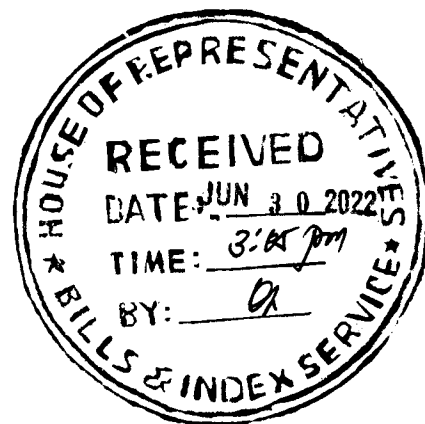


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 196



INTRODUCED BY REPRESENTATIVE JURDIN JESUS M. ROMUALDO

EXPLANATORY NOTE

This is a refiled bill of Hon. Xavier Jesus D. Romualdo of the Lone District of Camiguin which he originally filed in the 17th Congress and refiled in the 18th Congress, which in both occasions were forwarded to the Senate for its appropriate action.

This bill seeks to create a new Department of Disaster Resilience which shall be the sole policy-making and advisory body on disaster risk and vulnerability reduction and management and build better forward as a post recovery and post rehabilitation mechanism. This will replace the existing National Disaster Risk Reduction and Management Council which exercises coordination, integration, supervision, monitoring, and evaluation functions.

It abolishes the National Disaster Risk Reduction Management Council and the powers, funds and appropriations as to disaster risk reduction and management functions, assets and personnel of the Office of the Civil Defense under the Department of National Defense shall be transferred to the Department of Disaster Resilience.

It establishes at all provincial, city and municipal levels of the local government units a Local Disaster Resilience Office and Officers with budgetary requirements for personal services, maintenance and other operating expenses, and capital outlay, the funding shall be sourced from the General Fund of the LGU's. The supervision and control of the LDRO's rest upon their respective local chief executives and LDRO's shall have a regular plantilla position considering the technical and administrative nature of their work.

At the regional levels, there shall be created Regional Disaster Resilience Offices and a Metro Manila Disaster Resilience Office to be headed and managed by a Regional Director with regular plantilla positions and appointed by the Department Secretary.

The bill will address organizational and functional strengths of the new Department and its coordinative relations with existing agencies relative to its mandate. Employees who shall be displaced or separated from the service pursuant to reorganization shall be entitled to separation pay, retirement and other benefits in accordance with Republic Act No. 6656 and other existing laws including policies of the Civil Service Commission.

In the 2019 status report¹ on "Disaster Risk Reduction in the Philippines" prepared by the United Nations Office for Disaster Risk Reduction (UNDRR), Regional Office for Asia and the Pacific, it stated these facts:

¹ https://www.unisdr.org/files/68265_682308philippinesdrmstatusreport.pdf

“In terms of disaster risk, Philippines ranked third among all of the countries with the highest risks worldwide according to the World Risk Report 2018, with index value of 25.14% (World Economic Forum, 2018). At least 60% of the country’s total land area is exposed to multiple hazards, and 74% of the population is susceptible to their impact (GFDRR, 2017). This is largely due to the location and geographical context as the risk involving coastal hazards such as typhoons, storm surges and rising sea levels is high. Also, as the islands are located within the “Ring of Fire” between the Eurasian and Pacific tectonic plates, earthquakes and volcanoes are posing serious risks to the safety of the populace. Flooding, landslides, droughts and tsunamis further contribute to the exposure to natural hazards (CFE-DM, 2018). Of these, hydro-meteorological events including typhoons and floods, accounted for over 80% of the natural disasters in the Philippines in the past half Century.”

The time for the creation of a Department of Disaster Resilience is now. We ought to think of the thousands of people that have died and were injured, and the billions of properties and livelihoods that have perished through the years. Disaster risk management have become priorities in many local government units in the country to ensure that lives and properties are protected and the implementation of good projects has become a benchmark of good local governance.

The government must take a strong stand now and avoid piecemeal solutions. The passage of this measure is a strong step in that direction towards disaster resiliency and better living choices.

The support of the Members of Congress is earnestly sought for the prompt passage of this bill.


JURDIN JESUS M. ROMUALDO

Republic of the Philippines
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196

INTRODUCED BY REPRESENTATIVE JURDIN JESUS M. ROMUALDO

1 AN ACT
2 CREATING THE DEPARTMENT OF DISASTER RESILIENCE,
3 DEFINING ITS MANDATE, POWERS AND FUNCTIONS, AND APPROPRIATING
4 FUNDS THEREFOR
5

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

8 Article I

9 GENERAL PROVISIONS

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

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

- 12 (a) Protect the lives and properties of its citizens by addressing and preventing the causes of
13 vulnerabilities to natural disasters;
- 14 (b) Uphold the sacredness of human life by efficiently and effectively addressing humanitarian
15 emergencies, including calamities and disasters, through the establishment of a focused,
16 streamlined, independent, empowered, capacitated, specialized agency on disaster
17 risk reduction and management as well as emergency response, which is national in scope
18 and civilian in character. The people are the most important assets of the nation, and all
19 disaster risk and management efforts shall be responsive to the humanitarian needs of the
20 people, the dignity and value of the human person, and respect for property;
- 21 (c) Promote a simple, strategic, systematic, continuous, comprehensive, inclusive, and
22 integrated approach to disaster risk reduction and management aimed at substantially
23 reducing vulnerabilities and the risk of disasters and other humanitarian emergencies,
24 towards the preservation of life and property, thereby ultimately preventing or deterring
25 the loss of lives and protecting the social, economic, historical and cultural heritage, and
26 environmental assets of the country;
- 27 (d) Establish a permanent, institutionalized, cohesive, and comprehensive framework for
28 disaster preparedness, prevention and mitigation, and response, to be implemented by a
29 focused specialized agency with its own mandate, powers, and funding, coordinating
30 with, and the Philippine government, other foreign governments and financial institutions,
31 international organizations, the private sector, and civil society. Disaster risk reduction and

1 management shall, first aim for the outright avoidance of the adverse impacts of hazards
2 and related disasters. With the knowledge and capacities to effectively anticipate, respond
3 to, and recover from, the impacts of likely, imminent or current hazard events or
4 conditions, preparedness action shall be carried out in the most effective and efficient
5 manner. In a disaster scenario, the response shall ensure the provision of emergency
6 services and public assistance, during or immediately after a disaster;

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

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

14 (g) Establish a strong and empowered institution capable of responding to the greater
15 onslaught of normal or natural disasters brought by climate change, and spearhead efforts
16 to ensure disaster resilience by delivering the highly critical and intertwined functions of
17 disaster risk reduction and response, a with recovery and a strategy at building forward
18 better;

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

22 (i) Foster an enabling environment for substantial and sustainable participation of
23 non-government stakeholders such as civil society organizations, private groups,
24 volunteers, and communities in disaster resilience programs and projects;

25 (j) Adopt a whole-of-society, whole-of-government, and whole-of-nation approach in disaster
26 preparedness to increase collaboration, planning, and dialogue among all sectors of society
27 in preparing for natural disasters and in improving their strategies and action plans for
28 disaster risk reduction; and

29 (k) Strengthen the chain of command and establish a unified command system for disaster
30 management.

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

32 (a) *Adaptation* refers to the adjustment in natural or human systems in response to actual or
33 expected climactic stimuli or their effects, which moderates harm or exploits beneficial
34 opportunities;

35 (b) *Assisting actor* refers to any Assisting international or domestic actor following a disaster
36 in the country;

37 (c) *Assisting domestic actor* refers to any not-for-profit entity established under domestic
38 laws, which is extending help following a disaster in the country;

- 1 (d) *Assisting international actor* refers to any foreign State, organization, entity or individual
2 extending help following a disaster within the country or transiting through the country
3 to extend help following a disaster in another country;
- 4 (e) *Biological hazards* refer to hazards that are of organic origin or conveyed by biological
5 vectors, including pathogenic microorganisms, toxins, and bioactive substances.
6 Examples are bacteria, viruses or parasites as well as venomous wildlife and insects,
7 poisonous plants and mosquitoes carrying disease-causing agents;
- 8 (f) *Building forward better* refers to an approach to building or reconstructing an
9 area or community, which entails a shift from achieving simple recovery and restoration
10 to creating safer, more adaptive, resilient, and inclusive communities;
- 11 (g) *Business continuity* refers to the capability of an organization to continue the delivery
12 of products or services at acceptable predefined levels following a disruptive incident;
- 13 (h) *Capacity* refers to the combination of attributes and resources available within a
14 community or area that can reduce the level of risk(s) from, or impact(s) of,
15 a disaster;
- 16 (i) *Civil society organizations (CSOs)* refer to non-State actors whose aims are neither to
17 generate profits nor to seek governing power, but to unite people to advance shared goals
18 and interests. CSOs may include nongovernment organizations (NGOs), professional
19 associations, foundations, independent research institutions, community-based
20 organizations, and social movements;
- 21 (j) *Climate change* refers to a change in the state of the climate that can be identified by
22 changes in the mean and/or the variability of its properties, and that persists in an
23 extended period, typically decades or longer, whether due to natural internal processes
24 or external forces such as modulation of the solar cycles, volcanic eruptions and
25 persistent anthropogenic changes in the composition of the atmosphere or in land use;
- 26 (k) *Complex emergency* refers to a form of human-induced emergency in which the cause of
27 the emergency as well as the assistance to the afflicted is complicated by an intense level
28 of political considerations
- 29 (l) *Consequence management* refers to the totality of interventions and measures taken to
30 restore essential operations and services in a permissive environment, including
31 measures to protect public health and safety, restore essential government services, and
32 provide emergency relief to individuals, stakeholders, and communities affected by the
33 consequences of emergencies, hazards, and disasters;
- 34 (m) *Contingency planning* refers to a management process that analyzes specific potential
35 events or emerging situations that might threaten society or the environment and
36 establishes arrangements in advance to enable timely, effective and appropriate
37 responses to such events and situations;
- 38 (n) *Cultural heritage* refers to the totality of cultural property preserved and developed

- 1 through time and passed on to posterity;
- 2 (o) *Deterministic risk assessment* refers to an assessment that considers the possible disaster
3 impacts of a single scenario, in contrast to probabilistic risk assessment which considers
4 all possible scenarios, their likelihood, and associated impacts;
- 5 (p) *Development assistance* refers to financial, material or other forms of assistance
6 to support the economic, social and environmental well-being of areas or people affected
7 by a natural disaster;
- 8 (q) *Disability* refers to an evolving concept that results from the interaction between persons
9 with impairments, as defined under Republic Act No. 7277, otherwise known as the
10 “Magna Carta for Disabled Persons” and attitudinal and environmental barriers that
11 hinder their full and effective participation in society on an equal basis with others;
- 12 (r) *Disaster* refers to a serious disruption of the functioning of a community or a
13 society involving widespread human, material, economic or environmental losses and
14 impacts, which exceeds the ability of the affected community to cope using its own
15 resources. Unless otherwise specifically indicated in this Act, the term “disaster” shall
16 refer to “natural disaster”;
- 17 (s) *Disaster assistance* refers to financial, material, or other forms of assistance to address
18 the immediate and long-term needs of people, communities or areas affected by a
19 disaster. This term includes humanitarian assistance and development assistance;
- 20 (t) *Disaster management* refers to the planning, organization, and application of measures
21 preparing for, responding to, and recovering from disasters;
- 22 (u) *Disaster mitigation* refers to the reduction or limitation of the adverse impacts of
23 disasters and its related hazards;
- 24 (v) *Disaster preparedness* refers to the knowledge and capacities developed by
25 governments, professional response and recovery organizations, communities and
26 individuals to effectively anticipate, respond to, and recover from, the impacts of likely,
27 imminent or current disasters and related hazards;
- 28 (w) *Disaster prevention* refers to the intention to avoid, or the outright avoidance,
29 of potential adverse impacts of disasters and related hazards through action(s) taken in
30 advance;
- 31 (x) *Disaster recovery* refers to restoration or improvement of livelihoods and health, as well
32 as economic, physical, social, cultural and environmental assets, systems and activities,
33 of a disaster-affected community or society, aligning with the principles of sustainable
34 development and “build forward better” to avoid or reduce future disaster risk;
- 35 (y) *Disaster response or disaster relief* refers to the provision of emergency services and
36 public assistance during or immediately after a disaster in order to secure and save lives,
37 reduce health impacts, ensure public safety and meet the basic subsistence needs of the
38 people affected. Disaster response is predominantly focused on immediate and short-

- 1 term needs and is sometimes called “disaster relief”;
- 2 (z) *Disaster rehabilitation* refers to restoration of basic services and facilities for the
3 function of a community or a society affected by a disaster;
- 4 (aa) *Disaster resilience* refers to the ability of a system, community, or society exposed to
5 hazards to resist, absorb, accommodate, adapt to, transform, and recover from the effects
6 of a hazard, including the long-term impact of climate change, in a timely and efficient
7 manner, including through the preservation and restoration of its essential basic
8 structures and functions through risk management;
- 9 (bb) *Disaster risk* refers to the potential losses in lives, health status, livelihoods, assets and
10 services that may occur to a particular community or society due to a disaster in the future, and
11 is determined by a combination of the vulnerability, capacity, exposure of persons and assets,
12 hazard characteristics and the environment;
- 13 (cc) *Disaster risk governance* refers to the manner in which public authorities, civil
14 servants, media, private sector, and civil society coordinate at community, national and
15 regional levels in order to manage disaster and climate related risks. This includes
16 ensuring that sufficient levels of capacity and resources are made available to prevent,
17 prepare for, manage and recover from disasters. It also entails mechanisms, institutions,
18 and processes for citizens to articulate their interests, exercise their legal rights and
19 obligations, and mediate their differences;
- 20 (dd) *Disaster risk management* refers to the systematic approach or process of implementing
21 strategies, policies and programs to lessen the possibility and/or adverse impacts of
22 disasters and related hazards;
- 23 (ee) *Disaster risk reduction* refers to the prevention of new, or reduction of existing, disaster
24 risks and the management of residual risk, to enhance resilience to disasters;
- 25 (ff) *Early warning system* refers to an integrated system of hazard monitoring, forecasting
26 and prediction, disaster risk assessment, and communication and preparedness activities
27 and processes that enable individuals, communities, national government agencies, local
28 government units, the private sector, and others to take timely action to reduce disaster
29 risks and adequately prepare for disasters;
- 30 (gg) *Emergency* refers to unforeseen or sudden occurrence, especially danger, demanding
31 immediate action;
- 32 (hh) *Emergency management* refers to the organization and management of resources and
33 responsibilities for addressing all aspects of emergencies, in particular, preparedness,
34 response and initial recovery steps;
- 35 (ii) *Environmental hazards* refer to hazards which may be chemical, natural and biological,
36 and can be created by environmental degradation or physical or chemical pollution in the
37 air water and soil. However, many of the processes and phenomena that fall into this
38 category may be termed drivers of hazard and risk rather than hazards in themselves,

1 such as soil degradation, deforestation, loss of biodiversity, salinization and sea-level
2 rise;

3 (jj) *Exposure* refers to the situation of people, infrastructure, housing, production capacities
4 and other tangible human assets located in hazard-prone areas;

5 (kk) *Framework Agreement* shall refer to a written agreement between a procuring entity and
6 a supplier or service provider that identifies the terms and conditions, under which
7 specific purchases, are made for the duration of the agreement. The Framework
8 Agreement is in the nature of an option contract between the procuring entity and the
9 bidder(s) granting the procuring entity the option to either place an order for any of the
10 goods or services identified in the Framework Agreement List or buy or not buy at all,
11 within the period of the Framework Agreement.

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

19 (mm) *Geographic information system* refers to a database which contains, among others,
20 geo-hazard assessments, information on climate change, and climate risk reduction and
21 management;

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

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

32 (pp) *Historical landmarks* refer to sites or structures that are associated with events or
33 achievements significant to Philippine history as declared by the National Historical
34 Institute or the applicable agency;

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

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

- 1 (ss) *Hydrometeorological hazards* refer to hazards that are of atmospheric, hydrological and
2 oceanographic origin, such as tropical cyclones also known as typhoons and hurricanes;
3 floods, including flash floods, drought; heatwaves and cold spells, coastal storm surges,
4 and marine heatwaves, extreme sea events, and sea level rise. Hydrometeorological
5 conditions may also be a factor in other hazards such as landslides, wildland fires, locust
6 plagues, epidemics, and in the transport and dispersal of toxic substances and volcanic
7 eruption material;
- 8 (tt) *Impact and needs assessment* refers to assessing the nature and magnitude of a disaster,
9 its impact on affected populations, the type and extent of emergency, and the
10 requirements for recovery and rehabilitation of the affected areas;
- 11 (uu) *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 of
13 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 (vv) *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 and
18 its implementing rules and regulations;
- 19 (ww) *Local Disaster Resilience Plan (LDRP)* refers to a document prepared by a local
20 government unit (LGU) based on the National Disaster Resilience Framework (NDRF)
21 and National Disaster Resilience Plan and Investment Program (NDRPIP) that sets out
22 specific programs, objectives and goals to implement disaster risk management and
23 climate change adaptation measures at the local level. The plan shall include among
24 others, an evaluation and analysis of emerging disaster risks, hazards and
25 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 (xx) *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 (yy) *National cultural treasure* refers to a unique cultural property found locally, possessing
32 outstanding historical, cultural, artistic and/or scientific value which is
33 highly significant and important to the country and nation, and officially declared as such
34 by the pertinent cultural agency;
- 35 (zz) *National Disaster Resilience Framework (NDRF)* refers to a framework that provides
36 for a comprehensive, all-hazards, multi-sectoral, inter-agency and community-based
37 approach to enable communities to resist, prevent, mitigate against, absorb,
38 accommodate, adapt to, recover, or build forward better from the effects of a hazard in a

1 timely and efficient manner through, among others, disaster risk reduction and
2 management and climate change adaptation and mitigation. The NDRF shall be
3 composed of a National Disaster Risk Reduction and Management Framework
4 (NDRRMF), and National Framework Strategy on Climate Change (NFSCC);

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

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

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

24 (ddd) *Post-Disaster recovery* refers to the restoration improvement where appropriate, of
25 facilities, livelihood and living conditions, of disaster-affected communities, including
26 efforts to reduce disaster risk factors, in accordance with the principle of “build
27 forward better”;

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

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

- 1 (ggg) *Probabilistic risk assessment* refers to the simulation of those future disasters based
2 on scientific evidence, and which are likely to occur in order to resolve the problem posed
3 by the limits of historical data by reproducing the physics of the phenomena and
4 recreating the intensity of a large number of synthetic events, including all possible
5 scenarios, their likelihood, and associated impacts;
- 6 (hhh) *Rehabilitation* refers to measures that ensure the ability of affected communities or
7 areas to restore their normal level of functioning by rebuilding livelihood and
8 infrastructures and increasing the communities' organizational capacity;
- 9 (iii) *Resilience* refers to the ability of a system, community or society exposed to hazards
10 to resist, absorb, accommodate, and recover from the effects thereof in a timely and
11 efficient manner, including through the preservation and restoration of its essential
12 basic structures and functions in a manner that will make them more resistant to future
13 risks;
- 14 (jjj) *Response* refers to any concerted effort by two (2) or more agencies, public or private,
15 to provide assistance or intervention during or immediately after a disaster to meet the
16 life preservation and basic subsistence needs of those people affected and in the
17 restoration of essential public activities and facilities;
- 18 (kkk) *Retrofitting* refers to an act reinforcing or upgrading existing structures to make them
19 more resistant and resilient to the damaging effects of hazards;
- 20 (lll) *Risk* refers to the combination of the probability of an event and its negative
21 consequences;
- 22 (mmm) *Risk assessment* refers to a methodology to determine the nature and extent of risks
23 by analyzing potential hazards and evaluating existing conditions of vulnerability that
24 together could potentially harm exposed people, property, services, livelihood and the
25 environment on which they depend. Risk assessment with associated risk mapping
26 include: a review of the technical characteristics of hazards such as their location,
27 intensity, frequency and probability; the analysis of exposure and vulnerability including
28 the physical, social, health, economic, and environmental dimensions; and the evaluation
29 of the effectiveness of prevailing and alternative coping capacities in respect to likely
30 risk scenarios;
- 31 (nnn) *Risk transfer* refers to the process of formally or informally shifting the financial
32 consequences of particular risks from one party to another whereby a household,
33 community, enterprise or State authority will obtain resources from the other party after
34 a disaster occurs, in exchange for ongoing or compensatory social or financial benefits
35 provided to that other party;
- 36 (ooo) *Safety stock* refers to items of raw materials, component parts, or finished goods
37 maintained in inventory in order to reduce the risk that such item will be out of stock, in
38 anticipation of unforeseen shortages or unusual demand for such items;

- 1 (ppp) *State of Calamity* refers to a condition involving mass casualty, disruption of means
2 of livelihoods, and/or major damages to property, roads and normal way of life of people
3 in the affected areas as a result of the occurrence of natural or human-induced hazard;
- 4 (qqq) *Sustainable development* refers to development that meets the needs of the present
5 generation without compromising the ability of future generations to meet their own. It
6 contains within it two (2) key concepts: first, the concept of “needs”, in particular, the
7 essential needs of the world’s poor, to which overriding priority should be given; and
8 second, the idea of limitations imposed by the state of technology and social cohesion
9 and harmony, and ecological integration of a sound and viable economy, responsible
10 governance, and ecological integrity to ensure that human development now and through
11 future generations is a life enhancing process;
- 12 (rrr) *Volunteers* refer to individuals, groups or entities that offer and provide services or
13 assistance, without compensation, to help people and areas affected by disasters;
- 14 (sss) *Vulnerability* refers to the characteristics and circumstances of a community, system or
15 asset that make it susceptible to the damaging effects of a hazard. Vulnerability may arise
16 from various physical, social, economic, and environmental factors such as poor design
17 and construction of buildings, inadequate protection of assets, lack of public information
18 and awareness, limited official recognition of risks and preparedness measures, and
19 disregard for wise environmental management;
- 20 (ttt) *Vulnerable and marginalized groups* refer to those that face higher exposure to disaster
21 risk and poverty including women, children, the elderly, differently abled people, and
22 ethnic minorities;
- 23 (uuu) *Whole-of-Society Approach* refers to an approach that encourages the meaningful and
24 active participation and synergy of the different stakeholders of society toward climate
25 change adaptation and mitigation, and disaster risk reduction and management at the
26 national and local levels;
- 27 (vvv) *Whole-of-Government Approach* refers to an approach that instills and fosters
28 collaboration among all government instrumentalities both at the national and local levels
29 toward shared sustainable development goals and outcomes; and
- 30 (www) *Whole-of-Nation Approach* refers to an approach that seeks to bring about a
31 concerted effort towards sustainable development, and national peace and security by
32 creating consensus and understanding of development and security that is shared not just
33 among core security forces and oversight government institutions, but also by the
34 nation’s stakeholders such as government, civil society, private sector, and the
35 communities.

36 **Article II**

37 **THE DEPARTMENT OF DISASTER RESILIENCE:** 38 **MANDATE, POWERS, AND FUNCTIONS**

1 **SEC. 4. *Creation and Mandate of the Department of Disaster Resilience.*** – There is
2 hereby created a Department of Disaster Resilience, herein after referred to as the Department.

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

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

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

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

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

20 (a) Geological Phenomena and Related Hazards

- 21 1) Earthquake – ground rupture, ground shaking, liquefaction, tsunami, fire, landslides,
22 and seiche or lake water oscillation
- 23 2) Volcanic activity – ash fall, pyroclastic flow, lava flow, lahar, fissuring, and volcanic
24 gas
- 25 3) Mass movement – landslides, debris flow, sinkholes

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

- 27 1) Tropical cyclone – severe winds, storm surge, rouge waves, severe rainfall including
28 hail
- 29 2) Flood, rain-triggered landslides and storm surges
- 30 3) Erosion
- 31 4) Marine heatwaves, extreme sea events, and sea level rise

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

- 34 1) El Niño or La Niña (ENSO) with associated rainfall and temperature (in particular,
35 projected extreme ENSOs)
- 36 2) Extreme temperature (heat wave or cold wave), extreme weather conditions (drought
37 or excessive rainfall)
- 38 3) Wildfire (forest or land fires)

1 (d) Biological and Related Hazards

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

3 2) Insect Infestation – grasshopper/locusts

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

5 The Department shall manage and direct the implementation of national, local, and
6 community-based disaster resilience and disaster management programs, projects and activities,
7 including disaster response, recovery and rehabilitation, when applicable, in collaboration with
8 relevant national government agencies, LGUs, CSOs, academic institutions and other stakeholders:

9 *Provided*, That for human-induced disasters, the Department of the Interior and Local Government
10 (DILG), Department of National Defense (DND), Department of Social Welfare and Development
11 (DSWD), and other relevant government instrumentalities, including the Armed Forces of the
12 Philippines (AFP), Bureau of Fire Protection (BFP), Philippine National Police (PNP), Philippine
13 Coast Guard (PCG), and Office of Civil Defense (OCD), shall continue to perform their functions:

14 *Provided, further*, That the Department shall remain as the lead agency in recovery and rehabilitation
15 efforts in collaboration with all stakeholders when applicable.

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

18 **SEC. 5. Powers and Functions of the Department.** - The Department shall exercise the
19 following powers and functions, in collaboration with the relevant departments, agencies, and non-
20 government stakeholders:

21 **(a) General Functions**

22 1) Conduct risk and vulnerability assessment at the local level based on the national
23 criteria, and establish a database that includes, among others, an inventory of hazards
24 to better prepare for and respond to natural disasters;

25 2) Undertake the establishment or construction of evacuation centers that conform to the standards
26 under the United Nations (UN) Humanitarian Charter and Minimum Standards in Humanitarian
27 Response or The Sphere Minimum Standards for Shelter and Settlement, and Republic Act No.
28 10821, otherwise known as the “Children’s Emergency Relief and Protection Act”, among
29 others. The upkeep and maintenance of the evacuation centers shall be the responsibility of the
30 concerned LGUs;

31 3) Develop, maintain and update an integrated disaster management and disaster resilience
32 information system that includes, among others, multi-hazard mapping, vulnerability
33 and probabilistic risk assessments, early warning, exposure database, communication
34 and emergency management systems at the national, regional, and provincial levels;

35 4) Undertake the formulation and implementation of the government’s policies, plans,
36 programs, projects, and budget for disaster resilience including those related to
37 disaster risk reduction, response, recovery, rehabilitation, and building forward better;

38 5) Review and build upon, to the extent necessary, the existing disaster resilience

1 framework, plans and strategies in the crafting of an NDRF and the corresponding
2 NDRPIP;

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

23 **(b) Disaster Risk Reduction**

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

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

1 government agencies, that consider climate projections, including temperature increase
2 and rainfall change in the Philippines to ensure climate-resilient communities;

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

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

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

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

12 1) Lead, manage, and collaborate with the relevant government instrumentalities, non-
13 government stakeholders, and international partners in providing the minimum basic needs of
14 people in affected areas before, during and/or immediately after a disaster to save lives and
15 minimize casualties;

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

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

21 4) Ensure the efficient prepositioning of goods, maintenance and disposal of safety stocks;

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

23 6) Regulate the accreditation of donors, volunteers, and assisting non-government stakeholders,
24 both domestic and international;

25 7) Formulate standards for contingency planning that shall be adopted by the LGUs;

26 8) Develop a database of exposure or elements at risk per area to facilitate and ensure quick
27 impact and needs assessment in the event of a disaster;

28 9) Facilitate and regulate the acceptance, inventory, and accounting of humanitarian assistance,
29 including relief goods;

30 10) Maintain a database of volunteers and, when necessary, mobilize volunteers to augment the
31 personnel complement and logistical requirements for disaster response and/or for the delivery
32 of DRRM programs, projects and activities;

33 11) Oversee and maintain a national early-warning and emergency alert system that must provide
34 a specific, areas-focused and time-bound warning that are accurate, timely, understandable and
35 readily accessible to national and local emergency response organizations and the general
36 public;

37 12) Coordinate information-sharing and other disaster risk reduction protocols following the
38 principle of inter-operability among national government agencies and local government units;

39 13) Call upon other instrumentalities or entities of the government and non-government and civic
40 organizations for assistance in terms of the use of their facilities and resources for the
41 protection and preservation of life and properties in the whole range of disaster risk reduction

1 and management. This function includes the power to call on the reserve force as defined in
2 Republic Act No. 7077, otherwise known as the “Citizen Armed Forces of the Philippines
3 Reservist Act”, to assist in relief, rescue, retrieval and management of dead and missing
4 persons during disasters or calamities;

5 14) Organize, train, equip, and maintain a system of response capacity for search, rescue and
6 retrieval and the delivery and distribution of relief goods;

7 15) Recommend to the President to call upon the AFP and PNP to render the necessary assistance
8 in a disaster-affected area by the authority of the President;

9 16) Call upon, by authority of the President, the Armed Forces of the Philippines, the Philippine
10 National Police, the Bureau of Fire Protection (BFP), the Philippine Coast Guard, and other
11 uniformed services to the extent necessary for the Department to achieve the purposes of this
12 Act;

13 17) Establish a National Corps of Volunteers to be composed of, among others: Reserve Officers’
14 Training Corps (ROTC), National Service Training Program (NSTP), reservists, and other
15 socio- civic organizations;

16 18) Assist in mobilizing necessary resources to increase the overall capacity of local government
17 units, specifically those with low income and situated in high-risk areas; and

18 19) Undertake all other programs and projects necessary to attain the necessary outcomes for
19 disaster preparedness and response.

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

21 1) Prepare, organize, lead, implement, and manage post-disaster assessment and recovery
22 and rehabilitation programs and plans, in coordination with the affected local
23 governments units, national government agencies, and other stakeholders;

24 2) Establish a system to promptly perform impact and needs assessment, including
25 strengthening the in-house capacity of the Department to conduct accurate and timely
26 impact and needs assessment;

27 3) Establish a system that utilizes templates, exposure database, and other tools, and
28 develop the Department’s in-house capacity for the prompt and expedient preparation
29 of rehabilitation plans, when needed, for disaster affected areas;

30 4) Formulate or direct relevant government agencies and LGUs to issue guidelines for
31 fast-tracking the issuance of permits, certifications, clearances and licenses to
32 implement disaster recovery and rehabilitation measures, including housing projects,
33 in affected areas;

34 5) Prepare and implement rehabilitation plans for disaster affected areas;

35 6) Manage and oversee the implementation of disaster recovery and rehabilitation
36 measures;

37 7) Collaborate with relevant government agencies to establish programs to restore or
38 generate livelihood in disaster affected areas;

39 8) Formulate policies and standards for post-disaster shelter recovery which may include,
40 among others, implementation arrangements, coordination arrangements with relevant

1 agencies and LGUs, and modalities for emergency transitional and permanent shelter
2 recovery;

3 9) Ensure that the principle of building forward better is applied to rehabilitation or
4 reconstruction efforts; and

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

7 **(e) Other Functions**

8 1) Constitute, call, convene or deputize agencies of government, and invite non-
9 government and private organizations, to assist, advise, or coordinate with the
10 Department to achieve the purposes of this Act;

11 2) Inspect and examine the status of projects, programs, and activities undertaken by
12 national government agencies and local government units in furtherance of disaster
13 resilience efforts;

14 3) Save lives and/or minimize damages to livelihood and property, complement and
15 collaborate with relevant government agencies and non-government stakeholders in
16 providing humanitarian response and the consequence management of human-
17 induced disasters whenever it becomes necessary;

18 4) Negotiate, enter into, institutionalize, and coordinate arrangements with any private
19 person or entity for the purpose of ensuring the adequate and prompt availability of
20 goods and services necessary in anticipation of, during, and in the aftermath of
21 disasters;

22 5) Promulgate rules and regulations for the receipt, management, and accounting of
23 donations that are consistent with the rules of the Commission on Audit (COA) on the
24 use of foreign and local aid during calamities and disasters;

25 6) Create or reorganize offices and/or task forces, as may be necessary to carry out the
26 objectives of this Act; and

27 7) Perform such other functions, as may be necessary, for the attainment of the objectives
28 of this Act.

29 **Article III**

30 **EMERGENCY MEASURES**

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

34 1) Carrying out of preemptive evacuation;

35 2) Imposition of curfew;

36 3) Rationing of the distribution of basic goods in critical shortage, and when necessary,
37 preventing or restricting the transfer of such goods outside of the area affected by the
38 disaster, including access to rice inventory of the National Food Authority (NFA) office

1 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 of
6 the payment of monetary obligations of local government units and private entities that
7 have been severely affected by disaster.

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

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

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

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

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

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

29 **Article IV**

30 **ORGANIZATION AND MANAGEMENT**

31 **SEC. 8. The Secretary.** - The Department shall be headed by the Secretary of Disaster
32 Resilience, hereinafter referred to as the Secretary, who shall be appointed by the President, subject
33 to confirmation by the Committee on Appointments. The Secretary shall preferably have a good
34 background in any of the scientific, engineering, and public management fields relevant to the
35 attainment and promotion of resiliency to natural hazards and climate change, and demonstrated
36 managerial acumen.

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

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

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

- 29 a) *Disaster Preparedness and Response* - to implement projects and programs that will
30 enhance the capacity of LGUs to prepare against, and respond to, disasters. This also
31 includes development of a database of exposure or elements at risk per area and database
32 of volunteers, among others. It involves the establishment of evacuation centers and the
33 implementation of responsive and efficient prepositioning of goods, maintenance and
34 disposal of stocks, among others;
- 35 b) *Disaster Risk Reduction* - to formulate, adopt, and/or implement, among others, a whole-
36 of-society approach in policies and programs to prevent new, if not reduce existing
37 disaster risks, to address the effects of climate change, and to minimize loss and damage
38 to lives and properties. This includes the formulation of the required policies and/or

1 programs for disaster risk reduction and climate change adaptation in, among others, the
2 NDRF and the NDRPIP;

3 c) *Recovery and Building Forward and Better* - to formulate and implement rehabilitation
4 plans for disaster-affected areas, and to ensure the implementation of disaster recovery
5 and rehabilitation measures, such as, but not limited to, post-disaster shelters
6 and livelihood projects, in collaboration with relevant agencies, LGUs, and other
7 stakeholders.

8 d) *Support to Operations* - to formulate and implement, among others, policies, programs
9 and/or projects to ensure the efficient, effective, and responsive delivery of the
10 Department's key result areas. Support to Operations covers knowledge management,
11 institutional development and planning, finance, office administration, human
12 resources management, and development of the Department's in-house capacities,
13 among others.

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

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

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

25 **SEC. 14. *National Disaster Operations Center, Alternative Command Center, and***
26 ***Research and Training Institute.*** - The Department shall establish, within one (1) year from the
27 approval of this Act, and act as the primary operator, the National Disaster Operations Center
28 (NDOC), Alternative Command and Control Center (ACCCs) as may be necessary in each of the
29 country's major island groups, and the Disaster Resilience Research and Training Institute (DRRTI).

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

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

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

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

4 The DRRTI shall:

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

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

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

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

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

18 f) Consolidate, organize and/or prepare training materials and publications; and

19 g) Conduct other activities consistent with promoting the formation and dissemination of
20 knowledge and information relating to disaster resilience and disaster management.

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

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

26 **SEC. 17. *Disaster Assistance Action Center.*** - The Department shall institutionalize a
27 one-stop shop mechanism through a Disaster Assistance Action Center (DAAC) which shall,
28 among others, process necessary documents for both domestic and international assisting actors.

29 **SEC. 18. *Incentives.*** - The Department has the authority to prescribe benefits, allowances,
30 and similar emoluments for disaster management professionals and disaster resilience officers at the
31 national and local levels.

32 **Article V**

33 **NATIONAL AND LOCAL GOVERNMENT RELATIONS**

34 **SEC. 19. *Retention of Local DRRM Offices and Creation of Local Disaster Resilience***
35 ***Offices.*** - The Local DRRM Offices (LDRRMOs) in provinces, cities, and municipalities shall be
36 retained and renamed as Provincial, City, and Municipality Disaster Resilience Offices, respectively.
37 They shall collectively be called Local Disaster Resilience Offices (LDROs). All LGUs shall

1 establish an LDRO at the provincial, city, and municipal levels. All Local DRRM Councils
2 (LDRRMCs) shall be abolished.

3 The budgetary requirements for personal services, maintenance and other operating expenses,
4 and capital outlay of the LDROs shall be sourced from the General Fund of the LGU, subject to
5 Section 76 of Republic Act No. 7160, otherwise known as the “Local Government Code of 1991”,
6 as amended.

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

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

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

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

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

- 27 (a) Formulate and implement, in close coordination with the Department, a comprehensive
28 and integrated LDRP in accordance with the NDRF and the NDRPIP;
- 29 (b) Design, program, coordinate, and implement disaster resilience activities including
30 preparedness, risk reduction, response, recovery and rehabilitation measures consistent
31 with the standards and guidelines provided by the Department, and implement the NDRF
32 and the NDRPIP at the city or municipal level;
- 33 (c) Prepare and submit to the local *Sanggunian*, the LDRP, the proposed programming of the
34 LDR Fund, other dedicated disaster resilience resources, and other regular funding source
35 of the LDRO;
- 36 (d) Recommend to the local *Sanggunian* the enactment of local ordinances to implement the
37 LDRP, NDRF and NDRPIP at the city or municipal level, and to comply with other
38 requirements of this Act;

- 1 (e) Prepare and submit to the Department, the local Commission on Audit, and the applicable
2 Regional Disaster Resilience Office a report on the utilization of its Local Disaster
3 Resilience Fund and other disaster risk reduction and management resources;
- 4 (f) Establish and maintain, in coordination with the Department, an information management
5 system within the LGU which, among others, consolidates and includes local risk
6 information on natural hazards, profile of the LGU's vulnerable or marginalized groups,
7 local risk maps, and a disaggregated database of human resource, equipment, services,
8 resources, directories and location of critical infrastructures with their capacities as
9 hospitals and evacuation centers;
- 10 (g) Operate and maintain, in coordination with the Department, a multi-hazard early warning
11 and communications system to provide accurate and timely information to the public;
- 12 (h) Organize and conduct training and knowledge management activities on disaster resilience
13 at the local level, in coordination with the DRRTI;
- 14 (i) Procure emergency works, goods, and services in compliance with the regulations, orders,
15 and policies of DBM and Government Procurement Policy Board (GPPB), to implement
16 the DRP or support early recovery and post-disaster activities;
- 17 (j) In coordination with the Department, the DOF and other relevant agencies, access foreign
18 loans to finance its projects, programs, and policies for disaster preparedness, response,
19 recovery, and rehabilitation, subject to terms and conditions agreed upon by the LDRO
20 and the lender;
- 21 (k) Monitor and mobilize instrumentalities and entities of the LGU and its partner LGUs,
22 CSOs, private sector, organized volunteers, and sectoral organizations for disaster
23 resilience activities, in accordance with policies and procedures of the Department and
24 applicable laws;
- 25 (l) Coordinate and provide the necessary support or assistance to the Department in the
26 implementation of rehabilitation plan within the city or municipality covered by the
27 LDRO;
- 28 (m) Coordinate with the Department, other government agencies, members of the private
29 sector and other stakeholders in the LGU to establish a Business Continuity Plan as part
30 of their LDRP's disaster preparedness measures;
- 31 (n) Establish linkage or network and coordination mechanisms with other LGUs and the
32 Department for disaster resilience activities and to achieve the purposes of this Act; and,
- 33 (o) Conduct other activities and/or act on other matters, in accordance with policies and
34 procedures of the Department and applicable laws, to achieve the purposes of this Act.

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

1 **SEC. 24. Powers and Functions of the PDRO.** - The PDRO shall have the following powers
2 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 with
10 the standards and guidelines provided by the Department, and implement the NDRF and the
11 NDRPIP at the provincial level;
- 12 (d) Prepare and submit to the *Sangguniang Panlalawigan*, the Provincial LDRP, the proposed
13 programming of the province's Local Disaster Resilience Fund, other dedicated disaster
14 resilience resources, and other funding sources of the PDRO;
- 15 (e) Recommend to the *Sangguniang Panlalawigan* the enactment of local ordinances to
16 implement the Provincial LDRP, NDRF and NDRPIP at the provincial level, and to comply
17 with other requirements of this Act;
- 18 (f) Prepare and submit to the Department, the local Commission on Audit, and the applicable
19 Regional Disaster Resilience Office a report on the utilization of the province's Local
20 Disaster Resilience Fund and other disaster risk reduction and management resources;
- 21 (g) Establish and maintain, in coordination with the Department, a Provincial Command and
22 Control Center (PCC) which includes, among others, an information management system at
23 the provincial level which consolidates and integrates information from the cities and/or
24 municipalities within its jurisdiction, a multi-hazard early warning and communications
25 system that is connected with the cities and/or municipalities within its jurisdiction, and a
26 monitoring system that enables the PDRO to oversee, supervise, monitor and respond to the
27 needs of cities and/or municipalities within its jurisdiction in relation to disaster resilience
28 activities;
- 29 (h) Procure emergency works, goods, and services in compliance with the regulations, orders,
30 and policies of DBM and GPPB, to implement the provincial LDRP or support early
31 recovery and post-disaster activities of the PDRO;
- 32 (i) In coordination with the Department and the DOF, access foreign loans to finance its
33 projects, programs, and policies for disaster preparedness, response, recovery, and
34 rehabilitation, subject to terms and conditions agreed upon by the PDRO and the lender;
- 35 (j) Formulate and establish mechanisms to mobilize and direct LDROs within its jurisdiction as
36 necessary for disaster preparedness and response at the provincial level;
- 37 (k) Coordinate and provide the necessary support or assistance to the Department in the
38 implementation of rehabilitation plan(s) within the cities and/or municipalities covered by

1 the PDRO; and

- 2 (l) Conduct other activities and/or act on other matters, in accordance with policies and
3 procedures of the Department and applicable laws, to achieve the purposes of this Act.

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

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

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

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

(j) Establish and maintain, in coordination with the Department, a Regional Command and Control Center (RCC) which includes, among others, an information management system at the regional level which consolidates and integrates information from the provinces, cities and municipalities within its jurisdiction, a multi-hazard early warning and communications system, and a monitoring system that enables the RO to oversee, supervise, monitor and respond to the needs of LGUs within its jurisdiction in relation to disaster resilience activities; Implement or assist in the implementation, as directed by the Department, of rehabilitation plans for LGUs within its coverage; and

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

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

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

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1 – City or Municipality	Mayor of the City / Municipality (Lead) Local Disaster Resilience Office (In the case of BARMM: Municipal / City Mayor and BARMM Local Disaster Resilience Office)	If a disaster affects a single municipality / city
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)	If a disaster affects two or more provinces and/or independent component or highly urbanized cities

	<p>Applicable Governors</p> <p>Applicable Provincial Disaster Resilience Offices</p> <p>(In the case of BARMM: Regional Governor and ARMM Local Disaster Resilience Office/s)</p> <p>(In the case of Metro Manila: MMDA Chair)</p>	
<p>Level 4 – National</p> <p>During a state of calamity in any area(s) or affecting several regions</p>	<p>Secretary of the Department of Disaster Resilience (Lead)</p> <p>Governors of the affected Provinces</p>	<p>a. When a state of calamity is declared by the President</p> <p>b. If a disaster affects at least two (2) regions</p> <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

1 infrastructure-related rehabilitation and reconstruction projects, including retrofitting of structures
2 to make them more resistant and resilient to the effects of natural disasters.

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

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

10 **Article VI**

11 **WHOLE OF GOVERNMENT, WHOLE OF NATION, AND WHOLE OF SOCIETY** 12 **APPROACH AND INSTITUTIONAL ARRANGEMENTS**

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

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

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

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

- 31 (a) Establishment and implementation of business continuity practices to ensure the continued
32 delivery of products and services in the event of a natural disaster;
- 33 (b) Crafting and implementation of a National Continuity Policy to ensure service continuity
34 during interruptions, emergencies, and disasters and ensure the quick return to full
35 operations;
- 36 (c) Establishment, incorporation, and application of business continuity plans as part of the
37 LDRP of LGUs;
- 38 (d) Facilitation or assistance in obtaining or processing incentives for the private sector or

1 other non-government stakeholders, such as tax credits; and

- 2 (e) Preparation and facilitating the issuance of special rules for Micro, Small, and Medium
3 Enterprises (MSMEs) such as mechanisms involving procurement and liquidity to create
4 enabling environments for disaster preparedness and recovery.

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

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

13 (a) Civil society, non-governmental organizations, international non-governmental
14 organizations, private sector, DRRM practitioners, and volunteers shall participate, in
15 collaboration with public institutions, in the exchange of information, learnings, and
16 guidance on disaster resilience. The Department shall encourage and institutionalize their
17 engagement in the implementation of local, regional, national, and global plans and
18 strategies to enhance public awareness and promote a culture of disaster resilience;

19 (b) Women, children, and youth, as agents of change, shall endeavor to contribute actively
20 and participate in disaster resilience trainings and information dissemination;

21 (c) Senior citizens and persons with disabilities shall contribute their knowledge and
22 experience on disaster preparedness and resiliency;

23 (d) Migrants and the urban and rural poor shall participate in building resilient resettlement
24 communities;

25 (e) Emergency responders and volunteer organizations shall contribute to resilience by
26 promptly and efficiently responding to disasters and emergencies consistent with the
27 policies of the Department;

28 (f) Academia, scientific and research entities, and networks are encouraged to undertake
29 relevant research on disaster resiliency in partnership with the Department and other
30 stakeholders for better decision-making;

31 (g) The private sector is encouraged to integrate disaster resiliency projects and programs in
32 their corporate social responsibility initiatives; and

33 (h) The media shall provide prompt and accurate information to the public on early warning
34 systems, natural hazards, and disaster resilience activities the Department.

35 The Department, with the assistance of the ROs, shall establish and convene a Disaster
36 Resilience Assembly at the regional and national levels which shall be held on a quarterly basis to
37 ensure the proactive engagement of different stakeholders, such as government agencies, the Union
38 of Local Authorities of the Philippines (ULAP), League of Cities of the Philippines (LCP), League

1 of Municipalities of the Philippines (LMP), CSOs, NGOs, academe, DRRM practitioners, and the
2 private sector, to ensure and foster coordination and collaboration towards achieving the goals
3 of this Act.

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

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

12 Article VII

13 PREPAREDNESS AND INTEGRATED EARLY WARNING

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

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

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

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

31 The Department shall formulate and implement multi-hazard early warning protocols
32 integrating all disaster preparedness systems in collaboration with local executives, community-
33 based organizations, civil society organizations, and other non-governmental organizations for
34 proper use and application.

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

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

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

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

15 **Article VIII**

16 **HUMANITARIAN ASSISTANCE**

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

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

27 **SEC. 43. *International Humanitarian Assistance.*** - The Department, in consultation with
28 the Bureau of Immigration and the Bureau of Customs shall promulgate guidelines on international
29 humanitarian assistance, including the initiation, entry, facilitation, transit, regulation and
30 termination thereof, as well as those involving international disaster relief and personnel assisting
31 international actors, visa waiver, recognition of foreign professional qualifications, entry of
32 international disaster goods and equipment, and exemption from port duties, taxes, and restrictions.

33 **SEC. 44. *Assessment of the Need for International Humanitarian Assistance.*** - (a)
34 Immediately after the declaration of a state of calamity by the local *Sanggunian* of the relevant
35 local government unit or by the Department, as the case may be, the Department shall determine
36 whether domestic capacities are likely to be sufficient to attend to the needs of affected persons for
37 international humanitarian assistance. This determination may also be made, at the discretion of
38 the President, prior to the onset of an imminent disaster.

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

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

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

13 The Department shall lead and manage the HAAC, which shall be composed of the
14 following:

- 15 (a) Bureau of Customs;
- 16 (b) Department of Foreign Affairs;
- 17 (c) Department of Social Welfare and Development;
- 18 (d) Department of Health;
- 19 (e) Food and Drug Administration;
- 20 (f) Department of Agriculture;
- 21 (g) Department of Energy;
- 22 (h) Department of National Defense;
- 23 (i) Philippine National Police;
- 24 (j) Philippine Coast Guard;
- 25 (k) Department of Transportation;
- 26 (l) Department of Environment and Natural Resources; and
- 27 (m) Bureau of Immigration.

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

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

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

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

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

10 Article IX

11 OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE 12 TO FOREIGN STATES

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

18 **SEC. 50. *Accreditation.*** – The Department, in coordination with relevant government
19 agencies and organizations, shall provide and facilitate the necessary training and accreditation to
20 the respective government personnel to be deployed for such offer, facilitation and provision of
21 international humanitarian assistance to a foreign State.

22 Article X

23 DECLARATION OF STATE OF CALAMITY

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

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

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

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

- 36 (a) Imposition of price ceiling on basic necessities and prime commodities by the President
37 upon the recommendation of the implementing agency as provided for under Republic
38 Act No. 7581, otherwise known as the “Price Act”, or the National Price Coordinating

1 Council;

2 (b) Monitoring, prevention and control by the Local Price Coordination Council of
3 overpricing or profiteering and hoarding of prime commodities, medicines and petroleum
4 products;

5 (c) Grant of tax credits or exemptions by the BIR, upon the recommendation of the President
6 or the Department.

7 (d) Use of alternative methods of procurement under Article XVI of Republic Act (RA) No.
8 9184, otherwise known as the “Government Procurement Reform Act”, its implementing
9 rules and regulations (IRR) and other issuances of the Government Procurement Policy
10 Board by the Department, LGUs or the relevant government instrumentalities in relation
11 to the urgent procurement of emergency works, goods and services to effectively
12 respond to, quickly respond to disasters, and build forward better.

13 **Article XI**

14 **RECOVERY**

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

18 (a) Improve the community’s physical, social and economic resilience, consistent with the
19 principle of “building forward better”;

20 (b) Use locally driven centrally supported processes based on legal mandates with
21 supplementary capacity support when requested;

22 (c) Redirect development outside danger zones to minimize loss of lives and structures
23 resulting from typhoons, flooding, landslides, and other hazards

24 (d) Employ outcome-driven planning and implementation;

25 (e) Maximize use of private-public sector partnership where possible;

26 (f) Consider local conditions such as culture, security situation and existing capacities of
27 communities in identifying programs and projects;

28 (g) Ensure access to public transport, physical and mental health services, markets,
29 schools, sustainable livelihoods, and other public services in planning for settlement
30 areas; and

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

32 **Article XII**

33 **FUNDS AND RESOURCES**

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

37 **SEC. 56. *Local Disaster Resilience Fund and Local Disaster Contingency Fund.*** - LGUs
38 shall annually set aside not less than ~~five percent (5%)~~ ten percent (10 %) of their local budget, to

1 constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to maintain and
2 operate its LDRO to maintain the officers, employees and staff of the LDRO, and to implement
3 plans, programs and activities under its LDRP. Thirty percent (30%) of the LDRF shall be set aside
4 as Local Disaster Contingency Fund (LDCF) which shall be used for disaster response and quick
5 recovery measures.

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

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

17 **SEC. 58. *People's Survival Fund.*** - The Secretary of the Department shall be a member of
18 the People's Survival Fund Board mandated to manage and administer the People's Survival Fund
19 created under Republic Act No. 10174, otherwise known as the "Climate Change Act of 2009", and
20 facilitate its utilization by LGUs, through ROs, to implement climate change adaptation projects of
21 LGUs, and equip vulnerable LGU communities against the impacts of climate change.

22 **SEC. 59. *Multi-Donor Trust Fund.*** - The Department shall create and manage, together with
23 the Bureau of Treasury, a Multi-Donor Trust Fund for the processing, releasing and accounting of
24 money and other similar resources intended for disaster assistance. The Department shall establish
25 a system to ensure transparency in the management and use of the Multi-Donor Trust Fund.

26 **SEC. 60. *Donations Management.*** - The Department shall have the power to receive and
27 manage donations from any person or entity, whether from local or international sources.

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

34 **SEC. 61. *Regulation of Donations.*** - The Department shall establish and operate a platform,
35 including an online platform, to facilitate, monitor, and provide public access to information on
36 donations. To ensure complete accounting and reporting of donations, the Department
37 shall formulate and issue rules and guidelines for the receipt, management and accounting of

1 donations, which are consistent with the rules on the use of foreign and local aid during calamities
2 and disasters issued by COA and other relevant government agencies.

3 Article XIII

4 SPECIAL RULES ON BORROWING, TAXES, 5 ECOZONES AND PROCUREMENT

6 **SEC. 62. *Rules on Borrowing.*** - The LGUs shall coordinate with the DOF, Bangko Sentral
7 ng Pilipinas (BSP), and other relevant agencies to access foreign loans to implement disaster
8 prevention, mitigation, early recovery, and rehabilitation measures at the provincial, city, or
9 municipal level.

10 **SEC. 63. *Special Rules on Tax and Duties.*** - To facilitate prompt and efficient response to,
11 and/or recovery from disasters, the following shall be granted special exemptions from existing
12 taxation laws, rules, and regulations:

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

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

26 **SEC. 64. *Custom Duties and Tariffs on Donations.*** - The BOC shall create rules which
27 would, among others, hasten the processing and release of donated goods and equipment to disaster
28 victims and/or affected areas pursuant to Sections 120 and 121 of Republic Act No. 10863, otherwise
29 known as the "Customs Modernization and Tariff Act (CMTA)".

30 **SEC. 65. *Economic Recovery and Development of Disaster-Prone Areas.*** - (a) The
31 Department, in coordination with the Department of Trade and Industry (DTI) and other relevant
32 agencies, shall create and provide policies, programs, and projects, such as, business tax relief and
33 subsidies, to encourage business investments, and to stimulate economic activities in affected or
34 disaster-prone areas.

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

1 **SEC. 66. Procurement.** – The Department, ROs, or LGUs may resort to any of the Alternative
2 Methods of Procurement provided in RA No. 9184, including Negotiated Procurement (Emergency
3 Cases) under Sections 53(b) of RA No. 9184, in any of the following instances:

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

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

11 **SEC. 67. Alternative Modes of Procurement.** – The Department, ROs or LGUs may resort
12 to any of the Alternative Methods of Procurement provided in RA No. 9184, including but not
13 limited to, Shopping and Negotiated Procurement (Emergency Cases) under Sections 52(a) and
14 53(b) of RA No. 9184.

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

17 **SEC. 68. Special Rules on Procurement for Reconstruction and Rehabilitation of Affected**
18 **Areas.** – (a) The GPPB shall create special rules on procurement for services, goods, and materials
19 to be used for reconstruction and rehabilitation efforts in case of a natural disaster, including but
20 not limited to, the construction of post-disaster shelters and provision of service contracts, to ensure
21 the procurement of quality-oriented goods, materials, and equipment and to guarantee effective,
22 efficient, and speedy procurement to achieve the goals of this Act.

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

27 **SEC. 69. Procurement from Qualified Suppliers or Contractors.** – The Department shall
28 have the power to procure goods and services from either local or foreign suppliers or contractors
29 for purposes of implementing programs, projects, and activities related to disaster resilience and
30 disaster management in accordance with RA No. 9184, its IRR and other issuances of the GPPB.

31 **SEC. 70. Framework Agreements.** - The Department shall have authority to enter into
32 Framework Agreements for the purpose of, among others, establishing a logistics system for the
33 efficient and prompt distribution of goods, equipment or other materials required for disaster

1 response and management; securing food, medicines, fuel, or other supplies from groceries,
2 pharmacies, gas stations or other sources in the event of a disaster in a specific area; ensuring an
3 alternative source of power or water from private utilities in the event of a disaster in a specific area;
4 or other arranging the immediate supply of other goods, services or equipment necessary for
5 disaster response and management. The conditions, limitations and parameters of contracts or
6 arrangements authorized under this Section shall be provided in RA No. 9184 and its 2016 IRR.

7 **SEC. 71. *Other Procurement Rules and Policies.*** – In view of the urgency and avoid
8 unnecessary delays to procure goods, services, and implement projects for the purpose of providing
9 responsive, effective, and efficient rescue, recovery, relief, and rehabilitation efforts for, and to
10 continue the provision of basic services to, disaster victims or disaster affected areas, the GPPB
11 shall issue appropriate resolutions, orders, and policies to effectively implement the provisions of
12 this Act.

13 **Article XIV**

14 **DISASTER RISK TRANSFER AND INSURANCE**

15 **SEC. 72. *Mandated Insurance Coverage.*** - To attain disaster resilience and achieve the
16 purposes of this Act, the Department shall have the discretion and authority to require government
17 agencies, government-owned and controlled corporations (GOCCs), or LGUs to insure their assets
18 and/or properties such as, among others, vessels, vehicles, equipment, machineries, permanent
19 buildings, properties stored therein, or properties in transit against insurable risks and pay the
20 premiums therefor, to compensate the Government, GOCC or LGU, as applicable, for any damage
21 to, or loss of, properties due to a natural disaster.

22 **Article XV**

23 **YOUTH ASSISTANCE AND PARTICIPATION**

24 **SEC. 73. *Youth Organizations.*** - The Department, with the assistance of the National Youth
25 Commission (NYC), shall create policies, projects, and programs that address the special needs of
26 the youth for disaster preparedness and management which shall include, among others:

- 27 (a) Supporting youth-oriented pre- and post-disaster activities;
- 28 (b) Conducting disaster risk training and management programs involving the youth;
29 Coordinating with the Department of Education to create school curricula or programs
30 that educate and train children on disaster risk awareness and disaster preparedness;
- 31 (c) Mobilizing youth organizations; and
- 32 (d) Encouraging the participation of the youth, through the barangay youth representative
33 and the *Sangguniang Kabataan* (SK) to participate in disaster resilience and disaster
34 management activities.

35 **SEC. 74. *Youth Oriented Disaster-Related Programs, Policies, and Projects.*** - (a) The
36 Department, with the assistance of the National Youth Commission, shall provide training on, and
37 implement, response and rehabilitation programs for the youth, including mental health and psycho-
38 social services.

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

4 **SEC. 75. *Comprehensive Emergency Program for Children, Pregnant and Lactating***
5 ***Mothers.*** - The Department shall establish and implement a comprehensive emergency program to
6 provide emergency relief and protection to children, and pregnant and lactating mothers in the event
7 of a natural disaster.

8 **Article XVI**

9 **PROHIBITED ACTS AND PENALTIES**

10 **SEC. 76. *Prohibited Acts.*** - Any public official, private person, group or corporation who
11 commits any of the following prohibited acts shall be held liable and be subjected to the criminal
12 and administrative penalties as provided for in Section 70 of this Act, without prejudice to the
13 imposition of other criminal, civil and administrative liabilities under existing laws.

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

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

26 (b) Prohibited Acts of Public Officials and Private Persons or Institutions.

- 27 1) Delaying without justifiable cause the delivery of aid commodities, their improper
28 handling or storage, resulting to damage or spoilage;
- 29 2) Withholding the distribution of relief goods due to (a) political or partisan considerations;
30 (b) discrimination based on race, ethnicity, religion, or gender; and (c) other similar
31 circumstances;
- 32 3) Preventing the entry and distribution of relief goods in disaster-stricken areas, including
33 appropriate technology, tools, equipment, accessories, disaster teams or experts;
- 34 4) Buying, for consumption or resale, from disaster relief agencies any relief goods,
35 equipment or other and commodities which are intended for distribution to disaster
36 affected communities;
- 37 5) Buying, for consumption or resale, from the disaster affected persons any relief goods,
38 equipment or other aid commodities received by them;

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

28 **SEC. 77. Penalties.** - Any individual, corporation, partnership, association or other juridical
29 entity that commits any of the prohibited acts in the preceding Section shall be made liable for the
30 following:

- 31 (a) A fine of not less than One hundred thousand pesos (PhP 100,000.00) or not to exceed Five
32 hundred thousand pesos (PhP 500,000.00), or imprisonment of not less than six (6) months
33 and one (1) day nor more than twelve (12) years, or both, at the discretion of the court,
34 including perpetual disqualification from public office if the offender is a public officer, and
35 confiscation or forfeiture in favor of the government of the objects and the instrumentalities
36 used in committing any of herein prohibited acts.
- 37 (b) If the offender is a corporation, partnership or association, or other juridical entity, the
38 penalty shall be imposed upon the officer or officers of the corporation, partnership,

1 association or entity responsible for the violation without prejudice to the cancellation or
2 revocation of the license or accreditation issued to these entities by any licensing or
3 accredited body of the government. If such offender is an alien, he or she shall, in addition
4 to the penalties prescribed in this Act, be deported without further proceedings after service
5 of the sentence.

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

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

14 **SEC. 78. *Liability for Unlawful Performance of Duties and State Liability in Case of***
15 ***Defense Litigation.*** - In case a lawsuit is filed against an officer or employee of the Department as
16 a result of the performance of official duties, and such performance was found to be lawful, the
17 officer shall or employee shall be reimbursed by the Department for reasonable costs of litigation.
18 For this purpose, the Department is authorized to procure the applicable liability insurance for its
19 officers and employees.

20 **SEC. 79. *Disciplinary Powers of the President.*** - The President, upon the recommendation of
21 the Department Secretary, shall impose administrative sanctions against local chief executives and
22 barangay officials for willful or negligent acts performed in the implementation of, or compliance
23 with, this Act and its IRR or relating to their official functions which adversely affect disaster
24 resilience projects such as delayed issuance of permits or failure to implement local ordinances.

25 **Article XVII**

26 **SPECIAL COURTS AND INJUNCTIONS**

27 **SEC. 80. *Special Courts on Disaster Resilience Matters.*** - To ensure the prompt and
28 expeditious resolution of disputes relating to disaster response, recovery or rehabilitation measures,
29 the Supreme Court shall establish special courts to hear, try, and decide cases arising from the
30 following, among others:

- 31 (a) Implementation of the government's policies, plans, programs, projects and budge
32 related to the NDRPIP, LDRP, PDRP, other disaster resilience activities, or pursuant to
33 the provisions of this Act;
- 34 (b) Construction of new settlements, or relocation of informal settlers or settlements, to
35 promote disaster resilience;
- 36 (c) Expropriation, eminent domain or right-of-way issues relating to the implementation of
37 disaster resilience projects;
- 38 (d) Failure to comply with standards for disaster preparedness and continuity planning,

- 1 including, but not limited to infrastructure standards and designs;
- 2 (e) Declaration of state of calamity under Article X of this Act;
- 3 (f) Imposition of tax, customs duties, or the implementation of tax relief, exemptions,
4 reductions and other tax or customs rules and regulations in relation to donations, disaster
5 assistance, or other tax policies implemented by the BIR or BOC pursuant to the
6 provision of this Act;
- 7 (g) Commission of prohibited acts under Article XVI of this Act;
- 8 (h) Disputes involving donations, relief goods, or contracts executed or implemented
9 pursuant to the provisions of this Act;
- 10 (i) Other matters relating to achieving the purposes of this Act which the Supreme Court
11 may determine as falling under the jurisdiction of the special courts created pursuant to
12 this Section.

13 **SEC. 81. *Dispute Resolution Mechanisms.*** - The Department shall establish a Disaster
14 Resolution Board which shall resolve disputes involving administrative matters related to:

- 15 (a) Accreditation or denial of accreditation of disaster resilience training institutions,
16 trainers, instructors, donors, volunteers, and Assisting Domestic or International Actors;
- 17 (b) Decisions of the ROs;
- 18 (c) Contracts entered into by the Department or any of its agents pursuant to the provisions
19 of this Act;
- 20 (d) Other administrative matters or issues as may be determined by the Department.

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

23 **SEC. 82. *Special Prosecutors.*** - The Ombudsman shall designate special prosecutors to
24 handle and prosecute violations of this Act involving public officials and employees.

25 **SEC. 83. *Imposition of Temporary Restraining Order.*** - No Court, except the Supreme
26 Court, shall have the powers to issue an injunction or a temporary restraining order against any
27 action taken or projects implemented by the Department or its agents pursuant to this Act.

28 **Article XVIII**

29 **FINAL PROVISIONS**

30 **SEC. 84. *Transfer.*** -

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

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

- 37 b) The applicable powers, functions, funds and appropriations of the Disaster Response
38 Assistance and Management Bureau and the National Resource and Logistics

1 Management Bureau under the DSWD, are hereby transferred to the Department.

2 c) The NDRRMC is hereby abolished.

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

6 The Department shall, by virtue of this Act, be subrogated to all the rights and assume all the
7 liabilities of the agencies transferred under this Act, and all their funds, records, property, assets,
8 equipment, and such personnel as necessary, including unexpended appropriations or allocations.
9 All contracts and liabilities of the said agencies are hereby transferred to and assumed by the
10 Department and shall be acted upon in accordance with the Auditing Code and other pertinent laws,
11 rules, and regulations.

12 **SEC. 85. *Coordination and Convergence with the Climate Change Commission.*** - The
13 Department, and the Climate Change Commission, pursuant to its mandate under Republic Act No.
14 9729, as amended, shall establish and implement a convergence mechanism to facilitate coordination
15 on the following areas:

- 16 a) Conduct of current and future climate and disaster risk assessment as basis for sustainable
17 development and resilient investment planning and programming at the national,
18 sectorial, and local levels;
- 19 b) Establishment of a National Integrated Climate and Disaster Risk Information System, a
20 singular platform for integrating and sharing climate and disaster risk information;
- 21 c) Development and implementation of capacity-building and technical assistance
22 programs for local government units and stakeholders on climate change adaptation and
23 disaster risk reduction;
- 24 d) Monitoring and evaluation of progress of implementation of national, sectorial, and local
25 plans and programs on climate change adaptation and disaster risk reduction; and,
- 26 e) Development of knowledge exchange platforms and implementation of information,
27 education, and communication program, including good practices on Climate Change
28 Adaptation and Disaster Risk Reduction.

29 **SEC. 86. *Transitory Provision.*** - The transfer of functions, assets, funds, equipment,
30 properties, transactions, and personnel of the affected and transferred agencies, and the formulation
31 of the internal organic structure, staffing pattern, operating system, and revised budget of the
32 Department, shall be completed within two (2) years from the effectivity of this Act, during which
33 time the existing personnel shall continue to assume their posts in holdover capacities until new
34 appointments are issued: *Provided, That,* after the abolition of the agencies as specified in Section
35 77 of this Act, the Department, in coordination with the DBM, shall evaluate, abolish old and/or
36 create new positions.

37 **SEC. 87. *Inter-Departmental Relations and Coordination.*** - The Department shall
38 continuously call upon the following Departments and agencies: (a) DOST over the Philippine

1 Atmospheric, Geophysical and Astronomical Services Administration (PAGASA) and Philippine
2 Institute of Volcanology and Seismology (PHIVOLCS); (b) DENR over the Geo-Hazard
3 Assessment and Engineering Geology Section of the Mines and Geosciences Bureau (MGB), (c)
4 DOH over the Health Emergency Management Bureau (HEMB), and (d) DILG over the Bureau of
5 Fire and Protection: *Provided*, That DDR and these departments shall establish systems and
6 protocols for fostering, inter-departmental relations and close coordination, through sustained
7 sharing of data, information technology, facilities and other resources critical to the DRR, among
8 others: *Provided, further*, That the said agencies will cooperate fully with the DDR, in anticipation
9 of, during and as necessary in the determination of the DDR Secretary, and perform agency mandates
10 in close coordination with DDR as circumstances warrant in the aftermath of emergencies and
11 disasters: *Provided, finally*, That PAGASA, PHIVOLCS and the Geohazards Unit of the MGB shall
12 provide staff augmentations to DDR Operations Centre as need arises.

13 **SEC. 88. *Transfer of Resources.*** - The transfer of powers and functions of agencies listed
14 in Section 77 shall include the corresponding funds and appropriations, *plantilla* positions, records,
15 equipment, facilities, and properties of such agencies, subject to the power of the Department to
16 reorganize or reallocate the resources and positions from such agencies, as may be necessary to
17 attain the objectives of this Act.

18 **SEC. 89. *Program Management Office for the Earthquake Resiliency of the Greater***
19 ***Metro Manila Area.*** - The Program Management Office for the Earthquake Resiliency
20 of the Greater Metro Manila Area (PMOERG), as created pursuant to Executive Order
21 No. 52, s. 2018, shall be transferred to the Department under the supervision and control of the
22 Secretary and shall continue to exercise its mandated functions.

23 **SEC. 90. *Post-Disaster Shelters.*** - The Department shall establish a post-disaster shelter
24 recovery policy framework for low-income or informal settler families, with the assistance of the
25 appropriate housing agencies and the concerned LGUs. It shall, among others, determine the
26 appropriate shelter modalities depending on the following post-disaster phases: emergency,
27 temporary or transitional, and permanent. The Department shall likewise identify, assess, and
28 designate safe zones where the appropriate shelters shall be built.

29 **SEC. 91. *Cultural Heritage.*** - To protect, preserve, and promote the nation's historical and
30 cultural heritage, the Department shall assist the appropriate cultural agencies and the appropriate
31 LGUs to give priority protection and restoration to all national cultural treasures or national
32 historical landmarks, sites, or monuments in post-disaster recovery or rehabilitation measures.

33 **SEC. 92. *Indigenous People.*** - (a) The Department shall, with the assistance of the National
34 Commission on Indigenous Peoples (NCIP) and the concerned LGUs, devise and implement
35 mechanisms that foster social protection for indigenous communities that are vulnerable to the
36 effects of natural disasters.

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

1 and recognize the customary laws and traditional resource use and management, knowledge, and
2 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 Resiliency
5 Plan. It shall likewise properly communicate and explain information on disaster risks in ancestral
6 domains with the concerned ICCs or IPs and, as much as possible, engage such ICCs or IPs in jointly
7 formulating a disaster resiliency plan for their ancestral domain.

8 **SEC. 93. *Livelihood.*** - The Department shall, with the assistance of the relevant government
9 agencies, such as the DTI and Department of Labor and Employment (DOLE), establish policies
10 and programs to restore and/or generate livelihood in areas affected by natural disasters.

11 **SEC. 94. *Structural Audit of Government Buildings.*** - The Department, with the assistance
12 of the DPWH and other relevant government agencies and stakeholders, shall ensure and conduct
13 structural audit, as often as necessary, on government buildings, especially those located in
14 congested and disaster-prone areas, to ensure structural integrity and disaster risk of urban buildings
15 and to prevent the loss of life and property in the event of an anticipated natural disaster.

16 **SEC. 95. *Magna Carta Benefits.*** - Qualified employees of the Department including those
17 of its attached agencies, shall be covered by and entitled to the benefits under Republic Act No.
18 8439, otherwise known as the “Magna Carta for Scientists, Engineers, Researchers and other Science
19 and Technology Personnel in the Government”; Republic Act No. 7305, otherwise known as the
20 “Magna Carta of Public Health Workers”; and Republic Act No. 9433, otherwise known as the
21 “Magna Carta for Social Workers”.

22 **SEC. 96. *Hazard Pay.*** - Qualified personnel of the Department and the local disaster
23 resilience offices are entitled to receive hazard pay, subject to existing policies and guidelines.

24 **SEC. 97. *Separation of Benefits of Officials and Employees of Affected Agencies.*** -

25 Public Sector employees who have been displaced or separated from the service pursuant to
26 reorganization under this Act shall be entitled to separation pay, retirement and other benefits in
27 accordance with Republic Act No. 6656 or the Government Reorganization Law, and other laws,
28 and rules and regulations issued by the Civil Service Commission on government reorganization.

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

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

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

1 **SEC. 98. Appropriations.** – The amount necessary for the initial implementation of this
2 Act shall be taken from the current fiscal year’s appropriations of all agencies herein absorbed, and
3 transferred to the Department. Thereafter, the amounts necessary for the operation of the Department
4 and the implementation of this Act shall be included in the annual General Appropriations Act.

5 **SEC. 99. Implementing Rules and Regulations.** - The Department, DBM, GPPB, DND,
6 DOF, DILG, DOST, NEDA, DSWD, CSC, and the Career Executive Service Board (CESB), the
7 House and Senate Committees on Government Reorganization, and representatives from relevant
8 government agencies, academe, business sector, non-government organizations, and civil society
9 organizations shall prepare and issue the implementing rules and regulations (IRR) to implement
10 this Act within ninety (90) days from its effectivity.

11 **SEC. 100. Joint Congressional Oversight Committee on Disaster Resilience.** – There shall
12 be created a Joint Congressional Oversight Committee on Disaster Resilience to monitor the
13 implementation of this Act. The Committee shall be composed of six (6) members of the House of
14 Representatives and six (6) members of the Senate to be designated by the Speaker of the House of
15 Representatives and the President of the Senate, respectively: *Provided*, That two (2) members of
16 the House of Representatives and two (2) Senators shall come from the Minority of their respective
17 houses of Congress. The Committee shall be jointly chaired by a Members of the House of
18 Representatives and a Senator designated by the Speaker of the House of Representatives and the
19 President of the Senate, respectively.

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

23 **SEC. 101. Mandatory Review.** - Within five (5) years after the effectivity of this Act, or as
24 the need arises, the Congressional Oversight Committee shall conduct a systematic evaluation of the
25 accomplishments and impacts of this Act, as well as the performance, and organizational structure
26 of the Department, for purposes of determining remedial legislation.

27 **SEC. 102. Interpretation.** - Any doubt in the interpretation of any provision of this Act shall
28 be resolved in favor of a liberal interpretation that will fulfill the objectives of this Act, especially in
29 relation to the provision of effective, efficient and timely disaster response, rehabilitation and
30 recovery.

31 **SEC. 103. Separability Clause.** - If any provision of this Act shall be declared unconstitutional
32 or invalid, the other provisions or parts thereof not otherwise affected shall remain in full force and
33 effect.

34 **SEC. 104. Repealing Clause.** – The provisions of Republic Act No. 10121, otherwise known
35 as the “Philippine Disaster Risk reduction and Management Act of 2010”; Republic Act No. 7160,
36 otherwise known as the “Local Government Code of 1991”; Republic Act No. 7916, otherwise
37 known as the “Special Economic Zone Act of 1995”; and all other laws, decrees, executive orders,

1 proclamations and other executive issuances, which are not consistent with or contrary to the
2 provisions of this Act, are hereby repealed or amended.

3 **SEC. 105. *Effectivity.*** - This Act shall take effect fifteen (15) days after its publication in the
4 *Official Gazette* or in a newspaper of general circulation.

5 Approved,