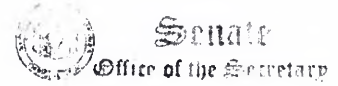


NINETEENTH CONGRESS OF THE )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )



'22 JUL 25 A10 :22

**SENATE**

S. No. 791

RECEIVED BY.

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**Introduced by Senator Jinggoy Ejercito Estrada**

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

**EXPLANATORY NOTE**

The establishment of a Department of Disaster Resilience (DDR) is one of the legislative priorities identified under the updated Philippine Development Plan 2017-2022. Considering the adverse impacts of natural disasters to the attainment of economic goals, it is imperative that the government institutes long-term strategies and effective mechanisms to mitigate and manage risks and reduce vulnerabilities of communities.

As stated therein, the proposed DDR is envisioned as the principal government body with "sufficiently high level of authority to lead the coordination, monitoring, oversight, and implementation of disaster risk reduction and management efforts." It will also "be equipped with the necessary competency and resources to engage new actors, particularly in the field of risk transfer and insurance." Further, DDR will "provide a clear operational framework to address the fragmented institutional functions and actions among concerned agencies on climate change and disasters<sup>1</sup>."

The Philippines, located in the Pacific Ocean, is frequented by typhoons, causing immense damage to infrastructure and devastation to many villages. Situated in the Pacific Ring of Fire, the country is also prone to earthquakes and

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<sup>1</sup> Updated Philippine Development Plan 2017-2022, pages 283, 330

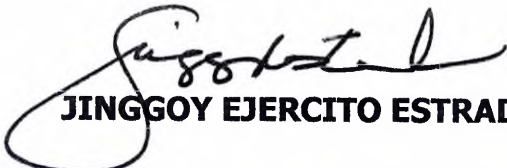
volcanic activities. Possessing one of the longest coastlines in the world, the country is also vulnerable to storm surges and severe flooding. Overall, the Philippines is considered as the country most at risk from climate crisis, and one of the most affected by extreme weather events in the past two decades.

This measure proposes the creation of the Department of Disaster Resilience which shall be the primary government agency responsible for leading, organizing, and managing the national effort to reduce disaster risk, prepare for and respond to disasters, recover and rehabilitate, and build forward better, after the occurrence of disasters. Its mandate shall cover all natural hazards, including biological hazards (epidemic and pandemic, insect infestation). Its functions shall include, among others:

- a) Conduct risk and vulnerability assessment at the local level;
- b) Undertake the construction of evacuation centers that conform to international standards;
- c) Implement programs relating to the construction of new settlements and relocation of settlements in safe areas;
- d) Lead and collaborate with various stakeholders in providing the minimum basic needs of people in affected areas before, during and/or after a disaster; and
- e) Organize and manage post-disaster assessment and recovery and rehabilitation programs.

This bill was among the 31 priority measures of the Common Legislative Agenda of the Legislative Executive Development Advisory Council (LEDAC) during the 18<sup>th</sup> Congress. This version was already approved on Third and Final Reading by the House of Representatives during the previous Congress.

In view of upholding the sanctity of human life and proactively addressing humanitarian emergencies, the immediate passage of this legislation is earnestly sought.

  
**JINGGOY EJERCITO ESTRADA**

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THEREFOR**

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

**Article I**

**GENERAL PROVISIONS**

1  
2  
3 Section 1. *Short Title.* – This Act shall be known as the "*Disaster Resilience*  
4 *Act.*"

5 Sec. 2. *Declaration of Policy.* – It shall be the policy of the State to:

6 a) Protect the lives and properties of its citizens by addressing and  
7 preventing the causes of vulnerabilities to natural disasters;

8 b) Uphold the sacredness of human life by efficiently and effectively  
9 addressing humanitarian emergencies, including calamities and disasters,  
10 through the establishment of a focused, streamlined, independent,  
11 empowered, capacitated, specialized agency on disaster risk reduction and  
12 management as well as emergency response, which is national in scope  
13 and civilian in character. The people are the most important assets of the  
14 nation, and all disaster risk and management efforts shall be responsive to  
15 the humanitarian needs of the people, the dignity and value of the human  
16 person, and respect for property;



- 1 c) Promote a simple, strategic, continuous, comprehensive, inclusive, and  
2 integrated approach to disaster risk reduction and management aimed at  
3 substantially reducing vulnerabilities and the risk of disasters and other  
4 humanitarian emergencies, towards the preservation of life and property,  
5 thereby ultimately preventing or deterring the loss of lives and protecting  
6 the social, economic, historical and cultural heritage, and environmental  
7 assets of the country;
- 8 d) Establish a permanent, institutionalized, cohesive, and comprehensive  
9 framework for disaster preparedness, prevention and mitigation, and  
10 response, to be implemented by a focused specialized agency with its own  
11 mandate, powers, and funding, and coordinating with the Philippine  
12 government, other foreign governments and financial institutions,  
13 international organizations, the private sector, and civil society. Disaster  
14 risk reduction and management shall first aim for the outright avoidance  
15 of the adverse impacts of hazards and related disasters. With the  
16 knowledge and capacities to effectively anticipate, respond to, and recover  
17 from the impacts of likely, imminent or current hazard events,  
18 preparedness action shall be carried out in the most effective and efficient  
19 manner. In a disaster scenario, the response shall ensure the provision of  
20 emergency services and public assistance, during or immediately after a  
21 disaster;
- 22 e) Create an integrated, systematic, comprehensive, and cohesive plan to  
23 simplify, streamline, integrate, and coordinate the various programs,  
24 projects, and activities of the Government and such other actors or  
25 stakeholders in disaster risk reduction and management to ensure  
26 accountability, responsibility, and transparency as well as to ensure the  
27 efficient and effective performance of their functions;
- 28 f) Inculcate a culture of resilience and preparedness against natural disasters  
29 at the national, regional and local levels;
- 30 g) Establish a strong and empowered institution capable of responding to the  
31 greater onslaught of normal or natural disasters brought by climate  
32 change, and spearhead efforts to ensure disaster resilience by delivering

1 the highly critical and intertwined functions of disaster risk reduction and  
2 response, with a recovery strategy of "building forward better;"

- 3 h) Address the different concerns and needs of sectors with special needs or  
4 higher vulnerabilities such as women, children, elderly, persons with  
5 disabilities, and indigenous peoples with respect to disaster resilience and  
6 disaster management;
- 7 i) Foster an enabling environment for substantial and sustainable  
8 participation of nongovernment stakeholders such as civil society  
9 organizations, private groups, volunteers, and communities in disaster  
10 resilience programs and projects;
- 11 j) Adopt a whole-of-society, whole-of-government, and whole-of-nation  
12 approach in disaster preparedness to increase collaboration, planning and  
13 dialogue among all sectors of society in preparing for natural disasters and  
14 in improving their strategies and action plans for disaster risk reduction;  
15 and
- 16 k) Strengthen the chain of command and establish a unified command  
17 system for disaster management.

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

- 19 a) *Adaptation* – refers to the adjustment in natural or human systems in  
20 response to actual or expected climactic stimuli or their effects with  
21 moderates harm or exploits beneficial opportunities;
- 22 b) *Assisting actor* – refers to any assisting international or domestic actor  
23 following a disaster in the country;
- 24 c) *Assisting domestic actor* – refers to any not-for-profit entity established  
25 under domestic laws, which is extending help following a disaster in the  
26 country;
- 27 d) *Assisting international actor* – refers to any foreign state, organization,  
28 entity or individual extending help following a disaster within the country  
29 or transiting through the country to extend help following a disaster in  
30 another country;
- 31 e) *Biological hazards* – refer to hazards that are of organic origin or conveyed  
32 by biological vectors, including pathogenic microorganisms, toxins, and

- 1 bioactive substances. Examples are bacteria, viruses, or parasites as well  
2 as venomous wildlife and insects, poisonous plants and mosquitoes  
3 carrying disease-causing agents;
- 4 f) *Building forward better* – refers to an approach to building or  
5 reconstructing an area or community, which entails a shift from achieving  
6 simple recovery and restoration to creating safer, more adaptive, resilient  
7 and inclusive communities;
- 8 g) *Business continuity* – refers to the capability of an organization to continue  
9 the delivery of products or services at acceptable predefined levels  
10 following a disruptive incident;
- 11 h) *Capacity* – refers to the combination of attributes and resources available  
12 within a community or area that can reduce the level of risk(s) from, or  
13 impact(s) of, a disaster;
- 14 i) *Civil society organizations* – refer to non-State actors whose aims are  
15 neither to generate profits nor to seek governing power, but to unite  
16 people to advance shared goals and interests. CSOs may include  
17 nongovernment organizations, community-based organizations, and social  
18 movements;
- 19 j) *Climate change* – refers to a change in the state of the climate that can be  
20 identified by changes in the means and/or variability of its properties, and  
21 that persists in an extended period, typically decades or longer, whether  
22 due to natural internal processes or external forces such as modulation of  
23 the solar cycles, volcanic eruptions, and persistent anthropogenic changes  
24 in the composition of the atmosphere or in land use;
- 25 k) *Complex emergency* – refers to a form of human-induced emergency in  
26 which the cause of the emergency as well as the assistance to the afflicted  
27 is complicated by an intense level of political considerations;
- 28 l) *Consequence management* – refers to the totality of interventions and  
29 measures taken to restore essential operations and services in a  
30 permissive environment, including measures to protect public health and  
31 safety, restore essential government services, and provide emergency



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

1 otherwise specifically indicated in this Act, the term "disaster" shall refer to  
2 "natural disaster";

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



- 1 aa) *Disaster resilience* – refers to the ability of a system, community, or  
2 society exposed to hazards to resist, absorb, accommodate, adapt to,  
3 transform, and recover from the effects of a hazard, including the long-  
4 term impact of climate change, in a timely and efficient manner, including  
5 through the preservation and restoration of its essential basic structures  
6 and functions through risk management;
- 7 bb) *Disaster risk* – refers to the potential losses in lives, health status,  
8 livelihoods, assets and services that may occur to a particular community  
9 or society due to a disaster in the future, and is determined by a  
10 combination of the vulnerability, capacity exposure of persons and assets,  
11 hazard characteristics and the environment;
- 12 cc) *Disaster risk governance* – refers to the manner in which the public  
13 authorities, civil servant, media, private sector, and civil society coordinate  
14 at community, national and regional levels in order to manage disaster  
15 and climate related risks. This includes ensuring that sufficient levels of  
16 capacity and resources are made available to prevent, prepare for,  
17 manage and recover from disasters. It also entails mechanisms,  
18 institutions, and processes for citizens to articulate their interests, exercise  
19 their legal rights and obligations, and mediate their differences;
- 20 dd) *Disaster risk management* – refers to the systematic approach or process  
21 of implementing strategies, policies and programs to lessen the possibility  
22 and/or adverse impacts of disasters and related hazards;
- 23 ee) *Disaster risk reduction* – refers to the prevention of new or reduction of  
24 existing, disaster risks and the management of residual risk, to enhance  
25 resilience to disasters;
- 26 ff) *Early warning system* – refers to an integrated system of hazard  
27 monitoring, forecasting and prediction, disaster risk assessment, and  
28 communication and preparedness activities and processes that enable  
29 individuals, communities, national government agencies, local government  
30 units, the private sector, and others to take timely action to reduce  
31 disaster risks, and adequately prepare for disasters;

- 1 gg) *Emergency* – refers to unforeseen or sudden occurrence, especially  
2 danger, demanding immediate action;
- 3 hh) *Emergency management* – refers to the organization and management of  
4 resources and responsibilities for addressing all aspects of emergencies, in  
5 particular, preparedness, response and initial recovery steps;
- 6 ii) *Environmental hazards* – refer to hazards which may be chemical, natural  
7 and biological, and can be created by environmental degradation or  
8 physical or chemical pollution in the air, water and soil. However, many of  
9 the processes and phenomena that fall into this category may be termed  
10 drivers of hazard and risk rather than hazards in themselves, such as soil  
11 degradation, deforestation, loss of biodiversity, salinization and sea-level  
12 rise;
- 13 jj) *Exposure* – refers to the situation of people, infrastructure, housing,  
14 production capacities, and other tangible human assets located in hazard-  
15 prone areas;
- 16 kk) *Framework Agreement* – shall refer to a written agreement between a  
17 procuring entity and a supplier or service provider that identifies the terms  
18 and conditions under which specific purchases are made for the duration  
19 of the agreement. The Framework Agreement is in the nature of an option  
20 contract between the procuring entity and the bidder(s) granting the  
21 procuring entity the option to either place an order for any of the goods or  
22 service identified in the Framework Agreement List or not buy at all, within  
23 the period of the Framework Agreement;
- 24 ll) *Geological or geophysical hazards* – refer to hazards which originate from  
25 internal earth processes, such as earthquakes, volcanic activities and  
26 emissions, and related geophysical processes which include mass  
27 movements, landslides, rockslides, surface collapses and debris or mud  
28 flows. Hydrometeorological factors are important contributors to some of  
29 these processes. While tsunamis are triggered by undersea earthquakes  
30 and other geological events, they essentially become an oceanic process  
31 that is manifested as coastal water-related hazards;

- 1 mm) *Geographic information system* – refers to a database which contains,  
2 among others, geo-hazard assessments, information on climate change,  
3 and climate risk reduction and management;
- 4 nn) *Geographically isolated and disadvantaged area (GIDA)* – refers to an area  
5 with a marginalized population, which is physically and socio-economically  
6 separated from the mainstream society and characterized by physical  
7 factors such as isolated due to distance, weather conditions and  
8 transportation difficulties due to island, upland, lowland, landlocked, hard  
9 to reach and underserved communities; and/or socio-economic factors  
10 such as high poverty incidence, presence of vulnerable sector,  
11 communities in recovering from a situation of crisis or armed conflict;
- 12 oo) *Hazard* – refers to a phenomenon, substance, human activity, or condition  
13 that may cause loss of life, injury or impacts to health; and social and  
14 economic disruption, environmental damage, or loss of or disruption to  
15 property, livelihood and/or services;
- 16 pp) *Historical landmarks* – refer to sites or structures that are associated with  
17 events or achievements significant to Philippine history as declared by the  
18 National Historical Institute or the applicable agency;
- 19 qq) *Human-induced disasters* – refer to disaster induced entirely or  
20 predominantly by human activities or choices, such as ideologically  
21 motivated conflict or criminality;
- 22 rr) *Humanitarian assistance* – refers to financial, material, or other similar  
23 forms of assistance to address the immediate needs of people affected by  
24 a natural disaster;
- 25 ss) *Hydrometeorological hazards* – refer to hazards that are of atmospheric,  
26 hydrological and oceanographic origin, such as tropical cyclones also  
27 known as typhoons and hurricanes, floods, including flash floods, drought,  
28 heatwaves and cold spells, coastal storm surges, and marine heatwaves,  
29 extreme sea events, and sea level rise. Hydrometeorological conditions  
30 may also be a factor in other hazards, such as landslides, wildland fires,  
31 locust plagues, epidemics, and in the transport and dispersal of toxic  
32 substances and volcanic eruption material;



1 tt) *Impact and needs assessment* – refers to assessing the nature and  
2 magnitude of a disaster, its impact on affected populations, the type and  
3 extent of emergency, and the requirements for recovery and rehabilitation  
4 of the affected areas;

5 uu) *Land-use planning* – refers to the process undertaken by public authorities  
6 to identify, evaluate, and decide on different options for the use of land,  
7 including consideration of long-term economic, social and environmental  
8 objectives and the implications for different communities and interest  
9 groups, and the subsequent formulation and promulgation of plans that  
10 describe the permitted or acceptable uses;

11 vv) *Legal facilities* – refer to entitlements and exemptions that are granted to  
12 assisting domestic or international actors which are declared to be eligible  
13 pursuant to this Act and its implementing rules and regulations;

14 ww) *Local Disaster Resilience Plan (LDRP)* – refers to a document prepared  
15 by a local government unit (LGU) on the National Disaster Resilience  
16 Framework (NDRF) and National Disaster Resilience Plan and Investment  
17 Program (NDRPIP) that sets out specific programs, objectives and goals to  
18 implement disaster risk management and climate change adaptation  
19 measures at the local level. The plan shall include among others, an  
20 evaluation and analysis of emerging disaster risks, hazards and  
21 vulnerabilities applicable to an LGU, and specific programs and activities to  
22 ensure responsive, effective and the appropriate disaster preparedness  
23 and management at the local level;

24 xx) *National continuity policy* – refers to a policy aimed at the development of  
25 an organizational culture that has the ability to provide a minimum level of  
26 service during interruptions, emergencies, and disasters, and return to full  
27 operations quickly;

28 yy) *National cultural treasure* – refers to a unique cultural property found  
29 locally, possessing outstanding historical, cultural, artistic and/or scientific  
30 value which is highly significant and important to the country and nation,  
31 and officially declared as such by the pertinent cultural agency;

1       zz) *National Disaster Resilience Framework (NDRF)* – refers to a framework  
2       that provides for a comprehensive, all-hazards, multi-sectoral, inter-  
3       agency and community-based approach to enable communities to resist,  
4       prevent, mitigate against, absorb, accommodate, adapt to, recover, or  
5       build forward better from the effects of a hazard in a timely and efficient  
6       manner through, among others, disaster risk reduction and management  
7       and climate change adaptation and mitigation. The NDRF shall be  
8       composed of a National Disaster Risk Reduction and Management  
9       Framework (NDRRMF), and National Framework Strategy on Climate  
10      Change (NFSCC);

11     aaa) *National Disaster Resilience Plan and Investment Program (NDRPIP)* –  
12     refers to a plan formulated and implemented by the Department of  
13     Disaster Resilience in accordance with the NDRF that sets out the  
14     outcomes, goals and objectives, priorities, programs and corresponding  
15     action plans for disaster risk reduction, preparedness, and management,  
16     and climate change mitigation. It shall also include, among others, the  
17     goals, objectives, and action plans for a National Continuity Policy;

18     bbb) *Natural Disaster* – refers to a disaster predominantly associated with  
19     and/or caused by natural processes or phenomena, such as those related  
20     to geology such as earthquakes, ground rupture, liquefaction, landslides,  
21     tsunamis, sinkholes, volcanic activity; hydrology and meteorology such as  
22     floods, severe winds, typhoons, storm surges, climatological variability  
23     such as extreme temperatures, El Niño, La Niña, and forest fires;  
24     biological events such as epidemics or pandemics caused by outbreaks of  
25     viral, bacterial, parasitic, fungal or infectious diseases affecting human,  
26     animal or plant life, insect infestations or swarms; and extraterrestrial  
27     events such as a meteorite or asteroid strikes;

28     ccc) *Open data* – refer to facts and statistics that can be freely used, shared  
29     and built-on by anyone, anywhere, for any purpose, which must be  
30     available in bulk, free of charge, or at least no more than a reasonable  
31     cost and permit people to use, re-use and redistribute, intermix with other  
32     data providers;

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

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

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

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

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

29 iii) *Resilience* – refers to the ability of a system, community or society  
30 exposed to hazards to resist, absorb, accommodate, and recover from the  
31 effects thereof in a timely and efficient manner, including through the



1 preservation and restoration of its essential basic structures and functions  
2 in a manner that will make them more resistant to future risks;

3 jii) *Response* – refers to any concerted effort by two (2) or more agencies,  
4 public or private, to provide assistance or intervention during or  
5 immediately after a disaster to meet the life preservation and basic  
6 subsistence needs of those people affected and in the restoration of  
7 essential public activities and facilities;

8 kkk) *Retrofitting* – refers to an act reinforcing or upgrading existing  
9 structures to make them more resistant and resilient to the damaging  
10 effects of hazards;

11 lll) *Risk* – refers to the combination of the probability of an event and its  
12 negative consequences;

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

23 nnn) *Risk transfer* – refers to the process of formally or informally shifting  
24 the financial consequences of particular risks from one party to another  
25 whereby a household, community, enterprise or State authority will obtain  
26 resources from the other party after a disaster occurs, in exchange for  
27 ongoing or compensatory social or financial benefits provided to that other  
28 party;

29 ooo) *Safety stock* – refers to items of raw materials, component parts, or  
30 finished goods maintained in inventory in order to reduce the risk that  
31 such item will be out of stock, in anticipation of shortages or unusual  
32 demand for such items;

1       ppp) *State of Calamity* – refers to a condition involving mass casualty,  
2       disruption of means of livelihoods, and/or major damages to property,  
3       roads, and normal way of life of people in the affected areas as a result of  
4       the occurrence of natural or human induced hazard;

5       qqq) *Sustainable development* – refers to development that meets the  
6       needs of the present generation without compromising the ability of future  
7       generations to meet their own. It contains within it two (2) key concepts:  
8       first, the concept of “needs,” in particular, the essential needs of the  
9       world’s poor, to which overriding priority should be given; and second, the  
10      idea of limitations imposed by the state of technology and social cohesion  
11      and harmony, and ecological integration of a sound and viable economy,  
12      responsible governance, and ecological integrity to ensure that human  
13      development now and through future generations is a life enhancing  
14      process;

15      rrr) *Volunteers* – refer to individuals, groups or entities that offer and provide  
16      services or assistance, without compensation, to help people and areas  
17      affected by disasters;

18      sss) *Vulnerability* – refers to the characteristics and circumstances of a  
19      community, system or asset that make it susceptible to the damaging  
20      effects of a hazard. Vulnerability may arise from various physical, social,  
21      economic, and environmental factors such as poor design and construction  
22      of buildings, inadequate protection of assets, lack of public information  
23      and awareness, limited official recognition of risks and preparedness  
24      measures, and disregard for wise environmental management;

25      ttt) *Vulnerable and marginalized groups* – refer to those that face higher  
26      exposure to disaster risk and poverty including women, children, the  
27      elderly, differently abled people and ethnic minorities;

28      uuu) *Whole-of-Society Approach* – refers to an approach that encourages  
29      the meaningful and active participation and synergy of the different  
30      stakeholders of society toward climate change adaptation and mitigation,  
31      disaster risk reduction and management at the national and local levels;





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

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

8 a) Geological Phenomena and Related Hazards:

9 1) Earthquake – ground rupture, ground shaking, liquefaction, tsunami,  
10 fire, landslides, and seiche or lake water oscillation

11 2) Volcanic activity – ash fall, pyroclastic flow, lava flow, lahar, fissuring,  
12 and volcanic gas

13 3) Mass movement – landslides, debris flow, sinkholes

14 b) Hydrological, Oceanographic and Meteorological Phenomena and Related  
15 Hazards

16 1) Tropical cyclone – severe winds, storm surge, rogue waves, severe  
17 rainfall including hail

18 2) Flood, rain-triggered landslides and storm surges

19 3) Erosion

20 4) Marine heatwaves, extreme sea events, and sea level rise

21 c) Climate Variability/Change with Related Hazards of Compound Events and  
22 Cascading Impacts

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

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

27 3) Wildfire (forest or land fires)

28 d) Biological and Related Hazards

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

31 2) Insect Infestation – grasshoppers/locusts

32 e) Extra-Terrestrial – Meteorite/Asteroid Impact

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

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

17 *Sec. 5. Powers and Functions of the Department.* – The Department shall  
18 exercise the following powers and functions, in collaboration with the relevant  
19 departments, agencies, and nongovernment stakeholders:

20 a) General Functions

- 21 1) Conduct risk and vulnerability assessment at the local level based on  
22 the national criteria, and establish a database that includes, among  
23 others, an inventory of hazards to better prepare for and respond to  
24 natural disasters;
- 25 2) Undertake the establishment or construction of evacuation centers that  
26 conform to the standards under the United Nations (UN) Humanitarian  
27 Charter and Minimum Standards in Humanitarian Response or The  
28 Sphere Minimum Standards for Shelter and Settlement, and Republic  
29 Act No. 10821, otherwise known as the "Children's Emergency Relief  
30 and Protection Act", among others. The upkeep and maintenance of  
31 the evacuation centers shall be the responsibility of the concerned  
32 LGUs;

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



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

4 b) Disaster Risk Reduction

5 1) Develop coordinated regional and local strategies for the effective  
6 prevention and mitigation of disaster risk resulting from natural  
7 hazards, including the effects of climate change;

8 2) Develop and implement policies and programs relating to the  
9 construction of new settlements or relocation of settlements in safe  
10 areas which shall, to the extent such policies and programs relate to  
11 disaster reduction, mitigation, prevention or building forward better,  
12 prevail over policies or decisions of other government departments,  
13 government agencies, government owned and/or controlled  
14 corporations, LGUs, or other government institutions;

15 3) Develop, in coordination with relevant government agencies, policies  
16 and programs on land-use planning, urban planning and zoning which  
17 shall, to the extent such policies and programs relate to disaster risk  
18 reduction, mitigation, prevention or building forward better, prevail  
19 over policies or decisions of other government departments,  
20 government agencies, government owned and/or controlled  
21 corporations, LGUs, or other government institutions;

22 4) Establish or enhance standards for disaster preparedness and  
23 continuity planning, such as on infrastructure standards and designs;

24 5) Collaborate with the Department of Public Works and Highways  
25 (DPWH) and other relevant government agencies in the conduct of  
26 regular structural, safety audit of buildings and other types of  
27 infrastructure, and require the submission of necessary data,  
28 information or reports related thereto;

29 6) Formulate a National Continuity Policy including plans and programs to  
30 implement government governance and business continuity;

31 7) Ensure the use of advanced science and technology in the anticipatory  
32 planning of communities against the impact of natural hazards and

1 climate change through consultation, and employment with a regular  
2 department funding for relevant academic or higher educational  
3 institutions with proven risk reduction record;

4 8) Establish a system to ensure that all disaster-related data are  
5 accessible to all stakeholders to generate the best scientific information  
6 and technological products for use in disaster resilience;

7 9) Ensure that all climate change-related hazards are included in the  
8 development of climate risk profiles of targeted LGUs as provided for in  
9 the Climate Risk and Management Framework (CRMF) policy document  
10 of the Climate Change Commission (CCC) and that the appropriate  
11 institutions such as the academe and other science experts or  
12 organizations who have the capability to develop or have developed  
13 methodologies to establish climate change risk profile are officially  
14 engaged;

15 10) Undertake programs and projects to reduce the vulnerability of  
16 physical infrastructure, assets, and facilities including retrofitting, and  
17 structural and non-structural upgrading, in coordination with the  
18 relevant government agencies;

19 11) Call on relevant government agencies to develop alternative livelihood  
20 programs to reduce the vulnerability to disasters of certain areas or  
21 certain sectors of society;

22 12) Formulate, facilitate and monitor efforts relating to certain resources or  
23 sectors toward addressing the long-term effects of climate change on  
24 sustainable development, such as water resources, agriculture,  
25 forestry, coastal and marine resources, health, and infrastructure, in  
26 coordination with relevant government agencies;

27 13) Design and implement an incentive system for greater private and  
28 public investment, both at the local and national levels, on disaster risk  
29 reduction;

30 14) Oversee and ensure the mainstreaming of climate change adaptation  
31 and disaster reduction in development and land use planning, and the  
32 preparation of contingency plans;

- 1 15) Create an enabling environment that shall promote broader multi-  
2 stakeholder participation for disaster risk reduction and climate change  
3 adaptation and mitigation;
- 4 16) Establish, develop, and monitor programs and projects, in coordination  
5 with relevant government agencies, that consider climate projections,  
6 including temperature increase and rainfall change in the Philippines to  
7 ensure climate-resilient communities;
- 8 17) Establish and monitor national and local capacity for disaster risk  
9 financing and insurance and other risk transfer strategies in  
10 coordination with the Department of Finance (DOF), Government  
11 Service Insurance System (GSIS), Land Bank of the Philippines (LBP),  
12 and Insurance Commission;
- 13 18) Review and evaluate local disaster resilience plans and other local  
14 plans to ensure their consistency with the National Disaster Resilience  
15 Framework; and
- 16 19) Undertake all other programs and projects necessary to attain the  
17 necessary outcomes for disaster risk reduction.

18 c) Disaster Preparedness and Response

- 19 1) Lead, manage, and collaborate with the relevant government  
20 instrumentalities, nongovernment stakeholders, and international  
21 partners in providing the minimum basic needs of people in affected  
22 areas before, during and/or immediately after a disaster to save lives  
23 and minimize casualties;
- 24 2) Establish a corps of first responders in partnership with national and  
25 local stakeholders, both public and private;
- 26 3) Implement projects and programs that will enhance the capacity of  
27 LGUs to prepare for and respond to disasters, giving priority to LGUs  
28 with low income or those situated in high-risk areas;
- 29 4) Ensure the efficient prepositioning of goods, maintenance and disposal  
30 of safety stocks;
- 31 5) Accredite, monitor, and evaluate training institutions on disaster  
32 resilience;



- 1 6) Regulate the accreditation of donors, volunteers, and assisting  
2 nongovernment stakeholders, both domestic and international;
- 3 7) Formulate standards for contingency planning that shall be adopted by  
4 the LGUs;
- 5 8) Develop a database of exposure or elements at risk per area to  
6 facilitate and ensure quick impact and needs assessment in the event  
7 of a disaster;
- 8 9) Facilitate and regulate the acceptance, inventory, and accounting of  
9 humanitarian assistance including relief goods;
- 10 10) Maintain a database of volunteers and, when necessary, mobilize  
11 volunteers to augment the personnel complement and logistical  
12 requirements for disaster response and/or for the delivery of DRRM  
13 programs, projects and activities;
- 14 11) Oversee and maintain a national early-warning and emergency alert  
15 system that must provide a specific, area-focused and time-bound  
16 warning that are accurate, timely, understandable and readily  
17 accessible to national and local emergency response organizations and  
18 the general public;
- 19 12) Coordinate information-sharing and other disaster risk reduction  
20 protocols following the principle of inter-operability among national  
21 government agencies and local government units;
- 22 13) Call upon other instrumentalities or entities of the government and  
23 nongovernment and civic organizations for assistance in terms of the  
24 use of their facilities and resources for the protection and preservation  
25 of life and properties in the whole range of disaster risk reduction and  
26 management. This function includes the power to call on the reserve  
27 force as defined in Republic Act No. 7077, otherwise known as the  
28 "Citizen Armed Forces of the Philippines Reservist Act" to assist in  
29 relief, rescue, retrieval, and management of dead and missing persons  
30 during disasters or calamities;

- 1 14) Organize, train, equip, and maintain a system of response capacity for  
2 search, rescue and retrieval and the delivery and distribution of relief  
3 goods;
- 4 15) Recommend to the President to call upon the AFP and PNP to render  
5 the necessary assistance in a disaster-affected area by the authority of  
6 the President;
- 7 16) Call upon, by authority of the President, the Armed Forces of the  
8 Philippines (AFP), the Philippine National Police, the Bureau of Fire  
9 Protection (BFP), the Philippine Coast Guard, and other uniformed  
10 services to the extent necessary for the Department to achieve the  
11 purposes of this Act;
- 12 17) Establish a National Corps of Volunteers to be composed of, among  
13 others: Reserve Officers' Training Corps (ROTC), National Service  
14 Training Program (NSTP), reservists, and other socio-civic  
15 organizations;
- 16 18) Assist in mobilizing necessary resources to increase the overall capacity  
17 of local government units, specifically those with low income and  
18 situated in high-risk areas; and
- 19 19) Undertake all other programs and projects necessary to attain the  
20 necessary outcomes for disaster preparedness and response.

21 d) Recovery and Building Forward Better

- 22 1) Prepare, organize, lead, implement, and manage post-disaster  
23 assessment and recovery and rehabilitation programs and plans, in  
24 coordination with the affected local government units, national  
25 government agencies, and other stakeholders;
- 26 2) Establish a system to promptly perform impact and needs assessment,  
27 including strengthening the in-house capacity of the Department to  
28 conduct accurate and timely impact and needs assessment;
- 29 3) Establish a system that utilizes templates, exposure database, and  
30 other tools, and develop the Department's in-house capacity for the  
31 prompt and expedient preparation of rehabilitation plans, when  
32 needed, for disaster affected areas;

- 1 4) Formulate or direct relevant government agencies and LGUs to issue  
2 guidelines for fast-tracking the issuance of permits, certifications,  
3 clearances and licenses to implement disaster recovery and  
4 rehabilitation measures, including housing and public utility projects, in  
5 affected areas;
- 6 5) Prepare and implement rehabilitation plans for disaster affected areas;
- 7 6) Manage and oversee the implementation of disaster recovery and  
8 rehabilitation measures;
- 9 7) Collaborate with relevant government agencies to establish programs  
10 to restore or generate livelihood in disaster affected areas;
- 11 8) Formulate policies and standards for post-disaster shelter recovery  
12 which may include, among others, implementation arrangements,  
13 coordination arrangements with relevant agencies and LGUs, and  
14 modalities for emergency transitional and permanent shelter recovery;
- 15 9) Ensure that the principle of building forward better is applied to  
16 rehabilitation or reconstruction efforts; and
- 17 10) Undertake all other programs and projects necessary to attain the  
18 necessary outcomes for recovery and safer, adaptive, resilient and  
19 inclusive communities.

20 e) Other Functions

- 21 1) Constitute, call, convene or deputize agencies of government, and  
22 invite nongovernment and private organizations, to assist, advise, or  
23 coordinate with the Department to achieve the purposes of this Act;
- 24 2) Inspect and examine the status of projects, programs, and activities  
25 undertaken by national government agencies and local government  
26 units in furtherance of disaster resilience efforts;
- 27 3) Save lives and/or minimize damages to livelihood and property,  
28 complement and collaborate with relevant government agencies and  
29 nongovernment stakeholders in providing humanitarian response and  
30 the consequence management of human-induced disasters whenever it  
31 becomes necessary;



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

### 13 **Article III**

#### 14 **EMERGENCY MEASURES**

##### 15 *Sec. 6. Emergency Measures. –*

- 16 a) To protect and preserve life and property and ensure and promote public  
17 safety and welfare, the Department may undertake and implement the  
18 following emergency measures in anticipation of, during, and in the  
19 aftermath of disasters;
  - 20 1) Carrying out of preemptive evacuation;
  - 21 2) Imposition of curfew;
  - 22 3) Rationing of the distribution of basic goods in critical shortage, and  
23 when necessary, preventing or restricting the transfer of such goods  
24 outside of the area affected by the disaster, including access to rice  
25 inventory of the National Food Authority (NFA) office or storage located  
26 in the affected area;
  - 27 4) When there is imminent danger of loss of lives or damage to property,  
28 temporarily take over or direct the operation of any private utility or  
29 business, subject to payment of just compensation; and
  - 30 5) With the concurrence of the DOF, recommend to the Monetary Board  
31 the deferment of the payment of monetary obligations of local

1 government units and private entities that have been severely affected  
2 by disaster.

3 b) Local government units shall enact ordinances on and implement  
4 necessary and appropriate emergency measures to ensure the protection  
5 and preservation of life and property and the promotion of public safety  
6 and welfare in anticipation of, during, and in the aftermath of disasters.

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

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

13 *Sec. 7. Preemptive and Forced Evacuations.* – Preemptive evacuation shall be  
14 the preferred and primary mode of moving and relocating people that will be  
15 affected by impending disasters.

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

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

## 27 **Article IV**

### 28 **ORGANIZATION AND MANAGEMENT**

29 *Sec. 8. The Secretary.* – The Department shall be headed by the Secretary of  
30 Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed  
31 by the President, subject to confirmation by the Commission on Appointments. The  
32 Secretary shall preferably have a good background in any of the scientific,

1 engineering, and public management fields relevant to the attainment and  
2 promotion of resiliency to natural hazards and climate change, and demonstrated  
3 managerial acumen.

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

- 6       a) Provide executive direction and supervision over the entire operations of  
7       the Department;
- 8       b) Establish and promulgate policies, rules and regulations for the effective  
9       and efficient operation of the Department and implement these to carry  
10      out its mandate, functions, programs, and activities;
- 11      c) Exercise control and supervision over all functions and activities of the  
12      Department and its officers and personnel;
- 13      d) Manage the financial, human and other resources of the Department;
- 14      e) Appoint and designate officers and employees of the Department,  
15      excluding those requiring presidential appointment as provided for by law;
- 16      f) Exercise disciplinary powers over officers and employees of the  
17      Department, excluding those requiring presidential appointment as  
18      provided for by law;
- 19      g) Collaborate with other government agencies, the private sector, and civil  
20      society organizations on the policies, programs, projects, and activities of  
21      the Department, as may be necessary;
- 22      h) Advise the President on the promulgation of executive and administrative  
23      orders, and the formulation of regulatory and legislative proposals on  
24      matters pertaining to disaster resilience;
- 25      i) Represent the Philippines and articulate the national contribution to global,  
26      regional, and other inter-governmental disaster risk reduction and  
27      humanitarian platforms, in coordination with the Department of Foreign  
28      Affairs;
- 29      j) Formulate such rules and regulations, and exercise such other powers as  
30      may be required to implement the objectives of this Act;
- 31      k) Serve as a member of the Government Procurement Policy Board (GPPB);  
32      and



1 l) Perform such other tasks as may be provided by law or assigned by the  
2 President.

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

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

12 b) *Disaster Risk Reduction* – to formulate, adopt, and/or implement, among  
13 others, a whole-of-society approach in policies and programs to prevent  
14 new, if not reduce existing disaster risks, to address the effects of climate  
15 change, and to minimize loss and damage to lives and properties. This  
16 includes the formulation of the required policies and/or programs for  
17 disaster risk reduction and climate change adaptation, in among others,  
18 the NDRF and NDRPIP;

19 c) *Recovery and Building Forward and Better* – to formulate and implement  
20 rehabilitation plans for disaster-affected areas, and to ensure the  
21 implementation of disaster recovery and rehabilitation measures, such as,  
22 but not limited to, post disaster shelters and livelihood projects, in  
23 collaboration with relevant agencies, LGUs, and other stakeholders; and

24 d) *Support to Operations* – to formulate and implement, among others,  
25 policies, programs, and/or projects to ensure the efficient, effective and  
26 responsive delivery of the Department’s key result areas. Support to  
27 Operations covers knowledge management, institutional development and  
28 planning, finance, office administration, human resources management  
29 and development of the Department’s in-house capacities, among others.

30 Sec. 11. *The Assistant Secretaries and Directors.* – The Department shall have  
31 four (4) Assistant Secretaries and appropriate number of Directors to ensure the

1 effective, efficient, and responsive implementation of the mandate and functions of  
2 the Department.

3       Sec. 12. *Qualifications.* – No person shall be appointed Secretary,  
4 Undersecretary, or Assistant Secretary of the Department unless a citizen and  
5 resident of the Philippines, of good moral character, and of proven experience,  
6 competence, or expertise in humanitarian relief assistance and disaster  
7 management. The Secretary, Undersecretary, or Assistant Secretary shall not hold  
8 any other position, public or private, during their terms of office.

9       Sec. 13. *Structure and Staffing Pattern.* – The Department shall determine its  
10 organizational structure and staffing pattern and create such services, divisions, and  
11 units, as it may require or deem necessary, subject to the approval of the  
12 Department of Budget and Management.

13       Sec. 14. *National Disaster Operations Center, Alternative Command Center,  
14 and Research and Training Institute.* – The Department shall establish, within one  
15 (1) year from the approval of this Act, and act as the primary operator, the National  
16 Disaster Operations Center (NDOC), Alternative Command and Control Center  
17 (ACCCs) as may be necessary in each of the country’s major island groups, and the  
18 Disaster Resilience Research and Training Institute (DRRTI).

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

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

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

29       Sec. 15. *DRRTI Functions and Inter-Agency Knowledge Sharing.* – The DRRTI  
30 shall be a platform for providing training preferably on site, and for collecting,  
31 consolidating, managing, analyzing, and sharing knowledge and information to  
32 improve or enhance disaster resilience.

1 The DRRTI shall:

- 2 a) Establish reliable and up-to-date disaster-related information and  
3 communication systems and technologies through close collaboration with  
4 the DOST and with academic institutions;
- 5 b) Institutionalize, maintain, and update an integrated disaster resilience  
6 information system (IDRIS), which includes, among others, multi-hazard  
7 mapping, probabilistic risk assessment, risk analysis, early warning,  
8 exposure database, communication and emergency management systems;
- 9 c) Establish a database that includes relevant information from other  
10 government agencies and third parties for the Department to better  
11 prepare and respond to natural hazards including, but not limited to, an  
12 inventory of hazardous materials per area;
- 13 d) Consult and coordinate with, and consolidate information/data from,  
14 relevant government agencies, such as but not limited to, DOST, LGUs,  
15 academic institutions, and relevant CSOs to enhance the IDRIS and to  
16 promote knowledge sharing among all stakeholders;
- 17 e) Conduct disaster-related research programs, seminars, and training for all  
18 types of stakeholders;
- 19 f) Consolidate, organize and/or prepare training materials and publications;  
20 and
- 21 g) Conduct other activities consistent with promoting the formation and  
22 dissemination of knowledge and information relating to disaster resilience  
23 and disaster management.

24 *Sec. 16. Compliance and Accreditation of DRRTI with International Standards.*

25 – The Department shall strive to obtain certification from, and accreditation by,  
26 international accreditation bodies of the DRRTI to ensure collaboration with key  
27 countries and international organizations to incorporate best practices on disaster  
28 resilience in the Department's policies and programs.

29 *Sec. 17. Disaster Assistance Action Center.* – The Department shall  
30 institutionalize a one-stop mechanism through a Disaster Assistance Action Center  
31 (DAAC) which shall, among other process necessary documents for both domestic  
32 and international assisting actors.





1           Sec. 21. *Local Disaster Resilience Officer.* – The LDRO shall be headed and  
2 managed by a well-qualified and full-time Local Disaster Resilience Officer with  
3 regular plantilla position. The Local Disaster Resilience Officer and Staff shall be  
4 appointed by the Local Chief Executive subject to the requirements and endowed  
5 with the emoluments and benefits in accordance with existing laws, rules and  
6 regulations.

7           Sec. 22. *Powers and Functions of City and Municipal DROs.* – The City and  
8 Municipal (CDRO and MDRO) shall have the following powers and functions:

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

- resources, directories and location of critical infrastructures with their capacities as hospitals and evacuation centers;
- g) Operate and maintain, in coordination with the Department, a multi-hazard early warning and communications system to provide accurate and timely information to the public;
  - h) Organize and conduct training and knowledge management activities on disaster resilience at the local level, in coordination with the DRRTI;
  - i) Procure emergency works, goods, and services in compliance with the regulations, orders and policies of DBM and Government Procurement Policy Board (GPPB), to implement the DRP or support early recovery and post-disaster activities;
  - j) In coordination with the Department, the DOF and other relevant agencies, access foreign loans to finance its projects, programs, and policies for disaster preparedness, response, recovery, and rehabilitation, subject to terms and conditions agreed upon by the LDRO and the lender;
  - k) Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs, CSOs, private sector, organized volunteers, and sectoral organizations for disaster resilience activities, in accordance with policies and procedures of the Department and applicable laws;
  - l) Coordinate and provide the necessary support or assistance to the Department in the implementation of rehabilitation plan within the city or municipality covered by the LDRO;
  - m) Coordinate with the Department, other government agencies, members of the private sector and other stakeholders in the LGU to establish a Business Continuity Plan as part of their LDRP's disaster preparedness measures;
  - n) Establish linkage or network and coordination mechanisms with other LGUs and the Department for disaster resilience activities and to achieve the purposes of this Act; and
  - o) Conduct other activities and/or act on other matters, in accordance with policies and procedures of the Department and applicable laws, to achieve the purposes of this Act.



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

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

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

1 and respond to the needs of cities and/or municipalities within its  
2 jurisdiction in relation to disaster resilience activities;

- 3 h) Procure emergency works, goods, and services in compliance with the  
4 regulations, order, and policies of DBM and GPPB, to implement the  
5 provincial LDRP or support early recovery and post-disaster activities of  
6 the PDRO;
- 7 i) In coordination with the Department and the DOF, access foreign loans to  
8 finance its projects, programs, and policies for disaster preparedness,  
9 response, recovery, and rehabilitation, subject to terms and conditions  
10 agreed upon by the PDRO and the lender;
- 11 j) Formulate and establish mechanisms to mobilize and direct LDROs within  
12 its jurisdiction as necessary for disaster preparedness and response at the  
13 provincial level;
- 14 k) Coordinate and provide the necessary support or assistance to the  
15 Department in the implementation of rehabilitation plan(s) within the cities  
16 and/or municipalities covered by the PDRO; and
- 17 l) Conduct other activities and/or act on other matters, in accordance with  
18 policies and procedures of the Department and applicable laws, to achieve  
19 the purposes of this Act.

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

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

1            *Sec. 27. Powers and Functions of ROs and NCR.* – The ROs and the NCR shall  
2 have the following powers and functions:

- 3            a) Review the LDRPs and Provincial LDRPs of LGUs within its jurisdiction and  
4            acquire the amendment of such LDRPs and/or Provincial LDRPs if  
5            necessary, to ensure compliance with the NDRF and NDRPIP;
- 6            b) Monitor and direct LDROs and PDROs to implement their respective LDROs  
7            and PDROs;
- 8            c) Recommend to the appropriate *Sanggunian* at the city, municipal or  
9            provincial level, the enactment of local ordinances to implement the LDRP,  
10            NDRF and NDRPIP at the city, municipal or provincial level, and to comply  
11            with other requirements of this Act;
- 12            d) Review reports on the utilization of the LDRF and other disaster risk  
13            reduction and management resource of LGUs within its jurisdiction, and  
14            give recommendations, as necessary;
- 15            e) Disburse to, and monitor the use by, LGUs of Supplemental LDRF as  
16            granted by the Department pursuant to this Act and its IRR;
- 17            f) Provide, upon the request of LGUs or unilaterally at its own discretion,  
18            assistance to LGU(s) within its jurisdiction as necessary to ensure the  
19            implementation of LDRPs or Provincial LDRPs, NDRF and NDRPIP, and to  
20            render efficient and timely disaster preparedness, response and recovery  
21            measures;
- 22            g) Identify and report to the Department issues and problems relating to, or  
23            affecting, the disaster resilience of LGUs within its jurisdiction, and make  
24            recommendations to the Department and/or to the LGUs to address such  
25            issues or problems;
- 26            h) Procure goods and services in compliance with the regulations, orders,  
27            and policies of DBM and GPPB, to implement the NDRPIP and NDRF at the  
28            regional level;
- 29            i) Formulate and establish mechanisms to mobilize and direct LDROs and  
30            PDROs within its jurisdiction as necessary for disaster preparedness and  
31            response at the regional level;



- 1 j) Establish and maintain, in coordination with the Department, a Regional  
 2 Command and Control Center (RCC) which includes, among others, an  
 3 information management system at the regional level which consolidates  
 4 and integrates information from the provinces, cities and municipalities  
 5 within its jurisdiction, a multi-hazard early warning and communications  
 6 system, and a monitoring system that enables the RO to oversee,  
 7 supervise, monitor and respond to the needs of LGUs within its jurisdiction  
 8 in relation to disaster resilience activities; implement or assist in the  
 9 implementation, as directed by the Department, of rehabilitation plans for  
 10 LGUs within its coverage; and
- 11 k) Conduct other activities and/or act on other matters, in accordance with  
 12 policies and procedures of the Department and applicable laws, to achieve  
 13 the purposes of this Act.

14 *Sec. 28. Inter-Regional Disaster Resilience Office Collaboration.* – The  
 15 Department shall create policies and programs to establish collaboration and  
 16 coordination among the different ROs.

17 *Sec. 29. Levels of Responsibility for Disaster Preparedness and Response.* –  
 18 The primary responsibility for disaster preparedness and response shall be exercised  
 19 at the local and national level in collaboration with the relevant departments and  
 20 agencies, as follows:

<b>LEVELS OF RESPONSIBILITY</b>	<b>RESPONSIBLE OFFICIALS</b>	<b>CONDITIONS</b>
Level 1 – City or Municipality	Mayor of the City/Municipality (Lead)  Local Disaster Resilience Office  (In the case of BARMM: Municipal/City Mayor and BARMM Local Disaster Resilience Office)	If a disaster affects a single municipality/city

<p>Level 2 – Province</p>	<p>Governor (Lead)          Provincial Disaster Resilience Office          Applicable Local Disaster Resilience Offices          (In the case of BARMM: Provincial Governor and BARMM Local Disaster Resilience Office/s)</p>	<p>If a disaster affects two or more municipalities/cities</p>
<p>Level 3 – Region</p>	<p>Regional Director of the Regional Office (RO) (Lead)          Applicable Governors          Applicable Provincial Disaster Resilience Offices          (In the case of BARMM: Regional Governor and ARMM Local Disaster Resilience Office/s)          (In the case of Metro Manila: MMDA Chair)</p>	<p>If a disaster affects two or more provinces and/or independent component or highly urbanized cities</p>
<p>Level 4 – National          During a state of calamity in any area(s) or affecting several regions</p>	<p>Secretary of the Department of Disaster Resilience (Lead)          Governors of the affected Provinces</p>	<p>a. When a state of calamity is declared by the President          b. If a disaster affects at least two (2) regions          c. When the affected LGU cannot dispense its functions, or</p>

		<p>respond to the threat or effect of disaster;</p> <p>d. When the local chief executive or, in his/her absence of incapacity, the next high-ranking official, directly requests the Department to take over;</p> <p>When the President directs a Level 4 response.</p>
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1            *Sec. 30. Inter-Local Government Assistance.* – LGUs are hereby authorized to  
2 extend assistance to another LGU, whether through funding or donation of goods  
3 and/or services, to ensure effective disaster preparedness and response, such as the  
4 pre-positioning and provision of basic goods, and training of first responders, among  
5 others, subject to auditing and accounting.

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

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





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

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

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

- 23 a) Civil society, nongovernmental organizations, international  
24 nongovernmental organizations, private sector, DRRM practitioners, and  
25 volunteers shall participate, in collaboration with public institutions, in the  
26 exchange of information, learnings, and guidance on disaster resilience.  
27 The Department shall encourage and institutionalize their engagement in  
28 the implementation of local, regional, national, and global plans and  
29 strategies to enhance public awareness and promote a culture of disaster  
30 resilience;

- 1 b) Women, children, and youth, as agents of change, shall endeavor to  
2 contribute actively and participate in disaster resilience trainings and  
3 information dissemination;
- 4 c) Senior citizens and persons with disabilities shall contribute their  
5 knowledge and experience on disaster preparedness and resiliency;
- 6 d) Migrants and the urban and rural poor shall participate in building resilient  
7 resettlement communities;
- 8 e) Emergency responders and volunteer organizations shall contribute to  
9 resilience by promptly and efficiently responding to disasters and  
10 emergencies consistent with the policies of the Department;
- 11 f) Academic, scientific and research entities, and networks are encouraged to  
12 undertake relevant research on disaster resiliency in partnership with the  
13 Department and other stakeholders for better decision-making;
- 14 g) The private sector is encouraged to integrate disaster resiliency projects  
15 and programs in their corporate social responsibility initiatives; and
- 16 h) The media shall provide prompt and accurate information to the public on  
17 early warning systems, natural hazards, and disaster resilience activities of  
18 the Department.

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

27 LGUs may convene local DRAs within their jurisdictions, as necessary for the  
28 attainment of disaster resilience at the local level.

29 *Sec. 38. Recognition and Incentives.* – The Department, in partnership with  
30 the private sector, shall establish an incentives program that shall recognize the  
31 outstanding performance of LDRO, NGOs, CSOs, schools, hospitals, and other  
32 stakeholders in promoting and implementing significant disaster risk reduction



1 management-climate change adaptation programs and innovations, and meritorious  
2 acts of individuals, groups, or institutions during natural disasters subject to existing  
3 laws, rules and regulations.

4 **Article VII**

5 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

6 *Sec. 39. Standards for Disaster Preparedness Activities. –*

7 a) The Department shall establish standards and protocols for disaster  
8 preparedness, contingency planning, localizing and operationalizing  
9 disaster risk reduction and management, preparedness for responding to  
10 disasters and undertaking early recovery, continuity of essential services,  
11 and other relevant preparedness activities.

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

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

22 *Sec. 40. Multi-Hazard Early Warning and Risk Communication Standards. –*

23 There shall be a streamlined policy governing early warning systems and risk  
24 communication protocols to ensure effective and efficient measures to prepare for,  
25 respond to and recover from potential risks and disasters.

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

30 *Sec. 41. Early Warning Mandate. –*

- 1 a) The Department shall issue an integrated early warning alert for the  
2 impending occurrence of hazards that will enable the public to prepare in  
3 time and act appropriately to minimize potential harm or loss.
- 4 b) The Department at the national and local level shall use an integrated  
5 early warning system to ensure it is consistent and locally contextualized  
6 with the communication protocol and safe evacuation procedure of the  
7 affected communities. It shall work with other agencies or organizations  
8 on pre-crisis information mapping of the humanitarian needs of at-risk  
9 communities that will enhance the overall prepositioning of resources at  
10 the national and local level.
- 11 c) The Department shall require mobile phone service providers to send out  
12 alerts at regular intervals in the event of an impending natural hazard, in  
13 accordance with Republic Act No. 10639, otherwise known as the "The  
14 Free Mobile Disaster Alerts Act."
- 15 d) The Department shall recognize and proactively support local or  
16 indigenous modes of early warning systems and allow open access to near  
17 real-time data from both local and international sources made available  
18 through various platforms such as websites, mobile apps, and social media  
19 to empower local communities and individuals. Any person who transmits  
20 early warning concerning the abovementioned phenomena by means of  
21 signs in designs, colors, lights, or sound shall do so in compliance with the  
22 methods recognized or approved by the Department.

### 23 **Article VIII**

#### 24 **HUMANITARIAN ASSISTANCE**

##### 25 *Sec. 42. Management of Humanitarian Assistance. –*

- 26 a) The Department shall have the power to receive and manage  
27 humanitarian assistance from any person or entity, whether from local or  
28 international sources.
- 29 b) The importation by, and acceptance of humanitarian assistance donated to  
30 the Department, consisting of, among others, foods, clothing, medical  
31 assistance, equipment, and materials for relief, recovery, and other  
32 disaster management activities, are hereby authorized in accordance with

1 Sections 120 and 121 of Republic Act No. 10863, otherwise known as the  
2 "Customs Modernizations and Tariff Act (CMTA)", and the prevailing  
3 provisions of the General Appropriations Act covering national internal  
4 revenue taxes and import duties of national and local government  
5 agencies.

6 Sec. 43. *International Humanitarian Assistance.* – The Department, in  
7 consultation with the Bureau of Immigration and the Bureau of Customs shall  
8 promulgate guidelines on international humanitarian assistance, including the  
9 initiation, entry, facilitation, transit, regulation and termination thereof, as well as  
10 those involving international disaster relief and personnel assisting international  
11 actors, visa waiver, recognition of foreign professional qualifications, entry of  
12 international disaster goods and equipment, and exemption from port duties, taxes  
13 and restrictions.

14 Sec. 44. *Assessment of the Need for International Humanitarian Assistance.* –

15 a) Immediately after the declaration of a state of calamity by the local  
16 *Sanggunian* of the relevant local government unit or by the Department,  
17 as the case may be, the Department shall determine whether domestic  
18 capacities are likely to be sufficient to attend to the needs of affected  
19 persons for international humanitarian assistance. This determination may  
20 also be made, at the discretion of the President, prior to the onset of an  
21 imminent disaster.

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

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

31 Sec. 45. *Humanitarian Assistance Action Center.* – The Department shall  
32 create an inter-agency one-stop mechanism called the Humanitarian Assistance



1 Action Center (HAAC) for the processing and release of entry and facilitation of  
2 goods, articles or equipment and services and international relief workers for the  
3 provision of international humanitarian assistance and the processing of necessary  
4 documents for assisting international actors.

5 The Department shall lead and manage the HAAC, which shall be composed  
6 of the following:

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

20 *Sec. 46. Request for International Humanitarian Assistance. –*

- 21 a) In cognizance of the urgency, criticality and intensity of an imminent risk,  
22 the Department shall issue a flash appeal to the family of nations, under  
23 regional and multilateral conventions, for assistance in preparedness,  
24 including pre-emptive measures, search, rescue and retrieval, relief,  
25 recovery, and reconstruction.
- 26 b) The President may request international humanitarian assistance, upon  
27 the advice of the Secretary. Such request may be specifically directed to  
28 particular assisting international actors or may be a general request  
29 directed to the international community.

30 *Sec. 47. Regulation of Humanitarian Assistance. –*

- 31 a) The Department shall ensure the efficient and effective monitoring of  
32 humanitarian assistance from domestic or international donors, establish

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

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

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

#### 14 **Article IX**

#### 15 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE** 16 **TO FOREIGN STATES**

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

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

#### 28 **Article X**

#### 29 **DECLARATION OF STATE OF CALAMITY**

30 *Sec. 51. Declaration of State of Calamity.* – The Department shall recommend  
31 to the President the declaration of a state of calamity, whether in whole or part of an

1 area, in case of an extraordinary disaster wherein the repercussions on public safety  
2 and welfare are serious and far-reaching.

3 *Sec. 52. Conditions for the Declaration of a State of Calamity.* – The President  
4 shall declare a state of calamity when all of the following requisites are present:

- 5 a) There is a grave, unforeseen or sudden occurrence which demands  
6 immediate action;
- 7 b) The occurrence was caused by a natural disaster;
- 8 c) The occurrence is likely to cause a threat to life and/or danger to  
9 property; and
- 10 d) The declaration of a state of calamity shall cover a limited period only.

11 *Sec. 53. Mandatory and Remedial Measures.* – The declaration of a state of  
12 calamity shall allow the immediate implementation of any or all of the following  
13 remedial measures:

- 14 a) Imposition of price ceiling on basic necessities and prime commodities by  
15 the President upon the recommendation of the implementing agency as  
16 provided for under Republic Act No. 7581, otherwise known as the "Price  
17 Act", or the National Price Coordinating Council;
- 18 b) Monitoring, prevention, and control by the Local Price Coordination Council  
19 of overpricing or profiteering and hoarding of prime commodities,  
20 medicines and petroleum products;
- 21 c) Grant of tax credits or exemptions by the BIR, upon the recommendation  
22 of the President or the Department; and
- 23 d) Use of alternative methods of procurement under Article XIV of Republic  
24 Act No. 9184, otherwise known as the "Government Procurement Reform  
25 Act", its implementing rules and regulations (IRR) and other issuances of  
26 the Government Procurement Policy Board by the Department, LGUs or  
27 the relevant government instrumentalities in relation to the urgent  
28 procurement of emergency works, goods and services to effectively  
29 respond to, quickly respond to disasters, and build forward better.



1 **Article XI**

2 **RECOVERY**

3 *Sec. 54. Standards for Recovery.* – The Department shall observe  
4 internationally accepted standards for recovery, planning, programming and  
5 implementation of the recovery process. Towards this end, the Department shall:

- 6 a) Improve the community’s physical, social and economic resilience,  
7 consistent with the principle of “building forward better”;
- 8 b) Use locally driven centrally supported processes based on legal mandates  
9 with supplementary capacity support when requested;
- 10 c) Redirect development outside danger zones to minimize loss of lives and  
11 structures resulting from typhoons, flooding, landslides, and other  
12 hazards;
- 13 d) Employ outcome-driven planning and implementation;
- 14 e) Maximize use of private-public sector partnership where possible;
- 15 f) Consider local conditions such as culture, security situation and existing  
16 capacities of communities in identifying programs and projects;
- 17 g) Ensure access to public transport, physical and mental health services,  
18 markets, schools, sustainable livelihoods, and other public services in  
19 planning for settlement areas; and
- 20 h) Ensure restoration of peace and order and recovery of government  
21 functions.

22 **Article XII**

23 **FUNDS AND RESOURCES**

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

28 *Sec. 56. Local Disaster Resilience Fund and Local Disaster Contingency Fund.*  
29 – LGUs shall annually set aside not less five percent (5%) of their local budget to  
30 constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to  
31 maintain and operate its LDRO, to maintain the officers, employees and staff of the  
32 LDRO, and to implement plans, programs and activities under its LDRP. Thirty

1 percent (30%) of the LDRF shall be set aside as Local Disaster Contingency Fund  
2 (LDCF) which shall be used for disaster response and quick recovery measures.

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

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

16 *Sec. 58. National Disaster Resilience Fund.* –

17 a) The National Disaster Risk Reduction and Management Fund (NDRRM  
18 Fund) created under Section 22 of Republic Act No. 10121, otherwise  
19 known as the “Philippine Disaster Risk Reduction and Management Act of  
20 2010”, appropriated under the annual General Appropriations Act is hereby  
21 renamed as the National Disaster Resilience Fund (NDRF) and shall be  
22 managed and controlled by the Department. The NDRF shall be used for  
23 disaster risk reduction or mitigation, prevention, and preparedness  
24 activities such as training of personnel, procurement of equipment, and  
25 capital expenditures. It can also be utilized for relief, recovery,  
26 reconstruction, and other work or services in connection with natural or  
27 human-induced calamities which may occur during the budget year or  
28 those that occurred in the past two (2) years from the budget year.

29 b) Thirty percent (30%) of the amount appropriated for the NDRF shall be  
30 allocated as Quick Response Fund (QRF) of stand-by fund and shall also  
31 be under the management and control of the Department. The QRF shall  
32 be used for relief and recovery programs to quickly normalize the situation

1 and living conditions of people in communities or areas stricken by  
2 disasters, calamities, epidemics, or complex emergencies, and other  
3 related programs, projects and activities formulated at the national level.

4 *Sec. 59. People's Survival Fund.* – The Secretary of the Department shall be a  
5 member of the People's Survival Fund Board mandated to manage and administer  
6 the People's Survival Fund created under Republic Act No. 10174, otherwise known  
7 as the "Climate Change Act of 2009", and facilitate its utilization by LGUs, through  
8 ROs, to implement climate change adaptation projects of LGUs, and equip vulnerable  
9 LGU communities against the impacts of climate change.

10 *Sec. 60. Multi-Donor Trust Fund.* – The Department shall create and manage,  
11 together with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing,  
12 releasing, and accounting of money and other similar resources intended for disaster  
13 assistance. The Department shall establish a system to ensure transparency in the  
14 management and use of the Multi-Donor Trust Fund.

15 *Sec. 61. Donations Management.* – The Department shall have the power to  
16 receive and manage donations from any person or entity, whether from local or  
17 international sources.

18 The importation by, and donation to, the Department of, among others, food,  
19 clothing, medical assistance, equipment, and materials for relief, recovery, and other  
20 disaster management activities are hereby authorized in accordance with Sections  
21 120 and 121 of Republic Act No. 10863, otherwise known as the "Customs  
22 Modernization and Tariff Act (CMTA)", and the prevailing provisions of the General  
23 Appropriations Act covering national internal revenue taxes and import duties of  
24 national and local government agencies.

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



1 **Article XIII**

2 **SPECIAL RULES ON BORROWING, TAXES,**  
3 **ECOZONES AND PROCUREMENT**

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

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

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

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

25 Sec. 65. *Customs Duties and Tariffs on Donations.* – The BOC shall create  
26 rules which would, among others, hasten the processing and release of donated  
27 goods and equipment to disaster victims and/or affected areas pursuant to Sections  
28 120 and 121 of Republic Act No. 10863, otherwise known as the "Customs  
29 Modernization and Tariff Act (CMTA)".

30 Sec. 66. *Economic Recovery and Development of Disaster-Prone Areas.* –

- 31 a) The Department, in coordination with the Department of Trade and  
32 Industry (DTI) and other relevant agencies, shall create and provide

1 policies, programs, and projects, such as, business tax relief and subsidies,  
2 to encourage business investments, and to stimulate economic activities in  
3 affected or disaster-prone areas.

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

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

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

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

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

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

29 *Sec. 69. Special Rules on Procurement for Reconstruction and Rehabilitation*  
30 *of Affected Areas.* –

- 31 a) The GPPB shall create special rules on procurement for services, goods,  
32 and materials to be used for reconstruction and rehabilitation efforts in

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

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

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

16 *Sec. 71. Framework Agreements.* – The Department shall have the authority  
17 to enter into Framework Agreements for the purpose of, among others, establishing  
18 a logistics system for the efficient and prompt distribution of goods, equipment or  
19 other materials required for disaster response and management; securing food,  
20 medicines, fuel or other supplies from groceries, pharmacies, gas stations or other  
21 sources in the event of a disaster in a specific area; ensuring an alternative source of  
22 power or water from private utilities in the event of a disaster in a specific area; or  
23 arranging the immediate supply of other goods, services or equipment necessary for  
24 disaster response and management. The conditions, limitations and parameters of  
25 contracts or arrangements authorized under this Section shall be provided in RA No.  
26 9184 and its 2016 IRR.

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



1 **Article XIV**

2 **DISASTER RISK TRANSFER AND INSURANCE**

3 *Sec. 73. Mandated Insurance Coverage.* – To attain disaster resilience and  
4 achieve the purposes of this Act, the Department shall have the discretion and  
5 authority to require government agencies, government-owned and controlled  
6 corporations (GOCCs), or LGUs to insure their assets and/or properties such as,  
7 among others, vessels, vehicles, equipment, machineries, permanent buildings,  
8 properties stored therein, or properties in transit against insurable risks and pay the  
9 premiums therefor, to compensate the Government, GOCC or LGU, as applicable, for  
10 any damage to, or loss of, properties due to a natural disaster.

11 **Article XV**

12 **YOUTH ASSISTANCE AND PARTICIPATION**

13 *Sec. 74. Youth Organizations.* – The Department, with the assistance of the  
14 National Youth Commission (NYC), shall create policies, projects, and programs that  
15 address the special needs of the youth for disaster preparedness and management  
16 which shall include, among others:

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

26 *Sec. 75. Youth Oriented Disaster-Related Programs, Policies and Projects.* –

- 27 a) The Department, with the assistance of the National Youth Commission,  
28 shall provide training on, and implement response and rehabilitation  
29 programs for the youth, including mental health and psycho-social  
30 services.
- 31 b) The Department, in collaboration with the Department of Education  
32 (DepEd), the Technical Education and Skills Development Authority

1 (TESDA) and other relevant agencies, shall integrate disaster risk and  
2 disaster resilience education in the school curriculum.

3 *Sec. 76. Comprehensive Emergency Program for Children, Pregnant and*  
4 *Lactating Mothers.* – The Department shall establish and implement a  
5 comprehensive emergency program to provide emergency relief and protection to  
6 children, and pregnant and lactating mothers in the event of a natural disaster.

7 **Article XVI**

8 **PROHIBITED ACTS AND PENALTIES**

9 *Sec. 77. Prohibited Acts.* – Any public official, private person, group or  
10 corporation who commits any of the following prohibited acts shall be held liable and  
11 be subjected to the criminal and administrative penalties as provided for in Section  
12 78 of this Act, without prejudice to the imposition of other criminal, civil and  
13 administrative liabilities under existing laws.

14 a) *Prohibited Acts of Public Officials.* – The following acts, if committed by  
15 public officials without justifiable cause, shall be considered as gross  
16 neglect of duty:

- 17 1) Dereliction of duty which leads to destruction, loss of lives, critical  
18 damage of facilities and misuse of funds;
- 19 2) Failure to enforce laws, standards, or regulations such as the National  
20 Building Code, Solid Waste Management Act, Water Code, and other  
21 relevant laws, thereby increasing the risk of disasters or adversely  
22 affecting of disaster resilience;
- 23 3) Failure to expeditiously act on reported violations;
- 24 4) Failure to create LDRO(s) or PDRO(s) and appoint a permanent Local  
25 or Provincial Disaster Resilience Officer within six (6) months from the  
26 approval of this Act; and
- 27 5) Failure to prepare and implement an LDRP or PDRP, as applicable or a  
28 contingency plan for hazards frequently occurring within their  
29 jurisdiction.

30 b) *Prohibited Acts of Public Officials and Private Persons or Institutions.* –

- 31 1) Delaying without justifiable cause the delivery of aid commodities, their  
32 improper handling or storage resulting to damage or spoilage;

- 1           2) Withholding the distribution of relief goods due to (a) political or  
2           partisan considerations; (b) discrimination based on race, ethnicity,  
3           religion, or gender; and (c) other similar circumstances;
- 4           3) Preventing the entry and distribution of relief goods in disaster-stricken  
5           areas, including appropriate technology, tools, equipment, accessories,  
6           disaster teams or experts;
- 7           4) Buying, for consumption or resale, from disaster relief agencies any  
8           relief goods, equipment or other commodities which are intended for  
9           distribution to disaster affected communities;
- 10          5) Buying, for consumption or resale, from the disaster affected persons  
11          any relief goods, equipment or other aid commodities received by  
12          them;
- 13          6) Selling of relief goods, equipment or other aid commodities which are  
14          intended for distribution to disaster victims;
- 15          7) Forcibly seizing relief goods, equipment or other aid commodities  
16          intended for or consigned to a specific group of victims or relief  
17          agency;
- 18          8) Diverting or misdelivering relief goods, equipment or other aid  
19          commodities to persons other than the rightful recipient or consignee;
- 20          9) Accepting, possessing, using or disposing relief goods, equipment or  
21          other aid commodities intended for or consigned to other rightful  
22          recipient or consignee;
- 23          10) Misrepresenting the source of relief goods, equipment or other aid  
24          commodities by:
  - 25           (i) Either covering, replacing or defacing the labels of the  
26           containers to make it appear that the goods, equipment or other  
27           aid commodities came from another agency or person;
  - 28           (ii) Repacking the goods, equipment, or other aid commodities into  
29           containers with different markings to make it appear that the  
30           goods came from another agency or person;
  - 31           (iii) Making false verbal claim that the goods, equipment or other  
32           commodity in its untampered original containers actually came



1 from another agency or person or was released upon the  
2 instance of a particular agency or person;

3 11)Substituting or replacing relief goods, equipment or other aid  
4 commodities with the same items or inferior or cheaper quality;

5 12)Illegal soliciting of relief goods, equipment or other aid commodities by  
6 persons or organizations representing others as defined in the  
7 standards and guidelines set by this Act's IRR;

8 13)Deliberately using false or inflated data in support of the request for  
9 funding, relief goods, equipment or other aid commodities for  
10 emergency assistance or other projects; and

11 14)Tampering with or stealing hazard monitoring and disaster  
12 preparedness equipment and paraphernalia.

13 *Sec. 78. Penalties.* – Any individual, corporation, partnership, association or  
14 other juridical entity that commits any of the prohibited acts in the preceding Section  
15 shall be made liable for the following:

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

24 b) If the offender is a corporation, partnership or association, or other  
25 juridical entity, the penalty shall be imposed upon the officer or officers of  
26 the corporation, partnership, association or entity responsible for the  
27 violation without prejudice to the cancellation or revocation of the license  
28 or accreditation issued to these entities by any licensing or accredited  
29 body of the government. If such offender is an alien, he or she shall, in  
30 addition to the penalties prescribed in this Act, be deported without  
31 further proceedings after service of the sentence.

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

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

11 *Sec. 79. Liability for Unlawful Performance of Duties and State Liability in*  
12 *Case of Defense Litigation.* – In case a lawsuit is filed against an officer or employee  
13 of the Department as a result of the performance of official duties, and such  
14 performance was found to be lawful, the officer shall or employee shall be  
15 reimbursed by the Department for reasonable costs of litigation. For this purpose,  
16 the Department is authorized to procure the applicable liability insurance for its  
17 officers and employees.

18 *Sec. 80. Disciplinary Powers of the President.* – The President, upon the  
19 recommendation of the Department Secretary, shall impose administrative sanctions  
20 against local chief executives and barangay officials for wilful or negligent acts  
21 performed in the implementation of, or compliance with, this Act and its IRR or  
22 relating to their official functions which adversely affect disaster resilience projects  
23 such as delayed issuance of permits or failure to implement local ordinances.

## 24 **Article XVII**

### 25 **SPECIAL COURTS AND INJUNCTIONS**

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

30 a) Implementation of the government's policies, plans, programs, projects  
31 and budget related to the NDRPIP, LDRP, PDRP, other disaster resilience  
32 activities, or pursuant to the provisions of this Act;

- 1 b) Construction of new settlements, or relocation of informal settlers or  
2 settlements, to promote disaster resilience;
- 3 c) Expropriations, eminent domain or right-of-way issues relating to the  
4 implementation of disaster resilience projects;
- 5 d) Failure to comply with standards for disaster preparedness and continuity  
6 planning, including, but to limited to infrastructure standards and designs;
- 7 e) Declaration of state of calamity under Article X of this Act;
- 8 f) Imposition of tax, customs duties, or the implementation of tax relief,  
9 exemptions, reductions and other tax or customs rules and regulations in  
10 relation to donations, disaster assistance or other tax policies implemented  
11 by the BIR or BOC pursuant to the provisions of this Act;
- 12 g) Commission of prohibited acts under Article XVI of this Act;
- 13 h) Disputes involving donations, relief goods, or contracts executed or  
14 implemented pursuant to the provisions of this Act; and
- 15 i) Other matters relating to achieving the purposes of this Act which the  
16 Supreme Court may determine as falling under the jurisdiction of the  
17 special courts created pursuant to this Section.

18 *Sec. 82. Dispute Resolution Mechanisms.* – The Department shall establish a  
19 Disaster Resolution Board which shall resolve disputes involving administrative  
20 matters related to:

- 21 a) Accreditation or denial of accreditation of disaster resilience training  
22 institutions, trainers, instructors, donors, volunteers, and Assisting  
23 Domestic or International Actors;
- 24 b) Decisions of the ROs;
- 25 c) Contracts entered into by the Department or any of its agents pursuant to  
26 the provisions of this Act; and
- 27 d) Other administrative matters or issues as may be determined by the  
28 Department.

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





1            *Sec. 86. Coordination and Convergence with the Climate Change Commission.*

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

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

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

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

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

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

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

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



1            *Sec. 92. Cultural Heritage.* – To protect, preserve, and promote the nation’s  
2 historical and cultural heritage, the Department shall assist the appropriate cultural  
3 agencies and the appropriate LGUs to give priority protection and restoration to all  
4 national cultural treasures or national historical landmarks, sites or monuments in  
5 post-disaster recovery or rehabilitation measures.

6            *Sec. 93. Indigenous People.* –

7            a) The Department shall, with the assistance of the National Commission on  
8 Indigenous Peoples (NCIP) and the concerned LGUs, devise and  
9 implement mechanisms that foster social protection for indigenous  
10 communities that are vulnerable to the effects of natural disasters.

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

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

23           *Sec. 94. Livelihood.* – The Department shall, with the assistance of the  
24 relevant government agencies such as the DTI and the Department of Labor and  
25 Employment (DOLE), establish policies and programs to restore and/or generate  
26 livelihood in areas affected by natural disasters.

27           *Sec. 95. Structural Audit of Government Buildings.* – The Department, with  
28 the assistance of the DPWH and other relevant government agencies and  
29 stakeholders, shall ensure and conduct structural audit as often as necessary, on  
30 government buildings, especially those located in congested and disaster-prone  
31 areas, to ensure structural integrity and reduce disaster risk of urban buildings and

1 to prevent the loss of life and property in the event of an anticipated natural  
2 disaster.

3       *Sec. 96. Magna Carta Benefits.* – Qualified employees of the Department  
4 including those of its attached agencies, shall be covered by and entitled to the  
5 benefits under Republic Act No. 8439, otherwise known as the “Magna Carta for  
6 Scientists, Engineers, Researchers and other Science and Technology Personnel in  
7 the Government”; and Republic Act No. 7305, otherwise known as the “Magna Carta  
8 of Public Health Workers”; and Republic Act No. 9433, otherwise known as the  
9 “Magna Carta for Public Social Workers.”

10       *Sec. 97. Hazard Pay.* – Qualified personnel of the Department and the local  
11 disaster resilience offices are entitled to receive hazard pay, subject to existing  
12 policies and guidelines.

13       *Sec. 98. Separation Benefits of Benefits of Officials and Employees of Affected*  
14 *Agencies.* – Public sector employees who have been displaced or separated from the  
15 service pursuant to reorganization under this Act shall be entitled to separation pay,  
16 retirement and other benefits in accordance with Republic Act No. 6656 or the  
17 Government Reorganization Law, and other laws, and rules and regulations issued  
18 by the Civil Service Commission on government reorganization.

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

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

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

29       *Sec. 99. Appropriations.* – The amount necessary for the initial  
30 implementation of this Act shall be taken from the current fiscal year’s  
31 appropriations of all agencies herein absorbed, and transferred to the Department.  
32 Thereafter, the amounts necessary for the operation of the Department and the

1 implementation of this Act shall be included in the annual General Appropriations  
2 Act.

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

10         *Sec. 101. Joint Congressional Oversight Committee on Disaster Resilience.* –  
11 There shall be created a Joint Congressional Oversight Committee on Disaster  
12 Resilience to monitor the implementation of this Act. The Committee shall be  
13 composed of six (6) members of the House of Representatives and six (6) members  
14 of the Senate to be designated by the Speaker of the House of Representatives and  
15 the President of the Senate, respectively: Provided, That two (2) members of the  
16 House of Representatives and two (2) Senators shall come from the Minority of their  
17 respective houses of Congress. The Committee shall be jointly chaired by a Member  
18 of the House of Representatives and a Senator designated by the Speaker of the  
19 House of Representatives and the President of the Senate, respectively.

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

23         *Sec. 102. Mandatory Review.* – Within five (5) years after the effectivity of  
24 this Act, or as the need arises, the Congressional Oversight Committee shall conduct  
25 a systematic evaluation of the accomplishments and impacts of this Act, as well as  
26 the performance, and organizational structure of the Department, for purposes of  
27 determining remedial legislation.

28         *Sec. 103. Interpretation.* – Any doubt in the interpretation of any provision of  
29 this Act shall be resolved in favor of a liberal interpretation that will fulfil the  
30 objectives of this Act, especially in relation to the provision of effective, efficient and  
31 timely disaster response, rehabilitation and recovery.



1           Sec. 104. *Separability Clause.* – If any provision of this Act is declared invalid  
2 or unconstitutional, the remaining provision not affected thereby shall continue to be  
3 in full force and effect.

4           Sec. 105. *Repealing Clause.* – The provisions of Republic Act No. 10121,  
5 otherwise known as the “Philippine Disaster Risk Reduction and Management Act of  
6 2010”; Republic Act No. 7160, otherwise known as the “Local Government Code of  
7 1991”; Republic Act No. 7916, otherwise known as the “The Special Economic Zone  
8 Act of 1995”; and all other laws, decrees, executive orders, proclamations, and other  
9 executive issuances, which are not consistent with or contrary to the provisions of  
10 this Act, are hereby repealed or amended.

11           Sec. 106 . *Effectivity.* – This Act shall take effect fifteen (15) days following  
12 the completion of its publication in the *Official Gazette* or in a national newspaper of  
13 general circulation.

*Approved,*