

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 37

HOUSE OF REPRESENTATIVES
RECEIVED
DATE: <u>30 JUN 2016</u>
TIME: <u>12:33 PM</u>
BY: 
REGISTRATION UNIT BILLS AND INDEX SERVICE

Introduced by REPRESENTATIVE ARTHUR YAP

EXPLANATORY NOTE

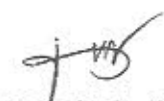
The National Irrigation Administration, under its Charter, Republic Act No. 3601, as amended by Presidential Decree No. 552 and Presidential Decree No. 1702, as well as Republic Act No. 8435, or the Agricultural and Fisheries Modernization Law, has the power and authority to collect Irrigation Service Fees (ISF).

The rates of the NIA for the ISF are not very high. In fact, it is authorized to collect only up to an amount sufficient to cover the operation and maintenance of the irrigation system. It is not allowed to collect for the amounts to recover the cost of capital or the indebtedness for the construction of the irrigation projects.

Nevertheless, 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 farmer and their families. It leads farmers to further shy away from farming and engage in other endeavors.

This bill aims to create a Free Irrigation Program for our farmers. It is increase their incomes and uplift their living conditions. It would also effectively and immediately address the issue of increased productivity and attainment of food self-sufficiency.

For the foregoing reasons, the immediate passage of this bill, previously filed in the Sixteenth Congress as House Bill No. 6333 by the undersigned, is earnestly sought.


ARTHUR C. YAP
Representative

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

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Introduced by REPRESENTATIVE ARTHUR C. YAP

AN ACT
ESTABLISHING A FREE IRRIGATION PROGRAM,
REPEALING SECTION 2, PARAGRAPH (C) OF
REPUBLIC ACT NO. 3601 OR "AN ACT CREATING
THE NATIONAL IRRIGATION ADMINISTRATION";
SECTION 1, PARAGRAPH (B) OF PRESIDENTIAL
DECREE NO. 552; SECTION 1, PARAGRAPH (B)
PRESIDENTIAL DECREE NO. 1702; SECTION 35 OF
REPUBLIC ACT NO. 8435, OTHERWISE KNOWN AS
THE "AGRICULTURAL AND FISHERIES
MODERNIZATION LAW"; AND FOR OTHER
PURPOSES

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

1 **SECTION 1. *Title*** - This Act shall be known as the "Free Irrigation
2 Law of 2016".

3 **SECTION 2. *Declaration of Policy.*** - The State shall promote
4 comprehensive rural development through increased agricultural production,
5 sustained productivity and promotion and development of irrigation systems
6 that are free, effective, appropriate and efficient.

7 **SECTION 3. *Free Irrigation Program.*** - Any provision of law to the
8 contrary notwithstanding, all irrigation systems built, operated and

1 maintained by the National Irrigation Authority (NIA), the Department of
2 Agriculture (DA), or any other government agencies, or those turned over
3 and maintained or operated by farmers' organizations, irrigators'
4 associations or Local Government Units (LGU), shall be free of use and
5 charges for farmer beneficiaries.

6 **SECTION 4. *Implementing Rules and Regulations.*** - Within ninety
7 (90) days from the effectivity of this Act, the DA with the assistance of the
8 NIA shall formulate and promulgate the rules and regulations necessary for
9 the implementation of this Act.

10 **SECTION 5. *Separability Clause*** - If any portion or provision of
11 this Act is declared unconstitutional or invalid, the other provisions hereof
12 not affected thereby shall remain valid and effective.

13 **SECTION 6. *Repealing Clause.*** - Section 2, Paragraph (c) of
14 Republic Act No. 3601 or "*An Act Creating the National Irrigation*
15 *Administration*"; Section 1, Paragraph (b) of Presidential Decree No. 552;
16 Section 1, Paragraph (b) of Presidential Decree No. 1702; and Section 35 of
17 Republic Act No. 8435, otherwise known as the "*Agricultural and Fisheries*
18 *Modernization Law*"; prescribing the power and authority of the National
19 Irrigation Administration to collect Irrigation Service Fees (ISF) or other
20 forms of charges for the use of irrigation systems, are hereby repealed or
21 modified accordingly.

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

1 **SECTION 7. *Effectivity Clause.*** - The Act shall take effect fifteen
2 (15) days after its complete publication in the Official Gazette or in at least
3 two (2) newspapers of general circulation.

4 **Approved.**