



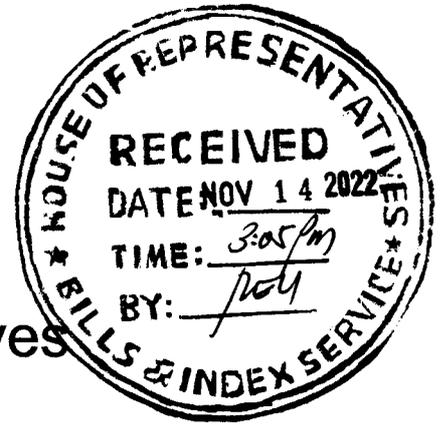
Republic of the Philippines

# House of Representatives

Batasan Hills, Quezon City

Nineteenth Congress  
First Regular Session

HOUSE BILL NO. 6120



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Introduced by Representative **Florencio Gabriel "Bem" G. Noel** and Representative  
**Josephine Veronique "Jaye" Lacson-Noel**

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## EXPLANATORY NOTE

The Philippines is considered one of the most vulnerable countries in the world to the impacts of natural hazards, being in the Pacific Ring of Fire and the typhoon belt. Around nineteen tropical storms enter the Philippine area of responsibility in a typical year, and, of these, usually six or nine make landfall. Moreover, with climate change, the nature of climate-influenced hazards, primarily typhoons, has changed and have become more intense and unpredictable with increasing temperature and sea level rise.

Last September 25, 2022, Super Typhoon *Karding* (Noru), the Philippines' 11<sup>th</sup> tropical cyclone for 2022, lashed Central Luzon with torrential rain and fierce winds. According to the Disaster Response Operations Monitoring and Information Center (DROMIC) data released on 29 September, 2022, more than 714,213 people were affected and 22,908 were displaced and took shelter in evacuation centers.<sup>1</sup> Moreover, as of October 3, 2022, "the estimated amount of agricultural damage has now hit over Php 3 billion"<sup>2</sup>, said the Department of Agriculture-Disaster Risk Reduction and Management Office. In its latest bulletin, it states that the affected commodities include rice, corn, cassava, abaca, high-value crops, livestock, and poultry, and fisheries. Damage has also been incurred in agricultural infrastructures, machinery, and equipment.

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<sup>1</sup> [Philippines: Super Typhoon Noru \(Karding\) Consolidated Rapid Assessment Report \(30 September 2022\) - Philippines | ReliefWeb](#)

<sup>2</sup> [Agri damage from 'Karding' reaches P3.12 billion | Philippine News Agency \(pna.gov.ph\)](#)

Notwithstanding all the disaster preparation and coordination plans, the World Risk Report 2022 by Germany-based Bündnis Entwicklung Hilft and the Institute for International Law of Peace and Armed Conflict at Ruhr University Bochum (IFHV), identified the Philippines as the most disaster-prone country in the world due to its high risk, exposure, and vulnerability to disasters and calamities<sup>3</sup>. The Philippines' current ranking in the World Risk Index was a huge jump from its previous records – in 2018, the country ranked third and in 2019, the country dropped to ninth. The risk assessment in the World Risk Report is based on the general notion that the emergence of a disaster not only depends on how severely natural hazards hit a society but also on how vulnerable society is to their effects.

In light with this, as the country is known to be vulnerable to typhoons and other natural calamities, it is high time to continue to advocate for the creation of a new department that would focus on preparing for, addressing, and mitigating the effects of natural and human-induced disasters. Now is the right time that we create a truly empowered department that will focus on natural hazards and disasters, and characterized by unity of command, a science, and ICT-based approach, and the capacity to take charge of three (3) key result areas: (a) disaster risk reduction; (b) disaster preparedness and response; and (c) recovery, rehabilitation and building forward better. It is only through the creation of a highly specialized government agency, the Department of Disaster Resilience, with all its resources fully focused on its mandate, that the events of past disasters can be avoided.

A new Department of Disaster Resilience will effectively improve the institutional capacity of the government for disaster risk reduction and management, reduce the vulnerabilities surrounding the affected local population as well as build the resilience of local communities to both natural disasters and climate change. This Department, once established by law, shall possess the necessary powers and functions, along with the technical expertise and government support to carry out the ideas and plans on the continuous development and growth of programs aimed towards ensuring disaster resilience.

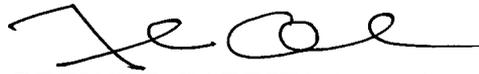
Our personal experience during typhoon *Yolanda* (Haiyan) has confirmed that the complexity of large-scale disasters undermines existing policies and structures. The current Disaster Risk Reduction and Management structure where responsibility is shared, responsibility is dispersed, and resources are scattered, renders it difficult to operate an appropriate and immediate response, thus delaying critical disaster response and recovery. Therefore, this Bill shall unify and streamline the responsibilities and functions related to the country's disaster preparedness, provide a clear chain of command, and create a more holistic and proactive approach in dealing with emergency situations headed by a cabinet level secretary. Moreover, recognizing that disaster resilience is everybody's business, the Department shall adopt a whole-of-society approach to ensure our country's resilience to natural hazards. It shall be mandated to establish partnerships with LGUs, NGOs, and academia in order to attain the goals and objectives of the Department.

With the lives, safety, and the welfare of our people, the passage of this bill is earnestly sought.

*Damo nga salamat.*

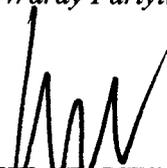
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<sup>3</sup> [PH most disaster-prone country in the world—study | Inquirer News](#)



**FLORENCIO GABRIEL "BEM" NOEL**

*Representative  
An-Waray Partylist ~*



**JOSEPHINE VERONIQUE "JAYE" LACSON-NOEL**

*Representative  
Malabon, Lone District*



Republic of the Philippines

# House of Representatives

Batasan Hills, Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 6120

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Introduced by Representative **Florencio Gabriel “Bem” G. Noel** and Representative **Josephine Veronique “Jaye” Lacson-Noel**

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

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

## ARTICLE I

### GENERAL PROVISIONS

**Section 1.** This Act shall be known as the *“Disaster Resilience Act”*.

**Sec. 2. Declaration of Policies and Principles.** — The State recognizes that:

- a. The Philippines is one of the most vulnerable countries to climate change and various kinds natural hazards, including, among others, typhoons, earthquakes, floods, volcanic eruptions, landslides, storm surges, and drought;
- b. Tremendous physical and economic, losses are sustained by the country, and in certain cases, damage to our national, cultural, and historical heritage, each time such natural hazards wreak havoc on an unsuspecting and unprepared populace;

- c. There is an urgent need to establish a focused, streamlined, independent, empowered, capacitated, full-time, specialized agency on disaster risk reduction and management as well as emergency response, which is national in scope and civilian in character;
- d. The people are the most important assets of the nation, and all disaster risk reduction and management efforts shall be responsive to the humanitarian needs of the people, the dignity and value of the human person, and respect for property.

Towards this end, the state shall endeavor to ensure:

- a. That a strategic, systematic, continuous, comprehensive, inclusive, and integrated approach to disaster risk reduction and management is established, with the end in view of substantially reducing vulnerabilities and the risk of disasters and other humanitarian emergencies, towards the preservation of life and property, thereby ultimately preventing or deterring the loss of lives and the social, economic, cultural, and environmental assets of the country;
- b. That a permanent, institutionalized, cohesive and comprehensive framework for disaster preparedness, prevention and mitigation, and response, is adopted, to be implemented by a highly specialized and focused agency bearing its own mandate, powers, and funding, in coordination and with the participation of the Philippine government, other foreign governments and financial institutions, international organizations, the private sector, and civil society;
- c. That the differing concerns and needs of various sectors or those with higher vulnerabilities such as women, children, elderly, persons with disabilities, and indigenous peoples, are specifically served, with respect to disaster resilience and disaster management;
- d. The implementation of the principles, concepts and action plans of climate change and disaster risk reduction contained in international and national frameworks and commitments in various phases of policy formulation, development and investment plans, poverty reduction strategies and other development tools, and techniques by all national and local agencies, institutions and instrumentalities of the government to enhance the country's capacity for climate change adaptation and mitigation;
- e. To inculcate a culture of resilience and preparedness for natural disasters at the national, regional and local levels, and adopt a whole-of-society approach in disaster resilience to enhance collaboration, planning, and dialogue among all sectors of society, and in improving their strategies and/or action plans for disaster risk reduction.

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

- a. *Adaptation* shall refer to the adjustment in natural or human systems in response to actual or expected climactic stimuli or their effects, which moderates harm or exploits beneficial opportunities.
- b. *Assisting Actor* shall refer to any Assisting International Actor and any Assisting Domestic Actor responding to a disaster in the country.
- c. *Assisting Domestic Actor* shall refer to any not-for-profit entity established under domestic laws, which is responding to a disaster in the country.
- d. *Assisting International Actor* shall refer to any foreign state, organization, entity or individual responding to a disaster within or transiting through the country to respond to a disaster in another country.
- e. *Biological Hazards* shall refer to hazards that are of organic origin or conveyed by biological vectors, including pathogenic microorganisms, toxins and bioactive substances. Examples are bacteria, viruses or parasites, as well as venomous wildlife and insects, poisonous plants and mosquitoes carrying disease-causing agents;
- f. *Build Forward Better* shall refer to an approach to building and/or reconstructing an area or community which entails a shift from simple recovery and restoration to safer, more adaptive, resilient, and inclusive communities.
- g. *Business Continuity* shall refer to the capacity of a business entity to continue the delivery of its products and/or services at acceptable pre-defined levels following a disruptive incident;
- h. *Capacity* shall refer to the combination of all strengths, attributes and resources available within a community, society or organization that can reduce the level of risk(s), or impact(s) of a disaster. Capacity may include infrastructure and physical means, institutions, societal coping abilities, as well as human knowledge, skills and collective attributes such as social relationships, leadership and management. Capacity may also be described as capability.
- i. *Civil Society Organizations (CSOs)* shall refer to non-state actors whose aims are neither to generate profits nor to seek governing power, but to unite people to advance shared goals and interests. They have a presence in public life, expressing the interests and values of their members or other, based on ethical, cultural, scientific, religious or philanthropic considerations. CSOs include nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-

based organizations (CBOs), faith-based organizations, people's organization, social movements, and labor unions.

- j. *Climate Change* shall refer to a change in the state of the climate that can be identified by changes in the mean and/or the variability of its properties, and that persist in an extended period, typically decades or longer, whether due to natural variability or as a result of human activity as defined under Republic Act No. 9729, otherwise known as the "Climate Change Act of 2009". These include internal processes or external forces such as modulation of the solar cycles, volcanic eruptions and persistent anthropogenic changes in the composition of the atmosphere or in land use.
- k. *Climate Mitigation* shall refer to efforts to reduce or limit greenhouse gas emissions or enhance greenhouse gas sequestration.
- l. *Complex Emergency* refers to a form of human-induced emergency in which the cause of the emergency as well as the assistance to the afflicted is complicated by an intense level of political considerations.
- m. *Cultural Heritage* shall refer to the totality of cultural property preserved and developed through time and passed on to posterity.
- n. *Contingency Planning* shall refer to a management process that analyzes specific potential events or emerging situations that might threaten society or the environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events and situations.
- o. *Consequence Management* refers to the totality of interventions and measures taken to restore essential operations and services in a permissive environment, including measures to protect public health and safety, restore essential government services, and provide emergency relief to individuals, stakeholders, and communities affected by the consequences of emergencies, hazards, and disasters;
- p. *Department* shall refer to the Department of Disaster Resilience or the DDR.
- q. *Deterministic Risk Assessment* refers to an assessment that considers the possible disaster impacts of a single scenario, in contrast to probabilistic risk assessment which considers all possible scenarios, their likelihood, and associated impacts;
- r. *Development Assistance* shall refer to any financial, material or other forms of assistance to support the economic, social, and environmental well-being of areas and/or people affected by a natural disaster.
- s. *Disability* shall refer to an evolving concept that results from the interaction between persons with impairments, societal barriers, as defined under Republic Act No. 7277,

otherwise known as the “Magna Carta for Disabled Persons” and attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others.

- t. *Disaster* shall refer to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Unless otherwise used specifically in this Act, the term "disaster shall refer to "natural disaster".
- u. *Disaster Contingency Fund* shall refer to a fund, in lump-sum form, managed by the Department to expediently provide funds and resources for disaster relief or response in affected areas.
- v. *Disaster Mitigation or Mitigation* shall refer to the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures include hazard-resistant structures as well as improved environmental, land use planning, climate change and other sectoral policies and public awareness.
- w. *Disaster Preparedness* shall refer to the knowledge and capacities developed by governments, professional, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions. It includes preparedness for response such as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation, and public information, and preparedness for recovery such as procurement of land for resettlement sites.
- x. *Disaster Prevention* shall refer to the intention to avoid, or the outright avoidance, of potential adverse impacts of disasters and related hazards through action(s) taken in advance. It expresses the concept and intention to completely avoid potential adverse impacts through action taken in advance such as construction of dams or embankments that eliminate flood risks, land-use regulations that do not permit any settlement in high-risk zones, and seismic engineering designs that ensure the survival and function of a critical building in any likely earthquake.
- y. *Disaster Resilience* shall refer to the ability of a system, community, or society exposed to hazards to resist, absorb, accommodate, adapt to, transform, and recover from the effects of a hazard and/or the long-term impact of climate change in a timely and

efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management.

- z. *Disaster Recovery* refers to restoration or improvement of livelihoods and health, as well as economic, physical, social, cultural, and environmental assets, systems and activities, of a disaster-affected community or society, aligning with the principles of sustainable development and “build forward better” to avoid or reduce future disaster risk;
- aa. *Disaster Response or Disaster Relief* shall refer to the provision of emergency services and public assistance during or immediately after a disaster in order to secure and save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Disaster response includes disaster relief focused on immediate and short-term needs of the victims and the vulnerable.
- bb. *Disaster Resilience Fund* shall refer to the budget managed by the Department, which includes funds appropriated to it by Congress pursuant to an Appropriations Act, the Disaster Contingency Fund, and the Rehabilitation and Recovery Fund.
- cc. *Disaster Risk* shall refer to the potential disaster losses in lives, health status, I livelihoods, assets and services that could occur to a particular community or society in the future, and is determined by a combination of the vulnerability, capacity, exposure of persons and assets, hazard characteristics and the environment.
- dd. *Disaster Risk Governance* shall refer to the way in which public authorities, civil servants, media, private sector, and civil society coordinate at community, national and regional levels in order to manage disaster and climate related risks. This means ensuring that sufficient levels of capacity and resources are made available to prevent, prepare for, manage and recover from disasters. It also entails mechanisms, institutions, and processes for citizens to articulate their interests, exercise their legal rights and obligations, and mediate their differences.
- ee. *Disaster Risk Management (DRM)* shall refer to the systematic process of using administrative directives, organizations, and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster;
- ff. *Disaster Risk Reduction (DRR)* shall refer to the prevention of new, and/or reduction of existing, disaster risk(s) and the management of residual risk, to enhance resilience to disasters.

- gg. *Early Warning System* shall refer to an integrated system of hazard monitoring, forecasting and prediction, disaster risk assessment, and communication and preparedness activities and processes that enable individuals, communities, national government agencies, local government units, the private sector, and others to take timely action to reduce disaster risks and adequately prepare for disasters;
- hh. *Eligible Assisting Actor* shall refer to any assisting actor that has been determined to be eligible to receive legal facilities as provided for in this Act and/or its Implementing Rules and Regulations (IRR).
- ii. *Emergency* shall refer to an unforeseen or sudden occurrence, especially danger, demanding immediate and decisive action.
- jj. *Emergency Management* shall refer to the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.
- kk. *Environmental Hazards* the hazards that may be chemical, natural, and biological, and can be created by environmental degradation or physical or chemical pollution in the air, water, and soil. However, many of the processes and phenomena that fall into this category may be termed drivers of hazard and risk rather than hazards themselves, such as soil degradation, deforestation, loss of biodiversity, salinization, and sea-level rise.
- ll. *Exposure* shall refer to the degree to which the elements at risk are likely to experience hazard events of different magnitudes.
- mm. *Geographic Information System (GIS)* shall refer to a system used to capture, store, manipulate, manage and display all types of spatial or geographical data.
- nn. *Geographic Isolated and Disadvantaged Area (GIDA)* shall refer to areas with a marginalized population, which is physically and socio-economically separated from the mainstream society and characterized by physical factors— isolated due to distance, weather conditions and transportation difficulties (island, upland lowland, landlocked, hard to reach and underserved communities); and/or socio-economic factors—(highly poverty incidence, presence of vulnerable sector, communities in or recovering from situation of crisis or armed conflict).
- oo. *Geological or geophysical hazards* shall refer to the hazards that originate from internal earth processes, such as earthquakes, volcanic activities and emissions, and related geophysical processes, which include mass movements, landslides, rockslides, surface collapses, and debris or mud flows. Hydrometeorological factors are important contributors to some of these processes. While tsunamis are triggered by undersea

earthquakes and others geological events, they essentially become an oceanic process that is manifested as a coastal water-related hazard.

- pp. *Hazard* shall refer to a phenomenon, substance, human activity or condition that may cause loss of life, injury or impacts to health; social and economic disruption, environmental damage, or loss of/disruption to property, livelihood, and/or services.
- qq. *Historical landmarks* shall refer to sites or structures that are associated with events or achievements significant to Philippine history as declared by the National Historical Institute or the applicable agency.
- rr. *Human-Induced Hazard* shall refer to an event that is caused by humans and occur in or close to human settlements or a particular environmental area. This can include environmental degradation, technological or industrial conditions, pollution, accidents, e.g. high density events, industrial and transport accidents, complex emergencies, armed conflict, situations of generalized or organized violence, and violation of human rights.
- ss. *Humanitarian assistance* shall refer to financial, material or other similar forms of assistance to address the immediate needs of people affected by a natural disaster.
- tt. *Hydrometeorological hazards* shall refer to hazards that are of atmospheric, hydrological, or oceanographic origin, such as tropical cyclones (also known as typhoons and hurricanes); floods, including flash floods; drought; heat waves and cold spells; and coastal storm surges. Hydrometeorological conditions may also be a factor in other hazards such as landslides, wildland fires, locust plagues, epidemics, and in the transport and dispersal of toxic substances and volcanic eruption material.
- uu. *Impact and needs assessment* shall refer to the assessment of the nature and magnitude of a disaster, its impact on affected populations, the type and extent of emergency, and the requirements for recovery and rehabilitation of affected area(s).
- vv. *Immediate Danger* shall refer to a situation where, on the basis of official forecasts, it could reasonably be expected that a disaster will occur in a particular geographical area and within an estimated period of time, and where necessary preparedness actions or financing are required.
- ww. *Integrated Disaster Resilience Information System* shall refer to a specialized database, which contains, among others, information on disasters and their human, material, economic and environmental impact, risk assessment and mapping, and vulnerable and marginalized groups.

- xx. *International Disaster Relief and Initial Recovery Period* shall refer to the period that commences upon the issuance of a request for international disaster assistance or upon acceptance of an offer, and shall continue until terminated, pursuant to guidelines set in the implementing rules and regulations.
- yy. *Internally Displaced Persons* shall refer to persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence within national borders.
- zz. *International Personnel* shall refer to staff and volunteers of any assisting actor providing disaster relief or initial recovery assistance being persons who are neither citizens of nor domiciled in the Philippines prior to their recruitment by the international assisting actor.
- aaa. *Land Use Planning* shall refer to the process undertaken by public authorities to identify, evaluate and decide on different options for the use of land, including consideration of long-term economic, social and environmental objectives and the implications for different communities and interest groups, and the subsequent formulation and promulgation of plans that describe the permitted or acceptable uses.
- bbb. *Legal Facilities* shall refer to entitlements and exemptions that are granted to Assisting Domestic or International Actors that are declared to be eligible pursuant to this Act and its implementing rules and regulations.
- ccc. *Local Disaster Resilience Plan (LDRP)* shall refer to a document prepared by an LGU based on the National Disaster Resilience Framework (NDRF) and the National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets out specific programs, objectives and goals to implement disaster risk management and climate change adaptation measures at the local level. The plan includes, among others, an evaluation and analysis of emerging disaster risks, hazards and vulnerabilities applicable to an LGU, and specific programs and activities to ensure responsive, effective, and appropriate disaster preparedness and managements at the local level.
- ddd. *National Continuity Policy* shall refer to a comprehensive national policy consisting of a set of programs and projects aimed at capacitating the government to ensure the continuity of governance and the delivery of public services during and after any disaster.
- eee. *National Disaster Resilience Framework (NDRF)* shall refer to a framework that provides for a comprehensive, multi-sectoral, whole-of-government, and whole-of-society approach to attaining safe, adaptive, and resilient communities that can resist,

prevent, mitigate against, absorb, accommodate, adapt to, recover, or build back better from the effects of a natural hazard in a timely and efficient manner through, among others, disaster risk reduction and management, and climate change adaptation and mitigation. The NDRF shall be composed of a National Disaster Risk Reduction and Management Framework (NDRRMF), and National Framework Strategy on Climate Change (NFSCC).

fff. *National Disaster Resilience Plan and Investment Program (NDRPIP)* shall refer to a plan formulated and implemented by the national and local governments, in collaboration with NGOs, the private sector, academe, international development partners, and others, in accordance with the NDRF that sets out the outcomes, goals and objectives, priorities, programs and corresponding action plans for disaster risk reduction, preparedness, and management, and climate change mitigation. The NDRPIP shall also include, among others, goals, objectives and action plans for a national continuity policy. — It shall be in conformity with the national disaster risk reduction and management framework.

ggg. *Natural Hazard* shall refer to naturally occurring physical phenomena cause either by rapid or slow onset events, which can be geological (earthquakes, ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic activity), hydrological and meteorological (floods, sever winds, typhoons, storm surges), climatological variability (extreme temperatures, El Nino, La Nina, forest fires), or biological (disease, epidemics and insect/animal plagues).

hhh. *Open Data* shall refer to a set of data that can be freely used, shared and built-on by anyone, anywhere, for any purpose, it must be available in bulk, and should be available free of charge, or at least at no more than a reasonable reproduction cost. The information should be digital, preferably available by downloading through the internet, and easily processed by the end-user's computer. The data must permit people to use, re-use, and redistribute it, including intermixing it with other data sets and distributing the results. Lastly, it does not allow conditions to be places on how people can use such data but permit a data provider to require that data has been changed, or that any new datasets created using their data are also shared as open data.

iii. *Pre-Disaster Recovery P/an (PDRP)* shall refer to a plan intended to help government officials working in small communities or across an entire nation, to define and follow a process to pre plan for disaster recovery, and thereby strengthen their own future recovery efforts and outcomes;

- jjj. *Post-Disaster Recovery* refers to the restoration improvement where appropriate, of facilities, livelihood and living conditions, of disaster-affected communities, including efforts to reduce disaster risk factors, in accordance with the principle of “build forward better;
- kkk. *Pre-Disaster Risk Assessment (PDRA)* shall refer to a process to evaluate a hazard's level of risk given the degree of exposure and vulnerability in a specific area likely to be affected by an imminent hazard. It presents the possible impacts on the population and forms a basis to determine the appropriate level of response actions from the national level government agencies down to the local government units. It is hazard-specific, area focused, and time-bound.
- lll. *Recovery* shall refer to rehabilitation measures that ensure the ability of affected communities or areas to return their normal level of functioning by restoring livelihoods and services, reconstruction of damaged infrastructures and increasing the communities' organizational capacity.
- mmm. *Rehabilitation* shall refer to restoration of basic services and facilities for the functioning of a community or a society affected by a disaster.
- nnn. *Response* shall refer to any effort to provide assistance or intervention during or immediately after a disaster to meet the life preservation and basic subsistence needs of affected people and communities; and in the restoration of essential public activities and facilities.
- ooo. *Retrofitting* shall refer to the reinforcement of upgrading of existing structures to make them more resistant and resilient to the damaging effects of hazards.
- ppp. *Risk assessment* shall refer to a methodology to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed people, property, services, livelihood and the environment on which they depend.
- qqq. *Risk Transfer* shall refer to the process of formally or informally shifting the financial consequences of particular risks from one party to another whereby a household, community, enterprise or state authority will obtain resources from the other party after a disaster occurs, in exchange for ongoing or compensatory social or financial benefits provided to that other party.
- rrr. *Safety stock* shall refer to items, such as raw materials, component parts, or finished goods, maintained in inventory to reduce the risk that such item will be out of stock, in anticipation of unforeseen shortages or unusual demand for such items.

- sss. *Service Continuity* shall refer to the capacity of a government instrumentality i to continue delivering its mandated outputs and/or services to the public during and after a disaster.
- ttt. *State of Calamity* shall refer to a condition involving endangered to and/or loss of lives, damages to property, economic and/or social disruption, interruption and/or loss of livelihood and/or services, and destruction and/or damages to infrastructure as a result of natural disaster(s) or related hazard(s).
- uuu. *Simplified or Pre-Arranged Contract* shall refer to a written agreement in the nature of an option contract between the procuring entity on one hand, and the most responsive and lowest calculated bidder on the other, granting the procuring entity the option to either place an order for any of the goods identified therein or not buy at all, within a given period of time.
- vvv. *Sustainable Development* shall refer to development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
- www. *Volunteers* shall refer to individuals, groups or entities that offer and/or provide services or assistance, without compensation, to help people and/or areas affected by disasters.
- xxx. *Vulnerability* shall refer to the conditions determined by physical, social, economic, organizational, and environmental factors or processes, which increase the susceptibility of an individual, a community, assets or systems to the impacts of hazards.
- yyy. *Whole-of-Society Approach* shall refer to an approach that encourages the meaningful the active participation and synergy of the different stakeholders of society toward climate change adaptation and mitigation, and disaster risk reduction and management at the national and local levels.
- zzz. *Whole-of-Government Approach* shall refer to an approach that instills and fosters collaboration among all government instrumentalities both at the national and local levels toward shared sustainable development goals and outcomes.
- aaaa. *Whole-of-Nation Approach* shall refer to an approach that seeks to bring about a concerted effort towards sustainable development, national peace and security by creating consensus and understanding of development and security that is shared not just among core security forces and oversight government institutions, but also by the nation's stakeholders, e.g., government, civil society, private sector, and the communities.

## ARTICLE II

### THE DEPARTMENT OF DISASTER RESILIENCE:

#### MANDATE, POWERS, AND FUNCTIONS.

***Sec. 4. Creation of the Department of Disaster Resilience.*** — There is hereby created the **Department of Disaster Resilience**, hereinafter referred to as the Department.

The Department shall be the principal government agency responsible for ensuring safe, adaptive, and disaster-resilient communities. It shall lead, spearhead, initiate, and integrate the crafting and implementation of comprehensive, continuous, and strategic plans, programs, projects and activities to reduce the risk of all types of natural hazards and effects of climate change, and manage the impact of disasters with the primordial goal of saving lives and minimizing damage to property, in close collaboration with all relevant stakeholders at the national and local levels.

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

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

(a) Geological Phenomena and Related Hazards

- a. Earthquake – ground rupture, ground shaking, liquefaction, tsunami, fire, landslides, and seiche or lake water oscillation.
- b. Volcanic Activity – ash fall, pyroclastic flow, lava flow, lahar, fissuring, and volcanic gas
- c. Mass movement – landslides, debris flow, sinkholes

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

- a. Tropical cyclone – severe winds, storm surge, rouge waves, severe rainfall including hail
- b. Flood, rain-triggered landslides and storm surges
- c. Erosion
- d. Marine heatwaves, extreme sea events, and sea level rise

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

- a. El Niño or La Niña (ENSO) with associated rainfall and temperature (in particular, projected extreme ENSOs)
  - b. Extreme temperature (heat wave or cold wave), extreme weather conditions (drought or excessive rainfall)
  - c. Wildfire (forest or land fires)
- (d) Biological and Related Hazards
- a. Epidemic/Pandemic – viral, bacterial, parasitic, fungal, prion infectious diseases
  - b. Insect Infestation – grasshoppers/locusts
  - c. Extra-Terrestrial – Meteorite/Asteroid Impact

The Department shall oversee and coordinate the preparation, implementation, monitoring, and evaluation of disaster and climate resilience plans, programs, projects and activities, provide leadership in the continuous development of strategic and systematic approaches to disaster prevention, mitigation, preparedness, response, recovery and rehabilitation and anticipatory adaptation strategies, measures, techniques, and options. It shall also manage and direct the implementation of national, local, and community-based disaster resilience programs in collaboration with relevant national government agencies, LGUs, CSOs, and other stakeholders, as applicable: *Provided*, That for human-induced disasters, the Department of the Interior and Local Government (DILG), Department of National Defense (DND), Department of Social Welfare and Development (DSWD), and other relevant government instrumentalities, including Armed Forces of the Philippines (AFP), Bureau of Fire Protection (BFP), Philippine National Police (PNP), Philippine Coast Guard (PCG), and Office of Civil Defense (OCD), shall continue to perform their functions: *Provided, further*, That the Department shall remain as the lead agency in recovery and rehabilitation efforts in collaboration with all stakeholders when applicable.

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

**Sec. 5. Powers and Functions of the Department.** — The Department shall exercise and perform the following powers and functions: Overall functions:

**(a) General Functions:**

1. Craft the policies and lead the implementation of the programs, projects and activities necessary to reduce the country's vulnerabilities to natural hazards and climate change, using the PDRP and the relevant climate change and DRR frameworks as anchors;

2. Review and build upon, to the extent necessary, the existing disaster resilience framework, plans and strategies in the crafting of an NDRF and the corresponding NDRPIP;
3. Oversee, review, and approve the translation, integration, and implementation of the NDRPIP into LDRPs;
4. Communicate and disseminate critical information to help the public prepare for, respond to, and recover from a disaster;
5. Receive, manage, and administer the Disaster Resilience Fund, the Disaster Contingency Fund, donations and other funds, assets and/or properties received by the Department to accomplish the purposes of this Act;
6. Recommend to the President of the Philippines the declaration of a state of calamity due to a natural disaster, and the lifting thereof when conditions stabilize;
7. Direct any government entity to help ensure the attainment of the goals and objectives of this Act;
8. Advance the country's interests relating to disaster resilience and climate change in the regional and global arena;
9. Advise the President on matters concerning disaster resilience and make recommendations, as appropriate; and
10. Perform such other functions, as provided by law or assignment of the President, and undertake all other necessary actions to ensure the attainment of the overall goals and objectives of this Act.

**(b) Disaster Risk Reduction**

1. Develop coordinated national, regional, and local strategies for the effective prevention and mitigation of disaster risk resulting from natural hazards, including the effects of climate change;
2. Monitor and ensure the integration of disaster risk reduction and management, and climate change adaptation policies into national development plans;
3. Establish a disaster resilience information system to facilitate the creation of an integrated risk assessment platform built from the inputs of government and private scientific and academic institutions, national government agencies and local government units, local communities, and other stakeholders and that is able to provide readily accessible and actionable information for purposes of risk governance and humanitarian action;

4. Formulate plans and programs to establish and implement government redundancy, service and business continuity, and a National Continuity Policy, as a high priority and urgent undertaking;
5. Ensure the use of advanced science and technology in anticipatory planning of communities against the impact of natural hazards and climate change through consultation, and employment with a regular department funding the academe or higher education institutions;
6. Develop and implement policies and programs related to the construction of new settlements or relocation of settlements in safe areas that shall, to the extent such policies and programs relate to disaster risk reduction, mitigation, prevention or building forward better, prevail over policies or decisions of other government departments, government agencies, government owned or controlled corporations, LGUs, and other government instrumentalities;
7. Design and implement an incentive system for greater private and public investment, both at the local and national levels, on disaster risk reduction;
8. Oversee and ensure the mainstreaming of climate change adaptation and disaster risk reduction in development and land use planning, and the preparation of contingency plans;
9. Create an enabling environment that shall promote broader multi-stakeholder participation for disaster risk reduction and climate change adaptation and mitigation;
10. Communicate and disseminate critical information to help the public prepare for, respond to, and recover from a disaster;
11. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the Department of Finance (DOF), the Government Service Insurance System (GSIS), and the Land Bank of the Philippines (LBP), and the Insurance Commission;
12. Coordinate directly with local government units and private entities to address Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale, cities and municipalities at the micro-scale, and barangays at the meta-scale;
13. Review and evaluate local disaster resilience plans and other local plans to ensure their consistency with the National Disaster Resilience Framework; and
14. Undertake all other programs, projects, and actions necessary to attain the overall goals and intended outcome of this key result area.

**(c) Disaster Preparedness and Response**

1. Lead, manage, and collaborate with the relevant government instrumentalities, non-government stakeholders, and international partners in providing the minimum basic needs of people in affected areas before, during and/or immediately after a disaster to save lives and minimize casualties;
2. Ensure the efficient prepositioning of goods, maintenance, and disposal of safety stocks;
3. Prepare pre-disaster recovery plans in anticipation of future disasters by engaging the community and planning for recovery activities that are comprehensive and long-term;
4. Establish a corps of first responders in partnership with national and local stakeholders, both public and private;
5. Formulate standards for contingency planning for adoption by both national government agencies and local government units;
6. Recommend to the President of the Philippines the declaration of a state of calamity due to a natural disaster, and the lifting thereof when conditions stabilize;
7. Oversee and maintain a national early-warning and emergency alert system that must provide a specific, areas-focused and time-bound warning that are accurate, timely, understandable and readily accessible to national and local emergency response organizations and the general public;
8. Implement Pre-Disaster Risk Assessments to include deployment of rapid assessment teams to gather information for precise actions as a basis for emergency preparedness and humanitarian response;
9. Coordinate information-sharing and other disaster risk reduction protocols following the principle of inter-operability among national government agencies and local government units;
10. Establish and maintain a national humanitarian logistics system with a network of warehouses, transport and resources, including response assets and disaster relief food and non-food items;
11. Call upon the relevant government instrumentalities, non-government stakeholders, CSOs, and international partners for assistance in ensuring the protection and preservation of life and property such as through the use of their resources and facilities, among others. This function includes the power to call on the reserve force as defined in Republic Act no. 7077 to assist in search and rescue, and the relief and disaster preparedness and response operations;

12. Organize, train, equip, and maintain a system of response capacity for search, rescue and retrieval and the delivery and distribution of relief goods;
13. Monitor and support LGUs in the management of evacuation centers and ensure the welfare and dignity of internally-displaced persons;
14. Procure goods and services prior to, during, and after emergencies for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster;
15. Issue special procurement rules and regulations, in close coordination with the Government Procurement Policy Board, for preparedness, response, and recovery activities, including those prompted by a declaration of a state of calamity or of an imminent disaster;
16. Assist in mobilizing necessary resources to increase the overall capacity of local government units, specifically those with low income and situated in high-risk areas;
17. By the authority of the President, secure the assistance of the Armed Forces of the Philippines (APP), the Philippine National Police (PNP), DILG-Bureau of Fire Protection (BFP), DOTr-Philippine Coast Guard (PCG), and other uniformed services in undertaking disaster preparedness and response operations in at-risk and/or disaster-affected areas; and
18. Undertake all other programs, projects, and actions necessary to attain the overall goals and intended outcomes of this key result area.

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

1. Prepare, organize, lead, implement, and manage post-disaster assessment and recovery and rehabilitation programs and plans, in coordination with the affected local governments units, national government agencies, and other stakeholders;
2. Establish a system that utilizes templates, exposure database, and other tools; and develop the Department's in-house capacity for the prompt and expedient preparation of rehabilitation plans, when needed, for disaster affected areas;
3. Prepare and implement the recovery and rehabilitation plan(s) for disaster affected areas;
4. Implement the cluster approach to expedite reconstruction efforts, e.g., post-disaster shelter recovery, and orchestrate and serve as the clearinghouse for the participation of assisting actors in such efforts;

5. Collaborate with relevant government agencies and non-government stakeholders in undertaking programs and projects to restore and/or generate livelihood and entrepreneurial activities and opportunities in disaster-affected areas;
6. Ensure that the principle of Building Forward Better, not mere restoration, is applied to all recovery, reconstruction, and rehabilitation efforts; and
7. Undertake all other programs, projects, and actions necessary to attain the overall goals and intended outcomes of this key result area.

**(e) Other Powers and Functions**

1. Constitute call, convene and/or deputize agencies of government, and invite non-government and private organizations, to assist, advise, and/or coordinate with the Department to achieve the goals and purposes of this act;
2. Provide operating guidelines to the LDROs for the Declaration of Imminent Disaster in their respective areas, which shall allow them to implement preemptive measures and use their quick response funds in order to save lives and minimize damage to property, loss of livelihood, and other assets;
3. Establish and monitor local and national capacity for disaster risk financing and insurance and other risk transfer strategies in coordination with the DOF, GSIS, LBP, and the Insurance Commission;
4. Coordinate information-sharing and other disaster risk reduction protocols following the principle of inter-operability among National Government agencies and Local Government Units, before, during, and after a disaster;
5. Administer, mobilize, monitor, and oversee the utilization of disaster resilience-5. related funds, including, but not limited to, the National Disaster Resilience Fund and the Supplemental Disaster Resilience Support Fund for low-income provinces, cities, and municipalities, and multi-hazard local government units;
6. Inspect and examine the status of projects, programs, and activities undertaken by national government agencies and local government units in furtherance of disaster resilience efforts;
7. Whenever it becomes necessary, to save lives and/or minimize damages to livelihood and property, assume supervision over the implementation of any government program. project, or activity in anticipation of, during, and in the aftermath of a disaster;
8. Negotiate, enter into, institutionalize, and coordinate arrangements with any8. private person or entity for the purpose of ensuring the adequate and prompt availability of

- goods and services necessary in anticipation of, during, and in the aftermath of disasters;
9. Manage all funds appropriated to it by law and from other sources, including9. all donations and grants received by it;
  10. Promulgate rules and regulations for the receipt, management, and accounting of donations that are consistent with the rules of the Commission on Audit (COA) on the use of foreign and local aid during calamities and disasters;
  11. Receive humanitarian assistance from local and foreign sources, recommend the acquisition of developmental assistance for the purpose of disaster resilience, acknowledge and certify the receipt of all humanitarian assistance, and ensure their judicious use and management;
  12. Establish and operate a platform, including an online platform, to monitor and provide public access to information on humanitarian assistance received by the Department;
  13. Secure the assistance of the AFP, PNP, DILG- BFP, DOTr-PCG, and other uniformed services and government instrumentalities to ensure the attainment of the three key result areas, and the overall goals and objectives of this Act;
  14. In consultation with the COA, promulgate rules and regulations for the retention, re-exportation, donation, and disposition of unused goods and equipment after the termination of disaster relief and initial recovery operations;
  15. Assist appropriate national government agencies and offices and concerned local government units in protecting national cultural heritage including national treasures and national historical landmarks, sites or monuments from hazards and disasters; and
  16. Perform such other functions, as provided by law or assignment of the President, and undertake the necessary actions to ensure the attainment of the overall goals and objectives of this Act.

### **ARTICLE III**

#### **EMERGENCY MEASURES**

***Sec. 6. Emergency Measures.*** —

- a. The Department shall undertake and implement such immediate measures as may be necessary to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of emergencies, hazards and disasters:
  - a. Carrying out of preemptive evacuation;

- b. Imposition of curfew;
  - c. Rationing of the distribution of basic goods in critical shortage, and when necessary, preventing or restricting the transfer of such goods outside of the area affected by the disaster, including access to rice inventory of the National Food Authority (NFA) office or storage located in the affected area;
  - d. When there is imminent danger of loss of lives or damage to property, temporarily take over or direct the operation of any private utility or business, subject to payment of just compensation; and
  - e. With the concurrence of the DOF, recommend to the Monetary Board the deferment of the payment of monetary obligations of local government units and private entities that have been severely affected by disaster.
- b. Local government units shall enact ordinances on and implement necessary and appropriate emergency measures, including preemptive and forced evacuations, to ensure the protection and preservation of life or property in anticipation of, during, and in the aftermath of disasters.

It shall be mandatory for Local Government Units to provide evacuation centers, with due consideration to the capacity of local facilities, when requested by the Department, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters. In providing such evacuation centers, due regard shall be given to the most vulnerable and marginalized groups, respecting the dignity and culture of persons, observing equality, and using proportionate force in implementing such emergency measures.

- c. Preemptive evacuation shall be the preferred as the primary mode of moving people that will be affected by disasters. Forced evacuation shall be considered as an emergency measure of last resort, and shall be carried out by the affected local government unit, pursuant to a duly issued order by the local chief executive: Provided, that in case of the failure of the local chief executive to issue such an order, the forced evacuation shall be implemented by the Department, which may direct and compel the assistance of law enforcement and other relevant government agencies to implement such measure.
- d. Any person who willfully and deliberately disregards or disobeys a preemptive or forced evacuation implemented by the local government unit or the Department, as the case may be, releases such local government unit or the Department from any liability for injury, death, damage to, or loss of property due to such disobedience.

- e. Whenever necessary, the Department may recommend to the President the calling out of the Armed Forces of the Philippines to prevent or suppress lawless violence occurring before, during, and in the aftermath of disasters. The Department may ration the distribution of basic goods in critical shortage, and/or restrict or ban the transfer of such goods outside the area covered by the emergency measures.

## **ARTICLE IV**

### **ORGANIZATION AND MANAGEMENT**

**Sec. 7. *The Secretary.*** — The Department shall be headed by the Secretary of Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed by the President, subject to confirmation by the Commission on Appointments.

The Secretary shall preferably have a solid background in any of the scientific, engineering, and public management fields relevant to resilience to natural hazards and climate change; and demonstrated managerial acumen.

**Sec. 8. *Powers and Functions of the Secretary.*** — The Secretary shall exercise the following powers and functions:

- a. Establish and promulgate policies, rules, and regulations for the effective and efficient operation of the Department and implement these to carry out its mandate, functions, programs, and activities;
- b. Exercise executive direction over the operations of the Department and administrative supervisions over its attached agencies;
- c. Exercise control and supervision over all functions and activities of the Department and its officers and personnel;
- d. Appoint officers and employees of the Department, except those whose appointments are vested in the President, in accordance with civil service law, rules, and regulations;
- e. Exercise disciplinary authority over officers and employees of the Department in accordance with law, and investigate such officers and employees, or designate a committee or officer to conduct an investigation;
- f. Manage the financial, human, and other resources of the Department;
- g. Collaborate with other government agencies, the private sector, and civil society organizations on the policies, programs, projects, and activities of the Department, as may be necessary;

- h. Advise the President on the promulgation of executive and administrative issuances and the formulation of regulatory and legislative proposals on matters pertaining to disaster resilience;
- i. Represent the Philippines and articulate the national contribution to global, regional, and other inter-governmental disaster risk reduction and humanitarian platforms, in coordination with the Department of Foreign Affairs;
- j. Formulate such rules and regulations, and exercise such other powers as may be required to implement the objectives of this Act;
- k. Serve as a member of the Government Procurement Policy Board (GPPB); and
- l. Perform such other functions as may be provided by law or assigned by the President.

**Sec. 9. The Undersecretaries.** — The Secretary shall be assisted by at least four (4) Undersecretaries, who shall be responsible for the following functional areas, including the establishment of a robust and responsive ICT system to effectively support the mandate and operations of the Department:

- a. *Disaster Risk Reduction* - the formulation, adoption, and implementation of policies and programs to reduce existing and future disaster risks to minimize loss and damage to lives and properties, including the formulation of the required policies and programs in the NDRF and relevant national investment plans;
- b. *Disaster Preparedness and Response* - the implementation of projects and programs to prepare and respond to disasters, including the enhancement of capabilities of local government units, the development of a database of exposure or elements at risk per area and database of volunteers, the establishment of safe and strategic evacuation centers, and the implementation of responsive and efficient prepositioning and distribution of goods;
- c. *Recovery and Building Forward Better* - the formulation and implementation of rehabilitation plans for disaster-affected areas and ensuring the implementation of disaster recovery and rehabilitation measures, such as post-disaster shelters and livelihood projects, in collaboration with relevant government agencies, local government units, and other stakeholders; and
- d. *Support to Operations* - the formulation and implementation of policies, programs, projects, and activities to ensure the efficient, effective, and responsive performance of the Department's mandate, powers, and functions. Support to operations includes

knowledge management, institutional development and planning, finance, administration, and human resources management,

The Undersecretaries shall have operational control and supervision over the bureaus, divisions, offices, and units assigned to their respective functional areas.

**Sec. 10. *The Assistant Secretaries and Directors.*** — The Department shall have four (4) Assistant Secretaries and appropriate number of Directors as may be necessary for the effective and efficient implementation and performance of its mandate, powers, and functions.

**Sec. 11. *Qualifications*** — No person shall be appointed Secretary, Undersecretary, or Assistant Secretary of the Department unless a citizen and resident of the Philippines, of good moral character, and of proven experience, competence or expertise in humanitarian relief assistance and disaster management. The Secretary, Undersecretary, or Assistant Secretary shall not hold any other position, public or private, during their terms of office.

All the Undersecretaries, Assistant Secretaries, and other officials of the Department shall preferably be specialists and have a good track record in any of the following fields, as applicable to their mandated key result areas and functions: disaster risk reduction and management, science and technology, environmental science or management, urban planning, civil engineering, public finance, information and communications technology, logistics management, mass communication, among other fields directly relevant to ensuring the country's disaster resilience.

The appointing authority and other responsible officials shall ensure that the Department's human resources possess the competencies, skills, behavioral attributes, training and experience necessary for them to become efficient, effective, and responsive in performing their functions and contribute to the attainment of the overall goals and delivery of the intended outcomes of this Act.

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

**Sec. 13. *Regional Disaster Resilience Offices.*** — The Department shall establish and maintain Regional Disaster Resilience Offices (RDROs) at each region and a National Capital Region Office (NCRO), to be headed by a Regional Director. The Regional Director shall be appointed

by the Department Secretary for a fixed term pursuant to requirements, terms of office and endowed with the emoluments and benefits subject to existing laws, rules and regulations.

The Department shall create policies and programs to establish collaboration and coordination among the different RDROs. The size, composition, and organization of RDROs and NCRO shall be based on parameters provided in the IRR on the ability of LGUs within its jurisdiction to cope with previous disasters, or to implement their LDRPs or Provincial LDRPs; the level of income, population, hazard exposure of LGUs. The ROs and NCRO shall be funded by the Department.

**Sec. 14. Powers and Functions of RDROs.** — The RDROs shall have the following powers and functions:

- a. Review the LDRPs and Provincial DRPs of LGUs within its jurisdiction, and require the amendment of such LDRPs and/or Provincial DRPs if necessary, to ensure compliance with the NDRF and relevant national investment plans;
- b. Monitor and direct LDROs and PDROs to implement their respective LDRPs and PDRPs;
- c. Recommend to the appropriate local legislative body the enactment of ordinances to implement the LDRP, NDRF and relevant national investment plans at the city, municipal or provincial level, and to comply with other requirements of this Act;
- d. Review reports on the utilization of the LDRF and other disaster risk and management resources of LGUs within its jurisdiction, and give recommendations, as necessary;
- e. Disburse to, and monitor the use by, LGUs of funds granted by the Department pursuant to this Act and its IRR;
- f. Provide, upon the request of LGUs or unilaterally at its own discretion, assistance to LGU(s) within its jurisdiction as necessary to ensure the implementation of LDRPs/Provincial LDRPs, NDRF and relevant national investment plans, and to render efficient and timely disaster preparedness, response and recovery measures;
- g. Identify and report to the Department issues and problems relating to, or affecting, the disaster resilience of LGUs within its jurisdiction, and make recommendations to the Department and/or to the LGUs to address such issues or problems;
- h. Formulate and establish mechanisms to mobilize and direct LDROs and PDROs within its jurisdiction as necessary for disaster preparedness and response at the regional level;

- i. Establish and maintain, in coordination with the Department, a Regional Command and Control Center (RCCC), 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 RDRO to oversee, supervise, monitor and respond to the needs of LGUs within its jurisdiction in relation to disaster resilience activities;
- j. Assist in the implementation, of rehabilitation plan(s) for LGUs within its coverage: and
- k. Conduct other activities and act on other matters, in accordance with policies and procedures of the Department and applicable laws, to achieve the purposes of this Act.

***Sec 15. Special Disaster Response Teams.*** —The RDROs may organize and/or activate Special Disaster Response Teams (SDRTs) to assist LGUs in responding to hazards and disasters that are beyond their capacities, as deemed necessary.

***Sec. 16. Local Disaster Resilience Offices.*** — The Local Disaster Risk Reduction Management Offices (LDRRMOs) in provinces, cities, and municipalities are hereby renamed as the Provincial, City, and Municipal Disaster Resilience Offices, respectively, and shall collectively be called the Local Disaster Resilience Offices (LDROs). All LGUs shall establish an LDRO at the provincial, city, and municipal levels shall establish their respective LDROs. All Local DRRM Councils (LDRRMCs) shall be abolished. The Barangay Disaster Risk Reduction and Management Committees are hereby renamed as the Barangay Disaster Resilience Committees (BDRC). The LDROs shall be under the control and supervision of the provincial governor or the city or municipal mayor, as the case may be.

The budgetary requirements for personal services, maintenance and other operating expenditures, and capital outlay of the LDROs shall be sourced from the General Fund of the LGUs concerned: Provided, That, the personal services limitations under Section 325(a) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, shall not apply in relation to the creation and appointment of at least five (5) positions in the LROs. Other maintenance and operating expenditures and the capital outlay requirements of LDROs in the implementation of disaster risk reduction management and climate change adaptation programs shall be charged to the Local Disaster Resilience Fund of local government units.

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

**Sec. 17. Local Disaster Resilience Officer.** — The LDRO shall be headed by a full- time Local Disaster Resilience Officer, who shall have a regular *plantilla* position and shall be appointed by the Local Chief Executive: Provided, That the qualifications standards pertaining to experience and training set by the Civil Service Commission for the position may be waived by the Department in exceptional cases upon the request of the local chief executive.

**Sec. 18. Powers and Functions of City and Municipal Disaster Resilience Offices (DROs)** — The City and Municipal Disaster Resilience Offices (CDRO and MDRO) shall have the following powers and functions

- a. Formulate and implement, in coordination with the Department, a comprehensive and integrated Local Disaster Resilience Plan in accordance with the NDRF and the relevant national investment plans;
- b. Design, program, coordinate, and implement disaster resilience activities consistent with the standards and guidelines provided by the Department, and implement the NDRF and the relevant national investment plans at the city or municipal level;
- c. Prepare and submit to the *Sangguniang Panglungsod* or *Bayan*, as the case may be, the LDRP, the proposed programming of the LDR Fund, other dedicated disaster resilience resources, and other funds of the LDRO;
- d. Recommend to the *Sangguniang Panglungsod* or *Bayan*, as the case may be, the enactment of ordinances to implement the LDRP, NDRF, relevant national Investment plans, and the provisions of this Act;
- e. Prepare and submit to the Department a report on the utilization of its Local Disaster Resilience Fund and other disaster risk reduction and management resources;
- f. Establish and maintain, in coordination with the Department, an information management system within the LGU, which, among others, consolidates and includes local risk information (such as natural hazards, profile of the LOU's vulnerable or marginalized groups), local risk maps, and a disaggregated database of human resource, equipment, services, resources, directories and location of critical infrastructures with their capacities (such as hospitals and evacuation centers);

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

***Sec. 19. Powers and Functions of the Provincial/ Disaster Resilience Offices.*** — The Provincial Disaster Resilience Offices (PDRO) shall have the following powers and functions:

- a. Formulate and implement, in close coordination with the Department and the local government units under the jurisdiction of the provincial government, a comprehensive and integrated Provincial Disaster Resilience Plan in accordance with the NDRF;

- b. Review the LDRPs of cities and/or municipalities within its jurisdiction, and require the amendment of such LDRPs if necessary, to ensure compliance with the Provincial DRP and the NDRF;
- c. Design, program, coordinate, or implement disaster resilience activities consistent with the standards and guidelines provided by the Department, and implement the NDRF and the relevant national investment plans at the provincial level;
- d. Prepare and submit to the *Sangguniang Panlalawigan*, the Provincial DRP, the proposed programming of the province's Local Disaster Resilience Fund, other dedicated disaster resilience resources, and other funding sources of the PDRO;
- e. Recommend to the *Sangguniang Panlalawigan* the enactment of local ordinances to implement the Provincial LDRP, NDRF and relevant national investment plans at the provincial level, and to comply with other requirements of this Act;
- f. Prepare and submit to the Department, a report on the utilization of the province's Local Disaster Resilience Fund and other disaster risk reduction and management resources;
- g. Establish and maintain, in coordination with the Department, a Provincial Command and Control Center (PCCC), which includes, among others, an information management system at the provincial level, which consolidates and integrates information from the cities and/or municipalities within its jurisdiction, a multi-hazard early warning and communications system that is connected with the cities and/or municipalities within its jurisdiction, and a monitoring system that enables the PDRO to oversee, supervise, monitor and respond to the needs of cities and/or municipalities within its jurisdiction in relation to disaster resilience activities;
- h. Recommend to the Provincial Governor the procurement of emergency works, goods, and services in compliance with the regulations, orders, and policies of DBM and GPPB, to implement the provincial LDRP or support early recovery and post-disaster activities of the PDRO;
- i. Recommend, in coordination with the DOF, to the Provincial Governor to access foreign loans to finance its policies, programs, projects, and activities for disaster preparedness, response, recovery, and rehabilitation, subject to terms and conditions agreed upon by the Provincial Government and the lender;
- j. Formulate and establish mechanisms to mobilize and direct LDROs within its jurisdiction as necessary for disaster preparedness and response at the provincial level;

- k. Coordinate and provide the necessary support or assistance to the Department in the implementation of rehabilitation plan(s) within the cities and/or municipalities covered by the PDRO; and
- l. 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. 20. Service continuity of the Department.** — To ensure service continuity, the Department and its regional and attached offices shall be established in a reason by resilient location; and/or undertake the necessary interventions to make its offices and systems disaster- resilient.

(Sec. 21). *Assistance to Bangsamoro Autonomous Region in Muslim Mindanao* - The National Government, thru the Secretary of Disaster Resilience, and the Bangsamoro Autonomous Regional Government shall create an inter-governmental mechanism for humanitarian relief assistance in the BARMM during times of natural disasters.

## ARTICLE V

### WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH

**Sec. 21. Synergy with Stakeholders** — The Department shall ensure seamless synergy and coordination with stakeholders, including national government agencies, local government units, government-owned or -controlled corporations (GOCCs), CSOs, the academe, and the private sector, in relation to disaster resilience programs and projects and the development and promotion of research, education, and training mechanism. The Department shall establish a platform, paradigm, and mechanisms for convergence and coordination with stakeholders, including the development of standards, protocols, and procedures for seamless collaboration for disaster resilience.

**Sec. 22. Establishment of Multi-Stakeholders Convergence Unit.** — The Department, with the assistance of other relevant government agencies and stakeholders, shall establish a Multi-Stakeholders Convergence Unit (MSCU), which shall closely engage the private sector, CSOs, academe, and other non-government stakeholders and strengthen public-private collaboration towards disaster resilience by way of the following interventions, among others:

- a. Implementation of business continuity practices to ensure the continued delivery of products and services, in the event of disasters;

- b. Crafting and implementation of a National Continuity Policy to ensure government service continuity during and after emergencies and disasters, and ensure the quick return of government to full operations;
- c. Establishment, incorporation, and application of business continuity plans as part of the LDRPs of LGUs;
- d. Facilitation or assistance in obtaining and/or processing incentives for the private sector and other non-government stakeholders, such as but not limited to tax credits;
- e. Preparation and facilitation of the issuance of special rules for Micro, Small, and Medium Enterprises (MSMEs) such as, but not limited to, mechanisms involving procurement and liquidity to create enabling environments for disaster preparedness, recovery and building forward better; and
- f. Formulation of investment programs for disaster affected areas in partnership with the private business sector and civil society organizations. The MSCU shall establish a platform that includes, among others, a database for monitoring and coordinating efforts and resources of stakeholders.

***Sec. 23. Roles and Responsibilities of Stakeholders.*** — The commitment, good will, knowledge, experience and resources of relevant stakeholders are critical to realize a safer, adaptive, resilient and inclusive Filipino community. Citizens have the share vision and duty to provide support to the State in the implementation of policies and programs, particularly the Disaster Resilience Framework and Disaster Resilience Plan at the national, regional and local levels.

- a. Civil society, non-governmental organizations, international non-governmental organizations, private sector, practitioners, and volunteers shall participate, in collaboration with public institutions, in the exchange of information, learnings, and guidance on disaster resilience. The Department shall encourage and institutionalize their engagement in the implementation of local, regional, national, and global plans and strategies: enhance public awareness and promote a culture of disaster resilience;
- b. The women, children, and youth, as agents of change, shall endeavor to contribute actively and participate in disaster resilience trainings and information dissemination;
- c. Senior citizens, and persons with disabilities shall contribute their knowledge and experience on disaster preparedness and resiliency;
- d. Indigenous peoples and Muslim Filipinos shall share their traditional knowledge and practical experience on disaster resiliency;

- e. Urban and rural poor, and migrants shall participate in building resilient resettlement communities;
- f. Emergency responders and volunteer organizations shall contribute to resilience by promptly and efficiently responding to disasters and emergencies consistent with the policies of the Research, Education and Training Institute of the Department;
- g. Academia, scientific and research entities, and networks are encouraged to undertake relevant research on disaster resiliency in partnership with the Department and other stakeholders for better decision-making;
- h. The private sector is encouraged to integrate disaster resiliency projects and programs in their corporate social responsibility initiatives; and
- i. The media shall provide prompt and accurate information to the public on early warning systems, natural hazards, and disaster resilience activities of the Department.

**Sec. 24. Disaster Resilience Assembly.** — The Department, with the assistance of RDOs, shall establish and convene a Disaster Resilience Assembly (DRA), at the regional and national level, which will be held on a semestral basis, or as frequently as necessary to ensure the proactive engagement of the relevant government and non-government stakeholders, such as the Union of Local Authorities of the Philippines (ULAP), League of Municipalities of the Philippines (LMP), CSOs, academe, DRRM practitioners, the private sector, and the national government agencies, among others to ensure effective collaboration towards achieving the goals of this Act.

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

**Sec. 25. Inter-operability of Systems.** — The Department shall establish mechanisms to ensure the inter-operability of systems among government agencies, and to allow access of agencies to the IDRIS (Integrated Disaster Resilience Information System). It shall develop protocols to allow real-time access to information by government agencies in relation to natural disasters and the implementation of disaster resilience measures.

**Sec. 26. National organization of a Local Disaster Resilience Officers.** — There a national organization of all local disaster resilience officers for the primary of:

- a. Developing capacity, and exchanging knowledge, experiences, and best practices concerning local government disaster resilience;
- b. Fostering inter-operability of the local disaster resilience offices' systems;

- c. Facilitating inter-LGU cooperation and collaboration;
- d. Providing inputs and feedback to the Department on resilience concerns at the local level; and
- e. Enhancing synergy in other areas of common concern.

## ARTICLE VI

### MAINSTREAMING, INTEGRATION AND CONVERGENCE OF DISASTER RISK REDUCTION

***Sec. 27. Integration of DRR and Climate Change Adaptation in the National Disaster Resilience Framework and Disaster Resilience Plan.*** — The existing NDRRM Framework and Plan, and the National Climate Change Strategic Framework and Plan shall be integrated and harmonized into the NDRF and the NDRPIP. The NDRF and NDRPI shall be reviewed and updated every three (3) years.

***Sec. 28. Ecosystem-Based Approach to Prevention and Mitigation, Rehabilitation and Recovery from Disasters.*** — The Department shall ensure the application of ecosystems-based approaches in disaster risk reduction, particularly through ecosystem management and restoration as defined in this Act, and ensuring that environmental and natural resource policies are risk-informed.

## ARTICLE VII

### NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE COMMAND CENTER, AND RESEARCH AND TRAINING INSTITUTE

***Sec. 29. National Disaster Operations Center.*** — The Department shall establish, within one (1) year from the approval of this Act, and act as the primary operator of, the National Disaster Operations Center (NDOC), Alternative Command and Control Center (ACCCs), and a Disaster Resilience Research and Training Institute (DRRTI).

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

The ACCCs are command centers established in other locations as alternative or to provide supplemental support to the NDOC. The number and location of ACCCs shall be determined

by the Department as may be necessary in each of the country's major island groups. Temporary ACCC may likewise be established by the Department, if necessary.

**Sec. 30. *DRRTI functions and inter-agency knowledge sharing.*** —The DRRTI shall be a platform for providing training, and for collecting, consolidating, managing, analyzing, and/or sharing knowledge and information to improve and/or enhance disaster resilience. The DRRTI shall:

- a. Establish reliable and up-to-date IDRIS through close and seamless collaboration with the Department of Science and Technology (DOST), Department of Information and Communications Technology (DICT), and other appropriate agencies;
- b. Conduct disaster-related research programs, seminars, and trainings for all types of stakeholders;
- c. Consolidate, organize and/or prepare training materials and publications;
- d. Conduct other activities consistent with promoting the formation and dissemination of knowledge and information relating to disaster resilience and disaster management;
- e. Establish a database that includes relevant information from other government agencies and third parties for the department to better prepare and respond to natural hazards including, but not limited to, an inventory of hazardous materials per area; and
- f. Consult and coordinate with, and consolidate information/data from, relevant government agencies, such as, but not limited to, DOST, LGUs and relevant CSOs to enhance the IDRIS and to promote knowledge sharing among all stakeholders.

**Sec. 31. *Compliance and Accreditation of DRRTI with International Standards.*** — The Department shall strive to obtain certification from, and accreditation by, international accreditation bodies of the DRRTI to ensure DRRTI's compliance with international standards. The Department shall likewise ensure collaboration with key countries and international organizations to incorporate best practices on disaster resilience in the Department's policies and programs.

## **ARTICLE VIII**

### **INTEGRATION, MAINSTREAMING DISASTER RESILIENCE INFORMATION, EDUCATION AND COMMUNICATION CONVERGENCE**

**Sec. 32. *Integrated Disaster Resilience Information System.*** — The Department shall establish a National and Regional Information Management System for Disaster Resilience,

which shall be a database of all relevant disaster risk reduction and climate change data, including a geographic information system on geo-hazard assessments and climate risk. It shall be the repository of current and multi-temporal information for wide-scale disaster risk analysis. The IDRIS shall be accessible at all times to the responsible officials and entities to enable the timely, reliable, and accurate collection, processing, analysis, and dissemination of information to support overall decision-making and effective coordination at both the national and sub-national level. The protocols and procedures for this shall be defined in the IRR of this Act.

***Sec. 33. Disaster Resilience Education and Training.*** — To instill a culture of safety and security including emergency preparedness and disaster resiliency, the Department, in partnership with the public and private sectors shall encourage the inclusion of appropriate information on disaster resilience in their various training programs and immersion activities. The Information Education and Communication materials on disaster resilience shall be informative and holistic, gender, culture and disability sensitive using various available platforms.

## ARTICLE IX

### DISASTER RISK TRANSFER, INSURANCE AND INCENTIVES

***Sec. 34. Disaster Risk Transfer Insurance and Social Welfare.*** —

- a. The Department shall oversee all disaster risk-sharing and risk-transfer instruments and other related initiatives to ensure the protection of property and livelihood, both public and private.
- b. The Department, in collaboration with the DOF, BSP, LBP, GSIS, and the Insurance Commission, shall create, establish, and implement, among others, disaster insurance pools, revolving funds, insurance and risk-transfer schemes and/or facilities, and other financial disaster resilience measures to ensure the protection of public and/or private properties and livelihood against the adverse effects of natural disasters. For this purpose, the Department and/or DOF may engage or require the participation of government banks, insurance agencies and financial institutions.
- c. To attain disaster resilience and to achieve the purposes of this Act, the Department shall have the discretion and authority to require government agencies and GOCCs to insure their assets and/or properties such as, among others, vessels, vehicles, equipment, machineries, permanent buildings, properties stored therein, or properties

in transit, against insurable risks and pay the premiums therefor, to compensate the Government and/or GOCC, as applicable, for any damage to, or loss of properties due to a natural disaster.

- d. The Department shall endeavor the local government units to insure primary assets for unforeseen or contingent potential losses, damages and disruption from natural hazards chargeable against their respective Local Disaster Resilience Fund (LDRF).

**Sec. 35. Recognition and Incentives.** —The Department, in partnership with the private sector, shall establish an incentives program that recognizes outstanding performance of LDRO, NGOs, CSOs, schools, hospitals, and other stakeholders in promoting and implementing significant disaster risk reduction management-climate change adaptation programs and innovations, and meritorious acts of individuals, group or institutions during natural.

## **ARTICLE X**

### **PREPAREDNESS AND INTEGRATED EARLY WARNING**

**Sec. 36. Standards for Disaster Preparedness Activities.** —

- a. The Department shall establish standards and protocols for disaster preparedness, contingency planning, localizing and operationalizing disaster risk reduction and management, preparedness for disaster response, preparedness for early recovery, continuity of essential services, and other relevant preparedness activities.
- b. The LGUs shall identify safe and strategic sites, and establish evacuation centers with appropriate and adequate facilities in accordance with government-approved standards as provided under Republic Act No. 10821, otherwise known as "The Children 's Emergency Relief Protection Act", to avoid disruption of school classes and lessen the use of school buildings and facilities as evacuation centers.

The LGUs shall immediately compensate said schools used as evacuation centers. The schools may seek compensation for renovation, replacement, or repairs aged facilities for such use.

**Sec. 37. Multi-Hazard Early Warning and Risk communication Standards.** —

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

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

***Sec. 38. Ealy Warning Mandate —***

- a. The Department shall issue an integrated early warning alert for the impending occurrence of hazards that will enable the public to prepare timely and act appropriately to minimize potential harm or loss.
- b. The Department shall require mobile phone service providers to send out alerts at regular intervals in the event of an impending natural hazard, in accordance with Republic Act Nor10639, otherwise known as the "Free Mobile Disaster Alerts Act".
- c. The Department shall recognize and proactively support local or indigenous modes of early warning systems and allow open access to near real-time data from both local and international sources made available through various platforms such as websites, mobile apps, and social media to empower local communities and individuals.
- d. Any person who transmits early warning concerning the abovementioned phenomena by means of signs in designs, colors, lights, or sound shall do so in compliance with the methods recognized or approved by the Department.
- e. The Department at the national and local level shall use an integrated early warning system to ensure it is consistent and locally contextualized with the communication protocol and safe evacuation procedure of the affected communities.
- f. The Department shall work with other agencies or organizations on pre-crisis information mapping of the humanitarian needs of at-risk Communities that will enhance the overall prepositioning of resources at the national and local level.
- g. The Department shall recognize and proactively support local or indigenous modes of early warning systems and allow open access to near real-time data from both local and international sources made available through various platforms such as websites, mobile apps, and social media to empower local communities and individuals.

**ARTICLE XI**

**DISASTER RESPONSE AND EARLY RECOVERY**

**Sec. 39. Declaration of State of Calamity.** — The Department shall declare a cluster of barangays, municipalities, cities, provinces, and regions under a state of calamity, and the lifting thereof, based on the criteria set by the Department.

The declaration and lifting of the state of calamity may also be issued by the local Sanggunian, upon the recommendation of the LDRO, based on the results of the damage assessment and needs analysis: Provided, That through the Department, the LDRO may seek from the local legislative body or Sanggunian, the declaration of a state of imminent disaster to enable the local executives to implement pre-emptive evacuation and precautionary measures in order to save lives and minimize damage to property, loss and disruption of livelihood that require the use of funds and resources under the LDRF.

**Sec. 40. Levels of Responsibility for Disaster Preparedness and Response.** — The primary responsibility for disaster preparedness and response shall be exercised at the local or national level, as applicable, in close and seamless collaboration with the relevant national government instrumentalities, non-government stakeholders, and international partners. The four levels of responsibility and the conditions that warrant each are as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1: City or Municipality	Lead Official: Mayor of the affected city or municipality  Support: City or Municipal Disaster Resilience Officer	If a disaster affects a single city or municipality.
Level 2: Province	Lead Official: Provincial Governor of the affected province  Support: Provincial Disaster Resilience Officer Municipal and/or City Disaster Resilience Officers concerned	If a disaster affects two or more municipalities and/or cities within a province

Level 3: Region	<p>Lead Official: Regional Director, DDR</p> <p>Support: Governors of affected provinces Concerned Provincial Disaster Resilience Officers</p>	
Level 4: National	<p>Lead Official: Secretary of Disaster Resilience (SDR)</p> <p>Support: Governors concerned Disaster Resilience Officers concerned</p>	<p>a. If a disaster affects at least two (2) regions;</p> <p>b. When the LGU is unable to effectively cope with the risk and/or impact of a hazard; or</p> <p>c. When the President directs a Level 4 response or declares a state of calamity)</p>

**Sec. 41. Disaster Preparedness and Response in the NCR.** —When at least two cities and/or municipality in the NCR are affected, the SDR shall be responsible for leading the disaster preparedness and response efforts, in collaboration with the affected LGUs, the MMDA, and the concerned government instrumentalities and non-government stakeholders.

**Sec. 42. Inter-Local Government Assistance.** — LGUs are hereby authorized to extend the necessary assistance to another LGU, whether through funding or donation of goods and/or services, and conducting disaster preparedness and response operations, to help save lives and minimize damage to property. These include the pre-positioning and provision of basic goods, training of first responders, among others subject to the accounting and auditing rules to be defined in the IRR of this Act.

**Sec. 43. Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector.** — The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their

respective personnel complement and logistical requirements in the delivery of disaster risk reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the list of volunteers to the Department, through the LDROs, for accreditation and inclusion in the database of community disaster volunteers.

A national roster of Accredited Disaster Resilience Volunteers and Institutions, National Service Reserve Corps, CSOs and the private sector shall be maintained by the Department through the LDROs. Accreditation shall be done at the municipal or city level.

The mobilization of volunteers shall be in accordance with this Act and implementing guidelines to be formulated by the Department. Any volunteer who incur death or injury' while engaged in any of the activities defined under this Act shall be entitled to compensatory benefits and individual personnel accident insurance as m y be defined in the IRR.

***Sec 44. Reporting of Humanitarian Assistance.*** — The concerned local government unit shall submit a report to the Department, taking into account all dome tic or international humanitarian assistance received and distributed within its area of responsibility.

## ARTICLE XII

### HUMANITARIAN ASSISTANCE

***Sec. 45. Management of Humanitarian Assistance.*** —

- a. The Department shall have the power to receive and manage humanitarian assistance from any person or entity, whether from local or international sources.
- b. The importation by, and humanitarian assistance to, the Department of, among others, food, clothing, medical assistance, equipment, and materials for relief, recovery and other disaster management activities are hereby authorized in accordance with Section 105 of the Tariff and Customs Code of the Philippines, as amended, and the prevailing provisions of the General Appropriations Act covering national internal revenue taxes and import duties of national and local government agencies.

***Sec. 46. International Humanitarian Assistance.*** — The Department shall promulgate guidelines on international humanitarian assistance, including the initiation, entry, facilitation, transit, regulation and termination thereof, as well as those involving international disaster relief and personnel assisting international actor, visa waiver, recognition of foreign

professional qualifications, entry of international disaster goods and equipment, and exemption from port duties, taxes, and restrictions.

***Sec. 47. Assessment of the Need for International Humanitarian Assistance —***

- a. Immediately after the declaration of a state of calamity by the local sanggunian of the relevant local government unit or by the Department, as the case may be, the Department shall determine whether domestic capacities are likely to be sufficient to attend to the needs of affected persons for international humanitarian assistance. This determination may also be made, at the discretion of the President, prior to the onset of an imminent disaster.
- b. In the event of a determination by the Department that domestic response capacities are not likely to be sufficient due to the impact of the disaster, the Department shall recommend to the President that a request be made for international humanitarian assistance.
- c. A determination that domestic capacities are likely to be sufficient and that international humanitarian assistance is therefore unnecessary may be reviewed and rescinded by the Department, with the approval of the President, at any time, in light of prevailing circumstances and available information.

***Sec. 48. Humanitarian Assistance Action Center.*** — The Department shall create an inter-agency one-stop shop mechanism called the Humanitarian Assistance Action Center (HAAC) for the processing and release of entry and facilitation of goods, articles or equipment and services and international relief workers for the provision of international humanitarian assistance and the processing of necessary documents for assisting international actors.

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

- a. Bureau of Customs;
- b. Department of Foreign Affairs;
- c. Department of Social Welfare and Development;
- d. Department of Health;
- e. Food and Drug Administration;
- f. Department of Agriculture;
- g. Department of Energy;
- h. Department of National Defense;
- i. Philippine National Police;

- j. Philippine Coast Guard; and
- k. Bureau of Immigration.

***Sec. 49. Request for International Humanitarian Assistance. —***

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

***Sec. 50. Regulation of Humanitarian Assistance. —***

- a. The Department shall ensure the efficient and effective monitoring of humanitarian assistance from domestic or international donors, establish and operate a platform, including an online platform, to facilitate, and provide public access to information on donations.
- b. The Department shall include in the IRR of this Act guidelines and accountabilities on the receipt, management, distribution, accounting, and reporting of all humanitarian assistance, whether in cash or in kind, consistent with the rules on the use of foreign and local aid during calamities and disasters issued by the COA and other relevant government agencies.

**ARTICLE XIII**

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

***Sec. 51. Offer and Facilitation of International Humanitarian Assistance to Foreign States.***

- In the event of a disaster occurring in a foreign state for which international humanitarian assistance is required, the Department, in coordination with the DFA, may offer, facilitate, provide, and deploy international humanitarian assistance to said foreign state, which shall be subject to guidelines to be promulgated by the Department for the purpose.

***Sec. 52. Accreditation.*** - The Department, in coordination with relevant government agencies and organizations, shall provide and facilitate the necessary training and accreditation to the

respective government personnel to be deployed for such offer, facilitation and provision of international humanitarian assistance to a foreign state.

## **ARTICLE XIV**

### **RECOVERY**

**Sec. 53. Standards for Recovery.** — The Department shall observe internationally accepted standards for recovery, planning, programming and implementation of the recovery process. Towards this end, the Department shall:

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

## **ARTICLE XV**

### **REMEDIAL MEASURES UNDER STATE OF CALAMITY**

**Sec. 54. Declaration of State of Calamity.** —A state of calamity may be declared when any of the following requisites are present:

- a. A natural hazard, including climate change, poses imminent threat to human life and/or danger to property; or
- b. A significant impact is caused by a natural hazard or climate change, which demands immediate action.

The following shall exercise this power, respectively:

- a. The President, upon recommendation of the SDR, whether in whole or part of an area;

- b. The SDR, upon recommendation of the RDRO, for disasters covering two or more provinces of the same region; and
- c. The local sanggunian, upon recommendation of the concerned local disaster resilience office, within its jurisdiction.

**Sec. 55. Remedial Measures under State of Calamity.** — Upon the declaration of a state of calamity, the following remedial measures shall be immediately undertaken by concerned government agencies at the national and local levels:

- a. Imposition of price ceiling on basic necessities and prime commodities by the Price Coordinating Council (PCC), as provided for under Republic Act no. 7581. otherwise known as the "Price Act", as amended by Republic Act no. 10623;
- b. Monitoring, prevention and control by the Local Price Coordination Council of overpricing or profiteering and hoarding of prime commodities, medicines and petroleum products;
- c. Programming or reprogramming of funds for the repair of critical facilities or public infrastructures that are vital for the quick delivery of humanitarian assistance, to reduce further threat to lives and arrest further deterioration of properties and loss of livelihoods in the affected communities, following the "build forward better" principle;
- d. Grant of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals;
- e. Local tax exemptions, incentives or reliefs under such terms and conditions as may be deemed necessary by the affected local government unit; and
- f. Use of alternative modes of procurement under Article XVI of this Act, by the Department, LGUs or the relevant government instrumentalities in relation to the urgent procurement of emergency works, goods or services to effectively respond to, quickly recover from disasters, and build forward better.

## **ARTICLE XVI**

### **PROCUREMENT**

**Sec. 56. Procurement.** — In general, the procurement rules provided Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", shall apply. However, alternative modes of procurement as provided in this Act may be resorted to by the Department, RDROs, or LGUs in any of the following emergency situations:

- a. There is imminent danger to life or property during a state of calamity, as provided under this Act, and the procurement is necessary to avert or reduce such danger to life or property;
- b. The procurement is necessary to restore vital public services, infrastructure facilities and other public utilities; or
- c. Time is of the essence in implementing a project, program or activity to effectively respond to a disaster and save lives; or
- d. There are other circumstances that require immediate procurement necessary to prevent damage to or loss of life or property.

***Sec. 57. Alternative Modes of Procurement***— During emergency situations as provided under this Act, the Department, RDROs or LGUs may resort to the following mode of procurement:

- a. Direct negotiation under Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", and its implementing rules and regulations;
- b. Simplified or pre-arranged contracts such as, among others, pre-signed agreements, stand-by contracts, prearranged systems of procurement with a pre-approved list of contractors for construction projects, pre-negotiated contracts, advanced procurements contracts, and framework contracts. The parameters, requirements and conditions for these types of contracts shall be defined in this Act is IRR.

***Sec. 58. Special Rules on Procurement for Reconstruction and Rehabilitation of Affected Areas.*** —

- a. The Department, with the assistance of, or in collaboration with, relevant government agencies, shall create special rules on procurement for services, goods, and materials to be used for reconstruction and rehabilitation efforts in case of a natural disaster, including but not limited to, the construction of post-disaster shelters and provision of service contracts, to ensure the procurement of quality-oriented goods, materials, and equipment and to guarantee effective, efficient, and speedy procurement to achieve the goals of this act.
- b. In case of procurement of services, goods, or materials for reconstruction and rehabilitation efforts, whether from local or international sources, the Department and the relevant government agencies shall provide less bureaucratic restrictions, more flexible procurement policies, or exemption from, or reduction of, customs duties.

**Sec. 59. Procurement from Qualified Suppliers or Contractors.** — As an exception to the provisions of Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", and its implementing rules and regulations, the Department shall have the power to procure goods and services from either local or foreign suppliers or contractors for purposes of implementing programs, projects, and activities related to disaster resilience and disaster management. The conditions, limitations, application processes, eligibility requirements and assessment criteria for local and foreign suppliers and contractors shall be provided in this Act's IRR.

**Sec. 60. Pre-Arranged Contracts or Agreements with Private Sector Entities.** — Notwithstanding Republic Act No. 9184, otherwise known as the "Government Procurement Reform Act", the Department shall have authority to enter into pre-arranged or contingency contracts or agreements with private sector entities for the purpose of, among others, establishing, a logistics system for the efficient and prompt distribution of goods, equipment or other materials required for disaster response and management; securing food, medicines, fuel, or other supplies from groceries, pharmacies, gas stations or other sources in the event of a disaster in a specific area; ensuring an alternative source of power or water from private utilities in the event of a disaster in a specific area; or other arranging the immediate supply of other goods, services or equipment necessary for disaster response and management. The conditions, limitations and parameters of contracts or arrangements authorized under this Section shall be provided in this Act's IRR.

**Sec. 61. Other Procurement Rules and Policies.** — In view of the urgency and to avoid unnecessary delays to procure goods, services, and implement projects for the purpose of providing responsive, effective, and efficient rescue, recovery, relief, and rehabilitation efforts for, and to continue the provision of basic services to, disaster victims or disaster affected areas, the DBM and GPPB shall issue appropriate resolutions, orders, and policies to effectively implement the provisions of this Act.

**Sec. 62. Government Accounting and Auditing Policies.** — The COA shall review, align, and issue policies or rules to improve the efficiency and expediency of procurement and audit processes for programs and projects related to disaster resilience and management.

## ARTICLE XVII

### SPECIAL RULES ON BORROWINGS AND TAXES

**Sec. 63. Rules on Borrowing.** — The LGUs shall access foreign financing, through the DOF, Bangko Sentral ng Pilipinas (BSP), and other relevant agencies, as applicable, to implement disaster prevention, mitigation, early recovery, and rehabilitation measures at the provincial, city, or municipal level.

**Sec. 64. Special Rules on Tax and Duties.** — To facilitate prompt, efficient and effective response to, recovery from disasters, and building forward better in disaster-affected areas, the following shall be granted special exemptions from existing taxation laws, rules, and regulations:

- a. Exemption from taxes and import duties for foreign disaster assistance or international donations coursed through the Department;
- b. Exemption from donor's tax and allowing the treatment of donations as a deductible expense for local disaster assistance coursed through the Department;
- c. Exemption from the Value Added Tax (VAT) for goods or services donated from abroad as coursed through the Department;
- d. Tax incentives to encourage members of the private sector to render aid or provide disaster assistance, and/or to invest in disaster resilience and climate change adaptation and mitigation measures for their residences, communities and/or businesses.

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

**Sec. 65. Customs Duties and Tariffs on Donations.** — The BOC shall create rules that would, among others, hasten the processing and release of donated goods and equipment to disaster victims and/or affected areas.

**Sec. 66. Economic Recovery and Development of Disaster-Prone Areas.** —The Department, in coordination with the Department of Trade and Industry (DTI) and other relevant agencies, shall craft policies, and implement the necessary programs and projects to stimulate economic activities and encourage investments to assist disaster-affected areas develop or recover faster, as applicable.

The Department, in collaboration with the relevant LGUs and other stakeholders, shall likewise establish dual purpose structures in disaster-affected area, such as, among others. community

agricultural centers, classrooms, and water harvesting tanks to develop and promote investments in disaster-prone or affected areas.

## **ARTICLE XVIII**

### **PROHIBITED ACTS AND PENALTIES**

**Sec. 67. Prohibited Acts.** — Any public official, private person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the criminal and administrative penalties as provided for in Section 71 of this Act, without prejudice to the imposition of other criminal, civil and administrative liabilities under existing laws.

- a. **Prohibited Acts of Public Officials.** - The following acts, if committed by public officials without justifiable cause, shall be considered as gross neglect of duty:
  1. Dereliction of duties that leads to destruction, loss of lives, critical damage of facilities and misuse of funds;
  2. Failure to enforce laws, standards, or regulations such as the National Building Code, Solid Waste Management Act, Water Code, and other relevant laws, leading to destruction, loss of lives, and/or critical damage of facilities;
  3. Failure to create a functional LDR Office within six (6) months from the approval of this Act;
  4. Failure to appoint a permanent local disaster resilience officer within six (6) months from approval of this Act;
  5. Failure to prepare and implement a Contingency and Adaptation Plan for hazards frequently occurring within their jurisdictions;
  6. Failure to formulate and implement the LDRP with the corresponding budget allocation; and
  7. Sexual exploitation and abuse and other forms of sexual misconduct on the affected population or at-risk communities.
- b. **Prohibited Acts of Public Officials and Private Persons or Institutions.** —
  1. Delay, without justifiable cause in the delivery, proper handling or storage of aid commodities, resulting to damage or spoilage;
  2. Withholding the distribution of relief goods due to (i) political or partisan considerations; (ii) discrimination based on race, ethnicity, religion, or gender; and (iii) other similar circumstances;

3. Preventing the entry and distribution of relief goods in disaster-stricken areas. including appropriate technology, tools, equipment, accessories, disaster teams or experts;
4. Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other and commodities, which are intended for distribution to disaster-affected communities;
5. Buying, for consumption or resale, from the recipient disaster affected persons any relief goods, equipment or other aid commodities received by them;
6. Selling of relief goods, equipment or other aid commodities, which are intended for distribution to disaster victims;
7. Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;
8. Diverting or misdelivery of relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;
9. Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended for nor consigned to him or her;
10. Misrepresenting the source of relief goods, equipment or other aid commodities by:
  - i. Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;
  - ii. Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency person, or persons; and
  - iii. Making false verbal claim that the goods, equipment or other and commodity in its untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency, person, or persons;
11. Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;
12. Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the Department;

13. Deliberate use of false at inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects;
14. Stealing, taking, or processing of any of the equipment, accessories and other vital facility or items or any part thereof;
15. Selling or buying stolen equipment, accessories, and other vital facility items or any part thereof;
16. Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia;
17. Attempting to commit any of the abovementioned prohibited acts; and
18. Benefitting from the proceeds or fruits of any of the abovementioned prohibited acts knowing that the proceeds or fruits are derived from the commission of said prohibited acts.

**Sec. 68. Penalties.** — Any individual, corporation, partnership, association or other juridical entity that commits any of the prohibited acts in the preceding section shall be made liable for the following:

- a. The penalty of imprisonment of not less than twelve (12) years but not more than fifteen (15) years or a fine of not less than One Million Pesos (Php 1,000,000.00) but not more than Three Million Pesos or both imprisonment and fine at the discretion of the court shall be imposed upon any person found guilty of violating subsections (a)(1) to (b)(16) of the preceding section, as well as the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of the prohibited acts;
- b. The penalty of imprisonment of not less than six (6) years but not more than eight (8) years or a fine of not less than Five Hundred Thousand Pesos (Php 500,000.00) but not more than One Million Pesos (Php 1,000,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person who attempts to commit any of the prohibited acts in the preceding Section, in violation of Subsection (b)(17) thereof;
- c. The penalty of imprisonment of not less than two (2) years but not more than six (6) years or a fine of not less than Two Hundred Thousand Pesos (Php 200,000.00) but not more than Five Hundred Thousand Pesos (Php 500,000.00), or both imprisonment and fine at the discretion of the court, shall be imposed upon any person found guilty of

- unlawfully benefiting from the proceeds or fruits of any of the prohibited in the preceding section, in violation of subsection (b)(18) thereof;
- d. Aside from the penalty of fine or imprisonment or both, perpetual disqualification from public office shall be imposed if the offender is a public officer, along with the confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in the commission of any of the prohibited acts in the preceding section;
  - e. If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association or entity responsible for the violation without prejudice to the cancellation or revocation of these entities' registration, license or accreditation issued to them by any licensing or accredited body of the government. If such offender is an alien, he or she shall, in addition to the penalties prescribed in this act, be deported without further proceedings after service of sentence;
  - f. Payment of the full cost of repair or replacement of the government risk reduction and preparedness equipment, accessories and other vital facility items, or any part thereof; which is the object of the crime shall likewise be imposed upon any person who shall commit any of the prohibited acts in the preceding Section; and
  - g. The prosecution for offenses set forth under the preceding section shall be without prejudice to any criminal liability for violation of Republic Act No. 3815, as amended, otherwise known as the "Revised Penal Code", and other existing laws, as well as the imposition of applicable administrative or civil liabilities.

***Sec. 69. Liability for Unlawful Performance of Duties and State Liability in case of Defense Litigation.*** — In case a lawsuit is filed against any personnel of the Department as a result of the performance of his or her duties, and such performance was found to be lawful, or she shall be reimbursed by the Department for reasonable costs of litigation. For this purpose, the Department is authorized to procure applicable liability insurance for its officers and employees.

***Sec. 70. Disciplinary Powers of the President.*** —The President, subject to the recommendation of the Department Secretary and the Department of the Interior and Local Government (DILG), shall have the power to impose administrative sanctions against local chief executives and barangay officials for willful or negligent acts that relate to the implementation of, or compliance with, this Act and its IRR or relating to their official functions, which adversely

affect disaster resilience projects such as, but not limited to, delayed issuance of permits or failure to implement local ordinances.

## ARTICLE XIX

### DISASTER RESILIENCE FUND

**Sec. 71. Appropriations and Management of Disaster Resilience Fund.** — The budget of the Department shall be composed of the following, which shall be collectively called the Disaster Resilience Fund:

- a. Annual General Appropriations - shall provide the funding requirements for, among others, research, operations, maintenance, plans, and programs of the Department of Disaster Resilience, including, but not limited to, establishment of evacuation centers, retrofitting of structures, establishment of emergency operating centers, and implementation of other disaster risk reduction projects.
- b. Disaster Contingency Fund - shall be in a lump-sum form to provide funds in case of imminent hazards or actual disasters for, among others, immediate response, relief and quick recovery measures for disaster affected areas.
- c. Rehabilitation and Recovery Fund - shall provide the funding requirements for rehabilitation and/or reconstruction projects of disaster affected areas such as public classrooms, government buildings, public hospitals, permanent shelters and livelihood programs.

The Disaster Resilience Fund shall be managed by the Department to finance its operations, and disaster risk reduction, disaster preparedness, response, recovery, rehabilitation and building for-ward better programs, projects and activities formulated at the national level.

**Sec. 72. Continuing Appropriations.** — The unutilized balances from the Disaster Contingency Fund, and Rehabilitation and Recovery Fund shall be treated as Continuing Appropriations, which may be used to finance the cost of projects, programs, and/or activities even when such costs are incurred beyond the fiscal year of the GAA from which such funds were appropriated.

**Sec. 73. Fund Regulations.** — The DBM and COA shall establish rules and regulations that apply specifically to the Disaster Resilience Fund to ensure that funds required for disaster response, recovery, and rehabilitation are available and/or released efficiently and expeditiously through innovative budgeting and auditing mechanisms, which may include, among others, providing for longer validity periods for funds and/or exemption from cash-

based budgeting rules; imposing auditing or reporting requirements, which apply specifically to the utilization of the Disaster Resilience Fund.

**Sec. 74. Local Disaster Resilience Fund and Local Disaster Contingency Fund.** — LGUs shall annually set aside not less than ten percent (10%) of their local budget, to constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to maintain and operate its local disaster resilience office to maintain its officers, employees and staff, and to implement plans, programs and activities under its LDRP. Thirty percent (30%) of the LDRF shall be set aside as Local Disaster Contingency Fund (LDCF), which shall be used for disaster response and quick recovery measures. Nothing contained in this Act shall prevent LGUs from providing additional funding or allocating additional resources for disaster resilience activities, plans and programs within their jurisdiction.

**Sec. 75. Supplemental LDRF** — The Department may allocate and disburse funds to supplement an LGU's LDRF based on the parameters and requirements indicated in the IRR. In determining such parameters and requirements, the IRR shall aim to provide supplemental funds to LGUs with low income and/or high exposure to natural hazards. Supplemental LDRFs shall, as much as possible, fill gaps or shortages in LG resources to ensure that LGUs can implement disaster resilience measures such as, among others, implementing their LDRP/Provincial LDRP, establishing their local disaster resilience offices, obtaining and/or maintaining the necessary equipment and staff of their local disaster resilience offices, and implementing the NDRF and at the local levels.

**Sec. 76. People 's Survival Fund** — The Department shall manage and administer the People's Survival Fund, created under Republic Act no. 10174, and facilitate its utilization by LGUs, through RDROs, to implement climate change adaption and mitigation projects of LGUs and enhance the climate resilience of vulnerable communities.

**Sec. 77. Multi-Donor Trust Fund.** —The Department shall create and manage, together with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing, releasing and accounting of money and other similar resources intended for disaster assistance. The Department shall establish a system to ensure transparency in the management and use of the Multi-Donor Trust Fund.

**Sec. 78. Financial Administration.** — The Department shall manage all finds appropriated to it by Congress and received from other sources. The Department shall also manage all donations

received by it, subject to the auditing powers of the COA To fund its operations, the Department shall have the power to collect fees derived from the DRRTI and other related activities.

## ARTICLE XX

### SPECIAL COURTS AND INJUNCTIONS

**Sec. 79. Special Courts on Disaster Resilience Matters** —To ensure the prompt and expeditious resolution of disputes relating to disaster response, recovery or rehabilitation measures, the Supreme Court shall designate special courts to hear, try, and decide cases arising from the following, among others:

- a. Expropriation, eminent domain or right-of-way issues related to the implementation of disaster resilience projects;
- b. Failure to comply with standards for disaster risk reduction and continuity planning, including, but not limited to, infrastructure standards and designs;
- c. Commission of prohibited acts under Article XVIII of this Act; and
- d. Disputes involving donations, relief goods, or contracts executed or implemented pursuant to the provisions of this Act.

**Sec. 80. Dispute Resolution Mechanisms.** — The Department shall establish a Disaster Resolution Board, which shall resolve disputes involving administrative matters related to:

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

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

**Sec. 81. Imposition of Temporary Restraining Order.** — No Court, except the Supreme Court, shall have the power to issue an injunction or a temporary restraining order against any action taken or projects implemented by the Department or its agents pursuant to this Act.

## ARTICLE XXI

### FINAL PROVISIONS

**Sec. 82. *Transfer of Functions.*** —The following are hereby transferred to the Department:

- a. All the functions of the Climate Change Commission (CCC);
- b. Natural disaster-related functions of the National Disaster Risk Reduction and Management Council (NDRRMC) and the Office of Civil Defense (OCD); and
- c. Natural disaster-response functions of the Department of Social Welfare and Development (DSWD).

Accordingly, the CCC and NDRRMC are hereby abolished. The DILG, DND, DSWD, and other relevant government instrumentalities, including the AFP, BFP, PNP, PCG, and OCD, shall continue to perform their functions related to the management of human-induced disasters, as provided by existing laws.

**Sec. 83. *Transfer of Resources.*** —The transfer of powers and functions listed above shall include the corresponding funds and appropriations, *plantilla* positions, data, records, equipment, facilities, properties and other resources of the concerned government instrumentalities. The Department shall have the power to reorganize or reallocate these resources and positions, as may be necessary to attain the goals and objectives of this Act.

**Sec. 84. *Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area.*** — The Program Management Office for the Earthquake Resiliency of the Greater Metro Manila Area (PMO-ERG), as created pursuant to and mandated by Executive Order no. 52, s. 2018, shall be attached to the Department and he authorized to implement earthquake resiliency programs, projects, and activities, as it may deem necessary to carry out its mandate and attain its overall goals, The Head of the PMO-ERG shall report directly to the SDR.

**Sec. 85. *Post-Disaster Shelters*** — The Department shall establish a post-disaster shelter recovery policy framework for low-income/informal settler families, with the assistance of the appropriate housing agencies and the applicable LGUs. It shall determine, among others, the appropriate shelter modalities depending on the following phases: emergency, temporary or transitional, and permanent. The Department shall likewise identify, assess, and decide on safe zones for the implementation of recovery or rehabilitation projects.

**Sec. 86. Cultural Heritage.** —To protect, preserve, and promote the nation's historical and cultural heritage, the Department shall assist the relevant cultural and heritage agencies and the appropriate LGUs to give priority protection and restoration to all national cultural treasures or national historical landmarks, sites, or monuments in post-disaster recovery or rehabilitation measures.

**Sec. 87. Indigenous People.** — The Department, with the assistance of the National Commission on Indigenous Peoples (NCIP) and the applicable LGUs, shall devise and implement mechanisms that foster social protection for indigenous communities that are vulnerable to the effects of natural disasters.

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

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

**Sec. 88. Incentives Program.** —The Department shall establish an incentives program that recognizes the outstanding promotion and implementation by local disaster resilience offices, CSOs, academe, and other institutions of disaster resilience programs and/or projects, and the meritorious acts of individuals or entities during natural disasters.

**Sec. 89. Structural Audit of Government Buildings and Critical Infrastructure.** — The Department shall be assisted by the DPWH, DOTr, Department of Energy (DOE), DOH, DepEd, DICT, DILG, local building officials, and other relevant government instrumentalities and stakeholders, in ensuring the effective and expeditious conduct of structural audit, as often as necessary, on government buildings, critical infrastructure, and private structures to attain the disaster risk reduction goals of this Act.

**Sec. 90. Transitory Provisions.** — The functions, assets, funds, equipment, properties, transactions, and personnel of the affected and transferred agencies, and the formulation of the internal organic structure, staffing pattern, operating system, and revised budget of the

Department, shall be completed within one (1) year from the effectivity of this Act, during which time the existing personnel shall continue to assume their posts on holdover capacity. The Department, in collaboration with the DBM, shall come up with its Organizational Structure and Staffing Pattern, both of which shall be approved within thirty (30) days from the effectivity of this Act.

The Secretary of National Defense shall serve as the interim SDR until such time that the SDR has been appointed and taken his/her oath of office. Upon assumption to duty, the SDR shall make use of the existing structure, systems, and personnel in responding to natural hazards and disasters within the transition period.

In accordance with Section 12 of this Act and the critical importance of attracting the most competent and dedicated personnel to the Department, suitable and qualified career personnel from the NDRRMC-OCD, DSWD, and the CCC, as defined by the CSC and other pertinent rules, may be absorbed by the Department. The system and mechanics for this shall be defined in the IRR of this Act.

**Sec. 91. *Magna carta Benefits.*** — Qualified employees of the Department, including those of its attached agencies, shall be covered by and entitled to the benefits under Republic Act No. 8439, otherwise known as the Magna Carta for Scientists, Engineers, Researchers and other 5 & T Personnel in the Government, and Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers.

**Sec. 92. *Hazard Pay.*** — All personnel of the Department and the local disaster resilience offices are entitled to receive hazard pay, subject to the guidelines to be set forth in the IRR of this Act.

**Sec. 93. *Separation Benefits of Officials and Employees of Affected Agencies.*** — National government employees displaced or separated from service as a result of this Act shall be entitled to either separation pay and other benefits in accordance with existing laws, rules, or regulations, or be entitled to avail themselves of the privileges provided under a separation plan that shall be one and one-half month salary for every year of service in the government.

In no case shall there be any diminution of benefits under the separation plan until the full implementation of this Act. With respect to employees who are not retained by the Department, the government, through the Department of Labor and Employment, shall endeavor to implement training, job counseling, and job placement programs.

**Sec. 94. Appropriations.** —The amount necessary for the initial implementation of this Act shall be taken from the current fiscal year's unexpended and unobligated appropriations of all agencies herein absorbed, transferred, and attached to the Department. Thereafter, the amounts necessary for the operation of the Department and the implementation of this Act shall be included in the annual General Appropriations Act.

**Sec. 95. Implementing Rules and Regulations.** —The Department, DBM, DND, DOF, DILG, DOST, NEDA, and the PMS shall collectively craft and issue, within ninety (90) days from the effectivity of this Act, the Implementing Rules and Regulations (IRR) for the effective implementation of this Act. They may call upon other relevant government instrumentalities and stakeholders to assist in the crafting of the IRR.

**Sec. 96. Joint Congressional Oversight Committee on Disaster Resilience** — There shall be created a Joint Congressional Oversight Committee on Disaster Resilience to monitor the implementation of this Act. The committee shall be composed of six (6) Members of the House of Representatives and six (6) Senators to be designated by the Speaker of the House of Representatives and the President of the Senate, respectively; Provided. That; two (2) Members of the House of Representatives and two (2) Senators shall come from the Minority of their respective houses of Congress. The committee shall be jointly chaired by a Member of the House of Representatives and a Senator designated by the Speaker of the House of Representatives and the President of the Senate, respectively.

**Sec. 97. Mandatory Review.** — Within five (5) years after the effectivity of this Act, or as the need arises, the Joint Congressional Oversight Committee on Disaster Resilience shall conduct systematic evaluation of the accomplishments and impact of this Act, as well as the performance of the Department of its mandate and functions, for purposes of determining remedial legislation.

**Sec 98. Interpretation.** —Any doubt in the interpretation of any provision of this Act shall be resolved in favor of a liberal interpretation that will fulfill the objectives of this Act, especially in relation to the provision of effective, efficient and timely disaster response, rehabilitation and recovery.

**Sec. 99. Separability Cause.** — If any provision of this Act shall be declared unconstitutional or invalid, the other provisions or parts thereof not otherwise affected shall remain in full force and effect.

**Sec. 100. Repealing Cause.** — The provisions of Republic Act no. 10121, Republic Act no. 7160, Republic Act no. 7916, Republic Act no. 9184, and all other laws, decrees, executive orders, proclamations and other executive issuances, which are not consistent with or contrary to the provisions of this Act, are hereby repealed or amended.

**Sec. 101. Effectivity.** — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,