

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. **1708**



Introduced by **Rep. ANGELO MARCOS BARBA**
2nd District, Ilocos Norte

EXPLANATORY NOTE

The act of smuggling agricultural products is said to be an unending torture¹ for Filipinos. It rampantly persists which highly subverts the productivity and effort of Filipino farmers, causes reduction in government revenues in the form of unpaid dues and taxes,² and further cripples consumers. As a result, Filipinos, from farmers to households, have resorted to make substantial adjustments due to irrational alterations brought by agricultural smuggling. To counter this, Republic Act No. 10845 (R.A. No. 10845), also known as the Anti-Agricultural Smuggling Act of 2016, was promulgated.

However, a few years after the law was enacted, agricultural smuggling remains apparent to the detriment of Filipinos. Early this year, the Department of Agriculture (DA), together with partner agencies, has seized ₱202.5 million worth of smuggled agri-fishery products.³ Additionally, smuggled agricultural products continue to enter the country unabated. Moreover, smugglers, hoarders, and cartels continue their illegal operations because there are no clear intentions in taking legal action against these acts and ultimately trying these cases of economic sabotage.

In view of the foregoing, it is deemed necessary that there shall be a measure enacting the creation of Anti-Agricultural Smuggling Courts.

The Anti-Agricultural Smuggling Courts are special courts designated to prosecute cases involving smuggling, hoarding,

¹ Dela Peña, K. (2021, October 5). *Agricultural smuggling: An unending torture for PH farmers*. Inquirer. Retrieved March 13, 2023, from <https://newsinfo.inquirer.net/1497381/agriculture-smuggling-an-unending-torture-for-ph-farmers>

² Senate of the Philippines (2023, January 6). *Gatchalian: Go after big-time smugglers of agricultural products*. [Press release]. Retrieved March 13, 2023, from https://legacy.senate.gov.ph/press_release/2023/0106_gatchalian1.asp

³ Galvez, D. (2023, February 14). *P205.5M worth of smuggled agri-fishery products seized in Manila port in January*. Inquirer. Retrieved March 15, 2023, from <https://newsinfo.inquirer.net/1729509/p202-5m-worth-of-smuggled-agri-fishery-products-seized-in-manila-port-in-january>

profiteering, and cartel and likewise guarantee that individuals, organizations, and entities engaged in such illegal actions are held accountable. To the extent possible, such Courts shall be tasked to ensure the imposition of penalties and legal sanctions for those who are liable under our laws on economic sabotage and agricultural smuggling.

Towards this end, the creation of Anti-Agricultural Smuggling Courts is an intensified effort in curbing the entry of illegal products, such as smuggled agricultural commodities, in the country.

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



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AN ACT
ESTABLISHING ANTI-AGRICULTURAL SMUGGLING COURTS,
GRANTING THEM EXCLUSIVE ORIGINAL JURISDICTION OVER
CASES INVOLVING AGRICULTURAL PRODUCTS,
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. Short Title. – This Act shall be known as the “*Anti-Agricultural Smuggling Courts Act of 2025*.”

SECTION 2. Declaration of Policy. – It is the policy of the State to protect farmers, consumers, and the general public from illicit trade of agricultural products. It is likewise the policy of the State to ensure the efforts of farmers and agricultural industry to succeed and thrive, and to guarantee the health and safety of the consumers.

To uphold this duty, the State shall prosecute economic saboteurs, illicit traders, illegal importers, and smugglers through a court that will provide fair, impartial, and speedy disposition of economic sabotage cases.

SECTION 3. Establishment of Anti-Agricultural Smuggling Courts.– There is hereby created an Anti-Agricultural Smuggling Court that will try cases pertaining to smuggling, hoarding, profiteering, and cartel of agricultural products, which shall be of the same level as the Sandiganbayan and the Court of Appeals, possessing all the inherent powers of a Court of Justice, and shall consist of four (4) Divisions composed of three (3) Justices each for the National Capital Region (NCR), Bulacan, Cebu, and Davao.

SECTION 4. Jurisdiction. – The Anti-Agricultural Smuggling Court shall have exclusive original jurisdiction on cases involving:

- (a) All violations of Republic Act No. 10845 (R.A. No. 10845), otherwise known as the Anti-Agricultural Smuggling Act of 2016, including those made by a Public Officer, whether he be the principal accused, an accomplice, or merely an accessory;

- (b) Over search and seizure of any object or person to be done by appropriate law enforcement agencies with respect to smuggling, hoarding, profiteering, and cartel of agricultural products; and
- (c) All cases involving smuggling, hoarding, profiteering, and cartel of agricultural products.

SECTION 5. *Qualification and Compensation of Justices.* –

- (1) The Justices of the Anti-Agricultural Smuggling Court shall possess the same qualifications, rank, category, salary, emoluments and other privileges, be subject to the same inhibitions and disqualifications, and enjoy the same retirement benefits as those provided for under existing laws for Associate Justices of Sandiganbayan and Court of Appeals.
- (2) The Justices shall be appointed by the President from a list prepared and nominated by the Judicial and Bar Council (JBC).

SECTION 6. *Tenure.* – The Anti-Agricultural Smuggling Court Justices shall be appointed to serve in good behavior until the age of seventy (70) years, or become incapacitated to discharge the duties of their office, unless sooner removed for the same causes and in the same manner provided by law for Associate Justices of Sandiganbayan and Court of Appeals.

SECTION 7. *Appeals.* – Decision and orders of the Anti-Agricultural Smuggling Court shall be appealed to the Supreme Court.

SECTION 8. *Special Procedure.* – The Anti-Agricultural Smuggling Courts that will try cases pertaining to smuggling, hoarding, profiteering, and cartel of agricultural products, shall be governed by such special rules of procedure as the Supreme Court may promulgate.

SECTION 9. *Administrative Personnel.* – Upon the recommendation of the Anti-Agricultural Smuggling Court, the Supreme Court may designate, from among the officers and employees under it, or appoint the personnel necessary for the administration of the Anti-Agricultural Smuggling Court; *Provided, however,* That those merely designated shall not receive additional compensation, except *per diems*, traveling, and necessary expenses in accordance with existing laws and rules.

The Supreme Court shall appoint one (1) Clerk of Court for each Anti-Agricultural Smuggling Court. The Clerks of Court so appointed shall have the same qualifications, rank, category, salary, emoluments, and other privileges, be subject to the same inhibitions and disqualifications, and enjoy the same retirement benefits, as those provided for under existing laws for Clerks of Court of the Sandiganbayan or Court of Appeals.

SECTION 10. *Appropriations.* – The amount necessary to carry out the provisions of this Act shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

SECTION 11. *Implementing Rules and Regulations.* – The Supreme Court shall formulate the necessary rules and regulations for the effective implementation of this Act.

SECTION 12. *Transitory Provisions.* – All cases involving violations of R.A. No. 10845 pending the establishment of the Anti-Agricultural Smuggling Courts shall stay at the court where it is tried.

SECTION 13. *Separability Clause.* – In case any provision of this Act is declared unconstitutional, the other provisions shall remain in effect.

SECTION 14. *Repealing Clause.* – All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) newspapers of general circulation.

Approved,