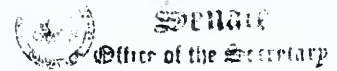


**NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)**



'22 JUL -7 P4 :18

**SENATE
S. No. 174**

RECEIVED BY: _____

Introduced by SENATOR FRANCIS "TOL" N. TOLENTINO

**AN ACT
AMENDING REPUBLIC ACT NO. 10121, OTHERWISE KNOWN AS THE
"PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT ACT OF
2010," BY REINFORCING LOCAL GOVERNMENT COORDINATION AND
RESPONSE EFFORTS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

By virtue of its geographic location, the Philippines is highly prone to natural calamities such as tropical cyclones, floods, earthquakes and volcanic eruptions. The country is likewise the fifth country in the world with the highest weather-related losses at \$3,179.12 billion dollars, according to the 2021 Global Climate Risk Index¹.

For this reason, the culture of preparedness for disasters is well-ingrained in Filipino culture and has been institutionalized in Philippine laws as early as 1941 with the establishment of the Civil Emergency Administration. This was followed by the enactment of Presidential Decree Number 1566, which codified all the laws and regulations regarding disaster management and created the National Disaster Coordinating Council on October 19, 1970.

It was only in 2010 when the country shifted to proactive disaster management approaches and strategies with the passage of Republic Act No. 10121 (R.A. No. 10121), otherwise known as the "Philippine Disaster Risk Reduction and

¹ Countries most affected in the period 2000 to 2019, Global Climate Risk Index 2021 available at https://www.germanwatch.org/sites/default/files/Global%20Climate%20Risk%20Index%202021_2.pdf, pages 11-13.

Management Act of 2010," which created the National Disaster Risk Reduction and Management Council (Council). Among the primary functions of the Council is to provide a comprehensive, all-hazard, multi-sectoral, inter-agency, and community-based approach to disaster risk management. However, the Council does not operate in isolation and there remains more that could be done, especially in empowering Local Government Units (LGUs) in disaster management.

The current framework under R.A. No. 10121 does not cover a comprehensive action plan on evacuation and post-recovery operations, which should be at the heart of the country's disaster response policy. Given that joint efforts of the Council, the LGUs and other government agencies remain vital in strengthening the country's disaster resilience, a more detailed coordination framework between the stakeholders should be established.

To strengthen the emergency response system of the country and to streamline evacuation and post recovery efforts, this bill aims to provide the following:

- a) The creation of an inter-local government unit response mechanism and business continuity plan, which includes the identification and creation of permanent evacuation centers, safe refuge zones, evacuation routes and assembly points;
- b) A mandate for the joint planning of LGUs for traffic control, evacuation transport and accommodation of persons and animals; and
- c) The authorization of the Government to utilize private or commercial buildings, such as but not limited to schools, shopping malls, restaurants, warehouses, as evacuation centers or safe zones, provided that payment, from the local government unit or the national government in case of incapacity of the former, for the use of such private institutions shall be made after such use.

The State must exert all efforts to address against calamities, both natural and man-made, to save not only lives of citizens in disaster stricken areas but that of the future generations. Considering the foregoing, the immediate enactment of this bill is respectfully requested.

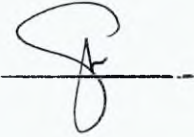
A handwritten signature in black ink, appearing to read 'Francis Tolentino', with a stylized flourish at the end.

FRANCIS "TOL" N. TOLENTINO

'22 JUL -7 P 4 :18

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"PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT ACT OF
2010" BY REINFORCING LOCAL GOVERNMENT COORDINATION AND
RESPONSE EFFORTS, AND FOR OTHER PURPOSES

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

1 **Section 1. Short Title.** – This Act shall be known as the "Expanded
2 Philippine Disaster Risk Reduction and Management Framework of 2022."

3 **Sec. 2.** Section 15 of Republic Act No. 10121, otherwise known as the
4 "Philippine Disaster Risk Reduction and Management Act of 2010", is hereby
5 amended as follows:

6 "Sec. 15. *Coordination During Emergencies.* – The LDRRMCs
7 shall take the lead in preparing for, responding to, and recovering
8 from the effects of any disaster based on the following criteria:

9 (a) The BDC, if a barangay is affected;

10 (b) The city/municipal DRRMCs, If two (2) or more
11 barangays are affected;

1 (c) The provincial DRRMC, if two (2) or more
2 cities/municipalities are affected;

3 (d) The regional DRRMC, if two (2) or more provinces are
4 affected; and

5 (e) The NDRRMC, if two (2) or more regions are affected.

6 **AN INTER-LOCAL GOVERNMENT UNIT RESPONSE**
7 **MECHANISM AND BUSINESS CONTINUITY PLAN SHALL BE**
8 **FORMULATED, WHICH INCLUDES THE IDENTIFICATION**
9 **AND CREATION OF PERMANENT EVACUATION CENTERS,**
10 **SAFE REFUGE ZONES, EVACUATION ROUTES, AND**
11 **ASSEMBLY POINTS. JOINT PLANNING FOR TRAFFIC**
12 **CONTROL, INTER-LOCAL GOVERNMENT UNITS CALAMITY**
13 **DRILLS, EVACUATION TRANSPORT, AND**
14 **ACCOMMODATION OF PERSONS AND ANIMALS SHALL**
15 **LIKEWISE BE ESTABLISHED.**

16 The NDRRMC and intermediary LDRRMCs shall always act
17 support to LGUs which have the primary responsibility as first
18 disaster responders. Private sector and civil society groups shall
19 work in accordance with the coordination mechanism and policies
20 set by the NDRRMC and concerned LDRRMCs.”

21 **Sec. 3.** Section 17 of Republic Act No. 10121 is hereby amended as follows:

22 “Sec. 17. *Remedial Measures.* – The declaration of a state of
23 calamity shall make mandatory the Immediate undertaking of the
24 following remedial measures by the member-agencies concerned as
25 defined in this Act:

26 (a) Imposition of price ceiling on basic necessities and prime
27 commodities by the President upon the recommendation of the
28 implementing agency as provided for under Republic Act No. 7581,

1 otherwise known as the "Price Act", or the National Price
2 Coordinating Council;

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

6 (c) Programming/reprogramming of funds for the repair and
7 safety upgrading of public infrastructures and facilities; ~~[and]~~

8 (d) Granting of no-interest loans by government financing or
9 lending institutions to the most affected section of the population
10 through their cooperatives or people's organizations~~[.];~~ **AND**

11 (e) **GRANTING POWERS TO THE LOCAL**
12 **GOVERNMENT UNITS AFFECTED TO OCCUPY OR UTILIZE**
13 **PRIVATE OR COMMERCIAL BUILDINGS, SUCH AS BUT NOT**
14 **LIMITED TO SCHOOLS, SHOPPING MALLS, RESTAURANTS,**
15 **WAREHOUSES, AS EVACUATION CENTERS OR SAFE ZONES,**
16 **PROVIDED THAT PAYMENT, FROM THE LOCAL**
17 **GOVERNMENT UNIT OR THE NATIONAL GOVERNEMENT IN**
18 **CASE OF INCAPACITY OF THE FORMER, FOR THE USE OF**
19 **SUCH PRIVATE INSTITUTIONS SHALL BE MADE AFTER**
20 **SUCH USE."**

21 **Sec. 4. *Implementing Rules and Regulations.*** – The NDRRMC, the
22 League of Provinces, Cities, Municipalities, and Barangays, and other concerned
23 government agencies shall promulgate the Implementing Rules and Regulations in
24 order to carry out the provisions of this Act within ninety (90) days from its
25 effectivity.

26 **Sec. 5. *Separability Clause.*** – If any provision of this Act shall be held
27 unconstitutional or invalid, the other provisions not otherwise affected shall remain
28 in full force and effect.

1 **Sec. 6. Repealing Clause.** – All laws, decrees, executive orders,
2 proclamations, rules and regulations, and other executive issuances which are
3 inconsistent with or contrary to the provisions of this Act are hereby modified,
4 amended, or repealed accordingly.

5 **Sec. 7. Effectivity Clause.** – This Act shall take effect fifteen (15) days
6 following its publication in the *Official Gazette* or in a newspaper of general
7 circulation.

Approved,