



Republic of the Philippines
Province of Isabela
MUNICIPALITY OF PALANAN

OFFICE OF THE SANGGUNIANG BAYAN

Literal copy of *Municipal Ordinance No. 2021 - 088* approved by the Sangguniang Bayan of Palanan, Isabela in its *Regular Session* on *March 8, 2021* held at the Legislative Session Hall, this Municipality.

Sponsored by: *HON. THEO ANGELO A. GARCIA, Sangguniang Bayan Member*

MUNICIPAL ORDINANCE NO. 2021-088

AN ORDINANCE ADOPTING THE REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT IN THE MUNICIPALITY OF PALANAN, PROVINCE OF ISABELA, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

Be it Ordained by the Sangguniang Bayan of Palanan, Isabela in session assembled that:

CHAPTER I - GENERAL PROVISIONS

SECTION 1. TITLE. This Ordinance shall be known as the "*Registration of Ownership of Agricultural and Fisheries Machinery and Equipment Ordinance*".

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 by any individual-owner, registered farmer-cooperatives and farmer-associations, as well as government 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.

SECTION 3. POLICY. It is the policy of the Municipality of Palanan, Isabela pursuant to Section 19 of R.A. No. 10601, otherwise known as the Agricultural and Fisheries Mechanization Law and its Implementing Rules and Regulations, this ordinance on the registration of ownership of agricultural and fisheries and machinery and equipment, and the collection of registration fees in accordance with the Local Government Code are hereby promulgated and issued for the information and guidance of the owners and the Local Government Unit.

SECTION 4. DEFINITION OF TERMS. As used in this Ordinance, the following terms are defines as follows:

- a) **Agricultural 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 production and maintenance 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. New agricultural 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.

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RONNIE A. ATIENZA
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JUSTIN KEENE S. BERNARDO
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SB MEMBER

CRISELDA S. DELA PENA
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**CHAPTER II
REGISTRATION OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT**

SECTION 5. REGISTRY OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT. The Municipality of Palanan, Isabela through the MAO and the Municipal Agricultural Engineering Division/Section/Unit shall maintain and update a registry of agricultural and fisheries machinery and equipment.

The list of newly registered agricultural and fisheries machinery and equipment 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 Barangay Office on the machinery and equipment that are no longer operational so that these can be deleted from the registries of the MAO.

SECTION 6. 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 BFAR for fishing boats; NFA for rice mills and postharvest facilities; PCA on oil mills; BPI for HVC equipment; NMIS for house equipment; etc. shall be included in the registry of agricultural and fisheries machinery and equipment of the municipality.

SECTION 7. 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 Municipal Agriculture Office of the LGU 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;
- 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 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 MAO through the Municipal Agricultural Engineering Division/Section/Unit 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 Agriculture Office shall process and recommend the issuance of the CAFMER for approval by the Municipal Mayor or his/her duly authorized 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.

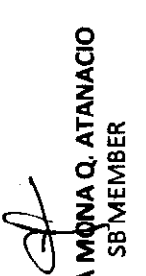
SECTION 8. AMENDMENT OF CAFMER. The amendment of CAFMER shall be done upon receiving a notification from the owner on the following instances:

- a. Transfer of ownership of the agricultural and fisheries machinery and equipment; and
- b. Transfer of residence of the owner to other municipality/city.


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The Office of the Municipal Mayor of the municipality of origin shall issue a Certificate of Clearance to the owner for submission to the city/municipality where the owner has transferred within thirty (30) days.

SECTION 9. ISSUANCE OF AMENDED CAFMER. The Office of the Mayor, where the owner has transferred, shall issue amended CAFMER upon filing of an application for issuance of a new CAFMER, supported by the following documents:

- a. The Original Copy of CAFMER.
- b. Corresponding documents to support the change of ownership and/or location, such as the Certificate of Clearance, Deed of Sale/Donation and Certificate of Location

The MAO of the municipality of origin shall then delete the agricultural and fisheries machinery and equipment in the list of registration of such in the municipality.

In the event that such agricultural and fisheries machinery and equipment is involve 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.

**CHAPTER III
REGISTRATION FEES**

SECTION 10. REGISTRATION FEES. The amount of fees to be charged and the fee structure in the registration of agricultural and fisheries machinery and equipment shall be *Three Hundred Pesos (P300.00) inclusive of the cost of the registration plate to be issued by the MAO to the owner.*

However, as a form of incentive to complying owners of agricultural and fisheries and machinery equipment, LGUs are hereby urges to refrain from collecting registration fees, as appropriate, for the initial year of registration of existing agricultural and fisheries machinery and equipment.

No registration fees shall be collected from the NGAs with existing agricultural and fisheries machinery and equipment (e.g. PHilMech, BFAR, NFA, PCA, PhilRice, etc.) Likewise, the registration of machineries and equipment owned by cooperatives duly registered under R.A. No. 6810 (Magna Carta for Countryside and Barangay Business Enterprises (Kalakalan 20)) 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.

**CHAPTER IV
PROHIBITED ACTS AND SANCTIONS**

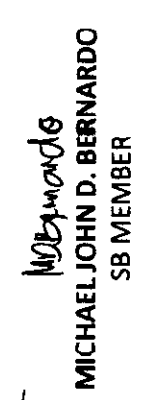
SECTION 11. PENALTIES. For any violation of the provisions of the Agricultural and Fisheries Mechanization (AFMeC) Law and other related legislation shall upon conviction, be subject to a fine of **Two Thousand Five Hundred Pesos (P2,500.00)** or imprisonment of not more than six (6) months or both such fine and imprisonment at the discretion of the court.

**CHAPTER V
FINAL PROVISIONS**

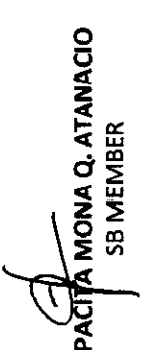
SECTION 12. INCENTIVES FOR THE REGISTRATION OF AGRICULTURAL AND FISHERIES AND MACHINERY AND EQUIPMENT.

- Registration may be used in the availment of government incentives/subsidies
- Registered machinery may be used as loan collateral
- Registration will facilitate the location of lost agricultural and fisheries machinery units
- Availment of Common Service Facilities (CSF) services in the municipality
- Provision of insurance for registered agricultural and fisheries and equipment


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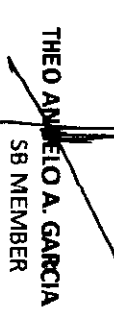

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MUNICIPAL ORDINANCE NO. 2021-088: AN ORDINANCE ADOPTING THE REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT IN THE MUNICIPALITY OF PALANAN, PROVINCE OF ISABELA, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES

The Municipal Agricultural Office shall coordinate with the Philippine Crop Insurance (PCI) 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 13. LEAD AGENCIES. The Office of the Municipal Agriculture shall coordinate with the Barangay Officials for the proper implementation of this Ordinance.

SECTION 14. FUNDING. Funding for the implementation of the registration of agricultural and fisheries machinery and equipment shall be incorporated in the work and financial plan of the Office of the Municipal Agriculture.

SECTION 15. SEPARABILITY CLAUSE. Should any provision of this ordinance be declared by a court of competent jurisdiction to be unconstitutional or invalid, the provision not so affected shall remain valid and effective.

SECTION 16. REPEALING CLAUSE. All ordinances or parts thereof inconsistent with the provision of this ordinance are hereby repealed and modified accordingly.


SECTION 17. EFFECTIVITY CLAUSE. This ordinance shall take effect fifteen (15) days after its posting and publication.


I HEREBY CERTIFY that the foregoing ordinance was duly enacted by the Sangguniang Bayan of Palanan, Isabela during its **Regular Session** on **March 8, 2021**.

ATTESTED AND CERTIFIED
TO BE DULY ENACTED:



JIMMY B. GONZALES
Municipal Vice Mayor & Presiding Officer

APPROVED:


NELIA ALAMO - PLATA
Secretary to the Sanggunian


ELIZABETH B. OCHOA
Municipal Mayor
Date: 03-15-2021


ANGELINA A. BERNARDO
LNB PRESIDENT

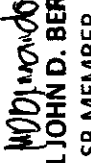

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