



## HOUSE OF REPRESENTATIVES

H. No. 5670

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BY REPRESENTATIVES PANGANIBAN, YAP (A.), BRAVO (A.), CANAMA, SUANSING (E.), SUANSING (H.), GARBIN, BATOCABE, CASILAO, ZARATE, ANTONINO, LOYOLA, ESTRELLA, ORTEGA (V.N.), SANTOS-RECTO, VILLAFUERTE, PINEDA, ROMERO, DALIPE, YU, TAN (A.), OAMINAL, TUPAS, GERON, FORTUNO, ALEJANO, VILLANUEVA, PRIMICIAS-AGABAS, SALON, LEE, CHAVEZ, SINGSON, UNABIA, PIMENTEL, ROQUE (H.), CO, DE JESUS, TINIO, BROSAS, CASTRO (F.L.), ELAGO, FORTUN, ABAYON, VIOLAGO, SAVELLANO, CATAMCO, SALCEDA, NOLASCO, MENDING, ESPINO, ACOSTA, ALVAREZ (F.), BOLILLA, BRAVO (M.V.), BULUT-BEGTANG, DURANO, SY-ALVARADO, DUAVIT, MANGAOANG, GORRICETA, PANCHO, ALONTE, LAZATIN, ANTONIO, SARMIENTO (C.), MARCOLETA, LOBREGAT, GONZAGA, RELAMPAGOS, KHO, ABU, BORDADO, ANGARA-CASTILLO, LIMKAICHONG, NAVA, TEJADA, DAZA, VELOSO, ONG (H.), COJUANGCO, SAGARBARRIA, ORTEGA (P.), ESCUDERO, NOEL, MARQUEZ, LANETE, YAP (M.), DY, ANDAYA, RODRIGUEZ (I.), ALVAREZ (M.), AUMENTADO, HERNANDEZ, GONZALES (A.D.), LOPEZ (M.L.), AGGABAO, ARCILLAS, SIAO, MADRONA, UNGAB, BILLONES, MERCADO, PALMA, DEFENSOR, EUSEBIO, BATAOIL, DE VENECIA, HERRERA-DY, LOPEZ (B.), BELARO, MONTORO, CAMPOS, BAUTISTA-BANDIGAN, SALO, ARAGONES, MARIÑO, BERTIZ, DIMAPORO (M.K.), DEL ROSARIO, MATUGAS, VILLARIN, FUENTEBELLA, CRISOLOGO, RODRIGUEZ (M.), NOGRALES (K.A.), AMANTE, DEL MAR, LEACHON, NUÑEZ-MALANYAON, SANDOVAL, SAMBAR, HOFER, JAVIER, ESPINA, UYBARRETA, GARIN (S.), GO (M.), DELOSO-MONTALLA AND BARBERS, PER COMMITTEE REPORT NO. 245

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AN ACT STRENGTHENING ASSISTANCE TO ALL FARMERS BY PROVIDING FREE IRRIGATION SERVICE FEE AND ALL OTHER SIMILAR OR RELATED FEES OR CHARGES, AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF

REPUBLIC ACT NO. 3601, AS AMENDED BY PRESIDENTIAL DECREE NO. 552 AND PRESIDENTIAL DECREE NO. 1702, OTHERWISE KNOWN AS THE NATIONAL IRRIGATION ADMINISTRATION ACT, AND REPUBLIC ACT NO. 8435, OTHERWISE KNOWN AS AGRICULTURE AND FISHERIES MODERNIZATION ACT OF 1997, AND APPROPRIATING FUNDS THEREFOR

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

1           SECTION 1. *Short Title.* – This Act shall be known as “Free Irrigation  
2 Services Act”.

3           SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of  
4 the State to promote a just and dynamic social order that will ensure the  
5 prosperity of the nation and free the people from poverty through policies that  
6 provide adequate social services, promote full employment, a rising standard  
7 of living, and an improved quality of life for all.

8           To this end, the State shall pursue a genuine agricultural development  
9 strategy by providing support services to all farmers, including their irrigators’  
10 associations and farmers’ cooperatives, with the end in view of increasing their  
11 productivity and improving their access to markets. More particularly, the  
12 government shall promote and institutionalize irrigation systems that are free,  
13 effective, suitable, applicable and efficient as a key strategy to achieve genuine  
14 agricultural development.

15           SEC. 3. *Free Irrigation Program.* – All irrigation systems  
16 constructed/built, funded, operated/managed, and maintained by the National  
17 Irrigation Administration (NIA), the Department of Agriculture (DA), other  
18 government agencies, or those turned over and maintained or operated by  
19 farmers’ organizations, irrigators’ associations and the local government units  
20 (LGUs) shall be free of charge. Corollary thereto, all back accounts or unpaid  
21 irrigation service fees (ISF) in national irrigation systems and amortization  
22 payment of loans in the construction/rehabilitation of communal irrigation and  
23 the corresponding penalties and/or interests thereof due from farmers,

1 including their irrigators' associations and farmers' cooperatives, are hereby  
2 condoned by the government, thereby relieving them from payment thereof.

3       SEC. 4. *Qualified Beneficiaries.* – The qualified beneficiaries of the  
4 free irrigation program shall include all farmers, irrigators' associations and  
5 farmers' cooperatives. Owners or operators of corporate farms, plantations,  
6 fishponds and other nonagricultural crop users drawing water or using the  
7 drainage facilities of NIA irrigation systems are not qualified beneficiaries of  
8 the Program.

9       SEC. 5. *Mechanism for the Management of Irrigation Systems.* – The  
10 government, together with the farmers and irrigators' associations and  
11 farmers' cooperatives, shall endeavor to build and operationalize an effective  
12 grassroots-based management of irrigation systems, the funding of which shall  
13 be included in the annual General Appropriations Act (GAA).

14       SEC. 6. *Construction, Repair and Maintenance of National Irrigation*  
15 *Systems.* – For the purpose of ensuring the necessary construction, repair and  
16 maintenance of irrigation systems administered by the NIA, the required  
17 amounts shall be included in the annual GAA.

18       SEC. 7. *Technical Assistance to Stakeholders.* – The NIA shall  
19 provide technical and financial assistance to LGUs and all farmers, including  
20 their irrigators' associations and farmers' cooperatives with respect to  
21 irrigation systems located, utilized, and managed in their respective  
22 jurisdictions, including all functional equipment and facilities appurtenant  
23 thereto.

24       SEC. 8. *Appropriations.* – Such sums as may be necessary to cover  
25 the requirement of the NIA for payment of salaries and maintenance and other  
26 operating expenses shall be funded under the GAA.

27       SEC. 9. *Implementing Rules and Regulations.* – The NIA, in  
28 consultation with the DA, farmers and their irrigators' associations and  
29 farmers' cooperatives and other stakeholders, shall formulate the

1 implementing rules and regulations within ninety (90) days from the  
2 effectivity of this Act.

3         **SEC. 10. *Separability Clause.*** – If any part or provision of this Act is  
4 declared invalid or unconstitutional, the other provisions not affected by such  
5 declaration shall be in full force and effect.

6         **SEC. 11. *Repealing Clause.*** – Section 2, paragraph (c) of Republic  
7 Act No. 3601, entitled “An Act Creating the National Irrigation  
8 Administration; Section 1, paragraph (b) of Presidential Decree No. 552;  
9 Section 1, paragraph (b) of Presidential Decree No. 1702; Section 35 of  
10 Republic Act No. 8435, otherwise known as the “Agriculture and Fisheries  
11 Modernization Act of 1997”; and all other laws, executive and administrative  
12 orders, rules and regulations or parts thereof inconsistent with this Act are  
13 hereby repealed or amended accordingly.

14         **SEC. 12. *Effectivity.*** – This Act shall take effect fifteen (15) days  
15 after its publication in the *Official Gazette* or in a newspaper of general  
16 circulation.

Approved,

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