

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 5640

Introduced by: **HON. RUTH MARIANO-HERNANDEZ**

EXPLANATORY NOTE

This bill aims to promote agriculture in all urban areas of the country to help address the burgeoning need to attain food security for our nation in the foreseeable future.

This bill was first filed by former AGRI Partylist Rep. Orestes Salon in the 17th Congress as House Bill 4337. The said measure was eventually consolidated with three similar bills and approved on third and final reading by the House as House Bill 9105 as the previous Congress ended in June 2019.

The achievement of self-sufficiency and sustainability in food production and food security is paramount for the country as it is the policy of the State to promote the fundamental right of every person to adequate food and be free from hunger.

Toward this end, the State shall modern, appropriate, cost-effective and environmentally-safe agricultural technologies to ensure food security, promote a healthy citizenry, and advance an improved quality of life.

The measure defines urban agriculture as the development paradigm that encompasses principles, management, technologies, and the policies relating to the practice and application of agricultural production of food in urban areas.

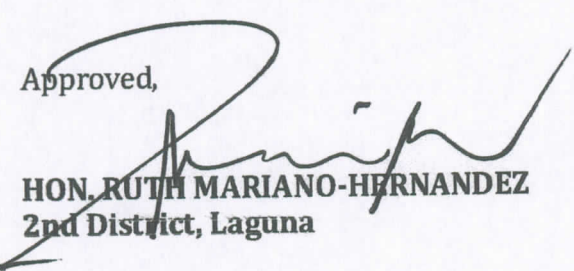
The bill provides that urban agriculture shall apply to all urban spaces such as idle, government or private lots or buildings, available land resources in state or private universities and colleges suitable for growing crops and raising poultry and livestock, and for agriculture.

It is imperative that a policy platform to achieve food security is enacted by Congress considering that the Philippines ranked 79th in the 2017 Global Food Security Index released by the Economist Intelligence Unit (EIU).

It is hoped that the country can attain food security - a situation wherein sufficient, safe, and nutritious food is accessible and affordable at all times - with the passage of this bill.

The immediate passage of this bill is hereby earnestly sought.

Approved,



HON. RUTH MARIANO-HERNANDEZ
2nd District, Laguna

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HOUSE BILL NO. 5640

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AN ACT
PROMOTING THE USE OF URBAN AGRICULTURE IN ALL URBAN AREAS IN THE
PHILIPPINES, ESTABLISHING FOR THE PURPOSE THE URBAN AGRICULTURE
PROGRAM AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Short Title.* - This Act shall be known as the ***"Integrated Urban Agriculture Act."***

SECTION 2. *Declaration of Policy.* - It is hereby declared the policy of the State to ensure that every citizen will have unrestricted access to quantitative and qualitative adequate supply of food. Pursuant to this, the State shall establish and adopt a continuing program that will promote and protect the right to adequate food of all Filipinos by promoting urban agriculture. The implementation of modern, environmentally safe and cost-effective agricultural technologies shall be encouraged in all urban areas in the country.

SECTION 3. *Urban Agriculture Program.* - There shall be established an Urban Agriculture Program, hereinafter referred to as the Program, which shall be implemented on idle or abandoned government lots owned by either national or local governments, and on available land resources in state colleges and universities. The Program aims to boost food productivity, help address food inadequacy and regenerate ecosystem functions in the country.

The program shall encourage the use of indigenous materials for agricultural inputs such as seeds, fertilizers, and agricultural machinery and other agricultural implements.

As used in this Act, *Urban Agriculture* shall mean farming in all its branches including, but

not limited to, the cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any agricultural, aqua cultural, agro-forestry or horticultural products, the raising of livestock, dairy-producing animals, and poultry, agricultural education, the sale of produce and any practices performed by a farmer or on a farm as an incident to or in conjunction with farming operations.

SECTION 4. **Coverage.** - The Program shall cover idle or abandoned lands in all urban areas and all available land resources in state colleges and universities in the country which are not less than 200 square meters but not more than half a hectare in size. *Urban areas* refer to cities and municipalities categorized as such by the Philippine Statistics Authority.

SECTION 5. **Urban Agriculture Zone.** - All city and municipal governments shall designate an urban agriculture zone (UAZ) within their jurisdiction, indicating the appropriate geographic boundaries. The UAZ may be composed of one large parcel of land or multiple smaller parcels of land, whichever is applicable. The designation of the UAZ shall be subject to the approval of the city or municipality's *Sanggunian*, which shall pass an ordinance expressing its approval.

SECTION 6. **Participation of the Private Sector.** - Private individuals, civil society groups, corporations and partnerships may participate in the Program and enter into management contract or joint venture arrangement with the local government units (LGUs) for the development or cultivation of the UAZ, subject to existing laws. The LGUs shall require the participating corporation and partnerships to provide livelihood projects or opportunities to families living within the city or municipality where the UAZ to be developed is located.

SECTION 7. **Incentive Package.** - Individuals, groups, corporations or partnerships that participate in the program are entitled to tax incentives in all aspects germane to the urban agriculture activities. These incentives include:

- a) In case importation is necessary, exemption from the payment of customs and duties of all types of agricultural inputs, particularly seeds, fertilizers, agricultural machinery and other agricultural implements as provided under Republic Act (RA) No. 8435, otherwise known as the "*Agriculture and Fisheries Modernization Act of 1997*," as amended;
- b) Exemption from the value-added tax (VAT) on the importation of agricultural inputs particularly fertilizers, seeds and seedlings in accordance with Section 109 of RA 8424, otherwise known as the "*Tax Reform Act of 1997*," as amended; and
- c) Expenses that are directly related to the program may be claimed as allowable expenses in the regular operation of the corporation.

SECTION 8. **Other Incentives.** - Loans extended by government and private banks to participating individuals, corporations and partnerships shall be treated as compliance to RA 10000, otherwise known as the "*Agri-Agra Reform Credit Act of 2009*."

SECTION 9. **Duration.** - Participating individuals, corporations and partnerships may develop or cultivate the UAZ or parts of it, for a period of five (5) years which may be renewed for another five (5) years, subject to the approval of the local *Sanggunian*.

SECTION 10. **Inclusion of Urban Agriculture in the Curriculum.** - The Department of Education and the Commission on Higher education shall ensure that urban agriculture shall be included in the academic curriculum for secondary and tertiary level students of both public and private academic institutions studying courses on Agriculture, Practical Arts, Home Economics or other subjects related to agriculture. A course curriculum on urban gardening shall also be developed and included into the regular curriculum of both elementary and secondary levels.

For universities and colleges, urban agriculture shall form part of the required period of time spent by students in the National Service Training Program or the Citizens Military Training.

SECTION 11. **Implementing Agencies.** - The Department of Agriculture (DA) and the Department of Agrarian Reform (DAR) shall be the lead agencies to institute measures to ensure the proper development and cultivation of the UAZ through urban agriculture schemes. In coordination with the other government agencies, the DA and DAR shall facilitate the processing of contracts between corporations and partnerships and the LGUs. The DA and DAR shall exercise the following functions:

- a) Facilitate and promote grassroots cooperation to access agricultural services such as information, inputs and technical assistance;
- b) Initiate and develop periodic farm assembly markets to provide avenues to showcase the produce;
- c) Exercise regulatory functions with respect to the adherence to the provisions of contracts and arrangements entered into by individuals, corporations and partnerships and the LGUs, and to develop mechanisms to facilitate negotiations and mediate in disputes between stakeholders on matters of contract enforcement;
- d) Coordinate with appropriate government agencies to ensure the timely establishment of support services such as credit, infrastructure, extension services and others; and
- e) Conduct, together with the LGUs, a training program for residents regarding urban agriculture.

SECTION 12. **Appropriations.** - The amount necessary to carry out the provisions of this Act shall be included in the current appropriations of the Department of Agriculture. Thereafter, such amounts as may be necessary for its continued implementation shall be

included in the annual General Appropriations Act.

SECTION 13. ***Implementing Rules and Regulations.*** – Within ninety (90) days after the effectivity of this Act, the Secretary of Agriculture jointly with the Secretary of Agrarian Reform shall, in consultation with other concerned government agencies, non-governmental organizations, private sectors and farmers' groups, formulate the rules and regulations necessary for its effective implementation.

SECTION 14. ***Automatic Review.*** – The Department of Agriculture and the Department of Agrarian Reform, being the lead government agencies in the urban agriculture program, shall submit periodic reports to both Houses of Congress on the status of the program three (3) years after its implementation. Thereafter, a review on the viability of the program shall be made by the appropriate agencies every five (5) years.

SECTION 15. ***Separability Clause.*** – If any provision of this Act is declared invalid or unconstitutional, other provisions hereof which are not affected thereby shall remain in full force and effect.

SECTION 16. ***Repealing Clause.*** – All laws, decrees, executive orders, rules and regulations, issuances or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 17. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,