



Senate
Office of the Secretary

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

23 JAN 18 P5:37

SENATE
S. No. 1702

RECEIVED BY: _____

Introduced by **Senator Raffy T. Tulfo**

**AN ACT MANDATING THE ESTABLISHMENT OF FISHERFOLK
RESETTLEMENT AREAS BY THE DEPARTMENT OF AGRICULTURE,
DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, AND
THE LOCAL GOVERNMENT UNITS, AMENDING FOR THE PURPOSE SEC. 108
OF REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS THE "PHILIPPINE
FISHERIES CODE OF 1998." AS AMENDED BY REPUBLIC ACT NO. 10654"**

EXPLANATORY NOTE

Since the Philippine Fisheries Code of 1998 was enacted two decades ago, there has been little improvement in the establishment of settlement for fishermen. As a result, fishermen remain a vulnerable group that is frequently displaced not only by natural disasters but also by growth in industry, commerce, and tourism.

In spite of the nation's abundant marine resources, a consultation workshop with the United Nations Food and Agricultural Organization (UN-FAO) indicated that the Filipino fishing community is among the poorest of the poor. The displacement of fishermen is one of the reasons for this.

By including the local government units of coastal areas and the recently established Department of Human Settlements and Urban Development as co-implementing agencies of the Department of Agriculture, this measure seeks to

implementing agencies of the Department of Agriculture, this measure seeks to strengthen the mandate and facilitate the establishment of settlement areas for fishermen.

With this policy, it is believed that the rights and welfare of fishermen, who are mostly low-income people, will finally be protected.

In view of the aforementioned, the passage of this measure is earnestly sought.



Raffy T. Tulfo

Senator



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

1 **SECTION 1.** Section 108 of Republic Act No. 8550, otherwise known as "The
2 Philippine Fisheries Code of 1998", as amended by Republic Act No. 10654, is
3 hereby amended as follows:

4 SEC. 108. Fisherfolk Settlement Areas. — [The Department shall
5 establish and create fisherfolk settlement areas in coordination with concerned
6 agencies of the government, where certain areas of the public domain,
7 specifically near the fishing ground, shall be reserved for the settlement of the
8 municipal fisherfolk. Nothing in this section shall be construed to vest ownership
9 of any resettlement area to a municipal fisherfolk for whom said areas may
10 have been reserved for or had been actually granted to.

1 THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HUMAN
2 SETTLEMENTS AND URBAN DEVELOPMENT, AND THE LOCAL GOVERNMENT
3 UNITS OF CITIES OR MUNICIPALITIES HAVING JURISDICTION OVER
4 COASTAL AREAS AND MUNICIPAL WATERS SHALL ESTABLISH AND CREATE
5 SETTLEMENT AREAS FOR FISHERFOLK WITH ADEQUATE ACCESS TO FISHING
6 GROUNDS AS MAY BE DETERMINED BY THE DEPARTMENT OF AGRICULTURE:
7 PROVIDED, THAT WHERE THERE EXIST PREVIOUSLY IDENTIFIED OR
8 ESTABLISHED SETTLEMENT AREAS WITH ADEQUATE ACCESS TO FISHING
9 GROUNDS, FISHERFOLK SHALL BE GRANTED PREFERENCE IN THE AWARD
10 THEREOF: PROVIDED, FURTHER, THAT PREFERENCE SHALL BE GIVEN, OR
11 SETTLEMENT AREAS SHALL BE ESPECIALLY ESTABLISHED, ONLY IN FAVOR
12 OF FISHERFOLK

13
14 WHO ARE REGISTERED AS SUCH WITH THEIR RESPECTIVE CITY OR
15 MUNICIPALITY AND WHO ARE WITHOUT REAL PROPERTY: PROVIDED
16 FINALLY THAT LOCAL GOVERNMENT UNITS HAVING JURISDICTION OVER
17 COASTAL AREAS AND MUNICIPAL WATERS ARE HEREBY MANDATED TO
18 INTEGRATE SETTLEMENT AREAS FOR FISHERFOLK IN THEIR RESPECTIVE
19 COMPREHENSIVE LAND USE PLANS.',

20 **SEC. 2. Separability Clause.** — If any portion or provision of this Act is
21 declared unconstitutional or invalid, the other portions or provisions hereof, which are
22 not affected thereby, shall remain in full force and effect.

23 **SEC. 3. Repealing Clause.** -All other laws, decrees, orders, circulars,
24 issuances, rules and regulations and part thereof which are inconsistent with this Act
25 are hereby repealed, amended, or modified accordingly.

26 **SEC. 4. Effectivity.** — This Act shall take effect fifteen (15) days after its
27 complete publication in the Official Gazette or in a newspaper of general circulation.

Approved.