



Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**EIGHTEENTH CONGRESS**  
**Second Regular Session**



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**COMMITTEE REPORT NO. 1074**

Submitted by the Committee on Disaster Resilience on **July 7, 2021**

Re : **House Bill No. 9806**

Recommending its approval in substitution of House Bills Numbered 2135, 3480, 5638, and 5646

Sponsors: Representatives Lucy Torres-Gomez, Precious Castelo, Mario Vittorio "Marvey" A. Mariño, Allan Benedict S. Reyes and Alfred Delos Santos

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Mr. Speaker:

The Committee on Disaster Resilience, to which were referred

**House Bill No. 2135**, introduced by **Rep. Precious Castelo**, entitled:

*"An Act Institutionalizing Earthquake Drills In All Workplaces And Schools Thereby Making Them An Annual Observation And For Other Purposes,"*

**House Bill No. 3480**, introduced by **Rep. Mario Vittorio "Marvey" A. Mariño**, entitled:

*"An Act Mandating The Conduct Of Emergency Preparedness Drills In Facilities Handling, Storing, And Transporting Hazardous Materials,"*

**House Bill No. 5638** introduced by **Rep. Allan Benedict S. Reyes**, entitled:

*"An Act Mandating The Participation Of Public And Private Establishments In The Conduct Of Quarterly Nationwide Simultaneous Earthquake Drill ("Nsed"), Providing Penalties For Violations Thereof And For Other Purposes,"*

**House Bill No. 5646** introduced by **Rep. Alfred Delos Santos**, entitled:

*“An Act Mandating The Institutionalization Of Emergency And Disaster Response Training In Public And Private Educational Institutions, And Appropriating Funds Therefor*

Have considered the same and recommend that the attached House Bill No. 9806, entitled:

**AN ACT**

**MANDATING PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS AND ALL BUSINESS ESTABLISHMENTS, INCLUDING FACILITIES HANDLING, STORING, AND TRANSPORTING HAZARDOUS MATERIALS, TO PARTICIPATE IN THE CONDUCT OF A QUARTERLY NATIONWIDE SIMULTANEOUS EARTHQUAKE AND EMERGENCY PREPAREDNESS DRILL AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

Be approved in substitution of House Bills Numbered 2135, 3480, 5638 and 5646, with Representatives Precious Castelo, Eric Olivarez, Mario Vittorio “Marvey” Mariño, Rico Geron, Allan Benedict Reyes, Joy Myra Tambunting, Alfred Delos Santos, Joey Salceda, Lucy Torres-Gomez, Juliet Marie De Leon Ferrer, Mohamad Khalid Dimaporo, Leonardo Babasa, Lorenz Defensor, Strike Revilla, and Deogracias Victor “DV” Savellano as authors thereof.

Respectfully submitted:

  
**LUCY TORRES-GOMEZ**  
Chairperson  
Committee on Disaster Resilience

**THE HONORABLE SPEAKER**  
HOUSE OF REPRESENTATIVES  
Quezon City

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

EIGHTEENTH CONGRESS  
Second Regular Session

**HOUSE BILL NO. 9806**  
**(In substitution of House Bills Numbered 2135, 3480, 5638 & 5646)**

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Introduced by Representatives Precious Hipolito Castelo, Eric Olivarez, Mario Vittorio “Marvey” Mariño, Rico Geron, Allan Benedict Reyes, Joy Myra Tambunting, Alfred Delos Santos, Joey Salceda, Lucy Torres-Gomez, Juliet Marie De Leon Ferrer, Mohamad Khalid Dimaporo, Leonardo Babasa, Lorenz Defensor, Strike Revilla, and Deogracias Victor “DV” Savellano

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**AN ACT**  
**MANDATING PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS AND ALL BUSINESS ESTABLISHMENTS, INCLUDING FACILITIES HANDLING, STORING, AND TRANSPORTING HAZARDOUS MATERIALS, TO PARTICIPATE IN THE CONDUCT OF A QUARTERLY NATIONWIDE SIMULTANEOUS EARTHQUAKE AND EMERGENCY PREPAREDNESS DRILL AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

*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 “**Mandatory**  
2 **Nationwide Simultaneous Earthquake and Emergency Preparedness Drill Act.**”

3

4           **SEC. 2. Declaration of Policy.** – It is hereby declared a policy of the State to  
5 ensure public safety and emergency preparedness by requiring the citizenry to  
6 participate in the Quarterly Nationwide Simultaneous Earthquake and Emergency  
7 Preparedness Drill (NSEEPD).

8

9

1           **SEC. 3. Coverage.** – This Act shall apply to all public and private educational  
2 institutions and establishments, including facilities handling, storing, and transporting  
3 hazardous materials in the Philippines.

4  
5           **SEC. 4. Definition of Terms.** As used in this Act:

6           a. *Emergency* refers to a serious, unexpected, and often dangerous situation  
7 requiring immediate action.

8  
9           b. *Establishments* refer to any government agency, public and private school,  
10 hospital, leisure park, shopping mall, restaurant, food park, cafe, gym, and facility that  
11 handle, store, and transport hazardous materials.

12  
13           c. *Hazardous Material* also known as HazMat refers to any item or agent  
14 whether biological, chemical, radiological or physical which has the potential to cause  
15 harm to humans, animals, or the environment, either by itself or through interaction  
16 with other factors.

17  
18           d. *Motor vehicles* refer to any vehicle propelled by any power other than  
19 muscular power using the public highways, but excepting road rollers, trolley cars,  
20 street-sweepers, sprinklers, lawn mowers, bulldozers, graders, fork-lifts, amphibian  
21 trucks, and cranes if not used on public highways, vehicles which run only on rails or  
22 tracks, and tractors, trailers and traction engines of all kinds used exclusively for  
23 agricultural purposes.

1           **SEC. 5. Earthquake Emergency Preparedness Protocols.** - All public and  
2 private schools and business establishments, including facilities that handle, store  
3 and transport hazardous material shall, in coordination with the Office of Civil Defense  
4 (OCD), Department of Interior and Local Government (DILG), and the Local  
5 Government Units (LGUs) formulate emergency preparedness protocols and conduct  
6 a quarterly earthquake and emergency preparedness drill to provide the citizenry with  
7 the appropriate knowledge on how to react appropriately and safely in the event of an  
8 earthquake and other emergencies.

9  
10           **SEC. 6. Conduct of Emergency Preparedness Drills**

11           a. Emergency Preparedness Protocols of Schools and Business  
12 Establishments shall include: (i) the establishment of emergency communications  
13 system and evacuation routes and plans in case of hazmat releases, accidents and  
14 other hazardous phenomena, (ii) instructions concerning the location, use and  
15 operation of hazardous material protection suits, footwear, masks, gloves, and other  
16 protective equipment, (iii) conduct of drills; and (iv) evaluation of every concluded drill  
17 on the efficacy and efficiency of the plans, the problems and intervening threats  
18 encountered, and the potential remedies to such problems.

19  
20           b. Emergency preparedness drills in Hazardous Material releases and  
21 accidents shall be conducted on a quarterly basis in facilities that handle, store, and  
22 transport hazardous materials: *Provided*, that nighttime drills shall be done at least  
23 thrice a year.

1 c. A record of all drills shall be kept, and persons in charge of the facilities shall  
2 file quarterly written reports with the Regional Disaster Risk Reduction and  
3 Management Council (RDRRMC), indicating the date and time of each drill held.

4  
5 **SEC. 7. Conduct of Emergency Preparedness Drills for Motor Vehicles**  
6 **Transporting Hazardous Materials.**

7 a. All facilities using or contracting motor vehicles for transporting Hazardous  
8 Materials shall conduct at least two (2) emergency preparedness, containment, and  
9 evacuation drills in a year: *Provided*, that nighttime drills shall be done at least once a  
10 year. The first emergency drill shall be conducted during the first quarter of the year  
11 and the second during the third quarter.

12 b. Each drill shall include the instructions and practice concerning the proper  
13 evacuation of the vehicles and proper containment of Hazardous Materials in case of  
14 releases, accidents, and other hazardous phenomena during transportation.

15 c. Facility operators and drivers shall be instructed and trained by the RDRRMC  
16 to enable them to carry out the provisions of this Act.

17 d. The persons in charge of the facilities shall certify in writing to the RDRRMC  
18 that the drills required herein have been conducted, indicating the date and time of  
19 each drill held.

20  
21 **SEC. 8. Penalties.** – After observance of due process, owners, managers,  
22 operators, or administrators of the aforesaid establishments and tenants, occupants,

1 students and employees therein who, without justifiable reasons, refuse to join or  
2 participate in the NSEEPD shall be punished by the following penalties:

3 a. a warning for the first offense;

4 b. a fine of Five thousand pesos (Php 5,000) for the second offense;

5 c. a fine of not less than Ten thousand pesos (Php 10,000) for the third offense  
6 and imprisonment of not less than one (1) month; and

7 d. a fine of Thirty thousand pesos (Php 30,000) for subsequent offenses,  
8 imprisonment of one (1) month, and cancellation of Business Permit.

9

10 Provided, in the case of juridical persons, the penalty shall be imposed on the  
11 president or general manager of the erring establishment.

12

13 The fines collected shall inure to the benefit of the LGU which has territorial  
14 jurisdiction over the erring establishment. The collection shall constitute as additional  
15 funds for the LGU's disaster risk reduction and management programs and activities.  
16 Disbursements from the said fund shall be subject to the usual accounting and  
17 budgeting rules and regulations.

18

19 **SEC. 9. *Implementing Rules and Regulations.*** – Within sixty (60) days from  
20 the effectivity of this Act, the necessary rules and regulations for the proper  
21 implementation of its provisions shall be promulgated by the OCD, in consultation and  
22 coordination with the DILG, DepEd and CHED.

23

1           **SEC. 10. Separability Clause.** – If any provision or part of this Act, or the  
2 application thereof to any person or circumstance, is held unconstitutional or invalid,  
3 the remainder of this Act shall not be affected thereby.

4

5           **SEC. 11. Repealing Clause.** – All laws, presidential decrees, executive orders,  
6 proclamations, rules and regulations, or part thereof which are inconsistent with the  
7 provisions of this Act are hereby repealed or modified accordingly.

8

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

11

12           *Approved,*



# FACT SHEET

## House Bill No. 9806

(In substitution of House Bills numbered 2135, 3480, 5638 and 5646)

### AN ACT

**MANDATING PUBLIC AND PRIVATE EDUCATIONAL INSTITUTIONS AND ALL BUSINESS ESTABLISHMENTS, INCLUDING FACILITIES HANDLING, STORING, AND TRANSPORTING HAZARDOUS MATERIALS, TO PARTICIPATE IN THE CONDUCT OF A QUARTERLY NATIONWIDE SIMULTANEOUS EARTHQUAKE AND EMERGENCY PREPAREDNESS DRILL AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

*Introduced by: REPS. PRECIOUS CASTELO, MARIO VITTORIO “MARVEY” MARIÑO, RICO GERON, ALLAN BENEDICT REYES, JOY MYRA TAMBUNTING, ALFRED DELOS SANTOS, JOEY SALCEDA, LUCY TORRES-GOMEZ, JULIET MARIE DE LEON FERRER, MOHAMAD KHALID DIMAPORO, LEONARDO BABASA, LORENZ DEFENSOR, STRIKE REVILLA, DEOGRACIAS VICTOR “DV” SAVELLANO, AND ERIC OLIVAREZ*

*Committee Referral: COMMITTEE ON DISASTER RESILIENCE*

*Committee Chairperson: REP. LUCY TORRES-GOMEZ*

### OBJECTIVE

- To ensure the safety of the public during earthquakes and other emergencies

### KEY PROVISIONS

- Mandates all public and private schools and business establishments, including facilities that handle, store, and transport hazardous materials to formulate emergency preparedness protocols and to conduct a quarterly earthquake and emergency drill, in coordination with the Office of Civil Defense, the Department of Interior and Local Government, and the Local Government Units.
- Requires facilities that handle, store, and transport hazardous materials to conduct quarterly emergency preparedness drills and nighttime drills at least three times a year.
- Requires all facilities using or contracting motor vehicles for transporting hazardous materials to conduct at least two (2) emergency preparedness, containment, and evacuation drills in a year, as well as nighttime drills at least once a year.

- Requires that each drill shall include the instructions and practices concerning the proper evacuation of the vehicles and proper containment of hazardous materials in case of releases, accidents, and other hazardous phenomena during transportation.
- Sets standards in the implementation of the drills that shall include: (i) instructions concerning the location, use and operation of hazardous material protection suits, footwear, masks, gloves, and other protective equipment, (ii) conduct of drills; and (iii) evaluation of every concluded drill on the efficacy and efficiency of the plans, the problems and intervening threats encountered, and the potential remedies to such problems.
- Requires the persons in charge of such facilities to certify in writing to the Regional Disaster Risk Reduction and Management Council (RDRRMC), the drills conducted indicating the date and time of each drill held.
- Authorizes the Regional Disaster Risk Reduction and Management Council (RDRRMC) to instruct and train the facility operators and drivers to enable them to carry out the provisions of this Act.
- Imposes the following penalties upon owners, managers, operators, or administrators of the aforesaid establishments, including tenants, occupants, employees, and students therein who willingly refuse to join or participate in the NSEEPD:
  - a. a warning for the first offense;
  - b. a fine of Five thousand Pesos (Php 5,000) for the second offense;
  - c. a fine of not less than Ten thousand Pesos (P10,000) for the third offense and imprisonment of not less than one (1) month; and
  - d. a fine of Thirty thousand Pesos (P30,000) for subsequent offenses, imprisonment of one (1) month, and cancellation of the Business Permit.
- Provides that the fines collected shall inure to the benefit of the local government unit (LGU) that has territorial jurisdiction over the erring establishment and that said collection shall constitute as additional funds for the LGU's disaster risk reduction and management programs and activities.
- Mandates the Office of the Civil Defense, in consultation and coordination with the Department of the Interior and Local Government, the Department of Education, and the Commission on Higher Education, to promulgate the implementing rules and regulations.

## **RELATED LAWS**

Republic Act 10121, otherwise known as the “Philippine Disaster Risk Reduction and Management Act of 2010”

Office of the President Memorandum Circular No. 7, s. 2016