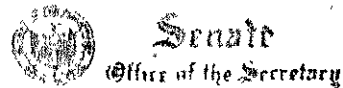


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'15 APR 30 AM 11:50

SENATE
S. B. No. 2742

RECEIVED BY: *[Signature]*

Introduced by SENATOR LOREN LEGARDA

**AN ACT FACILITATING AND REGULATING
INTERNATIONAL DISASTER RELIEF AND INITIAL RECOVERY
ASSISTANCE AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Following the declaration by President Aquino of a State of National Calamity for the Philippines on 11 November 2013 or three days after it was struck by Typhoon Haiyan and a US\$348 million emergency aid appeal launched by the United Nations, the country received significant level of assistance in the form of donations, both in cash and in kind. Apart from donations, medical personnel and search-and-rescue teams were also deployed by countries like Japan, South Korea, Israel and the US to aid in the relief and recovery efforts by the government.

At that time, the Department of Foreign Affairs set up a coordinating unit to facilitate the offer of aid from other countries while also providing information or directing the query to concerned Philippine agencies related to issues such as landing permits of aircrafts bringing relief goods and equipment, visa and visa concerns of foreign humanitarian missions and entry of goods, medicines and equipment.

In order to facilitate the ease of flow of international assistance by foreign governments and aid agencies and ensure that the aid being offered is what is needed on the ground, this bill seeks to establish the National Disaster Risk Reduction and Management Council (NDRRMC) as the central focal point agency between the government of Philippines and assisting international actors in order to promote the effective facilitation, coordination and oversight of international disaster assistance. It requires the NDRRMC to consult with the local government units affected by a calamity in determining the list of goods, equipment and service needed for relief and recovery. A Single Window

International Facilitation Teams (SWIFTs) is also proposed to be established in order to consolidate and expedite the legal requirements concerning entry of international disaster relief and personnel, goods, equipment and transport.

By providing the mechanisms to ensure the timely and efficient entry and delivery of international aid assistance in the country, it is hoped that resources available will be put into good use. In view of the foregoing, immediate passage of this bill is earnestly sought.



LOREN LEGARDA
Senator

'15 APR 30 A11 :50

SENATE
S. B. No. 2742

RECEIVED BY: *Jr.*

Introduced by SENATOR LOREN LEGARDA

**AN ACT FACILITATING AND REGULATING
INTERNATIONAL DISASTER RELIEF AND INITIAL RECOVERY
ASSISTANCE AND FOR OTHER PURPOSES**

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

Chapter I
General Provisions

1 **Section 1. Short Title** – This Act shall be known as the “**International**
2 **Disaster Relief and Initial Recovery Assistance Act**”.

3
4 **Section 2. Purpose and Scope** –This Act sets out procedures, roles and
5 responsibilities related to the facilitation and regulation of international
6 disaster assistance provided to the Philippines in the event of a disaster on
7 its territory.

8 In particular, this Act:

- 9 (i) sets out roles and responsibilities for key officials and
10 departments concerned with the facilitation and regulation of
11 international disaster assistance;
12 (ii) establishes procedures for initiating, coordinating, and
13 terminating international disaster assistance;
14 (iii) establishes the mechanism for recognition of eligibility for legal
15 facilities for certain assisting actors;
16 (iv) specifies the legal facilities to be provided to such eligible actors;
17 and
18 (v) specifies that minimum standards are expected from assisting
19 actors providing international disaster assistance;

20
21 **Section 3. Definitions** – For purposes of this Act,

- 22
23 a. “*Assisting Actor*” means any assisting international actor and any
24 assisting domestic actor responding to a disaster in the Philippines;

- 1 b. "*Assisting Domestic Actor*" means any non-profit entity established
2 under the laws of the Philippines, which is responding to a disaster in
3 the territory of Philippines;
- 4 c. "*Assisting International Actor*" means any foreign state, organization,
5 entity or individual responding to a disaster on the territory of the
6 Philippines;
- 7 d. "*Assisting State*" means any foreign government that is providing
8 disaster relief or initial recovery assistance to the Philippines, whether
9 through its civilian or military institutions;
- 10 e. "*Disaster Relief*" means the goods, equipment, services and
11 internationally donated funds provided to meet the immediate
12 humanitarian needs of disaster affected communities;
- 13 f. "*Disaster*" means a serious disruption of the functioning of society,
14 which poses a significant, widespread threat to human life, health,
15 property or the environment, whether arising from accident, nature,
16 or human activity, whether developing suddenly or as the result of
17 long-term processes, but excluding armed conflict;
- 18 g. "*Domestic Non-Governmental Organization*" or "*Domestic NGO*" means
19 any non-governmental, non-profit entity, which is registered or
20 created under the laws of the Philippines and whose mandate and
21 activities are exclusively focused on humanitarian relief, recovery or
22 development;
- 23 h. "*Eligible Actor*" means any assisting actor that has been determined to
24 be eligible to receive legal facilities, in accordance with Chapters V and
25 VI of this Act;
- 26 i. "*Equipment*" means physical items, other than goods, which come
27 from international sources and are designated for use in disaster relief
28 or initial recovery assistance, including, but not limited to, vehicles,
29 medical, and telecommunications equipment;
- 30 j. "*Foreign Components of the International Red Cross and Red Crescent*
31 *Movement*" means foreign National Red Cross or Red Crescent
32 Societies, the International Federation of Red Cross and Red Crescent
33 Societies and the International Committee of the Red Cross;
- 34 k. "*Foreign Non-Governmental Organization*" or "*Foreign NGO*" means any
35 nongovernmental, not-for-profit entity not incorporated/registered in
36 the Philippines, whose mandate and activities are focused on
37 humanitarian relief, recovery or development'
- 38 l. "*Goods*" means supplies from international sources intended to be
39 provided to disaster-affected communities for their relief or initial
40 recovery;
- 41 m. "*Initial Recovery Assistance*" means goods, equipment, services and
42 internationally donated funds intended to restore or improve the pre-
43 disaster living conditions of disaster-affected communities, including
44 initiatives to increase resilience to disasters and reduce disaster risk;
- 45 n. "*Internationally Donated Funds*" means any funds donated by foreign
46 persons or entities directly to the Government of Philippines or to an
47 assisting domestic actor for purposes of disaster relief or initial
48 recovery assistance;

- 1 o. *“International Disaster Assistance”* means disaster relief and initial
2 recovery assistance that is provided by assisting international actors,
3 or imported or otherwise brought to Philippines from abroad by or on
4 behalf of assisting domestic actors;
- 5 p. *“International Disaster Relief Period”* means the period following a
6 disaster, as described in Sections 8 and 9 of this Act, during which
7 the relevant legal facilities described in Chapter VI are made available
8 to eligible actors for the purpose of providing disaster relief;
- 9 q. *“International Initial Recovery Period”* means the period following a
10 disaster, as described in Sections 8 and 10 of this Act, during which
11 the relevant legal facilities described in Chapter VI are made available
12 to eligible actors for the purpose of providing initial recovery
13 assistance;
- 14 r. *“International Personnel”* means the staff, and volunteers of any
15 assisting actor providing disaster relief or initial recovery assistance in
16 the Philippines, being persons who are neither citizens of Philippines
17 nor domiciled in Philippines prior to their recruitment by the assisting
18 actor;
- 19 s. *“Legal Facilities”* means the special entitlements and exemptions that
20 are made available to Eligible Assisting Actors under Chapter VI of
21 this Act;
- 22 t. *“Locally Engaged Personnel”* means nationals or persons domiciled in
23 the Philippines who are recruited as staff or volunteers by assisting
24 international actors to provide disaster relief or initial recovery
25 assistance;
- 26 u. *“Services”* means activities undertaken by assisting actors to assist
27 disaster affected communities with their relief or initial recovery, such
28 as search and rescue activities, medical care, protection services and
29 information services;
- 30 v. *“Transit Facilities”* means the special entitlements and exemptions
31 that are made available to assisting international actors under
32 Chapter VII of this Act.
- 33 w. *“Transit Facilities Period”* means the period following a disaster in
34 another country, as described in Section 62 of this Act, during which
35 the relevant legal facilities described in chapter vii are made available
36 to assisting actors for the purpose of providing disaster relief or initial
37 recovery assistance.
- 38 x. *“Transport”* means the land, air or water vehicles operated on or
39 behalf assisting actors to transport international personnel, goods and
40 equipment across an international border for the purpose of providing
41 disaster relief or initial recovery assistance.
- 42

43 **Section 4. Existing Rights, Privileges and Immunities** – Nothing in this Act
44 shall be interpreted to limit or reduce the existing rights, privileges or
45 immunities of any assisting actor as separately recognized by other laws or
46 agreements of the Philippines, and any status or headquarters agreement
47 between the Philippines and an assisting international actor.

48

49

1 **Chapter II**

2 **Initiation and Termination of International Disaster Assistance**

3
4 **Section 5. *Assessment of the Need for International Disaster Assistance –***

5 a. Immediately after the onset of a major disaster, and in consultation with
6 relevant local government units and local authorities, the National Disaster
7 Risk Reduction and Management Council (NDRRMC) shall make a
8 determination, based on initial estimates, as to whether domestic capacities
9 are likely to be sufficient to attend to the needs of affected persons for
10 disaster relief and initial recovery assistance. This determination may also
11 be made, at the discretion of the NDRRMC, prior to the onset of an
12 imminent major Disaster.

13
14 b. In the event of a determination that domestic response capacities are not
15 likely to be sufficient due to the scale of the disaster, the NDRRMC shall
16 advise the President and recommend that an immediate request be made for
17 international disaster assistance.

18
19 c. If such a recommendation is made, the NDRRMC shall, in consultation
20 with relevant local government units and local authorities, develop a
21 preliminary list of goods, equipment and services required. The NDRRMC
22 shall make this list available to potential assisting international actors
23 immediately upon the commencement of an international disaster relief
24 period pursuant to section 8. The list shall be updated as needed to reflect
25 new information and changing circumstances.

26
27 d. A determination that domestic capacities are likely to be sufficient and
28 that international disaster assistance is therefore unnecessary may be
29 reviewed and rescinded by the NDRRMC at any time, in light of updated
30 information.

31
32 **Section 6. *Requests for International Disaster Assistance –***

33 a. Upon the advice of the NDRRMC, the President may make a request for
34 International Disaster Assistance. That request may be specifically
35 directed to particular international actors, or it may be a general request
36 directed to the international community as a whole.

37
38 b. The request shall be accompanied by:
39 a. information as to the extent and type of assistance required, based
40 on the list prepared by the NDRRMC pursuant to Section 5,
41 unless this would lead to undue delay; and
42 b. information on the procedures for assisting international actors to
43 make offers or provide assistance pursuant to Section 7.

44
45 **Section 7. *Offers and Acceptance of International Assistance –***

46 a. Assisting states and intergovernmental organizations interested in
47 providing international disaster assistance shall direct an offer to the
48 Department of Foreign Affairs (DFA) through the appropriate Philippine
49 embassy. Offers should indicate, in general terms, the type, amount and

1 estimated duration of assistance to be provided. The DFA shall then consult
2 with the NDRRMC about such offers. Upon the direction of the NDRRMC,
3 the DFA may accept such offers, in whole or in part.

4
5 b. Assisting states planning to provide aid through military actors shall
6 make such offers according to agreements between the Philippines and the
7 assisting states and other relevant laws of the Philippines. They may be
8 accepted, in whole or in part, with the specific conditions set out in the
9 aforementioned laws, regulations and/or agreements.

10
11 c. In the event of a general request for international disaster assistance
12 made pursuant to section 6(a), assisting international actors other than
13 assisting states and intergovernmental organizations are exempt from
14 making formal offers. However, they shall comply with the terms of the
15 general request and shall inform the NDRRMC of the type, amount and
16 estimated duration of assistance to be provided in advance of their arrival.

17
18 d. In the absence of a general request for international disaster assistance,
19 assisting international actors may make unsolicited offers to the DFA
20 through, the appropriate Philippine embassy. The DFA shall consult with
21 NDRRMC and, upon its direction, may accept such offers, in whole or in
22 part.

23
24 **Section 8. *International Disaster Relief and Initial Recovery Periods –***

25 a. The international disaster relief and initial recovery periods shall both
26 commence simultaneously upon the issuance of a request for international
27 disaster assistance under Section 6, or upon acceptance of an offer under
28 Section 7, and shall continue until terminated pursuant to Section 9 or
29 Section 10, as appropriate.

30
31 b. The legal facilities described in Chapter VI shall only be effective during
32 the international disaster relief and initial recovery periods.

33
34 **Section 9. *Termination of the International Disaster Relief Period –***

35 a. When, on the basis of updated needs assessments and other information,
36 and in consultation with assisting actors, the NDRRMC is satisfied that
37 the need for disaster relief is coming to an end, it shall advise the
38 President to approve a termination date for the international disaster
39 relief period, with due consideration for the impact on ongoing relief
40 activities. This termination shall not affect the ongoing validity of the
41 international initial recovery period.

42
43 b. The termination date shall be announced to assisting actors no later than
44 30 days prior to the proposed date. The announcement shall also include
45 information about the anticipated ongoing needs for goods and services
46 related to initial recovery assistance, if any.

- 1 c. Upon the issuance of an announcement pursuant to this Section, the
2 NDRRMC shall consult with assisting actors actively involved in disaster
3 relief work in order to reduce any negative impact from the termination
4 and, where necessary, to ensure an adequate handover of
5 responsibilities.
6

7 **Section 10. Termination of the International Initial Recovery Period –**

- 8 a. When, on the basis of updated needs assessments and other information,
9 and in consultation with assisting actors, the NDRRMC is satisfied that
10 the need for international initial recovery assistance is coming to an end,
11 it shall advise the President to approve a termination date for the
12 international initial recovery period, with due consideration for the
13 impact on ongoing initial recovery activities.
14
- 15 b. The termination date shall be announced to assisting actors no later than
16 30 days prior to the proposed date.
17
- 18 c. Upon the issuance of an announcement pursuant to this Section, the
19 NDRRMC shall consult with assisting actors actively involved in initial
20 recovery assistance work in order to reduce any negative impact from the
21 termination and, where necessary, to ensure an adequate handover of
22 responsibilities.
23

24 **Chapter III**

25 **Coordination and Preparedness for International Disaster Assistance**

26
27 **Section 11. Coordination Duties and Powers of the Focal Point Agency –**

- 28 a. The NDRRMC shall serve as a central focal point agency for liaison
29 between the government of Philippines and assisting international actors,
30 promoting the effective facilitation, coordination and oversight of
31 international disaster assistance pursuant to this chapter. As such, the
32 NDRRMC shall serve as the main counterpart for any applicable
33 international or regional coordination mechanisms.
34
- 35 b. The NDRRMC shall inform assisting actors and relevant national and
36 local governmental agencies of their rights and responsibilities under this
37 Act and orient them to other laws, rules or procedures especially relevant
38 to international disaster relief and initial recovery assistance.
39
- 40 c. During the international disaster relief and initial recovery periods, the
41 NDRRMC may order any relevant governmental body of Philippines to
42 undertake actions or make available assets or premises required to
43 facilitate the work of assisting international actors to provide disaster
44 relief or initial recovery assistance. Such bodies shall comply to the
45 fullest extent possible within their legal mandates. Any order that may
46 impose a substantial burden on the cooperating agency may be reviewed
47 at its request by the Secretary of agency or department involved.
48
49

1 d. During the international disaster relief and initial recovery periods, the
2 NDRRMC may likewise request any private actor to undertake voluntary
3 actions, at their own expense, as needed to facilitate the work of assisting
4 international actors to provide disaster relief or initial recovery
5 assistance. This may include a request to lower or waive fees or charges
6 for key services required by assisting international actors and/or to
7 extend operating hours for their provision.
8

9 **Section 12. Taskforce on International Disaster Assistance Preparedness –**

10 a. A cross-sectoral Taskforce on International Disaster Assistance
11 Preparedness (“the Taskforce”) shall be established, to operate in
12 accordance with this Section, under the chairmanship of the NDRRMC
13 with the primary role of enhancing preparedness for implementation of
14 this Act in case of a disaster requiring international disaster assistance.
15

16 b. The Taskforce shall be composed of representatives from:

- 17 i. The NDRRMC;
- 18 ii. The Department of Social Welfare and Development;
- 19 iii. The Philippine Red Cross;
- 20 iv. The Office of the Governor/s of the Province/s involved;
- 21 v. The Office of the Congressman/Congressmen of the District/s
22 involved;
- 23 vi. The Office of the Mayor/s of the city/ies involved;
- 24 vii. Such other members as the Taskforce may invite to participate,
25 including relevant United Nations agencies, regional organizations
26 and Foreign NGOs.

27
28 c. The Taskforce shall provide technical advice on preparedness for the
29 facilitation of international disaster assistance to the NDRRMC. In
30 fulfilling this role, the Taskforce shall:

- 31 i. Prepare and update manuals, guidelines, plans or other
32 procedures for the entry and coordination of international
33 disaster relief and initial recovery assistance;
- 34 ii. Compile and update information on existing bilateral, regional
35 and international coordination mechanisms applicable the
36 Philippines, and provide technical advice to the NDRRMC on the
37 further development of such mechanisms;
- 38 iii. Develop and maintain a list of personnel nominated by the
39 relevant Secretaries to participate in Single Window
40 International Facilitation Teams (SWIFTs), as described in
41 Section 13, and to assist the NDRRMC to convene the SWIFTs
42 immediately upon the commencement of an international
43 disaster relief period pursuant to Section 8, if required for the
44 volume of international disaster assistance expected;
- 45 iv. Advise the NDRRMC on the development of technical quality
46 standards for international disaster relief and initial recovery
47 assistance, as described in Chapter IV of this Act;

- 1 v. Develop, in accordance with Chapter V of this Act, procedures,
2 documentation requirements and information about the
3 responsibilities of assisting actors under this Act;
4 vi. Undertake other tasks related to international disaster
5 assistance, as requested by the NDRRMC.
6

7 d. The Taskforce shall meet:

- 8 i. immediately upon the commencement of an international
9 disaster relief period pursuant to Section 8, to ensure the
10 effective operation of the SWIFTs described in Section 13 and
11 to advise the NDRRMC on the application of relevant
12 procedures, manuals and other technical materials concerning
13 the facilitation of international disaster assistance; and
14 ii. otherwise as necessary, and in no case less frequently than
15 twice per year, to review national preparedness for
16 implementing the provisions of this Act and to carry out the
17 functions assigned to it pursuant to this Section.
18

19 **Section 13. Single Window International Facilitation Teams (SWIFTs) –**

- 20 a. Single Window International Facilitation Teams (SWIFTs) shall be
21 established in accordance with this Section, for the purpose of
22 consolidating and expediting the legal requirements concerning entry
23 of incoming international disaster relief and initial recovery personnel,
24 goods, equipment and transport, as well as the application process for
25 eligibility, as described in Chapter V.
26
27 b. In consultation with the Taskforce, the NDRRMC shall establish the
28 membership, functions, authorities and operating procedures for the
29 SWIFTs, consistent with this Act and other relevant legislation.
30
31 c. The SWIFTs shall be composed of representatives of relevant
32 Departments and Agencies, from the list established and updated by
33 the Taskforce in accordance with Section 12.
34
35 d. Upon the commencement of an international disaster relief period
36 pursuant to Section 8, SWIFTs shall be deployed to primary points of
37 entry for international disaster assistance, including, as
38 circumstances dictate, relevant airports, seaports and land border
39 crossing points.
40
41 e. In the absence of a SWIFT team at a particular border crossing,
42 officials of the Bureau of Customs shall nevertheless apply the
43 relevant provisions of this Act.
44

45 **Section 14. Operational Coordination of Assisting International Actors –**

- 46 a. National and local authorities shall endeavour to integrate the role of
47 assisting international actors into their contingency planning and
48 mechanisms for operational coordination for disaster relief and initial
49 recovery assistance efforts. In particular, they shall endeavour to

1 facilitate the work of assisting international actors, while balancing
2 the urgent needs of people affected by disaster and necessary
3 safeguards relating to public safety and health, coordination and
4 oversight.

5
6 b. Assisting international actors shall cooperate and coordinate with
7 National and local authorities in their disaster relief and initial
8 recovery assistance. In particular, they shall provide them with such
9 information as is available to them on the needs, and on the location,
10 type and extent of their disaster relief and initial recovery assistance
11 operations, as required for a coordinated and effective response.

12
13 c. Assisting international actors shall cooperate with any international or
14 regional mechanisms for coordination that have been specifically
15 approved for a particular operation by the NDRRMC.
16

17 **Section 15.** *Limited Exemption from Privacy of Personal Data* – Public
18 authorities and assisting actors shall be permitted to share personally
19 identifiable information concerning disaster-affected persons among
20 themselves for the purpose of avoiding imminent death or physical harm to
21 individuals, or grave and foreseeable harm to public health or safety, or for
22 facilitating family reunification.
23

24 **Chapter IV** 25 **General Responsibilities of Assisting Actors** 26

27 **Section 16.** *Principles of International Disaster Assistance* –

28 a. Assisting actors shall comply with the principles of humanity and
29 impartiality in providing international disaster assistance. In
30 particular, they shall establish their aid priorities on the basis of need
31 alone and they shall not:

- 32 i. engage in any adverse distinctions, exclusions or preferences
33 based on status, such as nationality, race, ethnicity, religious
34 beliefs, class, gender, sexual orientation, disability, age or
35 political opinion;
- 36 ii. seek to further a particular political or religious standpoint or
37 interfere in internal matters irrelevant to disaster response;
- 38 iii. seek to obtain commercial gain from their assistance;
- 39 iv. gather sensitive information of a political, economic or military
40 nature that is irrelevant to International Disaster Relief or Initial
41 Recovery Assistance.
42

43 b. In addition, non-governmental organizations shall comply with the
44 principle of independence. In particular, they shall not act as
45 instruments of the foreign policy of any government.
46

47 **Section 17.** *Respect for the Dignity of Persons Affected by Disaster* –
48 Assisting actors providing international disaster assistance shall respect the
49 dignity of persons affected by a disaster. In particular, they shall consult

1 with the beneficiaries of their assistance in the design, implementation,
2 monitoring and evaluation of the disaster relief and initial recovery
3 assistance they provide.

4
5 **Section 18. *Quality of Goods and Services*** – Assisting actors shall ensure
6 that the goods and services they provide are appropriate to the needs and
7 circumstances of persons affected by the disaster and in compliance with
8 the requirements of this Act and all applicable laws of the Philippines.
9 Assisting actors shall additionally comply with technical quality standards
10 as contained by regulations to be developed by the NDRRMC.

11
12 **Section 19. *Disposal of Unusable Goods, Non-Functioning Equipment and***
13 ***other Waste*** – Assisting actors shall ensure that any goods or equipment
14 they import for the purpose of disaster relief or initial recovery assistance,
15 which are or which have become unusable, as well as any other waste
16 products produced by them in the course of their disaster relief or initial
17 recovery assistance operations, are recycled or otherwise disposed of in a
18 safe, environmentally sensitive and effective manner in compliance with
19 Philippine laws.

20
21 **Chapter V**
22 **Eligibility for Legal Facilities**
23

24 **Section 20. *Provision of Legal Facilities to Eligible Actors*** –

- 25 a. The legal facilities described in Chapter VI are available only to eligible
26 actors as described in this chapter and are effective only during the
27 international disaster relief and initial recovery periods. Unless
28 otherwise stated in Chapter VI, the legal facilities are equally effective
29 during both of those periods.
30 b. All of the legal facilities described in Chapter VI shall be available to
31 assisting international actors deemed eligible pursuant to Section 21,
32 or approved as eligible pursuant to Section 22.
33 c. The legal facilities described in Parts 1 to 5 in Chapter VI shall only be
34 available to assisting domestic actors deemed eligible pursuant to
35 Section 21 or approved as eligible pursuant to Section 22, with
36 respect to international personnel, goods, equipment and transport
37 they bring to the country from abroad to provide disaster relief or
38 initial recovery assistance.

39
40 **Section 21. *Deemed Eligibility for Legal Facilities for Certain Assisting Actors***

41 –

- 42 a. Upon the commencement of an international disaster relief period
43 pursuant to Section 8, the following assisting international actors
44 shall be deemed eligible to receive the legal facilities described in
45 Chapter VI of this Act without a further application process pursuant
46 to Section 22:
47 (i) Assisting States;
48 (ii) Relevant intergovernmental organizations, including United
49 Nations and regional organizations;

1 (iii) Any other assisting actor that the NDRRMC wishes to deem
2 eligible.

- 3
4 b. In order to facilitate access to the legal facilities, the NDRRMC shall
5 provide assisting international actors described in Subsection (a) a
6 certificate of eligibility, upon their request.
7

8 **Section 22. Application for Eligibility for Legal Facilities by Assisting Actors –**

- 9 a. With the exception of those deemed eligible pursuant to Section 21,
10 assisting actors seeking eligibility shall apply in accordance with this
11 Section. assisting international actors may apply only if they are
12 recognized as a legal person in a foreign country or under
13 international law.
14
15 b. The eligibility of private businesses for legal facilities shall be limited
16 to assistance from which they make no profit or other commercial
17 gain.
18
19 c. Applications for eligibility may be made in advance of any disaster, or
20 after the onset of a disaster. In the event that eligibility for legal
21 facilities is granted in advance of a disaster, it will remain valid for 1
22 year, after which a new application is required. The legal facilities will
23 enter into legal effect only during an international disaster relief or
24 initial recovery period.
25
26 d. All Assisting Actors seeking eligibility shall submit:
27 (i) certified copies of documents evidencing their legal
28 personality in a foreign jurisdiction or under international law,
29 in the case of assisting international actors, or under the laws of
30 the Philippines, in the case of assisting domestic actors;
31 (ii) the name and full contact details of the authorized
32 representative of the organization and the address of its
33 headquarters, if any, in the Philippines;
34 (iii) documentation relating to their previous experience and
35 current capacity in providing effective disaster relief or initial
36 recovery assistance;
37 (iv) an undertaking relating to their organizational commitment
38 and practices concerning the responsibilities set out in Chapter
39 IV.
40

41 **Section 23. Eligibility Determination and Certificates –**

- 42 a. The NDRRMC shall respond to any application under Section 22 by
43 either approving it and issuing a certificate of eligibility for the
44 relevant Chapter VI legal facilities, or by giving notice that the
45 application has not been approved.
46 (i) For applications made during the international disaster relief
47 period, the NDRRMC shall respond no later than 2 days after
48 receipt of all required documents.

1 (ii) For applications made after the termination of an
2 international disaster relief period but during an international
3 initial recovery period, the NDRRMC shall respond no later than
4 5 days after receipt of all required documents.
5

6 b. Applications from assisting actors with significant experience will be
7 accepted unless the documentation provided or external information
8 raises doubts as to their capacities, in which case, additional opinions
9 and information may be gathered prior to making a determination.
10

11 c. Upon approval of an application pursuant to Section 22 or upon the
12 request of an assisting actor deemed eligible pursuant to Section 21,
13 the NDRRMC shall issue a certificate indicating that the assisting
14 actor is eligible for the relevant Chapter VI legal facilities. In the case
15 of a domestic assisting actor, the certificate shall state that the
16 eligibility extends to the legal facilities in Parts 1 to 5 of Chapter VI.
17

18 d. A certificate issued in accordance with this Section shall be valid for a
19 period of 1 year from the date of issue and may be renewed through a
20 new decision under Section 20 or Section 22.
21

22 **Section 24. Termination of Eligibility for Legal Facilities** – Eligibility of
23 assisting actors for the relevant Chapter VI legal facilities may be terminated
24 upon the request of the eligible actor concerned or upon the termination of
25 the legal facilities for failure to comply with this Act, pursuant to Section 56
26 of this Act.
27

28 **Chapter VI** 29 **Legal Facilities for Eligible Actors**

30 **Part 1** 31 **International Personnel**

32
33
34 **Section 25. Disaster Visa** – The international personnel of eligible actors
35 shall be entitled to waiver of entry visa requirements, including any
36 associated fees or charges. International personnel who enter Philippines
37 under this Disaster Personnel visa waiver shall be allowed to undertake
38 disaster relief and initial recovery work for their sponsoring entities without
39 the requirement to seek a separate residence or work permit. As long as they
40 continue as international personnel of their sponsoring entities, they shall
41 be entitled to remain in or re-enter the territory as often as necessary
42 throughout the international disaster relief and international initial recovery
43 periods. After that time, they may apply for a relevant visa from within the
44 country.
45

46 **Section 26. Recognition of Foreign Professional Qualifications** –

47 a. Eligible assisting actors wishing to deploy international personnel for
48 tasks requiring legal recognition of their foreign professional qualifications

1 shall certify the validity of those qualifications and the competence of their
2 personnel for the tasks envisaged.

3
4 b. Within six months of the entry into force of this Act, the Department of
5 Foreign Affairs shall establish lists of countries and/or educational
6 institutions whose health professionals, architectural, engineering and other
7 relevant professionals may be given automatic recognition of their foreign
8 qualifications when certified by an eligible assisting actor pursuant to
9 subsection (a) of this Section. The lists shall be reviewed at least once per
10 year and published electronically.

11
12 c. The Department of Foreign Affairs shall also establish expedited
13 procedures to be applied for the assessment and recognition of the foreign
14 qualifications of the international personnel originating from countries or
15 institutions not included on the above-mentioned lists, when certified by
16 their sponsoring eligible assisting actor pursuant to subsection (a) of this
17 Section.

18
19 d. Recognition of qualifications under this Section shall exempt
20 international personnel of eligible actors from any obligations for
21 compulsory membership of professional associations or other professional
22 registration processes within Philippines until the end of the international
23 initial recovery period.

24
25 e. Recognition of qualifications under this Section shall remain valid until
26 the end of the international initial recovery period, absent individual
27 criminal conduct, or other professional misconduct sufficient to bar the
28 individual from professional practice in the Philippines.

29
30 **Section 27. Recognition of Foreign Driving Licenses –** The Land
31 Transportation Office (LTO) and other relevant authorities shall accord
32 temporary recognition of the foreign driving licenses of the international
33 personnel of eligible actors, during the international disaster response and
34 initial recovery periods.

35
36 **Section 28. Freedom of Access –**

37 a. The international personnel of eligible actors under this Act shall be
38 provided freedom of access to disaster-affected areas and persons requiring
39 disaster relief or initial recovery assistance, subject only to limitations based
40 on national security, public order or public health, weighed in the context of
41 the urgency of the disaster needs. They shall be permitted to provide their
42 goods and services directly to affected persons.

43
44 b. In situations where the relevant authorities have decided to restrict public
45 access to affected areas out of concern for the safety of those persons
46 seeking to enter, they shall warn the international personnel of eligible
47 actors, but allow them to enter, if they may do so without endangering
48 others and if the international personnel assume the risk.

1 Part 2

2 Entry of International Disaster Goods and Equipment

3
4 **Section 29.** *Customs Facilitation and Priority Treatment* – As further
5 described in this Part, the Bureau of Customs shall facilitate the rapid
6 importation of consignments of goods and equipment by eligible actors and
7 shall accord them priority treatment in handling.

8
9 **Section 30.** *Duty of Compliance by Eligible Actors* – In order to benefit from
10 the legal facilities in this part, eligible actors shall:

- 11
12 a. declare that all the goods and equipment they seek to import under
13 this Part are exclusively for disaster relief or initial recovery assistance
14 and that they comply with any relevant standards under national law,
15 including as provided in this Act or its regulations; and
16 b. pack, classify and mark their consignments in accordance with the
17 requirements described in this part and as directed by the Bureau of
18 Customs.

19
20 **Section 31.** *Representation to Customs* – Eligible actors may make
21 representations directly to the Bureau of Customs with respect to their
22 international disaster assistance consignments or through a designated
23 third party acting on their behalf.

24
25 **Section 32.** *Exemption from Import Duties, Taxes and Restrictions* –
26 Consignments of goods and equipment by or on behalf of eligible actors
27 shall benefit from:

- 28 a. exemption from all duties and taxes;
29 b. waiver of economic prohibitions and restrictions except for
30 categories of special goods and equipment as provided in Part 3
31 of this Act; and
32 c. clearance without regard to the country of origin or the country
33 from which the goods have arrived, subject to monitoring for
34 reasons of public health and security.

35
36 **Section 33.** *Simplification of Documentation Requirements* – The Bureau of
37 Customs shall:

- 38 a. clear or release consignments of goods and equipment sent by
39 or on behalf of eligible actors on the basis of a simplified /
40 provisional goods declaration providing the minimum
41 information necessary for the Bureau of Customs to identify the
42 goods and equipment: *Provided*, that eligible actors are subject
43 to completion of a more complete declaration within a specified
44 period;
45 b. allow a single goods declaration for all imports of goods or
46 equipment by or on behalf of eligible actors;
47 c. allow the goods declaration and any supporting documents
48 relating to consignments of goods or equipment sent by or on

- 1 behalf of eligible actors to be lodged electronically and without
2 any fee;
- 3 d. allow the lodging and registering or checking of the goods
4 declaration and supporting documents prior to the arrival of
5 consignments of goods or equipment sent by or on behalf of
6 eligible actors, to facilitate their release upon arrival;
- 7 e. waive any requirement of translation of details in documents
8 relating to consignments of goods or equipment sent by or on
9 behalf of eligible actors unless it is absolutely necessary for the
10 purposes of release or clearance.

11
12 **Section 34. *Extended Hours for Customs*** – During the international disaster
13 relief period only, the Bureau of Customs shall:

14 a. upon request, and without additional charges, carry out the functions
15 necessary for the release or clearance of consignments of goods or
16 equipment imported by or on behalf of eligible actors outside their
17 designated hours of business and/or away from customs offices when
18 necessary; and

19
20 b. coordinate with the business hours and competencies of any other
21 relevant Departments involved in the approval of incoming consignments
22 and, whenever possible, carry out joint operations, such as joint customs
23 controls, including participation in SWIFTs, if established under Section 13
24 of this Act.

25
26 **Section 35. *Inspections and Customs Security*** – During the international
27 disaster relief period only, the Bureau of Customs shall:

28 a. on the basis of risk analysis, take only such action as it deems essential
29 to ensure compliance with customs and related laws for the purpose of
30 checking the goods declaration of a consignment sent by or on behalf of
31 eligible actors;

32
33 b. waive, as feasible, any customs security that would normally be required
34 in respect of consignments of goods and equipment imported on or behalf of
35 eligible actors.

36
37

38
39

Part 3
Expedited Entry and Use Restrictions for
Specific International Disaster
Goods and Equipment

40
41
42

43 **Section 36. *Telecommunications Equipment*** –
44 a. Eligible actors shall be permitted to import telecommunications
45 equipment for the purpose of disaster relief or initial recovery assistance
46 without restrictions, except as required for purposes of national security or
47 public order.

48

1 b. Upon notification of the names, frequencies, as applicable, and locations
2 of intended use of such telecommunications equipment imported by eligible
3 actors, the National Telecommunications Commission (NTC) shall waive any
4 licensing requirements or fees for their use.

5
6 c. The NTC shall also grant eligible actors priority over domestic users with
7 the exception of security forces, ambulance services and other domestic
8 emergency responders in access to bandwidth, frequencies and satellite use
9 for telecommunications and data transfer associated with disaster relief and
10 initial recovery assistance.

11
12 **Section 37. Medications –**

13 a. Eligible actors shall be permitted to import medications and medical
14 equipment for the purpose of disaster relief or initial recovery assistance so
15 long as they conform to the requirements of this Section.

16
17 b. Any such medications and medical equipment shall be appropriate to the
18 needs of the disaster-affected persons, and shall be legal for use in the
19 country of origin according to its laws as well as in Philippines according to
20 appropriate laws on pharmaceuticals. Pursuant to subsections (c) and (d)
21 below, a distinction shall otherwise be made between medications intended
22 to be donated for the use of others and those that eligible actors intend to
23 use directly in providing medical services.

24
25 c. Medications that eligible actors intend to use directly in providing medical
26 services in disaster relief or initial recovery assistance shall be:

- 27 (i) transported and maintained by the eligible actor in appropriate
28 conditions at all times to ensure their quality and;
29 (ii) guarded against misappropriation and abuse.

30
31 d. Medications intended for donation for the use of others shall be:

- 32 (i) at least 12 months from their expiry date upon arrival, unless
33 otherwise specifically agreed by the Department of Health
34 (DOH);
35 (ii) transported and maintained by the eligible actor in appropriate
36 conditions to ensure their quality until they reach their
37 intended domestic recipients; and
38 (iii) appropriately labelled in a language understood in the affected
39 State with the international non-proprietary name or generic
40 name, batch number, dosage form, strength, name of
41 manufacturer, quantity in the container, storage conditions and
42 expiry date.

43
44 **Section 38. Food –** Food imported by eligible actors shall be admitted
45 pursuant to expedited procedures set out by regulations to be developed
46 within 6 months from the effectivity of this Act by the DOH and the
47 Department of Agriculture (DA).

48

1 **Section 39. *Imported Vehicles*** – The LTO shall grant temporary recognition
2 to foreign registration and plates to vehicles imported by eligible actors
3 during the international disaster relief period and the international initial
4 recovery period.

5
6 **Section 40. *Search Dogs*** – Search dogs imported temporarily by eligible
7 actors shall be admitted without the need for quarantine so long as they
8 meet the conditions and requirements of special regulations to be developed
9 within 6 months from the effectivity of this Act by the Bureau of Animal
10 Industry.

11
12 Part 4
13 Permitted Disposition of Equipment and Unused Goods
14

15 **Section 41. *Disposition of Equipment and Unused Goods*** –

16 a. This part sets out the permitted disposition of goods or equipment for
17 which eligible actors have received waivers or exemptions from fees, duties,
18 taxes or other charges pursuant to this chapter and which remain in their
19 possession as of the end of their disaster relief and initial recovery
20 assistance operations.

21
22 b. Such goods and equipment may be:

- 23 (i) retained by eligible actors that are non-profit entities and used
24 or distributed by them for humanitarian, development or
25 charitable purposes in the Philippines;
26 (ii) re-exported pursuant to Section 42;
27 (iii) donated pursuant to Section 43; or
28 (iv) disposed of pursuant to Section 19.

29
30 c. Additionally, such goods and equipment may be sold, but only:

- 31 (i) after the termination of the initial recovery period; and
32 (ii) with payment of all fees, duties, taxes or charges that were
33 previously waived or exempted for these items under this
34 Chapter.

35
36 **Section 42. *Re-Export of Goods and Equipment*** – Eligible actors that import
37 equipment or goods benefitting from the legal facilities in this chapter are
38 permitted to re-export any equipment or unused goods and to do so without
39 the imposition of any taxes, export duties, or similar charges, provided that:

40 a. re-export is commenced no later than 2 months after the
41 termination of the international initial recovery period; and

42 b. they provide documentation that the equipment and goods in
43 question were originally imported for the purpose of disaster relief or initial
44 recovery assistance pursuant to this Chapter.

45
46 **Section 43. *Donation of Unused Goods and Equipment*** – When they are no
47 longer needed for their disaster relief or initial recovery assistance, eligible
48 actors are permitted to donate any imported or locally purchased goods and

1 equipment without the imposition of any taxes, fees, duties, or similar
2 charges on either the donor or the beneficiary, provided that:

3 a. the donation is made no later than two months after the
4 termination of the international initial recovery period;

5 b. the eligible assisting international actor provides documentation to
6 the BOC and the Bureau of Internal Revenue (BIR) on the identity of the
7 importer or purchaser, the date of import or purchase, and the fact that the
8 item or group of items was imported or purchased pursuant to the legal
9 facilities in this chapter;

10 c. the beneficiary of the donation is the Philippine Red Cross, a
11 domestic NGO, or other non-profit charitable or humanitarian organization
12 established in the Philippines; and

13 d. any items thus donated may not be sold unless fees, duties, taxes
14 or charges that were previously waived or exempted for these items under
15 this Chapter are paid.

16
17 Part 5
18 Transport
19

20 **Section 44.** *Facilitation of Means of Transport* – Ground, air and water
21 transport vehicles operated by or on behalf of eligible assisting actors to
22 transport international and locally engaged personnel, goods, or equipment
23 for the purposes of disaster relief or initial recovery assistance shall:

24 a. Be accorded priority treatment for passage, including, as appropriate,
25 priority in air traffic routing and landing permissions subject to
26 existing laws, rules and regulations of the proper authorities.

27 b. Be exempt from any applicable taxes, levies, duties, fees or charges
28 normally imposed by governmental entities of the Philippines,
29 including, but not limited to:

30 (i) overflight, landing, parking, taking off and navigation service
31 fees;

32 (ii) demurrage and docking fees; and

33 (iii) road tolls.

34 c. Be exempt from any prohibitions, limitations or restrictions in respect
35 of their arrival, overflight, landing, stay and departure, other than
36 those necessary to guarantee national security, public safety or public
37 health.

38
39 **Section 45.** *Entry of Transport Operators* – The appropriate authorities shall
40 endeavour to reduce and expedite any procedures for the entry of drivers,
41 pilots and crew of transport vehicles operated by on or behalf of eligible
42 actors.

43
44 **Section 46.** *Notice of Transport* – To facilitate the provision of the legal
45 facilities in this part, eligible assisting actors or their carriers shall:

46 a. inform the Civil Aviation Authority of the Philippines (CAAP) in
47 advance of the intended route of flights, type and call signs of the
48 aircraft, number of crew members, the character of the cargo, time-
49 table of flights, and the list of all passengers, and shall comply with

1 any directions from the CAAP as to air traffic control and landing
2 procedures.

- 3 b. inform the relevant marine authority in advance, of the intended port
4 or location of arrival of each water vessel, the type, make and
5 registration number of each vessel, the number of personnel operating
6 and on board each vessel and the equipment, facilities and other
7 materials on board each vessel, and shall comply with any directions
8 from the relevant authority as to the control of incoming vessels or
9 docking procedures.

10
11 Part 6

12 Legal Capacity and Employment
13

14 **Section 47.** *Legal Capacity of Assisting International Actors* – The status of
15 eligibility for legal facilities of an assisting international actor includes such
16 legal capacity as may be relevant for the exercise of its functions and the
17 fulfilment of its purposes in providing international disaster relief or initial
18 recovery assistance in accordance with the laws of Philippines during the
19 international disaster relief and initial recovery periods, in particular the
20 capacity to:

- 21 a. open bank accounts;
22 b. enter into contracts, including leases;
23 c. acquire and dispose of movable property;
24 d. receive and disburse private funds;
25 e. initiate legal proceedings;
26 f. engage and terminate locally engaged personnel, as set out in
27 Section 49 of this Act.
28

29 **Section 48.** *Engagement and Termination of Locally Engaged Personnel* –

- 30 a. Subject to Section 4 of this Act, and except as provided in this
31 Section, all eligible assisting international actors shall comply with the
32 applicable law in Philippines with regard to the employment of locally
33 engaged personnel;
34 b. Eligible assisting international actors shall not be required to make
35 any separate registration as employers, including for the purposes of
36 taxation, social security, and social insurance registration
37 requirements relating to the employment of locally engaged personnel.
38 c. Notwithstanding any provisions of labor and employment laws to the
39 contrary, eligible assisting international actors may:
40 i. recruit any individual legally entitled to perform the work
41 envisaged in Philippines through a non-discriminatory process;
42 ii. engage local personnel pursuant to fixed-term contracts,
43 which may be of short duration, and may be renewed as required
44 without creating an open-ended obligation.
45

46 **Section 49.** *Jurisdiction over International Personnel* – Jurisdiction
47 concerning contracts between eligible assisting international actors and
48 international personnel engaged by them shall be determined based on the
49 application Philippine laws on jurisdiction.

1
2 Part 7
3 Taxation of Eligible Assisting International Actors
4

5 **Section 50. Value-Added Tax (VAT) –**

6 a. The supply of disaster relief and initial recovery assistance by an eligible
7 assisting international actor shall be exempt from all vat, service taxes and
8 similar taxes, duties, levies and governmental fees where such supply takes
9 place during the international disaster relief or initial recovery periods.
10 Eligible assisting international actors shall also be exempt from registration
11 for vat during the same periods.

12 b. In providing this legal facility the BIR shall take all practical steps to
13 ensure that local suppliers suffer no negative financial or administrative
14 impact in providing goods or services to eligible assisting international
15 actors.
16

17 **Section 51. Income Tax –**

18 a. The activities of an eligible assisting international actor carried on for
19 the purpose of providing disaster relief or initial recovery assistance
20 shall be subject to income tax on any actual or deemed income or gain
21 arising from such activities.

22 b. The international personnel of an eligible assisting international actor
23 shall not be treated as a resident of the Philippines or as having any
24 other connection with the Philippines relevant for taxation purposes
25 by reason of their presence in the Philippines or activities undertaken
26 there during the international disaster relief and initial recovery
27 periods except in instances where any actual or deemed income or
28 gain is realized.
29

30 **Section 52. Property, Assets and Other Similar Taxes –** During the
31 international disaster relief or international initial recovery periods, no
32 taxes, duties, levies or governmental fees having similar effect shall accrue
33 or be payable by eligible assisting international actors in connection with:

34 a. land, a building or any part of a building where such land, building
35 or part thereof is wholly or primarily used by an eligible assisting
36 international actor for the purpose of disaster relief or initial recovery
37 assistance; and

38 b. the assets of an eligible assisting international actor.
39

40 Part 8
41 Currency and Banking
42

43 **Section 53. Right to Bring Necessary Funds and Currencies into the Country**
44 – The Department of Finance (DOF) shall facilitate the entry of such funds
45 and currencies by eligible assisting international actors to provide disaster
46 relief and initial recovery assistance.
47

48 **Section 54. Preferential Exchange Rates –** The DOF shall make available to
49 eligible assisting international actors the best available legal exchange rates

1 into the state's currency for funds to be used for the purpose of providing
2 disaster relief or initial recovery assistance.

3
4 **Chapter VII**
5 **Supervision, Reporting and Sanctions**
6

7 **Section 55. Supervision of Assisting Actors –**

8 a. The NDRRMC shall be responsible for monitoring the compliance of
9 assisting actors with their responsibilities under this Act, and in particular
10 Chapter IV.

11 b. To facilitate the NDRRMC's oversight, it may require assisting actors to
12 report to it, at reasonable intervals, about the disaster relief and initial
13 recovery assistance they provide. These reports shall be made public
14 through electronic means.

15 c. Any reporting requirements imposed by the NDRRMC under this Section
16 shall be designed so as to reduce any administrative burden on assisting
17 actors to the minimum necessary.

18
19 **Section 56. Non-Compliance by Assisting Actors –**

20 a. If, on the basis of credible information, the NDRRMC suspects that any
21 assisting actor has failed to materially comply with its responsibilities under
22 this Act, and in particular its responsibilities under Chapter IV, it shall
23 immediately consult with the assisting actor and seek clarification or
24 explanation. If still unsatisfied, the NDRRMC shall provide written notice of
25 non-compliance along with a decision either:

26 (i) to require the assisting actor to bring itself into compliance within a
27 specified period of time, with or without temporary suspension of its
28 eligibility, if any, for legal facilities under Chapter VI;

29 (ii) to revoke the assisting actor's eligibility, if any, for legal facilities
30 under Chapter VI;

31 (iii) in the case of deliberate misrepresentation or fraud, to impose
32 fines to be set out by implementing regulation; or

33 (iv) in the most extreme cases concerning an assisting international
34 actor, to revoke the Philippine's consent for it to provide disaster relief
35 or initial recovery assistance in response to the disaster.

36
37 b. In the event of a decision to revoke pursuant to subsection (a)(iv) of this
38 Section, if the assisting international actor lacks a legal basis independent
39 of this Act to remain in the country, it may be required to depart, as of a
40 date no sooner than 30 days from the date of the notice.

41
42 c. Decisions to suspend or revoke legal facilities pursuant to subsections
43 (a)(i) or (a)(ii) of this Section may not be given retroactive effect, except in
44 cases of fraud or criminal misconduct attributable to the assisting
45 international actor.

46
47 **Section 57. Transparency as to Internationally Donated Funds –**

48 a. Internationally donated funds received by the Government of the
49 Philippines for the purposes of disaster relief and initial recovery assistance

1 shall be subject to audit by the Commission on Audit (COA) no later than six
2 months after the termination of the international disaster relief period or the
3 international initial recovery period. The results of these audits shall be
4 made publicly available.

5
6 b. International donated funds received by assisting domestic actors shall
7 be:

8 (i) maintained in a dedicated account for disaster relief or initial
9 recovery assistance;

10 (ii) subjected to an external audit no later than six months after the
11 termination of the international disaster relief period or the international
12 initial recovery period, whichever is sooner. The results of these audits shall
13 be reported to the appropriate authority and made publicly available.

14
15 **Section 58. Congressional Oversight Committee** – A Congressional Oversight
16 Committee is hereby created to be composed of the 3 members each from
17 the Senate and the House of Representatives who shall be designated
18 by the Senate President and the Speaker of the House of Representatives:
19 provided, that 1 of the 3 Senators and 1 of the 3 House members shall
20 be nominated by the respective minority leaders of the Senate and the
21 House of Representatives.

22
23 The Oversight Committee is hereby mandated to oversee the implementation
24 of this act. For this purpose, the Oversight Committee shall set the
25 guidelines and overall framework for the monitoring of the implementation
26 of this Act and shall adopt its internal rules of procedures.

27
28 **Section 59. Annual Reporting on Implementation** - The NDRRMC shall report
29 annually to the Congressional Oversight Committee created by Section 58 of
30 this Act on steps taken to implement this Act, including preparedness
31 measures taken prior to a disaster.

32
33 **Section 60. Sanction for Non-Compliance by Officials** – Officials of the
34 Philippines that fail to abide by their responsibilities under this Act shall be
35 subject to administrative sanctions, without prejudice to any civil or
36 criminal liability under other laws that might also attach to the official's
37 actions or omissions.

38
39 **Chapter VIII**
40 **Transit of International Disaster Assistance**

41
42 **Section 61. Facilitation for Transit** – In the event a Disaster occurs in
43 another country for which international disaster assistance is required the
44 BOC and the Bureau of Immigration (BI) shall facilitate the speedy transit or
45 transshipment across the national territory of the Philippines of international
46 disaster assistance by assisting international actors, including international
47 personnel, goods, equipment and transport, in order to reach the affected
48 country,

1 **Section 62. Transit Facilities Period -**

- 2 a. When, after seeking the views of the relevant authorities of a disaster
3 affected country, the BOC and the BI are satisfied that international
4 disaster relief or initial recovery assistance is likely to be required and
5 that the transit or transshipment of international personnel, goods or
6 equipment through its territory is likely to be helpful, the BOC and
7 the BI may declare the beginning of a Transit Facilities Period.
8 b. The Transit Facilities Period shall continue until terminated by the
9 BOC and the BI, when they are satisfied that Transit Facilities are no
10 longer required.
11 c. The termination of a Transit Facilities Period shall be announced to
12 assisting international actors no later than 5 days prior to the
13 proposed date.
14 d. The transit facilities described in this Chapter shall be effective only
15 during the Transit Facilities Period.
16

17 **Section 63. Entitlement to Transit Facilities -**

- 18 a. Subject to subsection (b), all assisting international actors shall be
19 entitled to the Transit Facilities provided in this Chapter upon declaration
20 that the international personnel, equipment and goods that they seek to
21 send in transit through the Philippines are for the purpose of providing
22 international disaster relief or initial recovery assistance to a disaster-
23 affected country.
24 b. The BOC and the BI may deny transit facilities to any assisting
25 international actor, in case of actual or suspected fraud or if necessary to
26 safeguard national security or public health.
27

28 **Section 64. Disaster Transit Visa -** International Personnel entering the
29 Philippines for the purpose of transit to a disaster-affected country shall be
30 entitled to waiver of entry visa requirements, including any associated fees
31 or charges on the condition that they exit the territory of the Philippines
32 within a period of 24 hours.
33

34 **Section 65. Goods and Equipment in Transit and Transshipment -** The
35 provisions of Parts 2 and 3 of Chapter VI shall apply, *mutatis mutandis*, to
36 consignments of goods and equipment by eligible actors, when placed under
37 customs transit or transshipment to an affected country.
38

39 **Section 66. Transport for Transit and Transshipment -** The provisions of Part
40 5 of Chapter VI shall also apply, *mutatis mutandis*, to the ground, air and
41 water vehicles of eligible actors in transit through the territorial lands,
42 waters or airspace of the Philippines to provide international disaster relief
43 or initial recovery assistance to an affected country.
44

45 **Chapter IX**

46 **Implementation, Transitional and Final Provisions**

47
48 **Section 67. Implementing Rules and Regulations -**The NDRRMC together
49 with the DOF, BIR, BOC, LTO and other government agencies mentioned in

1 this Act shall draft the rules and regulations concerning all matters which
2 are required or permitted to be prescribed, or which are necessary to carry
3 this Act into effect or to give effect to any power, function, duty, or authority
4 under this Act.

5

6 **Section 68. Separability Clause.** - If any provision or part of this Act, or the
7 application thereof to any person or circumstances, is held invalid or
8 unconstitutional, the remaining sections of this Act or the application of
9 such provision or part hereof to other persons or circumstance shall remain
10 in full force and effect.

11

12 **Section 69. Repealing Clause.** - All laws, decrees, orders, issuances, rules
13 and regulations or parts thereof inconsistent with the provisions of this Act
14 are hereby repealed, amended or modified accordingly.

15

16

17 **Section 70. Effectivity.** - This Act shall take effect fifteen (15) days after its
18 approval and publication in the *Official Gazette* and/or in two (2)
19 newspapers of general circulation, whichever comes earlier.

20

21 Approved,