


1 Republic of the Philippines
2 Bangsamoro Autonomous Region in Muslim Mindanao
3 **BANGSAMORO TRANSITION AUTHORITY**
4 Cotabato City

5
6 *Third Regular Session*

7
8 **BTA PARLIAMENT**
9 BTA Parliament Bill No. 177

Cangsamoro Autonomous Region in Muslim Mindanao
Parliament
BILLS AND INDEX DIVISION

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12 **Introduced by**

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19 **AN ACT CREATING THE BANGSAMORO COCONUT AUTHORITY,**
20 **ESTABLISHING ITS POWERS AND JURISDICTION, PROVIDING FUNDS**
21 **THEREFOR, AND FOR OTHER PURPOSES**

22
23 **Explanatory Note**

24
25 Section 1, Article XII of the 1987 Constitution provides that, “[t]he State shall promote
26 industrialization and full employment based on sound agricultural development and agrarian
27 reform, through industries that make full and efficient use of human and natural resources, and
28 which are competitive in both domestic and foreign markets.” The Constitution further provides
29 in Section 5, Article XIII that, “[t]he State shall recognize the right of farmers, farmworkers, and
30 landowners, as well as cooperatives, and other independent farmers’ organizations to participate
31 in the planning, organization, and management of the program, and shall provide support to
32 agriculture through appropriate technology and research, and adequate financial, production,
33 marketing, and other support services.”

34
35 In the case of **Philippine Coconut Producers Federation, Inc. (COCOFED), et. al. v.**
36 **Presidential Commission on Good Government (PCGG), G.R. No. 75713, October 2, 1989,**
37 the Supreme Court held that “[i]t cannot be denied that the coconut industry is one of the major
38 industries supporting the national economy. It is, therefore, the State’s concern to make it a strong
39 and secure source not only of the livelihood of a significant segment of the population, but also of
40 export earnings the sustained growth of which is one of the imperatives of economic stability”.

41
42 The coconut industry is currently progressing. The economic well-being of a major part of
43 the population depends a large extent on the viability of the coconut industry and its improvement
44 in the areas of production, processing and marketing.
45

1 Section 23, Article XIII of R.A. No. 11054 or the Bangsamoro Organic Law (BOL)
2 provides that with the policies and laws of the Bangsamoro Government on agriculture as a key
3 development strategy, it shall promote productivity measures, and provide support for small
4 farmers, landholders and marginal fisherfolk.
5

6 Based on the Crops Production Survey (CrPS) released by the Philippine Statistics
7 Authority (PSA), the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) is the 6th
8 region with the most coconut production from July to September 2021 with 352,100 metric tons
9 of total coconut production. Also, on another survey released by PSA entitled "2019 BARMM
10 Other Crops Production", Coconut (with husk) is recognized as the region's number 1 Non-Food
11 and Industrial Crop with 1,331,804.97 metric tons of total production.
12

13 The coconut industry is an important pillar of the region's agriculture as it is among the
14 major industries in the BARMM. Its development would mean significant improvement in the
15 lives of the people of the region. The industry needs an intensive and extensive effort in order to
16 promote integrated development and growth of the industry in all its aspects, in order to reach the
17 full potential of the industry and to ensure that coconut farmers are the direct participants in, and
18 beneficiaries of, such development and growth. In addition, the issues surrounding the industry
19 should also be acted upon by the appropriate agency in order to achieve inclusive development.
20

21 The Philippine Coconut Authority (PCA) is the government agency that is tasked to develop
22 the coconut industry to its full potential in line with the new vision of a united, globally
23 competitive, and efficient coconut industry. Currently, the PCA has no counterpart in Bangsamoro
24 Autonomous Region in Muslim Mindanao (BARMM).
25

26 It is also worth noting that more than half of the coconut trees in Basilan have been plagued
27 by coconut scale insects also known as *cocolisap*. A *cocolisap* attack is manifested by the
28 yellowish color of the leaves of the coconut trees thereby reducing the coconut fruits and gradually
29 killing the trees. Time and enough funding are needed to mass-produce the biological control
30 agents that are used minimize the population of the *cocolisap*. The BARMM has no means to assist
31 the farmers affected by the said calamity.
32

33 The creation of the Bangsamoro Coconut Authority (BCA), as proposed in this measure,
34 will promote and protect the coconut industry in the region considering the importance of the
35 industry in nation-building, it being one of the principal industries in the BARMM. The BCA will
36 serve the Bangsamoro Region, thereby promoting and maintaining the development of the industry
37 in the region.
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39 In view of the foregoing, the approval of this measure is earnestly sought.
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46 ENGR. BAIN TAN ADIL-AMPATUAN, MNSA
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Republic of the Philippines
Bangsamoro Autonomous Region in Muslim Mindanao
BANGSAMORO TRANSITION AUTHORITY
Cotabato City

Third Regular Session

BTA PARLIAMENT
BTA Parliament Bill No. 177

Introduced by

MP ENGR. BANTAN ADIL-AMPATUAN, MNSA

**AN ACT CREATING THE BANGSAMORO COCONUT AUTHORITY,
ESTABLISHING ITS POWERS AND JURISDICTION, PROVIDING
FUNDS THEREFOR AND FOR OTHER PURPOSES**

Be it enacted by the Parliament of the Bangsamoro Autonomous Region in Muslim Mindanao assembled:

Section 1. Title. – This Act shall be known as the “**Bangsamoro Coconut Authority Act of 2022**”.

Section 2. Declaration of Policy. – It is the declared policy of the Bangsamoro Government to advance agriculture as a key development strategy, promote productivity measures, and provide support for small farmers, landholders and marginal fisherfolks. The coconut industry is an important pillar of the region’s agriculture and has a huge potential to contribute to the economy of the region. The Bangsamoro Government shall promote the accelerated growth and development of the coconut and other palm oils industry so that the benefits of such growth accrue to the greatest number. It shall prioritize the welfare of the coconut farmers who are among the poorest and most vulnerable sectors in the rural areas and provide continued leadership and support in the integrated development of the industry.

Section 3. Creation of the Bangsamoro Coconut Authority. – There is hereby created the Bangsamoro Coconut Authority, herein referred to as “**the Authority**”. It will serve as the agency for the comprehensive and integrated development of the coconut industry in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM), to the benefit of the Bangsamoro farmers.

1 For purposes of coordinating plans and policies, the Bangsamoro Coconut Authority
2 (BCA) shall be an attached agency of the Ministry of Agriculture, Fisheries, and Agrarian Reform
3 (MAFAR) – BARMM.
4

5 **Section 4. Purposes and Objectives¹.** – The Authority shall have the following purposes
6 and objectives:
7

- 8 a) To promote the accelerated development of the coconut and other palm oils industry in all
9 its aspects;
- 10 b) To provide general directions for the continuing development of the industry;
- 11 c) To achieve vertical integration of the coconut industry so that coconut farmers become
12 participants in and beneficiaries of the development and growth of the coconut industry.
13

14 **Section 5. Powers and Functions of the Authority².** – To carry out the purposes and
15 objectives mentioned in the preceding section, the Authority, through its Board, as hereinafter
16 constituted, is hereby vested with the following powers:
17

- 18 a) To formulate and adopt a general development program for the coconut and other palm
19 oils industry in the region;
- 20 b) To evaluate the existing policies, programs and projects of all BARMM agencies and
21 instrumentalities having to do with industry development and to integrate and coordinate
22 the various facets of such activities into the approved general development program;
- 23 c) To implement such policies, plans and programs for the promotion of the coconut industry;
- 24 d) To supervise, coordinate, and evaluate the activities of all ministries and offices charged
25 with the implementation of the various aspects of industrial development, and coordinate
26 the release of public funds in accordance with approved development programs and
27 projects;
- 28 e) To regulate the marketing and export of coconut products and by-products within the
29 region, as well as those of other palm oils, including the establishment of quotas thereon,
30 whenever the national interest so requires;
- 31 f) To receive and administer funds provided by law in support of its program, and to accept
32 donations, grants, gifts and assistance of all kinds from international and local private
33 foundations, associations or entities, and to administer the same in accordance with the
34 instructions or directions of the donor or, in default thereof, in the manner it may determine
35 in its direction;
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¹ Patterned from Presidential Decree 232, June 30, 1973

² Patterned from Presidential Decree 232, June 30, 1973

- 1 g) To issue bonds and other instruments of indebtedness, subject to existing rules and
2 regulations of the Central Bank, for the purpose of financing programs and projects deemed
3 vital for the attainment of its goals and objectives;
4
5 h) To formulate and recommend for adoption credit policies affecting production, marketing
6 and processing of coconut and other palm oils;
7
8 i) To formulate and recommend for adoption by other agencies and instrumentalities, such
9 programs and projects as are necessary to accelerate industry development; and
10
11 j) To enter into, make, and execute contracts of any kind as may be necessary or incidental
12 to the attainment of its purposes; and
13
14 k) To exercise all the powers necessary to achieve the purposes and objectives for which it is
15 organized.
16

17 **Section 6. Governing Board³.** – The powers and duties of the Authority shall be vested in,
18 and exercised by a Board, to be designated and/or appointed by the Chief Minister:
19

- 20 a) The Minister of Agriculture, Fisheries, and Agrarian Reform (MAFAR) – BARMM as the
21 Chair;
22 b) The Minister of Trade, Investment and Tourism (MTIT) – BARMM;
23 c) The Minister of Environment, Natural Resources and Energy (MENRE) – BARMM;
24 d) The Minister of Finance, and Budget and Management (MFBM) – BARMM;
25 e) The Minister Science and Technology (MOST) – BARMM;
26 f) The Administrator of the Authority;
27 g) Six (6) representatives from the coconut farmers and other palm oils industry sector (one
28 [1] each from Lanao del Sur [including Marawi City]), Maguindanao (including Cotabato
29 City), Sulu, Basilan (including Lamitan City), Tawi-Tawi, and one (1) from the Special
30 Geographic Area composed of the barangays that joined the Bangsamoro Autonomous
31 Region). Provided, that the representatives from the coconut farmers and other palm oils
32 industry sector shall be Filipino citizens, own not more than five (5) hectares of coconut
33 farm in the last ten (10) years, have considerable experience and reputable track record in
34 promoting coconut farmer’s interest and welfare, and nominated by coconut farmer’s and
35 other palm oils industry organizations or cooperatives that are active for the past three (3)
36 years in farmer organization and development or community enterprise development.
37

38 Except for those from the government who serve at the pleasure of the Chief Minister, the
39 appointed member of the Governing Board shall hold a term of three (3) years, unless sooner
40 removed. Any appointment to fill the vacancy arising from death, removal, retirement or
41 resignation of the representative shall only be for the unexpired term.
42

43 **Section 7. Board Secretariat.** – The Board shall be assisted by a Secretariat to be headed
44 by the BCA Administrator.
45

³ Patterned from R.A. 11524, July 27, 2020

1 **Section 8. Board Meetings.** – The Board shall meet regularly at least once every quarter
2 or as often as it deems necessary upon written request signed by a majority of the members. A
3 majority of all shall constitute a quorum.
4

5 **Section 9. Periodic Reports.** – The Board shall submit to the Bangsamoro Parliament
6 periodic reports on its findings and make appropriate policy recommendations on actions to be
7 taken by the Bangsamoro Parliament/Government through the appropriate Committee/s or
8 Ministries, in order to carry out the objectives and mandates of this Act.
9

10 **Section 10. Organizational Structure of the Authority.** – Under the policy supervision of
11 the Board, the Authority shall be headed by an Administrator, to be assisted by a Deputy
12 Administrator. The Office of the Administrator shall be assisted by three (3) technical divisions
13 and one (1) support finance and administrative division to wit:
14

- 15 1) Research & Development Division;
 - 16 2) Operations' Division;
 - 17 3) Monitoring and Evaluation Division; and
 - 18 4) Finance and Administrative Support Division.
- 19

20 **Section 11. Powers and Duties of the Administrator⁴.** – The management of the Authority
21 shall be vested in an Administrator, to be appointed by the Chief Minister upon the
22 recommendation of the Board, who shall have the following powers and duties:
23

- 24 a) Direct and manage the affairs and business of the Authority, in accordance with policies
25 and plans enunciated by the Board;
- 26 b) Provide policy guidelines and standards for the effective and efficient operation and
27 function of the Authority in accordance with its mandate and responsibilities;
- 28 c) Lead the formulation of policy measures as well as development plans and programs for
29 the benefit, protection, and welfare of the coconut industry;
- 30 d) Appoint, with the approval of the Board, such officials and employees of the Authority as
31 may be necessary for the proper discharge of its functions and responsibilities, and with
32 the approval likewise of the Board, to remove, suspend and otherwise discipline, for just
33 cause, any subordinate personnel thereof;
- 34 e) Represent the Authority in all dealings with other offices, agencies, and instrumentalities
35 of the government and with all persons and entities, public or private, domestic or foreign;
- 36 f) Prepare and submit thirty days after the close of each fiscal year an annual report to the
37 Chief Minister, and such periodic reports of activities as may be required from time to time;
38 and
39 and
40 and
41 and
42 and
43 and
44 and

⁴ Patterned from Presidential Decree 232, June 30, 1973

- 1 g) Perform such other duties as may be designed to him by the Board and the Chief Minister,
2 from time to time.

3
4 **Section 12. Functions and Responsibilities of the Divisions.** – The technical and
5 administrative divisions shall have the following functions and responsibilities:
6

7 **1. Research & Development Division.** – The Research and Development Division shall
8 have the following functions and responsibilities:
9

- 10 a) Conduct responsive studies for the development of the coconut industry in order to
11 provide a farm-driven and farmer-focused research outputs that will address the
12 challenges facing the industry;
13
14 b) Develop and maintain a data and information system that will serve as a repository
15 of processed data and statistical information related to coconut and other palm oils
16 industry in the region;
17
18 c) Coordinate with other local researchers and other concerned offices for planning,
19 policy formulation and project development related to the industry;
20
21 d) Develop possible measures in support of the programs of the Authority and to
22 continuously contribute to the desired state of a well-managed Authority responsive
23 to the demands of the industry;
24
25 e) Support the interventions under the programs of the Authority for the production of
26 market-competitive products;
27
28 f) Perform such other functions as may be directed by the Administrator and other
29 competent authority.
30

31 **2. Operations' Division.** – The Operations' Division shall have the following functions
32 and responsibilities:
33

- 34 a) Coordinate the implementation of all programs of the Authority in the Bangsamoro
35 region in cooperation with concerned agencies at the national and regional levels;
36
37 b) Coordinate with the Philippine Coconut Authority and appropriate national
38 agencies as well as Bangsamoro Government agencies in the proper management
39 and maintenance of projects related to the coconut industry;
40
41 c) Review and evaluate project proposals and make appropriate actions and
42 recommendations for consideration of the Board;
43
44 d) Implement the programs and projects of the Authority in the Bangsamoro region
45 that are funded by the Bangsamoro Government; and
46

1 e) Perform such other functions as may be directed by the Administrator and other
2 competent authority.
3

4 **3. Monitoring and Evaluation Division.** – The Monitoring and Evaluation Division
5 shall have the following functions and responsibilities:
6

7 a) Conduct monitoring and evaluation activities related to planning and
8 implementation of projects in cooperation with the appropriate agency of the
9 national and Bangsamoro governments;
10

11 b) Identify and analyze policy issues and direct research studies to formulate
12 appropriate policy alternatives and recommendations;
13

14 c) Submit regular monitoring and evaluation reports to higher authorities pertaining
15 to the actual progress of programs and project implementation; and
16

17 d) Perform other functions as may be directed by the Administrator and other
18 competent authority.
19

20 **4. Finance and Administrative Support Division.** – The Finance and Administrative
21 Support Division shall have the following functions and responsibilities:
22

23 a) Provide support services relating to personnel, staff development, records
24 management, supplies and equipment, procurement, budgeting and accounting,
25 collection, and general clerical and utility services; and
26

27 b) Perform other related functions as may be assigned by the Administrator and other
28 competent authority.
29

30 **Section 13. Staffing.** – The Authority shall determine its staffing pattern in accordance
31 with the Government Revised Compensation and Position Classification System.
32

33 **Section 14. Appropriations.** – The funds necessary for the operations and functioning of
34 the Authority shall be included in the annual appropriations of the Bangsamoro Autonomous
35 Region and submitted to the Parliament for its approval.
36

37 **Section 15. Separability Clause.** – If for any cause, any part of this Act is declared
38 unconstitutional or contrary to the provisions of Bangsamoro Organic Law, the rest of the
39 provisions shall remain in force and effect.
40

41 **Section 16. Repealing Clause.** – All laws, orders, rules, and regulations which are
42 inconsistent with the provisions of this Act, are hereby repealed, modified, superseded, or amended
43 accordingly.
44

1 **Section 17. Effectivity.** – This Act shall take effect after fifteen (15) days following its full
2 publication in a newspaper of general circulation in the Bangsamoro Autonomous Region in
3 Muslim Mindanao.

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6 Adopted,

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11 **MP ENGR/BAINTAN ADIL-AMPATUAN, MNSA**