

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

**Seventeenth Congress**  
First Regular Session

HOUSE BILL No. **3853**



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**Introduced by AGRI Partylist**  
**Representative Orestes T. Salon and Representative Delphine Gan Lee**

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**EXPLANATORY NOTE**

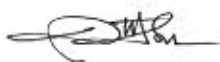
This bill seeks to abolish the irrigation service fees imposed on farmers, amending for the purpose Republic Act No. 3601, as amended, otherwise known as *The Charter of the National Irrigation Administration*.

RA 3601 was passed to "*increase agricultural production for the financial upliftment of the people for them to be able to assume and comply with their obligations and responsibilities to the government*" thru the construction of multi-purpose water resources projects. For this purpose, the National Irrigation Administration was created and among NIA's powers and functions is to charge and collect from the beneficiaries of water from all irrigation systems constructed by or under its administration. Unpaid irrigation fees or administration charges shall be preferred liens, first upon the land benefited, and then on the crops raised thereon, under certain conditions.

Irrigation is the lifeblood of agriculture. The solution to the challenges our farmers face to sustain agricultural productivity are hinged on a viable,

accessible irrigation system. The government, pursuant to its mandate under RA 3601, must ensure that all farmers are properly supported by providing them with an irrigation system that is reliable and free. Charging those farmers an irrigation fee counteracts the gains they are supposed to reap from the agricultural support they so rightfully deserve. Worse, it is deemed harsh that unpaid irrigation creates a lien against the property and then on the crops raised thereon. Instead of alleviating the burden of farmers, this policy is nothing but punitive and thus, undesirably restrictive. The remedy is to abolish the fees and consequently liberate the farmers from the imposition of the irrigation service fees. Only then can the State proudly claim that it is loyal to its mandate of providing genuine support to our poor farmers.

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



**REP. ORESTES T. SALON**  
AGRI Partylist



**REP. DELPHINE GAN LEE**  
AGRI Partylist

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**AN ACT**  
**ABOLISHING THE IRRIGATION SERVICE FEES IMPOSED ON**  
**FARMERS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO.**  
**3601, AS AMENDED, OTHERWISE KNOWN AS *THE CHARTER OF***  
***THE NATIONAL IRRIGATION ADMINISTRATION***

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

SECTION 1. The irrigation service fees imposed on farmers under RA 3601, as amended, are hereby abolished.

SECTION 2. The following provisions which grant the National Irrigation Administration the power to impose and collect irrigation fees are hereby deleted:

(A) Paragraph (b) Section 2 of Republic Act No. 3601, as amended by Presidential Decree No. 552 to read as follows:

“Section 2. Powers and objectives. The NIA shall have the following powers and objectives:

(a) xxx xxxxxx

(b) To charge and collect from the beneficiaries of the water from all irrigation systems constructed by or under its administration, such fees or administration charges as may be necessary to cover the cost of operation, maintenance and insurance, and to recover the cost of construction within a reasonable period of time to the extent consistent with government policy; to recover funds or portions thereof expended for the construction and/or rehabilitation of communal irrigation systems which funds shall accrue to a special fund for irrigation development under section 2 hereof; Unpaid irrigation fees or administration charges shall be preferred liens, first, upon the land benefited, and then on the crops raised thereon, which liens shall have preference over all other liens except for taxes on the land, and such preferred liens shall not be removed until all fees or administration charges are paid or the property is levied upon and sold by the National Irrigation Administration for the satisfaction thereof. Judicial actions for the collection of unpaid irrigation fees or charges, drainage fees or other charges which the National Irrigation Administration is authorized to impose and collect, shall henceforth be governed by the provisions of the Rules of Court of the Philippines for similar actions, the provisions of other laws to the contrary notwithstanding:

(c) xxx xxx

(B) Paragraph (b) Section 3 of RA 3016, as amended by Section 3 of PD 552, to read as follows:

“ Section 3.

a) xxx xxxxxx.

(b) Operating Capital. — All amounts collected by the National Irrigation Administration as irrigation fees, administration charges, drainage fees, equipment rentals, proceeds from the sale of unserviceable equipment and materials, sale of all reparation goods allocated to the defunct Irrigation Service Unit and the National Irrigation Administration, and all other income shall be added to its operating capital.

The National Irrigation Administration is hereby authorized to impose as an administration and engineering overhead charge, 5% of the total cost of projects undertaken by it, which shall likewise form part of its operating capital."

SECTION. 3. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,