

FOURTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

8 JUL 14 P2:42

SENATE
S. No. 2442



RECEIVED BY: _____

Introduced by **Senator Richard J. Gordon**

EXPLANATORY NOTE

The Constitution under Article XIII, Section 7 explicitly provides that the State shall protect the rights of subsistence fisherfolk, especially of local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore. It shall provide support to such fisherfolk through appropriate technology and research, adequate financial, production, and marketing assistance, and other services. The right of fishworkers to receive a just share from their labor in the utilization of marine and fishing resources is likewise expressly affirmed in the same provision.

This mandate is echoed in Chapter I, Section 2 of Republic Act No. 8550 (RA 8550), otherwise known as the Philippine Fisheries Code of 1998, which declares the state policy that the rights of fisherfolk shall be protected and that to them shall be extended all the support that they need to improve their quality of living. In pursuance of these legal provisions, the Department of Agriculture has promulgated rules and regulations and other issuances to give life to these noble principles.

However, the recent devastation wrought by typhoon Frank (International Name: Fengshen), in all vividness, showed us how all these efforts to empower our fisherfolk were put to naught in the absence of adequate disaster preparedness. In the wake of typhoon Frank, twenty-two (22) more fishing vessels, aside from the ill-fated M/V Princess of the Stars, were either damaged or destroyed. Some of which remain missing, together with their crew. As of 2 July 2008, there were eighty-nine (89) missing and forty-one (41) dead. Worse, some of the crew members who were actually found could not even be identified. Hence, they could not be sent back to their families who were waiting in agony and who wanted nothing else but to give them a proper burial.

All this could have been avoided had the fishing vessels been seaworthy, and the crew properly equipped with sufficient identification, training and paraphernalia. It is for this purpose that this legislative measure is introduced. This bill gives paramount importance to the sufficient identification of the fishing vessel and its crew and the provision of proper training and equipment relating to disaster preparedness. This is another step towards truly empowering our fisherfolk, alleviating their quality of life and those of their families, and assuring them of the dignity that they deserve, in life and even in death.



RICHARD J. GORDON
Senator

1 SEAWORTHINESS OF THE VESSELS, THE SAFETY OF THEIR CREW
2 AND DISASTER MANAGEMENT PLANS.”

3 **Sec. 3.** Section 30 of RA 8550 is hereby amended to read as follows:

4 “Sec. 30. *Renewal of Commercial Boat License.* – The commercial
5 fishing boat license shall be renewed every three (3) years: *PROVIDED,*
6 THAT THE FISHING VESSEL HAS PASSED THE EVALUATION OF THE
7 APPROPRIATE GOVERNMENT AGENCIES WITH RESPECT TO ITS
8 SEAWORTHINESS AND ITS COMPLIANCE WITH DISASTER
9 MANAGEMENT MEASURES AS MAY BE PROVIDED BY LAW, RULES AND
10 REGULATIONS.”

11 **Sec. 4.** Section 37 of RA 8550 is hereby amended to read as follows:

12 “Sec. 37. *Medical Supplies and Life-Saving Devices.* – All fishing
13 vessels shall be provided with adequate medical supplies and life-saving
14 devices to be determined by the Occupational Safety and Health Center:
15 Provided, That [a fishing vessel of twenty (20) GT or more shall have as a
16 member of its crew a person qualified as a first aider duly certified by the
17 Philippine National Red Cross] ALL MEMBERS OF THE CREW OF FISHING
18 VESSELS SHALL BE REQUIRED TO UNDERGO MANDATORY BASIC
19 FIRST-AID AND DISASTER PREPAREDNESS TRAINING UNDER THE
20 PHILIPPINE NATIONAL RED CROSS, FREE OF CHARGE; PROVIDED
21 FURTHER, THAT ALL FISHING VESSELS SHALL BE EQUIPPED WITH
22 STANDARD FIRST-AID KITS AS MAY BE DETERMINED BY THE
23 PHILIPPINE NATIONAL RED CROSS.”

24 **Sec. 5.** Section 38 of RA 8550 is hereby amended to read as follows:

25 “Sec. 38. *Reportorial Requirements.* – Each commercial fishing vessel
26 shall keep a daily record of THE COMPLETE NAMES OF THE MEMBERS
27 OF THE CREW ONBOARD, fish catch and spoilage, landing points, and
28 quantity and value of fish caught, and off-loaded for transshipment, sale
29 and/or other disposal. Detailed information shall be duly certified by the
30 vessel's captain and transmitted monthly to the officer or representative of the
31 Department, at the nearest designated landing point.”

32 **Sec. 6.** Section 65 of RA 8550 is hereby amended to read as follows:

33 “Sec. 65. *Functions of the Bureau of Fisheries and Aquatic Resources.*

