

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Seventeenth Congress
First Regular Session

HOUSE BILL NO. **2880**

FOR REPRESENTATIVES	
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REGISTRATION UNIT BILLS AND INDEX SERVICE	

Introduced by Honorable Henry S. Oaminal

EXPLANATORY NOTE

This bill seeks to protect the interest and enhance the productivity of the farmer beneficiaries by providing them access to free, effective, appropriate and efficient irrigation service.

Irrigation has historically been a major tool for increasing rice productivity in the Philippines. Irrigation raises the productivity of land directly by providing water supply to raise yield per hectare per crop and by allowing a second crop to be grown during the dry season when yields are potentially higher. It also increases yields indirectly by raising the profitability of modern rice varieties and fertilizer use.

Underscoring the importance of irrigation to food production in the country, RA No. 3601 as amended, created the National Irrigation Administration (NIA) on June 22, 1963. It is a government-owned and controlled corporation primarily responsible for irrigation development and management. To maintain its corporate existence and operations, NIA has the power and authority to collect irrigation service fees (ISF) or other forms of charges for the use of irrigation systems.

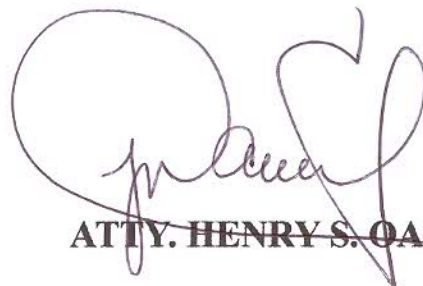
Additionally, NIA pays the salaries and allowances of its officials and employees from the irrigation fees paid by farmers. Secretary Emmanuel Pinol said in his social media account that "This is the most ridiculous situation in Philippine agriculture, where it is the farmers who are being made to pay the salaries and allowances of a government entity which is tasked to provide them with water so they could produce food for the country"

The rates of the NIA for the ISF are high. The imposition of the ISF is a huge burden for the farmer beneficiaries. It eats up on what otherwise would already be a small income for the farmers and their families. It leads farmers to further shy away from farming and in engage in other endeavors other than farming which seriously affects food production in the country.

Irrigation is a vital government obligation to support the growth of Philippine economy, just like the network of roads being used for free. If we can build roads for free to transport our goods and farm products, why can't we we built irrigation facilities for free to produce these farm products? The country's rice farmers should be supported by providing them free irrigation water and should be allowed to manage their own irrigation systems for themselves without being obliged to pay for the irrigation fees.

The proposed measure, therefore, seeks to address the plight of small farmers beneficiaries from the high cost of agricultural inputs and low income from production by providing them with free irrigation water service. It also seeks to ensure the continued operation of the NIA by providing the office with the required funds to be initially sourced from existing appropriations of NIA and any funds in the National Treasury not otherwise appropriated.

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

A handwritten signature in dark ink, appearing to read 'H. Oaminal', is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping tail.

ATTY. HENRY S. OAMINAL

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HOUSE BILL NO. 2880

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AN ACT
PROVIDING FREE IRRIGATION SERVICES TO FARMERS
BENEFICIARIES AND PROVIDING FUNDS THEREFOR

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 Service Act.*”

SEC. 2. **Declaration of Policy.** – The State recognizes the important role and the invaluable contribution of the farmers in food production and in building our agricultural industry. Thus, there is a need to protect the interest and to enhance the sustained productivity of the farmers by providing them access to a free, effective, appropriate and efficient irrigation service.

SEC. 3. **Free Irrigation Service.** – All farmer beneficiaries shall be free from the payment of the irrigation service fees and the collection thereof, including the collection of back accounts or arrears and the corresponding penalties therefor from all irrigation systems built, operated and maintained by the National Irrigation Authority (NIA), the Department of Agriculture (DA), or any government agencies,

or those turned over and maintained or operated by farmer's organizations, irrigators' associations or Local Government Units (LGU).

SEC. 4. ***Existing National Irrigation Systems.*** – To ensure the necessary construction, repair and maintenance of irrigation systems administered by the NIA, the necessary amounts shall be included in the annual General Appropriations Act.

SEC. 5. ***Subsidy for the Management of Irrigation System.*** – The State shall provide the necessary subsidies to LGUs, farmers and irrigators' associations or cooperatives who assumed the construction, operations and maintenance of irrigation systems to ensure the effective and grassroots-based management of the same, the funding of which shall likewise be included in the annual General Appropriations Act.

SEC. 6. ***Appropriations.*** – The amount necessary for the initial implementation of this Act shall be charged to the existing appropriations of the National Irrigation Administration and any funds in the National Treasury not otherwise appropriated. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 7. ***Implementing Rules and Regulations.*** – Within ninety (90) days from the approval of this Act, the DA with assistance of NIA shall formulate the necessary rules and regulations for the effective implementation of this Act.

SEC. 8. ***Separability Clause.*** – If any provision or part of this Act is declared invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 9. ***Repealing Clause.*** – Section 2, Paragraph (c) of Republic Act No. 3601 entitled “ *An Act Creating The National Irrigation Administration*”; Section 1, Paragraph (b) of Presidential Decree no. 552; Section 1, Paragraph (b) of Presidential Decree No. 1702; and Section 35 of Republic Act No. 8435, otherwise known as the “*Agricultural and Fisheries Modernization Law*”; all prescribing the power and authority of the National Irrigation Administration to collect Irrigation Service Fees (ISF) or other forms of charges for the use of irrigation systems, are hereby repealed.

All other laws, decrees, executive orders, proclamations, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby amended, repealed or modified accordingly.

SEC. 10. ***Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a national newspaper of general circulation.

Approved,