


14 MAY -6 P3:09

**S E N A T E**

RECEIVED BY: 

**Senate Bill No. 2207**

(In Substitution of Senate Bill Nos. 138, 536, 961, 1271, 1374,  
and 2115, and Senate Resolution No. 158)

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Introduced by **Senators Villar, Legarda, Revilla Jr., Lapid,  
Ejercito Estrada, Defensor Santiago, Cayetano (A. P.) and Sotto III**

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**AN ACT**  
**AMENDING SOME PROVISIONS OF REPUBLIC ACT NO. 8550, OTHERWISE**  
**KNOWN AS "THE PHILIPPINE FISHERIES CODE OF 1998" AND FOR OTHER**  
**PURPOSES**

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

1           **SECTION 1.** Section 2 of Republic Act No. 8550, otherwise known as "The  
2 Philippine Fisheries Code of 1998," is hereby amended to read, as follows:

3                   "SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the  
4 State:

5                   **XXXXX**

6                   (c) to ensure the rational and sustainable development, management  
7 and conservation of the fishery and aquatic resources in Philippine waters  
8 including the Exclusive Economic Zone (EEZ) and in the adjacent high seas,  
9 consistent with the primordial objective of maintaining a sound ecological  
10 balance, protection and enhancing the quality of the environment [;]. **WITH**  
11 **DUE REGARD TO NATIONAL INTEREST, THE PHILIPPINES SHALL**  
12 **PURSUE ITS COMMITMENT TO INTERNATIONAL CONVENTIONS AND**  
13 **COOPERATE WITH OTHER STATES AND INTERNATIONAL BODIES, IN**  
14 **ORDER TO CONSERVE AND MANAGE THREATENED AQUATIC**

1           **SPECIES, STRADDLING AND HIGHLY MIGRATORY FISH STOCKS AND**  
2           **OTHER LIVING MARINE RESOURCES;**

3                   **XXXXX**

4                   (f). to manage fishery and aquatic resources, in a manner consistent  
5           with the concept of an **ECOSYSTEM-BASED APPROACH TO FISHERIES**  
6           **MANAGEMENT AND** integrated coastal area management in specific natural  
7           fishery management areas, appropriately supported by research, technical  
8           services and guidance by the State; and

9                   **XXXXX”**

10           **SEC. 2.** *Section 3 of the same Act is hereby amended to read as follows:*

11                   "SEC. 3. *Application of its Provisions.* – The provisions of this Code  
12           shall be enforced in:

13                   a. all Philippine waters including other waters over which the  
14           Philippines has sovereignty and jurisdiction, and the country's 200-nautical  
15           mile Exclusive Economic Zone (EEZ) and the continental shelf;

16                   b. all aquatic and fishery resources whether inland, coastal or offshore  
17           fishing areas, including, but not limited to, fishponds, fish pens/cages;[and,]

18                   c. all lands devoted to aquaculture, or businesses and activities relating  
19           to fishery, whether private or public lands[.]; **AND**

20                   **D.ALL PHILIPPINE FLAG VESSELS OPERATING IN AREAS**  
21           **GOVERNED BY A REGIONAL FISHERIES MANAGEMENT**  
22           **ORGANIZATION (RFMO), IN THE HIGH SEAS, OR IN WATERS OF OTHER**  
23           **COASTAL STATES."**

24           **SEC. 3.** *Section 4 of the same Act is hereby amended to read as follows:*

25                   "SEC. 4. *Definition of Terms.* - As used in this Code, the following  
26           terms and phrases shall mean as follows:

27                   **XXXXX**

28                   **(12) CONSERVATION AND MANAGEMENT MEASURES – MEANS**  
29           **MEASURES TO CONSERVE AND MANAGE LIVING MARINE**

1           **RESOURCES THAT ARE ADOPTED AND APPLIED CONSISTENTLY WITH**  
2           **THE RELEVANT RULES OF INTERNATIONAL LAW INCLUDING THOSE**  
3           **REFLECTED IN CONVENTIONS;**

4           ([12] 13) XXXXX

5           ([13] 14) XXXXX

6           ([14] 15) XXXXX

7           ([15] 16) XXXXX

8           (17) **DISTANT WATER FISHING – MEANS FISHING IN AN AREA**  
9           **BEYOND PHILIPPINE WATERS, IN THE HIGH SEAS OR IN WATERS OF**  
10          **OTHER STATES;**

11          ([16] 18) XXXXX

12          ([17] 19) XXXXX

13          ([18] 20) XXXXX

14          ([19] 21) XXXXX

15          ([20] 22) XXXXX

16          ([21] 23) XXXXX

17          ([22] 24) XXXXX

18          ([23] 25) XXXXX

19          ([24] 26) XXXXX

20          ([25] 27) XXXXX

21          ([26] 28) XXXXX

22          ([27] 29) XXXXX

23          ([28] 30) XXXXX

24          ([29] 31) XXXXX

25          ([30] 32) XXXXX

26          ([31] 33) XXXXX

27          (34) **FISHERIES OBSERVER – PERSONNEL DULY AUTHORIZED**  
28          **BY THE PHILIPPINE GOVERNMENT OR UNDER A REGIONAL**  
29          **OBSERVER PROGRAM OF RFMO, DEFINED UNDER SECTION 4, ITEM 72**

1 OF THIS CODE, TO COLLECT SCIENTIFIC, TECHNICAL OR FISHING-  
2 RELATED DATA, AND OTHER INFORMATION THAT MAY BE REQUIRED  
3 BY THE GOVERNMENT OR RFMO FOR COMPLIANCE TO A  
4 CONSERVATION AND MANAGEMENT MEASURE;

5 ([32] 35) XXXXX

6 ([33] 36) XXXXX

7 ([34] 37) XXXXX

8 ([35] 38) XXXXX

9 ([36] 39) XXXXX

10 ([37] 40) XXXXX

11 ([38] 41) XXXXX

12 ([39] 42) XXXXX

13 ([40] 43) XXXXX

14 (44) FISHING LIGHT ATTRACTOR - A FISHING AID WHICH  
15 EMPLOYS LIGHTS USING, AMONG OTHERS, MERCURY VAPOR, HIGH  
16 PRESSURE SODIUM VAPOR, HALOGEN, METAL-HALIDE DISCHARGE,  
17 STANDARD TUNGSTEN, TUNGSTEN HALOGEN, FLUORESCENT OR  
18 LIGHT-EMITTING DIODE, THAT ARE ATTACHED TO A STRUCTURE  
19 ABOVE WATER OR SUSPENDED UNDERWATER TO ATTRACT BOTH  
20 FISH AND MEMBERS OF THEIR FOOD CHAIN TO SPECIFIC AREAS IN  
21 ORDER TO HARVEST THEM.

22 ([41] 45) XXXXX

23 ([42] 46) XXXXX

24 ([43] 47) XXXXX

25 ([44] 48) XXXXX

26 ([45] 49) XXXXX

27 ([46] 50) XXXXX

28 ([47] 51) XXXXX

29 ([48] 52) XXXXX

1 ([49] 53) XXXXX

2 ([50] 54) XXXXX

3 ([51] 55) XXXXX

4 ([52] 56) XXXXX

5 ([53] 57) XXXXX

6 ([54] 58) XXXXX

7 ([55] 59) XXXXX

8 ([56] 60) XXXXX

9 ([57] 61) XXXXX

10 ([58] 62) XXXXX

11 ([59] 63) XXXXX

12 ([60] 64) XXXXX

13 ([61] 65) XXXXX

14 ([62] 66) XXXXX

15 ([63] 67) XXXXX

16 ([64] 68) XXXXX

17 (69) PORT STATE MEASURES – REFERS TO THE REQUIREMENTS  
18 ESTABLISHED OR INTERVENTIONS UNDERTAKEN BY PORT STATES,  
19 WHICH A PHILIPPINE FLAG OR FOREIGN FISHING VESSEL MUST  
20 COMPLY WITH OR IS SUBJECTED TO AS A CONDITION FOR THE USE  
21 OF PORTS WITHIN THE PORT STATE.

22 ([65] 70) XXXXX

23 ([66] 71) XXXXX

24 (72) REGIONAL FISHERIES MANAGEMENT ORGANIZATION  
25 (RFMO) – MEANS AN INTERGOVERNMENTAL FISHERIES  
26 ORGANIZATION OR ARRANGEMENT, AS APPROPRIATE, THAT HAS  
27 THE COMPETENCE TO ESTABLISH CONSERVATION AND  
28 MANAGEMENT MEASURES.

29 ([67] 73) XXXXX

1                    **([68] 74) XXXXX**

2                    **([69] 75) XXXXX**

3                    **([70] 76) XXXXX**

4                    **[(71) Superlight - also called magic light, is a type of light using halogen**  
5                    **or metal halide bulb which may be located above the sea surface or**  
6                    **submerged in the water. It consists of a ballast, regulator, electric cable and**  
7                    **socket. The source of energy comes from a generator, battery or dynamo**  
8                    **coupled with the main engine.]**

9                    **([72] 77) XXXXX**

10                   **(78) TRANSHIPMENT – REFERS TO THE UNLOADING OF ALL OR**  
11                   **ANY FISHERY PRODUCTS TO ANOTHER FISHING VESSEL.**

12                   **([73] 79) XXXXX**

13                   **(80) UNREGULATED FISHING – REFERS TO FISHING ACTIVITIES**  
14                   **IN THE AREA OF APPLICATION OF A RELEVANT RFMO THAT ARE**  
15                   **CONDUCTED BY VESSELS WITHOUT NATIONALITY, OR BY THOSE**  
16                   **FLYING THE FLAG OF THE PHILIPPINES OR OTHER STATES NOT**  
17                   **PARTY TO THAT ORGANIZATION, OR BY A FISHING ENTITY, IN A**  
18                   **MANNER THAT IS NOT CONSISTENT WITH OR CONTRAVENES THE**  
19                   **CONSERVATION AND MANAGEMENT MEASURES OF THAT**  
20                   **ORGANIZATION; OR IN AREAS OR FISH STOCKS IN RELATION TO**  
21                   **WHICH THERE ARE NO APPLICABLE CONSERVATION AND**  
22                   **MANAGEMENT MEASURES AND WHERE SUCH FISHING ACTIVITIES**  
23                   **ARE CONDUCTED IN A MANNER INCONSISTENT WITH THE STATE**  
24                   **RESPONSIBILITIES OF THE PHILIPPINES FOR THE CONSERVATION OF**  
25                   **LIVING MARINE RESOURCES UNDER INTERNATIONAL LAW.**

26                   **(81) UNREPORTED FISHING – REFERS TO FISHING ACTIVITIES**  
27                   **WHICH HAVE NOT BEEN REPORTED, OR HAVE BEEN MISREPORTED**  
28                   **TO THE DEPARTMENT, IN CONTRAVENTION OF NATIONAL LAWS AND**  
29                   **REGULATIONS OF THE PHILIPPINES; OR UNDERTAKEN IN THE AREA**

1 OF COMPETENCE OF A RELEVANT RFMO WHICH HAVE NOT BEEN  
2 REPORTED OR HAVE BEEN MISREPORTED, IN CONTRAVENTION OF  
3 THE REPORTING PROCEDURES OF THAT ORGANIZATION AND  
4 FURTHER ELABORATED BY REGULATIONS TO BE PROMULGATED BY  
5 THE DEPARTMENT.

6 **SEC. 4.** Section 30 of the same Act is hereby amended to read as follows:

7 "SEC. 30. *Renewal of Commercial [Boat] FISHING VESSEL License.* –  
8 The commercial fishing [boat] **VESSEL** license shall be renewed [every three  
9 (3) years] **YEARLY**.

10 The owner/operator of a fishing vessel has a period of sixty (60) days  
11 prior to the expiration of the license within which to renew the same."

12 **SEC. 5.** Section 32 of the same Act is hereby amended as follows:

13 "SEC. 32. [*Fishing by Philippine Commercial Fishing Fleet in*  
14 *International Waters*] **DISTANT WATER FISHING**– Fishing vessels of  
15 Philippine registry may [operate in international waters or waters of other  
16 countries which allow such fishing operations] **ENGAGE IN DISTANT WATER**  
17 **FISHING AS DEFINED IN THIS ACT:** *Provided,* That they comply with the  
18 safety, manning and other requirements of the Philippine Coast Guard,  
19 Maritime Industry Authority and other agencies concerned: *Provided, however,*  
20 That they secure [an international] **A** fishing permit, **GEAR LICENSE** and  
21 [certificate of] **OTHER** clearances from the Department: *Provided, further,*  
22 That the fish caught by such vessels shall be considered as caught in  
23 Philippine waters and therefore not subject to all import duties and taxes only  
24 when the same is landed in duly designated fish landings and fish ports in the  
25 Philippines: *Provided, furthermore,* That landing ports established by  
26 canneries, seafood processors and all fish landing sites established prior to  
27 the effectivity of this Code shall be considered authorized landing sites:  
28 *Provided, finally,* That fishworkers on board Philippine registered fishing

1 vessels conducting fishing activities beyond the Philippine Exclusive Economic  
2 Zone are not considered as overseas Filipino workers.

3 **THE DEPARTMENT, IN COORDINATION WITH OTHER**  
4 **GOVERNMENT AGENCIES, SHALL FIX THE CONDITIONS FOR THE**  
5 **REGISTRATION, GRANT OF NATIONALITY, AND RIGHT TO FLY THE**  
6 **FLAG OF THE PHILIPPINES TO DISTANT WATER FISHING VESSELS.**  
7 **SUCH VESSELS GRANTED THE AUTHORITY TO FLY THE FLAG OF THE**  
8 **PHILIPPINES SHALL BE UNDER THE PHILIPPINES' ADMINISTRATIVE,**  
9 **CRIMINAL, TECHNICAL AND SOCIAL JURISDICTION.**

10 **DISTANT WATER FISHING VESSELS SHALL COMPLY WITH THE**  
11 **MONITORING, CONTROL AND SURVEILLANCE REQUIREMENTS,**  
12 **CONSERVATION AND MANAGEMENT MEASURES AND FISHING**  
13 **ACCESS CONDITIONS OF THE DEPARTMENT, RFMO, OR OTHER**  
14 **COASTAL STATES.**

15 **SEC. 6.** Sec. 33 of the same Act is hereby amended as follows:

16 *"SEC. 33. Importation of Fishing Vessels **AND GEARS** or Construction*  
17 *of New Fishing Boats **AND GEARS**. – Prior to the importation of fishing*  
18 *vessels **AND GEARS** [and] **OR** the construction of new fishing vessels **AND***  
19 ***GEARS**, [the approval/clearance of] **A PERMIT MUST FIRST BE SECURED***  
20 ***FROM** the Department [must first be obtained] **IN ORDER TO MANAGE***  
21 ***FISHING CAPACITY. THE PHILIPPINE FLAG STATE AUTHORITY SHALL***  
22 ***REQUIRE SUCH PERMIT BEFORE ACCEPTING APPLICATIONS FOR THE***  
23 ***CONSTRUCTION AND REGISTRATION OF FISHING VESSELS."***

24 **SEC. 7.** Sec. 42 of the same Act is hereby amended as follows:

25 *"SEC. 42. [Transshipment] **PORT STATE MEASURES**. – [Foreign*  
26 *fishing vessels wishing to avail of land, air and sea facilities available in the*  
27 *Philippines to transport fishery products which are caught outside Philippine*  
28 *territorial waters to its final destination shall call only at duly designated*



1 government-owned or -controlled regional fishport complexes after securing  
2 clearance from the Department].

3 **THE DEPARTMENT IS AUTHORIZED TO ADOPT PORT STATE**  
4 **MEASURES THAT MUST BE COMPLIED WITH BY FOREIGN FISHING**  
5 **VESSELS. SUCH MEASURES SHALL INCLUDE: PRIOR NOTIFICATION**  
6 **OF PORT ENTRY; USE OF DESIGNATED PORTS; RESTRICTIONS ON**  
7 **PORT ENTRY AND LANDING OR TRANSHIPMENT OF FISH;**  
8 **RESTRICTIONS ON SUPPLIES AND SERVICES; CATCH AND OTHER**  
9 **DOCUMENTATION REQUIREMENTS; PORT INSPECTIONS; AND OTHER**  
10 **RELATED MEASURES.**

11 **TRANSHIPMENT BY PHILIPPINE FLAG FISHING VESSELS SHALL**  
12 **BE REGULATED BY THE DEPARTMENT IN A MANNER CONSISTENT**  
13 **WITH THE PHILIPPINES' COMMITMENT TO CONVENTIONS AND**  
14 **INTERNATIONAL AGREEMENTS.**

15 **SEC. 8.** Section 44 of the same Act is hereby amended to read as follows:

16 **"SEC. 44. Use of [Superlight] FISHING LIGHT ATTRACTOR.** – The  
17 number and [wattage] **CANDLE LIGHT POWER OR INTENSITY** of  
18 [superlights] **FISHING LIGHT ATTRACTOR** used in commercial fishing  
19 vessels shall be regulated by the Department: *Provided,* That the use of  
20 [superlights is banned] **FISHING LIGHT ATTRACTOR** within municipal waters  
21 and bays **SHALL LIKEWISE BE REGULATED IN CONSULTATION WITH**  
22 **THE LOCAL GOVERNMENT UNITS.**

23 **SEC. 9.** Section 45 of the same Act is hereby amended to read as follows:

24 **"SEC. 45. Disposition of Public Lands for Fishery Purposes.** – Public  
25 lands such as tidal swamps, mangroves, marshes, foreshore lands [and],  
26 ponds suitable for fishery operations, **AND AREAS RELEASED TO THE**  
27 **DEPARTMENT FOR FISHPOND PURPOSES** shall not be disposed or  
28 alienated. [Upon effectivity of this Code, FLA may be issued for public lands  
29 that may be declared available for fishpond development primarily to qualified

1 fisherfolk cooperatives/associations: *Provided, however, that* **UPON**  
2 **EFFECTIVITY OF THIS ACT, ONLY AREAS RELEASED TO THE**  
3 **DEPARTMENT FOR FISHPOND PURPOSES SHALL BE UTILIZED IN THE**  
4 **ISSUANCE OF NEW FISHPOND LEASE AGREEMENTS (FLAS) OR**  
5 **OTHER TENURIAL INSTRUMENTS PRIMARILY TO QUALIFIED**  
6 **FISHERFOLK COOPERATIVES/ORGANIZATIONS. [u]Upon the expiration**  
7 **of existing FLAs, the current lessees shall [be given priority and] be entitled to**  
8 **[an extension] A NON-EXTENDIBLE PERIOD of twenty-five (25) years in the**  
9 **utilization of their respective leased areas. Thereafter, such AREAS**  
10 **COVERED BY FLAs shall be granted to any Filipino citizen with preference,**  
11 **primarily to qualified fisherfolk cooperatives/[associations] ORGANIZATIONS**  
12 **as well as MICRO, small and medium enterprises as defined under Republic**  
13 **Act No. 8289, AS AMENDED BY R.A. 9501, EITHER FOR FISHPOND**  
14 **PURPOSES OR ENVIRONMENT-FRIENDLY AQUACULTURE. [Provided,**  
15 **further, That the] THE Department [shall declare as reservation, portions of**  
16 **available public lands certified as suitable for fishpond purposes] MAY**  
17 **GRANT GRATUITOUS PERMIT OVER AREAS RELEASED FOR**  
18 **FISHPOND DEVELOPMENT TO ANY BRANCH OF GOVERNMENT,**  
19 **SCIENTIFIC, ACADEMIC, OR RESEARCH INSTITUTION, for SCIENTIFIC,**  
20 **RESEARCH, EDUCATIONAL, EXPERIMENTAL BREEDING, MANGROVE**  
21 **REHABILITATION, fish sanctuary, conservation, and ecological**  
22 **purposes[Provided, finally, That two (2) years after the approval of this Act, no**  
23 **fish pens or fish cages or fish traps shall be allowed in lakes].”**

24 **SEC. 10.** Section 46 of the same Act is hereby amended to read as follows:

25 **“Sec. 46. [Lease of Fishponds.] CONDITIONS FOR THE UTILIZATION**  
26 **OF AREAS RELEASED TO THE DEPARTMENT– [Fishponds leased to**  
27 **qualified persons and fisherfolk organizations/cooperatives shall be subject to**  
28 **the following conditions:] AREAS RELEASED FOR FISHPOND PURPOSES**  
29 **SHALL BE SUBJECT TO THE FOLLOWING CONDITIONS**

1 (a) Areas [leased for fishpond purposes] **UTILIZED FOR FISHPOND**  
2 **LEASE AGREEMENTS** shall be no more than [50] **TWENTY-FIVE (25)**  
3 hectares for individuals and [250] **FIFTY (50)** hectares for corporations, [or]  
4 fisherfolk **COOPERATIVES/organizations,[:]** **OR MICRO, SMALL AND**  
5 **MEDIUM ENTERPRISES (MSMEs) AS DEFINED UNDER REPUBLIC ACT**  
6 **NO. 9501;**

7 (b) [The lease shall be for a period of twenty-five (25) years and]  
8 **EXISTING FLAs** shall be renewable for another twenty-five (25) years **BUT**  
9 **THE UNEXPIRED TERM AND THE RENEWAL PERIOD SHALL NOT**  
10 **EXCEED FIFTY (50) YEARS: *Provided,*** That in case of the death of the  
11 lessee, his spouse and/or children, as his heirs, shall have preemptive rights  
12 to the unexpired term of his Fishpond Lease Agreement subject to the same  
13 terms and conditions provided herein provided that the said heirs are qualified,  
14 ***PROVIDED, FINALLY, THAT THE TOTAL PERIOD OF THE LEASE HELD***  
15 **BY THE LESSEE AND HIS/HER HEIRS SHALL NOT EXCEED FIFTY (50)**  
16 **YEARS, AFTERWHICH, THE SAME SHALL BE MADE AVAILABLE**  
17 **PRIMARILY TO QUALIFIED FISHERFOLK ORGANIZATIONS AND**  
18 **MSMES.**

19 (c) **RESOURCE RENT** [Lease rates] for [fishpond] areas **RELEASED**  
20 **FOR FISHPOND PURPOSES** shall be determined by the Department:  
21 *Provided,* That all fees collected shall be remitted **TO THE NATIONAL**  
22 **TREASURY AND RELEASED** to the National Fisheries Research and  
23 Development Institute (**NFRDI**) and other qualified research institutions to be  
24 used **PRIMARILY** for aquaculture research development;

25 **FOR THIS PURPOSE, THERE IS HEREBY ESTABLISHED AN**  
26 **AQUACULTURE RESEARCH AND DEVELOPMENT FUND TO BE**  
27 **ADMINISTERED BY THE DEPARTMENT AS A SPECIAL ACCOUNT IN**  
28 **THE NATIONAL TREASURY. THE FUND SHALL BE DERIVED FROM**  
29 **RESOURCE RENT GENERATED FROM THE UTILIZATION OF AREAS**

1           **RELEASED TO THE DEPARTMENT. IT SHALL BE RELEASED TO THE**  
2           **NFRDI AND OTHER QUALIFIED RESEARCH INSTITUTIONS FOR**  
3           **AQUACULTURE RESEARCH AND DEVELOPMENT.**

4           (d) The area [leased] **COVERED BY FLA** shall be developed and  
5           producing on a commercial scale within three (3) years from the approval of  
6           the lease contract: *Provided, however,* That all areas not fully producing within  
7           five (5) years from the date of approval of the [lease contract] **FLA** shall  
8           [automatically revert to the public domain for reforestation] **BE CANCELLED**  
9           **AND UTILIZED FOR ENVIRONMENT-FRIENDLY AQUACULTURE OR**  
10          **MANGROVE REHABILITATION;**

11          (e) The fishpond shall not be subleased, in whole or in part, and failure  
12          to comply with this provision shall mean cancellation of FLA;

13          (f) [The transfer or assignment of rights to FLA shall be allowed, only  
14          upon prior written approval of the Department;] **THE PERIOD OF THE**  
15          **LEASE, PERMIT OR TENURIAL INSTRUMENT SHALL BE FIXED BY THE**  
16          **DEPARTMENT;**

17          (g) The lessee shall undertake reforestation for river banks, bays,  
18          streams, and seashore fronting the dike of his fishpond subject to the rules  
19          and regulations to be promulgated thereon; and,

20          (h) The lessee shall **ADHERE TO GOOD AQUACULTURE**  
21          **PRACTICES AND** provide facilities that will minimize environmental pollution,  
22          i.e., settling ponds, reservoirs, etc.: *Provided,* That failure to comply with this  
23          provision shall mean cancellation of FLA.”

24          **SEC. 11.** Section 65 of the same Act is hereby amended as follows:

25                 “SEC. 65. *Functions of the Bureau of Fisheries and Aquatic Resources.*  
26                 – As a line bureau, the BFAR shall have the following functions;

27                         a. prepare and implement a Comprehensive National Fisheries  
28                         Industry Development Plan;

29                         **XXXXX**

1           r. formulate rules and regulations for the conservation and  
2 management of straddling fish stocks, [and] highly migratory fish stocks, **AND**  
3 **THREATENED LIVING MARINE RESOURCES AND ENFORCE THE SAME**  
4 **IN THE PHILIPPINE EXCLUSIVE ECONOMIC ZONE, TERRITORIAL SEA,**  
5 **ARCHIPELAGIC AND INTERNAL WATERS; [and]**

6           **S. TRAIN, DESIGNATE AND DEPLOY FISHERIES OBSERVERS IN**  
7 **PHILIPPINE-FLAG FISHING VESSELS ENGAGED IN COMMERCIAL**  
8 **FISHING IN PHILIPPINE WATERS OR DISTANT WATER FISHING TO**  
9 **ENSURE COMPLIANCE WITH CONSERVATION AND MANAGEMENT**  
10 **MEASURES ADOPTED BY RFMOS AND BY THE DEPARTMENT;**

11           **T. IMPLEMENT BOARDING AND INSPECTION PROTOCOLS UPON**  
12 **PHILIPPINE-FLAG FISHING VESSELS IN ORDER TO PROMOTE**  
13 **OBSERVANCE TO INTERNATIONAL TREATY OBLIGATIONS ON FOOD**  
14 **SAFETY, TO CURB ILLEGAL, UNREPORTED AND UNREGULATED**  
15 **FISHING, AND TO COMPLY WITH CONSERVATION AND MANAGEMENT**  
16 **MEASURES;**

17           **U. WITH CONCURRENCE OF THE LOCAL GOVERNMENT UNITS,**  
18 **ADOPT AN APPROPRIATE MONITORING, CONTROL, SURVEILLANCE**  
19 **AND TRACEABILITY SYSTEM FOR MUNICIPAL FISHING VESSELS**  
20 **SUPPLYING EXPORTERS;**

21           **V. IN COORDINATION WITH THE LOCAL GOVERNMENT UNITS,**  
22 **ADOPT AND IMPLEMENT A NATIONAL PLAN OF ACTION TO MANAGE**  
23 **FISHING CAPACITY, IMPLEMENT THE INTERNATIONAL CODE OF**  
24 **CONDUCT FOR RESPONSIBLE FISHERIES, AND DECLARE FISHERY**  
25 **MANAGEMENT AREAS AS OVER-EXPLOITED;**

26           **W. UPON PRIOR CONSULTATION WITH STAKEHOLDERS,**  
27 **IMPOSE AND COLLECT FEES AND CHARGES FOR LABORATORY**  
28 **SERVICES, INSPECTION, DEPLOYMENT OF FISHERIES OBSERVERS,**  
29 **MONITORING AND SURVEILLANCE OF FISHING VESSELS, CATCH**

1 DOCUMENTATION AND VALIDATION, AND OTHER SERVICES TAKING  
2 INTO ACCOUNT THE BALANCE REQUIRED BETWEEN RECOVERING  
3 THE COSTS OF SERVICES RENDERED AND THE SOCIO-ECONOMIC  
4 IMPACT OF THEIR IMPOSITION;

5 X. ISSUE *SUBPOENA DUCES TECUM* AND *AD TESTIFICANDUM*  
6 IN ADMINISTRATIVE CASES BEFORE IT;

7 Y. DECIDE ON THE OVERALL LEVEL OF ADMINISTRATIVE  
8 SANCTIONS AND ACCOMPANYING/ALTERNATIVE SANCTIONS TO  
9 ENSURE THAT OFFENDERS ARE DEPRIVED OF THE ECONOMIC  
10 BENEFITS DERIVED FROM THEIR VIOLATIONS WITHOUT PREJUDICE  
11 TO THE LEGITIMATE RIGHT TO EXERCISE A PROFESSION, WHILE  
12 CONSIDERING FACTORS SUCH AS, BUT NOT LIMITED TO, THE GROSS  
13 TONNAGE OF THE FISHING VESSEL USED IN THE COMMISSION OF  
14 THE OFFENSE, AMOUNT AND VOLUME OF THE FORFEITED PRODUCT,  
15 AND FREQUENCY OF VIOLATION;

16 Z. INITIATE THE CRIMINAL PROSECUTION OF OFFENSES  
17 COMMITTED IN VIOLATION OF THIS ACT REGARDLESS OF THEIR  
18 *SITUS*; AND

19 [s] AA. perform such other related functions which shall promote the  
20 development, conservation, management, protection and utilization of fisheries  
21 and aquatic resources.”

22 **SEC. 12.** Chapter VI of Republic Act No. 8550 is hereby deleted and replaced  
23 with a new Chapter VI, to read as follows:

24 **“CHAPTER VI**

25 **PROHIBITIONS AND PENALTIES**

26 **ARTICLE I**

27 **PROHIBITIONS**

28 **SEC. 86. UNAUTHORIZED FISHING OR ENGAGING IN OTHER**  
29 **UNAUTHORIZED FISHERIES ACTIVITIES. – UNLESS OTHERWISE**

1 ALLOWED IN ACCORDANCE WITH THIS ACT, IT SHALL BE UNLAWFUL  
2 FOR:

3 1) ANY PERSON TO EXPLOIT, OCCUPY, PRODUCE, BREED,  
4 CULTURE, OR ENGAGE IN ANY FISHERY ACTIVITY IN PHILIPPINE  
5 WATERS WITHOUT A LICENSE, LEASE OR PERMIT.

6 2) ANY PERSON TO CAPTURE OR GATHER FISH, FRY OR  
7 FINGERLINGS OF ANY FISHERY SPECIES OR FISHERY PRODUCTS, OR  
8 ENGAGE IN ANY FISHERY ACTIVITY IN PHILIPPINE WATERS WITHOUT  
9 A LICENSE, LEASE OR PERMIT.

10 DISCOVERY OF ANY PERSON IN AN AREA WHERE HE HAS NO  
11 LICENSE, LEASE, PERMIT, OR REGISTRATION PAPERS FOR A FISHING  
12 VESSEL SHALL CONSTITUTE A *PRIMA FACIE* PRESUMPTION THAT  
13 THE PERSON AND/OR VESSEL IS ENGAGED IN UNAUTHORIZED  
14 FISHING: *PROVIDED*, THAT FISHING FOR DAILY FOOD SUSTENANCE  
15 OR FOR LEISURE WHICH IS NOT FOR COMMERCIAL, OCCUPATION OR  
16 LIVELIHOOD PURPOSES MAY BE ALLOWED.

17 3) ANY COMMERCIAL FISHING VESSEL TO FISH IN MUNICIPAL  
18 WATERS.

19 4) ANY PERSON NOT LISTED IN THE REGISTRY OF MUNICIPAL  
20 FISHERFOLK TO ENGAGE IN ANY COMMERCIAL FISHING ACTIVITY IN  
21 MUNICIPAL WATERS.

22 **SEC. 87. FAILURE TO SECURE FISHING PERMIT PRIOR TO**  
23 **ENGAGING IN DISTANT IN WATER FISHING.** – (1) IT SHALL BE  
24 UNLAWFUL FOR PHILIPPINE REGISTERED FISHING VESSELS TO  
25 OPERATE IN THE HIGH SEAS, OR IN THE TERRITORIAL SEAS,  
26 ARCHIPELAGIC WATERS AND EXCLUSIVE ECONOMIC ZONES OF  
27 OTHER STATES WITHOUT FIRST SECURING A FISHING PERMIT FROM  
28 THE DEPARTMENT.

1 DISCOVERY OF SUCH FISHING VESSEL IN THE ABOVE-  
2 MENTIONED AREAS WHERE THE SAME HAS NO FISHING PERMIT AND  
3 REGISTRATION PAPERS FOR FISHING OR ENGAGING IN OTHER  
4 FISHERY ACTIVITIES THEREIN SHALL CONSTITUTE AS A *PRIMA FACIE*  
5 PRESUMPTION THAT THE VESSEL IS ENGAGED IN THE SAID  
6 VIOLATION.

7 (2) IT SHALL BE UNLAWFUL FOR THE SAID VESSEL TO COMMIT  
8 ACTS THAT ARE IN CONTRAVENTION WITH THE TERMS AND  
9 CONDITIONS STATED IN THE FISHING PERMIT OR AS MAY BE  
10 PROMULGATED BY THE DEPARTMENT.

11 SEC. 88. *UNREPORTED FISHING.* – IT SHALL BE UNLAWFUL FOR  
12 ANY PERSON TO ENGAGE IN UNREPORTED FISHING AS DEFINED IN  
13 SECTION 4 PARAGRAPH 82 OF THIS CODE IN WATERS WITHIN AND  
14 BEYOND NATIONAL JURISDICTION.

15 SEC. 89. *UNREGULATED FISHING.* – IT SHALL BE UNLAWFUL  
16 FOR ANY PERSON TO ENGAGE IN UNREGULATED FISHING AS  
17 DEFINED IN SECTION 4, PARAGRAPH 81, OF THIS CODE IN WATERS  
18 WITHIN AND BEYOND NATIONAL JURISDICTION.

19 SEC. 90. *POACHING IN PHILIPPINE WATERS.* – IT SHALL BE  
20 UNLAWFUL FOR ANY FOREIGN PERSON, CORPORATION OR ENTITY  
21 TO FISH OR OPERATE ANY FISHING VESSEL IN PHILIPPINE WATERS.

22 THE ENTRY OF ANY FOREIGN FISHING VESSEL IN PHILIPPINE  
23 WATERS SHALL CONSTITUTE A *PRIMA FACIE* EVIDENCE THAT THE  
24 VESSEL IS ENGAGED IN FISHING IN PHILIPPINE WATERS.

25 SEC. 91. *FISHING THROUGH EXPLOSIVES, NOXIOUS OR*  
26 *POISONOUS SUBSTANCE, AND/OR ELECTRICITY.* – IT SHALL BE  
27 UNLAWFUL FOR ANY PERSON TO ENGAGE IN THE FOLLOWING ACTS:

28 (1) TO CATCH, TAKE OR GATHER OR CAUSE TO BE CAUGHT,  
29 TAKEN OR GATHERED, FISH OR ANY FISHERY SPECIES IN PHILIPPINE



1 WATERS WITH THE USE OF EXPLOSIVES, NOXIOUS OR POISONOUS  
2 SUBSTANCE SUCH AS SODIUM CYANIDE, WHICH WILL KILL, STUPEFY,  
3 DISABLE OR RENDER UNCONSCIOUS FISH OR FISHERY  
4 SPECIES: *PROVIDED*, THAT THE DEPARTMENT, SUBJECT TO SUCH  
5 SAFEGUARDS AND CONDITIONS DEEMED NECESSARY AND  
6 ENDORSEMENT FROM THE CONCERNED LOCAL GOVERNMENT UNITS,  
7 MAY ALLOW, FOR RESEARCH, EDUCATIONAL OR SCIENTIFIC  
8 PURPOSES ONLY, THE USE OF POISONOUS OR NOXIOUS  
9 SUBSTANCES TO CATCH, TAKE OR GATHER FISH OR FISHERY  
10 SPECIES: *PROVIDED, FURTHER*, THAT THE USE OF POISONOUS OR  
11 NOXIOUS SUBSTANCES TO ERADICATE PREDATORS IN FISHPONDS IN  
12 ACCORDANCE WITH ACCEPTED SCIENTIFIC PRACTICES AND  
13 WITHOUT CAUSING ADVERSE ENVIRONMENTAL IMPACT IN  
14 NEIGHBORING WATERS AND GROUNDS SHALL NOT BE CONSTRUED  
15 AS ILLEGAL FISHING.

16 (2) TO COMMIT THE SAME ACTS ENUMERATED IN THIS SECTION  
17 WITH THE USE OF ELECTRICITY.

18 (3) TO POSSESS, DEAL IN, SELL OR IN ANY MANNER DISPOSE  
19 OF, OR TRANSPORT OR SHIP ANY FISH OR FISHERY SPECIES WHICH  
20 HAVE BEEN ILLEGALLY CAUGHT, TAKEN OR GATHERED.

21 THE DISCOVERY OF DYNAMITE, OTHER EXPLOSIVES AND  
22 CHEMICAL COMPOUNDS WHICH CONTAIN COMBUSTIBLE ELEMENTS,  
23 OR NOXIOUS OR POISONOUS SUBSTANCES, OR EQUIPMENT OR  
24 DEVICE FOR ELECTRO-FISHING IN ANY FISHING VESSEL OR IN THE  
25 POSSESSION OF ANY FISHERFOLK, OPERATOR, FISHING BOAT  
26 OFFICIAL OR FISHWORKER SHALL CONSTITUTE A *PRIMA FACIE*  
27 EVIDENCE, THAT THE SAME WAS USED FOR FISHING IN VIOLATION  
28 OF THIS CODE. THE DISCOVERY IN ANY FISHING VESSEL OF FISH  
29 CAUGHT OR KILLED WITH THE USE OF EXPLOSIVE, NOXIOUS OR

1 POISONOUS SUBSTANCES OR BY ELECTRICITY SHALL CONSTITUTE  
2 *PRIMA FACIE* EVIDENCE THAT THE FISHERFOLK, OPERATOR, BOAT  
3 OFFICIAL OR FISHWORKER IS FISHING WITH THE USE THEREOF.

4 (4) TO POSSESS EXPLOSIVES, NOXIOUS OR POISONOUS  
5 SUBSTANCES FOR ILLEGAL FISHING.

6 (5) TO POSSESS ELECTROFISHING DEVICES FOR ILLEGAL  
7 FISHING.

8 SEC. 92. *USE OF FINE MESH NET.* - IT SHALL BE UNLAWFUL TO  
9 ENGAGE IN FISHING USING NETS WITH MESH SMALLER THAN THAT  
10 WITH WHICH MAY BE FIXED BY THE DEPARTMENT: *PROVIDED*, THAT  
11 THE PROHIBITION ON THE USE OF FINE MESH NET SHALL NOT APPLY  
12 TO THE GATHERING OF FRY, GLASS EELS, ELVERS, *TABIOS*, AND  
13 *ALAMANG* AND SUCH SPECIES WHICH BY THEIR NATURE ARE SMALL  
14 BUT ALREADY MATURE, TO BE IDENTIFIED IN THE IMPLEMENTING  
15 RULES AND REGULATIONS BY THE DEPARTMENT.

16 SEC. 93. *FISHING IN OVEREXPLOITED FISHERY MANAGEMENT*  
17 *AREAS.* - IT SHALL BE UNLAWFUL FOR ANY PERSON TO FISH IN  
18 FISHERY MANAGEMENT AREAS DECLARED AS OVEREXPLOITED.

19 SEC. 94. *USE OF ACTIVE GEAR IN THE MUNICIPAL WATERS AND*  
20 *BAYS AND OTHER FISHERY MANAGEMENT AREAS.* - IT SHALL BE  
21 UNLAWFUL TO ENGAGE IN FISHING IN MUNICIPAL WATERS AND IN  
22 ALL BAYS AS WELL AS OTHER FISHERY MANAGEMENT AREAS USING  
23 ACTIVE FISHING GEARS AS DEFINED IN THIS CODE.

24 SEC. 95. *BAN ON CORAL EXPLOITATION AND EXPORTATION.* -  
25 (1) IT SHALL BE UNLAWFUL FOR ANY PERSON OR CORPORATION TO  
26 GATHER, POSSESS, SELL OR EXPORT ORDINARY, SEMI-PRECIOUS  
27 AND PRECIOUS CORALS, WHETHER RAW OR PROCESSED FORM,  
28 EXCEPT FOR SCIENTIFIC OR RESEARCH PURPOSES.

1           (2) IT SHALL ALSO BE UNLAWFUL FOR ANY PERSON,  
2 CORPORATION OR ENTITY TO COMMIT ACTIVITIES THAT INJURE  
3 CORAL REEFS.

4           SEC. 96. *BAN ON MURO-AMI, OTHER METHODS AND GEAR*  
5 *DESTRUCTIVE TO CORAL REEFS AND OTHER MARINE HABITAT.* – IT  
6 SHALL BE UNLAWFUL FOR ANY PERSON, NATURAL OR JURIDICAL:

7           (1) TO FISH WITH GEAR METHOD THAT DESTROY CORAL  
8 REEFS, SEAGRASS BEDS, AND OTHER FISHERY MARINE LIFE  
9 HABITAT AS MAY BE DETERMINED BY THE DEPARTMENT. “*MURO-*  
10 *AMI*” AND ANY OF ITS VARIATION, AND SUCH SIMILAR GEAR AND  
11 METHODS THAT REQUIRE DIVING, OTHER PHYSICAL OR MECHANICAL  
12 ACTS TO POUND THE CORAL REEFS AND OTHER HABITAT TO  
13 ENTRAP, GATHER OR CATCH FISH AND OTHER FISHERY SPECIES  
14 ARE ALSO PROHIBITED.

15           (2) TO GATHER, SELL OR EXPORT CORAL SAND, CORAL  
16 FRAGMENTS, CORAL ROCKS, SILICA, PEBBLES AND ANY OTHER  
17 SUBSTANCES WHICH MAKE UP ANY MARINE HABITAT.

18           SEC. 97. *ILLEGAL USE OF FISHING LIGHT ATTRACTOR.* – IT  
19 SHALL BE UNLAWFUL TO ENGAGE IN FISHING WITH THE USE OF  
20 FISHING LIGHT ATTRACTOR USING CANDLE LIGHT POWER OR  
21 INTENSITY BEYOND THE STANDARDS SET BY THE DEPARTMENT IN  
22 CONSULTATION WITH THE LOCAL GOVERNMENT UNITS FOR FISHING  
23 IN MUNICIPAL WATERS OR WHICH MAY BE PROMULGATED BY THE  
24 DEPARTMENT FOR FISHING OUTSIDE MUNICIPAL WATERS.

25           SEC. 98. *CONVERSION OF MANGROVES.* – IT SHALL BE  
26 UNLAWFUL FOR ANY PERSON TO CONVERT MANGROVES INTO  
27 FISHPONDS OR FOR ANY OTHER PURPOSES.

28           SEC. 99. *FISHING DURING CLOSED SEASON.* – IT SHALL BE  
29 UNLAWFUL TO FISH DURING CLOSED SEASON.

1           **SEC. 100. FISHING IN FISHERY RESERVES, REFUGE AND**  
2           **SANCTUARIES. – IT SHALL BE UNLAWFUL TO FISH IN FISHERY AREAS**  
3           **DECLARED BY THE DEPARTMENT AND LOCAL GOVERNMENT UNITS**  
4           **AS FISHERY RESERVES, REFUGE AND SANCTUARIES.**

5           **SEC. 101. FISHING OR TAKING OF RARE, THREATENED OR**  
6           **ENDANGERED SPECIES. – (1) IT SHALL BE UNLAWFUL TO FISH OR**  
7           **TAKE, CATCH, GATHER, SELL, PURCHASE, POSSESS, TRANSPORT,**  
8           **EXPORT, FORWARD OR SHIP OUT RARE, THREATENED OR**  
9           **ENDANGERED AQUATIC SPECIES SUCH AS SHARKS AND RAYS,**  
10          **THOSE LISTED IN APPENDICES ONE (1) AND TWO (2) OF THE**  
11          **CONVENTION ON THE INTERNATIONAL TRADE IN ENDANGERED**  
12          **SPECIES OF WILD FLORA AND FAUNA (CITES), THOSE CATEGORIZED**  
13          **BY THE INTERNATIONAL UNION FOR CONSERVATION OF NATURE**  
14          **AND NATURAL RESOURCES (IUCN) AS EXTINCT, EXTINCT IN THE**  
15          **WILD, CRITICALLY ENDANGERED, ENDANGERED, AND VULNERABLE**  
16          **SUCH AS “LUDONG,” OR THOSE CATEGORIZED AS SUCH BY THE**  
17          **DEPARTMENT PURSUANT TO REPUBLIC ACT 9147, OTHERWISE**  
18          **KNOWN AS THE “WILDLIFE RESOURCES CONSERVATION AND**  
19          **PROTECTION ACT.”**

20                 **(2) CITES APPENDIX III SPECIES MAY BE TAKEN OR GATHERED**  
21                 **ONCE THEIR POPULATIONS HAVE FULLY RECOVERED IN THE WILD**  
22                 **AND AFTER THE CONDUCT OF NON-DETRIMENTAL FINDING SHOWING**  
23                 **THAT DESPITE CERTAIN EXTENT OF COLLECTION AND PRESSURE**  
24                 **FROM INTERNATIONAL TRADE, THE POPULATIONS OF THE SPECIES**  
25                 **CAN STILL REMAIN VIABLE AND CAPABLE OF RECOVERING ITS**  
26                 **NUMBERS. THE DEPARTMENT SHALL ISSUE REGULATIONS FOR THIS**  
27                 **PURPOSE.**

28                 **(3) THE TAKING, CATCHING, GATHERING AND POSSESSION OF**  
29                 **WILD RARE, THREATENED OR ENDANGERED AQUATIC SPECIES FOR**

1 SCIENTIFIC RESEARCH, ARTIFICIAL PROPAGATION OR  
2 CONSERVATION BREEDING SIMULTANEOUS WITH COMMERCIAL  
3 BREEDING, MAY BE ALLOWED SUBJECT TO THE PROVISIONS OF  
4 REPUBLIC ACT NO. 9147 AND THE RULES AND REGULATIONS  
5 PROMULGATED BY THE DEPARTMENT: *PROVIDED*, THAT, A NON-  
6 DETRIMENTAL FINDING SHALL FIRST BE CONDUCTED; *PROVIDED*,  
7 *FURTHER*, THAT COMMERCIAL BREEDING SIMULTANEOUS WITH  
8 CONSERVATION BREEDING SHALL ONLY BE ALLOWED IF THERE IS  
9 PROVEN EFFECTIVE CAPTIVE BREEDING OR PROPAGATION OF THE  
10 SPECIES AND UNDER AN AQUATIC WILDLIFE FARM PERMIT;  
11 *PROVIDED FINALLY*, THAT THE SAME SHALL BE GOVERNED BY  
12 REPUBLIC ACT NO. 9147 AND THE RULES PROMULGATED BY THE  
13 DEPARTMENT.

14 (4) IT SHALL BE UNLAWFUL TO GATHER, TAKE, POSSESS,  
15 TRANSPORT, OR EXPORT, FORWARD OR SHIP OUT CULTURED OR  
16 ARTIFICIALLY PROPAGATED CITES APPENDIX II SPECIES THAT HAVE  
17 BEEN TRANSPLANTED TO THEIR NATURAL HABITAT.

18 SHOULD THE VIOLATION BE COMMITTED THROUGH OR BY A  
19 VESSEL MANNED BY MORE THAN TWO (2) PERSONS, THE CAPTAIN,  
20 MASTER, AND TWO HIGHEST RANKING OFFICERS OF THE VESSEL  
21 INVOLVED IN THE FISHING OR TAKING OF SUCH PROTECTED MARINE  
22 LIFE SHALL BE PRESUMED TO HAVE COMMITTED THE PROHIBITED  
23 ACT.

24 SEC. 102. *CAPTURE OF SABALO AND OTHER BREEDERS/*  
25 *SPAWNERS.* – IT SHALL BE UNLAWFUL FOR ANY PERSON TO CATCH,  
26 GATHER, CAPTURE OR POSSESS MATURE MILKFISH OR “SABALO”  
27 AND SUCH OTHER BREEDERS OR SPAWNERS OF OTHER FISHERY  
28 SPECIES AS MAY BE DETERMINED BY THE DEPARTMENT: *PROVIDED*,  
29 THAT CATCHING OF “SABALO” AND OTHER BREEDERS/SPAWNERS

1 FOR LOCAL BREEDING PURPOSES OR SCIENTIFIC OR RESEARCH  
2 PURPOSES MAY BE ALLOWED SUBJECT TO GUIDELINES TO BE  
3 PROMULGATED BY THE DEPARTMENT.

4 SEC. 103. *EXPORTATION OF BREEDERS, SPAWNERS, EGGS OR*  
5 *FRY.* – EXPORTATION OF BREEDERS, SPAWNERS, EGGS OR FRY AS  
6 PROHIBITED IN THE CODE SHALL BE PUNISHED UNDER THIS ACT:  
7 *PROVIDED*, THAT THE EXPORT OF HATCHERY-BRED OR CAPTIVE-  
8 BRED BREEDER, SPAWNER, EGG OR FRY, MAY BE ALLOWED  
9 SUBJECT TO THE REGULATIONS TO BE PROMULGATED BY THE  
10 DEPARTMENT.

11 FAILURE ON THE PART OF THE SHIPPING OR FORWARDING  
12 COMPANY FROM WHOSE POSSESSION THE BREEDERS, SPAWNERS,  
13 EGGS, OR FRY ARE DISCOVERED OR SEIZED TO FULLY COOPERATE  
14 IN THE INVESTIGATION CONDUCTED BY CONCERNED GOVERNMENT  
15 AUTHORITIES ON THE MATTER SHALL CREATE A LEGAL  
16 PRESUMPTION THAT THERE IS CONNIVANCE OR CONSPIRACY  
17 BETWEEN SAID COMPANY AND THE SHIPPER TO PERPETRATE THE  
18 AFOREMENTIONED OFFENSE.

19 SEC. 104. *IMPORTATION OR EXPORTATION OF FISH OR FISHERY*  
20 *SPECIES.* – ANY IMPORTATION OR EXPORTATION OF FISH OR  
21 FISHERY SPECIES IN VIOLATION OF THIS CODE SHALL BE  
22 UNLAWFUL.

23 FAILURE ON THE PART OF THE SHIPPING OR FORWARDING  
24 COMPANY FROM WHOSE POSSESSION THE FISH OR FISHERY  
25 SPECIES IMPORTED OR EXPORTED ARE DISCOVERED OR SEIZED TO  
26 FULLY COOPERATE IN THE INVESTIGATION CONDUCTED BY  
27 CONCERNED GOVERNMENT AUTHORITIES ON THE MATTER SHALL  
28 CREATE A LEGAL PRESUMPTION THAT THERE IS CONNIVANCE OR

1 CONSPIRACY BETWEEN THE SHIPPING COMPANY AND THE SHIPPER  
2 TO PERPETRATE THE AFOREMENTIONED OFFENSE.

3 SEC. 105. *VIOLATION OF CATCH CEILINGS.* – IT SHALL BE  
4 UNLAWFUL FOR ANY PERSON TO FISH IN VIOLATION OF CATCH  
5 CEILINGS AS DETERMINED BY THE DEPARTMENT.

6 SEC. 106. *AQUATIC POLLUTION.* – AQUATIC POLLUTION, AS  
7 DEFINED IN THIS CODE, SHALL BE UNLAWFUL.

8 SEC. 107. *FAILURE TO COMPLY WITH MINIMUM SAFETY*  
9 *STANDARDS.* – THE OWNER AND CAPTAIN OF A COMMERCIAL  
10 FISHING VESSEL ENGAGED IN FISHING WHO, UPON DEMAND BY  
11 PROPER AUTHORITIES, FAILS TO EXHIBIT OR SHOW PROOF OF  
12 COMPLIANCE WITH THE SAFETY STANDARDS PROVIDED IN THIS  
13 CODE SHALL BE SUBJECTED TO THE PENALTIES PROVIDED FOR IN  
14 THIS CODE.

15 SEC. 108. *FAILURE TO SUBMIT A YEARLY REPORT ON ALL*  
16 *FISHPONDS, FISH PENS AND FISH CAGES.* – IT SHALL BE UNLAWFUL  
17 FOR OWNERS AND/OR OPERATORS OF FISHPONDS, FISHPENS AND  
18 FISH CAGES OF PRIVATE AND PUBLIC LANDS TO FAIL TO SUBMIT AN  
19 ANNUAL REPORT TO THE DEPARTMENT PURSUANT TO SECTION 57  
20 OF THIS CODE.

21 SEC. 109. *GATHERING AND MARKETING OF SHELL FISHES OR*  
22 *OTHER AQUATIC SPECIES.* – IT SHALL BE UNLAWFUL FOR ANY  
23 PERSON TO GATHER, TAKE, SELL, TRANSFER, POSSESS,  
24 TRANSPORT, EXPORT, FORWARD OR SHIP OUT FOR ANY PURPOSE  
25 ANY SHELL FISH OR OTHER AQUATIC SPECIES IDENTIFIED BY THE  
26 DEPARTMENT, WHICH IS SEXUALLY MATURE, BELOW THE MINIMUM  
27 SIZE OR ABOVE THE MAXIMUM QUANTITIES PRESCRIBED FOR THE  
28 SPECIES. OTHER PARAMETERS FOR THE PROTECTION OF HEAVILY-

1       TRADED AQUATIC SPECIES SHALL BE ADOPTED BY THE  
2       DEPARTMENT.

3               SEC. 110. *OBSTRUCTION TO NAVIGATION OR FLOW OR EBB OF*  
4       *TIDE IN ANY STREAM, RIVER, LAKE OR BAY.* – IT SHALL BE  
5       UNLAWFUL FOR ANY PERSON WHO CAUSES OBSTRUCTION TO  
6       NAVIGATION OR FLOW OR EBB OF TIDE.

7               SEC. 111. *CONSTRUCTION AND OPERATION OF FISH CORALS/*  
8       *TRAPS, FISH PENS AND FISH CAGES.* – IT SHALL BE UNLAWFUL TO  
9       CONSTRUCT AND OPERATE FISH CORRALS/TRAPS, FISH PENS AND  
10      FISH CAGES WITHOUT A LICENSE OR PERMIT.

11              SEC. 112. *OBSTRUCTION OR DELAY IN INSPECTION AND/OR*  
12      *MOVEMENT OF FISH AND FISHERY/AQUATIC PRODUCTS.* – ANY  
13      PERSON WHO UNLAWFULLY OBSTRUCTS OR DELAYS THE  
14      INSPECTION AND/OR MOVEMENT OF FISH AND FISHERY/AQUATIC  
15      PRODUCTS WHEN SUCH INSPECTION AND OR MOVEMENT IS  
16      AUTHORIZED UNDER THIS CODE, SHALL BE SUBJECT TO THE  
17      PENALTIES PROVIDED FOR IN THE NEXT CHAPTER OF THIS CODE.

18              SEC. 113. *NON-COMPLIANCE WITH GOOD AQUACULTURE*  
19      *PRACTICES.* – FISHERY OPERATIONS INVOLVING THE BREEDING AND  
20      FARMING OF FISH AND OTHER FISHERY SPECIES IN FRESH, MARINE  
21      AND BRACKISHWATER AREAS SHALL COMPLY WITH GOOD  
22      AQUACULTURE PRACTICES AND THE GUIDELINES FOR  
23      ENVIRONMENTALLY-SOUND DESIGN AND OPERATION FOR THE  
24      SUSTAINABLE DEVELOPMENT OF THE AQUACULTURE INDUSTRY  
25      WHICH SHALL BE PROMULGATED BY THE DEPARTMENT.  
26      COMPLIANCE WITH THE ENVIRONMENTAL IMPACT STATEMENT (EIS)  
27      SYSTEM SHALL BE ONE OF THE CRITERIA OF GOOD AQUACULTURE  
28      PRACTICES.



1           **SEC. 114. COMMERCIAL FISHING VESSEL OPERATORS**  
2           **EMPLOYING UNLICENSED FISHERFOLK OR FISHWORKER OR CREW. –**

3           **(1) IT SHALL BE UNLAWFUL FOR COMMERCIAL FISHING VESSEL**  
4           **OPERATORS TO EMPLOY UNLICENSED FISHERFOLK, FISHWORKER**  
5           **OR CREW.**

6           **(2) IT SHALL LIKEWISE BE UNLAWFUL TO EMPLOY UNLICENSED**  
7           **FISHERFOLK OR FISHWORKER TO FISH OR ENGAGE IN OTHER**  
8           **FISHERIES ACTIVITIES IN INTERNAL WATERS, TERRITORIAL SEAS**  
9           **AND EXCLUSIVE ECONOMIC ZONES OF OTHER STATES AND HIGH**  
10           **SEAS.**

11           **SEC. 115. OBSTRUCTION OF DEFINED MIGRATION PATHS. –**  
12           **OBSTRUCTION OF ANY DEFINED MIGRATION PATHS OF**  
13           **ANADROMOUS, CATADROMOUS AND OTHER MIGRATORY SPECIES, IN**  
14           **AREAS INCLUDING, BUT NOT LIMITED TO RIVER MOUTHS AND**  
15           **ESTUARIES WITHIN A DISTANCE DETERMINED BY THE CONCERNED**  
16           **FARMCS, SHALL BE UNLAWFUL.**

17           **SEC. 116. OBSTRUCTION TO FISHERY LAW ENFORCEMENT**  
18           **OFFICER. – THE FISHING VESSEL OWNER, MASTER OR OPERATOR OR**  
19           **ANY PERSON ACTING ON BEHALF OF ANY FISHING VESSEL WHO**  
20           **EVADES, OBSTRUCTS OR HINDER ANY FISHERY LAW ENFORCEMENT**  
21           **OFFICER, THE DEPUTIZED FISHWARDEN OF THE LGU, AND/OR ANY**  
22           **LAWFULLY-BOARDING GOVERNMENT OFFICERS, FISHERIES**  
23           **OBSERVERS, OR INSPECTORS, IN THE EXERCISE OF THEIR DUTIES IN**  
24           **INSPECTING COMPLIANCE WITH THE APPLICABLE CONSERVATION**  
25           **AND MANAGEMENT MEASURES, FOOD SAFETY STANDARDS, TREATY**  
26           **OBLIGATIONS OR OTHER PHILIPPINE LAWS, TO PERFORM HIS DUTY,**  
27           **SHALL BE PENALIZED UNDER THIS CODE. ANY PERSON WHO DOES**  
28           **NOT ALLOW ANY AUTHORIZED OFFICER OR AN OBSERVER TO**

1 EXERCISE ANY OF HIS/HER LEGAL DUTIES SHALL BE DEEMED TO BE  
2 OBSTRUCTING THAT OFFICER OR PERSON.

3 SEC. 117. *FISHERIES OBSERVER COVERAGE.* – IN COMPLIANCE  
4 WITH RFMO CONSERVATION AND MANAGEMENT MEASURES, NO  
5 PHILIPPINE DISTANT WATER FISHING VESSEL SHALL SAIL WITHOUT  
6 DEPLOYING A FISHERIES OBSERVER DURING THE REQUIRED PERIOD.

7 SEC. 118. *NON-COMPLIANCE WITH PORT STATE MEASURES.* –  
8 NO FOREIGN-FLAGGED FISHING VESSEL SHALL BE ALLOWED ENTRY  
9 WITHOUT PROVIDING FOR A TWENTY-FOUR (24) HOUR NOTICE OF  
10 ENTRY. WHEN A FISHING VESSEL IS GRANTED ENTRY, FAILURE TO  
11 PROVIDE A CATCH REPORT SHALL BE DEEMED UNLAWFUL. IT SHALL  
12 LIKEWISE BE UNLAWFUL FOR ANY PERSON TO FAIL TO COMPLY  
13 WITH OTHER RULES ON PORT STATE MEASURES PROMULGATED  
14 SUBSEQUENT TO THIS ACT BY THE DEPARTMENT IN COORDINATION  
15 WITH PORT STATE AUTHORITIES.

16 SEC. 119. *FAILURE TO COMPLY WITH CONSERVATION AND*  
17 *MANAGEMENT MEASURES.* – IT SHALL BE UNLAWFUL FOR ANY  
18 PERSON TO FAIL TO COMPLY WITH ANY RESOLUTION,  
19 RECOMMENDATION AND CONSERVATION AND MANAGEMENT  
20 MEASURE ADOPTED BY RFMOS TO WHICH THE PHILIPPINES IS A  
21 MEMBER OR A COOPERATING NON-MEMBER, TREATIES ACCEDED TO  
22 BY THE PHILIPPINES AND SUCH OTHER TREATIES THAT THE  
23 PHILIPPINES MAY ENTER INTO, AND MEASURES OF OTHER COASTAL  
24 STATES.

25 SEC. 120. *FAILURE TO RECORD AND REPORT CATCH OR*  
26 *CATCH-RELATED DATA.* – IT SHALL BE UNLAWFUL FOR: (1) ANY  
27 DOMESTIC MUNICIPAL AND COMMERCIAL FISHING VESSEL TO FAIL  
28 TO COMPLY WITH THE CATCH DOCUMENTATION AND REPORTING  
29 MEASURES THAT WILL BE PROMULGATED BY THE DEPARTMENT IN

1           CONSULTATION WITH LOCAL GOVERNMENT UNITS; AND (2) FOR  
2           PHILIPPINE-FLAGGED DISTANT WATER FISHING VESSELS TO FAIL TO  
3           RECORD AND REPORT CATCH OR CATCH-RELATED DATA, INCLUDING  
4           DATA TO BE TRANSMITTED BY SATELLITE VESSEL MONITORING  
5           SYSTEM.

6           **SEC. 121. *NON-COMPLIANCE WITH VESSEL MONITORING***  
7           ***MEASURES.*** – NO DOMESTIC MUNICIPAL, COMMERCIAL AND  
8           PHILIPPINE-FLAGGED DISTANT WATER FISHING VESSEL SHALL  
9           ENGAGE IN FISHING ACTIVITY WITHOUT COMPLYING WITH THE  
10          VESSEL MONITORING MEASURES PRESCRIBED BY THE DEPARTMENT  
11          IN COORDINATION WITH THE LOCAL GOVERNMENTS.

12          **SEC. 122. *FISHING UNDERSIZED FISH AND FISHERY PRODUCTS.***  
13          – THE GATHERING, TAKING ON BOARD, TRANSHIPPING, POSSESSING,  
14          SELLING, TRANSPORTING, SHIPPING OR EXPORTING UNDERSIZED  
15          FISH OR FISHERY PRODUCTS IN VIOLATION OF THE APPLICABLE  
16          REGULATIONS SHALL BE UNLAWFUL UNDER THIS CODE.

17          **SEC. 123. *CONSTRUCTING OR IMPORTING FISHING VESSELS OR***  
18          ***GEARS WITHOUT PERMIT FROM THE DEPARTMENT.*** – IT SHALL BE  
19          UNLAWFUL FOR ANY PERSON TO CONSTRUCT OR IMPORT FISHING  
20          VESSELS OR GEARS WITHOUT PERMIT FROM THE DEPARTMENT.

21          **SEC. 124. *USE OF UNLICENSED GEAR*** – IT SHALL BE UNLAWFUL  
22          FOR ANY PERSON TO USE A FISHING GEAR OR METHOD WITHOUT  
23          LICENSE FROM THE DEPARTMENT.

24          **SEC. 125. *FISHING WITH THE USE OF VESSELS WITHOUT***  
25          ***NATIONALITY.*** – IT SHALL BE UNLAWFUL FOR ANY FILIPINO CITIZEN  
26          OR CORPORATION TO ENGAGE IN COMMERCIAL FISHING OR DISTANT  
27          WATER FISHING USING VESSELS WITHOUT NATIONALITY OR SHIP  
28          REGISTRATION BY THE PHILIPPINE FLAG STATE AUTHORITY.



1 AND THE CONFISCATION OF THE STOCKS AND A FINE  
2 EQUIVALENT TO FIVE HUNDRED THOUSAND PESOS  
3 (P500,000.00) OR TEN THOUSAND US DOLLARS (US\$  
4 10,000.00), WHICHEVER IS HIGHER, TO ONE MILLION  
5 PESOS (P1,000,000) OR TWENTY-THOUSAND US  
6 DOLLARS, (US\$20,000.00), WHICHEVER IS HIGHER, AS  
7 MAYBE DETERMINED BY THE DEPARTMENT.

8 B. IN CASE OF OFFENSES UNDER SECTION 86, PARAGRAPH  
9 2, THE BOAT CAPTAIN AND THE THREE (3) HIGHEST  
10 OFFICERS OF THE FISHING VESSEL AND THE OWNER OR  
11 OPERATOR WHO COMMIT ANY OF THE PROHIBITED ACTS  
12 SHALL BE PENALIZED BY CONFISCATION OF  
13 CATCH/HARVEST AND FINE FIVE (5) TIMES THE VALUE OF  
14 THE CATCH/HARVEST OR EQUIVALENT TO THE AMOUNT  
15 INDICATED BELOW, WHICHEVER IS HIGHER, AND A FINE  
16 EQUIVALENT TO:

17 I. TWO HUNDRED FIFTY THOUSAND PESOS  
18 (P250,000.00) OR FIVE THOUSAND US DOLLARS  
19 (US\$5,000.00), WHICHEVER IS HIGHER, FOR SMALL-  
20 SCALE COMMERCIAL FISHING;

21 II. FIVE HUNDRED THOUSAND PESOS (P500,000.00) OR  
22 TEN THOUSAND US DOLLARS (US\$10,000.00),  
23 WHICHEVER IS HIGHER, FOR MEDIUM-SCALE FISHING;  
24 AND

25 III. ONE MILLION PESOS (P1,000,000.00) OR TWENTY  
26 THOUSAND US DOLLARS (US\$20,000.00), WHICHEVER  
27 IS HIGHER, FOR LARGE-SCALE FISHING.

28 C. IN CASE OF OFFENSES UNDER SECTIONS 86,  
29 PARAGRAPH 3 AND UNDER SECTION 89 COMMITTED IN

1 WATERS WITHIN NATIONAL JURISDICTION,  
2 CONFISCATION OF CATCH AND FINE EQUIVALENT TO  
3 SEVEN (7) TIMES THE VALUE OF CATCH OR THE AMOUNT  
4 INDICATED BELOW, WHICHEVER IS HIGHER, AND A FINE  
5 EQUIVALENT TO:

6 I. FIVE HUNDRED FIFTY THOUSAND PESOS (P500,000.00)  
7 OR TEN THOUSAND US DOLLARS (US\$10,000.00),  
8 WHICHEVER IS HIGHER, FOR SMALL-SCALE  
9 COMMERCIAL FISHING;

10 II. ONE MILLION PESOS (P1,000,000.00) OR TWENTY-  
11 THOUSAND US DOLLARS (US\$20,000.00), WHICHEVER  
12 IS HIGHER, FOR MEDIUM-SCALE FISHING; AND

13 III. ONE MILLION FIVE HUNDRED THOUSAND PESOS  
14 (P1,500,000.00) OR THIRTY THOUSAND US DOLLARS  
15 (US\$30,000.00), WHICHEVER IS HIGHER, FOR LARGE-  
16 SCALE FISHING.

17 D. IN CASE OF OFFENSES UNDER SECTION 86, PARAGRAPH  
18 4, FINE EQUIVALENT TO FIVE HUNDRED PESOS (P500.00),  
19 AND CONFISCATION OF CATCH AND FISHING GEAR:  
20 *PROVIDED*, THAT IF HE FAILS TO PAY THE FINE, HE  
21 SHALL RENDER COMMUNITY SERVICE.

22 E. IN CASE OF OFFENSES UNDER SECTIONS 87,  
23 PARAGRAPHS 1 AND 2, AND SECTION 89, COMMITTED IN  
24 WATERS BEYOND NATIONAL JURISDICTION, ANY  
25 COMMERCIAL FISHING VESSEL OWNER OR OPERATOR,  
26 AND THE THREE (3) HIGHEST OFFICERS OF THE FISHING  
27 VESSEL SHALL BE PENALIZED BY CONFISCATION OF

1 CATCH AND GEAR AND FINE EQUIVALENT TO THE  
2 VALUES WITHIN THE RANGES INDICATED BELOW:

3 I. TWO MILLION PESOS (P2,000,000.00) OR FIFTY  
4 THOUSAND US DOLLARS (US\$50,000), WHICHEVER IS  
5 HIGHER, TO TEN MILLION PESOS (P10,000,000.00) OR  
6 TWO HUNDRED THOUSAND US DOLLARS  
7 (US\$200,000), WHICHEVER IS HIGHER, FOR SMALL-  
8 SCALE COMMERCIAL FISHING;

9 II. FIFTEEN MILLION PESOS (P15,000,000.00) OR THREE  
10 HUNDRED THOUSAND US DOLLARS (US\$300,000),  
11 WHICHEVER IS HIGHER, TO TWENTY MILLION PESOS  
12 (P20,000,000.00) OR FOUR HUNDRED THOUSAND US  
13 DOLLARS (US\$400,000.00), WHICHEVER IS HIGHER,  
14 FOR MEDIUM-SCALE FISHING; AND

15 III. THIRTY MILLION PESOS (P30,000,000.00) OR SIX  
16 HUNDRED THOUSAND US DOLLARS (US\$600,000.00),  
17 WHICHEVER IS HIGHER, TO FORTY MILLION PESOS  
18 (P40,000,000.00) OR ONE MILLION US DOLLARS  
19 (US\$1,000,000.00) FOR LARGE-SCALE FISHING.

20 F. IN CASE OF OFFENSES UNDER SECTIONS 88 COMMITTED  
21 WITHIN WATERS OF NATIONAL JURISDICTION, ANY  
22 COMMERCIAL FISHING VESSEL OWNER OR OPERATOR,  
23 AND THE THREE (3) HIGHEST OFFICERS OF THE FISHING  
24 VESSEL SHALL BE PENALIZED BY FINE EQUIVALENT TO  
25 THE VALUE INDICATED BELOW:

26 I. ONE HUNDRED THOUSAND PESOS (P100,000.00) OR  
27 TWO THOUSAND US DOLLARS (US\$2,000.00),  
28 WHICHEVER IS HIGHER, FOR SMALL-SCALE  
29 COMMERCIAL FISHING;

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II. TWO HUNDRED THOUSAND PESOS (P200,000.00) OR  
FOUR THOUSAND US DOLLARS (US\$4,000.00),  
WHICHEVER IS HIGHER, FOR MEDIUM-SCALE FISHING;  
AND

III. THREE HUNDRED THOUSAND PESOS (P300,000.00) OR  
SIX THOUSAND US DOLLARS (US\$6,000.00),  
WHICHEVER IS HIGHER, FOR LARGE-SCALE FISHING.

G. IN CASE OF OFFENSES UNDER SECTION 88 COMMITTED  
IN WATERS BEYOND NATIONAL JURISDICTION, ANY  
COMMERCIAL FISHING VESSEL OWNER OR OPERATOR,  
AND THE THREE (3) HIGHEST OFFICERS OF THE BOAT  
SHALL BE PENALIZED BY FINE EQUIVALENT TO THE  
VALUE INDICATED BELOW:

I. TWO HUNDRED THOUSAND PESOS (P200,000.00) OR  
FOUR THOUSAND US DOLLARS (US\$4,000.00),  
WHICHEVER IS HIGHER, FOR SMALL-SCALE  
COMMERCIAL FISHING;

II. FOUR HUNDRED THOUSAND PESOS (P400,000.00) OR  
EIGHT THOUSAND US DOLLARS (US\$8,000.00),  
WHICHEVER IS HIGHER, FOR MEDIUM-SCALE FISHING;  
AND

III. SIX HUNDRED THOUSAND PESOS (P600,000.00) OR  
TWELVE THOUSAND US DOLLARS (US\$12,000.00) FOR  
LARGE-SCALE FISHING

H. IN CASE OF OFFENSES UNDER SECTION 90, ANY  
FOREIGN PERSON, CORPORATION OR ENTITY SHALL BE  
IMPOSED A FINE OF SIX HUNDRED THOUSAND US  
DOLLARS (US\$600,000) TO ONE MILLION US DOLLARS



1 (US\$1,000,000.00) OR ITS EQUIVALENT IN PHILIPPINE  
2 CURRENCY.

3 I. IN CASE OF OFFENSES UNDER SECTION 91, PARARAPH 1,  
4 FINE FIVE (5) TIMES THE VALUE OF CATCH OR FINE  
5 RANGING FROM FIFTY THOUSAND PESOS (P50,000.00) OR  
6 ONE THOUSAND US DOLLARS (US\$1,000.00), WHICHEVER  
7 IS HIGHER, UP TO ONE MILLION PESOS (P1,000,000.00) OR  
8 TWENTY THOUSAND US DOLLARS (US\$20,000.00),  
9 WHICHEVER IS HIGHER, AND CONFISCATION OF CATCH,  
10 INCLUDING THOSE NOT CAUGHT ILLEGALLY IF CO-  
11 MINGLED WITH THOSE CAUGHT ILLEGALLY, AND GEAR,  
12 EXPLOSIVES, AND NOXIOUS OR POISONOUS  
13 SUBSTANCES.

14 J. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH  
15 2, FINE EQUIVALENT TO THE VALUE OF CATCH OR FINE  
16 RANGING FROM TWENTY THOUSAND PESOS (P20,000.00)  
17 OR FIVE HUNDRED US DOLLARS (US\$500.00), WHICHEVER  
18 IS HIGHER, TO ONE HUNDRED THOUSAND PESOS  
19 (P100,000.00) OR TWO THOUSAND US DOLLARS  
20 (US\$2,000.00), WHICHEVER IS HIGHER, AND  
21 CONFISCATION OF CATCH, INCLUDING THOSE NOT  
22 CAUGHT ILLEGALLY IF CO-MINGLED WITH THOSE  
23 CAUGHT ILLEGALLY, AND GEAR, ELECTROFISHING  
24 DEVICES AND PARAPHERNALIA.

25 K. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH  
26 3, FINE EQUIVALENT TO FIVE TIMES THE VALUE OF  
27 CATCH OR FINE RANGING FROM TWENTY THOUSAND  
28 PESOS (P20,000.00) OR FIVE HUNDRED US DOLLARS  
29 (US\$500.00), WHICHEVER IS HIGHER, UP TO FIVE

1 HUNDRED THOUSAND PESOS (P500,000.00) OR TEN  
2 THOUSAND US DOLLARS (US\$10,000.00), WHICHEVER IS  
3 HIGHER.

4 L. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH  
5 4, FINE EQUIVALENT TO FIVE (5) TIMES THE VALUE OF  
6 CATCH OR FINE RANGING FROM TWENTY THOUSAND  
7 PESOS (P20,000.00) OR FIVE HUNDRED US DOLLARS  
8 (US\$500.00), WHICHEVER IS HIGHER, UP TO FIVE  
9 HUNDRED THOUSAND PESOS (P500,000.00) OR TEN  
10 THOUSAND US DOLLARS (US\$10,000.00), WHICHEVER IS  
11 HIGHER, AND FORFEITURE OF THE EXPLOSIVE, NOXIOUS  
12 OR POISONOUS SUBSTANCE, FISHING GEAR AND CATCH.

13 M. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH  
14 5, FINE RANGING FROM FIVE THOUSAND PESOS  
15 (P5,000.00) OR ONE HUNDRED US DOLLARS (US\$100.00),  
16 WHICHEVER IS HIGHER, TO TWENTY THOUSAND PESOS  
17 (P20,000.00) OR FIVE HUNDRED US DOLLARS (US\$500.00)  
18 OR EQUIVALENT TO THE VALUE OF CATCH, WHICHEVER  
19 IS HIGHER, AND FORFEITURE OF CATCH AND  
20 ELECTROFISHING DEVICE.

21 N. IN CASE OF OFFENSES UNDER SECTION 92, THE OWNER,  
22 OPERATOR, CAPTAIN OR MASTER FISHERMAN IN CASE  
23 OF COMMERCIAL FISHING VESSEL, SHALL BE PENALIZED  
24 BY CONFISCATION OF CATCH AND FISHING GEARS, AND  
25 FINE EQUIVALENT TO THREE (3) TIMES THE VALUE OF  
26 THEIR CATCH OR THE VALUE INDICATED BELOW,  
27 WHICHEVER IS HIGHER:

28 I. TWENTY THOUSAND PESOS (P20,000.00) OR FIVE  
29 HUNDRED US DOLLARS (US\$500.00), WHICHEVER IS

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HIGHER, FOR MUNICIPAL FISHING: *PROVIDED*, THAT  
IF HE FAILS TO PAY THE FINE, HE SHALL RENDER  
COMMUNITY SERVICE.

II. FIFTY THOUSAND PESOS (P50,000.00) OR ONE  
THOUSAND US DOLLARS (US\$1,000.00), WHICHEVER  
IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
FISHING;

III. ONE HUNDRED THOUSAND PESOS (P100,000.00) OR  
TWO THOUSAND US DOLLARS (US\$2,000.00),  
WHICHEVER IS HIGHER, FOR MEDIUM-SCALE FISHING;

IV. TWO HUNDRED THOUSAND PESOS (P200,000.00) OR  
FOUR THOUSAND US DOLLARS (US\$4,000.00),  
WHICHEVER IS HIGHER, FOR LARGE-SCALE FISHING.

O. IN CASE OF OFFENSES UNDER SECTIONS 93, 99, 100, AND  
105, CONFISCATION OF CATCH AND FISHING GEARS, AND  
FINE EQUIVALENT TO THE VALUES INDICATED BELOW,  
WHICHEVER IS HIGHER:

I. THREE (3) TIMES THE VALUE OF CATCH OR TWENTY  
THOUSAND PESOS (P20,000.00) OR FIVE HUNDRED US  
DOLLARS (US\$500.00), WHICHEVER IS HIGHER, FOR  
MUNICIPAL FISHING: *PROVIDED*, THAT IF THE  
OFFENDER FAILS TO PAY THE FINE, HE SHALL  
RENDER COMMUNITY SERVICE;

II. FIVE (5) TIMES THE VALUE OF CATCH OR ONE  
HUNDRED THOUSAND PESOS (P100,000.00) OR TWO  
THOUSAND US DOLLARS (US\$2,000.00), WHICHEVER  
IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
FISHING;

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III. FIVE (5) TIMES THE VALUE OF CATCH OR THREE HUNDRED THOUSAND PESOS (P300,000.00) OR SIX THOUSAND US DOLLARS (US\$6,000.00), WHICHEVER IS HIGHER, FOR MEDIUM-SCALE FISHING;

IV. FIVE (5) TIMES THE VALUE OF CATCH OR FIVE HUNDRED THOUSAND PESOS (P500,000.00) OR TEN THOUSAND US DOLLARS (US\$10,000.00), WHICHEVER IS HIGHER, FOR LARGE-SCALE FISHING.

P. IN CASE OF OFFENSES UNDER SECTION 94, THE OWNER, OPERATOR, BOAT CAPTAIN AND MASTER FISHERMAN OF THE VESSEL, OR THE CHIEF EXECUTIVE OFFICER IN A CORPORATION, OR THE MANAGING PARTNER IN A PARTNERSHIP, SHALL BE PENALIZED BY CONFISCATION OF CATCH AND FISHING GEARS, AND FINE THREE (3) TIMES THE VALUE OF THEIR CATCH OR THE VALUE INDICATED BELOW, WHICHEVER IS HIGHER:

I. FIFTY THOUSAND PESOS (P50,000.00) OR ONE THOUSAND US DOLLARS (US\$1,000.00), WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL FISHING;

II. ONE HUNDRED THOUSAND PESOS (P100,000.00) OR TWO THOUSAND US DOLLARS (US\$2,000.00), WHICHEVER IS HIGHER, FOR MEDIUM-SCALE FISHING;

III. FIVE HUNDRED THOUSAND PESOS (P500,000.00) OR TEN THOUSAND US DOLLARS (US\$10,000.00), WHICHEVER IS HIGHER, FOR LARGE-SCALE FISHING.

Q. IN CASE OF OFFENSES UNDER SECTION 95 PARAGRAPH 1, FINE EQUIVALENT TO EIGHT (8) TIMES THE VALUE OF THE CORALS GATHERED, POSSESSED, SOLD, EXPORTED

1 OR TEN MILLION PESOS (P10,000,000.00) OR TWO  
2 HUNDRED THOUSAND US DOLLARS (US\$200,000.00),  
3 WHICHEVER IS HIGHER, AND FORFEITURE OF SUBJECT  
4 CORALS, WHEN APPLICABLE.

5 R. IN CASE OF OFFENSES UNDER SECTION 95 PARAGRAPH  
6 2, FINE EQUIVALENT TO THE ECOLOGICAL VALUE OF THE  
7 INJURED CORAL REEFS BASED ON AVAILABLE STUDIES  
8 AND AS DETERMINED BY THE ADMINISTRATIVE BODY IN  
9 CONSULTATION WITH CORAL EXPERTS OR TWO  
10 HUNDRED THOUSAND US DOLLARS (US\$ 200,000) PER  
11 SQUARE METER OF CORAL REEF INJURED, WHICHEVER  
12 IS HIGHER. IF NECESSARY, THE OFFENDER SHALL ALSO  
13 COMPENSATE FOR THE RESTORATION OF THE INJURED  
14 CORALS REEFS.

15 S. IN CASE OF OFFENSES UNDER SECTION 96 PARAGRAPH  
16 (1), THE OWNER/OPERATOR OF THE FISHING VESSEL/S,  
17 BOAT CAPTAIN, MASTER FISHERMAN, AND RECRUITER  
18 OR ORGANIZER OF FISHWORKERS SHALL BE PENALIZED  
19 WITH A FINE EQUIVALENT TO FIVE (5) TIMES THE VALUE  
20 OF THE FISH CAUGHT OR TWO MILLION PESOS  
21 (P2,000,000.00) OR FORTY THOUSAND US DOLLARS  
22 (US\$40,000.00), WHICHEVER IS HIGHER, AND  
23 CONFISCATION OF CATCH AND GEAR. THE  
24 FISHWORKERS WHO ACT AS POUNDERS SHALL BE  
25 METED OUT A PENALTY OF FINE EQUIVALENT TO  
26 TWENTY THOUSAND PESOS (P20,000.00) OR FIVE  
27 HUNDRED US DOLLARS (US\$500.00), WHICHEVER IS  
28 HIGHER, OR COMMUNITY SERVICE IF HE FAILS TO PAY  
29 THE FINE.

- 1 T. IN CASE OF OFFENSES UNDER SECTION 96, PARAGRAPH  
2 (2), FINE EQUIVALENT TO FIVE (5) TIMES THE VALUE OF  
3 THE CORAL ROCKS, SAND, SILICA, OR PEBBLES  
4 GATHERED, SOLD, OR EXPORTED OR FIVE MILLION  
5 PESOS (P5,000,000.00) OR ONE HUNDRED THOUSAND US  
6 DOLLARS (US\$100,000.00), WHICHEVER IS HIGHER, AND  
7 CONFISCATION OF THE SUBSTANCE.
- 8 U. IN CASE OF OFFENSES UNDER SECTION 97, A FINE OF  
9 TWENTY THOUSAND PESOS (P20,000.00) OR FIVE  
10 HUNDRED US DOLLARS (US\$500.00), WHICHEVER IS  
11 HIGHER, PER FISHING LIGHT ATTRACTOR, AND  
12 CONFISCATION OF GEARS AND FISHING LIGHT  
13 ATTRACTOR.
- 14 V. IN CASE OF OFFENSES UNDER SECTION 98, FINE  
15 EQUIVALENT TO THE ECOLOGICAL VALUE OF A HECTARE  
16 OF MANGROVE BASED ON AVAILABLE STUDIES OR FINE  
17 OF TEN MILLION PESOS (P10,000,000.00) OR TWO  
18 HUNDRED THOUSAND US DOLLARS (US\$200,000.00),  
19 WHICHEVER IS HIGHER: *PROVIDED*, THAT IF THE AREA  
20 REQUIRES REHABILITATION OR RESTORATION AS  
21 DETERMINED BY THE ADMINISTRATIVE BODY, THE  
22 OFFENDER SHOULD ALSO BE REQUIRED TO RESTORE  
23 OR COMPENSATE FOR THE RESTORATION OF THE  
24 DAMAGE.
- 25 W. IN CASE OF OFFENSES UNDER SECTION 101,  
26 PARAGRAPH 1, A FINE EQUIVALENT TO FIVE TIMES (5)  
27 TIMES THE VALUE OF THE SPECIES OR FIVE MILLION  
28 PESOS (P5,000,000.00) OR ONE HUNDRED THOUSAND US

1 DOLLARS (US\$100,000.00), WHICHEVER IS HIGHER, AND  
2 FORFEITURE OF THE SPECIES.

3 X. IN CASE OF VIOLATION INVOLVING THE IMPLEMENTATION  
4 OF SECTION 101, PARAGRAPH 2, A FINE EQUIVALENT TO  
5 THREE (3) TIMES THE VALUE OF THE SPECIES OR ONE  
6 MILLION PESOS (P1,000,000.00) OR TWENTY THOUSAND  
7 US DOLLARS (US\$20,000.00), WHICHEVER IS HIGHER, AND  
8 FORFEITURE OF THE SPECIES.

9 Y. IN CASE OF VIOLATION INVOLVING THE IMPLEMENTATION  
10 OF SECTION 101, PARAGRAPH 3, A FINE EQUIVALENT TO  
11 THREE (3) TIMES THE VALUE OF THE SPECIES OR THREE  
12 MILLION PESOS (P3,000,000.00) OR SIXTY THOUSAND US  
13 DOLLARS (US\$60,000.00), WHICHEVER IS HIGHER, AND  
14 FORFEITURE OF THE SPECIES.

15 Z. IN CASE OF OFFENSES UNDER SECTION 101,  
16 PARAGRAPH 4, A FINE EQUIVALENT TO FIVE TIMES (5)  
17 TIMES THE VALUE OF THE SPECIES OR FIVE MILLION  
18 PESOS (P5,000,000.00) OR ONE HUNDRED THOUSAND US  
19 DOLLARS (US\$100,000.00), WHICHEVER IS HIGHER, AND  
20 FORFEITURE OF THE SPECIES.

21 AA. FOR OFFENSES UNDER SECTION 102, FINE EQUIVALENT  
22 TO THREE (3) TIMES THE VALUE OF THE "SABALO",  
23 OTHER BREEDERS, OR SPAWNERS GATHERED OR  
24 CAPTURED OR FIVE HUNDRED THOUSAND PESOS  
25 (P500,000.00) OR TEN THOUSAND US DOLLARS  
26 (US\$10,000.00), WHICHEVER IS HIGHER, AND FORFEITURE  
27 OF CATCH AND GEAR.

28 BB. IN CASES OF OFFENSES UNDER SECTION 103, FINE  
29 EQUIVALENT TO THREE (3) TIMES THE VALUE OF THE

1 BREEDERS, SPAWNERS, EGGS, OR FRY EXPORTED OR  
2 FIVE HUNDRED THOUSAND PESOS (P500,000.00 OR TEN  
3 THOUSAND US DOLLARS (US\$10,000.00), WHICHEVER IS  
4 HIGHER, CONFISCATION OF BREEDERS, SPAWNERS,  
5 EGGS OR FRY, SUSPENSION OR REVOCATION OF  
6 LICENSE FOR COMMERCIAL FISHING AND REGISTRATION  
7 AS EXPORTER.

8 CC. FOR OFFENSES UNDER SECTION 104, A FINE  
9 EQUIVALENT TO FIVE (5) TIMES THE VALUE OF THE FISH  
10 OR FISHERY SPECIES IMPORTED OR EXPORTED OR FIVE  
11 HUNDRED THOUSAND PESOS (P500,000.00) OR TEN  
12 THOUSAND US DOLLARS (US\$10,000.00), WHICHEVER IS  
13 HIGHER, AND REVOCATION OF REGISTRATION AS  
14 IMPORTER OR EXPORTER, AND THE DESTRUCTION OF  
15 LIVE FISHERY SPECIES OR FORFEITURE OF NON-LIVE  
16 FISHERY SPECIES IN FAVOR OF THE DEPARTMENT FOR  
17 ITS PROPER DISPOSITION. FURTHER, VIOLATORS SHALL  
18 BE BANNED FROM BEING MEMBERS OR STOCKHOLDERS  
19 OF COMPANIES CURRENTLY ENGAGED IN FISHERIES OR  
20 COMPANIES TO BE CREATED IN THE FUTURE, THE  
21 GUIDELINES FOR WHICH SHALL BE PROMULGATED BY  
22 THE DEPARTMENT.

23 DD. FOR OFFENSES UNDER SECTION 106, FINE OF FIFTEEN  
24 THOUSAND PESOS (P15,000.00) OR THREE HUNDRED US  
25 DOLLARS (US\$300.00), WHICHEVER IS HIGHER, TO THREE  
26 HUNDRED THOUSAND (P300,000.00) OR SIX THOUSAND  
27 US DOLLARS (US\$6,000.00) FOR EVERY DAY OF  
28 VIOLATION UNTIL SUCH VIOLATION CEASES AND THE  
29 FINES ARE PAID; AND THE IMPOSITION OF CEASE AND



1 DESIST ORDER, CLOSURE OR SUSPENSION OF THE  
2 DEVELOPMENT, CONSTRUCTION OR FACILITY, OR  
3 CESSATION OF OPERATIONS, OR DISCONNECTION OF  
4 WATER SUPPLY, UNTIL VIOLATION CEASES AND FINES  
5 ARE PAID. THE ORDER MAY BE ISSUED *EX PARTE*  
6 PENDING RESOLUTION OF THE ADMINISTRATIVE CASE.

7 EE. FOR OFFENSES UNDER SECTION 107, THE OWNER AND  
8 CAPTAIN OF THE COMMERCIAL FISHING VESSEL SHALL  
9 BE PENALIZED WITH A FINE OF ONE HUNDRED  
10 THOUSAND PESOS (P100,000.00) OR TWO THOUSAND US  
11 DOLLARS (US\$2,000.00) OR CANCELLATION OF PERMIT  
12 OR LICENSE OR BOTH. UPON APPREHENSION, HE SHALL  
13 IMMEDIATELY BE PREVENTED FROM CONTINUING WITH  
14 HIS FISHING ACTIVITY AND ESCORTED TO THE NEAREST  
15 PORT OR LANDING POINT. THE LICENSE TO OPERATE  
16 THE COMMERCIAL FISHING VESSEL SHALL BE  
17 SUSPENDED AND THE VESSEL IMPOUNDED UNTIL THE  
18 SAFETY STANDARD HAS BEEN COMPLIED WITH.

19 FF. IN CASE OF OFFENSES UNDER SECTION 108, THE OWNER  
20 OF THE FISHPOND, FISHPEN, OR FISH CAGE SHALL BE  
21 FINED TWO THOUSAND PESOS (P2,000.00) OR FIFTY US  
22 DOLLARS (US\$50.00), WHICHEVER IS HIGHER, PER  
23 UNREPORTED HECTARE. IN CASE THE FISHPOND IS  
24 COVERED BY AN FLA, NON-SUBMISSION OF A REPORT  
25 FOR TWO CONSECUTIVE YEARS SHALL RESULT TO ITS  
26 CANCELLATION.

27 GG. IN CASE OF OFFENSES UNDER SECTIONS 109, 110 AND  
28 111, FINE OF FIFTY THOUSAND PESOS (P50,000.00) OR  
29 ONE THOUSAND US DOLLARS (US\$1,000.00), WHICHEVER

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IS HIGHER, OR CANCELLATION OF PERMIT OR LICENSE, OR BOTH. IN CASE OF SECTIONS 110 AND 111, THE OBSTRUCTION, FISH CORRAL/TRAPS, FISH PENS OR FISH CAGES SHALL BE DISMANTLED.

HH. IN CASE OF OFFENSES UNDER SECTION 112, FINE OF NOT MORE THAN THIRTY THOUSAND PESOS (P30,000.00) OR SIX HUNDRED US DOLLARS (US\$600.00), WHICHEVER IS HIGHER, AND SUSPENSION OR REVOCATION OF REGISTRATION, PERMIT OR LICENSE.

II. IN CASE OF OFFENSES UNDER SECTION 113, THE OWNER/OPERATOR OF THE FACILITY NOT COMPLYING WITH GOOD AQUACULTURE PRACTICES AND THE EIS SYSTEM SHALL BE FINED ONE HUNDRED THOUSAND PESOS (P100,000.00) OR TWO THOUSAND US DOLLARS (US\$2,000.00), WHICHEVER IS HIGHER, PER DAY UNTIL THE VIOLATION CEASES AND THE FINE PAID.

JJ. IN CASE OF OFFENSES UNDER SECTION 114, PARAGRAPH 1, THE OWNER/OPERATOR OF THE FISHING VESSEL SHALL BE FINED TWO THOUSAND PESOS (P2,000.00) OR FIFTY US DOLLARS (US\$50.00), WHICHEVER IS HIGHER, EACH FOR EVERY MONTH THAT THE UNLICENSED FISHERFOLK OR FISHWORKER HAS BEEN EMPLOYED AND/OR THREE THOUSAND PESOS (P3,000.00) OR SIXTY US DOLLARS (US\$60.00), WHICHEVER IS HIGHER, FOR EVERY MONTH FOR EACH UNLICENSED CREW MEMBER WHO HAS BEEN EMPLOYED, AND SUSPENSION OR REVOCATION OF LICENSE FOR COMMERCIAL FISHING.

1           **KK. IN CASE OF OFFENSES UNDER SECTION 114,**  
2           **PARAGRAPH 2, SUSPENSION OR REVOCATION OF**  
3           **FISHING PERMIT AND LICENSE, AND FINE EQUIVALENT**  
4           **TO THE VALUE INDICATED BELOW FOR EVERY MONTH**  
5           **AND FOR EACH UNLICENSED FISHERFOLK/FISHWORKER**  
6           **OR CREW THAT THE SAME HAS BEEN EMPLOYED:**

7           **I. TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00)**  
8           **OR FIFTY-FIVE US DOLLARS (US\$55.00), WHICHEVER**  
9           **IS HIGHER, EACH FOR SMALL-SCALE COMMERCIAL**  
10           **FISHING;**

11           **II. FIVE THOUSAND PESOS (P5,000.00) OR ONE HUNDRED**  
12           **US DOLLARS (US\$100.00), WHICHEVER IS HIGHER,**  
13           **EACH FOR MEDIUM-SCALE FISHING;**

14           **III. TEN THOUSAND PESOS (P10,000.00) OR TWO**  
15           **HUNDRED US DOLLARS (US\$200.00), WHICHEVER IS**  
16           **HIGHER, EACH FOR LARGE-SCALE FISHING**

17           **LL. FOR OFFENSES UNDER SECTION 115, FINE OF ONE**  
18           **HUNDE99D FIFTY THOUSAND PESOS (P150,000.00) OR**  
19           **THREE THOUSAND US DOLLARS (US\$3,000.00),**  
20           **WHICHEVER IS HIGHER, TO FIVE HUNDRED THOUSAND**  
21           **PESOS (P500,000.00) OR TEN THOUSAND US DOLLARS**  
22           **(US\$10,000.00), DISMANTLING OF THE OBSTRUCTION AND**  
23           **THE SUSPENSION OR REVOCATION OF THE PERMIT OR**  
24           **LICENSE.**

25           **MM. FOR OFFENSES UNDER SECTION 116, THE BOAT OWNER,**  
26           **MASTER OR OPERATOR SHALL BE FINED ONE HUNDRED**  
27           **THOUSAND PESOS (P100,000.00) OR TWO THOUSAND US**  
28           **DOLLARS (US\$2,000.00), WHICHEVER IS HIGHER, TO TWO**  
29           **HUNDRED THOUSAND PESOS (P200,000.00) OR FOUR**

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THOUSAND US DOLLARS (US\$4,000.00), WHICHEVER IS HIGHER, AND THE PERMIT AND/OR LICENSE OF THE VESSEL AND MASTER FISHERMAN CANCELLED.

NN. FOR OFFENSES UNDER SECTION 117, FINE OF TEN THOUSAND US DOLLARS A DAY (US\$10,000.00/DAY) FOR EACH DAY WITHOUT OBSERVER COVERAGE, AND FORFEITURE OF GEAR AND CATCH.

OO. FOR OFFENSES UNDER SECTION 118, FINE OF TEN THOUSAND US DOLLARS (US\$10,000.00).

PP. FOR OFFENSES UNDER SECTIONS 119 AND 120, PARAGRAPH (1), AND 124 FINE EQUIVALENT TO THE VALUE INDICATED BELOW AND ACCOMPANYING ADMINISTRATIVE PENALTY AS DETERMINED BY THE DEPARTMENT:

I. TWENTY-FIVE THOUSAND PESOS (P25,000.00) FOR MUNICIPAL FISHING VESSELS OR COMMUNITY SERVICE IN CASE OF FAILURE TO PAY FINE;

II. FIFTY THOUSAND PESOS (P50,000.00) FOR SMALL-SCALE COMMERCIAL FISHING VESSELS;

III. ONE HUNDRED THOUSAND PESOS (P100,000.00) FOR MEDIUM-SCALE COMMERCIAL FISHING VESSELS;

IV. ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) FOR LARGE-SCALE COMMERCIAL FISHING VESSELS.

QQ. FOR OFFENSES UNDER SECTIONS 120, PARAGRAPH (2) AND 121, A FINE OF TEN THOUSAND US DOLLARS (US\$10,000.00) AND ACCOMPANYING ADMINISTRATIVE PENALTY AS DETERMINED BY THE DEPARTMENT.

1 RR. FOR OFFENSES UNDER SECTION 122, A FINE  
2 EQUIVALENT TO FIVE TIMES THE VALUE OF THE FISH OR  
3 FISHERY PRODUCT OR FIVE HUNDRED THOUSAND PESOS  
4 (P500,000.00) OR TEN THOUSAND US DOLLARS  
5 (US\$10,000.00), WHICHEVER IS HIGHER.

6 SS. FOR OFFENSES UNDER SECTION 123, FINE OF FIFTY  
7 THOUSAND PESOS (P50,000.00) OR ONE THOUSAND US  
8 DOLLARS (US\$1,000.00), WHICHEVER IS HIGHER, PER  
9 GROSS TONNAGE OF BOAT OR FINE OF ONE HUNDRED  
10 THOUSAND PESOS (P100,000.00) OR TWO THOUSAND US  
11 DOLLARS (US\$2,000.00), WHICHEVER IS HIGHER, PER  
12 GEAR. THE DEPARTMENT AND THE DEPARTMENT OF  
13 TRANSPORTATION AND COMMUNICATIONS SHALL  
14 PROMULGATE JOINT RULES ON THE CONSTRUCTION OR  
15 IMPORTATION OF FISHING VESSELS IN ORDER TO  
16 MANAGE FISHING CAPACITY.

17 TT. FOR VIOLATION OF SECTION 125, FINE OF ONE HUNDRED  
18 THOUSAND PESOS (P100,000.00) OR TWO THOUSAND US  
19 DOLLARS (US\$2,000.00), WHICHEVER IS HIGHER.

20 UU. FOR OFFENSES UNDER SECTION 126, FINE FROM ONE  
21 MILLION PESOS (P1,000,000) OR TWENTY THOUSAND US  
22 DOLLARS (US\$20,000.00), WHICHEVER IS HIGHER, TO FIVE  
23 MILLION PESOS (P5,000,000.00) OR ONE HUNDRED  
24 THOUSAND US DOLLARS (US\$100,000.00), WHICHEVER IS  
25 HIGHER, AND CONFISCATION OF THE FOREIGN OR  
26 EXOTIC SPECIES. SHOULD THE SPECIES BECOME  
27 INVASIVE AND RESULT TO PREDATION OF NATIVE  
28 AQUATIC BIOTA, LOSS OF INCOME OR DAMAGE TO THE

1 HABITAT, THE OFFENDER SHALL BEAR THE COSTS OF  
2 CONTAINMENT, ERADICATION OR RESTORATION.

3 VV. FOR OFFENSES UNDER SECTION 128 OR VIOLATIONS OF  
4 ADMINISTRATIVE ORDERS ISSUED PURSUANT TO THIS  
5 CODE, FINE RANGING FROM ONE HUNDRED THOUSAND  
6 (P100,000.00) OR TWO THOUSAND US DOLLARS  
7 (US\$2,000.00), WHICHEVER IS HIGHER, TO FIVE MILLION  
8 PESOS (P5,000,000.00) OR ONE HUNDRED THOUSAND US  
9 DOLLARS (US\$100,000.00), WHICHEVER IS HIGHER.

10 WW. IN CASES WHERE APPLICABLE, PENDING THE  
11 RESOLUTION OF THE ADMINISTRATIVE PROCEEDINGS,  
12 THE VESSEL/CONVEYANCE, GEAR AND OTHER  
13 PARAPHERNALIA USED IN THE COMMISSION OF THE  
14 OFFENSE SHALL BE IMPOUNDED.

15 2. *ACCOMPANYING ADMINISTRATIVE SANCTIONS.* - IN  
16 ADDITION TO THE ABOVE ADMINISTRATIVE PENALTIES, THE  
17 DEPARTMENT MAY IMPOSE THE FOLLOWING ADDITIONAL  
18 SANCTIONS:

- 19 A. CONFISCATION OF FISHING GEAR;
- 20 B. IMPOUNDMENT OF FISHING VESSEL;
- 21 C. CONFISCATION OF THE FISHING VESSEL INVOLVED IN  
22 THE INFRINGEMENT;
- 23 D. TEMPORARY SUSPENSION OR PERMANENT REVOCATION  
24 OF LICENSE OR PERMIT;
- 25 E. TEMPORARY OR PERMANENT BAN FROM THE  
26 AVAILMENT OF APPLICABLE DUTY AND TAX REBATES;
- 27 F. INCLUSION IN THE IUUF VESSEL LIST;
- 28 G. DENIAL OF ENTRY AND OTHER PORT SERVICES;
- 29 H. BLACKLISTING; AND

1 I. INCREASE IN THE AMOUNT OF FINES.

2 IN APPLYING THESE ACCOMPANYING SANCTIONS THE  
3 DEPARTMENT SHALL TAKE INTO ACCOUNT THE HABITUALITY OF  
4 VIOLATION, MANNER OF COMMISSION OF THE OFFENSE, SEVERITY  
5 OF THE IMPACT ON THE FISHERY RESOURCES AND HABITAT, SOCIO-  
6 ECONOMIC IMPACT, CASES OF CONCEALMENT OR DESTRUCTION OF  
7 EVIDENCE, ELUDING ARREST, RESISTANCE TO LAWFUL ORDERS AND  
8 OTHER ANALOGOUS CIRCUMSTANCES.

9 THE INCREASE IN AMOUNT OF FINES IN CASE OF REPEATED  
10 VIOLATIONS WITHIN A FIVE (5) YEAR PERIOD BY THE SAME  
11 OFFENDER SHALL BE UP TO A MAXIMUM OF TEN (10) TIMES THE  
12 VALUE OF CATCH, IF ANY OR THE AMOUNT OF IMPOSABLE FINES.

13 3. ACCOMPANYING CRIMINAL SANCTIONS. – IN ADDITION  
14 TO ADMINISTRATIVE PROCESSES, THE VIOLATOR/S MAY ALSO BE  
15 SUBJECT TO COURT/JUDICIAL PROCESSES. UPON CONVICTION BY A  
16 COURT OF LAW, THE FOLLOWING CRIMINAL SANCTIONS SHALL BE  
17 IMPOSED:

18 A. IN CASE OF OFFENSES UNDER SECTION 86 PARAGRAPH  
19 (1), DISMANTLING OF STRUCTURE, CONFISCATION OF  
20 THE FISHING VESSEL AND GEAR, IF NOT IMPOSED IN THE  
21 ADMINISTRATIVE PROCEEDING, AND IMPRISONMENT OF  
22 SIX (6) MONTHS.

23 B. IN CASE OF OFFENSES UNDER SECTIONS 86,  
24 PARAGRAPHS (2) AND (3) CONFISCATION OF THE FISHING  
25 VESSEL AND GEAR, IF NOT IMPOSED IN THE  
26 ADMINISTRATIVE PROCEEDING, AND IMPRISONMENT OF  
27 SIX (6) MONTHS.

28 C. IN CASE OF OFFENSES UNDER SECTION 86 PARAGRAPH  
29 (4), SAME AS ADMINISTRATIVE PENALTIES AND

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CONFISCATION OF GEAR OR VESSEL OR BOTH AT THE DISCRETION OF COURT.

D. IN CASE OF OFFENSES UNDER SECTION 87 PARAGRAPHS 1 AND 2, 88, AND 89, DOUBLE THE ADMINISTRATIVE FINE.

E. IN CASE OF OFFENSES UNDER SECTION 90, FINE OF ONE MILLION TWO HUNDRED US DOLLARS (US\$1,200,000) OR ITS EQUIVALENT IN PHILIPPINE CURRENCY, CONFISCATION OF CATCH, FISHING EQUIPMENT AND FISHING VESSEL. IF OFFENDER IS CAUGHT WITHIN INTERNAL WATERS, AN ADDITIONAL PENALTY OF IMPRISONMENT OF SIX (6) MONTHS AND ONE (1) DAY TO TWO (2) YEARS AND TWO (2) MONTHS. IF APPREHENDED FOR THE SECOND TIME WITHIN INTERNAL WATERS, THE VIOLATION SHALL BE PUNISHED WITH IMPRISONMENT OF THREE (3) YEARS AND A FINE OF TWO MILLION FOUR HUNDRED THOUSAND U.S. DOLLARS (US\$2,400,000.00) OR ITS EQUIVALENT IN PHILIPPINE CURRENCY: *PROVIDED*, THAT NO FOREIGN PERSON SHALL BE DEPORTED WITHOUT THE PAYMENT OF THE IMPOSED JUDICIAL AND/OR ADMINISTRATIVE FINES AND SERVICE OF SENTENCE, IF ANY.

F. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH (1), IMPRISONMENT RANGING FROM FIVE (5) TO TEN (10) YEARS, FORFEITURE OF EXPLOSIVES, NOXIOUS OR POISONOUS SUBSTANCES, AS WELL AS THE FISHING VESSELS, FISHING EQUIPMENT AND CATCH.

G. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH (2), FINE EQUIVALENT TO TWICE THE VALUE OF CATCH OR DOUBLE THE AMOUNT OF THE ADMINISTRATIVE



- 1 FINES, WHICHEVER IS HIGHER, AND CONFISCATION OF  
2 CATCH, INCLUDING THOSE NOT CAUGHT ILLEGALLY IF  
3 CO-MINGLED WITH THOSE CAUGHT ILLEGALLY, AND  
4 GEAR, ELECTROFISHING DEVICES AND PARAPHERNALIA.
- 5 H. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH  
6 (3), IMPRISONMENT RANGING FROM SIX (6) MONTHS TO  
7 TWO (2) YEARS, AND CONFISCATION OF CATCH,  
8 INCLUDING THOSE NOT CAUGHT ILLEGALLY IF CO-  
9 MINGLED WITH THOSE CAUGHT ILLEGALLY, AND  
10 CONVEYANCE OR VESSEL USED IN DEALING IN, OR  
11 TRANSPORTING OR SHIPPING THE ILLEGALLY  
12 CAUGHT/GATHERED FISHERIES SPECIES.
- 13 I. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH  
14 (4), IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2)  
15 YEARS, FORFEITURE OF EXPLOSIVES, NOXIOUS OR  
16 POISONOUS SUBSTANCES AND CONFISCATION OF  
17 VESSEL.
- 18 J. IN CASE OF OFFENSES UNDER SECTION 91, PARAGRAPH  
19 (5), FINE EQUIVALENT TO DOUBLE THE ADMINISTRATIVE  
20 FINE.
- 21 K. IN CASE OF OFFENSES UNDER SECTION 92,  
22 IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS  
23 AND CONFISCATION OF VESSEL.
- 24 L. IN CASE OF OFFENSES UNDER SECTION 93,  
25 IMPRISONMENT OF SIX (6) MONTHS AND ONE (1) DAY TO  
26 SIX (6) YEARS.
- 27 M. IN CASE OF OFFENSES UNDER SECTION 94,  
28 IMPRISONMENT FROM TWO (2) TO SIX (6) YEARS,

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CONFISCATION AND FORFEITURE OF GEAR, CATCH, AND VESSEL.

N. IN CASE OF OFFENSES UNDER SECTION 95, IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS, SAME AMOUNT AS ADMINISTRATIVE FINE, OR BOTH SUCH FINE AND IMPRISONMENT, AT THE DISCRETION OF THE COURT, AND FORFEITURE OF THE SUBJECT CORALS, INCLUDING THE VESSEL AND ITS PROPER DISPOSITION.

O. IN CASE OF OFFENSES UNDER SECTION 96, PARAGRAPH (1), THE OWNER/OPERATOR OF THE FISHING VESSEL/S, BOAT CAPTAIN, MASTER FISHERMAN, AND RECRUITER OR ORGANIZER OF FISHWORKERS AND FISHERFOLK SHALL BE PENALIZED WITH IMPRISONMENT OF TWO (2) TO TEN (10) YEARS, OR SAME AMOUNT AS ADMINISTRATIVE FINE, OR BOTH SUCH FINE AND IMPRISONMENT, AT THE DISCRETION OF THE COURT, AND CONFISCATION OF THE VESSEL AND ITS PROPER DISPOSITION. THE FISHWORKERS OR FISHERFOLK EMPLOYED SHALL BE PENALIZED WITH SIX (6) MONTHS TO ONE (1) YEAR IMPRISONMENT.

P. IN CASE OF OFFENSES UNDER SECTION 96, PARAGRAPH (2), TWO (2) TO TEN (10) YEARS IMPRISONMENT, SAME AMOUNT AS THE ADMINISTRATIVE FINES, AND CONFISCATION OF THE SUBSTANCE, CONVEYANCE AND/OR VESSEL USED.

Q. IN CASE OF OFFENSES UNDER SECTION 97, SAME AS ADMINISTRATIVE FINE, IMPRISONMENT FROM SIX (6)

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MONTSH TO TWO (2) YEARS, AND CONFISCATION OF VESSEL, LIGHT ATTRACTOR AND FISHING GEARS.

R. IN CASE OF OFFENSES UNDER SECTION 98, SAME AS ADMINISTRATIVE PENALTIES, AND IMPRISONMENT OF SIX (6) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS AND/OR SAME AMOUNT AS ADMINISTRATIVE FINE: *PROVIDED*, THAT IF THE AREA REQUIRES REHABILITATION OR RESTORATION AS DETERMINED BY THE COURT, THE OFFENDER SHOULD ALSO BE REQUIRED TO RESTORE OR COMPENSATE FOR THE RESTORATION OF THE DAMAGE. THE VIOLATOR SHALL BE LIABLE FOR ENVIRONMENTAL DAMAGES COMPUTED AT TWO HUNDRED FORTY THOUSAND PESOS (P240,000.00) OR FIVE THOUSAND US DOLLARS (US\$5,000.00), WHICHEVER IS HIGHER, PER HECTARE PER YEAR UNTIL SUCH AREA IS RESTORED.

S. IN CASE OF OFFENSES UNDER SECTION 99, IMPRISONMENT OF SIX (6) MONTHS AND ONE (1) DAY TO SIX (6) YEARS.

T. IN CASE OF OFFENSES UNDER SECTION 100, IMPRISONMENT OF TWO (2) TO SIX (6) YEARS AND A FINE OF FIVE HUNDRED THOUSAND (P500,000.00) OR TEN THOUSAND US DOLLARS (US\$10,000.00), WHICHEVER IS HIGHER, TO FIVE MILLION PESOS (P5,000,000.00) OR ONE HUNDRED THOUSAND US DOLLARS (US\$100,000.00), WHICHEVER IS HIGHER, OR BOTH SUCH FINE AND IMPRISONMENT, AT THE DISCRETION OF THE COURT, FORFEITURE OF CATCH AND FISHING GEAR,

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CANCELLATION OF FISHING PERMIT OR LICENSE, AND  
CONFISCATION OF VESSEL.

U. IN CASE OF OFFENSES UNDER SECTION 101,  
PARAGRAPH (1), IMPRISONMENT OF TWELVE (12) YEARS  
TO TWENTY (20) YEARS AND A FINE OF FIVE TIMES (5)  
TIMES THE VALUE OF THE SPECIES OR FIVE MILLION  
PESOS (P5,000,000.00) OR ONE HUNDRED THOUSAND US  
DOLLARS (US\$100,000.00), WHICHEVER IS HIGHER, AND  
FORFEITURE OF THE SPECIES AND THE CANCELLATION  
OF FISHING PERMIT.

V. IN CASES OF OFFENSES UNDER SECTION 101,  
PARAGRAPH (2), IMPRISONMENT FROM EIGHT (8) TO  
TWELVE (12) YEARS AND A FINE EQUIVALENT TO THREE  
(3) TIMES THE VALUE OF THE SPECIES OR ONE MILLION  
PESOS (P1,000,000.00) OR TWENTY THOUSAND US  
DOLLARS (US\$20,000.00), WHICHEVER IS HIGHER, AND  
FORFEITURE OF THE SPECIES.

W. IN CASE OF VIOLATION OF ADMINISTRATIVE ORDERS  
IMPLEMENTING SECTION 101, PARAGRAPH 3, A FINE  
EQUIVALENT TO THREE (3) TIMES THE VALUE OF THE  
SPECIES OR THREE MILLION PESOS (P3,000,000.00) OR  
SIXTY THOUSAND US DOLLARS (US\$60,000.00),  
WHICHEVER IS HIGHER, AND FORFEITURE OF THE  
SPECIES.

X. IN CASE OF OFFENSES UNDER SECTION 101,  
PARAGRAPH 4, IMPRISONMENT FROM TWELVE (12) TO  
TWENTY (20) YEARS, A FINE EQUIVALENT TO FIVE TIMES  
(5) TIMES THE VALUE OF THE SPECIES OR FIVE MILLION  
PESOS (P5,000,000.00) OR ONE HUNDRED THOUSAND

- 1 PESOS (US\$100,000.00), WHICHEVER IS HIGHER, AND  
2 FORFEITURE OF THE SPECIES.
- 3 Y. IN CASES OF OFFENSES UNDER SECTION 102,  
4 IMPRISONMENT FROM SIX (6) MONTHS AND ONE (1) DAY  
5 TO SIX (6) YEARS AND A FINE EQUIVALENT TO THREE (3)  
6 TIMES THE VALUE OF THE SPECIES OR ONE MILLION  
7 PESOS (P1,000,000.00) OR TWENTY THOUSAND US  
8 DOLLARS (US\$20,000.00), WHICHEVER IS HIGHER, AND  
9 FORFEITURE OF THE SPECIES.
- 10 Z. IN CASE OF OFFENSES UNDER SECTION 103,  
11 IMPRISONMENT OF EIGHT (8) YEARS, CONFISCATION OF  
12 BREEDERS, SPAWNERS, EGGS OR FRY, SAME AMOUNT  
13 OF ADMINISTRATIVE FINE, REVOCATION OF THE FISHING  
14 LICENSE, AND/OR SUSPENSION OR REVOCATION OF  
15 REGISTRATION AS EXPORTER.
- 16 AA. IN CASE OF OFFENSES UNDER SECTION 104, EIGHT (8)  
17 YEARS OF IMPRISONMENT, SAME AMOUNT AS  
18 ADMINISTRATIVE FINE, AND THE DESTRUCTION OF LIVE  
19 FISHERY SPECIES OR FORFEITURE OF NON-LIVE FISHERY  
20 SPECIES IN FAVOR OF THE DEPARTMENT FOR ITS  
21 PROPER DISPOSITION.
- 22 BB. FOR OFFENSES UNDER SECTION 105, SAME AS  
23 ADMINISTRATIVE FINE, AND IMPRISONMENT OF TWELVE  
24 (12) TO TWENTY (20) YEARS.
- 25 CC. FOR OFFENSES UNDER SECTION 105, IMPRISONMENT OF  
26 SIX (6) MONTHS AND ONE (1) DAY TO SIX (6) YEARS.
- 27 DD. FOR OFFENSES UNDER SECTION 106, IMPRISONMENT OF  
28 SIX (6) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS,  
29 AND AMOUNT OF ADMINISTRATIVE FINE.

- 1           EE. FOR OFFENSES UNDER SECTIONS 107, 109, 110 AND 111,  
2           IMPRISONMENT OF ONE (1) MONTH AND ONE (1) DAY TO  
3           SIX (6) MONTHS AND FINE OF THRICE THE VALUE OF THE  
4           CATCH OR THIRTY THOUSAND PESOS (P30,000.00) OR SIX  
5           HUNDRED US DOLLARS (US\$600.00), AND FORFEITURE OF  
6           CATCH AND GEAR.
- 7           FF. FOR OFFENSES UNDER SECTIONS 108, FINE EQUIVALENT  
8           TO ONE HUNDRED THOUSAND PESOS (P100,000) PER  
9           UNREPORTED HECTARE PER DAY OF NON-SUBMISSION  
10          OF THE REPORT TO BE RECKONED FROM THE DUE DATE.
- 11          GG. IN CASE OF OFFENSES UNDER SECTION 112, FINE OF NOT  
12          MORE THAN THIRTY THOUSAND PESOS (P30,000.00) OR  
13          IMPRISONMENT OF NOT MORE THAN TWO (2) YEARS, OR  
14          BOTH SUCH FINE AND IMPRISONMENT, UPON THE  
15          DISCRETION OF THE COURT.
- 16          HH. IN CASE OF OFFENSES UNDER SECTION 114,  
17          PARAGRAPHS 1 AND 2, TWICE THE AMOUNT OF THE  
18          ADMINISTRATIVE FINE.
- 19          II. IN CASE OF OFFENSES UNDER SECTION 115, DOUBLE  
20          THE ADMINISTRATIVE PENALTIES, AND/OR  
21          IMPRISONMENT OF SEVEN (7) TO TWELVE (12) YEARS,  
22          CANCELLATION OF PERMIT/LICENSE, IF ANY,  
23          DISMANTLING OF OBSTRUCTION AT HIS OWN EXPENSE  
24          AND CONFISCATION OF THE SAME.
- 25          JJ. IN CASE OF OFFENSES UNDER SECTION 116, DOUBLE  
26          THE AMOUNT OF ADMINISTRATIVE FINE, CANCELLATION  
27          OF THE PERMIT AND/OR LICENSE OF THE VESSEL AND  
28          MASTER FISHERMAN.

1           KK. IN CASE OF OFFENSES UNDER SECTION 117 TO 126  
2           DOUBLE THE AMOUNT OF ADMINISTRATIVE FINE.

3           LL. IN CASES WHERE APPLICABLE, PENDING THE  
4           RESOLUTION OF THE CRIMINAL CASE, THE  
5           VESSEL/CONVEYANCE, GEAR AND OTHER  
6           PARAPHERNALIA USED IN THE COMMISSION OF THE  
7           OFFENSE SHALL BE IMPOUNDED.

8           MM. IN CASES WHERE THE VIOLATOR IS A MUNICIPAL  
9           FISHERFOLK, THE PENALTY OF COMMUNITY SERVICE  
10          SHALL BE CONSIDERED IN LIEU OF PAYMENT OF FINE.

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12           SEC. 130. *ESCALATION CLAUSE.* – THE FINES HEREIN  
13          PRESCRIBED SHALL BE INCREASED BY AT LEAST TEN PERCENT  
14          (10%) EVERY THREE (3) YEARS TO COMPENSATE FOR INFLATION AND  
15          TO MAINTAIN THE DETERRENT FUNCTION OF SUCH FINES."

16          SEC. 13. A new Chapter VII on legal, administrative and quasi-judicial actions  
17          is hereby inserted after Chapter VI of Republic Act No. 8550, to read as follows:

18

"CHAPTER VII

19

LEGAL, ADMINISTRATIVE AND QUASI-JUDICIAL ACTIONS

20

21          SEC. 131. *COMMENCEMENT OF SUMMARY ADMINISTRATIVE*  
22          *ACTION.* – THE DEPARTMENT SHALL, ON ITS OWN INSTANCE OR  
23          UPON VERIFIED COMPLAINT BY ANY PERSON, INSTITUTE  
24          ADMINISTRATIVE PROCEEDINGS AGAINST ANY PERSON WHO  
25          COMMITS THE ABOVE-MENTIONED VIOLATIONS, OR ANY ORDER,  
26          RULE OR REGULATION ISSUED BY THE DEPARTMENT PURSUANT TO  
27          THIS CODE.

27

28          SEC. 132. *ADMINISTRATIVE AUTHORITY OF THE DIRECTOR OR*  
29          *HIS DULY AUTHORIZED REPRESENTATIVE TO ORDER CONFISCATION.*

– IN ALL CASES OF VIOLATION OF THIS ACT OR OTHER FISHERY

1 LAWS, RULES AND REGULATIONS, THE DIRECTOR OR HIS DULY  
2 AUTHORIZED REPRESENTATIVE, MAY ORDER THE CONFISCATION  
3 AND FORFEITURE OF ANY FISH, FISHERY SPECIES OR AQUATIC  
4 RESOURCES ILLEGALLY CAUGHT, TAKEN OR GATHERED, AND ALL  
5 GEARS AND VESSELS USED IN THE COMMISSION OF THE OFFENSE IN  
6 FAVOR OF THE DEPARTMENT, ACADEMIC INSTITUTIONS OR LGU AND  
7 TO DISPOSE OF THE SAME IN ACCORDANCE WITH PERTINENT LAWS,  
8 RULES, REGULATIONS AND POLICIES ON THE MATTER.

9 SEC. 133. *REWARD TO INFORMANTS AND THOSE WHO*  
10 *ASSISTED IN THE FISHERY LAW ENFORCEMENT.* – ANY PERSON WHO  
11 PROVIDED INFORMATION FOR, OR ASSISTED, IN THE APPREHENSION  
12 AND CONVICTION OF A PERSON FOR THE VIOLATION OF THIS ACT OR  
13 OTHER FISHERY LAWS, RULES AND REGULATIONS, OR THE  
14 CONFISCATION AND FORFEITURE OF FISH, FISHERY SPECIES, OTHER  
15 AQUATIC RESOURCES, VESSEL, GEARS AND CONVEYANCES, SHALL  
16 BE GIVEN A REWARD IN THE AMOUNT OF TWENTY PERCENT (20%) OF  
17 THE PROCEEDS OF THE CONFISCATION AND FORFEITURE OR OF THE  
18 ADMINISTRATIVE FINES COLLECTED BY THE BUREAU. FOR THIS  
19 PURPOSE, THE DEPARTMENT SHALL PROMULGATE THE RULES AND  
20 REGULATIONS FOR THE GRANTING OF THIS REWARD.

21 SEC. 134. *INDEPENDENCE OF ADMINISTRATIVE ACTION.* – THE  
22 FILING OF AN ADMINISTRATIVE ACTION AGAINST A PERSON OR  
23 ENTITY THAT COMMITTED THE ABOVE-MENTIONED VIOLATIONS DOES  
24 NOT PRECLUDE THE FILING OF CRIMINAL AND CIVIL ACTION AGAINST  
25 THE SAME. SUCH ACTION SHALL PROCEED INDEPENDENTLY.

26 SEC. 135. *ESTABLISHMENT OF FISHERIES MANAGEMENT FUND.*  
27 – THERE IS HEREBY ESTABLISHED A FISHERIES MANAGEMENT FUND  
28 TO BE ADMINISTERED BY THE DEPARTMENT THROUGH THE BUREAU



1 OF FISHERIES AND AQUATIC RESOURCES, AS A SPECIAL ACCOUNT  
2 IN THE NATIONAL TREASURY.

3 THE FUND SHALL BE DERIVED FROM ADMINISTRATIVE FINES  
4 IMPOSED UNDER THIS ACT AND RULES AND REGULATIONS,  
5 PROCEEDS FROM SALE OF FORFEITED FISH, FISHING GEARS,  
6 PARAPHERNALIAS AND FISHING VESSELS, FEES, CHARGES,  
7 ADMINISTRATIVE FEES, AND CONTRIBUTIONS IN THE FORM OF  
8 ENDOWMENTS, GRANTS AND DONATIONS TO THE FUND, WHICH  
9 SHALL BE EXEMPTED FROM DONOR AND OTHER TAXES, CHARGES  
10 OR FEES IMPOSED BY THE GOVERNMENT.

11 THE FUND SHALL FINANCE LAW ENFORCEMENT AND  
12 MONITORING ACTIVITIES OF THE BFAR AND OTHER LAW  
13 ENFORCEMENT AGENCIES, PURCHASE, UPGRADE AND  
14 MAINTENANCE OF VESSELS AND COSTS RELATED TO  
15 APPREHENSION SUCH AS FUEL, CONTAINMENT OF MESS,  
16 COMMUNICATION AND OTHER EQUIPMENT USED FOR THE  
17 MONITORING, CONTROL AND SURVEILLANCE, PAYMENT OF  
18 LITIGATION EXPENSES SUCH AS LAWYERS' FEES, COST OF  
19 CONVEYANCE OF WITNESSES AND OTHER COST OF SUIT PURSUANT  
20 TO CASES FILED BY OR AGAINST THE REPUBLIC OF THE PHILIPPINES  
21 IN DOMESTIC AND INTERNATIONAL COURTS ARISING FROM THE  
22 IMPLEMENTATION OF THIS ACT, PAYMENT FOR THE COST OF  
23 REHABILITATION, MEDICAL EXPENSES FOR INJURY, INDEMNITY FOR  
24 DEATH OF LAW ENFORCEMENT OFFICERS, CAPABILITY BUILDING OF  
25 BFAR AND STAKEHOLDERS IN ORDER TO COMPLY WITH  
26 INTERNATIONAL CONVENTIONS AND COMMITMENTS, IMPROVEMENT  
27 OF LABORATORY FACILITIES, PROVISION FOR SCHOLARSHIPS,  
28 PROVISION FOR VESSEL OR GEAR BUY-BACK AND ALTERNATIVE  
29 LIVELIHOOD AND SUPPLEMENTARY LIVELIHOOD FOR POVERTY

1 ALLEVIATION, AND IMPROVEMENT OF PRODUCTIVITY AND  
2 PROCESSES OF STAKEHOLDERS. SEC.

3 136. *LIEN UPON PERSONAL AND IMMOVABLE PROPERTIES OF*  
4 *VIOLATORS. - FINES AND PENALTIES IMPOSED PURSUANT TO THIS*  
5 *ACT SHALL CONSTITUTE AS LIENS UPON THE PERSONAL AND*  
6 *IMMOVABLE PROPERTIES OF THE VIOLATOR.*

7 SEC. 137. *POWER TO ISSUE CEASE AND DESIST ORDERS AND*  
8 *TO SUMMARILY EVICT WITHOUT THE NECESSITY OF JUDICIAL*  
9 *ORDER. - THE DEPARTMENT SHALL, SUBJECT TO THE*  
10 *REQUIREMENTS OF ADMINISTRATIVE DUE PROCESS, HAVE THE*  
11 *POWER TO ISSUE CEASE AND DESIST ORDER/S UPON VIOLATOR/S*  
12 *AND TO SUMMARILY EJECT, WITHOUT THE NECESSITY OF JUDICIAL*  
13 *ORDER, THE HOLDER OF FLA, OTHER TENURIAL INSTRUMENT,*  
14 *PERMIT OR LICENSE FROM AREAS OF THE PUBLIC DOMAIN COVERED*  
15 *BY SUCH FLA, TENURIAL INSTRUMENT, PERMIT OR LICENSE.*

16 SEC. 138. *OTHER POWERS. - THE DEPARTMENT MAY EXERCISE*  
17 *THE FOLLOWING POWERS PURSUANT TO ITS ADMINISTRATIVE AND*  
18 *QUASI-JUDICIAL FUNCTIONS:*

19 I. CONDUCT PUBLIC HEARINGS RELATED TO ITS FUNCTIONS;

20 II. CALL ON ANY GOVERNMENT EMPLOYEE, OR ANY OFFICE  
21 OR INSTRUMENTALITY OF THE GOVERNMENT FOR COOPERATION  
22 AND ASSISTANCE IN THE EXERCISE OF ITS FUNCTIONS;

23 III. ADOPT RULES OF PROCEDURE FOR THE CONDUCT OF ITS  
24 FUNCTIONS;

25 IV. CITE AND DECLARE ANY PERSON OR ENTITY IN CONTEMPT  
26 OF THE DEPARTMENT IN THE FOLLOWING CASES: WHENEVER ANY  
27 PERSON OR ENTITY OR ENTERPRISE COMMITS ANY DISREPECTFUL  
28 CONDUCT BEFORE A HEARING OR INVESTIGATING OFFICER OF THE  
29 DEPARTMENT DURING THE CONDUCT OF ANY HEARING OR OFFICIAL

1 INQUIRY BY THE DEPARTMENT, AT THE PLACE OR NEAR THE  
2 PREMISES WHERE SUCH HEARING OR PROCEEDING IS BEING  
3 CONDUCTED WHICH OBSTRUCT, DISTRACT, INTERFERE OR IN ANY  
4 OTHER WAY DISTURB, THE PERFORMANCE OF SUCH FUNCTIONS OR  
5 THE CONDUCT OF SUCH HEARING OR PROCEEDING.

6 WHENEVER ANY PERSON OR ENTITY FAILS OR REFUSES TO  
7 COMPLY WITH OR OBEY WITHOUT JUSTIFIABLE REASON, ANY  
8 LAWFUL ORDER, DECISION, WRIT OR PROCESS OF THE  
9 DEPARTMENT.

10 IN CONNECTION THEREWITH IT MAY IN CASES FALLING  
11 WITHIN THE FIRST PARAGRAPH HEREOF SUMMARILY IMPOSE A FINE  
12 OF AN AMOUNT NOT EXCEEDING FIVE THOUSAND PESOS (P5,000)  
13 AND ORDER THE CONFINEMENT OF THE VIOLATOR FOR A PERIOD  
14 THAT SHALL NOT EXCEED THE DURATION OF THE HEARING OR  
15 PROCEEDING OR THE PERFORMANCE OF SUCH FUNCTIONS. IN  
16 CASES FALLING WITHIN THE SECOND PARAGRAPH HEREOF, IT MAY  
17 IN ADDITION TO THE ADMINISTRATIVE FINE ABOVEMENTIONED,  
18 IMPOSE A FINE OF ONE THOUSAND PESOS (P1,000) FOR EACH DAY  
19 THAT THE VIOLATION OR FAILURE OR REFUSAL TO COMPLY  
20 CONTINUES, AND ORDER THE CONFINEMENT OF THE OFFENDER  
21 UNTIL THE ORDER OR DECISION SHALL HAVE BEEN COMPLIED WITH;  
22 AND

23 V. NO INJUNCTION OR RESTRAINING ORDER SHALL LIE  
24 AGAINST THE DEPARTMENT UPON THE *EX PARTE* MOTION OR  
25 PETITION FILED BY ANY PERSON OR ENTITY IN THE EXERCISE BY THE  
26 DEPARTMENT OF ITS REGULATORY FUNCTIONS IN SUPPORT OF THE  
27 IMPLEMENTATION OF THIS CODE.

28 SEC. 139. *CITIZEN'S SUITS.* - FOR THE PURPOSES OF  
29 ENFORCING THE PROVISIONS OF THIS ACT OR ITS IMPLEMENTING

1 RULES AND REGULATIONS, ANY CITIZEN MAY FILE AN APPROPRIATE  
2 CIVIL, CRIMINAL OR ADMINISTRATIVE ACTION IN THE PROPER  
3 COURTS/BODIES AGAINST:

4 A) ANY PERSON WHO VIOLATES OR FAILS TO COMPLY WITH  
5 THE PROVISIONS OF THIS ACT, ITS IMPLEMENTING RULES AND  
6 REGULATIONS; OR

7 B) THE DEPARTMENT OR OTHER IMPLEMENTING AGENCIES  
8 WITH RESPECT TO ORDERS, RULES AND REGULATIONS ISSUED  
9 INCONSISTENT WITH THIS ACT; AND/OR

10 C) ANY PUBLIC OFFICER WHO WILLFULLY OR GROSSLY  
11 NEGLECTS THE PERFORMANCE OF AN ACT SPECIFICALLY ENJOINED  
12 AS A DUTY BY THIS ACT OR ITS IMPLEMENTING RULES AND  
13 REGULATIONS; OR ABUSES HIS AUTHORITY IN THE PERFORMANCE  
14 OF HIS DUTY; OR, IN ANY MANNER IMPROPERLY PERFORMS HIS  
15 DUTIES UNDER THIS ACT OR ITS IMPLEMENTING RULES AND  
16 REGULATIONS: *PROVIDED, HOWEVER*, THAT NO SUIT CAN BE FILED  
17 UNTIL AFTER FIFTEEN (15) DAYS NOTICE HAS BEEN GIVEN THE  
18 PUBLIC OFFICER AND THE ALLEGED VIOLATOR CONCERNED AND NO  
19 APPROPRIATE ACTION HAS BEEN TAKEN THEREON.

20 *SEC. 140. SUITS AND STRATEGIC LEGAL ACTION AGAINST*  
21 *PUBLIC PARTICIPATION (SLAPP) AND THE ENFORCEMENT OF THIS*  
22 *ACT. – WHERE A SUIT IS BROUGHT AGAINST A PERSON WHO FILED*  
23 *AN ACTION AS PROVIDED IN THIS ACT, OR AGAINST ANY PERSON,*  
24 *INSTITUTION OR GOVERNMENT AGENCY THAT IMPLEMENTS THIS*  
25 *ACT, IT SHALL BE THE DUTY OF THE INVESTIGATING PROSECUTOR*  
26 *OR THE COURT, AS THE CASE MAY BE, TO IMMEDIATELY MAKE A*  
27 *DETERMINATION NOT EXCEEDING THIRTY (30) DAYS WHETHER SAID*  
28 *LEGAL ACTION HAS BEEN FILED TO HARASS, VEX, EXERT UNDUE*  
29 *PRESURE OF STIFLE SUCH ENFORCING THE PROVISIONS OF THIS*

1           ACT. UPON DETERMINATION THEREOF, EVIDENCE WARRANTING THE  
2           SAME, THE COURT SHALL DISMISS THE COMPLAINT AND AWARD THE  
3           ATTORNEY'S AND DOUBLE DAMAGES.

4           THIS PROVISION SHALL ALSO APPLY AND BENEFIT PUBLIC  
5           OFFICERS WHO ARE SUED FOR ACTS COMMITTED IN THEIR OFFICIAL  
6           CAPACITY, THERE BEING NO GRAVE ABUSE OF AUTHORITY, AND  
7           DONE IN THE COURSE OF ENFORCING THIS ACT."

8           **SEC. 14.** *Renumbering of the Remaining Sections of Republic Act No. 8550.* –  
9           Sections 108 to 133 of Republic Act No. 8550 shall be renumbered as Sections 141  
10          to 166 accordingly.

11          **SEC. 15.** *Implementing Rules and Regulations.* – The Department of  
12          Agriculture, in consultation with concerned government agencies and stakeholders,  
13          shall promulgate the Implementing Rules and Regulations of this Act within six (6)  
14          months from the effectivity of this Act.

15          **SEC. 16.** *Repealing Clause.* – All laws, decrees, executive orders and rules  
16          and regulations or part thereof, which are inconsistent with this Act, are repealed or  
17          modified accordingly.

18          **SEC. 17.** *Separability Clause.* – If any portion of this Act is declared  
19          unconstitutional or invalid, the portions or provisions thereof, which are not affected  
20          thereby, shall continue in full force and effect.

21          **SEC. 18.** *Effectivity.*– This Act shall take effect after fifteen (15) days from its  
22          complete publication in at least two (2) newspapers of general circulation.

*Approved.*