



CITY ORDINANCE NO. 379
December 23, 2004

AN ORDINANCE ESTABLISHING THE AGRARIAN REFORM BENEFICIARIES REVOLVING FUND OF BACOLOD CITY AND PROVIDING THE RULES AND MECHANISM FOR THE USE THEREOF.

WHEREAS, R.A. No. 6657, otherwise known as the "Comprehensive Agrarian Reform Law" of the Philippines was passed and signed into law on June 10, 1988;

WHEREAS, one of the primary objectives of that law was to pursue a Comprehensive Agrarian Reform Program for the welfare of the landless farmers and farm-workers to own directly or collectively the lands they till to enhance their dignity and improve the quality of their lives through greater productivity of agricultural lands, with due regard to the rights of landowners to just compensation and to the ecological needs of the nation;

WHEREAS, R.A. 6657 also undertakes and encourages government to provide support in the production, marketing, technology and research and to extend adequate financial assistance and other support services to our qualified agrarian reform beneficiaries;

WHEREAS, more than one half of the total land area in Bacolod City is still devoted to agriculture;

WHEREAS, there is a growing request from the farmer-beneficiaries of Bacolod City for a financial support to assist them in coping-up with the steady increase in the prices of fertilizers, pesticides and farm implements they used which contribute greatly to high production cost;

WHEREAS, in response to the needs of our farmer-beneficiaries to enhance their productivity

Be it ordained by the Sangguniang Panlungsod of Bacolod, that:

GENERAL PROVISIONS

Section 1. TITLE. This Ordinance shall be known as the "AGRARIAN REFORM BENEFICIARIES REVOLVING FUND OF BACOLOD CITY."

Section 2. OBJECTIVES. It shall be the objective of this Ordinance to assist and provide Agrarian Reform beneficiaries of Bacolod City with the opportunity to enhance their dignity and improve the quality of their lives through greater productivity of the agricultural lands granted to them.

To fulfill this, the City shall extend a loan to all qualified Agrarian Reform beneficiaries in Bacolod City to be used exclusively to purchase fertilizers, pesticides, farm implements and other support services needed for the production and marketing of their products

Section 3. DEFINITION OF TERMS. For the purpose of this Ordinance, the terms used herein shall mean:

3.1 BENEFICIARIES - shall refer to Agrarian Reform beneficiaries in Bacolod City who have been awarded the ownership of the land by the Department of Agrarian Reform as evidenced by a Certificate of Land Ownership Award (CLOA) and/or Emancipation Patent (EP) and who are actually tilling and/or cultivating the land awarded to them;

3.2 CERTIFICATE OF LAND OWNERSHIP AWARD (CLOA) - shall refer to a certificate issued by DAR evidencing ownership of the land awarded to the beneficiary which contains the restriction and conditions provided for in R.A. 6657.

Section 4. CREATION - There is hereby created a Revolving Fund to be availed of by the Agrarian Reform beneficiaries of Bacolod City.

Section 5. FUNDING SOURCE - The City of Bacolod shall establish an initial Revolving Fund in the amount of FIVE HUNDRED THOUSAND (P500,000.00) PESOS to be taken from the 20% Development Fund.

Section 6. BENEFICIARIES - The fund can be availed by individual or group of beneficiaries who are actually tilling and/or cultivating the land awarded to them, provided, that they are bonafide holders of CLOA and/or Emancipation Patent (EP) as certified to by the Department of Agrarian Reform.

Section 7. OVERSIGHT COMMITTEE - In order to oversee the implementation of the intents and objectives of this ordinance, there is hereby created an Oversight Committee, composed of the following:

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| CHAIR | City Mayor or his authorized representative |
| VICE-CHAIR | SP Chairman, Committee on Agriculture and Fisheries |
| MEMBERS | 1. SP Chairman, Committee on Cooperative and Livelihood |
| | 2. Representative from the City Agriculture Office |
| | 3. Representative from the City Legal Office |
| | 4. Representative from the City Cooperative Livelihood and Development Office |
| | 5. Representative from the Department of Agrarian Reform |
| | 6. Representative from the Agrarian Reform beneficiaries' association/organization, if any |

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Section 8. DUTIES AND RESPONSIBILITIES OF THE OVERSIGHT COMMITTEE - The Oversight Committee shall have the following duties and responsibilities:

- a. Formulate policies/guidelines in the granting of the loan such as, but not limited to the qualifications of beneficiaries, amount to be loaned, mode of payment, interest rates and collection of payment;
- b. Approve the processing and release of the loan and shall provide other terms and conditions as may be necessary to fulfill the intents and objective of this Ordinance.

The decision of the Committee shall be effective after majority of its members voting thereon, a simple majority being present, provided that due notice has been given to all the members

Section 9. SECRETARIAT - The Secretariat shall be headed by the Department Head of the City Agriculture Office or his authorized representative and shall be assisted by his staff.

The Secretariat shall perform the following duties and responsibilities:

- a) Take down the minutes during meeting/s of the oversight committee;
- b) Prepare and/or compile a list of all bonafide agrarian reform beneficiaries in Bacolod City;
- c) Prepare the Contract of loan and other documentation; and
- d) Provide general support, monitoring and other coordinative services.

Section 10. COLLECTION - The City Treasurer shall be responsible for administering the collection of payment from the beneficiaries.

Section 11. TRUST FUND - All collections shall be deposited in a Trust Fund which shall be created and established and shall be used exclusively by the City for loan assistance of qualified Agrarian Reform beneficiaries in Bacolod City.

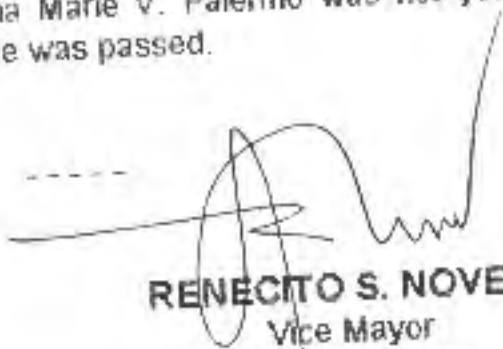
Section 12. EFFECTIVITY - This ordinance shall take effect immediately upon its approval.

CARRIED BY THE VOTE OF:

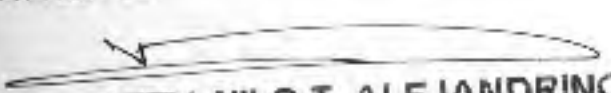
Affirmative:

Councilors: Greg G. Gasataya, Lyndon P. Caña, Jocelle Batapa-Sigue, Homer Q. Bais, Dindo C. Ramos, Jude Thaddeus A. Sayson, Napoleon A. Cordova, Elmer T. Sy, Al Victor A. Espino, Catalino T. Alisbo, Reynold I. Iledan, Marx Louie S. de la Rosa.


Absent : None.
Official Leave: Councilor Arturo V. Parrefio.
Author : Councilor Jude Thaddeus A. Sayson.
Negative : None.
Passed : December 23, 2004 (26th Regular Session).
Comments: Passed
Councilor Ana Marie V. Palermo was not yet around when
this ordinance was passed.


RENECITO S. NOVERO
Vice Mayor
Presiding Officer

ATTESTED:


ATTY. NILO T. ALEJANDRINO
Secretary to the Sanggunian

APPROVED: January 12, 2005.


EVELIO R. LEONARDIA
City Mayor

NTAHPL/jemz

