



Senate  
Office of the Secretary

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

16 AUG -8 P1:38

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SENATE

S.B. No. 993

Introduced by SEN. WIN GATCHALIAN

AN ACT

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

**EXPLANATORY NOTE**

Article II, Section 25, of the 1987 Constitution provides that "The State shall ensure the autonomy of local governments". Section 2 of the Local Government Code also states that "the State shall provide for a more responsive and accountable local government structure instituted through a system of decentralization whereby local government units shall be given more powers, authority, responsibilities, and resources".

RA 10121 or the Philippine Disaster Risk Reduction and Management Act has placed the local government units in the frontline of disaster preparedness, response and rehabilitation. It transformed the calamity funds of the LGUs into the Local Disaster Risk Reduction and Management Fund. Under the present law, the LDRRMF may now be utilized by the LGUs to fund projects and programs that enhance disaster preparedness and mitigate the effects of calamities.

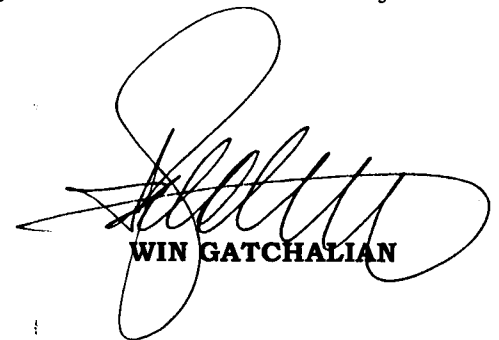
In the unfortunate event that disaster or calamity strikes, it is the Local Disaster Risk Reduction and Management Office in the LGUs that are at the forefront of Mother Nature's wrath in providing safety and protection for their constituents. However, due to budgetary restrictions, LGUs are unable hire the necessary man power to provide adequate response and assistance to affected citizens during disasters.

It must also be noted, that the effects of disasters would be greatly mitigated and reduced if LGUs will 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 and disasters or calamities, its LDRRMF accrues to a special trust fund which may only be utilized for disaster risk reduction and management. There are numerous LGUs specially located throughout the Philippines where they are seldom affected by disasters and calamities. The period where the trust fund may revert back to the general fund should be shortened to three (3) years so that the LGU may align unused funds for social services identified by the local sanggunian.

There is an urgent need to broaden the options of the LGUs in the utilization of the LDRRMF. This bill proposes the use of the LDRRMF in funding infrastructure projects designed to mitigate the effects of natural disasters as well as allowing the LGUs to use the LDRRMF to pay for obligations incurred in funding projects related to disaster preparedness and mitigation. Moreover, this bill shall allow the utilization of the LDRRMF in the hiring of the necessary personnel required to implement the provisions of this Act.

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



**WIN GATCHALIAN**

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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 R.A. 10121 is hereby amended to read as  
2 follows:

3  
4 **Sec. 12. *Local Disaster Risk Reduction and***  
5 ***Management Office (LDRRMO).*** -

6  
7 a) There shall be established an LDRRMO in every  
8 province, city and municipality, and a Barangay Disaster  
9 Risk Reduction and Management Committee (BDRRMC)  
10 in every ' barangay which shall be responsible for setting  
11 the direction, development, implementation and  
12 coordination of disaster risk management programs  
13 within their territorial jurisdiction.

14  
15 b) The LDRRMO shall be under the office of the

1 governor, city or municipal mayor, and the punong  
2 barangay in case of the BDRRMC. The LDRRMOs shall be  
3 initially organized and composed of a DRRMO to be  
4 assisted by three (3) staff responsible for: (1)  
5 administration and training; (2) research and planning;  
6 and (3) operations and warning. The LDRRMOs and the  
7 BDRRMCs shall organize, train and directly supervise the  
8 local emergency response teams and the ACDVs.

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

14 (1) Design, program, and coordinate disaster risk  
15 reduction and management activities consistent with the  
16 National Council's standards and guidelines;

17 XXX XXX

18 XXX

19 **(26) APPOINT OR HIRE COMPETENT AND SUITABLY-**  
20 **TRAINED DIRECT RESCUE AND RESPONSE**  
21 **PERSONNEL WITHIN THEIR RESPECTIVE**  
22 **JURISDICTIONS THAT SHALL BE ADEQUATE IN**  
23 **NUMBER TO SERVE THE NEEDS OF THE LOCAL**  
24 **GOVERNMENT UNIT IN TIMES OF CALAMITY AND**  
25 **DISASTER. THE APPONTEED PERSONNEL SHALL ALSO**  
26 **SERVE IN THE IMPLEMENTATION OF THE LGUS**  
27 **DISASTER RISK REDUCTION AND MANAGEMENT**  
28 **PROGRAMS.**

29  
30 (d) The BDRRMC shall be a regular committee of  
31 the existing BDC and shall be subject thereto. The  
32 punong barangay shall facilitate and ensure the  
33 participation of at least two (2) CSO representatives from  
34 existing and active  
35 community-based people's organizations representing the

1 most vulnerable and marginalized groups in the  
2 barangay.

3  
4 SEC. 2. Section 21 of R.A. 10121 is hereby amended to read as follows:

5  
6 **Sec. 21. *Local Disaster Risk Reduction and***  
7 ***Management Fund (LDRRMF).*** - The present Local  
8 Calamity Fund shall henceforth be known as the Local  
9 Disaster Risk Reduction and Management Fund  
10 (LDRRMF). Not less  
11 than five percent (Solo) of the estimated revenue from  
12 regular sources shall be set aside as the LDRRMF to  
13 support disaster risk management activities such as, but  
14 not limited to, pre-disaster preparedness programs  
15 including training,  
16 purchasing life-saving rescue equipment, supplies and  
17 medicines, for post-disaster activities, **CONSTRUCTION**  
18 **OF INFRASTRUCTURE PROJECTS CERTIFIED BY THE**  
19 **NATIONAL DISASTER RISK REDUCTION AND**  
20 **MANAGEMENT COUNCIL AS NECESSARY IN**  
21 **MITIGATING AND REDUCING THE EFFECTS OF**  
22 **DISASTERS,** and for the payment of premiums on  
23 calamity insurance. **THE LDRRMF MAY ALSO BE USED**  
24 **TO PAY FOR WHATEVER**  
25 **OBLIGATIONS THE LOCAL GOVERNMENT INCURRED**  
26 **IN THE RECONSTRUCTION, REPAIR, AND**  
27 **REHABILITATION OF MAJOR INFRASTRUCTURE**  
28 **DAMAGED BY DISASTERS.** The LDRRMC shall monitor  
29 and evaluate the use and disbursement of the LDRRMF  
30 based on the LDRRMP  
31 as incorporated in the local development plans and  
32 annual work and financial plan. Upon the  
33 recommendation of the LDRRMO and approval of the  
34 sanggunian concerned, the LDRRMC may transfer the  
35 said fund to support  
36 disaster risk reduction work of other LDRRMCs which are

1 declared under state of calamity.

2  
3 Of the amount appropriated for LDRRMF, thirty percent  
4 (30%) shall be allocated as Quick Response Fund (QRF)  
5 or stand-by fund for relief and recovery programs in order  
6 that situation and living conditions of people in  
7 communities or areas stricken by disasters, calamities,  
8 epidemics, or complex emergencies, may be normalized as  
9 quickly as possible.

10  
11 Unexpended LDRRMF **WITHIN THE GIVEN YEAR** shall  
12 accrue to a special trust fund solely for the purpose of  
13 supporting disaster risk reduction and management  
14 activities of the LDRRMCs within the next [five (5)] **THREE**  
15 **(3)** years. Any such amount still not fully utilized after  
16 [five (5)] **THREE (3)** years shall revert back to the general  
17 fund and will be available for other social services to be  
18 identified by the local sanggunian.

19  
20 **THE LDRRMF SHALL BE LIABLE FOR THE SALARIES,**  
21 **WAGES AND BENEFITS OF ALL APPOINTED RESCUE**  
22 **AND RESPONSE PERSONNEL BY THE LOCAL**  
23 **DISASTER RISK REDUCTION AND MANAGEMENT**  
24 **OFFICE FALLING UNDER SECTION 12, PARAGRAPH**  
25 **(C), SUB-PARAGRAPH (26).**

26  
27 SEC. 3. **Separability Clause.** - If any provision of this Act is declared invalid  
28 or unconstitutional, the provisions not affected thereby shall remain in full  
29 force and effect.

30  
31 SEC. 4. **Repealing Clause.** - All laws, presidential decrees, executive orders,  
32 presidential proclamations, rules and regulations or parts thereof contrary to or  
33 inconsistent with this Act are hereby repealed or modified accordingly.

1            SEC. 5. **Effectivity.** - This Act shall take effect fifteen (15) days after its  
2 publication in the Official Gazette or at least two (2) national papers of general  
3 circulation.

*Approved,*