

AMENDED MANUAL OF REGULATIONS OF THE REGIONAL, PROVINCIAL, MUNICIPAL AND BARANGAY AGRICULTURAL AND FISHERY COUNCIL

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Chapter I

Mandate, Objective, Functions

Article I

Mandate

SECTION 1. The National Agricultural and Fishery Council (NAFC) is hereby replicated in the regions, provinces, cities, municipalities and barangays to be known as Regional Agricultural and Fishery Councils (RAFCs), Provincial Agricultural and Fishery Councils (PAFCs), City Agricultural and Fishery Councils (CAFCs), Municipal Agricultural and Fishery Councils (MAFCs), and Barangay Agricultural and Fishery Councils (BAFCs) pursuant to Executive Order No. 116 and the mandate of the Department of Agriculture in order to encourage people's participation in agricultural development through sectoral representation in agricultural policy making bodies so that its policies, plans and programs are formulated/executed to satisfy the needs of its clientele and likewise to use bottom-up, self-reliant farm systems approach that will emphasize social justice, equity, productivity and sustainability in the use of agricultural resources.

Article II

Objectives

Section 1. The objectives of these various Councils are the following:

- To serve as advisory, monitoring and evaluating bodies;
- To link the Department of Agriculture with LGUs;
- To ensure the success of the programs and activities of DA and its attached agencies; and
- To provide fora/forum for consultative and continuing discussions within the agricultural sector of the national economy.

Article III

Functions

Section 1. General Functions. — The general functions of these Councils are the following:

- To identify and assess the diverse needs and resources of the area, in consultation with government and non-government organizations in order to bring about a collective effort in agricultural and rural development;
- To participate in policy assessment and formulation, planning of programs and projects to meet the identified needs in agriculture, fishery, agribusiness and related activities; and
- To assist the Department of Agriculture (DA) and its attached agencies and the agricultural offices of the local government units in organizing, monitoring and evaluation.

Section 2. Specific Functions. — The specific functions of the Councils are the following:

- To conduct regular and special AFC meetings;
- To conduct regular consultation, congresses with various interest groups to identify opportunities available and to address problems/issues affecting agricultural development in the area;
- To identify and resolve local problems/issues at their respective levels;
- To identify and refer to appropriate legislative bodies issues which will require legislation after consultation with local and national agencies;
- To monitor and evaluate the implementation of DA and its attached agencies' programs and projects and set-up an effective feedback mechanism to DA and other agencies concerned;
- To submit budgetary requirements in order to undertake the above mentioned duties and responsibilities of the local AFCs;
- To source out/raise funds; and
- To promote capability building.

Chapter II

Article I

Organizational Structure

Section 1. Members. — The members of the Regional, Provincial, City, Municipal and barangay Agricultural and fishery Councils herein often referred to as the "Council" (AFCs) 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 2. Structural Composition. — In addition to government sector representative, the composition of each AFC shall be as follows:

- Regional Agricultural and fishery Council (RAFC). — This council shall be composed of Chairmen of region-wide organizations, Provincial Agricultural and fishery Council (PAFC) chairmen and individuals deemed qualified by the council to represent sectors;
- Provincial Agricultural and fishery Council (PAFC) — this council shall be composed of chairmen of province-wide organizations, MAFC chairmen, CAFC chairmen and individuals deemed qualified by the council to represent sectors;
- City Agricultural and fishery Council (CAFC) — this council shall be composed of chairmen of city-wide organizations, BAFC chairmen and individuals deemed qualified by the council to represent sectors;
- Municipal Agricultural and Fishery Council (MAFC) — this council shall be composed of chairmen of municipal-wide organizations, BAFC chairmen and individuals deemed qualified by the council to represent sectors;
- Barangay Agricultural and fishery Council (BAFC) — this council shall be composed of chairmen of barangay-wide organizations, chairmen of purok-wide organizations and individuals deemed qualified by the council to represent sectors.

Section 3. Qualification of membership. — The following should be understood as:

- Government Sector Representatives — refers to the heads of the DA-RFUs, the provincial agriculturists/veterinarians, city/municipal agricultural officers, and the NAFC coordinators, technicians and other agencies assigned to assist in the AFCs in their programs and activities;
- Private Sector Representatives — refers to private individuals and associations engaged in agricultural and fishery production, post-harvest and marketing to include credit services and farm supplies;
- 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
- All members must be Filipino citizens of good moral standing in the area/community.

Section 4. Rights of Members. — The members of the Council shall have the following rights;

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

Section 5. Duties and Responsibilities of the Members. — The members shall have the following duties and responsibilities:

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

Section 6. Withdrawal and resignation. — Any member of the Council, for any reason, withdraw his 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 7. 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:

- When a member has not attended the meeting for three (3) consecutive months without any valid reasons;
- When a member has continuously failed to comply with his obligations;
- When a member has violated any of the provisions of this Manual of Regulations; and
- For any act 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.

Article II

Officers

Section 1. Officers. — The officers of each Council shall be a Chairman who shall come from the private sector, a Treasurer, an Auditor, and a PRO, provided that except for the Vice-Chairman who shall be the highest ranking

official of the DA/Agriculture office in the locality identified above, particularly an officer of the DA, all other officers shall be from the private sector, which shall be elected directly by the members.

Section 2. Term of Office — The term of office of the elected officers shall be three (3) years with the right to one (1) re-election. Their terms 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 his/her successor shall have been elected and qualified. In cases where no elections are held, status quo shall prevail.

The Vice-Chairman shall hold office for as long as he/she is the highest ranking official of the DA/agriculture office in the locality.

Section 3. Manner and time of election. — The manner of election shall be by secret ballot. The election shall be held during the month of June as follows:

- BAFC — 1st week of June 2001 and every 3 years thereafter;
- MAFC/CAFC — 2nd week of June 2001 and every 3 years thereafter;
- PAFC — 3rd week of June 2001 and every 3 years thereafter; and
- RAFC — 4th week of June 2001 and every 3 years thereafter.

The first elections of the office of the Agricultural and Fishery Councils (AFCs), such as the Barangay Agricultural and Fishery Council (BAFC), Municipal Agricultural and Fishery Council (MAFC), City Agricultural and Fishery Council (CAFC), Provincial Agricultural and Fishery Council (PAFC), and the Regional Agricultural and Fishery Council (RAFC) under the Manual of Regulations as amended, shall be on the month of November 1998, provided that all officers elected thereon shall serve from January '99 to June 2001. All elections to be held thereafter shall be held on the month following the month during which the elections of local officials (congressmen, governors, mayors, etc.) are held.

Section 4. Right of Succession. — Any officer that is elevated to a higher position shall automatically relinquish his/her position to the 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. Vacancies. — In case of vacancy arising out from any of, but not limited to, the following causes such as death, permanent incapacity, removal, resignation or automatic disqualification, a special election shall be called within fifteen (15) days from the date the vacancy occurs by the majority of the remaining members in a meeting duly called for that purpose. The elected officers 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.

When the vacancy occurs in the office of the Chairman, the Vice-Chairman for the private sector 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, Section 4 shall take effect.

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

Section 6. Automatic Disqualification. — Any officer elected in any government position shall automatically relinquish his/her position to the next in rank.

Section 7. Leave of Absence. — Any officer, for justifiable reasons, may file a leave of absence for a period not exceeding one hundred twenty (120) days. Absences exceeding one hundred twenty (120) days shall

automatically render the position vacant unless a written application for extension has been filed with the Secretariat-Coordinator.

Any officer, except the Chairman who is automatically resigned upon filing of his candidacy for elective position, must file a leave of absence for at least ninety (90) days so that he/she can maximize the time for the campaign.

Section 8. Chairman. — The chairman shall be the Chief Executive Officer (CEO) of the Council. As such, he shall have the following duties and responsibilities:

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

Section 9. Vice-Chairman. — The Vice-Chairman from the government sector shall be the highest ranking official of the Department of Agriculture/agriculture office in the locality, namely: RD, PA, CAO, PAO, AMO and BAT, they shall have the following duties and responsibilities:

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

Section 10. Vice-Chairman from the Private Sector. — The Vice-Chairman from the private sector shall likewise assist the Chairman in the performance of his/her functions. Henceforth, he shall have the following duties and responsibilities:

- Coordinate the support of the private sector group in the Council;
- Act as Chairman in case of the latter's absence
- Take over the chairmanship in case of permanent disability, death, removal, resignation or automatic disqualification; and

- Perform such other duties and functions as may be delegated by the Council.

Section 11. Secretariat-Coordinator. — A secretariat-coordinator/full time secretary shall be appointed by the vice-Chairman from the government sector upon recommendation of the Council. The functions of a secretariat-coordinator shall be:

- Oversee the preparation of the minutes and agenda and record the attendance and proceedings of all meetings of the Council;
- Assure that all notices are duly given in accordance with Section 4 of Article III;
- Furnish the Treasurer and other officers and members of the Council certified copies of the minutes of the meeting;
- Keep a register of the names and port 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;
- Keep the seal of the Council and when authorized by the Council, affix such seal to any paper or document requiring the same;
- Consolidate reports of RAFC, PAFC, MAFC and CAFC for submission to NAFC; and
- 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 Council.

Section 12. Treasurer. — The Treasurer shall have the following duties and responsibilities:

- Have custody, control and accountability of private funds and properties of the council;
- Disburse administrative expenditures and dispose of them properly under the direction of the chairman and/or the majority of the Council members;
- Deposit all private 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;
- Issue official receipts for any sum of money or property received by him for the Council;
- Render financial reports during regular meetings, and keep inventories of the books and other properties in the custody of other officers of the Council;
- Keep up-to-date the proper books of account;
- 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
- Perform such other duties as may be assigned to him by the chairman and/or the Council. He shall post a bond in an amount to be approved by the Council.

Section 13. Auditor. — The Auditor shall have the right to inspect, examine and audit all transactions, financial or otherwise, made by the chairman, other officers and/or the Council itself and shall submit reports thereof to the council at least once a year.

Section 14. Press Relations officer (PRO). — The PRO shall have the following duties and responsibilities:

- Publicize the accomplish of the Council;

- Consult the chairman on all documents for press release;
- Assist the Council on matters related to media and print;
- May act as spokesperson of the Council upon authority of the chairman;
- Conduct researches on issues and concerns related to the activities of the Council;
- Provide the Council on updates and news on agriculture programs;
- Document and cover with pictures/video and tape all special events/affairs of the Council; and
- Perform such other functions as may be delegated by the Council.

Section 15. Sectoral Committee Chairmen. — The identified sectors of agriculture and fishery such as food crops, livestock and feed crops, fishery, agricultural mechanization and industrial 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:

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

Article III

Meetings

Section 1. Regular Meetings. — Each Council shall hold regular meetings at any date, time and place determined by the members.

Section 2. Special Meetings. — Special meetings of the Councils may be recalled upon 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.

Section 3. RAFC Quarterly Meetings. — The RAFC chairmen shall hold quarterly meetings to be hosted by a group of RAFC chairmen to be held or determined by the majority of the RAFC chairmen.

Section 4. Consultative Meetings. — The members of the council may organize themselves into groups to conduct consultative meetings/information dissemination in their localities and present their outputs during regular meetings.

Section 5. Notice of meetings. — Notice of the date, time and place of regular/special meetings shall be sent at least one week before the date set for such meeting.

In urgent cases; the notice should be communicated at least one working day before the meeting.

Section 6. Quorum. — A quorum for any meeting shall consist of the majority of the members present.

Section 7. Order of Business. — The order of business of the regular meeting shall be as follows:

- Call to order;
- Roll call;

- Opening prayer;
- National Anthem;
- Presentation and approval of the agenda;
- Reading of the minutes of the previous meeting;
- Adoption of the previous minutes;
- Matters arising from the previous minutes;
- Report of the Chairman;
- Report of the Treasurer;
- Reports of the committees;
- Unfinished business;
- New business;
- Other matters;
- Announcement; and
- Adjournment with closing prayer

The orders of business in any meeting may be changed by a majority vote of the members.

Section 8. Voting, Members are entitled to one vote. — Vote by proxy is not allowed.

Chapter III

Electoral Board

Article I

Board, Powers, Division, Indigenous Scheme

Section 1. Composition. — Each Council shall elect three members who are not candidates to be composed of a chairman from the private sector and two members from the government and private sector. They shall serve independently to ensure free, orderly and honest elections.

Section 2. Powers. — The Electoral Board shall have the power to adopt rules and regulations necessary to govern election procedures subject to the approval of the Council. It shall have the power to decide and settle all contests relative to conduct of elections.

Section 3. Decision, Order or Award. — Any decision, order or award by the electoral Board is final and executory.

Section 4. Indigenous Scheme. — The council may request the electoral Board to adopt the indigenous scheme where applicable.

Chapter IV

Provisions

Article I

Miscellaneous Provisions

Section 1. Fiscal Year. — The fiscal year of the Councils shall be from July 1st to June 30 of the following year.

Section 2. Seal. — The Councils shall adopt the seal of the NAFC.

Section 3. Repeals. — The manual of regulations dated 1994 is hereby repealed, amended and modified accordingly. Henceforth, this amended manual of regulations shall take effect on the date it is ratified by a majority of all the members present during a general assembly called for that purpose.

Article II

Financial Assistance

Section 1. 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.

Section 2. AFC Funds Share. — All AFC fund collections from projects implemented shall be shared as follows:

MAFC/CAFC-40% of the collection

PAFC-30% of the collection

RAFC-30% of the collection

Section 3. Guarantee Funds. — These funds refer to the savings generated by the Councils out of its programs/projects.

Section 4. AFC Foundation Funds. — The Councils shall recognize the AFC Foundation as one source for its fund generation.

Section 5. Disbursements. — Withdrawal of funds, whether cash or check, shall be signed by the Treasurer and countersigned by the chairman and vice-chairman from the government.

Section 6. Depository Bank. — Each council shall identify depository bank of its convenience and authorize at least three members to transact business with the said bank.

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