

THIRTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

OFFICE OF THE SECRETARY

'04 SEP 15 P4:27

SENATE

1777

S. B. No. _____

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Introduced by **SENATOR JINGGOY EJERCITO ESTRADA**

EXPLANATORY NOTE

The proposed measure seeks to amend the Charter of the National Irrigation Administration as provided under Republic Act No. 3601, as amended, in order to institutionalize the representation of farmers in the governing board of the said agency. Under the present law, the NIA Board is composed of six members, which include one private sector representative.

Under R.A. No. 3601, small farmers are not assured of representation on the said Board since the law does not expressly or specifically provide for such representative. Considering that irrigation services have a vital and direct impact on agricultural production, their efficient management and delivery is the foremost concern of small farmers. Thus, the said sector should be given adequate participation in the policy-making of the NIA Board to the rice and corn sector.

Moreover, irrigation services should not be limited to rice and corn lands but should include other crops. To stress this policy, we must not limit private sector representation in the NIA Board to the rice and corn sector.

Article XII, Section 16 of the Constitution mandates that, "the right of the people and their organizations to effective and reasonable participation at all levels of social, political and economic decision-making shall not be abridged." The bill seeks to implement this policy by providing for one small farmers' representative for Luzon, Visayas and Mindanao.

The bill also aims to complement and reiterate the policy of equitable distribution of benefits and opportunities in agricultural development and empowerment of small farmers, as enunciated in Republic Act No. 7607 (The Magna Carta of Small Farmers). Under the said law, the farmers' representative chosen by their national organizations shall sit in the governing boards of government agencies, which include the NIA. Although the said provision allows small farmers to participate in the NIA Board, experience has shown that such participation is most effective and empowering if the farmers' representatives are adequate in number.

In view of the foregoing, the passage of this bill is strongly recommended.


JINGGOY EJERCITO ESTRADA
Senator

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S.B. No. 1777

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Introduced by **SENATOR JINGGOY EJERCITO ESTRADA**

AN ACT PROVIDING FOR THREE SMALL FARMERS' REPRESENTATIVES IN THE NATIONAL IRRIGATION ADMINISTRATION (NIA) BOARD BY AMENDING REPUBLIC ACT NO. 3601, AS AMENDED BY PRESIDENTIAL DECREE NO. 552 AND FURTHER AMENDED BY EXECUTIVE ORDER 292, DATED JULY 25, 1987 ENTITLED, "AN ACT CREATING THE NATIONAL IRRIGATION ADMINISTRATION"

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

1 **SECTION 1.** Section 4 of Republic Act No. 3601 as amended by
2 Presidential Decree No. 552 and further amended by Executive Order No. 292,
3 dated July 25, 1987 is hereby amended to read as follows:

4 "SEC. 4. Board of Directors - The powers and functions of the
5 National Irrigation Administration (NIA) shall be exercised by the Board of
6 Directors composed of [six (6)] **EIGHT (8)** members, to wit:

7 The Secretary of Agriculture, who shall be the Vice-Chairman; the
8 Director-General of the National Economic and Development
9 Authority, the Secretary of Public Works and Highways, the
10 General Manager of the National Power Corporation, and [one (1)
11 member] **THREE (3) MEMBERS REPRESENTING THE SMALL**
12 **FARMERS OF LUZON, VISAYAS AND MINDANAO;**
13 **RESPECTIVELY,** who shall be appointed by the President of the
14 Philippines upon due notice to and on recommendation of any
15 national [rice and corn] **SMALL FARMERS** organization of good
16 standing and who shall serve for a term of four (4) years unless
17 sooner remove."

1 **SEC. 2. Repeal.** – All laws, rules and issuances inconsistent with the
2 provisions of this Act are hereby repealed, amended or modified accordingly.

3 **SEC. 3. Effectivity.** - This Act shall take effect after fifteen (15) days
4 following the date of its complete publication in the *Official Gazette* or, in at least
5 two (2) newspapers of general circulation.

Approved,