

[EXECUTIVE ORDER NO. 419, August 22, 1990]

**PROMULGATING THE RULES AND REGULATIONS TO IMPLEMENT
REPUBLIC ACT NO. 6960 ENTITLED "AN ACT APPROPRIATING
THE SUM OF TEN BILLION PESOS FOR THE AID, RELIEF, AND
REHABILITATION SERVICES TO PERSONS AND AREAS AFFECTED
AND FOR THE SURVEY, REPAIR AND RECONSTRUCTION OF
GOVERNMENT INFRASTRUCTURE DAMAGED OR DESTROYED BY
THE EARTHQUAKES OF JULY 16, 1990 AND THEIR
AFTERSHOCKS"**

Pursuant to the powers vested in me by law, I, CORAZON C. AQUINO President of the Philippines, do hereby order:

SECTION 1. This Executive Order hereby promulgates the rules and regulations implementing Republic Act No. 6960 which was approved on August 7, 1990 and became effective on August 9, 1990, the said law having been published on said date in two (2) national newspaper of general circulation.

SEC. 2. As used in this Executive Order, the following definition of terms shall govern:

- a) The term "victims" refers to individuals who sustained serious injuries or suffered death in the family as a result of the earthquakes which occurred on 16 July 1990 , and their aftereffects. It shall include individuals whose homes have been destroyed or rendered uninhabitable.
- b) The term "aid" or "relief" refers to any assistance in the form of food, clothing, shelter, money or any other form of assistance to the end that life may return to normal at the earliest possible time.
- c) The term "repair" refers to the action of making a facility or infrastructure usable or serviceable even on a partial or temporary basis within a short period of time.
- d) The term "reconstruction" refers to the action of restoring a facility or infrastructure to the original condition and whenever necessary strengthening or putting in appropriate improvements to make it more resistant to calamities such as earthquakes. It shall also include the action of constructing a similar facility or infrastructure in another location in place of the damaged facility or infrastructure.
- e) The "Presidential Task Force on Rehabilitation" refers to the Task Force created pursuant to Memorandum Order No. 311

dated 1 August 1990 .

SEC. 3. The projects that will be funded by the appropriation contained in Republic Act No. 6960 must contribute to any or all of the following objectives:

- a) Preservation of life;
- b) Restoration of home; and
- c) Resumption of production.

The following agencies shall be responsible for the identification of the projects within their respective jurisdiction and whenever necessary, in consultation with local government units, viz.:

- a) Department of Public Works and Highways - for Roads, Highways and Bridges, Flood Control and Seawalls, Water Supply (level I), and Other Public Buildings and Facilities;
- b) Philippine National Railways - for Railways;
- c) Philippine Ports Authority - for Ports;
- d) Air Transportation Office/Department of Transportation and Communications - for Airports;
- e) Postal Services Office/Department of Transportation and Communications - for Post Offices;
- f) Telecommunications Office/Department of Transportation and Communications - for Telecommunication Facilities;
- g) National Power Corporation - for Power Facilities;
- h) National Electrification Administration - for Electrification Facilities;
- i) National Irrigation Administration - for Irrigation Facilities;
- j) Department of Education, Culture and Sports - for Schoolbuildings;
- k) Department of Health - for Hospitals/Health Centers and Public Health Programs;
- l) National Housing Authority - for Housing Facilities;
- m) Department of National Defense - for Defense Facilities;
- n) Export Processing Zone Authority - for Exporting Processing Zone Facilities;
- o) Department of Social Welfare and Development - for Social Welfare Projects;

- p) Local Water and Utilities Administration - for Water Supply Facilities (Levels II and III); and,
- q) Departments of Agriculture, Agrarian Reform, Environment and Natural Resources, Labor and Employment and Trade and Industry, Education, Culture and Sports, Local Government, Tourism and the National Livelihood Support Fund - for Livelihood and Emergency Employment Assistance Projects.

The above enumerated agencies shall also be responsible for the implementation of the projects except those projects determined by the Presidential Task Force to be more appropriately implemented by local government units.

SEC. 4. In general, the repair or reconstruction or infrastructure projects shall be prioritized by using the following factors:

- a) Economic importance of the facility, with preference to facilities which significantly contribute to or support production and distribution of essential goods in substantial volumes over large geographical areas;
- b) Social significance of the facility, with emphasis on facilities which provide basic shelter, health, and education services affecting large/depressed communities;
- c) Structural condition of the facility, with attention to facilities which are structurally unsafe for use or prone to further damage; and
- d) Feasibility of the repair/reconstruction works, with emphasis on those which can be started quickly and be completed within a relatively short period.

On the basis of the above enumerated factors, the following general types of infrastructure shall be given priority;

- a) Immediate opening and rehabilitation of blocked or hardly passable major interregional/interprovincial and secondary intermunicipal transport routes in order to restore the major movements of goods, services and people;
- b) Restoration of power, water, irrigation, flood control and communication services;
- c) Rehabilitation of social infrastructure such as schools, hospitals and public markets with structural damage and temporary shelters for homeless families.

SEC. 5. The level of repair and reconstruction work shall be as follows:

- a) Level I: This consist of basic emergency repair not necessarily to restore in the original condition but merely for

the purpose of quickly making the facility or infrastructure usable or serviceable even on a partial or temporary basis, e.g. temporary bailey bridge on one-way pilot road. These projects can generally be completed within a short period of time, i.e. one or two months.

- b) Level II: This consists of the reconstruction or restoration to the original condition of the facility or infrastructure and whenever necessary includes strengthening, improvement or relocation of the facility to make it resistant to natural calamities like earthquake e.g. removal of slides, reconstruction of damaged embankment and pavement, or slope protection works. These projects are normally completed between the period of six (6) months to two (2) years;
- c) Level III: This consists of the reconstruction of damaged infrastructure and facilities and development of new facilities to minimize the disruption of infrastructure services in case natural calamities such as earthquake should occur in the future e.g. new alternative route, new towns, relocated production areas and reconfigured transport networks. These project are normally completed between the period of two (2) years to five (5) years.

The projects that will be implemented and funded pursuant to the provisions of Republic Act No. 6960 will normally be those falling under Levels I and II. However, projects falling, under Level III may also be implemented and funded if they are found to be extremely urgent and necessary, after due consultation with concerned sectors and officials of the national and local government.

SEC. 6. The Presidential Task Force shall undertake the identification prioritization, programming of projects and fund allocation within three (3) months from 9 August 1990. For this purpose, the procedure shall be as follows:

- a) Each concerned agency mentioned in Section 3 hereof shall identify the earthquake-damaged infrastructure facilities under its responsibility, and define the extent and impact of the damage thereto and submit the same to the Presidential Task Force for consideration and approval. All possible sources of information shall be used, including its own agency reports, as well as those of other concerned national agencies and officials, local government units, non-governmental organization, media and the general public.
- b) The agency shall then determine the repair and reconstruction works required on the damaged infrastructure using the levels defined in Section 5 hereof, prepare an estimate of their cost and implementation periods, and prioritize them based on the criteria enumerated in Section 4 of this Executive Order. The prioritized schedule be submitted to the Presidential Task Force for consideration and approval.
- c) The agency shall thereafter prepare a preliminary program