

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



23 FEB -9 P3:19

**SENATE**  
**S. No. 1862**

RECEIVED BY: \_\_\_\_\_

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INTRODUCED BY SENATOR JOSEPH VICTOR G. EJERCITO

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**AN ACT**  
**EXPANDING THE APPLICATION OF THE LOCAL DISASTER RISK REDUCTION AND MANAGEMENT FUND BY AMENDING REPUBLIC ACT NO. 10121, OTHERWISE KNOWN AS THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT ACT OF 2010**

**EXPLANATORY NOTE**

Republic Act (RA) No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act effectively transformed local calamity funds into the Local Disaster Risk Reduction and Management Fund (LDRRMF), which can be utilized for projects and programs that enhance disaster preparedness and mitigate the effects of calamities. In order to maximize the potential of the local government units (LGUs) in disaster response, prevention and mitigation, this bill seeks to amend RA. No. 10121 to authorize the LGUs to utilize the LDRRMF for the construction of infrastructure projects needed in mitigating and reducing the effects of disasters. In addition, LGUs will also be authorize to use the LDRRMF for reconstruction, repair and rehabilitation of infrastructures damaged by disasters.

Unfortunate incidents have taught us that to save lives, we must invest in building infrastructures that shall reduce or mitigate the effects of typhoons and other calamities. Infrastructure projects intended to cushion the effects of natural disasters shall be expanded and institutionalized.

After the floodwaters subside and skies become clearer, the reconstruction, rehabilitation and reconstruction must immediately begin. This bill empowers the LGUs to appoint or hire competent and well-trained rescue and response personnel to serve the needs of the LGUs.

Lastly, the unexpended LDRRMF that supposedly accrues to a special trust fund every five (5) years which may only be utilized for disaster risk reduction and management will be shortened to three (3) years. This will give the LGUs the earliest opportune time to adjust to the current needs of their constituents. The general LDRRMF, quick response fund, or both, shall revert to the general LDRRMF after three (3) years. May these amendments improve our LGUs disaster preparedness and response.

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



**JOSEPH VICTOR G. EJERCITO**

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

1           **SECTION. 1.** Section 12 of Republic Act (RA) No. 10121 is hereby amended  
2 to read as follows

3                   Section 12. *Local Disaster Risk Reduction and Management*  
4                   *Office (LDRRMO).* –

5                   (a) There shall be established an LDRRMO in every province, city  
6 and municipality, and a Barangay Disaster Risk Reduction and  
7 Management Committee (BDRRMC) in every barangay which shall be  
8 responsible for setting the direction, development, implementation  
9 and coordination of disaster risk management programs within their  
10 territorial jurisdiction.

11                   (b) The LDRRMO shall be under the office of the governor, city  
12 or municipal mayor, and the punong barangay in case of the BDRRMC.  
13 The LDRRMOs shall be initially organized and composed of a DRRMO  
14 to be assisted by three (3) staff responsible for: (1) administration  
15 and training; (2) research and planning; and (3) operations and  
16 warning. The LDRRMOs and the BDRRMCs shall organize, train and  
17 directly supervise the local emergency response teams and the

1 ACDVs.

2 (c) The provincial, city and municipal DRRMOs or BDRRMCs shall  
3 perform the following functions with impartiality given the emerging  
4 challenges brought by disasters of our times:

5 (1) Design, program, and coordinate disaster risk reduction and  
6 management activities consistent with the National Council's  
7 standards and guidelines;

8 xxx

9 **(25) APPOINT OR HIRE COMPETENT AND SUITABLY-**  
10 **TRAINED DIRECT RESCUE AND RESPONSE PERSONNEL**  
11 **WITHIN THEIR RESPECTIVE JURISDICTIONS THAT SHALL BE**  
12 **ADEQUATE IN NUMBER TO SERVE THE NEEDS OF THE LOCAL**  
13 **GOVERNMENT UNIT IN TIMES OF CALAMITY AND DISASTER:**  
14 ***PROVIDED, THAT THE APPOINTED PERSONNEL SHALL ALSO***  
15 **SERVE IN THE IMPLEMENTATION OF THE LGU'S DISASTER**  
16 **RISK REDUCTION AND MANAGEMENT PROGRAMS;**

17 ~~(25)~~ **(26)** Act on other matters that may be authorized by the  
18 LDRRMC.

19 (d) The BDRRMC shall be a regular committee of the existing  
20 BDC and shall be subject thereto. The punong barangay shall facilitate  
21 and ensure the participation of at least two (2) CSO representatives  
22 from existing and active community-based people's organizations  
23 representing the most vulnerable and marginalized groups in the  
24 barangay.

25 **SEC. 2.** Section 21 of Republic Act (RA) No. 10121 is hereby amended to read  
26 as follows:

27 *Sec. 21. - Local Disaster Risk Reduction and Management Fund*  
28 *(LDRRMF).* – The present Local Calamity Fund shall henceforth be  
29 known as the Local Disaster Risk Reduction and Management Fund  
30 (LDRRMF). Not less than five percent (5%) of the estimated revenue  
31 from regular sources shall be set aside as the LDRRMF to support  
32 disaster risk management activities such as, but not limited to, pre-

1 disaster preparedness programs including training, purchasing life-  
2 saving rescue equipment, supplies and medicines, for post-disaster  
3 activities, **CONSTRUCTION OF INFRASTRUCTURE PROJECTS**  
4 **CERTIFIED BY THE NATIONAL DISASTER RISK REDUCTION**  
5 **AND MANAGEMENT COUNCIL AS NECESSARY IN**  
6 **MITIGATING AND REDUCING THE EFFECTS OF DISASTERS,**  
7 and for the payment of premiums on calamity insurance. **THE**  
8 **LDRRMF MAY ALSO BE USED TO PAY FOR WHATEVER**  
9 **OBLIGATIONS THE LOCAL GOVERNMENT INCURRED IN THE**  
10 **RECONSTRUCTION, REPAIR, AND REHABILITATION OF**  
11 **MAJOR INFRASTRUCTURE DAMAGED BY DISASTERS.** The  
12 LDRRMC shall monitor and evaluate the use and disbursement of the  
13 LDRRMF based on the LDRRMP as incorporated in the local  
14 development plans and annual work and financial plan. Upon the  
15 recommendation of the LDRRMO and approval of the sanggunian  
16 concerned, the LDRRMC may transfer the said fund to support disaster  
17 risk reduction work of other LDRRMCs which are declared under state  
18 of calamity.

19 Of the amount appropriated for LDRRMF, thirty percent (30%)  
20 shall be allocated as Quick Response Fund (QRF) or stand-by fund for  
21 relief and recovery programs in order that situation and living  
22 conditions of people in communities or areas stricken by disasters,  
23 calamities, epidemics, or complex emergencies, may be normalized as  
24 quickly as possible.

25 **THE LDRRMF SHALL BE LIABLE FOR THE SALARIES,**  
26 **WAGES, AND BENEFITS OF ALL APPOINTED RESCUE AND**  
27 **RESPONSE PERSONNEL BY THE LOCAL DISASTER RISK**  
28 **REDUCTION AND MANAGEMENT OFFICE FALLING UNDER**  
29 **SECTION 12, PARAGRAPH (C), SUB-PARAGRAPH (25):**  
30 ***PROVIDED*, THAT THE TOTAL EXPENDITURE FOR PERSONAL**  
31 **SERVICES SHALL NOT EXCEED THIRTY PERCENT (30%).**

32 Unexpended LDRRMF **WITHIN THE GIVEN YEAR** shall accrue

1 to a special trust fund solely for the purpose of supporting disaster  
2 risk reduction and management activities of the LDRRMCs within the  
3 next ~~five (5)~~ **THREE (3)** years: **PROVIDED, THAT WHETHER THE**  
4 **UNEXPENDED FUND IS FROM THE GENERAL LDRRMF, THE**  
5 **QUICK RESPONSE FUND, OR BOTH, IT SHALL REVERT BACK**  
6 **TO THE GENERAL LDRRMF.**

7 Any such amount still not fully utilized after ~~five (5)~~ **THREE (3)**  
8 years shall revert back to the general fund and will be available for  
9 other social services to be identified by the local sanggunian

10 **SEC. 3. Separability Clause.** – If for any reason, any part, section, or provision  
11 of this Act is held invalid or unconstitutional, the remaining provisions not affected  
12 thereby shall continue to be in full force and effect.

13 **SEC. 4. Repealing Clause.** – All laws, decrees, executive orders, proclamations,  
14 rules and regulations, and other issuances, or parts thereof which are inconsistent  
15 with the provisions of this Act are hereby repealed, amended, or modified accordingly.

16 **SEC. 5. Effectivity Clause.** – This Act shall take effect fifteen (15) days after  
17 its publication in the *Official Gazette* or a newspaper of general circulation

*Approved,*