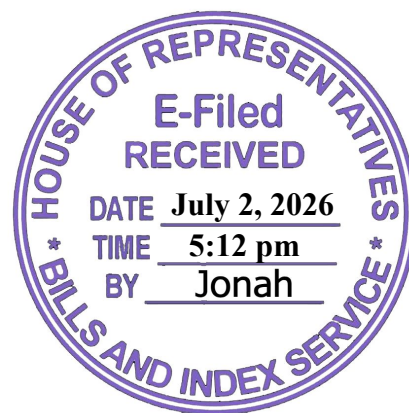


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 10007



Introduced by: **REP. TOBIAS “TOBY” M. TIANGCO**

EXPLANATORY NOTE

This bill seeks to ensure that farmers, fisherfolk, cooperatives, and agricultural enterprises are not only provided with agricultural and fisheries machinery, but are also given access to the necessary repair manuals, service information, diagnostic tools, and basic technical guidance needed to properly operate, maintain, and repair such equipment. At present, the lack of accessible manuals and repair information often forces farmers to hire the services of mechanics even for basic troubleshooting or minor repairs, resulting in additional costs and delays in farm operations. With the availability of proper manuals, repair guides, and technical orientation, farmers and fisherfolk will be better equipped to maintain their machinery, reduce unnecessary expenses, and prevent avoidable downtime. In this regard, the role of the Department of Agriculture should not be limited to the distribution of machinery and equipment, but must also include education, training, and capacity-building to ensure that beneficiaries can fully and effectively use the machinery provided to them.

Farmers, fisherfolk, cooperatives, and agricultural enterprises rely on tractors, harvesters, irrigation equipment, dryers, cold storage units, sensors, and other machinery to sustain production, reduce losses, and support food security.

According to the *Philippine Institute for Development Studies and International Rice Research Institute (PIDS-IRRI)*, agricultural mechanization must be evaluated not only in terms of production, but also in relation to employment, income distribution, and the public and private support needed for an effective mechanization strategy. The study likewise recognized that mechanization policy should be responsive to the needs of rural communities and small farmers.

A study by *Elepaño et al.* shows that the level of agricultural mechanization in the Philippines remains relatively low, with many farm operations still performed manually. They also emphasized that small and medium-scale farmers may benefit from machinery pooling, custom hiring services, and cooperative arrangements that allow them to use farm machines without individually owning costly equipment.

According to a study by *Severino*, cooperatives can help promote mechanization among smallholding farms through information dissemination, education, training, and shared machinery services. However, the study also identified financial barriers, preference for manual labor, lack of appropriate technology, and weaknesses in cooperative operations as continuing challenges to mechanization adoption.

While Republic Act No. 10601, or the *Agricultural and Fisheries Mechanization Law*, already promotes mechanization through standards, testing, registration, after-sales service, warranty requirements, repair service centers, and related support programs, access to machinery alone is not

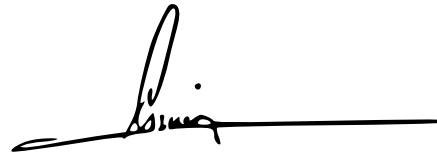
sufficient. Farmers and fisherfolk must also be able to keep such machinery operational. When basic repairs are delayed because manuals, diagnostic tools, spare parts, firmware support, or service information are unavailable, agricultural users face higher costs, avoidable downtime, and possible crop or post-harvest losses.

This bill complements Republic Act No. 10601 by addressing a specific post-acquisition concern: the right of equipment owners and independent repair providers to lawfully diagnose, maintain, and repair agricultural and fisheries machinery. It requires fair and reasonable access to repair manuals, diagnostic tools, wiring diagrams, calibration procedures, error codes, service bulletins, firmware tools necessary for lawful repair, and spare parts.

At the same time, the bill protects safety, intellectual property, data privacy, equipment integrity, and lawful restrictions against tampering with emissions, security, or safety systems.

By improving access to repair information, tools, and spare parts, this measure seeks to reduce repair costs, extend the useful life of agricultural and fisheries machinery, minimize production losses, and strengthen rural repair enterprises that support farmers, fisherfolk, cooperatives, and agricultural communities.

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

A handwritten signature in black ink, appearing to read 'Toby', followed by a long horizontal line.

TOBIAS “TOBY” M. TIANGCO

Representative
Lone District, Navotas City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 10007

Introduced by: **REP. TOBIAS “TOBY” M. TIANGCO**

**AN ACT PROMOTING THE RIGHT OF FARMERS, FISHERFOLK, COOPERATIVES,
AND INDEPENDENT REPAIR PROVIDERS TO REPAIR FARM MACHINERY AND
AGRICULTURAL EQUIPMENT, REQUIRING ACCESS TO REPAIR INFORMATION,
TOOLS, AND SPARE PARTS, 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 "Farm Machinery Right-to-Repair and Spare Parts Access Act".

SEC. 2. *Declaration of State Policy*— It is the policy of the State to promote food security, rural productivity, fair competition, consumer welfare, and sustainable use of agricultural equipment by ensuring reasonable access to repair information and parts.

SEC. 3. *Definition of Terms.* - For purposes of this Act:

- a. *Agricultural equipment* refers to machinery, implements, tools, embedded software, sensors, and devices used in farming, fisheries, livestock, post-harvest handling, irrigation, and related agricultural operations.
- b. *Repair provider* refers to any owner, cooperative, technician, service center, microenterprise, or other person engaged by an owner to diagnose, maintain, or repair agricultural equipment.
- c. *Manufacturer* includes any producer, importer, distributor, authorized dealer, or brand owner placing covered equipment in the Philippine market.
- d. *Critical agricultural or fisheries period* refers to any period involving planting, harvesting, irrigation, livestock care, fisheries operations, post-harvest handling, drying, milling, cold storage, transport, or other time-sensitive agricultural or fisheries activity where delay in repair may result in loss of income, spoilage, production delay, or damage to crops, livestock, fishery products, or equipment.
- e. *Repair information* refers to manuals, wiring diagrams, diagnostic codes, service bulletins, calibration procedures, parts catalogues, software information, and other information reasonably necessary to diagnose, maintain, or repair covered agricultural equipment.

- f. *Repair tools* refers to physical tools, diagnostic devices, software tools, firmware access, calibration equipment, or other instruments reasonably necessary to perform lawful diagnosis, maintenance, or repair.

SEC. 4. *Right to Practical and Timely Repair Access.* — Farmers, fisherfolk, cooperatives, agricultural enterprises, and independent repair providers shall have the right to obtain the information, tools, software support, and spare parts reasonably necessary to diagnose, maintain, and repair covered agricultural and fisheries equipment.

Manufacturers, importers, distributors, authorized dealers, and brand owners shall make available, under fair, reasonable, and non-discriminatory terms, repair manuals, wiring diagrams, diagnostic tools, calibration procedures, error codes, service bulletins, firmware tools necessary for lawful repair, and genuine or compatible spare parts.

Access under this section shall be made available in a manner that is practical for rural users, including through printed copies, electronic access, authorized online portals, regional service channels, or accredited repair providers, as may be provided in the implementing rules and regulations.

Manufacturers may restrict access only when strictly necessary to protect safety, cybersecurity, emissions compliance, intellectual property, or trade secrets not required for ordinary diagnosis, maintenance, or repair.

Warranty coverage shall not be denied solely because the owner sought repair from an independent repair provider or used a compatible non-original part, unless the manufacturer clearly proves that the damage was directly caused by such repair or part.

SEC. 5. *Priority Repair Access During Critical Agricultural and Fisheries Operations.* — The implementing rules and regulations shall provide priority procedures for repair access requests involving equipment used during critical agricultural or fisheries periods.

Priority action may be given to requests involving tractors, harvesters, irrigation pumps, dryers, milling equipment, cold storage units, fisheries equipment, livestock care equipment, post-harvest machinery, and other equipment where delay in repair may result in crop loss, spoilage, interruption of livelihood, or substantial economic loss to farmers, fisherfolk, cooperatives, or agricultural enterprises.

For this purpose, manufacturers, dealers, and covered entities may be required to provide reasonable response periods, spare parts availability information, referral to qualified repair providers, or other practical assistance necessary to prevent avoidable downtime.

SEC. 6. *Implementing Agency.* - The Department of Agriculture (DA), in coordination with the Department of Trade and Industry (DTI), Technical Education and Skills Development Authority (TESDA), and the Intellectual Property Office of the Philippines (IPO), shall issue guidelines, maintain a registry of covered manufacturers, and support training for rural repair providers.

The DA, in coordination with TESDA and other concerned agencies, shall support training, certification, and capacity-building programs for rural technicians, cooperatives, repair microenterprises, and agricultural service providers to improve local repair capability and reduce dependence on distant service centers.

The DA may also maintain a registry of covered manufacturers, importers, distributors, authorized dealers, repair providers, and available service channels, subject to the guidelines to be issued under this Act.

SEC. 7. *Repair Assistance and Grievance Mechanism.* - The lead implementing agency shall establish an accessible repair assistance and complaint mechanism for farmers, fisherfolk, cooperatives, and independent repair providers who are denied reasonable access to repair information, tools, software support, or spare parts.

The mechanism shall allow complaints to be filed through regional or provincial offices, online platforms, or other simple and low-cost means. Priority action shall be given to complaints involving equipment needed for planting, harvesting, irrigation, post-harvest handling, cold storage, or other time-sensitive agricultural operations.

Covered manufacturers and dealers shall keep records of requests for repair information, diagnostic access, warranty claims, and spare parts availability, subject to safeguards on privacy, cybersecurity, lawful confidentiality, and trade secrets.

SEC. 8. *Penalties and Remedies.* - A manufacturer or dealer that unjustifiably refuses access, misrepresents warranty rights, or engages in discriminatory pricing shall be subject to administrative fines of not less than One hundred thousand pesos (P100,000.00) but not more than One million pesos (P1,000,000.00) for each violation, without prejudice to other remedies under existing laws.

SEC. 9. *Appropriations.* - The amount necessary for the initial implementation of this Act shall be charged against the current appropriations of the concerned agencies. Thereafter, such sums as may be necessary for its continued implementation shall be included in the annual General Appropriations Act (GAA).

SEC. 10. *Implementing Rules and Regulations.* - Within ninety (90) days from the effectivity of this Act, the lead implementing agency, in coordination with concerned agencies and stakeholders, shall promulgate the rules and regulations necessary for the effective implementation of this Act.

SEC. 11. *Separability Clause.* - If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall remain in full force and effect.

SEC. 12. *Repealing Clause.* - All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof inconsistent with this Act are hereby repealed, amended, or modified accordingly.

SEC. 13. *Effectivity.* - *This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.*

Approved,