

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. **7198**



Introduced by HON. ALETA C. SUAREZ

EXPLANATORY NOTE

Our agricultural sector faces an emerging crisis—the aging population of farmers. From the National Economic Development Authority’s estimated average age of 40 years in 2017¹, the Department of Agriculture reported that the average age of farmers has increased to 57 years in 2019². As the population of farmers gets older, there is also a significant decrease in the agricultural workforce in the past years. A report from the National Economic Development Authority, cited in a news article in November 2019³, stated that the agricultural workforce in the country is at 9.07 million in 2017. This is 25 percent lower from the 12.25 million agricultural workers in 2010. These issues pose an alarming concern over the agricultural industry to which we rely on so much for our food, basic commodities, and economic growth.

Hence, this bill is filed to encourage and protect our young farmers who are eager to venture on the agricultural industry. This bill adapted the version of Senator

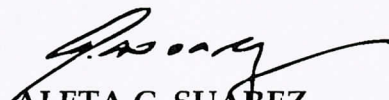
¹ National Economic Development Authority. October 2019. Out-Migration in Agriculture. R&D Policy Note. Vol. 1 No. 1

² Cudis, Christine. 13 November 2019. DA urges youth to take up farming. Philippine News Agency. Retrieved from <https://www.pna.gov.ph/articles/1085918#:~:text=%E2%80%9CThe%20average%20age%20of%20farmers,to%20be%20interested%20in%20agricultur>

³ Ocampo. Karl. 17 November 2019. Where have PH farmers gone? NEDA tracks 7-yr dip in agri labor. Retrieved from <https://newsinfo.inquirer.net/1190760/where-have-ph-farmers-gone-neda-tracks-7-yr-dip-in-agri-labor>

Ramon Revilla Jr., filed during the First Regular Session of this Congress. At present, the Department of Agriculture offers entrepreneurial programs and assistance for the youth on agriculture, while local government units continue to provide necessary support and trainings to farmers, both young and old. To complement these programs, the Magna Carta for Young Farmers bill aims to provide a policy framework for the developmental and support programs for our young farmers. This bill aims to engage government agencies to provide capacity-building programs, credit and capital assistance, and technological support, with the end goal of increasing the participation of the younger population in agricultural development and food security of the country.

In view of the foregoing, the approval of this bill is earnestly sought.



Aleta C. Suarez

ALETA C. SUAREZ

Representative

Third District, Quezon Province

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Introduced by HON. ALETA C. SUAREZ

AN ACT

PROVIDING FOR THE MAGNA CARTA OF YOUNG FARMERS

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

SECTION 1. *Short Title.* – This Act shall be known as the “Magna Carta for Young Farmers Act”.

SECTION 2. *Declaration of Policy.*– The following are hereby declared policies of the State:

- a. The State hereby declares “Young Farmers” as an individual whose primary source of income comes from agriculture, with an age range of 15 to 35 years old, is owner, worker, or tenant or lessee of the land in which they personally cultivate and till;
- b. The State recognizes young farmers as a separate basic sector with its own distinct rights and responsibilities;
- c. The State recognizes young farmers as supplemental income earners in the family farms playing a major role in augmenting their family’s proceeds. Doing

so entails working odd jobs to sustain the family's source of income, most especially in non-harvesting seasons;

- d. The State acknowledges the invaluable role of young farmers who are present in the value chain process starting from production, to processing, to value-adding up to marketing;
- e. The State recognizes the role of young farmers as eco-warriors and staunch advocates of environmental protection; and,
- f. The State recognizes the indispensable contribution of young farmers to the overall food security and national economy.

Towards this end, the State shall establish mechanisms for the promotion and protection of young farmers' rights that will ensure their empowerment, productivity, and competitiveness in the local and international trade.

SECTION 3. *Definition of Terms.* – As used in this Act, the following terms are defined as follows:

- a. "Agriculture" refers to farming in all of its branches and the cultivation and tillage of the soil, dairying, the production, cultivation, growing and harvesting of any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products upon forest lands, the raising of livestock including horses, the keeping of horses as a commercial enterprise, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes and any forestry or lumbering operations, performed by a farmer;
- b. "All around farm workers" refers to all types of work in the farm, performed by an individual or a group of people, which is oftentimes assigned to more laborious tasks such as harvesting, plowing, planting, application of fertilizers and farm supervision;
- c. "Discrimination" refers to any distinction, exclusion or restriction which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by young farmers, irrespective of their age, status of income, on a basis of equality, human rights and fundamental freedoms in the political, economic, social, cultural, civil, or any other field. It includes any act or omission, including by law, policy, administrative measure, or practice, that directly or indirectly

48 excludes or restricts young farmers in the recognition and promotion of their
49 rights and their access to and enjoyment of opportunities, benefits, or privileges.
50 A measure or practice of general application is discrimination against young
51 farmers if it fails to provide for mechanism to offset or address disadvantages or
52 limitations of young farmers, as a result of which they are denied or restricted in
53 the recognition and protection of their rights and in their access to and
54 enjoyment of opportunities, benefits, or privileges; *Provided*, That discrimination
55 compounded by or intersecting with other grounds, status, or condition, such as
56 ethnicity, age, poverty, or religion shall be considered discrimination against
57 young farmers under this Act;

- 58 d. "Eco-warriors" refers to the staunch advocates of environmental protection and
59 practitioners of sustainable farming;
- 60 e. "Food security" refers to the condition in which all people, at all times, have
61 physical, social, and economic access to sufficient safe and nutritious food that
62 meets their dietary needs and food preferences for an active and healthy life (as
63 defined by the United Nations Committee on World Food Security);
- 64 f. "Family Farming" is a means of organizing agricultural, forestry, fisheries,
65 pastoral and aquaculture production which is managed and operated by a family
66 and predominantly reliant on family labor, including both women and men;
- 67 g. "Lessee" refers to a person who, by themselves, or with the aid available from
68 within their immediate farm household, cultivates the land, belonging to or
69 lawfully possessed by another, with the latter's consent, for purposes of
70 agricultural production, for a price certain in money or in produce or both. The
71 term is distinguished from a civil lessee as understood in the Civil Code of the
72 Philippines;
- 73 h. "Organic" refers to the particular farming and processing system, described in
74 the standards and not in the classical chemical sense. The term "organic" is
75 synonymous in other languages to "biological" or "ecological". It is also a
76 labeling term that denoted products considered organic based on the Philippine
77 National Standards for organic agriculture;
- 78 i. "Organic Agriculture" refers to all agricultural systems that promote the
79 ecologically sound, socially acceptable, economically viable and technically
80 feasible production of food and fibers. Organic agriculture dramatically reduces
81 external inputs by refraining from the use of chemical fertilizers, pesticides and

pharmaceuticals. It also covers areas such as, but not limited to, soil fertility management, varietal breeding and selection under chemical and pesticide-free conditions, the use of biotechnology and other cultural practices that are consistent with the principles and policies of this Act, and enhance productivity without destroying the soil and harming farmers, consumers and the environment as defined by the International Federation of Organic Agricultural Movement (IFOAM): *Provided*, That the biotechnology herein referred to shall not include genetically modified organisms of GMO;

- j. "Sustainability" refers to meeting the needs of the present without compromising the ability of future generations to meet their own needs as defined by the United Nations World Commission on Environment and Development;
- k. "Tenant" refers to a person who, themselves, or with the aid available from within their immediate farm household, cultivates the land belonging to, or possessed by another, with the latter's consent for purposes of production, sharing the produce with the landholder under the share tenancy system, or paying the landholder a price certain or ascertainable in produce or in money or both, under the leasehold tenancy system;
- l. "Young Farmers" refers to an individual whose primary source of income comes from agriculture, with an age range of 15 to 35 years old, is owner, tenant, lessee or worker of the land in which they personally cultivate and till.

SECTION 4. *State as Primary Duty Bearer.* – The State as the primary duty bearer:

- a. Recognize and promote the rights of young farmers defined and guaranteed under this Act;
- b. Lead against the discrimination and coercion or violence, be in physical, verbal, sexual, emotional, psychological, spiritual or cultural in nature of young farmers;
- c. Endorse farm products produced by young farmers for economic development nationwide;
- d. Promote and fulfill the rights of young farmers in all aspects including but not limited to their rights to food security, education and training, and access to land.

The State shall take measures and establish mechanisms to promote the coherent and integrated implementation and enforcement of this Act and related laws, policies, or

other measures to effectively recognize young farmers as a distinct basic sector, stop discrimination against young farmers and farming in general, and advance their rights and responsibilities.

SECTION 5. *Duties of State Agencies and Instrumentalities.* – The above-mentioned duties of the State shall extend to all agencies, offices, and instrumentalities at all levels and government-owned and controlled corporations, subject to the Constitution and pertinent laws, policies, or administrative guidelines that define specific duties of state agencies and entities concerned.

SECTION 6. *Duties of Private Sector.* – It is the duty of the private sector to support young farmers' agenda through social partnerships between people's organizations and industries. Private sectors are encouraged to assist in land reform mechanisms and rural development initiatives which include livelihood strategies, sensitive to the plight of young farmers, as part of their corporate social responsibility duties.

SECTION 7. *Non-diminution of the Rights of the Young Farmers.* – All other young farmers' rights and programs provided under existing laws shall remain in full force and effect: *Provided,* That it follows the definition of a young farmer as stated in this Act.

SECTION 8. *Education and Training.* – The State shall ensure equal access to quality education and training of young farmers and encourage partnership and linkage with state universities and colleges (SUCs) on information and technology transfer to young farmer individuals and organizations.

- a. Scholarship - Any graduate of Technical and Livelihood Education with specialization on Agriculture and Fisheries under the K to 12 curriculum shall be entitled to scholarship grant incentives to any agricultural and fisheries related courses in any SUC of choice upon compliance with the following conditions:
 1. Completion of the application requirements of the SUC; and,
 2. Meet the minimum rating qualification in the admission level of chosen SUC.
- b. Agricultural Training Service Extension - Agricultural SUCs shall serve as an extension service provider for practical application, learning seminars, hands-on

training and knowledge on technological advancements of young farmers' organizations and individuals through the proper facilitation of the Department of Agriculture (DA).

SECTION 9. *Access to Technology, Credit, and Capital.* – The State shall ensure that young farmers are provided the following:

- a. Equal access to farm technologies and mechanization;
- b. Ensure innovation, development and proliferation of young farmer-friendly technologies and mechanization agricultural production and processing;
- c. Equal access to formal sources of credit and capital including forms of clean loans and Mortgage, Redemption, and Insurance (MRI); and,
- d. Equitable share to the produce of farms and aquatic resources.

SECTION 10. *Access to Information.* – Young farmers' access to information regarding policies, programs, projects, subsidies, and funding outlays that affect them, shall be ensured.

SECTION 11. *Right to Resources for Food Production.* – The State shall guarantee young farmers' vital role in the food production and food security by prioritizing their rights to land, technical training and assistance, access to seeds and farm inputs, and assistance for product and market linkage and development.

- a. Land Transfer Tax Exemptions - Transactions including, but not limited to, purchase, inheritance and donation of land, which is one (1) hectare and below, to young farmers, as defined under this Act, are hereby exempt from all taxes of whatever kind: *Provided, however,* That the beneficiary guarantees that the land will be kept and maintained by him or her for at least five (5) years.
- b. Land and Farm Planning Management - The Department of Agriculture (DA) shall provide full assistance to young farmers, from the national scale down to community levels as regard to farm planning and management to ensure maximum utilization, production, profitability, and sustainability of their farms. The department shall utilize the existence of Farmer Field Schools and Agricultural Extension Training Centers as learning sites to ensure full-scale assistance to young farmers.

- 175 c. National Young Farmers Roadmap - The DA, including its attached agencies and
176 corporations, in coordination with the Department of Agrarian Reform (DAR),
177 Department of Environment and Natural Resources (DENR), Department of
178 Trade and Industry (DTI), Department of Science and Technology (DOST),
179 Department of Education (DepEd), National Commission on Indigenous Peoples
180 (NCIP), National Youth Commission (NYC), Philippine Coconut Authority
181 (PCA), Commission on Higher Education (CHED), National Anti-Poverty
182 Commission (NAPC), and all agricultural-related agencies attached under the
183 Office of the President (OP) shall formulate and implement a National Young
184 Farmers Plan within one hundred and twenty days (120) days from the
185 effectivity of this Act. The roadmap shall serve as the convergence program of
186 the government line-agencies to ensure the maximum role of young farmers in
187 food society. It shall also present measures that will allocate safe, culturally
188 acceptable, nutritionally adequate diet through a sustainable food system that
189 maximizes self-reliance and social justice. The plan should include the following:
- 190 1. A color-coded map on the national status of the country's food security;
 - 191 2. Baseline data research on young farmers through a Young Farmers
192 Registry System which includes young farmers' socio-economic status;
 - 193 3. Community-based Food Security that shall identify viable food security
194 systems particular to the roles of young farmers along the food value-
195 supply chain; and
 - 196 4. Index of programs of identified government agencies as to the
197 development of young farmers.
- 198 d. Young Farmer Community Seed Banks - DA shall facilitate the selection,
199 establishment and management of strategic community-based seed banks to
200 ensure sustainable food and agricultural resources for young farmers.

201 **SECTION 12. *Environmental Protection.*** – DA, in partnership with DENR and
202 DOST shall establish model farms that feature sustainable farming practices such as
203 integrated and diverse organic farming systems, organic urban farming systems, and
204 the like, to serve as knowledge transfer and training institutions to young farmers and
205 agricultural workers and provide an avenue for the active participation of young
206 farmers in environmental protection and practice of sustainable farming.

207 **SECTION 13. *Recognition and Preservation of Cultural Identity and Indigenous***
208 ***Farming Traditions.*** – The State shall respect, preserve, and maintain knowledge,
209 innovations, and practices of indigenous and local communities of young farmers
210 embodying traditional lifestyles relevant for the conservation and sustainable use of
211 biological diversity.

212 **SECTION 14. *Creation of the National Young Farmers Council.*** – There is hereby
213 created the National Young Farmers and Fisherfolks Council which shall be attached to
214 the National Agricultural and Fishery Council of DA.

215 The Council shall have the following powers and functions:

- 216 a. Act as an advisory, recommendatory, and consultative body to ensure the
217 success of the department's programs and activities pertinent to Young Farmers;
218 b. Perform oversight functions as regards to young farmers' programs and projects
219 of the Department including its attached agencies and corporations.

220 **SECTION 15. *Representation and Participation.*** – The State shall ensure young
221 farmers' representation in the decision-making and policy-making processes initiated
222 by government and private entities including but not limited to the National and Local
223 Agrarian Reform Councils, National Organic Agricultural Board, National Youth
224 Commission, and the National Anti-Poverty Commission to fully realize their roles as
225 agents and partners for development.

226 **SECTION 16. *Strengthen Young Farmers Organizations.*** – DA, together with
227 DAR, DTI, DOST, NYC, DepEd, CHED, and the Cooperative Development Authority
228 shall create a training module on organizational management and development specific
229 to the sensitivity and needs of young farmers organizations within one hundred twenty
230 (120) days upon the effectivity of this Act to assist and provide young farmer
231 organizations capacity-building, organizational management, and development
232 schemes.

233 **SECTION 17. *Legal Protection on Negotiations and Trade Partnership***
234 ***Agreements.*** – The State shall ensure provision of safeguard clauses for vulnerable,
235 sensitive, and volatile sectors to preserve the family farming model of the Philippines.

236 **SECTION 18. *Farm Insurance.*** – Young Farmers shall automatically become
237 members of the Philippine Crop Insurance Corporation (PCIC) as protection from losses
238 of non-crop agricultural assets from force majeure.

239 **SECTION 19. *Implementing Rules and Regulations.*** –Within ninety (90) days from
240 the effectivity this Act, the DA, in coordination with the Philippine Council for
241 Agriculture and Fisheries (PCAF), Bureau of Fisheries and Aquatic Resources (BFAR),
242 DAR, DENR, DTI, DOST, DepEd, CHED, NYC, and NAPC shall issue the necessary
243 rules and regulations for the implementation of this Act.

244 **SECTION 20. *Appropriation of Funds.*** – The amount necessary for the
245 implementation of this Act shall be charged from the budget allocation of the DA
246 including its attached agencies and corporations, DAR, DENR, DTI, DOST, DepEd,
247 CHED, and NAPC. Such amounts necessary for the continued implementation of this
248 Act shall be included in the annual General Appropriations Act.

249 **SECTION 21. *Separability Clause.*** – If any of the sections or provisions of this Act
250 is held invalid, all other provisions not affected thereby shall remain valid.

251 **SECTION 22. *Repealing Clause.*** – Any law, decree, order, resolution, instruction,
252 and rules and regulations or parts thereof which are inconsistent with this Act are
253 hereby deemed repealed or modified, or amended accordingly.

254 **SECTION 23. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
255 publication in the *Official Gazette* or in a newspaper of general circulation.

256 Approved,