

SENATE  
S. B. No. 1872

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Introduced by Senator Juan Ponce Enrile

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**EXPLANATORY NOTE**

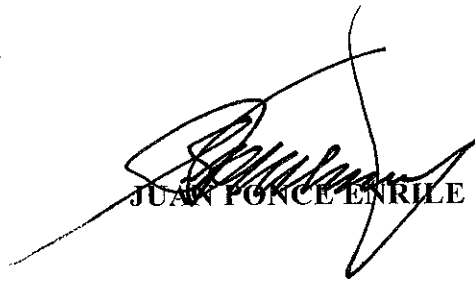
Central Visayas is considered a valuable asset of the country being one of the vital contributors to our economy especially in terms of tourism. Apart from its world-renowned tourist destinations and its famous historical landmarks and picturesque attractions such as the Chocolate Hills and the centuries-old churches built out of rocks and limestone, it is a symbol of the Philippines' rich and colorful historical and strong religious foundation.

Almost this entire national heritage was toppled down by a 7.2 magnitude quake that hit the region at eight o'clock in the morning of October 15, 2013, Tuesday, particularly in the Province of Bohol. Over a hundred and ninety lives were lost. Millions of pesos worth of properties, such as school buildings, government infrastructure, business and public establishments like hospitals were destroyed and declared uninhabitable and no longer fit for further use due to the damages incurred during the said quake and because of possible collapse that might come up as major tremors and aftershocks are still being felt days after the major calamity transpired. Moreover, the celebrated historical churches and tourist attractions, most of which are declared national historical landmarks like the Loboc Church and Baclayon Church in Bohol and even the bell-tower of the Sto. Niño Basilica of Cebu were brought down into rubbles.

This unfortunate event really had a great impact not only on the lives of the victims themselves but that of the whole country as well. Certainly, the rehabilitation and reconstruction would take time more so with the moral and emotional recovery of the people who really

experienced great losses brought about by one of the most unpredictable and catastrophic natural disasters that often hit the country.

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



JUAN PONCE ENRILE

1 SIXTEENTH CONGRESS OF THE REPUBLIC )  
2 OF THE PHILIPPINES )  
3 First Regular Session )

Office of the Secretary

13 OCT 22 P3:13

6 SENATE  
7 S. B. No. 1872

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10 Introduced by Senator Juan Ponce Enrile

16 AN ACT APPROPRIATING THE SUM OF TEN BILLION PESOS FOR THE AID,  
17 RELIEF, RESETTLEMENT, REHABILITATION AND LIVELIHOOD SERVICES AS  
18 WELL AS INFRASTRUCTURE SUPPORT FOR THE VICTIMS OF THE  
19 EARTHQUAKE IN CENTRAL VISAYAS, CREATING THE CENTRAL VISAYAS  
20 ASSISTANCE, RESETTLEMENT AND DEVELOPMENT COMMISSION, AND FOR  
21 OTHER PURPOSES

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

28 Section 1. *Short Title.* – This Act shall be known as the "*Central Visayas Assistance,  
29 Resettlement and Development Fund.*"

31 Section 2. *Declaration of Policy.* – It is hereby declared the policy of the State to assist  
32 the victims in the communities damaged or destroyed or adversely affected by the 7.2 magnitude  
33 earthquake and its aftereffects by extending to them aid, relief, resettlement, rehabilitation or  
34 repair and reconstruction of infrastructure to the end that life may return to normalcy at the  
35 earliest possible time and the development of Central Visayas may be accelerated.

37 It is hereby further declared the policy of the State to restore the living conditions of the  
38 Boholanos, Cebuanos and other members of the communities in the region to their productive  
39 pre-earthquake conditions, with the settlement being chosen according to its suitability as  
40 permanent abodes thereby ensuring the improvement of these communities.

1           Countless individuals, organizations and financial institutions here and abroad, as well as  
2 foreign governments, have spontaneously and unselfishly contributed their time, effort and  
3 resources which the State acknowledges with gratitude.

4  
5           **Section 3. *Statement of Objectives and Guidelines.*** – This Act is intended to help the  
6 victims of the earthquake in Central Visayas and its after-effects. It aims to provide additional  
7 funds for the immediate relief of the victims; to establish resettlement centers, homesites and  
8 townsites for displaced families; to provide livelihood and employment opportunities; to repair,  
9 reconstruct or replace government infrastructure damaged or destroyed by said disaster whenever  
10 economically, socially and technically advisable; and to construct new infrastructure facilities by  
11 the community.

12  
13           The term "victims" when used for purposes of this Act refers to the following:

- 14           (a) Individuals who have died or disappeared as a result of the aforementioned  
15 earthquake;  
16           (b) Individuals who were displaced and/or who sustained injury or suffered death in the  
17 family as a result of the aforementioned earthquake who need and deserve assistance; and  
18           (c) Individuals whose homes have been or are threatened to be destroyed or rendered  
19 uninhabitable and those who have lost permanently their livelihood as a direct result of  
20 the earthquake who similarly need and deserve assistance.

21  
22           **Section 4. *Guidelines in the Allocation of Funds.*** – The government funds and resources  
23 herein appropriated shall be spent judiciously and effectively in consonance with the principle of  
24 providing the greatest good for the greatest number. Accordingly, the following guidelines shall  
25 be observed in allocating the funds made available under this Act;

- 26  
27           (a) Priority shall be given to roads and bridges, communications and power lines,  
28 hospitals, school buildings, water and irrigation systems, churches, business

1 establishments and the repair and reconstruction of government infrastructure and  
2 facilities such as drainage works, resettlement centers and home sites, and the like;

3 (b) Aid, relief, resettlement, rehabilitation and livelihood services shall be equitably  
4 extended to all victims, irrespective of political or party affiliation, sex, creed, religious  
5 belief, or ethnic origin, giving emphasis to livelihood and employment opportunities;

6 (c) Funds shall be allocated in the first year for the acquisition by appropriate government  
7 agencies of special equipment, such as amphibians and other equipment designed for use  
8 in the affected areas in an amount not to exceed Fifty million pesos (P50,000,000); and

9 (d) No money shall be released without any identified program and project nor shall it be  
10 used to pay obligations incurred before the approval of this Act.

11  
12 **Section 5. Appropriations Clause.** – To carry out the purposes of this Act, the sum of  
13 Ten billion pesos (P10,000,000,000) is hereby appropriated out of any available funds in the  
14 National Treasury not otherwise appropriated.

15  
16 The amount shall cover the rehabilitation, repair and reconstruction of roads, bridges,  
17 school buildings, government buildings, Department of Health and regional hospitals, hospital  
18 equipment, supplies and medicines and other infrastructures; purchase of school desks; purchase  
19 of relocation sites and construction of housing units; and funding for the Comprehensive  
20 Integrated Delivery of Social Services (CIDSS) under the Department of Social Welfare and  
21 Development, livelihood programs and support to those who have lost their jobs.

22  
23 **Section 6. Creation of the Central Visayas Assistance, Resettlement and Development**  
24 **Commission.** – For purposes of this Act, there is hereby created the Central Visayas Assistance,  
25 Resettlement and Development Commission, hereinafter referred to as the Commission.

26  
27 It shall be organized within thirty (30) days after the approval of this Act. It shall have a  
28 term of six (6) years from its organization: provided, that the President by proclamation may,

1 within six (6) months prior to the expiration of the term, extend the period of its existence once  
2 for not more than three (3) years.

3

4 For administrative purposes, the Commission shall be attached to the Office of the  
5 President.

6

7 **Section 7. Powers of the Commission.** – To carry out its objectives under this Act, the  
8 Commission shall have the following powers:

9

10 (a) To formulate policies and plans for the relief, rehabilitation, resettlement and  
11 livelihood services as well as infrastructure support in harmony with the other plans and  
12 policies of the National Government and other agencies such as the National Disaster  
13 Risk Reduction and Management Council;

14 (b) To make a determination of the areas and infrastructure which need retro-fitting,  
15 rehabilitation and reconstruction to spare communities and/or minimize damage to lives,  
16 habitation, infrastructure, agricultural and other resources;

17 (c) To prioritize and coordinate the implementation of the various programs and projects  
18 of the Commission;

19 (d) To sue and be sued in its name, and to adopt, alter and use a seal;

20 (e) To enter into, make, perform and carry out contracts of every class, kind and  
21 description which are necessary to the realization of its purposes with any person, firm or  
22 corporation, private or public, and, upon consultation with the President, with foreign  
23 government entities, subject to the usual accounting and auditing requirements;

24 (f) To apply for, receive and accept grants and donation of funds, equipment, materials  
25 and services needed for the development of the area, within and outside the Philippines;

26 (g) To monitor the progress of the relief, rehabilitation, resettlement and livelihood as  
27 well as infrastructure support programs and projects;

1 (h) To coordinate and consult with concerned national and local officials, both elective  
2 and appointive, as well as accredited non-government organizations (NGOs) in the  
3 prioritization and prosecution of the programs and projects;

4 (i) To call upon any department, office, instrumentality, agency, or any political  
5 subdivision of the Government for such assistance as may be necessary for the attainment  
6 of the objectives of the Commission; and

7 (j) In general, to perform such other powers as may be necessary and proper to carry out  
8 the purposes of this Act.

9  
10 **Section 8. *Composition of the Commission.*** – The Commission shall be composed of  
11 members to be appointed by the President: the Secretaries of the Department of Public Works  
12 and Highways (DPWH), Department of Education (DepEd), Department of Health (DOH),  
13 Department of Social Welfare and Development (DSWD), two (2) from the private sector, the  
14 Administrator of the National Disaster Risk Reduction and Management Council (NDRRMC),  
15 the Director of the Philippine Institute of Volcanology and Seismology (PhilVolcs), and the  
16 Commissioner of the National Commission for Culture and the Arts (NCCA) as ex officio  
17 members. The members of the Commission shall serve for six (6) years unless sooner removed  
18 for cause. The President shall designate from among the members of the Commission the  
19 Chairman thereof.

20  
21 **Section 9. *Executive Director; Powers and Responsibilities.*** – The President shall  
22 appoint a professional manager as the Executive Director of the Commission, who shall serve as  
23 the chief executive officer. He shall serve until such time as the Commission is dissolved or  
24 unless sooner removed from office by the President. He shall have the following powers and  
25 functions:

26 (a) Execute and administer the policies and decisions of the Commission;

27 (b) Directly coordinate the activities of all agencies and instrumentalities of the  
28 Government in the planning and implementation of projects on site;

1 (c) Monitor the programs and projects and evaluate the effects of execution by these  
2 agencies and instrumentalities and submit to the Commission periodic reports relating to  
3 the development of the areas; and

4 (d) Perform such other functions as are inherently necessary in the operational  
5 management of the areas developed in accordance with the policies and guidelines  
6 formulated by the Commission.

7  
8 **Section 10. *Quorum.*** – Six (6) members of the Commission shall constitute a quorum to  
9 transact business. The decision of the majority of the members constituting a quorum shall be  
10 carried.

11  
12 **Section 11. *Secretariat of the Commission.*** – The Secretariat of the Commission shall  
13 be the Regional Development Council of the Region 7. The Secretariat shall assist the  
14 Commission in carrying out its functions.

15  
16 **Section 12. *Administrative Fund of the Commission.*** – An amount of Ten Million  
17 Pesos (Php10,000,000.00) from the Fund is hereby allocated for the administrative expenses of  
18 the Commission.

19  
20 **Section 13. *Submission to Congress.*** –The Commission shall submit to the Congress of  
21 the Philippines, through the Chairmen of the Committee on Appropriations, in the case of the  
22 House of Representatives, and Committee on Finance, in the case of the Senate, an itemized list  
23 of projects to be funded under the Fund within thirty days from the approval of the President.

24  
25 No funding for specific project shall be released unless the project has been submitted to  
26 the Congress of the Philippines.



1           **Section 14. Implementation.** – The survey, construction or repair and reconstruction of  
2 damaged, destroyed, required or alternate government infrastructure and facilities shall be  
3 undertaken by the implementing government agencies concerned by public bidding,  
4 administration or through negotiated contracts, subject to the usual accounting and auditing rules  
5 and regulations. However, in case of negotiated contracts as of the approval of this Act can be  
6 awarded such contracts. Whenever suitable, labor-based technology shall be used in the  
7 implementation of the programs and projects.

8  
9           With respect to aid, relief, resettlement, rehabilitation and livelihood services to  
10 individual beneficiaries, the Commission may seek the assistance and use the services of the  
11 Philippine National Red Cross and all other relief agencies and volunteer organizations with  
12 proven record in providing relief work.

13  
14           The departments and agencies of the Government involved with the aid, relief,  
15 resettlement, rehabilitation and livelihood services as well as infrastructure support shall  
16 continue to be the implementing agencies of the Commission and shall submit to the  
17 Commission every quarter the data and information required under Section 16 hereof.

18  
19           **Section 15. Preference for Local Residents.** – Residents in the affected areas, especially  
20 the victims, shall be given preference in hiring or employment in the construction or repair and  
21 reconstruction of damaged or destroyed government infrastructure and facilities and other labor  
22 requirements in all other projects.

23  
24           **Section 16. Report to Congress.** – The Commission shall submit to the President and to  
25 Congress a detailed quarterly report on the funds allocated indicating the amount released,  
26 obligated and disbursed for:

27

1 (a) Aid, relief, resettlement, rehabilitation and livelihood services, including the list of  
2 names of approved individual beneficiaries and contractors and the evaluation of the  
3 effectiveness of the delivery systems of such services; and

4 (b) Construction or repair and reconstruction of infrastructure projects, including the list  
5 of contractors and projects being financed, and the accomplishments for the expended  
6 appropriations, including the percentage of completion.

7  
8 The Commission shall cause to be disseminated in the community the list of beneficiaries  
9 and contractors mentioned above.

10  
11 The Commission shall also submit as part of the quarterly report a list of local and  
12 foreign donors and the nature of their donations.

13  
14 **Section 17. Punishable Acts.** – Any person who takes advantage of the calamity by  
15 buying and selling relief goods which he knows or should be known to him as intended for  
16 donation, or misrepresenting the source of relief goods, or submitting or approving a false or  
17 inflated claim shall be prosecuted and, upon conviction, suffer a fine of not less than Fifty  
18 thousand pesos (Php50,000.00) nor more than One million pesos (P1,000,000.00) or  
19 imprisonment for not less than six (6) years nor more than fifteen (15) years, or both, at the  
20 discretion of the court, including perpetual disqualification from public office if he is a public  
21 officer, and confiscation or forfeiture in favor of the Government of any prohibited interest. If  
22 the offender is a corporation, partnership or association, or other juridical entity, the penalty shall  
23 be imposed upon the officer or officers of the corporation, partnership, association, or entity  
24 responsible for the violation and, if such an alien, he shall, in addition to the penalties prescribed,  
25 be deported without further proceedings after service of sentence.

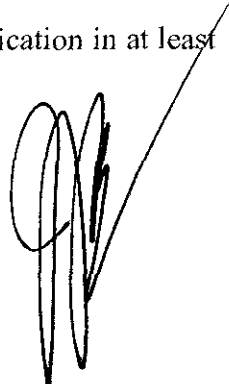
1           **Section 18. Rules and Regulations.** – The President shall, within ten (10) days after the  
2 organization of the Commission, issue the necessary rules and regulations for the effective  
3 implementation of this Act.

4  
5           **Section 19. Separability Clause.** – If any provision of this Act shall be held  
6 unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force  
7 and effect.

8  
9           **Section 20. Repealing Clause.** – Any law, decree, or rules and regulations which are  
10 inconsistent with or contrary to the provisions of this Act are hereby amended or repealed.

11  
12           **Section 21. Effectivity Clause.** – This Act shall take effect upon its publication in at least  
13 two (2) national newspapers of general circulation.

14  
15           Approved,

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