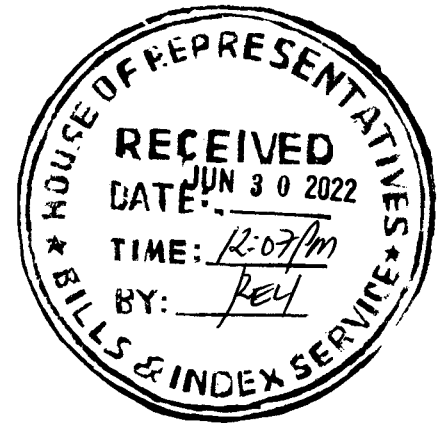




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 13



Introduced by Representatives FERDINAND MARTIN G. ROMUALDEZ,
YEDDA MARIE K. ROMUALDEZ and JUDE A. ACIDRE

EXPLANATORY NOTE

The Philippines is one of the countries often visited by strong typhoons. Around nineteen tropical storms enter the Philippine area of responsibility in a typical year and, of these, usually six or nine make landfall. Natural disasters of increasing magnitude and frequency, such as typhoon Haiyan, have continued to affect our country, which is now the second most vulnerable in the world to disasters and climate change. Nearly 74 percent of the population and 80 percent of the land area are identified as vulnerable to disasters, with the capital of Manila considered at "extreme risk." This "new normal" requires a more focused and in-depth attention in the way we understand, prepare, and respond to natural disasters.

Notwithstanding all the disaster preparation and coordination plans, there were still significant losses of life, injury, and damage to property when Typhoon Yolanda (International Code Name: Haiyan), considered as the world's strongest typhoon ever recorded, struck Philippine territory. Despite the government's efforts and preparations, thousands of people perished. Damage to business, property, and agriculture were of such magnitude that economic activities were placed on standstill. A few days after Typhoon Yolanda ravaged the Visayas region, the national government was criticized by international media for the slow response and lack of support to the survivors in the affected areas.

In light of this, it is high time that we create a truly empowered department that will focus on natural hazards and disasters, and characterized by unity of command, a science and ICT-based approach, and the capacity to take charge of three (3) key result areas: (a) disaster risk reduction; (b) disaster preparedness and response; and (c) recovery, rehabilitation and building forward better. As the country's primary disaster management agency, the Department of Disaster Resilience shall integrate and define what needs to be done, where it needs to be done, based on what standards, how it should be done, and how well it should be done.

Some of the key elements and features of the proposed Department are as follows:

a. **Unity of command.** The overall powers and functions to lead the country's disaster resilience efforts, both at the policy and execution stages will be placed under the Department. The Department shall be authorized to call upon relevant government agencies and facilitate the assistance of non-

government and private organizations especially in emergency cases. The bill also defines the levels of responsibility for disaster preparedness and response between the national and local governments.

b. Full-time focus on resilience to natural hazards. The Department is mandated to cover the disasters caused by or related to the above-stated natural hazards. The sheer volume and scale of these merit a single Department focused on preparing for and addressing these disasters. These would also require knowledge and skill set different from those needed to address human-induced disasters.

c. Take-over capacity in times of disasters. Under extreme conditions, the Department shall have the authority to take the lead, in close collaboration with the local government units, in undertaking disaster preparedness and response in areas that are severely affected by natural disasters. The Department shall have the power to temporarily take-over or direct any private utility for urgent public purpose.

d. Rationalized fund-use for disasters. The Department shall be mandated to manage and ensure the judicious and expeditious use of disaster-related funds. It shall streamline and rationalize the systems and procedures in accessing these funds to help ensure the timely provision of support where urgently and critically needed.

e. Fast and responsive procurement. The Department shall institutionalize innovative and responsive procurement mechanisms, e.g. stand-by contracts, pre-arranged systems of procurement with a pre-approved list of contractors, pre-negotiated contracts, advanced procurement contracts, and framework contracts, among others, to ensure the country's resilience to natural hazards and disasters.

f. Science- and ICT-based approach. The Department shall develop mechanisms to ensure the interoperability of systems among relevant agencies to ensure real-time access to relevant information, including multi-hazard mapping, risk assessment, early warning, exposure database, and emergency management systems, among others.

g. Highly specialized functions and highly-skilled personnel requirements. The Department shall have the authority to engage highly-skilled technical experts, e.g., DRRM specialists, scientists, environmental and/or urban planners, Civil engineers, and public finance specialists.

h. Institutional partnerships with LGUs, NGOs, and academia. Recognizing that disaster resilience is everybody's business, the Department shall adopt a whole-of-society approach to ensure our country's resilience to natural hazards. It shall be mandated to establish partnerships with stakeholders in order to attain the goals and objectives of the Department.

A new Department of Disaster Resilience will effectively improve the institutional capacity of the government for disaster risk reduction and management, reduce the vulnerabilities surrounding the affected local population as well as build the resilience of local communities to both natural disasters and climate change. Given its exposure to disaster risk, the Philippines cannot continue to have a focal disaster organization that only has coordinative functions. Our personal experience during typhoon Haiyan has confirmed that the complexity of large-scale disasters undermines existing policies and structures. The current DRRM structure where authority is shared, responsibility is dispersed, and resources are scattered, renders it difficult to operate an appropriate and immediate response, thus delaying critical disaster response and recovery.

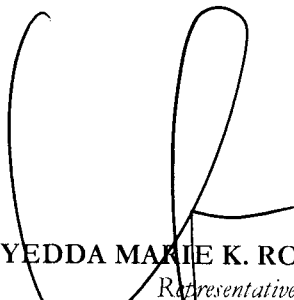
Guaranteeing disaster resiliency through closer coordination and stronger management synchronization at all levels of the country's disaster risk reduction and management system cannot be delayed any further.

This bill has been approved on Third Reading in the 18th Congress and authored by Representatives Alan Peter "Compañero" Cayetano, Paolo Z. Duterte, Joey Sarte Salceda, Jose Christopher Belmonte, Estrelita B. Suansing, Horacio P. Suansing, Xavier Jesus D. Romualdo, Luis Raymund "LRay" F. Villafuerte, Rodrigo B. Abellanosa, Manuel D. Cabochan III, Yedda Marie K. Romualdez, Ferdinand Martin G. Romualdez, Alfred Vargas, Precious Hipolito-Castelo, Lawrence "Law" H. Fortun, Wilter "Sharkey" Wee Palma II, Eric L. Olivarez, Joel Mayo Z. Almario, Abraham "Bambol" N. Tolentino, Bernadette "BH" Herrera-Dy, Aurelio "Dong" D. Gonzales, Jr., Cherryl P. Deloso-Montalla, Lord Allan Jay Q. Velasco, John Marvin "Yul" Servo C. Nieto, "Kuya" Jose Antonio R. Sy-Alvarado, Loren Legarda, Tyrone D. Aggabas, David "Jay-Jay" C. Suarez, Ana Marie Villaraza-Suarez, Ferdinand L. Hernandez, Lianda B. Bolilia, Sol Aragonés, Joy Myra S. Tambunting, Faustino "Inno" V. A. Dy, Aloy Lim, Eric Go Yap, and Manuel F. Zubiri.

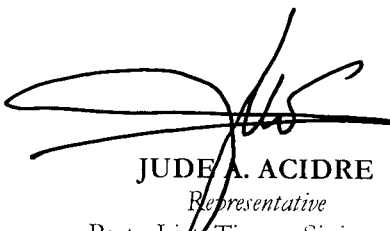
Cognizant of the noble intents of the bills previously filed by the above-mentioned colleagues last Congress, and with the lives, safety and the welfare of our people at stake, the passage of this bill is earnestly sought.



FERDINAND MARTIN G. ROMUALDEZ
Representative
First District, Leyte



YEDDA MARIE K. ROMUALDEZ
Representative
Party-List, Tingog Sinirangan



JUDE A. ACIDRE
Representative
Party-List, Tingog Sinirangan



Republic of the Philippines
HOUSE OF REPRESENTATIVES
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NINETEENTH CONGRESS
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HOUSE BILL NO. 13

Introduced by Representatives **FERDINAND MARTIN G. ROMUALDEZ,**
YEDDA MARIE K. ROMUALDEZ and **JUDE A. ACIDRE**

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

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

Article I

GENERAL PROVISIONS

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

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

3 (a) Protect the lives and properties of its citizens by addressing and preventing the causes of
4 vulnerabilities to natural disasters;

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

13 (c) Promote a simple, strategic, systematic, continuous, comprehensive, inclusive, and
14 integrated approach to disaster risk reduction and management aimed at substantially

1 reducing vulnerabilities and the risk of disasters and other humanitarian emergencies,
2 towards the preservation of life and property, thereby ultimately preventing or deterring
3 the loss of lives and protecting the social, economic, historical and cultural heritage, and
4 environmental assets of the country;

5 (d) Establish a permanent, institutionalized, cohesive, and comprehensive framework for
6 disaster preparedness, prevention and mitigation, and response, to be implemented by a
7 focused specialized agency with its own mandate, powers, and funding, and coordinating
8 with the Philippine government, other foreign governments and financial institutions,
9 international organizations, the private sector, and civil society. Disaster risk reduction
10 and management shall first aim for the outright avoidance of the adverse impacts of
11 hazards and related disasters. With the knowledge and capacities to effectively anticipate,
12 respond to, and recover from the impacts of likely, imminent or current hazard events
13 or conditions, preparedness action shall be carried out in the most effective and efficient
14 manner. In a disaster scenario, the response shall ensure the provision of emergency
15 services and public assistance, during or immediately after a disaster;

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

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

23 (g) Establish a strong and empowered institution capable of responding to the greater
24 onslaught of normal or natural disasters brought by climate change, and spearhead
25 efforts to ensure disaster resilience by delivering the highly critical and intertwined
26 functions of disaster risk reduction and response, with a recovery strategy of “building
27 forward better”;

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

31 (a) Foster an enabling environment for substantial and sustainable participation of
32 nongovernment stakeholders such as civil society organizations, private groups,
33 volunteers, and communities in disaster resilience programs and projects;

34 (b) Adopt a whole-of-society, whole-of-government, and whole-of-nation approach in

- 1 disaster preparedness to increase collaboration, planning, and dialogue among all sectors
2 of society in preparing for natural disasters and in improving their strategies and action
3 plans for disaster risk reduction; and
4 (c) Strengthen the chain of command and establish a unified command system for
5 disaster management.

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

- 7 (a) *Adaptation* refers to the adjustment in natural or human systems in response to actual or
8 expected climactic stimuli or their effects, which moderates harm or exploits beneficial
9 opportunities;
- 10 (b) *Assisting actor* refers to any assisting international or domestic actor following a disaster in
11 the country;
- 12 (a) *Assisting domestic actor* refers to any not-for-profit entity established under domestic
13 laws, which is extending help following a disaster in the country;
- 14 (b) *Assisting international actor* refers to any foreign State, organization, entity or individual
15 extending help following a disaster within the country or transiting through the
16 country to extend help following a disaster in another country;
- 17 (c) *Biological hazards* refer to hazards that are of organic origin or conveyed by biological
18 vectors, including pathogenic microorganisms, toxins, and bioactive substances.
19 Examples are bacteria, viruses or parasites as well as venomous wildlife and insects,
20 poisonous plants and mosquitoes carrying disease-causing agents;
- 21 (d) *Building forward better* refers to an approach to building or reconstructing an area or
22 community, which entails a shift from achieving simple recovery and restoration to
23 creating safer, more adaptive, resilient, and inclusive communities;
- 24 (e) *Business continuity* refers to the capability of an organization to continue the delivery of
25 products or services at acceptable predefined levels following a disruptive incident;
- 26 (f) *Capacity* refers to the combination of attributes and resources available within a
27 community or area that can reduce the level of risk(s) from, or impact(s) of, a disaster;
- 28 (g) *Civil society organizations (CSOs)* refer to non-State actors whose aims are neither to
29 generate profits nor to seek governing power, but to unite people to advance shared
30 goals and interests. CSOs may include nongovernment organizations (NGOs),
31 professional associations, foundations, independent research institutions, community-
32 based organizations, and social movements;
- 33 (h) *Climate change* refers to a change in the state of the climate that can be identified by
34 changes in the mean and/or the variability of its properties, and that persists in an

- 1 extended period, typically decades or longer, whether due to natural internal processes
2 or external forces such as modulation of the solar cycles, volcanic eruptions, and
3 persistent anthropogenic changes in the composition of the atmosphere or in land use;
- 4 (i) *Complex emergency* refers to a form of human-induced emergency in which the cause of
5 the emergency as well as the assistance to the afflicted is complicated by an
6 intense level of political considerations;
- 7 (j) *Consequence management* refers to the totality of interventions and measures taken to
8 restore essential operations and services in a permissive environment, including
9 measures to protect public health and safety, restore essential government services, and
10 provide emergency relief to individuals, stakeholders, and communities affected by the
11 consequences of emergencies, hazards, and disasters;
- 12 (k) *Contingency planning* refers to a management process that analyzes specific potential
13 events or emerging situations that might threaten society or the environment and
14 establishes arrangements in advance to enable timely, effective, and appropriate
15 responses to such events and situations;
- 16 (l) *Cultural heritage* refers to the totality of cultural property preserved and developed
17 through time and passed on to posterity;
- 18 (m) *Deterministic risk assessment* refers to an assessment that considers the possible disaster
19 impacts of a single scenario, in contrast to probabilistic risk assessment which
20 considers all possible scenarios, their likelihood, and associated impacts;
- 21 (n) *Development assistance* refers to financial, material or other forms of assistance to support
22 the economic, social, and environmental well-being of areas or people affected by a
23 natural disaster;
- 24 (o) *Disability* refers to an evolving concept that results from the interaction between
25 persons with impairments, as defined under Republic Act No. 7277, otherwise known
26 as the “Magna Carta for Disabled Persons” and attitudinal and environmental barriers
27 that hinder their full and effective participation in society on an equal basis with others;
- 28 (p) *Disaster* refers to a serious disruption of the functioning of a community or a society
29 involving widespread human, material, economic or environmental losses and impacts,
30 which exceeds the ability of the affected community to cope using its own resources.
31 Disasters are often described as a result of the combination of: the exposure to a
32 hazard; the conditions of vulnerability that are present; and insufficient capacity or
33 measures to reduce or cope with the potential negative consequences. Disaster
34 impacts may include loss of life, injury, disease and other negative effects on human,

1 physical, mental and social well-being, together with damage to property, destruction
2 of assets, loss of services, social and economic disruption and environmental
3 degradation. Unless otherwise specifically indicated in this Act, the term “disaster”
4 shall refer to “natural disaster”;

5 (q) *Disaster assistance* refers to financial, material, or other forms of assistance to address the
6 immediate and long-term needs of people, communities or areas affected by a disaster.
7 This term includes humanitarian assistance and development assistance;

8 (r) *Disaster management* refers to the planning, organization, and application of measures
9 preparing for, responding to, and recovering from disasters;

10 (s) *Disaster mitigation* refers to the reduction or limitation of the adverse impacts of
11 disasters and its related hazards;

12 (t) *Disaster preparedness* refers to the knowledge and capacities developed by governments,
13 professional response and recovery organizations, communities and individuals to
14 effectively anticipate, respond to, and recover from, the impacts of likely, imminent or
15 current disasters and related hazards;

16 (u) *Disaster prevention* refers to the intention to avoid, or the outright avoidance, of
17 potential adverse impacts of disasters and related hazards through action(s) taken in
18 advance;

19 (v) *Disaster recovery* refers to restoration or improvement of livelihoods and health, as well
20 as economic, physical, social, cultural and environmental assets, systems and activities,
21 of a disaster-affected community or society, aligning with the principles of sustainable
22 development and “build forward better” to avoid or reduce future disaster risk;

23 (w) *Disaster response* or *disaster relief* refers to the provision of emergency services and public
24 assistance during or immediately after a disaster in order to secure and save lives,
25 reduce health impacts, ensure public safety and meet the basic subsistence needs of the
26 people affected. Disaster response is predominantly focused on immediate and short-
27 term needs and is sometimes called “disaster relief”;

28 (x) *Disaster rehabilitation* refers to restoration of basic services and facilities for the function
29 of a community or a society affected by a disaster;

30 (y) *Disaster resilience* refers to the ability of a system, community, or society exposed to
31 hazards to resist, absorb, accommodate, adapt to, transform, and recover from the
32 effects of a hazard, including the long-term impact of climate change, in a timely and
33 efficient manner, including through the preservation and restoration of its essential
34 basic structures and functions through risk management;

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

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

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

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

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

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

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

28 (nn) *Historical landmarks* refer to sites or structures that are associated with events or
29 achievements significant to Philippine history as declared by the National Historical
30 Institute or the applicable agency;

31 (oo) *Human-induced disasters* refer to disasters induced entirely or predominantly by human
32 activities or choices, such as ideologically motivated conflict or criminality;

33 (pp) *Humanitarian assistance* refers to financial, material or other similar forms of assistance
34 to address the immediate needs of people affected by a natural disaster;

- 1 (qq) *Hydrometeorological hazards* refer to hazards that are of atmospheric, hydrological and
2 oceanographic origin, such as tropical cyclones also known as typhoons and
3 hurricanes; floods, including flash floods, drought; heatwaves and cold spells, coastal
4 storm surges, and marine heatwaves, extreme sea events, and sea level rise.
5 Hydrometeorological conditions may also be a factor in other hazards such as
6 landslides, wildland fires, locust plagues, epidemics, and in the transport and dispersal
7 of toxic substances and volcanic eruption material;
- 8 (rr) *Impact and needs assessment* refers to assessing the nature and magnitude of a disaster, its
9 impact on affected populations, the type and extent of emergency, and the
10 requirements for recovery and rehabilitation of the affected areas;
- 11 (ss) *Land-use planning* refers to the process undertaken by public authorities to identify,
12 evaluate, and decide on different options for the use of land, including consideration
13 of long-term economic, social, and environmental objectives and the implications for
14 different communities and interest groups, and the subsequent formulation and
15 promulgation of plans that describe the permitted or acceptable uses;
- 16 (tt) *Legal facilities* refer to entitlements and exemptions that are granted to assisting
17 domestic or international actors which are declared to be eligible pursuant to this Act
18 and its implementing rules and regulations;
- 19 (uu) *Local Disaster Resilience Plan (LDRP)* refers to a document prepared by a local
20 government unit (LGU) based on the National Disaster Resilience Framework
21 (NDRF) and National Disaster Resilience Plan and Investment Program (NDRPIP)
22 that sets out specific programs, objectives and goals to implement disaster risk
23 management and climate change adaptation measures at the local level. The plan shall
24 include among others, an evaluation and analysis of emerging disaster risks, hazards
25 and vulnerabilities applicable to an LGU, and specific programs and activities to ensure
26 responsive, effective, and the appropriate disaster preparedness and management at the
27 local level;
- 28 (vv) *National continuity policy* refers to a policy aimed at the development of an
29 organizational culture that has the ability to provide a minimum level of service during
30 interruptions, emergencies, and disasters, and return to full operations quickly;
- 31 (ww) *National cultural treasure* refers to a unique cultural property found locally, possessing
32 outstanding historical, cultural, artistic and/or scientific value which is highly
33 significant and important to the country and nation, and officially declared as such by
34 the pertinent cultural agency;

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

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

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

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

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

32 (ccc) *Preparedness* refers to pre-disaster actions and measures being undertaken within the
33 context of disaster risk reduction and management and are based on sound risk
34 analysis as well as pre-disaster activities to avert or minimize loss of life and property

1 such as community organizing, training, planning, equipping, stockpiling, hazard
2 mapping, insuring of assets, and public information and education initiatives. This also
3 includes the development or enhancement of an overall preparedness strategy, policy,
4 institutional structure, warning and forecasting capabilities, and plans that define
5 measures geared to help at-risk communities safeguard their lives and assets by being
6 alert to hazards and taking appropriate action in the face of an imminent threat or an
7 actual disaster;

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

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

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

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

23 (hhh) *Response* refers to any concerted effort by two (2) or more agencies, public or private,
24 to provide assistance or intervention during or immediately after a disaster to meet the
25 life preservation and basic subsistence needs of those people affected and in the
26 restoration of essential public activities and facilities;

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

29 (jjj) *Risk* refers to the combination of the probability of an event and its negative
30 consequences;

31 (kkk) *Risk assessment* refers to a methodology to determine the nature and extent of risks by
32 analyzing potential hazards and evaluating existing conditions of vulnerability that
33 together could potentially harm exposed people, property, services, livelihood and the
34 environment on which they depend. Risk assessment with associated risk mapping

1 include: a review of the technical characteristics of hazards such as their location,
2 intensity, frequency and probability; the analysis of exposure and vulnerability
3 including the physical, social, health, economic, and environmental dimensions; and
4 the evaluation of the effectiveness of prevailing and alternative coping capacities in
5 respect to likely risk scenarios;

6 (lll) *Risk transfer* refers to the process of formally or informally shifting the financial
7 consequences of particular risks from one party to another whereby a household,
8 community, enterprise or State authority will obtain resources from the other party
9 after a disaster occurs, in exchange for ongoing or compensatory social or financial
10 benefits provided to that other party;

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

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

17 (mmm) *Sustainable development* refers to development that meets the needs of the present
18 generation without compromising the ability of future generations to meet their own.
19 It contains within it two (2) key concepts: first, the concept of “needs”, in particular,
20 the essential needs of the world’s poor, to which overriding priority should be given;
21 and second, the idea of limitations imposed by the state of technology and social
22 cohesion and harmony, and ecological integration of a sound and viable economy,
23 responsible governance, and ecological integrity to ensure that human development
24 now and through future generations is a life enhancing process;

25 (nnn) *Volunteers* refer to individuals, groups or entities that offer and provide
26 services or assistance, without compensation, to help people and areas affected by
27 disasters;

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

34 (ppp) *Vulnerable and marginalized groups* refer to those that face higher exposure to disaster

1 risk and poverty including women, children, the elderly, differently abled people, and
2 ethnic minorities;

3 (qqq) *Whole-of-Society Approach* refers to an approach that encourages the meaningful and
4 active participation and synergy of the different stakeholders of society toward climate
5 change adaptation and mitigation, and disaster risk reduction and management at the
6 national and local levels;

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

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

16 **Article II**

17 **THE DEPARTMENT OF DISASTER RESILIENCE:**

18 **MANDATE, POWERS, AND FUNCTIONS**

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

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

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

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

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

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

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

7 (a) Geological Phenomena and Related Hazards

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

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

12 2) Mass movement – landslides, debris flow, sinkholes

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

14 1) Tropical cyclone – severe winds, storm surge, rouge waves, severe rainfall including
15 hail

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

17 3) Erosion

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

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

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

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

25 3) Wildfire (forest or land fires)

26 (d) Biological and Related Hazards

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

28 2) Insect Infestation – grasshoppers/locusts

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

30 The Department shall manage and direct the implementation of national, local, and
31 community-based disaster resilience and disaster management programs, projects and activities,
32 including disaster response, recovery and rehabilitation, when applicable, in collaboration with
33 relevant national government agencies, LGUs, CSOs, academic institutions and other stakeholders:
34 *Provided*, That for human-induced disasters, the Department of the Interior and Local Government

1 (DILG), Department of National Defense (DND), Department of Social Welfare and
2 Development (DSWD), and other relevant government instrumentalities, including the Armed
3 Forces of the Philippines (AFP), Bureau of Fire Protection (BFP), Philippine National Police
4 (PNP), Philippine Coast Guard (PCG), and Office of Civil Defense (OCD), shall continue to
5 perform their functions: *Provided, further*, That the Department shall remain as the lead agency in
6 recovery and rehabilitation efforts in collaboration with all stakeholders when applicable.

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

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

13 **(a) General Functions**

- 14 1) Conduct risk and vulnerability assessment at the local level based on the national
15 criteria, and establish a database that includes, among others, an inventory of hazards
16 to better prepare for and respond to natural disasters;
- 17 2) Undertake the establishment or construction of evacuation centers that conform to the
18 standards under the United Nations (UN) Humanitarian Charter and Minimum Standards in
19 Humanitarian Response or The Sphere Minimum Standards for Shelter and Settlement, and
20 Republic Act No. 10821, otherwise known as the "Children's Emergency Relief and
21 Protection Act", among others. The upkeep and maintenance of the evacuation centers shall
22 be the responsibility of the concerned LGUs;
- 23 3) Develop, maintain and update an integrated disaster management and disaster
24 resilience information system that includes, among others, multi-hazard mapping,
25 vulnerability and probabilistic risk assessments, early warning, exposure database,
26 communication and emergency management systems at the national, regional, and
27 provincial levels;
- 28 4) Undertake the formulation and implementation of the government's policies, plans,
29 programs, projects, and budget for disaster resilience including those related to
30 disaster risk reduction, response, recovery, rehabilitation, and building forward
31 better;
- 32 5) Review and build upon, to the extent necessary, the existing disaster resilience
33 framework, plans and strategies in the crafting of an NDRF and the corresponding
34 NDRPIP;

- 1 6) Oversee, review, and approve the translation, integration, and implementation of the
- 2 NDRPIP into LDRPs;
- 3 7) Facilitate the availability of highly competent DRR professionals at all levels and
- 4 prescribe benefits, allowances, and similar emoluments for DRR professionals, as it
- 5 may deem fit;
- 6 8) Communicate and disseminate critical information to help the public prepare for,
- 7 respond to, and recover from a disaster;
- 8 9) Receive, manage, administer and control all the funds, assets and properties received
- 9 by the Department to accomplish the purposes of this Act;
- 10 10) Recommend to the President of the Philippines the declaration of a state of calamity
- 11 due to a natural disaster, and the lifting thereof when conditions stabilize;
- 12 11) Advise the President on matters concerning disaster resilience and make
- 13 recommendations, as appropriate;
- 14 12) Advance the country's interests relating to disaster resilience in the regional and
- 15 global arena;
- 16 13) Collaborate with any government entity to help ensure the attainment of the goals
- 17 and objectives of this Act; and
- 18 14) Perform such other functions, as provided by law or assignment of the President,
- 19 and undertake all other necessary actions to ensure the attainment of the overall
- 20 goals and objectives of this Act.

21 **(b) Disaster Risk Reduction**

- 22 1) Develop coordinated regional and local strategies for the effective prevention and
- 23 mitigation of disaster risk resulting from natural hazards, including the effects of
- 24 climate change;
- 25 2) Develop and implement policies and programs relating to the construction of new
- 26 settlements or relocation of settlements in safe areas which shall, to the extent such
- 27 policies and programs relate to disaster risk reduction, mitigation, prevention or
- 28 building forward better, prevail over policies or decisions of other government
- 29 departments, government agencies, government owned and/or controlled
- 30 corporations, LGUs, or other government institutions;
- 31 3) Develop, in coordination with relevant government agencies, policies and programs
- 32 on land-use planning, urban planning and zoning which shall, to the
- 33 extent such policies and programs relate to disaster risk reduction, mitigation,
- 34 prevention or building forward better, prevail over policies or

1 decisions of other government departments, government agencies,
2 government owned and/or controlled corporations, LGUs, or other government
3 institutions;

- 4 4) Establish or enhance standards for disaster preparedness and continuity planning,
5 such as on infrastructure standards and designs;
- 6 5) Collaborate with the Department of Public Works and Highways (DPWH) and
7 other relevant government agencies in the conduct of regular structural, safety audit
8 of buildings and other types of infrastructure, and require the submission of
9 necessary data, information or reports related thereto;
- 10 6) Formulate a National Continuity Policy including plans and programs to implement
11 government governance and business continuity;
- 12 7) Ensure the use of advanced science and technology in the anticipatory planning
13 of communities against the impact of natural hazards and climate change
14 through consultation, and employment with a regular department funding for
15 relevant academic or higher educational institutions with proven risk reduction
16 record;
- 17 8) Establish a system to ensure that all disaster-related data are accessible to all
18 stakeholders to generate the best scientific information and technological products
19 for use in disaster resilience;
- 20 9) Ensure that all climate change-related hazards are included in the development of
21 climate risk profiles of targeted LGUs as provided for in the Climate Risk and
22 Management Framework (CRMF) policy document of the Climate Change
23 Commission (CCC) and that the appropriate institutions such as the academe and
24 other science experts or organizations who have the capability to develop or have
25 developed methodologies to establish climate change risk profile are officially
26 engaged;
- 27 10) Undertake programs and projects to reduce the vulnerability of physical
28 infrastructure, assets, and facilities including retrofitting, and structural and non-
29 structural upgrading, in coordination with the relevant government agencies;
- 30 11) Call on relevant government agencies to develop alternative livelihood programs to
31 reduce the vulnerability to disasters of certain areas or certain sectors of society;
- 32 12) Formulate, facilitate and monitor efforts relating to certain resources or sectors
33 toward addressing the long-term effects of climate change on sustainable
34 development, such as water resources, agriculture, forestry, coastal and marine

1 resources, health, and infrastructure, in coordination with relevant government
2 agencies;

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

5 14) Oversee and ensure the mainstreaming of climate change adaptation and disaster
6 risk reduction in development and land use planning, and the preparation of
7 contingency plans;

8 15) Create an enabling environment that shall promote broader multi-stakeholder
9 participation for disaster risk reduction and climate change adaptation and mitigation;

10 16) Establish, develop, and monitor programs and projects, in coordination with
11 relevant government agencies, that consider climate projections, including
12 temperature increase and rainfall change in the Philippines to ensure climate-resilient
13 communities;

14 17) Establish and monitor national and local capacity for disaster risk financing and
15 insurance and other risk transfer strategies in coordination with the Department of
16 Finance (DOF), Government Service Insurance System (GSIS), Land Bank of the
17 Philippines (LBP), and Insurance Commission;

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

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

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

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

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

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

32 4) Ensure the efficient repositioning of goods, maintenance and disposal of safety
33 stocks;

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

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

- 1 17) Establish a National Corps of Volunteers to be composed of, among others:
2 Reserve Officers' Training Corps (ROTC), National Service Training Program
3 (NSTP), reservists, and other socio-civic organizations;
- 4 18) Assist in mobilizing necessary resources to increase the overall capacity of local
5 government units, specifically those with low income and situated in high-risk areas;
6 and
- 7 19) Undertake all other programs and projects necessary to attain the necessary
8 outcomes for disaster preparedness and response.

9 **(d) Recovery and Building Forward Better**

- 10 1) Prepare, organize, lead, implement, and manage post-disaster assessment and
11 recovery and rehabilitation programs and plans, in coordination with the affected
12 local governments units, national government agencies, and other stakeholders;
- 13 2) Establish a system to promptly perform impact and needs assessment, including
14 strengthening the in-house capacity of the Department to conduct accurate and
15 timely impact and needs assessment;
- 16 3) Establish a system that utilizes templates, exposure database, and other tools,
17 and develop the Department's in-house capacity for the prompt and
18 expedient preparation of rehabilitation plans, when needed, for disaster
19 affected areas;
- 20 4) Formulate or direct relevant government agencies and LGUs to issue guidelines for
21 fast-tracking the issuance of permits, certifications, clearances and licenses to
22 implement disaster recovery and rehabilitation measures, including housing projects,
23 in affected areas;
- 24 5) Prepare and implement rehabilitation plans for disaster affected areas;
- 25 6) Manage and oversee the implementation of disaster recovery and rehabilitation
26 measures;
- 27 7) Collaborate with relevant government agencies to establish programs to restore or
28 generate livelihood in disaster affected areas;
- 29 8) Formulate policies and standards for post-disaster shelter recovery which may
30 include, among others, implementation arrangements, coordination arrangements
31 with relevant agencies and LGUs, and modalities for emergency transitional and
32 permanent shelter recovery;
- 33 9) Ensure that the principle of building forward better is applied to rehabilitation or
34 reconstruction efforts; and

1 10) Undertake all other programs and projects necessary to attain the necessary
 2 outcomes for recovery and safer, adaptive, resilient, and inclusive communities.

3 **(e) Other Functions**

- 4 1) Constitute, call, convene or deputize agencies of government, and invite
 5 nongovernment and private organizations, to assist, advise, or coordinate with
 6 the Department to achieve the purposes of this Act;
- 7 2) Inspect and examine the status of projects, programs, and activities undertaken by
 8 national government agencies and local government units in furtherance of disaster
 9 resilience efforts;
- 10 3) Save lives and/or minimize damages to livelihood and property, complement and
 11 collaborate with relevant government agencies and nongovernment stakeholders in
 12 providing humanitarian response and the consequence management of human-
 13 induced disasters whenever it becomes necessary;
- 14 4) Negotiate, enter into, institutionalize, and coordinate arrangements with any private
 15 person or entity for the purpose of ensuring the adequate and prompt availability of
 16 goods and services necessary in anticipation of, during, and in the aftermath of
 17 disasters;
- 18 5) Promulgate rules and regulations for the receipt, management, and accounting of
 19 donations that are consistent with the rules of the Commission on Audit (COA) on
 20 the use of foreign and local aid during calamities and disasters;
- 21 6) Create or reorganize offices and/or task forces, as may be necessary to carry out the
 22 objectives of this Act; and
- 23 1) Perform such other functions, as may be necessary, for the attainment of the
 24 objectives of this Act.

25 **Article III**

26 **EMERGENCY MEASURES**

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

- 30 1) Carrying out of preemptive evacuation;
- 31 2) Imposition of curfew;
- 32 3) Rationing of the distribution of basic goods in critical shortage, and when
 33 necessary, preventing or restricting the transfer of such goods outside of the area
 34 affected by the disaster, including access to rice inventory of the National Food

- 1 Authority (NFA) office or storage located in the affected area;
- 2 4) When there is imminent danger of loss of lives or damage to property, temporarily take
3 over or direct the operation of any private utility or business, subject to payment of just
4 compensation; and
- 5 5) With the concurrence of the DOF, recommend to the Monetary Board the deferment
6 of the payment of monetary obligations of local government units and private entities
7 that have been severely affected by disaster.

8 (b) Local government units shall enact ordinances on and implement necessary
9 and appropriate emergency measures to ensure the protection and preservation of life and
10 property and the promotion of public safety and welfare in anticipation of, during, and in the
11 aftermath of disasters.

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

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

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

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

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

31 **Article IV**

32 **ORGANIZATION AND MANAGEMENT**

33 **SEC. 8. *The Secretary.*** - The Department shall be headed by the Secretary
34 of Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed

1 by the President, subject to confirmation by the Committee on Appointments. The
2 Secretary shall preferably have a good background in any of the scientific,
3 engineering, and public management fields relevant to the attainment and promotion of
4 resiliency to natural hazards and climate change, and demonstrated managerial acumen.

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

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

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

- 3 a) *Disaster Preparedness and Response* - to implement projects and programs that will enhance
4 the capacity of LGUs to prepare against, and respond to, disasters. This also includes
5 development of a database of exposure or elements at risk per area and database of
6 volunteers, among others. It involves the establishment of evacuation centers and the
7 implementation of responsive and efficient prepositioning of goods, maintenance and
8 disposal of stocks, among others;
- 9 b) *Disaster Risk Reduction* - to formulate, adopt, and/or implement, among others, a whole-
10 of-society approach in policies and programs to prevent new, if not reduce existing
11 disaster risks, to address the effects of climate change, and to minimize loss and
12 damage to lives and properties. This includes the formulation of the required policies
13 and/or programs for disaster risk reduction and climate change adaptation in, among
14 others, the NDRF and the NDRPIP;
- 15 c) *Recovery and Building Forward and Better* - to formulate and implement rehabilitation plans
16 for disaster-affected areas, and to ensure the implementation of disaster recovery and
17 rehabilitation measures, such as, but not limited to, post-disaster shelters and livelihood
18 projects, in collaboration with relevant agencies, LGUs, and other stakeholders; and
- 19 d) *Support to Operations* - to formulate and implement, among others, policies, programs
20 and/or projects to ensure the efficient, effective, and responsive delivery of the
21 Department's key result areas. Support to Operations covers knowledge management,
22 institutional development and planning, finance, office administration, human
23 resources management, and development of the Department's in-house capacities,
24 among others.

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

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

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

4 **SEC. 14. *National Disaster Operations Center, Alternative Command Center, and***
5 ***Research and Training Institute.*** - The Department shall establish, within one (1) year from the
6 approval of this Act, and act as the primary operator, the National Disaster Operations Center
7 (NDOC), Alternative Command and Control Center (ACCCs) as may be necessary in each of the
8 country’s major island groups, and the Disaster Resilience Research and Training Institute
9 (DRRTI).

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

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

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

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

21 The DRRTI shall:

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

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

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

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

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

- 1 f) Consolidate, organize and/or prepare training materials and publications; and
2 g) Conduct other activities consistent with promoting the formation and dissemination of
3 knowledge and information relating to disaster resilience and disaster management.

4 **SEC. 16. *Compliance and Accreditation of DRRTI with International Standards.*** -

5 The Department shall strive to obtain certification from, and accreditation by, international
6 accreditation bodies of the DRRTI to ensure DRRTI's compliance with international standards.
7 The Department shall likewise ensure collaboration with key countries and international
8 organizations to incorporate best practices on disaster resilience in the Department's policies and
9 programs.

10 **SEC. 17. *Disaster Assistance Action Center.*** - The Department shall institutionalize a

11 one-stop shop mechanism through a Disaster Assistance Action Center (DAAC) which shall,
12 among others, process necessary documents for both domestic and international assisting actors.

13 **SEC. 18. *Incentives.*** - The Department has the authority to prescribe benefits, allowances,

14 and similar emoluments for disaster management professionals and disaster resilience officers at
15 the national and local levels.

16 **Article V**

17 **NATIONAL AND LOCAL GOVERNMENT RELATIONS**

18 **SEC. 19. *Retention of Local DRRM Offices and Creation of Local Disaster***

19 ***Resilience Offices.*** - The Local DRRM Offices (LDRRMOs) in provinces, cities, and
20 municipalities shall be retained and renamed as Provincial, City, and Municipality Disaster
21 Resilience Offices, respectively. They shall collectively be called Local Disaster Resilience Offices
22 (LDROs). All LGUs shall establish an LDRO at the provincial, city, and municipal levels. All
23 Local DRRM Councils (LDRRMCs) shall be abolished.

24 The budgetary requirements for personal services, maintenance and other operating
25 expenses, and capital outlay of the LDROs shall be sourced from the General Fund of the LGU,
26 subject to Section 76 of Republic Act No. 7160, otherwise known as the "Local Government
27 Code of 1991", as amended.

28 Other maintenance and operating expenses and other capital outlay requirements of the
29 LDRO in the implementation of disaster risk and vulnerability reduction management and climate
30 change adaptation programs shall be charged to the Local Disaster Resilience Fund of the LGUs.

31 Provinces, cities or municipalities shall be exempted from the Personnel Services (PS)
32 limitation on local government budgets in relation to the creation of the LDROs and the
33 appointment of its officers and personnel.

1 **SEC. 20. *Composition and Organization of LDROs.*** - The LDRO shall be under
2 the supervision and control of the provincial governor, and city or municipal mayor,
3 as applicable. The LDRO shall be composed of an officer and five (5) permanent
4 personnel responsible for, among others, administration, research and planning, training, and
5 operations. The organization, composition, functions, and responsibilities of retained LDRMOs
6 shall be modified to the extent provided in, and shall comply with the requirements and standards
7 of, this Act and the IRR for the establishment, maintenance and operations of LDROs.

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

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

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

1 marginalized groups, local risk maps, and a disaggregated database of human resource,
2 equipment, services, resources, directories and location of critical infrastructures with
3 their capacities as hospitals and evacuation centers;

4 (g) Operate and maintain, in coordination with the Department, a multi-hazard early
5 warning and communications system to provide accurate and timely information to the
6 public;

7 (h) Organize and conduct training and knowledge management activities on disaster
8 resilience at the local level, in coordination with the DRRTI;

9 (i) Procure emergency works, goods, and services in compliance with the
10 regulations, orders, and policies of DBM and Government Procurement Policy
11 Board (GPPB), to implement the DRP or support early recovery and post-disaster
12 activities;

13 (j) In coordination with the Department, the DOF and other relevant agencies, access
14 foreign loans to finance its projects, programs, and policies for disaster preparedness,
15 response, recovery, and rehabilitation, subject to terms and conditions agreed upon by
16 the LDRO and the lender;

17 (k) Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs,
18 CSOs, private sector, organized volunteers, and sectoral organizations for disaster
19 resilience activities, in accordance with policies and procedures of the Department and
20 applicable laws;

21 (l) Coordinate and provide the necessary support or assistance to the Department in the
22 implementation of rehabilitation plan within the city or municipality covered by the
23 LDRO;

24 (m) Coordinate with the Department, other government agencies, members of the private
25 sector and other stakeholders in the LGU to establish a Business Continuity Plan as part
26 of their LDRP's disaster preparedness measures;

27 (n) Establish linkage or network and coordination mechanisms with other LGUs and the
28 Department for disaster resilience activities and to achieve the purposes of this Act; and

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

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

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

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

- 1 projects, programs, and policies for disaster preparedness, response, recovery, and
2 rehabilitation, subject to terms and conditions agreed upon by the PDRO and the lender;
- 3 (j) Formulate and establish mechanisms to mobilize and direct LDROs within its jurisdiction
4 as necessary for disaster preparedness and response at the provincial level;
- 5 (k) Coordinate and provide the necessary support or assistance to the Department in the
6 implementation of rehabilitation plan(s) within the cities and/or municipalities covered by
7 the PDRO; and
- 8 (l) Conduct other activities and/or act on other matters, in accordance with policies and
9 procedures of the Department and applicable laws, to achieve the purposes of this Act.

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

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

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

- 22 (a) Review the LDRPs and Provincial LDRPs of LGUs within its jurisdiction, and require
23 the amendment of such LDRPs and/or Provincial LDRPs if necessary, to ensure
24 compliance with the NDRF and NDRPIP;
- 25 (b) Monitor and direct LDROs and PDROs to implement their respective LDROs and
26 PDROs;
- 27 (c) Recommend to the appropriate *Sanggunian* at the city, municipal or provincial level, the
28 enactment of local ordinances to implement the LDRP, NDRF and NDRPIP at the city,
29 municipal or provincial level, and to comply with other requirements of this Act;
- 30 (d) Review reports on the utilization of the LDRF and other disaster risk reduction and
31 management resources of LGUs within its jurisdiction, and give recommendations, as
32 necessary;
- 33 (e) Disburse to, and monitor the use by, LGUs of Supplemental LDRF as granted by the
34 Department pursuant to this Act and its IRR;

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

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

25 **SEC. 29. *Levels of Responsibility for Disaster Preparedness and Response.*** -
 26 The primary responsibility for disaster preparedness and response shall be exercised at
 27 the local and national level in collaboration with the relevant departments and agencies,
 28 as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1 – City or Municipality	Mayor of the City / Municipality (Lead)	If a disaster affects a single municipality / city

	Local Disaster Resilience Office (In the case of BARMM: Municipal / City Mayor and BARMM Local Disaster Resilience Office)	
Level 2 – Province	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)	If a disaster affects two or more municipalities / cities
Level 3 – Region	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)	If a disaster affects two or more provinces and/or independent component or highly urbanized cities
Level 4 – National During a state of calamity in any area(s) or affecting several regions	Secretary of the Department of Disaster Resilience (Lead) Governors of the affected Provinces	a. When a state of calamity is declared by the President b. If a disaster affects at least two (2) regions

		<p>c. When the affected LGU cannot dispense its functions, or respond to the threat or effect of disaster;</p> <p>d. When the local chief executive or, in his/her absence or incapacity, the next high-ranking official, directly requests the Department to take over;</p> <p>When the President directs a Level 4 response.</p>
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SEC. 30. *Inter-Local Government Assistance.* - LGUs are hereby authorized to extend assistance to another LGU, whether through funding or donation of goods and/or services, to ensure effective disaster preparedness and response, such as the pre-positioning and provision of basic goods, and training of first responders, among others, subject to auditing and accounting.

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

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

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

Article VI

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

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

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

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

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

- 21 (a) Establishment and implementation of business continuity practices to ensure the
22 continued delivery of products and services in the event of a natural disaster;
- 23 (b) Crafting and implementation of a National Continuity Policy to ensure service continuity
24 during interruptions, emergencies, and disasters and ensure the quick return to full
25 operations;
- 26 (c) Establishment, incorporation, and application of business continuity plans as part of the
27 LDRP of LGUs;
- 28 (d) Facilitation or assistance in obtaining or processing incentives for the private sector or
29 other nongovernment stakeholders, such as tax credits; and
- 30 (e) Preparation and facilitating the issuance of special rules for Micro, Small,
31 and Medium Enterprises (MSMEs) such as mechanisms involving procurement
32 and liquidity to create enabling environments for disaster preparedness and
33 recovery.

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

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

- 10 (a) Civil society, nongovernmental organizations, international nongovernmental
11 organizations, private sector, DRRM practitioners, and volunteers shall participate,
12 in collaboration with public institutions, in the exchange of information, learnings,
13 and guidance on disaster resilience. The Department shall encourage and institutionalize
14 their engagement in the implementation of local, regional, national, and global plans and
15 strategies to enhance public awareness and promote a culture of disaster resilience;
- 16 (b) Women, children, and youth, as agents of change, shall endeavor to contribute actively
17 and participate in disaster resilience trainings and information dissemination;
- 18 (c) Senior citizens and persons with disabilities shall contribute their knowledge and
19 experience on disaster preparedness and resiliency;
- 20 (d) Migrants and the urban and rural poor shall participate in building resilient resettlement
21 communities;
- 22 (e) Emergency responders and volunteer organizations shall contribute to resilience by
23 promptly and efficiently responding to disasters and emergencies consistent with the
24 policies of the Department;
- 25 (f) Academia, scientific and research entities, and networks are encouraged to undertake
26 relevant research on disaster resiliency in partnership with the Department and other
27 stakeholders for better decision-making;
- 28 (g) The private sector is encouraged to integrate disaster resiliency projects and programs in
29 their corporate social responsibility initiatives; and
- 30 (h) The media shall provide prompt and accurate information to the public on early warning
31 systems, natural hazards, and disaster resilience activities of the Department.

32 The Department, with the assistance of the ROs, shall establish and convene a Disaster
33 Resilience Assembly at the regional and national levels which shall be held on a quarterly basis to
34 ensure the proactive engagement of different stakeholders, such as government agencies, the

1 Union of Local Authorities of the Philippines (ULAP), League of Cities of the Philippines (LCP),
2 League of Municipalities of the Philippines (LMP), CSOs, NGOs, academe, DRRM practitioners,
3 and the private sector, to ensure and foster coordination and collaboration towards achieving the
4 goals of this Act.

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

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

13 Article VII

14 PREPAREDNESS AND INTEGRATED EARLY WARNING

15 **SEC. 39. *Standards for Disaster Preparedness Activities.*** – (a) The Department shall
16 establish standards and protocols for disaster preparedness, contingency planning, localizing and
17 operationalizing disaster risk reduction and management, preparedness for responding to disasters
18 and undertaking early recovery, continuity of essential services, and other relevant preparedness
19 activities.

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

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

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

32 The Department shall formulate and implement multi-hazard early warning protocols
33 integrating all disaster preparedness systems in collaboration with local executives, community-

1 based organizations, civil society organizations, and other nongovernmental organizations for
2 proper use and application.

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

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

11 (c) The Department shall require mobile phone service providers to send out alerts at
12 regular intervals in the event of an impending natural hazard, in accordance with Republic Act No.
13 10639, otherwise known as “The Free Mobile Disaster Alerts Act”.

14 (d) The Department shall recognize and proactively support local or indigenous modes
15 of early warning systems and allow open access to near real-time data from both local
16 and international sources made available through various platforms such as websites, mobile apps,
17 and social media to empower local communities and individuals. Any person who transmits early
18 warning concerning the abovementioned phenomena by means of signs in designs, colors, lights,
19 or sound shall do so in compliance with the methods recognized or approved by the Department.

20 **Article VIII**

21 **HUMANITARIAN ASSISTANCE**

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

25 (b) The importation by, and acceptance of humanitarian assistance donated to the
26 Department, consisting of, among others, food, clothing, medical assistance, equipment, and
27 materials for relief, recovery and other disaster management activities, are hereby authorized in
28 accordance with Sections 120 and 121 of Republic Act No. 10863, otherwise known as the
29 “Customs Modernization and Tariff Act (CMTA)”, and the prevailing provisions of the General
30 Appropriations Act covering national internal revenue taxes and import duties of national and
31 local government agencies.

32 **SEC. 43. *International Humanitarian Assistance.*** - The Department, in consultation
33 with the Bureau of Immigration and the Bureau of Customs shall promulgate guidelines on
34 international humanitarian assistance, including the initiation, entry, facilitation, transit, regulation

1 and termination thereof, as well as those involving international disaster relief and personnel
2 assisting international actors, visa waiver, recognition of foreign professional qualifications, entry
3 of international disaster goods and equipment, and exemption from port duties, taxes, and
4 restrictions.

5 **SEC. 44. *Assessment of the Need for International Humanitarian Assistance.*** –

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

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

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

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

24 The Department shall lead and manage the HAAC, which shall be composed of the
25 following:

- 26 (a) Bureau of Customs;
- 27 (b) Department of Foreign Affairs;
- 28 (c) Department of Social Welfare and Development;
- 29 (d) Department of Health;
- 30 (e) Food and Drug Administration;
- 31 (f) Department of Agriculture;
- 32 (g) Department of Energy;
- 33 (h) Department of National Defense;
- 34 (i) Philippine National Police;

- 1 (j) Philippine Coast Guard;
- 2 (k) Department of Transportation;
- 3 (l) Department of Environment and Natural Resources; and
- 4 (m) Bureau of Immigration.

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

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

13 **SEC. 47. *Regulation of Humanitarian Assistance.*** – (a) The Department shall ensure
14 the efficient and effective monitoring of humanitarian assistance from domestic or international
15 donors, establish and operate a platform, including an online platform, to facilitate, and provide
16 public access to information on donations.

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

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

26 **Article IX**

27 **OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE** 28 **TO FOREIGN STATES**

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

34 **SEC. 50. *Accreditation.*** – The Department, in coordination with relevant government

1 agencies and organizations, shall provide and facilitate the necessary training and accreditation to
2 the respective government personnel to be deployed for such offer, facilitation and provision of
3 international humanitarian assistance to a foreign State.

4 **Article X**

5 **DECLARATION OF STATE OF CALAMITY**

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

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

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

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

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

34 **Article XI**

1 RECOVERY

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

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

19 Article XII

20 FUNDS AND RESOURCES

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

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

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

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

10 **SEC. 58. *National Disaster Resilience Fund.*** - (a) The National Disaster Risk
11 Reduction and Management Fund (NDRRM Fund) created under Section 22 of Republic Act No.
12 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of
13 2010", appropriated under the annual General Appropriations Act is hereby renamed as the
14 National Disaster Resilience Fund (NDRF) and shall be managed and controlled by the
15 Department. The NDRF shall be used for disaster risk reduction or mitigation, prevention, and
16 preparedness activities such as training of personnel, procurement of equipment, and capital
17 expenditures. It can also be utilized for relief, recovery, reconstruction, and other work or services
18 in connection with natural or human-induced calamities which may occur during the budget year
19 or those that occurred in the past two (2) years from the budget year.

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

26 **SEC. 59. *People's Survival Fund.*** - The Secretary of the Department shall be a member
27 of the People's Survival Fund Board mandated to manage and administer the People's Survival
28 Fund created under Republic Act No. 10174, otherwise known as the "Climate Change Act of
29 2009", and facilitate its utilization by LGUs, through ROs, to implement climate change
30 adaptation projects of LGUs, and equip vulnerable LGU communities against the impacts of
31 climate change.

32 **SEC. 60. *Multi-Donor Trust Fund.*** - The Department shall create and manage, together
33 with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing, releasing and
34 accounting of money and other similar resources intended for disaster assistance. The Department

1 shall establish a system to ensure transparency in the management and use of the Multi-Donor
2 Trust Fund.

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

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

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

17 **Article XIII**

18 **SPECIAL RULES ON BORROWING, TAXES,** 19 **ECOZONES AND PROCUREMENT**

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

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

- 27 (a) Foreign disaster assistance or international donations coursed through the Department
28 shall be exempted from taxes and import duties;
- 29 (b) Local disaster assistance shall be exempted from donor's tax and allowing the treatment
30 of donations as a deductible expense for local disaster assistance coursed through the
31 Department;
- 32 (c) Goods or services donated from abroad coursed through the Department shall be
33 exempted from the value added tax (VAT); and
- 34 (d) Aid or assistance rendered by members of the private sector or their investments in

1 disaster resilience and climate change adaptation measures for their residence,
2 communities or businesses.

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

6 **SEC. 65. *Customs Duties and Tariffs on Donations.*** - The BOC shall create rules
7 which would, among others, hasten the processing and release of donated goods and equipment to
8 disaster victims and/or affected areas pursuant to Sections 120 and 121 of Republic Act No.
9 10863, otherwise known as the “Customs Modernization and Tariff Act (CMTA)”.

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

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

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

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

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

30 **SEC. 68. *Alternative Modes of Procurement.*** – The Department, ROs, or LGUs may
31 resort to any of the Alternative Methods of Procurement provided in RA No. 9184, including but

1 not limited to, Shopping and Negotiated Procurement (Emergency Cases) under Sections 52(a)
2 and 53(b) of RA No. 9184.

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

5 **SEC. 69. *Special Rules on Procurement for Reconstruction and Rehabilitation of***
6 ***Affected Areas.*** – (a) The GPPB shall create special rules on procurement for services, goods, and
7 materials to be used for reconstruction and rehabilitation efforts in case of a natural disaster
8 including, but not limited to, the construction of post-disaster shelters and provision of service
9 contracts, to ensure the procurement of quality-oriented goods, materials, and equipment and to
10 guarantee effective, efficient, and speedy procurement to achieve the goals of this Act.

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

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

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

30 **SEC. 72. *Other Procurement Rules and Policies.*** – In view of the urgency and avoid
31 unnecessary delays to procure goods, services, and implement projects for the purpose of
32 providing responsive, effective, and efficient rescue, recovery, relief, and rehabilitation efforts for,
33 and to continue the provision of basic services to, disaster victims or disaster affected areas, the

1 GPPB shall issue appropriate resolutions, orders, and policies to effectively implement the
2 provisions of this Act.

3 **Article XIV**

4 **DISASTER RISK TRANSFER AND INSURANCE**

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

12 **Article XV**

13 **YOUTH ASSISTANCE AND PARTICIPATION**

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

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

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

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

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

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

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

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

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

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

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

31 **SEC. 80. *Disciplinary Powers of the President.*** - The President, upon the
32 recommendation of the Department Secretary, shall impose administrative sanctions against local
33 chief executives and barangay officials for willful or negligent acts performed in the

1 implementation of, or compliance with, this Act and its IRR or relating to their official functions
2 which adversely affect disaster resilience projects such as delayed issuance of permits or failure to
3 implement local ordinances.

4 **Article XVII**

5 **SPECIAL COURTS AND INJUNCTIONS**

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

- 10 (a) Implementation of the government's policies, plans, programs, projects and budge
11 related to the NDRPIP, LDRP, PDRP, other disaster resilience activities, or pursuant
12 to the provisions of this Act;
- 13 (b) Construction of new settlements, or relocation of informal settlers or settlements, to
14 promote disaster resilience;
- 15 (c) Expropriation, eminent domain or right-of-way issues relating to the implementation
16 of disaster resilience projects;
- 17 (d) Failure to comply with standards for disaster preparedness and continuity planning,
18 including, but not limited to infrastructure standards and designs;
- 19 (e) Declaration of state of calamity under Article X of this Act;
- 20 (f) Imposition of tax, customs duties, or the implementation of tax relief, exemptions,
21 reductions and other tax or customs rules and regulations in relation to
22 donations, disaster assistance, or other tax policies implemented by the BIR or
23 BOC pursuant to the provision of this Act;
- 24 (g) Commission of prohibited acts under Article XVI of this Act;
- 25 (h) Disputes involving donations, relief goods, or contracts executed or implemented
26 pursuant to the provisions of this Act; and
- 27 (i) Other matters relating to achieving the purposes of this Act which the Supreme Court
28 may determine as falling under the jurisdiction of the special courts created pursuant to
29 this Section.

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

- 32 (a) Accreditation or denial of accreditation of disaster resilience training institutions,
33 trainers, instructors, donors, volunteers, and Assisting Domestic or International

1 Actors;

2 (b) Decisions of the ROs;

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

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

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

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

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

14 **Article XVIII**

15 **FINAL PROVISIONS**

16 **SEC. 85. *Transfer.*** -

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

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

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

27 a) The NDRRMC is hereby abolished.

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

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

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

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

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

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

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

28 **SEC. 88. *Interdepartmental Relations and Coordination.*** - The DDR shall
29 continuously call upon the following departments: (a) DOST for the Philippine Atmospheric,
30 Geophysical and Astronomical Services Administration (PAGASA) and Philippine Institute of
31 Volcanology and Seismology (PHIVOLCS); (b) DENR for the Geohazard Assessment and
32 Engineering, Geology Section of the Mines and Geosciences Bureau (MGB); (c) DOH for the
33 Health Emergency Management Bureau (HEMB); and (d) DILG for the Bureau of Fire and
34 Protection: *Provided*, That DDR and these departments shall establish systems and protocols for

1 fostering interdepartmental relations and close coordination, through sustained sharing of data,
2 information technology, facilities, and other resources critical to the DDR, among others: *Provided,*
3 *further,* That the said agencies will cooperate fully with the DDR, in anticipation of, during and as
4 necessary in the determination of the DDR Secretary, and perform agency mandates in close
5 coordination with DDR as circumstances warrant in the aftermath of emergencies and disasters:
6 *Provided, finally,* That PAGASA, PHIVOLCS and the Geohazards Unit of the MGB shall provide
7 staff augmentation to DDR Operations Center as the need arises.

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

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

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

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

29 **SEC. 93. *Indigenous People.*** - (a) The Department shall, with the assistance of the
30 National Commission on Indigenous Peoples (NCIP) and the concerned LGUs, devise and
31 implement mechanisms that foster social protection for indigenous communities that are
32 vulnerable to the effects of natural disasters.

33 (b) The Department shall ensure respect for, and protection of, the traditional resource right
34 of the Indigenous Cultural Communities or Indigenous Peoples (ICCs or IPs) to their ancestral

1 domains and recognize the customary laws and traditional resource use and management,
2 knowledge, and practices in ancestral domains.

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

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

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

18 **SEC. 96. *Magna Carta Benefits.*** - Qualified employees of the Department including those
19 of its attached agencies, shall be covered by and entitled to the benefits under Republic Act No.
20 8439, otherwise known as the “Magna Carta for Scientists, Engineers, Researchers and other
21 Science and Technology Personnel in the Government”; and Republic Act No. 7305, otherwise
22 known as the “Magna Carta of Public Health Workers”; and Republic Act No. 9433, otherwise
23 known as the “Magna Carta for Public Social Workers”.

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

26 **SEC. 98. *Separation Benefits of Officials and Employees of Affected Agencies.*** -
27 Public sector employees who have been displaced or separated from the service pursuant to
28 reorganization under this Act shall be entitled to separation pay, retirement and other benefits in
29 accordance with Republic Act No. 6656 or the Government Reorganization Law, and other laws,
30 and rules and regulations issued by the Civil Service Commission on government reorganization.

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

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

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

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

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

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

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

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

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

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

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

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

Approved,