

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



SENATE

S.B. No. 318

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Introduced by SENATOR CYNTHIA A. VILLAR

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**AN ACT STRENGTHENING LOCAL GOVERNMENT PARTICIPATION IN AGRICULTURE DEVELOPMENT BY INSTITUTIONALIZING A TEN PERCENT (10%) ALLOCATION FROM THEIR INTERNAL REVENUE ALLOTMENT FOR THE IMPLEMENTATION OF PROGRAMS, ACTIVITIES AND SERVICES FOR AGRICULTURE AND FISHERIES ADVANCEMENT AND AMENDING FOR THE PURPOSE SECTIONS 17, 106, 107, 110, 287, 443, 454, AND 482(a), 511(a), OF REPUBLIC ACT 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE AND FOR OTHER PURPOSES**

#### EXPLANATORY NOTE

Agriculture receives the lowest average daily basic wage and salary compared to non-agriculture sectors (NSCB, 2013). Farmers and fishermen are among the least paid workers in the Philippine economy with an average daily wage and salary of P156.8 and P178.43, respectively in 2011. Given that the agriculture sector employs more than a third of the country's labor force stressed the high incidence rate of poverty in the sector. Poverty incidence among fishermen and farmers were at 41.4 percent and 36.7 percent, respectively, in 2009, above the whole country's 26.5 percent. The latest figures from the Philippine Statistics Authority (PSA) show that the poverty incidence among fishermen is 39.2 percent, and among farmers, 38.3 percent. The poverty incidence of general population estimated at 26.2 percent in 2012.

About half of all Filipinos live in rural—farming or fishing—areas. And 70 percent of the poor families in our country are rural. The average income of Filipino farmers, whose average age is 57 years, is only \$50 a month, working on his 1.5-hectare farm. Agriculture's importance to the economy has dwindled over the years to only 11.1 percent in 2012 from 29.7 percent in 1946. If agriculture can grow at 3 percent to 4 percent, the average for the world, the poverty in the country would substantially be reduced. The growth in the Philippine agricultural sector was only 1.7 percent yearly for the last five years. At the moment there is slow and inefficient delivery of government support to the agriculture sector, and very limited impact of such support.

After 25 years of passing the Local Government Code, many local government units are still struggling to develop or failing to show any improvement of their respective areas after being given more resources and power to implement a wide scope of programs and projects to improve the well-being of their own people. Historical records show that 70-80% of LGU's annual appropriations go to administrative and recurrent expenditures. The remaining 20% is competitively shared by capital expenditure, economic investments, human resource development, and the surplus, if any, to research and development.

The Code has provided for the transfer from central government to the Local Government Units (LGUs) of local services and functions such as agriculture, health, social services, maintenance of public works and highways and environmental management and protection. It has also provided for the transfer of field personnel to the LGUs who, prior to the passage of the Code, were national government employees. The chief executives of local government are now empowered to appoint local officials paid wholly or mainly from local funds. A significant provision pertains to the increased share for local governments of the Internal Revenue Allotment (IRA). This has increased to 40 per cent from 20 per cent. The rationale for this is to enable the LGUs to maintain and sustain the devolved functions and services. LGUs are also empowered by the Code to contract loans with financial institutions and to issue bonds to finance the construction and the implementation of projects. The Code has mandated the representation of non-governmental organizations accredited by the LGU in local special bodies such as the local development council and the local school and health boards. It has also provided for joint ventures and other co-operative mechanisms between the LGU and the private sector in programmes or projects concerned with the delivery of basic services, capability building, livelihood projects and the development of local enterprises designed to improve productivity and income.

Most of the LGUs have indeed absorbed and implemented the devolved services/functions. However, this implementation has been mediated by the development agenda of each LGU and by the perceived relevance of the service or function to the existing community problems and needs. For instance, services or functions relative to population and environmental management have been implemented by some LGUs but not others – because these are not considered priority concerns.

The arms of government closest to the people are in the best position to deliver these services because they know the problems, needs and aspirations of their constituents. But they lack of technical resources. LGUs lack the technical capacity to efficiently deliver the devolved tasks and lack of appreciation of devolved tasks resulted in the underutilization of technical personnel, particularly in agriculture. The municipal agriculture offices (MAOs) do not have the critical mass of personnel, expertise and resources for effective extension. The more logical planning and coordinating units are the provincial agricultural offices (PAOs) which however have no direct supervision over the municipal offices.

Elected officials of the LGU have different political affiliations. The provision of social services depends not on what is needed but on what activities will get greater mileage for the political career of government officials. Most appointments for position in the local government are based not on merit and credibility, but on the personal relationship of individuals to local leaders. As a result, individuals without enough competence and skills are made to manage the delivery of social services and agricultural extension services.

Also cited as reasons for the poor performance of agriculture are the very limited access of farmers to production inputs, credit, and other resources needed for increasing productivity and farm incomes.

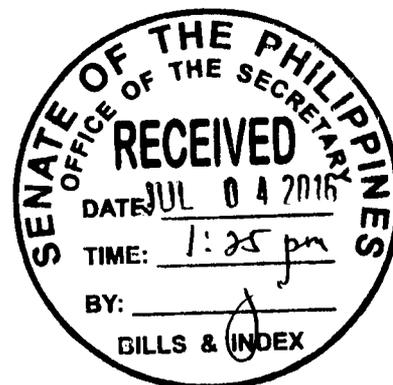
This proposed measure will mandate the Local Government Units to focus in agriculture development.

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



CYNTHIA A. VILLAR  
Senator

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

### Chapter I

#### General Provisions

1 *Section 1. Title.* - This Act shall be known as the "Local Government Agriculture  
2 Development Act of 2016".

3 *Section 2. Declaration of Policy* - It is hereby declared the policy of the State to promote,  
4 localize and accelerate the development and modernization of the Philippine agriculture  
5 and fisheries sector by providing opportunities to increase their productivity;

6 The State shall promote cooperation and participation of the local government units and  
7 their stakeholders in defining, harnessing, rationalizing the use of available resources,  
8 for the advancement of food security, market access of products, application of good  
9 farm and fishing practices, modern technology, and profitable agribusiness  
10 opportunities towards a sustainable countryside development.

11 A healthy and dynamic agricultural sector is an important foundation of rural  
12

1 development. Rural livelihoods are enhanced through effective participation of rural  
2 people and rural communities in the management of their own social, economic and  
3 environmental objectives by applying the bottom-up approach and helping them  
4 access government resources.

5 There shall be a comprehensive program on agriculture development in all local  
6 government units which have at least fifty (50) percent agriculture or fisheries income  
7 source. This function shall form part of the basic, regular and direct services of the LGU  
8 to its inhabitants.

9 Agriculture development is economic development and is associated with opportunities  
10 for rural folks to move up the economic ladder.

11 *Section 3. Scope and Coverage.* - This shall be implemented in all Local Government  
12 Units in consultation and partnership with their stakeholders.

13 *Section 4. Local Agriculture Development Programs.* Shall focus on the areas identified  
14 as factors contributing to the competitiveness of the agriculture industry. These include  
15 the availability and production of seeds, livestock, fingerlings and other farm inputs,  
16 mechanization and post-harvest equipment, irrigation system access and maintenance,  
17 marketing of products, credit, guarantee, and agriculture insurance, knowledge of better  
18 farming systems, and knowledge of organic farming, among others. Towards this aim,  
19 the Local Government Units (Municipalities, Cities and Provinces) shall undertake the  
20 following -

- 21 1. Enhance, strengthen and promote agriculture and fisheries as a major  
22 livelihood in the locality;
- 23 2. Allocate a minimum of ten percent (10%) of their annual development fund to  
24 agriculture and fisheries development;
- 25 3. Create a Committee on Agriculture and Fisheries Development in the Local  
26 Government Legislative Council to address legislation in the said legislative  
27 body related to all agriculture and fisheries development and protection  
28 matters;
- 29 4. Create the position of City and Municipal Agriculturist in the LGU regular  
30 plantilla;
- 31 5. Establish an agriculture and fisheries office and strengthen the capacities of its  
32 personnel who shall see to the implementation of the agriculture and fisheries  
33 programs and projects;
- 34 6. Empower the Local Chief Executives to deliver agriculture and fisheries  
35 programs;
- 36 7. Strengthen LGU linkages and partnerships among various partners in national  
37 government working for agriculture development;
- 38 8. Conserve, protect and manage the agriculture and aquatic environment using  
39 sustainable agricultural and aquaculture practices;
- 40 9. Develop and strengthen the capacities and the technical skills of farmers and

- 1 fisherfolks throughout the production, harvesting, processing, storage and  
2 transport stages in the value chain including simple business management and  
3 profitability;  
4 10. Provide appropriate infrastructure and equipment for post-harvest technology;  
5 11. Promote the easy access to financial institutions of agriculture stakeholders;  
6 12. Monitor and assess the implementation of the agriculture and fisheries  
7 development program and evaluate its impact to the citizenry;

## 8 Chapter II

### 9 Definition of Terms

10 *Section 5. Definition of Terms.* For purposes of this Act, the following terms shall be  
11 defined as follows:

- 12 a. "Capacity" - a combination of all strengths and resources available within the  
13 community, society or organization. Capacity may include infrastructure,  
14 institutions, human knowledge, skills and collective attributes such as social  
15 relationships, leadership and management. It also means capability.  
16 b. "Climate Change" refers to a change in climate that can be identified by  
17 changes in the mean and /or variability of its properties and that persist for an  
18 extended period typically decades or longer, whether due to natural variability  
19 or as a result of human activity.  
20 c. "Food Safety" - refers to the conditions and practices that preserve the quality  
21 of food to prevent contamination and food-borne illnesses  
22 d. "Food Security" - shall mean building local capacity, increasing productivity, and  
23 improving markets and trade.  
24 e. "Good Agricultural Practices"(GAP) is an approach which aims at applying  
25 available knowledge to addressing environmental, economic and social  
26 sustainability dimensions for on-farm production and post-production  
27 processes, resulting in safe and quality food and non-food agricultural products.  
28 f. "Integrated Pest Management "(IPM) is an ecologically based approach to pest  
29 (animal and weed) control that utilizes a multi-disciplinary knowledge of  
30 crop/pest relationships, establishment of acceptable economic thresholds for  
31 pest populations and constant field monitoring for potential problems.  
32 Management may include such practices as "the use of resistant varieties; crop  
33 rotation; cultural practices; optimal use of biological control organisms; certified  
34 seed; protective seed treatments; disease-free transplants or rootstock;  
35 timeliness of crop cultivation; improved timing of pesticide applications; and  
36 removal or 'plow down' of infested plant material.  
37 g. "Land Use Planning" - the process undertaken by public authorities to identify,  
38 evaluate and decide on different options for the use of land, including  
39 consideration of long-term economic, social and environmental objectives and  
40 the implications for different communities and interest groups, and the  
41 subsequent formulation and promulgation of plans that describes the permitted

1 or acceptable uses.

2 h. "Local Government Unit" - refers to a province, city and municipality in the  
3 country.

4 i. "Nutrient management" is managing the amount, source, placement, form, and  
5 timing of the application of nutrients and soil amendments to ensure adequate  
6 soil fertility for plant production and to minimize the potential for environmental  
7 degradation, particularly water quality impairment.

8 j. "Sustainable Agriculture" means an integrated system of plant and animal  
9 production practices having a site-specific application that will in the long term  
10 satisfy human food needs, enhance environmental quality and natural resource  
11 base upon which the agricultural economy depends, sustain the economic  
12 viability of farm operations, efficient use of on-farm resources and enhance the  
13 quality of life of farmers as a whole. A whole-systems approach to food, feed,  
14 and other plant and animal production that balances environmental soundness,  
15 social equity, and economic viability among all sectors of the public, including  
16 international and intergeneration of people.  
17

### 18 Chapter III

## 19 INSTITUTIONAL MECHANISM

20 *Section 6. Role of the DA and other Government Offices* (a) The Department of  
21 Agriculture shall continue to be responsible for the promotion of agricultural  
22 development by providing the policy framework, public investments, and support  
23 services including infrastructure support, research, development and extension,  
24 including agri-business and market development services, regulation and planning.

25 It shall use a bottom-up self-reliant farm system approach that will emphasize social  
26 justice, equity, productivity and sustainability in the use of agricultural resources. The  
27 DA shall adopt the convergence framework recognizes that "one size does not fit all" -  
28 that different rural communities have different opportunities, needs and aspirations.  
29

30 (b) State Agencies and Instrumentalities and the Creation of the Regional Agricultural  
31 Development Council. - Through convergence the DA and the LGU shall maximize the  
32 partnership in development to reduce cost in the delivery of services and maximize  
33 knowledge on programs, funding and investment access. The Field Regional Offices of  
34 the Department of Agriculture (DA-RFU), the Regional Directors of the Department of  
35 Interior and Local Government (DILG), Department of Agrarian Reform (DAR),  
36 Department of Science and Technology (DOST), the National Economic Development  
37 Authority (NEDA), Department of Public Works and Highways, Department of Tourism  
38 (DOT), Regional Integrated Agriculture Research Centers (RIARC), The Regional  
39 Fisheries Research Centers (RFRC), The Regional Director of the Agricultural Training

1 Institute (Regional Director- ATI), The Regional Head of the Philippine Association of  
2 State Colleges and Universities (Regional Head of PASUC), The Head of the Regional  
3 Agricultural and Fisheries Council, the Provincial Agriculture and Fisheries Council  
4 Head, the Office of the Provincial Agriculturists (OPA) and the Provincial Governors, all  
5 City Mayors and the Municipal Mayors shall constitute the Regional Agricultural  
6 Development Council (RADC).

7 b.1. The RADC shall assist in the preparation, monitoring and evaluation of short and  
8 longterm Local Government Unit's development plans and investment programs.

9 The offices of the various regional agencies of the government shall, upon request of  
10 the local chief executives, provide such technical support as may be required in the  
11 discharge of their functions.

12 b.2 The Council shall be headed by the DA-Regional Executive Director. The Council  
13 shall meet as often as necessary but not less than once a semester.

14 b.3 Funds necessary for the RADC operations, project monitoring and evaluation,  
15 implementation of special projects shall be included in the General Appropriations Act  
16 of the DA, subject to the usual auditing and accounting rules and regulations.

17 (c) The Governors through the Office of the Provincial Agriculturist shall activate the  
18 provincial agricultural council which shall monitor the formulation, development, and  
19 implementation of the cities/municipalities agriculture development plans, programs  
20 and projects within their jurisdictions.

21 (d) The Municipal and Component City Mayors shall activate their agriculture sectoral  
22 council which shall formulate and implement a three year agriculture development plan  
23 with measurable and time bounded annual goals, programs, activities and projects. The  
24 Local Chief Executive (LCE) shall see to timeliness, transparency and accountability in  
25 the delivery of technical know-how, goods and services to farmers and fisherfolks. The  
26 agriculture development plan of each Local Government Units shall be submitted to the  
27 Governor through the Provincial Development Council. An annual report containing  
28 accomplishment and impact of the programs shall be submitted to the Provincial  
29 Development Council on or before March 31, of the succeeding year.

30  
31 (e) The Municipal and City Planning Office shall be the Secretariat of their  
32 respective Agricultural Sectoral Council. The members of the council shall be the  
33 following - The barangay chairmen of the agricultural barangays, the Chair of the  
34 Municipal/City Sanggunian Bayan in charge of Agriculture and Fisheries, three (3)  
35 representative of the local farmer's organization, the head of the local fisheries  
36 organization, an NGO in agriculture operating in the Municipality/City, a representative  
37 of a local agricultural development cooperative, the Local Chief Executive, the DA-  
38 Regional Executive Director or his representative.

39 *Section 7 Incentives and Awards.* - There shall be an institutionalized incentives and

1 award system which shall be administered by the council under such rules and  
2 regulations as may be promulgated by the Department of Agriculture together together  
3 with the Department of Interior and Local Government to deserving LGUs for their  
4 outstanding and model performance in promoting agriculture development and  
5 implementing effective agricultural practices.

6 **Chapter IV**

7 **AMENDATORY PROVISIONS**

8 *Section 8. Amendatory Provisions.* Section 106 of Republic Act No. 7160, otherwise  
9 known as the Local Government Code of 1991, is hereby amended to read as follows:

10 1. Section 17 of Republic Act No. 7160, otherwise known as the Local Government  
11 Code of 1991, is hereby amended to read as follows

12 "Section 17. Basic Services and Facilities. -

13 (a) Local government units shall endeavor to be self-reliant and shall continue  
14 exercising the powers and discharging the duties and functions currently  
15 vested upon them. They shall also discharge the functions and  
16 responsibilities of national agencies and offices devolved to them pursuant  
17 to this Code. Local government units shall likewise exercise such other  
18 powers and discharge such other functions and responsibilities as are  
19 necessary, appropriate, or incidental to efficient and effective provisions  
20 of the basic services and facilities enumerated herein.

21 **THE LOCAL GOVERNMENTS SHOULD STRIVE TO CAPACITATE**  
22 **THEIR CONSTITUENTS AND THEIR INSTITUTIONS TO BECOME**  
23 **FOOD SECURE BY: TRAINING THEIR SMALL FARMERS AND**  
24 **FISHERFOLKS AND THE MICRO AND SMALL BUSINESSES IN**  
25 **AGRICULTURE BE IT IN PRODUCTION, PROCESSING, TRADE AND**  
26 **PROMOTION; AND MINIMIZING THEIR RISKS AND LOSSES AND**  
27 **ESTABLISHING CLIMATE CHANGE ADAPTATION STRATEGIES,**  
28 **INCLUDING PEST MANAGEMENT AND PROMOTING FOOD**  
29 **SAFETY."**

30  
31 (b) Such basic services and facilities include, but are not limited to, the  
32 following: XXXX

33 2. Section 106 of Republic Act No. 7160, otherwise known as the  
34 Local Government Code of 1991, is hereby amended to read as  
35 follows:

36 "Section 106. Local Development Councils. - (a) Each local government

1 unit shall have a comprehensive multi-sectoral development plan to be initiated  
2 by its development council and approved by its Sanggunian. For this purpose,  
3 the development council at the provincial city, municipal, or Barangay level, shall  
4 assist the corresponding Sanggunian in setting the direction of economic and  
5 social development, and coordinating development efforts within its territorial  
6 jurisdiction. **TOWARD THIS END, AN AGRICULTURE AND FISHERIES  
7 DEVELOPMENT COUNCIL SHALL BE CONSTITUTED IN THE LOCAL  
8 GOVERNMENT WHERE AGRICULTURE AND/OR FISHERIES IS A  
9 SIGNIFICANT INDUSTRY OR LIVELIHOOD.**

10 **SUCH LOCAL GOVERNMENT UNIT IS REQUIRED TO DEVELOP A  
11 THREE (3) YEAR STRATEGIC PLAN FOR AGRICULTURE AND FISHERIES  
12 DEVELOPMENT BASED ON THE FRAMEWORK AND PRINCIPLES  
13 PROVIDED BY THE DEPARTMENT OF AGRICULTURE (DA) AND THE  
14 NATIONAL ECONOMIC DEVELOPMENT AUTHORITY (NEDA).**

15 **THE LOCAL CHIEF EXECUTIVE SHALL CONVENE THEIR  
16 RESPECTIVE LOCAL DEVELOPMENT COUNCILS WITHIN THIRTY (30)  
17 DAYS FROM THEIR ASSUMPTION TO OFFICE.**

18 **THE RESPECTIVE LEAGUES OF PROVINCES, CITIES,  
19 MUNICIPALITIES AND BARANGAYS SHALL ACTIVELY PARTICIPATE IN  
20 THE COMPLIANCE BY THEIR RESPECTIVE LOCAL GOVERNMENT UNITS  
21 WITH SECTIONS 107 AND 110 HEREOF”**

- 22 3. Section 107 of Republic Act No. 7160, otherwise known as the Local  
23 Government Code of 1991, hereby amended to read as follows:

24 “Section 107. Composition of Local Development Councils. - The  
25 composition of the local development council shall be as follows: (a) The  
26 barangay development council shall be chaired by the punong barangay and  
27 shall be composed of the following members: (1) Members of the Sangguniang  
28 Barangay; (2) Representatives of non-governmental organizations operating in  
29 the Barangay, who shall constitute not less than one fourth (1/4) of the members  
30 of the fully organized council; (3) A representative of the congressman.

31 (b) The city or municipal development council shall be headed by the mayor **and**  
32 **the vice mayor as vice chair**, and shall be composed of the following members:  
33 (1) All Punong Barangays in the city or municipality;(2) The chairman of the  
34 committee on appropriations of the Sangguniang Panlungsod or Sangguniang  
35 bayan concerned;(3) The congressman or his representative; and (4)  
36 Representatives of non-governmental organizations operating in the city or  
37 municipality, as the case may be, who shall constitute not less than one-fourth

1 (1/4) of the members of the fully organized council.

2 (c) The provincial development council shall be headed by the governor **and the**  
3 **vice governor as vice chair**, and shall be composed of the following members:  
4 (1) All mayors of component cities and municipalities; The chairman of the  
5 committee on appropriations of the Sangguniang Panlalawigan;(3)The  
6 congressman or his representative; and (4) Representatives of nongovernmental  
7 organizations operating in the province, who shall constitute not less than one-  
8 fourth (1/4) of the members of the fully organized council. (5) **Provincial**  
9 **president of the Vice Mayors' League (VMLP) to include the committee on**  
10 **infrastructure and planning in all levels of legislature except the**  
11 **barangays."**

- 12 4. Section 110 of Republic Act No. 7160, otherwise known as the Local  
13 Government Code of 1991, hereby amended to read as follows:

14 "Section 110. Meetings and Quorum. - The local development  
15 council shall meet at least [once every six (6) months] **FOUR (4) TIMES A**  
16 **YEAR, PREFERABLY EVERY MARCH, JUNE, SEPTEMBER, AND**  
17 **DECEMBER EACH YEAR**, or as often as may be necessary."

- 18 5. Section 287 of Republic Act No. 7160, otherwise known as the Local  
19 Government Code of 1991, hereby amended to read as follows:

20 "Section 287. Local Development Projects. - Each local government unit  
21 shall appropriate in its annual budget no less than twenty percent (20%) of its  
22 annual internal revenue allotment for development projects. **Provided that, ten**  
23 **percent (10%) of the amount shall be used for the implementation of**  
24 **programs, projects, activities and services for agriculture and/or fisheries**  
25 **development.** Copies of the development plans of local government units shall  
26 be furnished the Department of Interior and Local Government."

- 27 6. Section 443 of Republic Act No. 7160, otherwise known as the Local  
28 Government Code of 1991, hereby amended to read as follows:

29 "Section 443. Officials of the Municipal Government. -

30 (a) There shall be in each municipality a municipal mayor, a municipal vice-  
31 mayor, sangguniang bayan members, a secretary to the sangguniang bayan, a  
32 municipal treasurer, a municipal assessor, a municipal accountant, a municipal  
33 budget officer, a municipal planning and development coordinator, a municipal  
34 engineer/building official, a municipal health officer and a municipal civil registrar.

35 (b) In addition thereto, the mayor may appoint a municipal administrator, a  
36 municipal legal officer, [**municipal agriculturist**], a municipal environment and  
37 natural resources officer, a municipal social welfare and development officer, a  
38 municipal architect, and a municipal information officer. **PROVIDED THAT**  
39 **INSOFAR AS LIVELIHOOD OF A MUNICIPALITY IS AT LEAST FIFTY (50)**

1           **PERCENT IN AGRICULTURE AND/OR FISHERIES, THE APPOINTMENT OF**  
2           **A MUNICIPAL AGRICULTURIST SHALL BE MANDATORY.”**

- 3           7. Section 454 of Republic Act No. 7160, otherwise known as the  
4           Local Government Code of 1991, hereby amended to read as  
5           follows:

6                   “Section 454. Officials of the City Government.

7           (a) There shall be in each city a mayor, a vice-mayor, sangguniang panlungsod  
8           members, a secretary to the sangguniang panlungsod, a city treasurer, a city  
9           assessor, a city accountant, a city budget officer, a city planning and  
10          development coordinator, a city engineer, a city health officer, a city civil  
11          registrar, a city administrator, a city legal officer, a city veterinarian **and/or a**  
12          **city agriculturist**, a city social welfare and development officer, and a city  
13          general services officer

14          (b) In addition thereto, the city mayor may appoint a city architect, a city  
15          information officer, **[a city agriculturist,]** a city population officer, a city  
16          environment and natural resources officer, and a city cooperatives officer. The  
17          appointment of a city population officer shall be optional in the city: Provided,  
18          however, That cities which have existing population offices shall continue to  
19          maintain such offices for a period of five (5) years from the date of the  
20          effectivity of this Code, after which said offices shall become optional.”

- 21          8. Section 482 (a) of Republic Act No. 7160, otherwise known as the Local  
22          Government Code of 1991, hereby amended to read as follows:

23                   “Section 482. Qualifications, Powers and Duties. - (a) No person shall be  
24                  appointed agriculturist unless he is a citizen of the Philippines, a resident of the  
25                  local government unit concerned, of good moral character, a holder of a college  
26                  degree in agriculture or any related course from a recognized college or  
27                  university, and a first grade civil service eligible or its equivalent. He must have  
28                  practiced his profession in agriculture or acquired experience in a related field  
29                  for at least five (5) years in the case of the provincial and city agriculturist, and  
30                  three (3) years in the case of the municipal agriculturist.

31                   The position of the agriculturist shall be mandatory for the provincial  
32                  government and optional for the city and municipal governments: **PROVIDED**  
33                  **THAT MUNICIPALITIES WHERE AGRICULTURE AND/OR FISHERIES IS A**  
34                  **SIGNIFICANT INDUSTRY CONSTITUTING AT LEAST FIFTY (50%) OF**  
35                  **LIVELIHOOD IS IN AGRICULTURE OR FISHERIES, THE APPOINTMENT OF**  
36                  **A MUNICIPAL AGRICULTURIST SHALL BE MANDATOR.”**

- 37          9. A new section denominated as Section 511 (a) of Republic Act No. 7160,  
38          otherwise known as the Local Government Code of 1991, is hereby

1 incorporated to read as follows: **"SECTION 511-A. FAILURE TO CONVENE**  
2 **THE LOCAL DEVELOPMENT COUNCIL UNDER SECTION 106A AND 106**  
3 **HEREOF WITHOUT VALID GROUNDS SHALL BE PUNISHED WITH**  
4 **SUSPENSION FROM OFFICE FROM A PERIOD OF THIRTY (30) DAYS.**  
5 **SUBSEQUENT VIOLATIONS SHALL BE PUNISHED WITH SUSPENSION**  
6 **FROM OFFICE FOR A PERIOD OF NINETY (90) DAYS."**

7 Section 9 Funding. - The initial funding requirements for the convening of the various  
8 LGUs to implement this Act at the provincial, municipal and city shall be charged against  
9 the current appropriations of the LGU. Thereafter, such sums as may be necessary to  
10 the implementation of this Act shall be included in the yearly budget of the LGU from  
11 their Internal Revenue Allocation.

12 Section 11. Implementing Rules and Regulations. – At the instance of the DILG, in  
13 consultation with the DA and the Representative from the League of Provinces, League  
14 of Cities and League of Municipalities together with a farmer and fisherfolk  
15 representative from each LGU classification, shall promulgate the implementing rules  
16 and regulations of this Act within ninety (90) days from the effectivity of this Act.

17 Section 12. Non-impairment Clause. - Nothing in this Act shall be construed as to  
18 diminish, impair, or repeal the prohibited acts under existing laws, presidential decrees,  
19 executive orders, ordinances, rules and regulations, and other issuances.

20 Section 13. Separability Clause. - If for any reason, any section or provision of this Act  
21 shall be declared to be unconstitutional or invalid, the other sections or provisions not  
22 affected thereby shall remain in full force and effect.

23 Section 14. Repealing Clause. - All laws, presidential decrees, executive orders,  
24 ordinances, rules and regulations, and other issuances or parts thereof which are  
25 inconsistent with this Act, are hereby repealed or modified accordingly.

26 Section 15. Effectivity. - This Act shall take effect fifteen (15) days after its publication  
27 in the Official Gazette or in a newspaper of general circulation in the country.

28 Approved,