

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Seventeenth Congress
First Regular Session

House Bill No. **1197**

Introduced by Honorable Roy M. Loyola

EXPLANATORY NOTE

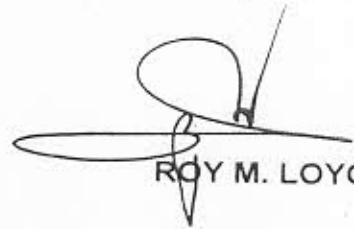
The National Irrigation Administration (NIA) is a government-owned and controlled corporation primarily responsible for irrigation development and management. The NIA's functions include the planning, designing, construction, and improvement of all types of irrigation projects. It is also tasked to operate, maintain, and administer all national irrigation systems.

Under its Charter, the NIA is allowed to charge Irrigation Service Fees or ISFs in exchange for providing irrigation to farmers, depending on the size of their farmlands. The ISFs were abolished by then President Joseph Estrada when he delivered his first State of the Nation Address in 1998 but were reinstated when NIA sought the adoption of a socialized irrigation fee system, as mandated by Administrative Order No. 17 of August 1998. The ISFs are intermittently suspended, especially in times of calamities when it was unreasonable to impose additional fees on farmers.

However, there is a need to revisit the status quo. Irrigation is a very basic governmental function that can very easily be shouldered by the State. It does not have to be passed on to farmers. Considering that it is a key factor in increasing agricultural productivity, having the State subsidize it will go a long way in ensuring adequate food supply and the early recovery of the principal means of livelihood of people in disaster-hit and poverty-stricken areas. Thus, it is the intention of this bill to revoke the ISF and to make irrigation services free for all farmers.



It is for this reason that the early passage of this bill is earnestly requested.



ROY M. LOYOLA

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AN ACT
REVOKING THE IRRIGATION SERVICE FEES (ISFs) IMPOSED ON FARMERS
BY THE NATIONAL IRRIGATION ADMINISTRATION, AMENDING FOR THE
PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 3601,
PRESIDENTIAL DECREE NO. 552 AND PRESIDENTIAL DECREE NO. 1702

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

1 **SECTION 1. *Short Title.*** "This Act shall be known as the "Free Irrigation
2 **Services Act."**

3 **SECTION 2. *Declaration of Policy.*** It is hereby declared the policy of the
4 State to adhere to the principle of integrated and holistic program of support
5 services that will alleviate the situation of farmers to enable them to attain their
6 full potentials as productive forces of society.

7 The State adheres to the promotion of a comprehensive rural
8 development program through increased agricultural production and the
9 adoption of necessary and sound measures to accelerate the achievement of self-
10 sufficiency in food, equitable access to opportunities and sustained
11 productivity as key strategies to raise the quality of life in rural areas and
12 overall national development.

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

4 **SECTION 3. *Revocation of the Irrigation Service Fees (ISF)***- Upon the
5 passage of this Act, all farmer beneficiaries shall be exempt from the payment of
6 the Irrigation Service Fees (ISFs) and the collection thereof, including the
7 collection of back accounts and the corresponding penalties therefore from
8 irrigation systems constructed, funded, and/or managed by the National
9 Irrigation Administration, shall be revoked immediately. In this regard, Section
10 2(c) of Republic Act 3601, Section 1(b) of Presidential Decree 552, and Section
11 1(b) of Presidential Decree 1702 are hereby repealed accordingly.

12 **SECTION 4. *Construction, Repair and Maintenance of National***
13 ***Irrigation Systems.*** -For the purpose of ensuring the continuity of the necessary
14 construction, repair and maintenance of irrigation systems administered by the
15 National Irrigation Administration, the required amounts for the same shall be
16 included in the annual General Appropriations Act (GAA).

17 **SECTION 5. *Government Subsidy for the Management of Irrigation***
18 ***System.*** - The State shall provide the necessary subsidies to farmers and
19 irrigators associations and cooperatives to ensure the effective and grassroots-
20 based management of irrigation systems, the funding of which shall likewise be
21 included in the annual GAA.

1 **SECTION 6. *Repealing Clause.*** - All laws, presidential decrees or
2 issuances, executive orders, letters of instruction, administrative orders, rules or
3 regulations contrary to or inconsistent with this Act, or which may be construed,
4 either expressly or impliedly, to grant the National Irrigation Administration the
5 power to levy any kind of irrigation fee or other kind of monetary imposition, are
6 hereby repealed, modified, or amended accordingly.

7 **SECTION 7. *Separability Clause.*** - If any provision of this Act or the
8 application of such provision to any person or circumstance is declared invalid,
9 the remainder of the Act or the application of such provision to other persons or
10 circumstances shall not be affected by such declaration.

11 **SECTION 8. *Effectivity Clause.*** - This Act shall take effect fifteen (15)
12 days after its publication in the Official Gazette and newspaper of general
13 circulation.

Approved,