

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 108

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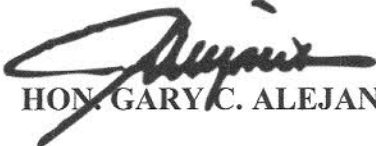
Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

Explanatory Note

Our country is ravaged year after year by numerous emergencies of all sorts. From lahar flows which devastated most parts of Luzon, volcanic eruptions, earthquakes and typhoons which routinely pummel the country every year, to the disaster in Irosin, Sorsogon brought about by the Mount Bulusan eruption, and the 2007 bombing in Glorietta 2. This just goes to show that emergencies of one sort or another are a fact of life which will always pose challenges for us as a nation.

The best we can do is to be prepared and to be on the lookout in order to prevent emergencies from intensifying into full-scale disasters. Through this piece of legislation, the undersigned proposes the creation of a permanent, full-time national agency under the Office of the President to help the country plan and prepare for emergencies. It is proposed that this agency take over the National Disaster Coordinating Council (NDCC) and undertake disaster mitigation and preparedness measures as well as quick response mechanism which will allow us to reduce the risks of disasters, mitigate possible damage to life and property, initiate rapid and effective response to disasters, and effectively manage post-disaster recovery.

Hence, the immediate passage of this bill is earnestly enjoined.


HON. GARY C. ALEJANO

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Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

AN ACT
ESTABLISHING THE EMERGENCY MANAGEMENT AGENCY (EMA), AMENDING
FOR THIS PURPOSE REPUBLIC ACT NUMBERED 10121, AND FOR OTHER
PURPOSES

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

1 **SECTION 1. *Short Title.*** - This Act shall be known as the "*Emergency Management Agency Act*
2 *of 2016*".

3

4 **SEC.2. *Declaration of Policy.*** - It shall be the policy of the State to:

5 (a) Provide for an integrated and coordinated disaster management policy that focuses on
6 preventing or reducing the risk of disasters, mitigating the severity of disasters, undertaking
7 emergency preparedness, and initiating rapid and effective response to disasters and post-disaster
8 recovery.

9 (b) Achieve excellence in civil protection through hazard reduction and disaster management at
10 all levels of the Philippine society by establishing a coherent, integrated, proficient and
11 responsive disaster risk management system, whereby national and regional development plans
12 incorporate hazard risk reduction management as components of an integrated and coordinated
13 strategy for sustainable development.

14 (c) Strengthen the institutional structures for coordination, implementation and enforcement of
15 policies for the promotion of hazard management and disaster management by providing a basis
16 for aligning local planning with a national framework and national plan.

1 (d) Recognize, support and strengthen local community capacities by encouraging them to
2 achieve acceptable levels of risk for undertaking the primary responsibility in reducing risk from
3 hazards and managing disasters.

4 (e) Support, strengthen and encourage the coordination of local government units when reducing
5 risk from hazards, preparing for, responding to, and recovering from disasters or emergencies,
6 whether natural or man-made.

7 (f) Enhance the participation of the private sector, particularly the lifeline utilities, non-
8 government organizations, and other community-based organizations in the development and
9 delivery of disaster risk management and "*bayanihan*" among the citizenry.

10 (g) Adopt in full the universal norms and principles in humanitarian assistance as one of the
11 concrete steps in preventing or alleviating human suffering due to disasters or calamities.

12

13 **SEC. 3. *Definition of Terms.***- As used in this Act:

14 (a) "*Community-Based Disaster Management (CBDM)*" refers to activities, projects and
15 programs to reduce disaster risk which are primarily designed by people living in high risk
16 localities based on their needs and capacities and in close coordination with their respective local
17 disaster coordinating councils.

18 (b) "*Director*" refers to the Director of the Office of the Emergency Management Agency.

19 (c) "*Disaster*" is an event, natural or man-made, sudden or progressive, which impacts with such
20 severity on people's lives and properties, livelihood, essential services, lifelines and major public
21 infrastructures, and the environment, that the affected community has to respond with
22 exceptional measures or otherwise requires a significant and coordinated response under this
23 Act.

24 (d) "*Disaster Management Councils*" refers to all nucleus organizations established at the
25 national, regional, provincial, city, municipal, and barangay levels to carry out the disaster
26 management activities as defined under this Act.

27 (e) "*Disaster Response Operations*" refers to any concerted effort by two or more agencies,
28 public or private, to provide emergency assistance to the victims of a disaster or calamity and in
29 the restoration of essential public activities and facilities.

- 6 (g) "*Disaster Mitigation*" refers to the measures aimed at minimizing the impact of a natural or
7 man-made disaster on a nation or community, in terms of casualties and damages.
- 8 (h) "*Disaster Preparedness*" refers to pre-disaster actions and measures being undertaken to
9 avert or minimize loss of life and property, such as but not limited to community organizing,
10 training, planning, equipping, stockpiling, hazard mapping and public information and education
11 initiatives.
- 12 (i) "*Disaster Prevention*" refers to measures designed to prevent natural phenomena from
13 causing or resulting in disaster or other related emergency situations. It is concerned with the
14 formulation and implementation of long range policies and programs to prevent or minimize the
15 occurrence of disasters on the basis of vulnerability analysis of all risks. It also includes
16 legislations and regulatory measures principally in the fields of physical and urban planning,
17 public works and buildings.
- 18 (j) "*Emergency*" refers to unforeseen or sudden occurrence, especially danger, demanding
19 immediate action.
- 20 (k) "*Hazard Mitigation*" relates to actions, practices or processes designed to reduce the severity
21 or level of harm of a hazard agent on the national community or any part thereof.
- 22 (l) "*Hazard Risk Reduction*" refers to activities that reduce the degree of long-term risk to human
23 life and property from natural and technological hazards.
- 24 (m) "*Lifeline Utilities*" refers to entities that produce, generate, supply, distribute or provide
25 services or products that are essential for the effective functioning and maintenance of a
26 community.
- 27 (n) "*National and Regional Development Plans*" has the same meaning as set out by NEDA.
- 28 (o) "*National Disaster Management Plan*" is the disaster operational master plan formulated and
29 revised by the EMA, which sets forth the disaster response requirements of participating parties.

1 (p) "*National Disaster Risk Management Framework (NDRMF)*" is the overarching guideline
2 document for the development of disaster risk management practices and processes for the
3 Philippines. The NDRMF should be integrated in the National Development Plan and budget.

4 (q) "*Rehabilitation*" refers to the process by which the affected communities/areas or damaged
5 public infrastructures are restored to their proper or normal level of functioning and to new
6 measures introduced to reduce future hazards and risks.

7
8 **SEC. 4. *Scope*** - This Act provides for all the actions and measures pertaining to hazard
9 mitigation, disaster prevention/preparedness, response, and rehabilitation, and disaster risk
10 management as defined under this Act.

11
12 **SEC. 5. *The Emergency Management Agency***.- The Office of the Emergency
13 Management Agency (EMA) is hereby created. EMA shall be an independent body and shall
14 have the same status as that of a national agency attached to the Office of the President.

15 The EMA shall be headed by a Board composed of a Director and two (2) Members, to
16 be appointed by the President of the Republic of the Philippines from a list of nominees
17 submitted by agencies and organizations active in disaster management, both in the public and
18 private sectors. All nominees must be considered experts in the field of emergency and disaster
19 management and of proven integrity and competence.

20 The Director and two (2) members shall serve for a term of five (5) years and their
21 positions considered as civil service career positions: *Provided*, That the Director or one of the
22 Members first appointed after the effectivity of this Act shall serve for an additional one (1) year
23 to ensure continuity of the programs. The Director shall have the same rank and privileges of a
24 department Secretary while the two (2) Members shall have the same rank and privileges of the
25 Undersecretaries of a department.

26
27 **SEC. 6. *Powers and Functions of the Emergency Management Agency***.- The EMA
28 shall have the following powers and functions:

