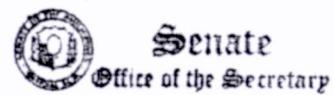


EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



19 NOV -4 P 3:21

SENATE

RECEIVED BY: 

Senate Bill No. 1138

Introduced by Senator CYNTHIA A. VILLAR

**AN ACT STRENGTHENING LOCAL GOVERNMENT
PARTICIPATION IN AGRICULTURE DEVELOPMENT BY
INSTITUTIONALIZING A TEN PERCENT (10%) BUDGETARY
ALLOCATION FROM THEIR INTERNAL REVENUE ALLOTMENT
FOR THE IMPLEMENTATION OF PROGRAMS, ACTIVITIES, AND
SERVICES FOR AGRICULTURE AND FISHERIES, AND AMENDING
FOR THE PURPOSE SECTIONS 17, 106, 107, 110, 287, 443, 454,
482(A), AND 511-A OF REPUBLIC ACT 7160 OTHERWISE
KNOWN AS THE LOCAL GOVERNMENT CODE AND FOR OTHER
PURPOSES**

EXPLANATORY NOTE

Executive Order (EO) No. 5, series of 2016 adopted *Ambisyon Natin 2040* as the long term vision for the country. Section 3 states that the four medium-term Philippine Development Plans (PDPs) to be crafted and implemented until 2040 shall be anchored on the country's Long Term Vision: "By 2040, the Philippines shall be a prosperous, predominantly middle-class society where no one is poor; our people shall live long and healthy lives, be smart and innovative, and shall live in a high trust society."¹

The PDP 2017-2022 is the first medium-term plan anchored on *Ambisyon Natin 2040*. Under the current plan, the target is to reduce poverty incidence from 21.6 percent in 2015 to 14.0 percent by 2022. This is equivalent to lifting about 6 million people out of poverty. Specifically, poverty in agriculture and in lagging regions with high

¹ <http://www.neda.gov.ph/wp-content/uploads/2018/02/CAR-Cordillera-RDP-2017-2022.pdf>

poverty incidence and inequality will be targeted. Innovation will be encouraged as the country sets its eyes on graduating to a knowledge economy in order to accelerate growth in the future.² In fact, two (2) of the nine (9) identified priority sectors with the greatest potential to contribute to realizing *Ambisyon Natin 2040* are agricultural development and countryside development.³

The agriculture, fisheries, and forestry (AFF) sector is pivotal in generating employment for about a third of the country's labor force, thereby reducing poverty and inequality for three-fourths of the poor who are in the rural areas. AFF is also a key to providing raw materials to the manufacturing and service sectors, resulting in forward linkages in terms of higher-paying and more stable job opportunities. Intensifying efforts to revitalize the AFF and harnessing its growth potentials are needed to promote more inclusive development. Given the sector's links to agribusiness, interventions and investments will be channeled to expand existing opportunities and develop new ones, thus inducing greater participation of small farmers and fisherfolk.

The performance of AFF in the past years indicates that revitalization must be strengthened. The contribution of AFF to the country's gross domestic product (GDP) continued to decline. It recorded an annual average GDP share of 10 percent from 2013-2015.⁴ One of the long-standing challenges in the Agriculture and Fisheries sector which continue to hamper productivity is the weak extension service which slows down the diffusion and adoption of farm practices and technologies that are applicable to a specific area and responsive to the needs of farmers and fisher folks. Inefficiencies in the delivery of extension services can be attributed to inadequate operational funds and lack of human resources of local government units (LGUs). Almost half of the agricultural extension workers are ageing, ranging from 34-64 years old, based on the survey conducted by the Agricultural Training Institute.⁵

Closely linked to the Agriculture and Fisheries sector is food. It is a key outcome of agricultural activities. Most agriculturalists do not consider the main goal of agricultural development to be the

² Page 1-7, Philippine Development Plan 2017-2022.

³ Page 1-6, Ibid.

⁴ Page 8-1, Ibid.

⁵ Page 8-4, Ibid.

improvement of human health, beyond providing sufficient calories, but rather a broader agenda recognizing the important role that agriculture plays as a major livelihood and driver of economic growth in countries. More specifically, it calls for stronger focus on climate-smart agriculture, improving nutritional outcomes, and building more inclusive and efficient food value chains. Agriculture has the most direct influence and contact with the majority of households where undernourished individuals reside worldwide. Beneficiaries of typical agricultural projects overlap with those most affected by undernutrition: the rural poor. Seventy-eight percent of the world's poor are rural, and most of those are smallholder farmers. Any development activity reaching this population has enormous potential to influence factors that constrain human capital and well-being, of which nutrition is an essential part.⁶

In the first quarter of 2018, according to the SWS survey an estimated 2.3 million Filipino families or close to 10% (specifically 9.9%) of the population said they suffered hunger in the first quarter of 2018. The numbers showed significant improvement after a spike in the December 2017 survey, where self-rated hunger spiked to 15.9%. As to location, there were 190,000 families in Metro Manila, 583,000 families in the Visayas, and 390,000 families in Mindanao who said they suffered hunger.⁷

Accordingly, UNFAO said that the small farmers feed the world and they are expected to feed the growing population by providing safe and affordable food, while taking care of the environment through sustainable farming methods. They can only do this with a clear program for small farm development.

Solutions to food insecurity must include elimination of poverty in the countryside and sustainable agriculture & environment. Government plans and projects must focus on improving the quality of life of its citizens. In particular, agricultural development must better the lives not only of the farmers but of the rural poor in general who comprise more than a half of the population. Programs and services must result in greater productivity, access to market and resources both financial and technical, competitiveness, and better income.⁸

⁶ <https://blogs.worldbank.org/health/nutrition-and-agriculture-bridging-gap>

⁷ <https://www.rappler.com/nation/201425-sws-march2018-self-rated-hunger>

⁸ <http://www.pdf.ph/downloads/decentralization/LPP-Agri-PolicyPaper2.pdf>

National development goals are best achieved through strengthened local autonomy and decentralization. Agricultural and fisheries production, trade, safe and sustainable development is a joint responsibility between the central government and the LGUs.⁹ Through devolution, the 1991 Local Government Code and its implementation is an instrument to promote sustainable development and address related problems of poverty, inequity, and food security.

Integration and synergistic intergovernmental relations are keys to program effectiveness and success. For the Department of Agriculture, as a national agency, it should strengthen its capacity to deliver extension services, provide capability-building/technical support to LGUs, and to perform effective regulatory functions and state-of-the-art research and development. For their part, LGUs must be able to define specific roles and targets in the translation of national goals to local development programs and projects. This process should include fund utilization and allocation of resources of their Internal Revenue Allocation (IRA) shares and grants for national and local programs.¹⁰

Currently, the local agricultural officers have become “political appointees” or else are being assigned to unrelated tasks. The DA now operates only at the level of Regional Offices, not working directly through each LGU at provincial and municipal levels. This resulted in ineffective coordination between agricultural development plans at national to the local levels.¹¹

In order to address the abovementioned underlying issues, agricultural labor and land productivity as well as food safety and quality standards should be improved. Towards this end, the Department of Agriculture should strengthen its coordination with the extension services through the Local Government Units. This coordination will result to a more efficient and effective delivery of extension services to the farmers and fishermen, addressing correctly their issues within their respective community and giving them easy access to value-chains, technology, financing, and programs that will ensure that their rights and welfare are defended and asserted.

⁹ Philippine Agriculture and Fishery Extension System: Lessons Learned and The Way Forward After Fifteen Years of Devolution (<https://slideplayer.com/slide/11872039/>).

¹⁰ <http://www.pdf.ph/downloads/decentralization/LPP-Agri-PolicyPaper2.pdf>

¹¹ Ibid.

This bill further seeks to mandate the allocation of funds for agriculture and fisheries development from the yearly Internal Revenue Allotment (IRA) of the LGUs and to professionalize the position of Agriculturist for better extension services in agriculture and fisheries programs that can effectively result in poverty alleviation, social equity, food security, and job creation in the Philippine countryside.

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



CYNTHIA A. VILLAR
Senator

**EIGHTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES**
First Regular Session



Senate
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KNOWN AS THE LOCAL GOVERNMENT CODE AND FOR OTHER
PURPOSES**

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

Chapter I

General Provisions

3
4 **Section 1. Title.** – This Act shall be known as the “Local Government
5 Agriculture Development Act of 2019”

Section 2. Declaration of Policy. – It is hereby declared the policy of the State to promote, localize, and accelerate the development and modernization of Philippine agriculture and fisheries resulting to the improvement of the economic and social well-being of farmers and

1 fishermen, as well as the enhancement of food production and food
2 security throughout the country.

3

4 The State, through the active participation and empowerment of the
5 local government units, shall develop the agricultural and fisheries sector
6 by increasing farmers and fisherfolks' employment and income,
7 resiliency to climate change risks, food safety, food security, poverty
8 alleviation, and promoting social equity and sustainable development
9 especially in the countryside.

10

11 A healthy and dynamic agricultural and fisheries sector is an important
12 foundation of economic development. The devolution of responsibilities
13 from the national to local government units is one of the key factors for
14 improving the effectivity and efficiency of services to the public and
15 carrying out a bottom-up approach to agricultural development.
16 Agricultural development involves transition from farming and fishing to
17 agribusiness. This devolution of responsibilities shall be multidisciplinary
18 and shall involve not only the farmers and fisher folks, but also those
19 engaged in food production and processing, including the public and
20 private sectors.

21

22 Towards this end, there shall be a comprehensive program on
23 agriculture and fisheries development in all local government units which
24 shall form part of the basic, regular, and direct services it shall deliver to
25 the inhabitants within their respective territorial jurisdictions.

26

1 **Section 3. Scope and Coverage.** – This shall be implemented in all
2 Local Government Units in consultation and partnership with all
3 stakeholders.

4

5 **Section 4. Local Agriculture Development Program.** – The
6 program shall focus on the areas identified as factors contributing to the
7 competitiveness of the agriculture and fisheries industry. These are
8 inputs including but not limited to seeds, labor, research and
9 development, mechanization and post-harvest equipment, irrigation
10 maintenance, production, marketing, credit, guarantee, insurance,
11 farming systems, and organic farming. Towards this aim, the Local
12 Government Units (Provinces, Cities, Municipalities, and Barangays) shall
13 undertake the following mandated duties and functions:

- 14
- 15 1. Enhance, strengthen, and promote agriculture and fisheries as a
16 major livelihood within the locality;
 - 17 2. Enhance, strengthen, and promote easy access to adequate and
18 safe food within the locality through improved production, post-
19 harvest storage, processing, transportation, marketing, and
20 distribution;
 - 21 3. Allocate a minimum of ten percent (10%) of their annual
22 development fund to the agriculture and fishery sector's value
23 chain of production, processing, and marketing, including but not
24 limited to production inputs, technical assistance, mechanization,
25 promotion of crop diversification, post-harvest and processing
26 facilities, and promotion of sustainable agribusiness;

- 1 4. Create a Committee on Agriculture and Fisheries Development in
- 2 the Local Government Legislative Council to address legislation in
- 3 the said legislative body related to all agriculture and fisheries
- 4 development and protection matters;
- 5 5. Create the position of City and Municipal Agriculturist in the Local
- 6 Government Unit's regular plantilla;
- 7 6. Enhance capability of Local Chief Executives to deliver agriculture
- 8 and fisheries programs;
- 9 7. Strengthen linkages and partnerships among various partners in
- 10 agriculture, fisheries, and food development;
- 11 8. Establish an agriculture and fisheries office and strengthen the
- 12 capacities of its personnel who shall oversee the implementation of
- 13 the agriculture and fisheries programs;
- 14 9. Conserve, protect, and manage the agriculture and aquatic
- 15 environment using high-quality and updated agricultural and
- 16 aquaculture practices;
- 17 10. Develop and strengthen the capacities and the technical skills of
- 18 farmers and fisher folks throughout the initial stages, production,
- 19 harvesting, processing, storage, and transport stages in the food
- 20 value chain, including simple business management, marketing,
- 21 and profitability;
- 22 11. Improve the quality of life of farmers and fisher folks by providing
- 23 programs with gender perspective that will support gender
- 24 equality and social equity;
- 25 12. Provide appropriate infrastructure and equipment for post-harvest
- 26 technology;

- 1 13. Promote the easy access of farmers and fisher folks to financial
 - 2 institutions of agriculture and fisheries stakeholders;
 - 3 14. Monitor and assess the implementation of the agriculture and
 - 4 fisheries development program and evaluate its impact to the
 - 5 citizenry, including the effect on food security;
 - 6 15. Coordinate with national government agencies, local government
 - 7 agencies, non-governmental organizations, private companies, and
 - 8 individuals which promote agricultural, aquatic, and food
 - 9 productivity through appropriate technology compatible with
 - 10 environmental integrity; and
 - 11 16. Properly discharge the functions and responsibilities incidental to
 - 12 the efficient and effective performance of the above-mentioned
 - 13 objectives and duties.

Chapter II

Definition of Terms

Section 5. Definition of Terms. - For purposes of this Act, the following terms shall be defined as follows:

a. "Agroecology" is defined as an environmentally and socially sensitive approach to agriculture that focuses not only on production, but also on the ecological sustainability of the productive system. It refers to the study of purely ecological phenomena within the crop field, such as predator/prey relations, or crop/weed competition.

- 1 b. "Capacity" is a combination of all strengths and resources available
2 within the community, society, or organization. Capacity may
3 include infrastructure, institutions, human knowledge, skills, and
4 collective attributes such as social relationships, leadership, and
5 management. It also means capability.
- 6 c. "Climate Change" refers to a change in climate that can be
7 identified by changes in the mean and/or variability of its
8 properties and that persist for an extended period typically
9 decades or longer, whether due to natural variability or as a result
10 of human activity.
- 11 d. "Food Safety" refers to the conditions and practices that preserve
12 the quality of food to prevent contamination and food-borne
13 illnesses
- 14 e. "Food Security" shall mean building local capacity, increasing
15 productivity, and improving markets and trade.
- 16 f. "Good Agricultural Practices" (GAP) is an approach which aims at
17 applying available knowledge to addressing environmental,
18 economic and social sustainability dimensions for on-farm
19 production and post-production processes, resulting in safe and
20 quality food and non-food agricultural products.
- 21 g. "Integrated Pest Management" (IPM) is an ecologically based
22 approach to pest (animal and weed) control that utilizes a multi-
23 disciplinary knowledge of crop/pest relationships, establishment of
24 acceptable economic thresholds for pest populations and constant
25 field monitoring for potential problems. Management may include
26 such practices as "the use of resistant varieties; crop rotation;
27 cultural practices; optimal use of biological control organisms;

certified seed; protective seed treatments; disease-free transplants or rootstock; timeliness of crop cultivation; improved timing of pesticide applications; and removal or ‘plow down’ of infested plant material.

h. “Land Use Planning” refers to the process undertaken by public authorities to identify, evaluate and decide on different options for the use of land, including consideration of long-term economic, social and environmental objectives and the implications for different communities and interest groups, and the subsequent formulation and promulgation of plans that describes the permitted or acceptable uses.

i. “Local Government Unit” refers to a province, city, municipality, and barangay in the country.

j. “Nutrient management” is managing the amount, source, placement, form, and timing of the application of nutrients and soil amendments to ensure adequate soil fertility for plant production and to minimize the potential for environmental degradation, particularly water quality impairment.

k. “Sustainable Agriculture” means an integrated system of plant and animal production practices having a site-specific application that will in the long term satisfy human food needs, enhance environmental quality and natural resource base upon which the agricultural economy depends, sustain the economic viability of farm operations, efficient use of on-farm resources and enhance the quality of life of farmers as a whole. A whole-systems approach to food, feed, and other plant and animal production that balances environmental soundness, social equity, and

1 economic viability among all sectors of the public, including
2 international and intergeneration of people.

- 3 I. "Sustainable agro ecosystems" refers to the maintenance of the
4 natural resource base of a farm the reliance on minimum artificial
5 inputs from outside the farm system, the management of pests
6 and diseases through internal regulating mechanisms and the
7 recovery of the land from the disturbances caused by cultivation
8 and harvest.

9

10

11 **Chapter III**

12 **Institutional Mechanism**

13

14 **Section 6. Role of the Department of Agriculture and other**
15 **Government Offices.** - (a) The Department of Agriculture (DA) shall
16 continue to be responsible for the promotion of agricultural development
17 by providing the policy framework, public investments, and support
18 services including infrastructure support, research, development, and
19 extension, including agribusiness and market development services,
20 regulation and policy planning.

21

22 It shall use a bottom-up self-reliant farm system approach that will
23 emphasize gender equality, social justice, equity, productivity and
24 sustainability in the use of agricultural resources. The convergence
25 framework recognizes that "one size does not fit all" – that different
26 rural communities have different opportunities, needs, and aspirations.

1 (b) State Agencies and Instrumentalities- Through this convergence, the
2 DA and the LGU shall maximize their partnership in this development
3 program to reduce cost in the delivery of services and maximize
4 knowledge on programs, funding, and investment access. The Field
5 Regional Offices of the Department of Agriculture (DA-RFU), the
6 Regional Directors of the Department of Interior and Local Government
7 (DILG), Department of Agrarian Reform (DAR), Department of Science
8 and Technology (DOST), the National Economic Development Authority
9 (NEDA), Department of Public Works and Highways (DPWH),
10 Department of Tourism (DOT), Regional Integrated Agriculture Research
11 Centers (RIARC), the Regional Fisheries Research Centers (RFRC), the
12 Regional Director of the Agricultural Training Institute (Regional Director
13 – ATI), the Regional Head of the Philippine Association of State Colleges
14 and Universities (Regional Head of PASUC), the Head of the Regional
15 Agricultural and Fisheries Council, the Provincial Agriculture and
16 Fisheries Council Head, the Office of the Provincial Agriculturists (OPA),
17 and the Provincial Governors, all City Mayors, and the Municipal Mayors
18 shall constitute the Regional Agricultural Development Council (RADC).

19
20 The RADC shall assist in the preparation, monitoring, and evaluation of
21 the short and long-term Local Government Unit's development plans,
22 investment programs, and other projects.

23
24 The offices of the various regional agencies of the government shall,
25 upon request of the local chief executives, provide such technical
26 support as may be required in the discharge of their functions.

27

1 The Council shall be headed by the DA-Regional Executive Director. The
2 Council shall meet as often as necessary but not less than once a
3 semester.

4

5 Funds necessary for the RADC operations, project monitoring,
6 evaluation, and implementation of special projects shall be included in
7 the General Appropriations Act of the DA, subject to the usual auditing
8 and accounting rules and regulations.

9

10 (c) The Governors, through the Office of the Provincial Agriculturist,
11 shall activate the Provincial Agricultural Council which shall monitor the
12 formulation, development, and implementation of the cities,
13 municipalities, and barangays agriculture development plans, programs,
14 and projects within their jurisdictions.

15

16 (d) The Municipal and Component City Mayors shall activate their
17 Agriculture Sectoral Council which shall formulate and implement a three
18 year agriculture development plan with measurable and time-bounded
19 annual goals, programs, activities, and projects. The Local Chief
20 Executive (LCE) shall oversee the timeliness, transparency, and
21 accountability in the delivery of technical know-how, goods and services
22 to farmers and fisher folks. The agriculture development plan of each
23 Local Government Unit shall be submitted to the Governor through the
24 Provincial Development Council. An annual report containing
25 accomplishments and the impact of the programs and projects shall
26 likewise be submitted to the Provincial Development Council on or
27 before March 31, of the succeeding year.

1
2 The Municipal and City Planning Office shall be the Secretariat of the
3 Agricultural Sectoral Council. The members of the council shall be the
4 following – The barangay chairmen of the agricultural barangays, the
5 Chair of the Municipality/City Sanggunian Bayan in charge of Agriculture
6 and Fisheries, three (3) representative of the local farmer's organization,
7 the head of the local fisheries organization, an NGO in agriculture
8 operating in the Municipality/City, a representative of a local agricultural
9 development cooperative, the Local Chief Executive, the DA-Regional
10 Executive Director or his representative.

11
12 **Section 7. Incentives and Awards.** – There shall be established an
13 incentives and award system for good performing Local Government
14 Units, which shall be administered by the DA. The DA shall promulgate
15 such rules and regulations with regard to the qualifications of deserving
16 Local Government Units which have exhibited outstanding performance
17 in the promotion and implementation of the agriculture, fisheries, and
18 food development within their respective territories.

19
20
21 **Chapter IV**
22 **Amendatory Provisions**
23

24 **Section 8. Amendatory Provisions.** – Section 17 of Republic Act No.
25 7160, otherwise known as the Local Government Code of 1991, is
26 hereby amended to read as follows:

27

1. Section 17 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows

"Section 17. Basic Services and Facilities. -

(a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities enumerated herein.

THE LOCAL GOVERNMENT UNITS SHOULD STRIVE TO CAPACITATE THEIR CONSTITUTENTS AND THEIR INSTITUTIONS TO BECOME FOOD SECURE BY: TRAINING THEIR SMALL FARMERS, FISHER FOLKS, AND THE MICRO AND SMALL BUSINESSES IN AGRICULTURE BE IT IN PRODUCTION, PROCESSING, TRADE, AND PROMOTION; MINIMIZING THEIR RISKS AND LOSSES; ESTABLISHING CLIMATE CHANGE ADAPTATION

STRATEGIES, INCLUDING PEST MANAGEMENT; AND PROMOTING FOOD SAFETY."

(b) Such basic services and facilities include, but are not limited to, the following: xxxx"

2. Section 106 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

"Section 106. Local Development Councils. - (a) Each local government unit shall have a comprehensive multi-sectoral development plan to be initiated by its development council and approved by its sanggunian. For this purpose, the development council at the provincial, city, municipal, or barangay level, shall assist the corresponding sanggunian in setting the direction of economic and social development, and coordinating development efforts within its territorial jurisdiction. **THE LOCAL CHIEF EXECUTIVES SHALL CONVENE THEIR RESPECTIVE LOCAL DEVELOPMENT COUNCILS WITHIN THIRTY (30) DAYS FROM THEIR ASSUMPTION TO OFFICE.**"

3. Section 107 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, hereby amended to read as follows:

1
2 SEC. 107. Composition of Local Development Councils. -
3 The composition of the local development council shall be
4 as follows: (a) The barangay development council shall be
5 headed by the punong barangay and shall be composed
6 of the following members: (1) Members of the
7 sangguniang barangay; (2) Representatives of non-
8 governmental organizations operating in the barangay,
9 who shall constitute not less than one fourth (1/4) of the
10 members of the fully organized council; (3) A
11 representative of the congressman.

12
13 (b) The city or municipal development council shall be
14 headed by the mayor **and the vice mayor as vice**
15 **chair**, and shall be composed of the following members:
16 (1) All punong barangays in the city or municipality; (2)
17 The chairman of the committee on appropriations of the
18 sangguniang panlungsod or sangguniang bayan
19 concerned; (3) The congressman or his representative;
20 and (4) Representatives of non-governmental
21 organizations operating in the city or municipality, as the
22 case may be, who shall constitute not less than one-
23 fourth (1/4) of the members of the fully organized council.

24
25 (c) The provincial development council shall be headed by
26 the governor **and the vice governor as vice chair**, and
27 shall be composed of the following members: (1) All

1 mayors of component cities and municipalities; (2) The
2 chairman of the committee on appropriations of the
3 sangguniang panlalawigan; (3) The congressman or his
4 representative; (4) Representatives of non-governmental
5 organizations operating in the province, who shall
6 constitute not less than one-fourth (1/4) of the members
7 of the fully organized council; **and (5) Provincial**
8 **President of the Vice Mayor's League (VMLP) to**
9 **include the committee on infrastructure and**
10 **planning in all levels of legislature except the**
11 **barangays."**

12
13 4. Section 110 of Republic Act No. 7160, otherwise known as the
14 Local Government Code of 1991, hereby amended to read as
15 follows:

16
17 "Section 110. Meetings and Quorum. - The local
18 development council shall meet at least [once every six
19 (6) months] **FOUR (4) TIMES A YEAR, PREFERABLY**
20 **EVERY MARCH, JUNE, SEPTEMBER, AND**
21 **DECEMBER EACH YEAR**, or as often as may be
22 necessary."

23
24 5. Section 287 of Republic Act No. 7160, otherwise known as the
25 Local Government Code of 1991, hereby amended to read as
26 follows:

1 "Section 287. Local Development Projects. - Each local
2 government unit shall appropriate in its annual budget no
3 less than twenty percent (20%) of its annual internal
4 revenue allotment for development projects. Copies of the
5 development plans of local government units shall be
6 furnished the Department of Interior and Local
7 Government. **Of this amount the Local Government**
8 **Units shall allocate ten percent (10%) for the**
9 **implementation of programs, projects, and**
10 **activities of the local council for their agriculture**
11 **and/or fisheries development towards the**
12 **promotion of food security."**

13

14 6. Section 443 of Republic Act No. 7160, otherwise known as the
15 Local Government Code of 1991, hereby amended to read as
16 follows:

17

18 "Section 443. Officials of the Municipal Government. -(a)
19 There shall be in each municipality a municipal mayor, a
20 municipal vice-mayor, sangguniang bayan members, a
21 secretary to the sangguniang bayan, a municipal
22 treasurer, a municipal assessor, a municipal accountant, a
23 municipal budget officer, a municipal planning and
24 development coordinator, a municipal engineer/building
25 official, a municipal health officer and a municipal civil
26 registrar.

27

1 (b) In addition thereto, the mayor may appoint a
2 municipal administrator, a municipal legal officer,
3 **[municipal agriculturist]**, a municipal environment and
4 natural resources officer, a municipal social welfare and
5 development officer, a municipal architect, and a
6 municipal information officer. **PROVIDED THAT**
7 **IN SO FAR AS LIVELIHOOD OF THE MUNICIPALITY**
8 **IS AT LEAST FIFTY (50) PERCENT IN**
9 **AGRICULTURE AND/OR FISHERIES, THE**
10 **APPOINTMENT OF A MUNICIPAL AGRICULTURIST**
11 **SHALL BE MANDATORY."**

12
13 7. Section 454 of Republic Act No. 7160, otherwise known as the
14 Local Government Code of 1991, hereby amended to read as
15 follows:

16
17 "Section 454. Officials of the City Government. (a) There
18 shall be in each city a mayor, a vice-mayor, sangguniang
19 panlungsod members, a secretary to the sangguniang
20 panlungsod, a city treasurer, a city assessor, a city
21 accountant, a city budget officer, a city planning and
22 development coordinator, a city engineer, a city health
23 officer, a city civil registrar, a city administrator, a city
24 legal officer, a city veterinarian, a city social welfare and
25 development officer, and a city general services officer.
26 (b) In addition thereto, the city mayor may appoint a city
27 architect, a city information officer,[a city agriculturist], a

1 city population officer, a city environment and natural
2 resources officer, and a city cooperatives officer.

3 **PROVIDED THAT INSOFAR AS LIVELIHOOD OF THE**
4 **CITY IS AT LEAST FIFTY (50) PERCENT IN**
5 **AGRICULTURE AND/OR FISHERIES, THE**
6 **APPOINTMENT OF A CITY AGRICULTURIST SHALL**
7 **BE MANDATORY.**

8
9 The appointment of a city population officer shall be
10 optional in the city: Provided, however, That cities which
11 have existing population offices shall continue to maintain
12 such offices for a period of five (5) years from the date of
13 the effectivity of this Code, after which said offices shall
14 become optional.”

15
16 8. Section 482 (a) of Republic Act No. 7160, otherwise known as
17 the Local Government Code of 1991, hereby amended to read
18 as follows:

19
20 “Section 482. Qualifications, Powers and Duties. (a) No
21 person shall be appointed agriculturist unless he is a
22 citizen of the Philippines, a resident of the local
23 government unit concerned, of good moral character, a
24 holder of a college degree in agriculture or any related
25 course from a recognized college or university and a first
26 grade civil service eligible or its equivalent. He must have
27 practiced his profession in agriculture or acquired

experience in a related field for at least five (5) years in
the case of the provincial and city agriculturist, and three
(3) years in the case of the municipal agriculturist.

The position of the agriculturist shall be mandatory for
the provincial government and optional for the city and
municipal governments: **PROVIDED THAT**
MUNICIPALITIES WHERE AGRICULTURE AND/OR
FISHERIES IS A SIGNIFICANT INDUSTRY OR
WHERE THE MAIN LIVELIHOOD IS AGRICULTURAL
IN NATURE, THE APPOINTMENT OF A MUNICIPAL
AGRICULTURIST SHALL BE MANDATORY."

9. A new section denominated as Section 511-A of Republic Act
No. 7160, otherwise known as the Local Government Code of
1991, hereby incorporated to read as follows:

**"SECTION 511-A. FAILURE TO CONVENE THE
LOCAL DEVELOPMENT COUNCIL UNDER SECTIONS
106A AND 106 HEREOF WITHOUT VALID
GROUNDS SHALL BE PUNISHED WITH
SUSPENSION FROM OFFICE FOR A PERIOD OF
THIRTY (30) DAYS. SUBSEQUENT VIOLATIONS
SHALL BE PUNISHED WITH SUSPENSION FROM
OFFICE FOR A PERIOD OF NINETY (90) DAYS."**

1 **Section 9. Funding.** – The initial funding requirements for the
2 implementation of this Act shall be charged against the current
3 appropriations of the Local Government Unit. Thereafter, such sums as
4 may be necessary to the implementation of this Act shall be included in
5 the yearly budget of the Local Government Unit from their Internal
6 Revenue Allocation.

7

8 **Section 10. Implementing Rules and Regulations.** – The DILG, in
9 consultation with the Department of Agriculture and other concerned
10 agencies and stakeholders, shall promulgate the implementing rules and
11 regulations of this Act within ninety (90) days from the effectivity of this
12 Act.

13

14 **Section 11. Non-impairment Clause.** – Nothing in this Act shall be
15 construed as to diminish, impair, or repeal the prohibited acts under
16 existing laws, presidential decrees, executive orders, ordinances, rules
17 and regulations, and other issuances.

18

19 **Section 12. Separability Clause.** – If for any reason, any section or
20 provision of this Act shall be declared to be unconstitutional or invalid,
21 the other sections or provisions not affected thereby shall remain in full
22 force and effect.

23

24 **Section 13. Repealing Clause.** – All laws, presidential decrees,
25 executive orders, ordinances, rules and regulations, and other issuances
26 or parts thereof which are inconsistent with this Act, are hereby
27 repealed or modified accordingly.

1

2 **Section 14. Effectivity.** – This Act shall take effect fifteen (15) days
3 after its publication in the Official Gazette or in a newspaper of general
4 circulation in the country.

Approved.

