



)
)
)
'22 JUL 14 P2 :08

S. B. No. 614

RECEIVED BY: _____

INTRODUCED BY SENATOR ALAN PETER "COMPAÑERO" S. CAYETANO

**AN ACT
CREATING A DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES,
PROVIDING FOR ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

The Philippines, being an archipelago with very rich marine resources, can be a marine powerhouse. Thus, it is logical that a Department that is focused and accountable for the development, management, and conservation of our country's aquatic resources and fishing industries be established.

Fish and aquatic resources are some of the biggest blessings of God to the people. Filipinos have always relied on fish as a basic food resource and commodity. Our dependence on fish can be attributed to the archipelagic nature of the Philippines with its approximately 7,600 islands. Our national territory comprises all the islands and waters, including its territorial sea, seabed, subsoil, the insular shelves, and other submarine areas. The waters around and between the islands of the archipelago, regardless of their breadth and dimensions, form part of the internal waters of the Philippines. The Department of Agriculture's Bureau of Fisheries and Aquatic Resources (DA-BFAR) notes that the Philippines' coastline extends to 36,289 kilometers, while total territorial water area (including the exclusive economic zone) is at 2,200,000 square kilometers, teeming with rich marine resources.¹

As an archipelago, one of the major sources of livelihood in the country is fisheries. Based on the latest DA-BFAR statistics², the number of registered fisherfolk engaged in fishery activities totaled to 2,078,913 in 2020. The fishing industry ranks as the 3rd highest contributor in the agriculture sector with 12.27% gross value added contribution in 2020. Fisheries production from the same year is at 4.4 million metric tons, which translates to a total contribution of Php 273.5 billion in 2020. At constant prices, this equates to a 1.52% share to the country's Gross Domestic Product (GDP).

In the global context, the Philippines is considered to be one of the top fish producing countries in the world, ranking 8th in 2018 with a total production of 4.35 million

¹ <http://www.bfar.da.gov.ph/profile>

² <https://www.bfar.da.gov.ph/wp-content/uploads/2022/02/2020-Fisheries-Profile-Final.pdf>

metric tons. Similarly, we are also the world's 4th largest producer of aquatic plants (including seaweeds) having produced a total of 1.48 million metric tons³. Overall, these figures reflect the importance of the industry in the country's economy and its potential to grow.

Moreover, by investing in methods to increase yields of fish and aquatic resources, it makes the produce more accessible to all. It inadvertently encourages healthy dietary choices, which in turn lessens the expenses on medical or health-related issues later on. While we have very good people in the Department of Agriculture, the Department's priority is more on agriculture. It is time that the government provides for a focused, single-minded, specialised department responsive to the needs and concerns of the fisheries and aquatic resource industry.

Given the above tremendous potential of fisheries and aquatic resources and the priority and resources made available to Departments, there is a need to create the Department of Fisheries and Aquatic Resources (DFAR) in order to strengthen the institutional capacities of DFAR as the primary policy and regulatory body on fisheries and aquatic resources. As with any administrative agency, DFAR will serve public purpose, efficiency and the best interest of the industry. Hence, this will be a significant step in order to better protect, utilize, maximize, and conserve the nation's marine resources as well as uphold the best interest of the fisher folk.

In view of the foregoing, the immediate enactment of this measure is sought.



ALAN PETER "COMPAÑERO" S. CAYETANO

³ <https://www.bfar.da.gov.ph/wp-content/uploads/2022/02/2020-Fisheries-Profile-Final.pdf>

)
)
)
'22 JUL 14 P2:09

S. B. No. 614

RECEIVED BY. 

INTRODUCED BY SENATOR ALAN PETER "COMPAÑERO" S. CAYETANO

AN ACT
CREATING A DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES,
PROVIDING FOR ITS POWERS AND FUNCTIONS, AND FOR OTHER PURPOSES

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

1 SECTION 1. Title. - This Act shall be known as the "*Department of Fisheries and*
2 *Aquatic Resources Act*".
3

4 SECTION 2. Declaration of Policy. - The following is hereby declared policy of the
5 State:
6

- 7 a) The State shall promote sustainable development in the management of all
8 fisheries and marine resources within its national territory;
9
- 10 b) The national territory comprises the Philippine archipelago, with all the islands
11 and waters embraced therein, and all other territories over which the Philippines
12 has sovereignty or jurisdiction, consisting of its terrestrial, fluvial and aerial
13 domains, including its territorial sea, the seabed, the subsoil, the insular shelves,
14 and other submarine areas. The waters around, between, and connecting the
15 islands of the archipelago, regardless of their breadth and dimensions, form part
16 of the internal waters of the Philippines;
17
- 18 c) The Philippine waters include its Exclusive Economic Zone (EEZ) and extended
19 continental shelf in the adjacent high seas;
20
- 21 d) It is the primordial policy to maintain a sound ecological balance, protect and
22 enhance the quality of the environment in its territorial waters. The State shall
23 protect and conserve the nation's marine wealth in its archipelagic waters,
24 territorial sea and EEZ and reserve its use and enjoyment exclusively to Filipino
25 citizens;
26
- 27 e) The State shall adopt the precautionary principle and to prioritize conservation of
28 the country's marine and aquatic resources, as well as to protect the rights of

1 small-scale fisher folk in the preferential use of communal marine, fisheries and
2 aquatic resources. Towards this end, it shall provide such fisher folk with the
3 appropriate technical and financial support; and
4

- 5 f) Legitimate and recognized non-governmental organizations (NGOs) are
6 considered as partners of the State in the protection and conservation of fisheries
7 and aquatic resources. These NGOs are likewise partners of the State in
8 development and the promotion of the welfare of the fisher folk.
9

10 **SECTION 3. Creation.** - To carry out the above-declared policy, the Department of
11 Fisheries and Aquatic Resources, hereinafter referred to as the Department, is hereby
12 created structurally and functionally in accordance with the provisions of this Act.
13

14 **SECTION 4. Jurisdiction of the Department.** - The Department shall have primary
15 jurisdiction over the management, development, utilization and disposition of all
16 fishery and aquatic resources of the country, including the habitats of fish and all
17 other marine life and over activities which impact on these habitats. *Provided*, That
18 the Department shall work closely with the Department of Environment and Natural
19 Resources and other relevant agencies to ensure that its policies relating to fishery
20 and aquatic resources are not in conflict with general government policies on the
21 protection, preservation and conservation of environment and natural resources, and
22 are supportive of the general goal to ensure equitable sharing of the benefits derived
23 therefrom for the welfare of the present and future generations of Filipinos. *Provided*
24 *further*, That the jurisdiction over municipal waters shall be exercised jointly by the
25 Department and local government units (LGUs), with the latter managing the same in
26 accordance with national fishery policies, laws, rules and regulations.
27

28 The Department shall have the sole authority to supervise and regulate the
29 production and capture of fish and fishery products within its jurisdiction, as well as
30 the processing and marketing of all fisheries and aquatic products in the country. It
31 shall also have the responsibility of rationalizing all ocean sector initiatives which
32 impact on fish and marine resources or their habitat including, but not limited to:
33 marine energy exploration and development; coastal and marine tourism;
34 designation of shipping lanes; protected areas; and, marine industry development
35 areas. The regulation of these marine activities, once rationalized by the Department,
36 shall reside with the parent agency for the appropriate sector involved.
37

38 **SECTION 5. Powers and Functions.** - To accomplish its mandate, the Department
39 shall have the following powers, functions and responsibilities:
40

- 41 a) prepare and implement a Comprehensive National Fisheries Industry
42 Development Plan;
43 b) issue licenses for the operation of commercial fishing vessels;
44 c) issue identification cards free of charge to fishworkers engaged in commercial
45 fishing;
46 d) monitor and review joint fishing agreements between Filipino citizens and
47 foreigners who conduct fishing activities in international waters, and ensure that
48 such agreements are not contrary to Philippine commitment under international
49 treaties and convention on fishing in the high seas;

- 1 e) formulate and implement a Comprehensive Fishery Research and Development
2 Program, such as, but not limited to, sea farming, sea ranching,
3 tropical/ornamental fish and seaweed culture, aimed at increasing resource
4 productivity, improving resource use efficiency, and ensuring the long-term
5 sustainability of the country's fishery and aquatic resources;
- 6 f) establish and maintain a Comprehensive Fishery Information System;
- 7 g) provide extensive development support services in all aspects of fisheries
8 production, processing and marketing;
- 9 h) provide advisory services and technical assistance on the improvement of quality
10 of fish from the time it is caught (i.e. on board fishing vessel, at landing areas, fish
11 markets, to the processing plants and to the distribution and marketing chain);
- 12 i) coordinate efforts relating to fishery production undertaken by the primary
13 fishery producers, LGUs, FARMCs, fishery and organizations/cooperatives;
- 14 j) advise and coordinate with LGUs on the maintenance of proper sanitation and
15 hygienic practices in fish markets and fish landing areas;
- 16 k) establish a corps of specialists in collaboration with the Department of National
17 Defense, Department of the Interior and Local Government, Department of
18 Foreign Affairs for the efficient monitoring, control and surveillance of fishing
19 activities within Philippine territorial waters and provide the necessary facilities,
20 equipment and training therefor;
- 21 l) implement an inspection system for import and export of fishery/aquatic
22 products and fish processing establishments, consistent with international
23 standards to ensure product quality and safety;
- 24 m) coordinate with LGUs and other concerned agencies for the establishment of
25 productivity enhancing and market development programs in fishing
26 communities to enable women to engage in other fisheries/economic activities
27 and contribute significantly to development efforts;
- 28 n) enforce all laws, formulate and enforce all rules and regulations governing the
29 conservation and management of fishery resources, including in municipal
30 waters where it shall closely coordinate with the LGUs for such enforcement, and
31 to settle conflicts of resource use and allocation in consultation with the NFARMC,
32 LGUs and local FARMCs;
- 33 o) develop value-added fishery-products for domestic consumption and export;
- 34 p) recommend measures for the protection/enhancement of the fishery industries;
- 35 q) assist the LGUs in developing their technical capability in the development,
36 management, regulation, conservation, and protection of the fishery resources;
- 37 r) formulate and implement rules and regulations for the conservation and
38 management of straddling fish stocks and highly migratory fish stocks; and
39 threatened living marine resources such as sharks, rays and *ludong*, inter alia, in
40 the Philippine Exclusive Economic Zone, territorial sea, archipelagic and internal
41 waters, in coordination with LGUs and integrated/municipal/city Fisheries and
42 Aquatic Resources Management Councils;
- 43 s) train, designate and deploy fisheries observers in Philippine flagged fishing
44 vessels engaged in commercial fishing in Philippine waters or distant water

1 fishing to ensure compliance with conservation and management measures
2 adopted by RFMOS and by the Department;

3 t) implement boarding and inspection protocols upon Philippine flagged fishing
4 vessels in order to promote observance to international treaty obligations on
5 food safety, to curb illegal, unreported and unregulated fishing, and to comply
6 with conservation and management measures;

7 u) adopt an appropriate monitoring, control, surveillance and traceability system
8 for municipal fishing vessels supplying exporters with concurrence of the local
9 government units;

10 v) adopt and implement a national plan of action to manage fishing capacity,
11 implement the international code of conduct for responsible fisheries, and
12 declare fishery management areas as over-exploited in coordination with the
13 LGUs and FARMCs;

14 w) require performance bonds and impose and collect reasonable fees and charges
15 for laboratory services, inspection, deployment of fisheries observers, and catch
16 documentation and validation, taking into account the balance required between
17 recovering the costs of services rendered and the socioeconomic impact of their
18 imposition, upon prior consultation with stakeholders;

19 x) hear and decide administrative cases before it;

20 y) determine the appropriate levels of administrative and other sanctions,
21 particularly for serious violations, that deprive offenders of economic benefits
22 from their violations of the laws, rules and regulations;

23 z) initiate the criminal prosecution of offenses committed in violation of the
24 Fisheries Code of 1997, as amended, regardless of their status; and

25 aa) perform such other related functions which shall promote the development,
26 conservation, management, protection and utilization of fisheries and aquatic
27 resources.

28 **SECTION 6. Composition.** - The Department shall be composed of the Office of the
29 Secretary, three (3) Undersecretaries for Fisheries Production and Utilization; for
30 Fisheries Conservation and Management; and for Operations.

31
32 **SECTION 7. Secretary of Fisheries and Aquatic Resources.** - The Secretary of
33 Fisheries and Aquatic Resources, hereinafter referred to as the Secretary, shall be
34 appointed by the President with the consent of the Commission on Appointments. No
35 person shall be appointed Secretary of the Department unless he or she is a Filipino
36 citizen; at least a degree holder in fisheries, public administration, management,
37 economics, law or other equivalent relevant disciplines; has actual experience in
38 administration and management for at least ten (10) years; and has general practical
39 knowledge of fisheries and/or management of aquatic resources.

40
41 The Secretary shall have the following functions:

42
43 (a) Supervision and control of the Department and the Bureaus, Offices and Institutes
44 under it;

45 (b) Authority and responsibility for the performance of the powers and functions of
46 the Department;

- 1 (c) Advise the President on the promulgation of policies, rules and regulations, and
2 other issuances relative to the sustainable development and management of
3 fisheries and aquatic resources;
4 (d) Establish management policies and standards for the efficient and effective
5 operation of the Department in accordance with the programs of the government;
6 (e) Promulgate rules, regulations and other issuance in carrying out the Department's
7 mandate, objectives, policies, plans, programs and projects; and
8 (f) Perform such other functions as may be provided by law or assigned by the
9 President.

10
11 **SECTION 8. Undersecretaries.** - The Secretary shall be assisted by three (3)
12 Undersecretaries:

- 13
14 1. Undersecretary for Production and Utilization of Fisheries and Aquatic Resources;
15 2. Undersecretary for Conservation and Management of Fisheries and Aquatic
16 Resources; and
17 3. Undersecretary for Operations.

18
19 The Undersecretaries shall be appointed by the President upon the recommendation
20 of the Secretary. No person shall be appointed Undersecretary of the Department
21 unless he or she is a Filipino citizen; at least a degree holder in fisheries, public
22 administration, management, economics, law or other equivalent relevant
23 disciplines.

24
25 The general functions of the Undersecretaries are as follows:

- 26
27 (a) Assist the Secretary on the formulation of policies, programs, plans, rules and
28 regulations, as well as on the promulgation of Department Order, Administrative
29 Orders, and other issuance with respect to his/her area of responsibility;
30 (b) Exercise supervision and control over the bureaus, offices, services and operating
31 units under his/her responsibility;
32 (c) Coordinate the functions and activities of the units under his/her responsibility
33 with those of the other units in the Department;
34 (d) Liaise with concerned government departments, agencies, and offices to ensure
35 effective coordination in the management of the fisheries and aquatic resources
36 sector; and
37 (e) Perform such other functions as may be provided by law or assigned by the
38 Secretary

39
40 **SECTION 9. Undersecretary for Production and Utilization of Fisheries and**
41 **Aquatic Resources.** - The Undersecretary for Fisheries Production and Utilization
42 shall assist the Secretary in the overall management of fisheries production,
43 processing, marketing, utilization, development of techniques in the industry, among
44 others.

45
46 Under the supervision and control of the Undersecretary for Fisheries Production and
47 Utilization, the following bureaus, services and offices are hereby created:

- 48
49 (a) Bureau of Aquaculture and Inland Fisheries (BAIF) - The BAIF shall, among
50 others, be responsible for: regulating aquaculture operations in line with the

1 International Code of Conduct for Aquaculture, promoting the intensification of
2 aquaculture operations in existing areas; formulating aquaculture development
3 programs; establishing and maintaining model aquaculture farms and ponds;
4 providing technical assistance to cooperatives and fishpond operators in the
5 development of a viable fishmeal and fish feeds industry, undertaking inland fishery
6 resources evaluation; and recommending management and conservation measures.
7

8 The Bureau shall be headed by a Director and shall be composed of the following
9 divisions:

- 10 (1) Aquaculture Management and Development Division;
- 11 (2) Inland Fisheries Resource Assessment and Conservation Division;
- 12 (3) Inland Fishery Development and Extension Division; and the
- 13 (4) Environmental Impact Assessment and Monitoring Division

14
15 (b) Bureau of Postharvest and Fisheries Product Standards (BPFPS) - The fishery
16 component of the Bureau of Agriculture and Product Standards created under Section
17 61 of RA 8435 shall be transferred to the BPFPS which shall formulate and enforce
18 standards of quality in the processing, preservation, packaging, labeling, importation,
19 exportation, distribution, and advertising of fishery products; conduct research on
20 product standardization, alignment of the local standards with the international
21 standards; promote and strengthen semi-processing and handling; and shall have a
22 Director, two Assistant Directors - one for Product Standards and Technical Services
23 and the other for Industry Compliance and Consumer Protection.
24

25 Under the Assistant Director for Product Standards and Technical Services, the
26 following shall be Divisions:

- 27 (1) Technical Services Division
- 28 (2) Fish Processing Technology Division
- 29 (3) Standards Development and Promotion Division; and the
- 30 (4) Value-added Products Development and Promotion Division

31
32 Under the Assistant Director for Industry Compliance and Consumer Protection, the
33 following shall be the following divisions:

- 34 (1) Industry Compliance Division;
- 35 (2) Consumer Affairs Division; and the
- 36 (3) Arbitration and Dispute Resolution Division.

37
38 (c) Bureau of Fisheries Extension, Training, and Support Service (BFETSS) - The
39 BFETSS shall coordinate all development activities with respect to fisheries and
40 aquatic resources technology, and shall have a development section for all
41 components including inland and ocean fishing, and fishing gears and methods. It shall
42 formulate a National Extension System for Fisheries, which shall be composed of
43 three (3) subsystems: the national government subsystem, the local government
44 subsystem and the private sector subsystem. It shall deliver the following major
45 services: training services; credit and financing support services, business advisory
46 services; demonstration services, and information and communication support
47 services through tri-media.
48

49 It shall have the following divisions:

- 50 (1) Training and Skills Development Division;

- 1 (2) Technology Transfer and Demonstration Division;
- 2 (3) Business Advisory and Information Support Division; and
- 3 (4) Training Centers

4
5 (d) The Bureau of Fishing Technology and Capture Fisheries (BFTCF)- The BFTCF
6 shall have direct supervision and control over the utilization of marine resources
7 including commercial, international and small-scale fisheries. It shall formulate
8 development programs for the expansion of the marine fishery industry; explore new
9 fishery resources and development environment friendly but efficient fishing gears.

10
11 It shall be headed by a Director and two Assistant Directors and shall have the
12 following divisions:

- 13 (1) Municipal Fisheries Division;
- 14 (2) Commercial Fisheries Division;
- 15 (3) Fishing Technology Division; and
- 16 (4) High Seas Fisheries Division

17
18 (e) The Fisheries Modernization Credit and Financing Agency (FMCFA) - The
19 FMCFA shall administer the funds under Sections 108 to 113 of RA 8550 as well as
20 the fisheries-related provisions of Sections 20 to 25 of RA 8435, harmonizing and
21 integrating the two so as to package and deliver various credit assistance programs
22 for the following:

- 23
24 (1) Fisheries production including processing of fisheries products and inputs;
- 25 (2) Acquisition or construction of fishery equipment, machinery, fishing vessels
26 and fishing gears;
- 27 (3) Acquisition of fry, fingerlings, fertilizers, feeds and similar items;
- 28 (4) Procurement of fisheries products for storage, trading, processing and
29 distribution;
- 30 (5) Construction, acquisition and repair of facilities for production, processing,
31 storage, transportation, communication, marketing and such other facilities in
32 support of fisheries; economic activities; High Seas Fisheries Division;
- 33 (6) Working capital for fisheries graduates to enable them to engage in fisheries-
34 related;
- 35 (7) Activities which support marine and freshwater bodies conservation and
36 ecology-enhancing activities such as but not limited to mangrove reforestation,
37 promotion of whale shark and manta ray and other endangered marine species
38 watching and ecotourism; and the
- 39 (8) Development of appropriate technology, both in fishery and ancillary
40 industries that are ecologically sound, locally source based and labor intensive, based
41 on the requirements of the Fisheries and Aquatic Management Councils. Under the
42 supervision and control of the Undersecretary for Fisheries Conservation and
43 Management, the following bureaus, units, board and services are hereby created.

44
45 **SECTION 10. Undersecretary for Conservation and Management of Fisheries**
46 **and Aquatic Resources.** - The Undersecretary for Fisheries Conservation and
47 Management shall assist the Secretary primarily in the development and
48 implementation of conservation and protection of the fisheries and aquatic resources
49 industry.

1 Under the supervision and control of the Undersecretary for Conservation and
2 Management, the following bureaus, services and offices are hereby created:
3

4 (a) Marine Resources Conservation and Management Bureau - The Marine
5 Resources Conservation and Management Bureau is a line bureau tasked with the
6 formulation and implementation of a Comprehensive Fisheries Management Plan. It
7 shall undertake marine fishery resources assessment and biological and
8 environmental investigations and formulate conservation measures. In coordination
9 with the National Fisheries Research and Development Institute, it shall determine
10 and establish the carrying capacity and total allowable catch (TAC) for a particular
11 resource. It shall set the allowable fishing effort based on the carrying capacity of the
12 resource and TAC and accordingly issue commercial fishing licenses and permits.
13

14 It shall be headed by a Director and two Assistant Directors and shall have the
15 following divisions:

- 16 (1) Coastal Resources Management Division;
- 17 (2) Oceanography Division;
- 18 (3) Fisheries Licensing Division;
- 19 (4) Biotechnology, Biosafety and Bioprospecting Division; and the
- 20 (5) Fisheries Law Enforcement Division -

21
22 The Fisheries Law Enforcement Division shall operate the National and Zonal
23 Monitoring Surveillance System. It shall establish fishery air and ocean patrol as well
24 as conduct law enforcement trainings and recommend to the Secretary the
25 deputation of government employees and members of fisher folk associations as
26 fishery guardians. It shall have the supervision and control of fishery officers and
27 guardians and the corps of specialists responsible for the enforcement of fishery laws,
28 rules and regulations and the efficient monitoring and surveillance of fishing
29 activities within Philippine territorial waters. It shall have the following units:
30

- 31 i. The National and Fisheries Zone Monitoring and Surveillance Center which
32 shall have a National Coordinating Center and several Fisheries Zones
33 Monitoring and Surveillance Centers. It is further subdivided into the Vessel
34 Tracking and Remote Sensing Office, and the Database and Information Center;
- 35 ii. The Fisheries Air Patrol and Ocean Patrol, and the Regulatory Staff composed
36 of Fishery Officers, Deputized Fisheries Guardians and the corps of specialists
37 from the DND, PNP-MARICOM, DILG, DFA and DOJ. The Fishery Officers shall
38 have full police powers relative to the enforcement of fishery laws, rules and
39 regulations including arrest, search and seizure, and shall have the authority
40 to directly file complaints for violation of fishery laws, rules and regulations.
41

42 (b) The Bureau of Marine Protected Areas and Wildlife (BMPAW) - The BMPAW is
43 a line bureau responsible for establishing and maintaining marine protected areas
44 and wildlife sanctuaries. It shall lead in the conduct of scientific researches on the
45 proper strategies for the conservation and protection of marine wildlife and their
46 habitat including breeding or propagation. It shall also establish Marine Wildlife
47 Rescue Centers to take custody of all confiscated, stranded or abandoned marine
48 wildlife. It shall have the authority to issue Committee on International Trade on
49 Endangered Species (CITES) Permits and shall be both the CITES Management and
50 Scientific Authorities of the Philippines. It shall be the lead agency in the fulfilment of

1 the country's obligations under CITES, the Convention on Biological Diversity and
2 other treaties and international agreements.

3
4 It shall have the following divisions:

- 5
6 a. Marine Protected Areas Division;
7 b. Marine Wildlife Rescue Centers;
8 c. CITES Management Authority;
9 d. Endangered Marine Species Captive Breeding Centers;
10 e. Endangered Marine Wildlife Research Center - The Endangered Marine Wildlife
11 Research Center shall be the Department's CITES Scientific Authority which
12 shall coordinate with academic institutions designated as scientific authorities;
13 and the
14 f. Biodiversity Division

15
16 **SECTION 11. Undersecretary for Operations.** - The Undersecretary for Fisheries
17 Operations shall assist the Secretary in the overall supervision and control over all
18 regional offices.

19
20 The Undersecretary for Operations shall have direct control and supervision of the
21 following units and bureau:

22
23 (a) The Fisheries Inspection and Quarantine Inspection Service (FIQIS) - The FIQIS
24 shall have the line functions and shall be responsible for the inspection and
25 quarantine of all fishery related activities including the conduct of quarantine and
26 quality inspection of all fish and fishery/aquatic products coming into and going out
27 of the country by air or water transport to detect the presence of fish pest and
28 diseases, the regular inspection of processing plants, storage facilities, abattoirs, as
29 well as public and private markets in order to ensure freshness, safety and quality of
30 products and to ensure that these products conform to the standards prescribed by
31 the Department; and the quarantine of aquatic animals and fishery products
32 determined or suspected to be with fishery pest and diseases and prevent the
33 movement or trade from and or into the country of these products so prohibited or
34 regulated under existing laws, rules or regulations and international agreements of
35 which the Philippine is a State Party.

36
37 It shall have the following units:

- 38 (1) Regional fishery Inspection and Quarantine Offices;
39 (2) Cyanide Detection Centers;
40 (3) Product Standards Enforcement Division; and the
41 (4) Regional Fish Health Centers

42
43 (b) The Bureau of Fishery Economics and Statistics (BFES) - The BFES shall be a
44 line bureau responsible for establishing benchmark data on the structure of the
45 fishery industry. It shall conduct research and studies on the socio-economics of
46 various fishery operations, collect data on fishery production, and establish a
47 network of fishery information, documentation and dissemination. It shall have the
48 following divisions:

- 49 (1) Fishery Statistics Division;
50 (2) Socioeconomic Division; and the

1 (3) Fishery Information Division
2

3 **SECTION 12. Attached Agencies.** - The Office of Ocean and Marine Affairs shall be
4 the Department's primary agency tasked with the implementation of the National
5 Marine Policy and the relevant provisions of the United Nations Convention on the
6 Law of the Sea. Any and all use of the ocean shall require the assessment and clearance
7 by this Office, which shall rationalize initiatives that will negatively impact the
8 fisheries or their habitat. It shall coordinate the implementation of fisheries and
9 ocean sector policies, as well as plans and laws for all maritime components. It shall
10 be headed by a Director and shall have the following divisions:
11

- 12 (a) Ocean-Use Assessment and Clearance Division;
13 (b) National and International Ocean Law and Policy Division;
14 (c) Special Projects Division; and
15 (d) Technical Division
16

17 The Philippine Fisheries Development Authority created by Presidential Decree No.
18 977 as amended, shall be an attached agency of the Department of Fisheries and
19 Aquatic Resources under the Office of the Secretary.
20

21 The National Fisheries Research and Development Institute (NFRDI) created by
22 Republic Act No. 8550, as amended, shall also be an attached agency of the
23 Department of Fisheries and Aquatic Resources, to serve as the primary research arm
24 thereof. To ensure the independent and objective implementation of its research
25 activities, the NFRDI shall have a separate budget specific to its manpower
26 requirements and operations.
27

28 **SECTION 13. Organizational Structure of the Department.** - The functions of the
29 Department under this Act shall be carried out by the bureaus, agencies and services
30 created in the Department.
31

32 **SECTION 14. Regional Offices and Functions.** - The Department shall have such
33 department-wide regional offices as may be necessary in the administrative regions,
34 each to be headed by a Regional Director, who shall be assisted by an Assistant
35 Regional Director, each regional office shall have support staffs as may be necessary
36 and four line divisions which shall have the following duties and responsibilities:
37

- 38 (a) Provide efficient and effective front-line service to the fishery and aquatic
39 industry sector, particularly to the municipal fishermen;
40 (b) Implement in its area of jurisdiction, the laws, policies, plans, programs,
41 projects, rules and regulations of the Department;
42 (c) Coordinate with the Regional Office of the other departments, offices and
43 agencies in the region; and
44 (d) Perform other functions as may be provided by law or assigned by the Secretary.
45

46 **SECTION 15. Appointment and Qualification of Directors.** - The Directors of the
47 Bureau, Offices and Agencies and the Regional Directors shall be appointed by the
48 Secretary, upon recommendation of the Undersecretaries concerned. The Directors
49 must have a degree in law or Master of Science degree in marine fisheries,
50 oceanography, fisheries biology, marine biology, fisheries technology, microbiology

1 or related sciences, or public administration and at least five years of experience
2 either in the public or private sector, in marine fisheries research and development,
3 or in the fisheries industry.
4

5 **SECTION 16. Abolition, Transfer and Merger.** - The Bureau of Fisheries and Aquatic
6 Resources reconstituted by Republic Act No 8550, is hereby abolished and its
7 relevant functions, appropriations, records, properties, equipment and personnel are
8 hereby transferred to the Department of Fisheries and Aquatic Resources: Provided,
9 however, That no official or employee of the BFAR shall be laid off in the
10 implementation of this section.
11

12 The National and Municipal Fisheries and Aquatic Resources Management Councils
13 created by Republic Act No. 8550 shall be transferred to the Office of the Secretary of
14 the Department of Fisheries and Aquatic Resources.
15

16 The National Fisheries Research and Development Institute created by Republic Act
17 No. 8550 is transferred to the department and shall serve as its principal research
18 arm.
19

20 The National Fisheries and Aquatic Resources Management Council created by
21 Executive Order No. 240 is transferred to the Department.
22

23 The Philippine Fisheries Development Authority created by Presidential Decree No.
24 977 including its relevant functions, appropriations, records, properties, equipment
25 and personnel, is hereby transferred to the Department of Fisheries and Aquatic
26 Resources as an attached agency under the Office of the Secretary: Provided,
27 however, That the Secretary of the Department of Fisheries and Aquatic Resources
28 shall be the new chairman of the Board: Provided, further, That no official or
29 employee of the PFDA shall be laid off in the implementation of this Section.
30

31 The Philippine Technical Advisory Committee of the SEAFDEC Aquaculture
32 Department created under Executive Order No. 834 dated October 4, 1982, including
33 its relevant functions, appropriations; records, properties, equipment and personnel,
34 is hereby transferred and attached to the Department of Fisheries and Aquatic
35 Resources: Provided, That no official or employee of the Board shall be laid off in the
36 implementation of this section.
37

38 The fisheries-related functions of the Laguna Lake Development Authority, including
39 its relevant appropriations, records, and personnel, are hereby transferred to the
40 Department of Fisheries and Aquatic Resources: Provided, however, that no official
41 or employee of the LLDA shall be laid off in the implementation of this Section.
42

43 The Philippine Council for Aquatic and Marine Research and Development is
44 abolished and all its personnel, records, appropriations, property and equipment are
45 transferred to the National Fisheries Research and Development Institute of the
46 Department of Fisheries and Marine Resources.
47

48 The Marine Research and Conservation Division and the different Sections there
49 under and the Coastal Environment Program including its relevant appropriations,
50 personnel, records, property and equipment, all marine and coastal related projects

1 and programs of the Department of Environment and Natural Resources, and all
2 fisheries related functions 'of the DENR under Executive Orders No. 192 and 292,
3 except the functions of the enforcement of water pollution laws, rules and regulations,
4 are hereby transferred to the Department of Fisheries and Aquatic Resources.
5

6 The fisheries-related sections of the Bureau of Agricultural Research, the Bureau of
7 Agricultural Statistics and the Agricultural Training Institute of the Department of
8 Agriculture are hereby abolished and all its personnel, records, appropriations,
9 property and equipment are transferred to the Department of Fisheries and Marine
10 Resources.
11

12 **SECTION 17. Transitory Provisions.** - In accomplishing the acts of organizing the
13 department as herein prescribed, the following provisions shall be complied with:
14

- 15 a) The transfer of a government unit or agency shall include the functions,
16 Appropriations, funds, records, equipment, facilities, chooses in action, rights,
17 other assets and liabilities, if any, of the. Transferred unit or agency as well as the
18 personnel thereof, as may be necessary, who shall, pending reappointment,
19 continue to perform their respective duties and responsibilities and receive the
20 corresponding salaries and benefits in a hold-over capacity.
21 b) The transfer of functions which results in the abolition of the government unit or
22 agency that has exercised them, shall include the appropriations, funds, records,
23 equipment, facilities, chooses in action, rights, other assets and personnel as may
24 be necessary to the proper discharge of the transferred functions. Its liabilities, if
25 any, shall likewise be treated in accordance with the Government Auditing Code
26 and other pertinent laws, rules and regulations. Its personnel shall, pending
27 reappointment, continue to perform their duties and responsibilities and receive
28 the corresponding salaries and benefits in a holdover capacity.
29

30 **SECTION 18. Organization Committee.** - The duly appointed Secretary of Fisheries
31 and Aquatic Resources shall immediately create an organization committee which
32 shall study and formulate the staffing pattern, qualification standards, and placement
33 of personnel in the Department, its services, bureaus, and offices. The Committee
34 shall be composed of representatives from the Department of Budget and
35 Management, Civil Service Commission, the fishery industry and the academe.
36

37 **SECTION 19. Appropriations.** - For the effective implementation of this Act, the
38 amount of Php5 Billion is hereby appropriated from the funds of the National
39 Treasury and the current budgetary appropriations of the Bureau of Fisheries and
40 Aquatic Resources, including its regional offices, the appropriations of the Philippine
41 Fishing Development Authority, and the budgetary provision of the Philippine
42 Council for Aquatic and Marine Research Development.
43

44 The revenues which the Department will generate from its licensing operations, the
45 fees collected & the proprietary services delivered by the Department, and the
46 administrative fines imposed by the National Fisheries Regulatory and Adjudication
47 Bond shall constitute the Department's revolving fund from which amounts
48 necessary to carry out the special research projects, management and conservation
49 programs, staff development programs, and the acquisition of equipment, vessels,
50 and airplanes, helicopters of the Monitoring and Surveillance Center shall be taken:

1 Provided, however, That the fishpond rentals shall accrue to the National Fisheries
2 Research and Development Institute as provided under Section 46 (c) of Republic Act
3 No. 8550. The use of such funds shall be project to COA rules and regulations.
4

5 **SECTION 20. Separability Clause.** - If any provision of this Act is declared
6 unconstitutional inoperative, the other provisions not so declared shall remain in
7 force and effect.
8

9 **SECTION 21. Repealing Clause.** - All laws, decrees, orders, rules and regulations or
10 parts thereof inconsistent with the Act or the rules and regulations promulgated
11 pursuant thereto are hereby repealed or amended accordingly.
12

13 **SECTION 22. Effectivity Clause.** - This Act shall take effect fifteen (15) days
14 after publication in two (2) national newspapers of general circulation.
15
16

17 *Approved,*
18
19