



SBO-0010-0

Republic of the Philippines  
Province of Ilocos Norte  
**MUNICIPALITY OF SAN NICOLAS**

## **OFFICE OF THE SANGGUNIANG BAYAN**

EXCERPTS FROM THE MINUTES OF THE FIRST REGULAR SESSION OF THE 11<sup>TH</sup>  
SANGGUNIANG BAYAN OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE HELD  
AT THE MUNICIPAL SESSION HALL ON THE 5<sup>TH</sup> DAY OF APRIL, 2021  
AT 11:00 O'CLOCK IN THE MORNING.

**PRESENT:**

Hon. Edistio P. Valdez	Vice-Mayor/Presiding Officer;
Hon. Angel Miguel L. Hernando	Member;
Hon. Moera Joy N. Galing-Luna	Member;
Hon. Joseph Lister B. Butay	Member;
Hon. Norberto D. Dadiz, Sr.	Member;
Hon. Erico R. Ruiz, Jr.	Member;
Hon. Luciano R. Caraang	Member;
Hon. Jessie Julito P. Pumaras, Sr.	Member;
Hon. Juanito P. Ulep, Jr.	Member/Liga ng mga Barangay President;
Hon. Inno Ma. Angelo Paulo O. Hernando	Member/PPSK President.

**ABSENT:**

None.

### **“MUNICIPAL ORDINANCE NO. 2021-12**

**AN ORDINANCE INSTITUTING AND IMPLEMENTING THE REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY 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 FISHERIES MACHINERY AND EQUIPMENT WITHIN THE TERRITORIAL JURISDICTION OF THE MUNICIPALITY OF SAN NICOLAS, ILOCOS NORTE.**

**WHEREAS**, Republic Act No. 10601, otherwise known as the "Agricultural and Fisheries Mechanization Law" was enacted into law on June 5, 2013;

**WHEREAS**, Section 19 of RA No. 10601 mandates all owners of agricultural and fishery machinery and equipment to register their agricultural and fishery machinery and equipment with the agriculture offices of Local Government Units;

**WHEREAS**, pursuant to Section 19 of RA No. 10601, the Department of Agriculture (DA) and the Department of 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 Local Government Units;

**WHEREAS**, the purpose of the Joint Memorandum Circular is to establish ownership and create a national database of machinery and equipment for planning and monitoring purposes, in accordance with Republic Act No. 10601;

**WHEREAS**, the registration of agricultural and fisheries machinery and equipment in the Municipality of San Nicolas, Ilocos Norte would ensure the quality and safety of agri-fisheries machineries and equipment as well as rational planning and programming of government investments and resources;

**WHEREAS**, the DA, DBM, DILG and CSC, pursuant to Section 29 of RA No. 10601 issued Joint Memorandum Circular No. 02, Series of 2020 mandating all LGUs to strengthen or create their Municipal Agricultural Engineering Groups, separate from that of the MAO to undertake, among others the registration of agricultural and fisheries machinery and equipment.

*Be it Ordained by the Sangguniang Bayan of San Nicolas, Ilocos Norte in session duly assembled, that:*

**SECTION 1. Title.** This Ordinance shall be referred as the MANDATORY REGISTRATION OF OWNERSHIP OF AGRICULTURAL AND FISHERIES MACHINERY AND EQUIPMENT in the Municipality of San Nicolas, Ilocos Norte.

**SECTION 2. Scope/Coverage.** 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, 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 enumerated in Annex A. Furthermore, agricultural and fisheries machinery and equipment owned and operated by government entities are likewise covered by 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 Fisheries Machinery and Equipment.** The Municipal Agriculture Office (MAO) shall maintain and update a registry of agricultural and fisheries machinery and equipment. This function shall be transferred to and assumed by the Agricultural and Biosystems Engineering Office/Division the moment it will be created and fully operational pursuant to Section 29 of RA No. 10601 and Joint DA-DBM-CSC Memorandum Circular No. 02 Series of 2020, otherwise known as the “Implementing Guidelines on the Strengthening and Establishment of the Agricultural and Biosystems Engineering Groups of the Local Government Units”.

The Municipal Agriculture Office shall have:

- 1) Trained Agricultural and Biosystems Engineer/s (ABE) to undertake the registration, and if in-case it does not have shall hire at least one ABE;
- 2) One QR printer.

The list of newly registered agricultural and fisheries machinery 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). 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 Municipal Agriculture Office whenever his/her machinery equipment are no longer serviceable functional so that these can be deleted from its registry.

**SECTION 5. *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 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 fisheries machinery and equipment of the municipality.

**SECTION 6. *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 Agricultural Engineering Division or MAO 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 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 owner just execute an affidavit attesting that the machinery and equipment is no longer serviceable and secure a certification from the president of the association belongs or barangay where he resides.

The Agricultural Engineering Division/ABE 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, shall process and recommend the issuance of CAFMER (Annex C) for approval by the Mayor or his duly 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 7. *Procedure in Case of Amendment to the Certificate of Agricultural and Fisheries Machinery and Equipment Registration (CAFMER).*** The Office of the Municipal Mayor shall issue a Certificate of Clearance and an amended CAFMER in the following instances:

- a) Transfer of Ownership of the agricultural and fisheries machinery and equipment- The documents stated in the preceding section, the Original CAFMER and Certificate of Clearance shall be required in the application for an amended CAFMER; and
- b) Transfer of Location to another municipality - A new registration form shall be secured which shall be approved by the municipality where the owner has transferred.

The Office of the Municipal Mayor shall issue a Certificate of Clearance to the owner for submission to the 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" should be filled up.

The MAO of the municipality of origin shall delete the agricultural and fisheries machinery and equipment in the list of registration of such machinery and equipment in the municipality. Likewise, the machinery owner shall report to the MAO on any non-serviceable machinery and equipment so that these can be deleted from the registries of MAO. The issuance of the amended CAFMER will require the owner to undergo another registration process. Thus, the owner will pay the registration fee as provided for in this Ordinance.

In the event that such machinery and equipment are 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 MAO.

**SECTION 8. *Registration Fees*** – The registration fee of agricultural and fisheries machinery and equipment shall be One Hundred Pesos (Php100.00) inclusive of the cost of issuance of QR Code sticker by the MAO.

The agricultural and fishery machineries and equipment owned by cooperatives duly registered under R.A. No. 6810 (Magna Carta for Countryside and Barangay Business Enterprises (Kalakalan 2000) 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.

**SECTION 9. *Incentives for the Registration of Agricultural and Fisheries Machinery 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 fisheries machinery and equipment.

The CAO shall coordinate with the Philippine Crop Insurance (PCIC) 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 10. *Public Information Campaign.*** The MAO in collaboration with the Information Office and Barangay Councils shall undertake information campaign on the implementation of the registration of ownership of agricultural and fishery machinery and equipment;

**SECTION 11. *Funding.*** Funding for the implementation of the registration of agricultural and fisheries machinery and equipment, purchase of registration equipment (QR Printer, etc.) and other activities on the registration of ownership of agricultural and fishery machinery and equipment shall be sourced from the budget of the Office of the Municipal Agriculturist and/or General Fund and the hiring of Agricultural and Biosystem Engineers (ABEs) shall be incorporated in the Annual Investment Program and/or the General Fund of the Local Government Unit of San Nicolas, Ilocos Norte.

**SECTION 12. *Penalty Clause.*** Failure of any owner to register his/her equipment or machinery as herein required, shall render him liable for a fine of Five Hundred Pesos (P500.00). In like manner, any owner who fails or refuses to report his/her unserviceable equipment and machinery shall be fined with the same amount of Five Hundred Pesos (P500.00)

**SECTION 13. *Repealing Clause.*** All existing ordinances, rules and regulations, as well as orders inconsistent herewith are hereby repealed or modified accordingly.

**SECTION 14. *Separability Clause.*** Should any of these clauses or parts of this Ordinance be declared unconstitutional by any court of competent jurisdiction, all other remaining portions not so declared shall remain valid and effective.

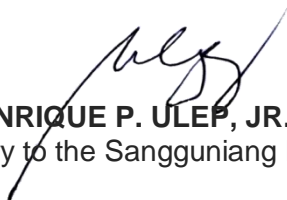
**SECTION 15. Effectivity Clause.** This Ordinance shall take effect immediately upon approval.

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Voting on the foregoing ordinance was as follows:

- AYES : Members Hernando, A., Galing-Luna, Butay, Dadiz, Sr., Ruiz, Jr., Caraang, Pumaras, Sr., Ulep, Jr. and Hernando, I.
- NAYS : None.
- ABSTAINED : None.

I hereby certify to the correctness of the foregoing ordinance.

  
**ENRIQUE P. ULEP, JR.**  
Secretary to the Sangguniang Bayan I

ATTESTED:

  
**EDISTIO P. VALDEZ**  
Vice-Mayor/Presiding Officer

APPROVED:

  
**ALFREDO P. VALDEZ, JR., M.D.**  
Municipal Mayor  
Approved on: April 12, 2021