

FINAL DRAFT



**AN ACT TO ESTABLISH THE
NATIONAL DISASTERMANAGEMENT AGENCY
REPUBLIC OF LIBERIA**

**AN ACT TO ESTABLISH THE
NATIONAL DISASTER MANAGEMENT AGENCY (NDMA)**

It is enacted by the Senate and House of Representatives of the Republic of Liberia in
Legislature Assembled:

CHAPTER I

PRELIMINARY PROVISIONS

Section 1.1 Declaration of Policy.

It is hereby declared that the policy of the Government of Liberia in all matters relating to
disaster risk reduction and management shall be to:

- (a) enhance national and local capacity to minimise vulnerability and disaster risks;
- (b) prevent, mitigate and prepare for adverse impacts of hazards within the context of
sustainable development;
- (c) create a foundation for the development of an effective and functional legal,
institutional framework and good governance;
- (d) provide the basis for sound disaster risk management by local and national
organizations, capacity enhancement and clear allocation of roles and responsibilities;
- (e) provide overall direction for integrating disaster risk reduction into development
recovery and humanitarian response policy and plans;
- (f) contribute to national risk management applications for sustainable national
development;
- (g) strengthen disaster preparedness for effective, efficient and timely emergency
response;
- (h) establish systems for and improve risk identification, assessment, monitoring and
early warning of disaster risks;
- (i) enhance information and knowledge management for disaster risk management;and
- (j) contribute to local and national risk management applications for poverty reduction.

Section 1.2. The Disaster Management Action Plan

There shall be drawn up a plan for disaster management for the Republic of Liberia to be
called the Disaster Management Action Plan. It shall be prepared by the National Disaster

Management Agency having regard to the National Disaster Management Policy and in consultation with government ministries and agencies, and expert bodies or organizations in the field of disaster management to be approved by the President. The Disaster Management Action Plan shall include measures to be taken for the prevention of disasters, or the mitigation of their effects, measures to be taken for preparedness and capacity building to effectively respond to any threatening disaster, and roles and responsibilities of ministries and agencies. The Disaster Management Action Plan shall be reviewed and updated periodically. Appropriate provisions shall be made for financing the measures to be carried out under the Action Plan.

Section 1.3. Declaration of State of Emergency

Pursuant to the Constitution of the Republic of Liberia, the President of the Republic of Liberia may, in consultation with the Speaker of the House of Representatives and the President Pro-temp of the Senate, the Cabinet and the National Disaster Management Agency proclaim and declare the existence of a “state of emergency” in the Republic or any part thereof. Only the President shall declare a national state of emergency including by way of proclamation in the Government Gazette. The President’s declaration may warrant international humanitarian assistance as deemed necessary. The lifting of the state of emergency shall also be issued by the President upon the recommendation of the National Disaster Management Agency based on the results of damage assessment and needs analysis.

Section 1.4. Effectiveness

- (a) This Act shall take effect immediately upon publication in Handbills by the Ministry of Foreign Affairs.
- (b) Any and all Laws to the contrary are hereby repealed.

Section 1.5. Definitions

In this Act, unless the context otherwise requires:

“**Board**” means the Board of Directors of the National Disaster Management Agency;

“**Agency**” means the National Disaster Management Agency;

“**Executive Director**” means the Executive Director of the National Disaster Management Agency;

“**Disaster**” means a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources;

“**Disaster mitigation**” means the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures encompass engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness;

“**Disaster preparedness**” means the knowledge and capacities developed by government, professional response and recovery organizations, communities and individuals to effectively

anticipate, respond to, and recover from, the impacts of likely, imminent or current hazard events or conditions;

“**Disaster response**” means the provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Disaster response is predominantly focused on immediate and short-term needs;

“**Disaster risk**” means the potential disaster losses in lives, health status, livelihood, assets and services, which could occur to a particular community or a society over some specified future time period;

“**Disaster risk reduction**” means the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposures to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events;

“**Disaster risk management**” means the systematic process of using administrative directives, organizations, and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster. Prospective disaster risk reduction and management refers to risk reduction and management activities that address and seek to avoid the development of new or increased disaster risks, especially if risk reduction policies are not put in place;

“**Disaster risk management information system**” means a specialized database which contains, among other things, information on disasters and their human, material, economic and environmental impact, risk assessment and mapping of vulnerable groups;

“**Early warning system**” means the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss;

“**Emergency**” means unforeseen or sudden occurrence, especially danger demanding immediate action;

“**Emergency management**” means the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps;

“**The Fund**” means the National Disaster Management Trust Fund that comprises the Disaster Mitigation Fund and the Disaster Response Fund;

“**Hazard**” means a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage;

“**Mitigation**” means structural and non-structural measures undertaken to limit the adverse impact of natural hazards, environmental degradation, and technological hazards and to

ensure the ability of at-risk communities to address vulnerabilities aimed at minimizing the impact of disasters;

“**Risk**” means the combination of the probability of an event and its negative consequences;

“**Risk assessment**” means- a methodology to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed people, property, services, livelihood and the environment on which they depend;

“**Risk management**” means the systematic approach and practice of managing uncertainty to minimize potential harm and loss. It comprises risk assessment and analysis, and the implementation of strategies and specific actions to control, reduce and transfer risks;

“**State of emergency**” means a condition involving mass casualty and/or major damage to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of the occurrence of natural or human-induced hazards;

“**Sustainable development**” means development that meets the needs of the present without compromising the ability of future generations to meet their own needs;

“**Vulnerability**” means the characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effects of a hazard;

CHAPTER II

ESTABLISHMENT, FUNCTIONS AND IMMUNITIES OF THE NATIONAL DISASTER MANAGEMENT AGENCY

Section 2.1 Establishment of the National Disaster Management Agency

There is hereby established an autonomous Agency to be known as the National Disaster Management Agency with the purpose of implementing the National Disaster Management Policy, coordinating the national disaster management system incorporating state and non-state actors at national, county, district and chiefdom levels, and handling disaster-related issues to ensure reduced vulnerabilities to natural and human induced hazards.

Section 2.2 Existence and Authority of the Agency

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The Agency shall be a body corporate with perpetual succession and a common seal and shall be capable of suing and being sued in its corporate name and may borrow money, acquire and dispose of property and do all such other things as a body corporate may now or hereafter do under the laws of the Republic of Liberia. The Agency shall be governed by a Board of Directors who shall be appointed by the President. Upon the recommendation of the Board, an Executive Director shall be appointed by the President to be the chief executive officer of the Agency. The Agency shall have the authority to establish a Disaster

Management Technical Committee to provide technical support to its operations, as well as establish , County, and District and Community-level's Disaster Management Committees.

Section 2.3. Functions of the Agency

(a) The functions of the Agency shall include to ensure implementation of the National Disaster Management Action Plan for disaster preparedness and the national environmental policy, the national food security and nutrition strategy, the national health policy and other policies as relate to disaster management adopted by the Government of Liberia.

(b) The functions of the Agency during the Non-Emergency (Pre-Disaster) Phase shall be to:

- (i.) promote institutional development to include co-ordinating resource mobilization for preparedness, risk and vulnerability reduction programmes among Government, Donors, NGO's and other implementing partners, maintaining and operating an Emergency Operations Centre, and establishing and operating a Disaster Management Trust Fund;
- (ii.) review and evaluate Early Warning Reports in accordance with identified risks and vulnerabilities as well as preparedness/contingency plans from counties, and to coordinate risk and vulnerability assessment/analysis and mapping of the hazards;
- (iii.) achieve information and knowledge management including by facilitating training, research, education and public awareness campaigns on disaster risk management, maintaining inventory of national assets/resources, and undertaking capacity building for lower levels of the disaster management structures;
- (iv.) ensure risk reduction applications are introduced including by advising the Disaster Management Technical Committee on the best disaster risk reduction practices, encouraging development of new technologies in risk and vulnerability reduction programmes including Early Warning Systems, and facilitate integration of disaster risk into all sectoral and national development plans such as poverty reduction strategies and Vision 2030;
- (v.) take steps to establish efficient emergency response and preparedness including undertaking resource mobilization activities for timely emergency response throughout the country, procuring and maintaining critical levels of essential disaster relief items for immediate response during a disaster, and facilitating integration of risk reduction into emergency response/relief plans; and
- (vi.) monitor the implementation of the Disaster Management Action Plan for Disaster Preparedness/ and policies for disaster management;

(c) The functions for the Agency during the Emergency/Disaster Phase shall be to:

- (i.) trigger response mechanism through the activation of the Disaster Management Action Plan;
 - (ii.) facilitate rapid disaster assessments of the impact of a disaster within 24 hours and document impacts, produce situation reports, recommend necessary actions, and communicate information to all stakeholders;
 - (iii.) set up an emergency coordination centre in Monrovia and disaster affected areas manned by experienced persons with clear roles;
 - (iv.) liaise with UN agencies, the donor community, non-governmental organizations and community based organizations; on possibility of partners' support for assessment and coordination;
 - (v.) notify and initiate cooperation with disaster management authorities in neighbouring countries in the event of a disaster that has cross-border effects;
 - (vi.) hold meetings to discuss necessary interventions with Committees; and
 - (vii.) ensure timely delivery of relief assistance to the disaster affected communities.
- (d) The functions of the Agency during the Post Disaster Phase shall be to:
- (i.) generate post disaster reports within 24 hours after official declaration to end emergency phase;
 - (ii.) evaluate the disaster and relief operations;
 - (iii.) secure all the government and other properties/assets used in the disaster;
 - (iv.) carry out a detailed needs assessment and risk assessment rehabilitation, recovery and reconstruction activity plans and implementation;
 - (v.) initiate and coordinate rehabilitation, recovery and reconstruction programmes implementation;
 - (vi.) conduct a detailed training, research, education and public awareness campaign on risk reduction; and
 - (vii.) take necessary steps to ensure that recommended follow-up actions are undertaken within short-term, medium-term, and long-term interventions for risk reduction.
- (e) The Agency also shall:
- (i.) act as the executive body of and Secretariat to the Board, and shall keep all records of the affairs and the meetings of the Board and ensure the implementation of its decisions and directives;

- (ii.) prepare and submit for Board's approval the operational principles and guidelines needed for carrying out the Agency's scope of work;
- (iii.) develop an annual operational plan and budget for the Agency;
- (iv.) negotiate and enter into contracts, with prior approval and through the Board, with experts and institutions in furtherance of the goals and objectives of the Agency;
- (v.) designate lead ministries as responsible for specific hazards or disasters, define roles and responsibilities of the donor community, development and humanitarian partners, nongovernmental and community based organizations;
- (vi.) establish a disaster risk management information system to capture, store, analyze and report information on activities related to disaster management;
- (vii.) utilize funds from the Agency's Fund and any other designated funds as approved by the Board to fulfill its mandate under this Act;
- (viii.) prepare and submit to the Board as appropriate, periodic project status and completion reports, which shall be publicly available within three months of the end of each fiscal year.
- (ix.) keep proper books of accounts and proper records in relation to those accounts. The Agency shall ensure that all monies received are properly brought to account and all payments out of its monies are correctly made and properly authorized and adequate control is maintained. The accounts, books, and records of the Agency shall be in the form prescribed by the Act in force at the time which governs the management of records.
- (x.) prepare and submit to the Board an Annual Agency Report in respect to that fiscal year, containing audited financial statements and incorporating performance indicators, a report on the activities and operations of the Agency and any other such information that the Board may direct.
- (xi.) the Agency shall publish annual financial reports audited annually by the Auditor General or an independently certified financial auditor appointed by the Board and authorized by the Auditor General. Such reports shall follow an accounting standard based on generally accepted accounting principles in Liberia to account for all funds received and disbursed by the Agency. Such reports shall be publicly available within 90 days from the end of the fiscal year.
- (xii.) ensure that Financial commitments of the Agency are made by signature of the Executive Director co-signed by the comptroller of the Agency; and

(xiii.) issue regulations.

Section 2.4. Immunities

- (a) An employee of the Agency shall not, in his/her personal capacity, be liable in civil or criminal proceedings in respect of any act or omission done in good faith in the performance of his/her functions under this Act.
- (b) The provisions of this Section shall not relieve the Agency of the liability to pay compensation or damages to any person for an injury to him/her, his/her property or any of his/her interests caused by the exercise of powers conferred on the Board or Agency by this Act or by any other written law or by failure, whether wholly or partially, of any works.

Section 2.5. National Disaster Response Force

There shall be constituted a National Disaster Response Force under the Agency for the purpose of specialized response to a threatening hazard situation or disaster. The force shall be composed of officers and members of the military, police, coast guard, fire service, and emergency medical service, and other personnel as may be included by the Agency. The general superintendence, command and control of the Force shall be vested in and exercised by the Agency.

Section 2.6. Guidelines for minimum standards of relief

The Agency shall issue guidelines for the minimum standards of relief to be provided to persons affected by disaster which shall include:

- (a) the minimum requirements to be provided in the relief camps in relation to shelter, food, safe drinking water, healthcare, care and hygiene and sanitation;
- (b) the special provisions to be made for vulnerable groups;
- (c) *ex gratia* assistance on account of loss of life and also assistance on account of damage to houses and for restoration of means of livelihood; and
- (d) such other relief as may be necessary.

CHAPTER III

ORGANIZATION AND STRUCTURE

Section 3.1. The Board of Directors

- (a) The Board of Directors (“the Board”) shall be the governing body of the Agency .
- (b) The Board, shall, in its actions, support the achievement of the overall purpose and functions of the Agency as outlined in Sections 2.2 and 2.3 of this Act.

. Section 3.2. Composition of the Board

- (a) The Board shall comprise of Eleven (11) members who shall be appointed by the President and chaired by the Ministry of Internal Affairs, as follows:
- (i.) Ministry of Internal Affairs , chairperson;
 - (ii.) Ministry of Health and Social Welfare;
 - (iii.) Ministry of Justice;
 - (iv.) Ministry of Finance;
 - (v.) Ministry of Public Works;
 - (vi.) Ministry of Defense;
 - (vii.) Ministry of Agriculture;
 - (viii.) Ministry of Lands, Mines & Energy;
 - (vii.) The Liberia National Red Cross Society;
 - (viii.) The UN Country Team;
 - (ix.) Maritime Authority.

Section 3.3. Criteria and Appointment Procedure

- (a) Members of the Board shall:
- (i) have a strong interest in making the activities of the Board successful;
 - (ii) be able to mobilize institutional and public support for the activities of the Agency and Fund and have competence in disaster management issues; and
 - (iii) not have financial interests in any project supported by the Board.

Section 3.4. Meetings and Procedures of the Board

- (a) The Board shall meet as often as necessary for the discharge of its functions but no less than once per quarter. Seven (7) members of the Board shall constitute a quorum at any meeting.
- (b) The Board may co-opt any person to participate in its deliberations, but a person so co-opted shall have no right to vote.

- (c) The Executive Director of the Agency shall be responsible for arranging the business proceedings of the Board and such other duties as the Board may direct.
- (d) Members of the Board may be entitled to payment of honorarium and other allowances determined by the Executive Director and approved by the Board which shall be funded from the operational budget of the Agency.

Section 3.5. Powers and Functions of the Board

(a) The Board shall:

- (i.) appoint the Executive Director of the Agency to be Secretary to the Board;
- (ii.) direct the Executive Director to furnish it with any information, reports or other documents which the Board considers necessary for the performance of its functions;
- (iii.) review and approve reports and other documents prepared by the Agency;
- (iv.) execute grant contracts in accordance with approved procedures for and on behalf of the Agency
- (v.) source funds from within and outside the Republic of Liberia in support of the functions of the Agency;
- (vi.) oversee and monitor the administration, management and use of funds provided to the Agency.

(b) The functions of the Board during the Pre-Disaster Phase shall be to:

- (i.) oversee formulation and updating of the national disaster management policy and Action plan;
- (ii.) direct through the Agency mobilization of resources for risk reduction activities;
- (iii.) endorse national disaster management plans and regulations; and
- (iv.) submit to the President annual reports on disaster risk reduction activities in Liberia.

(c) The functions of the Board during the Disaster Phase shall be to:

- (i.) receive and consider emergency reports and recommendations from the Agency ;
- (ii.) recommend declaration of a disaster to the President;

- (iii.) make appeals for assistance from regional, continental bodies, the international community including cooperating partners for assessments and coordination;
- (iv.) direct ministries/agencies of Government to take up their roles and responsibilities in response to disaster, and the Ministry of Finance to release funds for disaster response; and
- (v.) consider any other matters incidental to disaster response and saving of lives, livelihoods, economic assets and the environment.

(d) The functions of the Board during the Post Disaster Phase shall be to:

- (i.) ensure compilation and submission of post disaster reports to the President;
- (ii.) receive and consider consolidated post disaster reports from the Disaster Management Agency ;
- (iii.) coordinate post disaster reports for and activities of cooperating partners, regional and continental bodies;
- (iv.) consider any other matter that the National Disaster Management Agency or the Disaster Management Technical Committee may request it to do pertaining to development of programmes for recovery and risk reduction;
- (v.) ensure disaster risk reduction is integrated into preparedness and emergency response; and
- (vi.) consider any other matter as the President may direct in relation to post disaster activities and development programmes for recovery and disaster risk reduction.

(e) The Board shall have the power to regulate its own procedure and may make standing orders providing for all matters relating to the meetings of the Board and the proper conduct of its business.

(f) The Board shall be the governing body for the Agency , administering and managing its affairs and in that respect shall:

- (i) prepare and submit periodically reports of its activities to the President;
- (ii) direct the Executive Director to furnish it with any information, reports, accounts or other documents as may be reasonably required by the Board;
- (iii) approve operational principles and guidelines of the Agency ;
- (iv) approve the management, performance, policies and annual operational plans and budget of the Agency ;

- (v) approve general terms and conditions of employment for employees of the Agency ;
- (vi) ensure that the remuneration of the staff of the Agency is competitive with that offered for comparable responsibilities and shall not be bound by the terms established under the Liberian Civil Service structure;
- (vii) oversee and monitor the management and performance of the Agency, its staff and its financial performance;
- (viii) appoint the auditor of the Agency and approve the auditor's reports.

(g)The Board as governing body for the Agency also shall:

- (i.) appoint a Fund Management Committee to manage the Disaster Management Trust Fund whose Chairperson shall be one of the Board members;
- (ii.) approve the annual budget plan of the Fund, including provisions for the operating expenses of the Agency ; and
- (iii.) appoint the auditor of the Fund, and approve the auditor's reports.

(h)The Board may delegate to any of its members its power and authority to carry out on its behalf such functions as it may determine.

Section 3.6. Appointment of Executive Director and Staff

- (a) The Executive Director and Deputy Directors shall be appointed by the President upon the recommendation of the Board of Directors.
- (b) The recruitment of the Executive Director and Deputy Directors shall be on the basis of a competitive selection process.
- (c) The Agency shall approve recruitment of coordinators and administrators by the Executive Director which shall be based on a competitive selection process.

Section 3.7. Functions of the Executive Director

- (a) Without prejudice to the generality of the foregoing, the Executive Director shall:
 - (i.) be the chief executive officer of the Agency
 - (ii.) exercise the functions of the Agency provided for under this Act;
 - (iii.) act as Secretary to the Board;
 - (iv.) have power to hire or promote staff of the Agency ;
 - (v.) manage the budget, personnel and property of the Agency

(vi.) represent the Agency at all levels and the Fund in its dealings with third parties;

(b) The Executive Director shall keep all records of the affairs and meetings of the Board and shall ensure the implementation of its decisions and directives.

Section 3.8. National Disaster Management Technical Committee (NDMTC)

- (a) A National Disaster Management Technical Committee shall be established by the Agency to provide technical support to its operations. The committee shall further constitute itself into subcommittees responsible for different sectoral/thematic areas including food and agriculture, water and sanitation, education and women and children protection, health care, environment shelter, , early recovery and infrastructure.
- (b) The National Disaster Management Technical Committee shall provide technical support to the Agency on disaster management in Liberia in.

(c) The functions of the National Disaster Management Technical Committee during the Non-Emergency (Pre-Disaster) Phase shall be to:

- (i) recommend disaster risk reduction policy direction to the Agency ;
- (ii) provide technical support to the implementation of decisions of the Agency pertaining to disaster risk and vulnerability reduction, utilizing its advantage of being multi-sectoral;
- (iii) undertake disaster risk and vulnerability assessments and mapping of hazards in the country;
- (iv) provide support to ensure respective sectors mainstream disaster risk reduction into their development plans;
- (v) assist the Agency in resources mobilization for disaster risk reduction programmes carried out by line ministries and other agencies including those by UN agencies, Non governmental agencies and community based organizations;
- (vi) advise the Agency in the development of disaster risk management plans;
- (vii) advise the Agency on information and knowledge management activities as well as risk management initiatives in different sectors to ensure disaster risk reduction is mainstreamed;
- (viii) undertake simulation exercises among various stakeholders in disaster management; and

(d) The functions of the National Disaster Management Technical Committee during the emergency/disaster phase shall be to:

- (i.) inform the Agency of the disaster or unfolding disaster situation;
 - (iv.) recommend to the Agency the need for declaration of a disaster by the President;
 - (ii.) Assist the Agency in soliciting international and national assistance;
 - (iii.) Provide support to the coordination and monitoring of multi-sectoral disaster relief, rehabilitation, recovery and reconstruction measures being undertaken;
 - (iv.) consider and submit disaster situation reports to certain recipients;
 - (v.) direct through the Agency the national or localized disaster relief efforts upon declaration of a disaster;
 - (vi.) appraise the Agency on the type and quantities of relief materials required and the disaster relief budget determined through a needs assessment;
 - (vii.) provide support to making appeals for relief resources including finances to various partners as directed by the Agency
 - (viii.) support the monitoring of disaster relief programs being implemented by various line ministries/agencies and other agencies in response to the disaster;
 - (ix.) ensure that the Agency and its structures at local level have the capacity to respond effectively and efficiently to the disaster/emergency.
- (e) The functions of the National Disaster Management Technical Committee during the post disaster phase shall be to:
- (i.) assist the production of the consolidated post disaster report by Counties and other local governance structures;
 - (ii.) submit consolidated post disaster report to the Agency;
 - (iii.) review national risk and vulnerability reduction plans and give technical and programmatic advice as required both to the Agency and local level structures;
 - (iv.) provide support to the regulation of resource mobilization for training and public awareness for risk reduction, rehabilitation and recovery;
 - (v.) provide support to development of disaster preparedness and risk reduction plans at national and local levels; and
 - (vi.) provide overall technical support in the implementation of disaster plans at national and local levels.

Section 3.9. County and City Disaster Management Committees (CDMCs)

- (a) There shall be established by the Agency at the County, City levels, the County and City Disaster Management Committees headed by local coordinators chaired by the County Superintendent and City Mayor.
- (b) The functions of the County and City Disaster Management Committees during the Pre-Disaster Phase shall be:
 - (i.) institutional development;
 - (ii.) risk identification and early warning;
 - (i.) information and knowledge management;
 - (ii.) risk reduction strategies; and
 - (iii.) emergency preparedness.
- | (c) The functions of the County and City Disaster Management Committees during the Disaster Phase shall be to:
 - (i.) activate County Contingency/Preparedness Plans and put the Disaster Management Technical Committee on standby in case the affected district requires their intervention;
 - (ii) inform the Agency immediately when a disaster situation is reported by a district/county; where necessary call for immediate assistance;
 - (iii.) co-ordinate information exchange with the District Disaster Management Committee of the district where the disaster has taken place, or where a disaster situation is unfolding;
 - (iv.) mobilize resources as maybe required for effective and efficient handling of the disaster at hand;
 - (v.) assist the district to carry out a more detailed disaster impact assessment if the district is unable;
 - (vi.) to act without external assistance;
 - (vii.) continue to monitor the unfolding event and inform the Agency accordingly;
 - (viii.) determine the resource requirement and submit to the Agency for appropriate action or assistance;
 - (ix.) liaise with all other players including the UN, NGOs and private sector in the disaster affected district and county on who is doing what and where and document and report gaps;

- (x.) co-ordinate logistical arrangement for movement of relief materials from source to end users;
 - (xi.) co-ordinate information flow with the media and act as a public relations officer for briefs and debriefs on the disaster situation;
 - (xii.) co-ordinate public awareness and education activities in the district where the disaster has happened;
 - (xiii.) ensure that adequate measures are put in place for security/safety of the disaster victims, responders and property within the disaster area;
 - (xiv.) ensure the availability of resources for the affected district to effectively deal with the disaster situation; and
 - (xv.) facilitate early recovery assessments, early recovery planning and coordinate implementation by all stakeholders.
- (c) The functions of the County and City Disaster Management Committee during the Post Disaster Phase shall be to:
- (i.) generate a post disaster report within 24 hours upon receipt of a report from the District Disaster Management Committee;
 - (ii) evaluate the disaster and relief operations;
 - (iii) evaluate and update the County Disaster Risk Reduction Plan;
 - (iv) ensure that all properties/equipment used during the disaster are secured and returned to the rightful owners;
 - (v) collect and collate early recovery and recovery needs assessment to determine resource requirement for rehabilitation, recovery and reconstruction for the affected area(s);
 - (vii) co-ordinate implementation of risk and vulnerability reduction program for the disaster prone areas, and ensure risk reduction measures are incorporated into all post disaster programs;
 - (viii) co-ordinate resource mobilization, based on the lessons learnt, for training program of those involved in risk and vulnerability reduction, rehabilitation and recovery; and
 - (ix) take necessary steps to ensure that recommended follow-up actions are undertaken within short-term; medium-term; and long-term interventions.

Section 3.10. District Disaster Management Committee (DDMC)

(a) There shall be established by the Agency at the district level, the District Disaster Management Committee comprising representatives from the private sector, nongovernmental and community based organizations, and religious organizations and shall be chaired by the District Superintendent or District Commissioner.

(c) The functions of the District Disaster Management Committee during the Pre-Disaster Phase shall be:

- (i.) institutional development;
- (ii.) risk identification and early warning;
- (iii.) information and knowledge management;
- (iv.) risk reduction strategies; and
- (v.) emergency preparedness.

(b) The functions of the District Disaster Management Committee during the Disaster Phase shall be to:

- (i.) trigger response mechanism through activation of preparedness/ plans;
- (ii.) initiate a disaster impact assessment in order to determine the extent of the damage/losses as well as resource requirements;
- (iii.) concurrently relay information to the County Disaster Management Committee and National Disaster Management Agency ;
- (iv.) notify and initiate cooperation, where applicable, with a neighboring district for any assistance required;
- (v.) notify and seek support, where applicable, from district authorities in the neighboring county for any assistance or cooperation required, based on the signed bi-lateral or Regional protocols or Memoranda of Understanding as the case may be.
- (vi.) commence immediately disaster relief operations involving all players at district level;
- (vii.) make appeals where necessary to the County Disaster Management Committee and the Agency for more resources;
- (viii.) recommend the declaration of district, county or national disaster to the County and national level authorities.
- (ix.) continue to monitor the disaster and update the County Disaster Management Committee and the Agency;

- (x.) take necessary security measures to protect the disaster area for further investigations; and
- (xi.) undertake early recovery assessments, develop early recovery plan and coordinate implementation by all stakeholders.

(b) The functions of the District Disaster Management Committee during the Post Disaster Phase shall be to:

- (i.) generate post disaster reports within 24 hours after official declaration to emergency phase;
- (ii.) evaluate the disaster and relief operations;
- (iii.) secure all the government and other properties/assets used in the disaster;
- (iv.) carry out a detailed needs assessment and risk assessment to inform rehabilitation, recovery and reconstruction activity plans and implementation;
- (v.) initiate and co-ordinate rehabilitation, recovery and reconstruction programs implementation;
- (vi.) evaluate and update the District disaster preparedness plans;
- (vii.) prepare development programs for recovery and risk reduction based on lessons learnt and submit to the Agency and the Disaster Management Technical Committee;
- (viii.) prepare and submit to the County Disaster Management Committee training plan of those involved in disaster risk reduction and recovery programs based on lessons learnt;
- (ix.) conduct a detailed training, research, education and public awareness campaign on risk reduction; and
- (x.) take necessary steps to ensure that recommended follow-up actions are undertaken within short-term; medium-term; and long-term interventions for risk reduction.

Section 3.11. Borough, Township, Chiefdom, Clan, General Town and Locality Levels Disaster Management Committees

The functions of the Borough, Township, Chiefdom, , Clan, General Town and Locality Levels Disaster Management Committees before, during and after disasters shall be established as the same functions of the the District Disaster Management Committee but shall perform functions at the community level. Such committees shall remain functional at all times, and undertake training programs provided by the Agency.

CHAPTER IV

DISASTER MANAGEMENT TRUST FUND

Section 4.1. Establishment of Disaster Management Trust Fund

There is hereby established a Fund to be known as the Disaster Management Trust Fund to comprise the Disaster Mitigation Fund and the Disaster Response Fund.

Section 4.2. Objective of the Fund

The Disaster Management Trust Funds represents the funding mechanism by which the Board shall fulfill its mandate herein and shall provide for the coordination and sustainable financing of projects and programs to strengthen disaster preparedness, emergency response and mitigation in order to implementat the Disaster Management Action Plan.

Section 4.3. Establishment of the Disaster Mitigation Fund.

- (a) There is hereby established a Fund to be known as the Disaster Mitigation Fund for projects for the purpose of mitigation.
- (b) The Disaster Mitigation Fund shall be applied to projects exclusively for the purpose of mitigation in accordance with guidelines issued by the Agency and approved by the Board.

Section 4.4. Establishment of Disaster Response Fund

- (a) There is hereby established a Fund to be known as the Disaster Response Fund.
- (b) The Disaster Response Fund shall be made available to the Agency to be applied towards meeting the expenses for emergency response, relief and rehabilitation in accordance with guidelines issued by the Agency and approved by the Board.

Section 4.5. Funding Sources

- (a) The sources of income for the Disaster Mitigation Fund and the Disaster Response Fund shall consist of monies as may be provided:
 - (i.) by Government (monies appropriated for the Fund by the Legislature) in an annual budgetary allocation;
 - (ii.) through special levies or fees as determined by the Government of the Republic of Liberia;
 - (iii.) through revenues from any taxes as determined by the Government of the Republic of Liberia;

- (iv.) any grants, or donations made to the Fund by any natural person, body corporate, multilateral institution, organization or agency, or government of any country;
 - (v.) any other monies that may accrue in the course of the Agency's operations.
- (b) The monies constituting each Fund shall be placed in separate accounts named the Disaster Mitigation Fund Account, and the Disaster Response Fund Account with a bank, subject to approval by the Board.

Section 4.6. Use of the Funds

The Funds shall be made available to the Agency to be used in accordance with guidelines issued by the Agency and approved by the Board of Directors.

Section 4.7. Authority for Use of the Funds

- (a) Financial commitments from the Fund shall be made by signature of the Chairperson of the Board co-signed by the Chairperson of the Fund Management Committee and the Executive Director of the Agency.
- (b) The selection of Projects for funding and the calculation of the level of grants for Projects shall be done on the basis of published criteria approved by the Board.

Section 4.8. Management of the Funds

- (a) The Board shall be the governing body for the Funds and shall appoint a Fund Management Committee ("the Committee") that shall be responsible for oversight of the Funds.
- (b) The Agency shall make available to the Funds such facilities and services of such officers as necessary for the proper and efficient exercise of the functions of the Funds.
- (c) Where it is considered desirable to reduce risk or avert threatened loss to the Funds, the Board may take any steps it considers necessary on such terms and conditions as it may prescribe.
- (d) The Board shall from time to time in consultation with the Executive Director, fix the size of the Funds sufficient to achieve the objectives of this Act.
- (e) The Board shall be responsible for policy formulation in connection with the Funds and for governance of the Fund.
- (f) Money to be paid out of the Funds shall be so paid only with the approval of the Board.
- (g) The annual accounts of each Fund, including expenditures of the Agency, shall be audited by a competent and qualified auditor appointed by the Board.

- (h) Donors to the Funds may appoint an auditor of their own choice and at their own expense to audit the account of each Fund and the Agency if they have a provision to that effect in their agreement to contribute to the Fund.

Section 4.9. Members of the Fund Management Committee

- (a) The Chairperson of the Committee shall be a member of the Board especially appointed for his/her skill in financial management.
- (b) The Committee shall comprise five (5) members including the Chairperson. Maximum two (2) of the five (5) members may be members of the Board.
- (c) All members of the Committee shall have demonstrated experience and expertise in, financial management, accounting, law, and/or project or business management.
- (d) The members of the Committee shall be appointed for a period not exceeding two years. Maximum three (3) members may be re-appointed.
- (e) No member of the Committee, or family member of a Committee member, shall have any material interest that shall conflict with the goals and interests of the Committee.
- (f) To the extent that any member finds him or herself in a position of benefiting or suffering materially from the decisions of the Committee, the affected member shall identify such potential material benefit/detriment and recuse him/herself from consideration of those decisions.

Section 4.10. Functions of the Fund Management Committee

The Fund Management Committee shall:

- (a) monitor financial transactions and oversee the balance sheet of each Fund;
- (b) facilitate the periodic reporting and auditing of the activities of each Fund; and
- (c) assure that each Fund account is consistent with generally applicable accounting standards.

ANY ACT TO THE CONTRARY NOTWITHSTANDING