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SENATE  
S. B. No. 1863

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Introduced by Senator **Ana Theresia "Risa" Hontiveros-Baraquel**

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**AN ACT REGULATING THE CATCHING, SALE, PURCHASE, POSSESSION, TRANSPORTATION, IMPORTATION, AND EXPORTATION OF ALL SHARKS, RAYS, AND CHIMAERAS AND ANY PART THEREOF IN THE COUNTRY**

**EXPLANATORY NOTE**

Situated at the apex of the Coral Triangle, the Philippines is part of the global center of marine biodiversity. With over 200 species of sharks and rays in the Philippines, our country plays a crucial role in conserving these ecologically and economically important marine species.

Despite the lack of understanding of sharks' various roles in ecosystems, it is clear that they are key players in structuring food webs, whether at the top of the food chain or at lower trophic levels. Sharks are typically depicted as apex predators that have significant top-down effects on food webs. They help keep prey populations healthy by feeding on weak, sick, or old fishes, and prevent overgrazing of critical marine habitats.

Therefore, the removal of sharks from an ecosystem has the potential to create significant changes in predator-prey interactions, affecting the whole system. Aside from ecological benefits, sharks and rays have also been proven to boost local economies through sustainable tourism activities, and through fisheries in many developing countries.

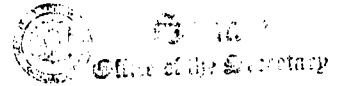
Due to their unique life history traits, sharks and their relatives reproduce slowly, making them particularly vulnerable to threats from targeted fisheries, overfishing, bycatch, pollution, unregulated tourism, and climate change. Declined populations will find it hard to recover without special conservation attention.

This bill supports the country's commitment to international obligations, such as the Convention on Biological Diversity, Convention on the International Trade in Endangered Species, and the Convention on the Conservation of Migratory Species, among others. It is also aligned with the 2020 Conservation Roadmap for Sharks and Rays in the Philippines and the National Plan of Action for the Conservation and Management of Sharks in the Philippines.

This bill aims to find the intersection between management and utilization in the hopes of finding the balance between human needs and the integrity of the Philippine marine ecosystem. The conservation of sharks, management of their threats, and creation of shark sanctuaries through this bill will serve as an example that can be replicated with other fisheries and wildlife conservation issues in the country.

The passage of this bill is earnestly sought.

**Ana Theresia "Risa" Hontiveros-Baraquel**



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

**CHAPTER I  
GENERAL PROVISIONS**

1 **SECTION 1. Short Title.** - This Act shall be known as the "Shark Conservation Act of the  
2 Philippines."  
3

4 **SECTION 2. Declaration of Policy.** - It is hereby declared the policies of the State to:  
5

6 (a) protect environmental rights of the people, promote conservation and ensure  
7 sustainable and equitable utilization of its coastal areas, habitats and species,  
8 including sharks, in conformity with the Constitution, the Philippine Fisheries  
9 Code of 1998, as amended by Republic Act 10654, and the National Wildlife  
10 Conservation and Protection Act;  
11

12 (b) ensure, for the benefit and enjoyment of the Filipino people, the judicious and  
13 wise utilization, protection, conservation and management on a sustainable  
14 basis of its coastal and fishery resources with the necessity of maintaining a  
15 sound ecological balance and protecting and enhancing the quality of the  
16 environment;  
17

18 (c) protect the rights of the small and marginal fishers in the preferential use of  
19 communal coastal and fishery resources;  
20

21 (d) allow people's full and active participation in the conservation and management  
22 of the coastal and fishery resources and promote awareness of sustainable  
23 fisheries through appropriate education and training;  
24

25 (e) promote and adhere to the precautionary principle of conservation,  
26 management and exploitation of living coastal and fishery resources in order to  
27 assure the sustainable development of the coastal environment. The absence of

1 adequate scientific and technical information should not be used as a reason for  
2 postponing or failing to take conservation and management measures; and

3  
4 (f) promote ecosystem-based fisheries management.  
5

6 **Section 3. *Scope of Application.*** - The provisions of this Act shall be enforceable for all  
7 Philippine waters including other waters over which the Philippines has sovereignty and  
8 jurisdiction, and the country's 200 - nautical mile Exclusive Economic Zone (EEZ) and  
9 continental shelf, including protected areas under Republic Act No. 7586, otherwise known  
10 as the National Integrated Protected Areas System (NIPAS) Act; critical habitats; and all  
11 Philippine flagged fishing vessels operating in areas governed by a Regional Fisheries  
12 Management Organization, in the high seas, or in waters of other coastal states.  
13

14 **Section 4. *Jurisdiction of the Department of Agriculture.*** - The Department of Agriculture  
15 (DA) shall have jurisdiction over sharks, rays, and chimaeras, and all declared aquatic  
16 habitats. In the Province of Palawan, jurisdiction herein conferred is vested to the Palawan  
17 Council for Sustainable Development pursuant to Republic Act No. 7611.  
18

19 The Bureau of Fisheries and Aquatic Resources of the Department of Agriculture  
20 (DA-BFAR) shall be the lead agency in the implementation of this Act. The Department of  
21 Trade and Industry (DTI), Department of Environment and Natural Resources, the  
22 Philippine Coast Guard, the Philippine National Police, other law enforcement agencies, and  
23 Local Government Units (LGUs) shall likewise assist in the implementation of this Act.  
24

25 The Department of Tourism (DOT) shall provide the necessary assistance to the DA-  
26 BFAR and the LGUs in identifying shark ecotourism sites and declare the same as protected.  
27

## 28 CHAPTER II

### 29 DEFINITION OF TERMS

30  
31 **SECTION 5. *Definition of Terms.*** - For purposes of this Act, the following terms are hereby  
32 defined:  
33

34 (a) "Bycatch" means the incidental take of undesirable size or age classes of the  
35 target species, or the incidental take of other non-target species or protected,  
36 endangered, or threatened species.  
37

38 (b) "By-product or derivatives" means any part taken or substance extracted from  
39 sharks, in raw or in processed form. This includes, but are not limited to,  
40 preserved sharks (curios), cartilage, gill rakers, fins, oil, skin, and teeth;  
41

42 (c) "Corridor" means an artificial or natural avenue where which wide-ranging  
43 animals can travel, plants can propagate, genetic interchange can occur,  
44 populations can move in response to environmental changes and natural  
45 disasters, and threatened species can be replenished from other areas. Marine  
46 corridors encompass mangroves, coral reefs, and seagrass beds;  
47

48 (d) "Critical Habitat" means a place or environment that contains physical or  
49 biological features essential to its conservation;

- 1  
2 (e) "Dedicated tourism interaction site" means well-defined areas for marine  
3 wildlife tourism, either managed as a sanctuary/reserve/protected area or not,  
4 focused on a particular species or several species, with specified operating  
5 times;  
6  
7 (f) "Discarded bycatch" means non-target species that are discarded at sea;  
8  
9 (g) "Disturbance" means any intentional and unintentional acts that shall disrupt  
10 the natural cycle and activities of marine wildlife for the short or long-term  
11 without necessarily causing any physical injury to the same such as but is not  
12 limited to acts producing noise, pollution, degradation of habitat, blockage of  
13 movement, displacement, and the like;  
14  
15 (h) "Endangered Rare and/or Threatened Shark Species" means species in danger of  
16 extinction as provided for in existing Philippine laws and/or the International  
17 Union for the Conservation of Nature Red List of Species;  
18  
19 (i) "Finning" means the practice of removing and retaining shark fins;  
20  
21 (j) "Full Utilization" means use or consumption of the entire animal;  
22  
23 (k) "Habitat" means place or environment where species or subspecies naturally  
24 occurs or has naturally established its population;  
25  
26 (l) "Harassment" means an intentional or negligent act or omission which creates  
27 the likelihood of injury by annoying it to such an extent as to significantly disrupt  
28 normal behavioral patterns which include, but are not limited to, breeding,  
29 feeding, or sheltering;  
30  
31 (m) "Non-dedicated Tourism Interaction Site" means opportunistic, accidental or  
32 unintentional interaction with marine wildlife in tourism and non-tourism sites;  
33  
34 (n) "Non-detriment Finding" (NDF) means a science-based risk assessment where  
35 the vulnerability of a species is considered in relation to how well it is managed;  
36  
37 (o) "Secretary" means the Secretary of the Department of Agriculture;  
38  
39 (p) "Shark" means cartilaginous fishes belonging to the class Chondrichthyes, which  
40 includes true sharks, skates, rays, and chimaeras;  
41  
42 (q) "Shark Sanctuary" means a designated area where sharks cannot be caught;  
43  
44 (r) "Traceability" means the ability to trace and follow food or a substance intended  
45 to be or expected to be incorporated into a food or product through all stages of  
46 fishing, production, processing and distribution;  
47

1 (s) "Trade" means the act of engaging in the exchange, exportation, importation, re-  
2 exportation, purchase or sale of sharks, their derivatives or by-products, locally  
3 or internationally;

4  
5 (t) "Utilized bycatch" means non-target species that are traded or consumed, in part  
6 or whole.  
7

8  
9 **CHAPTER III**  
10 **CONSERVATION AND PROTECTION OF SHARKS, RAYS, AND CHIMAERAS**

11  
12 **ARTICLE I**  
13 **General Provisions**

14  
15 **SECTION 6. *Information Systems, Interaction, Release and Possession of By-Products***  
16 ***and Derivatives, and By-Catch.***  
17

18 (a) *Wildlife Information.* All activities, as subsequently manifested under this Chapter,  
19 shall be authorized by the Secretary upon proper evaluation of best available  
20 information or scientific data showing that the activity is, or for a purpose, not  
21 detrimental to the survival of the species or subspecies involved and/or their  
22 habitat. For this purpose, the Secretary shall regularly update wildlife information  
23 through research.  
24

25 (b) *Sharks in Captivity.* No person or entity shall be allowed possession of sharks unless  
26 such person or entity can prove financial and technical capability and facility to  
27 maintain said species: *Provided*, That the source was not obtained in violation of this  
28 Act, and the source of stock is verifiable to monitor mortality. The DA-BFAR will  
29 develop husbandry and holding tank standards as well as a permitting system for  
30 the keeping of sharks in captivity.  
31

32 (c) *Swim with Captive Shark Programs.* The DA-BFAR, within one (1) year after the  
33 effectivity of this Act, shall develop human-shark interaction guidelines in captivity.  
34

35 (d) *Tourism Interaction.* The DA-BFAR, within one (1) year after the effectivity of this  
36 Act, shall develop human-shark interaction guidelines in the wild.  
37

38 (e) *Research Interaction.* The DA-BFAR, within one (1) year after the effectivity of this  
39 Act, shall develop research and researcher interaction guidelines for studies  
40 focusing on sharks.  
41

42 (f) *Non-Detriment Findings (NDF).* The DA-BFAR, within three (3) years after the  
43 effectivity of this Act, shall determine the NDF for targeted and incidentally caught  
44 shark species.  
45

46 (g) *Collection and/or Possession of By-Products and Derivatives.* The collection and  
47 possession of species shall only be allowed when the results of the NDF show that,  
48 despite certain extent of collection, the population of such species can still remain

1 viable and capable of recovering its numbers. For this purpose, the DA-BFAR shall  
2 establish a schedule and volume of allowable harvests.

3  
4 (h) *Handling and Release Practices.* The DA-BFAR, within one (1) year after the  
5 effectivity of this Act, shall develop acceptable handling and release guidelines from  
6 fisheries for all types of protected and/or unwanted sharks based on the best  
7 available science and safe release experience.

8  
9 (i) *Bycatch reduction measures and reporting mechanisms.* The DA-BFAR, within three  
10 (3) years after the effectivity of this Act, shall provide technical and financial  
11 assistance on research for gear restriction, and identify modified fishing gears to  
12 reduce shark bycatch mortality, which may include bait restrictions, use of different  
13 fishing hooks, varying hook depth, use of repellents, reducing soak time, and  
14 reducing number of hooks. The DA-BFAR shall also develop a standard reporting  
15 system for sharks that are bycatch.

16  
17 (j) *Release and Reporting of Bycatch.* Live sharks that have not been assessed through  
18 the NDF shall be immediately released unharmed to the sea. Dead sharks shall be  
19 handed over to the DA-BFAR for proper documentation and disposal. Any incident  
20 must be reported to the competent authority using the standard reporting system.

## 21 22 **ARTICLE II**

### 23 **Protection of Vulnerable, Threatened, Endangered, and Critically Endangered Shark** 24 **Species**

25  
26 **SECTION 7. *Determination of Threatened Species: Vulnerable, Endangered, or***  
27 ***Critically Endangered Species.*** - The DA-BFAR, within two (2) years after the effectivity of  
28 this Act, shall determine whether shark species or subspecies of a population or  
29 subpopulation is threatened (vulnerable, endangered, or critically endangered) based on  
30 available scientific data and with due regard to internationally accepted criteria, such as  
31 the International Union for Conservation of Nature (IUCN). Criteria include but are not  
32 limited to the following:

- 33 (a) present or threatened destruction, modification, or curtailment of its habitat or  
34 range;  
35 (b) over-utilization for commercial, recreational, scientific, or educational purposes;  
36 (c) inadequacy of existing regulatory mechanisms; and  
37 (d) other natural or man-made factors affecting the existence of sharks.

38  
39 The DA-BFAR shall review, revise and publish the list of categorized threatened  
40 sharks within two (2) years after effectivity of this Act. Thereafter, the list shall be updated  
41 regularly or as the need arises. *Provided*, that a species listed as vulnerable threatened shall  
42 not be removed there from within three (3) years following its initial listing.

43  
44 Upon filing of a petition based on substantial scientific information of any person  
45 seeking for the addition or deletion of a species from the list, the DA-BFAR shall evaluate in  
46 accordance with the relevant factors stated in the first paragraph of this section, the status  
47 of the species concerned, and act on said petition within a reasonable period.

1 The DA-BFAR shall also prepare and publish a list of sharks which closely resemble  
2 in appearance listed threatened wildlife, which species shall likewise be categorized as  
3 threatened.  
4

5 **ARTICLE III**  
6 **Commercial and Municipal Fisheries**  
7

8 **SECTION 8. *Identification of Critical Habitats, Reference Points, Limits, and Seasons.***  
9

10 (a) *Identification of Critical Habitats.* The DA-BFAR, within one (1) year after the  
11 effectivity of this Act, shall identify critical habitats for sharks and establish these as  
12 shark sanctuaries.  
13

14 (b) *Development of Target Reference Points (TRP) and Limit Reference Points (LRP).* The  
15 DA-BFAR shall, within three (3) years from the effectivity of this Act, determine TRP  
16 and LRP based on the results of national stock assessments and the precautionary  
17 principle.  
18

19 (c) *Size Limitations.* The DA-BFAR shall, within one (1) year from the effectivity of this  
20 Act, determine the size limits for sharks.  
21

22 (d) *Catch Ceiling Limitations.* The DA-BFAR may prescribe limitations or quota on the  
23 total quantity of sharks captured, for a specified period of time and specified area  
24 based on the best available evidence, harvest strategies, and target limits. Catch  
25 ceilings may be established upon the concurrence and approval or recommendation  
26 of such special agency and the concerned LGU in consultation with the Fisheries  
27 Aquatic and Resource Management Council (FARMC) for conservation or ecological  
28 purposes.  
29

30 (e) *Establishment of Closed Season.* The Secretary may declare, through public notice in  
31 at least two (2) newspapers of general circulation or in public service  
32 announcements, whichever is applicable, at least five (5) days before the  
33 declaration, a closed season in any or all Philippine waters outside the boundary of  
34 municipal waters and in bays, for conservation and ecological purposes. Provided,  
35 however, that this shall be done only upon the concurrence and approval or  
36 recommendation of such special agency and the concerned LGU and FARMC:  
37 Provided, further, That in municipal waters, fishery management areas and other  
38 areas reserved for the use of the municipal fisherfolk, closed season may be  
39 established by the concerned LGU in consultation with the FARMC for conservation  
40 or ecological purposes. The FARMCs may also recommend the establishment of  
41 closed seasons in municipal waters, fisheries management and other areas reserved  
42 for the use of the municipal fisherfolk.  
43

44 (f) *Support to Fisherfolk.* - The Department and LGUs shall provide support to  
45 commercial and municipal fisherfolk through appropriate technology and research,  
46 credit, production and marketing assistance and other services such as, but not  
47 limited to training for additional/supplementary livelihood.

1  
2  
3 **ARTICLE IV**  
4 **Traceability**

5 **SECTION 9. System, Labeling, and Identification.** All business operators identified in the  
6 supply chain of shark trading and utilization shall cooperate with the DA-BFAR in carrying  
7 out official controls, and shall have responsibilities including but not limited to the  
8 following:  
9

- 10 (a) *Implementation of traceability system.* Business operators must operate  
11 traceability procedures for ingredients, raw materials at all stages of production,  
12 processing, transport, storage and distribution, and be able to (i) identify any  
13 person or business operator that has supplied them with the species; (ii) identify  
14 any person or business to which they have supplied their products; (iii) the  
15 products that were supplied including quantity or volume, site of fishing  
16 grounds, specie, and fishing gear used; and (iv) make this information available  
17 to DA-BFAR and their consumers.  
18
- 19 (b) *Labeling or identification.* Business operators must ensure that their products  
20 are adequately labeled or otherwise identified through relevant documentation.  
21 They must also comply with the labelling requirements of the country  
22 destination.  
23

24 **CHAPTER IV**  
25 **ILLEGAL ACTS**  
26

27 **SECTION 10. Illegal Acts.** - Unless otherwise allowed in accordance with this Act, it shall  
28 be unlawful for any person to willfully and knowingly exploit sharks and their habitats, or  
29 undertake the following acts:

- 30 (a) killing, taking, keeping captive, and trading vulnerable, threatened, endangered,  
31 or critically endangered species, except in the following instances;  
32 (i) when it is done as part of the rituals of established tribal groups or  
33 indigenous cultural communities;  
34 (ii) when the shark is afflicted with an incurable communicable disease;  
35 (iii) when it is deemed necessary to put an end to the misery suffered by the  
36 shark;  
37 (iv) when the shark is killed or destroyed after it has been used in authorized  
38 research or experiments.
- 39 (b) inflicting injury which cripples and/or impairs the reproductive system of  
40 sharks;  
41 (c) harassing sharks;  
42 (d) disturbing sharks and their habitats;  
43 (e) effecting any of the following acts in critical habitat(s):  
44 (i) dumping of waste products detrimental to sharks;  
45 (ii) squatting or otherwise occupying any portion of the critical habitat;  
46 (iii) mineral exploration and/or extraction;



- 1 (f) introducing, reintroducing, or restocking of shark species without permits;  
2 (g) finning;  
3 (h) collecting, hunting, possessing, importing, exporting, or re-exporting sharks,  
4 their by-products and derivatives without the result of the NDF and full traceability  
5 at all stages, from collection to production, processing, transport, storage, and  
6 distribution;  
7 (i) falsely advertising or mislabeling any product, which could mislead consumers;  
8 (j) obstruction of corridors; and  
9 (k) use of shark wires.

10  
11 **CHAPTER V**  
12 **FINES AND PENALTIES**  
13

14 **SECTION 11.** The following fines and penalties shall be imposed for violations of this Act:  
15

16 (a) killing, taking, keeping in captivity, inflicting injury, harrassing, and trading  
17 vulnerable, threatened, endangered, or critically endangered species:

18 (i) imprisonment of two (2) years and one (1) day to four (4) years and/or a  
19 fine of Thirty thousand pesos (P30,000.00) to Three hundred thousand pesos  
20 (P300,000.00) per animal if inflicted or undertaken against vulnerable  
21 species;

22 (ii) imprisonment of one (1) year and one (1) day to two (2) years and/or a  
23 fine of Twenty thousand pesos (P20,000.00) to Two hundred thousand pesos  
24 (P200,000.00) per animal if inflicted or undertaken against other threatened  
25 species;

26 (iii) imprisonment of four (4) and one (1) day to six (6) years and/or a fine of  
27 Fifty thousand pesos (P50,000.00) to Five hundred thousand pesos  
28 (P500,000.00) per animal if inflicted or undertaken against endangered  
29 species; and

30 (iv) imprisonment of a minimum of six (6) years and one (1) day to twelve  
31 (12) years and/or a fine of One hundred thousand pesos (P100,000.00) to  
32 One million pesos (P1,000,000.00) per animal if inflicted or undertaken  
33 against species listed as critically endangered.

34  
35 (b) inflicting injury which cripples and/or impairs the reproductive system of  
36 sharks: imprisonment of one (1) month to six (6) months and/or a fine of Five  
37 thousand pesos (P5,000.00) to Twenty thousand pesos (P20,000.00), if inflicted or  
38 undertaken against other wildlife species.

39  
40 (c) harassing sharks: imprisonment of one (1) month to six (6) months and/or a fine  
41 of Five thousand pesos (P5,000.00) to Twenty thousand pesos (P20,000.00), if  
42 inflicted or undertaken against other wildlife species.

43  
44 (d) disturbing sharks and their habitats: imprisonment of one (1) month to six (6)  
45 months and/or a fine of Five thousand pesos (P5,000.00) to Twenty thousand pesos  
46 (P20,000.00), if inflicted or undertaken against other wildlife species.

1  
2 (e) effecting acts in critical habitat(s): For illegal acts under paragraph (e) of the  
3 preceding section, the following penalties and/or fines shall be imposed: an  
4 imprisonment of one (1) month to eight (8) years and/or a fine of Five thousand  
5 pesos (P5,000.00) to Five million pesos (P5,000,000.00) shall be imposed.  
6

7 (f) introducing, reintroducing, or restocking of shark species without permits: an  
8 imprisonment of one (1) month to eight (8) years and/or a fine of Five thousand  
9 pesos (P5,000.00) to Five million pesos (P5,000,000.00) shall be imposed.  
10

11 (g) finning;

12  
13 Upon a summary finding of administrative liability, the owner, operator, boat  
14 captain and master fisherman of the vessel, or the chief executive officer in a  
15 corporation, or the managing partner in a partnership shall be punished with  
16 confiscation of the catch and fishing gears, and a fine three (3) times the  
17 value of the catch or the value indicated below, whichever is higher:

18 (1) Twenty thousand pesos (P20,000.00) for municipal fishing: Provided,  
19 That if the offender fails to pay the fine, he shall render community service;

20 (2) Fifty thousand pesos (P50,000.00) for small- scale commercial fishing;

21 (3) One hundred thousand pesos (P100,000.00) for medium- scale  
22 commercial fishing; and

23 (4) Five hundred thousand pesos (P500,000.00) for large- scale commercial  
24 fishing.

25 Upon conviction by a court of law, the offender shall be punished with  
26 imprisonment of two (2) years to six (6) years and fine equivalent to twice  
27 the administrative fine, confiscation and forfeiture of fishing gear and catch.

28 (h) collecting, hunting, possessing, importing, exporting, or re-exporting  
29 sharks, their by-products and derivatives without the result of the NDF and  
30 full traceability at all stages, from collection to production, processing,  
31 transport, storage, and distribution  
32

33 Failure on the part of the shipping or forwarding company from whose  
34 possession the fish or fishery species imported or exported are discovered or  
35 seized to fully cooperate in the investigation conducted by concerned  
36 government authorities shall create a presumption that there is connivance  
37 or conspiracy between the shipping company and the shipper to perpetrate  
38 the aforementioned offense.

39 Upon a summary finding of administrative liability, the offender shall be  
40 punished with an administrative fine of five (5) times the value of the species  
41 or Three hundred thousand pesos (P300,000.00) to Five hundred thousand  
42 pesos (P500,000.00), whichever is higher, and forfeiture and/or destruction  
43 of the species.

1 Upon conviction by a court of law, the offender shall be punished with eight  
2 (8) years of imprisonment and fine of twice the administrative fine, forfeiture  
3 and/or destruction of the species: Provided, That offenders shall be banned  
4 from being members or stockholders of companies currently engaged in  
5 fisheries or companies to be created in the future, the guidelines for which  
6 shall be promulgated by the Department.

7 (i) falsely advertising or mislabeling any product, which could mislead consumers;

8  
9 Failure on the part of the shipping or forwarding company from whose  
10 possession the fish or fishery species imported or exported are discovered or  
11 seized to fully cooperate in the investigation conducted by concerned  
12 government authorities shall create a presumption that there is connivance  
13 or conspiracy between the shipping company and the shipper to perpetrate  
14 the aforementioned offense.

15 Upon a summary finding of administrative liability, the offender shall be  
16 punished with an administrative fine of five (5) times the value of the species  
17 or Three hundred thousand pesos (P300,000.00) to Five hundred thousand  
18 pesos (P500,000.00), whichever is higher, and forfeiture and/or destruction  
19 of the species.

20 Upon conviction by a court of law, the offender shall be punished with eight  
21 (8) years of imprisonment and fine of twice the administrative fine, forfeiture  
22 and/or destruction of the species: Provided, That offenders shall be banned  
23 from being members or stockholders of companies currently engaged in  
24 fisheries or companies to be created in the future, the guidelines for which  
25 shall be promulgated by the Department.

26 (j) obstruction of corridors;

27  
28 Upon a summary finding of administrative liability, the offender shall be  
29 punished with an administrative fine of One Hundred Fifty Thousand Pesos  
30 (P150,000.00) to Five Hundred

31 Thousand Pesos (P500,000.00), dismantling of the obstruction at the  
32 expense of the offender, and the suspension or revocation of the permit or  
33 license.

34 Upon conviction by a court of law, the offender shall be punished with  
35 imprisonment of seven (7) years to twelve (12) years and fine of twice the  
36 amount of the administrative fine, dismantling of the obstruction at the  
37 expense of the offender, and the suspension or revocation of the permit or  
38 license.

39 (k) use of shark wires.

40  
41 Upon a summary finding of administrative liability, the owner, operator, boat  
42 captain and master fisherman of the vessel, or the chief executive officer in a  
43 corporation, or the managing partner in a partnership shall be punished with

1 confiscation of the catch and fishing gears, and a fine three (3) times the  
2 value of the catch or the value indicated below, whichever is higher:

3 (1) Twenty thousand pesos (P20,000.00) for municipal fishing: Provided,  
4 That if the offender fails to pay the fine, he shall render community service;

5 (2) Fifty thousand pesos (P50,000.00) for small- scale commercial fishing;

6 (3) One hundred thousand pesos (P100,000.00) for medium- scale  
7 commercial fishing; and

8 (4) Five hundred thousand pesos (P500,000.00) for large- scale commercial  
9 fishing.

10 Upon conviction by a court of law, the offender shall be punished with  
11 imprisonment of two (2) years to six (6) years and fine equivalent to twice  
12 the administrative fine, confiscation and forfeiture of fishing gear and catch.

13 **SECTION 12. Escalation Clause.** - The fines herein prescribed shall be increased by at least  
14 ten percent (10%) every three (3) years to compensate for inflation and to maintain the  
15 deterrent function of such fines.

16  
17 **CHAPTER VI**  
18 **MISCELLANEOUS PROVISIONS**  
19

20 **SECTION 13. Flagship Species.** - Local government units shall initiate conservation  
21 measures for endemic and/or economically valuable species in their areas. For this  
22 purpose, they may adopt flagship species such as the whale shark (*Rhincodon typus*) or  
23 thresher shark (*Alopias pelagicus*), which shall serve as emblems of conservation for the  
24 local government concerned.  
25

26  
27 **SECTION 14. Information and Education.** - The BFAR, DENR, DOT, DTI, LGUs, and other  
28 academic institutions shall undertake a nationwide information and education campaign to  
29 adequately inform the populace of the value of sharks and rays in the marine ecosystem,  
30 and of the importance of preserving their respective habitats and feeding grounds.  
31

32 **SECTION 14. Transition Period.** - Due to the substantially new requirement imposed by  
33 this Act, a transition period of three (3) years from its entry into force is provided. During  
34 the transition period, sharks, their by-products, and derivatives may be sold and traded,  
35 and stocks that have been produced before the end of the transitional period may continue  
36 to be sold or exported until exhausted.  
37

38 **SECTION 16. Implementing Rules and Regulations.** - Within twelve (12) months  
39 following the effectivity of this Act, the Secretary of the Department of Agriculture, in  
40 coordination with the Department of Trade and Industry, Department of Tourism, and the  
41 Committees on Environment and Ecology of the Senate and the House of Representatives,  
42 respectively, shall promulgate respective rules and regulations for the effective  
43 implementation of this Act. Whenever appropriate, coordination in the preparation and

1 implementation of rules and regulations on joint and inseparable issues shall be done by  
2 the Departments. The commitments of the State to international agreements and protocols  
3 shall likewise be a consideration in the implementation of this Act.

4  
5 **SECTION 17. Appropriations.** – The amount necessary to implement the provisions of this  
6 Act shall be charged against the appropriations of the Department of Agriculture in the  
7 current General Appropriations Act. Therefore, such sums as may be necessary to fully  
8 implement the provisions of this Act shall be included in the annual General Appropriations  
9 Act. The DA-BFAR may also seek financial assistance from any source and may receive any  
10 donation therefore.

11  
12 **SECTION 18. Separability Clause.** — If any section or provision of this Act is held  
13 unconstitutional or invalid, the remaining sections or provisions with the provisions not  
14 affected thereby shall continue to be in full force and effect.

15  
16 **SECTION 19. Repealing Clause.** — All laws, decrees, executive orders, rules and  
17 regulations, issuances or parts thereof inconsistent with the provisions of this Act are  
18 hereby repealed or modified accordingly.

19  
20 **SECTION 20. Effectivity Clause.** - This Act shall take effect fifteen (15) days from its  
21 publication in the Official Gazette or in a newspaper of general circulation.

22  
23 *Approved,*  
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