

HON. JULIUS G. JAMERO
SB Member

HON. JO VINCENT J. MORPOS
SB Member

HON. DEAN KAISER C. TANGALIN
SB Member

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HON. RONIE C. GIMENO
Ex-Officio Member

HON. LEONEL C. DINAWANAO
Ex-Officio Member

ARNOLD C. PALLER
Information Technology Officer I
Acting Recorder

HON. EDGARDO G. JAMERO
Municipal Vice Mayor

HON. GERRY T. PAOLINAWAN
Municipal Mayor

Republic of the Philippines
PROVINCE OF ZAMBOANGA DEL SUR
Municipality of Dumingag
-oOo-

OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE 56th REGULAR SESSION OF THE 11th SANGGUNIANG BAYAN OF DUMINGAG, ZAMBOANGA DEL SUR HELD AT THE MUNICIPAL SESSION HALL ON NOVEMBER 6, 2023.

OFFICERS/MEMBERS:	POSITION	PRESENT	ABSENT	OB	OL
Hon. Edgardo G. Jamero	Municipal Vice Mayor	___/___	___	___	___
Hon. Julius G. Jamero	SB Member	___/___	___	___	___
Hon. Jo Vincent J. Morpos	SB Member	___/___	___	___	___
Hon. Dean Kaiser C. Tangalin	SB Member	___/___	___	___	___
Hon. Francis Joeray T. Gumban	SB Member	___/___	___	___	___
Hon. Jerson L. Cabahug	SB Member	___/___	___	___	___
Hon. Julito C. Mandac	SB Member	___/___	___	___	___
Hon. Percalixia Y. Bazar	SB Member	___/___	___	___	___
Hon. Efren A. Costanilla	SB Member	___/___	___	___	___
Hon. Ronie C. Gimeno	Ex - Officio Member	___/___	___	___	___
Hon. Leonel C. Dinawanao	Ex - Officio Member	___/___	___	___	___

Municipal Ordinance No. 11th-6-2023

AN ORDINANCE INSTITUTING AND IMPLEMENTING THE MANDATORY REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT WITHIN THE MUNICIPALITY OF DUMINGAG, ZAMBOANGA DEL SUR.

SECTION 1. TITLE

This Ordinance shall be referred as the MANDATORY REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT in the municipality of Dumingag, Zamboanga del Sur.

SECTION 2. LEGAL BASES

Republic Act No. 10601, otherwise known as the Agricultural and Fisheries Mechanization Law Requires agricultural and fisheries machinery and equipment to be registered with the C/MLGUs and directs the strengthening of the existing agricultural machinery information and database of PhilMech into agri-fishery mechanization and engineering resource network.

Department of Agriculture (DA) and Department of Interior and Local Government (DILG) Joint Memorandum Circular No. 2018 - 02. The JMC was issued in compliance with RA 10601 (Agricultural and Fisheries Mechanization Law), which mandates the registration of agricultural and fisheries machinery and equipment with the agricultural offices of city and municipal government units.

SECTION 3. RATIONALE

In response to the evolving needs of the agrarian community, the municipality of Dumingag, Zamboanga del Sur, recognizes the imperative to institute an ordinance mandating the registration of ownership for agricultural and fisheries machinery and equipment. This measure is rooted in the understanding that these assets play a pivotal role in shaping the landscape of the local economy, ensuring food security, and sustaining the livelihoods of the residents.

By establishing a mandatory registration system, this ordinance aims to harness the benefits of data-driven governance. This initiative will provide us with a comprehensive and accurate

Ordinance No. 11th-6-2023
11th Sangguniang Bayan



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database, enabling informed decision-making, resource planning, and targeted support programs. Moreover, the registration process will enhance asset security, mitigate the risk of theft, and promote compliance with environmental and safety standards. Ultimately, this ordinance is a strategic move towards a more sustainable, secure, and technologically advanced agricultural and fisheries sector within the municipality.

SECTION 4. SCOPE / COVERAGE

The ordinance shall cover a one-time registration of ownership of both new and currently used agricultural and fisheries machinery and equipment by any individual-owner, registered farmer-cooperatives and farmer-associations, and private entities, which are registered by SEC, DTI, DOLE or CDA. The said agricultural and fisheries machinery and equipment are used for crop, livestock and fisheries production, harvesting, processing, storage, manufacture, preserving, transporting and distribution, research, extension and instruction which include, but are not limited to the list of agricultural and fisheries machinery and equipment enumerated in Annex A. Any addition to the list will also be added in the Ordinance. Furthermore, agricultural and fisheries machinery and equipment owned and operated by government entities are likewise covered by this ordinance.

SECTION 5. DEFINITION OF TERMS

For purposes of this Ordinance, the following terminologies are used and defined as follows:

- a. ABE - refers to Agricultural and Biosystems Engineer
- b. AFMech Law - refers to the Agricultural and Fisheries Mechanization Law
- c. Agricultural and Fisheries Machinery - refers to machinery and equipment for the production, harvesting, processing, storage, manufacture, preserving, transporting and distribution of agricultural and fisheries products. These include, but not limited to, tractors and their attachments, power tillers, seeders, transplanters, windmills, harvesting machines, crop protection and maintenance equipment, irrigation equipment and accessories, greenhouses and other thermal conditioning equipment, livestock equipment, fishery equipment, slaughtering equipment, meat/fishery and crop processing equipment, post-harvest machines such as milling machines, dryers, threshers, grain and other strippers, agricultural transport machinery and storage facilities including cold storage, reefer vans, slaughter houses and fishing boats of three (3) gross tons or less. New agricultural and fisheries machinery includes newly imported as well as one that has not been used since its date of manufacture.
- d. CAFMER - refers to the Certificate of Agricultural And Fisheries Machinery And Equipment Registration
- e. DA-ICTS - refers to the Department of Agriculture - Information and Communications Technology Service
- f. DA-RAED - refers to the Department of Agriculture-Regional Agricultural Engineering Division
- g. DILG - refers to the Department of Interior and Local Government
- h. MAO - refers to the Municipal Agricultural Office
- i. PAO - refers to the Provincial Agriculture Office
- j. PCIC - refers to the Philippine Crop Insurance Corporation (PCIC)
- k. PHilMech-AFMechERN - refers to the Philippine Center for Post-Harvest Development and Mechanization-Agricultural and Fisheries Mechanization and Engineering Resource Network
- l. Processing Complexes - integrated system of equipment and facilities for processing of agricultural and fisheries products.

SECTION 6. REGISTRY OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT

The Municipal Agriculture Office (MAO) shall maintain and update a registry of agricultural and fisheries machinery and equipment. This function shall be transferred to and assumed by the Agricultural and Biosystems Engineering Office/Division the moment it will be created and fully operational pursuant to Section 29 of RA No. 10601 and Joint DA-DBM-CSC Memorandum Circular No. 02 Series of 2020, otherwise known as the "Implementing Guidelines on the Strengthening and Establishment of the Agricultural and Biosystems Engineering Groups of the Local Government Units".

The Municipal Agriculture Office shall have:

- a. Trained Agricultural and Biosystems Engineer/s (ABE) to undertake the registration, and if in-case it does not have shall hire at least one ABE;
- b. One QR printer.

The list of newly registered agricultural and fisheries machinery and equipment with complete information shall be uploaded monthly to the server of Philippine Center for Post-Harvest Development and Mechanization-Agricultural and Fisheries Mechanization and Engineering Resource Network (PHilMech-AFMechERN). Likewise, this shall be submitted by the MAO quarterly to the Agricultural Engineering Division of the Provincial Agriculture Office (PAO) for consolidation. The consolidated report shall be endorsed to the Department of Agriculture-Regional Agricultural Engineering Division (RAED) copy furnished the Barangay Offices.

The machinery owner shall report to the Municipal Agriculture Office whenever his/her machinery equipment are no longer serviceable or functional so that these can be deleted from its registry.

SECTION 7. REGISTRATION OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT PRESENTLY REGISTERED BY OTHER CONCERNED NATIONAL GOVERNMENT AGENCIES

The registration of agricultural and fisheries machinery and equipment presently being undertaken by concerned government agencies, such as by the Bureau of Fisheries and Aquatic Resources (BFAR) for fishing boats; Philippine Coconut Authority (PCA) on oil mills and other concerned national government agencies shall be included in the registry of agricultural and fisheries machinery and equipment of the municipality.

SECTION 8. GENERAL GUIDELINES FOR THE ISSUANCE OF CERTIFICATE OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT REGISTRATION (CAFMER).

The owner/user of agricultural and fisheries machinery and equipment shall submit to the Agricultural and Biosystem Engineer (ABE) or MAO the following documents:

- a. Certificate of Location/Address of the owner of Agricultural and Fisheries Machinery/Equipment from the Barangay Office;
- b. Duly accomplished prescribed Registration Application Form as per Annex B; and
- c. Any evidence of acquisition/ownership of agricultural and fisheries machinery and equipment such as: Delivery Receipt (DR), Sales Invoice (SI), Official Receipt (OR) or Deed of Donations, Memorandum of Agreement (MOA) or Memorandum of Understanding (MOU). In cases that these documents are not available, the owner just execute an affidavit attesting that the machinery and equipment is no longer serviceable and secure a certification from the president of the association belongs or barangay where he resides.

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The Agricultural and Biosystem Engineer (ABE) shall verify and evaluate the submitted documents. Upon finding that the owner of the machinery/equipment has complied with all the documentary requirements and has paid the registration fee, shall process and recommend the issuance of CAFMER for approval by the Mayor or his duly representative.

The registration sticker shall be issued by the MAO after the application form has been approved. The MAO shall keep a copy of the approved CAFMER and ensure that the registration is uploaded to the PHilMech-AFMeChERN.

The data of the registered agricultural and fisheries machinery and equipment will be linked to the PHilMech-AFMeChERN server upon registration.

SECTION 9. PROCEDURE IN CASE OF AMENDMENT TO THE CERTIFICATE OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT REGISTRATION (CAFMER)

The Office of the Municipal Mayor shall issue a Certificate of Clearance and an amended CAFMER in the following instances:

- Transfer of Ownership of the agricultural and fisheries machinery and equipment - The documents stated in the preceding section, the Original CAFMER and Certificate of Clearance shall be required in the application for an amended CAFMER.
- Transfer of Location to another municipality - A new registration form shall be secured which shall be approved by the municipality where the owner has transferred.

The Office of the Municipal Mayor shall issue a Certificate of Clearance to the owner for submission to the municipality where the owner has transferred within 30 days. The portion in the application form which states "For Deletion/Cancellation of Agricultural and Fisheries Machinery and Equipment Registration" should be filled up.

The MAO of the municipality of origin shall delete the agricultural and fisheries machinery and equipment in the list of registration of such machinery and equipment in the municipality. Likewise, the machinery owner shall report to the MAO on any non-serviceable machinery and equipment so that these can be deleted from the registries of MAO. The issuance of the amended CAFMER will require the owner to undergo another registration process. Thus, the owner will pay the registration fee as provided for in this Ordinance.

In the event that such machinery and equipment are involved in any criminal or civil case regarding question of ownership as reported by the Barangay Officials, no Certificate of Clearance shall be issued by the MAO.

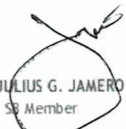
SECTION 10. REGISTRATION FEES

The registration fee of agricultural and fisheries machinery and equipment shall be Three Hundred Pesos (P 300.00) inclusive of the cost of issuance of QR Code sticker by the MAO.

The agricultural and fishery machineries and equipment owned by cooperatives duly registered under R.A. No. 6810 (Magna Carta for Countryside and Barangay Business Enterprises (Kalakalan 2000) and R.A. No. 6938 (Cooperative Code of the Philippines) shall be exempted from payment of registration fees pursuant to Section 133 of the Local Government Code of the Philippines.

SECTION 11. INCENTIVES FOR THE REGISTRATION OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT

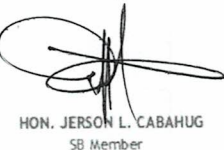
- Registration may be used in the availment of government incentives/subsidies;


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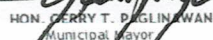

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- b. Registered machinery may be used as loan collateral;
- c. Registration will facilitate the location of lost agricultural and fisheries machinery units;
- d. Availment of Common Service Facilities (CSF) services; and
- e. Provision of insurance (e.g. Registry System for Basic Sectors in Agriculture) for registered agricultural and fisheries machinery and equipment.

The MAO shall coordinate with the Philippine Crop Insurance Corporation (PCIC) for the most appropriate insurance package for agricultural and fisheries implements, in reference to the Registry System for Basic Sectors in Agriculture (RSBSA) of the DA-ICTS.

SECTION 12. AGRI-FISHERIES MACHINERY AND EQUIPMENT SERVICE CENTERS

The LGU of Dumingag shall encourage and support the private sector and other rural entrepreneurs to establish and operate agricultural and fishery machinery and equipment service centers in the municipality.

The Agri-fisheries Machinery and Equipment Service Center's shall be operated as business enterprises that will provide the following services:

- a. After-sales service and warranty to their respective clients;
- b. Custom plowing, harrowing, harvesting, drying, milling and other farm mechanization services;
- c. Repair and troubleshooting services of agricultural and fishery machinery and equipment; and
- d. Training of maintenance and proper use of agricultural machineries and equipment.

The ownership and operation of Agri-fisheries Machinery and Equipment Service Centers shall not be the exclusive domain of equipment and machineries suppliers. These may be owned and operated by registered cooperatives or by businesses registered with the Securities and Exchange Commission (SEC) or with the Department of Trade and Industry (DTI).

SECTION 13. PUBLIC INFORMATION CAMPAIGN

The MAO in collaboration with the Office of the Municipal Mayor and Barangay Councils shall undertake information campaign on the implementation of the registration of ownership of agricultural and fishery machinery and equipment;

SECTION 14. FUNDING

Funding for the implementation of the registration of agricultural and fisheries machinery and equipment, purchase of registration equipment (QR Printer, etc.) and other activities on the registration of ownership of agricultural and fisheries machinery and equipment shall be sourced from the budget of the Municipal Agriculture Office and/or General Fund and the hiring of Agricultural and Biosystem Engineer (ABE) shall be incorporated in the Annual Investment Program and/or the General Fund of the local government unit of Dumingag, Zamboanga del Sur.

SECTION 15. PENALTY CLAUSE

Failure of any owner to register his/her equipment or machinery as herein required, shall render him liable for a fine of Five Hundred Pesos (P 500.00). In like manner, any owner

who fails or refuses to report his unserviceable equipment and machinery shall be fined with the same amount of Five Hundred Pesos (₱ 500.00).

SECTION 16. APPLICABILITY CLAUSE

Republic Act No. 10601 otherwise known as the Agricultural and Fisheries Mechanization (AFMech) Law, the Department of Agriculture (DA) and Department of Interior and Local Government (DILG) Joint Memorandum Circular No. 2018 - 02 and other pertinent laws shall apply to all matters not provided in this ordinance.

SECTION 17. SEPARABILITY CLAUSE

If any portion of this ordinance is declared invalid or unconstitutional, other portions hereof not affected by such declaration shall remain in full force and effect.

SECTION 18. REPEALING CLAUSE

Any portion of an ordinance, order or memorandum of local effect inconsistent with the provision/s of this ordinance is hereby repealed or modified accordingly.

SECTION 19. EFFECTIVITY CLAUSE

This ordinance shall take effect after fifteen (15) days following the completion of the posting requirements in three (3) conspicuous places in the municipality of Dumingag and its publication in any newspaper of general circulation or posting of copies in all the municipalities and one (1) city within the province of Zamboanga del Sur.

Enacted: November 6, 2023

Concurred:

SANGGUNIANG BAYAN MEMBERS:

Hon. Julius G. Jamero

Hon. Dean Kaiser C. Tangalin

Hon. Jerson L. Cabahug

Hon. Percalixia Y. Bazar

Hon. Ronie C. Gimeno

Hon. Jo Vincent J. Morpos

Hon. Francis Joeray T. Gumban

Hon. Julito C. Mandac

Hon. Efren A. Costanilla

Hon. Leonel C. Dinawanao

ATTESTED AND CERTIFIED
TO BE DULY ADOPTED

EDGARDO G. JAMERO
Presiding Officer/Municipal Vice Mayor

APPROVED: November 21, 2023

GERRY T. PAGLINAWAN
Municipal Mayor

I hereby certify that the foregoing ordinance is true and correct.

ARNOLD C. PALLER
Information Technology Officer I / Acting Recorder