

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

Senate  
Office of the Secretary

16 JUL 18 P5:57

**SENATE**  
**S. B. No. 380**

RECEIVED BY \_\_\_\_\_  
f

---

**Introduced by SENATOR LOREN LEGARDA**

---

**AN ACT FACILITATING AND REGULATING INTERNATIONAL DISASTER RELIEF AND INITIAL RECOVERY ASSISTANCE AND FOR OTHER PURPOSES**

Explanatory Note

Following the declaration by President Aquino of a State of National Calamity for the Philippines on 11 November 2013 or three days after it was struck by Typhoon Haiyan and a US\$348 million emergency aid appeal launched by the United Nations, the country received significant level of assistance in the form of donations, both in cash and in kind. Apart from donations, medical personnel and search-and-rescue teams were also deployed by countries like Japan, South Korea, Israel and the US to aid in the relief and recovery efforts by the government.

At that time, the Department of Foreign Affairs set up a coordinating unit to facilitate the offer of aid from other countries while also providing information or directing the query to concerned Philippine agencies related to issues such as landing permits of aircrafts bringing relief goods and equipment, visa and visa concerns of foreign humanitarian missions and entry of goods, medicines and equipment.

In order to facilitate the ease of flow of international assistance by foreign governments and aid agencies and ensure that the aid being offered is what is needed on the ground, this bill seeks to establish the National Disaster Risk Reduction and Management Council (NDRRMC) as the central focal point agency between the government of Philippines and assisting international actors in order to promote the effective facilitation, coordination and oversight of international disaster assistance. It requires the NDRRMC to consult with the local government units affected by a calamity in determining the list of goods, equipment and service needed for relief and recovery. A Single Window International Facilitation Teams (SWIFTs) is also proposed to be established in order to consolidate and expedite the legal requirements concerning entry of international disaster relief and personnel, goods, equipment and transport.

By providing the mechanisms to ensure the timely and efficient entry and delivery of international aid assistance in the country, it is hoped that resources available will be put into good use. In view of the foregoing, immediate passage of this bill is earnestly sought.

  
**LOREN LEGARDA**  
Senator

'16 JUL 18 P5:57

SENATE  
S. B. No. 380

RECEIVED BY: J

Introduced by SENATOR LOREN LEGARDA

**AN ACT FACILITATING AND REGULATING INTERNATIONAL DISASTER RELIEF AND INITIAL RECOVERY ASSISTANCE AND FOR OTHER PURPOSES**

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

Chapter I  
General Provisions

1 **Section 1. Short Title** – This Act shall be known as the “*International*  
2 *Disaster Relief and Initial Recovery Assistance Act.*”  
3

4 **Section 2. Purpose and Scope** –This Act sets out procedures, roles and  
5 responsibilities related to the facilitation and regulation of international  
6 disaster assistance provided to the Philippines in the event of a disaster on  
7 its territory.  
8

9 In particular, this Act:

- 10 (i) sets out roles and responsibilities for key officials and  
11 departments concerned with the facilitation and regulation of  
12 international disaster assistance;  
13 (ii) establishes procedures for initiating, coordinating, and  
14 terminating international disaster assistance;  
15 (iii) establishes the mechanism for recognition of eligibility for legal  
16 facilities for certain assisting actors;  
17 (iv) specifies the legal facilities to be provided to such eligible actors;  
18 and  
19 (v) specifies that minimum standards are expected from assisting  
20 actors providing international disaster assistance;  
21

22 **Section 3. Definition of Terms**  
23

- 24 a. “Assisting Actor” means any assisting international actor and any  
25 assisting domestic actor responding to a disaster in the Philippines;  
26 b. “Assisting Domestic Actor” means any non-profit entity established  
27 under the laws of the Philippines, which is responding to a disaster in  
28 the territory of Philippines;  
29 c. “Assisting International Actor” means any foreign state, organization,  
30 entity or individual responding to a disaster on the territory of the  
31 Philippines;

- 1 d. "Assisting State" means any foreign government that is providing  
2 disaster relief or initial recovery assistance to the Philippines, whether  
3 through its civilian or military institutions;
- 4 e. "Disaster Relief" means the goods, equipment, services and  
5 internationally donated funds provided to meet the immediate  
6 humanitarian needs of disaster affected communities;
- 7 f. "Disaster" means a serious disruption of the functioning of society,  
8 which poses a significant, widespread threat to human life, health,  
9 property or the environment, whether arising from accident, nature,  
10 or human activity, whether developing suddenly or as the result of  
11 long-term processes, but excluding armed conflict;
- 12 g. "Domestic Non-Governmental Organization" or "Domestic NGO"  
13 means any non-governmental, non-profit entity, which is registered or  
14 created under the laws of the Philippines and whose mandate and  
15 activities are exclusively focused on humanitarian relief, recovery or  
16 development;
- 17 h. "Eligible Actor" means any assisting actor that has been determined to  
18 be eligible to receive legal facilities, in accordance with Chapters V and  
19 VI of this Act;
- 20 i. "Equipment" means physical items, other than goods, which come  
21 from international sources and are designated for use in disaster relief  
22 or initial recovery assistance, including, but not limited to, vehicles,  
23 medical, and telecommunications equipment;
- 24 j. "Foreign Components of the International Red Cross and Red Crescent  
25 Movement" means foreign National Red Cross or Red Crescent  
26 Societies, the International Federation of Red Cross and Red Crescent  
27 Societies and the International Committee of the Red Cross;
- 28 k. "Foreign Non-Governmental Organization" or "Foreign NGO" means  
29 any nongovernmental, not-for-profit entity not incorporated/registered  
30 in the Philippines, whose mandate and activities are focused on  
31 humanitarian relief, recovery or development'
- 32 l. "Goods" means supplies from international sources intended to be  
33 provided to disaster-affected communities for their relief or initial  
34 recovery;
- 35 m. "Initial Recovery Assistance" means goods, equipment, services and  
36 internationally donated funds intended to restore or improve the pre-  
37 disaster living conditions of disaster-affected communities, including  
38 initiatives to increase resilience to disasters and reduce disaster risk;
- 39 n. "Internationally Donated Funds" means any funds donated by foreign  
40 persons or entities directly to the Government of Philippines or to an  
41 assisting domestic actor for purposes of disaster relief or initial  
42 recovery assistance;
- 43 o. "International Disaster Assistance" means disaster relief and initial  
44 recovery assistance that is provided by assisting international actors,  
45 or imported or otherwise brought to Philippines from abroad by or on  
46 behalf of assisting domestic actors;
- 47 p. "International Disaster Relief Period" means the period following a  
48 disaster, as described in Sections 8 and 9 of this Act, during which  
49 the relevant legal facilities described in Chapter VI are made available  
50 to eligible actors for the purpose of providing disaster relief;
- 51 q. "International Initial Recovery Period" means the period following a  
52 disaster, as described in Sections 8 and 10 of this Act, during which  
53 the relevant legal facilities described in Chapter VI are made available  
54 to eligible actors for the purpose of providing initial recovery  
55 assistance;

- 1 r. "International Personnel" means the staff, and volunteers of any  
2 assisting actor providing disaster relief or initial recovery assistance in  
3 the Philippines, being persons who are neither citizens of Philippines  
4 nor domiciled in Philippines prior to their recruitment by the assisting  
5 actor;
- 6 s. "Legal Facilities" means the special entitlements and exemptions that  
7 are made available to Eligible Assisting Actors under Chapter VI of  
8 this Act;
- 9 t. "Locally Engaged Personnel" means nationals or persons domiciled in  
10 the Philippines who are recruited as staff or volunteers by assisting  
11 international actors to provide disaster relief or initial recovery  
12 assistance;
- 13 u. "Services" means activities undertaken by assisting actors to assist  
14 disaster affected communities with their relief or initial recovery, such  
15 as search and rescue activities, medical care, protection services and  
16 information services;
- 17 v. "Transit Facilities" means the special entitlements and exemptions  
18 that are made available to assisting international actors under  
19 Chapter VII of this Act.
- 20 w. "Transit Facilities Period" means the period following a disaster in  
21 another country, as described in Section 62 of this Act, during which  
22 the relevant legal facilities described in chapter vii are made available  
23 to assisting actors for the purpose of providing disaster relief or initial  
24 recovery assistance.
- 25 x. "Transport" means the land, air or water vehicles operated on or  
26 behalf assisting actors to transport international personnel, goods and  
27 equipment across an international border for the purpose of providing  
28 disaster relief or initial recovery assistance.
- 29

30 **Section 4. Existing Rights, Privileges and Immunities** – Nothing in this  
31 Act shall be interpreted to limit or reduce the existing rights, privileges or  
32 immunities of any assisting actor as separately recognized by other laws or  
33 agreements of the Philippines, and any status or headquarters agreement  
34 between the Philippines and an assisting international actor.

35  
36  
37  
38  
39

## 40 **Chapter II**

### 41 **Initiation and Termination of International Disaster Assistance**

42

#### 43 **Section 5. Assessment of the Need for International Disaster Assistance**

44 –

45 a. Immediately after the onset of a major disaster, and in consultation with  
46 relevant local government units and local authorities, the National Disaster  
47 Risk Reduction and Management Council (NDRRMC) shall make a  
48 determination, based on initial estimates, as to whether domestic capacities  
49 are likely to be sufficient to attend to the needs of affected persons for  
50 disaster relief and initial recovery assistance. This determination may also  
51 be made, at the discretion of the NDRRMC, prior to the onset of an  
52 imminent major Disaster.

53

54 b. In the event of a determination that domestic response capacities are not  
55 likely to be sufficient due to the scale of the disaster, the NDRRMC shall

1 advise the President and recommend that an immediate request be made for  
2 international disaster assistance.

3  
4 c. If such a recommendation is made, the NDRRMC shall, in consultation  
5 with relevant local government units and local authorities, develop a  
6 preliminary list of goods, equipment and services required. The NDRRMC  
7 shall make this list available to potential assisting international actors  
8 immediately upon the commencement of an international disaster relief  
9 period pursuant to section 8. The list shall be updated as needed to reflect  
10 new information and changing circumstances.

11  
12 d. A determination that domestic capacities are likely to be sufficient and  
13 that international disaster assistance is therefore unnecessary may be  
14 reviewed and rescinded by the NDRRMC at any time, in light of updated  
15 information.

16  
17 **Section 6. Requests for International Disaster Assistance –**

18 a. Upon the advice of the NDRRMC, the President may make a request for  
19 International Disaster Assistance. That request may be specifically  
20 directed to particular international actors, or it may be a general request  
21 directed to the international community as a whole.

22  
23 b. The request shall be accompanied by:

24 a. information as to the extent and type of assistance required, based  
25 on the list prepared by the NDRRMC pursuant to Section 5,  
26 unless this would lead to undue delay; and

27 b. information on the procedures for assisting international actors to  
28 make offers or provide assistance pursuant to Section 7.

29  
30 **Section 7. Offers and Acceptance of International Assistance –**

31 a. Assisting states and intergovernmental organizations interested in  
32 providing international disaster assistance shall direct an offer to the  
33 Department of Foreign Affairs (DFA) through the appropriate Philippine  
34 embassy. Offers should indicate, in general terms, the type, amount and  
35 estimated duration of assistance to be provided. The DFA shall then consult  
36 with the NDRRMC about such offers. Upon the direction of the NDRRMC,  
37 the DFA may accept such offers, in whole or in part.

38  
39 b. Assisting states planning to provide aid through military actors shall  
40 make such offers according to agreements between the Philippines and the  
41 assisting states and other relevant laws of the Philippines. They may be  
42 accepted, in whole or in part, with the specific conditions set out in the  
43 aforementioned laws, regulations and/or agreements.

44  
45 c. In the event of a general request for international disaster assistance  
46 made pursuant to section 6(a), assisting international actors other than  
47 assisting states and intergovernmental organizations are exempt from  
48 making formal offers. However, they shall comply with the terms of the  
49 general request and shall inform the NDRRMC of the type, amount and  
50 estimated duration of assistance to be provided in advance of their arrival.

51  
52 d. In the absence of a general request for international disaster assistance,  
53 assisting international actors may make unsolicited offers to the DFA  
54 through, the appropriate Philippine embassy. The DFA shall consult with  
55 NDRRMC and, upon its direction, may accept such offers, in whole or in  
56 part.

1  
2 **Section 8. International Disaster Relief and Initial Recovery Periods –**

3 a. The international disaster relief and initial recovery periods shall both  
4 commence simultaneously upon the issuance of a request for international  
5 disaster assistance under Section 6, or upon acceptance of an offer under  
6 Section 7, and shall continue until terminated pursuant to Section 9 or  
7 Section 10, as appropriate.

8  
9 b. The legal facilities described in Chapter VI shall only be effective during  
10 the international disaster relief and initial recovery periods.

11  
12 **Section 9. Termination of the International Disaster Relief Period –**

13 a. When, on the basis of updated needs assessments and other information,  
14 and in consultation with assisting actors, the NDRRMC is satisfied that  
15 the need for disaster relief is coming to an end, it shall advise the  
16 President to approve a termination date for the international disaster  
17 relief period, with due consideration for the impact on ongoing relief  
18 activities. This termination shall not affect the ongoing validity of the  
19 international initial recovery period.

20  
21 b. The termination date shall be announced to assisting actors no later than  
22 30 days prior to the proposed date. The announcement shall also include  
23 information about the anticipated ongoing needs for goods and services  
24 related to initial recovery assistance, if any.

25  
26  
27 c. Upon the issuance of an announcement pursuant to this Section, the  
28 NDRRMC shall consult with assisting actors actively involved in disaster  
29 relief work in order to reduce any negative impact from the termination  
30 and, where necessary, to ensure an adequate handover of  
31 responsibilities.

32  
33 **Section 10. Termination of the International Initial Recovery Period –**

34 a. When, on the basis of updated needs assessments and other information,  
35 and in consultation with assisting actors, the NDRRMC is satisfied that  
36 the need for international initial recovery assistance is coming to an end,  
37 it shall advise the President to approve a termination date for the  
38 international initial recovery period, with due consideration for the  
39 impact on ongoing initial recovery activities.

40  
41 b. The termination date shall be announced to assisting actors no later than  
42 30 days prior to the proposed date.

43  
44 c. Upon the issuance of an announcement pursuant to this Section, the  
45 NDRRMC shall consult with assisting actors actively involved in initial  
46 recovery assistance work in order to reduce any negative impact from the  
47 termination and, where necessary, to ensure an adequate handover of  
48 responsibilities.

49  
50 **Chapter III**

51 **Coordination and Preparedness for International Disaster Assistance**

52  
53 **Section 11. Coordination Duties and Powers of the Focal Point Agency –**

54 a. The NDRRMC shall serve as a central focal point agency for liaison  
55 between the government of Philippines and assisting international actors,  
56 promoting the effective facilitation, coordination and oversight of

1 international disaster assistance pursuant to this chapter. As such, the  
2 NDRRMC shall serve as the main counterpart for any applicable  
3 international or regional coordination mechanisms.  
4

5 b. The NDRRMC shall inform assisting actors and relevant national and  
6 local governmental agencies of their rights and responsibilities under this  
7 Act and orient them to other laws, rules or procedures especially relevant  
8 to international disaster relief and initial recovery assistance.  
9

10 c. During the international disaster relief and initial recovery periods, the  
11 NDRRMC may order any relevant governmental body of Philippines to  
12 undertake actions or make available assets or premises required to  
13 facilitate the work of assisting international actors to provide disaster  
14 relief or initial recovery assistance. Such bodies shall comply to the  
15 fullest extent possible within their legal mandates. Any order that may  
16 impose a substantial burden on the cooperating agency may be reviewed  
17 at its request by the Secretary of agency or department involved.  
18

19  
20 d. During the international disaster relief and initial recovery periods, the  
21 NDRRMC may likewise request any private actor to undertake voluntary  
22 actions, at their own expense, as needed to facilitate the work of assisting  
23 international actors to provide disaster relief or initial recovery  
24 assistance. This may include a request to lower or waive fees or charges  
25 for key services required by assisting international actors and/or to  
26 extend operating hours for their provision.  
27

28 **Section 12. Taskforce on International Disaster Assistance**  
29 **Preparedness**

30 a. A cross-sectoral Taskforce on International Disaster Assistance  
31 Preparedness ("the Taskforce") shall be established, to operate in  
32 accordance with this Section, under the chairmanship of the NDRRMC  
33 with the primary role of enhancing preparedness for implementation of  
34 this Act in case of a disaster requiring international disaster assistance.  
35

36 b. The Taskforce shall be composed of representatives from:  
37 i. The NDRRMC;  
38 ii. The Department of Social Welfare and Development;  
39 iii. The Philippine Red Cross;  
40 iv. The Office of the Governor/s of the Province/s involved;  
41 v. The Office of the Congressman/Congressmen of the District/s  
42 involved;  
43 vi. The Office of the Mayor/s of the city/ies involved;  
44 vii. Such other members as the Taskforce may invite to participate,  
45 including relevant United Nations agencies, regional organizations  
46 and Foreign NGOs.  
47

48 c. The Taskforce shall provide technical advice on preparedness for the  
49 facilitation of international disaster assistance to the NDRRMC. In  
50 fulfilling this role, the Taskforce shall:  
51 i. Prepare and update manuals, guidelines, plans or other  
52 procedures for the entry and coordination of international  
53 disaster relief and initial recovery assistance;  
54 ii. Compile and update information on existing bilateral, regional  
55 and international coordination mechanisms applicable the

- 1 Philippines, and provide technical advice to the NDRRMC on the  
2 further development of such mechanisms;
- 3 iii. Develop and maintain a list of personnel nominated by the  
4 relevant Secretaries to participate in Single Window  
5 International Facilitation Teams (SWIFTs), as described in  
6 Section 13, and to assist the NDRRMC to convene the SWIFTs  
7 immediately upon the commencement of an international  
8 disaster relief period pursuant to Section 8, if required for the  
9 volume of international disaster assistance expected;
- 10 iv. Advise the NDRRMC on the development of technical quality  
11 standards for international disaster relief and initial recovery  
12 assistance, as described in Chapter IV of this Act;
- 13 v. Develop, in accordance with Chapter V of this Act, procedures,  
14 documentation requirements and information about the  
15 responsibilities of assisting actors under this Act;
- 16 vi. Undertake other tasks related to international disaster  
17 assistance, as requested by the NDRRMC.
- 18
- 19 d. The Taskforce shall meet:
- 20 i. immediately upon the commencement of an international  
21 disaster relief period pursuant to Section 8, to ensure the  
22 effective operation of the SWIFTs described in Section 13 and  
23 to advise the NDRRMC on the application of relevant  
24 procedures, manuals and other technical materials concerning  
25 the facilitation of international disaster assistance; and
- 26 ii. otherwise as necessary, and in no case less frequently than  
27 twice per year, to review national preparedness for  
28 implementing the provisions of this Act and to carry out the  
29 functions assigned to it pursuant to this Section.
- 30

31 **Section 13. Single Window International Facilitation Teams (SWIFTs) –**

- 32 a. Single Window International Facilitation Teams (SWIFTs) shall be  
33 established in accordance with this Section, for the purpose of  
34 consolidating and expediting the legal requirements concerning entry  
35 of incoming international disaster relief and initial recovery personnel,  
36 goods, equipment and transport, as well as the application process for  
37 eligibility, as described in Chapter V.
- 38
- 39 b. In consultation with the Taskforce, the NDRRMC shall establish the  
40 membership, functions, authorities and operating procedures for the  
41 SWIFTs, consistent with this Act and other relevant legislation.
- 42
- 43 c. The SWIFTs shall be composed of representatives of relevant  
44 Departments and Agencies, from the list established and updated by  
45 the Taskforce in accordance with Section 12.
- 46
- 47 d. Upon the commencement of an international disaster relief period  
48 pursuant to Section 8, SWIFTs shall be deployed to primary points of  
49 entry for international disaster assistance, including, as  
50 circumstances dictate, relevant airports, seaports and land border  
51 crossing points.
- 52
- 53 e. In the absence of a SWIFT team at a particular border crossing,  
54 officials of the Bureau of Customs shall nevertheless apply the  
55 relevant provisions of this Act.
- 56



1 **Section 14. Operational Coordination of Assisting International Actors**

- 2 -
- 3 a. National and local authorities shall endeavour to integrate the role of  
4 assisting international actors into their contingency planning and  
5 mechanisms for operational coordination for disaster relief and initial  
6 recovery assistance efforts. In particular, they shall endeavour to  
7 facilitate the work of assisting international actors, while balancing  
8 the urgent needs of people affected by disaster and necessary  
9 safeguards relating to public safety and health, coordination and  
10 oversight.
- 11
- 12 b. Assisting international actors shall cooperate and coordinate with  
13 National and local authorities in their disaster relief and initial  
14 recovery assistance. In particular, they shall provide them with such  
15 information as is available to them on the needs, and on the location,  
16 type and extent of their disaster relief and initial recovery assistance  
17 operations, as required for a coordinated and effective response.
- 18
- 19 c. Assisting international actors shall cooperate with any international or  
20 regional mechanisms for coordination that have been specifically  
21 approved for a particular operation by the NDRRMC.
- 22

23 **Section 15. Limited Exemption from Privacy of Personal Data** – Public  
24 authorities and assisting actors shall be permitted to share personally  
25 identifiable information concerning disaster-affected persons among  
26 themselves for the purpose of avoiding imminent death or physical harm to  
27 individuals, or grave and foreseeable harm to public health or safety, or for  
28 facilitating family reunification.

29

30 **Chapter IV**  
31 **General Responsibilities of Assisting Actors**

32

33 **Section 16. Principles of International Disaster Assistance** –

- 34 a. Assisting actors shall comply with the principles of humanity and  
35 impartiality in providing international disaster assistance. In  
36 particular, they shall establish their aid priorities on the basis of need  
37 alone and they shall not:
- 38 i. engage in any adverse distinctions, exclusions or preferences  
39 based on status, such as nationality, race, ethnicity, religious  
40 beliefs, class, gender, sexual orientation, disability, age or  
41 political opinion;
- 42 ii. seek to further a particular political or religious standpoint or  
43 interfere in internal matters irrelevant to disaster response;
- 44 iii. seek to obtain commercial gain from their assistance;
- 45 iv. gather sensitive information of a political, economic or military  
46 nature that is irrelevant to International Disaster Relief or Initial  
47 Recovery Assistance.
- 48
- 49 b. In addition, non-governmental organizations shall comply with the  
50 principle of independence. In particular, they shall not act as  
51 instruments of the foreign policy of any government.
- 52

53 **Section 17. Respect for the Dignity of Persons Affected by Disaster** –  
54 Assisting actors providing international disaster assistance shall respect the  
55 dignity of persons affected by a disaster. In particular, they shall consult  
56 with the beneficiaries of their assistance in the design, implementation,

1 monitoring and evaluation of the disaster relief and initial recovery  
2 assistance they provide.

3  
4 **Section 18. Quality of Goods and Services** – Assisting actors shall ensure  
5 that the goods and services they provide are appropriate to the needs and  
6 circumstances of persons affected by the disaster and in compliance with  
7 the requirements of this Act and all applicable laws of the Philippines.  
8 Assisting actors shall additionally comply with technical quality standards  
9 as contained by regulations to be developed by the NDRRMC.

10  
11 **Section 19. Disposal of Unusable Goods, Non-Functioning Equipment  
12 and other Waste** – Assisting actors shall ensure that any goods or  
13 equipment they import for the purpose of disaster relief or initial recovery  
14 assistance, which are or which have become unusable, as well as any other  
15 waste products produced by them in the course of their disaster relief or  
16 initial recovery assistance operations, are recycled or otherwise disposed of  
17 in a safe, environmentally sensitive and effective manner in compliance with  
18 Philippine laws.

19  
20 **Chapter V**  
21 **Eligibility for Legal Facilities**  
22

23 **Section 20. Provision of Legal Facilities to Eligible Actors –**

- 24 a. The legal facilities described in Chapter VI are available only to eligible  
25 actors as described in this chapter and are effective only during the  
26 international disaster relief and initial recovery periods. Unless  
27 otherwise stated in Chapter VI, the legal facilities are equally effective  
28 during both of those periods.
- 29 b. All of the legal facilities described in Chapter VI shall be available to  
30 assisting international actors deemed eligible pursuant to Section 21,  
31 or approved as eligible pursuant to Section 22.
- 32 c. The legal facilities described in Parts 1 to 5 in Chapter VI shall only be  
33 available to assisting domestic actors deemed eligible pursuant to  
34 Section 21 or approved as eligible pursuant to Section 22, with  
35 respect to international personnel, goods, equipment and transport  
36 they bring to the country from abroad to provide disaster relief or  
37 initial recovery assistance.

38  
39 **Section 21. Deemed Eligibility for Legal Facilities for Certain Assisting  
40 Actors**

- 41 a. Upon the commencement of an international disaster relief period  
42 pursuant to Section 8, the following assisting international actors  
43 shall be deemed eligible to receive the legal facilities described in  
44 Chapter VI of this Act without a further application process pursuant  
45 to Section 22:
- 46 (i) Assisting States;
  - 47 (ii) Relevant intergovernmental organizations, including United  
48 Nations and regional organizations;
  - 49 (iii) Any other assisting actor that the NDRRMC wishes to deem  
50 eligible.
- 51  
52 b. In order to facilitate access to the legal facilities, the NDRRMC shall  
53 provide assisting international actors described in Subsection (a) a  
54 certificate of eligibility, upon their request.  
55

1 **Section 22. Application for Eligibility for Legal Facilities by Assisting**  
2 **Actors**

- 3 a. With the exception of those deemed eligible pursuant to Section 21,  
4 assisting actors seeking eligibility shall apply in accordance with this  
5 Section. assisting international actors may apply only if they are  
6 recognized as a legal person in a foreign country or under  
7 international law.  
8  
9 b. The eligibility of private businesses for legal facilities shall be limited  
10 to assistance from which they make no profit or other commercial  
11 gain.  
12  
13 c. Applications for eligibility may be made in advance of any disaster, or  
14 after the onset of a disaster. In the event that eligibility for legal  
15 facilities is granted in advance of a disaster, it will remain valid for 1  
16 year, after which a new application is required. The legal facilities will  
17 enter into legal effect only during an international disaster relief or  
18 initial recovery period.  
19  
20 d. All Assisting Actors seeking eligibility shall submit:  
21 (i) certified copies of documents evidencing their legal  
22 personality in a foreign jurisdiction or under international law,  
23 in the case of assisting international actors, or under the laws of  
24 the Philippines, in the case of assisting domestic actors;  
25 (ii) the name and full contact details of the authorized  
26 representative of the organization and the address of its  
27 headquarters, if any, in the Philippines;  
28 (iii) documentation relating to their previous experience and  
29 current capacity in providing effective disaster relief or initial  
30 recovery assistance;  
31 (iv) an undertaking relating to their organizational commitment  
32 and practices concerning the responsibilities set out in Chapter  
33 IV.  
34

35 **Section 23. Eligibility Determination and Certificates -**

- 36 a. The NDRRMC shall respond to any application under Section 22 by  
37 either approving it and issuing a certificate of eligibility for the  
38 relevant Chapter VI legal facilities, or by giving notice that the  
39 application has not been approved.  
40 (i) For applications made during the international disaster relief  
41 period, the NDRRMC shall respond no later than 2 days after  
42 receipt of all required documents.  
43 (ii) For applications made after the termination of an  
44 international disaster relief period but during an international  
45 initial recovery period, the NDRRMC shall respond no later than  
46 5 days after receipt of all required documents.  
47  
48 b. Applications from assisting actors with significant experience will be  
49 accepted unless the documentation provided or external information  
50 raises doubts as to their capacities, in which case, additional opinions  
51 and information may be gathered prior to making a determination.  
52  
53 c. Upon approval of an application pursuant to Section 22 or upon the  
54 request of an assisting actor deemed eligible pursuant to Section 21,  
55 the NDRRMC shall issue a certificate indicating that the assisting  
56 actor is eligible for the relevant Chapter VI legal facilities. In the case

1 of a domestic assisting actor, the certificate shall state that the  
2 eligibility extends to the legal facilities in Parts 1 to 5 of Chapter VI.  
3

- 4 d. A certificate issued in accordance with this Section shall be valid for a  
5 period of 1 year from the date of issue and may be renewed through a  
6 new decision under Section 20 or Section 22.  
7

8 **Section 24. Termination of Eligibility for Legal Facilities** – Eligibility of  
9 assisting actors for the relevant Chapter VI legal facilities may be terminated  
10 upon the request of the eligible actor concerned or upon the termination of  
11 the legal facilities for failure to comply with this Act, pursuant to Section 56  
12 of this Act.  
13

14 **Chapter VI**  
15 **Legal Facilities for Eligible Actors**

16  
17 Part 1  
18 International Personnel  
19

20 **Section 25. Disaster Visa** – The international personnel of eligible actors  
21 shall be entitled to waiver of entry visa requirements, including any  
22 associated fees or charges. International personnel who enter Philippines  
23 under this Disaster Personnel visa waiver shall be allowed to undertake  
24 disaster relief and initial recovery work for their sponsoring entities without  
25 the requirement to seek a separate residence or work permit. As long as they  
26 continue as international personnel of their sponsoring entities, they shall  
27 be entitled to remain in or re-enter the territory as often as necessary  
28 throughout the international disaster relief and international initial recovery  
29 periods. After that time, they may apply for a relevant visa from within the  
30 country.  
31

32 **Section 26. Recognition of Foreign Professional Qualifications** –

33 a. Eligible assisting actors wishing to deploy international personnel for  
34 tasks requiring legal recognition of their foreign professional qualifications  
35 shall certify the validity of those qualifications and the competence of their  
36 personnel for the tasks envisaged.  
37

38 b. Within six months of the entry into force of this Act, the Department of  
39 Foreign Affairs shall establish lists of countries and/or educational  
40 institutions whose health professionals, architectural, engineering and other  
41 relevant professionals may be given automatic recognition of their foreign  
42 qualifications when certified by an eligible assisting actor pursuant to  
43 subsection (a) of this Section. The lists shall be reviewed at least once per  
44 year and published electronically.  
45

46 c. The Department of Foreign Affairs shall also establish expedited  
47 procedures to be applied for the assessment and recognition of the foreign  
48 qualifications of the international personnel originating from countries or  
49 institutions not included on the above-mentioned lists, when certified by  
50 their sponsoring eligible assisting actor pursuant to subsection (a) of this  
51 Section.  
52

53 d. Recognition of qualifications under this Section shall exempt  
54 international personnel of eligible actors from any obligations for  
55 compulsory membership of professional associations or other professional

1 registration processes within Philippines until the end of the international  
2 initial recovery period.

3  
4 e. Recognition of qualifications under this Section shall remain valid until  
5 the end of the international initial recovery period, absent individual  
6 criminal conduct, or other professional misconduct sufficient to bar the  
7 individual from professional practice in the Philippines.

8  
9 **Section 27. Recognition of Foreign Driving Licenses** – The Land  
10 Transportation Office (LTO) and other relevant authorities shall accord  
11 temporary recognition of the foreign driving licenses of the international  
12 personnel of eligible actors, during the international disaster response and  
13 initial recovery periods.

14  
15 **Section 28. Freedom of Access** –

16 a. The international personnel of eligible actors under this Act shall be  
17 provided freedom of access to disaster-affected areas and persons requiring  
18 disaster relief or initial recovery assistance, subject only to limitations based  
19 on national security, public order or public health, weighed in the context of  
20 the urgency of the disaster needs. They shall be permitted to provide their  
21 goods and services directly to affected persons.

22  
23 b. In situations where the relevant authorities have decided to restrict public  
24 access to affected areas out of concern for the safety of those persons  
25 seeking to enter, they shall warn the international personnel of eligible  
26 actors, but allow them to enter, if they may do so without endangering  
27 others and if the international personnel assume the risk.

28  
29 Part 2

30 Entry of International Disaster Goods and Equipment

31  
32 **Section 29. Customs Facilitation and Priority Treatment** – As further  
33 described in this Part, the Bureau of Customs shall facilitate the rapid  
34 importation of consignments of goods and equipment by eligible actors and  
35 shall accord them priority treatment in handling.

36  
37 **Section 30. Duty of Compliance by Eligible Actors** – In order to benefit  
38 from the legal facilities in this part, eligible actors shall:

39  
40 a. declare that all the goods and equipment they seek to import under  
41 this Part are exclusively for disaster relief or initial recovery assistance  
42 and that they comply with any relevant standards under national law,  
43 including as provided in this Act or its regulations; and

44 b. pack, classify and mark their consignments in accordance with the  
45 requirements described in this part and as directed by the Bureau of  
46 Customs.

47  
48 **Section 31. Representation to Customs** – Eligible actors may make  
49 representations directly to the Bureau of Customs with respect to their  
50 international disaster assistance consignments or through a designated  
51 third party acting on their behalf.

52  
53 **Section 32. Exemption from Import Duties, Taxes and Restrictions** –  
54 Consignments of goods and equipment by or on behalf of eligible actors  
55 shall benefit from:

56 a. exemption from all duties and taxes;

- 1           b.    waiver of economic prohibitions and restrictions except for  
2                    categories of special goods and equipment as provided in Part 3  
3                    of this Act; and  
4           c.    clearance without regard to the country of origin or the country  
5                    from which the goods have arrived, subject to monitoring for  
6                    reasons of public health and security.  
7

8   **Section 33. Simplification of Documentation Requirements** – The  
9 Bureau of Customs shall:

- 10          a.    clear or release consignments of goods and equipment sent by  
11                    or on behalf of eligible actors on the basis of a simplified /  
12                    provisional goods declaration providing the minimum  
13                    information necessary for the Bureau of Customs to identify the  
14                    goods and equipment: Provided, that eligible actors are subject  
15                    to completion of a more complete declaration within a specified  
16                    period;  
17          b.    allow a single goods declaration for all imports of goods or  
18                    equipment by or on behalf of eligible actors;  
19          c.    allow the goods declaration and any supporting documents  
20                    relating to consignments of goods or equipment sent by or on  
21                    behalf of eligible actors to be lodged electronically and without  
22                    any fee;  
23          d.    allow the lodging and registering or checking of the goods  
24                    declaration and supporting documents prior to the arrival of  
25                    consignments of goods or equipment sent by or on behalf of  
26                    eligible actors, to facilitate their release upon arrival;  
27          e.    waive any requirement of translation of details in documents  
28                    relating to consignments of goods or equipment sent by or on  
29                    behalf of eligible actors unless it is absolutely necessary for the  
30                    purposes of release or clearance.  
31

32   **Section 34. Extended Hours for Customs** – During the international  
33 disaster relief period only, the Bureau of Customs shall:

- 34          a.    upon request, and without additional charges, carry out the functions  
35                    necessary for the release or clearance of consignments of goods or  
36                    equipment imported by or on behalf of eligible actors outside their  
37                    designated hours of business and/or away from customs offices when  
38                    necessary; and  
39  
40          b.    coordinate with the business hours and competencies of any other  
41                    relevant Departments involved in the approval of incoming consignments  
42                    and, whenever possible, carry out joint operations, such as joint customs  
43                    controls, including participation in SWIFTs, if established under Section 13  
44                    of this Act.  
45

46   **Section 35. Inspections and Customs Security** – During the international  
47 disaster relief period only, the Bureau of Customs shall:

- 48          a.    on the basis of risk analysis, take only such action as it deems essential  
49                    to ensure compliance with customs and related laws for the purpose of  
50                    checking the goods declaration of a consignment sent by or on behalf of  
51                    eligible actors;  
52  
53          b.    waive, as feasible, any customs security that would normally be required  
54                    in respect of consignments of goods and equipment imported on or behalf of  
55                    eligible actors.  
56

1  
2 Part 3  
3 Expedited Entry and Use Restrictions for Specific International Disaster  
4 Goods and Equipment  
5

6 **Section 36. Telecommunications Equipment –**

7 a. Eligible actors shall be permitted to import telecommunications  
8 equipment for the purpose of disaster relief or initial recovery assistance  
9 without restrictions, except as required for purposes of national security or  
10 public order.

11  
12 b. Upon notification of the names, frequencies, as applicable, and locations  
13 of intended use of such telecommunications equipment imported by eligible  
14 actors, the National Telecommunications Commission (NTC) shall waive any  
15 licensing requirements or fees for their use.

16  
17 c. The NTC shall also grant eligible actors priority over domestic users with  
18 the exception of security forces, ambulance services and other domestic  
19 emergency responders in access to bandwidth, frequencies and satellite use  
20 for telecommunications and data transfer associated with disaster relief and  
21 initial recovery assistance.

22  
23 **Section 37. Medications –**

24 a. Eligible actors shall be permitted to import medications and medical  
25 equipment for the purpose of disaster relief or initial recovery assistance so  
26 long as they conform to the requirements of this Section.

27  
28 b. Any such medications and medical equipment shall be appropriate to the  
29 needs of the disaster-affected persons, and shall be legal for use in the  
30 country of origin according to its laws as well as in Philippines according to  
31 appropriate laws on pharmaceuticals. Pursuant to subsections (c) and (d)  
32 below, a distinction shall otherwise be made between medications intended  
33 to be donated for the use of others and those that eligible actors intend to  
34 use directly in providing medical services.

35  
36 c. Medications that eligible actors intend to use directly in providing medical  
37 services in disaster relief or initial recovery assistance shall be:

- 38 (i) transported and maintained by the eligible actor in appropriate  
39 conditions at all times to ensure their quality and;  
40 (ii) guarded against misappropriation and abuse.

41  
42 d. Medications intended for donation for the use of others shall be:

- 43 (i) at least 12 months from their expiry date upon arrival, unless  
44 otherwise specifically agreed by the Department of Health  
45 (DOH);  
46 (ii) transported and maintained by the eligible actor in appropriate  
47 conditions to ensure their quality until they reach their  
48 intended domestic recipients; and  
49 (iii) appropriately labelled in a language understood in the affected  
50 State with the international non-proprietary name or generic  
51 name, batch number, dosage form, strength, name of  
52 manufacturer, quantity in the container, storage conditions and  
53 expiry date.

54  
55 **Section 38. Food –** Food imported by eligible actors shall be admitted  
56 pursuant to expedited procedures set out by regulations to be developed

1 within 6 months from the effectivity of this Act by the DOH and the  
2 Department of Agriculture (DA).

3  
4 **Section 39. Imported Vehicles** – The LTO shall grant temporary  
5 recognition to foreign registration and plates to vehicles imported by eligible  
6 actors during the international disaster relief period and the international  
7 initial recovery period.

8  
9 **Section 40. Search Dogs** – Search dogs imported temporarily by eligible  
10 actors shall be admitted without the need for quarantine so long as they  
11 meet the conditions and requirements of special regulations to be developed  
12 within 6 months from the effectivity of this Act by the Bureau of Animal  
13 Industry.

14  
15 Part 4  
16 Permitted Disposition of Equipment and Unused Goods  
17

18 **Section 41. Disposition of Equipment and Unused Goods** –

19 a. This part sets out the permitted disposition of goods or equipment for  
20 which eligible actors have received waivers or exemptions from fees, duties,  
21 taxes or other charges pursuant to this chapter and which remain in their  
22 possession as of the end of their disaster relief and initial recovery  
23 assistance operations.

24  
25 b. Such goods and equipment may be:

- 26 (i) retained by eligible actors that are non-profit entities and used  
27 or distributed by them for humanitarian, development or  
28 charitable purposes in the Philippines;  
29 (ii) re-exported pursuant to Section 42;  
30 (iii) donated pursuant to Section 43; or  
31 (iv) disposed of pursuant to Section 19.

32  
33 c. Additionally, such goods and equipment may be sold, but only:

- 34 (i) after the termination of the initial recovery period; and  
35 (ii) with payment of all fees, duties, taxes or charges that were  
36 previously waived or exempted for these items under this  
37 Chapter.

38  
39 **Section 42. Re-Export of Goods and Equipment** – Eligible actors that  
40 import equipment or goods benefitting from the legal facilities in this  
41 chapter are permitted to re-export any equipment or unused goods and to  
42 do so without the imposition of any taxes, export duties, or similar charges,  
43 provided that:

44 a. re-export is commenced no later than 2 months after the termination of  
45 the international initial recovery period; and

46 b. they provide documentation that the equipment and goods in question  
47 were originally imported for the purpose of disaster relief or initial recovery  
48 assistance pursuant to this Chapter.

49  
50 **Section 43. Donation of Unused Goods and Equipment** – When they are  
51 no longer needed for their disaster relief or initial recovery assistance,  
52 eligible actors are permitted to donate any imported or locally purchased  
53 goods and equipment without the imposition of any taxes, fees, duties, or  
54 similar charges on either the donor or the beneficiary, provided that:

55 a. the donation is made no later than two months after the termination of  
56 the international initial recovery period;



1 b. the eligible assisting international actor provides documentation to the  
2 BOC and the Bureau of Internal Revenue (BIR) on the identity of the  
3 importer or purchaser, the date of import or purchase, and the fact that the  
4 item or group of items was imported or purchased pursuant to the legal  
5 facilities in this chapter;

6 c. the beneficiary of the donation is the Philippine Red Cross, a domestic  
7 NGO, or other non-profit charitable or humanitarian organization  
8 established in the Philippines; and

9 d. any items thus donated may not be sold unless fees, duties, taxes or  
10 charges that were previously waived or exempted for these items under this  
11 Chapter are paid.

12  
13 Part 5  
14 Transport  
15

16 **Section 44. Facilitation of Means of Transport** – Ground, air and water  
17 transport vehicles operated by or on behalf of eligible assisting actors to  
18 transport international and locally engaged personnel, goods, or equipment  
19 for the purposes of disaster relief or initial recovery assistance shall:

20 a. Be accorded priority treatment for passage, including, as appropriate,  
21 priority in air traffic routing and landing permissions subject to  
22 existing laws, rules and regulations of the proper authorities.

23 b. Be exempt from any applicable taxes, levies, duties, fees or charges  
24 normally imposed by governmental entities of the Philippines,  
25 including, but not limited to:

26 (i) overflight, landing, parking, taking off and navigation service fees;

27 (ii) demurrage and docking fees; and

28 (iii) road tolls.

29 c. Be exempt from any prohibitions, limitations or restrictions in respect  
30 of their arrival, overflight, landing, stay and departure, other than  
31 those necessary to guarantee national security, public safety or public  
32 health.

33  
34 **Section 45. Entry of Transport Operators** – The appropriate authorities  
35 shall endeavour to reduce and expedite any procedures for the entry of  
36 drivers, pilots and crew of transport vehicles operated by on or behalf of  
37 eligible actors.

38  
39 **Section 46. Notice of Transport** – To facilitate the provision of the legal  
40 facilities in this part, eligible assisting actors or their carriers shall:

41 a. inform the Civil Aviation Authority of the Philippines (CAAP) in  
42 advance of the intended route of flights, type and call signs of the  
43 aircraft, number of crew members, the character of the cargo, time-  
44 table of flights, and the list of all passengers, and shall comply with  
45 any directions from the CAAP as to air traffic control and landing  
46 procedures.

47 b. inform the relevant marine authority in advance, of the intended port  
48 or location of arrival of each water vessel, the type, make and  
49 registration number of each vessel, the number of personnel operating  
50 and on board each vessel and the equipment, facilities and other  
51 materials on board each vessel, and shall comply with any directions  
52 from the relevant authority as to the control of incoming vessels or  
53 docking procedures.

54  
55 Part 6  
56 Legal Capacity and Employment

1  
2 **Section 47. Legal Capacity of Assisting International Actors** – The status  
3 of eligibility for legal facilities of an assisting international actor includes  
4 such legal capacity as may be relevant for the exercise of its functions and  
5 the fulfilment of its purposes in providing international disaster relief or  
6 initial recovery assistance in accordance with the laws of Philippines during  
7 the international disaster relief and initial recovery periods, in particular the  
8 capacity to:

- 9 a. open bank accounts;  
10 b. enter into contracts, including leases;  
11 c. acquire and dispose of movable property;  
12 d. receive and disburse private funds;  
13 e. initiate legal proceedings;  
14 f. engage and terminate locally engaged personnel, as set out in  
15 Section 49 of this Act.  
16

17 **Section 48. Engagement and Termination of Locally Engaged Personnel**

- 18 a. Subject to Section 4 of this Act, and except as provided in this  
19 Section, all eligible assisting international actors shall comply with the  
20 applicable law in Philippines with regard to the employment of locally  
21 engaged personnel;  
22 b. Eligible assisting international actors shall not be required to make  
23 any separate registration as employers, including for the purposes of  
24 taxation, social security, and social insurance registration  
25 requirements relating to the employment of locally engaged personnel.  
26 c. Notwithstanding any provisions of labor and employment laws to the  
27 contrary, eligible assisting international actors may:  
28 i. recruit any individual legally entitled to perform the work  
29 envisaged in Philippines through a non-discriminatory process;  
30 ii. engage local personnel pursuant to fixed-term contracts,  
31 which may be of short duration, and may be renewed as required  
32 without creating an open-ended obligation.  
33

34 **Section 49. Jurisdiction over International Personnel** – Jurisdiction  
35 concerning contracts between eligible assisting international actors and  
36 international personnel engaged by them shall be determined based on the  
37 application Philippine laws on jurisdiction.  
38

39 Part 7

40 Taxation of Eligible Assisting International Actors  
41

42 **Section 50. Value-Added Tax (VAT)** –

- 43 a. The supply of disaster relief and initial recovery assistance by an eligible  
44 assisting international actor shall be exempt from all vat, service taxes and  
45 similar taxes, duties, levies and governmental fees where such supply takes  
46 place during the international disaster relief or initial recovery periods.  
47 Eligible assisting international actors shall also be exempt from registration  
48 for vat during the same periods.  
49 b. In providing this legal facility the BIR shall take all practical steps to  
50 ensure that local suppliers suffer no negative financial or administrative  
51 impact in providing goods or services to eligible assisting international  
52 actors.  
53

54 **Section 51. Income Tax** –

- 55 a. The activities of an eligible assisting international actor carried on for  
56 the purpose of providing disaster relief or initial recovery assistance

1 shall be subject to income tax on any actual or deemed income or gain  
2 arising from such activities.

- 3 b. The international personnel of an eligible assisting international actor  
4 shall not be treated as a resident of the Philippines or as having any  
5 other connection with the Philippines relevant for taxation purposes  
6 by reason of their presence in the Philippines or activities undertaken  
7 there during the international disaster relief and initial recovery  
8 periods except in instances where any actual or deemed income or  
9 gain is realized.

10  
11 **Section 52. Property, Assets and Other Similar Taxes** – During the  
12 international disaster relief or international initial recovery periods, no  
13 taxes, duties, levies or governmental fees having similar effect shall accrue  
14 or be payable by eligible assisting international actors in connection with:

15 a. land, a building or any part of a building where such land, building  
16 or part thereof is wholly or primarily used by an eligible assisting  
17 international actor for the purpose of disaster relief or initial recovery  
18 assistance; and

- 19 b. the assets of an eligible assisting international actor.

20  
21 Part 8

22 Currency and Banking  
23

24 **Section 53. Right to Bring Necessary Funds and Currencies into the**  
25 **Country** – The Department of Finance (DOF) shall facilitate the entry of  
26 such funds and currencies by eligible assisting international actors to  
27 provide disaster relief and initial recovery assistance.

28  
29 **Section 54. Preferential Exchange Rates** – The DOF shall make available  
30 to eligible assisting international actors the best available legal exchange  
31 rates into the state's currency for funds to be used for the purpose of  
32 providing disaster relief or initial recovery assistance.

33  
34 **Chapter VII**

35 **Supervision, Reporting and Sanctions**  
36

37 **Section 55. Supervision of Assisting Actors** –

38 a. The NDRRMC shall be responsible for monitoring the compliance of  
39 assisting actors with their responsibilities under this Act, and in particular  
40 Chapter IV.

41 b. To facilitate the NDRRMC's oversight, it may require assisting actors to  
42 report to it, at reasonable intervals, about the disaster relief and initial  
43 recovery assistance they provide. These reports shall be made public  
44 through electronic means.

45 c. Any reporting requirements imposed by the NDRRMC under this Section  
46 shall be designed so as to reduce any administrative burden on assisting  
47 actors to the minimum necessary.

48  
49 **Section 56. Non-Compliance by Assisting Actors** –

50 a. If, on the basis of credible information, the NDRRMC suspects that any  
51 assisting actor has failed to materially comply with its responsibilities under  
52 this Act, and in particular its responsibilities under Chapter IV, it shall  
53 immediately consult with the assisting actor and seek clarification or  
54 explanation. If still unsatisfied, the NDRRMC shall provide written notice of  
55 non-compliance along with a decision either:

1 (i) to require the assisting actor to bring itself into compliance within a  
2 specified period of time, with or without temporary suspension of its  
3 eligibility, if any, for legal facilities under Chapter VI;  
4 (ii) to revoke the assisting actor's eligibility, if any, for legal facilities  
5 under Chapter VI;  
6 (iii) in the case of deliberate misrepresentation or fraud, to impose  
7 fines to be set out by implementing regulation; or  
8 (iv) in the most extreme cases concerning an assisting international  
9 actor, to revoke the Philippine's consent for it to provide disaster relief  
10 or initial recovery assistance in response to the disaster.

11  
12 b. In the event of a decision to revoke pursuant to subsection (a)(iv) of this  
13 Section, if the assisting international actor lacks a legal basis independent  
14 of this Act to remain in the country, it may be required to depart, as of a  
15 date no sooner than 30 days from the date of the notice.

16  
17 c. Decisions to suspend or revoke legal facilities pursuant to subsections  
18 (a)(i) or (a)(ii) of this Section may not be given retroactive effect, except in  
19 cases of fraud or criminal misconduct attributable to the assisting  
20 international actor.

21  
22 **Section 57. Transparency as to Internationally Donated Funds –**

23 a. Internationally donated funds received by the Government of the  
24 Philippines for the purposes of disaster relief and initial recovery assistance  
25 shall be subject to audit by the Commission on Audit (COA) no later than six  
26 months after the termination of the international disaster relief period or the  
27 international initial recovery period. The results of these audits shall be  
28 made publicly available.

29  
30 b. International donated funds received by assisting domestic actors shall  
31 be:

32 (i) maintained in a dedicated account for disaster relief or initial  
33 recovery assistance;

34 (ii) subjected to an external audit no later than six months after the  
35 termination of the international disaster relief period or the international  
36 initial recovery period, whichever is sooner. The results of these audits shall  
37 be reported to the appropriate authority and made publicly available.

38  
39 **Section 58. Congressional Oversight Committee –** A Congressional  
40 Oversight Committee is hereby created to be composed of the 3 members  
41 each from the Senate and the House of Representatives who shall be  
42 designated by the Senate President and the Speaker of the House of  
43 Representatives: provided, that 1 of the 3 Senators and 1 of the 3 House  
44 members shall be nominated by the respective minority leaders of the  
45 Senate and the House of Representatives.

46  
47 The Oversight Committee is hereby mandated to oversee the implementation  
48 of this act. For this purpose, the Oversight Committee shall set the  
49 guidelines and overall framework for the monitoring of the implementation  
50 of this Act and shall adopt its internal rules of procedures.

51  
52 **Section 59. Annual Reporting on Implementation -** The NDRRMC shall  
53 report annually to the Congressional Oversight Committee created by  
54 Section 58 of this Act on steps taken to implement this Act, including  
55 preparedness measures taken prior to a disaster.

1 **Section 60. Sanction for Non-Compliance by Officials** – Officials of the  
2 Philippines that fail to abide by their responsibilities under this Act shall be  
3 subject to administrative sanctions, without prejudice to any civil or  
4 criminal liability under other laws that might also attach to the official's  
5 actions or omissions.

6  
7 **Chapter VIII**  
8 **Transit of International Disaster Assistance**  
9

10 **Section 61. Facilitation for Transit** – In the event a Disaster occurs in  
11 another country for which international disaster assistance is required the  
12 BOC and the Bureau of Immigration (BI) shall facilitate the speedy transit or  
13 transshipment across the national territory of the Philippines of international  
14 disaster assistance by assisting international actors, including international  
15 personnel, goods, equipment and transport, in order to reach the affected  
16 country,  
17

18 **Section 62. Transit Facilities Period** -

- 19 a. When, after seeking the views of the relevant authorities of a disaster  
20 affected country, the BOC and the BI are satisfied that international  
21 disaster relief or initial recovery assistance is likely to be required and  
22 that the transit or transshipment of international personnel, goods or  
23 equipment through its territory is likely to be helpful, the BOC and  
24 the BI may declare the beginning of a Transit Facilities Period.  
25 b. The Transit Facilities Period shall continue until terminated by the  
26 BOC and the BI, when they are satisfied that Transit Facilities are no  
27 longer required.  
28 c. The termination of a Transit Facilities Period shall be announced to  
29 assisting international actors no later than 5 days prior to the  
30 proposed date.  
31 d. The transit facilities described in this Chapter shall be effective only  
32 during the Transit Facilities Period.  
33

34 **Section 63. Entitlement to Transit Facilities** -

- 35 a. Subject to subsection (b), all assisting international actors shall be  
36 entitled to the Transit Facilities provided in this Chapter upon declaration  
37 that the international personnel, equipment and goods that they seek to  
38 send in transit through the Philippines are for the purpose of providing  
39 international disaster relief or initial recovery assistance to a disaster-  
40 affected country.  
41 b. The BOC and the BI may deny transit facilities to any assisting  
42 international actor, in case of actual or suspected fraud or if necessary to  
43 safeguard national security or public health.  
44

45 **Section 64. Disaster Transit Visa** – International Personnel entering the  
46 Philippines for the purpose of transit to a disaster-affected country shall be  
47 entitled to waiver of entry visa requirements, including any associated fees  
48 or charges on the condition that they exit the territory of the Philippines  
49 within a period of 24 hours.  
50

51 **Section 65. Goods and Equipment in Transit and Transshipment** – The  
52 provisions of Parts 2 and 3 of Chapter VI shall apply, mutatis mutandis, to  
53 consignments of goods and equipment by eligible actors, when placed under  
54 customs transit or transshipment to an affected country.  
55

1 **Section 66. Transport for Transit and Transshipment** – The provisions of  
2 Part 5 of Chapter VI shall also apply, mutatis mutandis, to the ground, air  
3 and water vehicles of eligible actors in transit through the territorial lands,  
4 waters or airspace of the Philippines to provide international disaster relief  
5 or initial recovery assistance to an affected country.  
6

7  
8 **Chapter IX**  
9 **Implementation, Transitional and Final Provisions**  
10

11 **Section 67. Implementing Rules and Regulations** -The NDRRMC together  
12 with the DOF, BIR, BOC, LTO and other government agencies mentioned in  
13 this Act shall draft the rules and regulations concerning all matters which  
14 are required or permitted to be prescribed, or which are necessary to carry  
15 this Act into effect or to give effect to any power, function, duty, or authority  
16 under this Act.  
17

18 **Section 68. Separability Clause.** - If any provision or part of this Act, or  
19 the application thereof to any person or circumstances, is held invalid or  
20 unconstitutional, the remaining sections of this Act or the application of  
21 such provision or part hereof to other persons or circumstance shall remain  
22 in full force and effect.  
23

24 **Section 69. Repealing Clause.** - All laws, decrees, orders, issuances, rules  
25 and regulations or parts thereof inconsistent with the provisions of this Act  
26 are hereby repealed, amended or modified accordingly.  
27

28 **Section 70. Effectivity.** - This Act shall take effect fifteen (15) days after its  
29 approval and publication in the Official Gazette and/or in two (2)  
30 newspapers of general circulation, whichever comes earlier.  
31

32 Approved,