



Republic of the Philippines  
Tanggapan ng Sangguniang Panlungsod  
City of Naga



**ORDINANCE NO. 2003-005**

**AN ORDINANCE CREATING THE CITY AGRICULTURAL AND FISHERY COUNCIL (CAFC) OF THE CITY OF NAGA, DEFINING ITS COMPOSITION, DUTIES AND FUNCTIONS:-**

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Be it ordained by the Sangguniang Panlungsod of the City of Naga, that:

**SECTION 1. - TITLE.** - This ordinance shall be known as "An Ordinance Creating the City Agricultural and Fishery Council (CAFC) of the City Naga".

**SECTION 2. - BASIS OF ORDINANCE.** - This Ordinance is hereby enacted pursuant to Presidential Executive Order No. 116, s. 1987, creating the Agricultural and Fishery Council (AFC) and Department of Agriculture Memorandum Circular No. 2000-62 dated May 23, 2000 re: *LGU participation of the AFC's in the Local Development Council (LDC)* ordering the creation of the Regional (RAFC), Provincial (PAFC), City (CAFC), Municipal (MAFC) and Barangay (BAFC) Agricultural and Fishery Councils.

**SECTION 3. - PURPOSE.** - The purpose of this ordinance is to create a City Agricultural & Fishery Council (CAFC) that will help and coordinate with the local and national AFCs in the effective implementation of R.A. 8435 of 1987 (Agricultural and Fishery Modernization Act) and that will formulate and implement programs and projects geared towards the alleviation of the people's economic condition by improving agriculture and fishery production.

**SECTION 4. - ABBREVIATIONS.** - The following abbreviations as used in this ordinance, shall mean:

- a. AFC - Agricultural and Fishery Council - a voluntary group of farmers, fisher folks, entrepreneurs, community leaders and government workers interested and involved in the agriculture and fishery sectors;
- b. NACF - National Agricultural and Fishery Council;
- c. RAFC - Regional Agricultural and Fishery Council;
- d. PAFC - Provincial Agricultural and Fishery Council;
- e. MAFC - Municipal Agricultural and Fishery Council;
- f. CAFC - City Agricultural and Fishery Council;
- g. BAFC - Barangay Agricultural and Fishery Council;
- h. AFMA - Agricultural and Fishery Modernization Act.

**SECTION 5. - COMPOSITION OF THE CITY AGRICULTURAL AND FISHERY COUNCIL (CAFC) OF NAGA CITY.** - The Council shall be composed of chairmen of citywide

organizations; BAFC chairmen and individuals deemed qualified by the council to represent sectors.

**SECTION 5.1. - OFFICERS. -** The officers of the Council shall be:

Chairman:	Private Sector (qualified to be a Chairman and represent the private sector)
Vice Chairman External:	City Agriculturist
Vice Chairman Internal:	Private Sector (qualified to be a Vice Chairman and represent the private sector)
Treasurer:	Private Sector
Auditor:	Private Sector
PRO:	Private Sector

Provided that except for the Vice Chairman who shall be the highest ranking official of the Agriculture Office in the city, all other officers shall be from the private sector, which shall be elected directly by the members.

**SECTION 5.2. - MANNER AND TIME OF ELECTION AND TERM OF OFFICE OF OFFICERS OF THE COUNCIL. -** The manner of election shall be by secret ballot. The election shall be held during the 2<sup>nd</sup> week of June, 2003 and every three (3) years thereafter.

The term of office of the elected officers shall be three (3) years with the right to one (1) re-election. Their term of office shall commence on the first working day of July following the month of their election and shall expire on June 30 of the third year or until their successors shall have been elected and qualified.

The Vice Chairman External shall hold office as long as he/she is the highest-ranking official of the Agriculture Office of the city.

**SECTION 5.3. - RIGHT OF SUCCESSION. -** Any officer of the Council who is elevated to a higher position shall automatically relinquish his/her position to the officer next in rank. In the exercise of the right of succession, the ranking shall be Chairman, Vice Chairman, Treasurer, Auditor and PRO. No officer shall hold two offices.

**SECTION 5.4. - VACANCIES. -** In case of vacancy arising from any of, but not limited to, the following causes such as death, permanent incapacity, removal, resignation or automatic disqualification, a special election for the vacant position shall be called by the majority of the remaining members in a meeting duly called for that purpose within fifteen (15) days from the date the vacancy occurs. The elected officer of the Council shall serve only for the unexpired term of his predecessor. No special election shall be called if the vacancy occurs within two (2) months prior to the date of regular election, in which case, the provisions of Sec. 5.3 shall apply.

When the vacancy occurs in the office of the Chairman, the Vice Chairman Internal shall automatically act and serve as Chairman for the duration of the unexpired term of his predecessor. As a result of the vacancy in the office of Vice Chairman, Sub-Section 5.3 shall take effect.

In case of the vacancy in the office of the Vice Chairman External, the Officer-in-Charge of the office of which he/she is representing shall likewise act as the Vice Chairman until the appointment and assumption of office of his/her successor has been completed.

**SECTION 5.5. - AUTOMATIC DISQUALIFICATION. -** Any officer of the Council elected in any government position shall automatically relinquish his/her position to the next in rank.

**SECTION 5.6. - CHAIRMAN.** - The Chairman shall be the Chief Executive Officer (CEO) of the Council. As such, he shall have the following duties and responsibilities.

- a. Preside and chair all meetings of the Council;
- b. Exercise general supervision and control over operations and administration of the Council;
- c. Sign all papers, contracts and other documents for and in behalf of the Council subject to the policies and guidelines of the Council;
- d. Represent the Council in matters/meetings in which representation may be required or as agreed upon by the members of the Council;
- e. Call special meetings whenever deemed necessary;
- f. Approve all vouchers and countersign all checks, withdrawals of all funds or payments to be made by the Council subject to review of and confirmation by the members of the Council;
- g. Present to the members, during regular meetings, comprehensive report on accomplishments done during the preceding month(s);
- h. Furnish NAFC consolidated reports from BAFCs and the CAFC; and
- i. Perform such other functions as may be required by the Council.

**SECTION 5.7. - VICE CHAIRMAN EXTERNAL.** - The Vice Chairman External shall be the highest-ranking official of the Agriculture Office in the city. He/she shall have the following duties and responsibilities:

- a. Provide assistance to the Chairman of the Council in the performance of his/her duties and functions;
- b. Coordinate the support services/facilities of government agencies for the use of the Council;
- c. Provide other logistics necessary for the Council to operationalize smoothly;
- d. Appoint a Secretariat Coordinator and other staff to assist the Council;
- e. Serve as liaison officer of the Council with the other agencies; and
- f. Perform such other functions as may be delegated by the Council.

**SECTION 5.8. - VICE CHAIRMAN INTERNAL.** - The Vice Chairman Internal shall come from the private sector. He shall assist the Chairman in the performance of his/her functions. Henceforth, he shall have the following duties and responsibilities:

- a. Coordinate the support of the private sector group in the Council;
- b. Act as Chairman in case of the his absence;

- c. Take over the chairmanship in case of permanent disability, death, removal resignation or automatic disqualification, subject to the provisions of Sec. 5.4 hereof; and
- d. Perform such other duties and functions as may be delegated by the Council.

**SECTION 5.9. - SECRETARIAT COORDINATOR.** - A secretariat coordinator/full time secretary shall be appointed by the Vice Chairman External upon recommendation of the Council. The functions of a secretariat coordinator shall be:

- a. Oversee the preparation of the minutes and agenda and record the attendance and proceedings of all meetings of the Council;
- b. Assure that notices are duly given to the members whenever a meeting is called;
- c. Furnish the Treasurer and other officers and members of the Council certified copies of the minutes of the meeting;
- d. Keep a register of the names and post office addresses of all members and keep on file at all times a complete copy of the laws and executive orders relevant to the creation of the Council;
- e. Keep the seal of the Council and when authorized by the Council, affix such seal to any paper or document requiring the same;
- f. Consolidate reports of RAFC, PAFC, MAFC and CAFC for submission to NAFC; and
- g. In general, perform all duties incidental to the office of the Secretariat Coordinator and those that may be assigned to him/her by the Chairman and/or the Council.

**SECTION 5.10. - TREASURER.** - The Treasurer shall have the following duties and responsibilities:

- a. Have custody, control and accountability of funds and properties of the Council;
- b. Disburse all administrative expenditures and dispose of them properly under the direction of the chairman and/or the majority of the Council members;
- c. Deposit all funds in a bank previously authorized by the Council, and sign all checks, funds and other similar valuable effects for disbursement of all expenditures and liabilities of the council
- d. Issue official receipts for any sum of money or property received by him/her for the Council;
- e. Render financial reports during regular meetings, and keep inventories of the books and other properties in the custody of other officers of the Council;
- f. Keep up-to-date the proper books of account;
- g. Keep an accurate and up-to-date membership book with the assistance of the secretariat coordinator and furnish any officer or member or government agency

with a copy of updated and accurate financial statement of the Council when so requested; and

- h. Perform such other duties as may be assigned to him/her by the chairman and/or the Council. He shall submit reports thereof to the council at least once a year.

**SECTION 5.11. - AUDITOR. -** The Auditor shall have the right to inspect, examine and audit all transactions, financial or otherwise, made by the Council or its officers, and shall submit reports thereof to the Council at least once a year.

**SECTION 5.12. - PRESS RELATIONS OFFICER (PRO). -** The PRO shall have the following duties and responsibilities:

- a. Publicize the accomplishment of the Council;
- b. Consult the Chairman on all documents for press release;
- c. Assist the Council on matters related to media and print;
- d. May act as spokesperson of the Council upon authority of the Chairman;
- e. Conduct researches on issues and concerns related to the activities of the Council;
- f. Provide the Council with updates and news on agricultural programs;
- g. Document and cover with pictures/video and tape all special events/affairs of the Council; and
- h. Perform such other functions as may be delegated by the Council.

**SECTION 6. MEMBERS OF CITY AGRICULTURAL AND FISHERY COUNCIL (CAFC) OF NAGA CITY. -** The members shall be individuals and associations/cooperatives directly and/or indirectly involved in agriculture and fishery and other related activities from the private and government sector, majority of whom shall come from the former.

**SECTION 6.1. - QUALIFICATIONS OF MEMBERSHIP. -** The following should be understood as:

- a. Government Sector Representatives – city agriculture officer, veterinarians and the NAFC coordinators, technicians and other agencies assigned to assist in the BAFCS in their programs and activities;
- b. Private Sector Representatives – refers to private individuals and associations engaged in agricultural and fishery production, post-harvest and marketing to include services and farm supplies;
- c. Nominees – the chairman of each council has the prerogative to nominate individual members from the private sector subject, however, to the confirmation by majority of the members of the Council; and
- d. All members must be Filipino citizens of good moral standing in the community.

**SECTION 6.2. - RIGHTS OF MEMBERS. -** The members of the Council shall have the following rights:

- a. To exercise the right to vote in all matters relating to the affairs of the association, personally. No proxy;
- b. To be eligible to any elective or appointive office of the Council;
- c. To participate in all deliberations/meetings of the Council;
- d. To avail themselves of all the facilities and services of the Council; and
- e. To examine all the records or books of the Council during business hours.

**SECTION 6.3. - DUTIES AND RESPONSIBILITIES OF THE MEMBERS.** - The members shall have the following duties and responsibilities:

- a. To obey and comply with the rules, regulations and policies promulgated by the Council;
- b. To attend all meetings that may be called by the Chairman or majority of the Council members; and
- c. To preserve, defend and safeguard the good name of the Council.

**SECTION 6.4. - WITHDRAWAL AND RESIGNATION.** - Any member of the Council may, for any reason, withdraw his/her membership from the Council by giving (30) days notice to the Secretariat Coordinator who shall refer the same to the Chairman for proper action.

**SECTION 6.5. - SUSPENSION AND TERMINATION.** - Any member of the Council may file a written complaint under oath to the Secretariat-Coordinator against a member based on any of, but not limited to, the following grounds:

- a. When a member has not attended three (3) consecutive meetings without any valid reasons;
- b. When a member has continuously failed to comply with his obligations;
- c. When a member has violated any of the provisions of this Manual of Regulations; and
- d. For any or omission injurious or prejudicial to the interest or welfare of the Council.

The Chairman shall call a special meeting of the members to consider the charges. The affirmative vote of two-thirds (2/3) of the total membership of the Council shall be necessary to suspend or terminate the membership of a member.

**SECTION 7. - SECTORAL COMMITTEE CHAIRMEN AND MEMBERS.** - The identified sectors of agriculture and fishery such as food crops, livestock and feed crops shall have a chairman, and two (2) committee members shall be elected by the Council from the private sector. Their roles and functions shall be as follows:

- a. Conduct sectoral consultations;
- b. Elevate sectoral issues and concerns to the councils;
- c. Recommend policies and action programs to the council;
- d. Represent and attend sectoral fora/forum; and
- e. Perform such other duties as may be assigned by the Council.

## **SECTORAL CHAIRMAN AND MEMBERS**

### **AGRI-BUSINESS**

Chairman: Federation President, Naga City  
Members: All Officers of the Federation

### **FOOD CROPS**

Chairman: Federation President, Naga City  
All Officers of the Federation

### **LIVESTOCK**

Chairman: Federation President, Naga City  
Members: All Officers of the Federation

### **FORESTRY AND ENVIRONMENT**

Chairman: Federation President, Naga City  
Members: All Officers of the Federation

### **AGRICULTURAL MECHANIZATION**

Chairman: Federation President, Naga City  
Members: All Officers of the Federation

### **FISHERY**

Chairman: Federation President, Naga City  
Members: All Officers of the Federation

### **INDUSTRIAL CROPS**

Chairman: Federation President, Naga City  
Members: All Officers of the Federation

**SECTION 8. - MEETINGS AND QUORUM.** - The Council shall hold regular meetings at any date, time and place determined by the members. Special meetings of the Councils may be called by the Chairman. In case of his absence, the Acting Chairman or upon written request of the majority of the members, may call a special meeting.

A quorum for any meeting shall consist of the majority of the members present.

**SECTION 9. - DUTIES AND FUNCTIONS OF THE COUNCIL.** - For the purpose of this ordinance, the Naga City Agricultural and Fishery Council shall have the following duties and functions:

1. To conduct regular and special AFC meetings;
2. To formulate programs/projects geared towards the alleviation of the economic condition and augmentation of food production and supply by improving the agricultural and fishery production;
3. To identify and resolve local problems/issues in the city and coordinate all activities related to agriculture and fishery with more emphasis on environmental protection and preservation;
4. To conduct regular consultations/congresses with various interest groups to identify opportunities available and to address problems/issues affecting agricultural development in the area;
5. To identify and refer to appropriate legislative bodies issues which will require legislation after consultation with local and national agencies;

6. To monitor and evaluate the implementation by the Department of Agriculture (DA) and its attached agencies of programs and projects and set-up an effective feedback mechanism to DA and other agencies concerned;
7. To submit budgetary requirements in order to undertake the above-mentioned duties and responsibilities of the BAFCs;
8. To source out/raise funds and promote capability building;
9. To make representation of the Agricultural and Fishery Council in the Local Development Council; and
10. To coordinate with the local and national AFCs to help in the effective implementation of R.A. 8435 of 1997 or the Agricultural and Fishery Modernization Act.

**SECTION 10. - FINANCIAL ASSISTANCE.** - The funds of the Council shall be derived from special assessments, gifts, donations, benefits, grants from persons/natural or juridical and funding agencies, both local and foreign and financial assistance thru local legislation as well as any other income that may be legally earned by the Council.

**SECTION 11. - SEPARABILITY CLAUSE.** - Any provision/s or portion/s of this ordinance found to be violative of the constitution or invalid shall not impair the other provisions or part/s thereof which shall continue to be in force and in effect.

**SECTION 12. - REPEALING CLAUSE.** - Ordinances, rules and regulations or parts thereof, which are inconsistent or in conflict with the provisions of this ordinance, are hereby repealed or modified accordingly.

**SECTION 13. - EFFECTIVITY.** - This ordinance shall take effect immediately upon its approval and publication in a newspaper of general circulation.

**ENACTED:** January 15, 2003.

**WE HEREBY CERTIFY** to the correctness of the foregoing ordinance.

**ESTEBAN R. ABONAL**  
City Vice Mayor & Presiding Officer

**GIL A. DE LA TORRE**  
Board Secretary II  
& Secretary Designate

APPROVED:

**JESSE M. ROBREDO**  
City Mayor