

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2133

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Introduced by HONORABLE LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

EXPLANATORY NOTE

In a report on the state of Philippine agriculture, the Secretary of the Department of Agriculture said that the programs of the department for this new administration will focus on (1) staple food commodities to ensure food security and (2) high value crops to generate jobs and foreign earnings. To quote the report, "to achieve food sufficiency and maximum productivity in the country, the Department of Agriculture under President Rody Duterte must undertake the implementation of the basic foundations of a sound agriculture and fisheries program." At the core of this national program is the Rice Productivity Enhancement (RIPE) program which calls for a thorough review of the country's water management and irrigation policies, among others. There is thus a need to revisit the irrigation component in our agricultural sector.

The National Irrigation Administration (NIA) was created by law in 1963 principally to address the needs of the irrigation age and to investigate and study all available and possible water resources in the Philippines, primarily for irrigation purposes, to plan, design, construct and/or improve all types of irrigation projects and appurtenant structures (Section 2, RA 3601, as amended by P.D. 552 and P.D. 1702). For this purpose, the NIA has been given the necessary flexibility of a corporate vehicle and the administrative autonomy to achieve its statutory objectives.


Despite this, about 2.4 million hectares or 43% of farm lands in the Philippines still lack irrigation. The country needs to put equal weight to more streamlined, community-based, small-scale, yet far-reaching irrigation development program that can be done here and now and this bill provides the impetus for this goal.

This measure therefore proposes to refocus the direction, role and function of the National Irrigation Administration (NIA) towards the effective development and construction of irrigation systems. The NIA shall be renamed National Irrigation Development Administration (NIDA) and converted into a line agency of the Department of Agriculture. It shall focus on the following as described in the Act: National Irrigation Program, Streamlined Irrigation Development Program and

Continuing Research and Development. This includes the reformulation and upgrading of irrigation methods through continued research, development and application of technological advancements in order to make irrigation sustainable, environment friendly and cost effective.

The proposed refocusing of NIA's role and purpose further seeks to foster sustainable livelihood among its farmers through improvement in both farm productivity and increased income by abolishing existing laws prescribing the power and authority of the NIA to collect Irrigation Service Fees (ISF) or other forms of charges for the use of irrigation systems. At the same time, it also intends to make the farmer-stakeholders accountable and effective partners in the maintenance of the irrigation facilities by providing them with adequate technical assistance.

In view of the importance of the irrigation in agricultural productivity, food security and livelihood, the passage of this bill is earnestly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.

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Introduced by HONORABLE LUS RAYMUND “LRAY” F. VILLAFUERTE, JR.
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AN ACT
CREATING A STREAMLINED NATIONAL IRRIGATION DEVELOPMENT
PROGRAM, ABOLISHING THE IRRIGATION SERVICE FEES, RENAMING THE
NATIONAL IRRIGATION ADMINISTRATION TO THE NATIONAL IRRIGATION
DEVELOPMENT ADMINISTRATION, APPROPRIATING FUNDS THEREFOR,
AND FOR OTHER PURPOSES

*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 Reform and Restructuring Act of 2016*."

Section 2. Declaration of Policy. – It is the policy of the State to pursue a comprehensive agricultural development, through effective and progressive irrigation programs. Guided by the principle of self-sufficiency, the agricultural sector shall make full use of human and natural resources.

In pursuit of the goals of genuine rural development, the State shall promote a viable rural agricultural economy by raising farm productivity at competitive and market sufficiency levels through the provision of irrigation infrastructure and comprehensive support services for farmers.

Section 3. Renaming and Re-Classifying the Agency. - The National Irrigation Administration, which was created under Republic Act No. 3601, as amended by Presidential Decrees No. 552 and 1702, is hereby renamed as the National Irrigation Development Administration (NIDA), and is hereby converted from a government corporation into a line agency under the Department of Agriculture.

Section 4. *Restructuring/Amending the Irrigation Mandate.* – The mandates, powers and authorities provided to the NIA under existing laws shall be assumed by the NIDA, except for the provisions which are inconsistent with this Act.

Section 5. *National Irrigation Program.* - The National Government shall undertake a comprehensive irrigation program, guided by the following objectives:

- (a) Generation, restoration and rehabilitation of community-based irrigation systems and facilities using progressive and modern irrigation methods;
- (b) Reformulation and upgrading of the methods of irrigation through continued research and development and application of technological advancements in the field of irrigation; and
- (c) Strengthened coordination with local government units, cooperatives, farmers' associations, non-governmental organizations, and technical assistance and development of the irrigation systems used in their respective areas and jurisdictions.

Section 6. *Streamlined Irrigation Development Program.* - In line with the national policy objectives, the National Irrigation Development Administration (NIDA) is mandated to expedite its irrigation development programs and be able to irrigate one hundred percent (100%) of irrigable lands all over the country, within a period of four (4) years from the effectivity of this Act. After the lapse of the four year period, the NIDA shall then submit to Congress a detailed report and satisfactory proof of its completion of the ninety-five-percent target.

Section 7. *Continuing Research and Development.* - The NIDA shall conduct continuing research and development as well as application of technological advancements in the field of irrigation. This shall include the viability of the introducing solar-powered irrigation facilities to benefit remote villages that are not connected to a power grid.

Section 8. *Irrigation Planning and Advisory Board.* - Section 4 of R.A. 3601, is hereby repealed and the NIA Board of Directors is hereby replaced by the Irrigation Planning and Advisory Board (IPAB), which shall have the same membership and shall have the following additional powers and functions:

1. To formulate and adopt policies for the management and operations of the NIDA;
2. To formulate the relevant strategies, plans, and programs as well as organizational development that will ensure the effectiveness of the missions of agency;
3. To study and develop all available water resources in the country, primarily for irrigation purposes;

4. To plan, design, construct and/or improve all types of irrigation projects and appurtenant structures;
5. To operate, maintain and administer all national irrigation systems (NIS);
6. To oversee efficiency, integrity and transparency of the affairs and operations of the Agency in the implementation of its irrigation plans and development programs;
7. To approve for the NIDA's plans, programs and budgets for inclusion in the Department of Agriculture's plans and budgets for the ensuing year;
8. To regularly monitor and evaluate NIDA's reports on the state of irrigation in the various regions of the country for all the major crop commodities in each region;
9. To oversee, in cooperation with the Commission on Audit, the inventory of all NIDA irrigation assets;
10. To ensure effective partnership with stakeholders of the irrigation projects, and ensuring that such entities have professional management support;
11. To approve any organizational re-engineering plan that may be needed for transformation of NIA into the NIDA which may entail, among other measures: (1) reduction of maintenance and collection personnel, (2) expansion of research and development, and construction management units, and (3) provision of early retirement benefits at a factor of 2 months basic for every year of service; and
12. To ensure the hiring of technically competent and highly capable, qualified personnel in the Agency.

Section 9. *Abolition of irrigation fees.* - Irrigation Services Fees (ISF) and other kinds of irrigation fees shall no longer be charged upon effectivity of this Act. All unpaid irrigation fees shall be restructured under terms and conditions that are not oppressive to the farmers.

Section 10. *Technical Assistance to Stakeholders.* - The NIA shall provide technical and financial assistance to local government units, cooperatives, farmers' associations, and nongovernmental organizations with respect to irrigation systems located, utilized, and managed in their respective jurisdictions, including all functional equipment and facilities appurtenant thereto.

Section 11. *Funding.* - The NIDA shall adopt the budget of NIA as appropriated in the Annual General Appropriations Act.

Further, the amount of One Billion Pesos (PhP1,000,000,000.00) is hereby appropriated for the implementation of the Streamlined Irrigation Development Program. After the initial year of implementation, the same amount shall be included in the budget of the NIDA.

Section 12. *Submission of Detailed Status Report to Congress.* - The NIDA is hereby mandated to furnish Congress a detailed status report of its programs, targets and accomplishments for the preceding five (5) years. This is without prejudice to the NIA's obligation to furnish Congress with a Fiscal Report under Article VI, Section 11 of R.A. 3601.

Section 13. *Implementing Rules and Regulations.* - Within three months from the effectivity of this Act, the Secretary of Agriculture shall form an ad hoc Task Force to be composed of two representatives each from the NIDA, from the large scale irrigators association, from small irrigators associations, and one representative each from the professional associations of civil engineers and an accountants or financial management group, to formulate the Implementing Rules and Regulations within the ensuing period of three months. Two representatives of the Congressional Commission on Agriculture and Fisheries Modernization shall join the meetings of the ad hoc Task Force as observers.

Section 14. *Separability Clause.* - In the event that any provision or part of this Act shall be declared unconstitutional, the remaining provisions shall remain valid and in full force and effect.

Section 15. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

Section 16. *Effectivity.* - 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, whichever comes earlier.

Approved,