

SUBSIDIARY ARRANGEMENT

BETWEEN THE
GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES
AND THE

GOVERNMENT OF AUSTRALIA

RELATING TO

SUPPORT FOR THE NATIONAL DISASTER COORDINATING COUNCIL
COLLECTIVE STRENGTHENING OF COMMUNITY AWARENESS TO NATURAL DISASTERS

1. GENERAL PROVISIONS

- 1.1. This arrangement expresses the understandings and intentions of the Government of the Republic of the Philippines (hereinafter referred to as GRP) and the Government of Australia (hereinafter referred to as GOA) concerning Australian support to the National Disaster Coordinating Council - Collective Strengthening of Community Awareness to Natural Disasters (hereinafter referred to as NDCC-CSCAND).
- 1.2. The Philippines is among the most high risk countries in the world due to its vulnerability to geologic and hydro meteorological hazards. The GRP and the GOA recognise that the high exposure of the Philippine population to natural hazards is a critical issue in development. Natural calamities result to setbacks in development projects and consequent loss of development gains.
- 1.3. The GRP and the GOA also recognise the need for coordinated action in disaster risk management in the Philippines. The NDCC-CSCAND, as a sub-group within the NDCC, coordinates the efforts of scientific agencies in promoting disaster risk reduction.
- 1.4. This **ARRANGEMENT** is concluded pursuant to and is subject to the provisions of the General **ARRANGEMENT** on Development Cooperation (GADC) between the GRP and GOA signed on 28 October 1994 in Sydney, Australia governing implementation of activities under the Philippines Australia Development Cooperation Program.
- 1.5. Specific activities under this **ARRANGEMENT** will be governed by separate arrangements citing this document as basis.

2. IMPLEMENTING AGENCIES

- 2.1 As a bilateral program, GRP and GOA are formally accountable and ultimately responsible for the direction, decisions, and activities carried out under the **ARRANGEMENT**.

For the GRP: The National Disaster Coordinating Council Office of Civil Defence and the members of the NDCC-CSCAND

For the GOA: the Australian Agency for International Development (AusAID) of the Department of Foreign Affairs and Trade (DFAT)

3. DEFINITIONS

- 3.1. For the purposes of this **ARRANGEMENT**:
- 3.2 The National Disaster Coordinating Council (NDCC) is the highest policy making, coordinating and supervising body at the national level for disaster management in the country.
- 3.3 The National Disaster Coordinating Council - Collective Strengthening of Community Awareness to Natural Disasters (hereinafter referred to as NDCC-CSCAND) is a sub-group of the NDCC composed of the technical mapping agencies of the Philippine Government specifically the Philippine Atmospheric Geophysical and Astronomical Services Administration (PAGASA), Philippine Institute of Volcanology and Seismology (PHIVOLCS), National Mapping and Resource Information Agency (NAMRIA) and the Mines and Geosciences Bureau (MGB). The NDCC-CSCAND contributes to building disaster resilient communities, recognizing strong government and humanitarian organization partnership in disaster management as one of the key steps towards this end.
- 3.4 “Minister Counsellor – Development Cooperation” refers to the Minister Counsellor of the Development Cooperation Section of the Australian Embassy Manila

4. CONTRIBUTIONS

- 4.1 In kind and cash contributions of both parties will be specified in separate arrangements under this **ARRANGEMENT**.
- 4.2 GOA commits to provide technical assistance, training and financial assistance to the NDCC CSCAND for disaster risk management in the Philippines subject to the policies and processes of the GOA and the GRP.
- 4.3 GRP commits to provide a counterpart contribution to this **ARRANGEMENT** in the form of staff, training, office space, exemptions from taxes and duties (where applicable), and actual financial contributions to specific activities.
- 4.4 GOA support to individual agencies of the NDCC-CSCAND will be linked to the overall goals and coordinated with existing programs of the NDCC-CSCAND in terms of reducing natural hazard risk to communities in the Philippines.
- 4.5 Priority will be given to subsequent arrangements that (a) build on the gains of previous programs and projects of the NDCC-CSCAND or (b) are linked to/complement existing disaster risk management efforts in the Philippines.

5. INTELLECTUAL PROPERTY

- 5.1 All intellectual property held by the GOA in any Australian project supplies and professional and technical material will be retained by the GOA. In the same way, all intellectual property held by the GRP will be retained by the GRP.
- 5.2 The GOA will grant the GRP a non-exclusive royalty fee license in respect of the intellectual property rights subsisting in Australian project supplies and professional and technical material owned by the GOA. Similarly, the GRP will grant the same

rights to GOA for Philippine project supplies and professional and technical material owned by GRP. Such license(s) will continue until otherwise mutually decided between the parties and will include the right to deal with the intellectual property for the purpose of any project entered into by individual.

6. CLAIMS

6.1 The GRP will indemnify the GOA from any claims for damages arising from the GRP's failure to carry out its commitment pursuant to this **ARRANGEMENT**. In all other respects, Article 12 of the GADC applies to claims.

7. AMENDMENTS

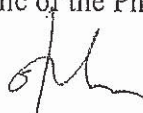
7.1 Amendments to this **ARRANGEMENT** may be made at any time by an exchange of letters between the two Governments.

8. DURATION

8.1 This **ARRANGEMENT** will take effect from the date of its signature. All other engagements (e.g. projects) appended to this **ARRANGEMENT** will cease after 18 months from the mutually arranged date of Project commencement or on such other date as may be mutually decided by the two governments.

Signed in the City of Quezon City, Philippines this 9th day February 2009

For the Government of the
Republic of the Philippines




GEN. GLENN J. RABONZA (RET.)
Administrator, OCD and
Executive Officer, NDCC

For the Government of Australia

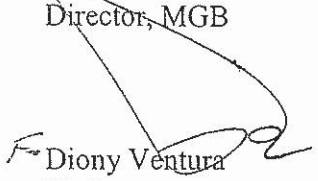


TITON MITRA
Minister Counsellor, AusAID

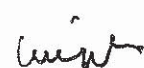
Witnessed by:



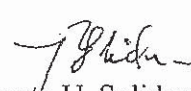
Horacio Ramos
Director, MGB



Diony Ventura
Undersecretary, DENR
Administrator, NAMRIA



Prisco D. Nilo
Director, PAGASA



Renato U. Solidum Jr.
Director, PHIVOLCS