

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

OFFICE OF THE SECRETARY

10 OCT -5 P4:03

SENATE

S. B. NO. 2558

RECEIVED BY: 

Introduced by **SENATOR JUAN PONCE ENRILE**

EXPLANATORY NOTE

Climate change has become a concern for survival over the past years. The Philippines is particularly vulnerable to the impacts of climate change, not merely because of its archipelagic nature and economic state but, to a great extent, our vulnerability has been exacerbated by the way government has addressed the climate crisis.

Thus, to enable the government to address climate change, Congress enacted R.A. 9729 otherwise known as the "Climate Change Act of 2009" which also created the Climate Change Commission. However, since its creation, the Climate Change Commission has yet to formulate policies necessary to implement its mandate. Moreover, it has yet to provide the financial policy necessary to effectuate the mandate of the law, caused mainly by the seeming vagueness in relevant provisions, resulting to incoherent and inconsistent funding priorities. Consequently, the country inadvertently suffered from foregone funding opportunities. Indeed, there is a need to review the existing policy framework and mechanism, and wherever needed, strengthen the same to ensure transparency and accountability in the proper utilization and management of climate finance.

Currently, governance chaos reigns over the administration of climate finance that has already entered the national coffers, and of funds still expected to be made available from foreign sources. More international climate finance has gone to mitigation efforts instead of adaptation activities. Worse, it appears that most of the resources allocated for adaptation programs and projects have come in the form of loans. This is contrary to the position championed by the Philippines abroad, which calls for climate finance to be channeled neither as aid nor charity, but in context and by design as compensatory funding.

As a clear manifestation of the country's firm commitment to address the issues of climate change, this legislative measure seeks to establish the People's Survival Fund to finance adaptation programs and projects that are directly supportive of the objectives enumerated in the Climate Change Action Plans of the local government units. The Fund shall be taken from different sources including but not limited to the following, namely: (a) the General Appropriations Act; (b) part of the cash dividends declared by all Government-Owned and Controlled Corporations; (c) a portion of the Certified Emission Reduction earned under the clean development mechanism; and (d) a portion of the Motor Vehicle User's Charge. The Fund shall be used to support different programs and projects of climate change adaptation as stated in our



national goals and objectives, with utmost regards to transparency, equitability and accountability.

The establishment of the Fund, as herein provided, the creation of the People's Survival Fund Board for its administration and institutional measures, and the other amendments to RA 9729 are geared towards the observance of the necessary standards of public accountability as we endeavor to equip the government through concerned agencies and offices with the policy framework most relevant in addressing climate change. Thus, all resources and power borne out of such duty must be used in the most efficient, economical and honest manner to ensure that public interest is best served.

In view of the foregoing, the immediate passage of this bill is earnestly requested.



JUAN FONCE ENRILE
Senator

10 OCT -5 P4:04

SENATE

S. B. No. 2558

RECEIVED BY: 

Introduced by **Senator JUAN PONCE ENRILE**

AN ACT
ESTABLISHING THE PEOPLE'S SURVIVAL FUND TO PROVIDE LONG-TERM
FINANCE STREAMS TO ENABLE THE GOVERNMENT TO EFFECTIVELY
ADDRESS THE PROBLEM OF CLIMATE CHANGE, AMENDING FOR THE
PURPOSE REPUBLIC ACT NO. 9729, OTHERWISE KNOWN AS "THE
CLIMATE CHANGE ACT OF 2009", AND FOR OTHER PURPOSES

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


1 **SECTION 1.** Section 2 of Republic Act No. 9729 otherwise known as the
2 "Climate Change Act of 2009", is hereby amended to read as follows:

3 **"TITLE I**

4 **PRELIMINARY PROVISIONS**

5 **"SEC. 2. Declaration of Policy.** – It is the policy of the State to
6 afford full protection and the advancement of the right of the
7 people to a healthful ecology in accord with the rhythm and
8 harmony of nature. In this light, the State has adopted the
9 Philippine Agenda 21 framework which espouses sustainable
10 development, to fulfill human needs while maintaining the quality
11 of the natural environment for current and future generations.

12 "Towards this end, the State adopts the principle of
13 protecting the climate system for the benefit of humankind, on the
14 basis of climate justice or common but differentiated
15 responsibilities and the Precautionary Principle to guide decision-



1 making in climate risk management. As a party to the United
2 Nations Framework Convention on Climate Change, the State
3 adopts the ultimate objective of the Convention which is the
4 stabilization of greenhouse gas concentrations in the atmosphere
5 at a level that would prevent dangerous anthropogenic interference
6 with the climate system which should be achieved within a time
7 frame sufficient to allow ecosystems to adapt naturally to climate
8 change, to ensure that food production is not threatened and to
9 enable economic development to proceed in a sustainable manner.
10 As a party to the Hyogo Framework for Action, the State likewise
11 adopts the strategic goals in order to build national and local
12 resilience to climate change-related disasters.

13 Recognizing the vulnerability of the Philippine archipelago
14 and its local communities, particularly the poor, women, and
15 children, to potential dangerous consequences of climate change
16 AND GLOBAL WARMING such as WARMING/INCREASING
17 TEMPERATURES, rising seas, changing landscapes, increasing
18 frequency and/or severity of droughts, fires, floods and storms,
19 climate-related illnesses and diseases, damage to ecosystems,
20 biodiversity loss that affect the country's environment, culture, and
21 economy, the State shall cooperate with the global community in
22 the resolution of climate change issues, including disaster risk
23 reduction. It shall be the policy of the State to enjoin the
24 participation of national and local governments, businesses,
25 nongovernment organizations, local communities and the public to
26 prevent and reduce the adverse impacts of climate change and, at
27 the same time, maximize the benefits of climate change. It shall
28 also be the policy of the State to incorporate a gender-sensitive,



1 pro-children and pro-poor perspective in all climate change and
2 renewable energy efforts, plans and programs. In view thereof, the
3 State shall strengthen, integrate, consolidate and institutionalize
4 government initiatives to achieve coordination in the
5 implementation of plans and programs to address climate change
6 in the context of sustainable development.

7 Further recognizing that climate change and disaster risk
8 reduction AND MANAGEMENT are closely interrelated and effective
9 disaster risk reduction AND MANAGEMENT will enhance adaptive
10 capacity TO CLIMATE CHANGE, CLIMATE VARIABILITY AND
11 EXTREMES, the State shall integrate disaster risk reduction into
12 climate change programs and initiatives.

13 Cognizant of the need to ensure that national and sub-
14 national government policies, plans, programs and projects are
15 founded upon sound environmental considerations and the
16 principle of sustainable development, it is hereby declared the
17 policy of the State to systematically integrate the concept of climate
18 change in various phases of policy formulation, development plans,
19 poverty reduction strategies and other development tools and
20 techniques by all agencies and instrumentalities of the
21 government.”



22
23 **SEC. 2.** Section 3 of R. A. No. 9729 is hereby amended to read as
24 follows:

25 “SEC. 3. *Definition of Terms.* – For purposes of this Act, the
26 following shall have the corresponding meanings:

1 (a) "Adaptation" refers to the adjustment in natural or
2 human systems in response to actual or expected climatic stimuli
3 or their effects, which moderates harm or exploits beneficial
4 opportunities.

5 (b) "Adaptive capacity" refers to the ability of ecological,
6 social or economic systems to adjust to climate change including
7 climate variability and extremes, to moderate or offset potential
8 damages and to take advantage of associated opportunities with
9 changes in climate or to cope with the consequences thereof.

10 (c) "Anthropogenic causes" refer to causes resulting from
11 human activities or produced by human beings.

12 (d) "Climate Change" refers to a change in climate that can
13 be identified by changes in the mean and/or variability of its
14 properties and that persists for an extended period typically
15 decades or longer, whether due to natural variability or as a result
16 of human activity.

17 (E) "CLIMATE FINANCE" IS THE ALLOCATION OF PUBLIC
18 RESOURCES TOWARDS THE CLIMATE CHANGE ADAPTATION
19 AND MITIGATION REQUIREMENTS OF DEVELOPING COUNTRIES
20 AND VULNERABLE COMMUNITIES, THROUGH FRAMEWORKS,
21 MECHANISM AND PROCESSES THAT ARE EQUITABLE,
22 ACCOUNTABLE, TRANSPARENT, AND ARE IN LINE WITH THE
23 NATIONAL DEVELOPMENT GOALS.

24 [(e)] (F) "Climate Variability" refers to the variations in the
25 average state and in other statistics of the climate on all temporal
26 and spatial scales beyond that of individual weather events.

1 [(f)] (G) "Climate Risk" refers to the product of climate and
2 related hazards working over the vulnerability of human and
3 natural ecosystems.

4 [(g)] (H) "Disaster" refers to a serious disruption of the
5 functioning of a community or a society involving widespread
6 human, material, economic or environmental losses and impacts
7 which exceed the ability of the affected community or society to
8 cope using its own resources.

9 [(h)] (I) "Disaster risk reduction AND MANAGEMENT (DRRM)"
10 refers to the SYSTEMATIC PROCESS OF USING ADMINISTRATIVE
11 DIRECTIVES, ORGANIZATIONS, AND OPERATIONAL SKILLS AND
12 CAPACITIES TO IMPLEMENT STRATEGIES, POLICIES AND
13 IMPROVED COPING CAPACITIES IN ORDER TO LESSEN THE
14 ADVERSE IMPACTS OF HAZARDS AND THE POSSIBILITY OF
15 DISASTER. PROSPECTIVE DISASTER RISK REDUCTION AND
16 MANAGEMENT REFERS TO RISK REDUCTION AND
17 MANAGEMENT ACTIVITIES THAT ADDRESS AND SEEK TO
18 AVOID THE DEVELOPMENT OF NEW OR INCREASED DISASTER
19 RISKS, ESPECIALLY IF RISK REDUCTION POLICIES ARE NOT
20 PUT IN PLACE [concept and practice of reducing disaster risks
21 through systematic efforts to analyze and manage the causal
22 factors of disasters, including through reduced exposure to
23 hazards, lessened vulnerability of people and property, wise
24 management of land and the environment, and improved
25 preparedness for adverse events].

26 [(i)] (J) "Gender mainstreaming" refers to the strategy for
27 making women's as well as men's concerns and experiences an

1 integral dimension of the design, implementation, monitoring, and
2 evaluation of policies and programs in all political, economic,
3 ENVIRONMENTAL OR ECOLOGICAL and societal spheres so that
4 women and men benefit equally and inequality is not perpetuated.
5 It is the process of assessing the implications for women and men
6 of any planned action, including legislation, policies, or programs
7 in all areas and at all levels.

8 [(j)] (K) "Global Warming" refers to the increase in the average
9 temperature of the Earth's near-surface air and oceans that is
10 associated with the increased concentration of greenhouse gases in
11 the atmosphere.

12 [(k)] (L) "Greenhouse effect" refers to the process by which
13 the absorption of infrared radiation by the atmosphere warms the
14 Earth.

15 [(l)] (M) "Greenhouse gases (GHG)" refers to constituents of
16 the atmosphere that contribute to the greenhouse effect including,
17 but not limited to, carbon dioxide, methane, nitrous oxide,
18 hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

19 [(m)] (N) "Mainstreaming" refers to the integration of policies
20 and measures that address climate change into development
21 planning and sectoral decision-making.

22 [(n)] (O) "Mitigation" in the context of climate change, refers
23 to human intervention to address anthropogenic emissions sources
24 and removals by sinks of all GHG, including ozone- depleting
25 substances and their substitutes.



1 [[o]] (P) "Mitigation potential" shall refer to the scale of GHG
2 reductions that could be made, relative to emission baselines, for a
3 given level of carbon price (expressed in cost per unit of carbon
4 dioxide equivalent emissions avoided or reduced).

5 [[p]] (Q) "Sea level rise" refers to an increase in sea level
6 which may be influenced by factors like global warming through
7 expansion of sea water as the oceans warm and melting of ice over
8 land and local factors such as land subsidence.

9 (R) "VULNERABLE AND MARGINALIZED GROUPS" ARE
10 GROUPS OR COMMUNITIES WHO FACE HIGHER EXPOSURE TO
11 DISASTER RISK AND AGGRAVATED POVERTY INCLUDING, BUT
12 NOT LIMITED TO, CHILDREN, ELDERLY, DIFFERENTLY-ABLED
13 PEOPLE, AND INDIGENOUS PEOPLES.

14 [[q]] (S) "Vulnerability" refers to the degree to which a system
15 is susceptible to, or unable to cope with, adverse EFFECTS of
16 climate change, including climate variability and extremes.
17 Vulnerability is a function of the character, magnitude, and rate of
18 climate change and variation to which a system is exposed, its
19 sensitivity, and its adaptive capacity."

20 **SEC. 3.** Section 4 of R.A. No. 9729 is hereby amended to read as
21 follows:

22 **"TITLE II**

23 **CLIMATE CHANGE COMMISSION**

24
25 *"SEC. 4. Creation of the Climate Change Commission. – There*
26 *is hereby established a Climate Change Commission, hereinafter*
27 *referred to as the Commission.*

1 “The Commission shall be an independent and autonomous
2 body and shall have the same status as that of a national
3 government agency. It shall be attached to the Office of the
4 President.

5 “The Commission shall be the [sole] LEAD policy-making
6 body of the government, which shall be tasked to coordinate,
7 monitor and evaluate the programs and action plans of the
8 government [relating to climate change] IN ORDER TO ENSURE
9 THE MAINSTREAMING OF CLIMATE CHANGE INTO THE
10 NATIONAL, SECTORAL AND LOCAL DEVELOPMENT PLANS AND
11 PROGRAMS pursuant to the provisions of this Act.

12 “The Commission shall be organized within sixty (60) days
13 from the effectivity of this Act.”

14 **SEC. 4.** Section 5 of R. A. No. 9729 is hereby amended to read as follows:

15 “SEC. 5. *Composition of the Commission.* – The Commission
16 shall be composed of the President of the Republic of the
17 Philippines who shall serve as the Chairperson, and three (3)
18 Commissioners to be appointed by the President, one of whom
19 shall serve as the Vice Chairperson of the Commission.

20 “The Commission shall have an advisory board composed of
21 the following:

22 (a) Secretary of the Department of Agriculture;

23 (B) SECRETARY OF THE DEPARTMENT OF BUDGET
24 AND MANAGEMENT;



1 [(b)] (C) Secretary of the Department of Energy;

2 [(c)] (D) Secretary of the Department of Environment and
3 Natural Resources

4 [(d)] (E) Secretary of the Department of Education;

5 (F) SECRETARY OF THE DEPARTMENT OF FINANCE;

6 [(e)] (G) Secretary of the Department of Foreign Affairs;

7 [(f)] (H) Secretary of the Department of Health;

8 [(g)] (I) Secretary of the Department of the Interior and Local
9 Government;

10 [(h)] (J) Secretary of the Department of National Defense, in
11 his capacity as Chair of the National Disaster Coordinating
12 Council;

13 [(i)] (K) Secretary of the Department of Public Works and
14 Highways;

15 [(j)] (L) Secretary of the Department of Science and
16 Technology;

17 [(k)] (M) Secretary of the Department of Social Welfare and
18 Development;

19 [(l)] (N) Secretary of the Department of Trade and Industry;

20 [(m)] (O) Secretary of the Department of Transportation and
21 Communications;



1 [[n]] (P) Director-General of the National Economic and
2 Development Authority, in his capacity as Chair of the Philippine
3 Council for Sustainable Development;

4 [[o]] (Q)]Director-General of the National Security Council;

5 [[p]] (R) Chairperson of the [National] PHILIPPINE
6 Commission [on the Role] of (Filipino) Women;

7 [[q]] (S) President of the League of Provinces;

8 [[r]] (T) President of the League of Cities;

9 [[s]] (U) President of the League of Municipalities;

10 [[t]] (V) President of the Liga ng mga Barangay;

11 [[u]] (W) Representative from the academe; [and]

12 [[v]] (X) Representative from the business sector; AND

13 [[w]] (Y) Representative from nongovernmental organizations

14 "At least one (1) of the sectoral representatives shall come
15 from the disaster risk reduction community.

16 "The representatives shall be appointed by the President
17 from a list of nominees submitted by their respective groups. They
18 shall serve for a term of six (6) years without reappointment unless
19 their representation is withdrawn by the sector they represent.
20 Appointment to any vacancy shall be only for the unexpired term of
21 the predecessor.

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1 “Only the *ex officio* members of the advisory board shall
2 appoint a qualified representative who shall hold a rank of no less
3 than an Undersecretary.”

4 **SEC. 5.** Section 6 of R. A. No. 9729 is hereby amended to read as
5 follows:

6 “SEC. 6. *Meetings of the Commission.* – The Commission
7 shall meet once every three (3) months, or as often as may be
8 deemed necessary by the Chairperson. The Chairperson may
9 likewise call upon other government agencies for the proper
10 implementation of this Act.

11 IN THE ABSENCE OF THE CHAIRPERSON, THE
12 COMMISSION MAY CONVENE WITH THE PRESENCE OF ALL
13 THREE (3) COMMISSIONERS, TO BE PRESIDED BY THE VICE
14 CHAIRMAN.

15 THE COMMISSION SHALL DECIDE ON ANY MATTER AT
16 HAND FOR RESOLUTION BY A MAJORITY VOTE AMONG THE
17 THREE (3) COMMISSIONERS; PROVIDED, HOWEVER, THAT THE
18 CHAIRPERSON MAY VETO ANY DECISION OF THE COMMISSION
19 WITHIN THIRTY (30) DAYS FROM ITS APPROVAL.

20 ANY DECISION TRANSLATED INTO AN ISSUANCE OR
21 POLICY INSTRUMENT APPROVED IN THE MANNER PRESCRIBED
22 IN THIS SECTION SHALL BE SIGNED BY AT LEAST TWO (2)
23 COMMISSIONERS AND SHALL BE APPROVED BY THE
24 CHAIRPERSON IN ORDER TO TAKE EFFECT.

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1 **SEC. 6.** Section 7 of R. A. No. 9729 is hereby amended to read as
2 follows:

3 “SEC. 7. *Qualifications, Tenure, Compensation AND*
4 *REMOVAL of Commissioners.* – The Commissioners must be
5 Filipino citizens, residents of the Philippines, at least thirty (30)
6 years of age at the time of appointment, with [at least ten (10)
7 years of]PROVEN experience on climate change and of proven
8 honesty and integrity. The Commissioners shall be experts in
9 climate change by virtue of their educational background, training
10 and experience: *Provided*, That at least one (1) Commissioner shall
11 be female: *Provided, further*, That in no case shall the
12 Commissioners come from the same sector: *Provided, finally*, That
13 in no case shall any of the Commissioners appoint representatives
14 to act on their behalf.

15 “The Commissioners shall hold office for a period of six (6)
16 years, and may be subjected to reappointment: *Provided*, That no
17 person shall serve for more than two (2) consecutive terms:
18 *Provided, further*, That in case of a vacancy, the new appointee
19 shall fully meet the qualifications of a Commissioner and shall
20 hold office for the unexpired portion of the term only: *Provided*,
21 *[finally] FURTHERMORE*, That in no case shall a Commissioner be
22 designated in a temporary or acting capacity; *PROVIDED, FINALLY*,
23 *THAT ANY COMMISSIONER MAY BE REMOVED FROM OFFICE*
24 *BEFORE THE EXPIRATION OF HIS/HER TERM FOR CAUSE AND*
25 *IN ACCORDANCE WITH DUE PROCESS REQUIRED BY*
26 *PERTINENT LAWS.*



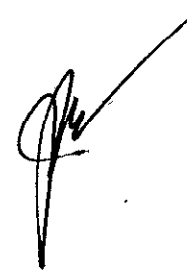
1 “The Vice Chairperson and the Commissioners shall have the
2 rank and privileges of a Department Secretary and Undersecretary,
3 respectively. They shall be entitled to corresponding compensation
4 and other emoluments and shall be subject to the same
5 disqualifications.”

6 **SEC. 7.** Section 8 of R. A. No. 9729 is hereby amended to read as
7 follows:

8 “SEC. 8. *Climate Change Office.* – There is hereby created a
9 Climate Change Office that shall assist the Commission AND
10 SERVE AS ITS SECRETARIAT. [It shall be headed by a Vice
11 Chairperson of the Commission who shall act as the Executive
12 Director of the Office] THE CLIMATE CHANGE OFFICE SHALL BE
13 HEADED BY AN EXECUTIVE DIRECTOR WHO SHALL BE
14 RESPONSIBLE FOR THE PLANNING, IMPLEMENTATION AND
15 SUPERVISION OF ITS PROGRAMS AND ACTIVITIES AS
16 APPROVED BY THE COMMISSION.

17 HE SHALL BE APPOINTED BY THE PRESIDENT OF THE
18 REPUBLIC OF THE PHILIPPINES, UPON THE RECOMMENDATION
19 OF THE COMMISSION. HE SHALL HAVE A RANK NOT HIGHER
20 THAN AN ASSISTANT SECRETARY.

21 THE EXECUTIVE DIRECTOR MUST POSSESS A HIGH
22 DEGREE OF EDUCATION, TECHNICAL AND MANAGERIAL
23 COMPETENCIES IN CLIMATE CHANGE AND DISASTER RISK
24 MANAGEMENT, AS WELL AS OF INTEGRITY AND PROBITY IN
25 PUBLIC SERVICE.

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1 The Commission shall have the authority to determine the
2 number of staff and create corresponding positions WITH
3 RESPONSIBILITIES AND FUNCTIONS, AND TO MAKE THE
4 NECESSARY APPOINTMENTS [necessary] to facilitate the proper
5 implementation of this Act, subject to civil service laws, rules and
6 regulations. [The officers and employees of the Commission shall
7 be appointed by the Executive Director.]”

8 **SEC. 8.** Section 9 of R. A. No. 9729 is hereby amended to read as
9 follows:

10 “SEC. 9. *Powers and Functions of the Commission.* – The
11 Commission shall have the following powers and functions:

12 [(a) Ensure the mainstreaming of climate change, in synergy
13 with disaster risk reduction AND MANAGEMENT, into the national,
14 sectoral and local development plans and programs;]

15 [[b)] (A) Coordinate and synchronize climate change
16 programs IN CONSULTATION WITH national government agencies;

17 [[c)] (B) Formulate a STRATEGIC Framework [strategy] on
18 Climate Change to serve as the basis for a program for climate
19 change planning, research and development, extension, and
20 monitoring of activities on climate change;

21 [[d)] (C) Exercise policy coordination to ensure the
22 attainment of goals set in the STRATEGIC framework [strategy]
23 and program on climate change;



1 [(e)] (D) Recommend legislation, policies, strategies,
2 programs on and appropriations for climate change adaptation and
3 mitigation and other related activities;

4 [(f)] (E) Recommend key development investments in
5 climate- sensitive sectors such as water resources, agriculture,
6 forestry, coastal and marine resources, health, and infrastructure
7 to ensure the achievement of national sustainable development
8 goals;

9 [(g)] (F) Create an enabling environment for the design of
10 relevant and appropriate risk-sharing and risk-transfer
11 instruments;

12 [(h)] (G) Create an enabling environment that shall promote
13 broader multi-stakeholder participation and integrate climate
14 change mitigation and adaptation;

15 [(i)] (H) Formulate strategies on mitigating GHG and other
16 anthropogenic causes of climate change;

17 [(j)] (I) Coordinate and establish a close partnership with the
18 National Disaster RISK REDUCTION AND MANAGEMENT
19 [Coordinating] Council in order to increase efficiency and
20 effectiveness in reducing the people's vulnerability to climate-
21 related disasters;

22 [(k)] (J) In coordination with the Department of Foreign
23 Affairs, represent the Philippines in the climate change
24 negotiations AND LEAD THE CONSTITUTION OF THE PHILIPPINE
25 PANEL OF NEGOTIATORS TO THE UNITED NATIONS

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1 FRAMEWORK CONVENTION ON CLIMATE CHANGE (UNFCCC)
2 AND THE FORMULATION OF PHILIPPINE NEGOTIATING
3 POSITIONS TO INTERNATIONAL NEGOTIATIONS RELATING TO
4 CLIMATE CHANGE;

5 [(l)] (K) Formulate and update guidelines for determining
6 vulnerability to climate change impacts and adaptation
7 assessments and facilitate the provision of technical assistance for
8 their implementation and monitoring;

9 [(m)] (L) Coordinate with local government units (LGUs) and
10 private entities to address vulnerability to climate change impacts
11 of regions, provinces, cities and municipalities;

12 [(n)] (M) Facilitate capacity building for local adaptation
13 planning, implementation and monitoring of climate change
14 initiatives in vulnerable AND MARGINALIZED communities and
15 areas;

16 [(o)] (N) Promote and provide technical and financial support
17 to local research and development programs and projects in
18 vulnerable AND MARGINALIZED communities and areas;

19 [(p)] (O) Oversee the dissemination of information on climate
20 change, local vulnerabilities and risks, relevant laws and protocols
21 and adaptation and mitigation measures;

22 (P) ESTABLISH A COORDINATION MECHANISM WITH
23 THE CONCERNED GOVERNMENT AGENCIES TO ENSURE
24 TRANSPARENCY AND COHERENCE IN THE ADMINISTRATION OF



1 CLIMATE FUNDS TAKING INTO CONSIDERATION THE OFFICIAL
2 PHILIPPINE POSITION IN INTERNATIONAL NEGOTIATIONS; AND

3 (Q) PERFORM SUCH OTHER FUNCTIONS AS MAY BE
4 NECESSARY FOR THE EFFECTIVE OPERATION AND
5 IMPLEMENTATION OF THIS ACT.

6 **SEC. 9.** Section 11 of R. A. No. 9729 is hereby amended to read as
7 follows:

8 “SEC. 11. *NATIONAL STRATEGIC Framework [Strategy] and*
9 *Program on Climate Change.* – The Commission shall, within six (6)
10 months from the effectivity of this Act, formulate a NATIONAL
11 STRATEGIC Framework on Climate Change. The Framework shall
12 serve as the basis for a program for climate change planning,
13 research and development, extension, and monitoring of activities
14 to protect vulnerable AND MARGINALIZED communities from the
15 adverse effects of climate change.

16 “The Framework shall be formulated based on climate
17 change vulnerabilities, specific adaptation needs, and mitigation
18 potential, and in accordance with the international agreements.

19 “The Framework shall be reviewed every three (3) years, or as
20 may be deemed necessary. THE REVIEW OF THE FRAMEWORK
21 SHALL INVOLVE A PARTICIPATORY AND INTERACTIVE
22 PROCESS.”

23 **SEC. 10.** Section 12 of R. A. Act No. 9729 is hereby amended to read as
24 follows:



1 “SEC. 12. *Components of the NATIONAL STRATEGIC*
2 *Framework [Strategy] and Program on Climate Change.* – The
3 Framework shall include, but not limited to, the following
4 components:

- 5 (a) National priorities;
- 6 (b) Impacts, vulnerability and adaptation assessments;
- 7 (c) Policy formulation;
- 8 (d) Compliance with international commitments;
- 9 (e) Research and development;
- 10 (f) Database development and management;
- 11 (g) Academic programs, capability building and
12 mainstreaming;
- 13 (h) Advocacy and information dissemination;
- 14 (i) Monitoring and evaluation; and
- 15 (j) Gender mainstreaming.”

16 **SEC. 11.** Section 15 of R. A. No. 9729 is hereby amended to read as
17 follows:

18 “SEC. 15. *Role of Government Agencies.* – To ensure the
19 effective implementation of the framework strategy and program on
20 climate change, concerned agencies shall perform the following
21 functions:

- 22 (a) The Department of Education (DepED) shall integrate
23 climate change into the primary and secondary education curricula
24 and/or subjects, such as, but not limited to, science, biology,
25 sibika, history, including textbooks, primers and other educational
26 materials, basic climate change principles and concepts;



1 (b) The Department of the Interior and Local Government
2 (DILG) and Local Government Academy shall facilitate the
3 development and provision of a [training] CAPACITY-BUILDING
4 program for LGUs in climate change, INCLUDING THE PROVISION
5 OF NECESSARY AND APPROPRIATE TECHNOLOGY. The [training]
6 program shall include socioeconomic, geophysical, policy, and
7 other content necessary to address the prevailing and forecasted
8 conditions and risks of particular LGUs. It shall likewise focus on
9 women and children, especially in the rural areas, since they are
10 the most vulnerable;

11 (c) The Department of Environment and Natural Resources
12 (DENR) shall oversee the establishment and maintenance of a
13 climate change information management system and network,
14 including on climate change risks, activities and investments, in
15 collaboration with other concerned national government agencies,
16 institutions and LGUs;

17 (d) The Department of Foreign Affairs (DFA) shall review
18 international agreements related to climate change and make the
19 necessary recommendation for ratification and compliance by the
20 government on matters pertaining thereto;

21 (e) The Philippine Information Agency (PIA) shall disseminate
22 information on climate change, local vulnerabilities and risk,
23 relevant laws and protocols and adaptation and mitigation
24 measures; [and]


25 (F) THE DEPARTMENT OF FINANCE (DOF) SHALL
26 COORDINATE WITH THE COMMISSION ON MATTERS

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1 CONCERNING FISCAL, MONETARY, TRADE AND OTHER
2 ECONOMIC POLICIES RELATED TO CLIMATE CHANGE AND
3 MONITOR AND REPORT MEASURES INVOLVING CLIMATE
4 FINANCE;

5 (G) THE DEPARTMENT OF BUDGET AND MANAGEMENT
6 (DBM) SHALL UNDERTAKE THE FORMULATION OF THE ANNUAL
7 NATIONAL BUDGET IN A WAY THAT ENSURES THE
8 APPROPRIATE PRIORITIZATION AND ALLOCATION OF FUNDS TO
9 SUPPORT THE ANNUAL PROGRAM OF GOVERNMENT,
10 INCLUDING CLIMATE CHANGE-RELATED PROGRAMS AND
11 PROJECTS;

12 (H) THE DEPARTMENT OF SCIENCE AND TECHNOLOGY
13 (DOST) THROUGH THE PHILIPPINE ATMOSPHERIC,
14 GEOPHYSICAL AND ASTRONOMICAL SERVICES
15 ADMINISTRATION (PAGASA), SHALL PROMOTE, ASSIST AND,
16 WHERE APPROPRIATE, UNDERTAKE SCIENTIFIC AND
17 TECHNOLOGICAL RESEARCH AND DEVELOPMENT, INCLUDING
18 ACTIVITIES RELATIVE TO OBSERVATION, COLLECTION,
19 ASSESSMENT AND PROCESSING OF CLIMATE-RELATED DATA
20 SUCH AS BUT NOT LIMITED TO RAINFALL, SEA-LEVEL-RISE,
21 EXTREME WEATHER EVENTS, RISE IN TEMPERATURES, AND
22 RECORDS OF SEVERE DROUGHTS MONITORED OVER LONG
23 PERIODS OF TIME, IN COORDINATION WITH LOCAL
24 GOVERNMENT UNITS IN PRIORITY/TARGET MONITORING SITES,
25 FOR THE BENEFIT OF AGRICULTURE, COMMERCE AND
26 INDUSTRY AND IN OTHER AREAS IDENTIFIED TO BE VITAL TO
27 THE COUNTRY'S DEVELOPMENT; AND,



1 [f] (I) Government financial institutions, shall, any provision
2 in their respective charters to the contrary notwithstanding,
3 provide preferential financial packages for climate change- related
4 projects. In consultation with the Bangko Sentral ng Pilipinas
5 (BSP), they shall, within thirty (30) days from the effectivity of this
6 Act, issue and promulgate the implementing guidelines therefor.

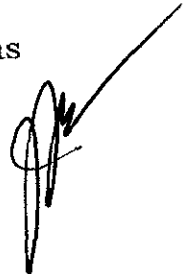
7 "The Commission shall evaluate, recommend the approval of
8 loans and monitor the use of said funds of LGUs, TAKING INTO
9 ACCOUNT PROVISIONS UNDER TITLE III OF THIS ACT."

10 **SEC. 12.** Section 16 of R. A. No. 9729 is hereby amended to read as
11 follows:

12 "SEC. 16. *Coordination with Various Sectors.* – In the development and
13 implementation of the National Climate Change Action Plan, and the local
14 action plans, the Commission shall CONSULT AND coordinate with the
15 nongovernment organizations (NGOs), civic organizations, academe, people's
16 organizations, the private and corporate sectors and other concerned
17 stakeholder groups."

18 **SEC. 13.** Section 17 of R. A. No. 9729 is hereby amended to read as
19 follows:

20 "SEC. 17. *Authority to Receive Donations and/or Grants.* –
21 The Commission is hereby authorized to accept grants,
22 contributions, donations, endowments, bequests, or gifts in cash,
23 or in kind from local and foreign sources in support of the
24 development and implementation of climate change programs and
25 plans: Provided, That in case of donations from foreign
26 governments, acceptance thereof shall be subject to prior clearance



1 and approval of the President of the Philippines upon
2 recommendation of the [Secretary of Foreign Affairs] DEPARTMENT
3 OF FINANCE: Provided, further, That such donations shall not be
4 used to fund personal services expenditures and other operating
5 expenses of the Commission.

6 "The proceeds shall be used to finance:

7 (a) Research, development, demonstration and promotion of
8 technologies;

9 (b) Conduct of assessment of vulnerabilities to climate
10 change impacts, resource inventory, and adaptation capability
11 building;

12 (c) Advocacy, networking and communication activities in the
13 conduct of information campaign; and

14 (d) Conduct of such other activities reasonably necessary to
15 carry out the objectives of this Act, as may be defined by the
16 Commission."

17 **SEC. 14.** Insert Sections 18, 19, 20, 21, 22, 23, 24, and 25 in R. A. No.
18 9729 under a new Title III to read as follows:

19 "TITLE III

20 THE PEOPLE'S SURVIVAL FUND

21 "SEC. 18. *CREATION OF THE PEOPLE'S SURVIVAL FUND.-*
22 - A PEOPLE'S SURVIVAL FUND, HEREAFTER REFERRED TO AS
23 THE FUND, IS HEREBY ESTABLISHED AS A SPECIAL TRUST
24 FUND FOR THE FINANCING OF ADAPTATION PROGRAMS AND

1 PROJECTS BASED ON THE NATIONAL STRATEGIC
2 FRAMEWORK.”

3
4 “SEC. 19. SOURCES OF THE FUND.- THE FUND SHALL BE
5 SOURCED FROM BOTH PUBLIC AND PRIVATE SOURCES,
6 EITHER FOREIGN OR LOCAL, INCLUDING BUT NOT LIMITED TO
7 THE FOLLOWING:

8 (A) THE AMOUNT OF FIFTY MILLION PESOS
9 (P50,000,000.00) TO BE ALLOTTED IN THE ANNUAL
10 GENERAL APPROPRIATIONS ACT (GAA) FOR THE
11 INITIAL IMPLEMENTATION OF THIS ACT AND
12 THEREAFTER, SUCH SUM AS SHALL BE DEEMED
13 NECESSARY TO CARRY OUT THE PROVISIONS OF
14 THIS ACT;

15 (B) TEN PERCENT (10%) FROM CASH DIVIDENDS
16 DECLARED BY ALL GOVERNMENT-OWNED AND
17 CONTROLLED CORPORATIONS;

18 (C) FIVE PERCENT (5%) OF CERTIFIED EMISSION
19 REDUCTION (CERS) EARNED UNDER THE CLEAN
20 DEVELOPMENT MECHANISM AND, OTHER
21 DOMESTIC INDUSTRY EMISSIONS REDUCTIONS
22 THAT UTILIZE INTERNATIONAL CARBON MARKET
23 INSTRUMENTS; AND,

24 (D) TEN PERCENT (10%) OF THE SEVEN AND A HALF
25 PERCENT (7.5%) SHARE OF THE DEPARTMENT OF
26 TRANSPORTATION AND COMMUNICATION (DOTC) IN
27 THE SPECIAL VEHICLE POLLUTION CONTROL FUND
28 UNDER REPUBLIC ACT 8794, ENTITLED “AN ACT




1 IMPOSING A MOTOR VEHICLE USER'S CHARGE ON
2 OWNERS OF ALL TYPES OF MOTOR VEHICLES AND
3 FOR OTHER PURPOSES".

4
5 CONTRIBUTIONS TO THE FUND SHALL BE EXEMPT FROM
6 DONOR'S TAX AND THE SAME SHALL BE CONSIDERED AS
7 ALLOWABLE DEDUCTIONS FROM THE GROSS INCOME OF THE
8 DONOR, IN ACCORDANCE WITH THE PROVISIONS OF THE
9 NATIONAL INTERNAL REVENUE CODE OF 1997, AS AMENDED."

10
11 "SEC. 20. USES OF THE FUND.- THE FUND SHALL BE
12 USED FOR ACTIVITIES THAT ARE IN DIRECT SUPPORT OF THE
13 OBJECTIVES ENUMERATED IN THE CLIMATE CHANGE ACTION
14 PLANS OF THE LOCAL GOVERNMENTS. IT SHALL ALSO BE
15 USED TO PROVIDE FINANCIAL ASSISTANCE FOR PRIORITY
16 ADAPTATION PROJECTS IDENTIFIED AND APPROVED BY THE
17 COMMISSION AND FOR FUNDING BY THE PEOPLE'S SURVIVAL
18 FUND BOARD, HEREINAFTER CREATED, BASED ON PRIOR
19 CONSULTATIONS WITH AND IDENTIFIED PRIORITIES OF LOCAL
20 GOVERNMENTS. SUCH FUND SHALL BE USED TO SUPPORT,
21 GRANT, FINANCE OR OTHERWISE ASSIST ACTIVITIES SUCH AS,
22 BUT NOT LIMITED TO THE FOLLOWING:

23 (A) ADAPTATION ACTIVITIES, WHERE SUFFICIENT
24 INFORMATION IS AVAILABLE TO WARRANT SUCH
25 ACTIVITIES, IN THE AREAS OF WATER RESOURCES
26 MANAGEMENT, LAND MANAGEMENT, AGRICULTURE
27 AND FISHERIES, HEALTH, INFRASTRUCTURE
28 DEVELOPMENT, FRAGILE ECOSYSTEMS INCLUDING



1 MOUNTAINOUS ECOSYSTEMS, AND INTEGRATED
2 COASTAL ZONE MANAGEMENT;

3 (B) IMPROVEMENT OF THE MONITORING OF VECTOR-
4 BORNE DISEASES TRIGGERED BY CLIMATE CHANGE,
5 AND IN THIS CONTEXT IMPROVING DISEASE
6 CONTROL AND PREVENTION;

7 (C) FORECASTING AND EARLY WARNING SYSTEMS AS
8 PART OF PREPAREDNESS FOR CLIMATE RELATED
9 HAZARDS;

10 (D) SUPPORTING INSTITUTIONAL CAPACITY-BUILDING,
11 BOTH FOR NATIONAL AND LOCAL GOVERNMENTS, IN
12 PARTNERSHIP WITH LOCAL COMMUNITIES AND CIVIL
13 SOCIETY GROUPS, FOR PREVENTIVE MEASURES,
14 PLANNING, PREPAREDNESS AND MANAGEMENT OF
15 IMPACTS RELATING TO CLIMATE CHANGE,
16 INCLUDING CONTINGENCY PLANNING, IN
17 PARTICULAR, FOR DROUGHTS AND FLOODS IN
18 AREAS PRONE TO EXTREME WEATHER EVENTS.

19 (E) STRENGTHENING EXISTING, AND WHERE NEEDED,
20 ESTABLISH, NATIONAL AND REGIONAL CENTERS AND
21 INFORMATION NETWORKS FOR RAPID RESPONSE TO
22 EXTREME WEATHER EVENTS; AND,

23 (F) SERVING AS A GUARANTEE FOR RISK INSURANCE
24 NEEDS FOR FARMERS, AGRICULTURAL WORKERS
25 AND OTHER STAKEHOLDERS.

26
27 THE FUND SHALL BE SUPPLEMENTARY TO ANY ANNUAL
28 APPROPRIATIONS ALLOCATED BY RELEVANT GOVERNMENT



1 AGENCIES FOR CLIMATE CHANGE-RELATED PROGRAMS AND
2 PROJECTS AND BY LGUS PURSUANT TO THE NEW SECTION 26
3 OF THIS ACT. THE FUND SHALL BE FLEXIBLE TO ALLOW CO-
4 SHARING ARRANGEMENTS SUCH AS BUT NOT LIMITED TO CO-
5 FINANCING BETWEEN GOVERNMENT, LOCAL COMMUNITIES,
6 PRIVATE SECTOR, AND/OR OTHER LOCAL NON-GOVERNMENT
7 ENTITIES.

8
9 "SEC. 21. *THE PEOPLE'S SURVIVAL FUND BOARD.*- THERE
10 IS HEREBY CREATED A PEOPLE'S SURVIVAL FUND BOARD,
11 HEREINAFTER REFERRED TO AS THE PSF BOARD, WHICH
12 SHALL BE LODGED UNDER THE COMMISSION AND CHAIRED
13 BY ONE OF THE COMMISSIONERS, AS DESIGNATED BY THE
14 COMMISSION. IT SHALL BE COMPOSED OF THE FOLLOWING:

15 (A) DEPARTMENT OF FINANCE;

16 (B) DEPARTMENT OF BUDGET AND MANAGEMENT;

17 (C) NATIONAL ECONOMIC AND DEVELOPMENT
18 AUTHORITY, IN THEIR CAPACITY AS CHAIR OF THE
19 PHILIPPINE COUNCIL FOR SUSTAINABLE
20 DEVELOPMENT;

21 (D) BANGKO SENTRAL NG PILIPINAS;

22 (E) A REPRESENTATIVE FROM EACH GOVERNMENT
23 FINANCIAL INSTITUTION;

24 (F) A REPRESENTATIVE FROM THE BUSINESS SECTOR
25 WITH OBSERVER STATUS; AND,

26 (G) A REPRESENTATIVE FROM THE NON-GOVERNMENT
27 ORGANIZATIONS WITH OBSERVER STATUS; PROVIDED,
28 THAT THE REPRESENTATIVES OF GOVERNMENT

1 AGENCIES SHALL BE ASSIGNED BY THEIR RESPECTIVE
2 SECRETARIES AND SHALL HAVE A RANK OF AN
3 UNDERSECRETARY; PROVIDED, FURTHER, THAT THE
4 BUSINESS AND NGO MEMBERS OF THE PSF BOARD ARE
5 PROHIBITED FROM ACCESSING THE FUND WITHIN THEIR
6 TERM AS SET BY THE COMMISSION AND A YEAR AFTER
7 THEIR TENURE IN THE PSF BOARD HAS FINISHED.

8 "SEC. 22. POWERS AND FUNCTIONS OF THE PSF BOARD. -

9 THE PSF BOARD SHALL HAVE THE FOLLOWING POWERS AND
10 FUNCTIONS:

- 11 (A) TO PROVIDE OVERALL STRATEGIC FINANCIAL
12 GUIDANCE FOR THE USE OF THE FUND;
- 13 (B) TO REPORT TO THE COMMISSION ALL
14 DISBURSEMENTS OF APPROVED PROPOSALS;
- 15 (C) TO IDENTIFY ADDITIONAL WINDOWS FOR
16 FINANCING AND PROVIDE SCHEMES FOR
17 MATCHING PROJECT PROPOSALS WITH
18 APPROPRIATE FUNDING STREAMS;
- 19 (D) TO ASSIST THE COMMISSION IN PREPARING
20 PROPOSALS FOR SUBMISSION TO VARIOUS
21 FUNDING AGENCIES;
- 22 (E) TO ADOPT A CONFLICT OF INTEREST POLICY TO
23 ENSURE THAT BOARD MEMBERS WILL NOT VOTE
24 ON PROJECTS IF THEY HAVE A DIRECT STAKE
25 THEREIN; AND,
- 26 (F) TO ENSURE INDEPENDENT EVALUATION AND
27 AUDITING OF ACTIVITIES SUPPORTED BY THE
28 FUND, TAKING INTO CONSIDERATION THE



1 PRINCIPLES OF TRANSPARENCY AND
2 ACCOUNTABILITY.
3

4 "SEC. 23. *ROLE OF THE COMMISSION IN THE UTILIZATION*
5 *OF THE PEOPLE'S SURVIVAL FUND.* - THE COMMISSION SHALL
6 SET THE STRATEGIC DIRECTION ON CLIMATE ADAPTATION.
7 UTILIZING THE EXPERTISE OF THE ADVISORY BOARD, IT
8 SHALL EVALUATE, REVIEW AND APPROVE THE PROPOSALS TO
9 BE SUBMITTED TO THE PSF BOARD FOR FUNDING. THE
10 CRITERIA FOR THE USE OF THE FUND SHALL BE BASED ON,
11 BUT NOT LIMITED TO, THE FOLLOWING:

- 12 (A) LEVEL OF VULNERABILITY;
- 13 (B) LEVEL OF URGENCY AND RISK ARISING FROM THE
14 DELAY;
- 15 (C) PARTICIPATION OF AFFECTED COMMUNITIES IN
16 THE DESIGN OF THE PROJECT;
- 17 (D) ENSURING ACCESS TO THE FUND IN A BALANCED
18 AND EQUITABLE MANNER;
- 19 (E) LESSONS LEARNED IN PROJECT AND PROGRAMME
20 DESIGN AND IMPLEMENTATION TO BE CAPTURED;
- 21 (F) SECURING REGIONAL CO-BENEFITS TO THE
22 EXTENT POSSIBLE WHERE APPLICABLE;
- 23 (G) MAXIMIZING MULTI-SECTORAL OR CROSS-
24 SECTORAL BENEFITS;
- 25 (H) ADAPTIVE CAPACITY TO THE ADVERSE EFFECT OF
26 CLIMATE CHANGE;
- 27 (I) RESPONDS TO GENDER-DIFFERENTIATED
28 VULNERABILITIES; AND




1 (J) AVAILABILITY OF A CLIMATE CHANGE ACTION PLAN.

2
3 FOR THIS PURPOSE, THE COMMISSION SHALL
4 PROMULGATE THE RULES AND REGULATIONS TO PROMOTE
5 TRANSPARENCY AND GOOD GOVERNANCE AND TO MAINTAIN
6 THE FIDUCIARY CHARACTER OF THE BOARD IN THE
7 ADMINISTRATION OF THE PEOPLE'S SURVIVAL FUND.

8
9 SEC. 24. *COMMUNITY PARTICIPATION.* - TO ENSURE
10 TRANSPARENCY AND PARTICIPATION OF AFFECTED
11 COMMUNITIES IN THE ADAPTATION PROJECTS TO BE
12 SUPPORTED BY THE FUND, COMMUNITY REPRESENTATIVES
13 AND/OR NGO COUNTERPARTS MAY PARTICIPATE AS
14 OBSERVERS IN THE PROJECT IDENTIFICATION, MONITORING
15 AND EVALUATION PROCESS OF THE COMMISSION.

16
17 SEC. 25. *TRUSTEE.*- FOR THE SOUND AND JUDICIOUS
18 MANAGEMENT OF THE FUND, THE COMMISSION, UPON
19 RECOMMENDATION OF THE PSF BOARD, SHALL APPOINT A
20 GOVERNMENT FINANCIAL INSTITUTION, WITH SOUND TRACK
21 RECORD ON FUND MANAGEMENT, AS PORTFOLIO MANAGER
22 AND TRUSTEE OF THE FUND, SUBJECT TO GUIDELINES
23 PROMULGATED BY THE PSF BOARD. THE TRUSTEE SHALL
24 MANAGE THE INVESTMENT OF FUND BALANCES, ACCOUNTING
25 AND FINANCIAL REPORTING FOR THE FUND, TAKING INTO
26 ACCOUNT THE OBJECTIVES OF TRANSPARENCY, EFFICIENCY,
27 FINANCIAL RISK MANAGEMENT AND AVAILABILITY OF CASH AS
28 NEEDED FOR THE FUND COMMITMENTS AND



1 DISBURSEMENTS. THE TRUSTEE SHALL BE ACCOUNTABLE TO
2 THE PSF BOARD FOR THE PERFORMANCE OF ITS
3 RESPONSIBILITIES, IN ACCORDANCE WITH THE TERMS AND
4 CONDITIONS OF SERVICE AGREEMENT BETWEEN THE
5 TRUSTEE AND THE PSF BOARD.

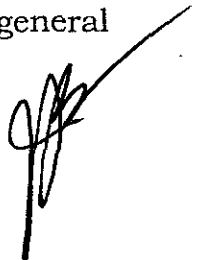
6 **SEC. 14.** The succeeding sections shall be renumbered accordingly.

7 **SEC. 15.** If for any reason, any section or provisions of This Act is
8 declared as unconstitutional or invalid, the other sections or provisions hereof
9 shall not be affected thereby.

10 **SEC. 16.** All laws ordinances, rules and regulations and other issuances
11 or parts thereof, which are inconsistent with this Act are hereby repealed or
12 modified accordingly.

13 **SEC. 17.** This Act shall take effect after fifteen (15) days following its
14 complete publication in at least two (2) national newspapers of general
15 circulation.

16 **Approved,**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.