



Senate

Office of the Secretary

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

22 AUG -1 AIO 26

SENATE

RECEIVED BY:

S.B. No. 939

Introduced by SEN. WIN GATCHALIAN

AN ACT
EXPANDING THE APPLICATION OF THE LOCAL DISASTER
RISK REDUCTION AND MANAGEMENT FUND BY AMENDING
REPUBLIC ACT NO. 10121, OTHERWISE KNOWN AS "THE PHILIPPINE
DISASTER RISK REDUCTION AND MANAGEMENT ACT OF 2010"

EXPLANATORY NOTE

Republic Act No. 10121 or the "Philippine Disaster Risk Reduction and Management Act of 2010" has placed local government units (LGUs) in the frontline of disaster preparedness, mitigation, response and rehabilitation. It transformed the calamity funds of the LGUs into the Local Disaster Risk Reduction and Management (LDRRM) Fund.

The same law has authorized the LGUs to utilize the LDRRM Fund for projects and programs that enhance disaster preparedness and mitigate the effects of calamities. In the unfortunate event that disaster or calamity strikes, it is the LDRRM Office in the LGUs that is at the helm in providing safety and protection for their constituents against the wrath of mother nature.

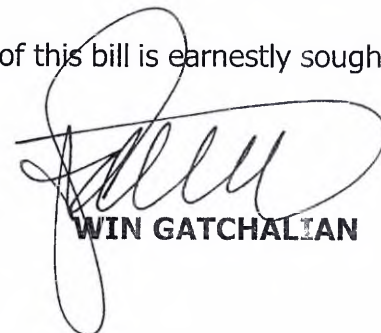
However, due to budgetary restrictions, LGUs are unable to hire the necessary manpower that should have provided a more adequate response and assistance to affected citizens during disasters. Moreover, the effects of disasters would be greatly

mitigated and reduced if LGUs would have the necessary funds to provide local infrastructure projects designed to protect against natural disasters. The after effects of disasters will also be lessened if LGUs are given flexibility in providing for a swift reconstruction, repair and rehabilitation of their infrastructure damaged by disasters.

Conversely, when the LGU does not suffer any disasters or calamities, its LDRRM Fund accrues to a special trust fund which may only be utilized for DRRM. There are numerous LGUs located throughout the Philippines which are not consistently affected by disasters and calamities. Thus, in order to provide these LGUs with more leeway to utilize these unused LDDRM Funds, the period for the trust fund to revert back to the LGU general fund should be shortened to three (3) years instead of the current five (5) years.

There is an urgent need to broaden the options of the LGUs in the utilization of the LDRRM Fund. This bill proposes the use of the LDRRM Fund in (1) financing infrastructure projects designed to mitigate the effects of natural disasters; (2) paying for obligations incurred in funding projects related to disaster preparedness and mitigation; and (3) hiring of the necessary personnel required to implement LGU DRRM programs.

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



WIN GATCHALIAN



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DISASTER RISK REDUCTION AND MANAGEMENT ACT OF 2010

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

1 SECTION 1. Section 12 of Republic Act No. 10121 (R.A. 10121), or the
2 Philippine Disaster Risk Reduction and Management Act of 2010, is hereby
3 amended to read as follows:

4 Sec. 12. Local Disaster Risk Reduction and Management
5 Office (LDRRMO). –

6 a) xxx

7 c) The provincial, city and municipal DRRMOs or
8 BDRRMCs shall perform the following functions
9 with impartiality given the emerging challenges
10 brought by disasters of our times:

11 (1) xxx

12 **(26) APPOINT OR HIRE**
13 **COMPETENT AND SUITABLY-**
14 **TRAINED DIRECT RESCUE AND**
15 **RESPONSE PERSONNEL WITHIN**

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THEIR RESPECTIVE JURISDICTIONS THAT SHALL BE ADEQUATE IN NUMBER TO SERVE THE NEEDS OF THE LOCAL GOVERNMENT UNIT IN TIMES OF CALAMITY AND DISASTER. THE APPOINTED PERSONNEL SHALL ALSO SERVE IN THE IMPLEMENTATION OF THE LGUS DISASTER RISK REDUCTION AND MANAGEMENT PROGRAMS.

(d) xxx

SEC. 2. Section 21 of R.A. 10121 is hereby amended to read as follows:

Sec. 21. Local Disaster Risk Reduction and Management Fund (LDRRMF). - The present Local Calamity Fund shall henceforth be known as the Local Disaster Risk Reduction and Management Fund (LDRRMF). Not less than five percent (5%) of the estimated revenue from regular sources shall be set aside as the LDRRMF to support disaster risk management activities such as, but not limited to, pre-disaster preparedness programs including training, purchasing life-saving rescue equipment, supplies and medicines, for post-disaster activities, **CONSTRUCTION OF INFRASTRUCTURE PROJECTS CERTIFIED BY THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT COUNCIL AS NECESSARY IN MITIGATING AND REDUCING THE EFFECTS OF DISASTERS**, and for the payment of premiums on calamity insurance. **THE LDRRMF MAY ALSO BE USED TO PAY FOR WHATEVER OBLIGATIONS THE LOCAL**

1 **GOVERNMENT INCURRED IN THE**
2 **RECONSTRUCTION, REPAIR, AND**
3 **REHABILITATION OF MAJOR INFRASTRUCTURE**
4 **DAMAGED BY DISASTERS.**

5 The LDRRMC shall monitor
6 and evaluate the use and disbursement of the LDRRMF
7 based on the LDRRMP as incorporated in the local
8 development plans and annual work and financial plan.
9 Upon the recommendation of the LDRRMO and approval of
10 the sanggunian concerned, the LDRRMC may transfer the
11 said fund to support disaster risk reduction work of other
12 LDRRMCs which are declared under state of calamity.

13 Of the amount appropriated for LDRRMF, thirty
14 percent (30%) shall be allocated as Quick Response Fund
15 (QRF) or stand-by fund for relief and recovery programs in
16 order that situation and living conditions of people in
17 communities or areas stricken by disasters, calamities,
18 epidemics, or complex emergencies, may be normalized as
19 quickly as possible.

20 Unexpended LDRRMF **WITHIN THE GIVEN YEAR**
21 shall accrue to a special trust fund solely for the purpose of
22 supporting disaster risk reduction and management
23 activities of the LDRRMCs within the next [~~five (5)~~] **THREE**
24 **(3)** years. Any such amount still not fully utilized after [~~five~~
25 ~~(5)~~] **THREE (3)** years shall revert back to the general fund
26 and will be available for other social services to be identified
27 by the local sanggunian.

28 **THE LDRRMF SHALL BE LIABLE FOR THE**
29 **SALARIES, WAGES AND BENEFITS OF ALL**
30 **APPOINTED RESCUE AND RESPONSE PERSONNEL**
31 **BY THE LOCAL DISASTER RISK REDUCTION AND**
32 **MANAGEMENT OFFICE FALLING UNDER SECTION**
 12, PARAGRAPH (C), SUB-PARAGRAPH (26).

1 SEC. 3. *Separability Clause.* - If any provision of this Act is declared
2 invalid or unconstitutional, the provisions not affected thereby shall remain in
3 full force and effect.

4

5 SEC. 4. *Repealing Clause.* - All laws, presidential decrees, executive
6 orders, presidential proclamations, rules and regulations or parts thereof
7 contrary to or inconsistent with this Act are hereby repealed or modified
8 accordingly.

9

10 SEC. 5. *Effectivity.* – This Act shall take effect fifteen (15) days after its
11 publication in the *Official Gazette* or in a newspaper of general circulation in the
12 Philippines.

Approved,