

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

'22 JUL -7 P4 :48

SENATE
S. No. 188

RECEIVED BY: _____



Introduced by Senator Christopher Lawrence "Bong" T. Go

**AN ACT
CREATING THE DEPARTMENT OF DISASTER RESILIENCE, DEFINING ITS
POWERS AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

The National Disaster Risk Reduction and Management Council (the Council) was created by virtue of Republic Act No. 10121. The NDRRMC was tasked to develop a framework which shall provide for a comprehensive, all-hazards, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management.¹ The Council was tasked to perform policy making, coordination, integration, supervision, monitoring, and evaluation functions. The Office of Civil Defense (OCD), on the other hand, was mandated by the law to administer a comprehensive national civil defense and disaster risk reduction and management program. The law was passed with the end in view of providing a more effective system towards achieving disaster resilience.

However, years after the creation of the Council, it became apparent that the solution of creating a body composed of multiple offices of the government primarily responsible for disaster preparedness and response, was not the best approach. Natural disasters have the capability to cause such far-reaching and impactful consequences that it has become clear that a comprehensive, specialized, and focused

¹ Section 6, Republic Act No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010.

approach is the only way to move forward from the effects of natural disasters. As the country is known to be vulnerable to typhoons and other natural calamities, it is high time to continue to advocate for the creation of a new department that would focus on preparing for, addressing, and mitigating the effects of natural and human-induced disasters.

It is only through the creation of a highly specialized government agency, with all its resources fully focused on its mandate, that the events of past disasters can be avoided.

The Department of Disaster Resilience, once established by law, shall possess the necessary powers and functions, along with the technical expertise and government support to carry out the ideas and plans which our earlier laws failed to realize. The establishment of a Department solely focused on this mandate will ensure that there shall be a body focused on the continuous development and growth of programs aimed towards ensuring disaster resilience.

The proposed measure shall unify and streamline the responsibilities and functions related to the country's disaster preparedness, provide a clear chain of command, and create a more holistic and proactive approach in dealing with emergency situations headed by a cabinet level secretary.

Emergency powers during, and in the aftermath of emergencies, hazards and disasters, shall be exercised by the Department to provide timely response and to mitigate the sometimes unavoidable consequences of natural disasters. Internationally accepted standards shall be used as basis for recovery efforts, guided primarily by the principle of "Building-Forward-Better".

The Bill also provides for remedial measures under a state of calamity that may be exercised at the national and local levels. Some examples of such remedial measures are the imposition of price ceiling on basic necessities and prime commodities, the programming or reprogramming of funds for the repair of critical

facilities or public infrastructure, and the grant of no-interest loans by government financing or lending institutions to the most vulnerable and marginalized groups or individuals.

The Bill mandates LGUs to provide evacuation centers, when requested by the Department, in anticipation of, during, and in the aftermath of emergencies, hazards and disasters. In providing such evacuation centers, due regard shall be given to the most vulnerable and marginalized groups, respecting the dignity and culture of persons and using proportionate force in implementing such emergency measures.

The Department, which will operate through a whole-of-society approach, shall manage, direct, and foster an enabling environment for the implementation of national, local, and community-based disaster resilience programs in collaboration with national government agencies, Local Government Units (LGUs), civil society organizations (CSOs), civic organizations, the communities themselves, and other stakeholders, as necessary.

Last but not least, this bill strives to help ensure that the painful lessons learned from super typhoons and other natural disasters are translated into actual laws, systems, structures, and policies that are truly responsive to the disaster resilience and climate change adaptation and mitigation requirements of the present and future generations of Filipinos.

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


SENATOR CHRISTOPHER LAWRENCE "BONG" T. GO 

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

1 ARTICLE I

2 GENERAL PROVISIONS

3 Section 1. *Short Title.* – This Act shall be known as the "Disaster Resilience Act
4 of 2022".

5 *Sec 2. Declaration of Policies and Principles.* – The State recognizes that:

- 6 a. The Philippines is one of the most vulnerable countries to climate change and
7 various kinds natural hazards, including, among others, typhoons, earthquakes,
8 floods, volcanic eruptions, landslides, storm surges, and drought;
- 9 b. Tremendous physical and economic, losses are sustained by the country, and
10 in certain cases, damage to our national, cultural, and historical heritage, each
11 time such natural hazards wreak havoc on an unsuspecting and unprepared
12 populace;
- 13 c. There is an urgent need to establish a focused, streamlined, independent,
14 empowered, capacitated, full-time, specialized agency on disaster risk
15 reduction and management as well as emergency response, which is national

1 in scope and civilian in character;

- 2 d. The people are the most important assets of the nation, and all disaster risk
3 reduction and management efforts shall be responsive to the humanitarian
4 needs of the people, the dignity and value of the human person, and respect
5 for property.

6 Towards this end, the state shall endeavor to ensure:

- 7 a. That a strategic, systematic, continuous, comprehensive, inclusive, and
8 integrated approach to disaster risk reduction and management is established,
9 with the end in view of substantially reducing vulnerabilities and the risk of
10 disasters and other humanitarian emergencies, towards the preservation of life
11 and property, thereby ultimately preventing or deterring the loss of lives and
12 the social, economic, cultural, and environmental assets of the country;
- 13 b. That a permanent, institutionalized, cohesive and comprehensive framework
14 for disaster preparedness, prevention and mitigation, and response, is adopted,
15 to be implemented by a highly specialized and focused agency bearing its own
16 mandate, powers, and funding, in coordination and with the participation of the
17 Philippine government, other foreign governments and financial institutions,
18 international organizations, the private sector, and civil society;
- 19 c. That the differing concerns and needs of various sectors or those with higher
20 vulnerabilities such as women, children, elderly, persons with disabilities, and
21 indigenous peoples, are specifically served, with respect to disaster resilience
22 and disaster management;
- 23 d. The implementation of the principles, concepts and action plans of climate
24 change and disaster risk reduction contained in international and national
25 frameworks and commitments in various phases of policy formulation,
26 development and investment plans, poverty reduction strategies and other
27 development tools, and techniques by all national and local agencies,
28 institutions and instrumentalities of the government to enhance the country's
29 capacity for climate change adaptation and mitigation;
- 30 e. To inculcate a culture of resilience and preparedness for natural disasters at
31 the national, regional and local levels, and adopt a whole-of-society approach
32 in disaster resilience to enhance collaboration, planning, and dialogue among

1 all sectors of society, and in improving their strategies and/or action plans for
2 disaster risk reduction.

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

- 4 a. *Adaptation* shall refer to the adjustment in natural or human systems in
5 response to actual or expected climactic stimuli or their effects, which
6 moderates harm or exploits beneficial opportunities.
- 7 b. *Assisting Actor* shall refer to any Assisting International Actor and any Assisting
8 Domestic Actor responding to a disaster in the country.
- 9 c. *Assisting Domestic Actor* shall refer to any not-for-profit entity established
10 under domestic laws, which is responding to a disaster in the country.
- 11 d. *Assisting International Actor* shall refer to any foreign state, organization, entity
12 or individual responding to a disaster within or transiting through the country
13 to respond to a disaster in another country
- 14 e. *Biological Hazards* shall refer to hazards that are of organic origin or conveyed
15 by biological vectors, including pathogenic microorganisms, toxins and
16 bioactive substances. Examples are bacteria, viruses or parasites, as well as
17 venomous wildlife and insects, poisonous plants and mosquitoes carrying
18 disease-causing agents;
- 19 f. *Build Forward Better* shall refer to an approach to building and/or
20 reconstructing an area or community which entails a shift from simple recovery
21 and restoration to safer, more adaptive, resilient, and inclusive communities.
- 22 g. *Business Continuity* shall refer to the capacity of a business entity to continue
23 the delivery of its products and/or services at acceptable pre-defined levels
24 following a disruptive incident;
- 25 h. *Capacity* shall refer to the combination of all strengths, attributes and resources
26 available within a community, society or organization that can reduce the level
27 of risk, or impacts of a disaster. Capacity may include infrastructure and
28 physical means, institutions, societal coping abilities, as well as human
29 knowledge, skills and collective attributes such as social relationships,
30 leadership and management. Capacity may also be described as capability.

- 1 i. *Civil Society Organizations (CSOs)* shall refer to non-state actors whose aims
2 are neither to generate profits nor to seek governing power, but to unite people
3 to advance shared goals and interests. They have a presence in public life,
4 expressing the interests and values of their members or other, based on ethical,
5 cultural, scientific, religious or philanthropic considerations. CGOs include
6 nongovernment organizations (NGOs), professional associations, foundations,
7 independent research institutes, community-based organizations (CBOs), faith-
8 based organizations, people’s organization, social movements, and labor unions
- 9 j. *Climate Change* shall refer to a change in the state of the climate that can be
10 identified by changes in the mean and/or the variability of its properties, and
11 that persist in an extended period, typically decades or longer, whether due to
12 natural variability or as a result of human activity as defined under Republic Act
13 No. 9729, otherwise known as the “Climate Change Act of 2009”. These include
14 internal processes or external forces such as modulation of the solar cycles,
15 volcanic eruptions and persistent anthropogenic changes in the composition of
16 the atmosphere or in land use.
- 17 k. *Climate Mitigation* shall refer to efforts to reduce or limit greenhouse gas
18 emissions or enhance greenhouse gas sequestration;.
- 19 l. *Cultural Heritage* shall refer to the totality of cultural property preserved and
20 developed through time and passed on to posterity;.
- 21 m. *Contingency Planning* shall refer to a management process that analyzes
22 specific potential events or emerging situations that might threaten society or
23 the environment and establishes arrangements in advance to enable timely,
24 effective and appropriate responses to such events and situations.
- 25 n. *Department* shall refer to the Department of Disaster Resilience or the DDR;
- 26 o. *Development Assistance* shall refer to any financial, material or other forms of
27 assistance to support the economic, social, and environmental well-being of
28 areas and/or people affected by a natural disaster;
- 29 p. *Disability* shall refer to an evolving concept that results from the interaction
30 between persons with impairments, societal barriers, as defined under Republic
31 Act No. 7277, and attitudinal and environmental barriers that hinder their full
32 and effective participation in society on an equal basis with others.

- 1 q. *Disaster* shall refer to a serious disruption of the functioning of a community or
2 a society involving widespread human, material, economic or environmental
3 losses and impacts, which exceeds the ability of the affected community or
4 society to cope using its own resources. Unless otherwise used specifically in
5 this Act, the term "disaster shall refer to "natural disaster";
- 6 r. *Disaster Contingency Fund* shall refer to a fund, in lump-sum form, managed
7 by the Department to expediently provide funds and resources for disaster relief
8 or response in affected areas;
- 9 s. *Disaster Mitigation* or *Mitigation* shall refer to the lessening or limitation of the
10 adverse impacts of hazards and related disasters. Mitigation measures include
11 hazard-resistant structures as well as improved environmental, land use
12 planning, climate change and other sectoral policies and public awareness;
- 13 t. *Disaster Preparedness* shall refer to the knowledge and capacities developed
14 by governments, professional, professional response and recovery
15 organizations, communities and individuals to effectively anticipate, respond to,
16 and recover from, the impacts of likely, imminent or current hazard events or
17 conditions. It includes preparedness for response such as contingency planning,
18 stockpiling of equipment and supplies, the development of arrangements for
19 coordination, evacuation, and public information, and preparedness for
20 recovery such as procurement of land for resettlement sites.
- 21 u. *Disaster Prevention* shall refer to the intention to avoid, or the outright
22 avoidance, of potential adverse impacts of disasters and related hazards
23 through action(s) taken in advance. It expresses the concept and intention to
24 completely avoid potential adverse impacts through action taken in advance
25 such as construction of dams or embankments that eliminate flood risks, land-
26 use regulations that do not permit any settlement in high- risk zones, and
27 seismic engineering designs that ensure the survival and function of a critical
28 building in any likely earthquake;
- 29 v. *Disaster Resilience* shall refer to the ability of a system, community, or society
30 exposed to hazards to resist, absorb, accommodate, adapt to, transform, and
31 recover from the effects of a hazard and/or the long-term impact of climate
32 change in a timely and efficient manner, including through the preservation

1 and restoration of its essential basic structures and functions through risk
2 management;

3 w. *Disaster Response* shall refer to the provision of emergency services and public
4 assistance during or immediately after a disaster in order to secure and save
5 lives, reduce health impacts, ensure public safety and meet the basic
6 subsistence needs of the people affected. Disaster response includes disaster
7 relief focused on immediate and short-term needs of the victims and the
8 vulnerable.

9 x. *Disaster Resilience Fund* shall refer to the budget managed by the Department,
10 which includes funds appropriated to it by Congress pursuant to an
11 Appropriations Act, the Disaster Contingency Fund, and the Rehabilitation and
12 Recovery Fund;

13 y. *Disaster Risk* shall refer to the potential disaster losses in lives, health status,
14 livelihoods, assets and services that could occur to a particular community or
15 society in the future, and is determined by a combination of the vulnerability,
16 capacity, exposure of persons and assets, hazard characteristics and the
17 environment.

18 z. *Disaster Risk Governance* shall refer to the way in which public authorities, civil
19 servants, media, private sector, and civil society coordinate at community,
20 national and regional levels in order to manage disaster and climate related
21 risks. This means ensuring that sufficient levels of capacity and resources are
22 made available to prevent, prepare for, manage and recover from disasters. It
23 also entails mechanisms, institutions, and processes for citizens to articulate
24 their interests, exercise their legal rights and obligations, and mediate their
25 differences.

26 aa. *Disaster Risk Management* (DRM) shall refer to the systematic process of using
27 administrative directives, organizations, and operational skills and capacities to
28 implement strategies, policies and improved coping capacities in order to lessen
29 the adverse impacts of hazards and the possibility of disaster;

30 bb. *Disaster Risk Reduction* (DRR) shall refer to the prevention of new, and/or
31 reduction of existing, disaster risk(s) and the management of residual risk, to
32 enhance resilience to disasters;

- 1 cc. *Early Warning System* shall refer to an integrated system of hazard monitoring,
2 forecasting and prediction, disaster risk assessment, and communication and
3 preparedness activities and processes that enable individuals, communities,
4 national government agencies, local government units, the private sector, and
5 others to take timely action to reduce disaster risks and adequately prepare for
6 disasters;
- 7 dd. *Eligible Assisting Actor* shall refer to any assisting actor that has been
8 determined to be eligible to receive legal facilities as provided for in this Act
9 and/or its Implementing Rules and Regulations (IRR);
- 10 ee. *Emergency* shall refer to an unforeseen or sudden occurrence, especially
11 danger, demanding immediate and decisive action;
- 12 ff. *Emergency Management* shall refer to the organization and management of
13 resources and responsibilities for addressing all aspects of emergencies, in
14 particular preparedness, response and initial recovery steps;
- 15 gg. *Environmental Hazards* the hazards that may be chemical, natural, and
16 biological, and can be created by environmental degradation or physical or
17 chemical pollution in the air, water, and soil. However, many of the processes
18 and phenomena that fall into this category may be termed drivers of hazard
19 and risk rather than hazards themselves, such as soil degradation,
20 deforestation, loss of biodiversity, salinization, and sea-level rise;
- 21 hh. *Exposure* shall refer to the degree to which the elements at risk are likely to
22 experience hazard events of different magnitudes;
- 23 ii. *Geographic Information System (GIS)* shall refer to a system used to capture,
24 store, manipulate, manage and display all types of spatial or geographical data;
- 25 jj. *Geographically Isolated and Disadvantaged Area (GIDA)* shall refer to areas
26 with a marginalized population, which is physically and socio-economically
27 separated from the mainstream society and characterized by physical factors—
28 isolated due to distance, weather conditions and transportation difficulties
29 (island, upland lowland, landlocked, hard to reach and underserved
30 communities); and/or socio-economic factors—(highly poverty incidence,
31 presence of vulnerable sector, communities in or recovering from situation of
32 crisis or armed conflict);

1 kk. *Geological or geophysical hazards* shall refer to the hazards that originate from
2 internal earth processes, such as earthquakes, volcanic activities and emissions,
3 and related geophysical processes, which include mass movements, landslides,
4 rockslides, surface collapses, and debris or mud flows. Hydrometeorological
5 factors are important contributors to some of these processes. While tsunamis
6 are triggered by undersea earthquakes and others geological events, they
7 essentially become an oceanic process that is manifested as a coastal water-
8 related hazard;

9 ll. *Hazard* shall refer to a phenomenon, substance, human activity or condition
10 that may cause loss of life, injury or impacts to health; social and economic
11 disruption, environmental damage, or loss of/disruption to property, livelihood,
12 and/or services;

13 mm. *Historical landmarks* shall refer to sites or structures that are associated with
14 events or achievements significant to Philippine history as declared by the
15 National Historical Institute or the applicable agency;

16 nn. *Human-Induced Hazard* shall refer to an event that is caused by humans and
17 occur in or close to human settlements or a particular environmental area. This
18 can include environmental degradation, technological or industrial conditions,
19 pollution, accidents, e.g. high density events, industrial and transport accidents,
20 complex emergencies, armed conflict, situations of generalized or organized
21 violence, and violation of human rights;

22 oo. *Humanitarian assistance* shall refer to financial, material or other similar forms
23 of assistance to address the immediate needs of people affected by a natural
24 disaster;

25 pp. *Hydrometeorological hazards* shall refer to hazards that are of atmospheric,
26 hydrological, or oceanographic origin, such as tropical cyclones (also known as
27 typhoons and hurricanes); floods, including flash floods; drought; heat waves
28 and cold spells; and coastal storm surges. Hydrometeorological conditions may
29 also be a factor in other hazards such as landslides, wildland fires, locust
30 plagues, epidemics, and in the transport and dispersal of toxic substances and
31 volcanic eruption material;

- 1 qq. *Impact and needs assessment* shall refer to the assessment of the nature and
2 magnitude of a disaster, its impact on affected populations, the type and extent
3 of emergency, and the requirements for recovery and rehabilitation of affected
4 area(s);
- 5 rr. *Immediate Danger* shall refer to a situation where, on the basis of official
6 forecasts, it could reasonably be expected that a disaster will occur in a
7 particular geographical area and within an estimated period of time, and where
8 necessary preparedness actions or financing are required;
- 9 ss. *Integrated Disaster Resilience Information System* shall refer to a specialized
10 database, which contains, among others, information on disasters and their
11 human, material, economic and environmental impact, risk assessment and
12 mapping, and vulnerable and marginalized groups;
- 13 tt. *International Disaster Relief and Initial Recovery Period* shall refer to the period
14 that commences upon the issuance of a request for international disaster
15 assistance or upon acceptance of an offer, and shall continue until terminated,
16 pursuant to guidelines set in the implementing rules and regulations;
- 17 uu. *Internally Displaced Persons* shall refer to persons or groups of persons who
18 have been forced or obliged to flee or to leave their homes or places of habitual
19 residence within national borders;
- 20 vv. *International Personnel* shall refer to staff and volunteers of any assisting actor
21 providing disaster relief or initial recovery assistance being persons who are
22 neither citizens of nor domiciled in the Philippines prior to their recruitment by
23 the international assisting actor;
- 24 ww. *Land Use Planning* shall refer to the process undertaken by public authorities
25 to identify, evaluate and decide on different options for the use of land,
26 including consideration of long-term economic, social and environmental
27 objectives and the implications for different communities and interest groups,
28 and the subsequent formulation and promulgation of plans that describe the
29 permitted or acceptable uses;
- 30 xx. *Legal Facilities* shall refer to entitlements and exemptions that are granted to
31 Assisting Domestic or International Actors that are declared to be eligible
32 pursuant to this Act and its implementing rules and regulations;

1 yy. *Local Disaster Resilience Plan (LDRP)* shall refer to a document prepared by an
2 LGU based on the National Disaster Resilience Framework (NDRF) and the
3 National Disaster Resilience Plan and Investment Plan (NDRPIP) that sets out
4 specific programs, objectives and goals to implement disaster risk management
5 and climate change adaptation measures at the local level. The plan includes,
6 among others, an evaluation and analysis of emerging disaster risks, hazards
7 and vulnerabilities applicable to an LGU, and specific programs and activities to
8 ensure responsive, effective, and appropriate disaster preparedness and
9 managements at the local level;

10 zz. *National Continuity Policy* shall refer to a comprehensive national policy
11 consisting of a set of programs and projects aimed at capacitating the
12 government to ensure the continuity of governance and the delivery of public
13 services during and after any disaster;

14 aaa. *National Disaster Resilience Framework (NDRF)* shall refer to a framework that
15 provides for a comprehensive, multi-sectoral, whole-of-government, and
16 whole-of-society approach to attaining safe, adaptive, and resilient
17 communities that can resist, prevent, mitigate against, absorb, accommodate,
18 adapt to, recover, or build back better form the effects of a natural hazard in
19 a timely and efficient manner through, among others, disaster risk reduction
20 and management, and climate change adaptation and mitigation. The NDRF
21 shall be composed of a National Disaster Risk Reduction and Management
22 Framework (NDRRMF), and National Framework Strategy on Climate Change
23 (NFSCC);

24 bbb. *National Disaster Resilience Plan and Investment Program (NDRPIP)* shall
25 refer to a plan formulated and implemented by the national and local
26 governments, in collaboration with NGOs, the private sector, academe,
27 international development partners, and others, in accordance with the NDRF
28 that sets out the outcomes, goals and objectives, priorities, programs and
29 corresponding action plans for disaster risk reduction, preparedness, and
30 management, and climate change mitigation. The NDRPIP shall also include,
31 among others, goals, objectives and action plans for a national continuity

1 policy.—It shall be in conformity with the national disaster risk reduction and
2 management framework.

3 ccc. *Natural Hazard* shall refer to naturally occurring physical phenomena caused
4 either by rapid or slow onset events, which can be geological (earthquakes,
5 ground rupture, liquefaction, landslides, tsunamis, sinkholes, and volcanic
6 activity), hydrological and meteorological (floods, sever winds, typhoons,
7 storm surges), climatological variability (extreme temperatures, El Niño, La
8 Niña, forest fires), or biological (disease, epidemics and insect/animal
9 plagues);

10 ddd. *Open Data* shall refer to a set of data that can be freely used, shared and
11 built-on by anyone, anywhere, for any purpose, it must be available in bulk,
12 and should be available free of charge, or at least at no more than a
13 reasonable reproduction cost. The information should be digital, preferably
14 available by downloading through the internet, and easily processed by the
15 end-user's computer. The data must permit people to use, re-use, and
16 redistribute it, including intermixing it with other data sets and distributing the
17 results. Lastly, it does not allow conditions to be places on how people can
18 use such data but permit a data provider to require that data has been
19 changed, or that any new datasets created using their data are also shared
20 as open data;

21 eee. *Pre-Disaster Recovery Plan (PDRP)* shall refer to a plan intended to help
22 government officials working in small communities or across an entire nation,
23 to define and follow a process to pre plan for disaster recovery, and thereby
24 strengthen their own future recovery efforts and outcomes;

25 fff. *Pre-Disaster Risk Assessment (PDRA)* shall refer to a process to evaluate a
26 hazard's level of risk given the degree of exposure and vulnerability in a specific
27 area likely to be affected by an imminent hazard. It presents the possible
28 impacts on the population and forms a basis to determine the appropriate level
29 of response actions from the national level government agencies down to the
30 local government units. It is hazard-specific, area focused, and time-bound;

31 ggg. *Recovery* shall refer to rehabilitation measures that ensure the ability of
32 affected communities or areas to return their normal level of functioning by

1 restoring livelihoods and services, reconstruction of damaged infrastructures
2 and increasing the communities' organizational capacity;

3 hhh. *Rehabilitation* shall refer to restoration of basic services and facilities for the
4 functioning of a community or a society affected by a disaster;

5 iii. *Response* shall refer to any effort to provide assistance or intervention during
6 or immediately after a disaster to meet the life preservation and basic
7 subsistence needs of affected people and communities; and in the restoration
8 of essential public activities and facilities;

9 jjj. *Retrofitting* shall refer to the reinforcement of upgrading of existing structures
10 to make them more resistant and resilient to the damaging effects of hazards;

11 kkk. *Risk assessment* shall refer to a methodology to determine the nature and
12 extent of risk by analyzing potential hazards and evaluating existing conditions
13 of vulnerability that together could potentially harm exposed people, property,
14 services, livelihood and the environment on which they depend;

15 lll. *Risk Transfer* shall refer to the process of formally or informally shifting the
16 financial consequences of particular risks from one party to another whereby a
17 household, community, enterprise or state authority will obtain resources from
18 the other party after a disaster occurs, in exchange for ongoing or
19 compensatory social or financial benefits provided to that other party;

20 mmm. *Safety stock* shall refer to items, such as raw materials, component parts,
21 or finished goods, maintained in inventory to reduce the risk that such item
22 will be out of stock, in anticipation of unforeseen shortages or unusual
23 demand for such items;

24 nnn. *Service Continuity* shall refer to the capacity of a government instrumentality
25 to continue delivering its mandated outputs and/or services to the public
26 during and after a disaster;

27 ooo. *State of Calamity* shall refer to a condition involving endangered to and/or
28 loss of lives, damages to property, economic and/or social disruption,
29 interruption and/or loss of livelihood and/or services, and destruction and/or
30 damages to infrastructure as a result of natural disaster(s) or related
31 hazard(s);

1 THE DEPARTMENT OF DISASTER RESILIENCE:
2 MANDATE, POWERS, AND FUNCTIONS

3 Sec. 4. *Creation of the Department of Disaster Resilience.* – There is hereby
4 created the Department of Disaster Resilience, hereinafter referred to as the
5 Department.

6 The Department shall be the principal government institution responsible for
7 ensuring safe, adaptive, and disaster-resilient communities. It shall lead, spearhead,
8 initiate, and integrate the crafting and implementation of comprehensive,
9 continuous, and strategic plans, programs, projects and activities to reduce the risk
10 of all types of natural hazards and effects of climate change, and manage the impact
11 of disasters with the primordial goal of saving lives and minimizing damage to
12 property, in close collaboration with all relevant stakeholders at the national and local
13 levels.

14 The Department shall oversee and coordinate the preparation,
15 implementation, monitoring, and evaluation of disaster and climate resilience plans,
16 programs, projects and activities, provide leadership in the continuous development
17 of strategic and systematic approaches to disaster prevention, mitigation,
18 preparedness, response, recovery and rehabilitation and anticipatory adaptation
19 strategies, measures, techniques, and options. It shall also manage and direct the
20 implementation of national, local, and community-based disaster resilience programs
21 in collaboration with relevant national government agencies, LOUs, CSOs, and other
22 stakeholders, as applicable.

23 Sec. 5. *Powers and Functions of the Department.* – The Department shall
24 exercise and perform the following powers and functions:

25 Overall functions:

- 26 1. Craft the policies and lead the implementation of the programs, projects and
27 activities necessary to reduce the country's vulnerabilities to natural hazards
28 and climate change, using the PDRP and the relevant climate change and DRR
29 frameworks as anchors;

- 1 2. Review and build upon, to the extent necessary, the existing disaster resilience
2 framework, plans and strategies in the crafting of an NDRF and the
3 corresponding NDRPIP;
- 4 3. Oversee, review, and approve the translation, integration, and implementation
5 of the NDRPIP into LDRPs;
- 6 4. Communicate and disseminate critical information to help the public prepare
7 for, respond to, and recover from a disaster;
- 8 5. Receive, manage, and administer the Disaster Resilience Fund, the Disaster
9 Contingency Fund, donations and other funds, assets and/or properties
10 received by the Department to accomplish the purposes of this Act;
- 11 6. Recommend to the President of the Philippines the declaration of a state of
12 calamity due to a natural disaster, and the lifting thereof when conditions
13 stabilize;
- 14 7. Direct any government entity to help ensure the attainment of the goals and
15 objectives of this Act;
- 16 8. Advance the country's interests relating to disaster resilience and climate
17 change in the regional and global arena;
- 18 9. Advise the President on matters concerning disaster resilience and make
19 recommendations, as appropriate; and
- 20 10. Perform such other functions, as provided by law or assignment of the
21 President, and undertake all other necessary actions to ensure the attainment
22 of the overall goals and objectives of this Act.

23 Disaster Risk Reduction;

- 24 1. Develop coordinated national, regional, and local strategies for the effective
25 prevention and mitigation of disaster risk resulting from natural hazards,
26 including the effects of climate change;
- 27 2. Monitor and ensure the integration of disaster risk reduction and management,
28 and climate change adaptation policies into national development plans;
- 29 3. Establish a disaster resilience information system to facilitate the creation of an
30 integrated risk assessment platform built from the inputs of government and
31 private scientific and academic institutions, national government agencies and
32 local government units, local communities, and other stakeholders and that is

- 1 able to provide readily accessible and actionable information for purposes of
2 risk governance and humanitarian action;
- 3 4. Formulate plans and programs to establish and implement government
4 redundancy, service and business continuity, and a National Continuity Policy,
5 as a high priority and urgent undertaking;
- 6 5. Ensure the use of advanced science and technology in anticipatory planning of
7 communities against the impact of natural hazards and climate change through
8 consultation, and employment with a regular department funding the academe
9 or higher education institutions;
- 10 6. Develop and implement policies and programs related to the construction of
11 new settlements or relocation of settlements in safe areas that shall, to the
12 extent such policies and programs relate to disaster risk reduction, mitigation,
13 prevention or building forward better, prevail over policies or decisions of other
14 government departments, government agencies, government owned or
15 controlled corporations, LGUs, and other government instrumentalities;
- 16 7. Design and implement an incentive system for greater private and public
17 investment, both at the local and national levels, on disaster risk reduction;
- 18 8. Oversee and ensure the mainstreaming of climate change adaptation and
19 disaster risk reduction in development and land use planning, and the
20 preparation of contingency plans;
- 21 9. Create an enabling environment that shall promote broader multi-stakeholder
22 participation for disaster risk reduction and climate change adaptation and
23 mitigation;
- 24 10. Communicate and disseminate critical information to help the public prepare
25 for, respond to, and recover from a disaster;
- 26 11. Establish and monitor local and national capacity for disaster risk financing and
27 insurance and other risk transfer strategies in coordination with the Department
28 of Finance (DOF), the Government Service Insurance System (GSIS), and the
29 Land Bank of the Philippines (LBP), and the Insurance Commission;
- 30 12. Coordinate directly with local government units and private entities to address
31 Disaster Risk Assessment (DRA) of regions and provinces at the meso-scale,
32 cities and municipalities at the micro-scale, and barangays at the meta-scale;

- 1 13. Review and evaluate local disaster resilience plans and other local plans to
2 ensure their consistency with the National Disaster Resilience Framework; and
- 3 14. Undertake all other programs, projects, and actions necessary to attain the
4 overall goals and intended outcome of this key result area.

5 Disaster Preparedness and Response

- 6 1. Lead, manage, and collaborate with the relevant government instrumentalities,
7 non-government stakeholders, and international partners in providing the
8 minimum basic needs of people in affected areas before, during and/or
9 immediately after a disaster to save lives and minimize casualties;
- 10 2. Ensure the efficient prepositioning of goods, maintenance, and disposal of
11 safety stocks;
- 12 3. Prepare pre-disaster recovery plans in anticipation of future disasters by
13 engaging the community and planning for recovery activities that are
14 comprehensive and long-term;
- 15 4. Establish a corps of first responders in partnership with national and local
16 stakeholders, both public and private;
- 17 5. Formulate standards for contingency planning for adoption by both national
18 government agencies and local government units;
- 19 6. Recommend to the President of the Philippines the declaration of a state of
20 calamity due to a natural disaster, and the lifting thereof when conditions
21 stabilize;
- 22 7. Oversee and maintain a national early-warning and emergency alert system
23 that must provide a specific, areas-focused and time-bound warning that are
24 accurate, timely, understandable and readily accessible to national and local
25 emergency response organizations and the general public;
- 26 8. Implement Pre-Disaster Risk Assessments to include deployment of rapid
27 assessment teams to gather information for precise actions as a basis for
28 emergency preparedness and humanitarian response;
- 29 9. Coordinate information-sharing and other disaster risk reduction protocols
30 following the principle of inter-operability among national government agencies
31 and local government units;

- 1 10. Establish and maintain a national humanitarian logistics system with a network
2 of warehouses, transport and resources, including response assets and disaster
3 relief food and non-food items;
- 4 11. Call upon the relevant government instrumentalities, non-government
5 stakeholders, CSOs, and international partners for assistance in ensuring the
6 protection and preservation of life and property such as through the use of
7 their resources and facilities, among others. This function includes the power
8 to call on the reserve force as defined in Republic Act no. 7077 to assist in
9 search and rescue, and the relief and disaster preparedness and response
10 operations;
- 11 12. Organize, train, equip, and maintain a system of response capacity for search,
12 rescue and retrieval and the delivery and distribution of relief goods;
- 13 13. Monitor and support LGUs in the management of evacuation centers and
14 ensure the welfare and dignity of internally-displaced persons;
- 15 14. Procure goods and services prior to, during, and after emergencies for
16 preparedness, response, and recovery activities, including those prompted by
17 a declaration of a state of calamity or of an imminent disaster;
- 18 15. Issue special procurement rules and regulations, in close coordination with the
19 Government Procurement Policy Board, for preparedness, response, and
20 recovery activities, including those prompted by a declaration of a state of
21 calamity or of an imminent disaster;
- 22 16. Assist in mobilizing necessary resources to increase the overall capacity of local
23 government units, specifically those with low income and situated in high-risk
24 areas;
- 25 17. By the authority of the President, secure the assistance of the Armed Forces of
26 the Philippines (APP), the Philippine National Police (PNP), DILG-Bureau of Fire
27 Protection (BFP), DOTr-Philippine Coast Guard (PCG), and other uniformed
28 services in undertaking disaster preparedness and response operations in at-
29 risk and/or disaster- affected areas; and
- 30 18. Undertake all other programs, projects, and actions necessary to attain the
31 overall goals and intended outcomes of this key result area.
- 32 Recovery and Building Forward Better;

- 1 1. Prepare, organize, lead, implement, and manage post-disaster assessment and
2 recovery and rehabilitation programs and plans, in coordination with the
3 affected local governments units, national government agencies, and other
4 stakeholders;
- 5 2. Establish a system that utilizes templates, exposure database, and other tools;
6 and develop the Department's in-house capacity for the prompt and expedient
7 preparation of rehabilitation plans, when needed, for disaster affected areas;
- 8 3. Prepare and implement the recovery and rehabilitation plan(s) for disaster
9 affected areas;
- 10 4. Implement the cluster approach to expedite reconstruction efforts, e.g., post-
11 disaster shelter recovery, and orchestrate and serve as the clearinghouse for
12 the participation of assisting actors in such efforts;
- 13 5. Collaborate with relevant government agencies and non-government
14 stakeholders in undertaking programs and projects to restore and/or generate
15 livelihood and entrepreneurial activities and opportunities in disaster-affected
16 areas;
- 17 6. Ensure that the principle of Building Forward Better, not mere restoration, is
18 applied to all recovery, reconstruction, and rehabilitation efforts; and
- 19 7. Undertake all other programs, projects, and actions necessary to attain the
20 overall goals and intended outcomes of this key result area.

21 Other Powers and Functions;

- 22 1. Constitute, call, convene and/or deputize agencies of government, and invite
23 non- government and private organizations, to assist, advise, and/or coordinate
24 with the Department to achieve the goals and purposes of this act;
- 25 2. Provide operating guidelines to the LDROs for the Declaration of Imminent
26 Disaster in their respective areas, which shall allow them to implement
27 preemptive measures and use their quick response funds in order to save lives
28 and minimize damage to property, loss of livelihood, and other assets;
- 29 3. Establish and monitor local and national capacity for disaster risk financing and
30 insurance and other risk transfer strategies in coordination with the DOF, GSIS,
31 LBP, and the Insurance Commission;

- 1 4. Coordinate information-sharing and other disaster risk reduction protocols
2 following the principle of inter-operability among National Government
3 Agencies and Local Government Units, before, during, and after a disaster;
- 4 5. Administer, mobilize, monitor, and oversee the utilization of disaster resilience-
5 related funds, including, but not limited to, the National Disaster Resilience
6 Fund and the Supplemental Disaster Resilience Support Fund for low income
7 provinces, cities, and municipalities, and multi-hazard local government units;
- 8 6. Inspect and examine the status of projects, programs, and activities
9 undertaken by national government agencies and local government units in
10 furtherance of disaster resilience efforts;
- 11 7. Whenever it becomes necessary, to save lives and/or minimize damages to
12 livelihood and property, assume supervision over the implementation of any
13 government program, project, or activity in anticipation of, during, and in the
14 aftermath of a disaster;
- 15 8. Negotiate, enter into, institutionalize, and coordinate arrangements with any
16 private person or entity for the purpose of ensuring the adequate and prompt
17 availability of goods and services necessary in anticipation of, during, and in
18 the aftermath of disasters;
- 19 9. Manage all funds appropriated to it by law and from other sources, including
20 all donations and grants received by it;
- 21 10. Promulgate rules and regulations for the receipt, management, and accounting
22 of donations that are consistent with the rules of the Commission on Audit
23 (COA) on the use of foreign and local aid during calamities and disasters;
- 24 11. Receive humanitarian assistance from local and foreign sources, recommend
25 the acquisition of developmental assistance for the purpose of disaster
26 resilience, acknowledge and certify the receipt of all humanitarian assistance,
27 and ensure their judicious use and management;
- 28 12. Establish and operate a platform, including an online platform, to monitor and
29 provide public access to information on humanitarian assistance received by
30 the Department;

- 1 13. Secure the assistance of the AFP, PNP, DILG- BFP, DOTr-PCG, and other
2 uniformed services and government instrumentalities to ensure the attainment
3 of the three key result areas, and the overall goals and objectives of this Act;
4 14. In consultation with the COA, promulgate rules and regulations for the
5 retention, re- exportation, donation, and disposition of unused goods and
6 equipment after the termination of disaster relief and initial recovery
7 operations;
8 15. Assist appropriate national government agencies and offices and concerned
9 local government units in protecting national cultural heritage including national
10 treasures and national historical landmarks, sites or monuments from hazards
11 and disasters; and
12 16. Perform such other functions, as provided by law or assignment of the
13 President, and undertake the necessary actions to ensure the attainment of the
14 overall goals and objectives of this Act.
15

16 ARTICLE III
17 EMERGENCY MEASURES

18 *Sec. 6. Emergency Measures. –*

19 a. The Department shall undertake and implement such immediate measures
20 as may be necessary to ensure the protection and preservation of life or
21 property in anticipation of, during, and in the aftermath of emergencies,
22 hazards and disasters, including preemptive and forced evacuations.

23 Local government units shall enact an ordinance on and implement
24 necessary and appropriate emergency measures, including preemptive and
25 forced evacuations, to ensure the protection and preservation of life or
26 property in anticipation of, during, and in the aftermath of disasters.

27 It shall be mandatory for Local Government Units to provide evacuation
28 centers, with due consideration to the capacity of local facilities, when
29 requested by the Department, in anticipation of, during, and in the
30 aftermath of emergencies, hazards and disasters. In providing such
31 evacuation centers, due regard shall be given to the most vulnerable and

1 marginalized groups, respecting the dignity and culture of persons,
2 observing equality, and using proportionate force in implementing such
3 emergency measures.

4 Preemptive evacuation shall be the preferred as the primary mode of
5 moving people that will be affected by disasters.

6
7 Forced evacuation shall be considered as an emergency measure of last
8 resort, and shall be carried out by the affected local government unit,
9 pursuant to a duly issued order by the local chief executive: *Provided*, That
10 in case of the failure of the local chief executive to issue such an order, the
11 forced evacuation shall be implemented by the Department, which may
12 direct and compel the assistance of law enforcement and other relevant
13 government agencies to implement such measure.

14 Any person who willfully and deliberately disregards or disobeys a
15 preemptive or forced evacuation implemented by the local government unit
16 or the Department, as the case may be, releases such local government unit
17 or the Department from any liability for injury, death, damage to, or loss of
18 property due to such disobedience.

- 19 b. Whenever necessary, the Department may recommend to the President the
20 calling out of the Armed Forces of the Philippines to prevent or suppress
21 lawless violence occurring before, during, and in the aftermath of disasters.
- 22 c. The Department may ration the distribution of basic goods in critical
23 shortage, and/or restrict or ban the transfer of such goods outside the area
24 covered by the emergency measure.
- 25 d. The Department may temporarily take over or direct the operation of any
26 private utility or business for urgent public purpose in anticipation of, during,
27 and in the aftermath of emergencies, hazards, and disasters and only when
28 there is imminent danger of loss of lives and/or damage to property, subject
29 to the payment of just compensation.
- 30 e. Local government units shall likewise enact the abovementioned emergency
31 measures including preemptive and forced evacuations, to ensure the

1 protection and preservation of life or property in anticipation of, during, and
2 in the aftermath of disaster.

- 3 f. With the concurrence of the DOF, the Department shall recommend to the
4 Monetary Board the deferment of payment for monetary debts of LGUs
5 and/or private entities that have been affected by disasters

6 ARTICLE IV
7 ORGANIZATION AND MANAGEMENT

8 *Sec. 7. The Secretary.* – The Department shall be headed by the Secretary of
9 Disaster Resilience, hereinafter referred to as the Secretary, who shall be appointed
10 by the President, subject to confirmation by the Commission on Appointments.

11 The Secretary shall preferably have a solid background in any of the scientific,
12 engineering, and public management fields relevant to resilience to natural hazards
13 and climate change; and demonstrated managerial acumen.

14 *Sec. 8. Powers and Functions of the Secretary.* – The Secretary shall exercise
15 the following powers and functions:

- 16 a. Establish and promulgate policies, rules, and regulations for the effective and
17 efficient operation of the Department and implement these to carry out its
18 mandate, functions, programs, and activities;
- 19 b. Exercise executive direction over the operations of the Department and
20 administrative supervisions over its attached agencies;
- 21 c. Exercise control and supervision over all functions and activities of the
22 Department and its officers and personnel;
- 23 d. Appoint officers and employees of the Department, except those whose
24 appointments are vested in the President, in accordance with civil service law,
25 rules, and regulations;
- 26 e. Exercise disciplinary authority over officers and employees of the Department
27 in accordance with law, and investigate such officers and employees, or
28 designate a committee or officer to conduct an investigation;

- 1 f. Manage the financial, human, and other resources of the Department;
- 2 g. Collaborate with other government agencies, the private sector, and civil
3 society organizations on the policies, programs, projects, and activities of the
4 Department, as may be necessary;
- 5 h. Advise the President on the promulgation of executive and administrative
6 issuances and the formulation of regulatory and legislative proposals on
7 matters pertaining to disaster resilience;
- 8 i. Represent the Philippines and articulate the national contribution to global,
9 regional, and other inter-governmental disaster risk reduction and
10 humanitarian platforms, in coordination with the Department of Foreign Affairs;
11 and
- 12 j. Perform such other functions as may be provided by law or assigned by the
13 President.

14 *Sec. 9. The Undersecretaries.* – The Secretary shall be assisted by at least four
15 (4) Undersecretaries, who shall be responsible for the following functional areas,
16 including the establishment of a robust and responsive ICT system to effectively
17 support the mandate and operations of the Department:

- 18 a. Disaster Risk Reduction - the formulation, adoption, and implementation of
19 policies and programs to reduce existing and future disaster risks to minimize
20 loss and damage to lives and properties, including the formulation of the
21 required policies and programs in the NDRF and relevant national investment
22 plans;
- 23 b. Disaster Preparedness and Response - the implementation of projects and
24 programs to prepare and respond to disasters, including the enhancement of
25 capabilities of local government units, the development of a database of
26 exposure or elements at risk per area and database of volunteers, the
27 establishment of safe and strategic evacuation centers, and the implementation
28 of responsive and efficient prepositioning and distribution of goods;
- 29 c. Recovery and Building Forward Better – the formulation and implementation of
30 rehabilitation plans for disaster-affected areas and ensuring the implementation
31 of disaster recovery and rehabilitation measures, such as post-disaster shelters

1 and livelihood projects, in collaboration with relevant government agencies,
2 local government units, and other stakeholders; and

3 d. Support to Operations - the formulation and implementation of policies,
4 programs, projects, and activities to ensure the efficient, effective, and
5 responsive performance of the Department's mandate, powers, and functions.
6 Support to operations includes knowledge management, institutional
7 development and planning, finance, administration, and human resources
8 management.

9 The Undersecretaries shall have operational control and supervision over the
10 bureaus, divisions, offices, and units assigned to their respective functional areas.

11 Sec. 10. *The Assistant Secretaries and Directors.* – The Department shall have
12 such number of Assistant Secretaries and Directors as may be necessary for the
13 effective and efficient implementation and performance of its mandate, powers, and
14 functions.

15 Sec. 11. *Qualifications.* – All the Undersecretaries, Assistant Secretaries, and
16 other officials of the Department shall preferably be specialists and have a good track
17 record in any of the following fields, as applicable to their mandated key result areas
18 and functions: disaster risk reduction and management, science and technology,
19 environmental science or management, urban planning, civil engineering, public
20 finance, information and communications technology, logistics management, mass
21 communication, among other fields directly relevant to ensuring the country's
22 disaster resilience. The appointing authority and other responsible officials shall
23 ensure that the Department's human resources possess the competencies, skills,
24 behavioral attributes, training and experience necessary for them to become
25 efficient, effective, and responsive in performing their functions and contribute to
26 the attainment of the overall goals and delivery of the intended outcomes of this Act.

27 Sec. 12. *Structure and Staffing Pattern.* –The Department shall determine its
28 organizational structure and staffing pattern and create such services, divisions, and

1 units, as it may require or deem necessary, subject to the approval of the Department
2 of Budget and Management.

3 Sec. 13. *Regional Disaster Resilience Offices.* – The Department shall
4 establish and maintain Regional Disaster Resilience Offices (RDROs) in each
5 administrative region, to be headed by a Regional Director. The Department shall
6 create policies and programs to establish collaboration and coordination among the
7 different RDROs.

8 Sec. 14. *Powers and Functions of RDROs.* – The RDROs shall have the
9 following powers and functions:

- 10 a. Review the LDRPs and Provincial DRPs of LGUs within its jurisdiction, and
11 require the amendment of such LDRPs and/or Provincial DRPs if necessary, to
12 ensure compliance with the NDRF and relevant national investment plans;
- 13 b. Monitor and direct LDROs and PDROs to implement their respective LDRPs and
14 PDRPs;
- 15 c. Recommend to the appropriate local legislative body the enactment of
16 ordinances to implement the LDRP, NDRF and relevant national investment
17 plans at the city, municipal or provincial level, and to comply with other
18 requirements of this Act;
- 19 d. Review reports on the utilization of the LDRF and other disaster risk and
20 management resources of LGUs within its jurisdiction, and give
21 recommendations, as necessary;
- 22 e. Disburse to, and monitor the use by, LGUs of funds granted by the Department
23 pursuant to this Act and its IRR;
- 24 f. Provide, upon the request of LGUs or unilaterally at its own discretion,
25 assistance to LGU(s) within its jurisdiction as necessary to ensure the
26 implementation of LDRPs/Provincial LDRPs, NDRF and relevant national
27 investment plans, and to render efficient and timely disaster preparedness,
28 response and recovery measures;
- 29 g. Identify and report to the Department issues and problems relating to, or
30 affecting, the disaster resilience of LGUs within its jurisdiction, and make

1 recommendations to the Department and/or to the LGUs to address such issues
2 or problems;

3 h. Formulate and establish mechanisms to mobilize and direct LDROs and PDROs
4 within its jurisdiction as necessary for disaster preparedness and response at
5 the regional level;

6 i. Establish and maintain, in coordination with the Department, a Regional
7 Command and Control Center (RCCC), which includes, among others, an
8 information management system at the regional level, which consolidates and
9 integrates information from the provinces, cities and municipalities within its
10 jurisdiction, a multi-hazard early warning and communications system, and a
11 monitoring system that enables the RDRO to oversee, supervise, monitor and
12 respond to the needs of LGUs within its jurisdiction in relation to disaster
13 resilience activities;

14 j. Assist in the implementation, of rehabilitation plan(s) for LGUs within its
15 coverage: and

16 k. Conduct other activities and act on other matters, in accordance with policies
17 and procedures of the Department and applicable laws, to achieve the purposes
18 of this Act.

19 *Sec 15. Special Disaster Response Teams.* – The RDROs may organize and/or
20 activate Special Disaster Response Teams (SDRTs) to assist LGUs in responding to
21 hazards and disasters that are beyond their capacities, as deemed necessary.

22 *Sec. 16. Local Disaster Resilience Offices.* – The Local Disaster Risk Reduction
23 Management Offices in provinces, cities, and municipalities are hereby renamed as
24 the Provincial, City, and Municipal Disaster Resilience Offices, respectively, and shall
25 collectively be called the Local Disaster Resilience Offices (LDROs). Provincial, city,
26 and municipal governments shall establish their respective LDROs.

27 The Barangay Disaster Risk Reduction and Management Committees are
28 hereby renamed as the Barangay Disaster Resilience Committees (BDRC).

29 All Local Disaster Risk Reduction Management Councils are hereby abolished.

1 The LDROs shall be under the control and supervision of the provincial governor
2 or the city or municipal mayor, as the case may be. The budgetary requirements for
3 personal services, maintenance and other operating expenditures, and capital outlay
4 of the LDROs shall be sourced from the General Fund of the local government units
5 concerned: *Provided, That, the personal services limitations under Section 325(a) of*
6 *Republic Act No. 7160, otherwise known as the Local Government Code of 1991, shall*
7 *not apply in relation to the creation and appointment of at least five (5) positions in*
8 *the LDROs. Other maintenance and operating expenditures and the capital outlay*
9 *requirements of LDROs in the implementation of disaster risk reduction management*
10 *and climate change adaptation programs shall be charged to the Local Disaster*
11 *Resilience Fund of local government units.*

12 *Sec. 17. Local Disaster Resilience Officer.* – The LDRO shall be headed by a
13 full- time Local Disaster Resilience Officer, who shall have a regular plantilla position
14 and shall be appointed by the local chief executive: *Provided, That the qualifications*
15 *standards pertaining to experience and training set by the Civil Service Commission*
16 *for the position may be waived by the Department in exceptional cases upon the*
17 *request of the local chief executive.*

18 *Sec. 18. Powers and Functions of City and Municipal Disaster Resilience Offices.*
19 – The City and Municipal Disaster Resilience Offices shall have the following powers
20 and functions:

- 21 a. Formulate and implement, in coordination with the Department, a
22 comprehensive and integrated Local Disaster Resilience Plan in accordance with
23 the NDRF and the relevant national investment plans;
- 24 b. Design, program, coordinate, and implement disaster resilience activities
25 consistent with the standards and guidelines provided by the Department, and
26 implement the NDRF and the relevant national investment plans at the city or
27 municipal level;
- 28 c. Prepare and submit to the Sangguniang Panglungsod or Bavan, as the case
29 may be, the LDRP, the proposed programming of the LDR Fund, other
30 dedicated disaster resilience resources, and other funds of the LDRO;

- 1 d. Recommend to the Sangguniang Panglungsod or Bavan, as the case may be,
2 the enactment of ordinances to implement the LDRP, NDRF, relevant national
3 investment plans, and the provisions of this Act;
- 4 e. Prepare and submit to the Department a report on the utilization of its Local
5 Disaster Resilience Fund and other disaster risk reduction and management
6 resources;
- 7 f. Establish and maintain, in coordination with the Department, an information
8 management system within the LGU, which, among others, consolidates and
9 includes local risk information (such as natural hazards, profile of the LOU's
10 vulnerable or marginalized groups), local risk maps, and a disaggregated
11 database of human resource, equipment, services, resources, directories and
12 location of critical infrastructures with their capacities (such as hospitals and
13 evacuation centers);
- 14 g. Operate and maintain, in coordination with the Department, a multi-hazard
15 early warning and communications system to provide accurate and timely
16 information to the public;
- 17 h. Organize and conduct training and knowledge management activities on
18 disaster resilience at the local level, in coordination with the Disaster Research,
19 Education, and Training Institute;
- 20 i. Recommend to the local chief executive the procurement of emergency works,
21 goods, and services in compliance with the regulations, orders, and policies of
22 DBM and Government Procurement Policy Board (GPPB), to implement the
23 LDRP or support early recovery and post-disaster activities;
- 24 j. Recommend, in coordination with the DOF and other relevant agencies, to the
25 local chief executive, access to foreign loans to finance projects, programs, and
26 policies for disaster preparedness, response, recovery, and rehabilitation,
27 subject to terms and conditions agreed upon by the local government unit and
28 the lender;
- 29 k. Monitor and mobilize instrumentalities and entities of the LGU and its partner
30 LGUs, CSOs, private sector, organized volunteers, and sectoral organizations
31 for disaster resilience activities, in accordance with policies and procedures of
32 the Department and applicable laws;

- 1 I. Coordinate and provide the necessary support or assistance to the Department
2 in the implementation of rehabilitation plan(s) within the city or municipality
3 covered by the LDRO;
- 4 m. Coordinate with the Department, other government agencies, members of the
5 private sector and other stakeholders in the LGU to establish a Business
6 Continuity Plan as part of their LDRP's disaster preparedness measures;
- 7 n. Establish linkage/network and coordination mechanisms with other LGUs and
8 the Department for disaster resilience activities and to achieve the purposes of
9 this Act; and
- 10 o. Conduct other activities and act on other matters, in accordance with policies
11 and procedures of the Department and applicable laws, to achieve the purposes
12 of this Act.

13 *Sec. 19. Powers and Functions of the Provincial Disaster Resilience Offices. —*

14 The Provincial Disaster Resilience Offices shall have the following powers and
15 functions:

- 16 a. Formulate and implement, in close coordination with the Department and the
17 local government units under the jurisdiction of the provincial government, a
18 comprehensive and integrated Provincial Disaster Resilience Plan in accordance
19 with the NDRF;
- 20 b. Review the LDRPs of cities and/or municipalities within its jurisdiction, and
21 require the amendment of such LDRPs if necessary, to ensure compliance with
22 the Provincial DRP and the NDRF;
- 23 c. Design, program, coordinate, or implement disaster resilience activities
24 consistent with the standards and guidelines provided by the Department, and
25 implement the NDRF and the relevant national investment plans at the
26 provincial level;
- 27 d. Prepare and submit to the Sangguniang Panlalawigan, the Provincial DRP, the
28 proposed programming of the province's Local Disaster Resilience Fund, other
29 dedicated disaster resilience resources, and other funding sources of the PDRO;
- 30 e. Recommend to the Sangguniang Panlalawigan the enactment of local
31 ordinances to implement the Provincial LDRP, NDRF and relevant national

1 investment plans at the provincial level, and to comply with other requirements
2 of this Act:

- 3 f. Prepare and submit to the Department, a report on the utilization of the
4 province's Local Disaster Resilience Fund and other disaster risk reduction and
5 management resources;
- 6 g. Establish and maintain, in coordination with the Department, a Provincial
7 Command and Control Center (PCCC), which includes, among others, an
8 information management system at the provincial level, which consolidates and
9 integrates information from the cities and/or municipalities within its
10 jurisdiction, a multi-hazard early warning and communications system that is
11 connected with the cities and/or municipalities within its jurisdiction, and a
12 monitoring system that enables the PDRO to oversee, supervise, monitor and
13 respond to the needs of cities and/or municipalities within its jurisdiction in
14 relation to disaster resilience activities;
- 15 h. Recommend to the Provincial Governor the procurement of emergency works,
16 goods, and services in compliance with the regulations, orders, and policies of
17 DBM and GPPB, to implement the provincial LDRP or support early recovery
18 and post-disaster activities of the PDRO;
- 19 i. Recommend, in coordination with the DOF, to the Provincial Governor to access
20 foreign loans to finance its policies, programs, projects, and activities for
21 disaster preparedness, response, recovery, and rehabilitation, subject to terms
22 and conditions agreed upon by the Provincial Government and the lender;
- 23 j. Formulate and establish mechanisms to mobilize and direct LDROs within its
24 jurisdiction as necessary for disaster preparedness and response at the
25 provincial level;
- 26 k. Coordinate and provide the necessary support or assistance to the Department
27 in the implementation of rehabilitation plan(s) within the cities and/or
28 municipalities covered by the PDRO; and
- 29 l. Conduct other activities and/or act on other matters, in accordance with policies
30 and procedures of the Department and applicable laws, to achieve the purposes
31 of this Act.

- 1 d. Facilitation or assistance in obtaining and/or processing incentives for the
- 2 private sector and other non-government stakeholders, such as but not limited
- 3 to tax credits;
- 4 e. Preparation and facilitation of the issuance of special rules for Micro, Small, and
- 5 Medium Enterprises (MSMEs) such as, but not limited to, mechanisms involving
- 6 procurement and liquidity to create enabling environments for disaster
- 7 preparedness, recovery and building forward better; and
- 8 f. Formulation of investment programs for disaster affected areas in partnership
- 9 with the private business sector and civil society organizations.

10 The MSCU shall establish a platform that includes, among others, a database
11 for monitoring and coordinating efforts and resources of stakeholders.

12 *Sec. 23. Roles and Responsibilities of Stakeholders.* – The commitment,
13 goodwill, knowledge, experience and resources of relevant stakeholders are critical to
14 realize a safer, adaptive, resilient and inclusive Filipino community. Citizens have the
15 shared vision and duty to provide support to the State in the implementation of policies
16 and programs, particularly the Disaster Resilience Framework and Disaster Resilience
17 Plan at the national, regional and local levels.

- 18 a. Civil society, non-governmental organizations, international non-governmental
- 19 organizations, private sector, practitioners, and volunteers shall participate, in
- 20 collaboration with public institutions, in the exchange of information, learnings,
- 21 and guidance on disaster resilience. The Department shall encourage and
- 22 institutionalize their engagement in the implementation of local, regional,
- 23 national, and global plans and strategies: enhance public awareness and
- 24 promote a culture of disaster resilience;
- 25 b. The women, children, and youth, as agents of change, shall endeavor to
- 26 contribute actively and participate in disaster resilience trainings and
- 27 information dissemination;
- 28 c. Senior citizens, and persons with disabilities shall contribute their knowledge
- 29 and experience on disaster preparedness and resiliency;
- 30 d. Indigenous peoples and Muslim Filipinos shall share their traditional knowledge
- 31 and practical experience on disaster resiliency;

- 1 e. Urban and rural poor, and migrants shall participate in building resilient
2 resettlement communities;
- 3 f. Emergency responders and volunteer organizations shall contribute to
4 resilience by promptly and efficiently responding to disasters and emergencies
5 consistent with the policies of the Research, Education and Training Institute
6 of the Department;
- 7 g. Academia, scientific and research entities, and networks are encouraged to
8 undertake relevant research on disaster resiliency in partnership with the
9 Department and other stakeholders for better decision-making;
- 10 h. The private sector is encouraged to integrate disaster resiliency projects and
11 programs in their corporate social responsibility initiatives; and
- 12 i. The media shall provide prompt and accurate information to the public on early
13 warning systems, natural hazards, and disaster resilience activities of the
14 Department.

15 *Sec. 24. Disaster Resilience Assembly.* – The Department, with the assistance
16 of RDROs, shall establish and convene a Disaster Resilience Assembly (DRA), at the
17 regional and national level, which will be held on a semestral basis, or as frequently
18 as necessary to ensure the proactive engagement of the relevant government and
19 non-government stakeholders, such as the Union of Local Authorities of the Philippines
20 (ULAP), League of Municipalities of the Philippines (LMP), CSOs, academe, DRRM
21 practitioners, the private sector, and the national government agencies, among
22 others, to ensure effective collaboration towards achieving the goals of this Act.

23 The LGUs may convene local DRAs within their jurisdictions, as necessary for
24 the attainment of disaster resilience at the local level.

25 *Sec. 25. Inter-operability of Systems.* – The Department shall establish
26 mechanisms to ensure the inter-operability of systems among government agencies,
27 and to allow access of agencies to the IDRIS (Integrated Disaster Resilience
28 Information System). It shall develop protocols to allow real-time access to
29 information by government agencies in relation to natural disasters and the
30 implementation of disaster resilience measures.

1 within one (1) year from the approval of this Act, and act as the primary operator of,
2 the National Disaster Operations Center (NDOC), Alternative Command and Control
3 Centers (ACCCs), and a Disaster Resilience Research and Training Institute (DRRTI).

4 The NDOC is a physical center equipped with the necessary tools and systems
5 to monitor, manage, and respond to disasters in all areas of the country. The NDOC
6 shall also provide the necessary support for the overall coordination and
7 implementation of emergency and disaster response measures throughout the
8 country.

9 The ACCCs are command centers established in other locations as alternative
10 or to provide supplemental support to the NDOC. The number and location of ACCCs
11 shall be determined by the Department as may be necessary in each of the country's
12 major island groups. Temporary ACCC may likewise be established by the Department,
13 if necessary.

14 *Sec. 30. DRRTI functions and inter-agency knowledge sharing.* – The DRRTI
15 shall be a platform for providing training, and for collecting, consolidating, managing,
16 analyzing, and/or sharing knowledge and information to improve and/or enhance
17 disaster resilience. The DRRTI shall:

- 18 *a.* Establish reliable and up-to-date IDRIS through close and seamless
19 collaboration with the Department of Science and Technology (DOST),
20 Department of Information and Communications Technology (DICT), and other
21 appropriate agencies;
- 22 *b.* Conduct disaster-related research programs, seminars, and trainings for all
23 types of stakeholders;
- 24 *c.* Consolidate, organize and/or prepare training materials and publications;
- 25 *d.* Conduct other activities consistent with promoting the formation and
26 dissemination of knowledge and information relating to disaster resilience and
27 disaster management;
- 28 *e.* Establish a database that includes relevant information from other government
29 agencies and third parties for the department to better prepare and respond to
30 natural hazards including, but not limited to, an inventory of hazardous
31 materials per area; and

1 f. Consult and coordinate with, and consolidate information/data from, relevant
2 government agencies, such as, but not limited to, DOST, LGUs and relevant
3 CSOs to enhance the IDRIS and to promote knowledge sharing among all
4 stakeholders.

5 *Sec. 31. Compliance and Accreditation of DRRTI with International Standards.*
6 – The Department shall strive to obtain certification from, and accreditation by,
7 international accreditation bodies of the DRRTI to ensure DRRTI's compliance with
8 international standards. The Department shall likewise ensure collaboration with key
9 countries and international organizations to incorporate best practices on disaster
10 resilience in the Department's policies and programs.

11
12 **ARTICLE VIII**
13 **INTEGRATION, MAINSTREAMING**
14 **DISASTER RESILIENCE INFORMATION,**
15 **EDUCATION AND COMMUNICATION CONVERGENCE**

16 *Sec. 32. Integrated Disaster Resilience Information System.* – The Department
17 shall establish a National and Regional Information Management System for Disaster
18 Resilience, which shall be a database of all relevant disaster risk reduction and climate
19 change data, including a geographic information system on geo-hazard assessments
20 and climate risk. It shall be the repository of current and multi- temporal information
21 for wide-scale disaster risk analysis. The IDRIS shall be accessible at all times to the
22 responsible officials and entities to enable the timely, reliable, and accurate collection,
23 processing, analysis, and dissemination of information to support overall decision-
24 making and effective coordination at both the national and sub-national level. The
25 protocols and procedures for this shall be defined in the IRR of this Act.

26 *Sec. 33. Disaster Resilience Education and Training.* – To instill a culture of
27 safety and security including emergency preparedness and disaster resiliency, the
28 Department, in partnership with the public and private sectors shall encourage the
29 inclusion of appropriate information on disaster resilience in their various training

1 programs and immersion activities. The Information Education and Communication
2 materials on disaster resilience shall be informative and holistic, gender, culture and
3 disability sensitive using various available platforms.

4 ARTICLE IX
5 DISASTER RISK TRANSFER,
6 INSURANCE AND INCENTIVES

7 *Sec. 34. Disaster Risk Transfer Insurance and Social Welfare. –*

- 8 a. The Department shall oversee all disaster risk-sharing and risk-transfer
9 instruments and other related initiatives to ensure the protection of property
10 and livelihood, both public and private.
- 11 b. The Department, in collaboration with the DOF, BSP, LBP, GSIS, and the
12 Insurance Commission, shall create, establish, and implement, among
13 others, disaster insurance pools, revolving funds, insurance and risk-
14 transfer schemes and/or facilities, and other financial disaster resilience
15 measures to ensure the protection of public and/or private properties and
16 livelihood against the adverse effects of natural disasters. For this purpose,
17 the Department and/or DOF may engage or require the participation of
18 government banks, insurance agencies and financial institutions.
- 19 c. To attain disaster resilience and to achieve the purposes of this Act, the
20 Department shall have the discretion and authority to require government
21 agencies and GOCCs to insure their assets and/or properties such as, among
22 others, vessels, vehicles, equipment, machineries, permanent buildings,
23 properties stored therein, or properties in transit, against insurable risks and
24 pay the premiums therefor, to compensate the Government and/or GOCC,
25 as applicable, for any damage to, or loss of properties due to a natural
26 disaster.
- 27 d. The Department shall endeavor the local government units to insure primary
28 assets for unforeseen or contingent potential losses, damages and
29 disruption from natural hazards chargeable against their respective Local
30 Disaster Resilience Fund (LDRF).

- 1 b. The Department shall formulate and implement multi-hazard early warning
2 protocols integrating all disaster preparedness systems in collaboration with
3 local executives, community-based organizations, civil society organizations,
4 and other non-governmental organizations for proper use and application.

5 *Sec. 38. Early Warning Mandate. –*

- 6 a. The Department shall issue an integrated early warning alert for the impending
7 occurrence of hazards that will enable the public to prepare timely and act
8 appropriately to minimize potential harm or loss.
- 9 b. The Department shall require mobile phone service providers to send out alerts
10 at regular intervals in the event of an impending natural hazard, in accordance
11 with Republic Act No.10639, otherwise known as the "Free Mobile Disaster
12 Alerts Act".
- 13 c. The Department shall recognize and proactively support local or indigenous
14 modes of early warning systems and allow open access to near real-time data
15 from both local and international sources made available through various
16 platforms such as websites, mobile apps, and social media to empower local
17 communities and individuals.
- 18 d. Any person who transmits early warning concerning the abovementioned
19 phenomena by means of signs in designs, colors, lights, or sound shall do so in
20 compliance with the methods recognized or approved by the Department.
- 21 e. The Department at the national and local level shall use an integrated early
22 warning system to ensure it is consistent and locally contextualized with the
23 communication protocol and safe evacuation procedure of the affected
24 communities.
- 25 f. The Department shall work with other agencies or organizations on pre-crisis
26 information mapping of the humanitarian needs of at-risk Communities that will
27 enhance the overall prepositioning of resources at the national and local level.
- 28 g. The Department shall recognize and proactively support local or indigenous
29 modes of early warning systems and allow open access to near real-time data
30 from both local and international sources made available through various

1 platforms such as websites, mobile apps, and social media to empower local
2 communities and individuals.

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4 **ARTICLE XI**
5 **DISASTER RESPONSE AND EARLY RECOVERY**

6 *Sec. 39. Declaration of State of Calamity.* - The Department shall declare a
7 cluster of barangays, municipalities, cities, provinces, and regions under a state of
8 calamity, and the lifting thereof, based on the criteria set by the Department.

9 The declaration and lifting of the state of calamity may also be issued by the
10 local Sanggunian, upon the recommendation of the LDRO, based on the results of the
11 damage assessment and needs analysis: *Provided*, That through the Department, the
12 LDRO may seek from the local legislative body or Sanggunian, the declaration of a
13 state of imminent disaster to enable the local executives to implement pre-emptive
14 evacuation and precautionary measures in order to save lives and minimize damage
15 to property, loss and disruption of livelihood that require the use of funds and
16 resources under the LDRF.

17 *Sec. 40. Levels of Responsibility for Disaster Preparedness and Response.* –
18 The primary responsibility for disaster preparedness and response shall be exercised
19 at the local or national level, as applicable, in close and seamless collaboration with
20 the relevant national government instrumentalities, non-government stakeholders,
21 and international partners. The four levels of responsibility and the conditions that
22 warrant each are as follows:

LEVELS OF RESPONSIBILITY	RESPONSIBLE OFFICIALS	CONDITIONS
Level 1: City or Municipality	Lead Official: Mayor of the affected city or municipality Support: City or Municipal Disaster Resilience Officer	If a disaster affects a single city or municipality

<p>Level 2: Province</p>	<p>Lead Official: Provincial Governor of the affected province</p> <p>Support: Provincial Disaster Resilience Officer</p> <p>Municipal and/or City Disaster Resilience Officers concerned</p>	<p>If a disaster affects two or more municipalities and/or cities within a province</p>
<p>Level 3: Region</p>	<p>Lead Official: Regional Director, DDR</p> <p>Support: Governors of affected provinces</p> <p>Concerned Provincial Disaster Resilience Officers</p>	
<p>Level 4: National</p>	<p>Lead Official: Secretary of Disaster Resilience (SDR)</p> <p>Support: Governors concerned</p> <p>Disaster Resilience Officers concerned</p>	<p>a. If a disaster affects at least two (2) regions;</p> <p>b. When the LGU is unable to effectively cope with the risk and/or impact of a hazard; or</p> <p>c. When the President directs a Level 4 response or declares a state of calamity.</p>

1 Sec. 41. *Disaster Preparedness and Response in the NCR.* – When at least two
2 cities and/or municipality in the NCR are affected, the SDR shall be responsible for
3 leading the disaster preparedness and response efforts, in collaboration with the
4 affected LGUs, the MMDA, and the concerned government instrumentalities and non-
5 government stakeholders.

1 Sec. 42. *Inter-Local Government Assistance.* – LGUs are hereby authorized to
2 extend the necessary assistance to another LGU, whether through funding or donation
3 of goods and/or services, and conducting disaster preparedness and response
4 operations, to help save lives and minimize damage to property. These include the
5 pre-positioning and provision of basic goods, training of first responders, among
6 others, subject to the accounting and auditing rules to be defined in the IRR of this
7 Act.

8 Sec. 43. *Accreditation, Mobilization, and Protection of Disaster Volunteers and*
9 *National Service Reserve Corps, CSOs and the Private Sector.* – The government
10 agencies, CSOs, private sector and LGUs may mobilize individuals or organized
11 volunteers to augment their respective personnel complement and logistical
12 requirements in the delivery of disaster risk reduction programs and activities. The
13 agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for
14 the enhancement, welfare and protection of volunteers, and shall submit the list of
15 volunteers to the Department, through the LDROs, for accreditation and inclusion in
16 the database of community disaster volunteers.

17 A national roster of Accredited Disaster Resilience Volunteers and Institutions,
18 National Service Reserve Corps, CSOs and the private sector shall be maintained by
19 the Department through the LDROs. Accreditation shall be done at the municipal or
20 city level.

21 The mobilization of volunteers shall be in accordance with this Act and
22 implementing guidelines to be formulated by the Department. Any volunteer who
23 incurs death or injury while engaged in any of the activities defined under this Act
24 shall be entitled to compensatory benefits and individual personnel accident insurance
25 as may be defined in the IRR.

26 Sec 44. *Reporting of Humanitarian Assistance.* – The concerned local
27 government unit shall submit a report to the Department, taking into account all
28 domestic or international humanitarian assistance received and distributed within its
29 area of responsibility.

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ARTICLE XII
HUMANITARIAN ASSISTANCE

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Sec. 45. *Management of Humanitarian Assistance.* –

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- a. The Department shall have the power to receive and manage humanitarian assistance from any person or entity, whether from local or international sources.
- b. The importation by, and humanitarian assistance to, the Department of, among others, food, clothing, medical assistance, equipment, and materials for relief, recovery and other disaster management activities are hereby authorized in accordance with Section 105 of the Tariff and Customs Code of the Philippines, as amended, and the prevailing provisions of the General Appropriations Act covering national internal revenue taxes and import duties of national and local government agencies.

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Sec. 46. *International Humanitarian Assistance.* – The Department shall promulgate guidelines on international humanitarian assistance, including the initiation, entry, facilitation, transit, regulation and termination thereof, as well as those involving international disaster relief and personnel assisting international actors, visa waiver, recognition of foreign professional qualifications, entry of international disaster goods and equipment, and exemption from port duties, taxes, and restrictions.

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Sec. 47. *Assessment of the Need for International Humanitarian Assistance.* –

- a. Immediately after the declaration of a state of calamity by the local sanggunian of the relevant local government unit or by the Department, as the case may be, the Department shall determine whether domestic capacities are likely to be sufficient to attend to the needs of affected persons for international humanitarian assistance. This determination may also be made, at the discretion of the President, prior to the onset of an imminent disaster.

- 1 b. In the event of a determination by the Department that domestic response
2 capacities are not likely to be sufficient due to the impact of the disaster,
3 the Department shall recommend to the President that a request be made
4 for international humanitarian assistance.
- 5 c. A determination that domestic capacities are likely to be sufficient and that
6 international humanitarian assistance is therefore unnecessary may be
7 reviewed and rescinded by the Department, with the approval of the
8 President, at any time, in light of prevailing circumstances and available
9 information.

10 *Sec. 48. Humanitarian Assistance Action Center.* – The Department shall create
11 an inter-agency one-stop shop mechanism called the Humanitarian Assistance Action
12 Center (HAAC) for the processing and release of entry and facilitation of goods, articles
13 or equipment and services and international relief workers for the provision of
14 international humanitarian assistance and the processing of necessary documents for
15 assisting international actors.

16 The Department shall lead and manage the HAAC, which shall be composed of
17 the following:

- 18 a. Bureau of Customs;
19 b. Department of Foreign Affairs;
20 c. Department of Social Welfare and Development;
21 d. Department of Health;
22 e. Food and Drug Administration;
23 f. Department of Agriculture;
24 g. Department of Energy;
25 h. Department of National Defense;
26 i. Philippine National Police;
27 j. Philippine Coast Guard; and
28 k. Bureau of Immigration.

29 *Sec. 49. Request for international Humanitarian Assistance.* –

- 30 a. In cognizance of the urgency, criticality and intensity of an imminent risk,
31 the Department shall issue a flash appeal to the family of nations, under

1 regional and multilateral conventions, for assistance in preparedness,
2 including preemptive measures, search, rescue, and retrieval, relief,
3 recovery, and reconstruction.

- 4 b. The President may request international humanitarian assistance, upon the
5 advice of the Secretary. Such request may be specifically directed to
6 particular assisting international actors or may be a general request directed
7 to the international community.

8 *Sec. 50. Regulation of Humanitarian Assistance. –*

- 9 a. The Department shall ensure the efficient and effective monitoring of
10 humanitarian assistance from domestic or international donors, establish
11 and operate a platform, including an online platform, to facilitate, and
12 provide public access to information on donations.
- 13 b. The Department shall include in the IRR of this Act guidelines and
14 accountabilities on the receipt, management, distribution, accounting, and
15 reporting of all humanitarian assistance, whether in cash or in kind,
16 consistent with the rules on the use of foreign and local aid during calamities
17 and disasters issued by the COA and other relevant government agencies.

18
19 ARTICLE XIII

20 OFFER AND FACILITATION OF HUMANITARIAN ASSISTANCE
21 TO FOREIGN STATES

22 *Sec. 51. Offer and Facilitation of International Humanitarian Assistance to*
23 *Foreign States. -* In the event of a disaster occurring in a foreign state for which
24 international humanitarian assistance is required, the Department, in coordination
25 with the DFA, may offer, facilitate. provide, and deploy international humanitarian
26 assistance to said foreign state, which shall be subject to guidelines to be promulgated
27 by the Department for the purpose.

28 *Sec. 52. Accreditation. -* The Department, in coordination with relevant
29 government agencies and organizations, shall provide and facilitate the necessary

1 training and accreditation to the respective government personnel to be deployed for
2 such offer, facilitation and provision of international humanitarian assistance to a
3 foreign state.

4 ARTICLE XIV
5 RECOVERY

6 Sec. 53. *Standards for Recovery.* – The Department shall observe
7 internationally accepted standards for recovery, planning, programming and
8 implementation of the recovery process. Towards this end, the Department shall:

- 9 a. Improve the community's physical, social and economic resilience,
10 consistent with the principle of "building forward better";
- 11 b. Use locally-driven, centrally-supported processes based on legal mandates
12 with supplementary capacity support when requested;
- 13 c. Redirect development outside danger zones to minimize loss of lives and
14 structures resulting from typhoons, flooding, landslides, and other hazards
- 15 d. Employ outcome-driven planning and implementation;
- 16 e. Maximize use of Private-Public sector partnership where possible;
- 17 f. Consider local conditions such as culture, security situation and existing
18 capacities of communities in identifying programs and projects;
- 19 g. Ensure access to public transport, physical and mental health services,
20 markets, schools, sustainable livelihoods, and other public services in
21 planning for settlement areas; and
- 22 h. Ensure restoration of peace and order and recovery of government
23 functions.

24 ARTICLE XV
25 REMEDIAL MEASURES UNDER STATE OF CALAMITY

26 Sec. 54. *Declaration of State of Calamity.* – A state of calamity may be declared
27 when any of the following requisites are present:

- 1 a. A natural hazard, including climate change, poses imminent threat to human
- 2 life and/or danger to property; or
- 3 b. A significant impact is caused by a natural hazard or climate change, which
- 4 demands immediate action.

5 The following shall exercise this power, respectively:

- 6 a. The President, upon recommendation of the SDR, whether in whole or part
- 7 of an area;
- 8 b. The SDR, upon recommendation of the RDRO, for disasters covering two or
- 9 more provinces of the same region; and
- 10 c. The local sanggunian, upon recommendation of the concerned local disaster
- 11 resilience office, within its jurisdiction.

12 *Sec. 55. Remedial Measures under State of Calamity.* – Upon the declaration of

13 a state of calamity, the following remedial measures shall be immediately undertaken

14 by concerned government agencies at the national and local levels:

- 15 a. Imposition of price ceiling on basic necessities and prime commodities by
- 16 the Price Coordinating Council (PCC), as provided for under Republic Act no.
- 17 7581. otherwise known as the "Price Act", as amended by Republic Act no.
- 18 10623;
- 19 b. Monitoring, prevention and control by the Local Price Coordination Council
- 20 of overpricing or profiteering and hoarding of prime commodities, medicines
- 21 and petroleum products;
- 22 c. Programming or reprogramming of funds for the repair of critical facilities
- 23 or public infrastructures that are vital for the quick delivery of humanitarian
- 24 assistance, to reduce further threat to lives and arrest further deterioration
- 25 of properties and loss of livelihoods in the affected communities, following
- 26 the "build forward better" principle;
- 27 d. Grant of no-interest loans by government financing or lending institutions
- 28 to the most vulnerable and marginalized groups or individuals;
- 29 e. Local tax exemptions, incentives or reliefs under such terms and conditions
- 30 as may be deemed necessary by the affected local government unit; and

- 1 f. Use of alternative modes of procurement under Article XVI of this Act, by
2 the Department, LGUs or the relevant government instrumentalities in
3 relation to the urgent procurement of emergency works, goods or services
4 to effectively respond to, quickly recover from disasters, and build forward
5 better.

6 ARTICLE XVI
7 PROCUREMENT

8 Sec. 56. *Procurement.* – In general, the procurement rules provided under
9 Republic 31 32 Act No. 9184, otherwise known as the "Government Procurement
10 Reform Act", shall apply. However, alternative modes of procurement as provided in
11 this Act may be resorted to by the Department, RDROs, or LGUs in any of the following
12 emergency situations:

- 13 a. There is imminent danger to life or property during a state of calamity, as
14 provided under this Act, and the procurement is necessary to avert or
15 reduce such danger to life or property; or
16 b. The procurement is necessary to restore vital public services, infrastructure
17 facilities and other public utilities; or
18 c. Time is of the essence in implementing a project, program or activity to
19 effectively respond to a disaster and save lives or
20 d. There are other circumstances that require immediate procurement
21 necessary to prevent damage to or loss of life or property.

22 Sec. 57. *Alternative Modes of Procurement.* – During emergency situations as
23 provided under this Act, the Department, RDROs or LGUs may resort to the following
24 modes of procurement:

- 25 a. Direct negotiation under Republic Act No. 9184, otherwise known as the
26 "Government Procurement Reform Act", and its implementing rules and
27 regulations;
28 b. Simplified or pre-arranged contracts such as, among others, pre-signed
29 agreements, stand-by contracts, pre-arranged systems of procurement with

1 a pre-approved list of contractors for construction projects, pre-negotiated
2 contracts, advanced procurements contracts, and framework contracts. The
3 parameters, requirements and conditions for these types of contracts shall
4 be defined in this Act's IRR.

5 *Sec. 58. Special Rules on Procurement for Reconstruction and Rehabilitation of*
6 *Affected Areas. –*

- 7 a. The Department, with the assistance of, or in collaboration with, relevant
8 government agencies, shall create special rules on procurement for services,
9 goods, and materials to be used for reconstruction and rehabilitation efforts
10 in case of a natural disaster, including but not limited to, the construction
11 of post-disaster shelters and provision of service contracts, to ensure the
12 procurement of quality-oriented goods, materials, and equipment and to
13 guarantee effective, efficient, and speedy procurement to achieve the goals
14 of this act.
- 15 b. In case of procurement of services, goods, or materials for reconstruction
16 and rehabilitation efforts, whether from local or international sources, the
17 Department and the relevant government agencies shall provide less
18 bureaucratic restrictions, more flexible procurement policies, or exemption
19 from, or reduction of, customs duties.

20 *Sec. 59. Procurement from Qualified Suppliers or Contractors. –*As an exception
21 to the provisions of Republic Act No. 9184, otherwise known as the "Government
22 Procurement Reform Act", and its implementing rules and regulations, the Department
23 shall have the power to procure goods and services from either local or foreign
24 suppliers or contractors for purposes of implementing programs, projects, and
25 activities related to disaster resilience and disaster management. The conditions,
26 limitations, application processes, eligibility requirements and assessment criteria for
27 local and foreign suppliers and contractors shall be provided in this Act's IRR.

28 *Sec. 60. Pre-Arranged Contracts or Agreements with Private Sector Entities. –*
29 Notwithstanding Republic Act No. 9184, otherwise known as the "Government

1 *Sec. 64. Special Rules on Tax and Duties.* – To facilitate prompt, efficient and
2 effective response to, recovery from disasters, and building forward better in disaster-
3 affected areas, the following shall be granted special exemptions from existing
4 taxation laws, rules, and regulations:

- 5 a. Exemption from taxes and import duties for foreign disaster assistance or
6 international donations coursed through the Department;
- 7 b. Exemption from donor’s tax and allowing the treatment of donations as a
8 deductible expense for local disaster assistance coursed through the
9 Department;
- 10 c. Exemption from the Value Added Tax (VAT) for goods or services donated
11 from abroad as coursed through the Department;
- 12 d. Tax incentives to encourage members of the private sector to render aid or
13 provide disaster assistance, and/or to invest in disaster resilience and
14 climate change adaptation and mitigation measures for their residences,
15 communities and/or businesses.

16 LGUs may also implement local tax rules that would grant disaster victims
17 reasonable reduction, exemption, or deferment of local taxes or other types of tax
18 assessments; or take other necessary action at the local level to provide tax relief to
19 disaster victims.

20 *Sec. 65. Customs Duties and Tariffs on Donations.* – The BOC shall create rules
21 that would, among others, hasten the processing and release of donated goods and
22 equipment to disaster victims and/or affected areas.

23 *Sec. 66. Economic Recovery and Development of Disaster-Prone Areas.* – The
24 Department, in coordination with the Department of Trade and Industry (DTI) and
25 other relevant agencies, shall craft policies, and implement the necessary programs
26 and projects to stimulate economic activities and encourage investments to assist
27 disaster-affected areas develop or recover faster, as applicable.

28 The Department, in collaboration with the relevant LGUs and other
29 stakeholders, shall likewise establish dual purpose structures in disaster-affected
30 areas, such as, among others. community agricultural centers, classrooms, and water

1 harvesting tanks to develop and promote investments in disaster-prone or affected
2 areas.

3 ARTICLE XVIII

4 PROHIBITED ACTS AND PENALTIES

5 Sec. 67. *Prohibited Acts.* – Any public official, private person, group or
6 corporation who commits any of the following prohibited acts shall be held liable and
7 be subjected to the criminal and administrative penalties as provided for in Section 71
8 of this Act, without prejudice to the imposition of other criminal, civil and
9 administrative liabilities under existing laws.

10 a. Prohibited Acts of Public Officials. - The following acts, if committed by
11 public officials without justifiable cause, shall be considered as gross neglect
12 of duty:

- 13 1. Dereliction of duties that leads to destruction, loss of lives, critical
14 damage of facilities and misuse of funds;
- 15 2. Failure to enforce laws, standards, or regulations such as the
16 National Building Code, Solid Waste Management Act, Water Code,
17 and other relevant laws, leading to destruction, loss of lives, and/or
18 critical damage of facilities;
- 19 3. Failure to create a functional LDR Office within six (6) months from
20 the approval of this Act;
- 21 4. Failure to appoint a permanent local disaster resilience officer within
22 six (6) months from approval of this Act;
- 23 5. Failure to prepare and implement a Contingency and Adaptation Plan
24 for hazards frequently occurring within their jurisdictions;
- 25 6. Failure to formulate and implement the LDRP with the corresponding
26 budget allocation; and
- 27 7. Sexual exploitation and abuse and other forms of sexual misconduct
28 on the affected population or at-risk communities.

29 b. Prohibited Acts of Public Officials and Private Persons or Institutions. –

- 1 1. Delay, without justifiable cause in the delivery, proper handling or
2 storage of aid commodities, resulting to damage or spoilage; (2)
- 3 2. Withholding the distribution of relief goods due to (i) political or
4 partisan considerations; (ii) discrimination based on race, ethnicity,
5 religion, or gender; and (iii) other similar circumstances;
- 6 3. Preventing the entry and distribution of relief goods in disaster-
7 stricken areas. including appropriate technology, tools, equipment,
8 accessories, disaster teams or experts;
- 9 4. Buying, for consumption or resale, from disaster relief agencies any
10 relief goods, equipment or other and commodities, which are
11 intended for distribution to disaster-affected communities;
- 12 5. Buying, for consumption or resale, from the recipient disaster
13 affected persons any relief goods, equipment or other aid
14 commodities received by them;
- 15 6. Selling of relief goods, equipment or other aid commodities, which
16 are intended for distribution to disaster victims;
- 17 7. Forcibly seizing relief goods, equipment or other aid commodities
18 intended for or consigned to a specific group of victims or relief
19 agency;
- 20 8. Diverting or misdelivery of relief goods, equipment or other aid
21 commodities to persons other than the rightful recipient or
22 consignee;
- 23 9. Accepting, possessing, using or disposing relief goods, equipment or
24 other aid commodities not intended for nor consigned to him or her;
- 25 10. Misrepresenting the source of relief goods, equipment or other aid
26 commodities by:
 - 27 i. Either covering, replacing or defacing the labels of the
28 containers to make it appear that the goods, equipment or
29 other aid commodities came from another agency or persons;
 - 30 ii. Repacking the goods, equipment or other aid commodities
31 into containers with different markings to make it appear that
32 the goods came from another agency or persons or was

1 released upon the instance of a particular agency. person, or
2 persons; and

3 iii. Making false verbal claim that the goods, equipment or other
4 and commodity in its untampered original containers actually
5 came from another agency or persons or was released upon
6 the instance of a particular agency, person, or persons;

7 11.Substituting or replacing relief goods, equipment or other aid
8 commodities with the same items or inferior/cheaper quality;

9 12.Illegal solicitations by persons or organizations representing others
10 as defined in the standards and guidelines set by the Department;

11 13.Deliberate use of false at inflated data in support of the request for
12 funding, relief goods, equipment or other aid commodities for
13 emergency assistance or livelihood projects;

14 14.Stealing, taking, or processing of any of the equipment, accessories
15 and other vital facility or items or any part thereof;

16 15.Selling or buying stolen equipment, accessories, and other vital
17 facility items or any part thereof;

18 16.Tampering with or stealing hazard monitoring and disaster
19 preparedness equipment and paraphernalia;

20 17.Attempting to commit any of the abovementioned prohibited acts;
21 and

22 18.Benefitting from the proceeds or fruits of any of the abovementioned
23 prohibited acts knowing that the proceeds or fruits are derived from
24 the commission of said prohibited acts.

25 *Sec. 68. Penalties.* – Any individual, corporation, partnership, association or
26 other juridical entity that commits any of the prohibited acts in the preceding section
27 shall be made liable for the following:

28 a. The penalty of imprisonment of not less than twelve (12) years but not more
29 than fifteen (15) years or a fine of not less than One Million Pesos (Php
30 1,000,000.00) but not more than Three Million Pesos (Php3,000,000.00), or
31 both imprisonment and fine at the discretion of the court shall be imposed

1 upon any person found guilty of violating subsections (a)(1) to (b)(16) of
2 the preceding section, as well as the confiscation or forfeiture in favor of
3 the government of the objects and the instrumentalities used in the
4 commission of the prohibited acts;

5 b. The penalty of imprisonment of not less than six (6) years but not more
6 than eight (8) years or a fine of not less than Five Hundred Thousand Pesos
7 (Php 500,000.00) but not more than One Million Pesos (Php 1,000,000.00),
8 or both imprisonment and fine at the discretion of the court, shall be
9 imposed upon any person who attempts to commit any of the prohibited
10 acts in the preceding Section, in violation of Subsection (b)(17) thereof;

11 c. The penalty of imprisonment of not less than two (2) years but not more
12 than six (6) years or a fine of not less than Two Hundred Thousand Pesos
13 (Php 200,000.00) but not more than Five Hundred Thousand Pesos (Php
14 500,000.00), or both imprisonment and fine at the discretion of the court,
15 shall be imposed upon any person found guilty of unlawfully benefiting from
16 the proceeds or fruits of any of the prohibited in the preceding section, in
17 violation of subsection (b)(18) thereof;

18 d. Aside from the penalty of fine or imprisonment or both, perpetual
19 disqualification from public office shall be imposed if the offender is a public
20 officer, along with the confiscation or forfeiture in favor of the government
21 of the objects and the instrumentalities used in the commission of any of
22 the prohibited acts in the preceding section;

23 e. If the offender is a corporation, partnership or association, or other juridical
24 entity, the penalty shall be imposed upon the officer or officers of the
25 corporation. partnership, association or entity responsible for the violation
26 without prejudice to the cancellation or revocation of these entities'
27 registration, license or accreditation issued to them by any licensing or
28 accredited body of the government. If such offender is an alien, he or she
29 shall, in addition to the penalties prescribed in this act, be deported without
30 further proceedings after service of sentence;

31 f. Payment of the full cost of repair or replacement of the government risk
32 reduction and preparedness equipment, accessories and other vital facility

1 items, or any part thereof; which is the object of the crime shall likewise be
2 imposed upon any person who shall commit any of the prohibited acts in
3 the preceding Section; and

- 4 g. The prosecution for offenses set forth under the preceding section shall be
5 without prejudice to any criminal liability for violation of Republic Act No.
6 3815, as amended, otherwise known as the "Revised Penal Code", and other
7 existing laws, as well as the imposition of applicable administrative or civil
8 liabilities.

9 *Sec. 69. Liability for Unlawful Performance of Duties and State Liability in case*
10 *of Defense Litigation.* – In case a lawsuit is filed against any personnel of the
11 Department as a result of the performance of his or her duties, and such performance
12 was found to be lawful, or she shall be reimbursed by the Department for reasonable
13 costs of litigation. For this purpose, the Department is authorized to procure applicable
14 liability insurance for its officers and employees.

15 *Sec. 70. Disciplinary Powers of the President.* – The President, subject to the
16 recommendation of the Department Secretary and the Department of the Interior and
17 Local Government (DILG), shall have the power to impose administrative sanctions
18 against local chief executives and barangay officials for willful or negligent acts that
19 relate to the implementation of, or compliance with, this Act and its IRR or relating to
20 their official functions, which adversely affect disaster resilience projects such as, but
21 not limited to, delayed issuance of permits or failure to implement local ordinances.

22 ARTICLE XIX
23 DISASTER RESILIENCE FUND

24 *Sec. 71. Appropriations and Management of Disaster Resilience Fund.* – The
25 budget of the Department shall be composed of the following, which shall be
26 collectively called the Disaster Resilience Fund:

- 27 a. Annual General Appropriations - shall provide the funding requirements for,
28 among others, research, operations, maintenance, plans, and programs of

1 the Department of Disaster Resilience, including, but not limited to,
2 establishment of evacuation centers, retrofitting of structures,
3 establishment of emergency operating centers, and implementation of other
4 disaster risk reduction projects.

5 b. Disaster Contingency Fund - shall be in a lump-sum form to provide funds
6 in case of imminent hazards or actual disasters for, among others,
7 immediate response, relief and quick recovery measures for disaster
8 affected areas.

9 c. Rehabilitation and Recovery Fund - shall provide the funding requirements
10 for rehabilitation and/or reconstruction projects of disaster affected areas
11 such as public classrooms, government buildings, public hospitals,
12 permanent shelters and livelihood programs.

13 The Disaster Resilience Fund shall be managed by the Department to finance
14 its operations, and disaster risk reduction, disaster preparedness, response, recovery,
15 rehabilitation and building forward better programs, projects and activities formulated
16 at the national level.

17 *Sec. 72. Continuing Appropriations.* – The unutilized balances from the Disaster
18 Contingency Fund, and Rehabilitation and Recovery Fund shall be treated as
19 Continuing Appropriations, which may be used to finance the cost of projects,
20 programs, and/or activities even when such costs are incurred beyond the fiscal year
21 of the GAA from which such funds were appropriated.

22 *Sec. 73. Fund Regulations.* – The DBM and COA shall establish rules and
23 regulations that apply specifically to the Disaster Resilience Fund to ensure that funds
24 required for disaster response, recovery, and rehabilitation are available and/or
25 released efficiently and expeditiously through innovative budgeting and auditing
26 mechanisms, which may include, among others, providing for longer validity periods
27 for funds and/or exemption from cash-based budgeting rules; imposing auditing or
28 reporting requirements, which apply specifically to the utilization of the Disaster
29 Resilience Fund.

1 Sec. 74. Local Disaster Resilience Fund and Local Disaster Contingency Fund.
2 – LGUs shall annually set aside not less than ten percent (10%) of their local budget,
3 to constitute a Local Disaster Resilience Fund (LDRF). The LGU shall use its LDRF to
4 maintain and operate its local disaster resilience office to maintain its officers,
5 employees and staff, and to implement plans, programs and activities under its LDRP.
6 Thirty percent (30%) of the LDRF shall be set aside as Local Disaster Contingency
7 Fund (LDCF), which shall be used for disaster response and quick recovery measures.
8 Nothing contained in this Act shall prevent LGUs from providing additional funding or
9 allocating additional resources for disaster resilience activities, plans and programs
10 within their jurisdiction.

11 Sec. 75. *Supplemental LDRF.* – The Department may allocate and disburse
12 funds to supplement an LGU's LDRF based on the parameters and requirements
13 indicated in the IRR. In determining such parameters and requirements, the IRR shall
14 aim to provide supplemental funds to LGUs with low income and/or high exposure to
15 natural hazards. Supplemental LDRFs shall, as much as possible, fill gaps or shortages
16 in LGU resources to ensure that LGUs can implement disaster resilience measures such
17 as, among others, implementing their LDRP/Provincial LDRP, establishing their local
18 disaster resilience offices, obtaining and/or maintaining the necessary equipment and
19 staff in their local disaster resilience offices, and implementing the NDRF and at the
20 local levels.

21 Sec. 76. *People 's Survival Fund.* – The Department shall manage and
22 administer the People's Survival Fund, created under Republic Act no. 10174, and
23 facilitate its utilization by LGUs, through RDROs, to implement climate change
24 adaptation and mitigation projects of LGUs and enhance the climate resilience of
25 vulnerable communities.

26 Sec. 77. *Multi-Donor Trust Fund.* – The Department shall create and manage,
27 together with the Bureau of Treasury, a Multi-Donor Trust Fund for the processing,
28 releasing and accounting of money and other similar resources intended for disaster

- 1 c. Contracts entered into by the Department or any of its agents pursuant to
2 the provisions of this Act; and
3 d. Other administrative matters or issues as may be determined by the
4 Department.

5 The composition, structure, and other organizational matters related to the DRB
6 shall be defined and provided in this Act's IRR.

7 *Sec. 81. Imposition of Temporary Restraining Order.* – No Court, except the
8 Supreme Court, shall have the power to issue an injunction or a temporary restraining
9 order against any action taken or projects implemented by the Department or its
10 agents pursuant to this Act.

11 ARTICLE XXI
12 FINAL PROVISIONS

13 *Sec. 82. Transfer of Functions.* – The following are hereby transferred to the
14 Department:

- 15 a. All the functions of the Climate Change Commission (CCC);
16 b. Natural disaster-related functions of the National Disaster Risk Reduction
17 and Management Council (NDRRMC) and the Office of Civil Defense (OCD);
18 and
19 c. Natural disaster-response functions of the Department of Social Welfare and
20 Development (DSWD).

21 Accordingly, the CCC and NDRRMC are hereby abolished. The DILG, DND,
22 DSWD, and other relevant government instrumentalities, including the AFP, BFP, PNP,
23 PCG, and OCD, shall continue to perform their functions related to the management
24 of human-induced disasters, as provided by existing laws.

25 *Sec. 83. Transfer of Resources.* – The transfer of powers and functions listed
26 above shall include the corresponding funds and appropriations, plantilla positions,
27 data, records, equipment, facilities, properties and other resources of the concerned
28 government instrumentalities. The Department shall have the power to reorganize or

1 reallocate these resources and positions, as may be necessary to attain the goals and
2 objectives of this Act.

3 *Sec. 84. Program Management Office for the Earthquake Resiliency of the*
4 *Greater Metro Manila Area.* – The Program Management Office for the Earthquake
5 Resiliency of the Greater Metro Manila Area (PMO-ERG), as created pursuant to and
6 mandated by Executive Order no. 52, s. 2018, shall be attached to the Department
7 and be authorized to implement earthquake resiliency programs, projects, and
8 activities, as it may deem necessary to carry out its mandate and attain its overall
9 goals. The Head of the PMO-ERG shall report directly to the SDR.

10 *Sec. 85. Post-Disaster Shelters.* – The Department shall establish a post-
11 disaster shelter recovery policy framework for low-income/informal settler families,
12 with the assistance of the appropriate housing agencies and the applicable LGUs. It
13 shall determine, among others, the appropriate shelter modalities depending on the
14 following phases: emergency, temporary or transitional, and permanent. The
15 Department shall likewise identify, assess, and decide on safe zones for the
16 implementation of recovery or rehabilitation projects.

17 *Sec. 86. Cultural Heritage.* – To protect, preserve, and promote the nation's
18 historical and cultural heritage, the Department shall assist the relevant cultural and
19 heritage agencies and the appropriate LGUs to give priority protection and restoration
20 to all national cultural treasures or national historical landmarks, sites, or monuments
21 in post-disaster recovery or rehabilitation measures.

22 *Sec. 87. Indigenous People.* – The Department, with the assistance of the
23 National Commission on Indigenous Peoples (NCIP) and the applicable LGUs, shall
24 devise and implement mechanisms that foster social protection for indigenous
25 communities that are vulnerable to the effects of natural disasters.

26 The Department shall ensure respect for, and protection of, the traditional
27 resource right of the Indigenous Cultural Communities/Indigenous Peoples (ICCs/IPs)

1 to their ancestral domains, and recognize the customary laws and traditional resource
2 use and management, knowledge, and practices in ancestral domains.

3 In ancestral domains that are disaster-prone, the Department, with the
4 assistance of the NCIP and applicable LGUs, shall create an Ancestral Domain Disaster
5 Management and Resiliency Plan. It shall likewise properly communicate and explain
6 information on disaster risks in ancestral domains with the concerned ICCs/IPs and,
7 as much as possible, engage such ICCs/IPs in jointly formulating a disaster resiliency
8 plan for their ancestral domain.

9 *Sec. 88. Incentives Program.* – The Department shall establish an incentives
10 program that recognizes the outstanding promotion and implementation by local
11 disaster resilience offices, CSOs, academe, and other institutions of disaster resilience
12 programs and/or projects, and the meritorious acts of individuals or entities during
13 natural disasters.

14 *Sec. 89. Structural Audit of Government Buildings and Critical Infrastructure.* –
15 The Department shall be assisted by the DPWH, DOTr, Department of Energy (DOE),
16 DOH, DepEd, DICT, DILG, local building officials, and other relevant government
17 instrumentalities and stakeholders, in ensuring the effective and expeditious conduct
18 of structural audit, as often as necessary, on government buildings, critical
19 infrastructure, and private structures to attain the disaster risk reduction goals of this
20 Act.

21 *Sec. 90. Transitory Provision.* – The functions, assets, funds, equipment,
22 properties, transactions, and personnel of the affected and transferred agencies, and
23 the formulation of the internal organic structure, staffing pattern, operating system,
24 and revised budget of the Department, shall be completed within one (1) year from
25 the effectivity of this Act, during which time the existing personnel shall continue to
26 assume their posts on holdover capacity. The Department, in collaboration with the
27 DBM, shall come up with its Organizational Structure and Staffing Pattern, both of
28 which shall be approved within thirty (30) days from the effectivity of this Act.

1 The Secretary of National Defense shall serve as the interim SDR until such
2 time that the SDR has been appointed and taken his/her oath of office. Upon
3 assumption to duty, the SDR shall make use of the existing structure, systems, and
4 personnel in responding to natural hazards and disasters within the transition period.

5 In accordance with Section 12 of this Act and the critical importance of
6 attracting the most competent and dedicated personnel to the Department, suitable
7 and qualified career personnel from the NDRRMC-OCD, DSWD, and the CCC, as
8 defined by the CSC and other pertinent rules, may be absorbed by the Department.
9 The system and mechanics for this shall be defined in the IRR of this Act.

10 *Sec. 91. Magna carta Benefits.* – Qualified employees of the Department.
11 including those of its attached agencies, shall be covered by and entitled to the
12 benefits under Republic Act No. 8439, otherwise known as the Magna Carta for
13 Scientists, Engineers, Researchers and other 5 & T Personnel in the Government, and
14 Republic Act No. 7305, otherwise known as the Magna Carta of Public Health Workers.

15 *Sec. 92. Hazard Pay.* – All personnel of the Department and the local disaster
16 resilience offices are entitled to receive hazard pay, subject to the guidelines to be set
17 forth in the IRR of this Act.

18 *Sec. 93. Separation Benefits of Officials and Employees of Affected Agencies.* –
19 National government employees displaced or separated from service as a result of this
20 Act shall be entitled to either separation pay and other benefits in accordance with
21 existing laws, rules, or regulations, or be entitled to avail themselves of the privileges
22 provided under a separation plan that shall be one and one-half month salary for every
23 year of service in the government.

24 In no case shall there be any diminution of benefits under the separation plan
25 until the full implementation of this Act. With respect to employees who are not
26 retained by the Department, the government, through the Department of Labor and
27 Employment, shall endeavor to implement training, job counseling, and job placement
28 programs.

1 *Sec. 94. Appropriations.* – The amount necessary for the initial implementation
2 of this Act shall be taken from the current fiscal year’s unexpended and unobligated
3 appropriations of all agencies herein absorbed, transferred, and attached to the
4 Department. Thereafter, the amounts necessary for the operation of the Department
5 and the implementation of this Act shall be included in the annual General
6 Appropriations Act.

7 *Sec. 95. Implementing Rules and Regulations.* – The Department, DBM, DND,
8 DOF, DILG, DOST, NEDA, and the PMS shall collectively craft and issue, within ninety
9 (90) days from the effectivity of this Act, the Implementing Rules and Regulations
10 (IRR) for the effective implementation of this Act. They may call upon other relevant
11 government instrumentalities and stakeholders to assist in the crafting of the IRR.

12 *Sec. 96. Joint Congressional Oversight Committee on Disaster Resilience.* –
13 There shall be created a Joint Congressional Oversight Committee on Disaster
14 Resilience to monitor the implementation of this Act. The committee shall be
15 composed of six (6) Members of the House of Representatives and six (6) Senators to
16 be designated by the Speaker of the House of Representatives and the President of
17 the Senate, respectively; Provided. That; two (2) Members of the House of
18 Representatives and two (2) Senators shall come from the Minority of their respective
19 houses of Congress. The committee shall be jointly chaired by a Member of the House
20 of Representatives and a Senator designated by the Speaker of the House of
21 Representatives and the President of the Senate, respectively.

22 *Sec. 97. Mandatory Review.* – Within five (5) years after the effectivity of this
23 Act, or as the need arises, the Joint Congressional Oversight Committee on Disaster
24 Resilience shall conduct systematic evaluation of the accomplishments and impact of
25 this Act, as well as the performance of the Department of its mandate and functions,
26 for purposes of determining remedial legislation.

27 *Sec 98. Interpretation.* – Any doubt in the interpretation of any provision of this
28 Act shall be resolved in favor of a liberal interpretation that will fulfill the objectives of

1 this Act, especially in relation to the provision of effective, efficient and timely disaster
2 response, rehabilitation and recovery.

3 Sec. 99. *Separability Clause.* – If any provision of this Act shall be declared
4 unconstitutional or invalid, the other provisions or parts thereof not otherwise affected
5 shall remain in full force and effect.

6 Sec. 100. *Repealing Clause.* – The provisions of Republic Act no. 10121,
7 Republic Act no. 7160, Republic Act no. 7916, Republic Act no. 9184, and all other
8 laws, decrees, executive orders, proclamations and other executive issuances, which
9 are not consistent with or contrary to the provisions of this Act, are hereby repealed
10 or amended.

11 Sec. 101. *Effectivity.* – This Act shall take effect fifteen (15) days after its
12 publication in the Official Gazette or in a newspaper of general circulation.

Approved,