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HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 189

HOUSE OF REPRESENTATIVES

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REGISTRATION UNIT
BILLS AND INDEX SERVICE

**Introduced by Hon. Anthony M. Bravo
and Hon. Sabiniano S. Canama
COOP-NATCCO PARTYLIST**

EXPLANATORY NOTE

The National Irrigation Administration (NIA) is a government-owned and controlled corporation primarily responsible for irrigation development and management. The NIA's functions include the planning, designing, construction, and improvement of all types of irrigation projects. It is also tasked to operate, maintain, and administer all national irrigation systems.

The NIA is allowed to charge Irrigation Service Fees or ISFs in exchange for the service of providing irrigation to farmers depending on the size of the farmland. The ISFs were abolished by deposed President Joseph Estrada when he delivered his first State of the Nation Address in 1998 but was later revised when NIA asked the adoption of a socialized irrigation fee system, mandated by Administrative Order No. 17 of August 1998. The ISFs are intermittently imposed and lifted especially in times of calamities when it is unreasonable to impose additional fees on farmers.

However, there is a need to change the status quo. Irrigation is a very basic governmental function that can very easily be shouldered by the state. It does not have to be passed on to farmers. Considering that irrigation is a key factor in increasing agricultural productivity, funding it will go a long way in ensuring adequate food supply and the early recovery of the principal means of livelihood of people in disaster-hit and poverty-stricken areas. This bill seeks the abolition of the ISF and to make irrigation services free for all farmers.

The early passage of this bill is thus earnestly requested.


HON. ANTHONY M. BRAVO


HON. SABINIANO S. CANAMA

1 SECTION 3. Termination of collection of Irrigation Service Fees (ISF). The
2 collection of irrigation service fees from farmer beneficiaries of irrigation systems
3 constructed, funded, and/or managed by the National Irrigation Administration, including the
4 collection of back accounts and the corresponding penalties thereof, shall be stopped upon the
5 passage of this Act.

6
7 SECTION 4. Construction, Repair and Maintenance of National Irrigation Systems. –
8 For the purpose of ensuring the necessary construction, repair and maintenance of irrigation
9 systems administered by the National Irrigation Administration, the required amounts shall be
10 included in the annual General Appropriations Act (GAA).

11
12 SECTION 5. Government Subsidy for the management of irrigation systems. The
13 State shall provide necessary subsidies to farmers and irrigators associations and cooperatives
14 to ensure effective and grassroots-based management of irrigation systems, the funding of
15 which shall likewise be included in the annual GAA.

16
17 SECTION 6. *Repeal of certain provisions of the Charter of the National Irrigation*
18 *Administration.* – The following provisions that grant the National Irrigation Administration
19 the power to levy irrigation fees are hereby repealed:

- 20 a. Republic Act 3601, Section 2, paragraph c

21 [The NIA shall have the following powers and objectives: (c) To
22 collect from the users of each irrigation system constructed by it such fees as
23 may be necessary to finance the continuous operation of the system and to
24 reimburse within a certain period not less than 25 years the cost of
25 construction thereof.]

- 26 b. Presidential Decree (PD) 552, Section 1, paragraph b:

27 [The NIA shall have the following powers and objectives:
28 (b) To charge and collect from the beneficiaries of the water from all
29 irrigation systems constructed by or under its administration, such fees or
30 administrative charges as may be necessary to cover the costs of operation,

1 maintenance, and to recover the cost of construction within a reasonable
2 period of time to the extent consistent with government policy.]

3 c. PD 1702, Section I paragraph b:

4 [(b) Operating capital - All amounts collected by the National
5 Irrigation Administration as irrigation fees, administration charges, drainage
6 fees, equipment rentals, proceeds from the sale of unserviceable equipment
7 and materials, sale of all reparation goods allocated to the defunct irrigation
8 service unit and the National Irrigation Administration, all other income shall
9 be added to its operating capital.]

10 SECTION 7. *Separability Clause.* - If any provision of this Act or the application of
11 such provision to any person or circumstance is declared invalid, the remainder of the Act or
12 the application of such provision to other persons or circumstances shall not be affected by
13 such declaration.

14 SECTION 8. *Repealing Clause.* - Any law, presidential decree or issuance, executive
15 order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent
16 with this Act, or may be construed, either expressly or impliedly, to grant the National
17 Irrigation Administration the power to levy any kind of irrigation fee or other kind of
18 monetary imposition, is hereby repealed, modified, or amended accordingly.

19 SECTION 9. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after its
20 publication in the Official Gazette and newspaper of general circulation.

Approved,