

HOUSE OF REPRESENTATIVES

H. No. 9806

BY REPRESENTATIVES CASTELO, OLIVAREZ, MARIÑO, GERON, REYES, TAMBUNTING, DELOS SANTOS, SALCEDA, TORRES-GOMEZ, FERRER (L.), DIMAPORO (M.K.), BABASA, DEFENSOR (L.), REVILLA AND SAVELLANO, PER COMMITTEE REPORT NO. 1074

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 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).

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; and

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.

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.

Approved,