertiary learning institutions to offer these subjects.

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

35 (e) The DepEd, the CHED, and the Technical Education and Skills Development

1 Authority (TESDA) and other developmental institutions, community-based practitioners
2 and organized non-governmental organizations shall formulate and institutionalize
3 flexible learning options such as online modules, supplemental learning materials,
4 resources and platforms, as part of its climate change adaptation, disaster risk and
5 vulnerability reduction and governance, analysis, and management strategy.

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

11 (g) The LDROs shall form formal partnerships with tertiary learning institutions
12 within their respective jurisdictions to provide standard and ladderized training
13 programs for LGU officials and other disaster risk and vulnerability reduction
14 management and climate change adaptation.

15 (h) The DRC, the RDRCs, the LDRCs, the LDROs, the BDRCs, and the Sangguniang
16 Kabataan shall encourage the community, specifically the youth, participation in disaster
17 risk and vulnerability reduction and climate change adaptation activities, such as
18 Information, Education and Communication (IEC) Campaigns organizing quick response
19 groups, particularly in identified disaster-prone areas, as well as the inclusion of DRVR-
20 climate change adaptation programs as part of programs and projects of the
21 Sangguniang Kabataan, youth organizations and community-based disaster risk and
22 vulnerability reduction management and anticipatory adaptation initiatives.

23 (i) There shall be a mandatory training climate change adaptation-DRVR for public
24 and private sector employees, including teachers and Climate-Disaster Resilience
25 Coordinators from both the public and private learning institutions. They shall be
26 trained in emergency preparedness and response in compliance with the provisions of
27 this Act.

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

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

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

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

14
15 SEC. 30. *Declaration of Imminent Disaster.* – The DDR shall provide guidance
16 and operating guidelines to LDRCs for the declaration of imminent disaster in their
17 respective areas, which shall allow them to implement preemptive measures and use
18 their quick response funds in order to save lives and minimize damage to property, loss
19 of livelihoods and other assets.

20
21 SEC. 31. *Flash Appeal or Appeal for International Assistance.* – Upon
22 consultation with the NDRC and in cognizance of the urgency, criticality and intensity of
23 an imminent risk, the DDR shall issue a flash appeal to the family of nations, under
24 regional and multilateral conventions, for assistance in preparedness including
25 preemptive measures, search, rescue and retrieval, relief, recovery, and reconstruction.

26 27 **ARTICLE X**

28 **CLIMATE AND DISASTER RISK INSURANCE AND INCENTIVES**

29
30 SEC. 32. *Climate and Disaster Risk Transfer, Insurance and Social Welfare* – (a)
31 The Department shall oversee all climate and disaster risk-sharing and risk-transfer
32 instruments and other related initiatives to ensure the protection of property and
33 livelihood, both public and private.

34 (b) The Department shall ensure the mandatory insurance of all assets and properties
35 of national government agencies including government-owned or controlled

1 corporations, and those over which the government has insurable interest, as
2 prescribed under Republic Act No. 656, otherwise known as the "*Property Insurance*
3 *Law.*" The insurance shall be provided by any government insurance agency.

4 (c) The Department shall oblige the local government units the mandatory insurance
5 coverage of assets, properties and livelihood of vulnerable and marginalized groups for
6 unforeseen or contingent potential losses, damages and disruption from natural
7 hazards and human-induced disasters chargeable against the LDRF.

8
9 SEC. 33. Recognition and *Incentives.* – Unless otherwise provided, the
10 Department shall establish an incentives program that recognizes outstanding
11 performance of LDRC, non-governmental organizations (NGOs), civil society
12 organizations, private sector, schools, hospitals, and other stakeholders in promoting
13 and implementing significant disaster risk and vulnerability reduction management-
14 climate change adaptation programs and innovations, and meritorious acts of
15 individuals, groups or institutions during natural or human-induced disasters.

16 17 **ARTICLE XI**

18 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

19
20 SEC. 34. *Standards for Disaster Preparedness Activities.* – (a) The NDRC shall
21 establish standards for disaster preparedness, contingency planning, localizing and
22 operationalizing disaster risk and vulnerability reduction and management,
23 preparedness for disaster response, preparedness for early recovery, continuity of
24 essential services, and other relevant preparedness activities.

25 (b) Local government units shall identify safe or strategic sites, and establish
26 evacuation centers with appropriate and adequate facilities in accordance with
27 government-approved standards as provided under Republic Act No. 10821, otherwise
28 known as "*The Children's Emergency Relief Protection Act,*" in order to avoid disruption
29 of school classes and lessen the use of school buildings and facilities as evacuation
30 centers.

31 The local government units shall immediately compensate schools used as
32 evacuation centers. The schools may seek compensation renovation or repairs of
33 damaged facilities for such use.

34
35 SEC. 35. *Multi-Hazard Early Warning and Risk Communication Standards.* – (a)
36 There shall be a streamlined policy governing early warning systems and risk

1 communication protocols to ensure effective and efficient measures to prevent, prepare
2 for, respond to, and recover from possible risk caused by natural and human-induced
3 hazards and climate risk. The NDRC shall issue and the Department shall oversee and
4 monitor the implementation of this policy.

5 (b) The Department and all other concerned agencies with an integrated early
6 warning and information mandate shall collaborate with the local executives and
7 officers to disseminate climate-disaster risk information through the involvement of
8 local government units, community-based organizations, civil society organizations, and
9 other non- governmental organizations.

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

19 (b) The Philippine Atmospheric, Geophysical and Astronomical Services
20 Administration—(PAGASA) and Philippine Institute of Volcanology and Seismology
21 (PHIVOLCS) shall work actively and closely with the Department in integrating,
22 mainstreaming, and converging all information, data, research and development studies
23 and results, knowledge and technology, and activities relating to climate change and
24 disaster resilience;

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

29 (d) Any person or juridical entity who transmits early warning concerning the
30 abovementioned phenomena by means of signs in designs, colors, lights, or sound shall
31 do so in compliance with the methods recognized or approved by the NDRC.

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

1 (f) The Department shall consider working with other agencies or organizations on
2 pre-crisis information mapping of the humanitarian needs of the at-risk community that
3 will enhance the overall prepositioning of resources at the national and local level.
4

5 **ARTICLE XII**
6 **DISASTER RESPONSE AND EARLY RECOVERY**
7

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

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

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

- 24 a) The BDRC, if one barangay is affected;
25 b) The city/municipal DRCs, if two (2) or more barangays are affected;
26 c) The provincial DRC, if two (2) or more cities/municipalities are affected;
27 d) The regional DRC, if two (2) or more provinces are affected; and
28 e) The NDRC, if two (2) or more regions are affected.
29

30 **SEC. 39. Humanitarian Assistance Action Center.** – The DRC shall institutionalize a
31 one-stop shop mechanism through the Humanitarian Assistance Action Center for the
32 processing and release of goods, articles or equipment intended for humanitarian
33 assistance and the processing of necessary documents for international assisting actors.
34 The Humanitarian Assistance Action Center shall be managed by the Department and
35 shall be composed of the following NDRC agencies:

- 1 a) Department of Finance-Bureau of Customs;
- 2 b) Department of Foreign Affairs;
- 3 c) Department of Social Welfare and Development;
- 4 d) Department of Health;
- 5 e) Food and Drug Administration;
- 6 f) Department of Agriculture;
- 7 g) Department of Energy;
- 8 h) Philippine National Police;
- 9 i) Philippine Coast Guard; and
- 10 j) Department of Justice - Bureau of Immigration

11
12 *SEC. 40. Accreditation, Mobilization, and Protection of Disaster Volunteers and*
13 *National Service Reserve Corps, Civil Society Organizations and the Private Sector. –*

14 The government agencies, civil society organizations, private sector and local
15 government units may mobilize individuals or organized volunteers to augment their
16 respective personnel complement and logistical requirements in the delivery of disaster
17 risk reduction programs and activities. The agencies, civil society organizations, private
18 sector, and local government units concerned shall take full responsibility for the
19 enhancement, welfare and protection of volunteers, and shall submit the list of
20 volunteers to the Department, through the Local Disaster Resilience Offices, for
21 accreditation and inclusion in the database of community disaster volunteers.

22 A national roster of Accredited Community Disaster Resilience Volunteers
23 (ACDRVs) and institutions, National Service Reserve Corps, civil society organizations
24 and the private sector shall be maintained by the Department through the LDROs.
25 Accreditation shall be done at the municipal or city level.

26 The mobilization of volunteers shall be in accordance with this Act and
27 implementing guidelines to be formulated by the NDRC. Any volunteer who died or was
28 injured while engaging in any of the activities defined under this Act shall be entitled to
29 compensatory benefits and individual personal accident insurance as may be defined
30 under the guidelines.

31
32 *SEC. 41. Reporting of Humanitarian Assistance. –* The concerned local
33 government unit shall submit a report to the Department, all domestic or international
34 humanitarian assistance received and distributed within its area of responsibility.

1 **ARTICLE XIII**

2 **INTERNATIONAL HUMANITARIAN ASSISTANCE**

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

11 SEC. 43. *Assessment of the Need for International Humanitarian Assistance.* -

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

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

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

26 SEC. 44. *Request for International Humanitarian Assistance.* — The President
27 may request for international humanitarian assistance upon the advice of the
28 Department. Such request may be specifically directed to particular assisting
29 international actors, or it may be a general request directed to the international
30 community.
31

32 SEC. 45. *One-Stop Shop for International Humanitarian Assistance.* — The
33 Department shall establish, in coordination with the Department of Foreign Affairs (DFA)
34 a *One-Stop Shop* mechanism for International Humanitarian Assistance for the
35 processing and release of entry and facilitation of goods, articles or equipment, and

1 services of international relief workers for the provision of international humanitarian
2 assistance, and the processing of necessary documents for assisting international actors.
3

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

8 SEC. 46. *Offer and Facilitation of International Humanitarian Assistance to*
9 *Foreign States.* — In the event of a disaster occurring in a foreign state for which
10 international humanitarian assistance is required, the Department, in coordination with
11 DFA, may offer, facilitate and provide international humanitarian assistance to such
12 foreign state, which shall be subject to guidelines to be promulgated by the Department
13 for the purpose.
14

15 SEC. 47. *Accreditation.* — The Department, in coordination with relevant
16 government agencies and organizations, shall provide and facilitate the necessary
17 training and accreditation to the respective government personnel to be deployed for
18 such offer, facilitation and provision of international humanitarian assistance to a
19 foreign state.
20

21 **ARTICLE XV**
22 **LEGAL FACILITIES FOR ELIGIBLE ASSISTING INTERNATIONAL ACTORS**
23

24 SEC. 48. *Guidelines for Coordination of International Humanitarian Assistance.* —
25 The DRC shall issue comprehensive guidelines on the initiation, entry, facilitation, transit and
26 regulation of international relief goods and personnel, as well as eligibility guidelines to utilize
27 the legal facilities for assisting international actors provided hereunder.
28

29 SEC. 49. *Visa Waiver.* — Eligible assisting international actors shall be entitled to
30 waiver of entry visa requirements, including any associated fees or charges, to perform
31 Disaster Relief and Initial Recovery Assistance work for their sponsoring entities without
32 the requirement to seek a separate residence or work permit.
33

34 SEC. 50. *Recognition of Foreign Professional Qualifications.* — (a) Eligible
35 assisting international actors wishing to deploy international personnel for tasks

1 requiring legal recognition of their foreign professional qualifications shall certify the
2 validity of those qualifications under the law of the country where they were obtained
3 and the competence of their personnel for the tasks envisaged.

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

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

9
10 SEC. 51. *Recognition of Foreign Driving Licenses.* – Foreign driving licenses of
11 eligible assisting international actors shall be accorded temporary recognition during the
12 International Disaster Relief and Initial Recovery Periods.

13
14 SEC. 52. *Facilitation of Access.* – The international personnel of eligible assisting
15 international actors shall be allowed access to disaster-affected areas and persons
16 requiring Disaster Relief or Initial Recovery Assistance, subject to coordination
17 requirements as mandated by the Authority and limitations based on national security,
18 public order or public health, weighed in the context of the urgency of the disaster
19 needs. They shall be permitted to provide their goods and services directly to affected
20 persons.

21
22
23
24 **A. ENTRY OF INTERNATIONAL DISASTER GOODS AND EQUIPMENT**

25
26 SEC. 53. *Customs Facilitation and Priority Treatment.* – The Department shall
27 facilitate the rapid importation of consignments of goods and equipment by eligible
28 assisting actors and shall accord them priority treatment in handling.

29
30 SEC. 54. *Duty of Compliance by Eligible Assisting Actors.* – In order to benefit
31 from the aforementioned legal facilities, eligible assisting international actors shall:

32 (a) Declare that all the goods and equipment they seek to import under this Part are
33 exclusively for Disaster Relief or Initial Recovery Assistance and that they comply with
34 any relevant standards under Philippine laws; and

35 (b) Pack, classify and mark their consignments in accordance with the requirements

1 described in this Act and its implementing rules and regulations.

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

6 (a) Exemption from all duties and taxes;

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

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

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

14
15 *SEC. 56. Simplification of Documentation Requirements.* – (a) Consignment of
16 goods and equipment sent by or on behalf of eligible assisting international actors shall
17 be cleared or released on the basis of a simplified goods declaration providing the
18 minimum information necessary for the Bureau of Customs to identify the goods and
19 equipment and subject, when deemed necessary, to completion of a more complete
20 declaration within a specified period.

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

25
26 *SEC. 57. Telecommunications Equipment.* – Eligible assisting international actors
27 shall be permitted to import telecommunications equipment for the purpose of Disaster
28 Relief or Initial Recovery Assistance without restrictions, except as required by NDRC
29 guidelines and other laws for purposes of national security or public order. The NDRC
30 shall provide guidelines for the manner of use telecommunications equipment as well as
31 waiver of licensing requirements or fees.

32
33 *SEC. 58. Medications.* – Eligible assisting international actors shall be permitted
34 to import and transport medications and medical equipment for the purpose of Disaster
35 Relief or Initial Recovery Assistance so long as they conform to the implementing rules

1 (h) Ensure restoration of peace and order and recovery of government functions.
2

3 **ARTICLE XVII**

4 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**
5

6 SEC. 63. *Remedial Measures under State of Calamity.* – Upon the declaration of
7 the state of calamity, the following remedial measures shall be immediately undertaken
8 by concerned government agencies both of national and local levels:

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

12 (b) Monitoring, prevention and control by the Local Price Coordination Council of
13 overpricing/profitteering and hoarding of prime commodities, medicines and petroleum
14 products;

15 (c) Programming/reprogramming of funds for the repair of critical facilities or public
16 infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce
17 further threat to lives and arrest further deterioration of properties and loss of
18 livelihoods in the affected communities, following the "build better forward" principle:

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

21 (2) Local tax exemptions, incentives or reliefs under such terms and conditions
22 as may be deemed necessary by the affected local government unit.
23

24 **ARTICLE XVIII**

25 **PROCUREMENT**
26

27 SEC. 64. *General Rule on Procurement.* – Any procurement of goods, services,
28 consultancy or infrastructure for disaster risk and vulnerability reduction and climate
29 risk, whether at the national or local level shall conform to the provisions and
30 Implementing Rules and Regulations (IRR) of Republic Act 9184 otherwise known as
31 "*Government Procurement Reform Act*," as amended.
32

33 SEC. 65. *Emergency Procurement.* – In order to expedite disaster response and
34 early recovery, the procurement or lease of equipment and delivery of goods and
35 services through emergency procurement or purchase at site shall be allowed. Periods

1 of action on procurement activities may also be waived for the same purpose and
2 conditions.

3
4 **ARTICLE XIX**
5 **PROHIBITED ACTS AND PENALTIES**
6

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

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

- 14 (1) Dereliction of duties which leads to destruction, loss of lives, critical damage
15 of facilities and misuse of funds;
16 (2) Failure to create a functional LDR Office within six (6) months from approval
17 of this Act;
18 (3) Failure to appoint a permanent local disaster resilience officer within six (6)
19 months from approval of this Act;
20 (4) Failure to prepare and implement a Contingency and Adaptation Plan for
21 hazards frequently occurring within their jurisdictions;
22 (5) Failure to formulate and implement the LDRP with the corresponding budget
23 allocation;

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

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

- 28 (1) Delaying, without justifiable cause the delivery or improper handling or
29 storage of aid commodities, resulting to damage or spoilage;
30 (2) Withholding the distribution of relief goods due to (a) political or partisan
31 considerations; (b) discrimination based on race, ethnicity, religion, or
32 gender; and (c) other similar circumstances;
33 (3) Preventing the entry and distribution of relief goods in disaster-stricken
34 areas, including appropriate technology, tools, equipment, accessories,
35 disaster teams or experts;

- 1 (4) Buying, for consumption or resale, from disaster relief agencies any relief
2 goods, equipment or other commodities which are intended for distribution
3 to disaster affected communities;
- 4 (5) Buying, for consumption or resale, from disaster affected persons, relief
5 goods, equipment or other aid commodities received by them;
- 6 (6) Selling of relief goods, equipment, or other aid commodities which are
7 intended for distribution to disaster victims;
- 8 (7) Forcibly seizing relief goods, equipment, or other aid commodities intended
9 for or consigned to a specific group of victims or relief agency;
- 10 (8) Diverting or misdelivery of relief goods, equipment, or other aid
11 commodities to persons other than the rightful recipient or consignee;
- 12 (9) Accepting, possessing, using or disposing relief goods, equipment or other
13 aid commodities not intended for nor consigned to them;
- 14 (10) Misrepresenting the source of relief goods, equipment, or other aid
15 commodities by:
 - 16 i. Either covering, replacing or defacing the labels of the containers to
17 make it appear that the goods, equipment, or other aid commodities
18 came from another agency or persons;
 - 19 ii. Repacking the goods, equipment, or other aid commodities into
20 containers with different markings to make it appear that the goods
21 came from another agency or persons or was released upon the
22 instance of a particular agency or persons;
 - 23 iii. Making a false verbal claim that the goods, equipment or other and
24 commodities in their untampered original containers actually came from
25 another agency or persons or was released upon the instance of a
26 particular agency or persons;
- 27 (11) Substituting or replacing relief goods, equipment, or other aid commodities
28 with the same items or of inferior/cheaper quality;
- 29 (12) Illegal solicitations by persons or organizations representing others as
30 defined in the standards and guidelines set by the NDRC;
- 31 (13) Deliberate use of false or inflated data in support of the request for
32 funding, relief goods, equipment, or other aid commodities for emergency
33 assistance or livelihood projects;
- 34 (14) Stealing, taking, or possessing of any of the equipment, accessories and
35 other vital facility or items or any part thereof;

- 1 (15) Selling or buying stolen equipment, accessories, and other vital facility
2 items or any part thereof;
- 3 (16) Tampering with or stealing hazard monitoring and disaster preparedness
4 equipment and paraphernalia.
- 5 (17) Attempting to commit any of the abovementioned prohibited acts; and
- 6 (18) Benefitting from the proceeds or fruits of any of the abovementioned
7 prohibited acts knowing that the proceeds or fruits are derived from the
8 commission of the prohibited acts.
- 9

10 SEC. 67. *Penalties.* — The following penalties shall be imposed on any individual,
11 corporation, partnership, association or other juridical entity that commits any of the
12 prohibited acts in the preceding section:

13 (a) Imprisonment of not less than twelve (12) years but not more than fifteen (15)
14 years or a fine of not less than One million pesos (Php1,000,000.00) but not more than
15 Three million pesos (Php3,000,000.00), or both imprisonment and fine at the discretion
16 of the court shall be imposed upon any person found guilty of violating subsections
17 (b)(1) to (b)(16), as well as the confiscation or forfeiture in favor of the government of
18 the objects and the instrumentalities used in the commission of the prohibited acts;

19 (b) Imprisonment of not less than six (6) years but not more than eight (8) years or
20 a fine of not less than Five hundred thousand pesos (Php500,000.00) but not more
21 than One million pesos (Php1,000,000.00), or both imprisonment and fine at the
22 discretion of the court, shall be imposed upon any person who attempts to commit any
23 of the prohibited acts in the preceding section, in violation of subsection (b)(17)
24 thereof;

25 (c) Imprisonment of not less than two (2) years but not more than six (6) years or a
26 fine of not less than Two hundred thousand pesos (Php200,000.00) but not more than
27 Five hundred thousand pesos (Php500,000.00), or both imprisonment and fine at the
28 discretion of the court, shall be imposed upon any person found guilty of unlawfully
29 benefiting from the proceeds or fruits of any of the prohibited in the preceding section,
30 in violation of subsection (b)(18) thereof;

31 (d) Perpetual disqualification from public office aside from the penalty of fine or
32 imprisonment or both, shall be imposed if the offender is a public officer, and
33 confiscation or forfeiture in favor of the government of the objects and the
34 instrumentalities used in the commission of any of the prohibited in the preceding
35 section;

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

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

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

16
17 **ARTICLE XX**
18 **APPROPRIATIONS**

19
20 *SEC. 68. Appropriations. –*

21 (a) The amount needed for the initial implementation of this Act shall be taken from
22 the current fiscal year's unexpended appropriation of all agencies herein absorbed,
23 transferred, and attached to the Department. Thereafter, the amount needed for the
24 operation and maintenance of the Department shall be included in the General
25 Appropriations Act.

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

29 (c) Local Disaster Resilience Fund (LDRF). Not less than seven percent (7%) of the
30 estimated revenue from regular sources shall be set aside as the LDRF to support
31 disaster risk and vulnerability reduction and climate change adaptation and mitigation
32 programs, projects and activities. The LDRC shall monitor and evaluate the use and
33 disbursement of the LDRF based on the LDRP as incorporated in the local development
34 plans and annual work and financial plan. Upon the recommendation of the LDRO and
35 approval of the sanggunian concerned, the LDRC may transfer the said fund to support

1 the disaster risk and vulnerability reduction and climate change adaptation work and
2 initiatives of other LDRCs that are declared under a state of calamity.

3 1) Of the amount appropriated for LDRF, twenty percent (20%) shall be allocated
4 as Quick Response Fund (QRF) or stand-by fund for prepositioning of goods and
5 relief and early recovery programs in order that the situation and living
6 conditions of people in communities or areas stricken by disasters, epidemics, or
7 complex emergencies, may be normalized as quickly as possible.

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

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

21 4) All departments/agencies and local government units that are allocated with
22 Local Disaster Resilience Fund shall submit to the Department their monthly
23 statements on the utilization of Local Disaster Resilience Funds and make an
24 accounting thereof in accordance with existing accounting and auditing rules.

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

31 Unexpended LDRF shall accrue to a trust fund solely for the purpose of
32 supporting disaster risk reduction and management and climate change adaptation
33 activities of the LDRCs within the next two (2) years. Any such amount still not fully
34 utilized after two (2) years shall revert back to the general fund and will be available for
35 other social services to be identified by the local sanggunian.

1 The NDRC shall issue guidelines on the utilization and release of LDRF in
2 coordination with other concerned government agencies.

3 (d) Prevention, Mitigation and Preparedness Fund for third (3rd) to sixth (6th) class
4 provinces and municipalities. There shall be in the annual General Appropriations Act an
5 amount allotted solely for the use of 3rd to 6th class provinces and municipalities for
6 the purpose of augmenting their LDRF with respect to plans, programs, projects, and
7 procurement for climate change adaptation, disaster risk prevention, mitigation, and
8 preparedness. The requirements to avail of this fund shall be laid down in rules and
9 regulations to be promulgated by the Secretary.

10
11 **ARTICLE XXI**
12 **FINAL PROVISIONS**
13

14 SEC. 69. *Transfer and Attached Offices, Agencies, and Personnel.* – (a) The
15 following offices and agencies are hereby transferred to the Department including their
16 powers and functions, funds and appropriations, obligations, records, equipment,
17 property, and personnel;

- 18 1. Office of Civil Defense;
- 19 2. Climate Change Office of the Climate Change Commission;
- 20 3. Geo-Hazard Assessment and Engineering Geology Section of the Mines and
21 Geosciences Bureau;
- 22 4. Health Emergency Management Bureau of the Department of Health
- 23 5. Disaster Response Assistance and Management Bureau of the Department of
24 Social Welfare and Development;
- 25 6. Bureau of Fire Protection; and
- 26 7. Program Management Office for Earthquake Resiliency of the Greater Metro
27 Manila Area.

28 (b) The powers and functions, applicable funds and appropriations, records,
29 equipment, property and personnel of the following agencies are attached to the
30 Department:

- 31 1. Philippine Atmospheric, Geophysical and Astronomical Services Administration
32 (PAGASA); and
- 33 2. Philippine Institute of Volcanology and Seismology (PHIVOLCS).

34 The Department shall, by virtue of this Act, be subrogated to all the rights and
35 assume all the liabilities of the agencies absorbed under this Act, and all their funds,

1 records, property, assets, equipment, and such personnel as necessary, including
2 unexpended appropriations or allocations. All contracts and liabilities of the said
3 agencies are hereby transferred to and assumed by the Department and shall be acted
4 upon in accordance with the *Auditing Code* and other pertinent laws, rules, and
5 regulations.

6 SEC. 70. *Separation Benefits of Officials and Employees of Affected Agencies* –
7 National government employees displaced or separated from the service as a result of
8 this Act shall be entitled to separation pay and other benefits in accordance with
9 Republic Act No. 6656, otherwise known as "*Government Reorganization Law*" and
10 other existing laws, rules or regulations. *Provided*, That those who are qualified to
11 retire under existing retirement laws shall be allowed to retire and receive retirement
12 benefits to which they may be entitled under applicable laws and issuances.

13 SEC. 71. *Special Benefits and Privileges*. – Qualified employees of the DDR, local
14 government units and its attached units shall be covered by Republic Act No. 8439,
15 known as the Magna Carta for Scientists, Engineers, Researchers and Other Science
16 and Technology Personnel in the Government, and Republic Act No. 7005, otherwise
17 known as "*Magna Carta for Public Health Workers*."

18 SEC. 72. *Hazard Pay and Other Allowances and Benefits*. – Qualified personnel of
19 the Department shall be entitled to receive hazard pay and other allowances and
20 benefits, in accordance with such policies and regulations promulgated by the
21 Department, in consultation with the DBM and the COA.

22 SEC. 73. *Implementing Rules and Regulations*. – The Department, in
23 consultation with concerned stakeholders, shall issue the necessary rules and
24 regulations for the effective implementation of this Act within ninety (90) days from the
25 effectivity of this Act.

26
27 SEC. 74. *Congressional Oversight Committee*. – (a) There shall be created a
28 Congressional Oversight Committee on Climate Change and Disaster Resilience to
29 monitor and oversee the implementation of the provisions of this Act. The committee
30 shall be composed of six (6) Members of the House of Representatives and six (6)
31 Senators to be designated by the Speaker of the House of Representatives and the
32 President of the Senate, respectively, from their appropriate committees: *Provided*,
33 That, two (2) Members of the House of Representatives and two (2) Senators shall
34 come from the Minority of their respective houses of congress.

35 (b) Five (5) years after the effectivity of this Act, or as the need arises, the

1 Congressional Oversight Committee shall conduct a systematic evaluation of the
2 accomplishments and impact of this Act, as well as the performance and organizational
3 structure of its implementing agencies, for purposes of determining remedial legislation.
4

5 SEC. 75. *Separability Clause.* – If any provision of this Act shall be declared
6 unconstitutional or invalid, the other provisions not otherwise affected shall remain in full
7 force and effect.
8

9 SEC. 76. *Repealing Clause.* – All other laws, decrees, executive orders,
10 proclamations, rules and regulations, and other issuances or parts thereof that are
11 inconsistent with the provisions of this Act are hereby repealed or amended,
12 accordingly.
13

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

Approved,