



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. **4480**

Introduced by Honorable Michael L. Romero

EXPLANATORY NOTE

The Bureau of Fisheries and Aquatic Resources (BFAR), after undergoing a series of reorganizations in the past decades, today has nine **(9)** functional divisions:

1. Fisheries Policy Research and Economics Division
2. Fishery Resources Administration Division
3. Fisheries Development and Support Services Division
4. Aquaculture Division
5. Fisheries Resources Research Division
6. EEZ Fisheries and Allied Services Division
7. Fishing Technology Division
8. Fisheries Regulation and Quarantine Division
9. and Post-Harvest Technology Division

The **BFAR** also has eight **(8)** fisheries technology center under its wing:

1. The National Marine Fisheries Development Center
2. National Brackish-water Aquaculture Technology Research Center
3. National Freshwater Fisheries Technology Research Center
4. Tanay Freshwater Experimental Station
5. Fisheries Biological Station Complex

6. National Fisheries Research and Development Center
7. National Seaweeds Technology and Development Center
8. Mindanao Freshwater Fisheries Technology Center

This House Bill seeks to further intensify the authority and power of the **Bureau of Fisheries and Aquatic Resources (BFAR)** by elevating it to the level of a **Department**.

This House Bill further empowers the Department to develop, conserve, manage, protect and utilize the country's fisheries and aquatic resources.

Thus, the early passage of this bill is earnestly requested.



MICHAEL L. ROMERO

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AN ACT

**CREATING THE DEPARTMENT OF FISHERIES AND AQUATIC
RESOURCES, AND FOR OTHER PURPOSES**

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

SECTION 1. TITLE – This Act shall be known as the Department of Fisheries and Aquatic Resources Act of 2019.

SECTION 2. DECLARATION OF POLICY – It is hereby a declared policy of the state to foster the development, improvement, law enforcement, management and conservation of the Philippines' fisheries and aquatic resources.

The State shall protect the rights of subsistence fishermen, especially the local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore.

The State shall provide support to such fishermen through appropriate technology and research, adequate financial and marketing assistance, and other services.

The State shall also develop and conserve such resources. The protection shall extend to offshore fishing grounds of subsistence fishermen against foreign intrusion. Fish workers shall receive a just share from their labor in the utilization of marine and fishing resources.

SECTION 3. CREATION OF THE DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES. — There shall hereby be created the Department of Fisheries and Aquatic Resources, hereinafter referred to as the Department.

SECTION 4. MANDATES OF THE DEPARTMENT - The Department shall hereby promote, encourage, conserve the country's fishing resources in order to insure a steady and sufficient supply of fish, and other fishery products for our increasing population.

The Department shall enable those who belong to the fisheries sector to participate and share in the fruits of development and growth in a manner that utilizes the nation's resources in the most efficient and sustainable way possible.

The Department shall promote food security and shall adopt a market approach in assisting the fisheries sectors while recognizing the contribution of the sector to food security, environmental protection.

The Department shall promote market-oriented policies in production to encourage fisher folk to engage in efficient and effective means of livelihood with the end in view of developing such sectors while modernizing the fisheries sector in a technology-based industry.

SECTION 5. POWERS AND FUNCTIONS OF THE DEPARTMENT

— The Department shall conduct the following:

- (i) prepare and implement a Comprehensive National Fisheries Industrial Development Plan;
- (ii) issue licenses for the operation of commercial fishing vessels;
- (iii) issue identification cards free of charge to fish-workers engaged in commercial fishing;
- (iv) monitor and review joint fishing agreements between Filipino citizens and foreigners who conduct fishing activities in international waters, and ensure that such agreements are not contrary to international treaties and convention on fishing in the high seas;
- (v) enter into contracts, joint venture agreements, public-private partnerships and such other memoranda of agreements or understanding, either domestic or foreign, under such terms and conditions as the Department may deem proper and reasonable and subject to existing laws;
- (vi) formulate and implement a Comprehensive Fishery Research and Development Program, such as, but not limited to, sea farming, sea ranching, tropical/ornamental fish and seaweed culture, aimed at increasing resource productivity, improving resource use efficiency, and ensuring the long-term sustainability of the country's fishery and aquatic resources;
- (vii) establish and maintain a Comprehensive Fishery Information System;
- (viii) provide extensive development support services in all aspects of fisheries production, processing and marketing;
- (ix) provide advisory services and technical assistance on the improvement of quality of fish from the time it is caught;
- (x) coordinate efforts relating to fishery production undertaken by the primary fishery producers, I-GUS, FARMCs, fishery and organizations/cooperatives;
- (xi) advise and coordinate with LGUs on the maintenance of proper sanitation and hygienic practices in fish markets and fish landing areas;
- (xii) establish a corps of specialist in collaboration with the Department of National Defense, Department of the Interior

and Local Government; Department of Foreign Affairs for the efficient monitoring, control and surveillance of fishing activities within Philippine territorial waters and provide the necessary facilities, equipment and training therefor;

(xiii) implement an inspection system for import and export of fishery/aquatic products and fish processing establishments, consistent with international standards to ensure product quality and safety;

(xiv) coordinate with LGUs and other concerned agencies for the establishment of productivity enhancing and market development programs in fishing communities to enable women to engage in other fisheries/economic activities and contribute significantly to development efforts;

(xv) enforce all laws, formulate and enforce all rules and regulations governing the conservation and management of fishery resources, except in municipal waters, and to settle conflicts of resource use and allocation in consultation with the NFARMC, LGUs and local FARMCs;

(xvi) receive, take and hold by bequest, device, gift, purchase or lease either absolutely or in trust for any of its purposes from foreign and domestic sources, any asset, grant or property, real or personal, subject to such limitations as are provided under existing laws and regulations;

(xvii) exercise oversight function, coordinate, monitor and evaluate the policies and programs of all its attached agencies;

(xviii) monitor local and government compliance with housing and urban development laws, standards, and guidelines, as well with their judicious and fair application of local fisheries and aquatic resource ordinances;

(xix) effect and oversee regulatory system that govern all relative to the planning, production marketing, and management of fisheries

and aquatic resources;

(xx) develop value-added fishery-products for domestic consumption and export;

(xxi) recommend measures for the protection/enhancement of the fishery industries;

(xxii) assist the LGUs in developing their technical capability in the development, management, regulation, conservation, and protection of the fishery resources;

(xxiii) formulate rules and regulations for the conservation and management of straddling fish stocks and highly migratory fish stocks; and

(xxiv) perform such other related functions which shall promote the development, conservation, management, protection and utilization of fisheries and aquatic resources.

SECTION 6. STRUCTURE. — The Department shall be composed of the Office of the Secretary, its administrative and immediate staffs, the Offices of the Undersecretaries and Assistant Secretaries with respect to their areas of responsibilities, and their respective staff, and other Offices directly supporting and attached to the Office of the Secretary.

SECTION 7. QUALIFICATIONS AND APPOINTMENT — The Secretary and Undersecretaries shall be citizens and residents of the Philippines, of good moral character and of with proven competence and integrity.

They shall all be appointed by the President of the republic of the Philippines. The Undersecretaries shall be career officers.

SECTION 8. DEPARTMENT AND AGENCIES — The Department shall create, control, and sustain Bureaus:

- (a) Fisheries Resources Management Bureau
- (b) Licenses and Regulations Bureau
- (c) Fisheries Policy Industry Development Support Bureau
- (d) Inland Fisheries and Aquaculture Bureau
- (e) Fisheries Research Bureau

SECTION 9. EMPLOYMENT MATRIX. - The development of the employment pattern shall be based on an assessment of the personnel

requirements of the entire Department as recommended by the Secretary and as approved by the Department of Budget and Management **(DBM)**. The compensation structure of the positions in the employment pattern shall strictly conform to the prevailing Salary Standardization Law.

SECTION 10. ABSORPTION OF THE STAFFING PATTERNS OF THE CONSOLIDATED AGENCIES. - The existing employees of the Bureau of Fisheries shall enjoy security of tenure and shall be absorbed by the Department in accordance with their staffing patterns and the selection process as prescribed under R.A. No. 6656 on the Rules on Government Reorganization.

SECTION 11. TRANSFER OF ASSETS AND LIABILITIES. — The following arrangements shall be implemented within six (6) months from the effectivity of this Act:

- (a) The Department shall be subrogated to all the rights and assume all the assets, liabilities and funds, including any unexpended appropriation or allocation, as well as records, property, equipment and such necessary personnel of the BFAR;
- (b) The Department shall cause the creation of additional positions and augment their budget appropriations as may be needed; and
- (c) All contracts and liabilities of the BFAR are hereby transferred to and assumed by the Department and shall be acted upon in accordance with the relevant auditing procedures, laws, rules and regulations.

SECTION 12. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given

six (6) months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 13. APPROPRIATIONS. — The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the BFAR.

Thereafter, such sums as may be necessary for the continued implementation this Act shall be included in the annual General Appropriations Act (GAA).

SECTION 14. IMPLEMENTING RULES AND REGULATIONS. — The departments and agencies charged with carrying out the provisions of this Act shall, within sixty (60) days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 15. REPEALING CLAUSE. — All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 16. SEPARABILITY CLAUSE. — If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 17. EFFECTIVITY CLAUSE. — This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,