

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

SECRET
OFFICE OF THE SECRETARY

10 JUL -7 1928

SENATE

Senate Bill No. 547

RECEIVED BY: 

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

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

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

This bill gives paramount importance to the sufficient identification of the fishing vessel and its crew and the provision of proper training and equipment relating to disaster preparedness. This is another step towards truly empowering our fisherfolk, alleviating their quality of life and those of their families, and assuring them of the dignity that they deserve, in life and even in death.

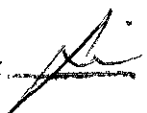
In view of the foregoing, early passage of this bill is earnestly requested.


JINGGOY EJERCITO ESTRADA
Senator

10 JUL -7 49:28

SENATE

Senate Bill No. 547

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AN ACT
AMENDING SECTIONS 19,28,30,37,38 AND 65 OF REPUBLIC ACT NO.
8550, OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF
1998

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

SECTION 1. Section 19 of Republic Act No. 8550 ("RA 8550"), otherwise known as the Philippine Fisheries Code of 1998, is hereby amended to read as follows:

"Sec. 19. Registry of Municipal Fisherfolk. -The LGU shall maintain a registry of municipal fisherfolk, who are fishing or may desire to fish in municipal waters for the purpose of IDENTIFICATION OF THESE INDIVIDUALS, OF determining priorities among them, of limiting entry into the municipal waters, and of monitoring fishing activities and/or other related purposes: Provided, That the FARMC shall submit to the LGU the list of priorities for its consideration.

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The LGUs shall also maintain a registry of municipal fishing vessels by type of gear and other boat particulars with the assistance of the FARMC. THIS REGISTRY SHALL LIKEWISE BE POSTED IN BARANGAY HALLS OR OTHER STRATEGIC LOCATIONS WHERE IT SHALL BE OPEN TO PUBLIC INSPECTION."

SEC. 2. Section 28 of RA 8550 is hereby amended to read as follows:

"Sec. 28. Commercial Fishing Vessels Registration. - The registration, documentation, inspection and manning of the operation of all types of fishing vessels plying Philippine waters shall be in accordance with existing laws, rules and regulations, ESPECIALLY THOSE PERTAINING TO THE SEAWORTHINESS OF THE VESSELS, THE SAFETY OF THEIR CREW AND DISASTER MANAGEMENT PLANS."

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

"Sec. 30. Renewal of Commercial Boat License. - The commercial fishing boat license shall be renewed every three (3) years: PROVIDED, THAT THE FISHING VESSEL HAS PASSED THE EVALUATION OF THE APPROPRIATE GOVERNMENT AGENCIES WITH RESPECT TO ITS SEAWORTHINESS AND

ITS COMPLIANCE WITH DISASTER MANAGEMENT MEASURES AS MAY BE PROVIDED BY LAW, RULES AND REGULATIONS."

SEC. 4. Section 37 of RA 8550 is hereby amended to read as follows:

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

SEC. 5. Section 38 of RA 8550 is hereby amended to read as follows:

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

SEC. 6. Section 65 of RA 8550 is hereby amended to read as follows:

"Sec. 65. Functions of the Bureau of Fisheries and Aquatic Resources.
-As a line bureau, the BFAR shall have the following functions:

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c. issue identification cards AND CORRESPONDING STAINLESS STEEL NAME TAGS SIMILAR TO THOSE USED BY MILITARY PERSONNEL, free of charge, to fishworkers engaged in commercial fishing.

THESE IDENTIFICATION CARDS AND TAGS SHALL CONTAIN THE COMPLETE NAME OF THE MEMBER OF THE CREW, HER/HIS RELIGION, BLOOD GROUP WITH RH FACTOR, AND SOCIAL SECURITY NUMBER.

THE CREW MEMBER SHALL ATTEST TO THE TRUTH OF THE FOREGOING INFORMATION AS STATED IN HENHIS IDENTIFICATION CARD AND TAG. SUCH ATTESTATION SHALL BE STATED EXPLICITLY IN THE CORRESPONDING IDENTIFICATION CARD: "

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SEC. 7. All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed and modified accordingly.

SEC. 8. This Act shall take effect fifteen (15) days following the completion of its publication either in the Official Gazette or in a newspaper of general circulation in the Philippines.

Approved,