

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **3151**

HOUSE OF REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

Explanatory Note

The National Irrigation Authority (NIA) is a government-owned and controlled corporation created under Republic Act 3601. They are primarily responsible for irrigation development and management. Its functions include the planning, designing, construction, and improvement of all types of irrigation projects. The NIA is also tasked to operate, maintain, and administer all national irrigation systems.

Under their charter, NIA is allowed to charge Irrigation Service Fees or ISFs in providing irrigation to farmers. This practice, however, burdens farmers who need to contend with the rise in cost of food production in the Philippines, not to mention the extreme weather conditions that affect the productivity of our farmers. NIA defends that the imposition of the ISF is necessary to cover the operation and management of irrigation facilities.

However, the budget of NIA has greatly increased. From a budget of just P1.7 billion in 2013, NIA's budget jumped to P32.7 billion this year. The increase in the agency's budget implies that they are no longer reliant with the ISF to sustain their operations. Further, ISFs are intermittently suspended in times of calamities when it was unreasonable to impose additional fees to farmers.

This measure, therefore, seeks to abolish the collection of Irrigation Service Fees (ISF). It is hoped that after the abolition of the payment of the ISF, our farmers will have extra resources that will help them increase their agricultural productivity and income.

In view of the foregoing, approval of this measure is earnestly sought.


HON. GARY C. ALEJANO

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AN ACT

**AMENDING CERTAIN PROVISIONS OF THE CHARTER OF THE NATIONAL
IRRIGATION ADMINISTRATION TO ABOLISH THE IRRIGATION SERVICE FEES
IMPOSED ON FARMERS**

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

1 **SECTION 1. *Repeal of certain provisions of the Charter of the National***
2 ***Irrigation Administration.*** – The following provisions that grant the National
3 Irrigation Administration the power to levy irrigation fees are hereby repealed:

4 a) Republic Act 3601, Section 2, paragraph c

5 [The NIA shall have the following powers and objectives: (c) To collect from
6 the users of each irrigation system constructed by it such fees as may be necessary to
7 finance the continuous operation of the system and to reimburse within a certain
8 period not less than 25 years the cost of construction thereof.]

9

10 b) Presidential Decree (PD) 552, Section 1, paragraph (b):

11 [The NIA shall have the following powers and objectives: (b) To charge and
12 collect from the beneficiaries of the water from all irrigation systems constructed by
13 or under its administration, such fees or administrative charges as may be necessary
14 to cover the costs of operation, maintenance, and to recover the cost of construction
15 within a reasonable period of time to the extent consistent with government policy]

16

17 c) PD 1702, Section 1 paragraph (b):

18 [(b) Operating capital – All amounts collected by the National Irrigation
19 Administration as irrigation fees, administration charges, drainage fees, equipment
20 rentals, proceeds from the sale of unserviceable equipment and materials, sale of all
21 reparation goods allocated to the defunct irrigation service unit and the National
22 Irrigation Administration, all other income shall be added to its operating capital.]

23

1 **SEC. 2. Separability Clause.** – If any provision of this Act or the application
2 of such provision to any person or circumstance is declared invalid, the remainder of
3 the Act or the application of such provision to other persons or circumstances shall
4 not be affected by such declaration.
5

6 **SEC. 3. Repealing Clause.** – Any law, presidential decree or issuance,
7 executive order, letter of instruction, administrative order, rule, or regulation contrary
8 to or inconsistent with this Act, or may be construed, either expressly or impliedly, to
9 grant the National Irrigation Administration the power to levy any kind of irrigation
10 fee or other kind of monetary imposition, is hereby repealed, modified, or amended
11 accordingly.
12

13 **SEC. 4. Effectivity Clause.** – This Act shall take effect fifteen (15) days after
14 its publication in at least two (2) newspapers of general circulation.

Approved,