

**Republic of the Philippines**  
**HOUSE OF REPRESENTATIVES**  
*Quezon City*

**SEVENTEENTH CONGRESS**  
**First Regular Session**

**House Bill No. 2455**

HOUSE OF REPRESENTATIVES	
<b>RECEIVED</b>	
DATE:	03 AUG 2016
TIME:	4:50 PM
BY:	<i>[Signature]</i>
REGISTRATION UNIT BILLS AND INDEX SERVICE	

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**Introduced by REPRESENTATIVE ARTHUR C. YAP**

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**EXPLANATORY NOTE**

Irrigation development in the Philippines is estimated to be at a low 47-50%. It is beset by high cost of construction, operation and maintenance; low cost recovery; inappropriate design of irrigation projects; and lack of inter-agency cooperation.

Based on a 2009 report of the National Irrigation Administration (NIA), a total of 3.1 million hectares of agricultural lands in the country remain irrigable. A significant figure that if reached by irrigation could greatly boost agricultural productivity and enhance the country's food security. Nationwide, the average rice production in irrigated areas is about 80% higher than rain-fed areas.

In recent years, there has been increasing emphasis on the development of communal irrigation systems and on rehabilitation of existing irrigation systems. Irrigation development requires considerable investment. Generally, smaller communal systems are cheaper to construct than larger, national irrigation systems. Be that as it may, there is a need to accelerate the development of irrigation systems in areas where they are most needed.

This bill seeks to mandate the National Irrigation Administration (NIA) to undertake a six-year accelerated irrigation program for the construction of irrigation projects in the remaining unproductive, un-irrigated but potentially irrigable lands nationwide. Pursuant to this mandate, the agency shall conduct parallel assessments of existing irrigation systems, and the identification of potential irrigation projects.

To achieve these objectives, a Special Irrigation Fund shall be established by the Department of Budget and Management (DBM) in the annual General Appropriations Act to meet intensive irrigation program costs and for the continuous implementation of this proposed measure until its 6<sup>th</sup> year completion date.

Ultimately, the aim of this measure to accelerate irrigation development in the country is aimed at attaining self-sufficiency in food and a sustained productivity as key strategies to raise the quality of rural life and pursue national development.

For the foregoing reasons, the immediate consideration and approval of this bill, filed as House Bill No. 5368 in the Sixteenth Congress by the undersigned, is earnestly urged.

A handwritten signature in black ink, consisting of a stylized 'A' followed by a 'Y' and a 'P'.

**ARTHUR C. YAP**  
**Representative**

**Republic of the Philippines**  
**HOUSE OF REPRESENTATIVES**  
*Quezon City*

**SEVENTEENTH CONGRESS**  
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**Introduced by REPRESENTATIVE ARTHUR C. YAP**

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**AN ACT**  
**TO PROMOTE RURAL DEVELOPMENT BY**  
**PROVIDING FOR A SIX-YEAR ACCELERATED**  
**IRRIGATION PROGRAM FOR THE CONSTRUCTION**  
**AND REHABILITATION OF IRRIGATION PROJECTS,**  
**AND FOR OTHER PURPOSES**

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

1       **SECTION 1. *Title.*** - This Act shall be known as the "*Accelerated*  
2   *Irrigation Act of 2016.*"

3       **SECTION 2. *Declaration of Policy.*** - It is hereby declared the  
4   national policy to promote comprehensive rural development through  
5   increased agricultural production and the adoption of necessary and sound  
6   measures to accelerate the attainment of self- sufficiency in food, equitable  
7   access to opportunities and sustained productivity as key strategies to raise  
8   the quality of rural life and national development.

9       In pursuit of the goals of genuine rural development, the State shall  
10   promote a viable rural agricultural economy by raising farm productivity at  
11   competitive and market sufficiency levels through provision of irrigation  
12   infrastructure and comprehensive support services such as but not limited to

1 post-harvest services and equipment, credit facilities, farm to market roads,  
2 marketing and distribution assistance and facilities and structures, as well as  
3 farmer entrepreneurship, institutional and capacity building trainings.

4 **SECTION 3. *Objectives and Mandate.*** - The National Irrigation  
5 Administration (NIA) shall undertake a six-year accelerated irrigation  
6 program for the construction of irrigation projects in the remaining  
7 unproductive, un-irrigated but potentially irrigable lands nationwide  
8 pursuant to the actual size and extent to be determined and established in a  
9 full inventory of existing or remaining potential areas for irrigation, in  
10 parallel assessment of existing irrigation systems, and the identification  
11 including listing of potential irrigation projects to be submitted by the NIA  
12 within three (3) months but not beyond six (6) months after the effectivity  
13 of this Act.

14 The NIA shall conduct multi-stakeholders consultations with local  
15 planning and development councils, irrigators' associations, agrarian reform  
16 beneficiaries, indigenous or affected minorities, and relevant government  
17 agencies in the identification of priority areas, and shall thereafter prepare a  
18 comprehensive 5-year work program with annual targets for the irrigation  
19 development of new irrigable areas needed or with high potential in order to  
20 attain immediate self-sufficiency in rice and other agricultural crops.

21 The NIA shall guarantee that all irrigation programs and projects to be  
22 undertaken herein shall be completed and made fully operational or  
23 implementable within the duration of the six (6) - year special irrigation  
24 program, with provision for sustainability of operation and maintenance of  
25 said systems after the program completion, including institutionalization of

1 a comprehensive package of infrastructure and social support services to be  
2 integrated into the regular annual programs and budgets of the NIA and  
3 other implementing agencies and instrumentalities, as well as the local  
4 government units (LGUs), to ensure a sustained increased productivity as  
5 strategy to attain genuine rural development.

6 **SECTION 4. *Accelerated Irrigation Development.*** - The NIA shall  
7 observe the following priorities and guidelines in the identification,  
8 planning, construction, and management of irrigation projects in  
9 collaboration with concerned government agencies, local government units,  
10 irrigators' association and other stakeholders, *Provided*, that:

11 a) Priority shall be given to the following:

12 1) Provinces with low irrigation development and/or low productivity  
13 yield;

14 2) Beneficiaries in fourth, fifth and sixth class municipalities and  
15 provinces, *Provided*, that, to the extent feasible and practicable,  
16 priority in the allocation of the special accelerated irrigation  
17 projects be given to the updated list of identified priority areas or  
18 low-income municipalities;

19 3) Islands and upland areas that are potentially and practically  
20 irrigable; *Provided*, that these are feasible for construction of  
21 irrigation facilities;

22 4) Beneficiaries of the Agrarian Reform Program (ARPs), pursuant to  
23 the intent of the Comprehensive Agrarian Reform Program  
24 (CARP) law, as amended and applicable provisions of Agriculture

1 and Fisheries Modernization Act (AFMA), as amended, and such  
2 other pertinent laws and issuances;

3 5) Farmer Irrigators Associations or Farmer Cooperatives; and,

4 6) Members of the indigenous cultural communities.

5 b) An inventory of the existing irrigation systems and their efficiency  
6 status update, impact analysis, and the actual total potential areas for  
7 irrigation shall be conducted by NIA with assistance from concerned  
8 stakeholders and technical experts, including LGUs and financing  
9 institutions, to be completed not beyond six (6) months from the  
10 effectivity of this proposed Act.

11 c) Development and/or construction of irrigation facilities on new areas  
12 shall be judiciously programmed over a six-year priority completion  
13 target, which therefore necessitates drawing up a work program by  
14 the NIA that is deemed realistic, achievable and annually target-  
15 specific to agricultural yield in the identified priority irrigable areas.

16 d) Priority irrigation projects shall be small and medium in which  
17 construction works should immediately commence after the  
18 technical assessment and feasibility requirements on said projects  
19 have been completed and approved not later than six (6) months  
20 after the effectivity of this Act, without prejudice however to the  
21 recommendation of the construction of large-scale irrigation  
22 projects: *Provided*, that, to the extent feasible and practicable,  
23 priority shall be given to the construction of communal irrigation  
24 projects; and *Provided further*, that such necessary national irrigation  
25 structures shall be completed and made fully operational within three

1 (3) years upon commencement of the proposed Accelerated  
2 Irrigation Program; and *Provided finally*, that, fast-track priority  
3 projects covered in this Special Irrigation Act shall include the  
4 development of such small irrigation types as communal, reservoir,  
5 small dams, diversion, or pumps systems (ground water or surface  
6 water).

7 The type of project and development scheme shall be  
8 determined based on technical feasibility studies to be conducted by  
9 the NIA.

10 e) The provincial offices of the NIA shall be responsible in the  
11 preparation of feasibility studies and design of communal irrigation  
12 projects at cost to NIA.

13 f) At least 50% of the funds allocated under this Act shall be used for  
14 the construction of small irrigation projects in partnership with the  
15 LGUs; *Provided*, that at least 20% shall be earmarked for  
16 rehabilitation and emergency repair works of existing irrigation  
17 systems, including small irrigation projects identified as necessary  
18 and cost effective to realize increased productivity under this Act;  
19 *Provided, further* that, the regular Operation and Maintenance of  
20 these systems including their budgetary requirements after the 6-year  
21 Accelerated Irrigation project shall be funded under this Special  
22 Program unless certified feasible and necessary by the NIA.

23 g) The management of small-scale irrigation projects shall be  
24 turned over to the farmer beneficiaries thru their Irrigators'  
25 Associations or Farmers Cooperatives upon project completion and



1 after undertaking institutional development training; *Provided*, that  
2 amortization of the direct cost of these small scale irrigation projects  
3 by the Irrigators' Associations (IAs) shall follow the existing NIA  
4 policies on cost recovery mechanisms for communal irrigation  
5 systems.

6 h) Medium and large-scale irrigation projects shall be jointly managed  
7 by the NIA, the strengthened Irrigators Associations, and the LGUs,  
8 to the extent practicable, upon project completion under the  
9 Irrigation Management Transfer Program.

10 i) To realize the full benefits of sustained increased productivity from  
11 these irrigation projects, other agricultural support services shall be  
12 provided and institutionalized within the third year of operation  
13 under this Act. NIA shall assist the IAs and facilitate coordination  
14 with the Department of Agriculture (DA) and such other agencies  
15 and the LGUs in the provision of other agricultural support inputs  
16 and infrastructures such as, but not limited to, access to agricultural  
17 credit, high-quality seeds, technical assistance on pest management  
18 and fertilizer use, post-harvest facilities, and marketing. Funds for  
19 these shall be included in the estimates of project costs.

20 **SECTION 5. *Irrigators Associations*** - The NIA shall continue to  
21 organize, develop and strengthen farmer-beneficiaries under this Act into  
22 self-sustaining Irrigators' Associations or farmer cooperatives.

23 **SECTION 6. *Irrigation of Other Crops*** - Irrigation projects under  
24 this Act are not limited to rice/palay production in order to maximize use of  
25 irrigated lands.



1           **SECTION 7. *Special Accelerated Irrigation Fund.*** - Such sums

2 as may be necessary for the initial implementation of this Act shall be  
3 sourced from any available appropriations intended for irrigation allocation  
4 under the amended AFMA, CARP, Agricultural Competitiveness  
5 Enhancement Fund (ACEF) and realigned appropriations in the current year  
6 of the date of effectivity of this Act. Thereafter, a Special Irrigation Fund  
7 shall be established by the Department of Budget and Management (DBM)  
8 in the Annual General Appropriations Act for the continuous  
9 implementation of this Act until its 6th year completion date, with provision  
10 for accelerated release in the first three (3) years to meet intensive irrigation  
11 program costs.

12           **SECTION 8. *Authority to Compromise.*** - To encourage farmers

13 to pay their dues and to facilitate the clearing of NIA's back account  
14 collectibles, the NIA Administrator shall have the authority to enter into  
15 compromise or release for the penalty charges and part of unpaid principal  
16 accounts of Irrigation Services Fee (ISF) and Communal Irrigation Systems  
17 (CIS) amortizations in the amount not exceeding One hundred thousand  
18 pesos (Php 100,000.00) per farmer under the Compromise Agreement  
19 Program on ISF Back Account, and/or such rules and regulations that the  
20 NIA Board of Directors shall adopt during the program years.

21           **SECTION 9. *Contracts*** - NIA shall comply with the bidding

22 regulations under Republic Act No. 9184, as amended, which allows  
23 community participation for small scale projects to promote IA capability  
24 building. However, pursuant to the declared policy and in the interest of the  
25 public, and to facilitate procurement of smaller contracts, NIA may enter

1 into contracts using the Simplified Bidding procedures, as provided under  
2 AFMA, for the 6-year period of implementation of this Act.

3 **SECTION 10. *List of Priority Projects.*** - The NIA shall annex a  
4 list of priority projects proposed to be funded under this Act; *Provided*, that  
5 upon completion of the inventory of existing irrigation systems and the  
6 identification/listing of potential irrigation projects, the revised list of  
7 projects to be funded shall be finalized and approved.

8 **SECTION 11. *Exemption from Election Ban.*** - The  
9 implementation of the accelerated irrigation development program which  
10 involves the emergency construction, rehabilitation, repair and installation of  
11 irrigation facilities, including infrastructure complementary support  
12 services, shall be exempt from the scope of the election ban on public  
13 works.

14 **SECTION 12. *Complementary Irrigation Component Projects.*** -  
15 Whenever practicable, projects qualified under this Act shall include other  
16 irrigation-related components such as, but not limited to, the following  
17 complementary development purposes:

- 18 a) watershed management and reforestation;
- 19 b) climate change vulnerability/flood prevention/erosion control;
- 20 c) fish culture;
- 21 d) power generation; and
- 22 e) tourism development.

23 **SECTION 13. *Oversight Committee*** - A joint Oversight  
24 Committee composed of five (5) members each in the House of  
25 Representatives and Senate, respectively, preferably coming from the

1 Committees on Rural Development and Agriculture shall be created to  
2 monitor the strict implementation of this Act and the exercise of the  
3 authority granted hereunder.

4 **SECTION 14. *Implementing Rules and Regulations (IRR)*** -

5 Within 60 days upon effectivity of this Act, the NIA, through the Secretary  
6 of the Department of Agriculture, shall initiate the convening of a Technical  
7 Working Group to promulgate the IRR of this Act with relevant  
8 stakeholders.

9 **SECTION 15. *Separability Clause.*** - If any of the provisions of this

10 Act is declared invalid or unconstitutional, the remaining parts or provisions  
11 hereof not affected thereby shall remain in full force and effect.

12 **SECTION 16. *Repealing Clause.*** - All laws, decrees, executive

13 orders, proclamations, rules and regulations, and issuances, or parts thereof,  
14 inconsistent with the provisions of this Act are hereby repealed or modified  
15 accordingly

16 **SECTION 17. *Effectivity Clause.*** - This Act shall take effect

17 fifteen (15) days after its publication in at least two (2) national newspapers  
18 of general circulation.

**APPROVED.**