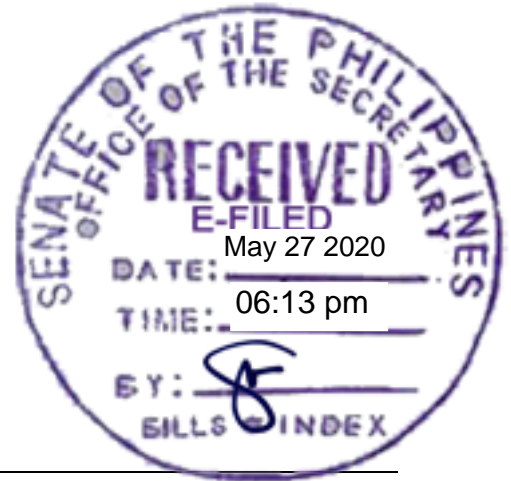


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

SENATE
S. No. 1560



Introduced by SENATOR RAMON BONG REVILLA, JR.

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

EXPLANATORY NOTE

Disasters are not uncommon in the Philippines especially since the country lies in the Pacific Ring of Fire. During these trying times, our citizens are the most affected. Thus, it is imperative to ensure that adequate relief assistance is given to individuals and communities heavily affected by the disaster. Often, the State is not alone in this endeavor. Private individuals and establishments, as well as non-government and sectoral organizations, participate in relief operations. The archipelagic nature of the country contributes to the difficulty entailed in transporting relief goods. More often than not, the transport of these goods, despite humanitarian reasons, entails huge cost.

This proposed measure seeks to provide for free freight services in the transportation of relief goods to immediately and effectively respond to our people's needs. Under this bill, the Office of the Civil Defense (OCD), in coordination with the Philippine Postal Corporation (PPC) and all freight companies, common carriers, private carriers, freight forwarders, and other companies providing logistic services in the country are mandated transport relief goods and donated articles for free to areas

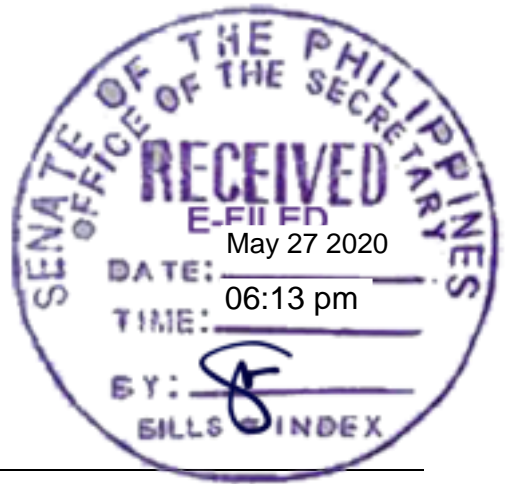
declared to be in a state of calamity by the President or the local government unit (LGU) concerned.

For the immediate and effective disaster response in general, and to safeguard the well-being of our citizens, consideration of this proposal is earnestly sought.


RAMON BONG REVILLA, JR.

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Be it enacted by the Senate and House of Representatives of the 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 the policy of the State to strengthen existing
4 mechanisms that will facilitate quick responses to the demands and needs during
5 disasters and emergencies and to encourage altruism among the citizens when it is
6 necessary to provide timely relief to the victims of catastrophic phenomena by
7 engaging the services of both public and private common carriers, freight forwarders,
8 freight companies and other logistics companies to collect, sort, store, transport, and
9 deliver relief goods donated by international and local donors to areas declared in a
10 “state of calamity” in the most economical, reliable, speedy and secured manner.

11 Sec. 3. *Definition of Terms.* – As used in this Act:

12 (a) *Common carriers* refer to persons, corporations, firms or associations offering
13 their services to the public and engaged in the business of carrying or
14 transporting passengers or goods or both, by land, water or air, for
15 compensation;

16 (b) *Disaster* refers to a serious disruption of the functioning of a community or a
17 society involving widespread human, material, economic or environmental

1 losses and impacts, which exceeds the ability of the affected community to cope
2 using its own resources;

3 (c) *Donated goods or articles* refer to food or non-food items responsive to any
4 situation affecting disadvantaged or distressed individuals and families in order
5 to meet their basic needs, given in kind by any individual or group or entities;

6 (d) *Duly registered relief organization* refers to any relief organization, not operated
7 for profit, duly registered, licensed or accredited with any national government
8 agency;

9 (e) *Emergency* refers to an unforeseen or sudden occurrence, especially danger,
10 demanding immediate action;

11 (f) *Freight companies* refer to companies that specialize in the moving or
12 transporting of freight or cargo from one place to another and categorized either
13 as international freight forwarders or domestic freight forwarders;

14 (g) *Freight forwarders* refers to persons or companies that organize shipments for
15 individuals or corporations to get goods from the manufacturer or producer to a
16 market, customer or final point of distribution;

17 (h) *International Humanitarian Assistance* refers to any aid and action taken by any
18 duly coordinated foreign government or organization in the form of financial
19 donations, international relief workers and in-kind donations, for the benefit of
20 the disaster-stricken areas, aimed at providing emergency response,
21 rehabilitation and recovery operations to mitigate the effects of disasters or
22 major emergencies;

23 (i) *Private carriers* refer to those entities that undertake the delivery of goods or
24 passengers for compensation, without being engaged in the business of
25 carrying as a public employment;

26 (j) *Relief* refers to interventions to alleviate, ease, or mitigate a distressed or critical
27 situation affecting persons, families, groups or communities;

28 (k) *Relief goods* refer to food packs and non-food items such as clothing articles,
29 mats, blankets, mosquito nets, kitchen wares, water containers, hygiene kits,
30 and medical and health-related products to be given directly to the victims of a
31 disaster or an emergency;

32 (l) *Response Cluster* refers to the National Disaster Risk Reduction and
33 Management Council (NDRRMC) cluster of government agencies and

1 instrumentalities and humanitarian agencies working in a unified manner to
2 provide assistance to the needs of communities affected by a disaster; and
3 (m) *State of Calamity* refers to a condition involving mass casualty or major
4 damages to property and public infrastructure, disruption of means of livelihood,
5 and the normal way of life in the areas affected by the occurrence of a disaster,
6 whether natural or human-induced.

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

17 These common carriers, freight forwarders, and other similar entities are
18 mandated to deliver goods and services free of charge to areas where they operate.

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

21 Certain shipping auxiliary cost, such as those for *arrastre* services, pilotage,
22 and other port charges that are routinely passed on to customers, shall be borne by
23 the concerned *arrastre*, pilotage, and port authorities: *Provided*, That container van
24 costs, turnaround time, and volume of cargo being shipped free of charge shall be
25 considered in order to minimize the loss of profits of the private sector.

26 *Sec. 5. Vigilance Over Relief Goods.* – The Law and Order Cluster of the
27 NDRRMC shall be responsible for providing security and traffic management
28 assistance to the Response Cluster's operations to facilitate the speedy movement of
29 people, goods, and equipment to the affected population and responding agencies.

30 *Sec. 6. Release of Donated Relief Goods and Articles.* – The release of
31 donated relief goods and articles intended for distribution to areas under a state of
32 calamity shall be in accordance with existing rules and procedures of responsible
33 government agencies such as the Department of Social Welfare and Development
34 (DSWD), Bureau of Customs (BOC), Department of Education (DepEd), Department

1 of Health (DOH), LGUs, and other government agencies mandated to authorize the
2 distribution of these relief goods and articles, with proper verification of the receiver
3 and in consideration of prevailing policies of freight service and logistics companies
4 and carriers.

5 *Sec. 7. Implementing Agency.* – The OCD and the Department of
6 Transportation (DOTr), through the Civil Aeronautics Board (CAB), Maritime Industry
7 Authority (MARINA), and Land Transportation Franchising and Regulatory Board
8 (LTFRB), shall implement the provisions of this Act, monitor and oversee compliance
9 of freight service companies, common and private carriers and other companies
10 providing logistic services as provided for under this Act.

11 *Sec. 8. Implementing Rules and Regulations.* – To carry out the provisions of
12 this Act, the OCD, in coordination with the DOTr, through the CAB, Marina and LTFRB,
13 BOC, PPC, DSWD, and the association or authorized representatives of freight
14 service companies and freight forwarders, common and private carriers and other
15 companies offering logistic services in the country shall, within sixty (60) days from the
16 effectivity of this Act, issue the implementing rules and regulations, including a
17 mechanism or procedure in availing the free services as provided for under this Act.

18 *Sec. 9. Separability Clause.* If any provision or part hereof, is held invalid or
19 unconstitutional, the remainder of the law or the provision not otherwise affected shall
20 remain valid and subsisting.

21 *Sec. 10. Repealing Clause.* – All laws, presidential decrees or issuances,
22 executive orders, letter of instructions, administrative order, rule or regulation contrary
23 to, or inconsistent with the provisions of this Act is hereby repealed, modified or
24 amended accordingly.

25 *Sec. 11. Effectivity Clause.* This Act shall take effect fifteen (15) days after its
26 publication in at least two (2) newspapers of general circulation.

Approved.