

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 AUG 14 P2:31

SENATE

RECEIVED BY: _____



S. NO. 2545

Introduced by Senator Antonio "Sonny" F. Trillanes IV

EXPLANATORY NOTE

Republic Act No. 8435, otherwise known as the Agriculture and Fisheries Modernization Law was enacted in response to the pressing need to modernize agriculture. The salient features and objectives of the law were based on the policy recommendations of the Congressional Commission on Agricultural Modernization (AGRICOM) report. However, the proposal as regards the restructuring of the Department of Agriculture and agriculture-related bureaucracies was overlooked, leaving the Department ill-equipped to deal with the challenges of the aforesaid law. The Department could not cope with the objectives of the new law, drawing on its old bureaucratic framework that is not directed towards the new policy track provided for by the law.

Among the problems that the AGRICOM report identified, which remain prominent in the present bureaucratic structure of the DA and related agricultural agencies, are the following¹:

1. The agricultural bureaucracy is a jumble of functional agencies, commodity corporations, and attached agencies. The Department of Agriculture – which has 40,000 people – should obviously be the lead agency. But interagency coordination is weak and unclear;
2. There is a duplication of effort, there is trouble of controlling, monitoring, and rationalizing the use of agricultural funds; and
3. Devolution has weakened the linkage between central and local governments, and has affected extension services.

In this light, this bill seeks to functionally and structurally rationalize the Department of Agriculture into a Department of Agriculture and Fisheries (DAF). Hopefully, this will address the institutional weakness of the DA for the effective discharge of agricultural policies and programs. The renaming of the DA into the DAF intends to correct the historical neglect of the fisheries sector. All the functions and services of departments, agencies, councils, bureaus, units, and offices of the government concerned with agriculture and fisheries shall be under the tutelage of the DAF.

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



ANTONIO "SONNY" F. TRILLANES
Senator

¹ Institutions and Bureaucracy: Revisiting the AGRICOM Report.
<http://209.85.175.104/search?q=cache:ka8dD7ZJMaEJ:nafc.da.gov.ph/afma/PDF/vol3-institutions.pdf+DA+RATPLAN&hl=en&ct=clnk&cd=7>. Information retrieved on 26 June 2008.

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AN ACT
RATIONALIZING THE AGRICULTURE AND FISHERIES BUREAUCRACY
REDEFINING THE FUNCTIONS OF THE DEPARTMENT OF AGRICULTURE
AND VARIOUS AGENCIES TO BRING ABOUT AGRICULTURE AND
FISHERIES MODERNIZATION, APPROPRIATING FUNDS THEREFOR, AND
FOR OTHER PURPOSES.

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 “*Department of*
2 *Agriculture and Fisheries Rationalization Act of 2008*”.

3
4 **SEC 2. *Declaration of Policy.*** – It is hereby declared the policy of the State to
5 develop the agriculture and fisheries sectors in order to attain economic growth, alleviate
6 rural poverty, assure food security and make farmers and fisherfolk competitive. To this
7 end, policies and programs concerned with agriculture and fisheries shall be rationalized
8 to achieve in the most efficient and effective way the national goal of enhancing
9 productivity to raise the quality of life for all, especially the underprivileged. Institutions,
10 agencies, councils, bureaus, units, and offices of the government concerned with
11 agriculture and fisheries shall be rationalized to conform to the following objectives:

12 1. To provide adequate rural public goods including infrastructure, irrigation, post-
13 harvest facilities and other production support, marketing assistance and demand-driven
14 research and development that will upgrade the productivity, efficiency and profitability
15 of farms and fisheries;

16 2. To minimize regulatory and licensing activities to areas that ensure the quality of
17 products and protect the health of consumers and the environment; prevent market

1 distortions and promote neutral policies that will bring out the natural comparative
2 advantage of Philippine agricultural and fisheries products; and
3 3. To promote transparency in governance and participation of all stakeholders and
4 relevant government and private agencies.

5

6 **SEC.3. Definition of Terms.** – When used in this Act, unless the context
7 otherwise requires:

8 1. **Agribusiness** shall refer to the unified and systematic way of considering production,
9 processing, marketing and distribution of agriculture and fishery products.

10 2. **Agriculture** shall refer to the cultivation of soil, planting of crops, growing of fruit
11 trees, raising of livestock and poultry including the harvesting, processing, and marketing
12 of such farm products, and other farm activities and practices.

13 3. **Department** shall refer to the Department of Agriculture.

14 4. **Extension services** shall refer to technology transfer activities such as training of
15 farmers, fisherfolk, and those engaged in agriculture and fisheries, input and credit
16 assistance, marketing assistance, and similar related services.

17 5. **Fisheries** shall refer to all activities relating to the act or business of fishing, culturing,
18 preserving, processing, marketing, developing, conserving, and managing aquatic
19 resources and the fishery areas, including the privilege to fish or take aquatic resource
20 thereof.

21 6. **Food processing** shall refer to the transformation, by hand or machine, of food
22 materials into new products, regardless of whether it is done in a factory or domicile of
23 the processor and whether the products are sold wholesale or retail.

24 7. **Integrate** shall mean to make a part of a larger unit or office with the same or similar
25 functions.

26 8. **Irrigation** shall refer to supplying dry land with water by means of ditches, pipes or
27 streams.

1 **9. Market information** shall include, but shall not be limited to, information, seminars
2 and training on market that enable farmers and fisherfolk to make sound investment
3 decisions and earn maximum returns.

4 **10. Market infrastructures** shall include, but shall not be limited to, facilities such as
5 market buildings, slaughterhouses, holding pens, cold storage and other related facilities
6 used by the farmers and fisherfolk in marketing their produce.

7 **11. Marketing assistance** shall include up-to-date and continuing information on input
8 and output prices, the availability of needed inputs, assistance to gain access to markets
9 for output, list of possible business ventures in their locality, and the like.

10 **12. Post-harvest facilities** shall refer to post-harvest equipment and machinery such as,
11 but not limited to, threshers, moisture meters, dryers, weighing scales, milling equipment,
12 packing and canning machinery, storage facilities, buying stations, market infrastructure
13 and transportation facilities.

14 **13. Product standards** shall refer to a predetermined set of description of quality,
15 quantity and such other measures and characteristics specific to the type, kind and degree
16 of processing of particular products.

17 **14. Quarantine** shall refer to a period of time during which a vehicle, person, animal or
18 material suspected of carrying a contagious disease is detained at a port of entry under
19 enforced isolation to prevent disease from entering a country. It also refers to the place of
20 such detention.

21 **15. Rationalization** shall refer to the reorganization of the bureaucracy in order to
22 streamline the both the structure and functions based on identified government objectives
23 and policies for increased effectiveness and efficiency.

24 **16. Regional operations** shall refer to all the activities, programs and projects done by the
25 regional offices.

26 **17. Research and development** shall refer to all organized activities designed to search
27 for new knowledge or modify existing ones, develop new methods and techniques of
28 operation, tools, equipment or types of organisms, through the application of the
29 scientific method.

1 18. *Resource-accounting* shall refer to a process of tracking changes in the environment
2 and natural resources biophysically and economically (in monetary terms).

3 19. *Small farmers and fisherfolk* shall refer to natural persons

4 20. *Secretary* shall refer to the Secretary of the Agriculture dependent on small-scale
5 subsistence farming and/or fishing as their primary source of income or to those engaged
6 in wholesale, barter or exchange of agricultural and/or fishery products which do not
7 exceed a gross value of one hundred eighty thousand pesos (P180,000.00) per annum
8 based on 1992 constant prices.

9 21. *Transfer* shall mean to remove and place in another unit or office.

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CHAPTER 1 THE DEPARTMENT PROPER

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SEC. 4. Rationalization. – The Department of Agriculture, hereinafter referred to as the Department, is hereby renamed as the Department of Agriculture and Fisheries, and structurally and functionally rationalized, in accordance with the provisions of this Act. The functions and services of departments, agencies, councils, bureaus, units, and offices of the government concerned with agriculture and fisheries shall likewise be rationalized in accordance with the provisions of this Act.

SEC. 5. Mandate. – The Department shall be the government agency responsible for the development of sustainable agriculture and fisheries, food security, promotion of equity, people empowerment and global competitiveness.

In pursuit of this mandate, the Department shall provide the policy framework, direct public investments, and in coordination with local government units provide support services needed to make agriculture, agri-based enterprises and fisheries profitable and to help spread the benefits of development to the poor, particularly those in the rural areas.

To fulfill this mandate, it shall be the primary concern of the Department to improve rural income and employment opportunities for farming and fishing

1 communities. It shall institutionalize efficient mechanisms to promote the active
2 participation of the people through people's organizations and non-government
3 organizations in policy-making bodies for agriculture and fisheries, in the formulation
4 and implementation of plans and programs, and in the monitoring and evaluation of the
5 same to ensure their relevance and responsiveness.

6

7 **SEC. 6. Powers and Functions.** – The Department shall have the following
8 powers and functions:

- 9 1. Formulate policies and plans, and regulate, implement, monitor, and evaluate all
10 programs and activities relating to agriculture and fisheries;
- 11 2. Provide integrated support services in the production, harvesting, storage and handling,
12 processing, marketing, development, and management and preservation of agricultural
13 and fisheries resources;
- 14 3. Provide comprehensive support to all the extension workers of local government units,
15 non-governmental organizations, and farmers and fisherfolks' organizations equipping
16 them with adequate knowledge and skills to enable them to train and provide
17 technological information and managerial skills to farmers, fisherfolk, and entrepreneurs
18 on the production, harvesting, storage and handling, processing, marketing, and financing
19 aspects of agricultural and fisheries enterprises;
- 20 4. Assure the availability, adequacy, accessibility and affordability of food supplies to all,
21 at all times;
- 22 5. Collect, analyze, and disseminate information on agriculture and fisheries;
- 23 6. Provide assistance and support services to facilitate market access for agricultural and
24 fisheries producers and entrepreneurs particularly low income farmers in the processing
25 and marketing of their agricultural and agri-based goods;
- 26 7. Provide the mechanism for the participation of farmers, fisherfolk, and entrepreneurs at
27 all levels of policy-making, planning, and program-formulation;
- 28 8. Conduct, coordinate and disseminate research studies on agriculture and fisheries;

- 1 9. Exercise regulatory functions over the agriculture and fisheries sector to prevent the
- 2 over-exploitation of resources, protect the health and safety of the public, prevent the
- 3 spread of pests and diseases, and prevent anti-competitive measures, and enforce
- 4 international commodity agreements which then Philippines is a party to;
- 5 10. Promulgate and enforce all laws, administrative orders, rules and regulations relating
- 6 to agriculture and fisheries;
- 7 11. Coordinate with local and international government and private agencies, offices and
- 8 institutions on all matters related to agriculture and fisheries; and,
- 9 12. Perform such other functions as may be provided by law.

10

11 **SEC. 7. Structure.** – The Department shall consist of the Department Proper and
12 attached councils. The Department Proper shall consist of the Office of the Secretary,
13 offices of the Undersecretaries, Assistant Secretaries, bureaus, research institutes, and
14 regional offices.

15

16

CHAPTER 2 OFFICE OF THE SECRETARY

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19 **SEC. 8. Duties of the Secretary.** – The Secretary shall have the following
20 responsibilities:

- 21 1. Advise the President with respect to programs and activities relating to agriculture and
- 22 fisheries;
- 23 2. Develop and recommend to the President policies for fostering orderly growth of the
- 24 country's agriculture and fisheries sectors;
- 25 3. Exercise leadership at the direction of the President in coordinating government
- 26 activities affecting agriculture and fisheries;
- 27 4. Provide technical assistance and information including a clearinghouse service to aid
- 28 local government units in developing rural agriculture and fisheries enterprises;

- 1 5. Consult and cooperate with local government officials including, when appropriate,
- 2 holding informal public hearings, with respect to government programs and activities
- 3 related to agriculture;
- 4 6. Encourage comprehensive planning by government units with the full participation of
- 5 non-government organizations, people's organizations and other members of civil
- 6 society;
- 7 7. Encourage private enterprise to serve the country's agriculture and fisheries
- 8 development needs;
- 9 8. Conduct continuing comprehensive studies; and
- 10 9. Make available findings with respect to the problems of agriculture and fisheries
- 11 development and modernization.

12
13 **SEC. 9. *Offices under the Office of the Secretary.*** – There are hereby created the
14 following offices under the Office of the Secretary:

- 15 1. Administrative, Finance and Legal Service;
- 16 2. Information and Communication Staff; and
- 17 3. Policy and Planning Service.

18
19 **SEC. 10. *Administrative, Finance and Legal Service.*** – The Administrative,
20 Finance and Legal Service (AFLS) shall be headed by an Assistant Secretary and shall
21 have the following functions:

- 22 1. Develop human resources in the agriculture and fisheries bureaucracy by providing
- 23 opportunities for continuing career development and benefits that will maximize personal
- 24 productivity;
- 25 2. Provide personnel, records, information, training and other general services;
- 26 3. Provide services related to budgeting , accounting, and management;
- 27 4. Handle the legal requirements including those pertaining to the quasi-judicial and
- 28 regulatory functions of the Department; and,

1 5. Perform such other functions assigned to it by the Secretary or as may be provided by
2 law.

3

4 **SEC. 11. *Information and Communication Service.*** – There is hereby created
5 the Information and Communication Service (ICs) which shall be headed by an Assistant
6 Secretary.

7 The ICs shall have the following functions:

8 1. Design and set-up the National Information Network (NIN) as defined and described in
9 R.A. 8435;

10 2. Provide an integrated, comprehensive, and computer-based multimedia information
11 system and service;

12 3. Be mainly responsible for the compilation, and dissemination of information on
13 production technologies, market strategies, competition, foreign assistance, grants, credit,
14 business ventures, laws, orders, rules and regulations, and other related information
15 pertaining to agriculture and fisheries;

16 4. Exercise technical supervision over data collection;

17 5. Provide information regarding the objectives, plans, programs, and activities of the
18 Department and represent and promote the interests and concerns of the Department
19 before the general public and other government agencies and private institutions,
20 including the media; and,

21 6. Perform such other functions assigned to it by the Secretary or as may be provided by
22 law.

23

24 **SEC. 12. *Philippine Economic Environmental and Natural Resources***
25 ***Accounting Office.*** – There is hereby created a Philippine Economic Environmental and
26 Natural Resources Accounting Division (PEENRA) under the Information and
27 Communication Service which shall be headed by a Division Chief.

28

1 **SEC. 13. *Functions of the PEENRA Division.*** -- The PEENRA Division shall
2 have the following functions:

3 1. In coordination with the Agriculture and Fisheries Research Development and
4 Extension Council (AFRDEC) and other appropriate government and private agencies
5 and institutions, collect, analyze, interpret and disseminate data required for
6 environmental and natural resources accounting in the agriculture and fisheries sector
7 through the National Information Network;

8 2. Develop policy instruments and tools, formulate and implement policies to ensure that
9 the agriculture and fisheries sectors are made accountable for the impact of their activities
10 on our natural resources and environment and to account for the use of the agriculture
11 and fisheries resources as a natural capital;

12 3. In coordination with the Agriculture and Fisheries Training Institute (AFTI), conduct
13 training and information dissemination activities on agriculture and fisheries resources
14 accounting;

15 4. In coordination with the Agriculture and Fisheries Research, Development and
16 Extension Council (AFRDEC), conduct special studies and research on the impact of
17 agriculture and fisheries on our natural resources and environment and other related
18 studies; and

19 5. Perform such other functions assigned to it by the Secretary or as may be provided by
20 law.

21

22 **SEC. 14. *The PEENRA System.*** – The Philippine Economic Environmental and
23 Natural Resources Accounting Division shall form part of the PEENRA System created
24 under Executive Order No. 406, series of 1997.

25

26 **SEC. 15. *Transfer of Functions.*** – The functions, powers and duties of the
27 Bureau of Agricultural Statistics, Information and Technology Center for Agriculture and
28 Fisheries, and the Agriculture and Fisheries Information Service are hereby transferred to
29 the ICs.

1 **SEC. 16. *Policy and Planning Service.*** – There shall be created the Policy and
2 Planning Service (PPS) which shall be headed by an Assistant Secretary. The PPS shall
3 have the following functions:

- 4 1. Policy formulation, integration of plans 'and programs emanating from all units,
5 bureaus, and offices of the Department;
- 6 2. Data analysis, monitoring, and evaluation of the implementation of said plans and
7 programs through its management information system;
- 8 3. Analysis of economic information relating to agriculture and fisheries;
- 9 4. Such other functions assigned to it by the Secretary or as may be provided by law

10
11 **SEC. 17. *Transfer of Functions.*** -- The functions of the Planning and Monitoring
12 Service are hereby transferred to the PPS.

13
14 **CHAPTER 3**
15 **OFFICES OF THE UNDERSECRETARIES**
16

17 **SEC. 18. *Undersecretaries.*** -- There shall be four (4) Undersecretaries who shall
18 assist the Secretary in the exercise of the mandate and in the discharge of the powers and
19 functions of the Department

- 20 1) Undersecretary for Marketing Assistance and Regulations;
- 21 2) Undersecretary for Research, Development and Extension;
- 22 3) Undersecretary for Production Assistance Services; and
- 23 4) Undersecretary for Regional Operations.

24
25 **SEC. 19. *Functions of the Undersecretaries.*** -- An Undersecretary shall have the
26 following functions:

- 27 I, Exercise supervision and control over the services, offices, bureaus, units including the
28 officers and employees under his/her assigned area of responsibility;
- 29 2. Implement the laws, orders, issuances, rules and regulations as mandated and directed
30 to by law or the Secretary;

- 1 3. Through a participatory process, facilitate the formulation of his/her services' short,
2 long-term and strategic plans, programs and activities in accordance with the mandate
3 given by law and executive orders, issuances and directives including the
4 implementation, monitoring and evaluation of the same.
- 5 4. Ensure that the plans and activities of his/her service is properly coordinated and in
6 harmony with those of the other units and offices in the Department and with the overall
7 mandate given to the Department by law; and
- 8 5. Perform such other functions assigned by the Secretary or as may be provided by law.

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11 **CHAPTER 4**
12 **MARKETING ASSISTANCE AND REGULATION**
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14 **SEC. 20. *Marketing Assistance and Regulation.*** – There is hereby created the
15 Marketing Assistance Regulation Services (MARS) which shall be headed by an
16 Undersecretary.

17 The MARS shall have the following functions:

- 18 1. Identify markets for Philippine agricultural products and assist in the planning of
19 market centers, marketing channels, and distribution networks;
- 20 2. Establish National Marketing Assistance Program that will immediately lead to the
21 creation of a national marketing umbrella, matching supply and demand in both domestic
22 and foreign markets;
- 23 3. Identify, develop and strengthen local and foreign markets for Philippine agriculture
24 and fishery products through, but not limited to, trade missions and trade fairs;
- 25 4. Conduct research and studies in domestic and foreign agriculture and fisheries
26 economies, trade, community programs, and related topics;
- 27 5. Receive and analyze the reports of Agricultural Attaches;
- 28 6. Develop, codify, promulgate, implement and monitor adherence to and compliance
29 with agriculture and fisheries product standards in order to ensure consumer safety and
30 promote the competitiveness of agriculture and fisheries products;

- 1 7. Review, codify and implement all laws, orders and regulations related to agriculture
- 2 and fisheries such as quarantine laws, sanitary and phytosanitary measures and other
- 3 regulatory programs to control and eradicate animal and plant pests and diseases;
- 4 8. Conduct regular inspections to ensure the safeness of agriculture and fisheries
- 5 products;
- 6 9. Monitor the volume of rice and take appropriate measures to ensure its availability;
- 7 and
- 8 10. Perform such other functions as may be provided by law or assigned to it by the
- 9 Secretary.

10

11 **SEC. 21. *Bureaus and Offices.*** – The MARS shall be composed of the following
12 bureaus and offices:

- 13 1. Bureau of Food Security;
- 14 2. Bureau of Agriculture and Fisheries Product Standards;
- 15 3. Bureau of Quarantine;
- 16 4. Bureau of Inspection and Food Safety; and
- 17 5. Control and Surveillance Office.

18

19 **SEC. 22. *Bureau of Food Security.*** – There shall be a Bureau of Food Security
20 (BFS) which shall be headed by a Director, a career officer. The BFS shall have the
21 following functions:

- 22 1. Formulate, develop, promulgate and implement a national food security program in
- 23 coordination with the appropriate government and private agencies, offices, entities and
- 24 units;
- 25 2. Monitor and provide updated information on the current status of the volume of rice
- 26 stocks and major staples of the country;
- 27 3. Make regular national and regional forecasts on the supply and demand of rice and
- 28 major staples and, based on forecasts of rice shortages and during calamities, exercise
- 29 control over the flow and distribution of rice in order to ensure its availability;.

- 1 4. Recommend to the AFRDEC and other appropriate offices, research, development and
2 extension subjects and activities in support of the national food security program; and
3 5. Perform such other functions as may be provided by law or assigned to it by the
4 Secretary.

5

6 **SEC. 23. *Transfer of Powers and Functions.*** – The regulatory power and
7 functions and the appropriate units or sections of the National Food Authority shall be
8 transferred to the Bureau of Food Security and rationalized in accordance with the
9 provisions of this Act.

10

11 **SEC. 24. *Bureau of Agriculture and Fishery Product Standards.***

12 There shall be a Bureau of Agriculture and Fisheries Product Standards (BAFPS) which
13 shall be headed by a Director, a career officer. The BAFPS shall have the following
14 functions:

- 15 1. Formulate and enforce standards of quality in the processing, preservation, packaging,
16 labeling, importation, exportation, distribution, and advertising of agricultural and
17 fisheries products;
18 2. Conduct research on product standardization, alignment of the local standards with the
19 international standards; and
20 3. Conduct regular inspection of processing plants, storage facilities, abattoirs, as well as
21 public and private markets in order to ensure freshness,

22

23 **SEC. 25. *Transfer of Powers and Functions.*** – The powers and functions of the
24 National Dairy Authority, Food Development Center and the units safety and quality of
25 products.

- 26 1. Formulate and enforce standards of quality in the processing, preservation, packaging,
27 labeling, importation, exportation, distribution, and advertising of agricultural and
28 fisheries products;

- 1 2. Conduct research on product standardization, alignment of the local standards with the
- 2 international standards; and
- 3 3. Conduct regular inspection of processing plants, storage facilities, abattoirs, as well as
- 4 public and private markets in order to ensure freshness, safety and quality of products.

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6

7 **SEC. 26. Bureau of Quarantine.** – There shall be a Bureau of Quarantine (BQ)
8 that shall be headed by a Director, a career officer. The BQ shall have the following
9 functions:

- 10 1. Examine imported plants and animals, their products, and other materials capable of
- 11 harboring pests, pathogens and vectors of diseases and process requests for approval of
- 12 import-export permits;
- 13 2. Enter into and inspect all buildings, storage places, transportation vehicles and
- 14 carriers, passengers, crew, luggage and mails for the purpose of implementing Section
- 15 27(a) of this Chapter and other regulatory and quarantine laws;
- 16 3. Inspect, administer treatment and certify plants and animals, their products and other
- 17 related materials intended for export, if the importing country so requires;
- 18 4. Confiscate and destroy or refuse entry of plants, animals, and their products involved
- 19 in prohibited importation and deny inspection certification or clearance of the same; and
- 20 5. Perform such other functions as may be provided by law or assigned to it by the
- 21 Assistant Secretary for Regulatory Services.

22

23 **SEC. 27. Transfer of Powers and Functions.** – The appropriate units or sections
24 of the Bureau of Animal Industry and Bureau of Plant Industry are hereby transferred to
25 and integrated with the Bureau of Quarantine and rationalized in accordance with the
26 provisions of this Act.

27

1 **SEC. 28. *Bureau of Inspection and Food Safety.*** – There shall be a Bureau of
2 Inspection and Food Safety (BIFS) which shall be headed by a Director, a career officer.
3 The BIFS shall have the following functions:
4 1. Formulate, develop, promulgate, implement and monitor compliance with guidelines
5 pertaining or related to food safety, the use of fertilizers and pesticides consistent with
6 sustainability in agriculture and fisheries, and proper labeling of agriculture and fisheries
7 products;
8 2. Conduct inspection of agriculture and fisheries products for the purpose of
9 implementing Section 29(a) of this Chapter and conduct food safety and consumer
10 education programs; and
11 3. Perform such other functions as may be provided by law or assigned to it by the
12 Assistant Secretary for Regulatory Services.

13
14 **SEC. 29. *Transfer of Functions.*** – The functions of the National Meat Inspection
15 Council, and the Fertilizer and Pesticide Authority are hereby transferred and integrated
16 with the Bureau of Inspection and Food Safety and rationalized in accordance with this
17 Act.

18
19 **CHAPTER 5**
20 **PRODUCTION ASSISTANCE SERVICES**
21

22 **SEC. 30. *Production Assistance Services.*** - There is hereby created a Production
23 Assistance Services (PAS) which shall be headed by an Undersecretary and shall have
24 the following functions:
25 1. Coordinate the provision of public goods that are critical to the efficient
26 production of agricultural commodities; and
27 2. Support farmers, fisherfolk and their organizations, the local government units and
28 participants in the agriculture and fisheries sector in increasing production, harvesting,
29 storage and handling, processing, marketing

30

1 **SEC. 31. *Bureaus and Offices.*** – The PAS shall be composed of the following
2 bureaus and offices:
3 1. Bureau of Irrigation Services;
4 2. Bureau of Soil and Water Management;
5 3. Bureau of Rural Infrastructure Modernization; and
6 4. Bureau of Credit Services Support.

7
8 **SEC. 32. *Bureau of Irrigation Services.*** – The National Irrigation Administration
9 is hereby renamed the Bureau of Irrigation Services (BIS) and rationalized in accordance
10 with the provisions of this Act. The BIS shall be headed by a Director, a career officer,
11 and shall have the following functions:

- 12 1. Coordinate with and provide technical assistance to the local government units
13 and other appropriate government and private agencies, institutions, and offices in
14 planning, designing, constructing, and selecting appropriate irrigation development
15 schemes based on the criteria specified in Section 28 of R.A. 8435;
- 16 2. Improve, rehabilitate, and maintain all types of irrigation projects including the
17 operation of major irrigation structures such as the headwork and main canals, and turn-
18 over of the operations and maintenance of the national irrigation system's secondary
19 canals and on-farm facilities to qualified Irrigators Associations in the locality;
- 20 3. Provide technical assistance to local government units, and devolve the planning,
21 design, and management of communal irrigation systems including the transfer of the
22 assets and resources of the National Irrigation Administration in relation to the communal
23 irrigation systems to the local government units;
- 24 4. Formulate and develop a plan for the promotion of a private-sector led development of
25 minor irrigation systems such as Shallow Tube Wells (STWs), Low Lift Pumps (LLPs)
26 and other inundation systems which shall be included in the Agriculture and Fisheries
27 Modernization Plan referred to in Chapter 2 of R.A. 8435;

- 1 5. Review and recommend proposals for the construction of irrigation facilities through
2 other viable schemes such as build-operate-and-transfer, build, transfer, and other
3 schemes that will fast track the development of irrigation systems;
- 4 6. Review irrigation service fee rates and recommend to the Department reasonable rates;
- 5 7. Monitor the implementation of and evaluate research, development programs
6 pertaining to irrigation and review every four (4) years all existing irrigation systems to
7 determine their viability and effectiveness;
- 8 8. Recommend plans, programs, policies, rules, and regulations to the Secretary and
9 provide for the technical assistance in the implementation of the same; and
- 10 9. Perform such other functions as may be provided by law or assigned to it by the
11 Secretary.

12

13 **SEC. 33. *Bureau of Soils and Wafer Management.*** – There shall be a Bureau of
14 Soils and Water Management (BSWM) which shall be headed by a Director, a career
15 officer. The BSWM shall have the following functions:

- 16 1. Advise and render assistance on matters relating to the utilization and management of
17 land and water resources;
- 18 2. Formulate measures and guidelines for effective soil, land, and water resource
19 utilization, as well as soil conservation in agricultural areas and other areas affecting
20 agriculture;
- 21 3. Prepare plans and recommendations, as well as assist the farmers, local government
22 nits and other members of the agriculture sector, in soil impounding, prevention of soil
23 erosion, fertility preservation and other matters related to soil and water management;
- 24 4. Coordinate with government agencies on matters related to soil and water
25 management;
- 26 5. Engage in rainmaking projects for agricultural areas and watersheds to solve the
27 problem of prolonged droughts and minimize their effects on standing agricultural crops;
- 28 6. Recommend plans, programs, policies, rules and regulations to the Secretary and
29 provide technical assistance in the implementation of the same; and

1 7. Perform such other functions as may be provided by law or assigned to it by the
2 Assistant Secretary for Support Services.

3

4 **SEC. 34. *Bureau of Rural Infrastructure Modernization.*** – There shall be a
5 Bureau of Rural Infrastructure Modernization (BRIM) which shall be headed by a
6 Director, a career officer. The BRIM shall have the following functions:

7 1. In coordination with Department of Public Works and Highways, the Department
8 of Transportation and Communications, the Department of Trade and Industry and the
9 local government units, address the infrastructure requirements of the agriculture and
10 fisheries sectors;

11 2. Together with the local government units, strengthen its agricultural and fisheries
12 engineering groups to provide the necessary technical and engineering support in
13 carrying out the smooth and expeditious implementation of agriculture and fisheries
14 infrastructure projects;

15 3. Coordinate with the Department of Public Works and Highways for the purpose of
16 determining the order of priorities for public works funded under the Public Works Act
17 which directly or indirectly affect agriculture and fisheries;

18 4. Coordinate with Department of Transportation and Communications and other
19 appropriate government agencies and offices, for the purpose of determining priority
20 fishports, seaports and airports and facilitating the installation of bulk-handling and
21 storage facilities, and other post-harvest facilities needed in order to enhance the
22 marketing of agriculture and fisheries products;

23 5. Coordinate with the local government units and resident farmers and fisherfolk in
24 identifying priority locations of farm-to-market roads;

25 6. Coordinate with the Department of Energy, Department of Public Works and
26 Highways, National Electrification Administration, and National Power Corporation for
27 the identification and installation of appropriate types of energy sources particularly in
28 the use of non-conventional energy sources for the locality in order to enhance
29 agriculture and fisheries development in the area;

- 1 7. Coordinate with the Department of Transportation and Communications to facilitate
2 the installation of telecommunication facilities in priority areas;
- 3 8. Coordinate with the Department of Public Works and Highways and local government
4 units for the identification and installation of water supply system in 'the locality for
5 agro-industrial uses;
- 6 9. Coordinate with the Post-Harvest Horticulture, Training and Research Center of the
7 University of the Philippines at Los Banos to identify appropriate post-harvest facilities
8 and technology; and
- 9 10. Perform such other functions as may be provided by law or assigned to it by the
10 Assistant Secretary for Support Services.

11

12 **SEC. 35. Bureau of Credit Support.** – There shall be a Bureau of Credit Support
13 which shall be headed by a Director, a career officer.

14 The BCS shall have the following functions:

- 15 1. Monitor the implementation of the agriculture, fisheries, and agrarian reform credit and
16 financing system including the Agro-Industry Modernization Credit and Financing
17 Program (AMCFP) in accordance with the provisions of
18 Section 23 of R.A. 8435;
- 19 2. Review all existing credit and guarantee schemes and funds pertaining to the
20 agriculture and fisheries sectors in order to rationalize and consolidate the same into an
21 Agriculture and Fisheries Credit Guarantee Fund in accordance with the provisions of
22 Section 25 of R.A. 8435;
- 23 3. Recommend plans, programs and policies relating to credit assistance for the
24 agriculture and fisheries sectors;
- 25 4. Coordinate with other government and private agencies and entities in the performance
26 of its functions; and
- 27 5. Perform such other functions as may be provided by law or assigned to it by the
28 Assistant Secretary for Support Services.

29

1 **SEC. 36. *Transfer of Functions.*** – The powers and functions of the Agriculture
2 Credit Policy (ACPC) and the Quedan Rural Credit and Guarantee Corporation
3 (Quedancor) are hereby transferred to and integrated with the BCS and rationalized in
4 accordance with the provisions of this Act.

5
6 **CHAPTER 6**
7 **RESEARCH, DEVELOPMENT AND EXTENSION SERVICES**
8

9 **SEC. 37. *Research, Development and Extension Services.*** – There is hereby
10 created the Research, Development and Extension Services which shall be headed by an
11 Undersecretary and shall consist of two (2) bureaus:

- 12 1. Bureau of Agriculture and Fisheries Research and Development; and
- 13 2. Bureau of Agriculture and Fisheries Extension

14
15 **SEC 38. *Bureau of Agriculture and Fisheries Research and Development.*** –

16 The Bureau of Agriculture Research is hereby renamed the Bureau of Agriculture and
17 Fisheries Research and Development (BFARD) and shall be headed by a Director, a
18 career officer. The functions of the Bureau of Fisheries and Aquatic Resources are hereby
19 transferred to and integrated with the BAFRD and likewise rationalized in accordance
20 with this Act. The BAFRD shall have the following functions:

- 21 1. Serve as the Secretariat of the Agriculture and Fisheries Research and Development
22 Council (AFRDC) to ensure that all agriculture and fisheries research is coordinated
23 and undertaken for maximum utility to agriculture and fisheries;
- 24 2. In coordination with appropriate government and private agencies, formulate the
25 Agriculture and Fisheries National Research and Development System (AFNRDS)
26 for approval by the AFRDC;
- 27 3. Coordinate the research and development system of the Department which includes
28 the National Research Centers (NRC), Regional Integrated Agriculture and Fisheries
29 Research Centers (RIAFRC), Regional Integrated Agricultural Research Centers

- 1 (RIARC), Research Outreach Stations (ROS), and the Research and Development
2 units of bureaus and attached agencies;
- 3 4. Provide leadership in the formulation of the national research and development
4 agenda, approve the releases of funds for all agriculture and fisheries Research and
5 Development and, in coordination with the State Universities and Colleges (SUCs),
6 Philippine Council for Agriculture Research and Rural Development (PCARRD) and
7 Philippine Council for Aquatic and Marine Research and Development
8 (PCAMARD), draft and regularly review the *"Guidelines in Planning and
9 Implementation of Agriculture and Fisheries Research"*
- 10 5. Tap farmers and fisherfolk, their organizations, and research institutions, especially
11 state colleges and universities, in the conduct of research for use by the Department
12 and its clientele, particularly farmers, fisherfolk, and other rural workers;
- 13 6. Directly administer, and implement a monitoring and evaluation system for all research
14 centers, institutes and research networks in agriculture and fisheries, specifically, but not
15 limited to those identified in Chapter 7 of this Act and, in coordination with appropriate
16 agencies, draft the program, parameters and guidelines for the evaluation of agricultural
17 and fisheries research and development performance, activities and outputs incorporating
18 the Output-Oriented Performance Standards (OOPS) and the standards and accreditation
19 guidelines referred to in Section 72 (5) and the provisions of the *Magna Carta for
20 Science and Technology Personnel*;
- 21 7. In coordination with the Agriculture and Fisheries Training Institute (AFTI) and other
22 appropriate agencies, draft and regularly review the following:
- 23 a. *"Policies on the Autonomy and Academic Freedom of Research and Development
24 Institutions in Agriculture and Fisheries"* in relation to the institutional, fiscal and
25 administrative autonomy and exercise of academic freedom of professional staff and
26 institutions including guidelines for the use and reinvestment of research and
27 development extension income into research and development extension activities;
- 28 b. *"Harmonized Merit and Out-put Oriented Promotion System for Technical and
29 Scientific Personnel Involved in Agriculture and Fishery Research and Development*

1 *Extension*" to harmonize performance standards, qualifications, salary scales and the
2 collegial process of performance evaluation including the setting up of minimum
3 qualification standards, compensation and incentive structure for directors and heads of
4 research centers;

5 c. *"Salary and Fringe Benefit System for Technical and Scientific Personnel Involved in*
6 *Agriculture and Fisheries Research and Development Extension"* with the aim of
7 providing a competitive edge in attracting and retaining in the research and development
8 extension system the brightest and most productive technical and science personnel;

9 8. Coordinate with privately owned-and funded research centers, institutes, and networks;

10 9. Develop an agriculture and fisheries research and development information system
11 linked to the National Information Network (NIN);

12 10. Manage the research and development fund of the Department based on the
13 guidelines approved by AFRDC; and

14 11. Perform such other functions as may be provided by law or assigned to it by the
15 Undersecretary for Research, Development and Extension.

16

17 **SEC. 39. *Bureau of Agriculture and Fisheries Extension.*** – There shall be a
18 Bureau of Agriculture and Fisheries Extension (BAFEx) which shall be headed by a
19 Director, a career officer. The BAFEx shall administer the following offices:

20 1. Agriculture and Fisheries Training Institute;

21 2. Technology Tracking Office; and

22 3. Extension and Marketing Communication.

23

24 **SEC. 40. *Agriculture and Fisheries Training Institute*** – The Agriculture
25 Training Institute shall be renamed as the Agriculture and Fisheries Training Institute
26 (AFTI) and its functions rationalized in accordance with the provisions of this Act. Other
27 offices and units of the department involved in extension services in agriculture and
28 fisheries shall be transferred and integrated with the AFTI.

1 The AFT1 shall be headed by the Assistant Director for Training and shall have
2 the following functions:

3 1. Serve as the Secretariat for extension and training in agriculture and fisheries of the
4 AFRDEC;

5 2. Advise the Department in the management of financial and logistical support for
6 extension based on principles approved by the AFRDEC;

7 3. In coordination with appropriate government and private agencies, formulate the
8 Agriculture and Fisheries National Extension System (AFNES) in harmony with the
9 Agriculture and Fisheries National Research and Development System (AFNaRDS) for
10 approval by the AFRDEC;

11 4. Coordinate with farmers and fisherfolk organizations and with appropriate government
12 and private agencies in order to determine priority areas for training and extension and in
13 gathering information related to agriculture and fisheries;

14 5. Provide leadership in the formulation of the national agriculture and fisheries extension
15 agenda and the corresponding budget;

16 6. Directly administer and implement a monitoring and evaluation system for the
17 AFNES;

18 7. Prepare an integrated training plan for publicly-funded training in agriculture and
19 fisheries for review by the AFRDEC and, in consultation with representatives of the
20 institutions in the AFNES, shall promulgate the *“Guidelines for the Planning and
21 Implementation of Agriculture and Fisheries Extension”* that shall provide guidelines on
22 multidisciplinary extension work and its linkages to research and development , and
23 strategies for increasing the participation of the clientele and the industry in the planning
24 and in the monitoring and evaluation of extension programs;

25 8. Set up a certification system for vocational and technical training in agriculture and
26 fisheries in collaboration with the Technical Education and Skills Development Authority
27 (TESDA);

28 9. Develop and administer a national human resources development program for short-
29 term and degree and non-degree training for local government units extension personnel

1 in all areas related to agriculture and fisheries which include production, processing,
2 marketing, use of appropriate technology, networking, product standards, credit facilities
3 and entrepreneurship;

4 10. In consultation with the Civil Service Commission (CSC), Department of Interior
5 and Local Government and the local government units, formulate a national merit and
6 output-oriented promotion system governing all extension personnel in the national and
7 local levels;

8 11. Develop an agriculture and fisheries extension information and communication
9 system linked with the National Information Network and maintain a computerized
10 database on the extension force, covering all agriculture and fisheries extension personnel
11 of local government units, the Department and its attached agencies, bureaus and other
12 government and private agencies;

13 12. Provide technical assistance to local government units in the implementation of
14 extension services in agricultural and fisheries development plans and mobilize technical
15 resources from all sources to assist local government units in solving specific problems
16 related with extension services in agriculture and fisheries;

17 13. Undertake relevant special studies related to training and extension services in
18 agriculture and fisheries;

19 14. Recommend specific policies and procedures related to training and extension in
20 agriculture and fisheries;

21 15. Provide an integrated and comprehensive multi-media support on extension and
22 training services for the national research and development program;

23 16. Perform such other functions as may be provided by law or assigned to it by the
24 Bureau Director of the BAFEx.

25

26 **SEC. 41. *Technology Tracking Office.*** – There shall be a Technology Tracking
27 Office (TTO) which shall be headed by an Assistant Director. The TTO shall establish a
28 technology tracking system in order to monitor periodically the extent and level of
29 technology applications in major agriculture and fishery commodities.

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SEC. 42. *Extension and Marketing Communication Office.* – There shall be an Extension and Marketing Communication Office (EMCO) which shall be headed by an Assistant Director. The EMCO shall have the following functions:

1. Provide an integrated and comprehensive multi-media support on extension and training services for the national research and research extension program in agriculture and fisheries;
2. Develop information materials concerning agriculture and fisheries;
3. Coordinate with government and private agencies for the collection of data related to fisheries and agriculture; and
4. Perform such other functions assigned by the Secretary.

**CHAPTER 7
RESEARCH AND DEVELOPMENT CENTERS, STATIONS, OUTREACH AND
NETWORK**

SEC. 43. *National Commodity Research Centers.* – The National Commodity Research Centers (NCRC) which are government agencies involved in agriculture and fisheries research and development shall be under the direct administration and/or supervision of the Bureau of Agriculture and Fisheries Research and Development (BAFRD) *in* accordance with their respective funding agreements or relationship with the Department and consistent with the national research and development agenda as formulated by the Agriculture and Fisheries Research Development and Extension Council (AFRDEC).

SEC. 44. *Functions of National Commodity Research Centers.* – The National Commodity Research Centers (NCRC), under the guidance of the Bureau of Agriculture and Fisheries Research and Development (BAFRD) and the Bureau of Agriculture and Fisheries Extension (BAFEx) shall have the following functions:

- 1 1. Provide national leadership in the planning and coordination of the implementation,
- 2 monitoring and evaluation of research and development extension programs;
- 3 2. Undertake midstream and downstream applied research in the region, and
- 4 3. Develop and maintain a network of provincial collaborators in undertaking the regional
- 5 research and development extension programs.

6

7 **SEC. 45. Rationalized Offices.** – The following offices shall be primarily
8 engaged in research and development extension and rationalized as National Commodity
9 Centers in accordance with the provisions of this Act: Fiber Development Authority,
10 National Crop Protection Center, National Fisheries Development Institute, Bureau of
11 Post-Harvest Research and Extension, National Tobacco Administration, Philippine
12 Carabao Center, Philippine Coconut Authority, Philippine Cotton Corporation, Philippine
13 Rice Research Institute, and the Sugar Regulatory Administration.

14 Other agencies, offices, units or sections of agencies engaged in agriculture and
15 fisheries research and development shall be integrated, whenever appropriate with the
16 above National Commodity Research Centers (NCRC) or shall be transformed into
17 separate NCRC as may be determined by the Agriculture and Fisheries Research and
18 Development Extension Council (AFRDEC)

19 The rationalized offices under this section including international research entities
20 engaged in agriculture and/or fisheries research and development and extension such as
21 the South East Asian Fisheries Development and Extension Council (SEAFDEC) shall
22 form part of the Agriculture and Fisheries National Research and Development System
23 (AFNaRDS) or Agriculture and Fisheries National Extension System (AFNES) in
24 accordance with the provisions of this Act.

25

26 **SEC. 46. State Universities and Colleges as National Multi-Media Commodity**
27 **Research Centers, Regional Research Stations or Cooperating Stations.** – Selected state
28 universities and colleges shall be included under the National Agriculture and Resources
29 Research and Development Network (NARRDN) and the National Aquatic and

1 Resources Research and Development System (NARRDS) as National Multi-Commodity
2 Research Centers, (NMCRC), Regional Research Stations (RSS), or Cooperating Stations
3 (CS), as determined by the AFRDEC.

4

5 **SEC. 47. *National Multi-Commodity Research Centers.*** – National Multi-
6 Commodity Research Centers are hereby defined as National Universities and Colleges
7 of Agriculture and/or Fisheries (NUCAF) that are assigned national or zonal
8 responsibilities on specific commodities by the Agriculture and Fisheries Research and
9 Development Extension Council based on recommendations of the Bureau of Agriculture
10 and Fisheries Research and Development in coordination with the Philippine Council for
11 Agricultural Research and Rural Development and the Philippine Council for Aquatic
12 and Marine Research and Development.

13

14 **SEC. 48. *Functions of the National Multi-Commodity Research Centers.*** –
15 National Multi-Commodity Research Centers, in relation to their assigned national, zonal
16 or commodity responsibilities, shall have the following functions:

- 17 1. Provide leadership in the planning, implementation, monitoring and evaluation of their
18 research, development and extension programs;
- 19 2. Undertake basic research;
- 20 3. Undertake upstream applied research including strategic research; and
- 21 4. Develop and maintain a network of national regional and provincial collaborators.

22

23 **SEC. 49. *Functions of the Regional Integrated Agricultural Research Centers.***
24 – The Regional Integrated Agricultural Research Centers, in relation to their assigned
25 commodities or fields, under the guidance of the National Commodity Research Centers
26 and in close cooperation with the relevant National Universities and Colleges of
27 Agriculture and Fisheries, Regional Field Units and Provincial Agriculturist shall have
28 the following functions:

- 1 1. Provide leadership in the planning and coordination of the implementation, monitoring
2 and evaluation of an integrated research, development and extension program within a
3 farming systems approach in coordination with the regional training centers;
- 4 2. Undertake midstream and downstream applied research in the region; and
- 5 3. Develop and maintain a network of provincial collaborators in undertaking the regional
6 research, development and extension programs.

7

8 **SEC. 50. *Functions of the Regional Outreach Stations.*** – The Regional
9 Outreach Stations, under the guidance of the Regional Integrated Agricultural Research
10 Centers and in close collaboration with the Provincial Agriculturist and Philippine
11 Institute of Agriculture and Fisheries, shall have the following functions:

- 12 1. Serve as the satellite stations of the Regional Integrated Agricultural Research Centers
13 and links between the regional and provincial research, development and extension
14 programs;
- 15 1. Undertake downstream applied research;
- 16 2. Demonstrate new and appropriate technologies;
- 17 3. Serve as an educational and training facility; and
- 18 4. Propagate genetic materials.

19

20 **SEC. 51. *Regional Research Stations.*** – The Regional Research Stations are
21 hereby constituted to consist of National Universities and Colleges of Agriculture and
22 Fisheries or Provincial Institutes of Agriculture and Fisheries that are assigned regional
23 responsibilities on specific commodities by the Agriculture and Fisheries Research,
24 Development and Extension Council as recommended by the Bureau of Agriculture and
25 Fisheries Research and Development in coordination with the Philippine Council for
26 Agricultural Research and Rural Development and the Philippine Council for Aquatic
27 and Marine Research and Development.

28

1 **SEC. 52. *Functions of the Regional Research Stations.*** – The Regional
2 Research Stations, under the technical guidance of the National Central Research Centers
3 and in close cooperation with the Regional Integrated Agricultural Research Centers and
4 the Provincial Agriculturists, shall, in relation to their assigned national, zonal, or
5 commodity responsibilities, have the following functions:

- 6 1. Provide regional leadership in the planning, implementation, monitoring and
7 evaluation of the research, development and extension programs;
- 8 2. Undertake midstream and downstream applied research in the region; and,
- 9 3. Develop and maintain a network of provincial collaborators

10
11 **SEC. 53. *Cooperating Stations.*** – The Cooperating Stations are hereby
12 constituted to consist to National Universities and Colleges of Agriculture and Fisheries
13 or Provincial Institutes of Agriculture and Fisheries that are assigned provincial
14 responsibilities on specific commodities or areas by the Agriculture and Fisheries
15 Research, Development and Extension Council as recommended by the Bureau of
16 Agriculture and Fisheries Research and Development in coordination with the Philippine
17 Council for Agriculture Research and Rural Development and the Philippine Council for
18 Aquatic and Marine Research and Development.

19
20 **SEC. 54. *Functions of the Cooperating Stations.*** – The Cooperating Stations
21 shall, under the guidance of the Regional Research Centers or the Regional Integrated
22 Agricultural Research Centers and in close collaboration with the Research Outreach
23 Stations and the Provincial Agriculturist, in relation to their assigned commodities, have
24 the following functions:

- 25 1. Serve as satellite stations of the Regional Integrated Agriculture Research Centers or
26 the Regional Research Stations and link the regional and provincial research,
27 development and extension programs;
- 28 2. Undertake downstream applied research relevant to the province;
- 29 3. Demonstrate new and appropriate technologies in the province; and

1 4. Serve as educational and training facilities.

2
3 **CHAPTER 8**
4 **REGIONAL OPERATIONS**
5

6 **SEC. 55. *Regional Operations.*** – The Department shall establish, operate and
7 maintain a Regional Office in each of the country’s administrative regions, each of which
8 shall be headed by a Regional Executive Director. The Regional Executive Director shall
9 be assisted by three (3) Technical Directors equivalent to the level of Assistant Regional
10 Directors assigned to Marketing Assistance and Regulatory Services, Production Support
11 Services, and Research, Development and Extension Services, respectively.

12
13 **SEC. 56. *Functions of the Regional Offices.*** – The regional offices shall have the
14 following functions:

- 15 1. Implement and enforce in its area the laws and policies, plans, programs, projects,
16 rules and regulations issued by the Department such as quarantine and food safety
17 standards laws, rules and regulations;
- 18 2. Implement and provide regulatory and support services and coordinate and/or exercise
19 supervision over research, development and extension programs at the regional level;
- 20 3. Provide technical and financial support to the local government units in terms of, but
21 not limited to extension and training services, and in the implementation and
22 management of agriculture and fisheries development programs;
- 23 4. Monitor and evaluate the local government units compliance with nationally-mandated
24 programs and standards relating to agriculture and fisheries;
- 25 5. Coordinate with government and private agencies and offices; and
- 26 6. Perform such other functions as may be provided by law or assigned by the
27 Undersecretary for Operations;

28
29 **SEC. 57. *Other Offices and Units in Regional Offices.*** – Other offices and units
30 in the regional offices shall be rationalized and coordinated with the Administrative and

1 Finance Services, Information and Communication Staff, and Policy and Planning
2 Service structure of the Office of the Secretary of the Department.

3
4 **CHAPTER 9**
5 **THE NATIONAL AGRICULTURE AND FISHERIES MODERNIZATION**
6 **COUNCIL**
7

8 **SEC. 58. *National Agriculture and Fisheries Council for Modernization.*** –

9 There is hereby created a National Agriculture and Fisheries Council for Modernization
10 (NAFCM), hereinafter referred to as the Council, a body attached to the Office of the
11 Secretary, to promote a policy environment that will accelerate the development of a
12 sustainable and globally competitive agriculture and fisheries industry.

13
14 **SEC. 59. *Functions of the Council.*** – The Council shall have the general powers
15 and attributes of a corporation as set forth in the Corporation Law and the mandate to
16 perform the following functions, powers and responsibilities:

- 17 1. To formulate, implement, review and revise a medium and long-term comprehensive
18 agriculture and fisheries modernization plan. Such plan shall be developed on the basis of
19 the long-term agriculture and fisheries plans and programs developed by the Municipal,
20 Provincial and Regional Agriculture and Fisheries Development Councils for
21 Modernization to effect consistency of such plans with national development framework
22 and policies;
- 23 2. To ensure food security, alleviate poverty in the rural sector, promote sustainable
24 growth, and develop internationally competitive agribusiness and fisheries ventures;
- 25 3. Serve as the consultative and feedback mechanism which shall enable the farmers,
26 fisherfolk and those involved in agriculture and fisheries at all levels of operations from
27 the municipal up to the national level to be actively involved in the formulation of
28 policies, plans, programs and activities;

- 1 4. Review and recommend for the approval of the Secretary reports for submission to the
2 Congressional Oversight Committee on Agriculture and Fisheries Modernization created
3 under Republic Act 8435;
- 4 5. Formulate policies, plans and programs on food production, postharvest handling,
5 storage, milling, distribution and credit support, including the coordination of its
6 implementation among the various agencies and institutions of the government and the
7 private sector;
- 8 6. Ensure the best administration of market development programs for agricultural
9 commodities and food products;
- 10 7. Ensure an adequate flow of these products to consumers as well as a fair return to
11 producers and prevent inefficient and wasteful methods of distribution;
- 12 8. Foster the empowerment of agricultural producers into effective associations or
13 corporations under their own control for greater unity of effort in marketing;
- 14 9. Promote the establishment and financing of farm marketing systems of producer-
15 owned and producer-controlled cooperative associations and other agencies;
- 16 10. Set and review annually the government's buffer grain stock requirements at the
17 national and local levels and ensure that these requirements are achieved;
- 18 11. Effect, with the Regional Agricultural Councils and/or other government entities as
19 implementing agents, the domestic procurement of the government's buffer grain stock
20 through purchases of warehouse receipts or queans of grain deposits in government,
21 farmer-cooperatives and private warehouses and/or by buying grain produce directly
22 from farmer cooperatives;
- 23 12. Cause the direct importation of rice and allocation of import quotas among private
24 entities, especially certified and licensed farmer cooperatives;
- 25 13. Promulgate the government's stabilization price for grains to assure farmers with a
26 reasonable mark-up on their production cost and participation in the profits that may be
27 realized from the sale of the government's buffer grain stock;

- 1 14. Reorient the country's food production policies, plans and programs .in such a way
2 that the thrust of increasing the productivity of farmers is not only in terms of yield per
3 unit area but more so in aggregate income from farming enterprises;
- 4 15. Promote and coordinate plans and programs of assistance to producers through input
5 supplies, purchases and other operations, including loans in partnership with available
6 financial sources or institutions;
- 7 16. Institutionalize and actively promote the adoption of sustainable agricultural practices
8 at all farm levels so that steady production of various food commodities to cope with the
9 demands of a growing population is achieved in a way that maintains the productivity of
10 the soil and diminishes any adverse impact to the immediate environment; and
- 11 17. Undertake other tasks and activities as may be necessary to ensure the attainment of
12 efficient agricultural marketing systems and food security.

13

14 **SEC. 60. *Composition of the Council.*** – The powers, functions and affairs of the
15 Council shall be exercised and directed by a governing board to be chaired by the
16 Secretary with the Secretary of Agrarian Reform as Vice- Chairman; and with six (6)
17 members from the government sector who shall sit for a term of three (3) years; and five
18 representatives from the private sector, who shall sit for a term of three years, without
19 reappointment. The members from the government sector shall consist of the respective
20 heads of the following agencies or offices: the National Economic and Development
21 Authority; the Department of Environment and Natural Resources; the Department of
22 Trade and Industry, the Department of Transportation and Communications, the
23 Department of Interior and Local Government, and the Department of Public Works and
24 Highways.

25 Any of the government members may designate his permanent representative who
26 shall serve in his place as member of the board: *Provided,* That such representative shall
27 have a rank not lower than Undersecretary. The remaining five (5) members of the
28 Council shall consist of representatives to be nominated by accredited non-government
29 organizations and peoples' organizations, and appointed by the President to represent the

1 following sectors: small farmers, fisherfolk, agricultural traders, agri-based
2 manufacturers, and agri-based exporters.

3 The governing board shall meet regularly at least every month on any date to be
4 determined by the Chair: *Provided*, That the Chair may convene special meetings to
5 discuss urgent matters needing immediate resolution. The Council members shall be
6 entitled to a *per diem* for every meeting actually attended: *Provided*, That in no case shall
7 *per diems* exceed the equivalent for more than four (4) meetings per month. It shall
8 prescribe the rules and regulations to govern its deliberations and other official actions.

9

10 **SEC. 61. *Organization and Staff*** – The management of the day-today operations
11 of the Council shall be vested in an Executive Director who shall be appointed with the
12 rank of an Undersecretary by the President of the Philippines.

13 The Council shall set up the organizational structure, staffing pattern,
14 qualification standards, compensation scale, functions and authorities of their officers and
15 employees, pursuant to pertinent laws, rules and regulations being implemented by the
16 Civil Service Commission and the Department of Budget and Management.

17

18 **SEC. 62. *Committees***. – Committees shall be organized within the Council to
19 address the respective concerns of the following:

- 20 1. National Agriculture and Fisheries Education System (NAFES);
21 2. The marketing umbrella for agriculture and fisheries products;
22 3. Agro-industrial Modernization Credit and Finance Program (AMCFM); and
23 4. Agriculture and Fisheries National Research and Development System (AFNaRDS).
24 A Technical Advisory Group composed of representatives from various agricultural and
25 fisheries professions and the scientific community shall be created to serve all the
26 technical needs of the committees.

27

28 **SEC. 63. *The Consultative Network of National Agriculture and Fisheries***
29 ***Council for Modernization***. – The following shall be established and organized to form

1 the consultative network of the National Agriculture and Fisheries Council for
2 Modernization (NAFCM):

- 3 1. The Regional Agriculture and Fisheries Council (RAFC);
- 4 2. The Provincial Agriculture and Fisheries Council (PAFC); and
- 5 3. The Municipal Agriculture and Fisheries Council (MAFC)

6

7 **SEC. 64. *Structure of the Agriculture and Fisheries Councils.*** – The Agriculture
8 and Fisheries Councils (AFC) shall have the following membership and organizational
9 structure:

10 1. At the regional level, the presiding officer shall be the Regional Agriculture and
11 Fisheries Council (RAFC) chairperson, with all Provincial and Fisheries Council
12 chairpersons and all Provincial Agriculture Officers of the Department as members. The
13 regional field units of the Department shall serve as the Secretariat.

14 2. At the provincial level, the presiding officer shall be the Provincial Agriculture and
15 Fisheries Council (PAFC) chairperson, to be elected from among the members who shall
16 consist of all Municipal Agriculture and Fisheries Council Chairpersons and all
17 Municipal Agriculture officers as members. The Provincial Agrarian Office shall serve as
18 the Secretariat.

19 3. At the municipal level, the presiding officer shall be the Municipal Council Chairman,
20 to be elected from among the representatives of the following sectors: farmers'
21 organizations, fisherfolks' organizations, non-government organizations, women, youth
22 and agri-business groups. The Municipal Agrarian Office shall serve as the Secretariat.

23

24 **SEC. 65. *Functions of the local AFCs.*** – The local AFCs shall have the
25 following functions:

26 1. Convene meetings to discuss relevant agriculture and fisheries issues for submission
27 and recommendation to the National Agriculture and Fisheries Council for Modernization
28 (NAFCM) in order to ensure food security;

29 2. Review and assess agriculture and fisheries programs;

- 1 3. Represent the agriculture and fisheries sectors and participate actively in the Local
- 2 Development Councils (LDCs);
- 3 4. Assist the Department in the formulation of development plans for agriculture and
- 4 fisheries; and
- 5 5. Perform such other functions as may be assigned to it by the Council to achieve its
- 6 goals and objectives.

7

8 **SEC. 66. *Transfer of Powers and Functions.*** – The powers and functions of the
9 National Agricultural and Fisheries Council, the National Nutrition Council, and the
10 Livestock Development Council are hereby transferred to and integrated with the
11 National Agriculture and Fisheries Council for Modernization.

12

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CHAPTER 10
THE AGRICULTURE AND FISHERIES RESEARCH DEVELOPMENT AND
EXTENSION COUNCIL

17

18 **SEC. 67. *The Agriculture and Fisheries Research Development and Extension***
19 ***Council.*** – There is hereby created the Agriculture and Fisheries Research Development
20 and Extension Council (AFRDEC) which shall be attached to the Office of the Secretary.
21 It shall be headed by the Secretary as Chairperson and the Director General as Vice-
22 Chairperson. The Undersecretary for Research, Development and Extension Services of
the Department shall serve as the Secretary of the Council.

23

24 Each of the following departments, offices and agencies shall have a
25 representative: Department of Agrarian Reform, Department of Environment and Natural
26 Resources, Department of Interior and Local Government, Department of Science and
27 Technology, Department of Budget and Management, Commission on Higher Education
28 and the University of the Philippines at Los Banos. The representatives shall be
29 designated by their respective departments, offices and agencies and shall sit as members
of the Council for a term of three (3) years.

1 The following organizations shall likewise have a representative in the Council
2 duly designated by their respective governing boards: League of City Mayors, the League
3 of Municipal Mayors and the League of Governors. Each of the following sectors shall
4 have a representative who shall be appointed by the President upon the nomination of
5 non-government organizations and people's organizations duly accredited by the
6 Department, and who shall sit as members of the Council for a term of three (3) years
7 with no reappointment: rice farmers, corn and other grains farmers, plantation crop
8 farmers, livestock raisers, poultry raisers, municipal fishers, commercial fishers,
9 aquaculture enterprises, food processing industry, manufacturers of agricultural and
10 fisheries machineries, the agriculture and fisheries marketing sector, the science and
11 technology community, and non-government organizations concerned with the
12 environment.

13

14 **SEC. 68. *Functions of the Council.*** – The Council shall have the following
15 functions:

16 1. Integrate all the research, development and extension functions and activities in
17 agriculture and fisheries by enhancing, supporting, coordinating and consolidating the
18 Agriculture and Fisheries National Research and Development System (AFNaRDS), and
19 in close and effective linkage with the Agriculture and Fisheries National Extension
20 System (AFNES);

21 2. Prepare and oversee the implementation of a comprehensive research, development
22 and extension program in agriculture and fisheries including the review and
23 rationalization of the roles, functions and organization of various research, development
24 and extension centers, institutes, and network such as the National Agriculture and
25 Resources Research and Development Network (NARRDN) and the National Aquatic
26 Resources and Development System (NARRDS) including the Philippine Council for
27 Agriculture and Resources Research and Development (PCARRD) and the Philippine
28 Council for Aquatic and Marine Research and Development (PCAMRD);

- 1 3. Consolidate, review and approve the national research development and extension
2 agenda, and the plans and programs developed by the Agriculture and Fisheries National
3 Research and Development System (AFNaRDS) and the Agriculture and Fisheries
4 National Extension System (AFNES);
- 5 4. Set policies pertaining to research, development and extension in agriculture and
6 fisheries which will ensure food security, alleviate poverty, promote people
7 empowerment, agricultural and fisheries productivity and development, and promote
8 international competitiveness in the agriculture and fisheries sectors;
- 9 5. Approve policies for the operationalization and continued strengthening of the
10 institutional capabilities, efficiency, effectiveness and integration of the Agriculture and
11 Fisheries National Research and Development System (AFNARDS) and the Agriculture
12 and Fisheries National Extension System (AFNES), including the setting up of an output-
13 oriented system of monitoring and evaluating research, development and extension in
14 agriculture and fisheries;
- 15 6. Create committees, technical working groups, and commodity teams to facilitate the
16 accomplishment of its objectives;
- 17 7. Set policies on relations and exchange between Philippine and international institutions
18 on agriculture and fisheries research, development and extension, and approve the
19 allocation of funds from national as well as foreign sources for national research,
20 development and extension programs.
- 21 8. Formulate and implement a national program to develop and maintain a critical mass
22 of scientists involved in agriculture and fisheries research by providing adequate and up-
23 to-date science laboratory facilities and equipment, promoting a scientific environment
24 and culture conducive for scientific research and creativity, and providing compensation
25 rates and other benefits comparable with international standards; and
- 26 9. Call on the personnel of any of the services and offices of the Department and other
27 government agencies for technical support and assistance.

28

1 **SEC. 69. *The Secretariat.*** – The Bureau of Agriculture and Fisheries Research
2 and Development (BAFRD) shall serve as the Secretariat of the Council for research and
3 development while the Agriculture and Fisheries Training Institute (AFTI) shall serve as
4 the Secretariat for Extension and Training.

5 The Undersecretary of the Department for Research, Development and Extension shall
6 head both Secretariats that shall assist the Council in:

- 7 1. Formulating and setting the priorities for the national research, development and
8 extension agenda for agriculture and fisheries;
- 9 2. Implementing a system for monitoring and evaluating research, development and
10 extension in agriculture and fisheries;
- 11 3. Preparing details of the budget for the national agriculture and fisheries research,
12 development and extension activities; and
- 13 4. Performing such other functions as may be assigned to it by the Council to achieve its
14 goals and objectives.

15
16 **SEC. 70. *Agriculture and Fisheries National Research and Development***
17 ***System) Subsystems.*** – The Agriculture and Fisheries National Research and
18 Development System (AFNaRDS) shall be composed of two (2) subsystems: the
19 Agriculture Research and Development subsystem and the Fisheries Research and
20 Development subsystem.

21 1. Agriculture Research and Development Subsystem – The agriculture research and
22 development subsystem shall be composed of the following:

- 23 a. the agriculture research and development system of the Department;
- 24 b. the national agriculture and resources research and development network including
25 PCARRD;
- 26 c. the Bureau of Agrarian Reform Beneficiaries Development of the Department of
27 Agrarian Reform;
- 28 d. appropriate units and offices of other government agencies with functions relating
29 to agricultural research;

- 1 e. the Commission on Higher Education;
 - 2 f. selected State Universities and Colleges involved in fisheries research; and
 - 3 g. private agencies and institutions involved in agriculture research
- 4 2. Fisheries Research and Development Subsystem shall be composed of the following:
- 5 a. the fisheries research and development system of the Department;
 - 6 b. the National Aquatic Resources Research and Development System including the
 - 7 Philippine Council for Aquatic and Marine Research and Development (PCAMRD);
 - 8 c. appropriate units and offices of other government agencies with functions relating
 - 9 to, fisheries research;
 - 10 d. the Commission on Higher Education;
 - 11 e. selected State Universities and Colleges involved in fisheries research, and
 - 12 f. private agencies and institutions involved in fisheries research.

13

14 **SEC. 71. *Role of the Philippine Council for Agricultural Research and Rural***
15 ***Development and the Philippine Council for Aquatic and Marine Research and***
16 ***Development.*** - The Philippine Council for Agricultural Research and Rural
17 Development (PCARRD) and the Philippine Council for Aquatic and Marine Research
18 and Development (PCMARD) under the Agriculture and Fisheries Research
19 Development and Extension Council (AFRDEC), shall perform the following functions:

- 20 1. Collaborate with the Bureau of Agriculture and Fisheries Research and Development
- 21 in the screening of proposals and in the monitoring of ongoing agriculture and fisheries
- 22 research and development in the country;
- 23 2. Develop methodologies and systems for effective research, development and extension
- 24 planning in agriculture and fisheries emphasizing the quality and intensity of
- 25 participation on farmers, fisherfolk and the industry in setting the research, development
- 26 and extension agenda of the Department and related allocation of resources;
- 27 3. Develop and coordinate the implementation of output-oriented performance standards
- 28 for staff, institutions and programs in agriculture and fisheries research and development;

- 1 4. Set-up an efficient and effective computerized system of monitoring and evaluation of
2 research, development and extension staff and institutions, including databases required
3 for the assessment of research excellence, performance and capacity, such as the
4 *“Database of Scientific and Technical Personnel,”* Database for research , development
5 and extension infrastructure, and *“Database of Research, Development and Extension
6 Investment“;*
- 7 5. Develop and administer a career development program and a unified merit promotion
8 system for scientific and technical personnel in agriculture and fisheries research,
9 development and extension;
- 10 6. Develop and administer a career development program and a unified merit promotion
11 system for scientific and technical personnel in agriculture and fisheries research,
12 development and extension;
- 13 7. Develop and administer an incentive system to support high quality scientific journals
14 in agriculture and fisheries;
- 15 8. Develop a human resource maintenance system for providing incentives and benefits
16 to technical and scientific personnel in agriculture and fisheries aimed at ensuring that
17 agriculture and fisheries institutions gain and maintain a competitive edge in attracting
18 and maintaining their staff; and
- 19 9. Provide technical assistance in the improvement of institutions gain and maintain a
20 competitive edge in attracting and maintaining their staff.

21

22 **SEC. 72. *Integrated Council.*** – The Philippine Council for Agriculture and Rural
23 Development (PCARRD) and the Philippine Council for Aquatic and Marine Research
24 and Development (PCMARD) shall be transferred and integrated with the Agriculture
25 and Fisheries, Research, Development and Extension Council (AFRDEC).

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CHAPTER 11
GENERAL PROVISIONS

SEC. 73. *Other Agencies, Offices and Units.* – Other agencies, offices and units engaged in agriculture and fisheries not otherwise specifically mentioned in this Act shall be integrated with the appropriate bureaus, councils and offices created and/or rationalized in accordance with provisions of this Act. The National Stud Farm shall be integrated with the Philippine Racing Commission.

SEC. 74. *Security of Tenure.* – In the implementation of this Act, the Department shall ensure that there shall be no undue loss of employment of personnel' as a result of the rationalization authorized herein. In the event that the separation of personnel becomes unavoidable because of the integration, transfer, or abolition of their office or positions, or the reduction of the functions of the office, impact mitigation measures shall be adopted, such as redeployment of separated employees of one unit of the Department to other appropriate units, agencies, entities of the Department.

SEC. 75. *Transitory Provision.* – In accomplishing the acts of rationalization herein prescribed, the following transitory provisions shall be complied with:

1. The transfer or integration of a government unit or office shall include the functions, appropriations, funds, records, equipment, facilities, change in action, rights, other assets, and liabilities, if any, of the transferred or integrated unit or office as well as the personnel thereof, as may be necessary who shall in hold-over capacity continue to perform their respective duties and responsibilities, and receive the corresponding salaries and benefits unless separated from government due to causes other than the implementation of the provisions, of this Act.

2. The integrated units or offices shall be deemed abolish. Personnel of the transferred or integrated units whose positions are not included or who are no longer qualified in the Department's new position structure and staffing pattern shall be deemed separated from

1 service and shall be entitled to the benefits provided for in this Act and such other
2 applicable laws;

3 3. The transfer of function which result in the abolition of the unit or office that has
4 exercised them shall include the appropriations, fund, records, equipment, facilities,
5 change in action, rights, other assets, and personnel as may be necessary to the proper
6 discharge of the transferred functions. The remaining appropriations for funds of the
7 abolished units or offices shall revert to the General Fund and its remaining assets, if any,
8 shall be allocated to such appropriate units in the new organizational structure of the
9 Department as determined by the Secretary or shall otherwise be disposed in accordance
10 with the Government Auditing Code and other pertinent laws, rules and regulations.

11 4. In case of termination of functions which does not result in the abolition of the
12 government unit which has performed such functions, the appropriations and funds
13 intended to finance the discharge of such function shall revert to the General Fund, while
14 the records, equipment, facilities, change in action, rights and other assets used in
15 connection with the discharge of functions shall be allocated to the appropriate units as
16 the Secretary shall determine or shall otherwise be disposed in accordance with the
17 Government Auditing Code and other pertinent laws, rules and regulations.

18 The liabilities, if any, that may have been incurred in connection with the
19 discharge, of such functions shall likewise be treated in accordance with the Government
20 Auditing Code and other pertinent laws, rules and regulations. The personnel who may
21 have performed such functions, whose positions are not included or who may no longer
22 be qualified in the new organization structure and staffing pattern shall be deemed
23 separated from the service and shall be entitled to the benefits provided for in this Act
24 and other pertinent laws.

25

26 **SEC. 76. *New Structure and Pattern.*** – Upon approval of this Act, the offices
27 and employees of the Department shall, in a hold-over capacity, continue to perform their
28 respective duties and responsibilities and receive the corresponding salaries and benefits

1 unless in the meantime, they are separated from the service from causes other than the
2 implementation of the provisions of this Act.

3 The new position structure and staffing pattern of the Department shall be
4 approved and prescribed by the Secretary within one hundred twenty (120) days from the
5 approval of this Act, and the authorized positions thereunder shall be filled with regular
6 appointments by him or by the President, as the case may be. Those incumbents whose
7 positions are not included therein or those who are no longer qualified and re-appointed
8 shall be deemed separated from the service and shall be entitled to the benefits provided
9 for in this Act and other pertinent laws.

10
11 **SEC. 77. *Separation Benefits.*** – Career and civil service employees of the
12 Department separated from the service not for cause but as a result of the rationalization
13 effected pursuant to this Act, shall be entitled to appropriate separation pay and to
14 retirement benefits accruing to them under the laws of general application in force at the
15 time of their separation.

16
17 **SEC. 78. *Time Frame.*** - The Secretary shall complete the implementation of this
18 Act within six (6) months from the approval thereof and shall, within two (2) months
19 thereafter, submit to the President of the Philippines the report of completion of this
20 rationalization.

21
22 **SEC. 79. *Submission of Report to Congress.*** – Within four (4) months after the
23 completion of the rationalization of the Department, the President shall submit to
24 Congress a report on the result of the rationalization.

25
26 **SEC. 80. *Appropriations.*** – Upon the effectivity of this Act, the rationalized
27 councils, bureaus, agencies, and offices shall retain their present appropriations until a
28 new budget of the rationalized Department shall have been completed and submitted to

1 the Department of Budget and Management six (6) months after the effectivity of this
2 Act.

3 **SEC. 81. *Repealing Clause.*** – All laws, decrees, executive issuance, rules and
4 regulations inconsistent with this Act are hereby repealed or modified accordingly.

5
6 **SEC. 82. *Separability Clause.*** – The provisions of this Act are hereby declared to
7 be separable, and in the event one or more of such provisions are held unconstitutional,
8 the validity of the other provisions shall not be affected 26 thereby.

9
10 **SEC. 83. *Effectivity.*** – This Act shall take effect thirty (30) days from the date of
11 its publication in the Official Gazette or in at least two (2) newspapers of general
12 circulation.

Approved,