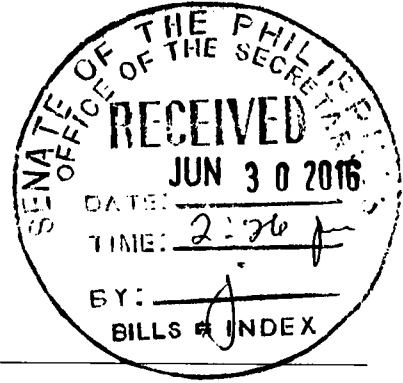


SEVENTEENTH CONGRESS OF THE REPUBLIC }
OF THE PHILIPPINES }
First Regular Session

SENATE
Senate Bill No. 43



Introduced by **SENATOR LACSON**

EXPLANATORY NOTE

The National Irrigation Administration (NIA) is a government-owned and controlled corporation primarily responsible for irrigation development and management. The NIA's functions include the planning, designing, construction, and improvement of all types of irrigation projects. It is also tasked to operate, maintain, and administer all national irrigation systems.

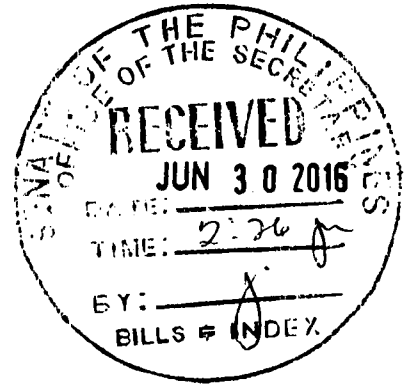
Under its Charter, the NIA is allowed to charge Irrigation Service Fees or ISFs in exchange for providing irrigation to farmers, depending on the size of their farmlands. The ISFs were abolished by then President Joseph Estrada when he delivered his first State of the Nation Address in 1998 but were reinstated when NIA sought the adoption of a socialized irrigation fee system, as mandated by Administrative Order No. 17 of August 1998. The ISFs are intermittently suspended, especially in times of calamities when it was unreasonable to impose additional fees on farmers.

However, there is a need to revisit the status quo. Irrigation is a very basic governmental function that can very easily be shouldered by the State. It does not have to be passed on to farmers. Considering that it is a key factor in increasing agricultural productivity, having the State subsidize it will go a long way in ensuring adequate food supply and the early recovery of the principal means of livelihood of people in disaster-hit and poverty-stricken areas. Thus, it is the intention of this bill to revoke the ISF and to make irrigation services free for all farmers.

It is for this reason that the early passage of this bill is earnestly requested.


PANFILO M. LACSON
Senator

SEVENTEENTH CONGRESS OF THE REPUBLIC }
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First Regular Session



SENATE
Senate Bill No. 43

Introduced by SENATOR LACSON

AN ACT
REVOKING THE IRRIGATION SERVICE FEES (ISFs) IMPOSED ON
FARMERS BY THE NATIONAL IRRIGATION ADMINISTRATION,
AMENDING FOR THE PURPOSE CERTAIN PROVISIONS OF REPUBLIC
ACT NO. 3601, PRESIDENTIAL DECREE NO. 552 AND PRESIDENTIAL
DECREE NO. 1702

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

1 **SECTION 1.***Short Title.* "This Act shall be known as the "Free Irrigation
2 **Services Act."**

3 **SECTION 2.***Declaration of Policy.* It is hereby declared the policy of the State
4 to adhere to the principle of integrated and holistic program of support services that
5 will alleviate the situation of farmers to enable them to attain their full potentials as
6 productive forces of society.

7 The State adheres to the promotion of a comprehensive rural development
8 program through increased agricultural production and the adoption of necessary and
9 sound measures to accelerate the achievement of self-sufficiency in food, equitable
10 access to opportunities and sustained productivity as key strategies to raise the quality
11 of life in rural areas and overall national development.

1 Toward this objective, it shall endeavor to provide the necessary and vital
2 support services and assistance to farmers, including but not limited to inputs to
3 production, production support, post-harvest facilities and irrigation services.

4 **SECTION 3. *Revocation of the Irrigation Service Fees (ISF)***– Upon the
5 passage of this Act, all farmer beneficiaries shall be exempt from the payment of the
6 Irrigation Service Fees (ISFs) and the collection thereof, including the collection of
7 back accounts and the corresponding penalties therefore from irrigation systems
8 constructed, funded, and/or managed by the National Irrigation Administration, shall
9 be revoked immediately. In this regard, Section 2(c) of Republic Act 3601, Section
10 1(b) of Presidential Decree 552, and Section 1(b) of Presidential Decree 1702 are
11 hereby repealed accordingly.

12 **SECTION 4. *Construction, Repair and Maintenance of National Irrigation***
13 ***Systems.*** –For the purpose of ensuring the continuity of the necessary construction,
14 repair and maintenance of irrigation systems administered by the National Irrigation
15 Administration, the required amounts for the same shall be included in the annual
16 General Appropriations Act (GAA).

17 **SECTION 5. *Government Subsidy for the Management of Irrigation System.***
18 - The State shall provide the necessary subsidies to farmers and irrigators associations
19 and cooperatives to ensure the effective and grassroots-based management of
20 irrigation systems, the funding of which shall likewise be included in the annual GAA.

21 **SECTION 6. *Repealing Clause.*** – All laws, presidential decrees or issuances,
22 executive orders, letters of instruction, administrative orders, rules or regulations
23 contrary to or inconsistent with this Act, or which may be construed, either expressly

1 or impliedly, to grant the National Irrigation Administration the power to levy any
2 kind of irrigation fee or other kind of monetary imposition, are hereby repealed,
3 modified, or amended accordingly.

4 **SECTION 7. *Separability Clause.*** - If any provision of this Act or the
5 application of such provision to any person or circumstance is declared invalid, the
6 remainder of the Act or the application of such provision to other persons or
7 circumstances shall not be affected by such declaration.

8 **SECTION 8. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days
9 after its publication in the Official Gazette and newspaper of general circulation.

10 Approved,