

LOCAL GOVERNMENT UNIT

GUIDEBOOK

IN THE CREATION OF THE OFFICE OF
THE PROVINCIAL/CITY/MUNICIPAL
AGRICULTURAL AND BIOSYSTEMS
ENGINEER



PREFACE

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The Department of Agriculture through the Bureau of Agricultural and Fisheries Engineering (BAFE) spearheads the national coordination and monitoring of the strengthening and establishment of Agricultural and Biosystems Engineering (ABE) Groups in the Local Government Units (LGUs) mandated by Section 29 of R.A. No. 10601 (Agricultural and Fisheries Mechanization Law) in relation to RA No. 10915 (Philippine Agricultural and Biosystems Engineering Act of 2016) and DA-DBM-CSC-DILG Joint Memorandum Circular No. 02 series of 2020. With the recent issuance of CSC Memorandum Circular No. 12, s. of 2022, “2022 Guidelines and Standards in the Establishment and Organizational Structures and Staffing Patterns in Local Government Units”, these ABE Groups become the Office of the Provincial/City/Municipal Agricultural and Biosystems Engineer, and now mandatory positions.

The enactment of the Agricultural and Fisheries Modernization Act and Agricultural and Fisheries Mechanization Law empowers the LGUs to perform functions related to agri- fisheries mechanization, irrigation, farm-to-market roads, and other rural infrastructures. Moreover, the implementation of the Mandanas-Garcia Ruling and EO 138 directs the LGUs to fully implement the devolved functions, services, and facilities under Section 17 of the Local Government Code and other pertinent laws, including agri-fisheries mechanization and infrastructure, and irrigation. It is in this context that the BAFE in collaboration with the DA Regional Field Offices thru its Regional Agricultural Engineering Division (RAED) spearheads the national coordination and monitoring of the strengthening and establishment of LGU ABE Groups, as well as facilitate the capacity development activities.

This guidebook aims to provide the necessary information and answers to frequently asked questions on the creation of the Office of Provincial/City/Municipal Agricultural and Biosystems Engineer. It also provides the roles and responsibilities of DA, in particular, the BAFE and the Regional Agricultural Engineering Divisions. This will serve as reference by the Local Government Units, in particular, the Human Resource Management Officers and the Local Finance Committee in the modification and improvement of their organizational structure and staffing pattern (OSSP) to effectively carry out the devolved functions, services and facilities.

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Introduction

Welcome to the revised edition of our LGU guidebook, with few additions of recent issuances to support the creation of ABE groups in the LGUs. This updated version will guide LGUs in harnessing the expertise of Agricultural and Biosystems Engineers (ABEs) in compliance with the requirements set forth by Section 34 of RA No. 10915 and CSC Memorandum Circular No. 12, series of 2022 (Please see Annex A). It serves as a comprehensive resource for LGU officials and administrators, providing valuable insights, practical advice, and innovative strategies to leverage the skills and knowledge of ABE professionals in various urban settings. From urban agriculture to sustainable systems management, this guidebook equips LGUs with the necessary tools to maximize the contributions of ABEs in addressing the unique challenges and opportunities presented in highly urbanized environments.

Accordingly, the Provincial, City and Municipal ABE are now mandatory positions in LGUs. Section 5 of the said CSC Circular states that LGUs shall create mandatory positions, and must have a corresponding budget, approved by the sanggunian to be considered valid. It shall comply with the 45%-55% budgetary limitations for personal services.

This creation of the LGU ABE Offices is the realization of the strengthening of the ABE Groups under Section 46 of RA No. 8435 (AFMA) and Section 29 of RA No. 10601 (AFMech Law) and DA-DBM-CSC-DILG Joint Memorandum Circular (JMC) No. 2, series of 2020 (Please see Annex B).

The JMC No. 2 provides position titles, qualification standards, and salary Grades for the technical staff of the ABE Units; powers, functions, and responsibilities of the ABE Units; responsibilities of concerned national government agencies; compliance monitoring; and penalties. This will serve as a reference in the creation of the Office of the Provincial/City/Municipal Agricultural and Biosystems Engineer.

There are eight (8) devolved functions, services and facilities mandated by Section 17 of the Local Government Code and other pertinent laws which shall be assumed or handled by the Office of the Provincial/City/Municipal Agricultural and Biosystems Engineer of LGUs. These are 1) Irrigation and soil and water conservation Projects (CIS and SWIP); 2) Agri-Fisheries Mechanization; 3) Post-Harvest Facilities; 4) Farm-to-Market Roads; 5) ABE On-Site Research and Extension Services; 6) Agricultural and Biosystems Engineering Regulations; 7) Agricultural and Biological Waste Management and Utilization; and 8) Local Climate Change Action Plan (ABE Interventions).

1. Provision/Repair/Upgrading and Operation, Maintenance, and Management of Irrigation and Soil Water Conservation Projects

The following delineation in projects shall be followed between the provinces, cities, and municipalities:

Cities/Municipalities:

- Small Water Impounding Projects (SWIPs)
- Diversion Dams
- Communal Irrigation Systems (CIS)
- Bio-Engineering for flood control

Provinces/Cities:

- Irrigation Systems- Small-scale irrigation Projects with RAED



LEGAL BASES:

- *Section 17(b)2 (vii), RA No. 7160 (LGC)- Infrastructure facilities intended primarily to service the needs of the residents of the municipality and which are funded out of municipal funds including, but not limited to XXX communal irrigation, small water im- pounding projects XXX rainwater collectors XXX and flood control; and*
- *Section 31, RA No. 8435 (AFMA)- NIA to devolve CIS to LGUs*

2. Agri-Fisheries Mechanization

- a) The ABEs are to assist in the formulation and implementation of the Local Agricultural and Fishery Mechanization Plan (LAFMP);

LEGAL BASES:

- *Section 33, RA No. 10601(AFMEch Law) - The LGUs through an ordinance, shall also formulate in consultation with the DA and implement their respective provincial, city and municipal agricultural and fishery mechanization plans as a vital component of their respective local development plan;*
- *Section 5, DA-DILG JMC No. 01 series of 2020 – The provincial, city, and municipal planning and development coordinators together with the Agricultural and Biosystems Engineering office/Unit and Agricultural Offices of the LGUs shall formulate their respective provincial, city, and municipal Agricultural and Fishery Mechanization Plan., and implement the same after its promulgation through an ordinance by their respective Sanggunian.*

Devolved Functions

The Regional Agricultural Engineering Divisions (RAEDs) of the DA Regional Field Office, together with BAFE may assist in the formulation of the LAFMPs of the HUCs. The LAFMP format should follow the Annex A of the DA-DILG JMC No. 01, series of 2020 (Annex C) and the LAFMP Evaluation Checklist (Annex D).



The LAFMPs are consolidated by the Provincial LGU as reference in the formulation of the Regional Agricultural and Fishery Mechanization Plan (RAFMP). The 16 RAFMPs are then consolidated to form the National Agricultural and Fishery Mechanization Program (NAFMP).

b) Promotion of Agri-Fishery Machinery Service Centers (AFMESC)s with DA

LEGAL BASIS:

- Section 9, RA No. 10601- *"The DA and the LGUs shall encourage and support the private sector and other rural entrepreneurs to establish and operate agricultural and fishery machinery and equipment service centers in the Strategic Agricultural and Fishery Development Zones (SAFDZs) and Agrarian Reform Communities XXX"*

THE AFMESC IN CAPSULE

Major Services: AF Mechanization Services— Land preparation, Laser land levelling, transplanting, harvesting, etc.

AGRI-FISHERIES MACHINERY & EQUIPMENT SERVICE CENTER

Support Services: 1) Repair and trouble shooting; 2) training of farmers and AF Machinery operators & technicians; 3) After sales service

- Service Area: at least 50 hectares in Bayanihan Agri Cluster (SAFDZ/ARC), depending on its profitability
- Ownership: FCAs, LGUs, RDIs, JVC
- Minimum Manpower: Complement of ABE (Facility Manager and TESDA certified AF Machinery Operator)
- AF Machinery Pooling: augment what are lacking machinery in the area
- Application of Precision agriculture (Harvest Apps, etc)
- Use of Renewable Energy

Accredited Learning Site for Mechanized Farming (ATI), TVET Training and Assessment Center (TESDA), With BOI Incentives and PCIC Insured

3. Post-harvest Facilities

The ABEs in LGUs are capable of designing and supervising the construction and operation of post-harvest facilities such as, but not limited to:

- a) Multi-purpose drying pavement;
- b) Storage Facility;
- c) Slaughterhouse; and
- d) Fish ports, ice plants, cold storages and other fish processing establishments



LEGAL BASES:

- *Section 17 (b) 1 (vi), RA No. 7160 (LGC)-Infrastructure facilities such as XXX multipurpose pavement (Barangay);*
- *RA 7607 (Magna Carta of Small Farmers) SEC. 13. Postharvest Facilities/Services. – Every barangay which is predominantly agriculture-based shall be entitled to at least one (1) storage facility and a multipurpose pavement/plaza which can be used for various purposes including drying of agricultural produce;*
- *(b) RA No. 7160 (LGC)- Section 17 (b) 2 (ix)- Infrastructure facilities such as XXX Slaughterhouses (Municipality/ City);*
- *(c) Section 17 (b) 2 (viii), LGC- XXX Infrastructure facilities XXX fish ports XXX (Municipality) ----- Expanded by: RA No. 8550 (Fisheries Code)- Section 59- The LGUs shall coordinate with the private sector and other concerned agencies and FARMCs in the establishment of post-harvest facilities for fishing communities such as, but not limited to, municipal fish landing sites, fish ports, ice plants and cold storage and other fish processing establishments to serve primarily the needs of municipal fisherfolk: Provided, That such post-harvest facilities shall be consistent with the Comprehensive Post-harvest and Ancillary Industries Plan.*



4. Farm-to-Market Roads (DA Funded)

The LGUs are to provide 10% counterpart to the overall FMR project cost. The ABEs assigned in LGUs are to maintain FMRs as barangay roads, which is according to PD No. 701, FMRs are barangay roads and below. The ABEs also take part in the updating of local FMR Network Plan. FMRs may also be funded by Local Government Support Fund, Tobacco Excise Tax and National Tax Allocation.



LEGAL BASIS:

- Section 17 b (1) LGC-- *For a barangay-XXX v. maintenance of barangay roads;*
- Section 52, RA No. 8435 (AFMA)-- *XXX Construction of farm-to-market roads shall be a priority investment of the LGUs which shall provide a counterpart of not less than ten percent (10%) of the project cost subject to their IRA in the area.*

5. Extension and On-site Research Service Facilities on ABE

The ABEs in LGUs are capable of assisting with the delivery of the following services:

- a) Skills Development and certification of farmers, fishermen, and farm workers on the proper operation and maintenance of agri-fishery machinery, to start with the following existing TESDA training regulations:

- Rice Machinery Operation NC II;
- Agricultural Machinery Operation (Non-Rice) NC II;
- Farm Machinery Servicing (Tractor)- NC III;
- Drying and Milling Processing Plant Servicing NC III;
- Irrigation System Installation and Maintenance NC III;
- Biogas Systems Installation and Maintenance NC II;
- Milking Operation NC II;
- Hatchery Operation NC II and
- Rubber Processing NC II



- b) Establishment and Accreditation of Training and Assessment Centers on the above training regulations;
- c) Promotion of appropriate agri-fisheries mechanization technologies developed by Research and Development Institutions (PhilMech, Phil- Rice, SCUs, etc.);

Devolved Functions

- d) Establishment and maintenance of mechanized demo farms/learning sites; and
- e) Provision/Upgrading of agri-fisheries machinery and infrastructure of extension and on-site research facilities/centers:
 - palay, corn, and vegetable seed farms;
 - medicinal plant gardens;
 - fruit tree, coconut, and other kinds of seedling nurseries;
 - demonstration farms
 - dairy farms
 - livestock markets
 - animal breeding stations, and
 - artificial insemination centers

LEGAL BASES:

- (a, b, c, d) RA No. 10601-SEC. 28. Implementation by the LGUs. - The LGUs, pursuant to the provisions of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991", shall undertake applied research, extension, dispersal, management, and regulation of agricultural and fisheries machinery and equipment, including the collection of fees; and
- (e) Section 17 (b) 2(i) and 3 (i), RA No. 7160 (LGC) in relation to RA No. 10915 (Philippine ABE Act of 2016).

6. Agricultural and Biosystems Engineering Regulations

The ABEs in LGUs are capable of assisting with the delivery of the following services:

- a) Registration of Agricultural and Fishery Machinery in the City and Municipal LGUs;
- b) Registration of Fish Hatcheries, Fish Breeding facilities and Private Fishponds;
- c) Registration and Licensing of all Post-Harvest Facilities: fish processing plants, ice plants, cold storages, fish ports/landings;
- d) After-sales service monitoring;
- e) Enforcement of Philippine Agricultural and Biosystems Engineering Standards (PABES in the LGU procurement of AF machinery and infra project); and
- f) Enforcement of PABES in the issuance of permits for agricultural and biosystems buildings.



LEGAL BASES:

- (a) Section 19, RA No. 10601- All owners of agricultural and fishery machinery and equipment must register these with the agriculture offices of municipal and city government units XXX;
- (b) Section 57, RA No. 8550 (Fisheries Code) "All fish hatcheries, fish breeding facilities and private fishponds must be registered with the LGUs which shall prescribe minimum standards for such facilities in consultation with the Department. "

Devolved Functions

- *(c) Section 60, RA No. 8550 (Fisheries Code) - All post-harvest facilities such as fish processing plants, ice plants, and cold storages, fish ports/landings and other fishery business establishments must register with and be licensed by the LGUs which shall prescribe minimum standards for such facilities in consultation with the Department;*
- *(d) Section 17, RA No. 10601 (AFMech Law) - All agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers are required to provide after-sales service and warranty to their respective clients which shall be monitored by the agriculture offices of the LGUs and the BAFE;*
- *(e) Section 21, RA No. 10601 (AFMech Law) - Thereafter, the DA and the LGUs, in collaboration with the BoAE, shall enforce the above standards (PABES) on the manufacture, sale and distribution of agricultural and fisheries machinery and equipment, and its accreditation system for agricultural and fisheries facilities and establishments. agricultural and fishery machinery and equipment testing centers. XXX*
- *(e) SECTION 17 (d), RA No. 7160 (LGC XXX (d) The designs, plans, specifications, testing of materials, and the procurement of equipment and materials at from both foreign and local sources necessary for the provision of the foregoing services and facilities shall be undertaken by the local government unit concerned, based on national policies, standards and guidelines. XXX*
- *(f) Section 21, RA No. 10601- XXX The DPWH and the local building officials, consistent with the provisions of Republic Act No. 8559, otherwise known as the "Philippine Agricultural Engineering Act of 1998", and in coordination with the agriculture offices of the LGUs shall enforce the PAES as part of the implementation of the National Building Code of the Philippines particularly in the de- sign, construction, operation and maintenance of agricultural and fisheries buildings and structures.*



7. Agricultural and Biological Waste Management and Utilization

The ABEs in LGUs are capable of assisting with the delivery of the following services:

- a) Composting Facilities/ Projects; and
- b) Promotion of Biogas Technology in Livestock Areas

LEGAL BASES:

- (a) RA No. 9003 (Ecological Solid Waste Management Act), Section 17- The solid waste management plan (of LGUs) shall include, but not limited to, the following components: XXX g. Com- posting XXX; and
- (b) RA No. 9003 (Ecological Solid Waste Management Act), Section 36; RA No. 8749; RA No. 9275, Section 20 - LGUs shall share the responsibility in the management and maintenance of air quality/ water quality within their territorial jurisdiction.



8. Local Climate Change Action Plan (ABE Interventions)

The ABEs in HUCs are capable of assisting with the delivery of the following services:

- a) Renewable Energy Program for Agri-Fishery Sector; and
- b) Precision Agriculture (Land Laser Levelling, Hydroponics, Green House Agriculture).

LEGAL BASES:

- (a, b) Section 14, RA No. 9729 (Climate Change Act of 2009) --The LGUs shall be the front- line agencies in the formulation, planning and implementation of climate change action plans in their respective areas, consistent with the provisions of the Local Government Code, the Framework, and the National Climate Change Action Plan.

ABE Office Functions

Pursuant to DA-DBM-CSC-DILG Joint Memorandum Circular No. 2, series of 2020 (Item 8), the LGU ABE Units/Offices shall be responsible for planning, coordinating, regulating and implementing agricultural, fisheries and biosystems engineering, mechanization and infrastructure programs and projects at the provincial, city and municipal levels. Specifically, they shall perform the following functions and responsibilities, with the following delineations:

- 1) Formulate and implement Local Agricultural and Fisheries Mechanization Plan (LAFMP) for approval by the Sanggunian pursuant to Section 33 of RA No, 10601. The LAFMP will be included in the Local Development Plan and Investment Plan;

Activity/Output	Provincial ABE	City ABE	Municipal ABE
Local AFMech Plans and its inclusion in the Local Development Plan and Investment Plan	✓	✓	✓

- 2) Formulate and implement Local ABE Master Plan/Program with the following components: (1) AF mechanization; (2) soil and water conservation and irrigation; (3) farm-to-market road network plan; (4) post-harvest, agro-processing and agro-industrial development; (5) agricultural and bio- logical waste utilization and management; and (6) Renewable Energy Pro- gram for Agri-Fishery Sector. This shall be approved by the Sanggunian and complement/support the Comprehensive Land Use Plans, Local Development Plans, Local Food Security and Agri-Fisheries Modernization Plans (Joint DA-DILG MC No. 11, series of 2004 in relation to RA No. 10915);

Activity/Output	Provincial ABE	City ABE	Municipal ABE
Local ABE Master Plan/ Program and its inclusion in the Local Development Plan and Investment Plan	✓	✓	✓

- 3) Provide ABE services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/program of work. These projects include:
 - a) Irrigation, Soil and Water Conservation Projects (SWIPs, Diversion Dams, Communal Irrigation Projects, Bio-Engineering for Flood Control) within the city;
 - b) Agri-fisheries machinery and infrastructures of extension and on-site research centers (demo farms, etc.);
 - c) Post-harvest facilities (Slaughterhouses and for fishing communities);
 - d) Agri-Fisheries Machinery and Equipment Service Centers;
 - e) ABE Projects for Barangay Development Plan (FMR, MPDP, AFMESC, RPCs, etc.);
 - f) AB Waste Management Facilities (Biogas, composting, etc.);
 - g) ABE Projects for Local Climate Change Action Plan - Renewable Energy for agri-fishery sector, etc.

Activity/Output	Provincial ABE	CityABE	Municipal ABE
Irrigation, Soil and Water Conservation Projects (SWIPs, Diversion Dams, Communal Irrigation Projects, Bio-Engineering for Flood Control)	Covers two or more municipalities Funded By PLGUs Provide technical assistance to city and municipal ABE Units	Within the City Funded by City LGUs	Within the Municipality Funded by the Municipal LGU
Agri-fisheries machinery and infrastructures of extension and on-site research centers (demo farms, etc.)			
Post-harvest facilities (Slaughterhouses and for fishing communities)			
Agri-Fisheries Machinery and Equipment Service Centers (AFMESCs)			
ABE Projects for Barangay Development Plan (FMR, MPDP, AFMESC, RPCs, etc.)			
AB Waste Management Facilities (Biogas, composting, etc.)			
ABE Projects for Local Climate Change Action Plan Renewable Energy for agri-fishery sector, etc.			

- 4) Administer, supervise, and coordinate the construction, operation, maintenance, improvement and management of:
- Irrigation, Soil and Water Conservation Projects (SWIPs, Diversion Dams, Communal Irrigation Projects, Bio-Engineering for Flood Control) within the city;
 - Agri-fisheries machinery and infrastructures of extension and on-site research centers (demo farms, etc.);
 - Post-harvest facilities (Slaughterhouses and for fishing communities);
 - Agri-Fisheries Machinery and Equipment Service Centers;
 - ABE Projects for Barangay Development Plan (FMR, MPDP, AFMESC, RPCs, etc.);
 - AB Waste Management Facilities (Biogas, composting, etc.);
 - ABE Projects for Local Climate Change Action Plan - Renewable Energy for agri-fishery sector, etc.

Activity/Output	Provincial ABE	CityABE	Municipal ABE
Irrigation, Soil and Water Conservation Projects (SWIPs, Diversion Dams, Communal Irrigation Projects, Bio-Engineering for Flood Control)	Covers two or more municipalities Funded By PLGUs Provide technical	Within the City Funded by City LGUs	Within the Municipality Funded by the Municipal LGU
Agri-fisheries machinery and infrastructures of extension and on-site research centers (demo farms, etc.)			

Post-harvest facilities (Slaughterhouses and for fishing communities)	assistance to city and municipal ABE Units		
Agri-Fisheries Machinery and Equipment Service Centers (AFMESCs)			
ABE Projects for Barangay Development Plan (FMR, MPDP, AFMESC, RPCs, etc.)			
AB Waste Management Facilities (Biogas, composting, etc.)			
ABE Projects for Local Climate Change Action Plan Renewable Energy for agri- fishery sector, etc.			

- 5) Undertake the registration of AF machinery and facilities, enforcement PABES and other ABE regulatory activities in coordination and collaboration with the RFO-RAED, concerned NGAs and other offices of:
- Registration of agri-fishery machinery owners;
 - Registration of Fish Hatcheries, Fish Breeding facilities and Private Fishponds (with BFAR);
 - Registration and Licensing of all Post-Harvest Facilities: fish processing plants, ice plants, cold storages, fish ports/ landings;
 - Enforcement of PABEs in LGU procurement of agri-fisheries machinery and infra projects;
 - Enforcement of PABES in building permit (Assistance to local building officials)
 - Assist BAFE and RAED in after- sales service monitoring of MFADDIE;
 - Inspection, performance testing and evaluation of AB machineries and equipment procured by the LGUs;
 - Assistance to BAFE and RAED on the permit to operate application of MFADDIE.

Activity/Output	Provincial ABE	City ABE	Municipal ABE
Registration of agri-fishery machinery owners	Provincial registration database	✓	✓
Registration of Fish Hatcheries, Fish Breeding facilities and Private Fishponds	Provincial registration database	with BFAR	with BFAR
Registration and Licensing of all Post-Harvest Facilities: fish processing plants, ice plants, cold storages, fish ports/ landings	Provincial registration database	with BFAR	with BFAR
Enforcement of PABEs in LGU procurement of agri-fisheries machinery and infra projects	✓	✓	✓
Enforcement of PABES in building permit (Assistance to local building officials)	Monitoring/technical assistance	✓	✓
Assist BAFE and RAED in after-sales service monitoring of MFADDIE	✓	✓	✓

Inspection, performance testing and evaluation of AB machineries and equipment procured by the LGUs	✓	✓	✓
Assistance to BAFE and RAED on the permit to operate application of MFADDIE	✓	✓	✓

- 6) Maintain and regularly update the data-bank on irrigation, post-harvest facilities, agricultural and fishery machinery and equipment, and agricultural and biosystems infrastructure projects at all local levels through the Agricultural and Biosystems Engineering Management Information System (ABEMIS);

Activity/Output	Provincial ABE	City ABE	Municipal ABE
Encoding in ABEMIS	✓	✓	✓

- 7) Provide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural, fishery and biosystems machinery projects in coordination with the agriculture and fisheries extension workers;
- Accreditation of LGU ABEs as TVET trainers and competency assessors (conduct trainings);
 - Accreditation of AFMech/ABE TVET training and assessment centers with TESDA; and ATI for mechanized/ ABEdized learning sites; and DOT for farm tourism sites; and
 - Assessment/certification of farmers and fisherfolks for NCs of AFMech/ABE training regulations through the accredited TVET training and assessment centers.

Activity/Output	Provincial ABE	City ABE	Municipal ABE
Accreditation of LGU ABEs as TVET trainers and competency assessors (conduct trainings)	✓	✓	✓
Accreditation of AFMech/ABE TVET training and assessment centers with TESDA; and ATI for mechanized/ ABEdized learning sites; and DOT for farm tourism sites	✓	✓	✓
Assessment/certification of farmers and fisherfolks for NCs of AFMech/ABE training regulations through the accredited TVET training and assessment centers,	✓	✓	✓

- 8) Undertake and/or coordinate the pilot testing and commercialization of matured ABE technologies:
- Pilot testing and commercialization of matured ABE technologies; and
 - Assist DA in the implementation of National Agri-Fisheries Mechanization RDE programs and projects.

Activity/Output	Provincial ABE	City ABE	Municipal ABE
Pilot testing and commercialization of matured ABE technologies	✓	✓	✓
Assist DA in the implementation of National Agri-Fisheries Mechanization RDE programs and projects	✓	✓	✓

- 9) Provide assistance in the organization and operation of the Agricultural and Fishery Mechanization Committee (AFMeC) of the Provincial, City, and Municipal AFCs and the local chapters of the PSABE in the local implementation of AF mechanization and infrastructure projects;

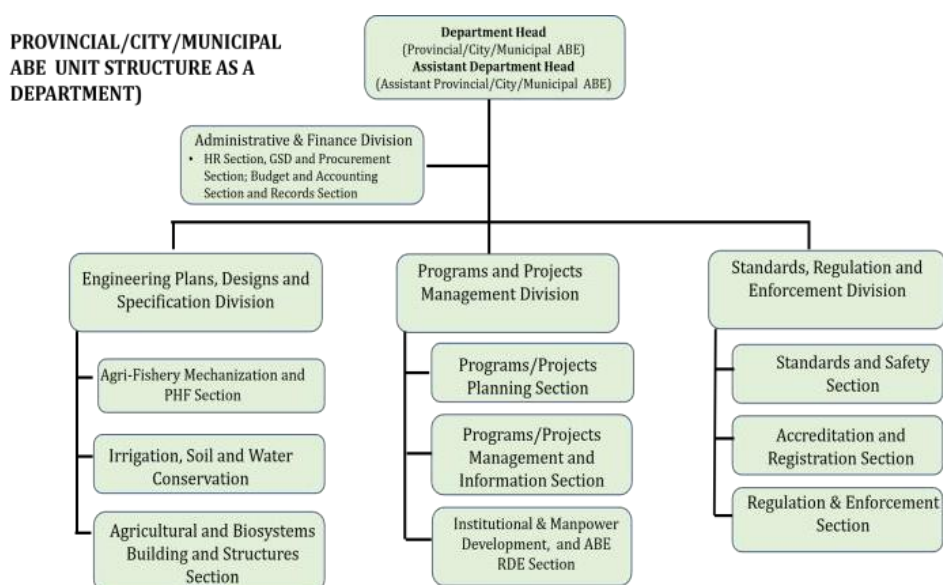
Activity/Output	Provincial ABE	City ABE	Municipal ABE
Vice Chairperson and Secretariat of AFMech of AFC	✓	✓	✓
Engagement/mobilization of PSA-BE local chapters/ABEs	✓	✓	✓

- 10) Coordinate with the concerned national government agencies (NGAs) with regard to the implementation of national government programs and projects on irrigation, farm mechanization, post-harvest facilities, farm-to-market roads and agri-cultural, fisheries and biosystems infrastructure;
- Coordination with NGAs; and
 - Provide assistance to RAED in the program/project planning and implementation.

Activity/Output	Provincial ABE	City ABE	Municipal ABE
Coordination with NGAs	✓	✓	✓
Provide assistance to RAED in the program/project planning and implementation	✓	✓	✓

Organizational structure and staffing pattern (OSSP) of the ABE Office

Based on the service requirements and financial capabilities of LGUs, the Office of the Provincial/City/Municipal ABE shall either a **department, division or section** and shall be responsible for: (1) engineering plans, designs, and specifications; (2) program and project management; and (3) standards, regulation, and enforcement. Below is a structure of ABE Department which can be replicated or scaled down into a division or section. (Item 5.1 and 6.1 of DA-DBM- CSC-DILG JMC. No. 2, series of 2020); and likewise, the various level of ABE positions. The ABE unit shall be under the Office of the City Mayor.



VARIOUS LEVELS OF ABE POSITIONS IN LGUs

LGU	Department Head (DH)	Assistant Department Head (ADH)	Highest Position below ADH
Provinces	Provincial Government Head (PGDH), SG-26	Provincial Government Assistant Department Head (PGADH), SG-24	Engineer IV, SG-22
Component Cities	CGDH I, SG-25	CGADH III, SG-23	Engineer IV, SG-22
1 st to 3 rd Class Municipalities (Outside Metro Manila)	MGDH I, SG-24	MGADH I, SG-22	Engineer III, SG-19
4 th to 6 th Class Municipalities (Outside Metro Manila)	MGDH I, SG-24	MAGDH I, SG-22	Engineer II, SG-16

Note: Also include Engineer I, SG-12

SOURCE: DA-DBM-CSC-DILG JOINT MEMORANDUM CIRCULAR NO. 2, S. 2020

Capacity Development Agenda/ Program for ABE Offices

Pursuant to EO No. 138 (Section 2c and 10), the capacity development of LGU ABE Offices is a joint responsibility of the LGUs and the National Government Agencies (NGAs). The LGUs are primarily responsible in capacity development of their functionaries and formulate their Capacity Development Agenda. The NGAs shall likewise formulate and pursue institutional development programs to support LGUs strengthen their capacities and capabilities to fully assume the devolved functions prescribed by the Local Government Code and other relevant laws. The Capacity Development Agenda shall be anchored on six (6) Capacity Pillars which are the factors that enable LGUs to perform their functions, fulfill their accountabilities and produce desired results. Indicated are the roles of LGUs and NGAs, in particular the Department of Agriculture (DA).

SIX CAPACITY PILLARS : Factors that enable the LGU to perform its functions, fulfill their accountabilities and produce desired results



Role of LGUs:

- Collaborate with NGAs for capacity development for its LGU ABE Offices;
- Shall have ABE with Engineer positions in the LGU ABE Offices to be capacitated both by LGUs and the National Government;
- Include in its Annual Investment Plan/Appropriation the Capacity Development Program including the procurement of engineering facilities/ instruments for the ABE Offices

Role of Department of Agriculture:

- **BAFE AND RAEDs**– primarily responsible for the institutional capacity development of LGU ABE Offices to fully perform their functions and responsibilities. The various divisions/sections of BAFE and RAEDs such as the 1) Engineering Plans, Designs and Specifications; 2) Programs and Project Management; and Standards and Regulations shall provide capacity development to their respective counterpart in the LGU ABE Units. Thus, the LGUs at the provincial, city and municipal levels shall submit the ABEs on these divisions/sections of the LGU ABE Units to be trained/capacitated by BAFE and RAEDs.
- **BSWM**– shall be responsible in the provision of training programs on the design, planning and implementation of SWIP and other small scale irrigation projects in collaboration with BAFE and RAEDs;

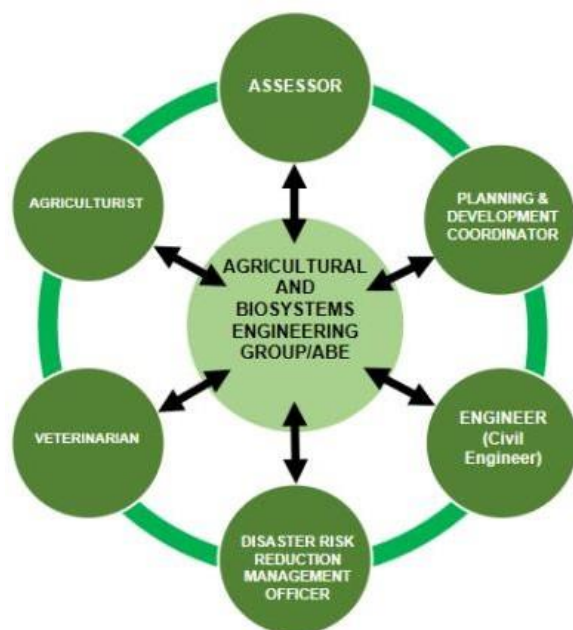
- **ATI**– shall augment the trainings for LGU ABE Offices, as well as capacity development for the establishment and management of mechanized/ABEdized learning sites/demo farms;
- **BFAR**– provide assistance in the registration/licensing of fish hatcheries, fish breeding facilities and private fishponds by the ABE Units in coordination and collaboration with BAFE and RAEDs;
- **PFDA**- provide capacity development on the planning, implementation, operation and maintenance of municipal fish ports.

Moreover, the BAFE shall likewise coordinate the support of the following NGAs:

- **NIA**– provide capacity development and trainings for the LGU ABE units on the planning, design and operation and maintenance of communal irrigation projects in coordination with BAFE, RAEDs and BSWM;
- **TESDA**– provide capacity development for LGU ABE Units in the establishment/ accreditation of TVET training and assessment centers at the provincial, city and municipal levels; and provide scholarship for AFMech TVET qualifications
- **PRBABE (PRC) and PSABE**- Continuing Professional Development Program for the LGU ABEs

Functional Role of the ABE Office with other concerned LGU Offices

The Office of the Provincial, City, and Municipal ABE, in the performance of their functions have functional relationship with various offices of the LGUs such as the Assessor, Planning and Development Coordinator, Engineer (Civil), DRRMO/Environment and Natural Resources Office (ENRO) and Agriculturist, as shown below:



- **Agriculturist** - AB engineering requirements for demo farms and agricultural extension activities
- **Assessor**- Registration of Agri-Fisheries Machinery and facilities for taxation purposes
- **Planning & Development Coordinator** - Preparation/Updating of Local Plans (AFMech, Irrigation, FMR Network Plans, etc.)
- **DRRMO/ENRO** - agro-meteorology, renewable energy for AB application and AB waste management
- **Engineer (Civil)** - Enforcement of PABES in the issuance of building permits for agricultural and biosystems buildings

AGRICULTURAL AND BIOSYSTEMS ENGINEER

- Provide agricultural engineering services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/programs of work, and administer, supervise and coordinate the construction, operation, maintenance, improvement and management of irrigation, small water impounding, soil conservation and management, farm machinery, slaughterhouses, poultry dressing plants, postharvest facilities, auction markets, farm-to-market roads and other agricultural and fisheries infrastructure projects of the LGUs;
- Undertake the registration of agri-fishery machinery and facilities, enforcement of the PAES and other agricultural and fishery engineering regulatory activities in coordination and collaboration with the concerned national government agencies;
- Coordinate with the concerned national government agencies with regard to the implementation of national government programs and projects on irrigation, farm mechanization, postharvest facilities, farm-to-market roads and agricultural and fisheries infrastructure;
- Be in the frontline of the delivery of basic agricultural engineering services;
- Provide training and extension activities to farmers and fisher folk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural and fishery machinery projects in coordination with the agriculture and fisheries extension workers;
- Undertake and/or coordinate the pilot testing and commercialization of matured agricultural and fisheries engineering technologies; and XXX

Sec. 29, RA No. 10601/
DA-DBM-CSC-DILG JMC No. 2, series of 2020

AGRICULTURIST

- (1) Develop plans and strategies and upon approval thereof by the governor or mayor, as the case may be, implement the same, particularly those which have to do with agricultural programs and projects which the governor or mayor is empowered to implement and which the sanggunian is empowered to provide for under this Code;
- (2) In addition to the foregoing duties and functions, the agriculturist shall: (i) Ensure that maximum assistance and access to resources in the production, processing and marketing of agricultural and aqua-cultural and marine products are extended to farmers, fishermen and local entrepreneurs; (ii) Conduct or cause to be conducted location-specific agricultural researches and assist in making available the appropriate technology arising out of disseminating information on basic research on crops, preventive and control of plant diseases and pests, and other agricultural matters which will maximize productivity; (iii) Assist the governor or mayor, as the case may be, in the establishment and extension services of demonstration farms or aqua-culture and marine products; (iv) Enforce rules and regulations relating to agriculture and aquaculture; (v) Coordinate with government agencies and non-governmental organizations which promote agricultural productivity through appropriate technology compatible with environmental integrity;
- (3) Be in the frontline of delivery of basic agricultural services, particularly those needed for the survival of the inhabitants during and in the aftermath of man-made and natural disasters; XXX

(Section 482, LGC)

ENGINEER (CIVIL)

- (1) Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in infrastructure development and public works in general of the local government unit concerned;
- (2) Advise the governor or mayor, as the case may be, on infrastructure, public works, and other engineering matters;
- (3) Administer, coordinate, supervise, and control the construction, maintenance, improvement, and repair of roads, bridges, and other engineering and public works projects of the local government unit concerned;
- (4) Provide engineering services to the local government unit concerned, including investigation and survey, engineering designs, feasibility studies, and project management;
- (5) In the case of the provincial engineer, exercise technical supervision over all engineering offices of component cities and municipalities XXX

(Section 477, LGC)

The Engineer positions in the ABE unit shall be treated as separate position as that of the existing Provincial/City/Municipal Agriculturist and Provincial/City/Municipal Engineer (who is a Civil Engineer) positions in the respective LGU.

	AS A POSITION	AS SCOPE OF PRACTICE
AGRICULTURIST	Section 482, LGC-	Sec. 75, R.A. No. 8435; PRC Res. No. 2000-663 (RA No. 8435)
AGRICULTURAL AND BIOSYSTEMS ENGINEER	Sec. 28, RA No. 10601	Republic Act No. 10915
ENGINEER (CIVIL)	Sec. 477, LGC-	R.A. No. 544 as amended by R.A. No. 1582

Frequently Asked Questions

1

Where will the budget come from for the creation of Office of Provincial /City/Municipal ABE and its plantilla positions?

The budgetary requirements for personnel services (PS), maintenance and other operating expenditures, and capital outlay for the creation of the Office of Provincial/City/Municipal ABE, and the creation of corresponding Engineer (ABE) positions shall be sourced from the General Fund of the LGU concerned and included in the Appropriation Ordinance, subject to Sections 76 and 325 (a) of RA No. 7160. (Item 5.4, DA-DBM-CSC-DILG JMC)

With the implementation of Mandanas Ruling and EO No. 138, the Php 695,492,749,000 IRA shares of LGUs in 2021 have increased to Php 959,041,250,000, comprising the National Tax Allocation (NTA) of LGUs for 2022, as shown below. The increase is Php 263,548,501,000, in which the personal services (PS) allocation ranges from Php 118,596,825,000 for first to third class LGUs (45% PS Limitation) and Php 144,951,675,550 for fourth class LGUs and below (55% PS limitation). The NTA allocation in 2023 is Php 820,268,928,000. Thus, there is fund for the creation of plantilla positions and the MOOE requirement in the ABE Offices.

2021	2022	2023																																																						
<p>LOCAL BUDGET MEMORANDUM No. 80 Date: May 18, 2020</p> <p>2.2.2 Pursuant to Sections 284 and 285 of RA No. 7160, summarized below are the total shares by level of LGU in the FY 2021 IRA.</p> <table> <tr> <th>Level of LGU</th><th>No. of LGUs</th><th>Total IRA Shares (in Php)</th></tr> <tr> <td>Provinces</td><td>82</td><td>159,963,332,270</td></tr> <tr> <td>Cities</td><td>146</td><td>159,963,332,270</td></tr> <tr> <td>Municipalities</td><td>1,488</td><td>236,467,534,660</td></tr> <tr> <td>Barangays</td><td>41,931</td><td>139,098,549,800</td></tr> <tr> <td>TOTAL</td><td>43,647</td><td>695,492,749,000</td></tr> </table>	Level of LGU	No. of LGUs	Total IRA Shares (in Php)	Provinces	82	159,963,332,270	Cities	146	159,963,332,270	Municipalities	1,488	236,467,534,660	Barangays	41,931	139,098,549,800	TOTAL	43,647	695,492,749,000	<p>LOCAL BUDGET MEMORANDUM No. 82 Date: June 14, 2021</p> <p>2.2.2 Pursuant to Sections 284 and 285 of RA No. 7160, summarized below are the total shares by level of LGU in the FY 2022 NTA.</p> <table> <tr> <th>Level of LGU</th><th>No. of LGUs</th><th>Total NTA Shares (Php)</th></tr> <tr> <td>Provinces</td><td>82¹</td><td>220,579,487,500</td></tr> <tr> <td>Cities</td><td>146</td><td>220,579,487,500</td></tr> <tr> <td>Municipalities</td><td>1,488</td><td>326,074,025,000</td></tr> <tr> <td>Barangays</td><td>41,933</td><td>191,806,750,000</td></tr> <tr> <td>TOTAL</td><td>43,649</td><td>959,041,250,000</td></tr> </table>	Level of LGU	No. of LGUs	Total NTA Shares (Php)	Provinces	82 ¹	220,579,487,500	Cities	146	220,579,487,500	Municipalities	1,488	326,074,025,000	Barangays	41,933	191,806,750,000	TOTAL	43,649	959,041,250,000	<p>LOCAL BUDGET MEMORANDUM No. 85 Date: June 15, 2022</p> <p>2.2.2 Pursuant to Sections 284 and 285 of RA No. 7160, summarized below are the total shares by the level of LGU in the FY 2023 NTA.</p> <table> <tr> <th>Level of LGU</th><th>No. of LGUs</th><th>Total NTA Shares (Php)</th></tr> <tr> <td>Provinces</td><td>82¹</td><td>188,661,853,440</td></tr> <tr> <td>Cities</td><td>146</td><td>188,661,853,440</td></tr> <tr> <td>Municipalities</td><td>1,488</td><td>278,891,435,520</td></tr> <tr> <td>Barangays</td><td>41,935</td><td>164,053,785,600</td></tr> <tr> <td>TOTAL</td><td>43,651</td><td>820,268,928,000</td></tr> </table>	Level of LGU	No. of LGUs	Total NTA Shares (Php)	Provinces	82 ¹	188,661,853,440	Cities	146	188,661,853,440	Municipalities	1,488	278,891,435,520	Barangays	41,935	164,053,785,600	TOTAL	43,651	820,268,928,000
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Moreover, the PS limitation imposed by Section 325 (a) of the Local Government Code has been waived by Section 93 of the General Provisions (GPs) of FY 2022 GAA, RA No. 11639 to enable the LGUs pay the salaries and other benefits of additional personnel that may be hired by the LGUs to implement the devolved basic services and functions, subject to the guidelines to be issued by the DBM.

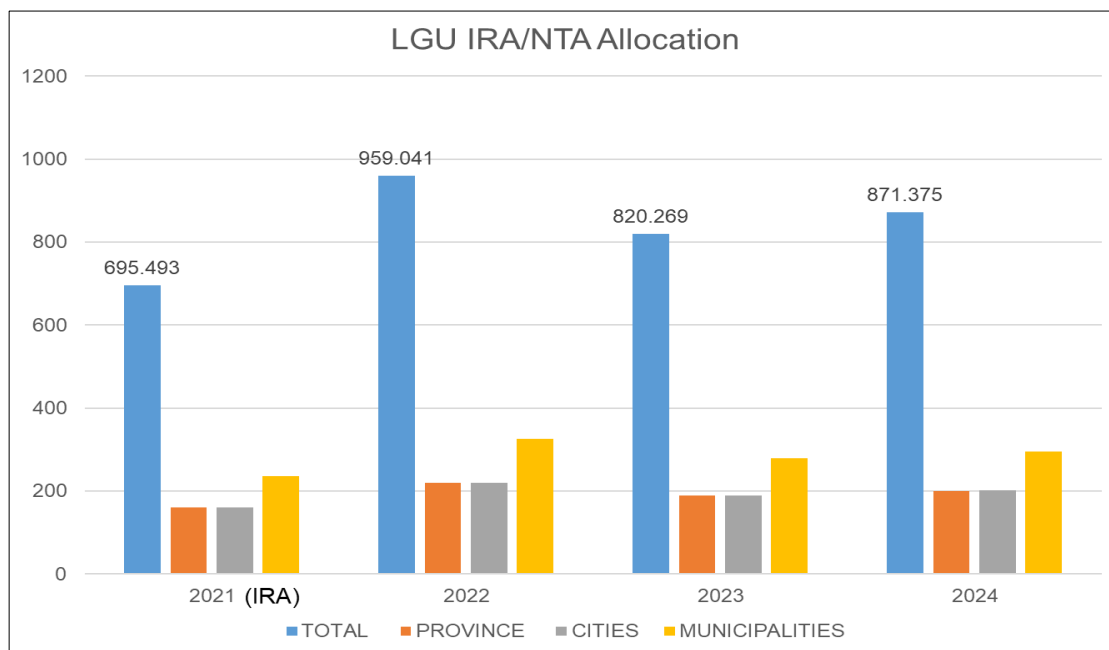
There is an increase of NTA with 2021 IRA as base:

2022-P263. 548 billion

2023-P163. 776 billion

2024-P 175.882 billion

Thus, with 45-55% to be used for personnel services of this NTA increase, there is fund for the creation of the plantilla positions of the Office of the Provincial, City and Municipal Agricultural and Biosystems Engineer



2

Are the plantilla positions of the Office of the Provincial /City/Municipal ABE considered priority for funding under the personal services allocation of the NTA of LGUs for 2022 and onward?

YES. The plantilla positions in the ABE Offices is necessary in the implementation of devolved functions on agri-fisheries mechanization and infrastructure. This is consistent in Item 4.4 of DBM and DILG Joint Memorandum Circular (JMC) No. 2021-1, "Guidelines on the Preparation of Devolution Transition Plans of Local Government Units in Support of Full Devolution under Executive Order No. 138, Dated 01 June 2021"

*"Item 4.4., DBM and DILG JMC No. 2021-1- The full assumption of devolved functions and services by the LGUs may require modification of their organizational structure and competency requirements, that will consequently entail updating of their Organizational Structure and Staffing Pattern (OSSP) and Capacity Development (CapDev) Agenda. **Provincial, City and Municipal governments are enjoined to prepare an addendum to their OSSP for additional personnel complement to perform the new or expanded roles and responsibilities.** LGUs may also seek the guidance and assistance of the DBM and Civil Service Commission (CSC) pursuant to Section 19 of CSC Memorandum Circular (MC) No. 19, dated 7 May 19923 in the updating of their OSSP."*

Section 5 of CSC MC No. 12, series of 2022 states: "LGUs shall create mandatory positions. It may create optional positions, provided that all mandatory positions shall have been created, and in accordance with the limitations provided under the law and these guidelines XXX" This policy shall apply to ABE Offices since they are mandatory office/positions pursuant to Section 34 of RA No. 10915 and CSC MC No. 12, s. 2022.

Moreover, Item No. 2.2.13 Local Budget Memorandum No. 82 dated June 14, 2021 have enjoined LGUs to include to allocate funds for development and implementation of local agri- cultural and fisheries mechanization programs which include the creation of plantilla positions of ABE Offices.

"Item 2.2.13, Local Budget Memorandum No. 82- In accordance with Section 38 of RA No. 10601, Department of Agriculture (DA)-DILG JMC No. 2018-02 dated August 2,2018, and DA-DBM-Civil Service Commission-DILG JMC No. 02, s. 2020 dated June 24, 2020, the LGUs are enjoined to allocate funds for the development and implementation of local agricultural and fisheries mechanization programs."

3

Who are allowed to apply and be appointed to the Engineer plantilla positions of the Office of the Provincial /City/Municipal ABE?

ONLY registered and licensed Agricultural and Biosystems Engineer/s is/are allowed to apply and be appointed in the Engineer plantilla positions of the ABE offices.

The DA-DBM-CSC-DILG Joint Memorandum Circular (JMC) No. 2, series of 2020 prescribes the qualification standards of Engineer positions of the ABE Offices either as a department, division or section and he/she must be a registered and licensed Agricultural and Biosystems Engineer with valid and updated PRC Identification Card. This is consistent with Section 33 of RA No. 10915 (Philippine Agricultural and Biosystems Engineering Act of 2016, which states:

“Section 33. Positions in Government and Private Firms and Establishments with Agricultural and Biosystems Engineering Functions. – Only registered and licensed agricultural and biosystems engineers with valid PRC license shall be appointed or designated to all positions in government and private firms and establishments with agricultural and biosystems engineering functions and responsibilities, which shall include, but not be limited to, the following:

(a) All levels of engineer positions in the Agricultural Engineering or Agri- cultural and Fishery Engineering and Forest Engineering Bureau/ Division/Section/Unit of the Department of Agriculture (DA), LGUs, and in the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR) and other concerned government entities whose duties, functions and responsibilities constitute the practice of agricultural and biosystems engineering pursuant to Section 5 of this Act; XXX”

4

What are the options for the LGUs to cope with the funding constraints on the creation of Engineer positions in the Office of the Provincial /City/Municipal ABE?

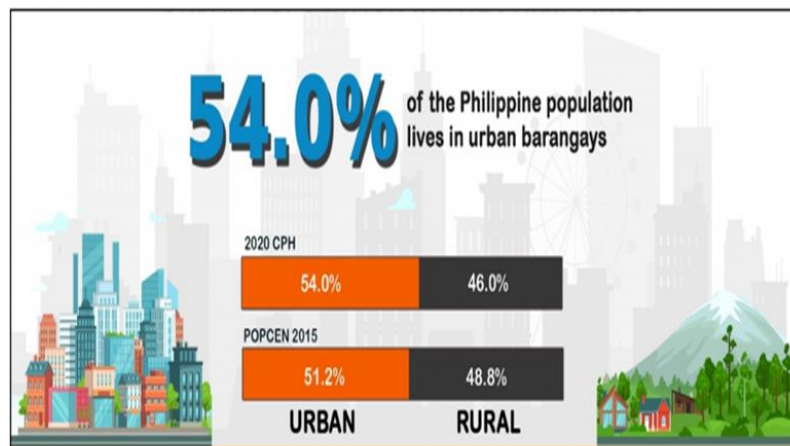
Item 6.4 of the Joint DA-DBM-CSC and DILG Memorandum Circular provides options, as applicable to cope up the funding constraints in the creation of Engineer positions in the ABE Units/Office, as follows:

- The existing City Agriculturist, and other Department Head/Assistant Department Head positions of the LGUs, being occupied by registered and licensed agricultural and biosystem engineers, may be designated as Provincial, City or Municipal ABEs, following the CSC rules on designation of personnel;
- The existing personnel of the respective LGU may be re-assigned to the City ABE unit/Office, following the CSC rules and regulations on re-assignment of personnel;
- The existing Agricultural Technologist, Agriculturist, and other positions performing agricultural engineering work may be reallocated to Engineer classes of positions for the respective City ABE units/Office, pursuant to DBM Budget Circular No. 03, series of 2003;
- The vacant positions of the respective LGU may be abolished such that the PS requirement for said abolition may be utilized for the creation of Engineer positions in the City ABE units/offices subject to the PS limitation of said LGUs; and
- The respective LGU may hire ABE/s as emergency, casual or contractual employees, pursuant to Section 77 of the LGC and other pertinent laws.

5

In the case of highly urbanized and coastal cities and municipalities which do not have agricultural land for rice and corn, what are the programs and projects to be implemented by the LGU ABE Offices?

The 2020 PSA data revealed that 54% of the population opted for urban barangays, underscoring the need to address the nutritional needs of this urban majority. This emphasizes the urgency of ensuring food security and cultivating a clean urban environment. Achieving food security involves supplying safe and nutritious sustenance, promoting urban agriculture, and advancing Aquaculture and Fisheries Engineering, while a clean environment requires integrating green spaces and efficient food waste management practices like composting.



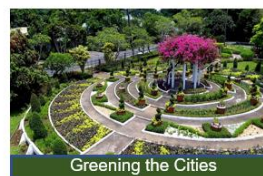
Sources: Philippine Statistics Authority, 2020 Census of Population and Housing and 2015 Census of Population

needs

FOOD SECURITY



CLEAN ENVIRONMENT



6

What is the delineation between the Office of the Provincial /City/Municipal ABE and that of the Office of the Provincial /City/Municipal Agriculturist/Engineer?

There is delineation in terms of position functions, scope of practice and competence (education). The DA-DBM-CSC-DILG JMC No. 2, series of 2020 (5.3) ruled out that the Engineer positions in the ABE unit/office shall be treated as separate position as that of the existing Provincial/City/Municipal Agriculturist or Engineer.

DELINEATION OF FUNCTIONS (BY POSITION)

- **AGRICULTURAL AND BIOSYSTEMS ENGINEER** (Sec. 29, RA No. 10601/ DA-DBM-CSC-DILG JMC No. 2, series of 2020) - a) Provide ABE services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/programs of work, and administer, supervise and coordinate the construction, operation, maintenance, improvement and management of irrigation, small water impounding, soil conservation and management, farm machinery, slaughterhouses, poultry dressing plants, postharvest facilities, auction markets, farm-to-market roads and other agricultural and fisheries infrastructure projects of the LGUs; b) Undertake the registration of agri-fishery machinery and facilities, enforcement of the PABES and other agricultural and fishery engineering regulatory activities in coordination and collaboration with the concerned national government agencies; c) Coordinate with the concerned national government agencies with regard to the implementation of national government programs and projects on irrigation, farm mechanization, postharvest facilities, farm-to-market roads and agricultural and fisheries infrastructure; d) Be in the frontline of the delivery of basic agricultural engineering services; e) Provide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural and fishery machinery projects in coordination with the agriculture and fisheries extension workers; and f) Undertake and/or coordinate the pilot testing and commercialization of matured agricultural and fisheries engineering technologies; and XXX
- **AGRICULTURIST** (Section 482, LGC)- a) Develop plans and strategies and upon approval thereof by the governor or mayor, as the case may be, implement the same, particularly those which have to do with agricultural programs and projects which the governor or mayor is empowered to implement and which the sanggunian is empowered to provide for under this Code; b) In addition to the foregoing duties and functions, the agriculturist shall: (i) Ensure that maximum assistance and access to resources in the production, processing and marketing of

agricultural and aqua-cultural and marine products are extended to farmers, fishermen and local entrepreneurs; (ii) Conduct or cause to be conducted location-specific agricultural researches and assist in making available the appropriate technology arising out of disseminating information on basic research on crops, preventive and control of plant diseases and pests, and other agricultural matters

which will maximize productivity (iii) Assist the governor or mayor, as the case may be, in the establishment and extension services of demonstration farms or aqua-culture and marine products; (iv) Enforce rules and regulations relating to agriculture and aquaculture; (v) Coordinate with government agencies and non-governmental organizations which promote agricultural productivity through appropriate technology compatible with environmental integrity; XXX

DELINEATION OF FUNCTIONS (BY POSITION)

- **ENGINEER (Section 477, LGC)** —No person shall be appointed engineer unless he is a XXX licensed civil engineer. He/she shall: a) Initiate, review and recommend changes in policies and objectives, plans and programs, techniques, procedures and practices in infrastructure development and public works in general of the local government unit concerned; b) Advise the governor or mayor, as the case may be, on infrastructure, public works, and other engineering matters; c) Administer, coordinate, supervise, and control the construction, maintenance, improvement, and repair of roads, bridges, and other engineering and public works projects of the local government unit concerned; and d) Provide engineering services to the local government unit concerned, including investigation and survey, engineering designs, feasibility studies, and project management; XXX

DELINEATION OF FUNCTIONS (BY SCOPE OF PRACTICE)

- **AGRICULTURAL AND BIOSYSTEMS ENGINEER (Section 5, RA No. 10915)**—a) Preparation of engineering designs, plans, specifications, project studies, feasibility studies and estimates, and the supervision or management on the construction, operation, and maintenance of irrigation and drainage, soil and water conservation and management systems and facilities, agrometeorological systems, agricultural and biosystems power, and machinery, agricultural and biosystems buildings and structures, renewable/bio-energy systems and farm electrification, agricultural and bio-processing and post-harvest facilities and system, agricultural and biological waste utilization and management, agricultural and bio-information system, agricultural and biosystems resource conservation and management, and agricultural and bio-automation and instrumentation system; b) Valuation, appraisal, investigation, inspection, monitoring, and technical audit on agricultural and biosystems machineries and equipment, structures and facilities, and agricultural and biosystems engineering projects; c) Program/Project development and management, planning, evaluation, and consultancy services on agricultural and biosystems engineering undertakings; d) Conduct of research and development, training and extension on agricultural and biosystems engineering; e) Testing, evaluation, and inspection of agricultural and biosystems machinery, and other related agricultural

and biosystems engineering facilities, equipment and projects; f) Manufacture, distribution, installation, and sale of agricultural and biosystems machinery and other

related agricultural and biosystems engineering facilities and equipment; g) Preparation and evaluation of farm development plans, farm suitability maps and land use maps/reports for agricultural, livestock and poultry, fishery, aquaculture and forest production and processing; h) Training and supervision of agri-fishery machinery technicians and operators of agri-fishery machinery service centers/pools, and agricultural and biosystems engineering technicians and operators in agricultural and biosystems plants, establishments, facilities, and projects; and i) Participation in the preparation of environmental studies for agricultural, fisheries, agro-industrial and biosystems projects and its monitoring under the Environmental Impact Assessment (EIA) system;

- **AGRICULTURIST** (PRC Resolution No. 2000-663, Series of 2000)— shall refer to the application of known and fundamental principles peculiar to the condition and requirements of agriculture as a field of science, as an industry and/or business which shall include, but not limited to the following: a) Consultation, evaluation, investigation and management services requiring the application of knowledge in agriculture and its components.; b) . Preparation of plans, specifications, project feasibility studies and estimates and other management services in the production of crops, raising of livestock and poultry, planting of trees and marketing agriculture products.; c) Conduct research and studies in the areas of soil analysis and conservation, crop production, breeding of livestock and poultry and tree planting.; d) Conduct training and extension work in agricultural crop production, poultry and livestock raising and tree planting.; and e) Management and/or marketing services related to agriculture as a business or industry.
- **CIVIL ENGINEER** Sec. 2, RA No. 544-. Definition of terms. – The practice of civil engineering within the meaning and intent of this Act shall embrace services in the form of consultation, design, preparation of plans, specifications, estimates, erection, installation and supervision of the construction of streets, bridges, highways, railroads, airports and hangars, port works, canals, river and shore improvements, lighthouses, and dry docks; buildings, fixed structures for irrigation, flood protection, drainage, water supply and sewerage works; demolition of permanent structures; and tunnels. The enumeration of any work in this section shall not be construed as excluding any other work requiring civil engineering knowledge and application.

7

Does the engineering plans, designs and specifications prepared by the ABE Office, in particular agri-fisheries infrastructures need to be reviewed and approved by the LGU's Provincial /City/Municipal Engineering offices?

NO. As provided in No. 6, the ABE Unit and Engineering Office who is a civil engineer have different functions as positions and their scope of practice prescribed by laws. For emphasis, Sec. 29, RA No. 10601/ DA-DBM-CSC-DILG JMC No. 2, series of 2020) and Section 27 (b) of RA No. 10915 prescribe that the said plans, designs and specifications shall be prepared or reviewed by ABE Unit and signed and sealed by ABE. This is unethical, encroachment and usurpation of functions, if done so.

(Sec. 29, RA No. 10601/ DA-DBM-CSC-DILG JMC No. 2, series of 2020) - The ABE Unit XXX a) Provide agricultural engineering services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/programs of work, and ad- minister, supervise and coordinate the construction, operation, maintenance, improvement and management of irrigation, small water impounding, soil conservation and management, farm machinery, slaughterhouses, poultry dressing plants, postharvest facilities, auction markets, farm-to-market roads and other agricultural and fisheries infrastructure projects of the LGUs.

Section 27 (b), RA No. 10915. "No officer or employee of the government, chartered cities, provinces and municipalities now or hereinafter charged with the enforcement of laws, ordinances or regulations relating to the implementation, construction, repair, operation and maintenance, testing and evaluation of agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures and other agricultural and biosystems engineering facilities, shall accept or endorse any plans, designs, specifications or project studies which have not been prepared and submit- ted in full accord with the provisions of this Act, nor shall any payment be approved by any such Officer for any work, the plans and specifications of which have not been so prepared, signed and sealed by a duly registered agricultural and biosystems engineer. This provision shall be implemented by the Department of Public Works and Highways (DPWH) and Local Building Officials in the issuance of building permits and certificate of occupancy under the National Building Code, and by all concerned national government entities and local government units (LGUs) in the procurement and in the discharge of their regulatory and auditing functions pertaining to agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures, and other agricultural and biosystems engineering facilities/projects. XXX Violation of any of the foregoing shall be ground for ad- ministrative and/or criminal action.

"

8

How about if the creation of the Office Provincial /City/Municipal ABE is NOT included in the submitted LGU Devolution Transition Plan?

The Devolution Transition Plan (DTP) submitted by LGUs to DILG need to be updated to incorporate the creation of the Office of Provincial/City/Municipal ABE. Pursuant to Joint DBM-DILG Memorandum Circular No. 2021-1, the contents of the DTP include the Proposed Changes to Organizational Structure and Staffing Pattern (OSSP). CSC issued Memo Circular No. 12, s. 2022, the 2022 guidelines and standards in the establishment of organizational structures and staffing pattern in LGUs, and prescribe that City ABE are mandatory positions. Thus, it is necessary to include this in the DTP, and to be incorporated in the proposed changes of OSSP.

9

What are the benefits of creating the LGU ABE Offices?

The ABE Office will greatly help LGUs efficiently plan and implement its devolved functions on agri-fisheries mechanization and infrastructure. It will also prepare implementation ready proposals for funding by the national government. Aside, the ABE Office will help generate revenues for LGUs, enumerated below.

LGU ABE OFFICE ROLE IN GENERATING LOCAL REVENUES

1) Regulatory Fees:

- Registration of Agri-Fishery Machinery as per DA and DILG JMC 2018-1
- Registration and Licensing of all Post-Harvest Facilities such as fish processing plants, ice plants, cold storages and fish ports/landings and other fishery business (Section 60, RA 8550- Fisheries Code)
- Registration of Fish Hatcheries, Fish Breeding facilities and Private Fishponds (Section 57, RA 8550- Fisheries Code);

2) Assist the Assessors in the appraisal of agricultural machineries and buildings for taxation;

3) In collaboration with the Enterprise Economic Offices, establish, operate and manage agri- fishery machinery service centers, agricultural facility common service facilities, etc.; and

4) Scholarships from TESDA with the accreditation of LGUs as TVET Training and Assessment Centers on ABE Training Regulations.

10

Are there penalties if LGU does NOT create ABE Office and positions?

Yes. The DA-DBM-CSC-DILG JMC No. 2, series of 2020 (Item 11) states: “Administrative sanctions and penalties imposed under RA No. 10915, RA No. 10601, Revised Penal Code and pertinent CSC rules and regulations shall form part in the implementation of this JMC.” Relative to this, the JMC (Item No. 10) further provides: “A Joint Compliance Monitoring Committee composed of DILG as Chairman and its members are representative/s from DA, Professional Regulatory Board of Agricultural and Biosystems Engineering (PRBABE), Philippine Society of Agricultural and Biosystems Engineers (PSABE), and the ULAP shall be organized to monitor the compliance of all LGUs on this JMC”.

“Art. 239, Revised Penal Code – The penalties of prison correctional in its minimum period, temporary special disqualification and a fine not exceeding P1,000 pesos, shall be imposed upon any public officer who shall encroach upon the powers of the legislative branch of the Government, either by making general rules or regulations beyond the scope of his authority, or by attempting to repeal a law or suspending the execution thereof. “

“SEC. 31. R.A. No. 10601- “Any person who shall violate any provision of this Act shall, upon conviction be subject to a fine of not less than One thousand pesos (P1,000.00) but not more than Ten thousand pesos (P10,000.00) or imprisonment of not less than two (2) months but not more than one (1) year, or both, upon the discretion of the court and/or other applicable penal- ties imposed under Republic Act No. 7394, otherwise known as the “Consumer Act of the Philip- pines”.

“Sec. 42., RA No. 10915 In addition to the administrative sanctions imposed under this Act, any person who violates any of the provisions of this Act, or any of the following acts shall, upon conviction, be penalized by a fine of not less than one hundred thousand pesos (P100,000.00) but not more than five hundred thousand pesos (P500,000.00), or imprisonment of not less than six (6) months but not more than five (5) years, or both fine and imprisonment, at the discretion of the court:

- (a) Engaging in the practice of agricultural and biosystems engineering in the Philippines without being registered or without conforming to the provisions of this Act ;XXX;c
- (f) Implementing or causing the implementation of any plans, designs, technical specifications and other documents not prepared and signed by a registered agricultural and biosystems engineer in those cases where this Act specifically requires that these be prepared and signed by a registered agricultural and biosystems engineer; and XXX”

Annexes



MC No. 12, s. 2022

MEMORANDUM CIRCULAR

TO : ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS, BUREAUS, AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED OR -CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS; AND STATE UNIVERSITIES AND COLLEGES

SUBJECT : 2022 Guidelines and Standards in the Establishment of Organizational Structures and Staffing Patterns in Local Government Units

Pursuant to **CSC Resolution No. 2200373** promulgated on **20 September 2022**, the CSC adopts the **2022 Guidelines and Standards in the Establishment of Organizational Structures and Staffing Patterns (OSSPs) in Local Government Units (LGUs)**, as follows:

“Pursuant to Section 76 of R.A. No. 7160, the CSC shall prescribe minimum standards and guidelines in the design and implementation of OSSPs in LGUs. It provides, as follows:

“Section 76. Organizational Structure and Staffing Pattern. – Every local government unit shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the Civil Service Commission.”

It is, therefore, the responsibility of every LGU to design, approve, and implement its OSSP in accordance with the following 2022 Guidelines and Standards in the Establishment of OSSPs in LGUs:

Section 1. *The appropriate OSSPs of LGUs shall be determined and established in accordance with Section 17 (Basic Services and Facilities) of R.A. No. 7160 and other existing laws, and the priority needs identified by the local chief executive, the sanggunian, and/or the local development council concerned.*

Section 2. *The OSSP shall likewise be established within the financial capability of LGUs, taking into consideration the budgetary limitations provided for in Section 325 of R.A. No. 7160, such as:*

- 2.1 *The total appropriation, whether annual or supplemental, for personnel services¹ of an LGU for one (1) fiscal year shall not exceed forty-five percent (45%) in the case of first to third-class provinces, cities, and municipalities, and fifty-five percent (55%) in the case of the fourth class or lower, of the total annual income from regular sources realized in the next preceding fiscal year. (Sec. 325.a)*
- 2.2. *The appropriations for salaries, wages, and representation and transportation allowances of officials and employees of the public utilities and economic enterprises owned, operated, and maintained by the LGUs concerned shall not be included in the annual budget or in the computation of the maximum amount for personnel services. The appropriation for the personnel services of such economic enterprises shall be charged to their respective budgets. (Sec. 325.a)*
- 2.3 *No official or employee shall be entitled to a salary rate higher than the maximum fixed for the position or other positions of equivalent rank by applicable laws or rules and regulations issued thereunder. (Sec. 325.b)*
- 2.4 *No local fund shall be appropriated to increase or adjust salaries or wages of officials and employees of the National Government, except as may be expressly authorized by law. (Sec. 325.c)*
- 2.5 *In cases of the abolition of positions and the creation of new ones resulting from the abolition of existing positions in the career service, such abolition or creation shall be made in accordance with pertinent provisions of R.A. No. 7160 and the civil service laws, rules, and regulations. (Sec. 325.d)*
- 2.6 *Positions in the official plantilla for career positions which are occupied by incumbents holding permanent appointments shall be covered by adequate appropriations. (Sec. 325.e)*
- 2.7 *No changes in designation or nomenclature of positions resulting in a promotion or demotion in rank or increase or decrease in compensation shall be allowed, except when the position is actually vacant, and the filling of such positions shall be strictly made in accordance with the civil service laws, rules, and regulations. (Sec. 325.f)*
- 2.8 *The creation of new positions and salary increases or adjustments shall in no case be made retroactive. (Sec. 325.g)*

¹ The term used under the 2021 General Appropriations Act (GAA).

Section 3. Each LGU may create the following Offices subject to the provisions of Sections 1, 2, and 9 of these Guidelines:

Province
<ol style="list-style-type: none"> Office of the Provincial Governor Office of the Provincial Vice Governor Office of the Sangguniang Panlalawigan Office of the Provincial Accountant Office of the Provincial Administrator Office of the Provincial Agricultural and Biosystems Engineer² Office of the Provincial Agriculturist Office of the Provincial Architect Office of the Provincial Assessor Office of the Provincial Budget Officer Office of the Provincial Cooperatives Development Officer Office of the Provincial Disaster Risk Reduction and Management Officer³ Office of the Provincial Engineer Office of the Provincial Environment and Natural Resources Officer Office of the Provincial General Services Officer Office of the Provincial Health Officer Office of the Provincial Human Resource Management Officer⁴ Office of the Provincial Information Officer Office of the Provincial Internal Audit Service⁵ Office of the Provincial Legal Officer Office of the Provincial Persons with Disability Affairs Officer⁶ Office of the Provincial Planning and Development Coordinator Office of the Provincial Population Officer Office of the Provincial Public Employment Service Manager⁷ Office of the Provincial Social Welfare and Development Officer Office of the Provincial Treasurer Office of the Provincial Tourism Officer⁸ Office of the Provincial Veterinarian Office of the Provincial Youth Development Officer⁹
City
<ol style="list-style-type: none"> Office of the City Mayor Office of the City Vice Mayor Office of the Sangguniang Panlungsod Office of the City Accountant Office of the City Administrator Office of the City Agricultural and Biosystems Engineer² Office of the City Agriculturist Office of the City Architect Office of the City Assessor Office of the City Budget Officer Office of the City Civil Registrar

² Section 34, R.A. No. 10915 or the "Philippine Agricultural and Biosystems Engineering Act of 2016".

³ Section 12, R.A. No. 10121 or the "Philippine Disaster Risk Reduction and Management Act of 2010" and Section 1, Rule 6 of the Implementing Rules and Regulations (IRR).

⁴ Subject to Section 8 of these Guidelines.

⁵ R.A. No. 3456 or the "Internal Auditing Act of 1962," as amended by R.A. No. 4177 and DBM BC No. 2004-4 dated 22 March 2004.

⁶ Section 1, R.A. No. 10070, "An Act Establishing Institutional Mechanism to Ensure the Implementation of Programs and Services for Persons with Disabilities in Every Province, City and Municipality, Amending Republic Act No.7277, Otherwise Known as the Magna Carta for Disabled Persons, as amended, and for Other Purposes" and Section 5, Rule IV of the IRR.

⁷ Section 1, R.A. No. 10691, "An Act Defining the Role of the Department of Labor and Employment (DOLE), the Local Government Units (LGUs), and Accredited Nongovernment Organizations (NGOs) in the Establishment and Operation of the Public Employment Service Office (Peso), and the Operation of Job Placement Offices in Educational Institutions (EIs), Amending for the Purpose Sections 3, 5, 6, 7, and 9 of Republic Act No. 8759, Otherwise Known as the "Public Employment Service Office Act of 1999" and Section 1, Rule V of the IRR.

⁸ Section 42, R.A. No. 9593 or "The Tourism Act of 2009" and Section 42, Subchapter II-E of the IRR.

⁹ Section 25, R.A. No. 10742 or the "Sangguniang Kabataan Reform Act of 2015" and Section 26, Rule IV of the IRR.

12. Office of the City Cooperatives Development Officer
13. Office of the City Disaster Risk Reduction and Management Officer³
14. Office of the City Engineer
15. Office of the City Environment and Natural Resources Officer
16. Office of the City General Services Officer
17. Office of the City Health Officer
18. Office of the City Human Resource Management Officer⁴
19. Office of the City Information Officer
20. Office of the City Internal Audit Service⁵
21. Office of the City Legal Officer
22. Office of the City Persons with Disability Affairs Officer⁶
23. Office of the City Planning and Development Coordinator
24. Office of the City Population Officer
25. Office of the City Public Employment Service Manager⁷
26. Office of the City Senior Citizen Affairs Head¹⁰
27. Office of the City Social Welfare and Development Officer
28. Office of the City Treasurer
29. Office of the City Tourism Officer⁸
30. Office of the City Veterinarian
31. Office of the City Youth Development Officer⁹

Municipality

1. Office of the Municipal Mayor
2. Office of the Municipal Vice Mayor
3. Office of the Sangguniang Bayan
4. Office of the Municipal Accountant
5. Office of the Municipal Administrator
6. Office of the Municipal Agricultural and Biosystems Engineer²
7. Office of the Municipal Agriculturist
8. Office of the Municipal Architect
9. Office of the Municipal Assessor
10. Office of the Municipal Budget Officer
11. Office of the Municipal Civil Registrar
12. Office of the Municipal Cooperatives Development Officer
13. Office of the Municipal Disaster Risk Reduction and Management Officer³
14. Office of the Municipal Engineer
15. Office of the Municipal Environment and Natural Resources Officer
16. Office of the Municipal General Services Officer
17. Office of the Municipal Health Officer
18. Office of the Municipal Human Resources Management Officer⁴
19. Office of the Municipal Information Officer
20. Office of the Municipal Internal Audit Service⁵
21. Office of the Municipal Legal Officer
22. Office of the Municipal Persons with Disability Affairs Officer⁶
23. Office of the Municipal Planning and Development Coordinator
24. Office of the Municipal Population Officer
25. Office of the Municipal Public Employment Service Manager⁷
26. Office of the Municipal Senior Citizen Affairs Head¹⁰
27. Office of the Municipal Social Welfare and Development Officer
28. Office of the Municipal Treasurer
29. Office of the Municipal Tourism Officer⁸
30. Office of the Municipal Veterinarian
31. Office of the Municipal Youth Development Officer⁹

Barangay

1. Office of the Punong Barangay
2. Office of the Sangguniang Barangay



¹⁰ Section 6, R.A. No. 9994 or the "Expanded Senior Citizens Act of 2010" and Article 21, Rule VI of the IRR.

Section 4. The following local appointive positions shall be mandatory or optional as indicated hereunder:

Province¹¹
<p style="text-align: center;"><u>Mandatory</u></p> <ol style="list-style-type: none"> 1. Provincial Accountant 2. Provincial Administrator 3. Provincial Agricultural and Biosystems Engineer² 4. Provincial Agriculturist 5. Provincial Assessor 6. Provincial Budget Officer 7. Provincial Cooperatives Development Officer¹² 8. Provincial Engineer 9. Provincial Persons with Disability Affairs Officer⁶ 10. Provincial Disaster Risk Reduction and Management Officer³ 11. Provincial General Services Officer 12. Provincial Health Officer 13. Provincial Legal Officer 14. Provincial Planning and Development Coordinator 15. Provincial Public Employment Service Office Manager⁷ 16. Provincial Social Welfare and Development Officer 17. Provincial Treasurer 18. Provincial Tourism Officer⁸ 19. Provincial Veterinarian 20. Provincial Youth Development Officer⁹ 21. Secretary to the Sangguniang Panlalawigan <p style="text-align: center;"><u>Optional</u></p> <ol style="list-style-type: none"> 22. Provincial Architect 23. Provincial Environment and Natural Resources Officer 24. Provincial Human Resource Management Officer⁴ 25. Provincial Information Officer 26. Provincial Internal Audit Service Officer¹³ 27. Provincial Population Officer 28. Assistant Provincial Assessor¹⁴ 29. Assistant Provincial Treasurer¹⁵
City¹⁶
<p style="text-align: center;"><u>Mandatory</u></p> <ol style="list-style-type: none"> 1. City Accountant 2. City Administrator 3. City Agricultural and Biosystems Engineer² 4. City Assessor 5. City Budget Officer 6. City Civil Registrar 7. City Cooperatives Development Officer¹⁷ 8. City Persons with Disability Affairs Officer⁶ 9. City Disaster Risk Reduction and Management Officer³ 10. City Engineer 11. City General Services Officer 12. City Health Officer 13. City Legal Officer 14. City Planning and Development Coordinator 15. City Public Employment Service Office Manager⁷

¹¹ Section 463, LGC.

¹² Section 3, R.A. No. 11535.

¹³ DBM Budget Circular No. 2004-4 dated 22 March 2004.

¹⁴ Section 473, LGC.

¹⁵ Section 471, LGC.

¹⁶ Section 454, LGC.

¹⁷ Section 2, R.A. No. 11535.

16. City Senior Citizens Affairs Head¹⁰
17. City Social Welfare and Development Officer
18. City Treasurer
19. City Tourism Officer⁸
20. City Veterinarian
21. City Youth Development Officer⁹
22. Secretary to the Sangguniang Panlungsod

Optional

23. City Agriculturist
24. City Architect
25. City Environment and Natural Resources Officer
26. City Human Resource Management Officer⁴
27. City Information Officer
28. City Internal Audit Service Officer¹³
29. City Population Officer
30. Assistant City Assessor¹³
31. Assistant City Treasurer¹⁴

Municipality¹⁸

Mandatory

1. Municipal Accountant
2. Municipal Agricultural and Biosystems Engineer²
3. Municipal Assessor
4. Municipal Budget Officer
5. Municipal Civil Registrar
6. Municipal Cooperatives Development Officer¹⁹
7. Municipal Disaster Risk Reduction and Management Officer³
8. Municipal Engineer/Building Officer
9. Municipal Health Officer
10. Municipal Persons with Disability Affairs Officer (1st to 3rd Class Municipalities)⁶
11. Municipal Planning and Development Coordinator
12. Municipal Public Employment Service Office Manager⁷
13. Municipal Senior Citizen Affairs Head¹⁰
14. Municipal Treasurer
15. Municipal Tourism Officer⁸
16. Municipal Youth Development Officer⁹
17. Secretary to the Sangguniang Bayan

Optional

18. Municipal Administrator
19. Municipal Agriculturist
20. Municipal Architect
21. Municipal Environment and Natural Resources Officer
22. Municipal Persons with Disability Affairs Officer (4th to 6th Class Municipalities)⁵
23. Municipal Human Resource Management Officer⁴
24. Municipal Information Officer
25. Municipal Internal Audit Service Officer¹³
26. Municipal Legal Officer
27. Municipal Population Officer
28. Municipal Social Welfare and Development Officer
29. Municipal Veterinarian
30. Municipal Youth Development Officer
31. Assistant Municipal Assessor¹³
32. Assistant Municipal Treasurer¹⁴

¹⁸ Section 443, LGC.

¹⁹ Section 1, R.A. No. 11535.

Barangay²⁰
<p style="text-align: center;"><u>Mandatory</u></p> <ol style="list-style-type: none"> 1. <i>Barangay Secretary</i> 2. <i>Barangay Treasurer</i>

Section 5. LGUs shall create mandatory positions. It may create optional positions, provided that all mandatory positions shall have been created, and in accordance with the limitations provided under the law and these Guidelines. It is understood that the creation of positions shall have the corresponding budget, approved by the sanggunian, to be considered valid.

The creation of mandatory positions shall likewise comply with the 45%-55% budgetary limitations for personnel services.

Section 6. LGUs which have already exceeded the budgetary ceiling pursuant to Section 325 of R.A. No. 7160 shall not create the mandatory and optional positions until such time that their financial capability could allow the creation of such positions unless otherwise provided by law.

Section 7. The term of the positions of Administrator, Information Officer, and Legal Officer (with the rank of department head) shall be coterminous (primarily confidential) with that of the local chief executive who appointed them unless the LGU Charter, which was promulgated after R.A. No. 7160, provides otherwise.

Section 8. LGUs are strongly encouraged to create a Human Resource Management (HRM) Office which shall be responsible for human resource management and maintenance of effective liaison with the CSC. Provided, that when the number of personnel of an LGU does not warrant the creation of an Office, the LGUs are strongly encouraged to create at least a 2nd level HRM Officer position to perform the abovementioned duties and responsibilities and/or if funds are available capacitating the LGUs to further create other HRM positions.

Section 9. Other offices and positions not provided under Sections 3 and 4 of these Guidelines may be created by LGUs; Provided, that they are the priority needs as identified by the local chief executive, the sanggunian and/or the local development councils concerned consistent with Section 17 of R.A. No. 7160; Provided, further, that the mandatory positions shall have been created; and, Provided, finally, that the budgetary limitations under Section 325 of R.A. No. 7160 have been complied with.

Section 10. Heads of departments or offices, with the rank of department head, shall be appointed by the local chief executive with the concurrence of the majority of all the members of the sanggunian concerned subject to Civil Service laws, rules, and regulations.

²⁰ Section 387, LGC.

The salary grade of such heads of departments or offices shall be determined by the sanggunian concerned; Provided, that such compensation shall be based upon the pertinent provisions of R.A. No. 6758,²¹ as amended by existing law;²² Provided, further, that it shall not be higher than the compensation of elective local officials except for positions allowed under the DBM Index of Occupational Services for LGUs.

Section 11. *The qualification requirements provided for in R.A. No. 7160 or special laws for local appointive positions shall be applied. The qualification standards (QS) approved by the CSC (CSC QS Manual or LGU-specific QS) shall be applied for other positions. No substitution for deficiency in the education, training, and/or experience requirements shall be allowed.*

Section 12. *Subject to their financial capability and service requirements, LGUs may design and establish their organizational structure based on the Local Government Organizational Models Guidebooks²³ and/or existing laws.*

The LGUs, composed of several offices pursuant to R.A. No. 7160 and special laws, may establish, through their sanggunian, the following structural units:

- a. A Department is the highest structural unit/level headed by an employee with the rank of Department head.*
- b. A Division is the second highest structural unit/level and may be composed of sections performing dissimilar tasks but related functions headed by an employee with the rank of Division Chief.*
- c. A Section is the lowest structural unit/level which may be composed of positions performing similar tasks headed by an employee with the rank of Section Chief.*

The levels of positions created by the LGUs shall depend on their income classification based on DBM-issued guidelines.

Section 13. *The titles of positions in LGUs corresponding to the same or similar functional description as those established under the latest DBM Local Budget Circular on the "Index of Occupational Services, Position Titles and Salary Grades in the Local Government (IOS-LGU) CY 2021 Edition" shall be used and adopted.*

*However, in the issuance of appointment, the generic position titles shall be accompanied by a parenthetical title (**Annexes B-1 and B-2**)²⁴*

²¹ Compensation and Position Classification Act of 1989.

²² Currently by R.A. No. 11466 or the Salary Standardization Law of 2019.

²³ "Government Issuances" section of the CSC website: <http://www.csc.gov.ph/2014-02-21-08-28-23/pdf-files/category/1778-e-o-no-138.html>

²⁴ Based on DBM Local Budget Circular (LBC) No. 137 dated 13 July 2021.

which shall be used to determine the qualification standards and the duties and functions of the position, if applicable.

Illustrative examples:

<i>Generic Position Title</i>	<i>Parenthetical Title</i>
<i>Municipal Government Department Head I (SG 24)</i>	<i>Municipal Assessor</i>
<i>Provincial Government Assistant Department Head (SG 24)</i>	<i>Provincial Assistant Treasurer</i>
<i>Administrative Officer V (SG 18)</i>	<i>Human Resource Management Officer III</i>
	<i>Budget Officer III</i>
	<i>Records Officer III</i>

The position title shall appear in the appointment, as follows:

- *Municipal Government Department Head I (Municipal Assessor), SG 24*
- *Provincial Government Assistant Department Head (Provincial Assistant Treasurer), SG 24*
- *Administrative Officer V (Human Resource Management Officer III), SG 18*

Section 14. Two or more LGUs may establish a single organizational structure or staffing pattern for the purposes of consolidating or coordinating their efforts and resources for the delivery of common basic services, maintenance of common facilities, and other purposes beneficial to them. Upon approval of the sanggunian concerned and after a public hearing conducted for the purpose, they may contribute funds, real estate, equipment, and other properties, and appoint or assign personnel through a memorandum of agreement.²⁵

Section 15. LGUs, in order to complement their existing organizational structures and personnel or effect efficiency and economy in operation, may enter into joint ventures and/or such other cooperative arrangements with people's and non-governmental organizations to engage in the delivery of certain basic services, capability-building, and livelihood projects, and to develop local enterprises designed to improve productivity and income, diversify agriculture, spur rural industrialization, promote ecological balance, and enhance the economic and social well-being of the people.²⁶

Section 16. Subject to the provisions of R.A. No. 7160 and these Guidelines, LGUs shall have the authority to approve their respective OSSPs.

²⁵ Section 33, LGC.

²⁶ Section 35, LGC.

OSSPs with appropriation ordinances shall be subject to review by the DBM in the case of provinces, highly urbanized cities, independent component cities, and municipalities within the Metropolitan Manila area and the Sangguniang Panlalawigan for component cities and municipalities.²⁷

Section 17. The local chief executive shall furnish a copy of the sanggunian-approved OSSP to the CSC Regional/Field Office concerned, within thirty (30) days from the date of its approval, for their information and guidance in processing appointments and other human resource actions.

Section 18. The CSC Field Offices, upon request, may render technical assistance in the design and implementation of the OSSP in LGUs within their jurisdiction.

Section 19. In the reorganization of LGUs, the provisions of R.A. No. 6656, otherwise known as "An Act to Protect the Security of Tenure of Civil Service Officers and Employees in the Implementation of Government Reorganization" and its implementing rules and regulations (IRR) as embodied in CSC MC No. 13, s. 1988, shall apply.

Section 20. The CSC shall act on appeals of aggrieved parties in the implementation of the reorganization of LGUs in consonance with R.A. No. 6656 and its IRR pursuant to civil service law, rules, and regulations.

Section 21. All local chief executives and the sanggunian concerned are hereby directed to observe and implement the provisions of these Guidelines.

Section 22. All existing CSC policies inconsistent with these Guidelines shall be deemed repealed and/or amended accordingly.

Section 23. These guidelines shall take effect after fifteen (15) days from its publication in a newspaper of general circulation."

CSC Resolution No. 2200373 dated 20 September 2022 was published in the Daily Tribune on 18 October 2022 and took effect on 3 November 2022.



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Karlo Alexei Bendigo
Date: 2022.11.07 20:44:35
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ATTY. KARLO A. B. NOGRALES
Chairperson

08 November 2022

²⁷ Sections 326 and 327, Article I, Chapter III, Title V of the LGC.



**DEPARTMENT OF AGRICULTURE
DEPARTMENT OF BUDGET AND MANAGEMENT
CIVIL SERVICE COMMISSION
DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT**

24 June 2020

JOINT MEMORANDUM CIRCULAR NO. 02

Series of 2020

TO : PROVINCIAL GOVERNORS, CITY MAYORS, MUNICIPAL MAYORS, MEMBERS OF THE SANGGUNIAN, LOCAL AGRICULTURAL OFFICES, LOCAL FINANCE COMMITTEES, AND ALL OTHER NATIONAL AND LOCAL GOVERNMENT OFFICIALS CONCERNED

SUBJECT : IMPLEMENTING GUIDELINES ON THE STRENGTHENING AND ESTABLISHMENT OF THE AGRICULTURAL AND BIOSYSTEMS ENGINEERING GROUPS OF THE LOCAL GOVERNMENT UNITS (LGUs)

1.0 Rationale

The foremost goals of Republic Act (RA) Nos. 8435¹ and 10601², otherwise known as the Agriculture and Fisheries Modernization Act (AFMA) of 1997 and the Agriculture and Fisheries Mechanization (AFMech) Law, respectively, are to modernize and mechanize the Philippine agriculture and fisheries sector in order to alleviate poverty and ensure national food security.

The implementation of these laws largely involve the provision, establishment, strengthening, operation and maintenance, research and development, extension and/or regulation and the funding of irrigation, post-harvest and agro-processing, farm-to-market roads, agricultural and fisheries machineries, infrastructure and facilities at the national and local levels which are within the sphere of agricultural and biosystems engineering. The LGUs have a very crucial and important role on these developmental processes.

¹ An Act Prescribing Urgent Related Measure to Modernize the Agriculture and Fisheries Sectors in the Country in Order to Enhance their Profitability, and Prepare Said Sectors for the Challenges of Globalization Through an Adequate, Focused and Rational Delivery of Necessary Support Services, Appropriating Funds Therefore and for Other Purposes

² An Act Promoting the Agricultural and Fisheries Mechanization Development in the Country

DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY

CERTIFIED TRUE COPY

LOUNDES B. PLECHAS
OIC, RECORDS DIVISION

The aforecited endeavors principally require the strengthening or establishment of Agricultural and Biosystems Engineering (ABE) unit and the creation of corresponding Engineer positions in every province, city and municipality.

This Circular covers all LGUs.

2.0 Legal Bases

This Joint Memorandum Circular (JMC) is hereby promulgated based on the following legal provisions:

2.1 RA No. 7160³, otherwise known as Local Government Code (LGC) of 1991

"Section 17. *Basic Services and Facilities.* - (a) Local government units shall endeavor to be self-reliant and shall continue exercising the powers and discharging the duties and functions currently vested upon them. They shall also discharge the functions and responsibilities of national agencies and offices devolved to them pursuant to this Code. Local government units shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provisions of the basic services and facilities enumerated herein. (b) Such basic services and facilities include, but are not limited to, the following:

(1) x x x

(2) For a Municipality: (i) Extension and on-site research services and facilities related to agriculture and fishery activities which include x x x inter-barangay irrigation system; water and soil resource utilization and conservation projects; x x x; (viii) Infrastructure facilities intended primarily to service the needs of the residents of the municipality and which are funded out of municipal funds including but not limited to, x x x communal irrigation, small water impounding projects and other similar projects; fish ports; x x x

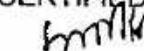
(3) For a Province: (i) Agricultural extension and on-site research services and facilities x x x; (vii) Infrastructure facilities intended to service the needs of the residence of the province and which are funded out of provincial funds including, but not limited to, x x x, irrigation systems; x x x.

(4) For a City: All the services and facilities of the municipality and province, x x x.

³ An Act Providing for a Local Government Code of 1991

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Section 76. Every LGU shall design and implement its own organizational structure and staffing pattern taking into consideration its service requirements and financial capability, subject to the minimum standards and guidelines prescribed by the CSC."

2.2 RA No. 8435 (AFMA Law)

"Section 46. *Agriculture and Fisheries Infrastructure Support Services*- x x x *Provided*, That, the Department and the LGUs shall also strengthen its agricultural engineering groups to provide the necessary technical and engineering support in carrying out the smooth and expeditious implementation of agricultural infrastructure projects."

2.3 Executive Order (EO) No. 66⁴, series of 1999 (Food Security)

"Section 8. *Funding and Administrative Support for the Food Security Program of the Province/City*. - All Governors/City Mayors, through their respective Sanggunian Panlalawigan/Panlungsod, shall provide specific budgetary appropriation under the local development plan of the province/city, for their Provincial/City Food Security Action Plan, including the setting up of an agricultural engineering unit to complement the extension services for the purpose".

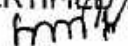
2.4 RA No. 10601 (AFMech Law of 2013)

"Section 29. *Strengthening the Agricultural Engineering Groups of the LGUs*. - The agricultural engineering division/section of the agriculture offices of the LGUs organized under Executive Order No. 86, Series of 1999 and Section 46 of Republic Act No. 8435 shall serve as the planning, coordinating, regulating and implementing bodies at the provincial, city and municipal levels on agricultural and fisheries engineering, mechanization and infrastructure programs and projects, x x x the agricultural engineering division of the provincial and city agriculture offices, and agricultural engineering section in the municipal agriculture offices are hereby strengthened and institutionalized into the organizational structure of the LGUs, and if not yet existing, shall be created in the particular LGUs. The LGUs belonging to the first up to the third income classes which are providing or implementing agricultural and fisheries infrastructure, mechanization and engineering projects shall hire at least one (1) agricultural engineer at the provincial, city and municipal levels. In the case of provincial, city and municipal LGUs belonging to the fourth up to the sixth income classes which are not capable of establishing then agricultural engineering division/section due to financial constraints, the DA through its regional agricultural engineering divisions shall augment and perform such responsibilities and, as deemed necessary, establish its provincial, city

⁴ Providing for the Creation of the National Food Security Council, Councils on Food Security for the Provinces, Independent Component Cities (ICCs) and Highly Urbanized Cities (HUCs), National Secretariat on Food Security and for Other Purposes

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and municipal operation units, and shall be allocated and provided with necessary funding and manpower requirements for their operation."

2.5 RA No. 10915 (Philippine Agricultural and Biosystems Engineering Act of 2016)

"Section 34. *Personnel Required.*— All concerned national government agencies, LGUs and SUCs implementing, regulating, funding and undertaking research, development, training and extension, testing, evaluation and inspection as well as technical audit of irrigation, farm mechanization, post harvest and agro processing facilities, agricultural and biosystems infrastructures, farm-to-market roads, agro-meteorology, forest mechanization development programs, and environmental protection and conservation programs and projects shall employ the required number of agricultural and biosystems engineers, and for this purpose, create various levels of agricultural and biosystems engineer positions; x x x. Provided, that there shall be no understaffing and/or overloading of agricultural and biosystems engineers. The ratio of agricultural and biosystems engineers to clientele shall be such as to reasonably effect a sustained quality of agricultural and biosystems engineering services at all times without overworking the agricultural and biosystems engineers. x x x."

3.0 Purpose

To prescribe the policies and guidelines for the:

- a) Strengthening or establishment of the ABE unit in every province, city and municipality; and
- b) Creation of the Engineer positions of the ABE units.

4.0 Acronyms

ABE	-	Agricultural and Biosystems Engineer
ABE Unit	-	Agricultural and Biosystems Engineering unit
AFCs	-	Agricultural and Fishery Councils
AFMA	-	Agriculture and Fisheries Modernization Act of 1997
AFMeC	-	Agriculture and Fishery Mechanization Committee
AFMech Law	-	Agricultural and Fisheries Mechanization Law
AMTEC	-	Agricultural Machinery Testing and Evaluation Center of University of the Philippines Los Baños
ATI	-	Agricultural Training Institute
BAFE	-	Bureau of Agricultural and Fisheries Engineering
BFAR	-	Bureau of Fisheries and Aquatic Resources
BSWM	-	Bureau of Soils and Water Management
CSC	-	Civil Service Commission
DA	-	Department of Agriculture
DBM	-	Department of Budget and Management
DILG	-	Department of the Interior and Local Government

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IRR	-	Implementing Rules and Regulations
JMC	-	Joint Memorandum Circular
LGC	-	Local Government Code
LGU	-	Local Government Unit
PAES	-	Philippine Agricultural Engineering Standards
PABES	-	Philippine Agricultural and Biosystems Engineering Standards
PhilMech	-	Philippine Center for Postharvest Development and Mechanization
PRBABE	-	Professional Regulatory Board of Agricultural and Biosystems Engineer
PRC	-	Professional Regulation Commission
PS	-	Personal Services
PSABE	-	Philippine Society of Agricultural and Biosystems Engineers
TESDA	-	Technical Education and Skills Development Authority
ULAP	-	Union of Local Authorities of the Philippines
UPLB	-	University of the Philippines Los Baños
RAED	-	Regional Agricultural Engineering Division

5.0 Policy Guidelines

Pursuant to the above legal bases mentioned in Item 2.0, hereunder are the following policy guidelines:

- 5.1 For the 1st to 3rd Class Provincial, City and Municipal LGUs, each LGU concerned shall create an ABE unit, either as a department, division or section, based on their respective service requirements and financial capabilities, subject to the minimum standards and guidelines prescribed by the CSC and in accordance with pertinent provision of the LGC.
- 5.2. The Engineer positions to be created in the ABE unit for the 1st to 3rd class Provincial, City and Municipal LGUs shall follow the prescribed position levels specified in Item 6.5 hereof.
- 5.3 The Engineer positions in the ABE unit shall be treated as separate position as that of the existing Provincial/City/Municipal Agriculturist and Provincial/City/Municipal Engineer (who is a Civil Engineer) positions in the respective LGU⁵.
- 5.4 The budgetary requirements for personnel services (PS), maintenance and other operating expenditures, and capital outlay for the strengthening or creation of the ABE unit at the provincial, city and municipal levels, and the creation of corresponding Engineer (ABE)

⁵ Pursuant to Sections 482 and 477 of the Local Government Code in relation to Professional Regulation Commission (PRC) Resolution No. 200-663 (Creation of the Board of Agriculture) and Republic Act No. 544, known as Civil Engineering Law, the existing Provincial/City/Municipal Agriculturist or, Provincial/City/Municipal Engineer (who is a Civil Engineer) have their prescribed scope of practice and functions

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positions shall be sourced from the General Fund of the LGU concerned and included in the Appropriation Ordinance, subject to Sections 76 and 325 (a) of RA No. 7160.

- 5.5 Requirements for other maintenance and other operating expenditures, and other capital outlays necessary in the implementation of programs and projects under RA No. 10915 shall be charged against the General Fund of the respective LGUs.
- 5.6 For the 4th to 6th Class Provincial, City and Municipal LGUs, each LGU concerned may still create an ABE unit, either as a department, division or section, based on its service requirements and financial capabilities, subject to the minimum standards and guidelines prescribed by the CSC.

Otherwise, the DA, through RFO-RAEDs, shall provide assistance those LGUs not capable of establishing an ABE unit due to financial constraints. This could be done by deploying ABE/s from RFO-RAEDs, as determined by the DA, to the LGU concerned.

6.0 Organization and Composition of the ABE Unit

- 6.1 The ABE unit shall be under the office of the governor, city or municipal mayor and shall be responsible for: (1) engineering plans, designs, and specifications; (2) program and project management; and (3) standards, regulation, and enforcement.
- 6.2 As provided under Section 29 of RA No. 10601 that if an ABE unit is not yet existing in the 1st to 3rd income class LGUs, the following positions shall be created in a particular LGU to head the ABE unit, as appropriate:

LGU	Head of the ABE Unit
Provinces	Engineer IV, SG-22
Special Cities (Manila and Quezon City)	Engineer V, SG-24
Highly Urbanized Cities	Engineer IV, SG-22
Component Cities	Engineer IV, SG-22
Municipality within Metro Manila	Engineer IV, SG-22
Municipalities outside Metro Manila- 1 st to 3 rd Class Municipalities	Engineer III, SG-19
Municipalities outside Metro Manila - 4 th to 6 th Class Municipalities	Engineer II, SG-16

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- 6.3 The Head of the ABE unit shall have lower positions as his/her staff, using the following series of Engineer positions:

Position Title	Salary Grade (SG)
Engineering Assistant	SG-8
Engineer I	SG-12
Engineer II	SG-16
Engineer III	SG-19
Engineer IV	SG-22
Engineer V	SG-24

- 6.4 The respective LGUs may resort to the following options, as applicable, in order to cope with the funding constraints in the creation of Engineer (Agricultural and Biosystems Engineer) positions:

6.4.1 The existing Provincial, City and Municipal Agriculturist, and other Department Head/Assistant Department Head positions of the LGUs, being occupied by registered and licensed agricultural and biosystem engineers, may be designated as Provincial, City or Municipal ABEs, following the CSC rules on designation of personnel.

6.4.2 The existing personnel of the respective LGU may be re-assigned to the Provincial, City or Municipal ABE unit, following the CSC rules and regulations on re-assignment of personnel.

6.4.3 The existing Agricultural Technologist, Agriculturist, and other positions performing agricultural engineering work may be reallocated to Engineer classes of positions for the respective Provincial, City or Municipal ABE units, pursuant to DBM Budget Circular No. 03, series of 2003⁶.

6.4.4 The vacant positions of the respective LGU may be abolished such that the PS requirement for said abolition may be utilized for the creation of Engineer positions in the Provincial, City or Municipal ABE units, subject to the PS limitation of said LGUs.

6.4.5 The respective LGU may hire ABE/s as emergency, casual or contractual employees, pursuant to Section 77 of the LGC and other pertinent laws.

- 6.5 If an LGU is financially capable and has not exceeded the PS limitation, the local Sanggunian may create/elevate the organization and staffing of the ABE unit. LGUs shall be guided by the following standards on position titles and salary grades of Department Heads (DH), Assistant Department Heads (ADH), and the highest positions below the ADH.

⁶ Reallocation of Agriculturist Positions and Other Positions Performing Agricultural Engineering Work to the Existing Classes of Positions (September 12, 2003)

LGU	Department Head (DH)	Assistant Department Head (ADH)	Highest Position below ADH
Provinces	Provincial Government Head (PGDH), SG-26	Provincial Government Assistant Department Head (PGADH), SG-24	Engineer IV, SG-22
Special Cities (Manila and Quezon City)	City Government Department Head (CGDH) III, SG 27 City Government Office Head, SG-26	City Government Assistant Department Head (CGADH) III, SG-25	Engineer V, SG-24
Highly Urbanized Cities/Other Metro Manila Cities	CGDH II, SG-26	CGADH II, SG-24	Engineer IV, SG-22
Component Cities	CGDH I, SG-25	CGADH III, SG-23	Engineer IV, SG-22
Municipality within Metro Manila	Municipal Government Department Head (MGDH) II, SG-25	Municipal Government Assistant Department Head (MGADH) II, SG-23	Engineer IV, SG-22
Municipalities outside Metro Manila - 1 st to 3 rd Class Municipalities	MGDH I, SG-24	MGADH I, SG-22	Engineer III, SG-19
Municipalities outside Metro Manila- 4 th to 6 th Class Municipalities	MGDH I, SG-24	MAGDH I, SG-22	Engineer II, SG-16

7.0 Position Titles, Qualification Standards, and Salary Grades for the Technical Staff of the ABE Units

- 7.1 The following Engineer positions titles (ABEs) with their corresponding minimum qualification standards shall be adopted in the LGU's ABE units:

Position Title	Education	Experience	Training	Eligibility
Engineering Assistant, SG-8	Completion of two years studies in college	1 year of relevant experience	4 hours of relevant training	Career Service (Subprofessional/ First Level Eligibility
Engineer I, SG-12	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	None required	None required	RA No. 10915 (ABE)

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Position Title	Education	Experience	Training	Eligibility
Engineer II, SG-16	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	1 year of relevant experience in agricultural engineering or agricultural and biosystems engineering	4 hours of relevant training	RA No. 10915 (ABE)
Engineer III, SG-19	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	2 years of relevant experience in agricultural engineering or agricultural and biosystems engineering	8 hours of relevant training	RA No. 10915 (ABE)
Engineer IV, SG-22	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	3 years of relevant experience in agricultural engineering or agricultural and biosystems engineering	16 hours of relevant training	RA No. 10915 (ABE)
Engineer V, SG-24	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	4 years in position/s involving management and supervision, 1 year of which is relevant to agricultural engineering or agricultural and biosystems engineering	40 hours of supervisory/ management training/ learning and development intervention	RA No. 10915 (ABE)

- 7.2 The following minimum qualification standards shall be required for the Heads of the Agricultural and Biosystems Engineering Department/Division/Section, depending on the actual level of organization created or to be created by the LGUs:

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Level of Organization	Position Title	Education	Experience	Training	Eligibility
Department (SG-25 to 27)	PGDH*, SG-26 CGDH III*, SG-27 CGDH II*, SG-26 CGDH I*, SG-25 CGADH III*, SG-25	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	5 years in position involving management and supervision, 1 year of which is relevant to agricultural engineering or agricultural and biosystems engineering	None required	RA No. 10915 (ABE)
Department (SG-24-25)	MGDH II*, SG-25 MGDH I*, SG-24	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	3 years in position involving management and supervision, 1 year of which is relevant to agricultural engineering or agricultural and biosystems engineering	None required	RA No. 10915 (ABE)
Department (SG-24)	PGADH*, SG-24 CGADH II*, SG-24	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	4 years in position involving management and supervision, 1 year of which is relevant to agricultural engineering/ agricultural and biosystems engineering	None required	RA No. 10915 (ABE)
Department (SG-22 to 23)	CGADH I*, SG-23 MGADH II*, SG-23 MGADH I*, SG-22	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	3 years in position involving management and supervision, 1 year of which is relevant to agricultural engineering/ agricultural and biosystems engineering	None required	RA No. 10915 (ABE)

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Level of Organization	Position Title	Education	Experience	Training	Eligibility
Division (SG-24)	Engineer V, SG-24	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	4 years in position involving management and supervision, 1 year of which is relevant to agricultural engineering/ agricultural and biosystems engineering	40 hours of supervisory/management training/ learning and development intervention	RA No. 10915 (ABE)
Section (SG-22)	Engineer IV, SG-22	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	3 years of relevant experience in agricultural engineering/ agricultural and biosystems engineering	16 hours of relevant training	RA 10915 (ABE)
Section (SG-19)	Engineer III, SG-19	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	2 years of relevant experience in agricultural engineering/ agricultural and biosystems engineering	8 hours of relevant training	RA No. 10915 (ABE)
Section (SG-16)	Engineer II, SG-16	Bachelor's degree in Agricultural Engineering or Agricultural and Biosystems Engineering	1 year of relevant experience in agricultural engineering/ agricultural and biosystems engineering	4 hours of relevant training	RA No. 10915 (ABE)

* Including the requirements of Filipino Citizenship, of good moral character and a resident of the Local Government Unit concerned as provided for in the Local Government Code of 1991

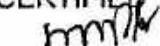
- 7.3. The following position titles and their parenthetical titles shall be indicated on the appointment to be issued to the Provincial, City and Municipal ABEs.

Position Title	SG	Parenthetical Title
PGDH	26	Agricultural and Biosystems Engineer
PGADH	24	
CGDH III	27	
CGDH II	26	
CGDH I	25	

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Position Title	SG	Parenthetical Title
CGADH III	25	Agricultural and Biosystems Engineer
CGADH II	24	
CGADH I	23	
MGDH II	25	
MGDH I	24	
MGADH II	23	
MGADH I	22	
Engineer V	24	
Engineer IV	22	
Engineer III	19	
Engineer II	16	
Engineer I	12	

- 7.4 The LGUs need not secure the approval of the CSC if the aforecited qualification standards shall be adopted. However, LGUs may set specific or higher qualification standards, in which case they shall submit to the CSC for approval. Once approved, the same shall be adopted by the CSC as qualification standards in the attestation of their appointments.

8.0 Powers, Functions and Responsibilities

- 8.1 Pursuant to Section 29 of RA No. 10601 and its IRR in relation to RA No. 10915, ABE units of the LGUs within their territorial jurisdiction, shall be responsible for planning, coordinating, regulating and implementing agricultural, fisheries and biosystems engineering, mechanization and infrastructure programs and projects at the provincial, city and municipal levels.

Specifically, the ABE units shall perform the following functions and responsibilities:

- Provide agricultural and biosystems engineering services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/program of work of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, farm machinery, slaughterhouses, auction markets, poultry dressing plants, post-harvest facilities, auction markets, farm-to-market roads and other agricultural, fisheries and biosystems infrastructure projects of the LGUs;
- Administer, supervise, and coordinate the construction, operation, maintenance, improvement and management of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, farm machinery, slaughterhouses, auction markets, poultry dressing plants, post-harvest facilities, auction markets, farm-to-market roads and other agricultural, fisheries and biosystems infrastructure projects of the LGUs;

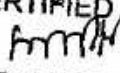
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- c) Undertake the registration of agricultural and fishery machinery and facilities, enforcement of the PAES/PABES and other agricultural, fishery and biosystems engineering regulatory activities in coordination and collaboration with the RFO-RAED, concerned national government agencies and other offices of the LGUs. In line with this, the ABE unit shall:
 - c.1. Provide assistance to BAFE through the RFO-RAED on the validation and surveillance of applications relative to the issuance of Permit to Operate to small and medium sized agricultural and fishery machinery and equipment manufacturer, fabricators, assemblers and importers;
 - c.2. Monitor the compliance on the provision of after-sales service and warranty of concerned agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers in their respective locality in collaboration with BAFE;
 - c.3. Maintain and regularly update the data bank on irrigation, post-harvest, agricultural machinery and agricultural, fishery and biosystems infrastructure projects at all local levels;
 - c.4. Conduct inspection, performance testing and evaluation of agricultural, fisheries and biosystems machineries and equipment procured by the LGUs in coordination and collaboration with the RFO-RAED and AMTEC;
 - c.5. Provide assistance to the City and Municipal Building Officials in the evaluation and processing of application permits and certificate of occupancy of agricultural, fishery and biosystems buildings and structures to ensure the enforcement of PAES/PABES and RA No. 10915; and
 - c.6. Coordinate with BFAR on the registration of fish hatcheries, fish breeding facilities, private fishponds and post harvest facilities for fishing communities pursuant to Section 28 and 33 of RA No. 8550⁷.
- d) Coordinate with the concerned national government agencies with regard to the implementation of national government programs and projects on irrigation, farm mechanization, post-harvest facilities, farm-to-market roads and agricultural, fisheries and biosystems infrastructure;
- e) Be in the frontline of the delivery of basic agricultural and biosystems engineering services;

⁷ Philippine Fisheries Code of 1998

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- f) Provide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural, fishery and biosystems machinery projects in coordination with the agriculture and fisheries extension workers. In line with this, the ABE units shall coordinate and collaborate with State and Local Colleges and Universities, TESDA, and other concerned government agencies for the competency assessment and certification of agricultural and biosystems engineering technicians and operators including the establishment and operation of accredited technical-vocational education training (TVET) and assessment centers, learning sites/farm schools, farm tourism sites for agricultural and biosystems engineering at the provincial, city and municipal levels;
- g) Undertake and/or coordinate the pilot testing and commercialization of matured agricultural, fisheries and biosystems engineering technologies;
- h) Provide assistance in the organization and operation of the Agricultural and Fishery Mechanization Committee (AFMeC) of the Provincial, City and Municipal AFCs and serve as Vice Chairperson and Secretariat of said Committee, as well as in providing technical assistance and support to the local chapters of the PSABE and ABEs in the local implementation of agricultural and fisheries mechanization and infrastructure projects;
- i) Responsible in the planning, design and management of communal irrigation system devolved or to be devolved to the LGUs pursuant to Section 33 of RA No. 8435 (AFMA);
- j) Formulate local (Provincial, City and Municipal) Agricultural and Fisheries Mechanization Plans for approval by the Sanggunian pursuant to Section 33 of RA No. 10601;
- k) Formulate local (Provincial, City and Municipal) Agricultural and Biosystems Engineering Master Plan/Program for approval by the Sanggunian pursuant to Joint DA-DILG MC No. 11, series of 2004 in relation to RA No. 10915. The master plan/program which supports and complements to the Comprehensive Land Use Plans, Local Development Plans, Local Food Security and Agri-Fisheries Modernization Plans shall have the following sub-components: (1) agricultural, fishery and biosystems mechanization; (2) soil and water conservation and irrigation; (3) farm-to-market road or farm access road development; (4) post-harvest, agro-processing and agro-industrial development; (5) agricultural and biological waste utilization and management; and (6) farm electrification and bio-energy development.

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- I) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

This also includes functions and responsibilities on agricultural and biosystems engineering under RA No. 10915, such as, but not limited to animal/livestock production engineering, aquaculture engineering, agricultural and biological waste management, and farm electrification and bio-energy development as part of the agricultural and fisheries modernization, environmental protection and food security program of the provincial, city and municipal LGUs.

9.0 Responsibilities of Agencies

9.1 **Department of Budget and Management (DBM)** – The DBM shall provide technical assistance in the strengthening or establishment of ABE units of LGUs.

9.2 **Civil Service Commission (CSC)** – The CSC shall provide technical assistance in the strengthening or establishment of ABE units of LGUs, specifically in the review of the qualification standards for Engineer (ABE) positions.

9.3 **Department of the Interior and Local Government (DILG)** – The DILG, through the Bureau of Local Government Supervision and its regional, provincial, city and municipal offices, shall monitor the compliance of LGUs of this JMC.

The Local Government Academy shall likewise include the implementation of this JMC as part of the capacity building programs for LGU executives/personnel.

9.4 The **Department of Agriculture (DA)** shall:

9.4.1 Through the RFO-RAED, augment and/or provide agricultural and biosystems engineering services in 4th to 6th class LGUs pursuant to Section 29 of RA No. 10601;

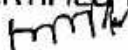
9.4.2 Through the RFO-RAED, provide technical assistance to ABE units of LGUs in accordance with the Joint DA-DILG Memorandum Circular No. 11, Series of 2004, *“Enhancing the Functional Complementation between the DA and LGUs in the implementation of irrigation, post-harvest facilities, agri-fishery mechanization and infrastructure and other agricultural engineering projects of AFMA”*.

9.4.3 Through the ATI, BSWM, PHilMech, BAFE, and other concerned DA offices/units, provide capability development trainings to LGU ABEs.

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9.4.4 Include the implementation of this JMC as part of the implementing guidelines of its agricultural and fisheries mechanization, irrigation, farm-to-market roads and other agricultural and fisheries infrastructure and engineering programs and projects which involve the LGUs as project recipient/beneficiaries. Provided further, that these DA projects shall pass to the created ABE units of LGUs and the plans, designs and technical specifications shall be prepared, signed and sealed by a registered and licensed ABE upon submission to DA.

9.4.5. Through the Bureau of Agricultural and Fisheries Engineering (BAFE), monitor the compliance of DA on this Joint Memorandum Circular.

10.0 Compliance Monitoring

A Joint Compliance Monitoring Committee composed of DILG as Chairman and its members are representative/s from DA, Professional Regulatory Board of Agricultural and Biosystems Engineering (PRBABE), Philippine Society of Agricultural and Biosystems Engineers (PSABE), and the ULAP shall be organized to monitor the compliance of all LGUs on this JMC.

11.0 Penalties

Administrative sanctions and penalties imposed under RA No. 10915, RA No. 10601, Revised Penal Code and pertinent CSC rules and regulations shall form part in the implementation of this JMC.

12.0 Repealing Clause

All existing issuances, either by the DA, DBM, DILG or CSC which are inconsistent herewith are hereby superseded. Any future reference with respect to their issuances in relation to the strengthening or establishment of ABE units/groups of LGUs shall be made in reference to this JMC.

13.0 Resolution of Cases

Any issues or concerns not covered by this JMC shall be referred to the DA for resolution jointly by the DA, DBM, DILG and CSC.

14.0 Dissemination

The Regional Directors of DA, DBM, DILG, and CSC shall disseminate this JMC within their territorial jurisdictions.

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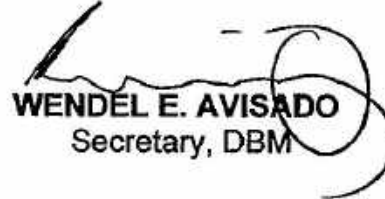
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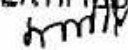



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LOURDES B. PLECHAS
OIC, RECORDS DIVISION

Republic of the Philippines
Congress of the Philippines
Metro Manila

Sixteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand fifteen.



[REPUBLIC ACT NO. 10915]

AN ACT STRENGTHENING, MODERNIZING AND ALIGNING THE PRACTICE OF AGRICULTURAL ENGINEERING IN THE COUNTRY INTO THE INTERNATIONALLY RECOGNIZED PRACTICE OF AGRICULTURAL AND BIOSYSTEMS ENGINEERING, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Title.* — This Act shall be known as the “Philippine Agricultural and Biosystems Engineering Act of 2016”.

SEC. 2. *Statement of Policy.* – It is hereby declared a policy of the State to promote, strengthen and regulate the practice of agricultural and biosystems engineering profession in the Philippines by instituting measures that will result in relevant agricultural and biosystems engineering education and enhanced roles and better career prospects for agricultural and biosystems engineers.

Likewise, the State hereby guarantees the application and delivery of agricultural and biosystems engineering services to accelerate agricultural and fishery modernization; and ensure food and water security, bio-energy development, natural resources conservation, environmental protection and human health and safety by fostering the training and development of an adequate and well-trained pool of agricultural and biosystems engineers in the country.

SEC. 3. *Coverage of this Act.* – This Act shall cover the following aspects of the practice of the profession of agricultural and biosystems engineering:

(a) Examination, registration and licensure of agricultural and biosystems engineers;

(b) Supervision, control and regulation of the practice of agricultural and biosystems engineering;

(c) Development, upgrading and updating of the curriculum of the agricultural and biosystems engineering profession in coordination with the Commission on Higher Education (CHED) and the concerned state universities and colleges (SUCs);

(d) Development and improvement of the professional competence and practice of agricultural and biosystems engineers through, among others, Continuing Professional Development (CPD) and career progression and specialization; and

(e) Integration of all agricultural and biosystems engineers under one national Accredited Integrated Professional Organization (AIPO) of agricultural and biosystems engineers which shall be recognized by the Board of Agricultural and

Biosystems Engineering and the Professional Regulation Commission (PRC).

SEC. 4. *Definition of Terms.* – As used in this Act, the following terms shall mean:

(a) *Agricultural and Biosystems Engineering* refers to the application of engineering science and designs to the processes and systems involved in the sustainable production, post production and processing of safe food, feed, fiber, timber and other agricultural and biological materials and the efficient utilization, conservation, and management of natural and renewable resources in order to enhance human health in harmony with the environment. Agricultural and biosystems consist of crops, forestry and other plants, poultry, livestock, fisheries and aquaculture resources and other animals, wildlife and other living things;

(b) *Agricultural and Biosystems Engineer* refers to a person who is registered and licensed to practice agricultural and biosystems engineering in the country and who holds a valid certificate of registration and professional identification card from the Board of Agricultural and Biosystems Engineering and the PRC;

(c) *Agricultural and Biosystems Power and Machinery* refers to farm power and machinery for the production, harvesting, processing, storage, manufacture, preserving, transporting and distribution of agricultural and biological products/materials and includes, but is 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, poultry, fishery and forest 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;

(d) *Agricultural and Biosystems Buildings and Structures* refer to buildings and structures for the production, harvesting, processing, storage, manufacture, preserving, transporting and

distribution of agricultural and biological products/materials and includes, but is not limited to, silos and its components, agricultural and biosystems machinery and equipment sheds, farm houses, green/screen houses, poultry houses, piggery houses, slaughterhouses, farm-to-market roads, farm bridges, agricultural and biological products storage/warehouse, buildings and structures for poultry, livestock, fishery, and forestry production and processing, kiln drying and lumber treatment structure, farm equipment, farm supplies, and other structures such as self-feeders, and soil and water conservation structures;

(e) *Agricultural and Bio-Processing* refers to local activity or series of activities to maintain or raise the quality or change the form or characteristics of agricultural, fishery, forestry and biological products/materials and includes, but is not limited to, cleaning, sorting, grading, treating, drying, dehydrating, grinding, mixing, milling, canning, dressing, slaughtering, freezing, pasteurizing, conditioning, packaging, repacking, transporting of agricultural, fishery, forestry and other biological products/materials;

(f) *Agricultural and Biological Waste Utilization and Management* refers to the development of systems, processes, and equipment for agricultural waste disposal and utilization and environment-friendly technologies such as, but is not limited to, compost plants, biogas plants, biomass utilization technologies, systems and processes;

(g) *Agricultural and Bio-Information System* refers to utilization of information systems, database, and other information management tools for agricultural use, biological systems modeling to understand the mutual response between life and the environment; and application of Geographic Information System (GIS) technology for inventory, analysis, and management of agricultural and biological resources, and remote sensing technology for observation and examination of the landscape and its local forms and agricultural activities;

(h) *Agricultural and Biosystems Automation and Instrumentation* refers to the use and application of agricultural and biosystems sensors such as, but is not limited to, computer models for control and automation in the

agricultural and fishery production industry and the biological systems and likewise, robotics for farm operation when use of machines are difficult or impossible, agricultural and biosystems machine design and automated controls, precision farming systems, agricultural safety and controlled-environment agriculture; and the development and application of metrology equipment such as moisture meters, weighing scale and other metrology equipment;

(i) *Agricultural and Biosystems Resource Conservation and Management* refers to measures of conservation and proper management of agricultural and biological resources such as, but is not limited to, area development for agriculture, settlement and recreation; parks and plant nurseries; beneficial ecosystem of life and environment; study and analysis of agricultural system as an integrated component of landscape; monitoring and conservation of natural resources; rehabilitation of forest, lakes, rivers and idle lands; and the sustainable development, management, and exploitation of the agricultural ecosystem;

(j) *Accredited Integrated Professional Organization* refers to the professional organization of agricultural and biosystems engineers duly accredited by the Professional Regulatory Board of Agricultural and Biosystems Engineering and the PRC, hereinafter referred to as the "AIPO";

(k) *Bachelor of Science in Agricultural and Biosystems Engineering* refers to the tertiary or higher education program which provides graduates with a Baccalaureate Agricultural and Biosystems Engineering Degree and shall hereinafter be referred to as BSABE. This program is effectively promulgated under enabling Policies, Standards and Guidelines (PSG) issued by the CHED in coordination with the Board of Agricultural and Biosystems Engineering and/or relevant SUCs;

(l) *Commission on Higher Education* refers to the government agency created to lead, promote, and regulate higher/tertiary education in the Philippines created under Republic Act No. 7722, hereinafter referred to as the "CHED";

(m) *Irrigation* refers to the artificial application of water to the soil to assist in the growing of agricultural and forest crops, maintenance of landscapes, and revegetation of disturbed soils in dry areas and during periods of inadequate rainfall,

and shall include drip, sprinkler, shallow tube well and other pressurized irrigation system; national and communal irrigation systems; surface and ground water resource management; and irrigation structures and facilities such as dams, weirs, pump systems, conveyances, canals, and flumes;

(n) *Professional Regulation Commission* refers to the government agency described under Republic Act No. 8981, hereinafter referred to as the "Commission";

(o) *Professional Regulatory Board of Agricultural and Biosystems Engineering* refers to the administrative body created by law to supervise and regulate the practice of agricultural and biosystems engineering and is the ultimate authority in the practice of the agricultural and biosystems engineering profession in the Philippines. It shall be hereinafter referred to as the "Board"; and

(p) *Soil and Water Conservation* refers to measures that control soil and water degradation and enhance farm productivity; and shall consist of small farm reservoir, farm ponds, small water impoundments, contour farming, and terracing; soil erosion control, land conditioning and mulching, and flood control.

SEC. 5. *Scope of Practice of Agricultural and Biosystems Engineering.* – The practice of agricultural and biosystems engineering within the meaning and intent of this Act shall embrace, but not be limited to, the following:

(a) Preparation of engineering designs, plans, specifications, project studies, feasibility studies and estimates of irrigation and drainage, soil and water conservation and management systems and facilities, agrometeorological systems, agricultural and biosystems power and machinery, agricultural and biosystems buildings and structures, renewable/bio-energy systems and farm electrification, agricultural and bio-processing and post harvest facilities and system, agricultural and biological waste utilization and management, agricultural and bio-information system, agricultural and biosystems resource conservation and management, and agricultural and bio-automation and instrumentation system;

(b) Supervision or management on the construction, operation, and maintenance of irrigation and drainage, soil and water conservation and management systems and facilities, agrometeorological systems, agricultural and biosystems power and machinery, agricultural and biosystems buildings and structures, renewable/bio-energy systems and farm electrification, agricultural and bio-processing and post harvest facilities and system, agricultural and biological waste utilization and management, agricultural and bio-information system, agricultural and biosystems resource conservation and management, and agricultural and bio-automation and instrumentation system;

(c) Valuation, appraisal, investigation, inspection, monitoring, and technical audit on agricultural and biosystems machineries and equipment, structures and facilities, and agricultural and biosystems engineering projects;

(d) Program/Project development and management, planning, evaluation, and consultancy services on agricultural and biosystems engineering undertakings;

(e) Conduct of research and development, training and extension on agricultural and biosystems engineering;

(f) Testing, evaluation, and inspection of agricultural and biosystems machinery, and other related agricultural and biosystems engineering facilities, equipment and projects;

(g) Manufacture, distribution, installation, and sale of agricultural and biosystems machinery and other related agricultural and biosystems engineering facilities and equipment;

(h) Teaching and/or conduct of lecture of agricultural and biosystems engineering subjects in institutions of learning in the Philippines;

(i) Preparation and evaluation of farm development plans, farm suitability maps and land use maps/reports for agricultural, livestock and poultry, fishery, aquaculture and forest production and processing;

(j) Training and supervision of agri-fishery machinery technicians and operators of agri-fishery machinery service centers/pools, and agricultural and biosystems engineering technicians and operators in agricultural and biosystems plants, establishments, facilities, and projects;

(k) Employment with the government and private firms and establishments: *Provided*, That such item or position requires the knowledge and expertise of an Agricultural and Biosystems Engineer, or its duties and responsibilities covers the scope of practice in agricultural and biosystems engineering; and

(l) Participation in the preparation of environmental studies for agricultural, fisheries, agro-industrial and biosystems projects and its monitoring under the Environmental Impact Assessment (EIA) system.

The Board, subject to approval of the Commission, may add to, or exclude from, this section any activity or act of professional practice, or revise it as the need arises to conform to changes and new developments brought about by the latest trends in Agricultural and Biosystems Engineering.

ARTICLE II

PROFESSIONAL REGULATORY BOARD OF AGRICULTURAL AND BIOSYSTEMS ENGINEERING

SEC. 6. *Creation and Composition of the Board.* – There is hereby created a Board to be composed of a Chairperson and two (2) members under the administrative control and supervision of the Commission. They shall be appointed by the President of the Philippines from a list of three (3) recommendees for each position which were ranked by the Commission from a list of five (5) nominees for each position submitted by the AIPO in the Philippines. The Board shall be organized not later than six (6) months from the effectivity of this Act.

SEC. 7. *Qualifications of Members of the Board.* – A member of the Board shall, at the time of their appointment, possess the following qualifications:

(a) Must be a Filipino citizen and resident of the Philippines;

(b) Must be at least thirty-five (35) years of age;

(c) Must be a holder of Bachelor's Degree in Agricultural and Biosystems Engineering, Agricultural Engineering or its equivalent, conferred by a school, academy, college or university in the Philippines or abroad which is accredited or recognized by the CHED;

(d) A registered Agricultural and Biosystems Engineer with a valid professional license and an active practitioner for not less than ten (10) years prior to his/her appointment;

(e) Must not, for a period of three (3) consecutive years prior to the appointment, be a member of the faculty of, directly or indirectly, any school, academy, institute, college or university where a regular course in Agricultural Engineering or Agricultural and Biosystems Engineering is being taught; or have any pecuniary interest, directly or indirectly, in or administrative supervision over any such institutions of learning;

(f) Must not, for a period of three (3) consecutive years prior to the appointment, be connected with a review center or any group or association where review classes or lectures in preparation for the licensure examination are offered or conducted at the time of appointment;

(g) Must be a member in good standing of the AIPO for at least five (5) years, but not an incumbent officer or trustee thereof; and

(h) Has never been convicted of any offense involving moral turpitude.

SEC. 8. *Term of Office.* – The Chairperson and two (2) members of the Board shall hold office for a term of three (3) years from the date of their appointment and until their successors shall have been appointed and qualified. The first Board under this Act shall hold these terms of office: the Chairperson for three (3) years; the first member for two (2) years; and the second member for one (1) year: *Provided, That*

any appointee to a vacancy with an unexpired term shall only serve such period.

The Chairperson or a member of the Board may be reappointed to their positions for another term of three (3) years immediately after the expiry of their terms: *Provided, further,* That the holding of such position shall not be for more than two (2) terms nor more than six (6) years, whichever is longer. The Chairperson and two (2) members of the Board shall take their oath of office prior to entering upon the performance of duty.

SEC. 9. *Compensation and Allowances of the Board.* – The Chairperson and members of the Board shall receive compensation and allowances comparable to the compensation and allowances being received by the Chairpersons and members of existing Professional Regulatory Boards under the PRC as provided for in the General Appropriations Act.

SEC. 10. *Vacancy and Removal of Board Members.* – Any vacancy occurring in the Board within the term of a member shall be filled for the unexpired portion of the term only. The President may remove the Chairperson or any member of the Board on the following grounds:

(a) Gross neglect, incompetence or dishonesty in the discharge of duty;

(b) Violation or tolerance of the violation of this Act or the Code of Ethics for agricultural and biosystems engineering;

(c) Involvement in the manipulation, tampering or rigging of the licensure examination, its questions and/or its results, and in the disclosure of classified and confidential information pertaining to the licensure examination;

(d) Final judgment for crimes involving moral turpitude; and

(e) Unprofessional, unethical, immoral or dishonorable conduct.

The Chairperson or member concerned shall be given due notice and hearing where his/her right to be heard and to defend himself, assisted by a counsel, shall be respected in the proper administrative investigation.

SEC. 11. *Powers and Duties of the Board.* – The Board shall exercise the following specific powers, functions and duties:

(a) Promulgate and adopt the rules and regulations necessary for carrying out the provisions of this Act;

(b) Supervise the registration, licensure and practice of agricultural and biosystems engineering in the Philippines;

(c) Administer oaths of successful examinees entering the practice of agricultural and biosystems engineering;

(d) Issue the certificate of registration to successful examinees;

(e) Issue, suspend or revoke the license for the practice of agricultural and biosystems engineering profession;

(f) Adopt an official seal of the Board;

(g) Look into the conditions affecting the practice of the agricultural and biosystems engineering profession through the conduct of ocular inspections and monitoring in agricultural and biosystems engineering offices, plants or establishments, both public and private, and in the case of schools, in coordination with the CHED and/or the concerned SUCs, and whenever necessary adopt such measures, including promulgation of agricultural and biosystems engineering standards, rules and regulations, and best practices for the enhancement and maintenance of high professional and ethical standards of the profession, and the formulation and implementation of agricultural and biosystems engineering profession development plan/road map;

(h) Prescribe and/or adopt, and enforce a Code of Ethical and Professional Standards for the practice of agricultural and biosystems engineering profession;

(i) Hear and try administrative cases involving violations of this Act, its implementing rules and regulations, the Code of Ethics for agricultural and biosystems engineers and for this purpose, to issue *subpoena* and *subpoena duces tecum* to secure the appearance of witnesses and the production of documents in connection therewith;

(j) Prescribe guidelines in the CPD program for agricultural and biosystems engineers in coordination with the AIPO of Agricultural and Biosystems Engineers;

(k) Ensure, in coordination with the CHED and/or SUCs, that all educational institutions offering agricultural and biosystems engineering education comply with the policies, standards and requirements of the course prescribed by the CHED in the areas of curriculum, faculty, library and facilities;

(l) Prepare, adopt, issue or amend the syllabi of the subjects for examinations including its Table of Specifications in consultation with the academe, and cause the determination and preparation of questions for the licensure examination which shall strictly be within the scope of the syllabi of the subjects for examinations, as well as administer, correct and release the result of the licensure examinations;

(m) Approve, issue, limit or revoke temporary/special permit (TSP) to practice agricultural and biosystems engineering;

(n) Issue a cease or desist order to any person, association, partnership, corporation or cooperative engaged in violation of any of the provisions of this Act, any agricultural and biosystems engineering standards and/or rules or regulations duly promulgated by the Board as part of the rules governing the practice of agricultural and biosystems engineering in the Philippines;

(o) Punish for contempt of the Board, both direct and indirect, in accordance with the pertinent provision of, and penalties prescribed by, the Rules of Court;

(p) Perform regulatory, administrative, and quasi-legislative functions as mandated under Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000", and such other functions as may be necessary to implement the provisions of this Act;

(q) Discharge such other duties and functions as may be deemed necessary for the enhancement of the agricultural and biosystems engineering profession and the upgrading, development and growth of agricultural and biosystems engineering education in the Philippines; and

(r) Accreditation of specialty organization.

All policies, resolutions, rules and regulations of the Board shall be subject to the review and approval of the Commission.

SEC. 12. *Supervision of the Board; Custodian of its Records, Secretariat and Support Services.* – The Board shall be under the administrative control and supervision of the Commission. All records of the Board, including applications for examination, examination papers and results, minutes of deliberation, administrative cases and other investigations involving agricultural and biosystems engineers shall be kept by the Commission.

The Commission shall designate the Secretary of the Board and shall provide the secretariat and other support services to implement the provisions of this Act.

SEC. 13. *Annual Report.* – The Board shall, at the close of each calendar year, submit an annual report to the President through the Commission giving a detailed account of its proceedings and accomplishments during the year and making recommendations for the adoption of measures that will upgrade and improve the conditions affecting the practice of agricultural and biosystems engineering in the Philippines.

ARTICLE III

EXAMINATION, REGISTRATION AND LICENSE

SEC. 14. *Examination Required.* – All applicants for registration for the practice of agricultural and biosystems engineering shall be required to undergo and pass the licensure examination as provided for in this Act.

SEC. 15. *Qualification of an Applicant for Examinations.*
– Every applicant for the examination for agricultural and biosystems engineers shall have the following qualifications:

(a) A citizen of the Philippines or a foreign citizen whose country or State has a policy on reciprocity in the practice of the profession;

(b) A graduate of Bachelor of Science in Agricultural and Biosystems Engineering or its equivalent, or Bachelor of Science in Agricultural Engineering prior to or after ten (10) years after the approval of this Act, in a school, academy, institute, college or university or an institution duly recognized by the CHED; and

(c) Of good moral character.

SEC. 16. *Fraudulent Application.* – The Board may suspend or revoke any certificate of registration obtained through misrepresentation made in the application for examination.

SEC. 17. *Scope of Examination.* – The licensure examination for agricultural and biosystems engineers shall cover the required competencies for the entry level of the practice of agricultural and biosystems engineering and shall include the following subjects:

(a) Agricultural and Biosystems Power, Energy and Machinery Engineering which include agricultural power and bio-energy, machine design and analysis, machinery management and mechanization of agricultural and bioproduction systems;

(b) Land and Water Resources Engineering which include agrometeorology, irrigation and drainage engineering, soil and water conservation, and aquaculture engineering;

(c) Agricultural and Biosystems Structures and Environment Engineering which include agricultural structures engineering, forest engineering, design and management of agricultural and biosystem structures, and bio-environmental design;

(d) Agricultural and Bioprocess Engineering which include refrigeration and cold storage, agri-industrial and biosystems application of electrical energy and electronics, agricultural products process engineering, and food and bio-based products process engineering;

(e) Project Management, Feasibility Study Preparation/Evaluation, Research, Development and Extension on Agricultural and Biosystems Engineering;

(f) Fundamentals of Agricultural, Fishery, Ecological and Environmental Sciences;

(g) Mathematics and Basic Engineering Principles;

(h) Laws, Professional Standards and Ethics; and

(i) Other subjects within the areas of competencies required for the practice of agricultural and biosystems engineering profession pursuant to Section 5 of this Act.

The said subjects and their syllabi may be periodically amended by the Board so as to conform with the latest technological changes brought about by continuing trends in the profession.

SEC. 18. *Rating in the Board Examinations.* – To be qualified as having passed the Board examination for agricultural and biosystems engineers, a candidate must obtain a weighted general average of seventy percent (70%), with no grades lower than fifty-five percent (55%) in any given subject. However, an examinee who obtains a weighted general

average rating of seventy percent (70%) or higher, but obtains a rating below fifty-five percent (55%) in any given subject, must retake the examination in the subject or subjects where he/she obtained a grade below fifty-five percent (55%) and must obtain a grade or grades in the said subject or subjects of not lower than fifty-five percent (55%).

SEC. 19. *Report of Ratings.* – The Board shall submit to the Commission the ratings obtained by each candidate within ten (10) days after the examination, unless extended for just cause. Upon the release of the results of the examination, the Board shall send by mail the rating received by each examinee at his/her given address using the mailing envelope submitted during the examination.

SEC. 20. *Reexamination.* – An applicant who fails to pass the examination for the third time shall be allowed to take another examination only after the lapse of one (1) year and only after having undertaken a refresher program in a duly accredited institution. The Board shall issue guidelines on the refresher program requirement.

SEC. 21. *Oath.* – All successful candidates in the examination shall be required to take their oath before the Commission, the Board or any government official authorized to administer oaths, prior to entering upon the practice of the agricultural and biosystems engineering profession.

SEC. 22. *Issuance of Certificate of Registration and Professional Identification Card.* – (a) A certificate of registration (COR) shall be issued to those who are registered after payment of fees prescribed by the Commission. It shall bear the signatures of the Chairperson of the Commission and of the Chairperson and members of the Board, stamped with the official seal of the Commission and of the Board, certifying that the person named therein is entitled to the practice of the profession, with all the privileges appurtenant thereto. Until withdrawn, revoked or suspended in accordance with this Act, the COR shall remain in full force and effect.

(b) A professional identification card bearing the registration number and its validity and expiry dates duly signed by the Chairperson of the Commission shall likewise be issued to every registrant who has paid the prescribed fees,

and has submitted a certificate of membership in good standing from the AIPO and proof of completion of the CPD requirements. The said card shall be renewed every three (3) years, subject to requirement/s as the Board may thereafter prescribe and upon proof of completion of the mandatory CPD requirements.

Once registered, the agricultural and biosystems engineer may use Engr. as the official appendage title. No person shall practice agricultural and biosystems engineering in the country unless such person has secured a license to practice agricultural and biosystems engineering in the manner herein provided.

SEC. 23. *Refusal to Register.* – The Board shall not register any successful applicant for registration with or without licensure examination who has been:

(a) Convicted of an offense involving moral turpitude by a court of competent jurisdiction;

(b) Found guilty of immoral or dishonorable conduct by the Board;

(c) Adjudged guilty for violation of the General Instructions to Examinees by the Board;

(d) Declared of unsound mind by a court of competent jurisdiction; and

(e) Proven to be afflicted with addiction to drug or alcohol impairing one's ability to practice the profession through a finding to this effect by a medical or drug testing facility accredited by the government.

In refusing such registration, the Board shall give the applicant a written statement setting forth the reasons therefor and shall file a copy thereof in its records.

SEC. 24. *Revocation or Suspension of the Certificate of Registration and Cancellation of Temporary/Special Permit (TSP).* – The Board shall have the power, upon notice and

hearing, to revoke or suspend the COR of a registered and licensed agricultural and biosystems engineer or to cancel TSP granted to a foreign agricultural and biosystems engineer, for the same grounds enumerated in Section 23 of this Act, except paragraph (c) thereof, and any of the following grounds:

(a) Violation of any provision of this Act, implementing rules and regulations, Code of Ethics, Code of Technical Standards for the practice of agricultural and biosystems engineering, and of policies and regulatory measures of the Board and/or the Commission;

(b) Perpetration or use of fraud in obtaining his/her COR, professional identification card, and TSP;

(c) Gross incompetence, negligence or ignorance in the conduct of the profession resulting to death, injury of persons and/or damage to property;

(d) Unjustified refusal to join or to remain a member in good standing of the AIPO;

(e) Unjustified or unexplained neglect or failure to pay the annual registration fees for five (5) consecutive years;

(f) Unjustified or unexplained non-renewal of the professional identification card after the lapse of five (5) consecutive years;

(g) Aiding or abetting the illegal practice of a non-registered and unlicensed agricultural and biosystems engineer by, among others, allowing him/her to use his/her COR and/or professional identification card or his/her TSP;

(h) Practicing the profession during his/her suspension from the practice thereof; and

(i) Addiction to a drug or alcohol abuse impairing his/her ability to practice his/her profession or being declared of unsound mind by a court of competent jurisdiction.

The Board shall periodically evaluate the aforementioned grounds and revise or add new ones as the need arises subject

to approval by the Commission in order to meet the trends and developments in the profession.

SEC. 25. *Reissuance of Revoked COR, Replacement of Lost or Damaged COR, Professional Identification Card or Temporary/Special Permit.* – The Board may, upon petition, reinstate or reissue a revoked COR after two (2) years from the effectivity of the revocation, which is reckoned from the date of surrender of the said certificate and/or the professional identification card to the Board and/or the Commission. The Board may not require the holder thereof to take another licensure examination. The petitioner shall prove to the Board that he/she has valid reasons to resume the practice of his/her profession. For the grant of his/her petition, the Board shall issue a Board Resolution subject to approval by the Commission.

A duplicate copy of a lost COR, professional identification card or TSP may be reissued in accordance with rules thereon and upon payment of the prescribed fee therefor.

ARTICLE IV

PRACTICE OF AGRICULTURAL AND BIOSYSTEMS ENGRINEERING

SEC. 26. *Vested Right. – Automatic Registration of Practicing Agricultural and Biosystems Engineers.* – All agricultural engineers who are registered under Republic Act No. 8559 at the time this Act takes effect, shall automatically be registered as agricultural and biosystems engineers.

SEC. 27. *Seal and Use of Seal.* – (a) Each registrant shall, upon registration, obtain a seal of such design as the Board may adopt and prescribe. Plans and specifications prepared by, or under the direct supervision of a registered agricultural and biosystems engineer, shall be stamped with said seal during the validity of the professional license. No person shall stamp or seal any document with the seal of a registrant after his/her professional license has expired or lost its validity unless he/she has been reinstated to the practice and/or unless his/her license has been renewed.

(b) No officer or employee of the government, chartered cities, provinces and municipalities now or hereinafter charged with the enforcement of laws, ordinances or regulations relating to the implementation, construction, repair, operation and maintenance, testing and evaluation of agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures and other agricultural and biosystems engineering facilities, shall accept or endorse any plans, designs, specifications or project studies which have not been prepared and submitted in full accord with the provisions of this Act, nor shall any payment be approved by any such Officer for any work, the plans and specifications of which have not been so prepared, signed and sealed by a duly registered agricultural and biosystems engineer. This provision shall be implemented by the Department of Public Works and Highways (DPWH) and Local Building Officials in the issuance of building permits and certificate of occupancy under the National Building Code, and by all concerned national government entities and local government units (LGUs) in the procurement and in the discharge of their regulatory and auditing functions pertaining to agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures, and other agricultural and biosystems engineering facilities/projects.

(c) No agricultural and biosystems engineer shall sign his/her name, affix his/her seal or use any other method of signature on plans, designs, specifications or other documents made by or under another agricultural and biosystems engineer's supervision unless the same is made in such manner as to clearly indicate the part of such work actually performed by him/her, and no person, except the agricultural and biosystems engineer-in-charge shall sign for any branch of the work or any function of agricultural and biosystems engineering practice not actually performed by him/her. The agricultural and biosystems engineer-in-charge shall be fully responsible for all plans, designs, specifications and other documents issued under his/her seal or authorized signature.

The Board shall formulate, adopt and promulgate all necessary rules and regulations for the effective implementation of the provisions relating to the design of the seal, the signing and sealing of drawings, reports and other documents by agricultural and biosystems engineers.

(d) Drawings, plans, designs and specifications duly signed, stamped or sealed as instruments of service are the property and documents of the agricultural and biosystems engineer, whether the projects for which they were made is executed or not. No person without the written consent of the agricultural and biosystems engineer or author of said documents, shall duplicate or make copies of said documents for use in the repetition of and for other projects, whether executed partly or in whole.

(e) All drawings, plans, specifications and other documents and reports to be used for the design, construction, test and evaluation, research and extension of agricultural and biosystems buildings, structures, machineries and equipment, irrigation, soil and water conservation structures and other agricultural and biosystems engineering facilities/projects shall be signed and sealed by a licensed agricultural and biosystems engineer.

Violation of any of the foregoing shall be ground for administrative and/or criminal action.

SEC. 28. *Indication of License Number and Professional Tax Receipt Number.* – The agricultural and biosystems engineer shall be required to indicate his/her professional license number, the duration of its validity, including the professional tax receipt number on the documents he/she signs, uses or issues in connection with the practice of his/her profession.

SEC. 29. *Firms, Partnerships, Corporations, Cooperatives, Associations and Foundations Engaged in Agricultural and Biosystems Engineering Practice.* – A firm, partnership, corporation, cooperative, association or foundation may engage in the practice of agricultural and biosystems engineering in the Philippines: *Provided*, That it complies with the following requirements:

(a) The firm, partnership, corporation, cooperative, association or foundation applies for and is issued a COR by the Board and the Commission to engage in the practice of agricultural and biosystems engineering in the Philippines: *Provided*, That the majority of the partners of the partnership are registered and licensed agricultural and biosystems engineers: *Provided, further*, That the majority of the

members of the board of directors or members of corporations or cooperatives shall be registered and licensed agricultural and biosystems engineers; and

(b) The practice of the firm, partnership, corporation, cooperative, association or foundation in agricultural and biosystems engineering shall be carried out by duly registered and licensed agricultural and biosystems engineers.

SEC. 30. *Integration of Agricultural and Biosystems Engineers.* – The agricultural and biosystems engineering profession shall be integrated into one (1) national organization registered with the Securities and Exchange Commission which shall be recognized by the Board and the Commission as the one and only integrated and accredited association of agricultural and biosystems engineers. An agricultural and biosystem engineer duly registered with the Board shall automatically become a member of the integrated and accredited association of agricultural and biosystems engineers, and shall receive the benefits and privileges appurtenant thereto upon payment of the required fees and dues.

Membership in the integrated and accredited association shall not be a bar to membership in other associations of agricultural and biosystems engineers.

SEC. 31. *Foreign Reciprocity.* – No foreign agricultural and biosystems engineer shall be issued a temporary license to practice the agricultural and biosystems engineering profession or consultancy thereof or be entitled to any of the rights and privileges under this Act unless the country of which he/she is a subject or citizen specifically permits Filipino agricultural and biosystems engineers to practice within its territorial limits on the same basis as the subjects or citizens of such foreign State or country.

SEC. 32. *Temporary/Special Permits for Foreign Agricultural and Biosystems Engineers.* – The practice of foreign agricultural and biosystems engineers in the Philippines shall be limited to natural persons only and shall be governed by the provisions of Republic Act No. 8981, otherwise known as the "PRC Modernization Act of 2000": *Provided*, That any foreign national who has gained entry in the Philippines to perform professional services as an agricultural and biosystems

engineer or render such services or prepare or produce such documents which are within the scope of practice of agricultural and biosystems engineering as set forth in this Act such as, but not limited to, being a consultant in foreign-funded or assisted project of the government or employed or engaged by Filipino or foreign contractors or private firms, whether or not the nomenclature of his/her profession is specifically called in his/her country of nationality as agricultural and biosystems engineer, but who does not meet or wish to comply with the requirements for admission to take the licensure examinations shall, before assuming the duties, functions and responsibilities as agricultural and biosystems engineer or consultant, secure temporary/special permit from the Board, subject to the approval of the Commission to practice his/her profession in connection with the project to which he/she was commissioned: *Provided, further,* That the following conditions are satisfied:

(a) That he/she is a citizen or subject of a country which specifically permits Filipino professionals to practice their profession within the territorial limits on the same basis as the subjects or citizens of such foreign country or State;

(b) That he/she is legally qualified to practice agricultural and biosystems engineering in his/her own country, and that his/her expertise is necessary and advantageous to the Philippines, particularly in the aspects of technology transfer and specialization; and

(c) That he/she shall be required to work with a Filipino counterpart, a natural person who is a registered and licensed agricultural and biosystems engineer, and professional services fees and expenses of documentation pertaining to the project shall be proportionately shared by both foreign and Filipino agricultural and biosystems engineers, including liabilities and taxes due to the Philippine government, if any, relative to his/her participation therein, or professional services rendered to the project in accordance with established rules and regulations.

SEC. 33. *Positions in Government and Private Firms and Establishments with Agricultural and Biosystems Engineering Functions.* – Only registered and licensed agricultural and biosystems engineers with valid PRC license shall be appointed or designated to all positions in government and private firms and establishments with agricultural and biosystems engineering functions and responsibilities, which shall include, but not be limited to, the following:

(a) All levels of engineer positions in the Agricultural Engineering or Agricultural and Fishery Engineering and Forest Engineering Bureau/Division/Section/Unit of the Department of Agriculture (DA), LGUs, and in the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR) and other concerned government entities whose duties, functions and responsibilities constitute the practice of agricultural and biosystems engineering pursuant to Section 5 of this Act;

(b) All levels of instructor/professor positions in public and private schools, colleges and universities whose main duties and functions involve the teaching of Agricultural and Biosystems Engineering subjects for Agricultural and Biosystems Engineering Degree, Agriculture/Agribusiness Degree, Fisheries Degree and other related curriculum or degrees;

(c) All levels of science research specialist/assistant positions in government and private institutions whose main duties and functions involve research and development and training and extension on agricultural and biosystems engineering;

(d) Head or assistant head, director or manager and other executive positions of agricultural or agricultural and biosystems or agricultural and fisheries engineering or aquaculture engineering or forest engineering group, unit, section, division, bureau, department, center and branch in all national government departments or agencies, government-owned and -controlled corporations, LGUs and colleges and universities, private offices, firms and establishments;

(e) Head or assistant head, director or manager and other executive positions of a group, unit, section, division, bureau, department, center or branch of any of the specialized areas of agricultural and biosystems engineering in government and private firms, offices and establishments;

(f) All levels of planning officer, project evaluation officer, project development officer, development management officer, environmental management specialist and technical audit specialist positions in government and private firms and offices that deal with, or undertake any of the specialized areas of agricultural and biosystems engineering or its main functions and responsibilities which involve the planning, project development, evaluation, inspection, monitoring and technical audit of agricultural and biosystems infrastructure, facilities, machineries and processes and other agricultural and biosystems engineering facilities; and

(g) All professional and sub-professional positions either supervisory or non-supervisory and career executive positions in government, and all other positions in private firms, establishments and enterprises whose duties, functions and responsibilities mainly constitute the practice of agricultural and biosystems engineering.

Moreover, registered and licensed agricultural and biosystems engineers may also qualify for appointment in all positions in government and private firms and establishments whose duties and functions partly constitute the practice of agricultural and biosystems engineering. This include, among others, Provincial/City/Municipal Engineer, Agriculturist, Building Official, Environment and Natural Resources Officer, and Planning and Development Officer of the LGUs, subject to the candidate's compliance with the rest of the requirements imposed by the law or issuance creating the said positions.

SEC. 34. *Personnel Required.* – (a) All concerned national government agencies, LGUs and SUCs implementing, regulating, funding and undertaking research, development, training and extension, testing, evaluation and inspection as well as technical audit of irrigation, farm mechanization, post harvest and agro-processing facilities, agricultural and biosystems infrastructures, farm-to-market roads, agro-meteorology, forest mechanization development programs,

and environmental protection and conservation programs and projects shall employ the required number of agricultural and biosystems engineers, and for this purpose, create various levels of agricultural and biosystems engineer positions;

(b) All agricultural and biosystems engineering facilities/projects supervised and maintained or accredited by the government such as grain/agro-processing complex, slaughterhouse, communal and national irrigation system, agricultural machinery and equipment service centers, and testing and evaluation centers must have at least one (1) registered and licensed agricultural and biosystems engineer;

(c) Firms, companies, partnerships, cooperatives or associations which are engaged in the installation, fabrication, manufacture, distribution or sale of agricultural and biosystems machinery and equipment, facilities and other agricultural and biosystems engineering processes, shall hire or engage the services of at least one (1) licensed agricultural and biosystems engineer;

(d) All contractors of irrigation, farm-to-market roads and agricultural and biosystems structures and facilities shall have at least one (1) registered and licensed agricultural and biosystems engineer as part of their sustaining technical employees; and

(e) The following offices and establishments shall also employ or engage the services of at least one (1) or the required number of registered and licensed agricultural and biosystems engineers:

(1) Agro-processing establishments such as rice mills, feed mills, sugar mills, coconut oil mills, fiber extraction processing plants, meat processing plants, fish processing plants, poultry and meat processing plants, food processing plants and agricultural and fishery products storage facilities;

(2) Agro-industrial firms or establishments, corporations and cooperatives and government entities engaged in agricultural, livestock, poultry and fishery production and processing, the operation and maintenance of plant/forest nurseries and parks, and other agricultural and biosystems engineering endeavors;

(3) Financing and banking institutions engaged in providing credit and financial assistance on agribusinesses which are commercial in nature such as irrigation, post harvest facilities, agro-processing and storage, forest products, aquaculture, food and fiber production facilities and machineries; and

(4) Consultancy firms, foundations, nongovernment organizations and other organized groups engaged in providing agricultural and biosystems engineering services relative to management and consultancy, training and extension, research and development and/or the provision of irrigation, post harvest facilities, agro-processing and storage, forest products, aquaculture, food and fiber production facilities and machineries and soil and water conservation.

Provided, That there shall be no understaffing and/or overloading of agricultural and biosystems engineers. The ratio of agricultural and biosystems engineers to clientele shall be such as to reasonably effect a sustained quality of agricultural and biosystems engineering services at all times without overworking the agricultural and biosystems engineers.

The Board shall promulgate guidelines and standards on the required manpower complement of agricultural and biosystems engineers in concerned public and private offices and establishments.

SEC. 35. *National Career Progression and Specialization Program.* – There shall be an institutionalized national agricultural and biosystems engineering career progression and specialization program to be formulated by the Board in consultation with the AIPO, Civil Service Commission and concerned government agencies: *Provided*, That any agricultural and biosystems engineer before being allowed to work in specialty areas to perform beyond generalist function or have specific specialties, must finish the formal education or training towards specialization, possess recognized practice competencies and must be certified by the Board and must be a member of a relevant and accredited agricultural and biosystems specialty organization: *Provided, further*, That agricultural and biosystems engineering specialty organizations shall be recognized and certified by the Board.

The Agricultural and Biosystems Engineering Specialization shall include, but not limited to, the following:

- (a) Agricultural and Biosystems Power and Machinery;
- (b) Irrigation and Drainage Engineering;
- (c) Soil and Water Conservation Engineering;
- (d) Agricultural and Biosystems Buildings and Structures;
- (e) Agricultural and Bio-process Engineering;
- (f) Food Engineering;
- (g) Renewable/Bio-Energy and Farm Electrification;
- (h) Agricultural and Biological Waste Management;
- (i) Aquacultural Engineering;
- (j) Forest Engineering;
- (k) Agricultural and Biosystems Automation and Instrumentation;
- (l) Agricultural and Bio-Information System;
- (m) Agrometeorology; and
- (n) Agricultural and Biological Resource Conservation and Management.

SEC. 36. *Code of Technical Standards.* – The existing Philippine Agricultural Engineering Standards (PAES) shall be transformed into a Philippine Agricultural and Biosystems Engineering Standards (PABES) and shall serve as Code of Technical Standards of all registered and licensed agricultural and biosystems engineers in the practice of their profession. The Board, in collaboration with the AIPO of agricultural and biosystems engineers, the DA, the Department of Science and Technology (DOST), the DENR and other concerned government agencies and private organizations, shall develop new standards and update the existing standards under the PABES.

ARTICLE V

AGRICULTURAL AND BIOSYSTEMS ENGINEERING
EDUCATION AND CONTINUING PROFESSIONAL
EDUCATION/DEVELOPMENT

SEC. 37. *Curriculum Development and Updating.* – The CHED, in consultation with the Board and the industry stakeholders and concerned SUCs, shall develop and continuously update the Agricultural and Biosystems Engineering Curriculum in accordance with required competencies on the practice of the profession prescribed under this Act, in order to align with international standards of agricultural and biosystems engineering education and practice, and to become responsive to the industry requirements.

The Technical Education and Skills Development Authority (TESDA) shall likewise include in its program, the development and promulgation of competency standards and training programs and regulations for agricultural and biosystems engineering technicians and operators.

SEC. 38. *Rationalization and Upgrading Program.* – The CHED in collaboration with the Board, the DA, the DENR, the DOST, the TESDA, the concerned SUCs and the Department of Education (DepEd) and in consultation with the industry stakeholders, shall formulate and implement a rationalization and upgrading program on agricultural and biosystems engineering education in the country with the end view of upgrading and modernizing school facilities and equipment, faculty development and training, provision of scholarships, developing ladderized program on agricultural and biosystems engineering and other developmental undertakings to produce globally competitive agricultural and biosystems engineering graduates, professionals, technicians and operators.

In line with this, all concerned Higher Education Institutions (HEIs) shall formulate and implement their Agricultural and Biosystems Engineering Education Competitiveness Road Map as part of the Philippine Agricultural and Biosystems Engineering Profession Development Plan/Road Map and shall serve as one of the basis in the provision of grants from the government for the upgrading program.

SEC. 39. *Career Guidance and Advocacy.* – The Board and the Commission, in collaboration with the DOLE, the Philippine Overseas Employment Administration, the CHED, the DepEd, the DA, the DENR, the Department of Trade and Industry, the AIPO and other concerned government agencies and private organizations, shall formulate and implement a Career Guidance and Advocacy Program on Agricultural and Biosystems Engineering. The Program shall include the conduct of research studies on the supply and demand and qualifications of the agricultural and biosystems engineering profession, both local and abroad, employment promotion and entrepreneurship assistance for Filipino agricultural and biosystems engineers, and integration of the practical application of agricultural and biosystems engineering in basic education.

SEC. 40. *Continuing Professional Development (CPD).* – The Board and the Commission, in consultation with the academe, AIPO, concerned government agencies and stakeholders, shall prescribe guidelines in the implementation of the CPD programs for agricultural and biosystems engineers. The CPD for every agricultural and biosystems engineer registered under the PRC is hereby made mandatory for the practice of the profession. The CPD credit units earned by the professional shall be required in the renewal of professional license and accreditation systems for advance level of practice and for ASEAN Chartered Professional Engineers, Asia-Pacific Economic Cooperation (APEC) Engineers and other international accreditations.

The CPD credit units earned by an agricultural and biosystems engineer shall likewise be applied as the training requirement for promotion for positions in government agencies and private firms and for teaching positions in academic institutions, and shall be accumulated subject to credit transfer under the Pathways and Equivalencies of the Philippine Qualification Framework.

ARTICLE VI

ENFORCEMENT OF THIS ACT AND PENAL PROVISIONS

SEC. 41. *Enforcement.* – It shall be the primary duty of the Commission and the Board to effectively implement and enforce the provisions of this Act and its implementing rules and regulations, conduct investigations on complaints including violations of the Code of Ethics and Professional Standards of the profession and prosecute the same when so warranted.

Furthermore, all duly constituted law enforcement agencies and offices of national, provincial, city or municipal government, or of any political subdivision thereof, shall, upon the call or request of the Board or the Commission, render assistance in enforcing the provisions of this Act and prosecute any person violating the provisions of the same. Any person may bring before the Commission, Board, or the aforementioned officers of the law, cases of illegal practice or violations of this Act committed by any person or party.

The Board shall assist the Commission in filing the appropriate charges through the concerned prosecution office in accordance with law and Rules of Court.

SEC. 42. *Penalties.* – In addition to the administrative sanctions imposed under this Act, any person who violates any of the provisions of this Act, or any of the following acts shall, upon conviction, be penalized by a fine of not less than one hundred thousand pesos (P100,000.00) but not more than five hundred thousand pesos (P500,000.00), or imprisonment of not less than six (6) months but not more than five (5) years, or both fine and imprisonment, at the discretion of the court:

(a) Engaging in the practice of agricultural and biosystems engineering in the Philippines without being registered or without conforming to the provisions of this Act;

(b) Presenting or attempting to use as his/her own the COR and/or professional identification card of another registered agricultural and biosystems engineer or a holder of a TSP;

(c) Giving any false or forged evidence of any kind to the Board, or impersonating any registered agricultural and biosystems engineer or a holder of a TSP;

(d) Using a revoked or suspended COR; or an expired or unexpired professional identification card or TSP;

(e) Using in connection with his/her name or otherwise assuming, using or advertising any title or description tending to convey the impression that he/she is an agricultural and biosystems engineer without holding a valid COR and professional identification card or a valid TSP;

(f) Implementing or causing the implementation of any plans, designs, technical specifications and other documents not prepared and signed by a registered agricultural and biosystems engineer in those cases where this Act specifically requires that these be prepared and signed by a registered agricultural and biosystems engineer; and

(g) Violating any of the provisions of this Act and the rules and regulations thereof.

In case the offender is a corporation, partnership, association, foundation or juridical person, the penalty of imprisonment shall be imposed on the agricultural and biosystems engineer-in-charge jointly and solidarily with the responsible professionals, as well as the controlling officer or officers thereof responsible for permitting or causing the violation.

ARTICLE VII

TRANSITORY AND FINAL PROVISIONS

SEC. 43. *Transitory Provision.* – The incumbent Chairperson and members of the Board shall, in an interim capacity, continue to carry out their functions under the provisions of this Act without need for new appointments as Chairperson and members thereof until the first Board, created under this Act, shall have been constituted or organized pursuant thereto.

SEC. 44. *Implementing Rules and Regulations.* – Subject to the approval of the Commission, the Board shall adopt and promulgate such rules and regulations to carry out the provisions of this Act, which shall be effective after sixty (60) days following its publication in the *Official Gazette* or in a major daily newspaper of general circulation in the country.

SEC. 45. *Separability Clause.* – If any clause, provision, paragraph or part hereof shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair any other part hereof, but such judgment shall be merely confined to the clause, provision, paragraph or part directly involved in the controversy in which such judgment has been rendered.

SEC. 46. *Repealing Clause.* – All laws, decrees, executive orders and other administrative issuances and parts thereof which are inconsistent with the provisions of this Act are hereby modified and/or superseded. Republic Act No. 8559 is hereby expressly repealed.

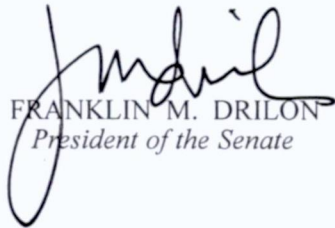
SEC. 47. *Effectivity.* – This Act shall take effect after fifteen (15) days following its publication in the *Official Gazette* or in a major daily newspaper of general circulation in the Philippines, whichever comes first.

Approved,



FELICIANO BELMONTE JR.

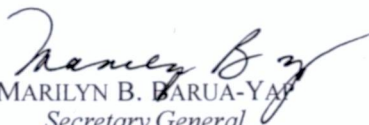
*Speaker of the House
of Representatives*



FRANKLIN M. DRILON

President of the Senate

This Act was passed by the Senate of the Philippines as Senate Bill No. 2434 on February 16, 2016 and adopted by the House of Representatives as an amendment to House Bill No. 6421 on May 23, 2016.


MARILYN B. BARUA-YAP
Secretary General
House of Representatives


OSCAR G. YABES
Secretary of the Senate

Approved:

BENIGNO S. AQUINO III
President of the Philippines

O
Lapsed into law on JUL 21 2016
Without the signature of the President,
In accordance with Article VI, Section
27 (1) of the Constitution.

Proforma Ordinance

"AN ORDINANCE CREATING THE OFFICE OF PROVINCIAL/CITY/MUNICIPAL AGRICULTURAL AND BIOSYSTEMS ENGINEER OF _____ AND AGRICULTURAL AND BIOSYSTEMS ENGINEER POSITIONS UNDER SAID OFFICE, DETERMINING THEIR POWERS, DUTIES AND FUNCTIONS".

WHEREAS, Section 463 (c) (2) of RA 7160 otherwise known as the Local Government Code of 1991 empowers the Sangguniang Panlalawigan to create such other offices as may be necessary to carry out the purposes of the Provincial Government;

WHEREAS, Section 468 (a) (1) (vii and viii) of the same code likewise authorizes the Sangguniang Panlalawigan to determine the positions, powers, duties and salaries of officials and employees of the province;

In case of a city, the following whereases:

WHEREAS, Section 458(a) (1) (vii and viii) of the same Code likewise authorizes the Sangguniang Panglunsod to determine the positions, powers, duties and salaries of officials and employees of the City;

WHEREAS, Section 29 of Republic Act (RA) No 10601 (Agricultural and Fisheries Mechanization Law) in relation to RA No. 10915 (Philippine Agricultural and Biosystems Engineering Act of 2016) mandates all Local Government Units to strengthen and establish their Agricultural and Biosystems Engineering Groups;

In case of a municipality, the following whereases:

WHEREAS, Section 447(a) (1) (vii and viii) of the same Code likewise authorizes the Sangguniang Bayan to determine the positions, powers, duties and salaries of officials and employees of the Municipal Government;

WHEREAS, Section 29 of Republic Act (RA) No 10601 (Agricultural and Fisheries Mechanization Law) in relation to RA No. 10915 (Philippine Agricultural and Biosystems Engineering Act of 2016) mandates all Local Government Units to strengthen and establish their Agricultural and Biosystems Engineering Groups;

WHEREAS, Section 29 of Republic Act (RA) No 10601 (Agricultural and Fisheries Mechanization Law) in relation to RA No. 10915 (Philippine Agricultural and Biosystems Engineering Act of 2016) mandates all Local Government Units to strengthen and establish their Agricultural and Biosystems Engineering (ABE) Groups;

WHEREAS, Section 34 of Republic Act (RA) No. 10915 (Philippine Agricultural and Biosystems Engineering Act of 2016) mandates all concerned national government agencies, LGUs and SUCs implementing, regulating, funding and undertaking research, development, training and extension, testing, evaluation and inspection as well as technical audit of irrigation, farm mechanization, post-harvest and agro-processing facilities, agricultural and biosystems infrastructures, farm-to-market roads, agro-meteorology, forest mechanization development programs, and environmental protection and conservation programs and projects to employ the required number of agricultural and biosystems engineers, and for this purpose, create various levels of agricultural and biosystems engineer positions;

WHEREAS, the Department of Agriculture (DA), Department of Budget and Management (DBM), Civil Service Commission (CSC) and the Department of Interior and Local Government (DILG) have issued Joint Memorandum Circular No. 02, series of 2020, entitled "*Implementing Guidelines on the Strengthening and Establishment of the Agricultural and Biosystems Engineering Groups of the Local Government Units (LGUs)*";

WHEREAS, the implementation of the Mandanas-Garcia Ruling and EO 138 directs the LGUs to fully implement the devolved functions, services and facilities under Section 17 of the Local Government Code and other pertinent laws; and along this, LGUs shall proposed changes in the Organizational Structure and Staffing (OSSP);

WHEREAS, the devolved functions, services and facilities include the: 1) provision/ repair/ upgrading and operation, maintenance and management of irrigation and soil and water conservation projects; 2) provision/upgrading of agri-fisheries machinery and infrastructure of extension and on-site research facilities/centers; 4) Post Harvest Facilities; 5) Agri-Fisheries Mechanization; 5) agricultural and biosystems Engineering Regulations; 6) Farm-to-Market Roads (FMRs) particularly the provision of 10% counterpart, FMR Network Planning and maintenance; 7) Agricultural and Biological Waste Management and Utilization; and 8) ABE Interventions of Local Climate Change Action Plan, wherein all of these falls within the functional responsibilities of LGU ABE Groups;

WHEREAS, the Civil Service Commission issued MC No. 12, series of 2022, the 2022 Guidelines and Standards in the Establishment of Organizational Structures and Staffing Patterns (OSSP) in LGUs, wherein the Provincial, City and Municipal Agricultural and Biosystems Engineer are mandatory positions;

WHEREAS, the provision of agricultural and biosystems engineering services is vital and necessary in the development and modernization of agriculture and fisheries, and the implementation of Food Security Program of the province/city/municipality;

**NOW THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG PANLALAWGAN/
PANLUNSOD/BAYAN OF _____ IN SESSION ASSEMBLED THAT:**

SECTION 1. *Creation of the Office Provincial/City/Municipal Agricultural and Biosystems Engineer.* There shall be created an Office of the Provincial/City/Municipal Agricultural and Biosystems Engineer of.....The Office shall be headed by a
Provincial/City/Municipal Agricultural and Biosystems Engineer, appointed by the Provincial Governor/City Mayor/Municipal Mayor and must be a registered Agricultural and Bio- systems Engineer with valid PRC license.

The ABE Office shall have the following minimum operating unit (either a division or section):

- a) Programs and Project Management
 - a.1. Programs and Projects Planning
 - a.2. Programs Information and Management
- b) Engineering Plans, Designs and Specifications
 - b.1 Agricultural and Biosystems Machinery & Agro-Processing Plans and Designs
 - b.2. Irrigation and Agricultural and Biosystems Infrastructure Plans and Design
- c) Standards, Regulations and Enforcement
 - c.1. Registration and Accreditation
 - c.2. Regulation and Enforcement
- d) Administrative and Finance (Only for a department level)
 - d.1. Records, Planning and Human Resource Management
 - d.2. Finance and Procurement

SECTION 2. *Powers, Duties and Functions of the ABE Office.* The Office of the Provincial/City/Municipal Agricultural and Biosystems Engineer shall be responsible for the planning, coordinating, regulating and implementing the provincial/city/municipal agricultural, fisheries and biosystems engineering, mechanization and infrastructure programs and projects.

Specifically, it has the following duties and functions:

- a) Provide agricultural and biosystems engineering services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/program of work of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, farm machinery, slaughterhouses, auction markets, poultry dressing plants, post-harvest facilities, auction markets, farm-to-market roads/farm access roads and other agricultural, fisheries and biosystems infrastructure projects for funding by the provincial/city/municipal LGUs and other sources;
- b) Administer, supervise, and coordinate the construction, operation, maintenance, improvement and management of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, farm machinery, slaughter- houses, auction markets, poultry dressing plants, post-harvest facilities, auction markets, farm-to-market roads/farm access roads and other agricultural, fisheries and biosystems infrastructure projects funded by the provincial/city and municipal LGU and other sources;
- c) Conduct the registration of agricultural and fishery machinery owners and facilities (***cities and municipalities***); ***province-*** Oversee and monitor the province-wide registration of agricultural and fishery machinery owners, and facilities; undertake the enforcement of the Philippine Agricultural and Biosystems Engineering Standards (PABES) and other agricultural, fishery and biosystems engineering regulatory activities in coordination and collaboration with DA Regional Field Office-Regional Agri- cultural Engineering Division (RFO-RAED), concerned national government agencies and other offices of the LGUs. In line with this, the ABE Office shall:

- c.1. Provide assistance to the Bureau of Agricultural and Fisheries Engineering (BAFE) through the RFO-RAED on the validation and surveillance of applications at the provincial/city/municipal level relative to the issuance of Permit to Operate (PTO) to small and medium sized agricultural and fishery machinery and equipment manufacturer, fabricators, assemblers and importers;
 - c.2. Monitor the province/city/municipal-wide compliance on the provision of after-sales service and warranty of concerned agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers in the province in collaboration with BAFE;
 - c.3. Conduct inspection, performance testing and evaluation of agricultural, fisheries and biosystems machineries and equipment procured by the Provincial/ City/Municipal LGU in coordination and collaboration with the RFO-RAED and Agricultural Machinery Testing and Evaluation Center (AMTEC);
 - c.4. In the case of Provincial ABE Office, provide technical assistance to the ABE Offices of component cities and municipalities in the evaluation and processing of application permits and certificate of occupancy of agricultural, fishery and biosystems buildings and structures to ensure the enforcement of PABES and RA No. 10915; and
 - c.5. Coordinate with the Bureau of Fisheries and Aquatic Resources (BFAR)- Regional/Provincial Office and RAED on the province-wide registration of fish hatcheries, fish breeding facilities, private fishponds and post-harvest facilities for fishing communities pursuant to Section 28 and 33 of RA No. 8550 (Philippine Fisheries Code).
-
- d) Establish, maintain and regularly update the provincial/city/municipal data bank on irrigation, post-harvest, agricultural machinery and agricultural, fishery and biosystems infrastructure projects through the Agricultural and Biosystems Engineering Management Information System (ABEMIS);
 - e) Coordinate with the concerned national government agencies with regard to the implementation of national government programs and projects on irrigation, farm mechanization, post-harvest facilities, farm-to-market roads and agricultural, fisheries and biosystems infrastructure within the province;
 - f) Be in the frontline of the delivery of basic agricultural and biosystems engineering services;
 - g) Oversee, coordinate or provide province-wide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural, fishery and biosystems machinery projects in coordination with the agriculture and fisheries extension worker. In line with this, the ABE Office shall coordinate and collaborate with State and Local Colleges and Universities, TESDA, and other concerned government agencies for the competency assessment and certification of agricultural and biosystems engineering technicians and operators including the establishment and operation of accredited technical-vocational education training (TVET) and assessment centers, learning sites/farm schools, farm tourism sites for agricultural and biosystems engineering within the province/city/municipality;
 - h) Undertake and/or coordinate the province/city/municipal-wide pilot testing and commercialization of matured agricultural, fisheries and biosystems engineering technologies;
 - i) Provide assistance in the organization and operation of the Agricultural and Fishery Mechanization Committee (AFMeC) of the Provincial/City/Municipal Agricultural and Fishery Council and serve as Vice Chairperson and Secretariat of said Committee, as well as in providing technical assistance and support to the local chapter of the Philippine Society of Agricultural and Biosystems Engineers (PSABE) and ABEs in the local implementation of agricultural and fisheries mechanization and infrastructure projects;
 - j) Responsible in the planning, design and management of communal irrigation system devolved or to be devolved to the Provincial/City/Municipal LGU pursuant to Section 33 of RA No. 8435 (AFMA);
 - k) Formulate Provincial/City/Municipal Agricultural and Fisheries Mechanization Plan for approval by the Sangguniang Panlalawigan/Panlungsod/Bayan pursuant to Section 33 of RA No. 10601;

- l) Formulate Provincial/City/Municipal Agricultural and Biosystems Engineering Master Plan/Program for approval by the Sanggunian pursuant to Joint DA-DILG MC No. 11, series of 2004 in relation to RA No. 10915. The master plan/program which supports and complements to the Comprehensive Land Use Plans, Local Development Plans, Local Food Security and Agri-Fisheries Modernization Plans shall have the following sub-components: (1) agricultural, fishery and biosystems mechanization; (2) soil and water conservation and irrigation; (3) farm-to-market road or farm access road development; (4) post-harvest, agro-processing and agro-industrial development; (5) agricultural and biological waste utilization and management; and (6) farm electrification and bio/renewable-energy development.
- m) Exercise such other powers and perform such other duties and functions as may be prescribed by law or ordinance.

This also includes functions and responsibilities on agricultural and biosystems engineering under RA No. 10915, such as, but not limited to animal/livestock production engineering, aquaculture engineering, agricultural and biological waste management, and farm electrification and bio/renewable-energy development as part of the agri- cultural and fisheries modernization, environmental protection and food security program of the provincial LGU.

The Office of the Provincial ABE shall oversee, coordinate and provide technical assistance to the Component City and Municipal ABE Offices and likewise maintain close coordinative works with DA-RAED.

Section 3. Duties and Functions of Programs and Project Management Division/ Section- The Programs and Project Management Division/Section shall:

- 1) Formulate Provincial/City/Municipal Agricultural and Fisheries Mechanization Plan/ Program; and Provincial/City/Municipal Agricultural and Biosystems Engineering Master Plan/Program;
- 2) Supervise and coordinate the construction, operation, maintenance, improvement and management of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, farm machinery, slaughterhouses, auction markets, poultry dressing plants, post-harvest facilities, auction markets, farm-to-market roads/farm access roads and other agricultural, fisheries and biosystems infrastructure projects of the Provincial/City/Municipal LGU;
- 3) Provide technical assistance to the ABE Offices of the component cities and municipalities on the management, operation and maintenance of communal irrigation systems/projects (*Office of the Provincial ABE*);
- 4) Establish, maintain and regularly update the provincial/city/municipal data bank on irrigation, post-harvest, agricultural machinery and agricultural, fishery and biosystems infrastructure projects at all local levels;
- 5) Coordinate with the concerned national government agencies with regard to the implementation of national government programs and projects on irrigation, farm mechanization, post-harvest facilities, farm-to-market roads and agricultural, fisheries and biosystems infrastructure within the province/city/municipality;
- 6) Oversee, coordinate or provide province/city/municipal-wide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural, fishery and biosystems machinery projects in coordination with the agriculture and fisheries extension worker; including the establishment and operation of accredited technical-vocational education training (TVET) and assessment centers, learning sites/farm schools, farm tourism sites for agricultural and biosystems engineering within the province/city/ municipality;

Section 4. Duties and Functions of the Engineering Plans, Designs and Specification Division/Section- The Planning, Design and Specification Division/Section shall:

- a) Provide agricultural and biosystems engineering services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/program of work of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, farm machinery, slaughterhouses, auction markets, poultry dressing plants, post-harvest facilities, auction markets, farm-to-market roads/farm access roads and other agricultural, fisheries and biosystems infrastructure projects for funding by the provincial/city/ municipal LGU and other sources;

- b) Provide technical assistance to the ABE Units of the component cities and Municipalities on the preparation of detailed engineering designs (DED) and program of works of communal irrigation systems/projects in coordination with National Irrigation Administration- *(For the Office of the Provincial ABE);*

Section 5. Duties and Functions of the Standards, Regulations and Enforcement Division- The Standards, Regulations and Enforcement Division shall facilitate and monitor at the provincial level the registration of agricultural and fishery machinery and facilities, and undertake the enforcement of the Philippine Agricultural Engineering Standards/Philippine Agricultural and Biosystems Engineering Standards (PAES/PABES) and other agricultural, fishery and biosystems engineering regulatory activities in coordination and collaboration with the DA Regional Field Office-Regional Agricultural Engineering Division (RFO-RAED), concerned national government agencies and other offices of the LGUs. In line with this, the Office of the Provincial/City/Municipal ABE shall:

- a) Provide assistance to BAFE through the RFO-RAED on the validation and surveillance of applications at the provincial level relative to the issuance of Permit to Operate to small and medium sized agricultural and fishery machinery and equipment manufacturer, fabricators, assemblers and importers;
- b) Monitor the province/city/municipal-wide compliance on the provision of after-sales service and warranty of concerned agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers in the province in collaboration with BAFE;
- c) Conduct inspection, performance testing and evaluation of agricultural, fisheries and biosystems machineries and equipment procured by the Provincial/City/Municipal LGU in coordination and collaboration with the RFO-RAED and AMTEC;
- d) Provide technical assistance to the ABE Units of component cities and municipalities in the evaluation and processing of application permits and certificate of occupancy of agricultural, fishery and biosystems buildings and structures to ensure the enforcement of PAES/PABES and RA No. 10915- *(for Office of the Provincial ABE);* and
- e) Coordinate with the BFAR on the province/city/municipal-wide registration of fish hatcheries, fish breeding facilities, private fishponds and post-harvest facilities for fishing communities.

Section 6. Duties and Functions of the Administrative and Finance Division- The Administrative and Finance Division shall provide human resource management, general services and procurement, budget, accounting and records services for the Office of the Provincial/City/Municipal ABE.

Section 7. Creation of Provincial, City and Municipal Agricultural and Biosystems Engineer Plantilla Positions- Pursuant to Section 9 of Civil Service Memorandum Circular No. 12, series of 2022, "2022 Guidelines and Standards in the Establishment of Organizational Structure and Staffing Pattern in the Local Government Units", the Provincial/City and Municipal Agricultural and Biosystems Engineer and Assistant Provincial/City/Municipal Agricultural and Biosystems Engineer are hereby created. As a Department, it shall have the following Salary Grade *(Please refer to the attached table referencing Item 2.1 of Joint DA- DBM-CSC-DILG MC No. 2, series of 2020)*

LGU	Department Head (DH)	Assistant Department Head (ADH)	Highest position below ADH
Provinces	Provincial Government Head (PGDH), SG-26	Provincial Government Assistant Department Head (PGADH), SG-24	Engineer IV, SG-22
Special Cities (Manila and Quezon City)	City Government Department Head (CGDH) III, SG 27 City Government Office Head, SG-26	City Government Assistant Department Head (CGADH) III,SG-25	Engineer V, SG-24
Highly Urbanized Cities/Other Metro Manila Cities	CGDH II, SG-26	CGADH II, SG-24	Engineer IV, SG-22

Component Cities	CGDH I, SG-25	CGADH III, SG-23	Engineer IV, SG-22
Municipality within Metro Manila	Municipal Government Department Head (MGDH) II, SG-25	Municipal Government Assis- tant Department Head (MGADH) II, SG-23	Engineer IV, SG-22
Municipalities out- side Metro Manila - 1 st to 3 rd Class Municipalities	MGDH I, SG-24	MGADH I, SG-22	Engineer III, SG-19
Municipalities out- side Metro Manila- 4 th to 6 th Class Municipalities	MGDH I, SG-24	MAGDH I, SG-22	Engineer II, SG-16

The Office of the Provincial/City/Municipal ABE Office shall have also the following Engineer (Agricultural and Biosystems), and administrative support staff positions:

As a Department:

Position	Salary Grade	Number
<u>Program and Project Management Section Division:</u>		
Engineer IV (Division Chief)	22	1
Engineer III	19	2
Engineer II	16	2
Engineer I	12	2
<u>Standards and Regulations Division (SRED):</u>		
Engineer IV (Division Chief)	22	1
Engineer III	19	2
Engineer II	16	2
Engineer I	12	2
<u>Administrative and Finance Division (AFD)</u>		
Supervising Administrative Officer	22	1
Administrative Officer V	18	2
Planning Officer II	15	1
Administrative Officer III (Records)	14	1
Administrative Officer III (Cashier/Budget)	14	1
Administrative Office III (Supply Officer)	14	1
Administrative Assistant III	9	1
Administrative Assistant Aide	4	1
TOTAL		30

As a Division:

Position	Salary Grade	Number
Division Chief (Engineer IV)	22	1
<u>Program and Project Management Section:</u>		
Engineer III (Section Chief)	19	1
Engineer II	16	1
Engineer I	12	1
<u>Program and Project Management Section:</u>		
Engineer III (Section Chief)	19	1
Engineer II	16	1
Engineer I	12	1

Engineering Plans, Designs and Specifications Section:

Engineer III (Section Chief)	19	1
Engineer II	16	1
Engineer I	12	1

Standards and Regulations Section:

Engineer III (Section Chief)	19	1
Engineer II	16	1
Engineer I	12	1

Administrative and Finance Section:

Administrative Assistant III	9	1
Administrative Assistant Aide	4	1
TOTAL		12

As a Section:

Position	Salary Grade	Number
Engineer III (Section Chief)	19	1
Engineer II	16	3
Engineer I	12	1
TOTAL		5

Section 8. Duties and Responsibilities of positions- The duties and responsibilities of the positions of the Provincial ABE Department are as follows:

Position		Function
1	Provincial Government Department Head (Provincial Agricultural and Biosystems Engineer)	<ol style="list-style-type: none"> 1) As head of the Department, oversees the day-to-day operations of the Department; 2) Provides over-all leadership in the planning and implementation of the programs and projects of the Provincial ABE Department/Division; 3) Represent the Provincial ABE Department in conferences, meetings and external functions; 4) Ensures a conducive environment for effective working relationship between the Provincial ABE Department and coordinating/collaborating agencies; 5) Reports plans, programs, activities and accomplishments to the Provincial Governor; and 6) Performs such other functions as the Provincial ABE Department mandate and other circumstances may warrant.
2	Assistant Provincial Government Department (Assistant Provincial Agricultural and Biosystems Engineer)	<ol style="list-style-type: none"> 1) Assists the Provincial Agricultural and Biosystems Engineer in managing the day-to-day affairs of the Department; 2) Establishes the strategic framework of the Department as basis for setting divisions' operational targets; 3) Spearheads the review of agricultural and fishery engineering proposals, designs, guidelines for approval of the Provincial Agricultural and Biosystems Engineer; and 4) Performs such other functions as the Provincial Agricultural and Biosystems Engineer may assign from time to time.
3	Engineer IV	As head of the Division, spearheads and supervise the planning, coordination, implementation and monitoring of all programs, projects and activities of the Division.
4	Engineer III (Programs/ Projects Management and Information Section)	<ol style="list-style-type: none"> 1) Supervise, coordinate and monitor the construction, operation, maintenance, improvement and management of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, farm machinery, slaughter- houses, auction markets, poultry dressing plants, post-harvest facilities, auction markets, farm-to- market roads/farm access roads and other agricultural, fisheries and biosystems infrastructure projects of the Provincial Government.

		<ol style="list-style-type: none"> 2) Provide technical assistance to the ABE Units of the component cities and municipalities on the management, operation and maintenance of communal irrigation system/projects; 3) Oversee, coordinate or provide province-wide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, agricultural, fishery and biosystems machinery projects in coordination with the agri- culture and fisheries extension workers including the establishment and operation of accredited technical-vocational education training (TVET) and assessment centers, learning sites/farm schools, farm tourism sites for agricultural and biosystems engineering within the province; and 4) Supervise or coordinate the province-wide pilot testing and commercialization of matured agricultural, fisheries and biosystems engineering technologies;
5	Engineer III (Section Chief, Agricultural and Biosystems Machinery & Agro-Processing Plans and Designs Section)-	<ol style="list-style-type: none"> 1) Reviews and recommend engineering plans, de- signs, technical specifications, program or works, feasibility studies and cost estimates/program of work of agricultural and biosystems machinery, post-harvest facilities, agro-processing and renewable energy projects of the Provincial Government; 2) Provide technical assistance to the ABE Units of the Component Cities and Municipalities on the planning and design of agricultural and biosystems machinery, post-harvest facilities, agro-processing and renewable energy projects.
6	Engineer III (Section Chief, Irrigation and Agricultural and Biosystems Infrastructure Plans and Designs Section)-	<ol style="list-style-type: none"> 1) Reviews and recommend engineering plans, de- signs, technical specifications, program or works, feasibility studies and cost estimates/program of work of irrigation, soil and water conservation and management, small water impounding, small farm reservoir, slaughterhouses, auction markets, auction markets, farm-to-market roads/farm access roads and other agricultural, fisheries and biosystems infrastructure projects of the Provincial Government; and 2) Provide technical assistance to the ABE Units of the Component Cities and Municipalities on the planning and design of communal irrigation system/projects and other agricultural, fisheries and biosystems infrastructure projects.
7	Engineer III (Section Chief, Registration and Accreditation Section)	<ol style="list-style-type: none"> 1) Provide assistance on the registration of agricultural and fishery machinery and facilities at the city and municipal level, and the establishment and maintenance of provincial registration data-base; 2) Coordinate with BFAR and the City and Municipal ABE Groups on the province-wide registration of fish hatcheries, fish breeding facilities, private fish- ponds and post-harvest facilities for fishing communities; 3) Lead in providing assistance to BAFE through the RFO-RAED on the validation and surveillance of applications at the provincial level relative to the issuance of Permit to Operate to small and medium sized agricultural and fishery machinery and equipment manufacturer, fabricators, assemblers and importers; and 4) Provide technical assistance to the ABE Units of component cities and municipalities in the evaluation and processing of application permits and certificate of occupancy of agricultural, fishery and biosystems buildings and structures to ensure the enforcement of PABES and RA No. 10915;

8	Engineer III (Section Chief, Regulation and Enforcement Section)	<ol style="list-style-type: none"> 1) Plan and supervise the enforcement of the PABES and other agricultural, fishery and biosystems engineering regulatory activities in coordination and collaboration with RFO-RAED, concerned national government agencies and other offices of the LGUs; 2) Supervise or conduct monitoring on the province- wide compliance on the provision of after-sales service and warranty of concerned agricultural and fisheries machinery assemblers, manufacturers, importers, suppliers, distributors and dealers in the province in collaboration with BAFE through RAED; 3) Supervise or conduct inspection, performance testing and evaluation of agricultural, fisheries and biosystems machineries and equipment procured by the Provincial Government in coordination and collaboration with the RFO-RAED and AMTEC.
10	Engineer II	<ol style="list-style-type: none"> 1) Assists their respective Section Chief in the planning and implementation of all programs and projects of the Section
11	Engineer 1	<ol style="list-style-type: none"> 1) Under immediate supervision II, assists in the planning and implementation of All programs and projects of their respective Section.
12	Supervising Administrative Officer	<ol style="list-style-type: none"> 1) As head of the Division, provides over-all administrative functions of the administrative and finance operation of the Provincial ABE Department; and 2) Spearheads and supervise the planning, coordination, implementation and monitoring of all pro- grams, projects and activities of the Division/ Section
12	Supervising Administrative Officer	<ol style="list-style-type: none"> 1) As head of the Division, provides over-all administrative functions of the administrative and finance operation of the Provincial ABE Department; and 2) Spearheads and supervise the planning, coordination, implementation and monitoring of all pro- grams, projects and activities of the Division/ Section
13	Administrative Office V (Section Chief, Records, Planning and Human Resource Management Section)	<ol style="list-style-type: none"> 1) As head of the Section, spearheads and supervise the planning, coordination, implementation and monitoring of all programs, projects and activities of the Section; and 2) Administers/Conducts/Implements specific activities on personnel administration, such as recruitment, manpower development, performance management, personnel benefits and other related administrative and human resource functions;
14	Administrative Office V (Section Chief, Administrative Office V (Section Chief, Records, Planning and Human Resource Management Section))	<ol style="list-style-type: none"> 1) As head of the Section, spearheads and supervise the planning, coordination, implementation and monitoring of all programs, projects and activities of the Section
15	Planning Officer II	<ol style="list-style-type: none"> 1) Undertakes specific responsibilities pertaining to preparation of planning framework, methodologies, guidelines, and work and financial plans; 2) Consolidates and analyses the overall physical and financial plans of the Provincial ABE Department; 3) Develops/ conceptualizes institutional development proposal; 4) Analyses, interprets and recommends statistical data to be integrated or applied to plans and programs being developed; 5) Conducts a periodic assessment of the Provincial ABE Department operational capacity and limits vis-a`-vis target- ed programs of work and prepares corresponding re- ports and recommendations; 6) Partners with the Budget Officer in the preparation and allocation of the budget of the Provincial ABE Department; and 7) Performs other functions as may be assigned from time to time

16	Administrative Officer III (Records)	<ol style="list-style-type: none"> 1) Manages the records of the Provincial ABE Department/ Division and ensures their due safekeeping and disposition; 2) Maintains a complete file of all incoming and outgoing correspondence; 3) Checks and classifies signed correspondence before they are released for mailing; 4) Establishes and maintains an active continuing program for the management, preservation and disposition of Bureau records; 5) Formulates such policy guidelines and issuances as would ensure a sound agency records management; and 6) Performs such other duties as assigned.
17	Administrative Assistant III	<ol style="list-style-type: none"> 1) Provides secretarial and clerical assistance to the Office of the Provincial ABE. 2) Provides secretariat functions to Provincial ABE Department's meetings called by the Provincial ABE. 3) Manages the inflow, outflow and safekeeping of communications, documents and records intended for the Provincial ABE and Assistant Provincial ABE 4) Monitors and coordinates the logistical requirements of the Office of the Provincial ABE; and 5) Perform such other functions/special assignments as may be assigned from time to time.
18	Administrative Office III (Supply Officer/ Procurement)	<ol style="list-style-type: none"> 1) Conducts/coordinates the Provincial ABE Department's property supply and management activities such as procurement, issuance, inventory, etc; 2) Takes charge of the issuance, recording and monitoring of the supplies and equipment of the Provincial ABE Department; 3) Formulates suitable policy guidelines and operating systems to ensure a sound property and supply management; 4) Ensures the adequate and timely provision of supplies, materials and equipment needed for the conduct of Provincial ABE Department; 5) Regularly conducts an inventory of the ABE Department's properties and supplies and submits a report thereon; 6) Supervises/coordinates the maintenance and repair of the ABE Department's physical properties such as buildings, furniture, office equipment, etc.; and 7) Performs such other functions as may be assigned from time to time
19	Administrative Officer III (Budget and Cashier)	<ol style="list-style-type: none"> 1) Prepares the annual budgets proposals of the Provincial ABE Department in coordination with the Planning Officer III and other concerned operating units; 2) Ensures the timely allocation of budget among operating units and monitors the status of their utilization; 3) Prepares all the required budget related reports and ensures their timely submission; 4) Ensures the timely release of payments to employees of the Provincial ABE Department, suppliers and other claimants 5) Receives the collections of the Provincial ABE Department and ensures their deposit in accordance with government rules and regulations; 6) Prepares reports of collections and disbursements and maintains a complete record thereof; 7) Acts as disbursing officer for the petty cash transactions of the Provincial ABE Department; and 8) Perform other duties, which may be assigned from time to time

20	Administrative Assistant Aide	<ol style="list-style-type: none"> 1. Conducts/implements specific division activities such as: <ol style="list-style-type: none"> a) Provides driving services to the Office of the Provincial ABE; b) Ensures the cleanliness and roadworthiness of the assigned vehicle at all times c) Maintains and updates the assigned vehicle's service history card d) Prepares vehicle travel requirements such as trip tickets, cash advance, and other documents; 2) Provides administrative assistance such as: <ol style="list-style-type: none"> a) Attendance to queries and request; and b) Coordination with supervisor for travel assignments 3) Perform such other duties as maybe assigned from time to time
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Section 9. Appointment and Qualification. The positions in the Provincial/City/ Municipal ABE Office shall be appointed by the Provincial Governor/City Mayor/Municipal Mayor in accordance with the civil service laws and rules and that the appointee shall have met the qualification standards set by the Civil Service Commission pursuant to DA-DBM- CSC and DILG Joint Memorandum Circular No. 02, series 2020 and other pertinent CSC qualification standards.

Section 10. Initial Manpower Complement- 1) The existing Agricultural Engineering Division/Section of the Office of the Provincial/City/Municipal Agriculturist and its Agricultural and Biosystems Engineers shall be transferred to and form part the initial man- power complement to the Office of the Provincial/City and Municipal Agricultural and Bio- systems Engineer;

The Provincial Governor/City Mayor/Municipal Mayor may reassign registered and licensed agricultural and biosystems engineers presently employed at other Offices of the Provincial/City/Municipal LGU to augment the initial manpower complement of the Office of the Provincial/City/Municipal Agricultural and Biosystems Engineer in accordance with CSC rules and regulations on re-assignment of personnel;

The existing Provincial/City/Municipal Agriculturist or Assistant Provincial/City/ Municipal Agriculturist who are registered and licensed agricultural and biosystem engineers shall be designated by the Provincial Governor/City Mayor/Municipal Mayor as Provincial/City/Municipal Agricultural and Biosystems Engineer, following the CSC rules on designation of personnel;

The Human Resource Management Officer shall immediately prepare the necessary documents for the reallocation or reclassification of Agriculturist or Agricultural Technologist positions of the said Agricultural Engineers into various level of Agricultural Engineer position in accordance with DBM Budget Circular No. 03, series of 2003 (*Reallocation of Agriculturist Positions and Other Positions Performing Agricultural Engineering Work to the Existing Classes of Positions, (September 12,2003)*). which will form part in the plantilla positions of the Office of the Provincial/City/Municipal ABE.

The Provincial Governor/City Mayor/Municipal Mayor shall hire Agricultural and Biosystems Engineers as emergency, casual or contractual employees, pursuant to Section 77 of the Local Government Code and other pertinent laws.

Section 11. Funding- The Funding necessary for the implementation of this Ordinance shall be included by the Provincial/City/Municipal Budget Officer in the proposed Annual Appropriation of the Provincial/City/Municipal LGU starting in FY 2023.

The vacant positions of the Provincial/City/Municipal LGU may be abolished, such that the Personnel Services (PS) requirement for said abolition may be utilized for the creation of Engineer positions in the Provincial/City/Municipal Agricultural and Biosystems Engineering units to be created, subject to the PS limitation of said LGUs.

Section 12. Effectivity. This ordinance shall take effect upon its approval.

Mandate, Vision/Mission, Major Final Output, Performance Indicators and Targets for CY 2024 LGU:
Province/City/Municipality of _____

Department/Office:	Office of the Provincial/City/Municipal Agricultural and Biosystems Engineer
Mandate:	The planning, coordinating, regulating and implementing body of the City LGU on devolved and mandated agricultural, fisheries and biosystems engineering, mechanization and infrastructure, and irrigation programs, projects and services (Sec. 29, RA No. 10601 in relation to RA No. 10915, DA-CSC-DBM-DILG JMC No. 2, series of 2020)
Vision:	OCABE as the City Government's agricultural and biosystems engineering arm ensures the effective and efficient planning and implementation of agricultural, fisheries and biosystems mechanization, infrastructure and irrigation interventions that will modernize the agriculture and fishery sector, thus facilitating the sustainable increase in its productivity and competitiveness
Mission:	<ol style="list-style-type: none"> 1. Formulate and implement City Agricultural and Fisheries Mechanization Plan for approval by the Sanggunian Panlalawigan (pursuant to Section 33 of RA No. 10601); 2. Formulate and implement City ABE Master Plan/Program with the following components: (a) AF mechanization; (b) soil and water conservation and irrigation; (c) farm- to-market road network plan; (d) post-harvest, agro-processing and agro-industrial development; (e) agricultural and biological waste utilization and management; and (f) Renewable Energy Program for Agri-Fishery Sector; 3. Provide ABE services which include engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/program of work; and administer, supervise, and coordinate the construction, operation, maintenance, improvement and management of devolved and mandated ABE facilities and projects; 4. Undertake ABE Regulatory Activities in coordination and collaboration with BAFE through RAED, concerned NGAs and other offices of the LGUs; 5. Maintain and regularly update the city data-bank on irrigation, post-harvest facilities, agricultural and fishery machinery and equipment, and agricultural and biosystems infrastructure projects through the Agricultural and Biosystems Engineering Management Information System (ABEMIS); 6. Provide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, AB machinery projects in coordination with the agriculture and fisheries extension workers; 7. Undertake and/or coordinate the pilot testing and commercialization of matured ABE technologies; 8. Provide assistance in the organization and operation of the Agricultural and Fishery Mechanization Committee (AFMeC) of the City Agricultural and Fishery Council and the city chapter of the PSABE (if applicable), and mobilize ABEs to support the local implementation of AF mechanization and infrastructure projects; and 9. Coordinate with the concerned national government agencies (NGAs) with regard to the implementation of national government programs and projects on irrigation, farm mechanization, post-harvest facilities, farm-to-market roads and agricultural, fisheries and biosystems infrastructure.
Organizational Outcome:	Adequate, safe and standard compliant agri-fisheries machinery, infrastructure, facilities and irrigation for agri-fisheries modernization and industrialization of the province/city/municipality

AIP Ref Code (Col. 1)	Program/Project/Activity Description (Col. 2)	Major Final Output (Col. 3)	Performance Indicator Output (Col. 4)	Target for the Budget Year (Col. 5)	Proposed Budget for FY 2024 (in thousand pesos)				
					PS (Col. 6)	MOOE (Col. 7)	FE (Col. 8)	CO (Col. 9)	Total (Col. 10)
	1) Preparation of Provincial/City/Municipal Agricultural and Fishery Mechanization Plan covering a 5-year period and undertake, coordinate and monitor its implementation	Provincial/City/Municipal Agricultural and Fishery Mechanization Plan approved by their respective Sanggunian	Approved, funded and implemented the Provincial/ City/ Municipal Agricultural and Fishery Mechanization Plan						
	2) Formulation of Provincial/City/Municipal ABE Master Plan/Program with the following components: (a) AF mechanization; (b) soil and water conservation and irrigation; (c) farm-to- market road network plan; (d) post-harvest, agro-processing and agro- industrial development; (e) agricultural and biological waste utilization and management; and f6) Renewable Energy Program for Agri-Fishery Sector for approval by the Sanggunian (Joint DA-DILG MC No. 11, series of 2004 in relation to RA No. 10915).	Provincial/City/Municipal ABE Master Plan/Program approved by their respective Sanggunian	Approved, funded and implemented the Provincial/ City/Municipal ABE Master plan						
	3) Engineering survey, preparation and evaluation of plans, designs, technical specifications, feasibility studies and cost estimates/program of work; and administer, supervise, and coordinate the construction, operation, maintenance, improvement and management of: a. Irrigation, Soil and Water Conservation Projects (SWIPs, Diversion Dams, Communal Irrigation System , Bio-Engg for flood control); b. Agri-fisheries machinery and infrastructure of extension and on-site research centers (demo farms, etc.); c. Post harvest facilities (MPDP, warehouse, slaughterhouses and for fishing communities); d. Agri-Fisheries Machinery and Equipment Service Centers; e. Farm-to-Market Roads ; f. AB Waste Management Facilities (Biogas, composting,etc); and g. ABE Projects for Local Climate Change Action Plan- Renewable Energy for agri-fishery sector,etc.	Prepared POW, DED, FS of the proposed Agri-Fishery Project	No. of prepared and approved POW, DED, FS of the proposed Agri-Fishery Project						

	<p>4) Supervise, coordinate and monitor the construction, operation, maintenance, improvement and management of:</p> <p>a. Irrigation, Soil and Water Conservation Projects (SWIPs, Diversion Dams, Communal Irrigation System, Bio-Engg for flood control);</p> <p>b. Agri-fisheries machinery and infrastructure of extension and on-site research centers (demo farms, etc.);</p> <p>c. Post harvest facilities (MPDP, warehouse, slaughterhouses and for fishing communities);</p> <p>d. Agri-Fisheries Machinery and Equipment Service Centers;</p> <p>e. Farm-to-Market Roads;</p> <p>f. AB Waste Management Facilities (Biogas, composting, etc.); and</p> <p>g. ABE Projects for Local Climate Change Action Plan- Renewable Energy for agri-fishery sector, etc.</p>	<p>ABE facilities constructed, operated and maintained</p>	<p>No. of ABE facilities/ projects constructed, operated and maintained</p>						
	<p>5) Undertake ABE Regulatory Activities in coordination and collaboration with BAFE through RAED, concerned NGAs and other offices of the LGUs</p> <p>a. Registration of agri- fishery machinery owners;</p> <p>b. Registration of Fish Hatcheries, Fish Breeding facilities and Private Fishponds in the cities and municipalities;</p>	<p>Approved Provincial/ City/ Municipal Council Ordinance on the registration of AF machinery owners</p> <p>All agricultural and fishery machinery owners are registered</p> <p>Establishment and maintenance of city registration data base</p> <p>Approved Provincial/ City/ Municipal Council Ordinance in the registration of Fish Hatcheries, Fish Breeding facilities and Private Fishponds</p> <p>All Fish Hatcheries, Fish Breeding facilities and Private Fishponds are registered</p>	<p>No. of approved Province/ City/ Municipal Council Ordinance on the registration of AF machinery owners</p> <p>No. of agricultural and fishery machinery owners registered in the inventory</p> <p>No. of established and maintained registration data base</p> <p>No. of Provincial/ City/ Municipal Ordinance promulgated</p> <p>No. of Fish Hatcheries, Fish Breeding facilities and Private Fishponds registered</p> <p>Establishment</p>						

	<p>c. Registration and Licensing of all Post- Harvest Facilities: fish processing plants, ice plants, cold storages, fish ports/ landings;</p> <p>d. Enforcement of PABEs in City LGU procurement of agri-fisheries machinery and infra projects;</p> <p>e. Enforcement of PABES in building permit in all cities and municipalities;</p> <p>f. Assist BAFE and RAED in after-sales service monitoring of MFADDIE; and</p> <p>g. Assistance to BAFE and RAED on the permit to operate application of MFADIE</p>	<p>All Post-Harvest Facilities: fish processing plants, ice plants, cold storages, fish ports/ landings are registered</p> <p>100% PAES enforced in LGU procurement of AF machineries</p> <p>Enforced PABES in the issuance of building permits for agri-fishery buildings</p> <p>Conducted after- sales service monitoring of all MFADIES in the province/ city/ municipality</p> <p>All MFADIE in the province/ city/ municipality have secured Permit to Operate from BAFE</p>	<p>and maintenance of registration data base</p> <p>No. of Post-Harvest Facilities registered (fish processing plants, ice plants, cold storages, fish ports/ landings)</p> <p>No. of established and maintained registration data base</p> <p>No. of AMTEC Field Testing conducted</p> <p>No. of building permit applications reviewed and endorsed with PABE compliance (in coordination with Provincial/ City/ Municipal Building Official)</p> <p>No. of MFADIES conducted after-sales service monitoring</p> <p>No. of MFADIE who have secured Permit to Operate from BAFE</p>						
	6) Establish, maintain and regularly update the city data-bank on irrigation, post-harvest facilities, agricultural and fishery machinery and equipment, and agricultural and biosystems infrastructure projects through the Agricultural and Biosystems Engineering Management Information System (ABEMIS).	Provincial/ City/ Municipal ABEMIS established, maintained and updated with BAFE	No. of Provincial/ City/ Municipal ABEMIS established, maintained and updated with BAFE						
	7) Provide training and extension activities to farmers and fisherfolk particularly in the installation, operation and maintenance of their irrigation, postharvest facilities, AB machinery projects in coordination with the agriculture and fisheries extension workers.	<p>TESDA Accredited ABEs in the city as TVET trainers and competency assessors</p> <p>TESDA accredited AFMech/ABE TVET training and assessment centers</p>	<p>No. of ABES accredited as TVET trainers and competency assessors</p> <p>No. of Accredited AFMech/ABE TVET training and</p>						

		with TESDA; Mechanized/ ABEdized learning sites with ATI; and farm tourism sites with DOT	assessment centers with TESDA; Mechanized/ ABEdized learning sites with ATI; and farm tourism sites with DOT						
		Certification of farmers and fisherfolks for NCs of AFMech/ABE training regulations via the accredited TVET training and assessment centers	No. of farmers and fisherfolks certified for NCs of AFMech/ABE training regulations via the accredited TVET training and assessment centers						
	8) Undertake and/or coordinate the pilot testing and commercialization of matured ABE technologies	Pilot testing commercialization of matured ABE technologies	No. of ABE technologies pilot tested and commercialized						
	9) Provide assistance in the organization of the Agricultural and Fishery Mechanization Committee (AFMeC) of the City Agricultural and Fishery Council and the Provincial chapter of PSABE.	Vice Chairperson and Secretariat of AFMech of City AFC	No. of organized AFMEC of PAFC						
		Engagement/ mobilization of PSABE City chapter (if applicable) /ABEs in the implementation of Provincial ABE Program	No. of ABEs engaged in the implementation of City ABE Program						
	10) Coordinate with the concerned national government agencies (NGAs) with regard to the implementation of national government programs and projects on irrigation, farm mechanization, post- harvest facilities, farm-to- market roads and agricultural, fisheries and biosystems infrastructure	Coordinated with concerned NGAs	No. of NGAs coordinated						
		Provided assistance to RAED in the program/project planning and implementation	No. of coordination activities/assi stance done by the Provincial ABE office						

Prepared by:

Reviewed by: Local Finance Committee (LFC)

**Provincial/ City/ Municipal
Agricultural and Biosystems
Engineer**

**Provincial/ City/ Municipal
Planning and Development
Coordinator**

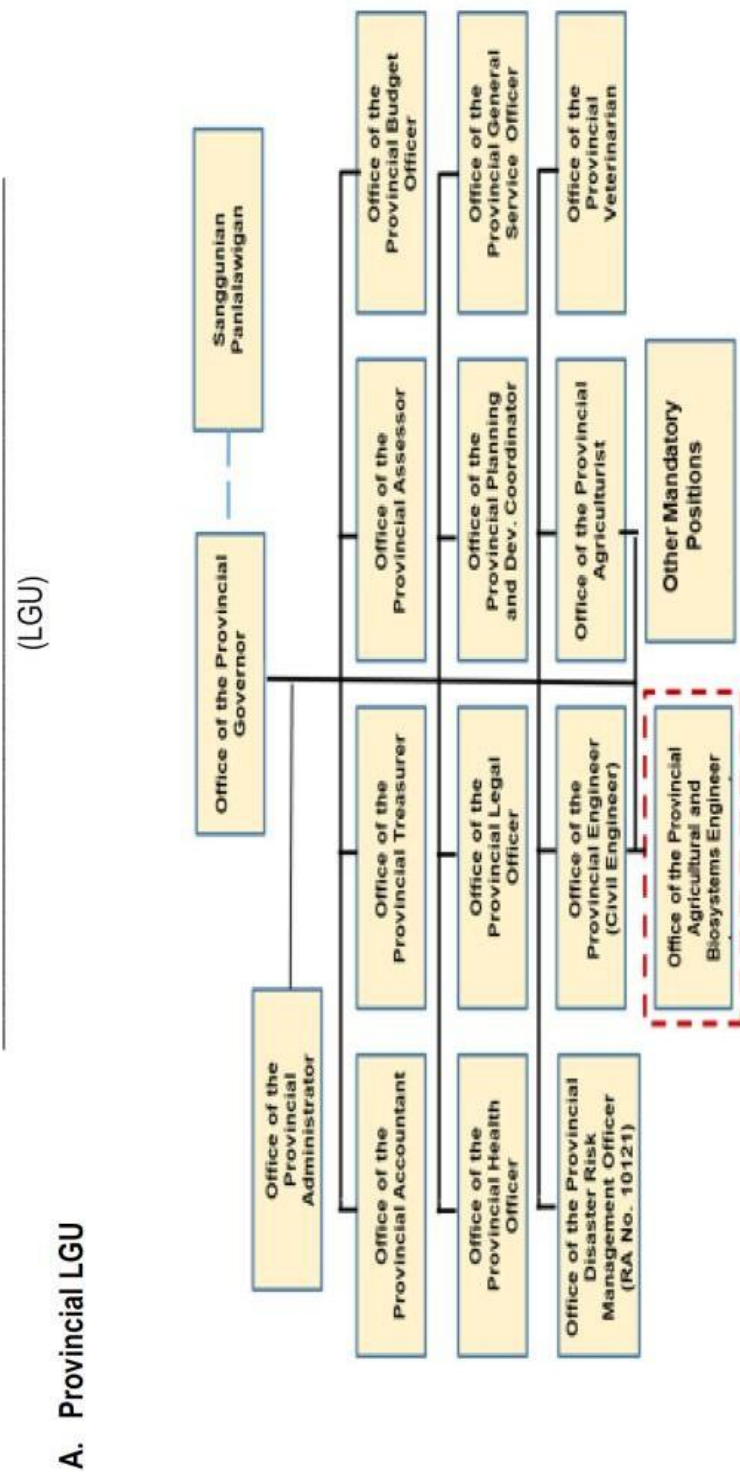
**Provincial/ City/ Municipal
Budget Officer**

**Provincial/ City/ Municipal
Treasurer**

Approved by:

Provincial Governor / City Mayor / Municipal Mayor

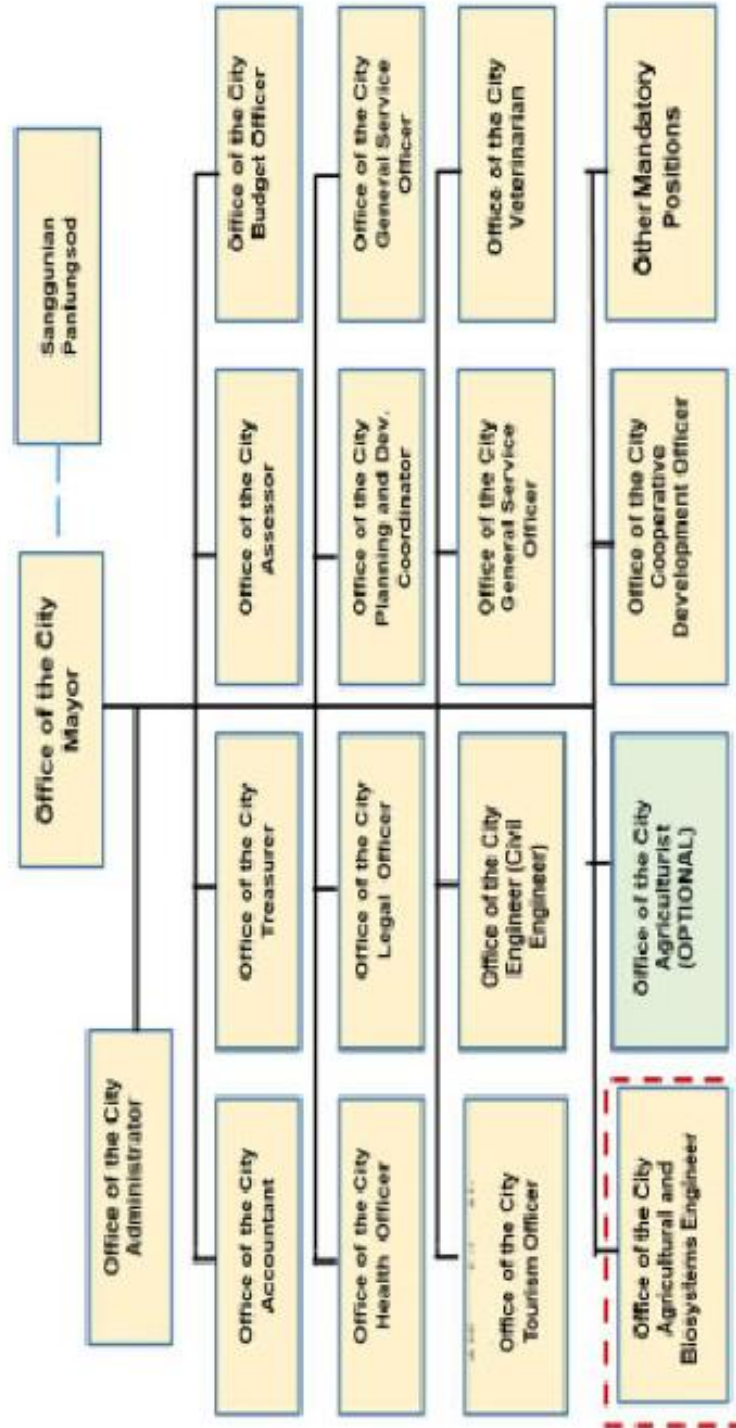
PROPOSED MODIFICATION TO THE LGU ORGANIZATIONAL STRUCTURE ¹



Note : These are mandatory positions and offices per Local Government Code and other laws and as per CSC MC No. 12, s. 2022

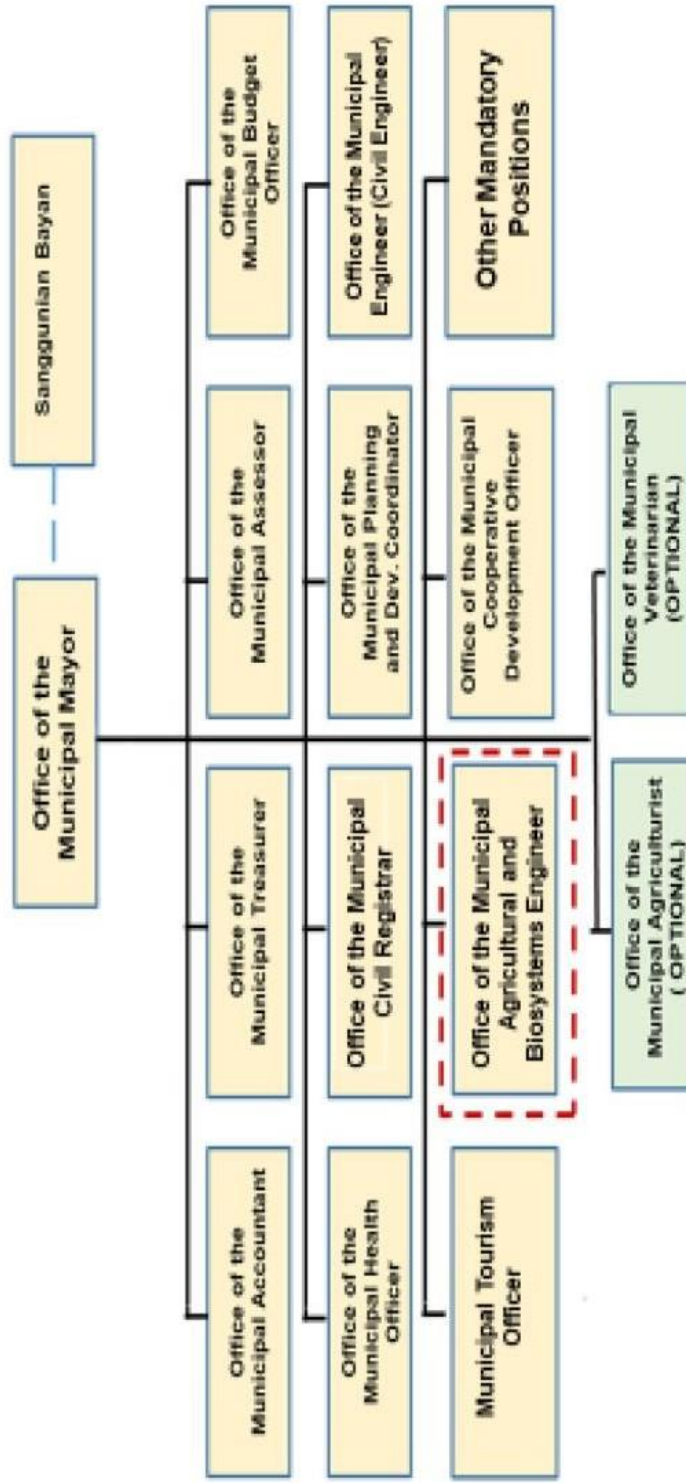
¹ When LGUs made changes (e.g., added a section, a division, or a departments) in their organizational structure because of full devolution, the LGUs must submit the following: a) existing organizational structure prior to Executive Order No. 138, S. 2021, and b) the addendum which contains the additional unit/s created.

B. City LGU



Note : These are mandatory position and office per Local Government Code and other laws and CSC MC No. 12, s. 2022

C. Municipal LGU



Note : These are mandatory position and office per Local Government Code, other laws and CSC MC No. 12, s. 2022

Prepared by:

Reviewed by:

Approved by :

Local Human Resource Management Officer

Local Administrator/Head HRM Office

Governor/Mayor

Date:

Date:

Date



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