

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 1951



Introduced by

HON. YEDDA MARIE K. ROMUALDEZ
and
HON. JUDE A. ACIDRE

AN ACT
PROVIDING FOR THE MAGNA CARTA OF YOUNG FARMERS

EXPLANATORY NOTE

This bill fulfills the constitutional mandate for Congress to prioritize the enactment of measures that protect and enhance the right of all people, including young farmers, to human dignity and reduce social, economic, and political inequalities.

The State recognizes the plight of young farmers who help in supporting their family's daily needs. Farmers aged 15-35 years old, in some cases, are forced to give up schooling and take on odd-jobs amid an economically challenging situation to provide additional income for their families. Notwithstanding the daily challenges that the young farmers face, the State recognizes the need to acknowledge the crucial role that they play in improving food security, national economy, and environmental protection through enacting laws in support of their needs.

This bill aims to comprehensively alleviate the plight of young farmers by improving accessibility to existing economic and social assistance programs

of the government and creating a specialized advisory body that is competent to provide policy recommendations for the benefit of the sector. Through this bill, young farmers can have improved access to education through scholarships and extension programs; access to farm technologies, credit, and capital and tax exceptions.

In ensuring the sustained protection of the economic conditions of the young farmer, access to farm insurance and legal assistance in negotiations is likewise provided.

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



Rep. YEDDA MARIE K. ROMUALDEZ
Representative, Tingog Sinirangan



Rep. JUDE A. ACIDRE
Representative, Tingog Sinirangan

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

Section 1. *Title*. – This Act shall be known as the “*Magna Carta of Young Farmers*”.

Section 2. *Declaration of Policy*. - The following are hereby declared to be the 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 15-35 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 worker*" 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 the 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 excludes or restricts young farmers in the recognition and promotion of their rights and their access to and enjoyment of opportunities, benefits, or privileges. A measure or practice of general application is discrimination against young farmers if it fails to provide for mechanisms to offset or address disadvantages or limitations of young farmers, as a result of which they are denied or restricted in the recognition and protection of their rights and in their access to and enjoyment of opportunities, benefits, or privileges: Provided, That discrimination compounded by or intersecting with other grounds, status, or condition, such as ethnicity, age, poverty, or religion shall be considered discrimination against young farmers under this Act;

- (d) "*Eco-warriors*" refers to the staunch advocates of environmental protection and practitioners of sustainable farming;
- (e) "*Food Security*" refers to the condition in which all people, at all times, have physical, social, and economic access to sufficient safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life (as defined by the United Nations Committee on World Food Security);
- (f) "*Family Farming*" is a means of organizing agricultural, forestry, fisheries, pastoral, and aquaculture production which is managed and operated by a family and predominantly reliant on family labour, including both women and men;
- (g) "*Lessee*" refers to a person who, by themselves, or with the aid available from within their immediate farm household, cultivates the land, belonging to or lawfully possessed by another, with the latter's consent, for purposes of agricultural production, for a price certain in money, in produce or both. The term is distinguished from a civil lessee as understood in the Civil Code of the Philippines;
- (h) "*Organic*" refers to the particular farming and processing system, described in the standards and not in the classical chemical sense. The term "organic" is synonymous in other languages to "biological" or "ecological". It is also a

labelling term that denotes products considered organic based on the Philippine National Standards for organic agriculture;

- (i) “*Organic Agriculture*” refers to all agricultural systems that promote the ecologically sound, socially acceptable, economically viable and technically feasible production of food and fibers. Organic agriculture dramatically reduces 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 or GMOs;
- (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 15-35 years old, is the 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 shall:

- (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 abovementioned 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, 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 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 curriculums shall be entitled to scholarship grant incentives to any agricultural and fisheries related courses in any SUC of choice upon compliance of the following conditions:

1. Completion of the application requirements of the SUC; and
2. Meet the minimum rating qualification in the admission level of the 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 regarding farm planning and management to ensure maximum utilization, production, profitability, and sustainability of their farms. The department shall utilize existence of Farmer Field Schools and Agricultural Extension Training Centers as learning sites to ensure full-scale assistance to young farmers.
- c) **National Young Farmers Roadmap.** - The DA, including its attached agencies and corporations, in coordination with the Department of Agrarian Reform (DAR), Department of Environment and Natural Resources (DENR), Department of Trade and Industry (DTI), Department of Science and Technology (DOST), Department of Education (DepEd), National Commission on Indigenous Peoples (NCIP), National Youth Commission

(NYC), Philippine Coconut Authority (PCA), Commission on Higher Education (CHED), National Anti-Poverty Commission (NAPC) and all agricultural-related agencies attached under the Office of the President (OP) shall formulate and implement a National Young Farmers Plan within one hundred and twenty (120) days from the effectivity of this Act. The roadmap shall serve as the convergence program of government line-agencies to ensure the maximum role of young farmers in food security. It shall also present measures that will allocate safe, culturally acceptable, nutritionally adequate diet through a sustainable food system that maximizes self-reliance and social justice. The plan shall include the following:

- (1) A color-coded map on the national status of the country's food security;
 - (2) Baseline data research on young farmers through a Young Farmers Registry System which includes young farmers' socio-economic status;
 - (3) Community-based Food Security Plan that shall identify viable food security systems particular to the roles of young farmers along the food value-supply chain; and
 - (4) Index of programs of identified government agencies as to the development of young farmers.
- d) Young Farmer Community Seed Banks. – The DA shall facilitate the selection, establishment, and management of strategic community-based seed banks to ensure sustainable food and agricultural resource for young farmers.

Section 12. *Environmental Protection.* — The DA, in partnership with DENR and DOST shall establish model farms that feature sustainable farming practices such as integrated and diverse organic farming systems, organic urban farming systems, and the like, to serve as knowledge transfer and training institutions to young farmers

and agricultural workers and provide an avenue for the active participation of young farmers in environmental protection and practice of sustainable farming.

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

Section 14. *Creation of the National Young Farmers Council.* - There is hereby created the National Young Farmers and Fisherfolks Council which shall be attached to the National Agricultural and Fishery Council of DA.

The Council shall have the following powers and functions:

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

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

Section 16. *Strengthen Young Farmer Organizations.* – The DA, together with DAR, DTI, DOST, NYC, DepEd, CHED and CDA shall create a training module on organizational management and development specific to the sensitivity and needs of young farmer organizations within one hundred twenty (120) days upon the

effectivity of this Act, to assist and provide young farmer organizations capacity-building, organizational management, and development schemes.

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

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

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

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

Section 21. *Separability Clause.* - If any provision or part hereof is held invalid or unconstitutional, the remainder of the law or the provision or part not otherwise affected shall remain valid and subsisting.

Section 22. *Repealing Clause.* - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

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

Approved,