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Senate Bill No. 2414

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Prepared and submitted jointly by the Committees on Agriculture and Food, Environment and Natural Resources, and Finance, with Senators Villar, Legarda, Revilla Jr., Lapid, Ejercito Estrada, Poe, Defensor Santiago, Cayetano (A. P.) and Sotto III as authors thereof

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**AN ACT**  
**STRENGTHENING THE REGULATORY AND ENFORCEMENT FUNCTIONS OF THE BUREAU OF FISHERIES AND AQUATIC RESOURCES, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS "THE PHILIPPINE FISHERIES CODE OF 1998," AND FOR OTHER PURPOSES**

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

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

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

4               (a) x x x

5               x x x

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

15               x x x

16               (f) to **ADOPT THE PRECAUTIONARY PRINCIPLE AND** manage fishery and  
17 aquatic resources, in a manner consistent with the concept of an **ECOSYSTEM-**  
18 **BASED APPROACH TO FISHERIES MANAGEMENT AND** integrated coastal area

1 management in specific natural fishery management areas, appropriately supported  
2 by research, technical services and guidance provided by the State; and

3 x x x.”

4 **SEC. 2.** Section 3 of the same Act is hereby amended, as follows:

5 “SEC. 3. *Application of its Provisions.* – The provisions of this Code shall be  
6 enforced in:

7 (a) all Philippine waters including other waters over which the Philippines has  
8 sovereignty and jurisdiction, and the country’s 200-nautical mile Exclusive Economic  
9 Zone (EEZ) and continental shelf;

10 (b) all aquatic and fishery resources whether inland, coastal or offshore  
11 fishing areas, including, but not limited to, fishponds, fish pens/cages;[and]

12 (c) all lands devoted to aquaculture, or businesses and activities relating to  
13 fishery, whether private or public lands[.]; **AND**

14 **(D) ALL PHILIPPINE FLAGGED FISHING VESSELS OPERATING IN**  
15 **AREAS GOVERNED BY A REGIONAL FISHERIES MANAGEMENT**  
16 **ORGANIZATION (RFMO), IN THE HIGH SEAS, OR IN WATERS OF OTHER**  
17 **COASTAL STATES.”**

18 **SEC. 3.** Section 4 of the same Act is hereby amended, as follows:

19 “SEC. 4. *Definition of Terms.* – As used in this Code, the following terms and  
20 phrases shall mean as follows:

21 (1) x x x

22 x x x

23 **(12) COMMUNITY SERVICE – MEANS ANY SERVICE OR ACTIVITY THAT**  
24 **IS PERFORMED FOR THE BENEFIT OF THE COMMUNITY OR ITS**  
25 **INSTITUTIONS IN LIEU OF PAYMENT OF FINE IMPOSED AS ADMINISTRATIVE**  
26 **OR CRIMINAL PENALTY.**

27 **13) CONSERVATION AND MANAGEMENT MEASURES – MEAN**  
28 **MEASURES TO CONSERVE AND MANAGE LIVING MARINE RESOURCES THAT**  
29 **ARE ADOPTED AND APPLIED CONSISTENTLY WITH THE RELEVANT RULES**  
30 **OF INTERNATIONAL LAW INCLUDING THOSE REFLECTED IN CONVENTIONS.**

1            [[12]][14] x x x

2            [[13]][15] x x x

3            [[14]][16] x x x

4            [[15]][17] x x x

5            **(18) DISTANT WATER FISHING – MEANS FISHING IN THE HIGH SEAS**  
6            **OR IN WATERS OF OTHER STATES.**

7            [[16]][19] x x x

8            [[17]][20] x x x

9            [[18]][21] x x x

10           [[19]][22] x x x

11           [[20]][23] x x x

12           [[21]][24] x x x

13           [[22]][25] x x x

14           [[23]][26] x x x

15           [[24]][27] x x x

16           [[25]][28] x x x

17           [[26]][29] x x x

18           [[27]][30] x x x

19           [[28]][31] x x x

20           [[29]][32] x x x

21           [[30]][33] x x x

22           [[31]][34] x x x

23           **(35) FISHERIES OBSERVER – A PERSON DULY AUTHORIZED BY THE**  
24           **PHILIPPINE GOVERNMENT OR UNDER A REGIONAL OBSERVER PROGRAM**  
25           **OF THE RFMO, TO COLLECT SCIENTIFIC, TECHNICAL OR FISHING-RELATED**  
26           **DATA, AND OTHER INFORMATION THAT MAY BE REQUIRED BY THE**  
27           **GOVERNMENT OR THE RFMO AND/OR IN COMPLIANCE TO A**  
28           **CONSERVATION AND MANAGEMENT MEASURE.**

29           [[32]][36] x x x

1            [(33)](37) *Fishing [Boat] VESSEL/Gear License* - a permit to operate specific  
2 types of fishing [boat] vessel/gear for specific duration in areas beyond municipal  
3 waters for demersal or pelagic fishery resources.

4            [(34)](38)        x x x

5            [(35)](39)        x x x

6            [(36)](40)        x x x

7            [(37)](41)        x x x

8            [(38)](42)        x x x

9            [(39)](43)        x x x

10           [(40)](44) *Fishing gear* – any instrument or device and its accessories utilized  
11 in taking fish and other fishery species.

12           a. Active fishing gear - is a fishing device characterized by [gear movement,  
13 and/or] the pursuit of the target species by towing, [lifting, and] pushing  
14 the gears, surrounding, covering, dredging, [pumping] and scaring the  
15 target species to impoundments; such as, but not limited to, trawl, purse  
16 seines, Danish seines, [bag nets,] paaling **AND** drift gill net [and tuna  
17 longline].

18           b. Passive fishing gear - is characterized by the absence of [gear  
19 movements and/or the] pursuit of the target species; such as, but not  
20 limited to hook and line, fishpots, traps and gill nets across the patch of the  
21 fish.

22           **(45) FISHING LIGHT ATTRACTOR – A FISHING AID WHICH EMPLOYS**  
23 **LIGHTS USING, AMONG OTHERS, MERCURY VAPOR, HIGH PRESSURE**  
24 **SODIUM VAPOR, STANDARD TUNGSTEN, TUNGSTEN HALOGEN,**  
25 **FLUORESCENT OR LIGHT-EMITTING DIODE, THAT ARE ATTACHED TO A**  
26 **STRUCTURE ABOVE WATER OR SUSPENDED UNDERWATER TO ATTRACT**  
27 **BOTH FISH AND MEMBERS OF THEIR FOOD CHAIN TO SPECIFIC AREAS IN**  
28 **ORDER TO HARVEST THEM.**

29           [(41)](46) x x x

30           [(42)](47) x x x

1            **[(43)](48) x x x**

2            **[(44)](49) x x x**

3            **[(45)](50) x x x**

4            **[(46)](51) x x x**

5            **[(47)](52) x x x**

6            **[(48)](53) x x x**

7            **(54) HARVEST CONTROL RULE/S – ARE ACTIONS OR SET OF ACTIONS**  
8 **TO BE TAKEN TO ACHIEVE A MEDIUM OR LONG TERM TARGET REFERENCE**  
9 **POINT WHILE AVOIDING REACHING OR BREACHING A LIMIT REFERENCE**  
10 **POINT.**

11           **(55) ILLEGAL FISHING – REFERS TO FISHING ACTIVITIES CONDUCTED**  
12 **BY:**

13           **(A) PHILIPPINE FLAGGED FISHING VESSELS IN WATERS UNDER THE**  
14           **JURISDICTION OF A STATE OR IN THE HIGH SEAS, WITHOUT THE**  
15           **PERMISSION OF THE STATE, OR IN CONTRAVENTION OF ITS LAWS**  
16           **AND REGULATIONS;**

17           **(B) FOREIGN FISHING VESSELS IN WATERS UNDER THE**  
18           **JURISDICTION OF A STATE IN CONTRAVENTION OF ITS LAWS OR**  
19           **REGULATIONS; OR**

20           **(C) FISHING VESSELS FLYING THE FLAG OF STATES THAT ARE**  
21           **PARTIES TO A RELEVANT REGIONAL FISHERIES MANAGEMENT**  
22           **ORGANIZATION BUT OPERATE IN CONTRAVENTION OF ITS RULES.**

23           **[(49)](56) x x x**

24           **[(50)](57) x x x**

25           **[(51)](58) x x x**

26           **[(52)](59) x x x**

27           **(60) MARINE PROTECTED AREA – REFERS TO A DEFINED AREA OF**  
28 **THE SEA ESTABLISHED AND SET ASIDE BY LAW, ADMINISTRATIVE**  
29 **REGULATION, OR ANY OTHER EFFECTIVE MEANS IN ORDER TO CONSERVE**  
30 **AND PROTECT A PART OF OR THE ENTIRE ENCLOSED ENVIRONMENT**

1 THROUGH THE ESTABLISHMENT OF MANAGEMENT GUIDELINES. IT IS  
2 CONSIDERED A GENERIC TERM THAT INCLUDES ALL DECLARED AREAS  
3 GOVERNED BY SPECIFIC RULES OR GUIDELINES IN ORDER TO PROTECT  
4 AND MANAGE ACTIVITIES WITHIN THE ENCLOSED AREA.

5 [(53)](61) x x x

6 [(54)](62) x x x

7 [(55)](63) x x x

8 [(56)](64) x x x

9 [(57)](65) x x x

10 [(58)](66) x x x

11 [(59)](67) x x x

12 [(60)](68) x x x

13 [(61)](69) x x x

14 [(62)](70) x x x

15 [(63)](71) x x x

16 (72) *PORT STATE MEASURES* – REFER TO THE REQUIREMENTS  
17 ESTABLISHED OR INTERVENTIONS UNDERTAKEN BY PORT STATES, WHICH  
18 A PHILIPPINE FLAGGED OR FOREIGN FISHING VESSEL MUST COMPLY WITH  
19 AS A CONDITION FOR THE USE OF PORTS WITHIN THE PORT STATE.

20 [(64)](73) x x x

21 [(65)](74) x x x

22 (75) *REFERENCE POINTS* – ARE BENCHMARK VALUES OFTEN BASED  
23 ON INDICATORS SUCH AS FISHERY STOCK SIZE OR THE LEVEL OF FISHING  
24 THAT SERVES AS STANDARD TO COMPARE ESTIMATES OF A FISHERY  
25 STOCK SIZE AND FISHING MORTALITY OVER TIME DEPENDING ON THE  
26 BIOLOGICAL CHARACTERISTICS OF THE SPECIES. REFERENCE POINTS CAN  
27 MARK: (A) A *LIMIT* OR A LEVEL THAT SHOULD BE AVOIDED; (B) A *TARGET*,  
28 WHICH SHOULD BE ACHIEVED AND MAINTAINED; OR (C) A *TRIGGER* THAT  
29 SIGNALS THE NEED TO TAKE PRESCRIBED ACTIONS.

1           **(76) REGIONAL FISHERIES MANAGEMENT ORGANIZATION (RFMO) – A**  
2 **MULTI-LATERAL ORGANIZATION WITH RESPONSIBILITY TO COORDINATE**  
3 **MANAGEMENT AND ESTABLISH CONSERVATION AND MANAGEMENT**  
4 **MEASURES FOR HIGHLY MIGRATORY FISH STOCKS, FISH STOCKS THAT**  
5 **STRADDLE NATIONAL FISHERIES MANAGEMENT BOUNDARIES AND OTHER**  
6 **HIGH-SEAS SPECIES.**

7           **[(66)](77) x x x**

8           **[(67)](78) x x x**

9           **[(68)](79) x x x**

10          **[(69)](80) x x x**

11          **(81) SERIOUS VIOLATION – MEANS ANY OF THE FOLLOWING**  
12 **VIOLATIONS OF THE PROVISIONS OF THIS CODE:**

13           **(A) FISHING WITHOUT A VALID LICENSE, AUTHORIZATION OR PERMIT;**

14           **(B) FISHING WITHOUT REPORTING THE CATCH OR MISREPORTING**  
15           **THE CATCH;**

16           **(C) FISHING IN A CLOSED AREA OR DURING A CLOSED SEASON;**

17           **(D) FISHING FOR PROHIBITED SPECIES OR FISHING WITH THE USE OF**  
18           **PROHIBITED GEAR OR METHODS;**

19           **(E) FALSIFYING, CONCEALING OR TAMPERING WITH VESSEL**  
20           **MARKINGS, IDENTITY OR REGISTRATION TO CONCEAL VESSEL**  
21           **IDENTITY OR LACK OF REGISTRATION;**

22           **(F) CONCEALING, TAMPERING OR DISPOSING OF EVIDENCE**  
23           **RELATING TO AN INVESTIGATION OF A VIOLATION;**

24           **(G) ASSAULTING, RESISTING, INTIMIDATING, HARASSING, SERIOUSLY**  
25           **INTERFERING WITH, OR UNDULY OBSTRUCTING OR DELAYING A**  
26           **FISHERIES LAW ENFORCER, AUTHORIZED INSPECTOR OR**  
27           **OBSERVER OR OTHER DULY AUTHORIZED GOVERNMENT**  
28           **OFFICER;**

29           **(H) INTENTIONALLY TAMPERING WITH OR DISABLING THE VESSEL**  
30           **MONITORING SYSTEM; AND**

1 (I) COMMITTING MULTIPLE VIOLATIONS WHICH TAKEN TOGETHER  
2 CONSTITUTE A SERIOUS DISREGARD OF THIS CODE.

3 [(70)](82)

4 [(71)](83) *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 submerged in the  
6 water. It consists of a ballast, regulator, electric cable and socket. The source of  
7 energy comes from a generator, battery or dynamo coupled with the main engine.

8 [(72)](84) x x x

9 (85) *TRANSHIPMENT* – REFERS TO THE TRANSFER OF ALL OR ANY  
10 FISHERY PRODUCT FROM ONE FISHING VESSEL TO ANOTHER.

11 [(73)](86) x x x

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

24 (88) *UNREPORTED FISHING* – REFERS TO FISHING ACTIVITIES WHICH  
25 HAVE NOT BEEN REPORTED, OR HAVE BEEN MISREPORTED TO THE  
26 DEPARTMENT, IN CONTRAVENTION OF NATIONAL LAWS AND REGULATIONS  
27 OF THE PHILIPPINES; OR UNDERTAKEN IN THE AREA OF COMPETENCE OF A  
28 RELEVANT RFMO WHICH HAVE NOT BEEN REPORTED OR HAVE BEEN  
29 MISREPORTED, IN CONTRAVENTION OF THE REPORTING PROCEDURES OF



1           **THAT ORGANIZATION AND FURTHER ELABORATED BY REGULATIONS TO BE**  
2           **PROMULGATED BY THE DEPARTMENT.”**

3           **SEC. 4.** Section 6 of the same Act is hereby amended, as follows:

4                   “**SEC. 6. Fees and Other Fishery Charges.** - The rentals for fishpond areas  
5 covered by the Fishpond Lease Agreement (FLA) **OR OTHER TENURIAL**  
6 **INSTRUMENT** and license fees for Commercial Fishing [Boat] **VESSEL** Licenses  
7 **[(CBFL)] (CFVL)** shall be set at levels that reflect resource rent accruing from the  
8 utilization of resources and shall be determined by the Department: *Provided*, That  
9 the Department shall also prescribe fees and other fishery charges and issue the  
10 corresponding license or permit for fishing gear, fishing accessories and other fishery  
11 activities beyond the municipal waters: *Provided further*, That the license fees of  
12 fishery activity in municipal waters shall be determined by the Local Government  
13 Units (LGUs) in consultation with the FARMCs. The FARMCs may also recommend  
14 the appropriate license fees that will be imposed.”

15           **SEC. 5.** Section 7 of the Act is hereby amended, as follows:

16                   “**SEC. 7. Access to Fishery Resources.** - The Department shall issue such  
17 number of licenses and permits for the conduct of fishery activities subject to [the  
18 limits of the MSY of the resource] **HARVEST CONTROL RULES AND REFERENCE**  
19 **POINTS** as determined by scientific studies or best available evidence. Preference  
20 shall be given to resource users in the local communities adjacent or nearest to the  
21 municipal waters.”

22           **SEC. 6.** Section 8 of the Act is hereby amended, as follows:

23                   “**SEC.8. [Catch Ceiling Limitations] HARVEST CONTROL RULES AND**  
24 **REFERENCE POINTS.** – The Secretary may [prescribe limitations or quota on the  
25 total quantity of fish captured, for a specified period of time and specified area based  
26 on the best available evidence. Such a catch ceiling may be imposed per species of  
27 fish whenever necessary and practicable:] **ESTABLISH REFERENCE POINTS AND**  
28 **HARVEST CONTROL RULES IN A FISHERY MANAGEMENT AREA OR FOR A**  
29 **FISHERY:** *Provided, however*, That in municipal waters and fishery management  
30 areas, and waters under the jurisdiction of special agencies, [catch ceilings]

1 **HARVEST CONTROL RULES AND REFERENCE POINTS** may be established upon  
2 the concurrence and approval or recommendation of such special agency and the  
3 concerned LGU in consultation with the FARMC for conservation or ecological  
4 purposes.”

5 **SEC. 7.** Section 14 of the Act is hereby amended, as follows

6 “SEC. 14. *Monitoring, Control and Surveillance (MCS) of FISHING IN ALL*  
7 *Philippine Waters AND PHILIPPINE FLAGGED DISTANT WATER FISHING*  
8 **VESSELS.** – A monitoring, control and surveillance system shall be established by  
9 the Department in coordination with LGUs, FARMCs, the private sector and other  
10 agencies concerned to ensure that the fisheries and aquatic resources in Philippine  
11 waters are judiciously and wisely utilized and managed on a sustainable basis and  
12 conserved for the benefit and enjoyment exclusively of Filipino citizens. **THE MCS**  
13 **SYSTEM SHALL ENCOMPASS ALL PHILIPPINE FLAGGED FISHING VESSELS**  
14 **REGARDLESS OF FISHING AREA AND FINAL DESTINATION OF CATCH.**

15 **SEC. 8.** Section 30 of the same Act is hereby amended, as follows:

16 “SEC. 30. *Renewal of Commercial [Boat] FISHING VESSEL License.* – The  
17 commercial fishing [boat] **VESSEL** license shall be renewed every three (3) years.

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

20 **SEC. 9.** Section 31 of the same Act is hereby amended, as follows:

21 “SEC. 31. *[Report of] Transfer of Ownership.* – The owner/operator of a  
22 registered fishing vessel shall notify the Department in writing of [the] **ANY**  
23 **INTENTION TO** transfer [of] the ownership of the vessel [with a copy of such  
24 document] within ten (10) days [after] **BEFORE** its **INTENDED** transfer to another  
25 person. **FAILURE OF THE OWNER TO DO SO SHALL NOT EXTINGUISH ANY**  
26 **EXISTING OR PENDING SANCTION OR LIABILITY WITH RESPECT TO SAID**  
27 **FISHING VESSEL.**

28 **SEC. 10.** Section 32 of the same Act is hereby amended, as follows:

29 “SEC. 32. *[Fishing by Philippine Commercial Fishing Fleet in International*  
30 *Waters] DISTANT WATER FISHING.* – Fishing vessels of Philippine registry may

1 [operate in international waters or waters of other countries which allow such fishing  
2 operations] **ENGAGE IN DISTANT WATER FISHING AS DEFINED IN THIS CODE:**  
3 *Provided*, That they comply with the safety, manning and other requirements of the  
4 Philippine Coast Guard, Maritime Industry Authority and other agencies concerned:  
5 *Provided, however*, That they secure [an international] **A fishing permit, GEAR**  
6 **LICENSE** and [certificate of] **OTHER clearanceS** from the Department: *Provided*,  
7 *further*, That the fish caught by such vessels shall be considered as caught in  
8 Philippine waters and therefore not subject to all import duties and taxes only when  
9 the same is landed in duly designated fish landings and fish ports in the Philippines:  
10 *Provided, furthermore*, That landing ports established by canneries, seafood  
11 processors and all fish landing sites established prior to the effectivity of this Code  
12 shall be considered authorized landing sites: *Provided, finally*, That fishworkers on  
13 board Philippine registered fishing vessels conducting fishing activities beyond the  
14 Philippine Exclusive Economic Zone are not considered as overseas Filipino workers.

15 **DISTANT WATER FISHING VESSELS SHALL COMPLY WITH THE**  
16 **MONITORING, CONTROL AND SURVEILLANCE REQUIREMENTS,**  
17 **CONSERVATION AND MANAGEMENT MEASURES, AND FISHING ACCESS**  
18 **CONDITIONS OF THE DEPARTMENT, THE RFMO, OR OTHER COASTAL**  
19 **STATES."**

20 **SEC.11.** Section 33 of the same Act is hereby amended, as follows:

21 "SEC. 33. *Importation [of Fishing Vessels or], Construction of New Fishing*  
22 **[Boats] VESSELS AND GEARS AND CONVERSION OF OTHER VESSELS.** – Prior  
23 to the importation [of fishing vessels] and the construction of new fishing vessels  
24 **AND GEARS, OR THE CONVERSION INTO A FISHING VESSEL,** the  
25 approval/clearance of the Department must first be obtained **IN ORDER TO**  
26 **MANAGE FISHING CAPACITY."**

27 **SEC. 12.** Section 38 of the same Act is hereby amended, as follows:

28 "SEC. 38. *Reportorial Requirements.* – Each commercial fishing vessel shall  
29 keep a daily record of fish catch and spoilage, landing points, and quantity and value  
30 of fish caught, and off-loaded for transshipment, sale and/or other disposal. Detailed

1 information shall be duly certified by the vessel's captain and transmitted monthly to  
2 the officer or representative of the Department, at the nearest designated landing  
3 point. **FAILURE TO COMPLY SHALL RESULT TO ADMINISTRATIVE AND PENAL**  
4 **SANCTIONS."**

5 **SEC. 13.** Section 42 of the Act is hereby deleted and replaced with a new Section 42,  
6 to read as follows:

7 **"SEC. 42. PORT STATE MEASURES. – THE DEPARTMENT IS**  
8 **AUTHORIZED TO ADOPT PORT STATE MEASURES THAT MUST BE COMPLIED**  
9 **WITH BY FOREIGN FISHING VESSELS. THESE MEASURES SHALL INCLUDE:**  
10 **PRIOR NOTIFICATION OF PORT ENTRY; USE OF DESIGNATED PORTS;**  
11 **RESTRICTIONS ON PORT ENTRY AND LANDING OR TRANSHIPMENT OF FISH;**  
12 **RESTRICTIONS ON SUPPLIES AND SERVICES; CATCH AND OTHER**  
13 **DOCUMENTATION REQUIREMENTS; PORT INSPECTIONS; AND OTHER**  
14 **RELATED MEASURES.**

15 **TRANSHIPMENT BY PHILIPPINE FLAGGED FISHING VESSELS SHALL**  
16 **BE REGULATED BY THE DEPARTMENT IN A MANNER CONSISTENT WITH THE**  
17 **PHILIPPINES' COMMITMENT TO CONVENTIONS AND INTERNATIONAL**  
18 **AGREEMENTS."**

19 **SEC. 14.** Section 44 of the same Act is hereby amended, as follows:

20 **"SEC. 44. Use of Superlight OR FISHING LIGHT ATTRACTOR. – The**  
21 **number and [wattage] CANDLE LIGHT POWER OR INTENSITY of superlight AND**  
22 **FISHING LIGHT ATTRACTOR used in commercial fishing vessels shall be regulated**  
23 **by the Department: *Provided*, That the use of superlight[s] is banned within municipal**  
24 **waters [and bays]. THE USE OF FISHING LIGHT ATTRACTOR IN MUNICIPAL**  
25 **WATERS SHALL BE REGULATED BY THE LOCAL GOVERNMENT UNITS."**

26 **SEC. 15.** Section 62 of the same Act is hereby amended, as follows:

27 **"SEC. 62. [Instruments of Weights and Measures, and Quality**  
28 **Grades/Standards] TRADE-RELATED MEASURES. – Standards for weights,**  
29 **volume, QUALITY and other measurements for all fishery transactions AND TRADE**  
30 **[shall] MAY be set by the Department.**

1 All fish and fishery products for export, import and domestic consumption shall  
2 meet the quality grades/standards **AND LABELING AND INFORMATION**  
3 **REQUIREMENTS** as determined by the Department.

4 The LGU concerned shall, by appropriate ordinance, penalize fraudulent  
5 practices and unlawful possession or use of instrument of weights and measures.

6 **THE DEPARTMENT MAY PRESCRIBE TRADE-RELATED MEASURES TO**  
7 **REDUCE OR ELIMINATE TRADE IN FISH AND FISHERY PRODUCTS DERIVED**  
8 **FROM ILLEGAL, UNREGULATED AND UNREPORTED (IUU) FISHING.”**

9 **SEC. 16.** Section 65 of the same Act is hereby amended, as follows:

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

12 a. prepare and implement a Comprehensive National Fisheries Industry  
13 Development Plan;

14 x x x

15 r. formulate **AND ENFORCE** rules and regulations for the conservation and  
16 management of straddling fish stocks, [and] highly migratory fish stocks[;] **AND**  
17 **THREATENED LIVING MARINE RESOURCES SUCH AS SHARKS, RAYS AND**  
18 **LUDONG, INTER ALIA, IN THE PHILIPPINE EXCLUSIVE ECONOMIC ZONE,**  
19 **TERRITORIAL SEA, ARCHIPELAGIC AND INTERNAL WATERS; [and]**

20 **S. TRAIN, DESIGNATE AND DEPLOY FISHERIES OBSERVERS IN**  
21 **PHILIPPINE FLAGGED FISHING VESSELS ENGAGED IN COMMERCIAL**  
22 **FISHING IN PHILIPPINE WATERS OR DISTANT WATER FISHING TO ENSURE**  
23 **COMPLIANCE WITH CONSERVATION AND MANAGEMENT MEASURES**  
24 **ADOPTED BY RFMOS AND BY THE DEPARTMENT;**

25 **T. ADOPT AND IMPLEMENT A NATIONAL PLAN OF ACTION TO**  
26 **MANAGE FISHING CAPACITY, IMPLEMENT THE INTERNATIONAL CODE OF**  
27 **CONDUCT FOR RESPONSIBLE FISHERIES, AND DECLARE FISHERY**  
28 **MANAGEMENT AREAS AS OVER-EXPLOITED IN COORDINATION WITH THE**  
29 **LGUS AND FARMCS;**

1 U.IMPOSE AND COLLECT BONDS, FEES AND CHARGES FOR  
2 LABORATORY SERVICES, INSPECTION, DEPLOYMENT OF FISHERIES  
3 OBSERVERS, MONITORING AND SURVEILLANCE OF FISHING VESSELS,  
4 CATCH DOCUMENTATION AND VALIDATION, AND OTHER SERVICES TAKING  
5 INTO ACCOUNT THE BALANCE REQUIRED BETWEEN RECOVERING THE  
6 COSTS OF SERVICES RENDERED AND THE SOCIO-ECONOMIC IMPACT OF  
7 THEIR IMPOSITION, UPON PRIOR CONSULTATION WITH STAKEHOLDERS;

8 V. HEAR AND DECIDE ADMINISTRATIVE CASES BEFORE IT;

9 W. DETERMINE THE APPROPRIATE LEVELS OF ADMINISTRATIVE AND  
10 OTHER SANCTIONS, PARTICULARLY FOR SERIOUS VIOLATIONS, THAT  
11 DEPRIVE OFFENDERS OF ECONOMIC BENEFITS FROM THEIR VIOLATIONS  
12 OF THE LAWS, RULES AND REGULATIONS;

13 X. INITIATE THE CRIMINAL PROSECUTION OF OFFENSES COMMITTED  
14 IN VIOLATION OF THIS CODE REGARDLESS OF THEIR *SITUS*; AND

15 [s] Y. perform such other related functions which shall promote the  
16 development, conservation, management, protection and utilization of fisheries and  
17 aquatic resources.”

18 **SEC. 17.** Chapter VI of Republic Act No. 8550 is hereby repealed and replaced with a new  
19 Chapter VI to read as follows:

20 "CHAPTER VI

21 PROHIBITIONS AND PENALTIES

22 **SEC. 86. UNAUTHORIZED FISHING.** – (A) IT SHALL BE UNLAWFUL FOR  
23 ANY PERSON TO CAPTURE OR GATHER OR TO CAUSE THE CAPTURE OR  
24 GATHERING OF FISH, FRY OR FINGERLINGS OF ANY FISHERY SPECIES OR  
25 FISHERY PRODUCTS WITHOUT LICENSE OR PERMIT FROM THE  
26 DEPARTMENT OR LOCAL GOVERNMENT UNIT. EXCEPT IN CASES SPECIFIED  
27 UNDER THIS CODE, IT SHALL ALSO BE UNLAWFUL FOR ANY COMMERCIAL  
28 FISHING VESSEL TO FISH IN MUNICIPAL WATERS.

29 THE DISCOVERY OF ANY PERSON IN POSSESSION OF A FISHING  
30 GEAR OR OPERATING A FISHING VESSEL IN A FISHING AREA WHERE HE

1 HAS NO LICENSE OR PERMIT SHALL CONSTITUTE A *PRIMA FACIE*  
2 PRESUMPTION THAT THE PERSON IS ENGAGED IN UNAUTHORIZED FISHING:  
3 *PROVIDED*, THAT FISHING FOR DAILY FOOD SUSTENANCE OR FOR LEISURE  
4 WHICH IS NOT FOR COMMERCIAL, OCCUPATION OR LIVELIHOOD PURPOSES  
5 MAY BE ALLOWED.

6 THE BOAT CAPTAIN AND THE THREE (3) HIGHEST OFFICERS OF THE  
7 COMMERCIAL FISHING VESSEL AND THE OWNER OR OPERATOR WHO  
8 VIOLATE THIS PROVISION SHALL SUFFER A FINE OF:

9 (1) FIFTY THOUSAND PESOS (P50,000.00.00) TO TWO HUNDRED  
10 THOUSAND PESOS (P200,000.00) OR TWICE THE VALUE OF THE  
11 CATCH, WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
12 FISHING;

13 (2) TWO HUNDRED FIFTY THOUSAND PESOS (P250,000.00) TO TWO  
14 MILLION PESOS (P2,000,000.00) OR TWICE THE VALUE OF THE  
15 CATCH, WHICHEVER IS HIGHER; FOR MEDIUM-SCALE  
16 COMMERCIAL FISHING; AND

17 (3) TWO MILLION FIVE HUNDRED THOUSAND PESOS (P2,500,000.00)  
18 TO TEN MILLION PESOS (P10,000,000.00) OR TWICE THE VALUE OF  
19 THE CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE  
20 COMMERCIAL FISHING.

21 THE OFFENDER SHALL FURTHER SUFFER THE PENALTY OF  
22 IMPRISONMENT OF SIX (6) MONTHS AND CONFISCATION OF CATCH AND  
23 GEAR: *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT  
24 LESS THAN FIFTY PERCENT OF THE MINIMUM PENALTY OF THE FINES  
25 SPECIFIED ABOVE AND THE CONFISCATION OF CATCH.

26 (B) IT SHALL BE UNLAWFUL FOR ANY PERSON NOT LISTED IN THE  
27 REGISTRY OF MUNICIPAL FISHERFOLK TO ENGAGE IN ANY COMMERCIAL  
28 FISHING ACTIVITY IN MUNICIPAL WATERS.

29 THE OFFENDER OF THIS PROVISION SHALL BE PUNISHED WITH A  
30 FINE EQUIVALENT TO TWICE THE VALUE OF CATCH OR FIVE THOUSAND

1 PESOS (P5,000.00), WHICHEVER IS HIGHER, AND CONFISCATION OF THE  
2 CATCH AND FISHING GEAR: *PROVIDED*, THAT IF THE OFFENDER FAILS TO  
3 PAY THE FINE, HE SHALL RENDER COMMUNITY SERVICE.

4 **SEC. 87. *ENGAGING IN UNAUTHORIZED FISHERIES ACTIVITIES.*** – IT  
5 SHALL BE UNLAWFUL FOR ANY PERSON TO EXPLOIT, OCCUPY, PRODUCE,  
6 BREED, CULTURE, CONSTRUCT AND OPERATE FISH CORRALS, FISH TRAPS,  
7 FISH PENS AND FISH CAGES OR FISHPONDS WITHOUT A LICENSE, LEASE  
8 OR PERMIT.

9 THE DISCOVERY OF ANY PERSON ENGAGING IN ANY OF THE ABOVE  
10 ACTIVITIES WITHOUT A LEASE, LICENSE OR PERMIT SHALL CONSTITUTE A  
11 *PRIMA FACIE* PRESUMPTION THAT THE PERSON IS ENGAGED IN  
12 UNAUTHORIZED FISHERIES ACTIVITY.

13 THE OWNER OR OPERATOR WHO VIOLATES THIS PROVISION SHALL  
14 BE PUNISHED WITH A FINE FROM FIFTY THOUSAND PESOS (P50,000.00) TO  
15 ONE MILLION PESOS (P1,000,000.00) AND IMPRISONMENT OF SIX (6)  
16 MONTHS AND, IN ADDITION, THE DISMANTLING OR REMOVAL OF THE  
17 STRUCTURE AT THE EXPENSE OF THE OFFENDER, THE REHABILITATION OF  
18 THE AREA AFFECTED BY THE ACTIVITY AND CONFISCATION OF STOCKS:  
19 *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS  
20 THAN FIFTY PERCENT OF THE MINIMUM PENALTY OF THE FINES SPECIFIED  
21 ABOVE AND DISMANTLING OF THE STRUCTURE AND CONFISCATION OF  
22 STOCKS.

23 **SEC. 88. *FAILURE TO SECURE FISHING PERMIT PRIOR TO ENGAGING***  
24 ***IN DISTANT WATER FISHING.*** – (A) IT SHALL BE UNLAWFUL FOR ANY  
25 PERSON TO FISH IN THE HIGH SEAS, IN THE TERRITORIAL SEAS,  
26 ARCHIPELAGIC WATERS, AND EXCLUSIVE ECONOMIC ZONES OF OTHER  
27 STATES USING A PHILIPPINE FLAGGED FISHING VESSEL WITHOUT FIRST  
28 SECURING A FISHING PERMIT FROM THE DEPARTMENT AND  
29 AUTHORIZATION FROM THE COASTAL STATE.



1 THE DISCOVERY OF ANY PERSON IN POSSESSION OF A FISHING  
2 GEAR OR OPERATING A FISHING VESSEL IN THE ABOVEMENTIONED AREAS  
3 WITHOUT A FISHING PERMIT FROM THE DEPARTMENT OR AUTHORIZATION  
4 FROM THE COASTAL STATE SHALL CONSTITUTE A *PRIMA FACIE*  
5 PRESUMPTION THAT THE PERSON IS IN VIOLATION OF THIS PROVISION.

6 (B) IT SHALL BE UNLAWFUL FOR AN OWNER OR OPERATOR OF A  
7 COMMERCIAL FISHING VESSEL TO COMMIT ACTS THAT ARE IN  
8 CONTRAVENTION OF THE TERMS AND CONDITIONS STATED IN THE FISHING  
9 PERMIT OR AS MAY BE PROMULGATED BY THE DEPARTMENT.

10 THE OWNER, OPERATOR, AND THE THREE (3) HIGHEST OFFICERS OF  
11 THE COMMERCIAL FISHING VESSEL WHO VIOLATE THIS SECTION SHALL BE  
12 PUNISHED WITH IMPRISONMENT OF SIX (6) MONTHS, CONFISCATION OF THE  
13 CATCH AND GEAR AND A FINE OF:

14 (1) FIVE HUNDRED THOUSAND PESOS (P500,000.00) TO ONE MILLION  
15 PESOS (P1,000,000.00) OR TWICE THE VALUE OF THE CATCH,  
16 WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
17 FISHING;

18 (2) ONE MILLION FIVE HUNDRED PESOS (P1,500,000.00) TO FIVE  
19 MILLION PESOS (P5,000,000.00) OR TWICE THE VALUE OF THE  
20 CATCH, WHICHEVER IS HIGHER, FOR MEDIUM-SCALE  
21 COMMERCIAL FISHING; AND

22 (3) FIVE MILLION FIVE HUNDRED THOUSAND PESOS (P5,500,000.00)  
23 TO TEN MILLION PESOS (P10,000,000.00) OR TWICE THE VALUE OF  
24 THE CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE  
25 COMMERCIAL FISHING.

26 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
27 PERCENT OF THE MINIMUM PENALTY OF THE FINES SPECIFIED ABOVE AND  
28 THE CONFISCATION OF CATCH.

1           **SEC. 89. UNREPORTED FISHING.** – IT SHALL BE UNLAWFUL FOR ANY  
2 PERSON TO ENGAGE IN UNREPORTED FISHING OR TO FAIL TO COMPLY  
3 WITH THE REPORTORIAL REQUIREMENTS IN SECTION 38 OF THIS CODE.

4           VIOLATION OF THIS SECTION AND THE IMPLEMENTING RULES AND  
5 REGULATIONS PROMULGATED BY THE DEPARTMENT COMMITTED IN  
6 PHILIPPINE WATERS SHALL BE PUNISHED WITH SIX (6) MONTHS  
7 IMPRISONMENT AND FINE OF:

8           (1) FIVE THOUSAND PESOS (P5,000.00) OR THE VALUE OF THE  
9 CATCH, WHICHEVER IS HIGHER, FOR MUNICIPAL FISHING:  
10         *PROVIDED*, THAT IF THE OFFENDER FAILS TO PAY THE FINE, HE  
11         SHALL RENDER COMMUNITY SERVICE;

12          (2) TWENTY-FIVE THOUSAND PESOS (P25,000.00) TO FIFTY  
13 THOUSAND PESOS (P50,000.00) OR THE VALUE OF THE CATCH,  
14 WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
15 FISHING;

16          (3) SEVENTY-FIVE THOUSAND PESOS (P75,000.00) TO TWO HUNDRED  
17 THOUSAND PESOS (P200,000.00) OR THE VALUE OF THE CATCH,  
18 WHICHEVER IS HIGHER, FOR MEDIUM-SCALE COMMERCIAL  
19 FISHING; AND

20          (4) TWO HUNDRED FIFTY THOUSAND PESOS (P250,000.00) TO FIVE  
21 HUNDRED THOUSAND PESOS (500,000.00) OR THE VALUE OF THE  
22 CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE COMMERCIAL  
23 FISHING.

24           THE MAXIMUM PENALTY SHALL BE IMPOSED FOR VIOLATION OF  
25 THIS SECTION COMMITTED IN WATERS BEYOND NATIONAL JURISDICTION.

26           THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
27 PERCENT OF THE MINIMUM PENALTY OF THE FINES SPECIFIED ABOVE AND  
28 THE CONFISCATION OF CATCH.

1           **SEC. 90. UNREGULATED FISHING.** – IT SHALL BE UNLAWFUL FOR ANY  
2 PERSON TO ENGAGE IN UNREGULATED FISHING IN WATERS WITHIN AND  
3 BEYOND NATIONAL JURISDICTION.

4           THE OWNER, OPERATOR, AND THE THREE (3) HIGHEST OFFICERS OF  
5 THE COMMERCIAL FISHING VESSEL WHO VIOLATE THIS PROVISION SHALL  
6 SUFFER IMPRISONMENT OF SIX (6) MONTHS, CONFISCATION OF CATCH AND  
7 GEAR AND FINE OF:

8           (1) FIVE HUNDRED THOUSAND PESOS (P500,000.00) TO ONE MILLION  
9 PESOS (P1,000,000.00) OR TWICE THE VALUE OF THE CATCH,  
10 WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
11 FISHING;

12           (2) ONE MILLION FIVE HUNDRED PESOS (P1,500,000.00) TO FIVE  
13 MILLION PESOS (P5,000,000.00) OR TWICE THE VALUE OF THE  
14 CATCH, WHICHEVER IS HIGHER, FOR MEDIUM-SCALE  
15 COMMERCIAL FISHING; AND

16           (3) FIVE MILLION FIVE HUNDRED THOUSAND PESOS (P5,500,000.00)  
17 TO TEN MILLION PESOS (P10,000,000.00) OR TWICE THE VALUE OF  
18 THE CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE  
19 COMMERCIAL FISHING.

20           IN CASE OF UNREGULATED FISHING COMMITTED IN WATERS  
21 BEYOND NATIONAL JURISDICTION, THE MAXIMUM PENALTY SHALL BE  
22 IMPOSED.

23           THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
24 PERCENT OF THE MINIMUM PENALTY OF THE FINES SPECIFIED ABOVE AND  
25 THE CONFISCATION OF CATCH.

26           **SEC. 91. POACHING IN PHILIPPINE WATERS.** – IT SHALL BE  
27 UNLAWFUL FOR ANY FOREIGN PERSON, CORPORATION OR ENTITY TO FISH  
28 OR OPERATE ANY FISHING VESSEL IN PHILIPPINE WATERS.

1 THE ENTRY OF ANY FOREIGN FISHING VESSEL IN PHILIPPINE WATERS  
2 SHALL CONSTITUTE A *PRIMA FACIE* PRESUMPTION THAT THE VESSEL IS  
3 ENGAGED IN FISHING IN PHILIPPINE WATERS.

4 VIOLATION OF THIS PROVISION SHALL BE PUNISHED WITH  
5 CONFISCATION OF CATCH, FISHING EQUIPMENT AND FISHING VESSEL AND  
6 A FINE OF:

7 (1) ONE MILLION PESOS (P1,000,000.00) OR TWICE THE VALUE OF THE  
8 CATCH, WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
9 FISHING;

10 (2) FIVE MILLION PESOS (P5,000,000.00) OR TWICE THE VALUE OF THE  
11 CATCH, WHICHEVER IS HIGHER, FOR MEDIUM-SCALE  
12 COMMERCIAL FISHING; AND

13 (3) TEN MILLION PESOS (P10,000,000.00) OR TWICE THE VALUE OF  
14 THE CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE  
15 COMMERCIAL FISHING.

16 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
17 PERCENT OF THE FINES SPECIFIED ABOVE AND THE CONFISCATION OF  
18 CATCH.

19 **SEC. 92. FISHING THROUGH EXPLOSIVES, NOXIOUS OR POISONOUS**  
20 **SUBSTANCE, OR ELECTRICITY.** – (A) IT SHALL BE UNLAWFUL FOR ANY  
21 PERSON TO CATCH, TAKE OR GATHER OR CAUSE TO BE CAUGHT, TAKEN  
22 OR GATHERED FISH OR ANY FISHERY SPECIES IN PHILIPPINE WATERS  
23 WITH THE USE OF EXPLOSIVES, NOXIOUS OR POISONOUS SUBSTANCE  
24 SUCH AS SODIUM CYANIDE, WHICH WILL KILL, STUPEFY, DISABLE OR  
25 RENDER UNCONSCIOUS FISH OR FISHERY SPECIES: *PROVIDED*, THAT THE  
26 DEPARTMENT, SUBJECT TO SUCH SAFEGUARDS AND CONDITIONS DEEMED  
27 NECESSARY AND WITH THE ENDORSEMENT FROM THE CONCERNED LGUS,  
28 MAY ALLOW, FOR RESEARCH, EDUCATIONAL OR SCIENTIFIC PURPOSES  
29 ONLY, THE USE OF POISONOUS OR NOXIOUS SUBSTANCES TO CATCH,  
30 TAKE OR GATHER FISH OR FISHERY SPECIES: *PROVIDED, FURTHER*, THAT

1 THE USE OF POISONOUS OR NOXIOUS SUBSTANCES TO ERADICATE  
2 PREDATORS AND PESTS IN FISHPONDS IN ACCORDANCE WITH ACCEPTED  
3 SCIENTIFIC PRACTICES AND WITHOUT CAUSING ADVERSE  
4 ENVIRONMENTAL IMPACT IN NEIGHBORING WATERS AND GROUNDS SHALL  
5 NOT BE CONSTRUED AS ILLEGAL FISHING.

6 THE DISCOVERY OF DYNAMITE, OTHER EXPLOSIVES AND CHEMICAL  
7 COMPOUNDS WHICH CONTAIN COMBUSTIBLE ELEMENTS, OR NOXIOUS OR  
8 POISONOUS SUBSTANCES, OR EQUIPMENT OR DEVICE FOR  
9 ELECTROFISHING IN ANY FISHING VESSEL OR IN THE POSSESSION OF ANY  
10 FISHERFOLK, OPERATOR, FISHING BOAT OFFICIAL OR FISHWORKER SHALL  
11 CONSTITUTE A *PRIMA FACIE* PRESUMPTION THAT ANY OF THESE DEVICES  
12 WAS USED FOR FISHING IN VIOLATION OF THIS CODE.

13 THE DISCOVERY IN ANY FISHING VESSEL OF FISH CAUGHT OR  
14 KILLED WITH THE USE OF EXPLOSIVES, NOXIOUS OR POISONOUS  
15 SUBSTANCES, OR BY ELECTRICITY SHALL CONSTITUTE A *PRIMA FACIE*  
16 PRESUMPTION THAT THE FISHERFOLK, OPERATOR, BOAT OFFICIAL OR  
17 FISHWORKER IS FISHING WITH THE USE THEREOF.

18 THE ACTUAL USE OF EXPLOSIVES, NOXIOUS OR POISONOUS  
19 SUBSTANCES SHALL BE PUNISHED WITH IMPRISONMENT FROM FIVE (5) TO  
20 TEN (10) YEARS, CONFISCATION OF CATCH, VESSELS AND GEAR, WITHOUT  
21 PREJUDICE TO THE FILING OF SEPARATE CRIMINAL CASES WHEN THE USE  
22 OF THE SAME RESULT TO PHYSICAL INJURY OR LOSS OF HUMAN LIFE, AND  
23 A FINE OF:

- 24 (1) THIRTY THOUSAND PESOS (P30,000.00) FOR MUNICIPAL FISHING;
- 25 (2) THREE HUNDRED THOUSAND PESOS (P300,000.00) FOR SMALL-  
26 SCALE COMMERCIAL FISHING;
- 27 (3) ONE MILLION FIVE HUNDRED THOUSAND PESOS (P1,500,000.00)  
28 FOR MEDIUM SCALE COMMERCIAL FISHING; AND
- 29 (4) THREE MILLION PESOS (P3,000,000.00) FOR LARGE SCALE  
30 COMMERCIAL FISHING.

1 THE ACTUAL USE OF ELECTROFISHING DEVICES FOR ILLEGAL  
2 FISHING SHALL BE PUNISHED WITH IMPRISONMENT OF SIX (6) MONTHS AND  
3 A FINE OF FIVE THOUSAND PESOS (P5,000.00).

4 (B) IT SHALL BE UNLAWFUL FOR ANY PERSON TO POSSESS  
5 EXPLOSIVES, AND NOXIOUS OR POISONOUS SUBSTANCES FOR ILLEGAL  
6 FISHING. VIOLATION OF THIS PROVISION SHALL BE PUNISHED WITH  
7 IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS, AND A FINE OF:

8 (1) TEN THOUSAND PESOS (P10,000.00) FOR MUNICIPAL FISHING;

9 (2) ONE HUNDRED THOUSAND PESOS (P100,000.00) FOR SMALL-  
10 SCALE COMMERCIAL FISHING;

11 (3) FIVE HUNDRED THOUSAND PESOS (P500,000.00) FOR MEDIUM  
12 SCALE COMMERCIAL FISHING; AND

13 (4) ONE MILLION PESOS (P1,000,000.00) FOR LARGE SCALE  
14 COMMERCIAL FISHING.

15 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
16 PERCENT OF THE FINES SPECIFIED ABOVE AND THE CONFISCATION OF  
17 CATCH, INCLUDING THOSE NOT CAUGHT ILLEGALLY IF CO-MINGLED WITH  
18 THOSE CAUGHT ILLEGALLY, GEAR, EXPLOSIVES AND NOXIOUS OR  
19 POISONOUS SUBSTANCES, OR ELECTROFISHING DEVICES AND  
20 PARAPHERNALIA.

21 **SEC. 93. USE OF FINE MESH NET.** – IT SHALL BE UNLAWFUL TO  
22 ENGAGE IN FISHING USING NETS WITH MESH SMALLER THAN THAT WHICH  
23 MAY BE DETERMINED BY THE DEPARTMENT: *PROVIDED*, THAT THE  
24 PROHIBITION ON THE USE OF FINE MESH NET SHALL NOT APPLY TO THE  
25 GATHERING OF FRY, GLASS EELS, ELVERS, TABIOS, AND ALAMANG AND  
26 OTHER SPECIES THAT BY THEIR NATURE ARE SMALL BUT ALREADY  
27 MATURE, AS IDENTIFIED IN THE IMPLEMENTING RULES AND REGULATIONS  
28 BY THE DEPARTMENT.

1 THE DISCOVERY OF A FINE MESH NET IN A FISHING VESSEL SHALL  
2 CONSTITUTE A *PRIMA FACIE* PRESUMPTION THAT THE PERSON OR FISHING  
3 VESSEL IS ENGAGED IN FISHING WITH THE USE OF FINE MESH NET.

4 VIOLATION OF THIS PROVISION SHALL SUBJECT THE OFFENDER TO  
5 IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS AND A FINE FROM  
6 FIFTY THOUSAND PESOS (P50,000.00) TO TWO HUNDRED THOUSAND PESOS  
7 (P200,000.00): *PROVIDED*, THAT IF THE OFFENSE IS COMMITTED BY A  
8 MUNICIPAL FISHERFOLK, THE PENALTY OF COMMUNITY SERVICE SHALL BE  
9 IMPOSED IN CASE OF FAILURE TO PAY THE FINE: *PROVIDED, FURTHER*,  
10 THAT IF THE OFFENSE IS COMMITTED WITH THE USE OF A COMMERCIAL  
11 FISHING VESSEL, THE OWNER OR OPERATOR, THE CAPTAIN AND MASTER  
12 FISHERMAN SHALL BE SUBJECT TO THE PENALTIES: *PROVIDED, FINALLY*,  
13 THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
14 PERCENT OF THE MINIMUM PENALTY SPECIFIED ABOVE AND  
15 CONFISCATION OF CATCH AND GEAR.

16 **SEC. 94. FISHING IN OVEREXPLOITED FISHERY MANAGEMENT**  
17 **AREAS. – IT SHALL BE UNLAWFUL FOR ANY PERSON TO FISH IN FISHERY**  
18 **MANAGEMENT AREAS DECLARED AS OVEREXPLOITED.**

19 VIOLATION OF THIS PROVISION SHALL SUBJECT THE OFFENDER TO  
20 IMPRISONMENT OF SIX (6) MONTHS AND ONE (1) DAY TO SIX (6) YEARS AND  
21 A FINE OF:

22 (1) THREE (3) TIMES THE VALUE OF CATCH OR TWENTY THOUSAND  
23 PESOS (P20,000.00) WHICHEVER IS HIGHER, FOR MUNICIPAL  
24 FISHING: *PROVIDED*, THAT IF THE OFFENDER FAILS TO PAY THE  
25 FINE, HE SHALL RENDER COMMUNITY SERVICE;

26 (2) THREE (3) TIMES THE VALUE OF CATCH OR ONE HUNDRED  
27 THOUSAND PESOS (P100,000.00), WHICHEVER IS HIGHER, FOR  
28 SMALL-SCALE COMMERCIAL FISHING;

1 (3) THREE (3) TIMES THE VALUE OF CATCH OR THREE HUNDRED  
2 THOUSAND PESOS (P300,000.00), WHICHEVER IS HIGHER, FOR  
3 MEDIUM-SCALE COMMERCIAL FISHING; AND

4 (4) THREE (3) TIMES THE VALUE OF CATCH OR FIVE HUNDRED  
5 THOUSAND PESOS (P500,000.00), WHICHEVER IS HIGHER, FOR  
6 LARGE-SCALE COMMERCIAL FISHING.

7 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
8 PERCENT OF THE PENALTY SPECIFIED ABOVE IN ADDITION TO  
9 CONFISCATION OF CATCH AND GEAR.

10 *SEC. 95. USE OF ACTIVE GEAR IN MUNICIPAL WATERS.* – IT SHALL BE  
11 UNLAWFUL TO ENGAGE IN FISHING IN MUNICIPAL WATERS USING ACTIVE  
12 FISHING GEARS AS DEFINED IN THIS CODE.

13 VIOLATION OF THIS PROVISION SHALL SUBJECT THE OFFENDER,  
14 THE BOAT CAPTAIN AND MASTER FISHERMAN TO IMPRISONMENT FROM  
15 TWO (2) TO SIX (6) YEARS AND THE OWNER OR OPERATOR OF THE FISHING  
16 VESSEL TO A FINE OF TEN THOUSAND PESOS (P10,000.00) FOR MUNICIPAL  
17 FISHING; FIFTY THOUSAND PESOS (P50,000.00) FOR SMALL-SCALE  
18 COMMERCIAL FISHING; TWO HUNDRED THOUSAND PESOS (P200,000.00)  
19 FOR MEDIUM-SCALE COMMERCIAL FISHING; AND FIVE HUNDRED  
20 THOUSAND PESOS (P500,000.00) FOR LARGE-SCALE COMMERCIAL FISHING:  
21 *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS  
22 THAN FIFTY PERCENT OF THE FINES SPECIFIED ABOVE AND CONFISCATION  
23 OF CATCH AND GEAR.

24 *SEC. 96. BAN ON CORAL EXPLOITATION AND EXPORTATION.* – IT  
25 SHALL BE UNLAWFUL FOR ANY PERSON OR CORPORATION TO GATHER,  
26 POSSESS, COMMERCIALY TRANSPORT, SELL OR EXPORT ORDINARY,  
27 SEMI-PRECIOUS AND PRECIOUS CORALS, WHETHER RAW OR IN  
28 PROCESSED FORM, EXCEPT FOR SCIENTIFIC OR RESEARCH PURPOSES. IT  
29 SHALL ALSO BE UNLAWFUL FOR ANY PERSON, CORPORATION OR ENTITY  
30 TO COMMIT ANY ACTIVITY THAT DAMAGE CORAL REEFS.



1 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
2 IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS AND A FINE OF  
3 EIGHT (8) TIMES THE VALUE OF THE CORALS GATHERED, POSSESSED,  
4 COMMERCIALY TRANSPORTED, SOLD, OR EXPORTED, OR TWENTY  
5 THOUSAND PESOS (P20,000.00) TO FIVE HUNDRED THOUSAND PESOS  
6 (P500,000.00), WHICHEVER IS HIGHER, AND FORFEITURE OF THE SUBJECT  
7 CORALS.

8 IN ADDITION, THE OFFENDER SHALL BE REQUIRED TO PAY THE  
9 COST OF RESTORATION OF THE DAMAGED CORAL REEFS BASED ON  
10 AVAILABLE STUDIES AND AS DETERMINED BY THE DEPARTMENT.

11 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
12 PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION OF THE SUBJECT  
13 CORALS AND COST FOR RESTORATION OF THE DAMAGED CORAL REEFS.

14 *SEC. 97. BAN ON MURO-AMI, OTHER METHODS AND GEAR*  
15 *DESTRUCTIVE TO CORAL REEFS AND OTHER MARINE HABITAT. – (A) IT*  
16 *SHALL BE UNLAWFUL FOR ANY PERSON, NATURAL OR JURIDICAL, TO FISH*  
17 *WITH GEAR OR METHOD THAT DESTROYS CORAL REEFS, SEAGRASS BEDS,*  
18 *AND OTHER FISHERY MARINE LIFE HABITAT AS MAY BE DETERMINED BY*  
19 *THE DEPARTMENT. 'MURO-AMI' AND ANY OF ITS VARIATION, AND SUCH*  
20 *SIMILAR GEARS AND METHODS THAT REQUIRE DIVING, OTHER PHYSICAL*  
21 *OR MECHANICAL ACTS TO POUND THE CORAL REEFS AND OTHER HABITAT*  
22 *TO ENTRAP, GATHER OR CATCH FISH AND OTHER FISHERY SPECIES ARE*  
23 *ALSO PROHIBITED.*

24 THE OWNER, OPERATOR, BOAT CAPTAIN, MASTER FISHERMAN, AND  
25 RECRUITER OR ORGANIZER OF FISHWORKERS WHO VIOLATE THIS  
26 PROVISION SHALL SUFFER THE PENALTY OF TWO (2) YEARS TO TEN (10)  
27 YEARS IMPRISONMENT AND A FINE OF FIVE (5) TIMES THE VALUE OF THE  
28 FISH CAUGHT OR TWO MILLION PESOS (P2,000,000.00), WHICHEVER IS  
29 HIGHER, AND CONFISCATION OF CATCH AND GEAR. THE FISHERWORKERS  
30 WHO SERVE AS POUNDERS SHALL SUFFER THE PENALTY OF FINE OF

1 TWENTY THOUSAND PESOS (P20,000.00) OR COMMUNITY SERVICE IN CASE  
2 OF FAILURE TO PAY THE FINE.

3 (B) EXCEPT IN CASES ALLOWED BY LAW, IT SHALL BE UNLAWFUL  
4 FOR ANY PERSON, NATURAL OR JURIDICAL, TO GATHER, POSSESS,  
5 COMMERCIALY TRANSPORT, SELL OR EXPORT CORAL SAND, CORAL  
6 FRAGMENTS, CORAL ROCKS, SILICA, AND ANY OTHER SUBSTANCES  
7 WHICH MAKE UP ANY MARINE HABITAT.

8 THE PERSON OR CORPORATION WHO VIOLATES THIS PROVISION  
9 SHALL SUFFER A PENALTY OF TWO (2) YEARS TO TEN (10) YEARS  
10 IMPRISONMENT AND A FINE OF TEN THOUSAND PESOS (P10,000.00) OR FIVE  
11 (5) TIMES THE VALUE OF THE CORAL ROCKS, SAND, OR SILICA GATHERED,  
12 POSSESSED, COMMERCIALY TRANSPORTED, SOLD, OR EXPORTED,  
13 WHICHEVER IS HIGHER, AND CONFISCATION OF THE SUBSTANCE.

14 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
15 PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION OF CATCH OR  
16 SUBSTANCES AND EQUIPMENT OR GEAR USED.

17 *SEC. 98. ILLEGAL USE OF SUPERLIGHTS OR FISHING LIGHT*  
18 *ATTRACTOR.* – IT SHALL BE UNLAWFUL TO ENGAGE IN FISHING WITH THE  
19 USE OF SUPERLIGHT IN MUNICIPAL WATERS, OR TO FISH WITH FISHING  
20 LIGHT ATTRACTOR USING CANDLELIGHT POWER OR INTENSITY BEYOND  
21 THE STANDARDS SET BY THE DEPARTMENT IN CONSULTATION WITH THE  
22 LGUS FOR FISHING IN MUNICIPAL WATERS, OR IN VIOLATION OF THE  
23 RULES PROMULGATED BY THE DEPARTMENT FOR FISHING WITH THE USE  
24 OF SUPERLIGHT OR FISHING LIGHT ATTRACTOR OUTSIDE MUNICIPAL  
25 WATERS.

26 VIOLATION OF THIS PROVISION OR ITS RULES AND REGULATIONS  
27 SHALL BE PUNISHED BY IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2)  
28 YEARS AND A FINE OF TWENTY THOUSAND PESOS (P20,000.00) PER  
29 SUPERLIGHT OR FISHING LIGHT ATTRACTOR, AND CONFISCATION OF  
30 CATCH, SUPERLIGHT OR FISHING LIGHT ATTRACTOR AND GEARS:

1        *PROVIDED*, THAT IF THE OFFENDER IS A MUNICIPAL FISHERFOLK, HE MAY  
2        RENDER COMMUNITY SERVICE IN LIEU OF FINE OR IMPRISONMENT:  
3        *PROVIDED, FURTHER*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT  
4        LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED ABOVE AND  
5        CONFISCATION OF SUPERLIGHT OR FISHING LIGHT ATTRACTOR, CATCH  
6        AND GEARS.

7        **SEC. 99. *CONVERSION OF MANGROVES.*** – IT SHALL BE UNLAWFUL  
8        FOR ANY PERSON TO CONVERT MANGROVES INTO FISHPONDS OR FOR  
9        ANY OTHER PURPOSE.

10       VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
11       IMPRISONMENT OF SIX (6) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS  
12       AND A FINE OF ONE HUNDRED THOUSAND PESOS (P100,000.00) OR THE  
13       VALUE OF MANGROVES CONVERTED BASED ON AVAILABLE STUDIES,  
14       WHICHEVER IS HIGHER.

15       IN ADDITION, THE OFFENDER SHALL BE REQUIRED TO PAY THE  
16       COST OF RESTORATION OF THE DAMAGED MANGROVES BASED ON  
17       AVAILABLE STUDIES AND AS DETERMINED BY THE DEPARTMENT.

18       THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
19       PERCENT OF THE FINE SPECIFIED ABOVE AND THE COST OF  
20       RESTORATION.

21       **SEC. 100. *FISHING DURING CLOSED SEASON.*** – IT SHALL BE  
22       UNLAWFUL TO FISH DURING CLOSED SEASON.

23       VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
24       IMPRISONMENT OF SIX (6) MONTHS AND ONE (1) DAY TO SIX (6) YEARS AND  
25       A FINE OF:

- 26       (1) TWENTY THOUSAND PESOS (P20,000.00) OR TWICE THE VALUE OF  
27       CATCH FOR MUNICIPAL FISHING, WHICHEVER IS HIGHER:  
28       *PROVIDED*, THAT IF THE OFFENDER FAILS TO PAY THE FINE,  
29       COMMUNITY SERVICE SHALL BE RENDERED;

1 (2) ONE HUNDRED THOUSAND PESOS (P100,000.00) OR TWICE THE  
2 VALUE OF CATCH, WHICHEVER IS HIGHER, FOR SMALL-SCALE  
3 COMMERCIAL FISHING;

4 (3) THREE HUNDRED THOUSAND PESOS (P300,000.00) OR TWICE THE  
5 VALUE OF CATCH, WHICHEVER IS HIGHER, FOR MEDIUM-SCALE  
6 COMMERCIAL FISHING; AND

7 (4) FIVE HUNDRED THOUSAND PESOS (P500,000.00) OR TWICE THE  
8 VALUE OF CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE  
9 COMMERCIAL FISHING.

10 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
11 PERCENT OF THE FINE SPECIFIED ABOVE AND CONFISCATION OF CATCH  
12 AND GEAR.

13 SEC. 101. *FISHING IN MARINE PROTECTED AREAS, FISHERY*  
14 *RESERVES, REFUGE AND SANCTUARIES.* – IT SHALL BE UNLAWFUL TO FISH  
15 IN MARINE PROTECTED AREAS, FISHERY AREAS DECLARED BY THE  
16 DEPARTMENT OR THE LGUS AS FISHERY RESERVES, REFUGE AND/OR  
17 SANCTUARIES.

18 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
19 IMPRISONMENT OF TWO (2) YEARS TO SIX (6) YEARS AND A FINE OF:

20 (1) TWENTY THOUSAND PESOS (P20,000.00) OR TWICE THE VALUE OF  
21 CATCH, WHICHEVER IS HIGHER, FOR MUNICIPAL FISHING:  
22 *PROVIDED*, THAT IF THE OFFENDER FAILS TO PAY THE FINE,  
23 COMMUNITY SERVICE SHALL BE RENDERED;

24 (2) TWO HUNDRED THOUSAND PESOS (P200,000.00) OR TWICE THE  
25 VALUE OF CATCH, WHICHEVER IS HIGHER, FOR SMALL-SCALE  
26 COMMERCIAL FISHING;

27 (3) SIX HUNDRED THOUSAND PESOS (P600,000.00) OR TWICE THE  
28 VALUE OF CATCH, WHICHEVER IS HIGHER, FOR MEDIUM-SCALE  
29 COMMERCIAL FISHING; AND

1 (4) ONE MILLION PESOS (P1,000,000.00) OR TWICE THE VALUE OF  
2 CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE COMMERCIAL  
3 FISHING.

4 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
5 PERCENT OF THE FINE SPECIFIED ABOVE AND CONFISCATION OF CATCH  
6 AND GEAR.

7 *SEC. 102. FISHING OR TAKING OF RARE, THREATENED OR*  
8 *ENDANGERED SPECIES.* – (A) IT SHALL BE UNLAWFUL TO FISH OR TAKE,  
9 CATCH, GATHER, SELL, PURCHASE, POSSESS, TRANSPORT, EXPORT,  
10 FORWARD OR SHIP OUT RARE, THREATENED OR ENDANGERED AQUATIC  
11 SPECIES LISTED IN APPENDICES ONE (I) AND TWO (II) OF THE CONVENTION  
12 ON THE INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FLORA  
13 AND FAUNA (CITES) AND AS DETERMINED BY THE DEPARTMENT.

14 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
15 IMPRISONMENT OF TWELVE (12) YEARS AND ONE (1) DAY TO TWENTY (20)  
16 YEARS AND A FINE OF TWENTY THOUSAND PESOS (P20,000.00) TO FIVE  
17 HUNDRED THOUSAND PESOS (P500,000.00) OR THREE (3) TIMES THE VALUE  
18 OF THE SPECIES, WHICHEVER IS HIGHER, FORFEITURE OF THE SPECIES  
19 AND CANCELLATION OF THE FISHING PERMIT.

20 THE DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS  
21 FOR THE TAKING, CATCHING, GATHERING AND CULTURE OF RARE,  
22 THREATENED OR ENDANGERED AQUATIC SPECIES LISTED IN CITES  
23 APPENDIX II.

24 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
25 PERCENT OF THE FINE SPECIFIED ABOVE AND CONFISCATION OF THE  
26 SPECIES.

27 *SEC. 103. CAPTURE OF SABALO AND OTHER BREEDERS/SPAWNERS.*  
28 – IT SHALL BE UNLAWFUL FOR ANY PERSON TO CATCH, GATHER, CAPTURE  
29 OR POSSESS MATURE MILKFISH OR 'SABALO' AND OTHER BREEDERS OR  
30 SPAWNERS OF OTHER FISHERY SPECIES AS MAY BE DETERMINED BY THE

1 DEPARTMENT: *PROVIDED*, THAT CATCHING OF 'SABALO' AND OTHER  
2 BREEDERS/SPAWNERS FOR LOCAL BREEDING PURPOSES OR SCIENTIFIC  
3 OR RESEARCH PURPOSES MAY BE ALLOWED SUBJECT TO GUIDELINES  
4 THAT SHALL BE PROMULGATED BY THE DEPARTMENT.

5 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
6 IMPRISONMENT OF SIX (6) MONTHS AND ONE (1) DAY TO EIGHT (8) YEARS  
7 AND A FINE OF THREE TIMES THE VALUE OF THE SPECIES OR EIGHTY  
8 THOUSAND PESOS (P80,000.00) WHICHEVER IS HIGHER, FORFEITURE OF  
9 THE CATCH AND FISHING EQUIPMENT USED, AND REVOCATION OF  
10 LICENSE.

11 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
12 PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION OF THE SPECIES  
13 AND FISHING EQUIPMENT USED, AND SUSPENSION OR REVOCATION OF  
14 LICENSE.

15 **SEC. 104. EXPORTATION OF BREEDERS, SPAWNERS, EGGS OR FRY. –**  
16 EXPORTATION OF BREEDERS, SPAWNERS, EGGS OR FRY AS PROHIBITED  
17 IN THIS CODE SHALL BE PUNISHED BY IMPRISONMENT OF EIGHT (8) YEARS,  
18 CONFISCATION OF THE SAME AND FINE OF EIGHTY THOUSAND PESOS  
19 (P80,000.00) OR THREE TIMES THE VALUE OF THE SAME, WHICHEVER IS  
20 HIGHER, AND REVOCATION OF THE FISHING AND EXPORT LICENSE OR  
21 PERMIT: *PROVIDED*, THAT THE EXPORT OF HATCHERY-BRED OR CAPTIVE-  
22 BRED BREEDER, SPAWNER, EGG OR FRY, MAY BE ALLOWED SUBJECT TO  
23 THE REGULATIONS TO BE PROMULGATED BY THE DEPARTMENT.

24 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
25 PERCENT OF THE FINE SPECIFIED ABOVE AND CONFISCATION OF THE  
26 SPECIES.

27 **SEC. 105. IMPORTATION OR EXPORTATION OF FISH OR FISHERY**  
28 **SPECIES. –** ANY IMPORTATION OR EXPORTATION OF FISH OR FISHERY  
29 SPECIES IN VIOLATION OF THIS CODE SHALL BE UNLAWFUL.

1           FAILURE ON THE PART OF THE SHIPPING OR FORWARDING  
2           COMPANY FROM WHOSE POSSESSION THE FISH OR FISHERY SPECIES  
3           IMPORTED OR EXPORTED ARE DISCOVERED OR SEIZED TO FULLY  
4           COOPERATE IN THE INVESTIGATION CONDUCTED BY CONCERNED  
5           GOVERNMENT AUTHORITIES SHALL CREATE A PRESUMPTION THAT THERE  
6           IS CONNIVANCE OR CONSPIRACY BETWEEN THE SHIPPING COMPANY AND  
7           THE SHIPPER TO PERPETRATE THE AFOREMENTIONED OFFENSE.

8           VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY EIGHT (8)  
9           YEARS OF IMPRISONMENT AND FINE OF FIVE HUNDRED THOUSAND PESOS  
10          (P500,000.00) OR FIVE (5) TIMES THE VALUE OF THE SPECIES, WHICHEVER IS  
11          HIGHER, AND FORFEITURE AND/OR DESTRUCTION OF THE SPECIES,  
12          *PROVIDED*, THAT OFFENDERS SHALL BE BANNED FROM BEING MEMBERS  
13          OR STOCKHOLDERS OF COMPANIES CURRENTLY ENGAGED IN FISHERIES  
14          OR COMPANIES TO BE CREATED IN THE FUTURE, THE GUIDELINES FOR  
15          WHICH SHALL BE PROMULGATED BY THE DEPARTMENT.

16          THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
17          PERCENT OF THE FINE SPECIFIED ABOVE AND CONFISCATION OF THE  
18          SPECIES.

19          **SEC. 106. VIOLATION OF HARVEST CONTROL RULES.** – IT SHALL BE  
20          UNLAWFUL FOR ANY PERSON TO FISH IN VIOLATION OF HARVEST  
21          CONTROL RULES AS DETERMINED BY THE DEPARTMENT.

22          VIOLATION OF THE RULES AND REGULATIONS, OR PROVISIONS  
23          THEREOF, SHALL BE PUNISHED BY IMPRISONMENT OF SIX (6) MONTHS AND  
24          ONE (1) DAY TO SIX (6) YEARS AND A FINE OF:

25               (1) TWENTY THOUSAND PESOS (P20,000.00) OR TWICE THE VALUE OF  
26               CATCH, WHICHEVER IS HIGHER, FOR MUNICIPAL FISHING:  
27               *PROVIDED*, THAT IF THE OFFENDER FAILS TO PAY THE FINE,  
28               COMMUNITY SERVICE SHALL BE RENDERED;

29               (2) FIFTY THOUSAND PESOS (P50,000.00) TO ONE HUNDRED  
30               THOUSAND PESOS (P100,000.00) OR TWICE THE VALUE OF THE

1 CATCH, WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
2 FISHING;

3 (3) ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) TO ONE  
4 MILLION PESOS (P1,000,000.00), OR TWICE THE VALUE OF THE  
5 CATCH WHICHEVER IS HIGHER FOR MEDIUM-SCALE  
6 COMMERCIAL FISHING; AND

7 (4) ONE MILLION ONE HUNDRED THOUSAND PESOS (P1,100,000.00)  
8 TO FIVE MILLION PESOS (P5,000,000.00), OR TWICE THE VALUE OF  
9 THE CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE  
10 COMMERCIAL FISHING.

11 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
12 PERCENT OF THE FINE SPECIFIED ABOVE AND CONFISCATION OF THE  
13 CATCH.

14 **SEC. 107. AQUATIC POLLUTION.** – AQUATIC POLLUTION, AS DEFINED  
15 IN THIS CODE, SHALL BE UNLAWFUL.

16 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
17 IMPRISONMENT OF SIX (6) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS  
18 AND A FINE OF THREE HUNDRED THOUSAND PESOS (P300,000.00) TO FIVE  
19 HUNDRED THOUSAND PESOS (P500,000.00) PLUS AN ADDITIONAL FINE OF  
20 FIFTEEN THOUSAND PESOS (P15,000.00) PER DAY UNTIL THE VIOLATION  
21 CEASES AND THE FINES ARE PAID, THE IMPOSITION OF CEASE AND DESIST  
22 ORDER, CLOSURE OR SUSPENSION OF THE DEVELOPMENT,  
23 CONSTRUCTION OR FACILITY, OR CESSATION OF OPERATIONS, OR  
24 DISCONNECTION OF WATER SUPPLY. THE ORDER MAY BE ISSUED *EX*  
25 *PARTE* PENDING RESOLUTION OF THE CASE.

26 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
27 PERCENT OF THE FINE SPECIFIED ABOVE AND COST OF RESTORATION AND  
28 CLEAN-UP OF THE DAMAGED AREA.

29 **SEC. 108. FAILURE TO COMPLY WITH MINIMUM SAFETY STANDARDS.**  
30 – THE OWNER AND CAPTAIN OF A COMMERCIAL FISHING VESSEL ENGAGED



1 IN FISHING WHO, UPON DEMAND BY PROPER AUTHORITIES, FAILS TO  
2 EXHIBIT OR SHOW PROOF OF COMPLIANCE WITH THE SAFETY STANDARDS  
3 PROVIDED IN THIS CODE SHALL BE SUBJECTED TO THE PENALTIES OF  
4 IMPRISONMENT FROM ONE (1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS  
5 AND A FINE OF ONE HUNDRED THOUSAND PESOS (P100,000.00): *PROVIDED*,  
6 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY PERCENT  
7 OF THE FINE SPECIFIED ABOVE AND SUSPENSION OR CANCELLATION OF  
8 PERMIT OR LICENSE AND IMPOUNDMENT OF THE VESSEL UNTIL THE  
9 SAFETY STANDARD HAS BEEN COMPLIED WITH.

10 UPON APPREHENSION, THE OWNER AND CAPTAIN SHALL BE  
11 ESCORTED TO THE NEAREST PORT OR LANDING POINT AND PREVENTED  
12 FROM CONTINUING WITH THE FISHING ACTIVITY.

13 **SEC. 109. FAILURE TO SUBMIT A YEARLY REPORT ON ALL**  
14 **FISHPONDS, FISH PENS AND FISH CAGES.** – IT SHALL BE UNLAWFUL FOR  
15 OWNERS AND OPERATORS OF FISHPONDS, FISHPENS AND FISH CAGES TO  
16 FAIL TO SUBMIT AN ANNUAL REPORT TO THE DEPARTMENT PURSUANT TO  
17 SECTION 57 OF THIS CODE.

18 THE OWNER OF THE FISHPOND, FISHPEN OR FISH CAGE SHALL BE  
19 IMPOSED A PENALTY OF FINE OF FIVE THOUSAND PESOS (P5,000.00) PER  
20 UNREPORTED HECTARE. IN CASE THE FISHPOND IS COVERED BY FLA,  
21 NONSUBMISSION OF A REPORT FOR TWO (2) CONSECUTIVE YEARS SHALL  
22 RESULT TO ITS CANCELLATION: *PROVIDED*, THAT THE DEPARTMENT MAY  
23 IMPOSE A FINE OF NOT LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED  
24 ABOVE AND/OR CANCELLATION OF THE FLA.

25 **SEC. 110. GATHERING AND MARKETING OF SHELL FISHES OR OTHER**  
26 **AQUATIC SPECIES.** – IT SHALL BE UNLAWFUL FOR ANY PERSON TO  
27 GATHER, TAKE, SELL, TRANSFER, POSSESS, COMMERCIALY TRANSPORT,  
28 EXPORT, FORWARD OR SHIP OUT ANY SEXUALLY IMMATURE SHELL FISH  
29 OR OTHER AQUATIC SPECIES IDENTIFIED BY THE DEPARTMENT, BELOW  
30 THE MINIMUM SIZE, OR ABOVE THE MAXIMUM QUANTITIES PRESCRIBED

1 FOR THE SPECIES. OTHER PARAMETERS FOR THE PROTECTION OF  
2 HEAVILY TRADED AQUATIC SPECIES SHALL BE ADOPTED BY THE  
3 DEPARTMENT.

4 VIOLATION OF THIS SECTION SHALL BE PUNISHED BY  
5 IMPRISONMENT FROM ONE (1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS  
6 AND A FINE EQUIVALENT TO THE VALUE OF THE SPECIES AND  
7 CONFISCATION OF THE SAME: *PROVIDED*, THAT THE DEPARTMENT MAY  
8 IMPOSE A FINE OF NOT LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED  
9 ABOVE AND CONFISCATION OF THE SPECIES.

10 *SEC. 111. OBSTRUCTION TO NAVIGATION OR FLOW OR EBB OF TIDE*  
11 *IN ANY STREAM, RIVER, LAKE OR BAY. – IT SHALL BE UNLAWFUL FOR ANY*  
12 *PERSON TO CAUSE OBSTRUCTION TO NAVIGATION OR FLOW OR EBB OF*  
13 *TIDE.*

14 VIOLATION OF THIS SECTION SHALL BE PUNISHED BY  
15 IMPRISONMENT FROM ONE (1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS  
16 AND A FINE OF TWO HUNDRED THOUSAND PESOS (P200,000.00). THE  
17 OBSTRUCTION, FISH CORRALS/TRAPS, FISH PENS OR FISH CAGES SHALL  
18 BE DISMANTLED AT THE EXPENSE OF THE VIOLATOR.

19 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
20 PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION OF STOCKS AND  
21 DISMANTLING OF THE OBSTRUCTION, FISH CORRALS/TRAPS, FISH PENS OR  
22 FISH CAGES AT THE EXPENSE OF THE VIOLATOR.

23 *SEC. 112. NONCOMPLIANCE WITH GOOD AQUACULTURE PRACTICES.*  
24 *– FISHERY OPERATIONS INVOLVING THE BREEDING AND FARMING OF FISH*  
25 *AND OTHER FISHERY SPECIES SHALL COMPLY WITH GOOD AQUACULTURE*  
26 *PRACTICES AND THE GUIDELINES FOR ENVIRONMENTALLY-SOUND DESIGN*  
27 *AND OPERATION FOR THE SUSTAINABLE DEVELOPMENT OF THE*  
28 *AQUACULTURE INDUSTRY WHICH SHALL BE PROMULGATED BY THE*  
29 *DEPARTMENT.*

1 VIOLATION OF THE RULES AND REGULATIONS, OR PROVISIONS  
2 THEREOF, MAY BE PUNISHED BY IMPRISONMENT OF THREE (3) YEARS AND  
3 FINE OF TEN THOUSAND PESOS (P10,000.00) TO ONE HUNDRED THOUSAND  
4 PESOS (P100,000.00) PER DAY UNTIL THE VIOLATION CEASES AND THE  
5 FINES ARE PAID: *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE  
6 OF NOT LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED ABOVE.

7 **SEC. 113. COMMERCIAL FISHING VESSEL OPERATORS EMPLOYING**  
8 ***UNLICENSED FISHERFOLK, FISHWORKER OR CREW.*** – (A) THE OWNER OR  
9 OPERATOR OF A COMMERCIAL FISHING VESSEL EMPLOYING UNLICENSED  
10 FISHERFOLK OR FISHWORKER OR CREW SHALL BE FINED FOUR  
11 THOUSAND PESOS (P4,000.00) FOR EACH UNLICENSED FISHERFOLK OR  
12 FISHWORKER OR CREW AND SUSPENSION OR REVOCATION OF LICENSE  
13 FOR COMMERCIAL FISHING.

14 (B) IT SHALL LIKEWISE BE UNLAWFUL FOR PHILIPPINE FLAGGED  
15 FISHING VESSELS ENGAGED IN DISTANT WATER FISHING TO EMPLOY  
16 UNLICENSED FISHERFOLK OR FISHWORKER OR CREW. THE OWNER AND  
17 OPERATOR OF THE DISTANT WATER FISHING VESSEL SHALL BE FINED  
18 FORTY THOUSAND PESOS (P40,000.00) FOR EACH UNLICENSED  
19 FISHERFOLK, FISHWORKER OR CREW AND SUSPENSION OR  
20 CANCELLATION OF LICENSE.

21 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
22 PERCENT OF THE FINE SPECIFIED ABOVE AND SUSPENSION OR  
23 CANCELLATION OF LICENSE.

24 **SEC. 114. OBSTRUCTION OF DEFINED MIGRATION PATHS.** – IT SHALL  
25 BE UNLAWFUL FOR ANY PERSON TO OBSTRUCT ANY DEFINED MIGRATION  
26 PATH OF ANADROMOUS, CATADROMOUS AND OTHER MIGRATORY  
27 SPECIES.

28 VIOLATION OF THIS SECTION SHALL BE PUNISHED BY  
29 IMPRISONMENT OF SEVEN (7) YEARS TO TWELVE (12) YEARS AND A FINE  
30 OF ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) TO FIVE

1 HUNDRED THOUSAND PESOS (P500,000.00), DISMANTLING OF THE  
2 OBSTRUCTION, AND THE SUSPENSION OR REVOCATION OF THE PERMIT OR  
3 LICENSE: *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT  
4 LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED ABOVE, DISMANTLING  
5 OF THE OBSTRUCTION AND SUSPENSION OR CANCELLATION OF LICENSE.

6 **SEC. 115. OBSTRUCTION TO FISHERY LAW ENFORCEMENT OFFICER.**

7 – THE FISHING VESSEL OWNER, MASTER OR OPERATOR OR ANY OTHER  
8 PERSON ACTING ON BEHALF OF ANY FISHING VESSEL WHO ASSAULTS,  
9 RESISTS, INTIMIDATES, HARASSES, SERIOUSLY INTERFERES WITH, OR  
10 UNDULY OBSTRUCTS OR DELAYS A FISHERY LAW ENFORCEMENT  
11 OFFICER, AUTHORIZED INSPECTOR OR OBSERVER, THE DEPUTIZED  
12 FISHWARDEN OF THE LGU, OR ANY LAWFULLY-BOARDING GOVERNMENT  
13 OFFICERS, IN THE EXERCISE OF THEIR DUTIES SHALL BE PENALIZED  
14 UNDER THIS CODE. ANY PERSON WHO DOES NOT ALLOW ANY AUTHORIZED  
15 OFFICER OR AN OBSERVER TO EXERCISE ANY OF THE LEGAL DUTIES  
16 SHALL BE DEEMED TO BE OBSTRUCTING THAT OFFICER OR PERSON.

17 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY:

18 (1) IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS AND A  
19 FINE OF FIVE HUNDRED THOUSAND PESOS (P500,000.00) TO ONE  
20 MILLION PESOS (P1,000,000.00) FOR FISHING VESSELS  
21 OPERATING IN PHILIPPINE WATERS; AND

22 (2) IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS AND A  
23 FINE OF ONE MILLION ONE HUNDRED THOUSAND PESOS  
24 (P1,100,000.00) TO TWO MILLION PESOS (P2,000,000.00) FOR  
25 FISHING VESSELS OPERATING BEYOND PHILIPPINE WATERS.

26 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
27 PERCENT OF THE FINE SPECIFIED ABOVE AND SUSPENSION OR  
28 CANCELLATION OF LICENSE.

29 **SEC. 116. NONCOMPLIANCE WITH FISHERIES OBSERVER COVERAGE.**

30 – IT SHALL BE UNLAWFUL FOR A PHILIPPINE FLAGGED FISHING VESSEL TO

1 SAIL WITHOUT A FISHERIES OBSERVER ON BOARD AS REQUIRED BY RFMO  
2 CONSERVATION AND MANAGEMENT MEASURES AND THE RULES AND  
3 REGULATIONS PROMULGATED BY THE DEPARTMENT.

4 VIOLATION OF THIS SECTION, OR THE RULES AND REGULATIONS OR  
5 ANY OF THE PROVISIONS THEREOF, SHALL BE PUNISHED WITH  
6 IMPRISONMENT OF ONE (1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS  
7 AND FINE OF THREE HUNDRED THOUSAND PESOS (P300,000.00) TO FIVE  
8 HUNDRED THOUSAND (P500,000.00) AND FORFEITURE OF THE CATCH AND  
9 GEAR: *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT  
10 LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION  
11 OF CATCH AND SUSPENSION OR CANCELLATION OF LICENSE.

12 *SEC. 117. NONCOMPLIANCE WITH PORT STATE MEASURES. – NO*  
13 *FOREIGN FISHING VESSEL SHALL BE ALLOWED ENTRY WITHOUT*  
14 *PROVIDING AT LEAST TWENTY-FOUR (24)-HOUR PRIOR NOTICE. WHEN A*  
15 *FOREIGN FISHING VESSEL IS GRANTED ENTRY, FAILURE TO PROVIDE A*  
16 *CATCH REPORT SHALL BE DEEMED UNLAWFUL. IT SHALL LIKEWISE BE*  
17 *UNLAWFUL FOR ANY PERSON TO FAIL TO COMPLY WITH OTHER RULES ON*  
18 *PORT STATE MEASURES PROMULGATED BY THE DEPARTMENT IN*  
19 *COORDINATION WITH PORT STATE AUTHORITIES.*

20 FAILURE TO COMPLY WITH THE 24-HOUR PERIOD MAY RESULT IN  
21 DENIAL OF PERMISSION TO ENTER OR USE OF PORT FACILITIES AND THE  
22 VESSEL MAY BE SUBJECT TO ONBOARD INSPECTION AND OR  
23 IMPOUNDMENT.

24 *SEC. 118. FAILURE TO COMPLY WITH RULES AND REGULATIONS AND*  
25 *CONSERVATION AND MANAGEMENT MEASURES. – IT SHALL BE UNLAWFUL*  
26 *FOR ANY PERSON TO FAIL TO COMPLY WITH CONSERVATION AND*  
27 *MANAGEMENT MEASURES TO BE PROMULGATED UNDER THIS CODE. THE*  
28 *DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS FOR THIS*  
29 *PURPOSE.*

1 VIOLATION OF THE RULES AND REGULATIONS PROMULGATED BY  
2 THE DEPARTMENT, OR ANY OF THE PROVISIONS THEREOF, SHALL BE  
3 PUNISHED WITH IMPRISONMENT OF SIX (6) MONTHS AND FINE OF:

4 (1) TWENTY THOUSAND PESOS (P20,000.00), OR TWICE THE VALUE  
5 OF CATCH, WHICHEVER IS HIGHER, FOR MUNICIPAL FISHING OR  
6 COMMUNITY SERVICE IN CASE OF FAILURE TO PAY THE FINE;

7 (2) ONE HUNDRED THOUSAND PESOS (P100,000.00) TO ONE MILLION  
8 PESOS (P1,000,000.00) OR TWICE THE VALUE OF THE CATCH,  
9 WHICHEVER IS HIGHER, FOR SMALL-SCALE COMMERCIAL  
10 FISHING;

11 (3) ONE MILLION FIVE HUNDRED PESOS (P1,500,000.00) TO TWO  
12 MILLION FIVE HUNDRED PESOS (P2,500,000.00), OR TWICE THE  
13 VALUE OF THE CATCH, WHICHEVER IS HIGHER, FOR MEDIUM-  
14 SCALE COMMERCIAL FISHING; AND

15 (4) THREE MILLION PESOS (P3,000,000.00) TO FIVE MILLION PESOS  
16 (P5,000,000.00), OR TWICE THE VALUE OF THE CATCH,  
17 WHICHEVER IS HIGHER FOR LARGE-SCALE COMMERCIAL  
18 FISHING.

19 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
20 PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION OF THE CATCH  
21 AND SUSPENSION OR CANCELLATION OF LICENSE.

22 **SEC. 119. NONCOMPLIANCE WITH VESSEL MONITORING MEASURES.**

23 -- NO MUNICIPAL, COMMERCIAL OR DISTANT WATER FISHING VESSEL  
24 SHALL ENGAGE IN FISHING ACTIVITY WITHOUT COMPLYING WITH THE  
25 VESSEL MONITORING MEASURES PROMULGATED BY THE DEPARTMENT IN  
26 COORDINATION WITH THE LGUS. IT SHALL ALSO BE UNLAWFUL TO  
27 INTENTIONALLY TAMPER WITH, SWITCH OFF OR DISABLE THE VESSEL  
28 MONITORING SYSTEM.

29 VIOLATION OF THIS PROVISION SHALL BE PUNISHED WITH  
30 IMPRISONMENT OF SIX (6) MONTHS TO TWO (2) YEARS AND A FINE OF:

1 (1) TEN THOUSAND PESOS (P10,000.00) OR TWICE THE VALUE OF THE  
2 CATCH, WHICHEVER IS HIGHER, FOR MUNICIPAL FISHING OR  
3 COMMUNITY SERVICE IN CASE OF FAILURE TO PAY THE FINE;

4 (2) ONE HUNDRED THOUSAND PESOS (P100,000.00) TO TWO  
5 HUNDRED TWENTY-FIVE THOUSAND PESOS (P225,000.00) OR  
6 TWICE THE VALUE OF THE CATCH, WHICHEVER IS HIGHER, FOR  
7 SMALL-SCALE COMMERCIAL FISHING;

8 (3) TWO HUNDRED FIFTY THOUSAND PESOS (P250,000.00) TO FIVE  
9 HUNDRED THOUSAND PESOS (P500,000.00), OR TWICE THE VALUE  
10 OF THE CATCH, WHICHEVER IS HIGHER, FOR MEDIUM-SCALE  
11 COMMERCIAL FISHING; AND

12 (4) FIVE HUNDRED FIFTY THOUSAND PESOS (P550,000.00) TO TWO  
13 MILLION PESOS (P2,000,000.00), OR TWICE THE VALUE OF THE  
14 CATCH, WHICHEVER IS HIGHER, FOR LARGE-SCALE COMMERCIAL  
15 FISHING.

16 IN CASE OF VIOLATION COMMITTED IN WATERS BEYOND NATIONAL  
17 JURISDICTION, THE MAXIMUM PENALTY SHALL BE IMPOSED.

18 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
19 PERCENT OF THE MINIMUM PENALTY OF THE FINES SPECIFIED ABOVE, THE  
20 CONFISCATION OF CATCH AND SUSPENSION OR REVOCATION OF THE  
21 LICENSE.

22 **SEC. 120. CONSTRUCTING, IMPORTING OR CONVERTING FISHING**  
23 **VESSELS OR GEARS WITHOUT PERMIT FROM THE DEPARTMENT. – IT SHALL**  
24 **BE UNLAWFUL FOR ANY PERSON TO CONSTRUCT OR IMPORT FISHING**  
25 **VESSELS OR GEARS OR TO CONVERT OTHER VESSELS INTO FISHING**  
26 **VESSELS WITHOUT PERMIT FROM THE DEPARTMENT.**

27 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
28 IMPRISONMENT FROM ONE (1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS  
29 AND A FINE OF:

1 (1) TWENTY-FIVE THOUSAND PESOS (P25,000.00) TO FIFTY  
2 THOUSAND PESOS (P50,000.00) FOR SMALL-SCALE COMMERCIAL  
3 FISHING;

4 (2) SEVENTY-FIVE THOUSAND PESOS (P75,000.00) TO FIVE HUNDRED  
5 THOUSAND PESOS (P500,000.00) FOR MEDIUM-SCALE  
6 COMMERCIAL FISHING; AND

7 (3) SEVEN HUNDRED FIFTY THOUSAND PESOS (P750,000.00) TO TWO  
8 MILLION FIVE HUNDRED THOUSAND PESOS (P2,500,000.00) FOR  
9 LARGE-SCALE COMMERCIAL FISHING.

10 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
11 PERCENT OF THE FINE SPECIFIED ABOVE.

12 **SEC. 121. USE OF UNLICENSED GEAR.** – ANY PERSON WHO USES A  
13 FISHING GEAR OR METHOD FOR COMMERCIAL FISHING WITHOUT LICENSE  
14 FROM THE DEPARTMENT SHALL BE FINED FROM TWO HUNDRED  
15 THOUSAND PESOS (P200,000.00) TO FIVE HUNDRED THOUSAND PESOS  
16 (P500,000.00) PER GEAR DEPENDING ON THE SERIOUSNESS OF THE  
17 VIOLATION: *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF  
18 NOT LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED ABOVE.

19 **SEC. 122. FALSIFYING, CONCEALING OR TAMPERING WITH VESSEL**  
20 **MARKINGS, IDENTITY OR REGISTRATION.**– IT SHALL BE UNLAWFUL FOR  
21 ANY PERSON TO FALSIFY, CONCEAL VESSEL IDENTITY OR LACK OF  
22 REGISTRATION OR TAMPER WITH THE VESSEL MARKINGS, IDENTITY OR  
23 REGISTRATION.

24 VIOLATION OF THIS PROVISION SHALL BE PUNISHED BY  
25 IMPRISONMENT FROM TWO (2) YEARS TO SIX (6) YEARS AND A FINE OF:

26 (1) TEN THOUSAND PESOS (P10,000.00) FOR MUNICIPAL FISHING OR  
27 COMMUNITY SERVICE IN CASE OF FAILURE TO PAY THE FINE;

28 (2) FIFTY THOUSAND PESOS (P50,000.00) TO ONE HUNDRED  
29 THOUSAND PESOS (P100,000.00) FOR SMALL-SCALE  
30 COMMERCIAL FISHING;



1 (3) ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) TO ONE  
2 MILLION PESOS (P1,000,000.00), FOR MEDIUM-SCALE  
3 COMMERCIAL FISHING; AND

4 (4) ONE MILLION ONE HUNDRED THOUSAND PESOS (P1,100,000.00)  
5 TO FIVE MILLION PESOS (P5,000,000.00), FOR LARGE-SCALE  
6 COMMERCIAL FISHING.

7 IN CASE OF VIOLATION BY DISTANT WATER FISHING VESSELS, THE  
8 MAXIMUM PENALTY SHALL BE IMPOSED.

9 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
10 PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION OF CATCH AND  
11 SUSPENSION OR CANCELLATION OF LICENSE.

12 *SEC. 123. CONCEALING, TAMPERING OR DISPOSING OF EVIDENCE*  
13 *RELATING TO AN INVESTIGATION OF A VIOLATION. – IT SHALL BE*  
14 *UNLAWFUL FOR ANY PERSON TO CONCEAL, TAMPER OR DISPOSE*  
15 *EVIDENCE RELATING TO AN INVESTIGATION OF A VIOLATION. THE*  
16 *OFFENDER SHALL SUFFER THE PENALTY OF IMPRISONMENT FROM FIVE (5)*  
17 *YEARS TO TEN (10) YEARS AND A FINE OF:*

18 (1) TEN THOUSAND PESOS (P10,000.00) FOR MUNICIPAL FISHING OR  
19 COMMUNITY SERVICE IN CASE OF FAILURE TO PAY THE FINE;

20 (2) FIFTY THOUSAND PESOS (P50,000.00) TO ONE HUNDRED  
21 THOUSAND PESOS (P100,000.00) FOR SMALL-SCALE  
22 COMMERCIAL FISHING;

23 (3) ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) TO ONE  
24 MILLION PESOS (P1,000,000) FOR MEDIUM-SCALE COMMERCIAL  
25 FISHING; AND

26 (4) ONE MILLION ONE HUNDRED THOUSAND PESOS (P1,100,000.00)  
27 TO FIVE MILLION PESOS (P5,000,000.00) FOR LARGE-SCALE  
28 COMMERCIAL FISHING.

29 IN CASE OF VIOLATION BY DISTANT WATER FISHING VESSELS, THE  
30 MAXIMUM PENALTY SHALL BE IMPOSED.

1 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY  
2 PERCENT OF THE FINE SPECIFIED ABOVE AND SUSPENSION OR  
3 CANCELLATION OF LICENSE.

4 *SEC. 124. NONCOMPLIANCE WITH THE REQUIREMENTS FOR THE*  
5 *INTRODUCTION OF FOREIGN OR EXOTIC AQUATIC SPECIES.* – IT SHALL BE  
6 UNLAWFUL TO IMPORT, INTRODUCE, OR BREED, FOREIGN OR EXOTIC  
7 AQUATIC SPECIES WITHOUT THE CONDUCT OF RISK ANALYSIS AND PRIOR  
8 APPROVAL OF THE DEPARTMENT.

9 VIOLATION OF THIS SECTION SHALL BE PUNISHED BY  
10 IMPRISONMENT OF SIX (6) YEARS TO (12) YEARS AND A FINE OF TWO  
11 HUNDRED THOUSAND PESOS (P200,000.00) TO SIX MILLION PESOS  
12 (P6,000,000.00) AND CONFISCATION AND DESTRUCTION OF THE FOREIGN  
13 OR EXOTIC SPECIES. SHOULD THE SPECIES BECOME INVASIVE AND  
14 RESULT TO PREDATION OF NATIVE AQUATIC BIOTA, LOSS OF INCOME OR  
15 DAMAGE TO THE HABITAT, THE OFFENDER SHALL BEAR THE COSTS OF  
16 CONTAINMENT, ERADICATION AND/OR RESTORATION: *PROVIDED*, THAT  
17 THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS THAN FIFTY PERCENT  
18 OF THE FINE SPECIFIED ABOVE, CONFISCATION OF FOREIGN OR EXOTIC  
19 SPECIES AND THE COSTS FOR CONTAINMENT, ERADICATION OR  
20 RESTORATION.

21 *SEC. 125. FAILURE TO COMPLY WITH STANDARDS AND TRADE-*  
22 *RELATED MEASURES.* – IT SHALL BE UNLAWFUL FOR ANY PERSON TO FAIL  
23 TO COMPLY WITH STANDARDS FOR WEIGHTS, VOLUME, QUALITY AND  
24 OTHER REQUIREMENTS FOR ALL FISHERY TRANSACTIONS AND TRADE  
25 AND TRADE-RELATED MEASURES PRESCRIBED BY THE DEPARTMENT.

26 VIOLATION OF THIS SECTION OR THE IMPLEMENTING RULES AND  
27 REGULATIONS SHALL BE PUNISHED BY IMPRISONMENT FROM SIX (6)  
28 MONTHS TO TWO (2) YEARS AND FINE OF FIFTY THOUSAND PESOS  
29 (P50,000.00) TO TWO MILLION PESOS (P2,000,000.00), DEPENDING ON THE  
30 SERIOUSNESS, EXTENT AND VOLUME OF TRADE ASSOCIATED WITH THE

1 VIOLATION: *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF  
2 NOT LESS THAN FIFTY PERCENT OF THE FINE SPECIFIED ABOVE,  
3 CONFISCATION OF THE SHIPMENT OR FISHERY PRODUCTS AND  
4 SUSPENSION OR REVOCATION OF REGISTRATION OR LICENSE.

5 SEC. 126. *POSSESSING, DEALING IN OR DISPOSING ILLEGALLY*  
6 *CAUGHT OR TAKEN FISH.* – IT SHALL BE UNLAWFUL TO KNOWINGLY SHIP,  
7 COMMERCIALY TRANSPORT, OFFER FOR SALE, SELL, IMPORT, EXPORT,  
8 OR HAVE CUSTODY, CONTROL, OR POSSESSION OF, OR TO DEAL IN OR IN  
9 ANY MANNER DISPOSE OF ANY FISH OR SPECIES CAUGHT, TAKEN OR  
10 RETAINED IN VIOLATION OF THIS CODE.

11 THE DISCOVERY OF ANY FISH OR SPECIES CAUGHT WITH THE USE  
12 OF EXPLOSIVES OR NOXIOUS OR POISONOUS SUBSTANCES SHALL  
13 CONSTITUTE A *PRIMA FACIE* PRESUMPTION THAT THE POSSESSOR,  
14 SELLER, FISH DEALER, TRANSPORTER, IMPORTER, OR EXPORTER  
15 THEREOF HAS KNOWLEDGE THAT THE FISH OR SPECIES WAS CAUGHT OR  
16 TAKEN IN VIOLATION OF THIS CODE.

17 VIOLATION OF THIS SECTION SHALL BE PUNISHED WITH  
18 IMPRISONMENT FROM SIX (6) MONTHS TO TWO (2) YEARS AND A FINE OF  
19 FIFTY THOUSAND PESOS (P50,000.00) TO TWO HUNDRED THOUSAND PESOS  
20 (P200,000.00) OR FIVE (5) TIMES THE VALUE OF FISH OR SPECIES,  
21 WHICHEVER IS HIGHER, AND CONFISCATION OF THE SAME AND THE  
22 CONVEYANCE OR VESSEL USED IN DEALING IN, OR TRANSPORTING OR  
23 SHIPPING THE ILLEGALLY CAUGHT/GATHERED FISHERIES SPECIES:  
24 *PROVIDED*, THAT THE DEPARTMENT MAY IMPOSE A FINE OF NOT LESS  
25 THAN FIFTY PERCENT OF THE FINE SPECIFIED ABOVE, CONFISCATION OF  
26 THE FISH OR FISHERY PRODUCTS AND SUSPENSION OR REVOCATION OF  
27 REGISTRATION OR LICENSE.

28 SEC. 127. UNAUTHORIZED DISCLOSURE OF SENSITIVE TECHNICAL  
29 INFORMATION. — DATA FROM THE VESSEL MONITORING SYSTEM OR VESSEL  
30 MONITORING MEASURE AND OTHER RELATED DATA ARISING THEREFROM

1 SHALL BE CONSIDERED AS SENSITIVE TECHNICAL INFORMATION. ANY  
2 UNAUTHORIZED DISCLOSURE OF SAID DATA INCLUDING ALL OTHER DATA  
3 REFERRED TO IN SECTION 153 OF THIS CODE BY ANY PERSON SHALL BE  
4 PENALIZED BY IMPRISONMENT OF SIX (6) MONTHS AND ONE DAY TO SIX (6)  
5 YEARS, REMOVAL FROM OFFICE AND FORFEITURE OF ALL RETIREMENT  
6 BENEFITS, WHERE APPLICABLE.

7 **SEC. 128. OTHER VIOLATIONS.** – IN ADDITION TO THE PROHIBITIONS  
8 IN THIS CODE, THE DEPARTMENT, IN CONSULTATION WITH THE LGUS,  
9 LOCAL FARMCS AND NFARMC, SHALL ISSUE FISHERY ADMINISTRATIVE  
10 ORDERS OR REGULATIONS FOR THE CONSERVATION, PRESERVATION,  
11 MANAGEMENT AND SUSTAINABLE DEVELOPMENT OF FISHERIES AND  
12 AQUATIC RESOURCES.

13 VIOLATION OF ADMINISTRATIVE ORDERS OR REGULATIONS  
14 PROMULGATED BY THE DEPARTMENT OR ANY PROVISION THEREOF SHALL  
15 SUBJECT THE OFFENDER TO A FINE OF ONE HUNDRED THOUSAND PESOS  
16 (P100,000.00) TO FIVE MILLION PESOS (P5,000,000.00), DEPENDING ON THE  
17 SOCIO-ECONOMIC IMPACT AND SERIOUSNESS OF THE VIOLATION, VOLUME  
18 AND VALUE OF THE FISHERIES PRODUCT, DAMAGE TO THE ENVIRONMENT  
19 DUE TO THE VIOLATION, AND THE HABITUALITY OF THE OFFENDER.

20 **SEC. 129. ESCALATION CLAUSE.** – THE FINES HEREIN PRESCRIBED  
21 SHALL BE INCREASED BY AT LEAST TEN PERCENT (10%) EVERY THREE (3)  
22 YEARS TO COMPENSATE FOR INFLATION AND TO MAINTAIN THE  
23 DETERRENT FUNCTION OF SUCH FINES.”

24 **SEC. 18.** A new Chapter VII on administrative adjudication is hereby inserted after Chapter  
25 VI of Republic Act No. 8550, to read as follows:

26 **“CHAPTER VII**

27 **ADMINISTRATIVE ADJUDICATION**

28 **SEC. 130. ADMINISTRATIVE ADJUDICATION.** – THE DEPARTMENT IS  
29 HEREBY EMPOWERED TO IMPOSE THE ADMINISTRATIVE FINES AND  
30 PENALTIES PROVIDED IN THIS CODE.

1 FOR THIS PURPOSE, THE DEPARTMENT IS AUTHORIZED TO  
2 ORGANIZE AND DESIGNATE THE COMPOSITION OF THE ADJUDICATION  
3 COMMITTEE, WHICH SHALL BE COMPOSED OF THE BUREAU DIRECTOR AS  
4 CHAIRPERSON AND TWO OTHER MEMBERS TO BE DESIGNATED BY THE  
5 SECRETARY. THE ADJUDICATION COMMITTEE SHALL BE SUPPORTED BY  
6 SUFFICIENT NUMBER OF STAFF TO ENABLE IT TO PERFORM ITS MANDATE.

7 IT SHALL ALSO PROMULGATE RULES AND REGULATIONS FOR THE  
8 CONDUCT OF ADMINISTRATIVE ADJUDICATION AND THE DISPOSITION OF  
9 CONFISCATED CATCH, GEARS, EQUIPMENT AND OTHER PARAPHERNALIA.

10 SEC. 131. *OTHER POWERS.* – THE DEPARTMENT MAY EXERCISE THE  
11 FOLLOWING POWERS PURSUANT TO ITS FUNCTIONS:

12 (1) ISSUE NOTICE OF VIOLATION;

13 (2) CONDUCT PUBLIC HEARINGS;

14 (3) CALL ON ANY GOVERNMENT EMPLOYEE, OR ANY OFFICE OR  
15 INSTRUMENTALITY OF THE GOVERNMENT FOR COOPERATION  
16 AND ASSISTANCE; AND

17 (4) ADOPT RULES OF PROCEDURE.

18 SEC. 132. *COMMENCEMENT OF SUMMARY ADMINISTRATIVE ACTION.*  
19 – THE DEPARTMENT SHALL, ON ITS OWN INSTANCE OR UPON VERIFIED  
20 COMPLAINT BY ANY PERSON, INSTITUTE ADMINISTRATIVE PROCEEDINGS  
21 AGAINST ANY PERSON WHO VIOLATES ANY ORDER, RULE OR REGULATION  
22 ISSUED BY THE DEPARTMENT, PURSUANT TO THIS CODE.

23 SEC. 133. *POWER TO ISSUE CEASE AND DESIST ORDERS AND TO*  
24 *SUMMARILY EVICT WITHOUT THE NECESSITY OF JUDICIAL ORDER.* – THE  
25 DEPARTMENT SHALL, SUBJECT TO THE REQUIREMENTS OF  
26 ADMINISTRATIVE DUE PROCESS, ISSUE CEASE AND DESIST ORDER/S UPON  
27 VIOLATOR/S AND TO SUMMARILY EJECT, WITHOUT THE NECESSITY OF  
28 JUDICIAL ORDER, THE HOLDER OF FLA, OTHER TENURIAL INSTRUMENT,  
29 PERMIT OR LICENSE FROM AREAS OF THE PUBLIC DOMAIN COVERED BY  
30 SUCH FLA, TENURIAL INSTRUMENT, PERMIT OR LICENSE.

1           **SEC. 134. ADMINISTRATIVE AUTHORITY OF THE DIRECTOR OF THE**  
2 **BFAR OR THE DULY AUTHORIZED REPRESENTATIVE TO ORDER**  
3 **CONFISCATION.** – IN ALL CASES OF VIOLATIONS OF THIS CODE OR OTHER  
4 **FISHERY LAWS, RULES AND REGULATIONS, THE DIRECTOR OF THE BFAR**  
5 **OR THE DULY AUTHORIZED REPRESENTATIVE, MAY ORDER THE**  
6 **CONFISCATION AND FORFEITURE OF ANY FISH, FISHERY SPECIES OR**  
7 **AQUATIC RESOURCES ILLEGALLY CAUGHT, TAKEN OR GATHERED, AND**  
8 **ALL EQUIPMENT, PARAPHERNALIA AND GEARS IN FAVOR OF THE**  
9 **DEPARTMENT, ACADEMIC INSTITUTIONS OR LGUS AND TO DISPOSE OF THE**  
10 **SAME IN ACCORDANCE WITH PERTINENT LAWS, RULES, REGULATIONS**  
11 **AND POLICIES ON THE MATTER.**

12           **SEC. 135. ACCOMPANYING ADMINISTRATIVE SANCTIONS FOR**  
13 **SERIOUS VIOLATIONS.** – THE DEPARTMENT MAY IMPOSE THE FOLLOWING  
14 **ADDITIONAL SANCTIONS TO THE ADMINISTRATIVE PENALTIES IMPOSED**  
15 **FOR SERIOUS VIOLATIONS:**

- 16           (1) **CONFISCATION OF FISHING GEAR;**
- 17           (2) **IMPOUNDMENT OF FISHING VESSEL;**
- 18           (3) **TEMPORARY SUSPENSION OR PERMANENT REVOCATION OF**  
19           **LICENSE OR PERMIT;**
- 20           (4) **TEMPORARY OR PERMANENT BAN FROM THE AVAILMENT OF**  
21           **APPLICABLE DUTY AND TAX REBATES;**
- 22           (5) **INCLUSION IN THE IUU FISHING VESSEL LIST;**
- 23           (6) **DENIAL OF ENTRY AND OTHER PORT SERVICES;**
- 24           (7) **BLACKLISTING; AND**
- 25           (8) **INCREASE IN THE AMOUNT OF FINES BUT NOT TO EXCEED FIVE**  
26           **(5) TIMES THE VALUE OF THE CATCH. IN CASE OF REPEATED**  
27           **VIOLATIONS WITHIN A FIVE-YEAR PERIOD, THE AMOUNT OF FINE**  
28           **MAY BE INCREASED UP TO EIGHT (8) TIMES THE VALUE OF THE**  
29           **CATCH.**

1 DURING THE PENDENCY OF THE ADMINISTRATIVE OR THE CRIMINAL  
2 CASE, THE VESSEL/CONVEYANCE, GEAR AND OTHER PARAPHERNALIA  
3 USED IN THE COMMISSION OF THE OFFENSE MAY BE IMPOUNDED BY THE  
4 DEPARTMENT.

5 IN APPLYING THESE ACCOMPANYING SANCTIONS, THE  
6 DEPARTMENT SHALL TAKE INTO ACCOUNT THE SERIOUSNESS OF THE  
7 VIOLATION AS DEFINED IN PARAGRAPH 81 OF SECTION 4 OF THIS CODE,  
8 THE HABITUALITY OR REPETITION OF VIOLATION, MANNER OF COMMISSION  
9 OF THE OFFENSE, SEVERITY OF THE IMPACT ON THE FISHERY RESOURCES  
10 AND HABITAT, SOCIOECONOMIC IMPACT, CASES OF CONCEALMENT OR  
11 DESTRUCTION OF EVIDENCE, ELUDING ARREST, RESISTING LAWFUL  
12 ORDERS, AND OTHER ANALOGOUS CIRCUMSTANCES.

13 THE OVERALL LEVEL OF SANCTIONS AND ACCOMPANYING  
14 SANCTIONS SHALL BE CALCULATED IN A MANNER THAT IS  
15 PROPORTIONATE, EFFECTIVE AND DISSUASIVE TO DEPRIVE THE  
16 OFFENDER OF THE ECONOMIC BENEFITS DERIVED FROM THE SERIOUS  
17 VIOLATION.

18 *SEC. 136. LIEN UPON PERSONAL AND IMMOVABLE PROPERTIES OF*  
19 *VIOLATORS. – FINES AND PENALTIES IMPOSED PURSUANT TO THIS ACT*  
20 *SHALL CONSTITUTE A LIEN UPON THE PERSONAL AND IMMOVABLE*  
21 *PROPERTIES OF THE VIOLATOR.*

22 *SEC. 137. REWARD TO INFORMANTS AND THOSE WHO ASSISTED IN*  
23 *THE FISHERY LAW ENFORCEMENT. – ANY PERSON WHO, OR ANY LOCAL*  
24 *GOVERNMENT UNIT THAT, PROVIDES INFORMATION FOR, OR ASSISTED IN,*  
25 *THE APPREHENSION AND CONVICTION OF A PERSON FOR THE VIOLATION*  
26 *OF THIS ACT OR OTHER FISHERY LAWS, RULES AND REGULATIONS, OR*  
27 *THE CONFISCATION AND FORFEITURE OF FISH, FISHERY SPECIES, OTHER*  
28 *AQUATIC RESOURCES, VESSEL, GEARS AND CONVEYANCES, SHALL BE*  
29 *GIVEN A REWARD IN THE AMOUNT OF TWENTY PERCENT (20%) OF THE*  
30 *PROCEEDS OF THE CONFISCATION AND FORFEITURE OR OF THE*

1 ADMINISTRATIVE FINES COLLECTED BY THE BUREAU. FOR THIS PURPOSE,  
2 THE DEPARTMENT SHALL PROMULGATE THE RULES AND REGULATIONS  
3 FOR THE GRANTING OF THIS REWARD.

4 SEC. 138. *COMMUNITY SERVICE.* – IN CASE THE OFFENDER IS A  
5 MUNICIPAL FISHERFOLK OR HAS NO PROPERTY OVER WHICH THE  
6 DEPARTMENT MAY IMPOSE THE FINES AND PENALTIES PRESCRIBED FOR  
7 THE OFFENSE, COMMUNITY SERVICE MAY BE RENDERED IN LIEU OF THE  
8 FINE. THE DEPARTMENT SHALL PROMULGATE THE RULES AND  
9 REGULATIONS FOR THIS PURPOSE, TAKING INTO ACCOUNT THAT THE  
10 SERVICE SHOULD BE RENDERED IN THE COMMUNITY WHERE THE  
11 OFFENDER IS A RESIDENT AND COMPUTED BASED ON THE FINE AND THE  
12 PREVAILING MINIMUM WAGE IN THE COMMUNITY, AMONG OTHERS.

13 SEC. 139. *FISHERIES NATIONAL ADMINISTRATIVE REGISTER.* – THE  
14 ADJUDICATION COMMITTEE SHALL ENTER IN A FISHERIES NATIONAL  
15 ADMINISTRATIVE REGISTER, WHICH SHALL BE PUBLICLY AVAILABLE, ALL  
16 DECISIONS, RESOLUTIONS OR ORDERS INVOLVING VIOLATIONS OF THIS  
17 CODE, PARTICULARLY SERIOUS VIOLATIONS COMMITTED BY PHILIPPINE  
18 FLAGGED VESSELS OR BY PHILIPPINE NATIONALS AND CASES ON  
19 POACHING OR INVOLVING FOREIGNERS, INCLUDING THE PENALTIES  
20 IMPOSED.”

21 SEC. 19. Section 109 of the Act is hereby deleted and shall be replaced with a new  
22 Section 141 to read, as follows:

23 “SEC. 141. *FISHERIES MANAGEMENT FUND.* – THERE IS HEREBY  
24 ESTABLISHED A FISHERIES MANAGEMENT FUND TO BE ADMINISTERED BY  
25 THE DEPARTMENT THROUGH THE BUREAU OF FISHERIES AND AQUATIC  
26 RESOURCES, AS A SPECIAL ACCOUNT IN THE NATIONAL TREASURY.

27 THE FUND SHALL BE DERIVED FROM: ADMINISTRATIVE FINES  
28 IMPOSED UNDER THIS CODE AND ITS RULES AND REGULATIONS;  
29 PROCEEDS FROM SALE OF FORFEITED FISH, FISHING GEARS,  
30 PARAPHERNALIA AND FISHING VESSELS; ADMINISTRATIVE FEES AND



1 CHARGES; AND CONTRIBUTIONS IN THE FORM OF ENDOWMENTS, GRANTS  
2 AND DONATIONS TO THE FUND, WHICH SHALL BE EXEMPTED FROM DONOR  
3 AND OTHER TAXES, CHARGES OR FEES IMPOSED BY THE GOVERNMENT.

4 THE FUND SHALL ENHANCE THE BUDGET FOR: THE CONSERVATION,  
5 PRESERVATION, PROTECTION, MANAGEMENT, DEVELOPMENT AND  
6 REGULATION OF THE FISHERY AND AQUATIC RESOURCES; RESEARCH AND  
7 DEVELOPMENT AND CAPABILITY BUILDING OF THE VARIOUS  
8 STAKEHOLDERS INCLUDING PROVISION FOR SCHOLARSHIPS;  
9 SUPPLEMENTARY LIVELIHOOD FOR POVERTY ALLEVIATION; AND  
10 IMPROVEMENT OF PRODUCTIVITY AND PROCESSES OF THE VARIOUS  
11 STAKEHOLDERS.

12 THE FUND SHALL BE UTILIZED IN THE FOLLOWING MANNER:

13 A. TEN PERCENT (10%) FOR THE PURCHASE, UPGRADE AND  
14 MAINTENANCE OF VESSELS, COMMUNICATION AND OTHER  
15 EQUIPMENT USED FOR THE MONITORING, CONTROL AND  
16 SURVEILLANCE, OF PHILIPPINE WATERS AND DISTANT WATER  
17 FISHING;

18 B. FIVE PERCENT (5%) FOR THE PAYMENT OF LITIGATION  
19 EXPENSES, COST OF CONVEYANCE OF WITNESSES AND OTHER  
20 COSTS DUE TO CASES FILED BY OR AGAINST THE REPUBLIC OF  
21 THE PHILIPPINES IN INTERNATIONAL COURTS ARISING FROM THE  
22 IMPLEMENTATION OF THIS CODE OR WHERE APPREHENDING  
23 PARTY OR PARTIES BECOME RESPONDENTS OR DEFENDANTS IN  
24 ANY TRIBUNAL OR COURT OF LAW;

25 C. FIFTEEN PERCENT (15%) FOR THE OPERATING COSTS OF THE  
26 IFARMC AND MFARMC AND PAYMENT FOR THE COST OF  
27 REHABILITATION, MEDICAL EXPENSES FOR INJURY, OR  
28 INDEMNITY FOR DEATH OF LAW ENFORCEMENT OFFICERS,  
29 INCLUDING DEPUTIZED VOLUNTEERS;

- 1 D. TWENTY PERCENT (20%) FOR PAYMENT OF REWARDS TO  
2 INFORMERS AND THOSE WHO ASSISTED IN FISHERY LAW  
3 ENFORCEMENT, INCLUDING LOCAL GOVERNMENT UNITS;
- 4 E. FIVE PERCENT (5%) FOR THE CONTINUED UPGRADING OF  
5 LABORATORY FACILITIES AND EQUIPMENT;
- 6 F. FIVE PERCENT (5%) FOR THE CAPABILITY DEVELOPMENT OF  
7 BFAR PERSONNEL, DEPUTIZED LAW ENFORCEMENT AGENCIES  
8 AND VOLUNTEERS, AND STAKEHOLDERS;
- 9 G. TEN PERCENT (10%) FOR SCHOLARSHIP GRANTS FOR CHILDREN  
10 OF FISHERFOLKS AND FISHWORKERS IN FISH CATCH,  
11 AQUACULTURE, FISHING AND FISH PROCESSING;
- 12 H. FIFTEEN PERCENT (15%) FOR LIVELIHOOD PROGRAMS FOR  
13 PRODUCTION ENHANCEMENT AND POVERTY ALLEVIATION; AND,
- 14 I. FIFTEEN PERCENT (15%) ASSISTANCE TO FISHERMEN IN THE  
15 FORM OF SHARED FACILITIES."

16 **SEC. 20.** *Renumbering of the Remaining Sections of Republic Act No. 8550.* – Section 108  
17 is hereby renumbered as Section 140, and Sections 110 to 133 of Republic Act No. 8550 are  
18 hereby renumbered as Sections 142 to 165 accordingly. Chapters VII, VIII and IX of the same Act  
19 are hereby renumbered as Chapter VIII, IX and X, respectively.

20 **SEC. 21.** *Implementing Rules and Regulations.* – The Department of Agriculture, in  
21 consultation with concerned government agencies and stakeholders, shall promulgate the  
22 implementing rules and regulations of this Act, within six (6) months from the effectivity of this Act.

23 **SEC. 22.** *Separability Clause.* – If any portion of this Act is declared unconstitutional or  
24 invalid, the portions or provisions which are not affected shall continue to be in full force and effect.

25 **SEC. 23.** *Repealing Clause.* – All laws, decrees, executive orders and rules and regulations  
26 or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

27 **SEC. 24.** *Effectivity.* – This Act shall take effect fifteen (15) days after its complete  
28 publication in at least two (2) newspapers of general circulation.

*Approved,*