

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1197

Introduced by: **HON. FELIX R. ALFELOR, JR.**

EXPLANATORY NOTE

This bill was filed with the Twelfth Congress as House Bill No. 5088 with the following explanatory note:

“Republic Act No. 3601 as amended, explicitly mandated the National Irrigation Administration to conduct multi-purpose water resources designed primarily for irrigation. The framers of the law intended to effectuate an economic means of achieving the optional and diversified utilization and control of water by undertaking integrated irrigation projects with the ends in view of promoting increased agricultural productivity in order to achieve the twin objectives of poverty alleviation and enhancement of the quality of life of the farmers in the rural areas. However, this law also authorized the collection of irrigation fees and administration charges from the beneficiaries of water from all irrigation systems to recover the cost of construction. Due to the common problems brought about by low production coupled with the rising cost of fertilizers, chemicals, and farm labor, as had been experienced by majority of the farmers, the collection of irrigation fees and administration charges has become an additional burden to our poor families.

It is worthy to mention that several legislative measures had been filed during the past Congress seeking to abolish and condone the payment of irrigation fees and administration charges but such measures, even if approved, would not in any way address the problem. Due to the prevailing financial condition of the government, it cannot afford to construct and maintain irrigation projects without collecting charges from the farmers. However, the government can afford to offer a modicum of subsidy to the suffering farmers in the countryside.

This bill therefore, seeks to grant a government subsidy to farmers by deducting an amount equivalent to fifty percent (50%) from the total irrigation fees or administration charges. It is the primordial concern of this measure to provide a lasting solution acceptable and beneficial to both government and the farmers.”

In view of the foregoing reasons, the approval of this bill, which was filed before the 12th Congress but was not acted upon at the time of its adjournment, is earnestly sought.

HON. FELIX R. ALFELOR, JR.

Representative
Fourth District, Camarines Sur

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HOUSE BILL NO. 1197

Introduced by: **Hon. FELIX R. ALFELOR, JR.**

AN ACT
PROVIDING GOVERNMENT SUBSIDY TO FARMERS' IRRIGATION FEES.
AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 3601 AS AMENDED
AND FOR OTHER PURPOSES

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

SECTION 1. Section 2 (b) of Republic Act No. 3601, as amended, entitled, "An Act creating the National Irrigation Administration", is hereby amended to read as follows:

"SECTION 2. Powers and Objectives.- The NIA shall have the following powers and objectives:

(a) x x x

(b) To charge and collect from the beneficiaries of the water from all irrigation systems constructed by or under its administration, such fees or administration charges as may be necessary to cover the cost of operation, maintenance and insurance, and to recover the cost of construction within a reasonable period of time to the extent consistent with government policy; to recover funds or portions thereof expended for the construction and/or rehabilitation of communal irrigation systems which funds accrue to a special funds for irrigation development under section 2 hereof;

PROVIDED, HOWEVER, THAT THERE SHALL BE DEDUCTED FROM THE TOTAL IRRIGATION FEES OR ADMINISTRATION CHARGES AN AMOUNT EQUIVALENT TO FIFTY PERCENT (50%) AS A GOVERNMENT SUBSIDY TO THE BENEFICIARIES UNDER THIS ACT.

Unpaid irrigation fee or administration charges shall be preferred liens, upon the land benefited, and then on the crops raised thereon, which liens shall have preference over all liens except for taxes on the land, and such preferred liens shall not be

Unpaid irrigation fee or administration charges shall be preferred liens, upon the land benefited, and then on the crops raised thereon, which liens shall have preference over all liens except for taxes on the land, and such preferred liens shall not be removed until all fees or administration charges for the satisfaction thereof. Judicial actions for the collection of unpaid irrigation fees or charges, drainage fees or other charges which the National Irrigation Administration is authorized to impose and collect, shall henceforth be governed by the provisions of the Rules of Court of the Philippines for similar actions, the provisions of other laws to the contrary notwithstanding;"

SECTION 3. This Act shall take effect upon its approval.

Approved,