

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

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SENATE

S. No. 2904

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Introduced by Senator Robinhood Padilla

AN ACT
REVERTING TO THE NATIONAL GOVERNMENT THE DISCHARGE OF BASIC
AGRICULTURAL FUNCTIONS AND RESPONSIBILITIES DEVOLVED TO LOCAL
GOVERNMENT UNITS AND AMENDING FOR THE PURPOSE REPUBLIC ACT
NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF
1991

EXPLANATORY NOTE

According to the Food and Agriculture Organization of the United Nations, agriculture, which encompasses four sub-sectors, namely, crops, livestock, poultry, and fisheries, is the main source of livelihood for 25-30% of the Philippine labor force, and contributes about 10% to the gross national product. It is a significant pillar of the Philippine economy, ensuring the country's food security.

Recognizing the importance and potential of the agriculture industry, Republic Act No. 8435 otherwise known as the Agriculture and Fisheries Modernization Act of 1997 was enacted, charging the Department of Agriculture with the formulation and implementation of a comprehensive modernization plan focusing on food security, poverty alleviation and social equity, income enhancement and profitability for farmers and fisherfolk global competitiveness, and sustainability.

Under the Local Government Code (LGC) of 1991, agricultural support, extension, and on-site research services and facilities were devolved to the local government units. Years after the enactment of the LGC, studies from the agriculture and economy experts, namely, Dr. Leonora Manero and Dr. Cielo Magno, assessing the devolution of said agricultural sector functions revealed issues such as lack of

funds and varying needs at the local government levels resulting in varying standards for agricultural productivity and inconsistent implementation of agricultural policies and programs. A 2020 study by U.P. Los Baños Professor, Dr. Dario Cidro assessing the devolution of agricultural extension likewise identified the following problems, among others: inability to discharge functions of extension workers probably due to lack of funding, partisan politics and political interference, and in some cases, lack of support from the local chief executives.

Cognizant of the issues that have plagued the agriculture sector for so long, Senate President, Senator Francis "Chiz" Escudero renewed his interest to push for the renationalization of agricultural services and facilities.

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



ROBINHOOD C. PADILLA
Senator

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AN ACT

REVERTING TO THE NATIONAL GOVERNMENT THE DISCHARGE OF BASIC AGRICULTURAL FUNCTIONS AND RESPONSIBILITIES DEVOLVED TO LOCAL GOVERNMENT UNITS AND AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991

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

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

3 "Section 17. *Basic Services and Facilities.* –

4 (a) XXX

5 (b) Such basic services and facilities include, but are
6 not limited to, the following:

7 (1) For Barangay:

8 ~~[(i) Agricultural support services which~~
9 ~~include planting materials distribution~~
10 ~~system and operation of farm produce~~
11 ~~collection and buying stations;]~~

12 XXX

13 (2) For Municipality:

14 ~~[(i) Extension and on-site research services~~
15 ~~and facilities related to agriculture and~~
16 ~~fishery activities which include dispersal of~~
17 ~~livestock and poultry, fingerlings, and other~~

1 seedling materials for aquaculture; palay,
2 corn, and vegetable seed farms; medicinal
3 plant gardens; fruit tree, coconut, and other
4 kinds of seedling nurseries; demonstration
5 farms; quality control of copra and
6 improvement and development of local
7 distribution channels, preferably through
8 cooperatives; interbarangay irrigation
9 system; water and soil resource utilization
10 and conservation projects; and enforcement
11 of fishery laws in municipal waters including
12 the conservation of mangroves;]

13 XXX

14 (3) For a Province:

15 [(i) Agricultural extension and on-site
16 research services and facilities which include
17 the prevention and control of plant and
18 animal pests and diseases; dairy farms,
19 livestock markets, animal breeding stations,
20 and artificial insemination centers; and
21 assistance in the organization of farmers
22 and fishermen's cooperatives, and other
23 collective organizations, as well as the
24 transfer of appropriate technology;]

25 XXX

26 Costs may also be charged for the delivery of basic
27 services or facilities enumerated in this Section."

28 *Sec. 2. Renationalization of Devolved Agricultural Services and Facilities.*— The
29 devolution of the following basic services and facilities are withdrawn from the local
30 government units and is reverted to the National Government, through the
31 Department of Agriculture:

- 1 (a) Agricultural support services which include planting materials
2 distribution system and operation of farm produce collection and buying
3 stations;
- 4 (b) Extension and on-site research services and facilities related to
5 agriculture and fishery activities which include dispersal of livestock and
6 poultry, fingerlings, and other seedling materials for aquaculture; palay,
7 corn, and vegetable seed farms; medicinal plant gardens; fruit tree,
8 coconut, and other kinds of seedling nurseries; demonstration farms;
9 quality control of copra and improvement and development of local
10 distribution channels, preferably through cooperatives; inter-barangay
11 irrigation system; water and soil resource utilization and conservation
12 projects; and enforcement of fishery laws in municipal waters including
13 the conservation of mangroves; and
- 14 (c) Agricultural extension and on-site research services and facilities which
15 include the prevention and control of plant and animal pests and
16 diseases; dairy farms, livestock markets, animal breeding stations, and
17 artificial insemination centers; and assistance in the organization of
18 farmers and fishermen's cooperatives, and other collective
19 organizations, as well as the transfer of appropriate technology.

20 *Sec. 3. Personnel and Properties Previously Transferred to the Local*
21 *Government Units.* - All personnel, technicians, facilities and properties previously
22 transferred to the Barangay, Municipalities, Provinces and Cities shall be transferred
23 back to the National Government.

24 *Sec. 4. Appropriations.* - The funds necessary to cover the implementation of
25 these amendments should be appropriated for agriculture and shall be provided for in
26 the General Appropriations Act.

27 *Sec. 5. Assessment of the Renationalization Set-up.* - The National Agricultural
28 and Fishery Council, in consultation with concerned sectors in the field, shall identify

1 the problems of the industry under the renationalization set-up and recommend
2 measures to enhance agricultural productivity.

3 Sec. 7. *Separability Clause.* – If any provision or part hereof is held invalid or
4 unconstitutional, the remaining provisions not affected thereby shall remain valid and
5 subsisting.

6 Sec. 8. *Repealing Clause.*— Any law, presidential decree or issuance, executive
7 order, letter of instruction, administrative order, rule or regulation contrary to or
8 inconsistent with the provisions of this Act is hereby repealed, modified or amended
9 accordingly.

10 Sec. 9. *Effectivity.*— This Act shall take effect fifteen (15) days after its
11 publication in the *Official Gazette* or in any two (2) newspapers of general circulation
12 in the Philippines.

Approved,