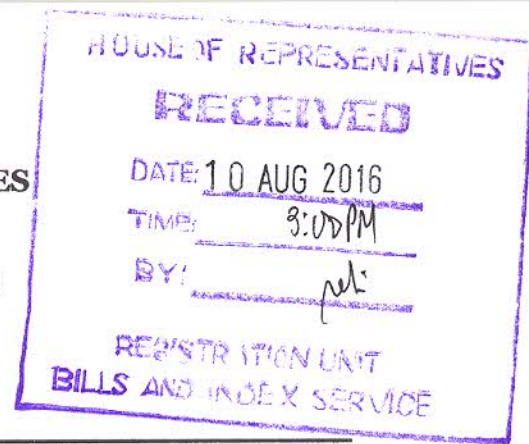


**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

**SEVENTEENTH CONGRESS
First Regular Session**

House Bill No. 2812



Introduced by Representative Divina Grace C. Yu

EXPLANATORY NOTE

According to the Philippine Statistics Authority, Philippines has a total of 9.671 million hectares agricultural land area. In 2014, the share of agriculture in total employment in the country reached 31% out of the total employment of 38.65 million persons.

This data only shows that at least 11.80 million persons rely primarily in Agriculture Economic opportunities. However, majority of these farmers are categorized as those belong to lower income threshold. In this regard, subsidies from the government to influence the increase of their agricultural productivity are indispensable.

The collection of Irrigation Service Fees (ISFs) is part of the National Irrigation Administration's current mandate under Republic Act No. 3601 which created the agency. It is being used to shoulder the operation and maintenance cost of irrigation facilities of the country.

The rates of ISF, although relatively low, its imposition to farmers is too onerous. It consumes on what otherwise would be available for their families especially during off-farming season.

This bill seeks to provide free irrigation program by abolishing irrigation service fees currently imposed by the National Irrigation Administration to the farmers. The undersigned believes that providing cost-free irrigation services is a basic governmental function or service that our farmers must benefit from.

In view of this, immediate passage of this bill is earnestly sought.


DIVINA GRACE C. YU

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
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**SEVENTEENTH CONGRESS
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House Bill No. 2812

Introduced by Representative Divina Grace C. Yu

**AN ACT REPEALING CERTAIN SECTIONS OF REPUBLIC ACT NO. 3601,
PRESIDENTIAL DECREE 552, PRESIDENTIAL DECREE NO. 1702 AND
REPUBLIC ACT 8435 TO ABOLISH THE IRRIGATION SERVICE FEES
IMPOSED BY THE NATIONAL IRRIGATION ADMINISTRATION**

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

SECTION 1. *Title* – This Act shall be known as the “Free Irrigation Law of 2016”

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to adhere to promote comprehensive rural development through increased agricultural production, sustained productivity and promotion and development of irrigation systems that are free, effective, appropriate and efficient.

Toward this objective, it shall endeavor to provide the necessary and vital support services and assistance to farmers, including but not limited to inputs to production, production support, post-harvest facilities and irrigation services.

SECTION 3. *Free Irrigation Program.*- The collection of irrigation service fees (ISFs) and such other similar or related fees from beneficiaries of irrigation systems funded and constructed by, or under the administration of the National Irrigation Administration (NIA), shall be stopped after the enactment of the General Appropriations Act in the succeeding year following the approval of this Act.

SECTION 4. *Repair and Maintenance of National Irrigation Systems.*- In order to ensure the repair and maintenance of these irrigation systems, the NIA shall include the necessary amounts for the repair and maintenance of such irrigation systems as specific item in its budget for the succeeding year following the approval of this Act.

SECTION 5. – Implementing Rules and Regulations. – Within sixty (60) days after the effectivity of this Act, the Department of Agriculture with the assistance of the NIA shall formulate and promulgate the rules and regulations necessary for the implementation of this Act.

SECTION 6.- Separability Clause. – If any provisions of this Act or any part hereof is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 7. – Repealing Clause. – The following provisions prescribing the power and authority of NIA to collect Irrigation Service Fees (ISFs) or other forms of charges for the use of irrigation systems are hereby repealed, viz:

- a. Republic Act No. 3601 (An Act Granting the National Irrigation Administration), Section 2, paragraph C

[To collect from the users of each irrigation system constructed by it such fees as may be necessary to finance the continuous operation of the system and reimburse within a certain period not less than twenty-five years the cost of construction thereof]

- b. Presidential Decree (PD) 552 (Amending Certain Sections of Republic Act 3601), Section 2, paragraph B

[To charge and collect from the beneficiaries of the water from all irrigation systems constructed by or under its administration, such fees or administration charges as may be necessary to cover the cost of operation, maintenance and insurance, and to recover the cost of construction within a reasonable period of time to the extent consistent with government policy]

- c. Republic Act No. 8435 (Agriculture and Fisheries Modernization Act of 1997), Section 35

[Upon effectivity of this Act, the NIA shall immediately review the ISF rates and recommend to the Department reasonable rates within six (6) months from the effectivity of this Act]

- d. Presidential Decree No. 1702, Section 1 paragraph B

[Operating Capital. All amounts collected by the National Irrigation Administration as irrigation fees, administration charges, drainage

fees, equipment rentals, proceeds from the sale of unserviceable equipment and materials, sale of all reparation goods allocated to the defunct Irrigation Service Unit and the National Irrigation Administration, and all other income shall be added to its operating capital.]

SECTION 8 – Effectivity Clause. - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in at least two (2) newspapers of general circulation.