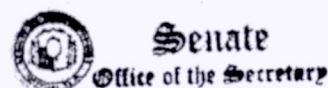


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'19 JUL 24 A9:59

SENATE
S. No. 718

RECEIVED BY: J

Introduced by Senator Aquilino "Koko" Pimentel III

AN ACT
BANNING THE SALE, PURCHASE, POSSESSION,
TRANSPORTATION, IMPORTATION, AND EXPORTATION
OF SHARK FIN AND FOOD CONTAINING SHARK FIN

EXPLANATORY NOTE

Sharks, despite being predators of the sea, play a vital role in marine biodiversity. However, a recent study revealed that around one hundred (100) million sharks are killed by humans every year through shark finning.¹ Shark finning refers to the removal and retention of shark fins and the discard at the sea of its carcass². The finned sharks are most often still alive when tossed back into the water. Unable to swim, they are left to die at the bottom of the sea. Shark finning not only causes the depletion of the different species of sharks but also threatens the stability and ecological balance of the marine ecosystem.

Shark fins are typically used to make shark fin soup, a delicacy prepared in the olden times for emperors and noble people. This soup is a symbol of status in the Chinese culture and was thought to have medicinal benefits. Many fishermen prefer to practice shark finning as

¹ Global Catches, exploitation rates, and rebuilding option for sharks, retrieved from <https://www.sciencedirect.com/science/article/pii/S0308597X13000055> on July 16, 2019

² Shark Education, retrieved from <https://www.sharkwater.com/shark-education/> on July 16, 2019

shark fins are more valuable and yields more money for less effort. Since these fins are regularly sold in the market as food products, the continuous demand for them have caused the drastic decline in the shark population over the years.

This bill seeks to ban the sale, usage, purchase, possession, transportation, importation and exportation of shark fins and food products containing shark fins in order to conserve and preserve sharks, and to protect the ecological balance of our marine biodiversity.

The passage of this measure is earnestly sought.


AQUILINO "KOKO" PIMENTEL III

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

1 **SECTION. 1.** *Declaration of Policy.* – It is declared a policy of
2 the state to promote and ensure the development, management and
3 conservation of aquatic resources, consistent with the objective of
4 maintaining a sound ecological balance, and defending the environment.
5 The Philippines shall pursue the objectives under the Convention on
6 International Trade in Endangered Species of Wild Fauna and Flora
7 (CITES) and adopt a National Plan of Action for the Conservation and
8 Management of Sharks (NPOA-Sharks) to conserve and sustain the
9 country's marine biodiversity by protecting sharks through the
10 prohibition of the consumption of shark fin.

11
12 **SEC. 2.** *Prohibited Acts.* – It shall be unlawful to sell, purchase,
13 possess, transport, import, or export shark fin, in any state, condition or
14 form, in the Philippines. It shall also be unlawful to sell, purchase,
15 possess, make, transport, import, or export, any food products or by-
16 products containing, holding, incorporating, consisting or involving
17 shark fin.

18
19 **SEC. 3.** *Penalties.* – The following penalties shall be imposed
20 upon commission of the following illegal acts:

- 21
22 a. The sale, transport, import or export of shark fin shall be
23 punished with imprisonment of a minimum of six (6)

1 years and one (1) day to twelve (12) years, or a fine of
2 Three Hundred Thousand Pesos (PhP 300,000.00) to One
3 Million Five Hundred Thousand Pesos (PhP 1,500,000.00)
4 or both;

5
6 b. Purchase and consumption of shark fin, food products
7 containing shark fin and by-products with shark fin shall
8 be punished with imprisonment of six (6) months and one
9 (1) day to six (6) years or a fine of One Hundred Fifty
10 Thousand (PhP 150,000.00) to One Million Pesos (PhP
11 1,000,000.00), or both.
12
13

14 **SEC. 4. *Implementing Agencies.*** – The Department of Agriculture,
15 specifically the Bureau of Fisheries and Aquatic Resources (BFAR)
16 shall be the lead agency in the implementation of this Act. The
17 Department of Trade and Industry (DTI), the Philippine National Police,
18 and other law enforcement agencies shall likewise assist in the
19 implementation of this Act.
20

21 **SEC. 5. *Implementing Rules and Regulations.*** – Within sixty (60)
22 days after the effectivity of this Act, the BFAR, in coordination with the
23 DTI shall issue the necessary rules and regulations for the effective
24 implementation of this Act.
25

26 **SEC. 6. *Separability Clause.*** – If any section or provision of this
27 Act is held unconstitutional or invalid, the remaining sections or
28 provisions not affected thereby shall continue to be in full force and
29 effect.
30

31 **SEC. 7. *Repealing Clause.*** – All law, decrees, executive orders,
32 rules and regulations, issuances or parts thereof inconsistent with the
33 provisions of this Act are hereby repealed or modified accordingly.
34

35 **SEC. 8. *Effectivity.*** – This Act shall take effect fifteen (15) days
36 from its publication in the Official Gazette or in a newspaper of general
37 circulation.
38

Approved,