



**EXCERPTS FROM THE MINUTES OF THE EIGHT (8<sup>TH</sup>) REGULAR SESSION OF THE SANGGUNIANG BAYAN HELD ON MARCH 6, 2023 AT THE SANGGUNIANG BAYAN SESSION HALL, NATIONAL HIGHWAY, BRGY. TIMUGAN, LOS BAÑOS, LAGUNA.**

Present : Vice Mayor Josephine H. Sumangil-Evangelista, Presiding Officer

S.B. Member Leren Mae M. Bautista

S.B. Member Marlo PJ A. Alipon,

S.B. Member Jonathan Bryan S. Siytiap

S.B. Member Miko C. Pelegrina

S.B. Member Mark Lester B. Dizon

S.B. Member Julius A. Molinawe

S.B. Member Benedicto S. Alborida

S.B. Member Mike Dexter A. Concio

S.B. Member Gaudencio P. Macatangay, Liga President

S.B. Member Jozlyn N. Manansala, SK Federation President

Ms. Dona T. Alborida, Secretary to the Sangguniang Bayan

Ms. Felomina I. Lincallo, LLSO I

Absent : None

Visitors : Ms. Miraflor O. Tado, Executive Assistant V

Mr. Ivan Boloron, Anilag Street Dancing Team

Mr. Cris Q. De Leon, Anilag Street Dancing Team

Mr. Ra John Panopio, Anilag Street Dancing Team

Mr. Lawrence Taleno, Miss Supermodel Philippines/Make-up Artist

Ms. Klebsiella Joiz Pasión, Miss Supermodel Philippines/Miss Los Baños

**ORDINANCE NO. 2023- 2360**

**AN ORDINANCE INSTITUTING AND IMPLEMENTING THE REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT IN ACCORDANCE WITH THE JOINT MEMORANDUM CIRCULAR NO. 2018-02 BY THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT RELATIVE TO THE NATIONAL GUIDELINES FOR THE REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT WITHIN THE TERRITORIAL JURISDICTION OF LOS BAÑOS, LAGUNA.**

Author : Councilor Julius A. Molinawe

**WHEREAS**, Republic Act No. 10601, otherwise known as the "Agricultural and Fisheries Mechanization Law" was enacted into law on June 5, 2013;

**WHEREAS**, Section 19 of RA No. 10601 mandates all owners of agricultural and fishery machinery and equipment to register their agricultural and fishery machinery and equipment with the agriculture offices of municipal and city government units;

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**WHEREAS**, pursuant to Section 19 of RA No. 10601, the Department of Agriculture (DA) and the Department of the Interior and Local Government (DILG) issued Joint Memorandum Circular No. 2018-02 dated August 2, 2018 providing for the national guidelines on the registration of ownership of agricultural and fisheries machinery and equipment at the city and municipal local government units;

**WHEREAS**, the purpose of the Joint Memorandum Circular is to establish ownership and create a national database of machinery and equipment for planning and monitoring purposes, in accordance with RA No. 10601;

**WHEREAS**, the registration of agricultural and fisheries machinery and equipment in the Municipality of Los Baños would ensure the quality and safety of agri-fisheries machineries and equipment as well as rational planning and programming of government investments and resources;

**WHEREAS**, the DA, DBM, DILG and CSC, pursuant to Section 29 of RA No. 10601 issued Joint Memorandum Circular No. 02, Series of 2020 mandating all LGUs to strengthen or create their Provincial, City and Municipal Agricultural Engineering Groups, separate from that of the MAO to undertake, among others the registration of agricultural and fisheries machinery and equipment.

**NOW THEREFORE**, on motion of Councilor Julius A. Molinawe duly seconded by Councilor Jonathan Bryan S. Siytiap and concurred by all Councilors present;

**BE IT ORDAINED BY THE SANGGUNIANG BAYAN OF LOS BAÑOS, LAGUNA, in session assembled, THAT:**

**SECTION 1.** **TITLE.** This Ordinance shall be referred as the **MANDATORY REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT** in the Municipality of Los Baños.

**SECTION 2.** **SCOPE/COVERAGE.** The ordinance shall cover a one-time registration of ownership of both new and currently used agricultural and fisheries machinery and equipment by any individual-owner, registered farmer-cooperatives and farmer-associations, and private entities, which are registered by SEC, DTI, DOLE or CDA. The said agricultural and fisheries machinery and equipment are used for crop, livestock and fisheries production, harvesting, processing, storage, manufacture, preserving, transporting and distribution, research, extension and instruction which include, but are not limited to the list of agricultural and fisheries machinery and equipment enumerated in Annex A. Furthermore, agricultural and fisheries machinery and equipment owned and operated by government entities are likewise covered by with this registration. In addition, a revalidation and updating of registered agricultural and fisheries machineries and equipment every five (5) years shall be conducted.

**SECTION 3.** **DEFINITION OF TERMS.** For purposes of this Ordinance, the following terminologies are used and defined as follows:

- a. **Agricultural and Fisheries Machinery** – refers to machinery and equipment for the production, harvesting, processing, storage, manufacture, preserving, transporting and distribution of agricultural and fisheries products. These include, but not limited to, tractors and their attachments, power tillers, seeders, transplanters, windmills, harvesting machines, crop protection and maintenance equipment,



irrigation equipment and accessories, greenhouses and other thermal conditioning equipment, livestock equipment, fishery equipment, slaughtering equipment, meat/fishery and crop processing equipment, post-harvest machines such as milling machines, dryers, threshers, grain and other strippers, agricultural transport machinery and storage facilities including cold storage, reefer vans, slaughter houses and fishing boats of three (3) gross tons or less. New agricultural and fishery machinery includes newly imported as well as one that has not been used since its date of manufacture.

- b. **Processing Complexes** – integrated system of equipment and facilities for processing of agricultural and fisheries products.

#### **SECTION 4.**

**CREATION OF AGRICULTURAL AND BIOSYSTEMS ENGINEER (ABE) DIVISION AND POSITION** - It is hereby created Agricultural and Biosystems Engineering Division under the Office of the Municipal Agriculturist and a permanent position of Agricultural and Biosystems Engineer (Engineer III) with salary grade (19) for inclusion in Annual Budget of the Municipality of Los Baños.

The composition and hiring procedures as well as the duties for Agricultural and Biosystems Engineer shall conform to the joint memorandum circular No. 2, S,2020 of the Department of Agriculture, Civil Service Commission, Department of Budget and Management, and Department of Interior and Local Government.

#### **SECTION 5.**

**REGISTRY OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT** –The Municipal Agriculture Office (MAO) shall maintain and update a registry of agricultural and fisheries machinery and equipment. This function shall be transferred to and assumed by the Municipal Agricultural and Biosystems Engineering Office/Division the moment it will be created and fully operational pursuant to Section 29 of RA No. 10601 and Joint DA-DBM-CSC Memorandum Circular No. 02 Series of 2020, otherwise known as the “Implementing Guidelines on the Strengthening and Establishment of the Agricultural and Biosystems Engineering Groups of the Local Government Units”.

The MAO shall have: 1) trained Agricultural and Biosystems Engineer/s (ABE) to undertake the registration, and if in-case it does not have shall hire at least one ABE; 2) One QR printer.

The list of newly registered agricultural and fisheries machinery and equipment with complete information shall be uploaded monthly to the server of Philippine Center for Post-Harvest Development and Mechanization-Agricultural and Fisheries Mechanization and Engineering Resource Network (PHilMech-AFMechERN). Likewise, this shall be submitted by the MAO quarterly to the Agricultural Engineering Division of the Provincial Agriculture Office (PAO) for consolidation. The consolidated report shall be endorsed to the Department of Agriculture-Regional Agricultural Engineering Division (RAED) copy furnished the Barangay Offices.

The machinery owner shall report to the Barangay Office when the machinery and equipment that are no longer operational so that these can be deleted from the registries of the MAO.



**SECTION 6.**

**REGISTRATION OF AGRICULTURAL AND FISHERIES**

**MACHINERY AND EQUIPMENT PRESENTLY REGISTERED BY**

**OTHER CONCERNED NATIONAL GOVERNMENT AGENCIES –**

The registration of agricultural and fisheries machinery and equipment presently being undertaken by concerned government agencies, such as by the Bureau of Fisheries and Aquatic Resources (BFAR) for fishing boats; Philippine Coconut Authority (PCA) on oil mills and other concerned national government agencies shall be included in the registry of agricultural and fisheries machinery and equipment of the municipality.

**SECTION 7.**

**GENERAL GUIDELINES FOR THE ISSUANCE OF CERTIFICATE**

**OF AGRICULTURAL AND FISHERIES MACHINERY AND**

**EQUIPMENT REGISTRATION (CAFMER) –** The owner/user of

agricultural and fisheries machinery and equipment shall submit to the Agricultural Engineering Division of MAO the following documents:

- a. Certificate of Location/Address of the owner of Agricultural and Fisheries Machinery/Equipment from the Barangay Office;
- b. Duly accomplished prescribed Registration Application Form as per Annex B; and
- c. Any evidence of acquisition/ownership of agricultural and fisheries machinery and equipment such as: Delivery Receipt (DR), Sales Invoice (SI), Official Receipt (OR) or Deed of Donations, Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU). In cases that these documents are not available, the barangay office where the owner resides shall execute an affidavit attesting to the lawful ownership of the machinery or equipment.

The Agricultural Engineering Division/ABE of MAO shall verify and evaluate the submitted documents. Upon finding that the owner of the machinery/equipment has complied with all the documentary requirements and has paid the registration fee, the MAO shall process and recommend the issuance of CAFMER (Annex C) for approval by the Municipal Mayor or his duly representative.

The registration sticker shall be issued by the MAO after the application form has been approved. The MAO shall keep a copy of the approved CAFMER and ensure that the registration is uploaded to the PHiMech-AFMechERN.

The data of the registered agricultural and fisheries machinery and equipment will be linked to the PHiMech-AFMechERN server upon registration.

**SECTION 8.**

**PROCEDURE IN CASE OF AMENDMENT TO THE CERTIFICATE**

**OF AGRICULTURAL AND FISHERIES MACHINERY AND**

**EQUIPMENT REGISTRATION (CAFMER).** The Office of the

Municipal Mayor shall issue a Certificate of Clearance and an amended CAFMER in the following instances:

- a. Transfer of Ownership of the agricultural and fisheries machinery and equipment- The documents stated in the preceding section, the Original CAFMER and Certificate of Clearance shall be required in the application for an amended CAFMER; and



- b. Transfer of Location to another municipality - A new registration form shall be secured which shall be approved by the city where the owner has transferred.

The Office of the Municipal Mayor shall issue a Certificate of Clearance to the owner for submission to the municipality where the owner has transferred within 30 days. The portion in the application form which states "For Deletion/Cancellation of Agricultural and Fisheries Machinery and Equipment Registration" should be filled up.

The MAO of the municipality of origin shall delete the agricultural and fisheries machinery and equipment in the list of registration of such machinery and equipment in the municipality. Likewise, the machinery owner shall report to the MAO on any non-serviceable machinery and equipment so that these can be deleted from the registries of MAO. The issuance of the amended CAFMER will require the owner to undergo another registration process. Thus, the owner will pay the registration fee as provided for in this Ordinance.

In the event that such machinery and equipment are involved in any criminal or civil case regarding question of ownership as reported by the Barangay Officials, no Certificate of Clearance shall be issued by the MAO.

#### **SECTION 9.**

**REGISTRATION FEES** – The registration fee of agricultural and fisheries machinery and equipment shall be Three Hundred Pesos (Php 300.00) inclusive of the cost of the registration plate to be issued by the MAO to the owner.

The agricultural and fishery machineries and equipment owned by cooperatives duly registered under R.A. No. 6810 (Magna Carta for Countryside and Barangay Business Enterprises (Kalakalan 2000) and R.A. No. 6938 (Cooperative Code of the Philippines) shall be exempted from payment of registration fees pursuant to Section 133 of the Local Government Code of the Philippines.

#### **SECTION 10.**

#### **INCENTIVES FOR THE REGISTRATION OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT:**

- a. Registration may be used in the availment of government incentives/subsidies;
- b. Registered machinery may be used as loan collateral;
- c. Registration will facilitate the location of lost agricultural and fisheries machinery units;
- d. Availment of Common Service Facilities (CSF) services in the city; and
- e. Provision of insurance (e.g. Registry System for Basic Sectors in Agriculture) for registered agricultural and fisheries machinery and equipment.

#### **SECTION 11.**

**PENAL PROVISIONS** –The MAO will conduct inventory and pre-registration of Agricultural and Fisheries Machineries and Equipment for baseline data.

The Penalty for Non-compliance subjected to Registration of Agricultural and Fisheries Machineries and Equipment shall be Two Thousand Five Hundred Pesos (2,500) per machine/equipment.



(Section 7. of Joint DA-DILG memorandum circular No.2018-02 with the subject National Guidelines for Registration of Ownership of Agricultural machineries and Equipment).

**SECTION 12.** **PUBLIC INFORMATION CAMPAIGN-** The MAO in collaboration with the Municipal Information Office and Sangguniang Barangay shall undertake information campaign on the implementation of the registration of ownership of agricultural and fishery machinery and equipment.

**SECTION 13.** **FUNDING.** Funding for the implementation of the registration of agricultural and fisheries machinery and equipment which include the hiring of ABEs, purchase of registration equipment (QR Printer, etc.) and other activities on the registration of ownership of agricultural and fishery machinery and equipment shall be incorporated in the annual work and financial plan of the Municipality Government of Los Baños.

**SECTION 14.** **REPEALING CLAUSE.** All existing ordinances, rules and regulations, as well as orders inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 15.** **SEPARABILITY CLAUSE.** Should any of these clauses or parts of this Ordinance be declared unconstitutional by any court of competent jurisdiction, all other remaining portions not so declared shall remain valid and effective.

**SECTION 16.** **EFFECTIVITY CLAUSE.** This Ordinance shall take effect immediately upon approval.

**ENACTED :** March 6, 2023

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I HEREBY CERTIFY to the correctness of the above -quoted Ordinance.

  
DONA T. ALBORIDA  
Secretary to the Sangguniang Bayan

CERTIFIED ENACTED:

  
HON. JOSEPHINE H. SUMANGIL - EVANGELISTA  
Vice Mayor / Presiding Officer

APPROVED:

  
HON. ANTHONY F. GENUINO  
Municipal Mayor