



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

SIXTEENTH CONGRESS

Second Regular Session

House Bill No. **5075**



Introduced by Representative NICANOR M. BRIONES

EXPLANATORY NOTE

Section 5 Article XIII of the 1987 Philippine Constitution states, among others, that the State shall provide support to agriculture through appropriate technology and research, and adequate financial, production, marketing and other support services. Thus, the role of the government to further extend the Funds supporting post-harvest facilities of the farmers is an essential assistance to them.

Republic Act NO. 8178 creating the Agricultural Competitiveness Enhancement Fund (ACEF) and the tariffication of agricultural products was enacted on 1996. This was amended by Republic Act No. 9496 that extended the ACEF up to 2015.

The extension of ACEF is about to end this coming 2015. Hence, this bill seeks to further extend it up to 2025.

This bill further seeks to remove irrigation and farm-to-market roads among the projects in which the funds will be spent out. Only post-harvest facilities, equipment and mechanism will be supported by ACEF once earmarked.

Further, this measure aims to genuinely support the farmers by removing the credit as one of the means of supporting them. This representation believes that if the government truly desire to uplift the lives of our farmers, credit must be replaced by grant. This means that once qualified, a farmer could avail of the grant for the post-harvest facilities and equipment.

Approval of this bill is earnestly sought.


NICANOR M. BRIONES
AGAP Party List



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AN ACT FURTHER EXTENDING THE UTILIZATION PERIOD OF THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND, AMENDING REPUBLIC ACT NO. 8178, ENTITLED "AN ACT REPLACING QUANTITATIVE IMPORT RESTRICTIONS ON AGRICULTURAL PRODUCTS, EXCEPT RICE, WITH TARIFFS, CREATING THE AGRICULTURAL COMPETITIVENESS ENHANCEMENT FUND, AND FOR OTHER PURPOSES"

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

SECTION 1. Section 8 of Republic Act No. 8187, entitled "An Act Replacing Quantitative Import Restrictions on Agricultural Products, Except Rice, With Tariffs, Creating the Agricultural Competitiveness Enhancement Fund, and for other Purposes" is hereby amended, to read as follows:

"SEC. 8. Agricultural Competitiveness Enhancement Fund. – To implement the policy enunciated in this Act, there is hereby created the Agricultural Competitiveness Enhancement Fund, hereinafter referred to as the Fund. This Fund shall consist of all duties collected from the importation of agricultural products under the minimum access volume (MAV) mechanism, including unused balances and collections from repayments from loan beneficiaries including interest, if any. The Fund shall be automatically credited to Special Account 183 in the General Fund of the National Treasury: *Provided*, That fund releases shall not be subject to any ceiling by the Department of Budget and Management (DBM).

The Fund shall continue to be set aside up to the year 20[1]25, after which the collection of duties from the MAV mechanism and the setting aside of the amount collected for the purpose shall terminate. However, any remaining balance(s) at the date of expiration of the Fund shall not revert to the General Fund but shall continue to be used for the purpose for which it was collected and set aside.

The Fund shall be set aside and earmarked by Congress: (a) for the protection of farmers against unfair trade practices such as smuggling, dumping of agricultural products or other similar acts of unfair trade practices; and (b) for the increased productivity of farmers by providing the necessary support services such as, [but not limited to, irrigation, farm-to-market roads], post-harvest equipment and facilities, [credit], research and development, other marketing structure, provision of market information, retraining, extension services, micro, small and medium scale enterprises (MSMSE) in agriculture, fisheries and related courses; agriculture and fishery cooperatives, corporations and other entrepreneurs engaged in economic enterprises related to agriculture and fisheries and assistance and support to agricultural activities including, but not limited to, the reduction of input cost, quality improvement, supply chain efficiency and other infrastructure including access as well as an established transportation mechanism towards speedy delivery products: *Provided, That: x xx*"

Sec. 2. Implementing Rules and Regulations. The Department of Agriculture shall promulgate such rules and regulations as are necessary to implement the provisions of this Act.

Sec. 3. Repealing Clause. Any provisions of law, presidential decree, executive orders, rules and regulations contrary to the provisions of this Act is hereby repealed or modified accordingly.

Sec. 4. Effectivity. This Act shall take effect fifteen (15) days from its publication in the Official Gazette or in at least two (2) newspaper of general circulation.

Approved.