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SENATE

S. No. 540

OFFICE OF THE SECRETARY  
SENATE  
*[Signature]*

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Introduced by Senator Antonio "Sonny" F. Trillanes IV

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**AN ACT**  
**CREATING THE NATIONAL FIBER DEVELOPMENT AUTHORITY (NAFIDA),**  
**DEFINING ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS**  
**THEREFOR, MODIFYING FOR THIS PURPOSE EXECUTIVE ORDER NO. 294**  
**SERIES OF 1991 AND REPEALING REPUBLIC ACT 8486, AND FOR OTHER**  
**PURPOSES**

**EXPLANATORY NOTE**

The cotton and fiber industries are vital in the Philippine export economy. However, over the years, the income produced by the fiber industry, both from domestic and foreign markets, had dramatically declined due to various problems such as high cost of production, disease infestation of abaca land, frequent rains and super typhoons, lack of planting materials and lack of infrastructure, and irregular harvesting of fiber as some farmers preferred to harvest other cash crops. Total abaca fiber baling in 2007 slowed down to 50,937 metric tons (MT) or 12.4% lower than the previous year's output of 58,160 MT owing mainly to the lackluster performance of almost all producing regions except Western Visayas and the Cordillera Administrative Region (CAR). The country resorted to importation of cheap fabric amounting to about P1.16 billion a year, thereby causing serious damage to local agricultural producers.

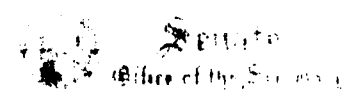
In the same vein, the cotton industry also suffered major blows due mainly to the decline of total production area from 10,000 hectares to only 4,200 as farmers shifted to other crops, as well as lack of budget for cotton research and development. Some of the problems that adversely affected productivity are the inadequate rainfall, high pest pressure, delayed release of production loans, and inadequate technical knowledge of farmers. The latter two factors affected the application of production inputs and led farmers to deviate from technological recommendations resulting to poor plant stand and uncontrolled pests.

The expansion and development of cotton and fiber production can provide income, increase the country's export opportunities and employment, and be a major factor in the social and economic development of rural areas in the country. To immediately address the problems confronting the cotton and fiber industries, this bill seeks to create under the Office of the President the National Fiber Development Authority (NAFIDA). As a single entity directly under the control and supervision of the Office of the President, it will accelerate the execution of its programs, projects and activities. The two attached agencies of the Department of Agriculture, namely: the Fiber Industry Development Authority (FIDA), created by virtue of Executive Order No. 494, series of 1991 and the Cotton Development

Authority (CDA), created under Republic Act No. 8486 shall be dissolved. Their functions, powers, responsibilities, assets and liabilities shall be absorbed by NAFIDA.

In view of the foregoing, approval of this measure is earnestly sought.

  
ANTONIO "SONNY" F. TRILLANES  
*Senator*



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*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 "National Fiber  
2 Development Act of 2016".  
3

4       **SEC. 2. Declaration of Policy.** - It is hereby declared the policy of the State to  
5 promote and develop agriculture as an important part of the Philippine economy. Toward this  
6 end, the State shall provide full support to fiber and cotton industries through appropriate  
7 technology and research, and adequate financial, production, marketing and other support  
8 services. It shall also recognize the right of fiber and cotton farmers to actively participate in  
9 the planning and management of programs concerning the said industry.  
10

11       **SEC. 3. Creation of the National Fiber Development Authority (NAFIDA).** - The  
12 National Fiber Development Authority (NAFIDA), hereinafter referred to as the Authority, is  
13 hereby created under the Office of the President to carry out the provisions of this Act. The  
14 Authority shall serve as the government's primary planning and marketing agency  
15 responsible for the cotton and fiber industry.  
16

17       **SEC. 4. Statement of Objectives.** - This Act shall have the following objectives:  
18

- 19       A) To promote the integrated development of the cotton and fiber industry in all its  
20       aspects from research, production, processing, marketing and trade regulation to  
21       make them globally competitive;
- 22       B) To sustain the growth of and demand for cotton and fiber and its by-products in  
23       both domestic and international markets;
- 24       C) To formulate and enforce standard and regulatory measures in order to maintain  
25       good quality cotton and fiber traded in the domestic and international markets;
- 26
- 27
- 28

- 1 D) To encourage and provide adequate incentives to investment in cotton and fiber  
2 industries;
- 3
- 4 E) To improve farm productivity through the adoption of modern prescribed  
5 technology so as to increase farmers' income; and
- 6
- 7 F) To encourage and promote the use of locally produced cotton and fiber.
- 8

9 SEC. 5. *Powers and Functions.* - The Authority shall have the following:

- 10
- 11 A) To undertake and regulate research studies on all aspects of the cotton and fiber  
12 industry, including its international markets; production, processing and marketing  
13 in the domestic and international markets;
- 14
- 15 B) To administer and regulate in accordance with law, the licensing and registration  
16 and shipment of cotton and fiber producers/manufacturers including the tagging,  
17 marking, inspection, certification and shipment of their commercial products;
- 18
- 19 C) To recommend production technology to guide the cotton and fiber production  
20 activities in the country;
- 21
- 22 D) To design and implement a specialized extension program and skills development  
23 training or workshops to improve the technical and entrepreneurial capabilities of  
24 fiber producers, ginner, classifiers, graders, traders, processors and exporters to  
25 improve the quality of its commercial products;
- 26
- 27 E) To establish a monitoring system in coordination with the Department of Trade  
28 and Industry and the Department of Agriculture for the assessment of cotton and  
29 fiber supply and demand situation in both domestic and international market;
- 30
- 31 F) To acquire world-class machinery and tools for distribution to the farmers and  
32 producers;
- 33
- 34 G) To identify and improve infrastructure in the locality in coordination with the  
35 Department of Public Works and Highways and the Local Government Unit  
36 concerned;
- 37
- 38 H) To provide assistance to small farmers in the marketing, promotions, and  
39 advertisement of cotton and fiber products;
- 40
- 41 I) To undertake industry manpower development;
- 42
- 43 J) To assist farmers in sourcing funds for capital build-up;
- 44
- 45 K) To conduct regular consultations with the farmers, growers and other sectors  
46 involved in the fiber and cotton industry;
- 47
- 48 L) To accredit associations or confederations of cotton and fiber farmers, growers  
49 and other associations involved with the cotton and fiber industries; and
- 50

1 M) To undertake all other functions as may be necessary to implement the objectives  
2 of this Act.  
3

4 **SEC. 6. *The Governing Board of the NAFIDA.*** - The corporate powers and duties of  
5 the Authority shall be vested in, and exercised by, the Board to be appointed by the President,  
6 composed of the following:  
7

8 A) Three (3) representatives of the Government, one of whom shall be designated by  
9 the President as Chairman;  
10

11 B) Three (3) representatives from the fiber producers/manufacturers association upon  
12 the recommendation of their respective confederations in Luzon, Visayas and  
13 Mindanao duly accredited by the Authority; and  
14

15 C) Three (3) representatives from the cotton farmers association upon the  
16 commendation of their respective confederations in Luzon, Visayas and Mindanao  
17 duly accredited by the Authority.  
18

19 **SEC. 7. *Power and Functions of the Board.*** - The Governing Board shall act as the  
20 policy making body of the Authority to formulate policies, promulgate regulations and  
21 prescribe rules to attain the purposes and objectives of this Act.  
22

23 **SEC. 8. *Term of office of the members of the Governing Board.*** - Unless sooner  
24 removed for cause by the President through the recommendation of their respective  
25 association, appointed members of the Governing Board shall hold office for a period of two  
26 (2) years from the date of their appointments.  
27

28 **SEC. 9. *Organization.*** - The Chief Executive Officer of the Authority shall be the  
29 Administrator to be appointed by the President upon recommendation of the Board. He shall  
30 be assisted by two (2) Deputy Administrators to be appointed by the President upon  
31 recommendation of the Board. The Board shall determine and create the organizational  
32 structure of the Authority and shall appoint all other officers of the Authority.  
33

34 **SEC. 10. *Promulgation of Rules and Regulations.*** - The Governing Body shall  
35 promulgate rules and regulations for the full implementation of this Act within ninety (90)  
36 days of its effectivity. Such rules and regulations shall take effect upon publication in two (2)  
37 newspaper of general circulation and may be amended by the Board from time to time as it  
38 may deem appropriate.  
39

40 **SEC. 11. *Dissolution of the Fiber Industry Development Authority (FIDA) and the***  
41 ***Cotton Development Authority (CDA).*** - Subject to the provisions of existing laws, the Fiber  
42 Industry Development Authority (FIDA) and Cotton Development Authority (CDA), are  
43 hereby dissolved. All assets, liabilities, records, appropriation, properties, facilities and  
44 equipment of FIDA and CDA are hereby transferred to the Authority.  
45

46 **SEC. 12. *Annual Report.*** - The Board, shall within three months after the end of  
47 every fiscal year, submit its annual report to the President. The annual report shall include a  
48 statement of the Board's accomplishments together with its plans and recommendations to  
49 improve and develop the industry.  
50

1           **SEC. 13. *Transitory Provisions.*** - Upon approval of this Act, the officers and  
2 employees of the FIDA and the CDA shall continue to serve in a hold-over capacity, perform  
3 their duties and responsibilities, and receive the corresponding salaries and benefits, until a  
4 new staffing pattern shall have been approved by the governing Board. The new position  
5 structure and staffing pattern of the Authority shall be approved and implemented by the  
6 governing Board within One hundred twenty (120) days from the approval of this Act, and  
7 authorized positions created thereunder shall be filled with regular appointments by the Board  
8 or by the Administrator, as the case may be.  
9

10           Those incumbents whose positions are not included therein or are not reappointed  
11 shall be paid retirement or separation benefits equivalent to two (2) months basic salary for  
12 every year of their government service or the nearest equivalent fraction thereof favorable to  
13 them on the basis of the highest salary which they respectively received in the course of their  
14 employment in the government: *Provided*, That in no case shall the benefit to be paid to any  
15 official or employee be less than Ten Thousand Pesos (Php 10,000.00): *Provided*, further,  
16 That any official or employee who has previously been found guilty in an administrative  
17 proceeding and whose rank or salary has been reduced shall be paid on the basis of his last  
18 salary.  
19

20           In addition to the benefits herein authorized, the covered officials and employees shall  
21 be entitled to the return of GSIS personal contributions pertaining to the retirement only and  
22 the payment of the corresponding share of the Government with the interest earned pursuant  
23 to the existing rules and regulations of the GSIS. They shall likewise be entitled to the  
24 commutation of unused vacation and sick leaves in accordance with existing rules and  
25 regulations: *Provided*, That those who retire after rendering government services for thirty-  
26 one (31) years or more, and avail themselves of the incentive benefits provided in this Act,  
27 shall be entitled to an additional ten percent (10%) of the amount corresponding to what they  
28 receive from thirty-first year onward.  
29

30           The application for retirement or voluntary separation shall be accepted unless the  
31 services of the applicant shall be deemed necessary.  
32

33           **SEC. 14. *Notice or Consent Requirement.*** - If any reorganizational change  
34 authorized in this Act is of such substance or materiality as to prejudice third persons with  
35 rights recognized by law or contract such notice to or consent of creditors is required to be  
36 made or obtained pursuant to any agreement entered into with any such creditors, such notice  
37 or consent requirement shall be complied with prior to the implementation of such  
38 reorganizational change.  
39

40           **SEC. 15. *Appropriations.*** - There is hereby authorized to be appropriated from the  
41 National Treasury not otherwise appropriated, the sums necessary to carry into effect the  
42 provisions of this Act: *Provided*, That thereafter, it shall be included in the annual budget of  
43 the General Appropriations Act of the year following its enactment into law and every year  
44 thereafter.  
45

46           **SEC. 16. *Separability Clause.*** - If for any reason, any provision of this Act is  
47 declared invalid or unconstitutional, the remaining provisions not affected thereby shall  
48 continue to be in full force and effect.  
49

1           **SEC. 17. *Repealing Clause.*** - Executive Order No. 494, Series of 1991 and Republic  
2 Act No. 8486 are hereby modified and repealed, respectively. Another laws, rules,  
3 regulations and other issuances or parts thereof contrary to or inconsistent herewith are  
4 likewise repealed or modified accordingly.  
5

6           **SEC. 18. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days following its  
7 publication in the Official Gazette or in at least two (2) national newspapers of general  
8 circulation.

*Approved.*