



Senate
Office of the Secretary

**TWENTIETH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
First Regular Session

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25 AUG -7 P1 28

SENATE

S.B. No. 1097

RECEIVED BY:

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 of providing safety and protection for their constituents against the wrath of mother nature.

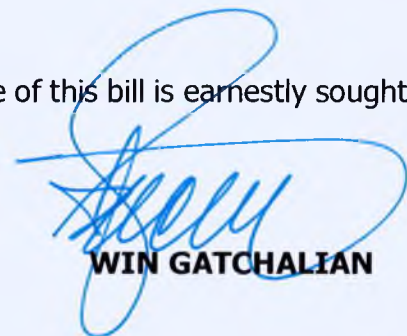
However, due to budgetary restrictions, LGUs are unable to hire the necessary manpower necessary to provide a more adequate response and assistance to affected citizens during disasters. Moreover, the effects of disasters would be greatly mitigated

and reduced if LGUs would have the necessary funds to provide local infrastructure projects designed to protect against natural disasters. The aftereffects of disasters will also be lessened if LGUs are given flexibility in providing for 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 disaster risk reduction and management (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 unused LDRRM Funds, the period for the trust fund to revert 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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25 AUG -7 P1:29

SENATE

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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"**

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

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

**"Sec. 12. Local Disaster Risk Reduction and Management
Office (LDRRMO). –**

a) xxx

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

(1) xxx

**(26) APPOINT OR HIRE COMPETENT AND
SUITABLY TRAINED DIRECT RESCUE AND
RESPONSE PERSONNEL WITHIN THEIR
RESPECTIVE JURISDICTIONS THAT SHALL**

1 BE ADEQUATE IN NUMBER TO SERVE THE
2 NEEDS OF THE LOCAL GOVERNMENT UNIT IN
3 TIMES OF CALAMITY AND DISASTER. THE
4 APPOINTED PERSONNEL SHALL ALSO SERVE
5 IN THE IMPLEMENTATION OF THE LGU'S
6 DISASTER RISK REDUCTION AND
7 MANAGEMENT PROGRAMS.

8 (d) xxx"

9 SEC. 2. Section 21 of RA No. 10121 is hereby amended to read as
10 follows:

11 "Sec. 21. ***Local Disaster Risk Reduction and Management***
12 ***Fund (LDRRMF).*** – The present Local Calamity Fund shall
13 henceforth be known as the Local Disaster Risk Reduction and
14 Management Fund (LDRRMF). Not less than five percent (5%) of
15 the estimated revenue from regular sources shall be set aside as
16 the LDRRMF to support disaster risk management activities such
17 as, but not limited to, pre-disaster preparedness programs
18 including training, purchasing life-saving rescue equipment,
19 supplies and medicines, for post-disaster activities,
20 **CONSTRUCTION OF INFRASTRUCTURE PROJECTS**
21 **CERTIFIED BY THE NATIONAL DISASTER RISK**
22 **REDUCTION AND MANAGEMENT COUNCIL AS**
23 **NECESSARY IN MITIGATING AND REDUCING THE**
24 **EFFECTS OF DISASTERS**, and for the payment of premiums on
25 calamity insurance. **THE LDRRMF MAY ALSO BE USED TO**
26 **PAY FOR WHATEVER OBLIGATIONS THE LOCAL**
27 **GOVERNMENT INCURRED IN THE RECONSTRUCTION,**
28 **REPAIR, AND REHABILITATION OF MAJOR**
29 **INFRASTRUCTURE DAMAGED BY DISASTERS.** The LDRRMC
30 shall monitor and evaluate the use and disbursement of the
31 LDRRMF based on the LDRRMP as incorporated in the local

1 development plans and annual work and financial plan. Upon the
2 recommendation of the LDRRMO and approval of the Sanggunian
3 concerned, the LDRRMC may transfer the said fund to support
4 disaster risk reduction work of other LDRRMCs which are declared
5 under state of calamity.

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

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

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

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

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

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

Approved,