

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

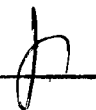


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SENATE

S. No. 1422

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Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
PROVIDING FOR THE MAGNA CARTA OF YOUNG FARMERS**

EXPLANATORY NOTE

Agriculture is an important industry in our country but through the years, it has been beset with various challenges.

According to the 2019 Selected Statistics on Agriculture published by the Philippine Statistics Authority (PSA), "the agriculture sector employed 10.0 million persons and it represented a share of 24.30 percent to the national employment" in 2018.

The National Economic and Development Authority (NEDA) made a comprehensive analysis of the labor force involved in the country's agriculture sector in its R&D Policy Note Volume 1 No. 1 published in October 2019 entitled, "Out-Migration in Agriculture: An Analysis of the Loss of Labor in the Agriculture Sector in the Philippines". According to the said publication, there has been a persistent downtrend in the net employment in the Philippine agriculture, hunting and forestry (AHF) beginning 2012 and this has been accompanied by an aging agricultural workforce with lower educational attainment.

From 2010 to 2017, the average age of agricultural workers increased from 38 years old to 40 years old and their average years of schooling is 6.8 years which is lower than that of other industries. NEDA explains this by stating that, "out-of-agriculture migrants are mostly young workers with at least high school education. Younger workers have shown no interest in farming and most of them move out of agriculture upon reaching high school."

The NEDA publication further reveals that sociocultural bias against agriculture as being a poor man's job, alongside with the preference for white collar jobs contribute to the declining interest to agriculture of the youth, even among those who finished agriculture-related courses.

The said publication concluded with a set of policy recommendations, among which is the engagement of the youth in farming.

In response to the ageing population of Filipino farmers, the Department of Agriculture (DA) initiated steps to strengthen the participation of the youth in the promotion of the agriculture sector. In January 2020, the Kapital Access for Young Agripreneurs (KAYA) and Agrinegosyo were launched under the DA's Agricultural Credit Policy Council (ACPC). These two (2) new loan programs, totalling to Php2 billion, encourages "agribusiness-minded" Filipino youth, particularly those who are 18-30 years old, to try farming by providing them the needed financial assistance.

This proposed Magna Carta of Young Farmers seeks to provide a framework to fully utilize and maximize the capacity and potential of the youth in promoting and improving the country's agriculture industry. Through appropriate education and training, coupled with sufficient support for technology, credit and capital, the new generation of creative and innovative youngsters will become active agents of achieving our goals for food production and sustainability.

A similar measure was filed in the House of Representatives by Congressman Christopher V.P. De Venecia. This measure is supported by various farmers'

organizations and other stakeholders, as well as by the Philippine Legislators' Committee on Population and Development (PLCPD) and NEDA.

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


RAMON BONG REVILLA, JR.

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Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
PROVIDING FOR THE MAGNA CARTA OF YOUNG FARMERS**

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

- 1 Section 1. *Short Title.* - This Act shall be known as "*The Magna Carta of*
2 *Young Farmers*".
- 3 Sec. 2. *Declaration of Policy.* - The following are hereby declared to be the
4 policies of the State:
- 5 a) The State hereby declares "Young Farmers" as an individual whose
6 primary source of income comes from agriculture, with an age range of
7 15-35 years old, is owner, worker, or tenant or lessee of the land in
8 which they personally cultivate and till;
- 9 b) The State recognizes young farmers as a separate basic sector with its
10 own distinct rights and responsibilities;
- 11 c) The State recognizes young farmers as supplemental income earners in
12 the family farms playing a major role in augmenting their family's
13 proceeds. Doing so entails working odd jobs to sustain the family's
14 source of income most especially in non-harvesting seasons;
- 15 d) The State acknowledges the invaluable role of young farmers who are
16 present in the value chain process starting from production, to
17 processing, to value-adding up to marketing;

1 e) The State recognizes the role of young farmers as eco-warriors and
2 staunch advocates of environmental protection; and,

3 f) The State recognizes the indispensable contribution of young farmers
4 to the overall food security and national economy.

5 Towards this end, the State shall establish mechanisms for the promotion and
6 protection of young farmers' rights that will ensure their empowerment, productivity,
7 and competitiveness in the local and international trade.

8 Sec. 3. *Definition of Terms.* – As used in this Act, the following terms are
9 defined as follows:

10 a) "*Agriculture*" refers to farming in all of its branches and the cultivation
11 and tillage of the soil, dairying, the production, cultivation, growing and
12 harvesting of any agricultural, aquacultural, floricultural or horticultural
13 commodities, the growing and harvesting of forest products upon
14 forest lands, the raising of livestock including horses, the keeping of
15 horses as a commercial enterprise, the keeping and raising of poultry,
16 swine, cattle and other domesticated animals used for food purposes
17 and any forestry or lumbering operations, performed by a farmer;

18 b) "*All-around farm workers*" refers to all types of work in the farm,
19 performed by an individual or a group of people, which is oftentimes
20 assigned to more laborious tasks such as harvesting, plowing, planting,
21 application of fertilizers and farm supervision;

22 c) "*Discrimination*" refers to any distinction, exclusion or restriction which
23 has the effect or purpose of impairing or nullifying the recognition,
24 enjoyment or exercise by young farmers, irrespective of their age,
25 status of income, on a basis of equality, human rights and fundamental
26 freedoms in the political, economic, social, cultural, civil, or any other
27 field. It includes any act or omission, including by law, policy,
28 administrative measure, or practice, that directly or indirectly excludes
29 or restricts young farmers in the recognition and promotion of their
30 rights and their access to and enjoyment of opportunities, benefits, or
31 privileges. A measure or practice of general application is
32 discrimination against young farmers if it fails to provide for

1 mechanism to offset or address disadvantages or limitations of young
2 farmers, as a result of which they are denied or restricted in the
3 recognition and protection of their rights and in their access to and
4 enjoyment of opportunities, benefits, or privileges: *Provided*, That
5 discrimination compounded by or intersecting with other grounds,
6 status, or condition, such as ethnicity, age, poverty, or religion shall be
7 considered discrimination against young farmers under this Act;

8 d) "*Eco-warriors*" refers to the staunch advocates of environmental
9 protection and practitioners of sustainable farming;

10 e) "*Food Security*" refers to the condition in which all people, at all times,
11 have physical, social and economic access to sufficient safe and
12 nutritious food that meets their dietary needs and food preferences for
13 an active and healthy life (as defined by the United Nations Committee
14 on World Food Security);

15 f) "*Family Farming*" is a means of organizing agricultural, forestry,
16 fisheries, pastoral and aquaculture production which is managed and
17 operated by a family and predominantly reliant on family labour,
18 including both women and men;

19 g) "*Lessee*" refers to a person who, by themselves, or with the aid
20 available from within their immediate farm household, cultivates the
21 land, belonging to or lawfully possessed by another, with the latter's
22 consent, for purposes of agricultural production, for a price certain in
23 money or in produce or both. The term is distinguished from a civil
24 lessee as understood in the Civil Code of the Philippines;

25 h) "*Organic*" refers to the particular farming and processing system,
26 described in the standards and not in the classical chemical sense. The
27 term "organic" is synonymous in other languages to "biological" or
28 "ecological". It is also a labelling term that denoted products
29 considered organic based on the Philippine National Standards for
30 organic agriculture;

31 i) "*Organic Agriculture*" refers to all agricultural systems that promote the
32 ecologically sound, socially acceptable, economically viable and

1 technically feasible production of food and fibers. Organic agriculture
2 dramatically reduces external inputs by refraining from the use of
3 chemical fertilizers, pesticides and pharmaceuticals. It also covers
4 areas such as, but not limited to, soil fertility management, varietal
5 breeding and selection under chemical and pesticide-free conditions,
6 the use of biotechnology and other cultural practices that are
7 consistent with the principles and policies of this Act, and enhance
8 productivity without destroying the soil and harming farmers,
9 consumers and the environment as defined by the International
10 Federation of Organic Agricultural Movement (IFOAM): *Provided*, That
11 the biotechnology herein referred to shall not include genetically
12 modified organisms or GMOs;

13 j) "*Sustainability*" refers to meeting the needs of the present without
14 compromising the ability of future generations to meet their own needs
15 as defined by the United Nations World Commission on Environment
16 and Development;

17 k) "*Tenant*" refers to a person who, themselves, or with the aid available
18 from within their immediate farm household, cultivates the land
19 belonging to, or possessed by another, with the latter's consent for
20 purposes of production, sharing the produce with the landholder under
21 the share tenancy system, or paying the landholder a price certain or
22 ascertainable in produce or in money or both, under the leasehold
23 tenancy system;

24 l) "*Young Farmers*" refers to an individual whose primary source of
25 income comes from agriculture, with an age range of 15-35 years old,
26 is owner, tenant, lessee or worker of the land in which they personally
27 cultivate and till

28 **Sec. 4. *State as Primary Duty Bearer.*** – The State as the Primary duty bearer

29 shall:

30 a) Recognize and promote the rights of young farmers defined and
31 guaranteed under this Act;

- 1 b) Lead against the discrimination and coercion or violence, be in
2 physical, verbal, sexual, emotional, psychological, spiritual or cultural in
3 nature of young farmers;
4 c) Endorse farm products produced by young farmers for economic
5 development nationwide;
6 d) Promote and fulfill the rights of young farmers in all aspects including
7 but not limited to their rights to food security, education and training
8 and access to land.

9 The State shall take measures and establish mechanisms to promote the
10 coherent and integrated implementation and enforcement of this Act and related
11 laws, policies, or other measures to effectively recognize young farmers as a distinct
12 basic sector, stop discrimination against young farmers and farming in general, and
13 advance their rights and responsibilities.

14 **Sec. 5. *Duties of State Agencies and Instrumentalities.*** – The
15 abovementioned duties of the State shall extend to all agencies, offices, and
16 instrumentalities at all levels and government-owned and controlled corporations,
17 subject to the Constitution and pertinent laws, policies, or administrative guidelines
18 that define specific duties of state agencies and entities concerned.

19 **Sec. 6. *Duties of Private Sector.*** – It is the duty of the private sector to
20 support young farmers' agenda through social partnerships between people's
21 organizations and industries. Private sectors are encouraged to assist in land reform
22 mechanisms, rural development initiatives which includes livelihood strategies,
23 sensitive to the plight of young farmers, as part of their corporate social
24 responsibility duties.

25 **Sec. 7. *Non-Diminution of the Rights of the Young Farmers.*** – All other young
26 farmers' rights and programs provided under existing laws shall remain in full force
27 and effect: *Provided*, That it follows the definition of a young farmer as stated in this
28 Act.

29 **Sec. 8. *Education and Training.*** – The State shall ensure equal access to
30 quality education and training of young farmers and encourage partnership and
31 linkage with state universities and colleges (SUCs) on information and technology
32 transfer to young farmer individuals and organizations.

1 a) Scholarship. – Any graduate of Technical and Livelihood Education with
2 specialization on Agriculture and Fisheries under the K to 12 curriculum
3 shall be entitled to scholarship grant incentives to any agricultural and
4 fisheries related courses in any SUC of choice upon compliance of the
5 following conditions:

- 6 1) Completion of the application requirements of the SUC; and,
7 2) Meet the minimum rating qualification in the admission level of
8 chosen SUC.

9 b) Agricultural Training Service Extension. – Agricultural SUCs shall serve
10 as an extension service provider for practical application, learning
11 seminars, hands-on training and knowledge on technological
12 advancements of young farmers’ organizations and individuals through
13 the proper facilitation of the Department of Agriculture (DA).

14 Sec. 9. *Access to Technology, Credit and Capital.* – The State shall ensure
15 that young farmers are provided the following:

- 16 a) Equal access to farm technologies and mechanization;
17 b) Ensure innovation, development and proliferation of young farmer-
18 friendly technologies and mechanization agricultural production and
19 processing;
20 c) Equal access to formal sources of credit and capital including forms of
21 clean loans and Mortgage, Redemption and Insurance (MRI); and,
22 d) Equitable share to the produce of farms and aquatic resources.

23 Sec. 10. *Access to Information.* – Young farmers’ access to information
24 regarding policies, programs, projects, subsidies, and funding outlays that affect
25 them, shall be ensured.

26 Sec. 11. *Right to Resources for Food Production.* – The State shall guarantee
27 young farmers’ vital role in the food production and food security by prioritizing their
28 rights to land, technical training and assistance, access to seeds and farm inputs,
29 and assistance for product and market linkage and development.

- 30 a) Land Transfer Tax Exemptions. – Transactions including, but not
31 limited to, purchase, inheritance and donation of land, which is one (1)
32 hectare and below, to young farmers, as defined under this Act, are

1 hereby exempt from all taxes of whatever kind: *Provided, however,*
2 That the beneficiary guarantees that the land will be kept and
3 maintained by him or her for at least five (5) years.

4 b) Land and Farm Planning Management. – The Department of
5 Agriculture (DA) shall provide full assistance to young farmers, from
6 the national scale down to community levels as regard to farm
7 planning and management to ensure maximum utilization, production,
8 profitability and sustainability of their farms. The department shall
9 utilize existence of Farmer Field Schools and Agricultural Extension
10 Training Centres as learning sites to ensure full-scale assistance to
11 young farmers.

12 c) National Young Farmers Roadmap. – The DA, including its attached
13 agencies and corporations, in coordination with the Department of
14 Agrarian Reform (DAR), Department of Environment and Natural
15 Resources (DENR), Department of Trade and Industry (DTI),
16 Department of Science and Technology (DOST), Department of
17 Education (DepEd), National Commission on Indigenous Peoples
18 (NCIP), National Youth Commission (NYC), Philippine Coconut
19 Authority (PCA), Commission on Higher Education (CHED), National
20 Anti-Poverty Commission (NAPC) and all agricultural-related agencies
21 attached under the Office of the President (OP) shall formulate and
22 implement a National Young Farmers Plan within one hundred and
23 twenty (120) days from the effectivity of this Act. The roadmap shall
24 serve as the convergence program of government line-agencies to
25 ensure the maximum role of young farmers in food security. It shall
26 also present measures that will allocate safe, culturally acceptable,
27 nutritionally adequate diet through a sustainable food system that
28 maximizes self-reliance and social justice. The plan shall include the
29 following:

- 30 1) A color-coded map on the national status of the country's food
31 security;

- 1 2) Baseline data research on young farmers through a Young
2 Farmers Registry System which includes young farmers' socio-
3 economic status;
- 4 3) Community-based Food Security Plan that shall identify viable
5 food security systems particular to the roles of young farmers
6 along the food value-supply chain; and,
- 7 4) Index of programs of identified government agencies as to the
8 development of young farmers.
- 9 d) Young Farmer Community Seed Banks. – DA shall facilitate the
10 selection, establishment and management of strategic community-
11 based seed banks to ensure sustainable food and agricultural resource
12 for young farmers.

13 Sec. 12. *Environmental Protection.* – DA, in partnership with DENR and DOST
14 shall establish model farms that feature sustainable farming practices such as
15 integrated and diverse organic farming systems, organic urban farming systems, and
16 the like to serve as knowledge transfer and training institutions to young farmers
17 and agricultural workers and provide an avenue for the active participation of young
18 farmers in environmental protection and practice of sustainable farming.

19 Sec. 13. *Recognition and Preservation of Cultural Identity and Indigenous*
20 *Farming Traditions.* – The State shall respect, preserve and maintain knowledge,
21 innovations and practices of indigenous and local communities of young farmers
22 embodying traditional lifestyles relevant for the conservation and sustainable use of
23 biological diversity.

24 Sec. 14. *Creation of the National Young Farmers Council.* – There is hereby
25 created the National Young Farmers and Fisherfolks Council which shall be attached
26 to the National Agricultural and Fishery Council of DA.

27 The Council shall have the following powers and functions:

- 28 a) Act as an advisory, recommendatory and consultative body to ensure
29 the success of the department's programs and activities pertinent to
30 Young Farmers;

1 b) Perform oversight functions as regards to young farmers' programs
2 and projects of the Department including its attached agencies and
3 corporations.

4 Sec. 15. *Representation and Participation.* – The State shall ensure young
5 farmers' representation in the decision-making and policy-making processes initiated
6 by government and private entities including but not limited to the National and
7 Local Agrarian Reform Councils, National Organic Agricultural Board, National Youth
8 Commission and the National Anti-Poverty Commission to fully realize their roles as
9 agents and partners for development.

10 Sec. 16. *Strengthen Young Farmer Organizations.* – DA, together with DAR,
11 DTI, DOST, NYC, DepEd, CHED and CDA shall create a training module on
12 organizational management and development specific to the sensitivity and needs of
13 young farmer organizations within one hundred twenty (120) days upon the
14 effectivity of this Act to assist and provide young farmer organizations capacity-
15 building, organizational management and development schemes.

16 Sec. 17. *Legal Protection on Negotiations and Trade Partnership Agreements.*
17 – The State shall ensure provision of safeguard clauses for vulnerable, sensitive and
18 volatile sectors to preserve family farming model of the Philippines.

19 Sec. 18. *Farm Insurance.* – Young Farmers shall automatically become
20 members of the Philippine Crop Insurance Corporation (PCIC) as protection from
21 losses of non-crop agricultural assets from force majeure.

22 Sec. 19. *Implementing Rules and Regulations.* – Within ninety (90) days from
23 the effectivity of this Act, DA, in coordination with Philippine Council for Agriculture
24 and Fisheries (PCAF), Bureau of Fisheries and Aquatic Resources (BFAR), DAR,
25 DENR, DTI, DOST, DepEd, CHED, NYC, and NAPC shall issue the necessary rules and
26 regulations for the implementation of this Act.

27 Sec. 20. *Appropriation of Funds.* – The amount necessary for the
28 implementation of this Act shall be charged from the budget allocation of the DA
29 including its attached agencies and corporations, DAR, DENR, DTI, DOST, DepEd,
30 CHED and NAPC. Such amounts necessary for the continued implementation of this
31 Act shall be included in the annual General Appropriations Act.

1 Sec. 21. *Separability Clause.* – If any provision or part hereof is held invalid
2 or unconstitutional, the remainder of the law or the provision or part not otherwise
3 affected shall remain valid and subsisting.

4 Sec. 22. *Repealing Clause.* – Any law, presidential decree or issuance,
5 executive order, letter of instruction, administrative order, rule, or regulation
6 contrary to or inconsistent with the provisions of this Act are hereby repealed,
7 modified, or amended accordingly.

8 Sec. 23. *Effectivity.* – This Act shall take effect fifteen (15) days after its
9 publication in the *Official Gazette* or in a newspaper of general circulation.

10 *Approved,*