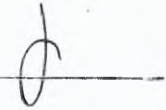


'22 JUL -7 P4 :41

**SENATE**

**S.B. No. 186**

RECEIVED BY



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Introduced by **SENATOR IMEE R. MARCOS**

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**AN ACT  
CREATING THE NATIONAL RESILIENCY AND DISASTER MANAGEMENT  
AUTHORITY, PRESCRIBING ITS POWERS AND FUNCTIONS,  
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

**EXPLANATORY NOTE**

Article II, Section 5 of the 1987 Constitution provides that the State shall maintain peace and order and protect life and property. The State recognizes its duty to ensure immediate and continuing means of assistance by the National Government to local government units on their responsibility in reducing the loss of life and property and protect the nation from all hazards.

The Philippines is an archipelago situated in the Pacific ring of fire, with more than 7,000 islands and 36,000 kilometers coastline that makes the country highly vulnerable to natural disasters.

The Philippines is one of the third most disaster-prone countries in the world. Apart from natural calamities, armed conflict and other man-made hazards further threaten the lives of Filipino communities. The country is said to be a "*haven for terrorists*" and was reported as one of the countries with the greatest number of terrorist organizations over the last decade. According to the Institute for Economics and Peace in its 2022 Global Terrorist Index (GTI), the Philippines ranked 16th on the list of countries most impacted by terrorism. One of the most significant terrorist attack in the Southeast Asia in the last fifteen (15) years was the siege in Marawi City, resulting in Php 18.6 billion in damages and losses.

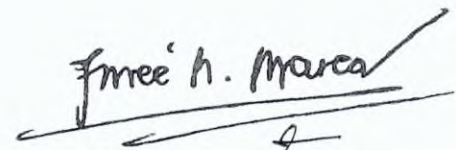
The current practice in disaster risk reduction requires going through different government agencies delaying the mobilization of resources in times of disaster. During these events, lives are put in danger, basic needs like food, shelter water, and utilities are compromised and public infrastructures destroyed.

The bill seeks to create an Authority rather than a Department because the National Disaster Risk Reduction and Management Council (NDRRMC) itself prefer to be under the Office of the President since their response and rescue capabilities

require the cooperation of other departments and agencies. Moreover, the additional creation of a department would be in contrast to the administration's effort and direction in rightsizing the government.

Thus, it is imperative that an Authority be created under the Office of the President which will have the capacity to exercise command and control over concerned departments, agencies, government-owned and controlled corporations, and local government units, including the Armed Forces of the Philippines (AFP) and the Philippine National Police (PNP), on their respective functions, and be able to provide immediate response in times of disaster and other hazards.

In light of this, the approval of this bill is earnestly sought.

  
**IMEE R. MARCOS**

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**SENATE**

**S.B. No. 186**

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**AN ACT**  
**CREATING THE NATIONAL RESILIENCY AND DISASTER MANAGEMENT**  
**AUTHORITY, PRESCRIBING ITS POWERS AND FUNCTIONS,**  
**APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1        **SECTION 1. Short Title.** - This Act shall be known as the "*National Resiliency*  
2        *and Disaster Management Authority Act.*"

3        **SEC. 2. Declaration of Policy.** - The State shall uphold the people's right to life  
4        and property, strengthen the country's institutional capacity for disaster resiliency and  
5        disaster management, strengthen the capacities of departments, agencies, and Local  
6        Government Units (LGUs) in mitigating, preparing, responding, and recovering from  
7        the impact of disasters.

8        **SEC. 3. National Resiliency and Disaster Management Authority.** - There is  
9        hereby created the "*National Resiliency and Disaster Management Authority,*"  
10       hereinafter referred to as the "*Authority*" which shall be under the Office of the  
11       President.

12       The Authority shall be the primary agency responsible for preparing, leading,  
13       organizing, and managing the government's effort to disaster resiliency and  
14       management, including coordination with different departments, agencies, and LGUs  
15       in the different phases of disaster: (1) Prevention and Mitigation, (2) Preparedness,  
16       (3) Response, (4) Rehabilitation and (5) Recovery.

17       The Authority shall be empowered with policy-making, coordination, integration,  
18       supervision, monitoring, implementation, evaluation, and capacity building  
19       functions. The primary mission of the Agency is to reduce the loss of life and property  
20       and protect the country from all hazards, including natural and man-made disasters  
21       and armed conflicts.

1           Upon its creation, a Resiliency Administrator shall be appointed by the President,  
2 having a rank of cabinet secretary, who shall manage and coordinate the effective  
3 implementation of this Act.

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

- 6           (1) Formulate, in coordination with the Council, the "*National Resiliency and Disaster*  
7           *Management Plan*," as provided in Sections 5 and 6 of this Act;
- 8           (2) Issue administrative directives and promote operational skills and capacities to  
9           implement strategies, policies, and improved disaster resilience and  
10           management capacities in order to lessen the adverse impacts of hazards;
- 11           (3) Monitor the integration of disaster resilience and climate change adaptation in  
12           the national development plans and create an enabling environment that shall  
13           promote multi-stakeholder participation of concerned departments, agencies,  
14           local government units, organizations, and other stakeholders;
- 15           (4) Coordinate and exercise command and control with the concerned departments,  
16           agencies, government-owned and controlled corporations, and local government  
17           units, including the Armed Forces of the Philippines (AFP) and the Philippine  
18           National Police (PNP), on their respective functions in times of disaster and other  
19           hazards;
- 20           (5) Organize, train, equip, and maintain a response capacity system for search,  
21           rescue, and retrieval and delivery and distribution of relief goods;
- 22           (6) Monitor the implementation of this Act and the active participation of the  
23           concerned departments, agencies, government-owned and controlled  
24           corporations, and local government units, including the AFP and the PNP; and
- 25           (7) Perform such other functions as may be necessary for the effective  
26           implementation of this Act.

27           **SEC. 5. Council.** - To ensure the effective implementation of this Act, a "*National*  
28           *Resilience and Disaster Management Council*" hereinafter referred to as the "*Council*,"  
29 shall be constituted to assist the Authority which shall be composed of the following:

- 30           (1) Secretary of the Department of National Defense (DND);
- 31           (2) Secretary of the Department of Interior and Local Government (DILG);
- 32           (3) National Security Adviser of the National Security Council (NSC)
- 33           (4) Secretary of the Department of Social Welfare and Development (DSWD);
- 34           (5) Secretary of the Department of Health (DOH);
- 35           (6) Secretary of the Department of Public Works and Highways (DPWH);
- 36           (7) Secretary of the Department of Agriculture (DA);
- 37           (8) Secretary of the Department of Environment and Natural Resources  
38           (DENR);

- 1 (9) Secretary of the Department of Science and Technology (DOST);
- 2 (10) Secretary of the Department of Information and Communications
- 3 Technology (DICT); and
- 4 (11) One (1) Commissioner from the Climate Change Commission.

5 The abovementioned members shall be considered as *ex officio* members.

6 **SEC. 6. National Resiliency and Disaster Management Plan.** - Within ninety (90)  
7 days after the effectivity of this Act, the Authority shall establish a "*National Resiliency*  
8 *and Disaster Management Plan*," hereinafter referred to as the "*Plan*" which shall  
9 contain a comprehensive, all hazards, multi-sectoral, inter-agency, and community-  
10 based strategy that shall build and strengthen capabilities necessary to prepare,  
11 respond, and recover from natural disasters, armed conflicts, and other man-made  
12 disasters while also building the unique capabilities necessary to respond to specific  
13 types of incidents that may pose greater risk.

14 The Plan shall set goals, objectives, and the guidelines for disaster resiliency and  
15 management in national and local levels, with a whole-of-nation approach. It shall  
16 also serve as the principal guide for the implementation of this Act and shall be  
17 reviewed every three (3) years thereafter, or as may be deemed necessary.

18 For purposes of this Act, "*resilience*" shall mean the ability of a system exposed  
19 to hazards to be able to, continuously and all year round, resist, absorb, respond, and  
20 recover from the immediate effects of a hazard, natural or man-made calamity, and/or  
21 armed conflict in a timely and efficient manner.

22 **SEC. 7. Preparedness and Early Warning.** - The Authority shall establish  
23 standards for disaster preparedness, contingency planning, localizing,  
24 operationalizing, disaster risk and vulnerability reduction and management,  
25 preparedness for disaster response, preparedness for disaster response and early  
26 recovery, continuity of essential needs and services, and other relevant preparedness  
27 activities.

28 The Authority shall mandate concerned government departments and agencies,  
29 such as the DOST, DICT, DILG, AFP, and PNP to establish integrated early warning  
30 systems, including information mechanisms, regarding meteorological, geologic, or  
31 terrestrial phenomena and man-made threats from real-time data both local and  
32 international sources.

33 The LGUs shall assist the Authority in identifying and/or establishing safe or  
34 strategic sites and evacuation centers with adequate facilities and in hazards  
35 assessment.

36 *Provided, That,* early warning system shall refer to the set of capacities needed  
37 to generate and disseminate timely and meaningful warning information to enable  
38 individuals, communities, and organizations threatened by a hazard to prepare and to  
39 act appropriately and in sufficient time to reduce the possibility of harm or loss. The

1 system comprises of the following elements: (1) knowledge of risks; (2) monitoring,  
2 analysis, and forecasting of the hazards; (3) communication or dissemination of alerts  
3 and warnings; and (4) local capabilities to respond to the warning received.

4 **SEC. 8. *Disaster Response and Early Recovery.*** - The Authority shall ensure the  
5 provision of emergency services and public assistance during or immediately after a  
6 disaster or armed conflict in order to secure and save lives, reduce health impacts,  
7 ensure public safety and meet the basic subsistence needs of the people affected.  
8 Such response includes immediate relief assistance focused on immediate and short-  
9 term needs of the victims and the vulnerable.

10 The Authority may declare a state of calamity, when appropriate, of affected  
11 barangays, municipalities, cities, provinces, and region and the lifting thereof based  
12 on the criteria set forth by the Council. Provided that, the declaration and lifting of the  
13 declaration may be issued by the LGUs, through a Resolution by the concerned  
14 *Sanggunian*, or by the President through the recommendation of the Authority based  
15 on the results of the damage and assessment and needs analysis.

16 The Authority shall ensure that the concerned departments and agencies, such  
17 as the DOH, DPWH, and DSWD will deliver immediate and adequate goods, articles,  
18 and/or equipment for relief assistance to affected areas.

19 Emergency responders, community practitioners, and organized volunteer  
20 organizations may contribute by providing timely and efficient emergency response  
21 and providing training on basic life support, first aid, and search and rescue, in  
22 accordance with the standards as may be provided by the Authority.

23 **SEC. 9. *Rehabilitation and Recovery.*** - The Authority shall coordinate and ensure  
24 that concerned departments and agencies, such as the DSWD, DPWH, and DOH  
25 prepare, organize, implement, and manage post-disaster assessment and recovery  
26 and rehabilitation programs, in coordination with the affected LGUs, and other  
27 stakeholders.

28 Rehabilitative measures should provide the affected individuals and communities  
29 the ability to restore their normal level of functioning by restoring livelihoods and  
30 services, reconstructing damaged infrastructures and increasing the communities'  
31 organizational capacity, among others.

32 The Authority shall also encourage and promote an approach to expedite  
33 rehabilitation and reconstruction efforts. *Provided that*, the principle of "Build Forward  
34 Better" shall be applied to rehabilitation and recovery efforts. For purposes of this Act,  
35 "*Build Forward Better*" shall refer to an approach to building and/or reconstructing an  
36 area or community, which entails a shift from simple recovery and restoration to safer,  
37 more adaptive, resilient, and inclusive communities.

38 **SEC. 10. *Regional Offices.*** - Upon the effectivity of this Act, Regional Offices  
39 shall be established in each region which shall be headed by a Regional Administrator

1 who shall be appointed by the Resiliency Administrator and shall have the expertise  
2 in emergency response and management taking into consideration his/her familiarity  
3 with the geographic and demographic characteristics of the region.

4 *Provided that,* no person shall be appointed Regional Administrator unless he/she  
5 is a citizen and resident of the Republic of the Philippines, is of good moral character,  
6 and is of proven competence and integrity.

7 The Regional Administrator shall have the following responsibilities:

- 8 (a) Ensure coordinated and integrated regional preparedness, protection, response,  
9 recovery, and mitigation activities and programs for natural disasters, acts of  
10 terrorism, and other man-made disasters (including planning, training, exercises,  
11 and professional development);
- 12 (b) Assist in the development of regional capabilities needed for a national  
13 catastrophic response system;
- 14 (c) Coordinate the establishment of effective regional operable and interoperable  
15 emergency communications capabilities with the concerned stakeholders;
- 16 (d) Designate an individual responsible for the development of strategic and  
17 operational regional plans in support of the Framework;
- 18 (e) Foster and promote the development of mutual aid and other cooperative  
19 agreements;
- 20 (f) Identify critical gaps in regional capabilities to respond to populations with special  
21 needs;
- 22 (g) Maintain and operate a Regional Response Coordination Center;
- 23 (h) Coordinate with the private sector to help ensure private sector preparedness for  
24 natural disasters, armed conflicts, and other man-made disasters;
- 25 (i) Assist State, local, and tribal governments, where appropriate, to pre-identify and  
26 evaluate suitable sites where a multijurisdictional incident command system may  
27 quickly be established and operated from, if the need for such a system arises;  
28 and
- 29 (j) Perform such other responsibilities, as may be necessary in the implementation of  
30 this Act.

31 **SEC. 11. Donations.** - The Authority shall have the power to receive donations  
32 and grants from any person, government institution, corporation, international  
33 organization, and other similar entities, and the power to recommend the procurement  
34 of developmental assistance for the purpose of disaster risk and vulnerability reduction  
35 and management and climate change adaptation.

1 The importation and donation of food, clothing, medicine, and equipment for  
2 relief and recovery and other disaster management and recovery-related supplies is  
3 authorized in accordance with Sec. 800 of R.A. No. 10863 otherwise known as the  
4 "*Customs Modernization and Tariff Act (CMTA)*," as amended, and the prevailing  
5 provisions of the General Appropriations Act. *Provided that*, the Authority shall  
6 acknowledge, through receipts, all donations and grants to ensure judicious  
7 management including proper and accurate audit reporting.

8 **SEC. 12. *International Humanitarian Assistance.*** - The Authority, in coordination  
9 with the Council, shall promulgate guidelines on international assistance including  
10 initiation, entry, facilitation, transit, regulation, and termination thereof, as well as  
11 those involving international disaster relief and personnel assisting international  
12 actors, visa waiver, recognition of foreign professional qualifications, entry of  
13 international disaster goods and equipment, and exemption from port duties, taxes,  
14 and restrictions.

15 In the event that the Authority determines that domestic response capabilities  
16 are not sufficient, the Authority may recommend to the President that request/s be  
17 made for international humanitarian assistance.

18 **SEC. 13. *Visa Waiver.*** - As may be determined by the Authority, eligible assisting  
19 international actors who shall perform disaster relief and initial recovery assistance  
20 shall be entitled to waiver of entry visa requirements, including associated fees and  
21 charges, in so far as such are still needed in the affected areas.

22 **SEC. 14. *Customs Facilitation and Priority Treatment.*** - The Bureau of Customs  
23 (BOC) shall facilitate and assist in the rapid importation and/or consignment of goods  
24 and equipment by eligible assisting actors and shall accord them priority treatment in  
25 handling.

26 **SEC. 15. *Exemption from Import Duties, Taxes, and Restrictions.*** - Consignment  
27 of goods and equipment by or on behalf of eligible assisting international actors shall  
28 benefit from exemption of all duties and taxes; waiver of economic prohibitions and  
29 restrictions, except for categories of special goods, as may be determined by the  
30 Authority; and clearance without regard to the country of origin or the country from  
31 which the goods have arrived, subject to monitoring for public health and security  
32 concerns.

33 **SEC. 16. *Emergency Procurement.*** - In order to expedite disaster response and  
34 recovery, the procurement or lease of equipment and delivery of goods and services  
35 through emergency procurement or purchase at site shall be allowed. Periods of action  
36 on procurement activities may also be waived for the same purpose and conditions.

37 **SEC. 17. *Disaster Resilience and Climate Change Management Information***  
38 ***System.*** - The Authority shall establish a Disaster Resilience and Climate Change  
39 Management Information System which shall constitute an online central database of



1 all disaster and climate change data including a geographic information system on  
2 mapping, geo-hazard assessment, climate risks, disaster-risk analysis, and climate  
3 change vulnerability assessment. Such Information System shall be made available to  
4 all concerned departments and agencies.

5 **SEC. 18. *Transfer and Attachment.*** - Upon the effectivity of this Act, the  
6 applicable powers, functions, funds, assets, personnel, and appropriation of the  
7 National Disaster Risk Reduction and Management Council (NDRRMC) shall be  
8 transferred to the Authority.

9 **SEC. 19. *Fiscal Management.*** - The Authority shall manage all funds  
10 appropriated to it by Congress and from other sources, including donations as  
11 provided in Sec. 11 of this Act.

12 **SEC. 20. *National Disaster Resilience Fund (NDRF).*** - The utilization and  
13 allocation of the entire NDRF and its quick response fund component shall be managed  
14 by the Authority except as provided in other laws.

15 **SEC. 21. *Appropriation.*** - The amount needed for the implementation of this Act  
16 shall be included in the General Appropriations Act (GAA).

17 **SEC. 22. *Implementing Rules and Regulations*** - Within ninety (90) days, the  
18 Authority, in coordination with the Council, shall issue the necessary rules and  
19 regulations for the effective implementation of this Act.

20 **SEC. 23. *Separability Clause.*** - If any portion or provision of this Act is declared  
21 unconstitutional, the remainder of this Act or any provision not affected thereby shall  
22 remain in force and effect.

23 **SEC. 24. *Repealing Clause.*** - All provisions of existing laws, orders, rules and  
24 regulations or parts thereof which are in conflict or inconsistent with the provisions of  
25 this Act are hereby repealed, amended or modified accordingly.

26 **SEC. 25. *Effectivity.*** - This Act shall take effect after fifteen (15) days following  
27 the completion of its publication either in the Official Gazette or in a newspaper of  
28 general circulation in the Philippines.

*Approved,*