



Republic of the Philippines
MUNICIPALITY OF SAN ROQUE
Province of Northern Samar
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OFFICE OF THE SANGGUNIANG BAYAN

MUNICIPAL ORDINANCE NO. 92 S, 2020

AN ORDINANCE INSTITUTING AND IMPLEMENTING THE REGISTRATON OF OWNERSHIP OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT IN ACCORDANCE WITH THE JOINT MEMORANDUM CIRCULAR NO. 2018-02 BY THE DEPARTMENT OF AGRICULTURE AND THE DEPARTMENT OF INTERIOR AND LOCAL GOVERNMENT RELATIVE TO THE NATIONAL GUIDELINES FOR THE REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF SAN ROQUE, NORTHERN SAMAR, AND FOR OTHER PURPOSES

Authored by: SB Member Alvin M. Lagrimas
Co-authored by: SB Member Jocelyn U. Curso
SB Member Feddie F. Jarito
SB Member Ethel O. Ramirez

WHEREAS, Republic Act No. 10601, otherwise known as the "Agricultural and Fisheries Mechanization Law" was enacted into law on 05 June 2013, which mandates in section 19 thereof that, all owners of agricultural and fishery machineries and equipment to register their agricultural and fishery machineries and equipment with the agricultural offices of the city and/or municipal government units;

WHEREAS, the Department of Agriculture and the Department of the Interior and Local Governments issued Joint Memorandum Circular No. 2018-02, dated 02 August 2018, which provides for the national guidelines on the registration of ownership of agricultural and fishery machineries and equipment at the city and/or municipal government units, with the purpose of establishing ownership and creating a national database of machineries and equipment for planning and monitoring purposes, in accordance with Republic Act No. 10601;

WHEREAS, the registration of agricultural and fishery machineries and equipment in the Municipality of San Roque, Northern Samar, will ensure the quality and safety of agri-fishery machineries and equipment, as well as rational planning and programming of government investments and resources, both national and local;

WHEREAS, the Department of Agriculture, the Department of Budget and Management, the Department of the Interior and Local Governments, and the Civil Service Commission, pursuant to section 29 of Republic Act No. 10601, issued Joint Memorandum Circular No. 02, Series of 2020, otherwise known as the "Implementing Guidelines on the Strengthening and Establishment of the Agricultural and Bio-systems Engineering Groups of the Local Government Units", mandating all local government units to strengthen or create their respective Provincial, City or Municipal Agricultural Engineering Group, separate from that of their respective provincial, city or municipal agricultural offices, to undertake, among others, the registration of agricultural and fishery machineries and equipment;

BE IT ENACTED, by the Sangguniang Bayan of San Roque, Northern Samar, during its regular session duly assembled that:

SECTION 1. TITLE. This Ordinance shall be referred as the "**MANDATORY REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT IN THE MUNICIPALITY OF SAN ROQUE, NORTHERN SAMAR**".



SECTION 2. SCOPE/COVERAGE. This Ordinance shall cover a one-time registration of ownership of both new and currently-used agricultural and fishery machineries and equipment by any person, whether individual-owner, registered farmer-cooperatives and farmer-associations, partnerships and corporations, and any other private entity, which are registered with the Securities and Exchange Commission, the Department of Trade and Industry, the Department of Labor and Employment, or the Cooperative Development Authority. The said agricultural and fishery machineries and equipment shall include all machineries and equipment for the production, harvesting, processing, storage, manufacture, preserving, transporting and distribution, research, extension and instructions, which shall include, but are not limited to, the list of agricultural and fishery machineries and equipment enumerated in Annex A. Furthermore, agricultural and fishery machineries and equipment owned and operated by any government entity, including the local government units, shall likewise be subject to the mandatory registration prescribed in this Ordinance.

SECTION 3. DEFINITION OF TERMS. For purposes of this Ordinance, the following terminologies are used and defined as follows:

- a.) **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 fishery machinery includes newly imported as well as one that has not been used since its date of manufacture.
- b.) **Processing Complexes** – integrated system of equipment and facilities for processing of agricultural and fisheries products.

SECTION 4. REGISTRY OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT
– The Municipal Department of Agriculture shall maintain and update a registry of agricultural and fishery machineries and equipment. This function shall be transferred to and assumed by the Municipal Agricultural and Bio-systems Engineering Office the moment this Office shall have been created and fully operational pursuant to the provisions of Section 29 of Republic Act No. 10601 and DA-DBM-DILG,CSC Joint Memorandum Circular No. 02, series of 2020.

The Municipal Department of Agriculture shall have a trained Agricultural and Bio-systems Engineer (ABE) to undertake the registration, and, in case it does not have one, shall hire at least one such Agricultural and Bio-systems Engineer, and shall likewise be equipped with one QR printer.

The list of newly registered agricultural and fishery machineries 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). This list shall likewise be submitted quarterly by the Municipal Department of Agriculture to the Agricultural Engineering Division of the Provincial Agriculture Office (PAO).

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The machinery owner shall report to the Barangay Office when the machinery and equipment shall no longer be operational for delisting and/or deletion from the registries of the Municipal Department of Agriculture.

SECTION 5. REGISTRATION OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT PRESENTLY REGISTERED BY OTHER CONCERNED NATIONAL GOVERNMENT AGENCIES – The registration of agricultural and fishery machineries 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 fishery machineries and equipment under this Ordinance.

SECTION 6. GENERAL GUIDELINES FOR THE ISSUANCE OF CERTIFICATE OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT REGISTRATION (CAFMER) – The owner/user of agricultural and fishery machineries and equipment shall submit to the Municipal Department of Agriculture the following documents, to wit:

- a. Certificate of Location/Address of the owner of the agricultural and fishery machinery or 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 barangay office where the owner resides shall execute an affidavit attesting to the lawful ownership of the machinery or equipment.

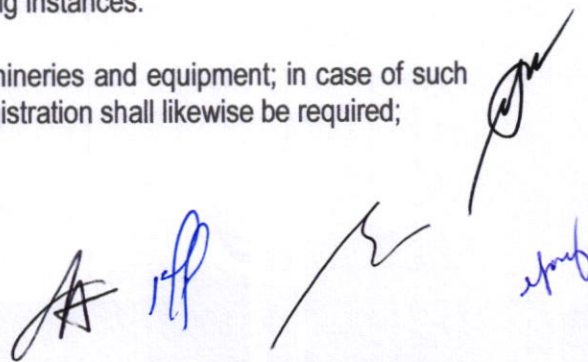
The Municipal Department of Agriculture, through the Agricultural and Bio-systems Engineer, shall verify and evaluate the submitted documents. Upon finding that the owner of the machinery/equipment has complied with all the documentary requirements and has paid the registration fee, the Municipal Department of Agriculture shall process and recommend the issuance of CAFMER (Annex C) for approval by the Municipal Mayor, or his duly representative. Unless otherwise directed by the Municipal Mayor, the Municipal Business Processing and Licensing Office shall act as the representative of the Municipal Mayor for this purpose.

The registration sticker shall be issued by the Municipal Department of Agriculture after the application form has been approved, and it 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 fishery machineries and equipment shall be linked to the PhilMech-AFMechERN server upon registration.

SECTION 7. PROCEDURE IN CASE OF AMENDMENT TO THE CERTIFICATE OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT REGISTRATION (CAFMER). The Office of the Municipal Mayor, through the Municipal Business Processing and Licensing Office, shall issue a Certificate of Clearance and an amended CAFMER in the following instances:

- a. Transfer of Ownership of the agricultural and fishery machineries and equipment; in case of such transfer of ownership, the documentary requirement for registration shall likewise be required;



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- b. Transfer of Location to another city/municipality, in which case the existing registration shall be delisted and/or deleted, and the certificate so issued shall be cancelled, and a new registration shall have to be secured from the local government unit where the owner has, or the equipment has been, transferred;

The Office of the Municipal Mayor, through the Municipal Business Processing and Licensing Office, shall issue a Certificate of Clearance to the owner for submission to the city/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" must be filled up.

The Municipal Department of Agriculture shall delete the agricultural and fishery machineries and equipment in the list of registration of such machinery and equipment. The machinery owner shall likewise report to the Municipal Department of Agriculture on any non-serviceable machinery and equipment for delisting and/or deletion from the registries of such machineries and equipment in the Municipal Department of Agriculture. The owner shall undergo another registration process in the application for an amended CAFMER, for which registration fee as provided for in this Ordinance shall be paid.

In the event that such machinery or equipment is 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 appropriate local government unit office.

SECTION 8. REGISTRATION FEE – The registration fee for each agricultural and fishery machinery or equipment to be paid by the owner thereof shall be three hundred pesos (PhP300.00), inclusive of the cost of the registration plate to be issued by the Municipal Department of Agriculture to the owner.

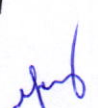
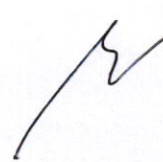
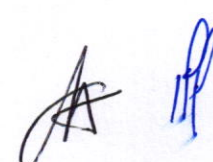
The agricultural and fishery machineries and equipment owned by cooperatives duly registered under Republic Act No. 6810 (Magna Carta for Country and Barangay Business Enterprises, or Kalakalan 20) and Republic Act No. 6938 (Cooperative Code of the Philippines) shall be exempted from payment of registration fees pursuant to Section 133 of the Local Government Code of 1991.

SECTION 9. INCENTIVES FOR THE REGISTRATION OF AGRICULTURAL AND FISHERY MACHINERIES AND EQUIPMENT

- a. Registration may be used in the availment of government incentives/subsidies;
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 fishery machineries and equipment.

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

SECTION 10. PUBLIC INFORMATION CAMPAIGN – The Municipal Department of Agriculture, in collaboration with the Municipal Community Affairs Office and the barangay local government units, shall undertake information campaign on the implementation of the registration of ownership of agricultural and fishery machineries and equipment.



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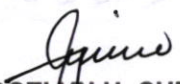
SECTION 11. FUNDING – Initial funding for the implementation of the registration of agricultural and fishery machineries and equipment, as well as for the hiring of agricultural and bio-systems engineer, purchase of registration equipment, including QR printer, and other activities on the registration of ownership of agricultural and fishery machineries and equipment, shall be sourced from any available savings that the Municipal Department of Budget and Management shall certify and for which the Municipal Mayor is hereby authorized to utilize for these purposes. For these purposes, such savings so certified and approved are hereby deemed appropriated. Thereafter, and in the succeeding years, funding therefor shall be incorporated in the maintenance and other operating expenses of the Municipal Department of Agriculture.

SECTION 12. REPEALING CLAUSE. All ordinances, executive orders, rules and regulations, or other issuances, which are inconsistent herewith, are hereby deemed amended, modified or repealed accordingly.


SECTION 13. SEPARABILITY CLAUSE. In the event that any part or provision this Ordinance is declared unconstitutional, ultra vires, inoperative, or otherwise illegal or unlawful, by any court of competent jurisdiction or by the Sangguniang Panlalawigan, all other remaining parts or provisions not so declared or affected shall remain valid and in full force and effect.

SECTION 14. EFFECTIVITY CLAUSE. This Ordinance shall take effect immediately upon its approval.

DONE and APPROVED, this 5th day of October 2020, at Sangguniang Bayan Session Hall, 2nd Floor, Balaudnan Building, San Roque, Northern Samar, Philippines.


JOCELYN U. CORSO
SB Member



FREDDIE F. JARITO
SB Member


HILARIO S. ACEBUCHE
SB Member



ETHEL O. RAMIREZ
SB Member


DANTE S. TAN
SB Member


SOLIDAD S. CAGRO
SB Member



ALVIN M. LAGRIMAS
SB Member


JINCKY F. CISNEROS
SB Member


FREDDIE F. JARITO
Ex-Officio Member/ABC President


NESS-LEI S. LAGRIMAS
Ex-Officio Member/PPSK President

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


ROSA A. SOCORRO
Secretary to the Sangguniang Bayan






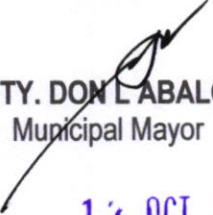
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ATTESTED:


ENGR. DEODATO L. BANTILO
Municipal Vice Mayor/Presiding Officer

APPROVED:


ATTY. DON L. ABALON
Municipal Mayor

12 OCT 2020