

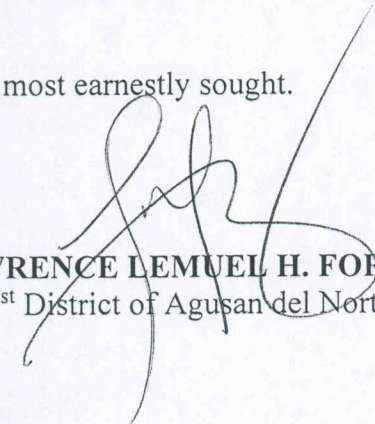
⁴ Licuanan, Ardea M., Michelle Z. Reyes, Katrina S. Luzon, Marie Angelica A. Chan, and Wilfredo Y. Licuanan. "Initial Findings of the Nationwide Assessment of Philippine Coral Reefs." *Philippine Journal of Science* 146, no. 2 (June 2017): 177-85. Accessed July 10, 2019. http://philjournalsci.dost.gov.ph/images/pdf/pjs_pdf/vol146no2/initial_findings_of_the_nationwide_assessment_of_philippine_coral_reefs.pdf.

Because of global declines in coral cover, reefs today have much more algae present, and thus, resource managers may need to increase coral reef herbivore populations.⁵ In fact, Mexico and Belize have already come out with laws protecting parrotfishes, while The Nature Conservancy under the United States Agency for International Development has launched the campaign #PassOnParrotfish to discourage people from catching, selling or consuming the said fish. But while the protection of the parrotfish is gaining popularity, it is important to ensure that members of each reef herbivore groups are represented to benefit from the full suite of ecological services.⁶

Following the global trend of protecting valuable fish species that boost coral reef resilience, the Philippines must also institute measures to keep healthy populations of such species on our reefs. Parrotfish – targeted mostly by subsistence fishers using traps, spear, and gill nets – are estimated to account for 5–10% of reef fish yields in the country⁶, while in 2017 comprised 1.4% of the total marine municipal catch valued at 1.03 Billion Pesos.⁷ Existing laws only protect rare, threatened, or endangered species, thus, making it imperative to legislate a new law that also covers the protection of coral reef herbivores.

This bill seeks to institute measures to regulate the catch and trade of coral reef herbivorous fishes. This intends to conserve their population before they become threatened or endangered and maximize their services in maintaining the health of our coral reefs in order to sustain our vital fisheries and tourism industries.

In view of the foregoing, the passage of this bill is most earnestly sought.



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⁵ Edwards, C.B., Friedlander, A.M., Green, A.G., Hardt, M.J., Sala, E., Sweatman, H.P., Williams, I.D., Zgliczynski, B., Sandin, S.A., Smith, J.E. Global assessment of the status of coral reef herbivorous fishes: evidence for fishing effects. *Proc Biol Sci.* 2014 Jan 7;281(1774):20131835. doi: 10.1098/rspb.2013.1835.

⁶ R Russ, Garry & A. Questel, Sarah-Lee & Rizzari, Justin & Alcala, Angel. (2015). The parrotfish–coral relationship: refuting the ubiquity of a prevailing paradigm. *Marine Biology*. 162. 2029-2045. 10.1007/s00227-015-2728-3.

⁷ Philippine Statistics Authority. *Fisheries Statistics of the Philippines 2015-2017*. Report. Vol. 26. 2018. Accessed July 13, 2019. [https://psa.gov.ph/sites/default/files/FSP 2015-2017.pdf](https://psa.gov.ph/sites/default/files/FSP%202015-2017.pdf).

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 4051

Introduced by **Rep. LAWRENCE LEMUEL H. FORTUN**

AN ACT
REGULATING THE CATCHING, SALE, PURCHASE, POSSESSION,
TRANSPORTATION, IMPORTATION, AND EXPORTATION OF CORAL REEF
HERBIVOROUS FISHES IN THE PHILIPPINES

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

SECTION 1. Short Title. – This Act shall be known as the “Coral Reef Herbivorous Fish Conservation Act of the Philippines.”

SECTION 2. Declaration of Policy. – It is hereby declared the policies of the State to:

- a. Protect environmental rights of the people, promote conservation and ensure sustainable and equitable utilization of its coastal areas, coral reef ecology, habitats and species, including coral reef herbivorous fish, in conformity with the Constitution, the Philippine Fisheries Code of 1998, as amended by Republic Act 10654, and the National Wildlife Conservation and Protection Act;
- b. Ensure, for the benefit and employment of the Filipino people, in the judicious and wise utilization, protection, conservation and management on a sustainable basis of its coastal and fishery resources including the boosting of coral reef resilience with the necessity of maintaining sound ecological balance and protecting and enhancing the quality of the environment;
- c. Protect the rights of the small and marginal fishers in the preferential use of the communal coastal and fishery resources;
- d. Allow people’s full and active participation in the conservation and management of the coastal and fishery resources and promote awareness of sustainable fisheries through appropriate education and training;
- e. Promote and adhere to the precautionary principle of conservation, management and exploitation of living and coastal and fishery resources in order to assure the sustainable development of the coastal environment. The absence of adequate scientific and technical information should not be used as reason for postponing or failing to take conservation and management measures; and
- f. Promote ecosystem-based fisheries management.

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

SECTION 4. Jurisdiction of Department of Agriculture. – The Department of Agriculture (DA) shall have jurisdiction over coral reef herbivorous fishes including, but not limited to, reef grazers such as surgeonfishes, parrotfishes, rabbitfishes and rudderfishes, and other similar species as determined by the DA.

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

SECTION 5. Determination of Threatened Species: Vulnerable, Endangered, or Critically Endangered Species. – The DA-BFAR, within three (3) years after the effectivity of this Act and every three (3) years thereafter, shall determine whether coral reef herbivorous fishes are threatened (vulnerable, endangered, or critically endangered) based on available scientific data and with due regard to internationally accepted criteria, such as the International Union for Conservation of Nature (IUCN). Criteria shall include but are not limited to the following:

- a. Present or threatened destruction, modification, or curtailment of the coral reefs, its habitat or range;
- b. Over-utilization for commercial, recreational, scientific, or educational purposes;
- c. Inadequacy of existing regulatory mechanism; and
- d. Other natural or man-made factor affecting the existence of coral reef herbivorous fishes.

The DA-BFAR shall review, revise and publish the list of categorized threatened coral reef herbivorous fishes within three (3) years after the effectivity of this Act: *Provided*, that a species listed as threatened shall not be removed there from within three (3) years following its initial listing.

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

The DA-BFAR shall also prepare and publish a list of coral reef herbivorous fishes which shall be categorized as threatened.

SECTION 6. Limits, Seasons and Support.

a. *Size and Catch Ceiling Limitations.* – The DA-BFAR may prescribe limitations or quota on the total quantity or size limits on the specie of coral reef herbivorous fishes captured, for a specified time and area based on the best available evidence, harvest strategies and target limits. Catch ceilings may be established with the concurrence of the LGU and consultation with

the Fisheries Aquatic and Resource Management Council (FARMC) for conservation or ecological purposes.

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

c. *Support to Fisherfolk.* – The DA and the LGUs shall provide support to commercial and municipal fisherfolk through appropriate technology and research, credit, production, and marketing assistance and other services such as, but not limited to, training for additional or supplementary livelihood.

SECTION 7. Penal Provisions. – The penalty of one (1) year and one (1) day to two (2) years of imprisonment and/or a fine of Twenty Thousand Pesos (P20,000.00) to Two hundred thousand pesos (P200,000.00) per animal shall be imposed for violations of Sections 5 and 6 of this Act.

SECTION 8. Implementing Rules and Regulations. – Within twelve (12) months from the effectivity of this Act, the Secretary of the Department of Agriculture, in coordination with the Department of Trade and Industry (DTI), the Department of Tourism (DOT) and Department Interior and Local Government (DILG) shall promulgate the rules and regulations for the effective implementation of this Act.

SECTION 9. Separability Clause. – All other laws, decrees, orders, issuances and rules and regulations or parts thereof inconsistent with this Act, are hereby repealed or modified accordingly.

SECTION 10. Repealing Clause. – If any provision of this Act is held invalid or unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

SECTION 11. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved.