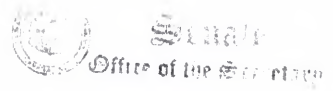



NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



22 JUL 12 P5:29

SENATE

RECEIVED BY: 

S. No. 438

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

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

EXPLANATORY NOTE

The Philippines is one of the world's most disaster-prone countries. Located along the boundary of major tectonic plates and at the center of a typhoon belt, its islands are regularly impacted by floods, typhoons, landslides, earthquakes, volcanoes, and droughts. The Philippines also rank among the top three (3) countries in the world for population in the world for population exposure and vulnerability to hazards.¹

While natural disasters are unforeseeable, proper and adequate preparedness may mitigate, if not, totally eliminate the effects of these kind of fortuitous events. The proposed measure will provide a systematic and holistic approach of disaster risk reduction, disaster preparedness and response, recovery, and support to operations thereby addressing every step of disaster management cycle.

Further, the proposed measure seeks to ensure that a permanent, institutionalized, cohesive and comprehensive framework for disaster preparedness, prevention and mitigation, and response, is adopted, to be implemented by a highly specialized and focused agency bearing its own mandate, powers, and funding, in

¹ <https://hhi.harvard.edu/publications/perceptions-disaster-resilience-and-preparedness-philippines>

coordination and with the participation of the Philippine government, other foreign governments and financial institutions, international organizations, the private sector, and civil society.

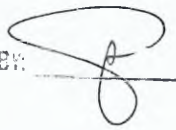
In view of the foregoing, the immediate passage of this bill is earnestly sought.


RONALD "BATO" DELA ROSA

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

'22 JUL 12 P5:30

SENATE
S. No. 438

RECEIVED BY: 

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

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

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. Short Title. – This Act shall be known as the *"Disaster Resilience Act of 2022"*.

SEC. 2. Declaration of Policies and Principles. – The State recognizes that tremendous physical and economic, losses are sustained by the country, and in certain cases, damage to our national, cultural, and historical heritage, each time natural hazards wreak havoc on an unsuspecting and unprepared populace;

Towards this end, the state shall endeavor to ensure that a strategic, systematic, continuous, comprehensive, inclusive, and integrated approach to disaster risk reduction and management is established, with the end in view of substantially reducing vulnerabilities and the risk of disasters and other humanitarian emergencies, towards the preservation of life and property, thereby ultimately preventing or deterring the loss of lives and the social, economic, cultural, and environmental assets of the country. Furthermore, the state shall undertake to inculcate a culture of resilience and preparedness for natural disasters at the national, regional and local levels, and adopt a whole-of-society approach in disaster resilience to enhance collaboration, planning, and dialogue among all sectors of society, and in improving

1 their strategies and/or action plans for disaster risk reduction.

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

- 3 a. *Build Forward Better* shall refer to an approach to building and/or
4 reconstructing an area or community which entails a shift from simple recovery
5 and restoration to safer, more adaptive, resilient, and inclusive communities.
- 6 b. *Climate Mitigation* shall refer to efforts to reduce or limit greenhouse gas
7 emissions or enhance greenhouse gas sequestration;
- 8 c. *Contingency Planning* shall refer to a management process that analyzes
9 specific potential events or emerging situations that might threaten society or
10 the environment and establishes arrangements in advance to enable timely,
11 effective and appropriate responses to such events and situations.
- 12 d. *Department* shall refer to the Department of Disaster Resilience or the DDR;
- 13 e. *Development Assistance* shall refer to any financial, material or other forms of
14 assistance to support the economic, social, and environmental well-being of
15 areas and/or people affected by a natural disaster;
- 16 f. *Disaster* shall refer to a serious disruption of the functioning of a community or
17 a society involving widespread human, material, economic or environmental
18 losses and impacts, which exceeds the ability of the affected community or
19 society to cope using its own resources. Unless otherwise used specifically in
20 this Act, the term "disaster shall refer to "natural disaster";
- 21 g. *Disaster Contingency Fund* shall refer to a fund, in lump-sum form, managed
22 by the Department to expediently provide funds and resources for disaster relief
23 or response in affected areas;
- 24 h. *Disaster Resilience Fund* shall refer to the budget managed by the Department,
25 which includes funds appropriated to it by Congress pursuant to an
26 Appropriations Act, the Disaster Contingency Fund, and the Rehabilitation and
27 Recovery Fund;
- 28 i. *Disaster Risk Management* (DRM) shall refer to the systematic process of using
29 administrative directives, organizations, and operational skills and capacities to
30 implement strategies, policies and improved coping capacities in order to lessen
31 the adverse impacts of hazards and the possibility of disaster;

- 1 j. *Disaster Risk Reduction* (DRR) shall refer to the prevention of new, and/or
2 reduction of existing, disaster risks and the management of residual risk, to
3 enhance resilience to disasters;
- 4 k. *Emergency* shall refer to an unforeseen or sudden occurrence, especially
5 danger, demanding immediate and decisive action;
- 6 l. *Emergency Management* shall refer to the organization and management of
7 resources and responsibilities for addressing all aspects of emergencies, in
8 particular preparedness, response and initial recovery steps;
- 9 m. *Hazard* shall refer to a phenomenon, substance, human activity or condition
10 that may cause loss of life, injury or impacts to health; social and economic
11 disruption, environmental damage, or loss of/disruption to property, livelihood,
12 and/or services;
- 13 n. *Humanitarian assistance* shall refer to financial, material or other similar forms
14 of assistance to address the immediate needs of people affected by a natural
15 disaster;
- 16 o. *Immediate Danger* shall refer to a situation where, on the basis of official
17 forecasts, it could reasonably be expected that a disaster will occur in a
18 particular geographical area and within an estimated period of time, and where
19 necessary preparedness actions or financing are required;
- 20 p. *Local Disaster Resilience Plan (LDRP)* shall refer to a document prepared by an
21 LGU based on the National Disaster Resilience Framework (NDRF) and the
22 National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets out
23 specific programs, objectives and goals to implement disaster risk management
24 and climate change adaptation measures at the local level. The plan includes,
25 among others, an evaluation and analysis of emerging disaster risks, hazards
26 and vulnerabilities applicable to an LGU, and specific programs and activities to
27 ensure responsive, effective, and appropriate disaster preparedness and
28 managements at the local level;
- 29 q. *National Continuity Policy* shall refer to a comprehensive national policy
30 consisting of a set of programs and projects aimed at capacitating the
31 government to ensure the continuity of governance and the delivery of public
32 services during and after any disaster;

- 1 r. *National Disaster Resilience Framework (NDRF)* shall refer to a framework that
2 provides for a comprehensive, multi-sectoral, whole-of-government, and
3 whole-of-society approach to attaining safe, adaptive, and resilient
4 communities that can resist, prevent, mitigate against, absorb, accommodate,
5 adapt to, recover, or build back better from the effects of a natural hazard in
6 a timely and efficient manner through, among others, disaster risk reduction
7 and management, and climate change adaptation and mitigation. The NDRF
8 shall be composed of a National Disaster Risk Reduction and Management
9 Framework (NDRRMF), and National Framework Strategy on Climate Change
10 (NFSCC);
- 11 s. *National Disaster Resilience Plan and Investment Program (NDRPIP)* shall
12 refer to a plan formulated and implemented by the national and local
13 governments, in collaboration with NGOs, the private sector, academe,
14 international development partners, and others, in accordance with the NDRF
15 that sets out the outcomes, goals and objectives, priorities, programs and
16 corresponding action plans for disaster risk reduction, preparedness, and
17 management, and climate change mitigation. The NDRPIP shall also include,
18 among others, goals, objectives and action plans for a national continuity
19 policy.—It shall be in conformity with the national disaster risk reduction and
20 management framework.
- 21 t. *Natural Hazard* shall refer to naturally occurring physical phenomena caused
22 either by rapid or slow onset events, which can be geological (earthquakes,
23 ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic
24 activity), hydrological and meteorological (floods, sever winds, typhoons,
25 storm surges), climatological variability (extreme temperatures, El Niño, La
26 Niña, forest fires), or biological (disease, epidemics and insect/animal
27 plagues);
- 28 u. *Recovery* shall refer to rehabilitation measures that ensure the ability of
29 affected communities or areas to return their normal level of functioning by
30 restoring livelihoods and services, reconstruction of damaged infrastructures
31 and increasing the communities' organizational capacity;

- 1 v. *Rehabilitation* shall refer to restoration of basic services and facilities for the
2 functioning of a community or a society affected by a disaster;
- 3 w. *Response* shall refer to any effort to provide assistance or intervention during
4 or immediately after a disaster to meet the life preservation and basic
5 subsistence needs of affected people and communities; and in the restoration
6 of essential public activities and facilities;
- 7 x. *Risk assessment* shall refer to a methodology to determine the nature and
8 extent of risk by analyzing potential hazards and evaluating existing conditions
9 of vulnerability that together could potentially harm exposed people, property,
10 services, livelihood and the environment on which they depend;
- 11 y. *State of Calamity* shall refer to a condition involving endangered to and/or
12 loss of lives, damages to property, economic and/or social disruption,
13 interruption and/or loss of livelihood and/or services, and destruction and/or
14 damages to infrastructure as a result of natural disasters or related hazards;

15 **ARTICLE II**

16 **THE DEPARTMENT OF DISASTER RESILIENCE:**

17 **MANDATE, POWERS, AND FUNCTIONS**

18 **SEC. 4.** *Creation of the Department of Disaster Resilience.* – There is hereby
19 created the Department of Disaster Resilience (Department).

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

28 The Department shall oversee and coordinate the preparation,
29 implementation, monitoring, and evaluation of disaster and climate resilience plans,
30 programs, projects and activities, provide leadership in the continuous development
31 of strategic and systematic approaches to disaster prevention, mitigation,

1 preparedness, response, recovery and rehabilitation and anticipatory adaptation
2 strategies, measures, techniques, and options. It shall also manage and direct the
3 implementation of national, local, and community-based disaster resilience programs
4 in collaboration with relevant national government agencies, LOUs, CSOs, and other
5 stakeholders, as applicable.

6 **SEC. 5. Powers and Functions of the Department.** – The Department shall
7 exercise and perform the following powers and functions:

8 **(A) Overall functions:**

- 9 1. Craft the policies and lead the implementation of the programs, projects and
10 activities necessary to reduce the country's vulnerabilities to natural hazards
11 and climate change, using the PDRP and the relevant climate change and DRR
12 frameworks as anchors;
- 13 2. Review and build upon, to the extent necessary, the existing disaster resilience
14 framework, plans and strategies in the crafting of an NDRF and the
15 corresponding NDRPIP;
- 16 3. Oversee, review, and approve the translation, integration, and implementation
17 of the NDRPIP into LDRPs;
- 18 4. Communicate and disseminate critical information to help the public prepare
19 for, respond to, and recover from a disaster;
- 20 5. Receive, manage, and administer the Disaster Resilience Fund, the Disaster
21 Contingency Fund, donations and other funds, assets and/or properties
22 received by the Department to accomplish the purposes of this Act;
- 23 6. Recommend to the President of the Philippines the declaration of a state of
24 calamity due to a natural disaster, and the lifting thereof when conditions
25 stabilize;
- 26 7. Advance the country's interests relating to disaster resilience and climate
27 change in the regional and global arena; and
- 28 8. Perform such other functions, as provided by law or assignment of the
29 President, and undertake all other necessary actions to ensure the attainment
30 of the overall goals and objectives of this Act.

31 **(B) Disaster Risk Reduction:**

- 1 1. Develop coordinated national, regional, and local strategies for the effective
2 prevention and mitigation of disaster risk resulting from natural hazards,
3 including the effects of climate change;
- 4 2. Monitor and ensure the integration of disaster risk reduction and management,
5 and climate change adaptation policies into national development plans;
- 6 3. Establish a disaster resilience information system to facilitate the creation of an
7 integrated risk assessment platform built from the inputs of government and
8 private scientific and academic institutions, national government agencies and
9 local government units, local communities, and other stakeholders and that is
10 able to provide readily accessible and actionable information for purposes of
11 risk governance and humanitarian action;
- 12 4. Formulate plans and programs to establish and implement government
13 redundancy, service and business continuity, and a National Continuity Policy,
14 as a high priority and urgent undertaking;
- 15 5. Ensure the use of advanced science and technology in anticipatory planning of
16 communities against the impact of natural hazards and climate change through
17 consultation, and employment with a regular department funding the academe
18 or higher education institutions;
- 19 6. Design and implement an incentive system for greater private and public
20 investment, both at the local and national levels, on disaster risk reduction;
- 21 7. Oversee and ensure the mainstreaming of climate change adaptation and
22 disaster risk reduction in development and land use planning, and the
23 preparation of contingency plans;
- 24 8. Communicate and disseminate critical information to help the public prepare
25 for, respond to, and recover from a disaster;
- 26 9. Establish and monitor local and national capacity for disaster risk financing and
27 insurance and other risk transfer strategies in coordination with the Department
28 of Finance (DOF), the Government Service Insurance System (GSIS), and the
29 Land Bank of the Philippines (LBP), and the Insurance Commission; and
- 30 10. Undertake all other programs, projects, and actions necessary to attain the
31 overall goals and intended outcome of this key result area.

32 (C) Disaster Preparedness and Response:

- 1 1. Lead, manage, and collaborate with the relevant government instrumentalities,
2 non-government stakeholders, and international partners in providing the
3 minimum basic needs of people in affected areas before, during and/or
4 immediately after a disaster to save lives and minimize casualties;
- 5 2. Ensure the efficient prepositioning of goods, maintenance, and disposal of
6 safety stocks;
- 7 3. Prepare pre-disaster recovery plans in anticipation of future disasters by
8 engaging the community and planning for recovery activities that are
9 comprehensive and long-term;
- 10 4. Establish a corps of first responders in partnership with national and local
11 stakeholders, both public and private;
- 12 5. Formulate standards for contingency planning for adoption by both national
13 government agencies and local government units;
- 14 6. Recommend to the President of the Philippines the declaration of a state of
15 calamity due to a natural disaster, and the lifting thereof when conditions
16 stabilize;
- 17 7. Oversee and maintain a national early-warning and emergency alert system
18 that must provide a specific, areas-focused and time-bound warning that are
19 accurate, timely, understandable and readily accessible to national and local
20 emergency response organizations and the general public;
- 21 8. Implement Pre-Disaster Risk Assessments to include deployment of rapid
22 assessment teams to gather information for precise actions as a basis for
23 emergency preparedness and humanitarian response;
- 24 9. Coordinate information-sharing and other disaster risk reduction protocols
25 following the principle of inter-operability among national government agencies
26 and local government units;
- 27 10. Establish and maintain a national humanitarian logistics system with a network
28 of warehouses, transport and resources, including response assets and disaster
29 relief food and non-food items;
- 30 11. Call upon the relevant government instrumentalities, non-government
31 stakeholders, CSOs, and international partners for assistance in ensuring the
32 protection and preservation of life and property such as through the use of

1 their resources and facilities, among others. This function includes the power
2 to call on the reserve force as defined in Republic Act No. 7077 or the "Citizen
3 Armed Force or the Armed Forces of the Philippines Reservist Act", to assist in
4 search and rescue, and the relief and disaster preparedness and response
5 operations;

6 12. Organize, train, equip, and maintain a system of response capacity for search,
7 rescue and retrieval and the delivery and distribution of relief goods;

8 13. Monitor and support LGUs in the management of evacuation centers and
9 ensure the welfare and dignity of internally-displaced persons;

10 14. Procure goods and services prior to, during, and after emergencies for
11 preparedness, response, and recovery activities, including those prompted by
12 a declaration of a state of calamity or of an imminent disaster;

13 15. Issue special procurement rules and regulations, in close coordination with the
14 Government Procurement Policy Board, for preparedness, response, and
15 recovery activities, including those prompted by a declaration of a state of
16 calamity or of an imminent disaster;

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

20 17. Undertake all other programs, projects, and actions necessary to attain the
21 overall goals and intended outcomes of this key result area.

22 (D) Recovery:

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

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

30 3. Prepare and implement the recovery and rehabilitation plan(s) for disaster
31 affected areas;

- 1 4. Collaborate with relevant government agencies and non-government
2 stakeholders in undertaking programs and projects to restore and/or generate
3 livelihood and entrepreneurial activities and opportunities in disaster-affected
4 areas;
- 5 5. Ensure that the principle of Building Forward Better is applied to all recovery,
6 reconstruction, and rehabilitation efforts; and
- 7 6. Undertake all other programs, projects, and actions necessary to attain the
8 overall goals and intended outcomes of this key result area.

9 (E) Other Powers and Functions:

- 10 1. Constitute, call, convene and/or deputize agencies of government, and invite
11 non- government and private organizations, to assist, advise, and/or coordinate
12 with the Department to achieve the goals and purposes of this act;
- 13 2. Provide operating guidelines to the LDROs for the Declaration of Imminent
14 Disaster in their respective areas, which shall allow them to implement
15 preemptive measures and use their quick response funds in order to save lives
16 and minimize damage to property, loss of livelihood, and other assets;
- 17 3. Establish and monitor local and national capacity for disaster risk financing and
18 insurance and other risk transfer strategies in coordination with the DOF, GSIS,
19 LBP, and the Insurance Commission;
- 20 4. Coordinate information-sharing and other disaster risk reduction protocols
21 following the principle of inter-operability among National Government
22 Agencies and Local Government Units, before, during, and after a disaster;
- 23 5. Administer, mobilize, monitor, and oversee the utilization of disaster resilience-
24 related funds, including, but not limited to, the National Disaster Resilience
25 Fund and the Supplemental Disaster Resilience Support Fund for low income
26 provinces, cities, and municipalities, and multi-hazard local government units;
- 27 6. Inspect and examine the status of projects, programs, and activities
28 undertaken by national government agencies and local government units in
29 furtherance of disaster resilience efforts;
- 30 7. Negotiate, enter into, institutionalize, and coordinate arrangements with any
31 private person or entity for the purpose of ensuring the adequate and prompt

- 1 availability of goods and services necessary in anticipation of, during, and in
2 the aftermath of disasters;
- 3 8. Receive humanitarian assistance from local and foreign sources, recommend
4 the acquisition of developmental assistance for the purpose of disaster
5 resilience, acknowledge and certify the receipt of all humanitarian assistance,
6 and ensure their judicious use and management;
- 7 9. Establish and operate a platform, including an online platform, to monitor and
8 provide public access to information on humanitarian assistance received by
9 the Department;
- 10 10. Secure the assistance of the AFP, PNP, DILG- BFP, DOTr-PCG, and other
11 uniformed services and government instrumentalities to ensure the attainment
12 of the three key result areas, and the overall goals and objectives of this Act;
- 13 11. In consultation with the COA, promulgate rules and regulations for the
14 retention, re- exportation, donation, and disposition of unused goods and
15 equipment after the termination of disaster relief and initial recovery
16 operations,
- 17 12. Assist appropriate national government agencies and offices and concerned
18 local government units in protecting national cultural heritage including national
19 treasures and national historical landmarks, sites or monuments from hazards
20 and disasters; and
- 21 13. Perform such other functions, as provided by law or assignment of the
22 President, and undertake the necessary actions to ensure the attainment of the
23 overall goals and objectives of this Act.

24 **ARTICLE III**
25 **EMERGENCY MEASURES**

26 **SEC. 6. *Emergency Measures.*** –

- 27 a. The Department shall undertake and implement such immediate measures
28 as may be necessary to ensure the protection and preservation of life or
29 property in anticipation of, during, and in the aftermath of emergencies,
30 hazards and disasters, including preemptive and forced evacuations.

1 Local Government Units (LGUs) shall enact an ordinance on and
2 implement necessary and appropriate emergency measures, including
3 preemptive and forced evacuations, to ensure the protection and
4 preservation of life or property in anticipation of, during, and in the
5 aftermath of disasters.

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

13 Preemptive evacuation shall be the preferred as the primary mode of
14 moving people that will be affected by disasters.

15 Forced evacuation shall be considered as an emergency measure of last
16 resort, and shall be carried out by the affected LGU, pursuant to a duly
17 issued order by the local chief executive: *Provided*, That in case of the
18 failure of the local chief executive to issue such an order, the forced
19 evacuation shall be implemented by the Department, which may direct and
20 compel the assistance of law enforcement and other relevant government
21 agencies to implement such measure.

22 Any person who willfully and deliberately disregards or disobeys a
23 preemptive or forced evacuation implemented by the LGU or the
24 Department, as the case may be, releases such LGU or the Department
25 from any liability for injury, death, damage to, or loss of property due to
26 such disobedience.

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

- 1 d. The Department may temporarily take over or direct the operation of any
2 private utility or business for urgent public purpose in anticipation of, during,
3 and in the aftermath of emergencies, hazards, and disasters and only when
4 there is imminent danger of loss of lives and/or damage to property, subject
5 to the payment of just compensation.
- 6 e. LGUs shall likewise enact the abovementioned emergency measures
7 including preemptive and forced evacuations, to ensure the protection and
8 preservation of life or property in anticipation of, during, and in the
9 aftermath of disaster.
- 10 f. With the concurrence of the DOF, the Department shall recommend to the
11 Monetary Board the deferment of payment for monetary debts of LGUs
12 and/or private entities that have been affected by disasters.

13 **ARTICLE IV**

14 **ORGANIZATION AND MANAGEMENT**

15 **SEC. 7. *The Secretary.*** – The Department shall be headed by the Secretary of
16 Disaster Resilience (Secretary) who shall be appointed by the President, subject to
17 confirmation by the Commission on Appointments.

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

21 **SEC. 8. *Powers and Functions of the Secretary.*** – The Secretary shall exercise
22 the following powers and functions:

- 23 a. Establish and promulgate policies, rules, and regulations for the effective and
24 efficient operation of the Department and implement these to carry out its
25 mandate, functions, programs, and activities;
- 26 b. Exercise executive direction over the operations of the Department and
27 administrative supervisions over its attached agencies;
- 28 c. Exercise control and supervision over all functions and activities of the
29 Department and its officers and personnel;

- 1 d. Appoint officers and employees of the Department, except those whose
- 2 appointments are vested in the President, in accordance with civil service law,
- 3 rules, and regulations;
- 4 e. Exercise disciplinary authority over officers and employees of the Department
- 5 in accordance with law, and investigate such officers and employees, or
- 6 designate a committee or officer to conduct an investigation;
- 7 f. Manage the financial, human, and other resources of the Department;
- 8 g. Collaborate with other government agencies, the private sector, and civil
- 9 society organizations on the policies, programs, projects, and activities of the
- 10 Department, as may be necessary;
- 11 h. Advise the President on the promulgation of executive and administrative
- 12 issuances and the formulation of regulatory and legislative proposals on
- 13 matters pertaining to disaster resilience;
- 14 i. Represent the Philippines and articulate the national contribution to global,
- 15 regional, and other inter-governmental disaster risk reduction and
- 16 humanitarian platforms, in coordination with the Department of Foreign Affairs;
- 17 and
- 18 j. Perform such other functions as may be provided by law or assigned by the
- 19 President.

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

- 24 a. *Disaster Risk Reduction* - the formulation, adoption, and implementation of
- 25 policies and programs to reduce existing and future disaster risks to minimize
- 26 loss and damage to lives and properties, including the formulation of the
- 27 required policies and programs in the NDRF and relevant national investment
- 28 plans;
- 29 b. *Disaster Preparedness and Response* - the implementation of projects and
- 30 programs to prepare and respond to disasters, including the enhancement of
- 31 capabilities of LGUs, the development of a database of exposure or elements
- 32 at risk per area and database of volunteers, the establishment of safe and

1 strategic evacuation centers, and the implementation of responsive and
2 efficient prepositioning and distribution of goods;

3 c. *Recovery* – the formulation and implementation of rehabilitation plans for
4 disaster-affected areas and ensuring the implementation of disaster recovery
5 and rehabilitation measures, such as post-disaster shelters and livelihood
6 projects, in collaboration with relevant government agencies, local government
7 units, and other stakeholders; and

8 d. *Support to Operations* - the formulation and implementation of policies,
9 programs, projects, and activities to ensure the efficient, effective, and
10 responsive performance of the Department's mandate, powers, and functions.
11 Support to operations includes knowledge management, institutional
12 development and planning, finance, administration, and human resources
13 management.

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

16 **SEC. 10.** *The Assistant Secretaries and Directors.* –The Department shall have
17 such number of Assistant Secretaries and Directors as may be necessary for the
18 effective and efficient implementation and performance of its mandate, powers, and
19 functions.

20 **SEC. 11.** *Qualifications.* –All the Undersecretaries, Assistant Secretaries, and
21 other officials of the Department shall preferably be specialists and have a good track
22 record in any of the following fields, as applicable to their mandated key result areas
23 and functions: disaster risk reduction and management, science and technology,
24 environmental science or management, urban planning, civil engineering, public
25 finance, information and communications technology, logistics management, mass
26 communication, among other fields directly relevant to ensuring the country's
27 disaster resilience. The appointing authority and other responsible officials shall
28 ensure that the Department's human resources possess the competencies, skills,
29 behavioral attributes, training and experience necessary for them to become
30 efficient, effective, and responsive in performing their functions and contribute to
31 the attainment of the overall goals and delivery of the intended outcomes of this Act.

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

5 **SEC. 13. *Regional Disaster Resilience Offices.*** – The Department shall
6 establish and maintain Regional Disaster Resilience Offices (RDROs) in each
7 administrative region, to be headed by a Regional Director. The Department shall
8 create policies and programs to establish collaboration and coordination among the
9 different RDROs.

10 **SEC. 14. *Powers and Functions of RDROs.*** – The RDROs shall have the
11 following powers and functions:

- 12 a. Review the LDRPs and Provincial DRPs of LGUs within its jurisdiction, and
13 require the amendment of such LDRPs and/or Provincial DRPs if necessary, to
14 ensure compliance with the NDRF and relevant national investment plans;
- 15 b. Monitor and direct LDROs and PDROs to implement their respective LDRPs and
16 PDRPs;
- 17 c. Recommend to the appropriate local legislative body the enactment of
18 ordinances to implement the LDRP, NDRF and relevant national investment
19 plans at the city, municipal or provincial level, and to comply with other
20 requirements of this Act;
- 21 d. Review reports on the utilization of the LDRF and other disaster risk and
22 management resources of LGUs within its jurisdiction, and give
23 recommendations, as necessary;
- 24 e. Disburse to, and monitor the use by, LGUs of funds granted by the Department
25 pursuant to this Act and its IRR;
- 26 f. Provide, upon the request of LGUs or unilaterally at its own discretion,
27 assistance to LGU(s) within its jurisdiction as necessary to ensure the
28 implementation of LDRPs/Provincial LDRPs, NDRF and relevant national
29 investment plans, and to render efficient and timely disaster preparedness,
30 response and recovery measures;
- 31 g. Identify and report to the Department issues and problems relating to, or
32 affecting, the disaster resilience of LGUs within its jurisdiction, and make

1 recommendations to the Department and/or to the LGUs to address such issues
2 or problems;

3 h. Formulate and establish mechanisms to mobilize and direct LDROs and PDROs
4 within its jurisdiction as necessary for disaster preparedness and response at
5 the regional level;

6 i. Establish and maintain, in coordination with the Department, a Regional
7 Command and Control Center (RCCC), which includes, among others, an
8 information management system at the regional level, which consolidates and
9 integrates information from the provinces, cities and municipalities within its
10 jurisdiction, a multi-hazard early warning and communications system, and a
11 monitoring system that enables the RDRO to oversee, supervise, monitor and
12 respond to the needs of LGUs within its jurisdiction in relation to disaster
13 resilience activities;

14 j. Assist in the implementation, of rehabilitation plan(s) for LGUs within its
15 coverage: and

16 k. Conduct other activities and act on other matters, in accordance with policies
17 and procedures of the Department and applicable laws, to achieve the purposes
18 of this Act.

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

22 **SEC. 16. *Local Disaster Resilience Offices.*** – The Local Disaster Risk Reduction
23 Management Offices in provinces, cities, and municipalities are hereby renamed as
24 the Provincial, City, and Municipal Disaster Resilience Offices, respectively, and shall
25 collectively be called the Local Disaster Resilience Offices (LDROs). Provincial, city,
26 and municipal governments shall establish their respective LDROs.

27 The Barangay Disaster Risk Reduction and Management Committees are
28 hereby renamed as the Barangay Disaster Resilience Committees (BDRC).

29 All Local Disaster Risk Reduction Management Councils are hereby abolished.

30 The LDROs shall be under the control and supervision of the provincial governor
31 or the city or municipal mayor, as the case may be. The budgetary requirements for
32 personal services, maintenance and other operating expenditures, and capital outlay

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

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

15 **SEC. 18. *Powers and Functions of City and Municipal Disaster Resilience***
16 ***Offices.*** – The City and Municipal Disaster Resilience Offices shall have the following
17 powers and functions:

- 18 a. Formulate and implement, in coordination with the Department, a
19 comprehensive and integrated Local Disaster Resilience Plan in accordance with
20 the NDRF and the relevant national investment plans;
- 21 b. Design, program, coordinate, and implement disaster resilience activities
22 consistent with the standards and guidelines provided by the Department, and
23 implement the NDRF and the relevant national investment plans at the city or
24 municipal level;
- 25 c. Prepare and submit to the Sangguniang Panglungsod or Bavan, as the case
26 may be, the LDRP, the proposed programming of the LDR Fund, other
27 dedicated disaster resilience resources, and other funds of the LDRO;
- 28 d. Recommend to the Sangguniang Panglungsod or Bavan, as the case may be,
29 the enactment of ordinances to implement the LDRP, NDRF, relevant national
30 investment plans, and the provisions of this Act;

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

- 1 m. Coordinate with the Department, other government agencies, members of the
2 private sector and other stakeholders in the LGU to establish a Business
3 Continuity Plan as part of their LDRP's disaster preparedness measures;
4 n. Establish linkage/network and coordination mechanisms with other LGUs and
5 the Department for disaster resilience activities and to achieve the purposes of
6 this Act; and
7 o. Conduct other activities and act on other matters, in accordance with policies
8 and procedures of the Department and applicable laws, to achieve the purposes
9 of this Act.

10 **SEC. 19.** *Powers and Functions of the Provincial Disaster Resilience Offices.* —

11 The Provincial Disaster Resilience Offices shall have the following powers and
12 functions:

- 13 a. Formulate and implement, in close coordination with the Department and the
14 local government units under the jurisdiction of the provincial government, a
15 comprehensive and integrated Provincial Disaster Resilience Plan in accordance
16 with the NDRF;
17 b. Review the LDRPs of cities and/or municipalities within its jurisdiction, and
18 require the amendment of such LDRPs if necessary, to ensure compliance with
19 the Provincial DRP and the NDRF;
20 c. Design, program, coordinate, or implement disaster resilience activities
21 consistent with the standards and guidelines provided by the Department, and
22 implement the NDRF and the relevant national investment plans at the
23 provincial level;
24 d. Prepare and submit to the Sangguniang Panlalawigan, the Provincial DRP, the
25 proposed programming of the province's Local Disaster Resilience Fund, other
26 dedicated disaster resilience resources, and other funding sources of the PDRO;
27 e. Recommend to the Sangguniang Panlalawigan the enactment of local
28 ordinances to implement the Provincial LDRP, NDRF and relevant national
29 investment plans at the provincial level, and to comply with other requirements
30 of this Act:

- 1 f. Prepare and submit to the Department, a report on the utilization of the
2 province's Local Disaster Resilience Fund and other disaster risk reduction and
3 management resources;
- 4 g. Establish and maintain, in coordination with the Department, a Provincial
5 Command and Control Center (PCCC), which includes, among others, an
6 information management system at the provincial level, which consolidates and
7 integrates information from the cities and/or municipalities within its
8 jurisdiction, a multi-hazard early warning and communications system that is
9 connected with the cities and/or municipalities within its jurisdiction, and a
10 monitoring system that enables the PDRO to oversee, supervise, monitor and
11 respond to the needs of cities and/or municipalities within its jurisdiction in
12 relation to disaster resilience activities;
- 13 h. Recommend to the Provincial Governor the procurement of emergency works,
14 goods, and services in compliance with the regulations, orders, and policies of
15 DBM and GPPB, to implement the provincial LDRP or support early recovery
16 and post-disaster activities of the PDRO;
- 17 i. Recommend, in coordination with the DOF, to the Provincial Governor to access
18 foreign loans to finance its policies, programs, projects, and activities for
19 disaster preparedness, response, recovery, and rehabilitation, subject to terms
20 and conditions agreed upon by the Provincial Government and the lender;
- 21 j. Formulate and establish mechanisms to mobilize and direct LDROs within its
22 jurisdiction as necessary for disaster preparedness and response at the
23 provincial level;
- 24 k. Coordinate and provide the necessary support or assistance to the Department
25 in the implementation of rehabilitation plan(s) within the cities and/or
26 municipalities covered by the PDRO; and
- 27 l. Conduct other activities and/or act on other matters, in accordance with policies
28 and procedures of the Department and applicable laws, to achieve the purposes
29 of this Act.

30 **SEC. 20. *Service continuity of the Department.*** –To ensure service continuity,
31 the Department and its regional and attached offices shall be established in a

1 reasonably resilient location; and/or undertake the necessary interventions to make
2 its offices and systems disaster- resilient.

3 **ARTICLE V**

4 **WHOLE OF GOVERNMENT AND WHOLE OF NATION APPROACH**

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

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

- 19 a. Implementation of business continuity practices to ensure the continued
20 delivery of products and services, in the event of disasters;
- 21 b. Crafting and implementation of a National Continuity Policy to ensure
22 government service continuity during and after emergencies and disasters, and
23 ensure the quick return of government to full operations;
- 24 c. Establishment, incorporation, and application of business continuity plans as
25 part of the LDRPs of LGUs;
- 26 d. Facilitation or assistance in obtaining and/or processing incentives for the
27 private sector and other non-government stakeholders, such as but not limited
28 to tax credits;
- 29 e. Preparation and facilitation of the issuance of special rules for Micro, Small, and
30 Medium Enterprises (MSMEs) such as, but not limited to, mechanisms involving
31 procurement and liquidity to create enabling environments for disaster
32 preparedness, recovery and building forward better; and

1 f. Formulation of investment programs for disaster affected areas in partnership
2 with the private business sector and civil society organizations.

3 The MSCU shall establish a platform that includes, among others, a database
4 for monitoring and coordinating efforts and resources of stakeholders.

5 **SEC. 23. *Roles and Responsibilities of Stakeholders.*** – The commitment,
6 goodwill, knowledge, experience and resources of relevant stakeholders are critical to
7 realize a safer, adaptive, resilient and inclusive Filipino community. Citizens have the
8 shared vision and duty to provide support to the State in the implementation of policies
9 and programs, particularly the Disaster Resilience Framework and Disaster Resilience
10 Plan at the national, regional and local levels.

- 11 a. Civil society, non-governmental organizations, international non-governmental
12 organizations, private sector, practitioners, and volunteers shall participate, in
13 collaboration with public institutions, in the exchange of information, learnings,
14 and guidance on disaster resilience. The Department shall encourage and
15 institutionalize their engagement in the implementation of local, regional,
16 national, and global plans and strategies: enhance public awareness and
17 promote a culture of disaster resilience;
- 18 b. The women, children, and youth, as agents of change, shall endeavor to
19 contribute actively and participate in disaster resilience trainings and
20 information dissemination;
- 21 c. Senior citizens, and persons with disabilities shall contribute their knowledge
22 and experience on disaster preparedness and resiliency;
- 23 d. Indigenous peoples and Muslim Filipinos shall share their traditional knowledge
24 and practical experience on disaster resiliency;
- 25 e. Urban and rural poor, and migrants shall participate in building resilient
26 resettlement communities;
- 27 f. Emergency responders and volunteer organizations shall contribute to
28 resilience by promptly and efficiently responding to disasters and emergencies
29 consistent with the policies of the Research, Education and Training Institute
30 of the Department;

- 1 g. Academia, scientific and research entities, and networks are encouraged to
2 undertake relevant research on disaster resiliency in partnership with the
3 Department and other stakeholders for better decision-making;
- 4 h. The private sector is encouraged to integrate disaster resiliency projects and
5 programs in their corporate social responsibility initiatives; and
- 6 i. The media shall provide prompt and accurate information to the public on early
7 warning systems, natural hazards, and disaster resilience activities of the
8 Department.

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

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

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

25 **SEC. 26. *National organization of all Local Disaster Resilience Officers.*** – There
26 shall be a national organization of all local disaster resilience officers for the primary
27 purpose of:

- 28 a. Developing capacity, and exchanging knowledge, experiences, and best
29 practices concerning local government disaster resilience;
- 30 b. Fostering inter-operability of the local disaster resilience offices' systems;
31 Facilitating inter-LGU cooperation and collaboration;

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

ARTICLE VI
MAINSTREAMING, INTEGRATION AND CONVERGENCE
OF DISASTER RISK REDUCTION

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

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

ARTICLE VII
NATIONAL DISASTER OPERATIONS CENTER, ALTERNATIVE COMMAND CENTER, AND RESEARCH AND TRAINING INSTITUTE

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

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

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

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

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

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

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

1 **ARTICLE VIII**
2 **MAINSTREAMING**
3 **DISASTER RESILIENCE INFORMATION,**
4 **EDUCATION AND COMMUNICATION CONVERGENCE**

5 **SEC. 32.** *Integrated Disaster Resilience Information System.* – The Department
6 shall establish a National and Regional Information Management System for Disaster
7 Resilience, which shall be a database of all relevant disaster risk reduction and climate
8 change data, including a geographic information system on geo-hazard assessments
9 and climate risk. It shall be the repository of current and multi- temporal information
10 for wide-scale disaster risk analysis. The IDRIS shall be accessible at all times to the
11 responsible officials and entities to enable the timely, reliable, and accurate collection,
12 processing, analysis, and dissemination of information to support overall decision-
13 making and effective coordination at both the national and sub-national level. The
14 protocols and procedures for this shall be defined in the IRR of this Act.

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

22
23 **ARTICLE IX**
24 **DISASTER RISK TRANSFER,**
25 **INSURANCE AND INCENTIVES**

26 **SEC. 34.** *Disaster Risk Transfer Insurance and Social Welfare.* –

- 27 a. The Department shall oversee all disaster risk-sharing and risk-transfer
28 instruments and other related initiatives to ensure the protection of property
29 and livelihood, both public and private.
- 30 b. The Department, in collaboration with the DOF, BSP, LBP, GSIS, and the
31 Insurance Commission, shall create, establish, and implement, among
32 others, disaster insurance pools, revolving funds, insurance and risk-

1 transfer schemes and/or facilities, and other financial disaster resilience
2 measures to ensure the protection of public and/or private properties and
3 livelihood against the adverse effects of natural disasters. For this purpose,
4 the Department and/or DOF may engage or require the participation of
5 government banks, insurance agencies and financial institutions.

6 c. To attain disaster resilience and to achieve the purposes of this Act, the
7 Department shall have the discretion and authority to require government
8 agencies and GOCCs to insure their assets and/or properties such as, among
9 others, vessels, vehicles, equipment, machineries, permanent buildings,
10 properties stored therein, or properties in transit, against insurable risks and
11 pay the premiums therefor, to compensate the Government and/or GOCC,
12 as applicable, for any damage to, or loss of properties due to a natural
13 disaster.

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

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

24 **ARTICLE X**

25 **PREPAREDNESS AND INTEGRATED EARLY WARNING**

26 **SEC. 36. *Standards for Disaster Preparedness Activities.*** —

27 a. The Department shall establish standards and protocols for disaster
28 preparedness, contingency planning, localizing and operationalizing disaster
29 risk reduction and management, preparedness for disaster response,
30 preparedness for early recovery, continuity of essential services, and other
31 relevant preparedness activities.

1 b. The LGUs shall identify safe and strategic sites, and establish evacuation
2 centers with appropriate and adequate facilities in accordance with
3 government-approved standards as provided under Republic Act No. 10821,
4 otherwise known as "The Children 's Emergency Relief Protection Act", to
5 avoid disruption of school classes and lessen the use of school buildings and
6 facilities as evacuation centers.

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

10 **SEC. 37. Multi-Hazard Early Warning and Risk Communication Standards. –**

- 11 a. There shall be a streamlined policy governing early warning systems and risk
12 communication protocols to ensure effective and efficient measures to prepare
13 for, respond to and recover from potential risks and disasters.
- 14 b. The Department shall formulate and implement multi-hazard early warning
15 protocols integrating all disaster preparedness systems in collaboration with
16 local executives, community-based organizations, civil society organizations,
17 and other non-governmental organizations for proper use and application.

18 **SEC. 38. Early Warning Mandate. –**

- 19 a. The Department shall issue an integrated early warning alert for the impending
20 occurrence of hazards that will enable the public to prepare timely and act
21 appropriately to minimize potential harm or loss.
- 22 b. The Department shall require mobile phone service providers to send out alerts
23 at regular intervals in the event of an impending natural hazard, in accordance
24 with Republic Act No.10639, otherwise known as the "Free Mobile Disaster
25 Alerts Act".
- 26 c. The Department shall recognize and proactively support local or indigenous
27 modes of early warning systems and allow open access to near real-time data
28 from both local and international sources made available through various
29 platforms such as websites, mobile apps, and social media to empower local
30 communities and individuals.

- 1 d. Any person who transmits early warning concerning the abovementioned
2 phenomena by means of signs in designs, colors, lights, or sound shall do so in
3 compliance with the methods recognized or approved by the Department.
- 4 e. The Department at the national and local level shall use an integrated early
5 warning system to ensure it is consistent and locally contextualized with the
6 communication protocol and safe evacuation procedure of the affected
7 communities.
- 8 f. The Department shall work with other agencies or organizations on pre-crisis
9 information mapping of the humanitarian needs of at-risk Communities that will
10 enhance the overall prepositioning of resources at the national and local level.
- 11 g. The Department shall recognize and proactively support local or indigenous
12 modes of early warning systems and allow open access to near real-time data
13 from both local and international sources made available through various
14 platforms such as websites, mobile apps, and social media to empower local
15 communities and individuals.

16 **ARTICLE XI**

17 **DISASTER RESPONSE AND EARLY RECOVERY**

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

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

29 **SEC. 40.** *Levels of Responsibility for Disaster Preparedness and Response.* -
30 The primary responsibility for disaster preparedness and response shall be exercised
31 at the local or national level, as applicable, in close and seamless collaboration with

- 1 the relevant national government instrumentalities, non-government stakeholders,
- 2 and international partners. The four levels of responsibility and the conditions that
- 3 warrant each are as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1: City or Municipality	Lead Official: Mayor of the affected city or municipality Support: City or Municipal Disaster Resilience Officer	If a disaster affects a single city or municipality
Level 2: Province	Lead Official: Provincial Governor of the affected province Support: Provincial Disaster Resilience Officer Municipal and/or City Disaster Resilience Officers concerned	If a disaster affects two or more municipalities and/or cities within a province
Level 3: Region	Lead Official: Regional Director, DDR Support: Governors of affected provinces Concerned Provincial Disaster Resilience Officers	
Level 4: National	Lead Official: Secretary of Disaster Resilience (SDR) Support: Governors concerned Disaster Resilience Officers concerned	a. If a disaster affects at least two (2) regions; b. When the LGU is unable to effectively cope with the risk and/or impact of a hazard; or c. When the President directs a Level 4

		response or declares a state of calamity
--	--	--

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

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

13 **SEC. 43. *Accreditation, Mobilization, and Protection of Disaster Volunteers and***
14 ***National Service Reserve Corps, CSOs and the Private Sector.*** – The government
15 agencies, CSOs, private sector and LGUs may mobilize individuals or organized
16 volunteers to augment their respective personnel complement and logistical
17 requirements in the delivery of disaster risk reduction programs and activities. The
18 agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for
19 the enhancement, welfare and protection of volunteers, and shall submit the list of
20 volunteers to the Department, through the LDROs, for accreditation and inclusion in
21 the database of community disaster volunteers.

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

26 The mobilization of volunteers shall be in accordance with this Act and
27 implementing guidelines to be formulated by the Department. Any volunteer who
28 incurs death or injury while engaged in any of the activities defined under this Act

1 shall be entitled to compensatory benefits and individual personnel accident insurance
2 as may be defined in the IRR.

3 **SEC. 44.** *Reporting of Humanitarian Assistance.* – The concerned local
4 government unit shall submit a report to the Department, taking into account all
5 domestic or international humanitarian assistance received and distributed within its
6 area of responsibility.

7 **ARTICLE XII**

8 **HUMANITARIAN ASSISTANCE**

9 **SEC. 45.** *Management of Humanitarian Assistance.* –

10 a. The Department shall have the power to receive and manage humanitarian
11 assistance from any person or entity, whether from local or international
12 sources.

13 b. The importation by, and humanitarian assistance to, the Department of,
14 among others, food, clothing, medical assistance, equipment, and materials
15 for relief, recovery and other disaster management activities are hereby
16 authorized in accordance with Section 105 of the Tariff and Customs Code
17 of the Philippines, as amended, and the prevailing provisions of the General
18 Appropriations Act covering national internal revenue taxes and import
19 duties of national and local government agencies.

20 **SEC. 46.** *International Humanitarian Assistance.* – The Department shall
21 promulgate guidelines on international humanitarian assistance, including the
22 initiation, entry, facilitation, transit, regulation and termination thereof, as well as
23 those involving international disaster relief and personnel assisting international
24 actors, visa waiver, recognition of foreign professional qualifications entry of
25 international disaster goods and equipment, and exemption from port duties, taxes,
26 and restrictions.

27 **SEC. 47.** *Assessment of the Need for International Humanitarian Assistance.* –

28 a. Immediately after the declaration of a state of calamity by the local
29 sanggunian of the relevant local government unit or by the Department, as
30 the case may be, the Department shall determine whether domestic
31 capacities are likely to be sufficient to attend to the needs of affected
32 persons for international humanitarian assistance. This determination may

1 also be made, at the discretion of the President, prior to the onset of an
2 imminent disaster.

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

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

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

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

- 20 a. Bureau of Customs;
- 21 b. Department of Foreign Affairs;
- 22 c. Department of Social Welfare and Development;
- 23 d. Department of Health;
- 24 e. Food and Drug Administration;
- 25 f. Department of Agriculture;
- 26 g. Department of Energy;
- 27 h. Department of National Defense;
- 28 i. Philippine National Police;
- 29 j. Philippine Coast Guard; and
- 30 k. Bureau of Immigration.

31 **SEC. 49. *Request for international Humanitarian Assistance.*** –

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

10 **SEC. 50. *Regulation of Humanitarian Assistance.*** –

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

20
21 **ARTICLE XIII**

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

24 **SEC. 51. *Offer and Facilitation of International Humanitarian Assistance to***
25 ***Foreign States.*** - In the event of a disaster occurring in a foreign state for which
26 international humanitarian assistance is required, the Department, in coordination
27 with the DFA, may offer, facilitate, provide, and deploy international humanitarian
28 assistance to said foreign state, which shall be subject to guidelines to be promulgated
29 by the Department for the purpose.

30 **SEC. 52. *Accreditation.*** - The Department, in coordination with relevant
31 government agencies and organizations, shall provide and facilitate the necessary
32 training and accreditation to the respective government personnel to be deployed for

1 such offer, facilitation and provision of international humanitarian assistance to a
2 foreign state.

3 **ARTICLE XIV**

4 **RECOVERY**

5 **SEC. 53. *Standards for Recovery.*** – The Department shall observe
6 internationally accepted standards for recovery, planning, programming and
7 implementation of the recovery process. Towards this end, the Department shall:

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

23 **ARTICLE XV**

24 **REMEDIAL MEASURES UNDER STATE OF CALAMITY**

25 **SEC. 54. *Declaration of State of Calamity.*** – A state of calamity may be
26 declared when any of the following requisites are present:

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

31 The following shall exercise this power, respectively:

- 1 a. The President, upon recommendation of the SDR, whether in whole or part
- 2 of an area;
- 3 b. The SDR, upon recommendation of the RDRO, for disasters covering two or
- 4 more provinces of the same region; and
- 5 c. The local sanggunian, upon recommendation of the concerned local disaster
- 6 resilience office, within its jurisdiction.

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

- 10 a. Imposition of price ceiling on basic necessities and prime commodities by
- 11 the Price Coordinating Council (PCC), as provided for under Republic Act no.
- 12 7581. otherwise known as the "Price Act", as amended by Republic Act no.
- 13 10623;
- 14 b. Monitoring, prevention and control by the Local Price Coordination Council
- 15 of overpricing or profiteering and hoarding of prime commodities, medicines
- 16 and petroleum products;
- 17 c. Programming or reprogramming of funds for the repair of critical facilities
- 18 or public infrastructures that are vital for the quick delivery of humanitarian
- 19 assistance, to reduce further threat to lives and arrest further deterioration
- 20 of properties and loss of livelihoods in the affected communities, following
- 21 the "build forward better" principle;
- 22 d. Grant of no-interest loans by government financing or lending institutions
- 23 to the most vulnerable and marginalized groups or individuals;
- 24 e. Local tax exemptions, incentives or reliefs under such terms and conditions
- 25 as may be deemed necessary by the affected local government unit; and
- 26 f. Use of alternative modes of procurement under Article XVI of this Act, by
- 27 the Department, LGUs or the relevant government instrumentalities in
- 28 relation to the urgent procurement of emergency works, goods or services
- 29 to effectively respond to, quickly recover from disasters, and build forward
- 30 better.

31 **ARTICLE XVI**

32 **PROCUREMENT**

1 **SEC 56. Procurement.** – In general, the procurement rules provided under
2 Republic 31 32 Act No. 9184, otherwise known as the "Government Procurement
3 Reform Act", shall apply. However, alternative modes of procurement as provided in
4 this Act may be resorted to by the Department, RDROs, or LGUs in any of the following
5 emergency situations:

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

15 **SEC. 57. Alternative Modes of Procurement.** – During emergency situations as
16 provided under this Act, the Department, RDROs or LGUs may resort to the following
17 modes of procurement:

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

27 **SEC. 58. Special Rules on Procurement for Reconstruction and Rehabilitation**
28 *of Affected Areas.* –

- 29 a. The Department, with the assistance of, or in collaboration with, relevant
30 government agencies, shall create special rules on procurement for services,
31 goods, and materials to be used for reconstruction and rehabilitation efforts
32 in case of a natural disaster, including but not limited to, the construction

1 of post-disaster shelters and provision of service contracts, to ensure the
2 procurement of quality-oriented goods, materials, and equipment and to
3 guarantee effective, efficient, and speedy procurement to achieve the goals
4 of this act.

- 5 b. In case of procurement of services, goods, or materials for reconstruction
6 and rehabilitation efforts, whether from local or international sources, the
7 Department and the relevant government agencies shall provide less
8 bureaucratic restrictions, more flexible procurement policies, or exemption
9 from, or reduction of, customs duties

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

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

31 **SEC. 61. *Other Procurement Rules and Policies.*** – In view of the urgency and
32 to avoid unnecessary delays to procure goods, services, and implement projects for

1 the purpose of providing responsive, effective, and efficient rescue, recovery, relief,
2 and rehabilitation efforts for, and to continue the provision of basic services to,
3 disaster victims or disaster affected areas, the DBM and GPPB shall issue appropriate
4 resolutions, orders, and policies to effectively implement the provisions of this Act.

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

9 **ARTICLE XVII**

10 **SPECIAL RULES ON TAXES**

11 **SEC. 63.** *Special Rules on Tax and Duties.* – To facilitate prompt, efficient and
12 effective response to, recovery from disasters, and building forward better in disaster-
13 affected areas, the following shall be granted special exemptions from existing
14 taxation laws, rules, and regulations:

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

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

30 **ARTICLE XVIII**

31 **PROHIBITED ACTS AND PENALTIES**

1 **SEC. 64. Prohibited Acts.** – Any public official, private person, group or
2 corporation who commits any of the following prohibited acts shall be held liable and
3 be subjected to the criminal and administrative penalties as provided for in Section 71
4 of this Act, without prejudice to the imposition of other criminal, civil and
5 administrative liabilities under existing laws.

6 a. Prohibited Acts of Public Officials. - The following acts, if committed by
7 public officials without justifiable cause, shall be considered as gross neglect
8 of duty:

- 9 1. Dereliction of duties that leads to destruction, loss of lives, critical
10 damage of facilities and misuse of funds;
- 11 2. Failure to enforce laws, standards, or regulations such as the
12 National Building Code, Solid Waste Management Act, Water Code,
13 and other relevant laws, leading to destruction, loss of lives, and/or
14 critical damage of facilities;
- 15 3. Failure to create a functional LDR Office within six (6) months from
16 the approval of this Act;
- 17 4. Failure to appoint a permanent local disaster resilience officer within
18 six (6) months from approval of this Act;
- 19 5. Failure to prepare and implement a Contingency and Adaptation Plan
20 for hazards frequently occurring within their jurisdictions;
- 21 6. Failure to formulate and implement the LDRP with the corresponding
22 budget allocation; and
- 23 7. Sexual exploitation and abuse and other forms of sexual misconduct
24 on the affected population or at-risk communities.

25 b. Prohibited Acts of Public Officials and Private Persons or Institutions. –

- 26 1. Delay, without justifiable cause in the delivery, proper handling or
27 storage of aid commodities, resulting to damage or spoilage; (2)
- 28 2. Withholding the distribution of relief goods due to (i) political or
29 partisan considerations; (ii) discrimination based on race, ethnicity,
30 religion, or gender; and (iii) other similar circumstances;

- 1 3. Preventing the entry and distribution of relief goods in disaster-
2 stricken areas. including appropriate technology, tools, equipment,
3 accessories, disaster teams or experts;
- 4 4. Buying, for consumption or resale, from disaster relief agencies any
5 relief goods, equipment or other and commodities, which are
6 intended for distribution to disaster-affected communities;
- 7 5. Buying, for consumption or resale, from the recipient disaster
8 affected persons any relief goods, equipment or other aid
9 commodities received by them;
- 10 6. Selling of relief goods, equipment or other aid commodities, which
11 are intended for distribution to disaster victims;
- 12 7. Forcibly seizing relief goods, equipment or other aid commodities
13 intended for or consigned to a specific group of victims or relief
14 agency;
- 15 8. Diverting or misdelivery of relief goods, equipment or other aid
16 commodities to persons other than the rightful recipient or
17 consignee;
- 18 9. Accepting, possessing, using or disposing relief goods, equipment or
19 other aid commodities not intended for nor consigned to him or her;
- 20 10. Misrepresenting the source of relief goods, equipment or other aid
21 commodities by:
 - 22 i. Either covering, replacing or defacing the labels of the
23 containers to make it appear that the goods, equipment or
24 other aid commodities came from another agency or persons;
 - 25 ii. Repacking the goods, equipment or other aid commodities
26 into containers with different markings to make it appear that
27 the goods came from another agency or persons or was
28 released upon the instance of a particular agency. person, or
29 persons; and
 - 30 iii. Making false verbal claim that the goods, equipment or other
31 and commodity in its untampered original containers actually

1 came from another agency or persons or was released upon
2 the instance of a particular agency, person, or persons;

3 11. Substituting or replacing relief goods, equipment or other aid
4 commodities with the same items or inferior/cheaper quality;

5 12. Illegal solicitations by persons or organizations representing others
6 as defined in the standards and guidelines set by the Department;

7 13. Deliberate use of false or inflated data in support of the request for
8 funding, relief goods, equipment or other aid commodities for
9 emergency assistance or livelihood projects;

10 14. Stealing, taking, or processing of any of the equipment, accessories
11 and other vital facility or items or any part thereof;

12 15. Selling or buying stolen equipment, accessories, and other vital
13 facility items or any part thereof;

14 16. Tampering with or stealing hazard monitoring and disaster
15 preparedness equipment and paraphernalia;

16 17. Attempting to commit any of the abovementioned prohibited acts;
17 and

18 18. Benefitting from the proceeds or fruits of any of the abovementioned
19 prohibited acts knowing that the proceeds or fruits are derived from
20 the commission of said prohibited acts.

21 **SEC. 65. Penalties.** – Any individual, corporation, partnership, association or
22 other juridical entity that commits any of the prohibited acts in the preceding section
23 shall be made liable for the following:

- 24 a. The penalty of imprisonment of not less than twelve (12) years but not more
25 than fifteen (15) years or a fine of not less than One Million Pesos (Php
26 1,000,000.00) but not more than Three Million Pesos (Php3,000,000.00), or
27 both imprisonment and fine at the discretion of the court shall be imposed
28 upon any person found guilty of violating subsections (a)(1) to (b)(16) of
29 the preceding section, as well as the confiscation or forfeiture in favor of
30 the government of the objects and the instrumentalities used in the
31 commission of the prohibited acts;

- 1 b. The penalty of imprisonment of not less than six (6) years but not more
2 than eight (8) years or a fine of not less than Five Hundred Thousand Pesos
3 (Php 500,000.00) but not more than One Million Pesos (Php 1,000,000.00),
4 or both imprisonment and fine at the discretion of the court, shall be
5 imposed upon any person who attempts to commit any of the prohibited
6 acts in the preceding Section, in violation of Subsection (b)(17) thereof;
- 7 c. The penalty of imprisonment of not less than two (2) years but not more
8 than six (6) years or a fine of not less than Two Hundred Thousand Pesos
9 (Php 200,000.00) but not more than Five Hundred Thousand Pesos (Php
10 500,000.00), or both imprisonment and fine at the discretion of the court,
11 shall be imposed upon any person found guilty of unlawfully benefiting from
12 the proceeds or fruits of any of the prohibited in the preceding section, in
13 violation of subsection (b)(18) thereof;
- 14 d. Aside from the penalty of fine or imprisonment or both, perpetual
15 disqualification from public office shall be imposed if the offender is a public
16 officer, along with the confiscation or forfeiture in favor of the government
17 of the objects and the instrumentalities used in the commission of any of
18 the prohibited acts in the preceding section;
- 19 e. If the offender is a corporation, partnership or association, or other juridical
20 entity, the penalty shall be imposed upon the officer or officers of the
21 corporation. partnership, association or entity responsible for the violation
22 without prejudice to the cancellation or revocation of these entities'
23 registration, license or accreditation issued to them by any licensing or
24 accredited body of the government. If such offender is an alien, he or she
25 shall, in addition to the penalties prescribed in this act, be deported without
26 further proceedings after service of sentence;
- 27 f. Payment of the full cost of repair or replacement of the government risk
28 reduction and preparedness equipment, accessories and other vital facility
29 items, or any part thereof; which is the object of the crime shall likewise be
30 imposed upon any person who shall commit any of the prohibited acts in
31 the preceding Section; and

1 g. The prosecution for offenses set forth under the preceding section shall be
2 without prejudice to any criminal liability for violation of Republic Act No.
3 3815, as amended, otherwise known as the "Revised Penal Code", and other
4 existing laws, as well as the imposition of applicable administrative or civil
5 liabilities.

6 **SEC. 66.** *Liability for Unlawful Performance of Duties and State Liability in case*
7 *of Defense Litigation.* – In case a lawsuit is filed against any personnel of the
8 Department as a result of the performance of his or her duties, and such performance
9 was found to be lawful, or she shall be reimbursed by the Department for reasonable
10 costs of litigation. For this purpose, the Department is authorized to procure applicable
11 liability insurance for its officers and employees.

12 **SEC. 67.** *Disciplinary Powers of the President.* – The President, subject to the
13 recommendation of the Department Secretary and the Department of the Interior and
14 Local Government (DILG), shall have the power to impose administrative sanctions
15 against local chief executives and barangay officials for willful or negligent acts that
16 relate to the implementation of, or compliance with, this Act and its IRR or relating to
17 their official functions, which adversely affect disaster resilience projects such as, but
18 not limited to, delayed issuance of permits or failure to implement local ordinances.

19 **ARTICLE XIX**

20 **DISASTER RESILIENCE FUND**

21 **SEC. 68.** *Appropriations and Management of Disaster Resilience Fund.* – The
22 budget of the Department shall be composed of the following, which shall be
23 collectively called the Disaster Resilience Fund:

- 24 a. Annual General Appropriations - shall provide the funding requirements for,
25 among others, research, operations, maintenance, plans, and programs of
26 the Department of Disaster Resilience, including, but not limited to,
27 establishment of evacuation centers, retrofitting of structures,
28 establishment of emergency operating centers, and implementation of other
29 disaster risk reduction projects.
- 30 b. Disaster Contingency Fund - shall be in a lump-sum form to provide funds
31 in case of imminent hazards or actual disasters for, among others,

1 immediate response, relief and quick recovery measures for disaster
2 affected areas.

- 3 c. Rehabilitation and Recovery Fund - shall provide the funding requirements
4 for rehabilitation and/or reconstruction projects of disaster affected areas
5 such as public classrooms, government buildings, public hospitals,
6 permanent shelters and livelihood programs.

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

11 **SEC. 69. *Continuing Appropriations.*** – The unutilized balances from the
12 Disaster Contingency Fund, and Rehabilitation and Recovery Fund shall be treated as
13 Continuing Appropriations, which may be used to finance the cost of projects,
14 programs, and/or activities even when such costs are incurred beyond the fiscal year
15 of the GAA from which such funds were appropriated.

16 **SEC. 70. *Fund Regulations.*** – The DBM and COA shall establish rules and
17 regulations that apply specifically to the Disaster Resilience Fund to ensure that funds
18 required for disaster response, recovery, and rehabilitation are available and/or
19 released efficiently and expeditiously through innovative budgeting and auditing
20 mechanisms, which may include, among others, providing for longer validity periods
21 for funds and/or exemption from cash-based budgeting rules; imposing auditing or
22 reporting requirements, which apply specifically to the utilization of the Disaster
23 Resilience Fund.

24 **SEC. 71. *Local Disaster Resilience Fund and Local Disaster Contingency Fund.***
25 – LGUs shall annually set aside not less than ten percent (10%) of their local budget,
26 to constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to
27 maintain and operate its local disaster resilience office to maintain its officers,
28 employees and staff, and to implement plans, programs and activities under its LDRP.
29 Thirty percent (30%) of the LDRF shall be set aside as Local Disaster Contingency
30 Fund (LDCF), which shall be used for disaster response and quick recovery measures.
31 Nothing contained in this Act shall prevent LGUs from providing additional funding or

1 allocating additional resources for disaster resilience activities, plans and programs
2 within their jurisdiction.

3 **SEC. 72. *Supplemental LDRF.*** – The Department may allocate and disburse
4 funds to supplement an LGU's LDRF based on the parameters and requirements
5 indicated in the IRR. In determining such parameters and requirements, the IRR shall
6 aim to provide supplemental funds to LGUs with low income and/or high exposure to
7 natural hazards. Supplemental LDRFs shall, as much as possible, fill gaps or shortages
8 in LGU resources to ensure that LGUs can implement disaster resilience measures such
9 as, among others, implementing their LDRP/Provincial LDRP, establishing their local
10 disaster resilience offices, obtaining and/or maintaining the necessary equipment and
11 staff in their local disaster resilience offices, and implementing the NDRF and at the
12 local levels.

13 **SEC. 73. *People 's Survival Fund.*** – The Department shall manage and
14 administer the People's Survival Fund, created under Republic Act no. 10174, and
15 facilitate its utilization by LGUs, through RDROs, to implement climate change
16 adaptation and mitigation projects of LGUs and enhance the climate resilience of
17 vulnerable communities.

18 **SEC. 74. *Multi-Donor Trust Fund.*** – The Department shall create and manage,
19 together with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing,
20 releasing and accounting of money and other similar resources intended for disaster
21 assistance. The Department shall establish a system to ensure transparency in the
22 management and use of the Multi-Donor Trust Fund.

23 **ARTICLE XX**

24 **SPECIAL COURTS AND INJUNCTIONS**

25 **SEC. 75. *Special Courts on Disaster Resilience Matters.*** – To ensure the prompt
26 and expeditious resolution of disputes relating to disaster response, recovery or
27 rehabilitation measures, the Supreme Court shall designate special courts to hear, try,
28 and decide cases arising from the following, among others:

- 29 a. Expropriation, eminent domain or right-of-way issues related to the
30 implementation of disaster resilience projects;
- 31 b. Failure to comply with standards for disaster risk reduction and continuity
32 planning, including, but not limited to, infrastructure standards and designs;

- 1 c. Commission of prohibited acts under Article XVIII of this Act; and
2 d. Disputes involving donations, relief goods, or contracts executed or
3 implemented pursuant to the provisions of this Act.

4 **SEC. 76. *Dispute Resolution Mechanisms.*** – The Department shall establish a
5 Disaster Resolution Board, which shall resolve disputes involving administrative
6 matters related to:

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

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

17 **SEC. 77. *Imposition of Temporary Restraining Order.*** – No Court, except the
18 Supreme Court, shall have the power to issue an injunction or a temporary restraining
19 order against any action taken or projects implemented by the Department or its
20 agents pursuant to this Act.

21 **ARTICLE XXI**
22 **FINAL PROVISIONS**

23 **SEC. 78. *Transfer of Functions.*** – The following are hereby transferred to the
24 Department:

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

31 Accordingly, the CCC and NDRRMC are hereby abolished. The DILG, DND,
32 DSWD, and other relevant government instrumentalities, including the AFP, BFP, PNP,

1 PCG, and OCD, shall continue to perform their functions related to the management
2 of human-induced disasters, as provided by existing laws.

3 **SEC. 79. *Transfer of Resources.*** – The transfer of powers and functions listed
4 above shall include the corresponding funds and appropriations, plantilla positions,
5 data, records, equipment, facilities, properties and other resources of the concerned
6 government instrumentalities. The Department shall have the power to reorganize or
7 reallocate these resources and positions, as may be necessary to attain the goals and
8 objectives of this Act.

9 **SEC. 80. *Program Management Office for the Earthquake Resiliency of the***
10 ***Greater Metro Manila Area.*** – The Program Management Office for the Earthquake
11 Resiliency of the Greater Metro Manila Area (PMO-ERG), as created pursuant to and
12 mandated by Executive Order no. 52, s. 2018, shall be attached to the Department
13 and be authorized to implement earthquake resiliency programs, projects, and
14 activities, as it may deem necessary to carry out its mandate and attain its overall
15 goals. The Head of the PMO-ERG shall report directly to the SDR.

16 **SEC. 81. *Post-Disaster Shelters.*** – The Department shall establish a post-
17 disaster shelter recovery policy framework for low-income/informal settler families,
18 with the assistance of the appropriate housing agencies and the applicable LGUs. It
19 shall determine, among others, the appropriate shelter modalities depending on the
20 following phases: emergency, temporary or transitional, and permanent. The
21 Department shall likewise identify, assess, and decide on safe zones for the
22 implementation of recovery or rehabilitation projects.

23 **SEC. 82. *Cultural Heritage.*** – To protect, preserve, and promote the nation's
24 historical and cultural heritage, the Department shall assist the relevant cultural and
25 heritage agencies and the appropriate LGUs to give priority protection and restoration
26 to all national cultural treasures or national historical landmarks, sites, or monuments
27 in post-disaster recovery or rehabilitation measures.

28 **SEC. 83. *Indigenous People.*** – The Department, with the assistance of the
29 National Commission on Indigenous Peoples (NCIP) and the applicable LGUs, shall
30 devise and implement mechanisms that foster social protection for indigenous
31 communities that are vulnerable to the effects of natural disasters.

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

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

11 **SEC. 84. *Incentives Program.*** – The Department shall establish an incentives
12 program that recognizes the outstanding promotion and implementation by local
13 disaster resilience offices, CSOs, academe, and other institutions of disaster resilience
14 programs and/or projects, and the meritorious acts of individuals or entities during
15 natural disasters.

16 **SEC. 85. *Structural Audit of Government Buildings and Critical Infrastructure.***
17 –The Department shall be assisted by the DPWH, DOTr, Department of Energy (DOE),
18 DOH, DepEd, DICT, DILG, local building officials, and other relevant government
19 instrumentalities and stakeholders, in ensuring the effective and expeditious conduct
20 of structural audit, as often as necessary, on government buildings, critical
21 infrastructure, and private structures to attain the disaster risk reduction goals of this
22 Act.

23 **SEC. 86. *Transitory Provision.*** – The functions, assets, funds, equipment,
24 properties, transactions, and personnel of the affected and transferred agencies, and
25 the formulation of the internal organic structure, staffing pattern, operating system,
26 and revised budget of the Department, shall be completed within one (1) year from
27 the effectivity of this Act, during which time the existing personnel shall continue to
28 assume their posts on holdover capacity. The Department, in collaboration with the
29 DBM, shall come up with its Organizational Structure and Staffing Pattern, both of
30 which shall be approved within thirty (30) days from the effectivity of this Act.

31 The Secretary of National Defense shall serve as the interim SDR until such
32 time that the SDR has been appointed and taken his/her oath of office. Upon

1 assumption to duty, the SDR shall make use of the existing structure, systems, and
2 personnel in responding to natural hazards and disasters within the transition period.

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

8 **SEC. 87. *Magna Carta Benefits.*** – Qualified employees of the Department,
9 including those of its attached agencies, shall be covered by and entitled to the
10 benefits under Republic Act No. 8439, otherwise known as the Magna Carta for
11 Scientists, Engineers, Researchers and other 5 & T Personnel in the Government, and
12 Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers.

13 **SEC. 88. *Hazard Pay.*** – All personnel of the Department and the local disaster
14 resilience offices are entitled to receive hazard pay, subject to the guidelines to be set
15 forth in the IRR of this Act.

16 **SEC. 89. *Separation Benefits of Officials and Employees of Affected Agencies.***
17 – National government employees displaced or separated from service as a result of
18 this Act shall be entitled to either separation pay and other benefits in accordance
19 with existing laws, rules, or regulations, or be entitled to avail themselves of the
20 privileges provided under a separation plan that shall be one and one-half month
21 salary for every year of service in the government.

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

27 **SEC. 89. *Appropriations.*** – The amount necessary for the initial implementation
28 of this Act shall be taken from the current fiscal year's unexpended and unobligated
29 appropriations of all agencies herein absorbed, transferred, and attached to the
30 Department. Thereafter, the amounts necessary for the operation of the Department
31 and the implementation of this Act shall be included in the annual General
32 Appropriations Act.

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

6 **SEC. 91. *Joint Congressional Oversight Committee on Disaster Resilience.*** –
7 There shall be created a Joint Congressional Oversight Committee on Disaster
8 Resilience to monitor the implementation of this Act. The committee shall be
9 composed of six (6) Members of the House of Representatives and six (6) Senators to
10 be designated by the Speaker of the House of Representatives and the President of
11 the Senate, respectively; Provided. That; two (2) Members of the House of
12 Representatives and two (2) Senators shall come from the Minority of their respective
13 houses of Congress. The committee shall be jointly chaired by a Member of the House
14 of Representatives and a Senator designated by the Speaker of the House of
15 Representatives and the President of the Senate, respectively.

16 **SEC. 92. *Mandatory Review.*** – Within five (5) years after the effectivity of this
17 Act, or as the need arises, the Joint Congressional Oversight Committee on Disaster
18 Resilience shall conduct systematic evaluation of the accomplishments and impact of
19 this Act, as well as the performance of the Department of its mandate and functions,
20 for purposes of determining remedial legislation.

21 **SEC. 93. *Interpretation.*** – Any doubt in the interpretation of any provision of
22 this Act shall be resolved in favor of a liberal interpretation that will fulfill the objectives
23 of this Act, especially in relation to the provision of effective, efficient and timely
24 disaster response, rehabilitation and recovery.

25 **SEC. 94. *Separability Clause.*** – If any provision of this Act shall be declared
26 unconstitutional or invalid, the other provisions or parts thereof not otherwise affected
27 shall remain in full force and effect.

28 **SEC. 95. *Repealing Clause.*** – The provisions of Republic Act No. 10121,
29 Republic Act No. 7160, Republic Act No. 7916, Republic Act No. 9184, and all other
30 laws, decrees, executive orders, proclamations and other executive issuances, which
31 are not consistent with or contrary to the provisions of this Act, are hereby repealed
32 or amended.

1 **SEC. 96. Effectivity.** – This Act shall take effect fifteen (15) days after its
2 publication in the Official Gazette or in a newspaper of general circulation.

Approved,