

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 1089



Introduced by Hon. Faustino Michael Carlos T. Dy III

EXPLANATORY NOTE

It is perhaps ironic that the person who suffers the heat of the sun and toils under less than pleasant weather conditions to produce food for the nation is the one who suffers the greatest when, through no fault of his own, trading in and other economic activities concerning agricultural produce result in adverse consequences for him.

The farmer's sacrifice has no equal, his offering is no mean feat, he himself has no peer when we think about his contribution to the nation's well-being. It is through the sweat of his brow that we are able to quell the pangs of hunger and nourish our children.

Why then does he have to bear the risks of uncertainty, whether he will make any gain or profit for his efforts, or accept loss and endure hunger?

The regular employee/laborer clocks in and out and earns his pay; executives earn extra for attending board meetings; traders make deals that gain for him profits that run up to obscene figures. They do not have to endure the sweltering heat to accomplish these. It is rare that shrewd businessmen make losing deals knowingly. The farmer strikes his plough season after season, knowing the possibility that he may not have anything to show for it after all.

Such is the injustice that this bill seeks to end. It is high time that we change the mindset concerning our farmers that have for centuries played a crucial role in defining their future. To date, few have seen their lives markedly improve. On the contrary, tales are rife of those whose plight have worsened after losing their land to loan sharks, often large landowners in the area.

In labor, the law is deemed written into employment contracts, hence any stipulation or agreement that contravenes the law is automatically deemed illegal, regardless of the presence of consent on the part of the worker, who might be illiterate in matters of law. Such enviable protection should likewise be given to farmers.

This is only just because we as a nation have miserably failed to translate the debt we owe our farmers into tangible, positive results.

Farmers should cease being seen as risk-taking. Aware of the noble role they play in society, the government should take the initiative of creating a paradigm shift that will enable the farmers to reap the rewards apt for their efforts. Farmers should

stop fending for themselves. It is time the government takes up the cudgels and takes a hit for them.

Leaving our farmers' future in the hands of private entities who can easily manipulate conditions and coax farmers into unfavorable terms of sale is a practice that should be moved to the dustbin of history. The government's intervention is necessary, and it is felt even more keenly now.

Just like we have allocated funds for the Pantawid ng Pamilyang Pilipino Program to alleviate the plight of our poorest families, it is incumbent upon us to allocate funds for the farmer, who has himself steadily slid down the economic ladder, to help him through hard times, and thus make all the other government programs – agrarian reform, irrigation, etc. – take on meaning.

Through this measure, it is hoped that concrete, measurable changes in our farmers' lives may become apparent and felt. And with prayers that it is not yet too late for most of those for whom this measure is meant.

In view of this representation's burning desire to correct the neglect of this sector and restore their dignity, immediate approval of this bill is earnestly sought.



FAUSTINO MICHAEL CARLOS T. DY III
5th District, Isabela

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House Bill No. 1039

INTRODUCED BY REP. FAUSTINO MICHAEL CARLOS T. DY III

AN ACT ESTABLISHING A FARMER-GOVERNMENT PARTNERSHIP, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. Title. – This Act shall be known as “Farmers-Government Partnership Act.”

SECTION 2. Declaration of Policy. – Article II, Sec. 9 of the 1987 Constitution states, “The State shall promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all.” In support of this policy, the State further shall ensure the welfare and social mobility of small farmers and workers in the agriculture sector.

SECTION 3. The following government agencies are hereby tasked with the following duties and responsibilities:

- a. The Department of Agriculture (DA) shall formulate plans and programs to carry out a “Farmer-Government Partnership.” This shall consist in the government assuming the role of capitalist, and farmers who own seven (7) hectares or less its partner-contract growers. It shall advance the payment for the cost of the seeds and other inputs, and insurance. The government shall only aim to recoup its investments. Should the revenue from the current harvest be unable to fully reimburse the government for the costs, the same shall be paid from the succeeding harvests, and so on. Failure to fully reimburse the government shall not disqualify the farmer-partner from this program. Should total recovery not be realized after termination of the partnership, this shall only be written off, or recognized in the same manner as private companies recognize “bad debts” in their books; or archived and then revived should the farmer resume relations with the government under Section 5 of this act.
- b. The Philippine Crop Insurance Corporation shall insure all crops under this program.
- c. The Philippine Rice Research Institute shall lend their expertise to the program to ensure successful/productive yield.
- d. The National Food Authority shall purchase the produce directly from the farmers. The Department of Social Welfare and Development, National Disaster Risk Reduction Management Council, Bureau of Jail Management and

Penology, Bureau of Corrections, Department of Education and other government agencies with rice and/or corn requirements shall purchase their requirements from the NFA.

- e. The government shall also be in charge of post-harvest processing of produce. It shall cause, under the guidance of the Philippine Center for Postharvest Development and Mechanization (PhilMech), the construction of large post-harvest facilities adequate to meet the demand in the covered areas immediately after effectivity of this Act. This program shall nevertheless commence pending construction of such facilities. Farmers shall in the meantime have the option of utilizing available commercial facilities.
- f. Landbank shall administer the funds necessary to carry out this program.
- g. The DA and other agencies involved shall cause the survey of all information necessary to properly implement this act.
- h. Other, attached agencies shall perform their mandated tasks, in manner agreed with the DA.

SECTION 4. During the participating farmer's enrollment under this program, his land may not be mortgaged. However, should his land already be encumbered prior to enrollment, he may still participate in the program.

SECTION 5. If, after five (5) years, the contract-growing partnership has not resulted in a single positive yield, the partnership between the government and the concerned farmer shall be terminated. Should conditions change and the farmer wishes once again to partner with the government he shall be eligible after two (2) years. Outstanding debts owed the government, previously considered as "bad debts," shall be collected after succeeding harvest/s. Landbank shall restructure the debt payment so that the collection thereof shall not be too onerous.

SECTION 6. The Department of Agriculture shall submit to the House of Representatives Committee on Agriculture and Food its annual report on the progress and accomplishments under this program.

SECTION 7. Implementing Rules and Regulations. – The Department of Agriculture, as lead, shall formulate the necessary programs, rules and regulations with the collaboration of the Departments of Agrarian Reform, PCIC, PRRI, Landbank of the Philippines, and their attached offices to implement this Act within ninety (90) days after its effectivity.

SECTION 8. Appropriation. – On its first year, an initial funding of five hundred million pesos (PhP500,000,000) shall be sourced from the Rice Competitiveness Enhancement Fund under Republic Act No. 11203. Subsequent funding requirements shall be determined by the Department of Agriculture, and appropriations accordingly included in the following year's General Appropriations Bill.

SECTION 9. Penal Provision. – Any person who violates any provision of this Act shall be punished with imprisonment of six (6) months and/or a fine not exceeding PhP 50,000.00.

Any government employee or official who violates any provision of this Act shall be punished with imprisonment of one (1) year and/or a fine not exceeding PhP 50,000.00.

Any person who causes: a delay in any step of the processes involved, or the inefficient delivery of services, or commits any act that results in or contributes to poor harvest shall be punished with imprisonment of two (2) years and/or a fine not exceeding PhP 100,000.

SECTION 10. Repealing Clause. – All acts, decrees, letters of instruction, issuances, orders, or parts thereof inconsistent with any provision of this Act are hereby deemed repealed or modified accordingly.

SECTION 11. Separability Clause. – If any part of this Act is declared unconstitutional, the rest of the provisions shall remain in force and effect.

SECTION 12. Effectivity. – This Act shall take effect 15 days after its publication in two newspapers of general circulation or in the Official Gazette.

APPROVED.