

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

'18 MAR -8 A11 :43

SENATE
S. No. 1735

Introduced by Senator Grace Poe

AN ACT
REORGANIZING AND STRENGTHENING THE DISASTER RISK REDUCTION AND
MANAGEMENT SYSTEM OF THE PHILIPPINES, ESTABLISHING FOR THE
PURPOSE THE DEPARTMENT OF DISASTER RESILIENCE AND EMERGENCY
MANAGEMENT, EMPOWERING THE REGIONAL FIELD OFFICES,
ESTABLISHING COORDINATING MECHANISMS, STRENGTHENING
COMMUNITY PARTICIPATION, APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES

Explanatory Note

Some events are so tragic and catastrophic that they are permanently imprinted on a nation's collective memory. In the case of Japan, it was the Nagasaki and Hiroshima bombings. In the case of the United States, it was the Pearl Harbor bombing and the September 11 attacks. In the case of the Philippines, it was Typhoon Yolanda (internationally known as Haiyan).

No typhoon in Philippine history has been as traumatically remembered as Yolanda. Above and beyond the data- 5,500 dead, 1.14 million houses destroyed and Php 24 billion worth of damaged infrastructure and agriculture- the imagery of 275 km/hour winds and huge waves of water wiping out communities will remain a national tragedy told and retold to generations hereafter.

We are witnesses not only to Yolanda, but also to a world of escalating risks and vulnerability. We have a responsibility not only to deliver justice not only to those whose lives were needlessly lost to the waves and winds of Yolanda, but also to prevent the same from happening to future generations. We have an inter-generational duty to leave a world where the next generations will be more prosperous and more resilient than before.

Our first step in fulfilling our duty is to strengthen our disaster risk reduction and management institutions. Currently, this is embodied by the National Disaster Risk Reduction and Management Council (NDRRMC). The NDRRMC was created through Republic Act No. 10121, otherwise known the "*Philippine Disaster Risk Reduction and Management Act of 2010*". It was a response to Typhoon Ondoy which ravaged 4.9 million families, and led to the declaration of a state of calamity in 23 provinces and Metro Manila, and caused an outbreak of *leptospirosis*. However, Typhoon Yolanda was clearly several orders of magnitude above Ondoy. Therefore, our institutions must adjust and be strengthened to be able to meet the "new normal" set by Yolanda.

This measure intends to open the policy discussion on reforming our DRRM institutions. It proposes to create a Department of Disaster Resilience and Emergency Management which shall be in charge of all disaster risk reduction and management programs, policies and activities in the country.

The Department shall consist of two separate and distinct entities: the National Disaster and Risk Reduction and Management Council (NDRRMC) and the Department Proper. The NDRRMC shall retain its policy-making and coordinating functions under R.A. 10121. However, the Department proper shall be the Secretariat and executive arm, converting the NDRRMC's plans into specific operational guidelines and programs. The Department will be led by its own Secretary and shall be empowered by three

bureaus- the Bureau of Disaster Resilience and the Bureau of Disaster Preparation and Response, and the Bureau of Knowledge Management and Dissemination.

It is envisioned that the Department proper will provide leadership with accountability. In the parlance of public management, the Department proper will "steer" the various stakeholders towards a disaster-resilient Philippines. The Secretary of the Department will wear two "hats" as he shall be the Chairperson of the NDRRMC and the Head of the Department Proper.

There shall also be created a National Disaster Risk Reduction and Management Research and Training Center which will serve as a repository of all knowledge and research and development, and as a capacity building entity on disaster risk reduction and management. This measure also envisions the creation of a National Emergency Response Corps, which shall be a dedicated, trained and reliable team who can be deployed on short notice in the event of a disaster composed of full-time and part-time disaster managers, paramedics, debris clearing personnel, volunteers, and aid and relief managers.

This measure further proposes to empower the regional offices of the Department proper. The regional offices shall have the same administrative structure as the Department proper. They will have two bureaus on resilience and disaster preparedness and response. They will also have a regional research and training center and a regional emergency response corps. In normal times, they will provide technical assistance and capacity building to LGUs. In times of disaster, the regional offices will serve as an "operations center" for the coordination of disaster preparation and response.

These are but a few innovations which this measure seeks to introduce towards the improvement of our national disaster risk reduction and management system. speedy approval of this measure is eagerly sought.¹


GRACE POE

¹ We would like to acknowledge the invaluable assistance and inputs given to us by Vice Admiral Alexandar Pama, Mr. James Roman and Mr. Hector Brizuela in drafting this measure.

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

ARTICLE I
GENERAL PROVISIONS

1 Section. 1. *Short Title.*- This Act shall be known as the "*Philippine Disaster Risk*
2 *Reduction and Management System Act of 2018*"

3 Sec. 2. *Declaration of Policy.*- The State recognizes the country's severe
4 vulnerability to natural and man-made disasters and their catastrophic impact on the
5 people's constitutional rights to life, liberty and property, particularly of the poor and
6 the marginalized. The State further recognizes the need to institutionalize the principles
7 of climate change adaptation and disaster risk reduction and management, and the
8 imperative to embody these principles in responsive and capable institutions. As such, it
9 is hereby declared a policy of the State to:

- 1 a) Address the root causes of vulnerabilities to disasters by strengthening the
2 country's institutional capacity for disaster risk reduction and management
3 and building the resilience of local communities to disasters including climate
4 change impacts;
- 5 b) Adopt a disaster risk reduction and management approach that is holistic,
6 comprehensive, integrated, and proactive in lessening the socioeconomic and
7 environmental impacts of disasters including climate change, and promote
8 the involvement and participation of all sectors and all stakeholders
9 concerned, at all levels, especially the local community;
- 10 c) Promote a whole-of-government and whole-of society approach to the
11 development of disaster risk reduction and management, to ensure the buy-in
12 of all concerned stakeholders, whether from the government sector, private
13 sector, or non-government sector;
- 14 d) Adhere to and adopt the universal norms, principles and standards of
15 humanitarian assistance and the global effort on risk reduction as concrete
16 expression of the country's commitment to overcome human sufferings due
17 to recurring disasters;
- 18 e) Develop, promote, and implement a comprehensive National Disaster Risk
19 Reduction and Management Plan (NDRRMP) that aims to strengthen the
20 capacity of the national government and the local government units (LGUs),
21 together with partner stakeholders to build the disaster resilience of
22 communities, and to institutionalize arrangements and measures for reducing
23 disaster risks, including projected climate risks, and enhancing disaster
24 preparedness and response capabilities at all levels;
- 25 f) Incorporate internationally accepted principles of disaster risk management in
26 the creation and implementation of national, regional and local sustainable
27 development and poverty reduction strategies, policies, plans and budgets;
- 28 g) Adopt and implement a coherent, comprehensive, integrated, efficient and
29 responsive disaster risk reduction program incorporated in the development
30 plan at various levels of government adhering to the principles of good

1 governance such as transparency and accountability within the context of
2 poverty alleviation and environmental protection;

3 h) Mainstream disaster risk reduction and climate change in development
4 processes such as policy formulation, socioeconomic development planning,
5 budgeting, and governance, particularly in the areas of environment,
6 agriculture, water, energy, health, education, poverty reduction, land-use and
7 urban planning, and public infrastructure and housing, among others;

8 i) Institutionalize the policies, structures, coordination mechanisms and
9 programs with continuing budget appropriation on disaster risk reduction
10 from national down to local levels towards building a disaster-resilient nation
11 and communities;

12 j) Streamline existing disaster risk reduction and management institutions,
13 structures and mechanisms, in order to reduce redundancy, increase synergy
14 and efficiency, and provide decisive and accountable leadership in times of
15 crisis;

16 k) Ensure that disaster risk reduction and climate change measures are gender
17 responsive, sensitive to indigenous know ledge systems, and respectful of
18 human rights;

19 l) Develop and strengthen the capacities of vulnerable and marginalized groups
20 to mitigate, prepare for, respond to, and recover from the effects of
21 disasters;

22 m) Incorporate community and people's participation on a greater level, to
23 ensure that all national disaster risk reduction programs, activities and
24 policies are aligned with and responsive to the needs of the people;

25 n) Recognize the local risk patterns across the country and strengthen the
26 capacity of LGUs for disaster risk reduction and management through
27 decentralized powers, responsibilities, and resources at the regional and local
28 levels;

- 1 o) Recognize and strengthen the capacities of LGUs and communities in
2 mitigating and preparing for, responding to, and recovering from the impact
3 of disasters;
- 4 p) Engage the participation of civil society organizations (CSOs), the private
5 sector and volunteers in the government's disaster risk reduction programs
6 towards complementation of resources and effective delivery of services to
7 the Citizenry;
- 8 q) Provide maximum care, assistance and services to individuals and families
9 affected by disaster, implement emergency rehabilitation projects to lessen
10 the impact of disaster, and facilitate resumption of normal social and
11 economic activities; *and*
- 12 r) Ensure that affected communities rise stronger than they were before
13 incidents of disasters, towards reducing their vulnerability and preventing the
14 repetition of the catastrophic loss of human life and livelihood and destruction
15 of property.

16
17 Sec. 3. *Definition of Terms.*- The following terms are defined for the purposes of
18 this Act:

- 19
20 a.) "*Build Back Better*" is an approach to disaster recovery and reconstruction
21 which not only rebuilds communities to pre-disaster standards but also
22 increases their resilience to future disasters;
- 23 b.) "*LERC*" refers to the Local Emergency Response Corps created under this Act;
- 24 c.) "*Department*" refers to the Department of Disaster Resilience and Emergency
25 Management which encompasses the National Disaster Risk Reduction and
26 Management Council (NDRRMC) and the Department proper;
- 27 d.) "*Department proper*" refers to the offices, agencies, bureaus, and services
28 under the authority of the Secretary of the Department of Disaster Resilience
29 and Emergency Management;

- 1 e.) "Secretary" refers to the Secretary of the Department Resilience and
2 Emergency Management;
- 3 f.) "NERC" refers to the National Emergency Response Corps created under this
4 Act.
- 5 g.) "NDRRMC" refers to the National Disaster Risk Reduction and Management
6 Council created under R.A. No. 10121, otherwise known as the "*Philippine*
7 *Disaster Risk Reduction and Management Act of 2010*";
- 8 h.) "RERC" refers to the Regional Emergency Response Corps created under this
9 Act;
- 10 i.) "RFO" refers to the Regional Disaster Risk Reduction and Management
11 Councils created under R.A. No. 10121 and renamed as "Regional Field
12 Offices" under this Act.
- 13

14 Unless expressly defined in this Section, the other technical terms and concepts
15 used in this Act shall be read as defined under Section 3 of Republic Act No. 10121,
16 otherwise known as the "*Philippine Disaster Risk Reduction and Management Act of*
17 *2010*".

18

19 **ARTICLE II**

20 **THE DEPARTMENT OF DISASTER RESILIENCE AND EMERGENCY**

21 **MANAGEMENT**

22

23 Sec. 4. *The Department of Disaster Resilience and Emergency Management.* - To
24 carry out the objectives of this Act and those of R.A. No. 10121, the Department of
25 Disaster Resilience and Emergency Management is hereby established. The Department
26 shall be the primary policy-making, planning, coordinating, integrating, supervising,
27 implementing, monitoring and evaluating authority with regard to disaster risk reduction
28 and management in the country.

29

Sec. 5. *Organization of the Department.*- The Department shall consist of two separate and distinct entities: the National Disaster and Risk Reduction and Management Council (NDRRMC) and the Department Proper. The NDRRMC shall be attached for administrative and budgetary purposes to the Department.

Sec. 6. *Organization of the Department Proper*.- The Department proper shall be comprised of the following:

- a.) The Office of the Secretary, which shall encompass the Office of the Secretary and the Offices of the Undersecretaries and the Assistant Secretaries, and their immediate support staff;
- b.) The Regional Field Offices;
- c.) The Bureaus enumerated under Section 17 of this Act;
- d.) The National Emergency Response Corps (NERC);
- e.) The National Disaster Risk Reduction and Management Research and Training Center (NDRRMC-RTC)
- f.) The attached agencies enumerated under Section 21 of this Act; *and*
- g.) The Department Services enumerated under Section 18 of this Act;

Sec. 7. *Selection of Personnel*.- The selection of the personnel of the Department shall be based strictly on merit and fitness in accordance with the Civil Service Code and other applicable laws and rules and regulations. The formulation of the organizational structure and staffing pattern shall be completed within one (1) year after the effectivity of this Act.

ARTICLE III

THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL

Sec. 8. *The National Disaster Risk Reduction Council.*- The NDRRMC shall be the policy-formulating and coordinating body of the Department which shall ensure a

1 whole-of-government approach to formulating and implementing the National Disaster
2 Risk Reduction and Management Plan.

3 Sec. 9. *Organization.*- The membership of the NDRRMC under R.A. No. 10121
4 shall be retained: *Provided*, that the NDRRMC shall be chaired by the President;
5 *Provided further*, that the Secretary of the Department of Disaster Management shall be
6 the vice-chair of the NDRRMC, and shall preside as Chairman when the President is
7 unable to attend a meeting.

8

9 Sec. 10. *Powers and Functions of the NDRRMC.*- The NDRRMC shall:

10

11 a.) Formulate the NDRRMP which shall be a comprehensive, all-hazards, multi-
12 sectoral, inter-agency and community-based approach to disaster risk
13 reduction and management. The NDRRMP shall serve as the principal guide
14 to disaster risk reduction and management efforts in the country and shall be
15 reviewed on a ten (10)-year interval, or as may be deemed necessary, in
16 order to ensure its relevance to the times;

17 b.) Develop vertical and horizontal coordination mechanisms for a more coherent
18 implementation of disaster risk reduction and management policies and
19 programs by sectoral agencies and LGUs;

20 c.) Constitute a technical management group composed of representatives of the
21 concerned departments, offices, and organizations, that shall coordinate and
22 meet as often as necessary to effectively manage and sustain national efforts
23 on disaster risk reduction and management;

24 d.) Serve as a coordinating body for all inter-agency efforts during risk reduction
25 and management operations;

26 e.) Advise the President on the status of disaster preparedness, prevention,
27 mitigation, response and rehabilitation operations being undertaken by the
28 government, CSOs, private sector, and volunteers, and submit proposals to
29 restore normalcy in affected areas;

- 1 f.) Recommend to the President the declaration of a State of Calamity in areas
2 extensively damaged and to submit proposals to restore normalcy in the
3 affected areas;
- 4 g.) In coordination with the Climate Change Commission, formulate and
5 implement a single harmonized framework and action plan for climate change
6 adaptation and disaster mitigation;
- 7 h.) Receive, administer, mobilize and report the National Disaster Risk Reduction
8 and Management Fund, and other recovery and rehabilitation funds;
- 9 i.) Receive donations and grants from any person, government institution,
10 corporation, international organization, and other similar entities, and the
11 power to recommend the procurement of developmental assistance for the
12 purpose of disaster risk reduction and management subject to Section 32 of
13 this Act;
- 14 j.) Monitor and provide the necessary guidelines and procedures on the Local
15 Disaster Risk Reduction and Management Fund (LDRRMF) releases as well as
16 utilization, accounting and auditing thereof;
- 17 k.) Develop appropriate risk transfer mechanisms that shall guarantee social and
18 economic protection and increase resiliency in the face of disaster; *and*
- 19 l.) Establish and monitor local and national capacity for disaster risk financing
20 and insurance and other risk transfer strategies.

21
22 *Sec. 11. Monitoring and Reporting.-*
23

- 24 a.) On or before the last quarter of the preceding year, the member-agencies of
25 the NDRRMC shall submit to the Secretary their respective disaster risk
26 reduction and management annual work and financial management plans for
27 the next year;
- 28 b.) The member-agencies of the NDRRMC shall also submit to the Secretary
29 quarterly progress reports on the implementation of their respective DRRM

1 annual work and financial management plans within thirty (30) days from the
2 end of each quarter.

3
4 **ARTICLE IV**
5 **THE DEPARTMENT PROPER**
6

7 Sec. 12. *The Department Proper.*- The Department proper shall be the
8 Secretariat and executive arm of the Department. It shall be in charge of implementing
9 and monitoring the implementation of disaster risk reduction and management policies,
10 activities and programs as embodied in the NDRRMP.

11 Sec. 13. *The Secretary.*- The Department shall be headed by a Department
12 Secretary who shall be a member of the Cabinet. He shall be appointed by the
13 President for a term of six (6) years and shall be a member of the Cabinet.

14 Sec. 14. *Powers and Functions of the Secretary.*- The Secretary shall:
15

- 16 a) Monitor the integration of disaster risk reduction and management policies
17 into local and national development plans;
- 18 b) Oversee and direct the comprehensive implementation of disaster risk
19 reduction and management policies, plans and programs as embodied in the
20 NDRRMP;
- 21 c) Review and evaluate Local Disaster Risk Reduction and Management Plans to
22 ensure their consistency with the NDRRMP through the regional offices;
- 23 d) Call upon other instrumentalities or entities of the government and
24 nongovernment and civic organizations for assistance in terms of the use of
25 their facilities and resources for the protection and preservation of life and
26 properties in the whole range of disaster risk reduction and management,
27 which includes the power to call on the reserve force as defined in Republic
28 Act No. 7077 to assist in relief and rescue during disasters or calamities;
- 29 e) Exercise visitorial and examining powers over governmental and non-
30 governmental entities engaged in DRRM operations;

- 1 f) Commandeer any private property for urgent public purposes, subject to
2 payment of just compensation in appropriate cases;
- 3 g) Coordinate or oversee the implementation of the country's obligations with
4 disaster risk reduction and management treaties to which it is a party and see
5 to it that the country's disaster risk management treaty obligations be
6 incorporated in its disaster risk reduction and management frameworks,
7 policies, plans, programs, and projects; and
- 8 h) Lead the mainstreaming of disaster risk reduction and management in all
9 stages and levels of national and local planning and budgeting processes;
- 10 i) Raise awareness among national agencies, local government units, and local
11 communities on the importance of disaster risk reduction and management;
- 12 j) In lieu of the President, preside and lead meetings of the NDRRMC;
- 13 k) Coordinate with the members of the NDRRMC for the implementation,
14 monitoring, review, and revision of the NDRRMP;
- 15 l) Provide secretarial support to the NDRRMC;
- 16 m) Advise the NDRRMC on matters relating to disaster risk reduction and
17 management consistent with the policies and scope as defined in this Act;
- 18 n) Assess the strengths and weaknesses of NDRRMC members on aspects of
19 DRRM and provide the corresponding capacity building through the
20 Department proper;
- 21 o) Direct the deployment of the National Emergency Response Corps (NERC)
22 and/oror Regional Emergency Response Corps (RERC) the to assist in relief
23 and rescue during disasters or calamities;
- 24 p) Create regional and field offices and such other service units and divisions as
25 may be necessary;
- 26 q) Exercise administrative supervision and control over the Regional Field Offices
27 (RFOs);
- 28 r) Exercise supervision over the Local Disaster Risk Reduction and Management
29 Offices (LDRRMOs) in all provinces, cities, municipalities, and barangays in
30 the country;

- 1 s) Exercise all powers and functions provided to department secretaries under
2 Book IV, Chapter 2 of Executive Order No. 292, otherwise known as the
3 "*Administrative Code of 1987*"; and
4 t) Perform such other functions as may be necessary or proper to attain the
5 objectives of this Act.
6

7 Sec. 15. *The Undersecretaries and Assistant Secretaries.*- The Secretary shall
8 be assisted by three (3) undersecretaries for disaster mitigation, disaster preparedness
9 and response, and disaster recovery and rehabilitation, respectively, and four (4) career
10 assistant secretaries who shall perform such functions as may be assigned by the
11 Secretary.

12 Sec. 16. *Qualifications.*- No person shall be appointed as Secretary,
13 undersecretary or assistant secretary unless he is a citizen and resident of the
14 Philippines, is of good moral character, and is of proven competence and expertise in
15 disaster risk reduction and management over the course of his career. He shall not hold
16 any other position, whether public or private, during his tenure.

17 Sec. 17. *The Department Bureaus.*- The Department shall have the following
18 bureaus:

19 a.) The Bureau of Disaster Resilience (BDR)- The BDR shall assist the Secretary
20 in formulating, implementing, monitoring, and reviewing policies and
21 programs with regard to disaster mitigation, prevention, and post-disaster
22 rehabilitation. To this end, the BDR shall:

- 23
24 1. Advise the Secretary on all matters regarding disaster and emergency
25 mitigation and preparation;
26 2. Advise the Secretary on the status of disaster mitigation and prevention
27 and post-disaster rehabilitation operations being undertaken by the
28 government, CSOs, private sector, and volunteers;
29 3. Cascade technical expertise on disaster mitigation and prevention and
30 post-disaster rehabilitation to LGUs through the RFOs;

4. Develop, update, and make available a Disaster Risk Reduction and Management Information System and Geographic Information System-based national and local risk maps as policy, planning, and decision-making tools;
5. Conduct and institutionalize pre-disaster risk assessment to identify vulnerable and at-risk communities and local government units, and provide technical assistance and capacity building on the same to local government units through the RFOs;
6. Develop unified and harmonized tools, guidelines, and policies on the existing and potential hazards and risks brought about by climate change in coordination with the Climate Change Commission;
7. Conduct a review of the National Building Code and Fire Code of the Philippines, together with the relevant government departments and the concerned stakeholders and technical experts, and submit the same to the Senate and House of Representatives of the Philippines towards the development of legislation which seek to strengthen infrastructure in line with disaster prevention and mitigation;
8. Conduct public information campaigns and drills on disaster preparedness;
9. Issue guidelines and rules and regulations to institutionalize the principle of "build back better" in all disaster reconstruction and rehabilitation operations;
10. Issue guidelines for the reconstruction and rehabilitation of disaster-affected areas and institutionalize the principles of *"Build Back Better"*; and
11. Recommend the issuance of government bonds to secure the funding for the reconstruction of disaster-stricken areas; and
12. Prepare, organize and lead post-disaster recovery and rehabilitation programs in coordination with the concerned regional field office and the local government unit.

1 b.) The Bureau of Disaster Preparation and Response (BDPR)- The BDPR shall
2 assist the Secretary in formulating, implementing, monitoring, and reviewing
3 policies and programs with regard to disaster preparation and response. To
4 this end, the BDR shall:

- 5
- 6 1. Advise the Secretary on all matters regarding disaster preparation and
7 response;
- 8 2. Monitor and advise the Secretary on the status of disaster preparation and
9 response operations being undertaken by the government, CSOs, private
10 sector, and volunteers;
- 11 3. Cascade technical expertise on disaster preparation and response to LGUs
12 through the RFOs;
- 13 4. Exercise administrative control over the National Emergency Response
14 Corps (NERC);
- 15 5. Implement pre-positioning of necessary goods and supplies at least
16 twenty four (24) hours before an expected disaster;
- 17 6. If needed, procure goods and services during emergencies in accordance
18 with existing emergency procurement rules and regulations;
- 19 7. Establish and maintain an inventory of all necessary personnel, equipment
20 and supplies critical during disasters in all RFOs and LGUs, and ensure
21 that they are delivered within forty-eight (48) hours after the aftermath of
22 a disaster;
- 23 8. Establish and maintain a national early warning and emergency alert
24 system to provide accurate and timely advice to national or local
25 emergency response, and to the general public through diverse mass-
26 media such as digital and analogue broadcast, cable, satellite television
27 and radio, wireless communications, and landline communications;
- 28 9. Implement the provisions of Republic Act No. 10639, otherwise known as
29 "The Free Mobile Disaster Alerts Act";

10. Establish and maintain an emergency communication system with and among LGUs through the RFOs;
11. Establish standard operating procedures for emergency response and cascade the same to the LGUs through the NDEMA RFOs; *and*
12. Establish unified guidelines and mechanisms for the recruitment, training, and deployment of the NERC, in coordination with the concerned government agencies and stakeholders.

c.) The Bureau of Knowledge Management and Dissemination (BKMD)- The BKMD shall serve as the administrator of the Department's technical knowledge, materials, and research and development on disaster risk reduction and management. Towards this end, the BDKD shall:

1. Exercise supervision and control over the DRRM Research and Training Center;
2. Expand the content and materials of the DRRM Research and Training Center and ensure that they are up to date;
3. Liaise with international and domestic stakeholders towards the expansion of the DRRM Research and Training Center;
4. Provide full and free access to the materials in the DRRM Research and Training Center;
5. Disseminate materials on disaster risk reduction and management to the LGUs through the RFOs, to all stakeholders, and to the general public;
6. Provide short courses and trainings on disaster risk reduction and management and its various aspects, in coordination with the relevant Bureau(s) of the Department;
7. Offer grants and other financial incentives for researchers, members of the academe and/or developers in the field of disaster risk reduction and management; *and*

1 8. Partner with the academe and research institutions, private sector, civil
2 society, and community-based DRRM practitioners and other relevant
3 sectors in developing research opportunities and programs on DRRM.
4

5 Sec. 18. *The Department Services.*- The Department shall have the following
6 Services:

7 a.) Planning Service.- The Planning Service shall provide the department with
8 services relating to planning, programming, and project development, and
9 discharge such other functions as may be provided by law;

10 b.) Financial and Management Service.- The Financial and Management Services
11 shall advise and assist the Secretary on budgetary, financial and management
12 matters and shall perform such other functions as may be provided by law;
13 and

14 c.) Administrative Service.- The Administrative Service shall provide the
15 Department with effective services relating to personnel, legal assistance,
16 information, records, delivery and receipt of correspondence, supplies,
17 equipment, collections, disbursement, security and custodial work.
18

19 Sec. 19. *The National Emergency Response Corps.*- There is hereby established a
20 National Emergency Response Corps (NERC). The NERC shall be a dedicated, trained
21 and reliable team who can be deployed on short notice in the event of a disaster. It
22 shall be composed of full-time and part-time disaster managers, paramedics, debris
23 clearing personnel, volunteers, and aid and relief managers. The NERC shall be under
24 the administrative control of the BDPR.

25 Sec. 20. *The National Disaster Risk Reduction and Management Research and*
26 *Training Center.*- Within one (1) year from the approval of this Act, the Authority shall
27 establish a National Disaster Risk Reduction and Management Research and Training
28 center which shall serve as the Department's centralized repository and for its technical
29 materials and research and development on disaster risk reduction and management.

1 Sec. 21. *The Attached Agencies.*- The following agencies and offices and their
2 respective appropriations, records, equipment, property and personnel are hereby
3 transferred to the Department:

4 a) The Philippine Atmospheric, Geophysical and Astronomical Services
5 Administration (PAG-ASA);

6 b) The Philippine Institute of Volcanology (PHIVOLCS);

7 c) The Bureau of Fire Protection (BFP);

8 d) The Health Emergency Management Bureau (HEMB);

9 e) The Philippine National Volunteer Service Coordinating Agency; *and*

10 f) All civilian personnel and operating units of the Department of National
11 Defense (DND) and the Office of Civil Defense (OCD) with functions and
12 responsibilities dealing with disaster risk reduction and management;

13
14 The agencies transferred above shall continue to perform such functions as
15 provided in existing laws: *Provided*, that the Department shall exercise administrative
16 supervision over the transferred agencies.

17 Sec. 22. *The Regional Field Offices.*- The current Regional Disaster Risk
18 Reduction and Management Councils are hereby renamed as the "Regional Field
19 Offices" (RFOs) and are hereby transferred under the administrative supervision of the
20 Department. RFOs shall have the following mandates:

21
22 1.) To ensure that the principles of disaster risk reduction and management are
23 institutionalized on the local level, particularly in their Comprehensive
24 Development Plan (CDP) and Comprehensive Land-Use Plan (CLUP), and in
25 pursuit of this mandate thereof, review the Local Disaster Risk Reduction and
26 Management Plan (LDRRMP) of LGUs within their jurisdiction and ensure their
27 alignment with the NDRRMP;

28 2.) To ensure the compliance of LGUs with their mandates under R.A. 10121;

- 3.) To pro-actively assess the weaknesses and vulnerabilities of LGUs in all phases of disaster risk reduction and management and remedy the same through technical assistance and capacity building activities;
- 4.) To consult LGUs and communities within their jurisdiction on their vulnerabilities in all phases of disaster risk reduction and management and forward their concerns to the central office to be included in the formulation and review of the NDRRMP; *and*
- 5.) To act as the operations center during disaster preparation and response operations.

Sec. 23. *Divisions.* - To achieve the mandates stated above, each RFO shall have the following divisions:

- a.) Disaster Resilience.- This division shall be in charge of all matters on disaster mitigation and rehabilitation. It shall have the following powers and functions:
 1. Serve as liaison between the Department and the LGUs and establish efficient lines of communication and coordination between them;
 2. Provide technical assistance and capacity to LGUs on pre-disaster risk assessment and empower them to identify vulnerable communities and groups in their area;
 3. Collect and consolidate information on the vulnerabilities of local government units in their jurisdiction and submit the same to the Central Office;
 4. Provide technical assistance and capacity building to LGUs to empower them to institutionalize and Disaster Risk Reduction and Management Information System and Geographic Information System-based national and local risk maps as policy, planning, and decision-making tools;
 5. Conduct and institutionalize pre-disaster risk assessment to identify vulnerable and at-risk communities and local government units, and

1 provide technical assistance and capacity building on the same to local
2 government units through the RFOs;

3 6. Conduct drills and information campaigns on disaster preparedness;

4 7. Aid households in the preparation of disaster readiness kits, which shall
5 serve as a pack of essential goods needed in the aftermath of a disaster;
6 *and*

7 8. Lead rehabilitation operations and ensure their completion within their
8 established schedule.

9
10 b.) Disaster Preparation and Response.- This division shall be in charge of all
11 matters on disaster preparation and response. It shall have the following
12 powers and functions:

13
14 1. Establish a Regional Emergency Response Corps (RERC);

15 2. Establish a Regional Disaster Risk Reduction and Management Operations
16 Center (RDRRMC-OC) that shall be operated and staffed on a twenty-four
17 hour basis;

18 3. Establish and maintain an inventory of all necessary personnel, equipment
19 and supplies critical during disasters in all RFOs and LGUs, and ensure
20 that they are delivered within forty-eight (48) hours after the aftermath of
21 a disaster;

22 4. Implement pre-positioning of necessary goods and supplies at least
23 twenty four (24) hours before an expected disaster;

24 5. Establish and maintain an emergency communication system with and
25 among LGUs;

26 6. When necessary, procure goods and services during emergencies in
27 accordance with existing emergency rules and regulations;

28 7. Cascade the established Standard Operating Procedures for emergency
29 response to the LGUs; *and*

1 8. Receive donations and grants from any person, government institution,
2 corporation, international organization, and other similar entities, and the
3 power to recommend the procurement of developmental subject to
4 section 32 of this Act.
5

6 c.) Knowledge Management.- This division shall be in charge of managing and
7 disseminating technical knowledge and information on disaster risk and
8 reduction in the region. It shall have the following functions:
9

10 a.) Establish a Regional Disaster Risk Reduction and Management Research
11 and Training Center (RDRRM-RTC);

12 b.) Expand the content and materials of the DRRM Research and Training
13 Center and ensure that they are up to date;

14 c.) Liaise with international and domestic stakeholders towards the expansion
15 of the DRRM Research and Training Center;

16 d.) Provide full and free access to the materials in the DRRM Research and
17 Training Center;

18 e.) Disseminate materials on disaster risk reduction and management to LGUs
19 and local communities; *and*

20 f.) Provide short courses and trainings on disaster risk reduction and
21 management and its various aspects, in coordination with the relevant
22 divisions of the RFO.
23

24 SEC. 24. *The Regional Directors.*- The RFOs shall be headed by a Regional
25 Director who shall be assisted by three Assistant Regional Directors for Disaster
26 Resilience, Disaster Preparation and Response, and Knowledge Management. No person
27 shall be appointed as Regional Director unless he is a citizen and resident of the
28 Philippines, is of good moral character, and is of proven competence/expertise in
29 emergency management and disaster risk reduction and management over the course

1 of his career. He shall not hold any other position, whether public or private, during his
2 tenure.

3 **ARTICLE V**

4 **DISASTER MITIGATION AND PREVENTION**

5
6 *Sec. 25. Harmonization of CCA and DRRM Plans-* The NDRRMC shall ensure that
7 the Disaster Risk Reduction and Management Plan is harmonized and consistent with
8 the National Climate Change Action Plan as defined under Republic Act No. 9279,
9 otherwise known as the "*Climate Change Act of 2009*" as amended. To this end, the
10 NRRMC shall coordinate with the Climate Change Commission: *Provided,* that this
11 provision shall not be construed as a limitation on the mandate, powers, and functions
12 of the Climate Change Condition as set forth in R.A. No. 9279.

13 *Sec. 26. Pre-Disaster Risk Assessment.-* The Department proper shall formulate a
14 national policy on risk assessment for environmental risk, national disaster risk, natural
15 disaster risk and climate change risk, and shall take into consideration the
16 interdependence of disaster risk reduction, environmental management, climate change
17 adaptation and sustainable development. The Department proper shall develop tools
18 and standards for Pre-disaster risk assessment and ensure that it is cascaded to the
19 LDRRMOs through the RFOs.

20 *Sec. 27. National DRRM Information Management System.-* The Department
21 proper shall establish a National Information Management System for DRRM. It shall be
22 the centralized repository of all disaster risk-reduction and climate change data, which
23 shall include a geographic information system component, down to the barangay level.
24 The database shall be available at all times to all levels of the DRRM system, to
25 members of academe and experts in the field of DRRM, and to the general public.

26 *Sec. 28. Risk Assessment on the Local Level.-* The LDRRMOs and BDRRMOs shall
27 conduct and risk assessments in coordination with the appropriate RFO and other
28 stakeholders, which shall include vulnerable and marginalized groups, and submit the
29 same to the RFOs. The LDRRMOs, with assistance provided by the RFOs, shall also

1 develop Disaster Risk Reduction and Management Information System and Geographic
2 Information System-based national and local risk maps as policy, planning, and
3 decision-making tools.

4
5 **ARTICLE VI**
6 **DISASTER PREPARATION AND RESPONSE**
7

8 Sec. 29. *Standing Orders for Disaster Preparation and Response.*- Within one (1)
9 year from the effectivity of this Act, the NDRRMC shall formulate and publish standing
10 orders for all its member-agencies and their respective field office which shall delineate
11 their respective roles and functions and the chain of command during disaster
12 preparation and response: *Provided*, that the standing orders shall take into Section 15
13 of R.A. No 10121.

14 Sec. 30. *Regional Field Offices as Operations Center.*- The Regional Field Offices
15 shall serve as the Operations Center for all disaster preparation and response
16 operations within their jurisdiction. For the purpose of effective coordination, there shall
17 be formed a Disaster Response Committee to be composed, as a minimum, of the
18 concerned local chief executives and their LDRRMO officers, the Regional Director of the
19 RFOs, and such officers as may be assigned by the Secretary.

20 Sec. 31. *Evacuation Centers.*- LGUs shall identify and build permanent evacuation
21 centers in accordance with standards to be issued by the Department proper to
22 minimize the use of schools: *Provided*, that schools which are used as evacuation
23 centers shall be provided with just compensation by the concerned LGU.

24 Sec. 32. *Donations.*- The Secretary shall have the power have the power to
25 receive donations and grants from any person, government institution, corporation,
26 international organization, and other similar entities, and the power to recommend the
27 procurement of developmental assistance for the purpose of disaster risk reduction and
28 management: *Provided*, that the Department shall certify the receipt of all DRRM
29 donated funds and ensure their judicious management including their proper and
30 accurate audit reporting to constituents.

1 Sec. 33. *Procurement*.- The declaration of a state of calamity, as defined in R.A.
2 No. 10121, shall be a sufficient basis for an LGU to undergo negotiated procurement, as
3 defined under R.A. No. 9184, otherwise known as the "*Government Procurement*
4 *Reform Act*".

5

6

ARTICLE VII

7

POST-DISASTER REHABILITATION AND RECOVERY

8

9 Sec. 34. *Rehabilitation Committee*.- The members of the Disaster Response
10 Committee as defined under Sec. 30 of this Act may continue to serve as the
11 coordinating committee for disaster rehabilitation and recovery operations.

12 SEC. 35. *Standards for Rehabilitation and Recovery*.- The Secretary shall
13 promulgate rules and regulations which will set standards for disaster rehabilitation
14 operations. Such rules and regulations shall:

15

- 16 a.) Improve the physical, social and economic resilience of the community, in
17 accordance with the principles of "Build Back Better";
18 b.) Redirect development outside of danger zones; *and*
19 c.) Maximize the use of Public-Private Partnerships.

20

21

ARTICLE VIII

22

COMMUNITY PARTICIPATION

23

24 Sec. 36. *Community Input in Pre-Disaster Risk Assessment*.- In conducting pre-
25 disaster risk assessments, the LDRRMO and BDRRMO shall include interviews and
26 consultations with local communities in order to identify their vulnerabilities, Such
27 consultations shall complement data gathered from data-oriented pre-disaster risk
28 assessments and shall be incorporated in the formulation of all disaster risk reduction
29 and management plans on the local and national levels.

Sec. 37. *Volunteers.*- The Department proper and the RFOs shall provide training in first aid, disaster management and leadership in times of disasters. Individuals who complete such training shall be deputized by the Department and considered as partners in disaster management who shall have the following responsibilities:

- a.) Directly receive early warning messages from the Department and disseminate the same to their communities;
- b.) Mobilize their communities away from vulnerable areas;
- c.) Disseminate the provisions of this Act as well as its corresponding rules and regulations to local communities;
- d.) Conduct interviews and consultations with local communities on their satisfaction with the DRRM programs, activities and policies of the government;
- e.) Provide first aid when necessary; *and*
- f.) Aid the government in distributing goods and maintaining order during disaster response and rehabilitation operations.

ARTICLE IX
RESOURCES FOR DISASTER RISK REDUCTION AND MANAGEMENT

Sec. 38. *Human Resources for Disaster Risk Reduction and Management:-* The department proper shall provide grants and other forms of support for individuals who study and complete courses in disaster risk reduction and management: *Provided*, that individuals shall render disaster risk reduction and management service for at least two (2) years in a community determined by the Department proper.

Sec. 39. *The NDRRM Fund*.— At least three per cent (3%) of all estimated regular government revenues shall be set aside for the NDRRM Fund to be used for the purposes identified under Section 22 of R.A. No. 10121. The NDRRM fund shall not be

1 reduced, transferred, realigned, or used for purposes other than those identified under
2 R.A. No. 10121.

3
4 **ARTICLE X**
5 **MISCELLANEOUS AND FINAL PROVISIONS**
6

7 Sec. 40. *Transition Period.*- The transfer of functions, assets, funds, equipment,
8 properties, transactions, assets, funds, properties transactions and personnel of the
9 affected agencies, and the formulation of the internal organic structure, staffing
10 pattern, operating and revised budget of the Department, shall be completed within six
11 (6) months from the effectivity of this Act, during which time the existing personnel
12 shall continue to assume their posts in holdover capacities until new appointments are
13 issued.

14 Sec. 41. *Separation from Service.*- Employees separated from the service as a
15 result of this reorganization shall, within six (6) months from their separation from the
16 service, receive the retirement benefits to which they may be entitled under existing
17 laws, rules and regulations.

18 Sec. 42. *Prohibited Acts.*- The following Acts shall be prohibited:
19

- 20 a) Dereliction of duties which leads to destruction, loss of lives, critical damage
21 of facilities and misuse of funds;
22 b) Preventing the entry and distribution of relief goods in disaster-stricken areas,
23 including appropriate technology, tools, equipment, accessories, disaster
24 teams/experts;
25 c) Buying, for consumption or resale, from disaster relief agencies any relief
26 goods, equipment or other and commodities which are intended for
27 distribution to disaster affected communities;
28 d) Buying, for consumption or resale, from the recipient disaster affected
29 persons any relief goods, equipment or other aid commodities received by
30 them;

- 1 e) Selling of relief goods, equipment or other aid commodities which are
2 intended for distribution to disaster victims;
- 3 f) Forcibly seizing relief goods, equipment or other aid commodities intended for
4 or consigned to a specific group of victims or relief agency;
- 5 g) Diverting or misdelivery of relief goods, equipment or other aid commodities
6 to persons other than the rightful recipient or consignee;
- 7 h) Accepting, possessing, using or disposing relief goods, equipment or other aid
8 commodities not intended for nor consigned to him/her;
- 9 i) Misrepresenting the source of relief goods, equipment or other aid
10 commodities by:
- 11
- 12 1. Either covering, replacing or defacing the labels of the containers to
13 make it appear that the goods, equipment or other aid commodities
14 came from another agency or persons;
- 15 2. Repacking the goods, equipment or other aid commodities into
16 containers with different markings to make it appear that the goods
17 came from another agency or persons or was released upon the
18 instance of a particular agency or persons; *or*
- 19 3. Making false verbal claim that the goods, equipment or other and
20 commodity in its untampered original containers actually came from
21 another agency or persons or was released upon the instance of a
22 particular agency or persons;
- 23
- 24 j) Substituting or replacing relief goods, equipment or other aid commodities
25 with the same items or inferior/cheaper quality;
- 26 k) Illegal solicitations by persons or organizations representing others as defined
27 in the standards and guidelines set by the Authority

1 l) Deliberate use of false at inflated data in support of the request for funding,
2 relief goods, equipment or other aid commodities for emergency assistance or
3 livelihood projects; *and*

4 m) Tampering with or stealing hazard monitoring and disaster preparedness
5 equipment and paraphernalia.

6 Sec. 43. *Penal Clause.*- Any individual, corporation, partnership, association, or
7 other juridical entity that commits any of the prohibited acts provided for in the
8 preceding section shall be prosecuted and upon conviction shall suffer a fine of not less
9 than one hundred thousand pesos (Php 100,000.00) or any amount not to exceed seven
10 hundred fifty thousand pesos (Php 750,000.00) or imprisonment of not less than six (6)
11 years and one (1) day or more than twelve (12) years, or both, at the discretion of the
12 court, including perpetual disqualification from public office if the offender is a public
13 officer, and confiscation or forfeiture in favor of the government of the objects and the
14 instrumentalities used in committing any of herein prohibited acts.

15 Sec. 44. *Appropriations.*- The amount needed for the initial implementation of
16 this Act shall be taken from the current fiscal year's appropriation of the NDRRMC, OCD,
17 and all agencies herein transferred to the Department as well. Thereafter, the amount
18 needed for the operation and maintenance of the Authority shall be included in the
19 General Appropriations Act.

20 Sec. 45. *Implementing Rules and Regulations.*- The members of the NDRRMC
21 shall within sixty (60) days from the effectivity of this Act the implementing rules and
22 regulations necessary for its effective implementation.

23 Sec. 46. *Repealing Clause.*- Sections 6, 7, 8, 9, 10, 13, 19, and 20 of R.A. No.
24 10121 are hereby repealed. The provisions of R.A. No. 10121 not expressly repealed in
25 this section shall remain in full force and effect: *Provided,* That all references to the
26 NDRRMC and OCD shall be understood to refer to the Department, unless otherwise
27 provided in this Act.

1 All other decrees, laws, executive orders, proclamations and administrative
2 regulations or parts thereof inconsistent with the provisions of this Act are likewise
3 repealed, amended or modified accordingly.

4 Sec. 47. *Separability Clause*.- If any provision or part of this Act is declared
5 unconstitutional, the remaining parts or provisions not affected shall remain in full force
6 and effect.

7 Sec. 48. *Effectivity Clause*.- This Act shall take effect fifteen (15) days after its
8 complete publication in the Official Gazette or in a newspaper of general circulation.

9
10 *Approved,*