



## HOUSE OF REPRESENTATIVES

H. No. 6985

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BY REPRESENTATIVES BIAZON, GUINGONA, DUAVIT, AGGABAO, PICHAY, OCAMPO, CASIÑO, RODRIGUEZ, SANTIAGO (N.), TEODORO, PUENTEVELLA, FERNANDEZ, LIM (T.), ARROYO (D.), CODILLA, ROXAS, TAÑADA, ALVAREZ, ANGARA, ANGPING, ARNAIZ, BICHARA, BULUT, CERILLES, CHUNGALAO, CLIMACO, COJUANGCO, COQUILLA, DURANO, DY, ESTRELLA (C.), FERRER, FUENTEBELLA, GARAY, GARCIA (V.), GATCHALIAN, GATLABAYAN, LIM (R.), MENDOZA (M.), PLAZA, PONCE-ENRILE, SALVACION, RODRIGUEZ-ZALDARRIAGA, SAN LUIS, SANTIAGO (J.), SEACHON-LANETE, YU, GO, MAZA, BELTRAN, ILAGAN, MARIANO, COLMENARES, VINZONS-CHATO, CUA (J.), SY-ALVARADO, EMANO, PANCRUDO, ONG, FABIAN, CELESTE, ROMUALDO, GONZALES (N.) AND DE GUZMAN, PER COMMITTEE REPORT NO. 2491

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AN ACT STRENGTHENING THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT SYSTEM, PROVIDING FOR THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT FRAMEWORK AND INSTITUTIONALIZING THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT PLAN, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

- 1           SECTION 1. *Title.* – This Act shall be known as the “Philippine Disaster  
2 Risk Reduction and Management Act of 2009”.

1           SEC. 2. *Declaration of Policy.* – It shall be the policy of the State to:

2           (a) Adhere to and adopt the universal norms, principles and standards  
3 of humanitarian assistance and the global effort on risk reduction as concrete  
4 expression of the country's commitment to overcome human sufferings due to  
5 recurring disasters.

6           (b) Uphold the people's constitutional rights to life and security by  
7 addressing the root causes of vulnerabilities and increasing their capacities and  
8 enhancing their overall resiliency to disasters.

9           (c) Uphold the supremacy of civilian authority over the military  
10 particularly in the context of complex emergencies and human-induced  
11 disasters.

12           (d) Institutionalize the policies, structures, coordination mechanisms  
13 and programs with continuing budget appropriation on disaster risk reduction  
14 from national down to local levels towards building a disaster-resilient nation  
15 and communities.

16           (e) Mainstream disaster risk reduction into physical and land-use  
17 planning, budget, infrastructure, education, health, environment, housing and  
18 other sectors.

19           (f) Adopt and implement a coherent, comprehensive, integrated,  
20 efficient and responsive disaster risk reduction program incorporated in the  
21 development plan at various levels of government adhering to the principles of  
22 good governance such as transparency and accountability within the context of  
23 poverty alleviation and environmental protection.

24           (g) Adopt an integrated and coordinated, multi-sectoral, inter-agency  
25 and community-based approach to disaster risk management that shall be both  
26 anticipatory of and responsive to the socioeconomic and environmental  
27 impacts of disasters including those due to climate change.

1 (h) Recognize and strengthen the capacities of local government units  
2 (LGUs) and communities in mitigating and preparing for, responding to, and  
3 recovering from the impact of disasters.

4 (i) Engage the participation of civil society organizations (CSOs), the  
5 private sector and volunteers in the government's disaster risk reduction  
6 programs towards complementation of resources and effective delivery of  
7 services to the citizenry.

8 (j) Incorporate internationally accepted principles of disaster risk  
9 management in the creation and implementation of national, regional and local  
10 sustainable development and poverty reduction strategies, policies, plans and  
11 budgets.

12 (k) Recognize the country's various and particular local risk patterns  
13 and the need to capacitate, strengthen, and decentralize powers, responsibilities  
14 and resources for disaster risk reduction and response to regional and local  
15 authorities.

16 (l) Provide maximum care, assistance and services to individuals and  
17 families affected by disaster; implement emergency rehabilitation projects to  
18 lessen the impact of disaster and facilitate resumption of normal social and  
19 economic activities.

20 SEC. 3. *Definition of Terms.* – As used in this Act, the following terms  
21 shall mean:

22 (a) *Capacity* a combination of all strengths and resources available  
23 within a community, society or organization that can reduce the level of risk, or  
24 the effects of a disaster. Capacity may include physical, institutional, social or  
25 economic means as well as skilled personal or collective attributes such as  
26 leadership and management. Capacity may also be described as capability.

1           (b) *Civil Society Organizations (CSOs)* non-state actors whose aims are  
2 neither to generate profits nor to seek governing power. CSOs unite people to  
3 advance shared goals and interests. They have a presence in public life,  
4 expressing the interests and values of their members or others, and are based  
5 on ethical, cultural, scientific, religious or philanthropic considerations. CSOs  
6 include nongovernment organizations (NGOs), professional associations,  
7 foundations, independent research institutes, community-based organizations  
8 (CBOs), faith-based organizations, people's organizations, social movements  
9 and labor unions.

10           (c) *Climate Change* a change in climate that can be identified by  
11 changes in the mean and/or variability of its properties and that persists for an  
12 extended period typically decades or longer, whether due to natural variability  
13 or as a result of human activity.

14           (d) *Community-Based Disaster Risk Management (CBDRM)* activities,  
15 projects and programs to reduce disaster risks which are primarily designed by  
16 the people living in high-risk localities based on their needs and capacities, in  
17 close coordination with their respective Local Disaster Management Councils.

18           (e) *Complex Emergency* a form of human-induced emergency in which  
19 the cause of the emergency as well as the assistance to the afflicted is  
20 complicated by intense level of political considerations.

21           (f) *Disaster* an event, natural or human-induced, sudden or progressive,  
22 which impacts a community or a society causing widespread human, material,  
23 economic or environmental losses which exceed the ability of the affected  
24 community or society to cope using its own resources. A disaster is a function  
25 of the risk process. It results from the combination of hazards, conditions of  
26 vulnerability and insufficient capacity or measures to reduce the potential  
27 negative consequences of risk.

1           (g) “*Disaster Risk Management*” the systematic process of using  
2 administrative decisions, organization, operational skills and capacities to  
3 implement policies, strategies and coping capacities of the society and  
4 communities to lessen the impact of natural hazards and related environmental  
5 and technological disasters. This comprises all forms of activities, including  
6 recovery and rehabilitation, structural and nonstructural measures to avoid  
7 (prevention) or to limit (mitigation and preparedness) adverse effects of  
8 hazards.

9           (h) *Disaster Risk Reduction* the conceptual framework of elements  
10 considered with the possibilities to minimize vulnerabilities and disaster risks  
11 throughout a society, to avoid through prevention or to limit through mitigation  
12 and preparedness the adverse impacts of hazards within the broad context of  
13 sustainable development.

14           (i) *Disaster Risk Reduction Plans* documents that set out planning  
15 authorities’ policies and proposals for disaster risk reduction, which should be  
16 considered in the respective development plan and development actions of  
17 local governments. Due to the different geographic scales applicable at  
18 different levels, disaster risk reduction plans are specific to each level of  
19 government.

20           (j) *Disaster Risk Reduction and Management Councils* all nucleus  
21 organizations established at the national, regional, provincial, city, municipal  
22 and barangay levels to carry out disaster management activities as defined  
23 under this Act.

24           (k) *Disaster Risk Reduction and Management Office* offices  
25 established from among the LGUs from the provincial, municipal and city level  
26 with primary responsibility in the planning, implementation, monitoring and  
27 evaluation of disaster risk reduction policies and programs.

1           (l) *Emergency* unforeseen or sudden occurrence, especially danger,  
2 demanding immediate action.

3           (m) *Exposure* the degree to which the elements at risk are likely to  
4 experience hazard events of different magnitudes.

5           (n) *Hazard* a potentially damaging physical event, phenomenon and/or  
6 human-induced activity that may cause the loss of life or injury, property  
7 damage, social and economic disruption, and environmental degradation.

8           (o) *Mitigation* structural and nonstructural measures undertaken to limit  
9 the adverse impact of natural hazards, environmental degradation, and  
10 technological hazards and to ensure the ability of at-risk communities to  
11 address vulnerabilities aimed at minimizing the impact of disasters. Such  
12 measures include, but are not limited to, hazard-resistant construction and  
13 engineering works, the formulation and implementation of plans, programs,  
14 projects and activities, awareness raising, knowledge management, policies on  
15 land-use and resource management, as well as the enforcement of  
16 comprehensive land-use planning, building and safety standards, and  
17 legislation.

18           (p) *National Disaster Risk Reduction and Management Framework*  
19 (*NDRRMF*) provides for a comprehensive, all-hazards, multi-sectoral, inter-  
20 agency and community-based approach to a national disaster risk reduction and  
21 management policy framework that will guide all stakeholders, sector agencies,  
22 local governments, and others in the development of complementary risk  
23 reduction policies in their areas of authority.

24           (q) *National Disaster Risk Reduction and Management Plan*  
25 (*NDRRMP*) the master plan formulated and revised when necessary by the  
26 National Disaster Risk Reduction and Management Authority (NDRRMA)  
27 which sets forth the strategies, organization, tasks of concerned agencies and

1 LGUs, and other guidelines to deal with disaster risk reduction undertakings  
2 and/or emergencies. The NDRRMP should be integrated in the National  
3 Development Plan and budget.

4 (r) *Preparedness* pre-disaster actions and measures being undertaken  
5 within the context of disaster risk reduction and management and are based on  
6 sound risk analysis as well as pre-disaster activities to avert or minimize loss of  
7 life and property such as, but not limited to, community organizing, training,  
8 planning, equipping, stockpiling, hazard mapping, insuring of assets, and  
9 public information and education initiatives. This also includes the  
10 development/enhancement of an overall preparedness strategy, policy,  
11 institutional structure, warning and forecasting capabilities, and plans that  
12 define measures geared to help at-risk communities safeguard their lives and  
13 assets by being alert to hazards and taking appropriate action in the face of an  
14 imminent threat or an actual disaster.

15 (s) *Prevention* activities that provide outright avoidance of the adverse  
16 impact of hazards and means to minimize related environmental, technological  
17 and biological disasters. Depending on social and technical feasibility and  
18 cost-benefit considerations, investing in preventive measures is justified in  
19 areas frequently affected by disasters. In the context of public awareness and  
20 education related to disaster risk reduction, changing attitudes and behavior  
21 contribute to promoting a “culture of prevention”.

22 (t) *Private Sector* the key actor in the realm of the economy where the  
23 central social concern and process are the mutually beneficial production and  
24 distribution of goods and services to meet the physical needs of human beings.  
25 The private sector comprises private corporations, households and nonprofit  
26 institutions serving households.

27 (u) *Public Sector Employees* all persons in the civil service.

1           (v) *Rehabilitation* measures that ensure the ability of affected  
2 communities/areas to restore their normal level of functioning by rebuilding  
3 livelihood and damaged infrastructures and increasing the communities'  
4 organizational capacity.

5           (w) *Response* any concerted effort by two (2) or more agencies, public  
6 or private, to provide assistance or intervention during or immediately after a  
7 disaster to meet the life preservation and basic subsistence needs of those  
8 people affected and in the restoration of essential public activities and  
9 facilities.

10           (x) *Resilience* the capacity of a system, community or society  
11 potentially exposed to hazards to adapt, by resisting or changing in order to  
12 reach and maintain an acceptable level of functioning and structure. This is  
13 determined by the degree to which the social system is capable of organizing  
14 itself to increase its capacity for learning from past disasters for better future  
15 protection and to improve risk reduction measures.

16           (y) *Risk* the probability of harmful consequences, or expected losses  
17 (deaths, injuries, property, livelihoods, economic activity disrupted or  
18 environment damaged) resulting from the interactions between natural or  
19 human-induced hazards and vulnerable conditions.

20           (z) *Risk Assessment and Analysis* a methodology to determine the  
21 nature and extent of risk by thorough analysis of potential hazards and  
22 evaluating existing conditions of vulnerability, location, and severity, that  
23 could pose a potential threat or harm to people, property, livelihoods, and the  
24 environment on which they depend.

25           (aa) *Risk Management* the process of identifying, analyzing and  
26 quantifying the probability of losses in order to undertake preventive or  
27 corrective measures in minimizing such.



1           (bb) *Risk Transfer* mechanisms or arrangements which do not reduce or  
2 prevent actual vulnerability but aimed to transfer, share, and/or finance the risk  
3 in order to protect local communities and the country from the financial and  
4 economic impacts of disasters.

5           (cc) *State of Calamity* a condition involving mass casualty and/or  
6 major damages to property, disruption of means of livelihoods, roads and  
7 normal way of life of people in the affected areas as a result of the occurrence  
8 of natural or human-induced hazard.

9           (dd) *Sustainable Development* development that meets the needs of the  
10 present without compromising the ability of future generations to meet their  
11 own needs. It contains within it two (2) key concepts: (1) the concept of  
12 “needs”, in particular, the essential needs of the world's poor, to which  
13 overriding priority should be given; and (2) the idea of limitations imposed by  
14 the state of technology and social organizations on the environment's ability to  
15 meet present and future needs. It is the harmonious integration of a sound and  
16 viable economy, responsible governance, social cohesion and harmony, and  
17 ecological integrity to ensure that human development now and through future  
18 generations is a life-enhancing process.

19           (ee) *Vulnerability* the conditions determined by physical, social,  
20 economic and environmental factors or processes, which increase the  
21 susceptibility of a community to losses from the impact of natural or  
22 human-induced hazards.

23           (ff) *Vulnerable and Marginalized Groups* those that face higher  
24 exposure to disaster risk and poverty including, but not limited to, women,  
25 children, elderly, differently-abled people and ethnic minorities.

26           SEC. 4. *Scope.* – This Act provides for all the actions and measures  
27 pertaining to all aspects of disaster risk reduction and management such as, but  
28 not limited to, the anticipatory stages of risk identification and analysis, risk

1 reduction, prevention, mitigation and preparedness to the post-disaster stages  
2 of response, rescue, relief, rehabilitation and reconstruction.

3       SEC. 5. *National Disaster Risk Reduction and Management Council*  
4 (*NDRRMC*). – The present National Disaster Coordinating Council (NDCC),  
5 established through Presidential Decree No. 1566, shall henceforth be known  
6 as the National Disaster Risk Reduction and Management Council or  
7 NDRRMC. It shall be composed of the following:

8       (a) The Secretary of the Department of National Defense (DND),  
9 Chairperson;

10       (b) The Secretary of the Department of Science and Technology  
11 (DOST) and the Secretary of the Department of the Interior and Local  
12 Government (DILG), Vice Chairpersons;

13       (c) The Secretary of the Department of Social Welfare and  
14 Development (DSWD), member;

15       (d) The Secretary of the Department of Health (DOH), member;

16       (e) The Secretary of the Department of Environment and Natural  
17 Resources (DENR), member;

18       (f) The Secretary of the Department of Agriculture (DA), member;

19       (g) The Secretary of the Department of Labor and Employment  
20 (DOLE), member;

21       (h) The Secretary of the Department of Education (DepED), member;

22       (i) The Secretary of the Department of Trade and Industry (DTI),  
23 member;

24       (j) The Secretary of the Department of Energy (DOE), member;

25       (k) The Secretary of the Department of Transportation and  
26 Communications (DOTC), member;

27       (l) The Secretary of the Department of Justice (DOJ), member;

28       (m) The Secretary of the Department of Finance (DOF), member;

- 1 (n) The Secretary of the Department of Budget and Management  
2 (DBM), member;
- 3 (o) The Secretary of the Presidential Management Staff (PMS),  
4 member;
- 5 (p) The Secretary of the Office of the Press Secretary (OPS), member;
- 6 (q) The Chief of Staff of the Armed Forces of the Philippines (AFP),  
7 member;
- 8 (r) The Commissioner of the National Anti-Poverty Commission-  
9 Victims of Disasters and Calamities Sector (NAPC-VDC), member;
- 10 (s) The Secretary of the Office of the Presidential Adviser on the Peace  
11 Process (OPAPP), member;
- 12 (t) The Director-General of the National Economic and Development  
13 Authority (NEDA), member;
- 14 (u) The Director-General of the Philippine Information Agency (PIA),  
15 member;
- 16 (v) The Commissioner of the Commission on Higher Education  
17 (CHED), member;
- 18 (w) The President of the Government Service Insurance System (GSIS),  
19 member;
- 20 (x) The President of the Social Security System (SSS), member;
- 21 (y) The President of the Philippine Crop Insurance Corporation  
22 (PCIC), member;
- 23 (z) The President of the Philippine Health Insurance Corporation  
24 (PhilHealth), member;
- 25 (aa) The President of the Union of Local Authorities of the Philippines  
26 (ULAP), member;
- 27 (bb) The President of the League of Provinces in the Philippines (LPP),  
28 member;

- 1 (cc) The President of the League of Cities in the Philippines (LCP),  
2 member;
- 3 (dd) The President of the League of Municipalities in the Philippines  
4 (LMP), member;
- 5 (ee) The President of the Liga ng Mga Barangay (LMB), member;
- 6 (ff) The Secretary-General of the Philippine National Red Cross  
7 (PNRC), member;
- 8 (gg) One (1) representative from the private sector, member;
- 9 (hh) Four (4) representatives from CSOs, members;
- 10 (ii) The Director-General of the National Disaster Risk Reduction and  
11 Management Authority (NDRRMA); member;
- 12 (jj) The Secretary of the Department of Public Works and Highways  
13 (DPWH), member; and
- 14 (kk) The Chairperson of the Housing and Urban Development  
15 Coordinating Council (HUDCC), member.

16 The representatives from the CSOs and the private sector shall be  
17 selected from among their respective sectors based on the criteria and  
18 mechanisms to be set for this purpose by the NDRRMC.

19 The duties and responsibilities of each member shall be set forth in the  
20 corresponding implementing rules and regulations consistent with the  
21 provisions of this Act.

22 *SEC. 6. The National Disaster Risk Reduction and Management*  
23 *Authority (NDRRMA).* – The existing Office of Civil Defense (OCD) shall be  
24 renamed into National Disaster Risk Reduction and Management Authority  
25 (NDRRMA). It shall be restructured and reorganized within a three (3)-year  
26 implementation period consistent with the provisions of this Act.

1           The NDRRMA shall have the same status as that of a national  
2 government agency attached to the Office of the President. It shall be the  
3 primary arm of the national government on disaster risk reduction and disaster  
4 risk management.

5           The existing personnel, assets, liabilities, records and other accounts of  
6 the OCD, as audited by the Commission on Audit (COA), shall be transferred  
7 to the NDRRMA.

8           The NDRRMA shall be headed by a Director-General with a rank of an  
9 Undersecretary, and three (3) Deputy Directors-General with a rank of  
10 Assistant Secretary.

11           The President shall appoint the Director-General and the three (3)  
12 Deputy Directors-General. All appointees shall be universally acknowledged  
13 experts in the field of disaster preparedness and management and of proven  
14 honesty and integrity. Their positions shall be civil service career positions to  
15 ensure continuity of programs. The three (3) Deputy Directors-General shall  
16 each head the three (3) principal committees of the NDRRMA, namely:  
17 (1) The Relief and Reconstruction Office; (2) The Preparedness, Prevention  
18 and Mitigation Office; and (3) The Education and Information Management  
19 Office.

20           The NDRRMA shall render an annual report of its activities and  
21 achievements to the President and to Congress. It is mandated to manage,  
22 coordinate, and synchronize programs and projects in the implementation of  
23 the comprehensive NDRRMP and shall have policy-making power on disaster-  
24 related matters. The NDRRMA's goal shall be toward attaining disaster-  
25 resiliency by relying on and building people's capacity in managing disasters.

26           The operation of the NDRRMA shall be guided by the following  
27 principles:

- 1 (a) Addressing the roots of people's vulnerability to disasters is the key  
2 toward disaster reduction and building disaster-resilient communities;
- 3 (b) Incorporation of the NDRRMP into the formulation of development  
4 plans at the national, regional and local levels;
- 5 (c) Efficiency in the implementation of the comprehensive NDRRMP  
6 and expediency in the delivery of adequate and appropriate emergency  
7 response and rehabilitation measures;
- 8 (d) Strengthening the LGUs to more effectively operationalize the  
9 NDRRMP at the local level;
- 10 (e) Institutionalizing the participation of civil society and the private  
11 sector in the overall efforts towards disaster resiliency;
- 12 (f) Reliance on the people's strength and building their capacities in  
13 instituting programs and measures in preparing for and mitigating the effects of  
14 disasters using the CBDRM approach;
- 15 (g) Developing the spirit of volunteerism and genuine service among  
16 the less affected or less vulnerable sectors of society in the effort towards  
17 disaster reduction and building disaster-resilient communities; and
- 18 (h) Transparency and accountability in the administration of all funds  
19 under its control and supervision as well as in the accessibility of all official  
20 records under its jurisdiction.

21 *SEC. 7. Powers and Functions of the NDRRMC.* – The NDRRMC  
22 shall exercise supervisory powers over the NDRRMA and shall have the  
23 following responsibilities:

- 24 (a) Develop a NDRRMF which will serve as the set of guidelines in the  
25 formulation of a NDRRMP. The NDRRMF shall provide comprehensive,  
26 all-hazards, multi-sectoral, inter-agency and community-based approach to

1 disaster risk reduction and shall serve as the principal guide of the country,  
2 subject for review every five (5) years, or as may be deemed necessary, in  
3 order to ensure its continuing relevance;

4 (b) Direct the NDRRMA to formulate and implement the NDRRMP  
5 and ensure that this shall be considered and integrated in the Medium-Term  
6 Philippine Development Plan (MTPDP), in the annual General Appropriations  
7 Act (GAA) and in local development plans nationwide;

8 (c) Ensure a multi-stakeholder participation in the development,  
9 updating, and sharing of a Disaster Management Information System and  
10 Geographic Information System-based national risk map as policy and  
11 decision-making tools;

12 (d) Develop a national emergency alert system to provide accurate and  
13 timely advice to national or local emergency response organizations and to the  
14 general public through diverse mass media to include digital and analog  
15 broadcast, cable, satellite television and radio, wireless communications, and  
16 landline communications;

17 (e) Develop appropriate risk transfer mechanisms that shall guarantee  
18 social and economic protection and increase resiliency in the face of disaster;

19 (f) Advise the President on the status of disaster preparedness,  
20 prevention, mitigation, response and rehabilitation operations being undertaken  
21 by the government, CSOs, private sector, and volunteers; and recommend to  
22 the President the declaration of a state of calamity in areas extensively  
23 damaged; and submit proposals to restore normalcy in the affected areas, to  
24 include calamity fund allocation;

25 (g) Monitor and provide the necessary guidelines and procedures on  
26 the Local Disaster Risk Reduction and Management Fund (LDRRMF) releases  
27 as well as utilization, accounting and auditing thereof; and

1           (h) Conduct periodic assessment and performance monitoring of  
2 NDRRMC-member agencies and Local Disaster Risk Reduction and  
3 Management Councils (LDRRMCs).

4           SEC. 8. *Powers and Functions of the NDRRMA.* – The NDRRMA  
5 shall have the following powers and functions:

6           (a) Formulate and implement the NDRRMP that shall be integrated in  
7 the physical framework, social, economic and environmental plans of  
8 communities, cities, municipalities and provinces. The NDRRMP shall be  
9 submitted to Congress for approval;

10           (b) Develop and ensure the implementation of national standards in  
11 carrying out disaster risk reduction programs including preparedness,  
12 mitigation, prevention, response and rehabilitation works, from data collection  
13 and analysis, planning, implementation, monitoring and evaluation;

14           (c) Ensure that the LGUs, through the Local Disaster Risk Reduction  
15 and Management Offices (LDRRMOs) are properly informed and adhere to  
16 the national standards and programs;

17           (d) Provide technical assistance and necessary resources to increase the  
18 overall capacity of LGUs, specifically the low income and in high-risk areas;

19           (e) Establish disaster risk reduction learning institutes that shall  
20 provide continuing training, education and research programs to upgrade  
21 professional knowledge and skills of key stakeholders;

22           (f) Ensure that all disaster risk reduction programs, projects and  
23 activities requiring regional and international support shall be in accordance  
24 with duly established national policies and aligned with international  
25 agreements;

26           (g) Create an enabling environment for substantial and sustainable  
27 participation of CSOs, private groups, volunteers and communities, and



1 recognize their contributions in the government's disaster risk reduction  
2 efforts;

3 (h) Conduct periodic assessment and performance monitoring of  
4 LDRRMOs and NDRRMC-member agencies;

5 (i) Mobilize instrumentalities of the government, CSOs, and the  
6 private sector for assistance in terms of the use of their facilities and resources  
7 for the protection and preservation of life and properties in case of  
8 emergencies, with due process;

9 (j) Create the necessary offices to perform its mandate as provided  
10 under this Act; and

11 (k) Perform any and all other acts incidental to or required by virtue of  
12 its creation.

13 SEC. 9. *Organization at the Regional Level.* – The existing Regional  
14 Disaster Coordinating Council (RDCC) shall continue to exist as the regional  
15 arm of the NDRRMA and shall henceforth be known as the Regional Disaster  
16 Risk Reduction and Management Council (RDRRMC). The RDRRMC shall  
17 be responsible in ensuring disaster sensitive regional development plans, and in  
18 case of emergencies shall convene the different regional line agencies and  
19 concerned institutions and authorities.

20 SEC. 10. *Organization at the Local Government Level.* – The existing  
21 Provincial, City, Municipal, and Barangay Disaster Coordinating Councils  
22 shall henceforth be known as the Provincial, City, and Municipal Disaster Risk  
23 Reduction and Management Councils.

24 (a) Composition: The Local Disaster Risk Reduction and Management  
25 Councils (LDRRMC) shall be composed of the following:

26 (1) The Local Chief Executives, Chairperson;

27 (2) The Local Planning and Development Officer, Vice Chairperson;

- 1 (3) The Head of the Local Disaster Risk Reduction and Management  
2 Office, member;
- 3 (4) The Head of the Local Social Welfare and Development Office,  
4 member;
- 5 (5) The Head of the Local Health Office, member;
- 6 (6) The Head of the Local Agriculture Office, member;
- 7 (7) The Head of the Gender and Development Office, member;
- 8 (8) The Head of the Local Engineering Office, member;
- 9 (9) The Head of the Local Veterinary Office, member;
- 10 (10) The Head of the Local Budget Office, member;
- 11 (11) The Division Head/Superintendent of Schools of the DepED,  
12 member;
- 13 (12) The Provincial Director/City/Municipal Chief of the Philippine  
14 National Police (PNP), member;
- 15 (13) The Provincial Director/City/Municipal Fire Marshall of the  
16 Bureau of Fire Protection (BFP), member;
- 17 (14) The President of the Association of Barangay Captains (ABC),  
18 member;
- 19 (15) The Philippine National Red Cross (PNRC), member;
- 20 (16) Four (4) accredited CSOs, members; and
- 21 (17) One (1) private sector representative, member.
- 22 (b) The LDRRMC shall have the following functions:
  - 23 (1) Develop, approve, monitor and evaluate Local Disaster Risk  
24 Reduction and Management Plan (LDRRMP) and regularly review and test the  
25 plan for internal consistency as well as to ensure its vertical and horizontal  
26 compatibility with other relevant planning programs;

1           (2) Integrate risk reduction into local development plans, programs,  
2 and budgets as a strategy in poverty reduction, environmental protection and  
3 sustainable development; and

4           (3) Recommend disaster risk reduction policies and programs and  
5 oversee its implementation.

6           (c) The LDRRMC shall meet at least once a month.

7           SEC. 11. *Local Disaster Risk Reduction and Management Office*  
8 *(LDRRMO)*. – (a) There shall be established an LDRRMO in every province,  
9 city and municipality, and a Barangay Disaster Risk Reduction and  
10 Management Committee (BDRRMC) responsible for setting the direction,  
11 development, implementation and coordination of disaster risk management  
12 programs within their territorial jurisdiction.

13           (b) The LDRRMO shall be under the office of the governor, city or  
14 municipal mayor, and punong barangay in case of BDRRMC. The LDRRMOs  
15 shall be initially organized, composed of a Disaster Risk Reduction and  
16 Management Officer (DRRMO) to be assisted by three (3) staff responsible  
17 for: (1) administrative and training; (2) research and planning; and (3)  
18 operations and warning. The LDRRMOs shall organize, train and directly  
19 supervise the Local Emergency Response Teams.

20           (c) The provincial, city and municipal DRRMO or BDRRMC shall  
21 perform the following functions with impartiality given the emerging  
22 challenges brought by disasters of our times:

23           (1) Formulate and implement comprehensive and integrated LDRRMP  
24 in accordance with the national, regional and provincial framework, and  
25 policies on disaster risk reduction in close coordination with the local  
26 development councils;

27           (2) Prepare and submit to the local sanggunian the annual LDRRMO  
28 plan and budget, likewise, the proposed programming of the local disaster risk

1 reduction and management fund, other dedicated disaster risk reduction and  
2 management resources, other regular funding source/s and budgetary support  
3 of the LDRRMO;

4 (3) Coordinate with the different member agencies of the LDRRMC  
5 and other agencies, and act as the secretariat of the LDRRMC;

6 (4) Conduct continuous disaster monitoring and mobilize  
7 instrumentalities and entities of the LGUs, CSOs, private groups and organized  
8 volunteers, to utilize their facilities and resources for the protection and  
9 preservation of life and properties during emergencies in accordance with  
10 existing policies and procedures;

11 (5) Facilitate and ensure the participation of the CSOs, private groups  
12 and organized volunteers in the local governments' disaster risk reduction  
13 programs;

14 (6) Identify, assess and manage the hazards and risks that may occur in  
15 their locality;

16 (7) Communicate about those hazards and risks, their nature, effects,  
17 early warning signs and counter-measures;

18 (8) Identify and implement cost-effective risk reduction  
19 measures/strategies;

20 (9) Take all necessary steps on an ongoing basis to maintain and  
21 provide or to arrange the provision of, or to otherwise make available suitably  
22 trained and competent personnel for effective civil defense and disaster risk  
23 management in its area;

24 (10) Respond to and manage the adverse effects of emergencies in its  
25 area.

26 (11) Carry out recovery activities;

1           (12) Within its area, promote and raise public awareness of and  
2 compliance with this Act and legislative provisions relevant to the purpose of  
3 this Act;

4           (13) Establish linkage/network with other LGUs for disaster risk  
5 reduction and emergency response purposes;

6           (14) Formulate their own local ordinances consistent with the  
7 requirements of this Act;

8           (15) Establish an operating facility to be known as the  
9 Provincial/City/Municipal/Barangay Disaster Risk Reduction and Management  
10 Center;

11           (16) Prepare and submit report on the utilization of the LDRRMF and  
12 other dedicated disaster risk reduction and management resources to the local  
13 COA, copy furnished the local DILG; and

14           (17) Act on other matters that may be authorized by the LDRRMC.

15           (d) The BDRRMC shall be a regular committee of the existing  
16 Barangay Development Council (BDC) and subject thereto. The barangay  
17 chairman shall facilitate and ensure the participation of not less than four (4)  
18 CSO representatives that include three (3) community-based people's  
19 organizations representing three (3) most vulnerable and marginalized groups  
20 in the barangay and one (1) NGO with current disaster risk reduction program  
21 in the barangay.

22           SEC. 12. *Local Disaster Risk Reduction and Management Fund*  
23 *(LDRRMF)*. – The present Local Calamity Fund shall henceforth be known as  
24 the Local Disaster Risk Reduction and Management Fund. Not less than five  
25 percent (5%) of the estimated revenue from regular sources shall be set aside  
26 as the Local Disaster Risk Reduction and Management Fund to support  
27 disaster risk management activities such as, but not limited to, pre-disaster  
28 preparedness programs including training, purchasing life-saving rescue

1 equipment, supplies and medicines and for post-disaster activities. The  
2 LDRRMC shall monitor and evaluate the use and disbursement of LDRRMF  
3 based on the LDRRMP as incorporated in the local development plans and  
4 annual work and financial plan. Upon the recommendation of the LDRRMO  
5 and approval of the sanggunian concerned, the LDRRMC may transfer the said  
6 fund to support disaster risk reduction work of other LDRRMCs which are  
7 declared under state of calamity.

8         Every year, the unexpended amount shall be added to the LDRRMF for  
9 the succeeding year in order to build up the Fund resources.

10         SEC. 13. *Mobilization, Accreditation, and Protection of Disaster*  
11 *Volunteers and National Service Reserve Corps, Civil Society Organizations*  
12 *and the Private Sector.* – The government agencies, CSOs, private sector and  
13 LGUs may mobilize individuals or organized volunteers to augment their  
14 respective personnel complement and logistical requirements in the delivery of  
15 disaster risk reduction programs and activities. The agencies, CSOs, private  
16 sector, and LGUs concerned shall take full responsibility for the enhancement,  
17 welfare and protection of volunteers, and shall submit the list of volunteers to  
18 the NDRRMA, through LDRRMOs, for accreditation and inclusion in the  
19 database of accredited disaster volunteers.

20         A national roster of Accredited Community Disaster Volunteers  
21 (ACDV), National Service Reserve Corps, CSOs and the private sector shall  
22 be maintained by the NDRRMA through the LDRRMOs. Accreditation shall  
23 be done at the municipal or city level.

24         Mobilization of volunteers shall be in accordance with the guidelines to  
25 be formulated by the NDRRMC consistent with the provisions of this Act. Any  
26 volunteer who incurs death or injury while engaged in any of the activities  
27 defined under this Act shall be entitled to compensatory benefits and individual  
28 personnel accident insurance as may be defined under the guidelines.

1           SEC. 14. *Integration of Disaster Risk Reduction Education into the*  
2 *School Curricula and Sangguniang Kabataan (SK) Program.* – The DepED,  
3 the CHED, the TESDA, in coordination with the NDRRMA, the National  
4 Youth Commission (NYC), the DOST, the DENR, the DILG-BFP, the DOH,  
5 the DSWD and other relevant agencies, shall integrate disaster risk reduction  
6 and management education in the school curricula of secondary and tertiary  
7 level of education, including National Service Training Program (NSTP),  
8 whether private or public, including formal and nonformal, technical-  
9 vocational, indigenous learning, and out-of-school youth courses and  
10 programs.

11           The NDRRMC, the NDRRMA, the RDRRMA, the LDRRMCs, the  
12 LDRRMOs, the BDRRMC and the SK councils shall encourage community,  
13 specifically youth participation in disaster risk reduction and management  
14 activities, such as organizing quick response groups, particularly in identified  
15 disaster-prone areas, as well as the inclusion of disaster risk reduction and  
16 management programs as part of the SK programs and projects.

17           SEC. 15. *Public Sector Training Program for Emergency and Disaster*  
18 *Preparedness.* – The NDRRMC shall maintain and update periodically a  
19 current curriculum of courses necessary to train public sector emergency  
20 response and preparedness teams in matters relating to disasters and  
21 emergencies in consultation with educational institutions and CSOs that  
22 provide training for response to disasters and emergencies. The training is  
23 necessary for public sector employees to comply with provisions of this Act,  
24 existing laws, regulations and standards observed in responding to emergencies  
25 and disasters.

26           SEC. 16. *Mechanisms for International Humanitarian Assistance.* –

27           (a) Foreign donations of food, clothing, medicine and equipment for  
28 relief, rehabilitation and other disaster management-related supplies shall be

1 exempted from local taxes in accordance with Section 105 of the Tariff and  
2 Customs Code of the Philippines, as amended, and the prevailing provisions of  
3 the General Appropriations Act covering national internal revenue taxes and  
4 import duties on the national and local government agencies.

5 (b) The NDRRMA shall further provide detailed guidelines to monitor  
6 foreign donations from request, processing, delivery and acceptance of end  
7 beneficiaries.

8 SEC. 17. *Coordination During Emergencies.* – The NDRRMA, the  
9 LDRRMOs or the BDRRMC shall be responsible in taking the lead in  
10 preparing for, responding to, and recovering from the effects of any disaster  
11 events based on the following criteria:

- 12 (a) The BDRRMC, if a barangáy is affected;  
13 (b) The C/MDRRMOs, if two (2) or more barangays are affected;  
14 (c) The PDRRMOs, if two (2) or more municipalities are affected; and  
15 (d) The NDRRMA, if two (2) or more provinces are affected.

16 All government agencies, CSOs, private sector, and other LGUs willing  
17 to respond to any impending or disaster events shall be working in accordance  
18 with the coordination mechanism and policies set by the NDRRMA. The  
19 NDRRMA and intermediary LDRRMOs shall always act as support to lower  
20 local governments.

21 SEC. 18. *Declaration of State of Calamity.* – The Council shall  
22 recommend to the President of the Philippines the declaration of a cluster of  
23 barangays, municipalities, cities, provinces, and regions under a state of  
24 calamity, based on the criteria set by the Council. The President's declaration  
25 may warrant international humanitarian assistance as deemed necessary.

26 The declaration and lifting of the state of calamity may also be issued by  
27 the local sanggunian, upon the recommendation of the LDRRMC, based on the  
28 results of the damage assessment and needs analysis.



1           Upon the declaration of a state of calamity, the NDRRMA shall have  
2 the power to order and call upon any individual and entity, agency and  
3 department of the national and local government to make available for the  
4 NDRRMA's disposal its personnel, equipment, vessels, aircraft, and other  
5 resources which will be needed.

6           SEC. 19. *Remedial Measures.* – The declaration of a state of calamity  
7 shall make mandatory the immediate undertaking of the following remedial  
8 measures by concerned agencies:

9           (a) Automatic imposition of price control by the DTI on basic  
10 necessities in areas declared under a state of calamity by the President of the  
11 Philippines or local sanggunian;

12           (b) Monitoring, prevention and control by the Local Price Coordination  
13 Council of overpricing/profitteering and hoarding of prime commodities,  
14 medicines and petroleum products;

15           (c) Programming/reprogramming of funds for the repair and safety  
16 upgrading of public infrastructures and facilities; and

17           (d) Granting of no-interest loans by government financing or lending  
18 institutions to the most affected section of the population through their  
19 cooperatives or people's organizations.

20           SEC. 20. *Prohibited Acts.* – Any person, group or corporation who  
21 commits any of the following prohibited acts shall be held liable and be  
22 subjected to the penalties as prescribed in Section 21 of this Act:

23           (a) Neglect of responsibilities to undertake the necessary requirements  
24 in framing the National and Local Disaster Risk Management Programs,  
25 appropriation of adequate funds and its implementation, in accordance to  
26 national standards and guidelines to be issued by the NDRRMA;

27           (b) Dereliction of duties which lead to destruction, loss of lives, critical  
28 damage of facilities and misuse of funds;

1 (c) Preventing the entry of and access to relief goods, resources and  
2 services that conform to the standards and guidelines set by the NDRRMA;

3 (d) Buying, for consumption or resale, from disaster relief agencies any  
4 relief goods, equipment or other aid commodities which are intended for  
5 distribution to disaster affected communities;

6 (e) Diverting relief goods, equipment or other aid commodities to  
7 persons other than the rightful recipient or consignee;

8 (f) Accepting, possessing, using or disposing relief goods, equipment,  
9 or other relief commodities not intended for nor consigned to him;

10 (g) Misrepresenting the source of relief goods, equipment, or other aid  
11 commodities based on the standards and guidelines of the NDRRMA;

12 (h) Substituting or replacing relief goods, equipment, or other aid  
13 commodities with the same items or inferior/cheaper quality; and

14 (i) Illegal solicitations by persons or organizations representing others  
15 as defined in the standards and guidelines set by the NDRRMA.

16 SEC. 21. *Penal Provisions.* – Any person, group or corporation who  
17 commits any of the above-listed prohibited acts shall be prosecuted and upon  
18 conviction, suffer a fine of not less than Fifty thousand pesos (P50,000.00) or  
19 imprisonment of not less than six (6) years and one (1) day nor more than  
20 twelve (12) years, or both, at the discretion of the court, including perpetual  
21 disqualification from public office, if he is a public officer, and confiscation or  
22 forfeiture in favor of the government of the objects/fruits of and the  
23 instrumentalities used in committing any of the herein prohibited acts.

24 If the offender is a corporation, partnership or association, or other  
25 juridical entity, the penalty shall be imposed upon the officer or officers of the  
26 corporation, partnership, association or entity responsible for the violation,  
27 without prejudice to the cancellation or revocation of its license or  
28 accreditation issued to them by any licensing or accredited body of the

1 government. If such offender is an alien, he shall, in addition to the penalties  
2 prescribed, be deported without further proceedings after service of the  
3 sentence.

4 SEC. 22. *Appropriation for the NDRRMA.* – The initial amount for the  
5 NDRRMA shall come from the existing budget of the OCD. Thereafter, the  
6 amount needed for its operation and maintenance shall be included in the  
7 General Appropriations Act.

8 SEC. 23. *Rules and Regulations.* – Within sixty (60) days from the  
9 approval of this Act, the NDRRMA, with participation from other  
10 stakeholders, shall promulgate the necessary implementing rules and  
11 regulations to carry out the provisions of this Act.

12 SEC. 24. *Congressional Oversight Committee.* – There is hereby  
13 created a Congressional Oversight Committee to monitor and oversee the  
14 implementation of the provisions of this Act. The Committee shall be  
15 composed of six (6) members from the Senate and six (6) members from the  
16 House of Representatives with the Chairpersons of the Committees on National  
17 Defense and Security of both the Senate and the House of Representatives as  
18 joint Chairpersons of this Committee. The five (5) other members from each  
19 Chamber are to be designated by the Senate President and the Speaker of the  
20 House of Representatives, respectively. The minority shall be entitled to pro  
21 rata representation but shall have at least two (2) representatives from each  
22 Chamber.

23 SEC. 25. *Separability Clause.* – If any provision of this Act shall be  
24 held unconstitutional or invalid, the other provisions not otherwise affected  
25 shall remain in full force and effect.

26 SEC. 26. *Repealing Clause.* – All laws, decrees, executive orders,  
27 proclamations and other executive issuances which are inconsistent with or  
28 contrary to the provisions of this Act are hereby amended or repealed.

1           SEC. 27. *Effectivity.* – This Act shall take effect fifteen (15) days  
2 following its publication in the *Official Gazette* or in two (2) national  
3 newspapers of general circulation.

Approved,

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