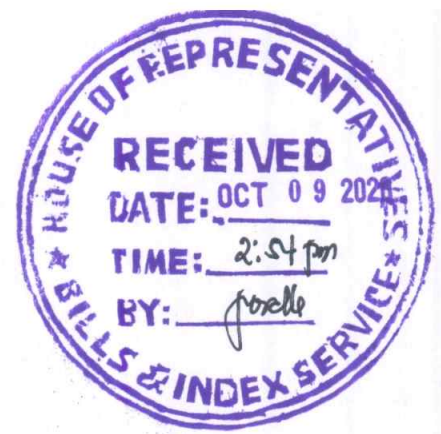


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 7853



Introduced by Representative PABLO JOHN F. GARCIA

EXPLANATORY NOTE


This bill aims to amend the Fisheries Code of 1998 to expand the possible area of operations of small and medium commercial fishing vessels, as defined by the law, within municipal waters.

These fishing vessels are only allowed to operate within "the ten point one (10.1) to fifteen (15) kilometer area from the shoreline in municipal waters" currently. As a consequence, this delimitation disenfranchises fishing operations in municipalities and cities that do not have municipal waters which extend far enough from their respective shorelines.

Amending the law to include an exception, as can be found hereunder, ensures that the various economic gains brought about by fishing may be experienced by more local government units, fishers, and families nationwide.

This pandemic has debilitated many industries and has left many workers destitute. All efforts must be exerted towards recovering from this crippling period of our nation's history.

The urgent passage of this bill is earnestly sought.


Rep. PABLO JOHN F. GARCIA
3rd District, Province of Cebu

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**AN ACT AMENDING SECTION 18 OF REPUBLIC ACT NO. 8550 OTHERWISE
KNOWN AS "THE FISHERIES CODE OF 1998"**

Section 1. Section 18 of Republic Act No. 8550 otherwise known as the "The Philippine Fisheries Code of 1998," as amended, is hereby amended to read as follows:

SECTION 18. Users of Municipal Waters. — All fishery related activities in municipal waters, as defined in this Code, shall be utilized by municipal fisherfolk and their cooperatives/organizations who are listed as such in the registry of municipal fisherfolk.

The municipal or city government, however, may, through its local chief executive and acting pursuant to an appropriate ordinance, authorize or permit small and medium commercial fishing vessels to operate within the ten point one (10.1) to fifteen (15) kilometer area from the shoreline in municipal waters as defined herein, provided, that all the following are met:

- a. no commercial fishing in municipal waters with depth less than seven (7) fathoms as certified by the appropriate agency;
- b. fishing activities utilizing methods and gears that are determined to be consistent with national policies set by the Department;
- c. prior consultation, through public hearing, with the M/CFARMC has been conducted; and
- d. the applicant vessel as well as the shipowner, employer, captain and crew have been certified by the appropriate agency as not having violated this Code, environmental laws and related laws.

PROVIDED FURTHER, THAT, IN CASES WHERE THE MUNICIPAL WATERS, AS DEFINED HEREIN, OF A MUNICIPALITY OR CITY DO NOT EXTEND TO AT LEAST TEN POINT ONE (10.1) KILOMETERS FROM THE SHORELINE, SMALL AND MEDIUM COMMERCIAL FISHING VESSELS MAY STILL BE GIVEN A PERMIT TO OPERATE WITHIN SUCH MUNICIPAL WATERS AS LONG AS THE ABOVE REQUIREMENTS ARE MET.

PROVIDED FINALLY, THAT, in no case shall the authorization or permit mentioned above be granted for fishing in bays as determined by the Department to be in an environmentally critical condition and during closed season as provided for in Section 9 of this Code.

Section 2. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to or is inconsistent with the provision of this Act is hereby repealed, modified, or amended accordingly.

Section 3. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,