

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SIXTEENTH CONGRESS
Third Regular Session

House Bill No. 6333

Introduced by REPRESENTATIVE ARTHUR C. YAP

EXPLANATORY NOTE

The National Irrigation Administration (NIA), under its Charter, Republic Act No. 3601, as amended by Presidential Decree No. 552 and Presidential Decree No. 1702, as well as Republic Act No. 8435, or the Agricultural and Fisheries Modernization Law, has the power and authority to collect Irrigation Service Fees (ISF).

The fees imposed and collected are used to pay for the repair and maintenance of irrigation systems and for the salaries of the NIA employees and workers.

Unfortunately, ISF imposed are too much for the farmers. The imposable amount must be sufficient to cover the operation and maintenance of the irrigation system.

This is a huge burden for the farmer beneficiaries. It eats up on what otherwise would already be a small income for the farmer and their families. It leads farmers to further shy away from farming and engage in other endeavors.

This bill aims to create a Free Irrigation Program for our farmers, to increase their income and uplift their living conditions. It would also effectively and immediately address the issue of increased productivity and attainment of food self-sufficiency.

Free irrigation will primarily reduce the cost of production and will make our farmers more productive. It is also proper as Vietnam and Thailand give the service for free, this will level the playing field and make our farmers more resilient to climate change by providing them with added support.

For the foregoing reasons, the immediate passage of the bill is earnestly urged.



ARTHUR C. YAP
Representative

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AN ACT
ESTABLISHING A FREE IRRIGATION PROGRAM,
REPEALING SECTION 2, PARAGRAPH (C) OF
REPUBLIC ACT NO. 3601 OR "AN ACT CREATING
THE NATIONAL IRRIGATION ADMINISTRATION";
SECTION 1, PARAGRAPH (B) OF PRESIDENTIAL
DECREE NO. 552; SECTION 1, PARAGRAPH (B)
PRESIDENTIAL DECREE NO. 1702;SECTION 35 OF
REPUBLIC ACT NO. 8435, OTHERWISE KNOWN AS
THE "AGRICULTURAL AND FISHERIES
MODERNIZATION LAW";AND FOR OTHER
PURPOSES

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

1 **SECTION 1. *Title*** - This Act shall be known as the“Free Irrigation
2 Law of 2015”.

3 **SECTION 2. *Declaration of Policy.*** - The State shall promote
4 comprehensive rural development through increased agricultural production,
5 sustained productivityand promotion and development of irrigation systems
6 that are free, effective, appropriate and efficient.

7 **SECTION 3.*Free Irrigation Program.*** -Any provision of law to the
8 contrary notwithstanding, all irrigation systems built, operated and
9 maintained by the National Irrigation Authority (NIA), the Department of
10 Agriculture (DA), or any other government agencies, or those turned over
11 and maintained or operated by farmers’ organizations, irrigators’
12 associations or Local Government Units (LGU), shall be free of use and
13 charges for farmer beneficiaries.

14 **SECTION 4. *Personnel Services, Maintenanceand Other Operating***
15 ***Expenses.*** Payment of personnel services and for the repair, maintenance of
16 irrigation systems administered by NIA, as well as its other operating
17 expenses shall be included in the Annual General Appropriations Act
18 (GAA).

19 **SECTION 5. *Implementing Rules and Regulations.*** - Within ninety
20 (90) days from the effectivity of this Act, the DA with the assistance of the
21 NIA shall formulate and promulgate the rules and regulations necessary for
22 the implementation of this Act.

23 **SECTION 6. *Separability Clause*** - If any portion or provision of
24 this Act is declared unconstitutional or invalid, the other provisions hereof
25 not affected thereby shall remain valid and effective.

1 **SECTION 7. *Repealing Clause.***—Section 2, Paragraph (c) of
2 Republic Act No. 3601 or “*An Act Creating the National Irrigation*
3 *Administration*”; Section 1, Paragraph (b) of Presidential Decree No.
4 552;Section 1, Paragraph (b) of Presidential Decree No. 1702; andSection 35
5 of Republic Act No. 8435, otherwise known as the “*Agricultural and*
6 *Fisheries Modernization Law*”;prescribing the power and authority of the
7 National Irrigation Administration to collect Irrigation Service Fees (ISF) or
8 other forms of charges for the use of irrigation systems, are hereby repealed
9 or modified accordingly.

10 All other laws, presidential decrees, executive orders, rules and
11 regulations, or parts thereof inconsistent with the provisions of this Act, are
12 hereby repealed or modified accordingly.

13 **SECTION 8. *Effectivity Clause.*** - The Act shall take effect fifteen
14 (15) days after its complete publication in the Official Gazette or in at least
15 two (2) newspapers of general circulation.

16 **Approved.**