

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



'19 NOV -6 A10 :12

SENATE
S. No. 1151

RECEIVED BY: _____

Introduced by Senator Manuel "Lito" M. Lapid

AN ACT
PROVIDING FOR FREE FREIGHT SERVICES IN THE TRANSPORTATION OF
RELIEF GOODS TO CALAMITY-STRICKEN AREAS

EXPLANATORY NOTE

The Philippines is no stranger to disasters and calamities. With at least twenty (20) typhoons visiting the Philippine Area of Responsibility (PAR) on an annual basis and owing to the fact that we are within the Pacific Ring of Fire, disaster adaptation and mitigation must be an essential aspect of the Filipino way of life. Time and again, the resilience and tenacity in the face of great adversity of the Filipino people have been on display whenever catastrophes strike.

However, there are still existing gaps in our government responses and approaches to disaster reduction and risk management. An example of this is the logistical hurdles in mobilizing relief packages and material aid across the different calamity-stricken areas. With the archipelagic set up of our country, transporting relief goods normally entail huge costs in freight, arrastre services, pilotage and other port charges especially if it will require inter-island crossing or travelling across long distances over land. These costs are shouldered by relief organizations and aid agencies, but such amount could have been allotted to acquire more food and nonfood items for distribution to disaster victims.

This bill seeks to institutionalize a system of providing free freight services in the transportation of relief goods to calamity-stricken areas in favor of duly recognized relief organizations. Under this proposed measure, the Office of Civil Defense (OCD), Philippine Postal Corporation and all freight companies, common carriers, private

carriers, freight forwarders, and other logistics service companies are mandated to grant free freight services and other auxiliary costs in the transportation of relief goods and donated items to areas declared to be in a state of calamity by the President or the local government unit concerned.

In view of this, early passage of this bill is sought.



MANUEL "LITO" M. LAPID
Senator

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

1 SECTION 1. *Short Title.* — This Act shall be known as the "Relief Goods Free
2 Transportation Act".

3 Sec. 2. *Declaration of Policy.* — It is hereby declared as a policy of the
4 Government to facilitate speedy, reliable and unhampered delivery of relief goods to
5 areas declared in a "state of calamity".

6 Sec. 3. *Definition of Terms.* — As used in this Act:

- 7 a. Common carriers refer to persons, corporations, firms or associations
8 offering their services to the public and engaged in the business of
9 carrying or transporting passengers or goods or both, by land, water, or
10 air, for compensation;
- 11 b. Disaster refers to a serious disruption of the functioning of a community
12 or a society involving widespread human, material, economic or
13 environmental losses and impacts, which exceeds the ability of the
14 affected community or society to cope using its own resources, the
15 conditions and vulnerability that are present, and insufficient capacity or
16 measures to reduce or cope with the potential negative consequences,
17 which may include loss of life, injury, disease and other negative effects

1 on human, physical, mental and social well-being, together with damage
2 to property, destruction of assets, loss of services, social and economic
3 disruption, and environmental degradation;

4 c. Donated goods or articles refer to free food or nonfood items given in
5 kind by any individual or group or entity as a response to the need to
6 provide emergency basic needs to disadvantaged or distressed
7 individuals and families;

8 d. Duly registered relief organization refers to any relief organization, not
9 operated for profit, duly registered, licensed or accredited with the
10 Department of Social Welfare and Development, or with any national
11 government agency;

12 e. Emergency refers to unforeseen or sudden occurrence, especially
13 danger, demanding immediate action;

14 f. Freight companies refer to companies that specialize in the moving or
15 transporting of freight or cargo from one place to another and
16 categorized either as international freight forwarders or domestic freight
17 forwarders;

18 g. Freight forwarders refer to persons or companies that organize
19 shipments for individuals or corporations to get goods from the
20 manufacturer or producer to a market, customer or final point of
21 distribution;

22 h. International humanitarian assistance (IHA) refers to any aid and action
23 taken by any duly coordinated foreign government or organization in the
24 form of financial donations, international relief workers and in-kind
25 donations, for the benefit of disaster-stricken areas, aimed at providing
26 emergency response, rehabilitation and recovery operations to mitigate
27 the effects of disasters or major emergencies;

28 i. Private carriers refer to those entities, without being engaged in the
29 business of carrying as a public employment, which undertake to deliver
30 goods or passengers for compensation;

31 j. Relief refers to interventions to alleviate, ease, or mitigate a distressed
32 or critical situation affecting persons, families, groups or communities;

- 1 k. Relief goods refer to food packs and nonfood items such as clothing
2 articles, mats, blankets, mosquito nets, kitchen wares, water container,
3 hygiene kits, and medical and health-related products to be given
4 directly to the victims of a disaster or an emergency;
- 5 l. Response Cluster refers to the National Disaster Risk Reduction and
6 Management Council (NDRRMC) cluster or group of humanitarian
7 agencies working in a unified manner in providing assistance to the
8 needs of the affected population; and
- 9 m. State of calamity refers to a condition involving mass casualty or major
10 damages to property, disruption of means of livelihood, roads and
11 normal way of life in the affected areas as a result of the occurrence of
12 natural or human induced hazard.

13 *Sec. 4. Free Freight Services for the Transportation of Relief Goods.* – With the
14 objective of bringing immediate and adequate relief to victims of natural or man-made
15 disasters when government resources are not available or are insufficient to address
16 such needs, the Office of the Civil Defense (OCD), in coordination with the Philippine
17 Postal Corporation (PPC) and all freight companies, common carriers, private carriers,
18 freight forwarders and other companies providing logistic services in the Philippines
19 are hereby mandated to grant free freight services to duly registered relief
20 organizations in the transportation of emergency relief goods and donated articles to
21 areas declared to be in a state of calamity by the President or the local government
22 unit (LGU) concerned through its sanggunian.

23 These common carriers, freight forwarders and other similar entities are
24 mandated to deliver goods and services for free to areas where they operate.

25 When the area is not accessible, such relief goods shall be sent to or delivered
26 to the nearest LGU and shall be consigned to the concerned local chief executive.

27 Certain shipping auxiliary costs, such as arrastre services, pilotage, and other
28 port charges that are routinely passed on to customers, shall be free of charge;
29 Provided, That container van costs, turnaround time, and volume of freight entitled to
30 the free charges shall be considered in order to minimize the loss of profits for the
31 private sector.

1 Sec. 5. *Vigilance Over Relief Goods.* – The Law and Order Cluster of the
2 NDRRMC shall be responsible in providing security and traffic management assistance
3 to the Response Cluster’s operations to facilitate the speedy movement of people,
4 goods and equipment to the affected population and responding agencies.

5 Sec. 6. *Release of Donated Relief Goods and Articles.* – The release of donated
6 relief goods and articles intended for distribution to areas under a state of calamity
7 shall be in accordance with existing rules and procedures of responsible government
8 agencies such as the DSWD, Bureau of Customs (BOC), LGUs, and other government
9 agencies mandated to authorize the distribution of these relief goods and articles with
10 proper verification of the receiver and in consideration of prevailing policies of freight
11 service and logistics companies and carriers.

12 Sec. 7. *Implementing Agency.* – The Department of Transportation (DOTr),
13 through the Civil Aeronautics Board (CAB), Maritime Industry Authority (MARINA), and
14 Land Transportation Franchising and Regulatory Board (LTFRB), shall implement the
15 provisions of this Act, monitor and oversee compliance of freight service companies
16 providing logistics services as provided in this Act.

17 Sec. 8. *Implementing Rules and Regulations.* – To carry out the provisions of
18 this Act, the OCD, in coordination with the DOTr, through the CAB, MARINA and
19 LTFRB, BOC, PPC, DSWD and the association or authorized representatives of freight
20 services companies and freight forwarders, common and private carriers and other
21 companies offering logistics services in the country shall, within sixty (60) days from
22 the effectivity of this Act, issue the implementing rules and regulations, including a
23 mechanism and procedure in availing the free services as provided for under this Act.

24 Sec. 9. - *Separability Clause.* - Should any provision of this Act or the application
25 thereof to any person or circumstance be held invalid, the other provisions or sections
26 of this Act shall not be affected thereby.

27 Sec. 10. - *Repealing Clause.* – All laws, decrees, executive orders, rules and
28 regulations or parts thereof which are inconsistent with this Act are hereby repealed,
29 amended or modified accordingly.

1 Sec. 11. *Effectivity Clause.* - This Act shall take effect fifteen (15) days following
2 its publication in the Official Gazette or in at least two (2) newspapers of general
3 circulation.

4 Approved,