

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2857



Introduced by: Hon. Angelina "Helen" D.L. Tan, M.D.

**AN ACT PROVIDING FOR FREE IRRIGATION SERVICES TO FARMERS,
AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO.
3601, PRESIDENTIAL DECREE NO. 552 AND PRESIDENTIAL DECREE NO. 1702**

EXPLANATORY NOTE

Agriculture is one of the major driving forces of our economy. In the Philippines, a vast majority of rural population still rely on farming or as farm workers for their livelihood. Irrigation, therefore, is one of the primary factors for agricultural productivity since it plays a crucial role in enhancing productivity in agriculture, especially in the production of major staples such as rice and corn. Irrigation, without doubt, is essential in ensuring food security of the nation. To date, however, 1.34 million hectares of irrigable lands in the country are still without irrigation.


It is quite unfortunate that the government has adopted the policy that water resource is a commodity, and as such, the national government through the National Irrigation Administration (NIA), has been implementing various finance mechanisms to collect irrigation service fees (ISFs) from farmers.

Farmer-beneficiaries of the National Irrigation System (NIS) program administered by the NIA and Irrigators Associations (IAs) under the Communal Irrigation Systems (CIS) are forced to pay exorbitant ISFs. This has led to a substantial amount of expenses of our farmers allotted for irrigation services. As a result, many of our poor farmers could not afford to pay these exorbitant ISFs and led to huge amount of bank accounts.

Under its Charter, the NIA is allowed to charge ISFs in exchange for providing irrigation to farmers, depending on the size of their farmlands. The ISFs were abolished during the term of President Joseph Estrada but were reinstated when NIA sought the adoption of a socialized irrigation fee system. The ISFs are intermittently suspended, especially in times of calamities when it was unreasonable to impose additional fees on farmers.

Irrigation is a basic governmental function that must be shouldered by the State if the agriculture sector in the country is to grow. Allowing the State to subsidize irrigation will go a long way in ensuring adequate food supply and the early recovery of the principal means of livelihood of people, especially in disaster-hit and poverty-stricken areas.

In view of the foregoing, approval of this bill is earnestly requested.


ANGELINA "HELEN" D.L. TAN, M.D.
4th District, Quezon

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

SECTION 1. *Short Title.* - This Act shall be known as the “Free Irrigation Services Act.”

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

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

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

SEC. 3. *Stoppage of the Collection of Fees.*— Upon the effectivity of this Act, all farmer beneficiaries shall be exempt from the payment of the Irrigation Service Fees (ISFs) and the collection thereof, including the collection of back accounts and the corresponding penalties from irrigation systems constructed, funded, and/or managed by the National Irrigation Administration, shall be revoked immediately. In this regard, Section 2(c) of Republic Act 3601, Section 1(b) of Presidential Decree 552, and Section 1(b) of Presidential Decree 1702 are hereby repealed accordingly.

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

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

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

SEC. 7. *Separability Clause.* – If any provision of this Act or the application of such provision to any person or circumstance is declared invalid, the remainder of the Act or the

application of such provision to other persons or circumstances shall not be affected by such declaration.

SEC. 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette and newspaper of general circulation.

Approved,