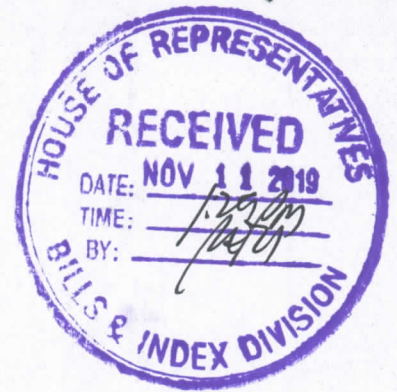


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. **5410**



Introduced by **HON. ROZZANO RUFINO B. BIAZON**

EXPLANATORY NOTE


This bill aims to prohibit super trawlers from operating in Philippine waters. 1

The term 'super trawler' generally refers to large trawlers that stay at sea for several weeks. Elsewhere in the world, they are called "factory trawlers" because their large size comes from facilities aboard that enable the catch to be processed, frozen and stored. This rapid processing can be important if the fish are to be used for human consumption rather than for animal feeds, which is especially important for fish that deteriorate rapidly, such as mackerel. The vessels are often equipped with modern technology and many operating procedures are automated.

Super trawlers can be over 130 meters long and are equipped with miles of ropes and nets. To put this into scale, the biggest super trawlers can have nets that are big enough to hold 13 jumbo jets. With such huge nets, super trawlers catch more than just fish. Dolphins, fur seals, turtles and sea birds and other endangered marine species are all at risk. Furthermore, large scale, industrial fishing boats such as super trawlers take away the small-scale fisherman's catch.

Overfishing by large and destructive fishing fleets is the main reason why the world's oceans and fish stocks are currently in such an alarming state. Deep-sea trawling by super trawlers destroy seafloor habitats, including ancient corals, while killing many creatures that are ultimately discarded. One can only imagine the devastating ecological impact on our aqua fisheries if we allow such behemoths to operate in our territorial waters. Because of these negative effects, other countries such as Tanzania and Australia have already banned these super trawlers. Being an archipelagic nation that relies heavily on fishing, the Philippines should take the pro-active approach and ban these kinds of fishing vessels in our territory before they can wreak havoc in our seas.

For these reasons, immediate approval of this bill is earnestly requested.


ROZZANO RUFINO B. BIAZON
Representative
Lone District of Muntinlupa

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
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House Bill No. **5410**

Introduced by **HON. ROZZANO RUFINO B. BIAZON**

AN ACT
PROHIBITING SUPER TRAWLERS FROM OPERATING IN PHILIPPINE
TERRITORIAL WATERS, PROVIDING PENALTIES THEREFOR AND FOR
OTHER PURPOSES

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 “*Anti-Super Trawler Act*”.

Sec. 2. *Declaration of Policy.* – It is the duty of the State to protect the nation’s natural resources and aqua fisheries and ensure that such are utilized and enjoyed by all Filipinos. To this end, the State shall prohibit any act or deed that may put the balance of marine life in peril or may have a devastating ecological impact, including but not limited to using super trawlers for fishing in the nation’s territorial waters.

Sec. 3. *Definition of Terms.* – As used in this Act;

- a. Super Trawler – also known as “Factory Trawler”, refers to a large fishing vessel over 130 meters in length that has facilities aboard that enable the catch to be processed, frozen and stored and is capable of staying at sea for several weeks.
- b. Trawling – a method of fishing that involves actively dragging or pulling a trawl through the water behind one or more trawlers.
- c. Trawls – refer to fishing nets that are pulled along the bottom of the sea or in midwater at a specified depth.

Sec. 4. *Prohibition.* – Super trawlers are hereby prohibited to operate and engage in trawling activities in Philippine territorial waters. Trawling and the use of trawls by other smaller fishing vessels shall be subject to rules and regulations which shall be formulated jointly by the Department of Environment and Natural Resources and the Department of Agriculture.

Sec. 5. *Penalties.* – A fine of not less than One Hundred Million Pesos (P100,000,000.00), and imprisonment of not less than six (6) months to one (1) year shall be imposed on the owner of the vessel found to have violated this Act.

If the owner of the vessel is a juridical entity, the head of the organization shall serve the jail time imposed herein.

Sec. 6. *Rehabilitation.* – In addition to the penalties imposed, the owner and/or operator of a super trawler guilty of violation of this Act shall be responsible for the rehabilitation costs of the affected areas, if any.

Sec. 7. *Liability Under Other Laws.* – Any prosecution under this Act shall be without prejudice to any liability for violation of any provision of other laws.

Sec. 8. *Implementing Rules.* – The Department of Environment and Natural Resources and the Department of Agriculture shall promulgate the necessary rules and regulations for the effective implementation of this Act within sixty (60) days upon its effectivity .

Sec. 9. *Separability Clause.* – If for any reason, any provision of this Act is declared invalid or unconstitutional, the remaining provisions not affected thereby shall continue to be in full force and effect.

Sec. 10. *Repealing Clause.* – All laws, decrees, executive orders, proclamations, rules and regulations, and other issuances, or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 11. *Effectivity.* – This Act shall take effect after fifteen (15) days following its complete publication in the Official Gazette or in any two (2) newspapers of general circulation.

Approved,