

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4162



Introduced by Representative Eric D. Singson


EXPLANATORY NOTE

The National Irrigation Administration (NIA) is a government-owned and controlled corporation primarily responsible for irrigation development and management. Under its Charter, The NIA is allowed to charge irrigation services fees (ISFs) in exchange for providing irrigation to farmers, depending on the size of their farmlands. These fees were abolished by then President Joseph Estrada in 1998 but were reinstated and suspended by NIA intermittently especially in times of calamities or when it was unreasonable to impose additional fees on farmers.

SECTION 5, Article XIII of the 1987 Constitution also provides: "The State shall recognize the right of farmers, farmworkers, and landowners, as well as cooperatives, and other independent farmers' organizations to participate in the planning, organization, and management of the program, and shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing, and other support services."

It is therefore the responsibility of the State to support its farmers and it is just logical and reasonable to provide farmers free irrigation as this can very easily be shouldered by the State. President Rodrigo Duterte said in his 10-point agenda in agriculture that "irrigation services must be considered a vital government obligation to support the growth of Philippine economy, just like the network of roads being used for free. The country's rice farmers should be supported by providing them free irrigation water.....without being obliged to pay for the irrigation fees."

Therefore, in support of the new administration's agenda, and for the good of the farmers and our country, the immediate passage of this bill is earnestly sought.


ERIC D. SINGSON

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AN ACT
REVOKING IRRIGATION SERVICES FEES AND OTHER RELATED FEES,
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 3601, PRESIDENTIAL
DECREE NO. 552 AND PRESIDENTIAL DECREE NO. 1702

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

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

SEC. 2. *Declaration of Policy.* – It is the policy of the state to pursue a genuine agricultural development strategy by providing support services to the small farmers to increase their productivity and improve their market access.

It is also the policy of the state to promote and institutionalize irrigation systems that are free, effective, suitable, applicable and efficient as a key strategy to achieve genuine agricultural development

SEC. 3. *Full Implementation of Free Irrigation Service Policy* - Irrigation service fees (ISFs) and all other similar or related fees shall now be free of charge to all farmer beneficiaries, upon enactment of this Act.

Penalties and back accounts incurred by farmers and irrigators association by non-payment of ISFs or loans acquired for establishing communal irrigation system shall be deemed immediately cancelled with the enactment of this Act.

With the passage of this Act, the State shall also provide the necessary funds in the General Appropriations Act (GAA) and the mechanisms for the effective management of farmers’ groups and irrigators’ associations of irrigation systems at the farm level.

Pursuant to National Economic and Development Authority Resolution No. 20, series of 1978, it is a national policy that the government shall bear the cost of interest on all indebtedness for the construction of irrigation projects in order not to discourage the

participation of farmer-beneficiaries in the development and operation of irrigation facilities.

SEC. 4. *Personnel Services, Construction, Repair and Maintenance and other Operating Expenses of National Irrigation System* – Payment of personnel services and for the purpose of ensuring the necessary construction, repair, and maintenance of irrigation systems administered by the NIA and other related agencies that provide irrigation services; the required amounts shall be included in the annual General Appropriations Act (GAA).

SEC. 5. *Repealing Clause.*

-Section 2, Paragraph (c) of Republic Act No. 3601 entitled “An Act Creating the National Irrigation Administration”;

-Section 1, Paragraph (b) of Presidential Decree No. 552;

-Section 1, Paragraph (b) of Presidential Decree No. 1702 and;

-Section 35 of Republic Act No. 8435, otherwise known as the Agricultural and Fisheries Modernization Law.

All other laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

SEC. 6. *Implementing Rules and Regulations* - Within ninety (90) days from the effectivity of this Act, the Department of Agriculture with the support of NIA and other related agencies shall formulate and promulgate the rules and regulations necessary for the implementation of this Act.

SEC. 7. *Separability Clause* - If any provision or part hereof, is held invalid or unconstitutional, the remainder of the law or the provision thereof shall remain valid and effective.

SEC. 8. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in a newspaper of general circulation.

Approved,