

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City



SEVENTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. **4475**

Introduced by REP. Michael L. Romero

EXPLANATORY NOTE

In Pursuant to **Section 46 of Republic Act No. 8435**, otherwise known as the "Agriculture and Fisheries Modernization Act of 1997", a Bureau of Agricultural and Fisheries Engineering (BAFE) is hereby created as a regular bureau of the DA which shall be under the supervision of the DA Undersecretary and shall have the following functions and responsibilities:

- (a)** Coordinate, oversee and monitor the national planning and implementation of agri-fisheries engineering, farm-to-market road and other agri-fisheries infrastructure projects;
- (b)** Assist in the national planning, coordination and implementation of the national agri-fisheries mechanization programs;
- (c)** Prepare, evaluate, validate and recommend engineering plans, designs and technical specifications on agri-fisheries mechanization and infrastructure projects;
- (d)** Oversee and provide technical assistance to the operations of the agricultural engineering divisions of the DA regional field units;
- (e)** Coordinate and integrate all agricultural and fisheries engineering activities of the DA bureaus, attached agencies and corporations;
- (f)** Coordinate and monitor the enforcement of standards and other regulatory policies on agricultural and fishery engineering;

(g) Implement accreditation and registration scheme for agriculture and fishery machinery, tools and equipment, in coordination with technology generators:

(h) Issue permits to operate to agriculture and fishery tools and equipment manufacturers, fabricators, assemblers and importers; and

(i) Promulgate and implement accreditation guidelines for testing centers.

The BAFE shall be headed by a Bureau Director and Assistant Bureau Director, all appointed by the President.

The BAFE shall have the following divisions:

(1) Engineering Plans, Designs and Specifications;

(2) Programs and Projects Management;

(3) Standards Regulation and Enforcement; and

(4) Administration and Finance.

Modifications shall be made in the organizational structure and staffing pattern of the regional field units of the DA for the creation of Agricultural Engineering Division to strengthen the provision of agricultural engineering services necessary to carry out the field implementation of the agricultural and fishery engineering, mechanization and infrastructure programs and projects of the DA.

This House Bill is mandating all concerned bureaus and attached agencies of the DA implementing agri-fishery mechanization and infrastructure projects shall review and modify their organizational structure and staffing pattern with the end-view of strengthening the provision of agricultural engineering services as part of the overall network of the Bureau of Agricultural and Fisheries Engineering (BAFE).

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO Ph.D

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**AN ACT
AMENDING SECTION 31 OF RA NO.10601 OTHERWISE KNOWN
AS THE "AGRICULTURAL AND FISHERIES MECHANIZATION
(AFMech) LAW, INCREASING ITS PENALTIES, AND FOR OTHER
PURPOSES**

*Be it enacted by the Senate and House of Representative of the
Philippines in congress assembled:*

SECTION 1. Declaration of Policy

Section 31 of Article VIII, of Republic Act No. 10601 is hereby amended to read:

ARTICLE VIII

PROHIBITED ACTS, PENALTIES AND SANCTIONS

SECTION 31. Penalties. – Any person who shall violate any provision of this Act shall, upon conviction, be subject to a fine of not less than Ten thousand pesos (**₱10,000.00**) but not more than Twenty Five thousand pesos (**₱25,000.00**) or imprisonment of not less than **Four (4) months** but not more than **One (1) year**, or both, upon the discretion of the court and/or other applicable penalties imposed under Republic Act No. 7394, otherwise known as the “Consumer Act of the Philippines”. The purchase of noncertified or substandard agricultural and fishery machinery for the government shall be dealt with under Republic Act No. 3019, as amended, otherwise known as the “Anti-Graft and Corrupt Practices Act.”

SECTION 2. AMENDMENTS – Any amendments to the administrative sanctions and their penalties shall be proposed by and ratified by and the same shall take effect upon approval by the *National Agri-fishery Mechanization Program* of the Department of Agriculture.

The National Agri-fishery Mechanization Program shall be formulated by the Department of Agriculture (DA) with the following objectives:

- (a) Promote and support through the provision of research grants, credit, transparent and predictable regulation, the local development and manufacture of agricultural and fisheries machinery by the private sector;
- (b) Unify, lead and support the efforts of various institutions in the research, design and development of agricultural and fisheries machinery;

- (c) Establish quality, safety and performance standards for agricultural and fisheries machinery;
- (d) Support the establishment of quality, safety and performance testing centers for the certification of agricultural and fisheries machinery in strategic localities in the country;
- (e) Establish guidelines for the registration of ownership of agricultural and fisheries machinery; and
- (f) Promote the adoption of certified agricultural and fisheries machinery for improving agriculture and fishery productivity.

SECTION 3. PROGRAM IMPLEMENTATION. – The overall implementation of the National Agri-fishery Mechanization Program shall be coordinated by the DA through the Undersecretary duly designated by the Secretary who shall:

- (a) Conduct the formulation and review of the five-year National Agri-fishery Mechanization Program for the DA;
- (b) Provide leadership in the formulation of guidelines for the registration of ownership of agricultural and fisheries machinery;
- (c) Ensure the formulation of quality, safety and performance standards for agricultural and fisheries machinery;
- (d) Ensure the formulation of accreditation guidelines for testing centers for agricultural and fisheries machinery;
- (e) Formulate and enforce guidelines for the credit program to include, but not limited to, access, disbursement and repayment;

- (f) Oversee the implementation of the National Agri-fishery Mechanization Program by the various units of the Department; and
- (g) Coordinate with other government agencies and local government units (LGUs) in the implementation of measures provided for in this Act.

SECTION 4. SEPARABILITY CLAUSE - If any provision or section of this Act or the application thereof to any person or circumstances is held invalid, the other provisions or sections of this Act shall remain valid, and the application of such remaining provisions or sections to the other persons or circumstances, shall not be affected thereby.

SECTION 5. REPEALING CLAUSE - All provisions of Republic Act No.10000 and any other provisions inconsistent with the provision of this Act are hereby amended accordingly.

SECTION 6. EFFECTIVITY CLAUSE - This Act shall take effect fifteen (15) days from the date of its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved.