

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



Seventeenth Congress
First Regular Session

HOUSE BILL NO. 4337

Introduced by AGRI PARTYLIST
Representative Orestes T. Salon

EXPLANATORY NOTE

This bill seeks to promote urban agriculture in all urban areas in the country, establishing for the purpose the Urban Agriculture Program, and appropriating funds therefor.

The Philippines was again hailed as one of the fastest growing economies in Asia as it gained 6.9% Gross Domestic Product (GDP) growth rate on the first quarter of 2016. The country is largely dependent on agriculture for its subsistence as the Philippines is mainly an agricultural country. However, the agriculture, hunting, forestry and fishing or AHFF industry contracted the lowest GDP growth rate at 4.4% for the first quarter of 2016 according to the Philippine Statistics Authority. On the other hand, there is still the undeniable shortage of food in the Philippines, as evidenced by our country's dismal ranking in the 2015 Global Food Security Index wherein we placed 74th out of the 109 countries studied. This is disheartening and calls for an immediate solution before the country further slips into a state of hunger and food deprivation.

There has been a considerable interest in urban agriculture recently all over the world, due to concerns on environment degradation, decreased food production and increasing population. It is a food-producing activity that is community-based and would definitely help an urban area in its quest for sustainable development. As defined in this Act, urban agriculture refers to farming in all its branches including, but not limited to, the cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any agricultural, aqua cultural, agro-

forestry or horticultural products, the raising of livestock, dairy-producing animals, and poultry, agricultural education, the sale of produce and any practices performed by a farmer or on a farm as an incident to or in conjunction with farming operations.

This bill provides that an Urban Agricultural Zone (UAZ) be established in every LGU wherein private individuals, corporations or partnerships may participate in the development and cultivation of such. The participating entities shall be given incentives and assisted by the Department of Agriculture in their operations. The Urban Agriculture Program shall also aid the residents in terms of education and job opportunities, as there will be trainings regarding the program and possibility of employment within the UAZ.

It is foreseen that the world population will double in fifty years. Consequently, demands for food will also increase and understandably, more lands and better agricultural practices. We must begin responding to these challenges as early as now by instituting urban agriculture.

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



REP. ORESTES T. SALON
AGRI Partylist

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1 **AN ACT**

2 **PROMOTING THE USE OF URBAN AGRICULTURE IN ALL URBAN**
3 **AREAS IN THE PHILIPPINES, ESTABLISHING FOR THE PURPOSE**
4 **THE URBAN AGRICULTURE PROGRAM AND APPROPRIATING**
5 **FUNDS THEREFOR**

6
7 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
8 *Congress assembled:*

9
10 SECTION 1. *Short Title.*—This Act shall be known as the “*Urban*
11 *Agriculture Act.*”

12 SEC. 2. *Declaration of Policy.*—It is hereby declared the policy of the State
13 to ensure that every citizen will have unrestricted access to quantitative and
14 qualitative adequate supply of food. Pursuant to this, the State shall establish and
15 adopt a continuing program that will promote and protect the right to adequate
16 food of all Filipinos by promoting urban agriculture. The implementation of
17 modern, environmentally safe and cost-effective agricultural technologies shall be
18 encouraged in all urban areas in the country.

19 SEC. 3. *Urban Agriculture Program.*—There shall be established an Urban
20 Agriculture Program, hereinafter referred to as the Program, which shall be

21 implemented on idle or abandoned government lots owned by either national or
22 local governments, and on available land resources in state colleges and
23 universities. The Program aims to boost food productivity, help address food
24 inadequacy and regenerate ecosystem functions in the country.

25 The program shall encourage the use of indigenous materials for agricultural
26 inputs such as seeds, fertilizers, and agricultural machinery and other agricultural
27 implements.

28 As used in this Act, *Urban Agriculture* shall mean farming in all its branches
29 including, but not limited to, the cultivation and tillage of the soil, the
30 production, cultivation, growing, and harvesting of any agricultural, aqua cultural,
31 agro-forestry or horticultural products, the raising of livestock, dairy-producing
32 animals, and poultry, agricultural education, the sale of produce and any practices
33 performed by a farmer or on a farm as an incident to or in conjunction with
34 farming operations.

35 **SEC. 4. Coverage.**—The Program shall cover idle or abandoned lands in all
36 urban areas and all available land resources in state colleges and universities in the
37 country which are not less than 200 square meters but not more than half a hectare
38 in size. *Urban areas* refer to cities and municipalities categorized as such by the
39 Philippine Statistics Authority.

40 **SEC. 5. Urban Agriculture Zone.**-- All city and municipal governments
41 shall designate an urban agriculture zone (UAZ) within their jurisdiction,
42 indicating the appropriate geographic boundaries. The UAZ may be composed of
43 one large parcel of land or multiple smaller parcels of land, whichever is
44 applicable. The designation of the UAZ shall be subject to the approval of the city
45 or municipality's *Sanggunian*, which shall pass an ordinance expressing its
46 approval.

47 **SEC. 6. Participation of the Private Sector.**-- Private individuals, civil

48 society groups, corporations and partnerships may participate in the Program and
49 enter into management contract or joint venture arrangement with the local
50 government units (LGUS) for the development or cultivation of the UAZ, subject
51 to existing laws. The LGUs shall require the participating corporation and
52 partnerships to provide livelihood projects or opportunities to families living
53 within the city or municipality where the UAZ to be developed is located.

54 **SEC. 7. *Incentive Package.*** – Individuals, groups, corporations or
55 partnerships that participate in the program are entitled to tax incentives in all
56 aspects germane to the urban agriculture activities. These incentives include:

57 a) In case importation is necessary, exemption from the payment of
58 customs and duties of all types of agricultural inputs, particularly seeds, fertilizers,
59 agricultural machinery and other agricultural implements as provided under
60 Republic Act (RA) No. 8435, otherwise known as the “*Agriculture and Fisheries*
61 *Modernization Act of 1997,*” as amended;

62 b) Exemption from the value-added tax (VAT) on the importation of
63 agricultural inputs particularly fertilizers, seeds and seedlings in accordance with
64 Section 109 of RA 8424, otherwise known as the “*Tax Reform Act of 1997,*” as
65 amended; and

66 c) Expenses that are directly related to the program may be claimed as
67 allowable expenses in the regular operation of the corporation.

68 **SEC. 8. *Other Incentives.*** – Loans extended by government and private
69 banks to participating individuals, corporations and partnerships shall be treated as
70 compliance to RA 10000, otherwise known as the “*Agri-Agra Reform Credit Act of*
71 *2009.*”

72 **SEC. 9. *Duration.*** – Participating individuals, corporations and partnerships
73 may develop or cultivate the UAZ or parts of it, for a period of five (5) years which
74 may be renewed for another five (5) years, subject to the approval of the local

75 *Sanggunian.*

76 SEC.10. *Inclusion of Urban Agriculture in the Curriculum.*— The
77 Department of Education and the Commission on Higher education shall ensure
78 that urban agriculture shall be included in the academic curriculum for secondary
79 and tertiary level students of both public and private academic institutions studying
80 courses on Agriculture, Practical Arts, Home Economics or other subjects related
81 to agriculture. A course curriculum on urban gardening shall also be developed and
82 included into the regular curriculum of both elementary and secondary levels.

83 For universities and colleges, urban agriculture shall form part of the
84 required period of time spent by students in the National Service Training Program
85 or the Citizens Military Training.

86
87 SEC. 11. *Implementing Agencies.* – The Department of Agriculture (DA)
88 and the Department of Agrarian Reform (DAR) shall be the lead agencies to
89 institute measures to ensure the proper development and cultivation of the UAZ
90 through urban agriculture schemes. In coordination with the other government
91 agencies, the DA and DAR shall facilitate the processing of contracts between
92 corporations and partnerships and the LGUs. The DA and DAR shall exercise the
93 following functions:

94 a) Facilitate and promote grassroots cooperation to access agricultural
95 services such as information, inputs and technical assistance;

96 b) Initiate and develop periodic farm assembly markets to provide avenues
97 to showcase the produce;

98 c) Exercise regulatory functions with respect to the adherence to the
99 provisions of contracts and arrangements entered into by individuals, corporations
100 and partnerships and the LGUs, and to develop mechanisms to facilitate
101 negotiations and mediate in disputes between stakeholders on matters of contract

102 enforcement;

103 e) Coordinate with appropriate government agencies to ensure the timely
104 establishment of support services such as credit, infrastructure, extension services
105 and others; and

106 f) Conduct, together with the LGUs, a training program for residents
107 regarding urban agriculture.

108 SEC. 12. *Appropriations.*—The amount necessary to carry out the
109 provisions of this Act shall be included in the current appropriations of the
110 Department of Agriculture. Thereafter, such amount as may be necessary for its
111 continued implementation shall be included in the annual General Appropriations
112 Act.

113 SEC. 12 *Implementing Rules and Regulations.* – Within ninety (90) days
114 after the effectivity of this Act, the Secretary of Agriculture jointly with the
115 Secretary of Agrarian Reform shall, in consultation with other concerned
116 government agencies, non-governmental organizations, private sectors and
117 farmers' groups, formulate the rules and regulations necessary for its effective
118 implementation.

119 SEC. 13. *Automatic Review.*— The Department of Agriculture and the
120 Department of Agrarian Reform, being the lead government agencies in the urban
121 agriculture program, shall submit periodic reports to both Houses of Congress on
122 the status of the program three (3) years after its implementation. Thereafter, a
123 review on the viability of the program shall be made by the appropriate agencies
124 every five (5) years.

125 SEC. 14. *Separability Clause.*— If any provisions of this Act is declared
126 invalid or unconstitutional, other provisions hereof which are not affected thereby
127 shall remain in full force and effect.

128 SEC. 15. *Repealing Clause.* – All laws, decrees, executive orders, rules and

129 regulations, issuances or parts thereof, inconsistent with the provisions of this Act
130 are hereby repealed or modified accordingly.

131 SEC. 16. *Effectivity.* – This Act shall take effect fifteen (15) days after its
132 publication in the *Official Gazette* or in a newspaper of general circulation.

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134 Approved,