

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

SENATE

S. No. _____

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 one of the countries with the highest risk during natural calamities. Due to its location in the Pacific Ring of Fire and typhoon belt, our archipelago regularly suffers floods, typhoons, tsunamis, landslides, earthquakes, volcanic eruption, and droughts. Therefore, it is crucial to make sure that those who have been severely impacted by the tragedy receive proper humanitarian aid and assistance at the soonest possible time.

Our government's responses and methods for risk management and catastrophe mitigation, however, still have many shortcomings. The logistical challenges in distributing relief supplies and material help to disaster-affected areas are one illustration of this. Due to the archipelagic nature of our nation, shipping relief supplies typically entails high freight, arresster service, pilotage, and other port fees, particularly if inter-island crossing or long-distance land travel are required. These expenses are covered by relief and aid groups, but the money might have been used to buy more food and nonfood supplies to provide to catastrophe victims.

Sa panahon ng sakuna at trahedyang, walang tayong ibang aasahan kundi ang ating mga kababayan na busilak ang loob at wagas ang kabutihan. Sa ating

panukalang batas na ito, nais natin na makatuwang ang ating mga kapatid sa industriya ng freight forwarding kung saan malaki ang kanilang gagampanan sa ating hangaring maghatid ng tulong sa ating mga kababayan sa panahon ng mga kalamidad.

With the help of officially accredited relief groups, this measure aims to formalize a system of offering free freight services for the transfer of aid supplies to disaster-stricken areas. The Office of Civil Defense (OCD), Philippine Postal Corporation, and all freight companies, common carriers, private carriers, freight forwarders, and other logistics service companies would be required to provide free freight services and other auxiliary costs in order to transport donated goods and relief supplies to areas that have been declared to be in a state of calamity by the President or the relevant local government unit.

In view of the foregoing, early passage of this bill is earnestly sought.

MANUEL "LITO" M. LAPID
Senator

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

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

4 **SECTION 1.** *Short Title.* - This Act shall be known as the "Free Transportation
5 of Relief Goods Act".

6 **SECTION 2.** *Declaration of Policy.* — It is the policy of the state to strengthen
7 existing mechanisms that will facilitate quick responses to the demands and need
8 during disasters and emergencies and to encourage altruism among the citizens when
9 it is necessary to provide timely relief to the victims of disasters and calamities by
10 engaging the services of both public and private common carriers, freight forwarders,
11 freight companies, and other logistics companies to collect, sort, store, transport, and
12 deliver relief goods donated by international and local donors to areas declared in a
13 "state of calamity" in the most economical, reliable, speedy, and secured manner.

14 It is likewise the policy of the State to strengthen existing mechanisms that will
15 facilitate quick responses to demands and needs during disasters and emergencies
16 and to promote civic generosity by enlisting the help of both public and private
17 common carriers, freight forwarders, freight companies, and other logistics firms to
18 collect, sort, store, transport, and deliver goods when it becomes necessary to
19 promptly provide relief to those affected by catastrophic events.

1 **SECTION 3. *Definition of Terms.*** — For the purpose of this Act:

- 2 a. *Common carriers* refer to persons, corporations, firms or associations offering
3 their services to the public and engaged in the business of carrying or
4 transporting passengers or goods or both, by land, water, or air, for
5 compensation;
- 6 b. *Disaster* refers to a serious disruption of the functioning of a community or a
7 society involving widespread human, material, economic or environmental
8 losses and impacts, which exceeds the ability of the affected community or
9 society to cope using its own resources, the conditions and vulnerability that
10 are present, and insufficient capacity or measures to reduce or cope with the
11 potential negative consequences, which may include loss of life, injury, disease
12 and other negative effects on human, physical, mental and social well-being,
13 together with damage to property, destruction of assets, loss of services, social
14 and economic disruption, and environmental degradation;
- 15 c. *Donated goods or articles* refer to free food or non-food items given in kind by
16 any individual or group or entity as a response to the need to provide
17 emergency basic needs to disadvantaged or distressed individuals and
18 families;
- 19 d. *Duly registered relief organization* refers to any relief organization, not operated
20 for profit, duly registered, licensed or accredited with the Department of Social
21 Welfare and Development, or with any national government agency;
- 22 e. *Emergency* refers to unforeseen or sudden occurrence, especially danger,
23 demanding immediate action;
- 24 f. *Freight companies* refer to companies that specialize in the moving or
25 transporting of freight or cargo from one place to another and categorized
26 either as international freight forwarders or domestic freight forwarders;
- 27 g. *Freight forwarders* refer to persons or companies that organize shipments for
28 individuals or corporations to get goods from the manufacturer or producer to
29 a market, customer or final point of distribution;

- 1 h. *International humanitarian assistance (IHA)* refers to any aid and action taken
2 by any duly coordinated foreign government or organization in the form of
3 financial donations, international relief workers and in-kind donations, for the
4 benefit of disaster-stricken areas, aimed at providing emergency response,
5 rehabilitation and recovery operations to mitigate the effects of disasters or
6 major emergencies;
- 7 i. *Private carriers* refer to those entities, without being engaged in the business
8 of carrying as a public employment, which undertake to deliver goods or
9 passengers for compensation;
- 10 j. *Relief* refers to interventions to alleviate, ease, or mitigate a distressed or
11 critical situation affecting persons, families, groups or communities;
- 12 k. *Relief goods* refer to food packs and nonfood items such as clothing articles,
13 mats, blankets, mosquito nets, kitchen wares, water container, hygiene kits,
14 and medical and health-related products to be given directly to the victims of a
15 disaster or an emergency;
- 16 l. *Response Cluster* refers to the National Disaster Risk Reduction and
17 Management Council (NDRRMC) cluster or group of humanitarian agencies
18 working in a unified manner in providing assistance to the needs of the affected
19 population; and
- 20 m. *State of Calamity* refers to a condition involving mass casualty or major
21 damages to property, disruption of means of livelihood, roads and normal way
22 of life in the affected areas as a result of the occurrence of natural or human
23 induced hazard.

24 **SECTION 4.** *Free Freight Services for the Transportation of Relief Goods.* —
25 With the objective of bringing immediate and adequate relief to victims of natural or
26 man-made disasters when government resources are not available or are insufficient
27 to address such needs, the Office of the Civil Defense (OCD), the NDRRMC, and the
28 Department of Transportation (DoTr), in coordination with the Philippine Postal
29 Corporation (PPC) and all freight companies, common carriers, private carriers, freight

1 forwarders and other companies providing logistic services in the Philippines are
2 hereby mandated to grant free freight services to duly registered and DSWD
3 recognized relief organizations in the transportation of emergency relief goods and
4 donated articles to areas declared to be in a state of calamity by the President or the
5 local government unit (LGU) concerned through its *sanggunian*.

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

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

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

15 **SECTION 5. *Vigilance Over Relief Goods.*** — The Law and Order Cluster of the
16 NDRRMC shall be responsible for providing security and traffic management assistance
17 to the Response Cluster’s operations to facilitate the speedy movement of people,
18 goods and equipment to the affected population and responding agencies.

19 **SECTION 6. *Release of Donated Relief Goods and Articles.*** — The release of
20 donated relief goods and articles intended for distribution to areas under a state of
21 calamity shall be in accordance with existing rules and procedures of responsible
22 government agencies such as the DSWD, Bureau of Customs (BOC), LGUs, and other
23 government agencies mandated to authorize the distribution of these relief goods and
24 articles with proper verification of the receiver and in consideration of prevailing
25 policies of freight service and logistics companies and carriers.

26 **SECTION 7. Implementing Agency.** —DOTr, through the Civil Aeronautics
27 Board (CAB), maritime Industry Authority (MARINA), and Land Transportation
28 Franchising and Regulatory Board (LTFRB) in coordination with the NDRRMC, shall

1 implement the provisions of this Act, monitor and oversee the compliance of freight
2 service companies providing logistics services as provided in this Act.

3 **SECTION 8. *Implementing Rules and Regulations.*** — To carry out the
4 provisions of this Act, the OCD and NDRRMC, upon consultation with the DOTr,
5 through the CAB, MARINA and LTFRB, BOC, PPC, DSWD and the association or
6 authorized representatives of freight services companies and freight forwarders,
7 common and private carriers and other companies offering logistics services in the
8 country shall, within sixty (60) days from the effectivity of this Act, issue the
9 implementing rules and regulations, including a mechanism and procedure in availing
10 the free services as provided for under this Act

11 **SECTION 9. *Separability Clause.*** — In the event that any part, section or
12 provision of this Act shall be declared unconstitutional or invalid by a competent court,
13 the remaining provisions thereby shall remain valid and in full force and effect as if
14 the sections or provisions so annulled or voided had never been incorporated herein.

15 **SECTION 10. *Repealing Clause.*** — All laws, decrees, executive orders,
16 issuances, rules and regulations, or parts thereof not consistent with the provisions of
17 this Act are hereby repealed or modified and/or superseded as case may be by this
18 Act accordingly.

19 **SECTION 11. *Effectivity.*** — This Act shall take effect fifteen (15) days after its
20 complete publication in the Official Gazette or in at least two (2) newspapers of general
21 circulation, whichever comes earlier.

22 *Approved,*