



Republic of the Philippines
SANGGUNIANG PANLUNGSOD
City Government of Naga

ORDINANCE NO. 2023-006
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AN ORDINANCE MANDATING THE REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT IN NAGA CITY:-

Sponsor: HON. MELVIN RAMON G. BUENAFE

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Republic Act No. 10601, otherwise known as the "Agricultural and Fisheries Modernization Law" mandates all owners of agricultural and fishery machinery and equipment to register their agricultural and fishery machinery and equipment with the agriculture offices of municipal and city governments for the purpose of establishing ownership and creating a national database for planning and monitoring purposes.

Towards this end, the Department of Agriculture (DA) and the Department of the Interior and Local Government (DILG) issued Joint Memorandum Circular No. 2018-02 dated August 2, 2018 providing for the national guidelines on the registration of ownership of agricultural and fisheries machinery and equipment at the city and municipal levels.

Likewise, the DA, DILG, Department of Budget and Management (DBM) and the Civil Service Commission (CSC) issued JMC No. 2 series of 2020 mandating all local governments to strengthen or create their local engineering groups to undertake, among others, the registration of agricultural and fisheries machinery and equipment.

This ordinance aims to operationalize these national mandates in Naga City.

SECTION 1. TITLE. This Ordinance shall be known as the MANDATORY REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT IN NAGA CITY AND PROVIDING PENALTIES THEREOF.

SECTION 2. SCOPE. The ordinance shall cover a one-time registration of ownership of both new and currently used agricultural and fisheries machinery and equipment owned by government entities, by farmers and private individuals, registered farmer-cooperatives and farmer associations, and other private entities registered under the Securities and Exchange Commission, Department of Trade and Industry, Department of Labor and Employment, or the Cooperative Development Authority, which are used for crop, livestock and fisheries production, harvesting, processing, storage, manufacture, preservation, transport and distribution, research, extension and instruction, including those listed in Annex A hereof.

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SECTION 3. REGISTRY OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT. - The City Agriculture Office (CAgO) shall maintain and update a registry of agricultural and fishery machinery and equipment. This function shall be assumed by the City Agricultural and Biosystems Engineering Division the moment it is created and fully operational pursuant to Section 29 of Republic Act No. 10601 and Joint DA-DBM-CSC Memorandum Circular No 02 series of 2020 otherwise known as the "Implementing Guidelines on the

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Strengthening and Establishment of the Agricultural and Biosystems Engineering Groups of Local Government Units."

The CAgO shall have trained Agricultural and Biosystems Engineer (ABE) to undertake the registration, or in the absence of such, to hire at least one ABE.

The list of newly registered agricultural and fisheries machinery and equipment with complete information shall be uploaded monthly to the server of the Philippine Center for Post-Harvest Development and Mechanization - Agricultural and Fisheries Mechanization and Engineering Resource Network (PhilMech - AFMechERN), copy furnished the Provincial Agriculture Office for consolidation.

The machinery owner shall report to the CAgO registered machinery and equipment which are no longer operational so that these can be deleted from the registry.

SECTION 4. REGISTRATION OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT PRESENTLY REGISTERED BY OTHER CONCERNED NATIONAL GOVERNMENT AGENCIES - Agricultural and fisheries machinery and equipment presently registered with other government agencies shall be included in the registry of agricultural and fisheries machinery and equipment of the city.

SECTION 5. 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 CAgO the following documents:

- a. Certificate of Location/Address of the owner of the machinery or equipment issued by the barangay
- b. Duly accomplished prescribed Registration Application Form as per Annex B;
- c. Evidence of acquisition/ownership of the machinery or equipment such as:
 - i. Delivery Receipt
 - ii. Sales Invoice
 - iii. Official Receipt
 - iv. Deed of donation
 - v. Memorandum of Agreement
 - vi. Memorandum of Understanding

In case 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 CAgO shall verify and evaluate the submitted documents. Upon finding that the owner has complied with all the documentary requirements, the CAgO shall process and recommend the issuance of CAFMER for approval by the City Mayor or his duly authorized representative and upload the same to the national registry of PhilMech-AFMechERN.

A copy of the CAFMER shall be retained by CAgO and a registration sticker or plate shall be issued by CAgO to the owner.

SECTION 6. PROCEDURE IN CASE OF AMENDMENT TO THE CAFMER. A Certificate of Clearance and a new CAFMER shall be prepared by CAgO

for approval by the Office of the City Mayor in the following instances:

- a. Transfer of ownership of the machinery or equipment - The original CAFMER and Certificate of Clearance shall be required in the application for an amended CAFMER; and
- b. Transfer of location to another local government unit - A new registration form shall be secured which shall be approved by the local government where the owner transferred.

The Office of the City Mayor shall issue a Certificate of Clearance to the owner for submission to the local government unit where the owner 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 CAgO shall delete the machinery and equipment in the city's registry.

When the machinery or equipment becomes non-serviceable, the same shall be reported by the owner to the CAgO for deletion from the registry.

If the 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 CAgO.

SECTION 7. REGISTRATION FEE. No registration fee shall be collected for the first year of effectivity of this ordinance. On the second year, the amount of P300.00, plus the cost of the registration sticker or plate, shall be collected from the owner of any new or unregistered acquired machineries and equipment.

The machineries and equipment owned by cooperatives duly registered under Republic Act No. 6810 (Magna Carta for Countryside and Barangay Business Enterprises) and Republic Act No. 6938 (Cooperative Code of the Philippines) shall be exempt from payment of registration fees pursuant to Section 133 of the Local Government Code of the Philippines but not for the cost of sticker or plate.

SECTION 8. INCENTIVES. - Owners of registered machineries and equipment shall be eligible to the following incentives:

- a. Insurance cover for registered equipment and machineries subject to the guidelines and application procedures of the Philippine Crop Insurance Corporation (PCIC) for the insurance of non-crop agricultural assets. Only machineries and equipment owned by farmers registered with the Registry System for Basic Sectors in Agriculture are entitled to this incentive. CAgO shall facilitate the insurance coverage of RSBSA-registered farmers with PCIC.
- b. Priority recipient for fuel and other subsidies for RSBSA-registered owners of farm equipment granted under the various farm support programs of the Department of Agriculture subject to its hectarage prioritization.

- c. Use of registered equipment as loan collateral for city government credit windows
- d. Priority and free labor servicing by the common service facility for agricultural machineries and equipment once the city government operates said common service facility.
- e. Such other incentives as may hereinafter be granted under programs or projects of the city government or the Department of Agriculture.

SECTION 9. PENALTIES. Owners who are found to have unregistered agricultural and fishery machinery and equipment one year from the effectivity of this ordinance shall be penalized with a fine of ₱1,000.00 per unit of unregistered machinery or equipment and shall not be prioritized in the programs and projects of the city agriculture office until said machineries or equipment are duly registered in accordance with this ordinance.

SECTION 10. PUBLIC INFORMATION CAMPAIGN. The CAgO, in collaboration with the City Events, Protocol and Public Information Office and barangay councils shall undertake an information campaign on the implementation of the registration of ownership of agricultural and fishery machinery and equipment.

SECTION 10. EFFECTIVITY. This ordinance shall take effect immediately upon its approval, and after publication in a newspaper and local circulation.


ENACTED: January 31, 2023

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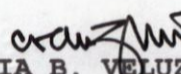
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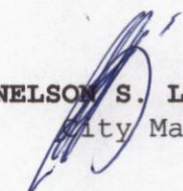
WE HEREBY CERTIFY to the correctness of the foregoing ordinance.



GIL A. DE LA TORRE
Secretary to the
Sangguniang Panlungsod


CECILIA B. VELUZ-DE ASIS
City Vice Mayor
& Presiding Officer

APPROVED:


NELSON S. LEGACION
City Mayor 2/2/23