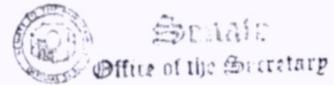


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE
S. No. 124

'19 JUL -2 A8:59

RECEIVED

Introduced by Senator Grace Poe

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

Explanatory Note

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

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

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

Our first step in fulfilling our duty is to strengthen our disaster risk reduction and management institutions. Currently, this is embodied by the National Disaster Risk Reduction and Management Council (NDRRMC). The NDRRMC was created through Republic Act No. 10121, otherwise known as the "*Philippine Disaster Risk*

Reduction and Management Act of 2010". It was a response to Typhoon Ondoy which ravaged 4.9 million families, and led to the declaration of a state of calamity in 23 provinces and Metro Manila, and caused an outbreak of *leptospirosis*. However, Typhoon Yolanda was clearly several orders of magnitude above Ondoy. Therefore, our institutions must adjust and be strengthened to be able to meet the "new normal" set by Yolanda.

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

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

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

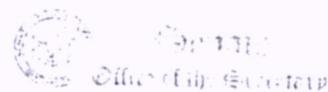
There shall also be created a National Disaster Risk Reduction and Management Research and Training Center which will serve as a repository of all knowledge and research and development, and as a capacity building entity on disaster risk reduction and management. This measure also envisions the creation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

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

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


GRACE POE

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



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

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

ARTICLE I
GENERAL PROVISIONS

1 Section 1. *Short Title.* – This Act shall be known as "*The Philippine Disaster*
2 *Risk Reduction and Management System Act of 2019*".

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

- 10 a) Address the root causes of vulnerabilities to disasters by strengthening the
11 country's institutional capacity for disaster risk reduction and management
12 and building the resilience of local communities to disasters including
13 climate change impacts;

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

- 1 environment, agriculture, water, energy, health, education, poverty
2 reduction, land-use and urban planning, and public infrastructure and
3 housing, among others;
- 4 i) Institutionalize the policies, structures, coordination mechanisms and
5 programs with continuing budget appropriation on disaster risk reduction
6 from national down to local levels towards building a disaster-resilient
7 nation and communities;
- 8 j) Streamline existing disaster risk reduction and management institutions,
9 structures and mechanisms, in order to reduce redundancy, increase
10 synergy and efficiency, and provide decisive and accountable leadership
11 in times of crisis;
- 12 k) Ensure that disaster risk reduction and climate change measures are
13 gender responsive, sensitive to indigenous knowledge systems, and
14 respectful of human rights;
- 15 l) Develop and strengthen the capacities of vulnerable and marginalized
16 groups to mitigate, prepare for, respond to, and recover from the effects
17 of disasters;
- 18 m) Incorporate community and people's participation on a greater level, to
19 ensure that all national disaster risk reduction programs, activities and
20 policies are aligned with and responsive to the needs of the people;
- 21 n) Recognize the local risk patterns across the country and strengthen the
22 capacity of LGUs for disaster risk reduction and management through
23 decentralized powers, responsibilities, and resources at the regional and
24 local levels;
- 25 o) Recognize and strengthen the capacities of LGUs and communities in
26 mitigating and preparing for, responding to, and recovering from the
27 impact of disasters;
- 28 p) Engage the participation of civil society organizations (CSOs), the private
29 sector and volunteers in the government's disaster risk reduction
30 programs towards complementation of resources and effective delivery of
31 services to the Citizenry;

- 1 q) Provide maximum care, assistance and services to individuals and families
2 affected by disaster, implement emergency rehabilitation projects to
3 lessen the impact of disaster, and facilitate resumption of normal social
4 and economic activities; *and*
- 5 r) Ensure that affected communities rise stronger than they were before
6 incidents of disasters, towards reducing their vulnerability and preventing
7 the repetition of the catastrophic loss of human life and livelihood and
8 destruction of property.

9 Sec. 3. *Definition of Terms.* – The following terms are defined for the
10 purposes of this Act:

- 11 a) *Build Back Better* – refers to an approach to disaster recovery and
12 reconstruction which not only rebuilds communities to pre-disaster
13 standards but also increases their resilience to future disasters;
- 14 b) *LERC* – refers to the Local Emergency Response Corps created under this
15 Act;
- 16 c) *Department* – refers to the Department of Disaster Resilience and
17 Emergency Assistance and Management which encompasses the National
18 Disaster Risk Reduction and Management Council (NDRRMC) and the
19 Department proper;
- 20 d) *Department proper* – refers to the offices, agencies, bureaus, and services
21 under the authority of the Secretary of the Department of Disaster
22 Resilience and Emergency Assistance and Management;
- 23 e) *Secretary* – refers to the Secretary of the Department Resilience and
24 Emergency Assistance Management;
- 25 f) *NERC* – refers to the National Emergency Response Corps created under
26 this Act;
- 27 g) *NDRRMC* – refers to the National Disaster Risk Reduction and
28 Management Council created under R.A. No. 10121, otherwise known as
29 the "*Philippine Disaster Risk Reduction and Management Act of 2010*";
- 30 h) *RERC* – refers to the Regional Emergency Response Corps created under
31 this Act;

1 i) *RFO* – refers to the Regional Disaster Risk Reduction and Management
2 Councils created under R.A. No. 10121 and renamed as “Regional Field
3 Offices” under this Act.

4 Unless expressly defined in this Section, the other technical terms and
5 concepts used in this Act shall be read as defined under Section 3 of Republic Act
6 No. 10121, otherwise known as the “*Philippine Disaster Risk Reduction and*
7 *Management Act of 2010*”.

8 **ARTICLE II**

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

10 **ASSISTANCE AND MANAGEMENT**

11 *Sec. 4. The Department of Disaster Resilience and Emergency Assistance and*
12 *Management.* – To carry out the objectives of this Act and those of R.A. No. 10121,
13 the Department of Disaster Resilience and Emergency Assistance and Management
14 is hereby established. The Department shall be the primary policy-making, planning,
15 coordinating, *integrating*, supervising, implementing, monitoring and evaluating
16 authority with regard to disaster risk reduction and management in the country.

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

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

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

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

27 *Sec. 11. Monitoring and Reporting. –*

- 28 a.) On or before the last quarter of the preceding year, the member-agencies
29 of the NDRRMC shall submit to the Secretary their respective disaster risk
30 reduction and management annual work and financial management plans
31 for the next year;

- 1 g) Coordinate or oversee the implementation of the country's obligations with
2 disaster risk reduction and management treaties to which it is a party and
3 see to it that the country's disaster risk management treaty obligations be
4 incorporated in its disaster risk reduction and management frameworks,
5 policies, plans, programs, and projects; and
- 6 h) Lead the mainstreaming of disaster risk reduction and management in all
7 stages and levels of national and local planning and budgeting processes;
- 8 i) Raise awareness among national agencies, local government units, and
9 local communities on the importance of disaster risk reduction and
10 management;
- 11 j) In lieu of the President, preside and lead meetings of the NDRRMC;
- 12 k) Coordinate with the members of the NDRRMC for the implementation,
13 monitoring, review, and revision of the NDRRMP;
- 14 l) Provide secretarial support to the NDRRMC;
- 15 m) Advise the NDRRMC on matters relating to disaster risk reduction and
16 management consistent with the policies and scope as defined in this Act;
- 17 n) Assess the strengths and weaknesses of NDRRMC members on aspects of
18 DRRM and provide the corresponding capacity building through the
19 Department proper;
- 20 o) Direct the deployment of the National Emergency Response Corps (NERC)
21 and/or Regional Emergency Response Corps (RERC) to assist in
22 relief and rescue during disasters or calamities;
- 23 p) Create regional and field offices and such other service units and divisions
24 as may be necessary;
- 25 q) Exercise administrative supervision and control over the Regional Field
26 Offices (RFOs);
- 27 r) Exercise supervision over the Local Disaster Risk Reduction and
28 Management Offices (LDRRMOs) in all provinces, cities, municipalities, and
29 barangays in the country;
- 30 s) Exercise all powers and functions provided to department secretaries
31 under Book IV, Chapter 2 of Executive Order No. 292, otherwise known as
32 the "*Administrative Code of 1987*"; and

1 t) Perform such other functions as may be necessary or proper to attain the
2 objectives of this Act.

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

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

13 Sec. 17. *The Department Bureaus.* – The Department shall have the following
14 bureaus:

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

- 19 1. Advise the Secretary on all matters regarding disaster and emergency
20 mitigation and preparation;
- 21 2. Advise the Secretary on the status of disaster mitigation and
22 prevention and post-disaster rehabilitation operations being
23 undertaken by the government, CSOs, private sector, and volunteers;
- 24 3. Cascade technical expertise on disaster mitigation and prevention and
25 post-disaster rehabilitation to LGUs through the RFOs;
- 26 4. Develop, update, and make available a Disaster Risk Reduction and
27 Management Information System and Geographic Information System-
28 based national and local risk maps as policy, planning, and decision-
29 making tools;
- 30 5. Conduct and institutionalize pre-disaster risk assessment to identify
31 vulnerable and at-risk communities and local government units, and

- 1 provide technical assistance and capacity building on the same to local
- 2 government units through the RFOs;
- 3 6. Develop unified and harmonized tools, guidelines, and policies on the
- 4 existing and potential hazards and risks brought about by climate
- 5 change in coordination with the Climate Change Commission;
- 6 7. Conduct a review of the National Building Code and Fire Code of the
- 7 Philippines, together with the relevant government departments and
- 8 the concerned stakeholders and technical experts, and submit the
- 9 same to the Senate and House of Representatives of the Philippines
- 10 towards the development of legislation which seek to strengthen
- 11 infrastructure in line with disaster prevention and mitigation;
- 12 8. Conduct public information campaigns and drills on disaster
- 13 preparedness;
- 14 9. Issue guidelines and rules and regulations to institutionalize the
- 15 principle of "build back better" in all disaster reconstruction and
- 16 rehabilitation operations;
- 17 10. Issue guidelines for the reconstruction and rehabilitation of disaster-
- 18 affected areas and institutionalize the principles of *"Build Back Better"*;
- 19 *and*
- 20 11. Recommend the issuance of government bonds to secure the funding
- 21 for the reconstruction of disaster-stricken areas; *and*
- 22 12. Prepare, organize and lead post-disaster recovery and rehabilitation
- 23 programs in coordination with the concerned regional field office and
- 24 the local government unit.
- 25 b) The Bureau of Disaster Preparation and Response (BDPR) – The BDPR
- 26 shall assist the Secretary in formulating, implementing, monitoring, and
- 27 reviewing policies and programs with regard to disaster preparation and
- 28 response. To this end, the BDR shall:
- 29 1. Advise the Secretary on all matters regarding disaster preparation and
- 30 response;

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

1 knowledge, materials, and research and development on disaster risk
2 reduction and management. Towards this end, the BDKD shall:

- 3 1. Exercise supervision and control over the DRRM Research and Training
4 Center;
- 5 2. Expand the content and materials of the DRRM Research and Training
6 Center and ensure that they are up to date;
- 7 3. Liaise with international and domestic stakeholders towards the
8 expansion of the DRRM Research and Training Center;
- 9 4. Provide full and free access to the materials in the DRRM Research and
10 Training Center;
- 11 5. Disseminate materials on disaster risk reduction and management to
12 the LGUs through the RFOs, to all stakeholders, and to the general
13 public;
- 14 6. Provide short courses and trainings on disaster risk reduction and
15 management and its various aspects, in coordination with the relevant
16 Bureau(s) of the Department;
- 17 7. Offer grants and other financial incentives for researchers, members of
18 the academe and/or developers in the field of disaster risk reduction
19 and management; *and*
- 20 8. Partner with the academe and research institutions, private sector, civil
21 society, and community-based DRRM practitioners and other relevant
22 sectors in developing research opportunities and programs on DRRM.

23 *Sec. 18. The Department Services.* – The Department shall have the following
24 Services:

- 25 a) Planning Service – The Planning Service shall provide the department with
26 services relating to planning, programming, and project development, and
27 discharge such other functions as may be provided by law;
- 28 b) Financial and Management Service – The Financial and Management
29 Services shall advise and assist the Secretary on budgetary, financial and
30 management matters and shall perform such other functions as may be
31 provided by law; *and*

1 c) Administrative Service – The Administrative Service shall provide the
2 Department with effective services relating to personnel, legal assistance,
3 information, records, delivery and receipt of correspondence, supplies,
4 equipment, collections, disbursement, security and custodial work.

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

11 Sec. 20. *The National Disaster Risk Reduction and Management Research and*
12 *Training Center.* – Within one (1) year from the approval of this Act, the Authority
13 shall establish a National Disaster Risk Reduction and Management Research and
14 Training center which shall serve as the Department's centralized repository and for
15 its technical materials and research and development on disaster risk reduction and
16 management.

17 Sec. 21. *The Attached Agencies.* – The following agencies and offices and
18 their respective appropriations, records, equipment, property and personnel are
19 hereby transferred to the Department:

- 20 a) The Philippine Atmospheric, Geophysical and Astronomical Services
21 Administration (PAG-ASA);
22 b) The Philippine Institute of Volcanology (PHIVOLCS);
23 c) The Bureau of Fire Protection (BFP);
24 d) The Health Emergency Management Bureau (HEMB);
25 e) The Philippine National Volunteer Service Coordinating Agency; *and*
26 f) All civilian personnel and operating units of the Department of National
27 Defense (DND) and the Office of Civil Defense (OCD) with functions and
28 responsibilities dealing with disaster risk reduction and management;

29 The agencies transferred above shall continue to perform such functions as
30 provided in existing laws: *Provided*, that the Department shall exercise
31 administrative supervision over the transferred agencies.

1 *Sec. 22. The Regional Field Offices.* – The current Regional Disaster Risk
2 Reduction and Management Councils are hereby renamed as the “Regional Field
3 Offices” (RFOs) and are hereby transferred under the administrative supervision of
4 the Department. RFOs shall have the following mandates:

- 5 a) To ensure that the principles of disaster risk reduction and management
6 are institutionalized on the local level, particularly in their Comprehensive
7 Development Plan (CDP) and Comprehensive Land-Use Plan (CLUP), and
8 in pursuit of this mandate thereof, review the Local Disaster Risk
9 Reduction and Management Plan (LDRRMP) of LGUs within their
10 jurisdiction and ensure their alignment with the NDRRMP;
11 b) To ensure the compliance of LGUs with their mandates under R.A. 10121;
12 c) To pro-actively assess the weaknesses and vulnerabilities of LGUs in all
13 phases of disaster risk reduction and management and remedy the same
14 through technical assistance and capacity building activities;
15 d) To consult LGUs and communities within their jurisdiction on their
16 vulnerabilities in all phases of disaster risk reduction and management
17 and forward their concerns to the central office to be included in the
18 formulation and review of the NDRRMP; *and*
19 e) To act as the operations center during disaster preparation and response
20 operations.

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

- 23 a.) Disaster Resilience – This division shall be in charge of all matters on
24 disaster mitigation and rehabilitation. It shall have the following powers
25 and functions:
26 1. Serve as liaison between the Department and the LGUs and establish
27 efficient lines of communication and coordination between them;
28 2. Provide technical assistance and capacity to LGUs on pre-disaster risk
29 assessment and empower them to identify vulnerable communities and
30 groups in their area;

- 1 3. Collect and consolidate information on the vulnerabilities of local
2 government units in their jurisdiction and submit the same to the
3 Central Office;
- 4 4. Provide technical assistance and capacity building to LGUs to empower
5 them to institutionalize and Disaster Risk Reduction and Management
6 Information System and Geographic Information System-based
7 national and local risk maps as policy, planning, and decision-making
8 tools;
- 9 5. Conduct and institutionalize pre-disaster risk assessment to identify
10 vulnerable and at-risk communities and local government units, and
11 provide technical assistance and capacity building on the same to local
12 government units through the RFOs;
- 13 6. Conduct drills and information campaigns on disaster preparedness;
- 14 7. Aid households in the preparation of disaster readiness kits, which shall
15 serve as a pack of essential goods needed in the aftermath of a
16 disaster; *and*
- 17 8. Lead rehabilitation operations and ensure their completion within their
18 established schedule.

19 b.) Disaster Preparation and Response. – This division shall be in charge of all
20 matters on disaster preparation and response. It shall have the following
21 powers and functions:

- 22 1. Establish a Regional Emergency Response Corps (RERC);
- 23 2. Establish a Regional Disaster Risk Reduction and Management
24 Operations Center (RDRRMC-OC) that shall be operated and staffed on
25 a twenty-four hour basis;
- 26 3. Establish and maintain an inventory of all necessary personnel,
27 equipment and supplies critical during disasters in all RFOs and LGUs,
28 and ensure that they are delivered within forty-eight (48) hours after
29 the aftermath of a disaster;
- 30 4. Implement pre-positioning of necessary goods and supplies at least
31 twenty four (24) hours before an expected disaster;

- 1 5. Establish and maintain an emergency communication system with and
2 among LGUs;
- 3 6. When necessary, procure goods and services during emergencies in
4 accordance with existing emergency rules and regulations;
- 5 7. Cascade the established Standard Operating Procedures for emergency
6 response to the LGUs; *and*
- 7 8. Receive donations and grants from any person, government institution,
8 corporation, international organization, and other similar entities, and
9 the power to recommend the procurement of developmental subject to
10 section 32 of this Act.

11 c.) Knowledge Management – This division shall be in charge of managing
12 and disseminating technical knowledge and information on disaster risk
13 and reduction in the region. It shall have the following functions:

- 14 a.) Establish a Regional Disaster Risk Reduction and Management
15 Research and Training Center (RDRRM-RTC);
- 16 b.) Expand the content and materials of the DRRM Research and Training
17 Center and ensure that they are up to date;
- 18 c.) Liaise with international and domestic stakeholders towards the
19 expansion of the DRRM Research and Training Center;
- 20 d.) Provide full and free access to the materials in the DRRM Research and
21 Training Center;
- 22 e.) Disseminate materials on disaster risk reduction and management to
23 LGUs and local communities; *and*
- 24 f.) Provide short courses and trainings on disaster risk reduction and
25 management *and its various aspects*, in coordination with the relevant
26 divisions of the RFO.

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

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

3 **ARTICLE V**

4 **DISASTER MITIGATION AND PREVENTION**

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

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

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

26 *Sec. 28. Risk Assessment on the Local Level.* – The LDRRMOs and BDRRMOs
27 shall conduct and risk assessments in coordination with the appropriate RFO and
28 other stakeholders, which shall include vulnerable and marginalized groups, and
29 submit the same to the RFOs. The LDRRMOs, with assistance provided by the RFOs,
30 shall also develop Disaster Risk Reduction and Management Information System and
31 Geographic Information System-based national and local risk maps as policy,
32 planning, and decision-making tools.

1 **ARTICLE VI**

2 **DISASTER PREPARATION AND RESPONSE**

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

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

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

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

26 Sec. 33. *Procurement.* – The declaration of a state of calamity, as defined in
27 R.A. No. 10121, shall be a sufficient basis for an LGU to undergo negotiated
28 procurement, as defined under R.A. No. 9184, otherwise known as the "*Government*
29 *Procurement Reform Act*".

30 **ARTICLE VII**

31 **POST-DISASTER REHABILITATION AND RECOVERY**

1 f) Aid the government in distributing goods and maintaining order during
2 disaster response and rehabilitation operations.

3 **ARTICLE IX**

4 **RESOURCES FOR DISASTER RISK REDUCTION AND MANAGEMENT**

5 *Sec. 39. Human Resources for Disaster Risk Reduction and Management. –*

6 The department proper shall provide grants and other forms of support for
7 individuals who study and complete courses in disaster risk reduction and
8 management: *Provided,* that individuals shall render disaster risk reduction and
9 management service for at least two (2) years in a community determined by the
10 Department proper.

11 *Sec. 40. The NDRRM Fund. –* At least three per cent (3%) of all estimated
12 regular government revenues shall be set aside for the NDRRM Fund to be used for
13 the purposes identified under Section 22 of R.A. No. 10121. The NDRRM fund shall
14 not be reduced, transferred, realigned, or used for purposes other than those
15 identified under R.A. No. 10121.

16 **ARTICLE X**

17 **MISCELLANEOUS AND FINAL PROVISIONS**

18 *Sec. 41. Transition Period. –* The transfer of functions, assets, funds,
19 equipment, properties, transactions, assets, funds, properties transactions and
20 personnel of the affected agencies, and the formulation of the internal organic
21 structure, staffing pattern, operating and revised budget of the Department, shall be
22 completed within six (6) months from the effectivity of this Act, during which time
23 the existing personnel shall continue to assume their posts in holdover capacities
24 until new appointments are issued.

25 *Sec. 42. Separation from Service. –* Employees separated from the service as
26 a result of this reorganization shall, within six (6) months from their separation from
27 the service, receive the retirement benefits to which they may be entitled under
28 existing laws, rules and regulations.

29 *Sec. 43. Prohibited Acts. –* The following Acts shall be prohibited:

- 30 a) Dereliction of duties which leads to destruction, loss of lives, critical
31 damage of facilities and misuse of funds;

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

- 1 k) Illegal solicitations by persons or organizations representing others as
2 defined in the standards and guidelines set by the Authority
3 l) Deliberate use of false or inflated data in support of the request for
4 funding, relief goods, equipment or other aid commodities for emergency
5 assistance or livelihood projects; *and*
6 m) Tampering with or stealing hazard monitoring and disaster preparedness
7 equipment and paraphernalia.

8 Sec. 44. *Penal Clause.* – Any individual, corporation, partnership,
9 association, or other juridical entity that commits any of the prohibited acts provided
10 for in the preceding section shall be prosecuted and upon conviction shall suffer a
11 fine of not less than one hundred thousand pesos (Php 100,000.00) or any amount
12 not to exceed seven hundred fifty thousand pesos (Php 750,000.00) or
13 imprisonment of not less than six (6) years and one (1) day or more than twelve
14 (12) years, or both, at the discretion of the court, including perpetual disqualification
15 from public office if the offender is a public officer, and confiscation or forfeiture in
16 favor of the government of the objects and the instrumentalities used in committing
17 any of herein prohibited acts.

18 Sec. 45. *Appropriations.* – The amount needed for the initial implementation
19 of this Act shall be taken from the current fiscal year's appropriation of the NDRRMC,
20 OCD, and all agencies herein transferred to the Department as well. Thereafter, the
21 amount needed for the operation and maintenance of the Authority shall be included
22 in the General Appropriations Act.

23 Sec. 46. *Implementing Rules and Regulations.* – The members of the
24 NDRRMC shall within sixty (60) days from the effectivity of this Act the implementing
25 rules and regulations necessary for its effective implementation.

26 Sec. 47. *Repealing Clause.* – Sections 6, 7, 8, 9, 10, 13, 19, and 20 of R.A.
27 No. 10121 are hereby repealed. The provisions of R.A. No. 10121 not expressly
28 repealed in this section shall remain in full force and effect: *Provided,* That all
29 references to the NDRRMC and OCD shall be understood to refer to the Department,
30 unless otherwise provided in this Act.

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

4 Sec. 48. *Separability Clause.* – If any provision or part of this Act is declared
5 unconstitutional, the remaining parts or provisions not affected shall remain in full
6 force and effect.

7 Sec. 49. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after
8 its complete publication in the Official Gazette or in a newspaper of general
9 circulation.

Approved,