

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

HOUSE BILL NO. **3547**



Introduced by: **REP. SETH FREDERICK P. JALOSJOS**

EXPLANATORY NOTE

This Bill seeks for the creation of an **AGRICULTURAL AND FISHERIES INSTITUTE** in the Province of Zamboanga del Norte to be known as the **ZAMBOANGA DEL NORTE INSTITUTE OF AGRICULTURE and FISHERY (ZNIAF)** with main campus at the Municipality of Sergio Osmena, Zamboanga del Norte.

The Province of Zamboanga del Norte is bounded by an agricultural and coastal land area and are highly dependent on agriculture and fisheries as a means of livelihood.

Agriculture is considered as the backbone for economic development. While agricultural courses are offered in SUC's in the area, the idea of creating an agri-fisheries institute is for the students to concentrate and focus its skills of this kind of specialization because this bill provides and limited only to offer on agricultural and fisheries science and technology courses to include modernized and progressive trainings.

Our Constitution mandates the State to establish and maintain a complete, adequate and integrated system of education relevant to the goals of national development. It prescribes that all educational institutions shall aim, among other things to develop scientific, technological and vocational efficiency, especially in the field of agriculture and fisheries.

The importance of this bill has been recognized by the people of the province of Zamboanga del Norte and considering the desire in upgrading a more responsive agricultural and fisheries education institution that will address pressing needs to the diminishing interests of the students to engage in agri-fisheries studies.

Hence, immediate passage of this bill is earnestly sought.


SETH FREDERICK P. JALOSJOS

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

Seventh Congress
First Regular Session

HOUSE BILL NO. 3547

Introduced by: **HONORABLE SETH FREDERCIK P. JALOSJOS**

AN ACT CREATING AN AGRICULTURE AND FISHERY INSTITUTE IN THE PROVINCE OF ZAMBOANGA DEL NORTE , TO BE KNOWN AS THE ZAMBOANGA DEL NORTE INSTITUTE OF AGRICULTURE AND FISHERIES (ZNIAF) IN THE MUNICIPALITY OF SERGIO OSMENA, ZAMBOANGA DEL NORTE AND APPROPRIATING FUNDS THEREFOR

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

Section 1. An Agricultural and Fishery Institute is hereby created to be known as **The ZAMBOANGA DEL NORTE INSTITUTE OF AGRICULTURE AND FISHERIES (ZNIAF)** in the Municipality of Sergio Osmentia, Zamboanga del Norte, hereinafter referred to as the **INSTITUTE**;

Section 2. The Institute shall primarily provide studies and advance instructions in agriculture fisheries science and technology, and shall also offer professional agricultural and fisheries research and training courses relative to progressive and modern agricultural and fisheries technologies and other field relevant hereto;

Section 3. The Institute shall offer undergraduate courses in the field of agriculture and fisheries as primary objective to strengthen its degree programs in Agriculture and Fisheries courses.

Section 4. The Institute shall have the general powers of a corporation set forth in the corporation Law, The administration of the Institute and the exercise of its corporate powers shall be vested exclusively in the Board of Directors or Board of Regents.

Section 5. The Governing Board's Manner of Appointment;

- (I) Composition- The governing body of the Institute shall be the Board of Directors of Board of Regents, hereinafter referred to as the Board, which shall composed of the following:
 - (a) Chairman of the Commission on Higher Education (CHED), Chairman;
 - (b) President of the Institute, Vice Chairman

- (c) Chairman of the Senate Committee on Education and the House of Representatives Committee on Higher and Technical Education, Members;
- (d) Regional Director of the National Economic and Development Authority (NEDA) where the main campus of the Institute is located, Member;
- (e) Regional Director of the Department of Science and Technology (DOST); Member;
- (f) President of the Faculty association of the Institute, Member;
- (g) President of the Student Council of the Institute, Member;
- (h) President of the Alumni Association of the Institute, Member;
- (i) Two (2) prominent citizens who have distinguished themselves in their field professions or specialization chosen from among a list of at least five (5) persons qualified in the province, as recommended by the Search Committee constituted by the President, in consultation with the Chairman of the CHED based, on the normal standards and qualifications for the position, Member;

The private sector representatives shall be appointed by the Board of Directors or Board of Regents upon recommendation of a duly constituted Search Committee,

- (II) Term of Office – The President of the faculty, alumni and student associations shall be coterminous with their respective terms of office. The prominent citizens shall serve for a two (2) years. In case of vacancy in the Office of the President, the Officer-in-charge of the Institute designate by the Board shall serve for the unexpired term only.

Section 6. Promulgation and Implementation of Policies- The Governing Board shall promulgate and implement policies in accordance with declared state policies on education and other pertinent provisions of the Constitution on education, agriculture, fisheries science and technology;

Section 7. Powers and Duties of Governing Boards- The board shall have the following specific powers and duties in addition to its general powers of administration and the exercise of all the powers granted to the Board of Directors of a corporation under existing laws;

- (a) To enact rules and regulations not contrary to law as may be necessary to carry out the purpose and functions of the Institute;
- (b) To receive and appropriate all sums as may be provided for the support of the Institute in the manner it may, in its discretion, determine to carry out the powers and functions of the Institute;
- (c) To receive in trust legacies, gifts and donations of real and personal properties of all kinds and to administer and dispose the same when necessary for the benefit of the Institute and subject to the limitations, directions and instructions of the donor, if any. Such donations shall be exempt from all taxes and shall be considered as deductible items from the income tax of the donor;
- (d) To fix the tuition fees and other necessary school charges, such as but not limited to, matriculation fees, graduation fees, and laboratory fees, as the Board may deem proper to

impose. Such fees and charges, including government subsidies and other income generated by the Institute, constitute special trust funds and shall be deposited in any authorized government depository bank. Any and all interests shall accrue there from shall form part of the same funds for the use of the Institute;

Any provision of existing laws to the contrary notwithstanding, any income generated by the Institute from tuition fees and other charges, as well as from the operation of auxiliary services and land grants, shall be retained by the Institute and may be disbursed by the Board of Instruction, research, extension or other programs/projects of the Institute: Provided, That all fiduciary fees shall be disbursed for the specific purpose for which they are collected;

If, for reason beyond its control, The Institute shall not be able to pursue any project for which funds have been appropriated and allocated under its approved program of expenditures, the Board may authorize the use of said funds for any reasonable purpose which in its discretion may be necessary and urgent for the attainment of the objectives and goals of the Institute;

- (e) To confirm appointments and/or designations of vice presidents, deans, directors, heads of department, faculty members and other officials and employees of the Institute made by the President of the Institute;
- (f) To fix and adjust salaries of faculty members and administrative officials and employees in accordance with the Revised Compensation and Position Classification System;
- (g) To approve the curricula, institutional programs and rules of discipline drawn by the administrative and academic councils as herein provided;
- (h) To confer degrees upon successful candidates for graduations and to award recognition to persons with outstanding contribution in the field of Agriculture, or any related field of specialization;
- (i) To establish branches if and when it becomes essential and necessary where there is no existing school offering similar programs or courses to promote and carry out access to education opportunities as mandated by the Constitution;
- (j) To establish chairs in the Institute and to provide fellowship for qualified faculty members and scholarships to deserving students;
- (k) To examine the property, course of study, discipline and the state of finances of the Institute and make report to the Congress of the Philippines upon the same; and
- (l) To authorize the construction or repair of its building, machinery, equipment and other facilities and the purchase and acquisition of real and personal properties, including necessary supplies and material and equipment, Purchases and other transactions entered into the by Institute through the Board shall be exempt from all the taxes and duties;

Section 8. Meetings; Quorum- A quorum of the Board shall consist of a majority of all members holding office at the time of the meeting: Provided, however, that among those present in the meeting is the Chairman of the CHED who is the Chairman of the board, or the President of the Institute;

In the absence of the Chairman of the CHED, a Commissioner of the CHED, duly designated by the former, shall represent him in the meeting with all the rights and responsibilities of a regular member: Provided, however, that in the said meeting, the President of the Institute as vice chairman shall be the presiding officer. The Board shall convene regularly once every three (3) months. The Chairman of the Board may, upon three (3) days prior written notice, call a special meeting whenever necessary.

The members of the Board shall not receive any salary but shall be entitled to reimbursement of actual and necessary expenses incurred either for attendance in meetings of the Board or for other official business authorized by resolution of the Board subject to pertinent existing laws on honoraria and allowances.

Section 9. The Administration- The Institute shall be headed by a President who shall render full time service and shall be appointment by the Board upon recommendation of a duly constituted search committee. He shall hold office for a term of four (4) years, extendible only for another four (4) years.

In case of vacancy in the Office of the President of the Institute by reason of death, resignation, incapacity of the President of the Institute to perform the functions of his office, or removal for a cause, the Board shall have the authority to designate an Officer-in-Charge of the Institute pending appointment of a successor. The Officer-in-Charge shall serve only for the duration of the unexpired term.

The powers and duties of the President of the Institute, in addition to those specifically provided in this Act, shall be those usually pertaining to the Office of the President of the Institute.

Section 10. The President of the Institute , whose term may be terminated according to this Act, shall be entitled to full retirement benefits under existing laws.

Section 11. Administrative Council- There shall be an Institute Administrative Council consisting of the President of the Institute as Chairman, the vice president(s), deans, directors and other official of equal rank, as members, whose duty is to implement the policies governing the administration, management and development planning the Institute as approved by the Board.

Section 12. Academic Council- There shall be an Institute Academic Council with the President of the Institute as Chairman and all the members of the instructional staff with the rank of not lower than assistant professor as member. The academic council shall have the power to prescribe curricular offerings subject to the review and approval of the Board. It shall fix the requirements for admission to the Institute as well as for graduation and the conferring of degree subject to review and/or approval by the Board through the President of the Institute. It shall also have the disciplinary power through the President of the Institute over the students within the limits prescribed by the rules of discipline as approved by the Board.

Section 13. Secretary of the Institute- There shall be a Secretary of the Institute who shall be appointed by the Board upon the recommendation of the President of the Institute. He or she shall also be the Secretary of the Board and shall keep such records of the Institute and the Board.

Section 14. The Treasurer of the Republic of the Philippines shall be the ex officio Treasurer of the Institute.

Section 15. No religious opinion or affiliation shall be a matter of inquiry in the appointment of faculty members of the Institute: Provided, however, that no matter the faculty shall teach for or against any particular church or religious sect.

Section 16. All properties and/or parcels of land belonging to the government, to be occupied by the Institute are hereby declared to be the property of the Institute and shall be titled under its name: Provided, that should the Institute cease to exist or be abolished or should such properties be no longer needed by the Institute, the same shall respectively revert to the Municipality of Sergio Osmena as the case may be.

Section 17. The heads of bureaus and offices of the national government are hereby authorize to loan or transfer, upon request of the President of the Institute, such apparatus, equipment or supplies as may be needed by the Institute, and to detail employees for duty therein when, in the judgement of the bureau or office, such apparatus, equipment, supplies or services of such employees can be spared without serious detriment to public service. Employees so detailed shall perform such duties as required by them by the President of the Institute, and the time so employed shall be counted as part of their regular services.

Section 18. The Institute shall provide a scholarship program and other affirmative action programs to assist poor but deserving students to qualify for admission to the Institute.

Section 19. Admission- No student shall be denied admission to the Institute by reason of gender, nationality, religion, cultural or community affiliation or ethnic origin.

Section 20. Integration of undergraduate Agricultural and Fisheries Courses- The undergraduate Agricultural courses existing offered by the Jose Rizal Memorial State University (JRMSU) and the Dipolog School of Fisheries, Province of Zamboanga del Norte shall be transferred to the Zamboanga del Norte Institute of Agriculture and Fisheries (ZNIAP) as primary agricultural and fisheries institution mandated to promote and strengthen agricultural and fisheries courses, Provided, that the graduate courses in the field of Agriculture, Fisheries and related sciences and other graduate courses shall remain at the JRMSU.

Section 21. Filing of Report- On or before the thirtieth (30th) day of the second month after the opening of the regular classes each year, the Board shall file with the Office of the President of the

Philippines, through the Chairperson of the Commission on Higher Education and both Houses of Congress, a detailed report on the progress, condition and needs of the Institute.

Section 22. All other powers, functions and privileges, responsibilities and limitations to an Institute are granted and/or its officials wherever appropriate.

Section 23. Tax Exemptions- The provision of any general or special law to contrary notwithstanding:

- (a) All profits and income generated by the Institute derived exclusively from its fundamental function as an education institution are exempt from the income tax imposed on every corporation;
- (b) Gifts and donations of real and personal properties of all kinds are exempt from the donor's tax and are considered as allowable deductions from the provisions of the National Internal Revenue Code as amended; and
- (c) Importation of economic technical, vocational, scientific, philosophical, historical and cultural books or publications are exempt from taxes and duties upon certification by the Department of Education, that such imported books or publications are for economic, technical, vocational, scientific, philosophical, historical and cultural purposes, in accordance with the provision of the Tariff and Customs Code as amended.

Section 24. Commission on audit- all accounts and expenses of the Institute shall be audited by the Commission on Audit or its duly authorized representative.

Section 25. The amount necessary to carry out the provisions of this Act shall be charged against the Annual General Appropriations Act. Thereafter, such sums may be necessary for the continued operation and maintenance of the Zamboanga del Norte Institute of Agriculture and Fisheries (ZNIAP) shall be included in the Annual General Appropriations Act: Provided, that to ensure that the Institute retain its original mandate as an agricultural and fisheries institution, at least fifty percent (50%) of the appropriations every year shall fund the teaching requirements for agricultural and fisheries courses and relevant research.

Section 26. Implementing Agency- The Commission on Higher Education is directed to take such steps as are necessary for the creation of the Institute, its operation and the immediate implementation of this Act.

Section 27. Separability Clause- If, for any reason, any part or provisions of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 28. Repealing clause- All laws, executive orders, rules and regulations or issuances contrary or inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Section 29. Effectivity Clause- This Act shall take effect upon its approval.

Approved.