

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

FIRST REGULAR SESSION

House Bill No. 3121



Introduced by REP. WILFREDO S. CAMINERO

EXPLANATORY NOTE

It is lamentable that the Philippines, more than one hundred years since it first declared its independence, remains basically an agricultural country, compared to its industrialized Asian neighbors, and many Filipinos residing in the countryside and remote rural areas and islands, continue to be mired in poverty and hopelessness, and vulnerable to hunger, exploitation and deprivation of basic socio-economic and human rights.

Hence, the 2011-2016 Philippine Development Plan, as echoed in the proposed 2014 national budget plan, aims to achieve the societal goals of inclusive growth and poverty reduction in the rural areas through a competitive and sustainable agriculture and fishery sector, increased growth, improved food security, increased incomes, resilience to climate change, productivity and access to credit facilities.

For indeed, more than 20 years since the *Local Government Code of 1991* (R.A. No. 7160) devolved the delivery of basic agricultural services to local government units (LGUs), 15 years since the enactment of the *Agriculture and Fisheries Modernization Act* (AFMA) in 1997 (R.A. No. 8435), notwithstanding the passage of the *Magna Carta for Small Farmers* (R.A. No. 7607) and other well-meaning laws, and the hundreds of billions of pesos already spent on agriculture and countryside development, the harsh reality remains that many Filipinos, especially those in the countryside - farmers, fisherfolk, and small farm owners alike - remain poor and mired in poverty and suffering from its ill-effects.

Official 2009 poverty statistics from the National Statistics Coordination Board show that the fisherfolk remain the poorest among the basic sectors at

41.4 percent while farmers remain the second poorest sector at 36.7 percent. Such is the degree of poverty in these sectors that they are deprived of their basic human right to life much less, right to live decent lives - and leaving them vulnerable to abuse and exploitation by the heartless, scheming and greedy.

While the national government is not wanting in good intentions and programs to address the problems of rural poverty and food security, even as the LGUs struggle with meager budgetary resources to spare and allocate for low-priority agricultural sector, yet all efforts have been admittedly short of the desired goals. Thus there have been well-meaning legislative attempts to remedy the situation, including reverting the responsibility and delivery of basic agricultural services to the national government away from many ill-equipped local government units. But then, after two (2) decades of local autonomy and devolution, the ultimate goal of agricultural development and inclusive growth remain elusive for the many who toil in the fields.

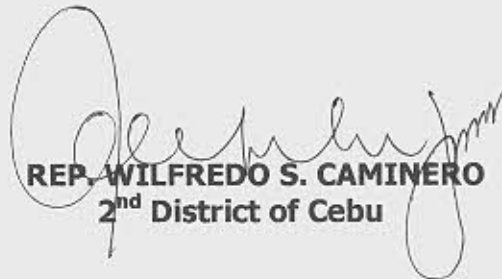
Hence, the urgent and imperative need to review and reform the government's structure for the delivery of basic agricultural services, and to adopt drastic measures to change and shift paradigm to enhance delivery of basic agricultural services to farmers, fisherfolk and other basic sectors of agriculture, to ensure food security and overcome rural poverty and diminish hunger. Experience in local executive governance reveals the clear gaps and limitations of the national government efforts which stop organizationally at the Regional Field Offices of the DA and the limitations of LGUs in terms of organization and resources. Hence, only a radical innovation to bridge this structural and functional gap and weakness will enhance and enable the government both national and local, to achieve full and effective implementation and realization of all government's agriculture development and socio-economic programs.

This bill will reform and bridge the structural gap between national government agency which, on one hand, has the technical and funding resources for the delivery of basic agricultural services and to implement government programs but which organizationally is limited at the Regional Field Office level, and on the hand, and the extensive but resource-constrained LGUs. With presence in all agricultural district offices envisioned nationwide, this bill will ensure that national agricultural programs and priorities will be fully carried out more effectively, if not more aggressively, and implemented at a more realistic and effective District level - composed of smaller and manageable geographical territories of several municipalities or a

small island province – with one agricultural district per legislative district, initially, pending further refinements by the Agriculture Secretary.

This radical reform measure – Creating the Agricultural District Office /Agricultural Districts under the DA Regional Field Office, is rendered very urgent even more, in view of the impending integration of ASEAN/Common Market in 2015, which will allow duty-free entry of ASEAN agri-fishery goods and products which will compete directly with local products. This market integration would endanger the viability of local agriculture and may put at risk the main source of economic livelihood of many farmers and fisherfolk, if the government does not act fast enough to prepare its people.

We believe that by enhancing the delivery of basic agricultural services and facilities through the passage of this bill, the government is taking a step in this direction. The approval of this Bill, therefore, is respectfully and urgently requested.



REP. WILFREDO S. CAMINERO
2nd District of Cebu

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City**

SIXTEENTH CONGRESS

FIRST REGULAR SESSION

House Bill No. 3121

Introduced by REP. WILFREDO S. CAMINERO

**AN ACT
ENHANCING THE DELIVERY OF COMPREHENSIVE AGRICULTURE
SERVICES AND FACILITIES, CREATING THE AGRICULTURAL
DISTRICT OFFICE IN THE REGIONAL FIELD OFFICES OF THE
DEPARTMENT OF AGRICULTURE AND DECENTRALIZING THE
FUNCTIONS OF THE REGIONAL FIELD OFFICES AND ALL ATTACHED
AGENCIES OF THE DEPARTMENT OF AGRICULTURE , PROVIDING
FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

1 Section 1. *Declaration of Policies.* -

2 (a) The State shall promote comprehensive rural development
3 and agrarian reform and shall ensure food security by providing
4 assistance to the agriculture sector.

5 (b) The State shall ensure the productivity of the agriculture
6 sector, especially of the small farmers and fisherfolk by improving their
7 access to basic agriculture support services and facilities.

1 (c) The State recognizes the rights of farmers, fisherfolk, and
2 farmworkers, and small landowners, as well as cooperatives, and other
3 independent farmers' organizations to participate in the planning,
4 organization, and management of agriculture programs, and shall
5 provide support to agriculture through appropriate technology and
6 research, and adequate financial, production, marketing, and other
7 support services.

8 Sec. 2. *Definition of Terms.* – The following terms, as used in this Act,
9 shall mean:

10 a) "*Agriculture Officer*" refers to the officer at the provincial,
11 municipal or city level, as the case may be, who is in charged with
12 agriculture services for the LGU as provided in Section 482 of the LGC;

13 b) "*Basic Agriculture Services and Facilities*" refers to the services
14 and facilities devolved to the local government units pursuant to the
15 *Local Government Code of 1991* and as enumerated in Subsection
16 17(b)(1)(i) for the barangay, Subsection 17(b)(2)(i) for the municipality,
17 Subsection 17(b)(3)(i) for the province, and Subsection 17(b)(4) for the
18 city, in so far as agriculture services are concerned;

19 (c) "*Department*" refers to the Department of Agriculture;

20 (d) "*Internal Revenue Allotment*" or IRA, refers to the share of
21 local government units in the national wealth pursuant to Section 284 of
22 the *Local Government Code of 1991*;

23 (e) "*Regional Director*" or the RD refers to the chief of the
24 Regional Field Office of the Department; and

1 (f) "*Regional Field Office*" or the RFO, refers to the regional office
2 of the Department.

3 (g) "*Secretary*" refers to the Secretary of the Department of
4 Agriculture;

5 (h) "*Small Farmers and Fisherfolk*" refers to natural persons
6 dependent on small-scale subsistence farming and fishing activities as
7 their primary source of income.
8

9 Sec. 3. *Enhancing the Delivery of Comprehensive Agriculture Services*
10 *and Facilities by the Department of Agriculture.* – Without prejudice to and in
11 addition to the basic agriculture services and facilities already being provided
12 by the local government units as mandated in Section 17 of the *Local*
13 *Government Code of 1991*, the Department of Agriculture shall provide
14 comprehensive agriculture services and facilities as are necessary for the
15 farmers, fisherfolk, and farmworkers through the Agricultural District Office
16 that shall be created in Section 4 of this Act. For this purpose, the RFOs and
17 attached bureaus and agencies of the Department shall decentralize their
18 operations and the delivery of basic agriculture services and facilities at the
19 District Level for greater efficiency and access of the local farmers, fisherfolk,
20 and other stakeholders by ensuring that they render regular service at the
21 district level at least one (1) day per work week.
22

23 Sec. 4. *Agricultural District Office.* - There is hereby created the
24 Agricultural District Office, hereinafter referred to as the ADO, for each of the
25 agricultural district of the province or city. The ADOs, which will be attached
26 to the Office of the Regional Director, shall be headed by a District
27 Agriculturist who shall be administratively and functionally under the

1 supervision of the Regional Director (RD) of the pertinent RFO of the
2 Department.

3

4 In general, an agricultural district shall be the same as the legislative
5 district; *Provided*, That the LGUs comprising Metro Manila shall belong to not
6 more than two (2) agricultural districts; *Provided further*, That a city outside
7 Metro Manila depending on its farmer population and agricultural land area,
8 shall have at least two (2) agricultural districts. The Secretary, in consultation
9 with the RFOs, LGUs and district representatives, shall issue an administrative
10 order detailing the list of agricultural districts.

11

12 The ADO shall have a basic staff complement enumerated in Section 6
13 hereof, necessary for the implementation of its tasks. An LGU within the
14 agricultural district shall provide space and facilities in the municipal/city hall
15 or any government property in the LGU, for use of the ADO.

16

17 The ADO shall serve as the hub in the RFO for the delivery of
18 comprehensive agriculture services and facilities being rendered by the
19 Department and its bureaus and attached agencies at the district level. In
20 coordination with the LGUs, the ADO shall be responsible for the provision,
21 delivery, implementation, and monitoring of integrated and comprehensive
22 basic agriculture services and facilities that shall be provided by the
23 Department, in addition to the agriculture services being provided by the LGU;
24 *Provided*, That in the event that the basic services and facilities being
25 provided by the LGU are insufficient, the ADO shall directly deliver these
26 services to the farmers, farmworkers, and fisherfolk at the barangay level. For
27 this purpose, it shall have the following duties and responsibilities:

28

29 (a) Be primarily responsible for the delivery of basic agriculture

1 services that the Department will provide, in addition to the basic
2 services being provided by the LGUs;

3
4 (b) Coordinate with the LGUs within its jurisdiction through their
5 Offices of the Agriculture Officer, in the identification, planning,
6 implementation, and monitoring of basic agriculture services and
7 facilities within the district;

8
9 (c) Provide technical assistance, in coordination with the LGUs
10 and the pertinent units of the Department of Agriculture, to the
11 farmers, farmworkers, and fisherfolk within his jurisdiction;

12
13 (d) Coordinate with the other units and attached agencies of the
14 Department at the regional level, for program coordination and
15 implementation;

16
17 (e) Conduct continuing consultations with the local communities,
18 take appropriate measures to make the services of the Department
19 responsive to the needs of the farmers, farmworkers, and fisherfolk,
20 compile and submit such information to the RFO, and recommend such
21 appropriate actions as may be necessary;

22
23 (f) Institutionalize farmers and fisherfolk participation in
24 agriculture reform policy formulation and program implementation; and

25
26 (g) Perform such other related duties and responsibilities as may
27 be assigned or delegated by the Secretary and/or the RD, or as may be
28 required by law.

1 Sec. 5. *District Agriculturist.* - The District Agriculturist shall be
2 appointed by the Secretary, upon the recommendation of the Regional
3 Director (RD), be a Filipino citizen, a resident of one of the LGUs within his
4 jurisdiction, of good moral character, a holder of a college degree in
5 agriculture or any agriculture-related course from any recognized college or
6 university, and possess the eligibility pursuant to Republic Act No. 1080, as
7 amended. He must have practiced his profession in agriculture or must have
8 gained experience in a related field for at least five (5) years.

9
10 He shall report to the RD, through the Assistant Regional Director for
11 Operations. He shall be accountable for the efficient and effective conduct of
12 the duties and responsibilities of the ADO. Within his defined powers, he shall
13 exercise functional and administrative supervision over district operations
14 including the authority to recommend that field resources and personnel be
15 committed to integrated district-wide development thrusts. He shall also
16 perform such other related duties and responsibilities as may be assigned or
17 delegated by the Secretary, the RD, or as may be required by law.

18
19 Sec. 6. *Basic Staff Complement of the ADO.* - For its effective operation,
20 the ADO shall have a basic staff complement composed of a municipal
21 agriculture coordinator for every five (5) municipal LGUs in the agricultural
22 district, an administrative staff, a supply officer, and a driver/mechanic. The
23 functions and responsibilities of these positions shall be detailed in an
24 administrative order to be issued by the Secretary.

25
26 The staff complement of the ADO shall receive basic monthly salary
27 based on the compensation prescribed under the *Salary Standardization Law*,
28 as amended, in addition to other benefits prescribed by law.

1 *Sec. 7. Counterpart Funds From The Local Government Units.* - The
2 local government units shall provide counterpart financing for the basic
3 services and facilities that shall be provided pursuant to this Act, from out of
4 the budget of their local development plans. In order to provide for such
5 counterpart financing, Section 287 of the *Local Government Code of 1991* is
6 hereby amended to read as follows:

7
8 *SEC. 287. Local Development Projects.* - Each local
9 government unit shall appropriate in its annual budget no less than
10 THIRTY PERCENT (30%) [twenty percent (20%)] of its annual
11 internal revenue allotment for development projects; PROVIDED,
12 THAT THE CORRESPONDING ADDITIONAL TEN PERCENT (10%)
13 SHALL BE ALLOCATED FOR AGRICULTURE SERVICES AND
14 FACILITIES. Copies of the development plans of local government
15 units shall be furnished the DepartmentS of Interior and Local
16 Government, AND OF AGRICULTURE. THE SECRETARY TO THE
17 LOCAL DEVELOPMENT COUNCIL SHALL CAUSE THE POSTING OF
18 THE LOCAL DEVELOPMENT PLAN IN THE BULLETIN BOARD IN AT
19 LEAST TWO (2) CONSPICUOUS PLACES IN THE
20 BARANGAY/MUNICIPAL/CITY/PROVINCIAL HALL.

21
22 *Sec. 8. Transitory Provisions.* - Upon the effectivity of this Act, the
23 Secretary, upon the recommendation of the RD, shall immediately designate
24 from among the present staff complement of the RFO, the personnel who
25 would act as district agriculturists and their basic support staff until such time
26 as permanent district agriculturists and their staff, shall have been appointed.
27 The Secretary shall likewise, direct the RFOs and attached bureaus and
28 agencies, to immediately decentralize their operations and the delivery of
29 basic agriculture services and facilities at the District Level.

1
2 The LGUs and other government institutions shall provide temporary
3 office space and facilities for the use of the ADO.
4

5 *Sec. 9. Implementing Rules and Regulations.* - The Department, in
6 coordination with different Leagues of LGUs, the Department of Interior and
7 Local Government, and other concerned agencies, shall issue the rules and
8 regulations within 90 days from the effectivity of this Act.
9

10 *Sec. 10. Appropriations.* - Upon its effectivity, the appropriations for the
11 effective implementation of this Act shall be charged against the current
12 appropriations of the Department. The amounts necessary to carry out the
13 provisions of this Act for succeeding years are hereby authorized to be
14 appropriated in the General Appropriations Act of the year following its
15 enactment into law.
16

17 *Sec. 11. Repealing Clause.* - All laws, presidential decrees, executive
18 orders, and rules and regulations, or parts thereof, inconsistent with the
19 provisions of this Act are hereby repealed or modified accordingly.
20

21 *Sec. 12. Separability Clause.* - If, for any reason, any section or
22 provision of this Act is held unconstitutional or invalid, the other sections or
23 provisions hereof shall not be affected thereby.
24

25 *Sec. 13. Effectivity Clause.* - This Act shall take effect fifteen (15) days
26 after its complete publication in the Official Gazette or in least two (2)
27 newspapers of general circulation.
28

29 *Approved,*