

**SENATE OF THE PHILIPPINES** )  
**SIXTEENTH CONGRESS** )  
*First Regular Session*



Senate  
Office of the Secretary

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**SENATE**

Senate Bill No. 1907

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Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

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**EXPLANATORY NOTE**

The Bohol Earthquake occurred on October 15, 2013. The magnitude of the earthquake at the epicenter was recorded at 7.2, located 6 kilometers Southwest of the municipality of Sagbayan, at a depth of 12 kilometers. It affected the whole Central Visayas region, particularly Bohol and Cebu. The quake was felt in the whole Visayas area and as far as Masbate island in the north and Cotabato provinces in southern Mindanao.

According to recent official reports by the National Disaster Risk Reduction and Management Council (NDRRMC), 222 were reported dead, 8 were missing, and 976 people were injured. In all, nearly 69,000 structures were damaged or destroyed. It was the deadliest earthquake that hit the Philippines in 23 years.

By far the most casualties and damages occurred in Bohol. According to the bulletin released by the NDRRMC on November 2, 2013, a total of 208 people were confirmed dead, 976 people were confirmed injured, and 8 confirmed missing. A rough estimate of the damages is expected to be at least at ₱2.5 billion in terms of public infrastructures in Bohol alone. The town of Loon, had the largest number of fatalities.

Also, a total of 1,250,974 people (or nearly 90% of the island's population) were affected by the quake. Over 67,400 residential houses were damaged or destroyed, with the towns of Loon, Tubigon, Carmen, and Calape, among the worst affected.

The Church of San Pedro Apostol in Loboc, the Church of Our Lady of Light in Loon and the Santa Cruz Parish Church in Maribojoc, completely collapsed; in Baclayon town, the façade of Church of Our Lady of Immaculate Concepcion and its bell tower were totally damaged. These churches have been a national heritage and a living testament of strong faith of Boholanos to God. Other churches, such as in Loay, Dausi, Dimiao and Tubigon were also heavily damaged.

In the municipality of Carmen, a freestanding bell tower and an observation deck in the island's renowned Chocolate Hills were destroyed, with some of the hills themselves damaged by landslides.

Several government buildings and numerous schools in the province were either partially or totally damaged, including the municipal halls of twelve towns. Some 32 bridges, including many along the National Road, and 13 road sections were damaged and impassable, hampering relief efforts. For several weeks, energy services in the province were also cut off.

Cebu was also severely devastated. According to NDRRMC, as of November 2, 2013, 12 people were confirmed dead, 96 people injured, and a total of 404,107 families or more than 1.9 million people were affected by the Bohol quake.

Several structures in Cebu City incurred total and partial damages. A building in Pasil Fish Port collapsed killing five people and injuring seven. The Basilica Minore del Santo Nino's bell tower, also a national heritage, collapsed. The Cebu Provincial Capitol was also badly hit. Several hospitals

such as the Cebu Doctor's University Hospital and the St. Vincent Hospital incurred damages.

Scientists from the Mines and Geosciences Bureau have been conducting a geo-hazard mapping in Bohol and Cebu since October 25, 2013. Efforts include identification of areas with sinkholes, which could swallow buildings or entire towns during heavy rains and floods according to MGB Director Leo Jasareno. Jasareno's group have inspected a 15-meter suspected sinkhole in Cebu, which appeared after a 7.2 magnitude earthquake.

However in Tagbilaran City, Bohol, close to 200 residents of a village were already advised to evacuate their homes after two large sinkholes were found there. Officials of the DENR-MGB said that the sinkholes in that village (Barangay Poblacion 1) might expand to a bigger depression and cause landslides, which may kill thousand of residents, thus the need to evacuate.

Not only public infrastructures and heritage were destroyed by the quake but it also threatens public health and sanitation. Majority of the Boholanos were left without adequate safe potable water and sanitary facilities. Serious public health issues may arise such as cases of diarrhea and water-borne diseases. Worst affected were the municipalities closest to the epicenter, such as Sagbayan, San Isidro, Calape, Tubigon, Clarin and Catigbian. Community health centers and hospitals were rendered uninhabitable, resulting in makeshift wards outside.

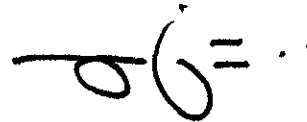
Furthermore, the prolonged period of aftershocks forced the population to reside outside in makeshift shelters, afraid to be inside weakened buildings and causing psychological trauma.

Patterned after Republic Act No. 7637, otherwise known as the "Mt. Pinatubo Assistance, Resettlement and Development Fund", this legislative measure seeks to appropriate sufficient amount to allocate Fifteen Billion Pesos (P 15,000,000,000) for the aid, relief, rehabilitation, home rebuilding

financing subsidy, livelihood and employment services, public infrastructure rebuilding, and heritage structures and tourism sites restoration, for the victims of the Bohol devastating earthquake.

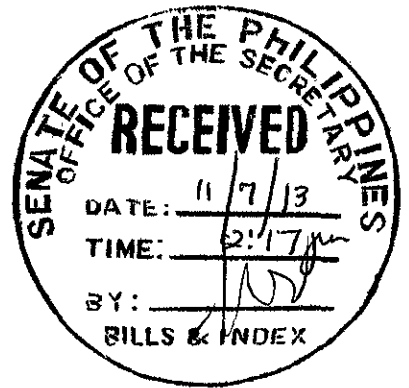
There is no other purpose of this bill other than to recover from the impact of the quake so that life may return to normalcy at the earliest possible time and the development and growth in Central Visayas region may be accelerated.

In view of the foregoing, the immediate approval of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'J. Ejercito', with a horizontal line extending to the left.

**JOSEPH VICTOR G. EJERCITO**

SENATE OF THE PHILIPPINES )  
SIXTEENTH CONGRESS )  
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SENATE

Senate Bill No. 1907

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Introduced by **SENATOR JOSEPH VICTOR G. EJERCITO**

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**AN ACT APPROPRIATING THE AMOUNT OF FIFTEEN BILLION PESOS ( P 15,000,000,000 ) FOR THE ASSISTANCE, RELIEF, REHABILITATION, HOME REBUILDING FINANCING SUBSIDY, LIVELIHOOD AND EMPLOYMENT SERVICES, PUBLIC INFRASTRUCTURE REBUILDING, AND HERITAGE STRUCTURES AND TOURISM SITES RESTORATION, FOR THE VICTIMS OF OCTOBER 15, 2013 DEVASTATING EARTHQUAKE, ESTABLISHING THE CENTRAL VISAYAS EARTHQUAKE RELIEF AND REHABILITATION COMMISSION AND FOR OTHER PURPOSES**

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

SECTION 1. **Short Title.** This Act shall be known as the "**Bohol Earthquake Assistance and Rehabilitation Fund Act of 2013.**"

SECTION 2. **Declaration of Policy.** – It is hereby declared the policy of the State to provide immediate assistance to the people of Central Visayas, particularly the provinces of Bohol, Cebu, Negros Oriental and Siquijor in order to recover from the devastating effects of the October 15, 2013 earthquake by extending them the necessary support, relief, rehabilitation,

home rebuilding financing subsidy, housing resettlement, livelihood and employment services, public infrastructure rebuilding, heritage structures and tourism sites restoration, to the end that life may return to normalcy at the earliest possible time and the development and growth of the Central Visayas Region may be accelerated.

SECTION 3. **Statement of Objectives and Guidelines.** – This Act is intended to help the victims of the Bohol earthquake, which greatly affected the Central Visayas. It aims to provide funds for the immediate relief of the victims; to provide medium to long term medical and psychological aid to the physically and psychologically distressed; to subsidize the rebuilding of family homes; establish resettlement centers for displaced families; to provide livelihood and employment opportunities; to repair, reconstruct or replace public infrastructures damaged or destroyed; to restore heritage churches and other architectural structures and tourism sites; and to construct new infrastructure facilities for the community. Moreover, the restoration, reconstruction, or rehabilitation, of any infrastructure must be in accordance with sound construction standards that will ensure its resilience to earthquakes and effects of climate change.

The term “*victims*” when used for purposes of this Act refers to the following:

- (a) Individuals who have died, sustained injury, disappeared and/or psychologically distressed as a result of the aforementioned earthquake.
- (b) Individuals who were displaced or suffered death in the family as a result of the aforementioned earthquake who need and deserve assistance; and,
- (c) Individuals whose homes have been destroyed or rendered uninhabitable and those who have lost permanently their livelihood as

a direct result of the Bohol earthquake who similarly need and deserve assistance.

SECTION 4. ***Guidelines in the Allocation of Funds.*** – The government funds and resources herein appropriated shall be spent judiciously and effectively in consonance with the principle of providing the greatest good for the greatest number. Accordingly, the following guidelines shall be observed in allocating the funds made available under this Act:

- (a) The first priority shall be given to emergency rescue and relief humanitarian efforts, including the grant of immediate medical assistance, food sustenance and emergency shelter;
- (b) The second priority shall be the grant of subsidy for rebuilding of family homes;
- (c) In the construction or repair and reconstruction of public infrastructure and facilities, priority shall be given to the construction of resettlement centers, and such other projects as roads, bridges, hospitals, school buildings, communication and power lines, irrigation and water systems, and the like;
- (d) Aid, relief, resettlement, rehabilitation and livelihood services shall be equitably extended to all victims, irrespective of political or party affiliation, sex, creed, religious belief, or ethnic origin, giving emphasis to livelihood and employment opportunities; and,
- (e) No money shall be released without any identified program and project being approved by the appropriate government agency nor shall it be used to pay obligations incurred before the approval of this Act.

SECTION 5. **Appropriation Clause.** – To carry out the purposes of this Act, the sum of Fifteen Billion Pesos (P 15,000,000,000) is hereby appropriated out of any available funds in the National Treasury not otherwise appropriated.

The amount shall cover the following projects; aid and relief operations; rehabilitation, repair and reconstruction of roads, bridges, sea ports and wharfs, school buildings, government buildings, regional and provincial hospitals; provision of hospital equipments, supplies and medicines; provision of school desks and other facilities; home rebuilding financing; heritage structures and tourism sites restoration; reconstruction of water system and sanitation; home resettlement efforts; livelihood programs and support to those who have lost their jobs; employment services; and funding for the Comprehensive Integrated Delivery of Social Services (CIDSS) under the Department of Social Welfare and Development.

Disbursement of the Fifteen Billion Pesos (P 15,000,000,000) shall be programmed as follows:

- (a) From the approval of this Act to December 31, 2014, the sum of Ten Billion Pesos (P 10,000,000,000);
- (b) For the year 2015, the sum of Two Billion Pesos (P 2,000,000,000);
- (c) For the year 2016, the sum of One Billion Five Hundred Million Pesos (P 1,500,000,000);
- (d) For the year 2017, the sum of One Billion Pesos (P 1,000,000,000);  
and,
- (e) For the year 2018, the sum of Five Hundred Million Pesos (P 500,000,000).

Provided, however, that undisbursed amounts at the end of any year shall be carried over to the succeeding year.



**SECTION 6. *Establishment of Central Visayas Earthquake Relief and Rehabilitation Commission.*** – For purposes of this Act, there is hereby created the Central Visayas Earthquake Relief and Rehabilitation Commission.

The Commission shall be organized within thirty (30) days after the approval of this Act. It shall have a term of five (5) years from its organization; provided, that the President of the Philippines by proclamation may, within six (6) months prior to the expiration of the term, extend the period of its existence once for not more than two (2) years.

Such amount as may be necessary for the initial organization and/or operational expenses of the Commission shall be set aside from the amount herein appropriated.

For administrative purposes, the Commission shall be attached to the Office of the President.

**SECTION 7. *Powers of the Commission.*** – To carry out its objectives under this Act, the Commission shall have the following powers:

- (a) To formulate policies and plans for the assistance, relief, rehabilitation, rebuilding and livelihood and employment services as well as infrastructure support in harmony with the other plans and policies of the National Government;
- (b) To approve the financing subsidy to individual family homes rebuilding, up to a maximum amount of Twenty Five Thousand Pesos (P 25,000.00) per family.
- (c) To make a determination of the permanent danger zones, if any, to spare communities and/or minimize future damage to lives, habitation, infrastructure, agricultural and other resources;

- (d) To prioritize and coordinate the implementation of the various programs and projects of the Commission;
- (e) To inspect the damage of the heritage structures, cultural treasures, national historical landmarks and tourism sites, establish the severity of damage, identify property that may immediately need to be secured, draw up priorities for restoration, estimate the amount of human and financial resources necessary and establish important linkages with the private stakeholders;
- (f) To sue and be sued in its name, and to adopt, alter and use a seal;
- (g) To enter into, make, perform and carry out contracts of every class, kind and description which are necessary to the realization of its purposes with any person, firm or corporation, private or public, and, upon consultation with the President, with foreign government entities, subject to the usual accounting and auditing requirements;
- (h) To apply for, receive and accept grants and donation of funds, equipment, materials and services needed for the development of the area, within and outside the Philippines;
- (i) To monitor the progress of the relief, rehabilitation, rebuilding, restoration, livelihood and employment as well as infrastructure support programs and projects;
- (j) To coordinate and consult with concerned national and local officials, both elective and appointive, as well as accredited non-governmental organizations (NGOs) in the prioritization and implementation of the programs and projects;

- (k) To call upon any department, office, instrumentality, agency, or any political subdivision of the Government for such assistance as may be necessary for the attainment of the objectives of the Commission; and,
- (l) In general, to perform such other powers as may be necessary and proper to carry out the purposes of this Act.

SECTION 8. **Composition of the Commission.** – The Commission shall be composed of twelve (12) members to be appointed by the President, six (6) being ex-officio members from the public sector and six (6) representatives from the private sector, including the: The Secretary of the Department of Public Works and Highways (DPWH) or his designate, the Secretary of the Housing and Urban Development Council (HUDCC) or his designate, the Secretary of the Department of Education (DepEd) or his designate, the Secretary of the Department of Social Welfare and Development (DSWD) or her designate, the Secretary of the Department of Tourism (DOT) or his designate, the Administrator of the National Disaster Risk Reduction and Management Council (NDRRMC) or his designate, the Chairman of the National Commission for Culture and the Arts (NCCA) or his/her designate; three (3) representatives of experts from recognized associations of urban planners, architects and engineers, one (1) of which being from Cebu or Bohol; two (2) representatives of distinguished organizations on heritage and cultural landmarks conservation and restoration, one (1) of which from Central Visayas; and one (1) representative from recognized non-government organizations (NGOs) or people's organizations (POs) with proven record in disaster prevention, mitigation, emergency and relief work and rescue operations. The Secretary of the Department of Public Works and Highways shall be designated as the Chairman of the Commission.

The members from the private sector of the Commission shall serve for five (5) years unless sooner removed for cause. The ex-officio members shall

not be entitled to any compensation, except for reasonable per diem for meetings.

**SECTION 9. *Executive Director; Powers and Responsibilities.*** – The President shall appoint a professional manager as the Executive Director of the Commission, who shall serve as the Chief Executive Officer (CEO). He/She shall serve until such time as the Commission is dissolved or unless sooner removed from office by the President. He shall have the following powers and functions:

- (a) Execute and administer the policies and decisions of the Commission;
- (b) Directly coordinate the activities of all agencies and instrumentalities of the Government in the planning and implementation of projects on site;
- (c) Monitor the programs and projects and evaluate the effects of execution by these agencies and instrumentalities and submit to the Commission periodic reports relating to the development of the areas; and
- (d) Perform such other functions as are inherently necessary in the operational management of the areas developed in accordance with the policies and guidelines formulated by the Commission.

**SECTION 10. *Implementation.*** – The survey, construction or repair and reconstruction of damaged, destroyed, required or alternate infrastructure, facilities and tourism sites, and heritage structures, as permissible under pertinent laws, shall be undertaken by the implementing government agencies concerned under the Procurement Reform Law, or Republic Act 9184, subject to the Commission on Audit's accounting and auditing rules and regulations.

With respect to assistance, relief, resettlement, rehabilitation and livelihood services to individual beneficiaries, the Commission may seek assistance and use the services of the Philippine National Red Cross and all

other relief agencies and volunteer organizations with proven record in providing relief work.

The Departments and government agencies involved with the assistance/aid, relief, resettlement, rehabilitation and livelihood services as well as infrastructure support shall continue to be the implementing agencies of the Commission and shall submit to the Commission every quarter the data and information required under Section 12 hereof.

SECTION 11. **Preference for Local Resident.** – Residents in the affected areas, especially the victims, shall be given preference in hiring or employment in the construction or repair and reconstruction of damaged or destroyed public infrastructure, facilities, tourism sites and heritage structures, and other labor requirements in all other projects.

SECTION 12. **Report to Congress.** – The Commission shall submit to the President and to Congress a detailed quarterly report on the funds allocated indicating the amount released, obligated and disbursed for:

- (a) Aid, relief, medical assistance, home rebuilding financing, resettlement, rehabilitation and livelihood services, including the list of names approved individual beneficiaries and contractors and the evaluation of the effectiveness of the delivery systems of such services.
- (b) Construction or repair and reconstruction of infrastructure projects, including the list of contractors and projects being financed, and the accomplishments for the expended appropriations, including the percentage of completion.

The Commission shall cause to be disseminated in the community the list of beneficiaries and contractors mentioned above.

The Commission shall also submit as part of the quarterly report a list of local and foreign donors and the nature of their donations.

The Department of Budget and Management shall likewise submit a report on the total allotment and cash release to all departments/ agencies to the Committee on Finance of the Senate and the Committee on Appropriations of the House of Representatives ten (10) days after the end of every month. The report shall include the following information; recipient department/agency, amount released, date of release, Special Allotment Release Order (SARO or the Notice of Cash Allotment (NCA) number, fund source, expenditure class, and purpose of release and publish the same on its website.

**SECTION 13. *Joint Congressional Oversight Committee.*** – There is hereby created the Joint Congressional Oversight Committee to monitor the implementation of this Act. The Oversight Committee shall be composed of three (3) Senators to be appointed by the Senate President and six (6) Representatives; three (3) of Representatives from the Province of Bohol and one (1) each from the provinces of Cebu, Negros Oriental and Siquijor. The oversight committee shall be co-chaired by a Senator and a Representative designated by the Senate President and the Speaker of the House of Representatives, respectively.

The mandate given to the Joint Congressional Oversight Committee under this Act shall be without prejudice to the performance of the duties and functions by the respective existing oversight committees of the Senate and the House of Representatives.

**SECTION 14. *Prohibition Against Running for Public Office.*** An officer or employee of the Commission shall not be qualified to be a candidate for public office for the election next following his resignation or separation. This prohibition does not apply to the Chairman and ex-officio members of the Commission.

SECTION 15. ***Punishable Acts.*** – Any person who takes advantage of the calamity by buying or selling relief goods which he knows or should be known to him as intended for donation, or misrepresenting the source of relief goods, or submitting or approving a false or inflated claim shall be prosecuted and upon conviction, suffer a fine of not less than One Hundred Thousand Pesos (P 100,000) nor more than One Million Pesos (P 1,000,000) or imprisonment for not less than six (6) years nor more than twelve (12) years, or both, at the sound discretion of the court, including perpetual disqualification from public office if he is a public officer, and forfeiture in favor of the Government of any prohibited interest. If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association, or entity responsible for the violation and, if such is an alien, he shall, in addition to the penalties prescribed, be deported without further proceedings after service of sentence.

SECTION 16. ***Rules and Regulations.*** – The President shall, within ten (10) days after the organization of the Commission, issue the implementing rules and regulations necessary for the effective execution of this Act.

SECTION 17. ***Transfer of Operating Funds, Records, Assets and Liabilities.*** – All operating funds, records, properties, other assets and liabilities of all government agencies tasked with relief and other operations for the October 15, 2013 Bohol earthquake are hereby transferred to the Commission.

SECTION 18. ***Separability Clause.*** – If any provision of this Act, or any parts thereof, is declared unconstitutional, the same shall not affect the validity and effectivity of the other portions.

SECTION 19. ***Repealing Clause.*** – All laws, executive orders, presidential decrees, proclamations, rules, regulations, issuances and enactments of

parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 20. **Effectivity.** - This Act shall take effect fifteen (15) days from its complete publication in the Official Gazette or in a newspaper of general circulation in the Philippines, whichever comes earlier.

Adopted.