



Republic of the Philippines  
**House of Representatives**  
Quezon City, Metro Manila

**EIGHTEENTH CONGRESS**  
*First Regular Session*

**HOUSE BILL NO. 5023**



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Introduced by **Representative Francisco Jose F. Matugas II**

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### **EXPLANATORY NOTE**

The Philippines forms an ocean region that has long been recognized as one of the world's center of marine biodiversity, with one of the richest concentration of marine life on the planet. It is composed of more than 7,100 islands with a coastline stretching over 36,289 kilometers. More than 30 million Filipinos depend on these marine resources for survival. But the very seas that provide them livelihood and subsistence are under serious threat. Important fragile marine ecosystems around the country are being destroyed at an alarming rate.

To conserve, protect and manage these diverse marine wealth from further degradation, for the present and future generation of Filipinos, national government agencies such as the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR), Philippine National Police-Maritime Group, Philippine Coast Guard and Philippine Navy are mandated to enforce all coastal environmental laws. However, given the vastness of the area they are mandated to protect, they can only cover a few stretches of the country's archipelagic coastlines. Thus, for several decades now, these national agencies and local government units, in partnership with development partners and non-government organizations, train volunteer municipal fisherfolks to become Deputy Fish Wardens or Sea Rangers, otherwise known as *Bantay Dagat*. The *Bantay Dagat* act as the multiplier forces who guard and enforce fishery related laws and ordinances in the municipal waters of coastal municipalities and cities.

Unfortunately, these *Bantay Dagat* volunteers receive no regular honoraria and are rarely given insurance coverage and other benefits, despite the hazards they face, the time spent protecting the municipal

waters, and the loss of income opportunities. Notwithstanding their marginalization however, they remain committed to serve and protect the nation's marine habitat and fishery resources from further abuse and destruction. Many of them have in fact lost their lives and limbs and have been sued criminally and for damages. They must thus, be given the recognition, attention and assistance they so rightly deserve.

It is in this context that the approval of this bill is earnestly sought.

  
**FRANCISCO JOSE F. MATUGAS II**  
Surigao del Norte, First District  
(*Siargao Island*)





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**AN ACT GRANTING BENEFITS AND INCENTIVES TO  
ACCREDITED BANTAY DAGAT AND FOR OTHER PURPOSES**

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

1       SECTION 1. *Short Title.* - This Act shall be known as the “**Bantay**  
2       **Dagat Welfare and Incentives Act.**”

3       SEC. 2. *Statement of Policy.* - The State shall protect the rights of  
4       subsistence fishermen and local communities to the preferential use of the  
5       communal marine and fishing resources, both inland and offshore. It shall  
6       provide support to such fishermen through appropriate technology and  
7       research and other services. Towards this end, coastal municipalities and  
8       cities are vested with jurisdiction over the municipal waters as defined by  
9       Republic Act No. 8558 and, upon consultation with the Fisheries and  
10      Aquatic Resources Management Council (FARMC), be responsible for the  
11      management, conservation, development, protection, utilization, and  
12      disposition of all fish and fisheries and aquatic resources within their  
13      respective municipal waters. The LGUs shall also enforce all fishery laws,  
14      rules and regulations as well as valid fishery ordinances enacted by the  
15      municipal or city council. In the enforcement of said laws, the Bureau of  
16      Fisheries and Aquatic Resources (BFAR), in coordination with the local

1 government units (LGUs), is authorized to train and deputize fisherfolks  
2 as Deputy Fish Wardens, locally known as *Bantay Dagat*. This Act shall  
3 provide benefits and incentives to these volunteer *Bantay Dagat* who are  
4 frontliners in the protection of coastal marine and fisheries resources.

5 The government and all its instrumentalities shall also recognize the  
6 rights of accredited *Bantay Dagat* to organize themselves, to strengthen  
7 and systemize their services for their community, and to make a venue for  
8 sharing their experiences and for recommending policies and guidelines for  
9 the conservation, protection and sustainable management of fisheries and  
10 aquatic resources.

11 SEC. 3. *Definition.* – *Bantay Dagat*, also known as the Deputy Fish  
12 Wardens or Sea Wardens, shall refer to persons who have undergone  
13 training programs on coastal and fisheries law enforcement under any  
14 accredited government or non-government organization and who  
15 voluntarily work as deputized fishery law enforcers. They shall be  
16 accredited to function as such by the Municipal/City Fisheries and Aquatic  
17 Resources Management Council (M/CFMARC) and be deputized in writing  
18 by the Local Chief Executive (LCE) in accordance with the guidelines  
19 promulgated by the Bureau of Fisheries and Aquatic Resources (BFAR).

20 SEC. 4. *Registration.* - In order for *Bantay Dagat* to be entitled to  
21 benefits and incentives provided under this Act, said *Bantay Dagat* shall  
22 register with the M/CFARMC in the municipality or city in which said  
23 *Bantay Dagat* renders service. The FARMC, through the concerned LCE,  
24 shall furnish a copy of such registry to the BFAR through its Regional  
25 Offices, which is hereby mandated to maintain a national register of  
26 accredited *Bantay Dagat* nationwide. The accredited *Bantay Dagat* shall  
27 be given appropriate proof of said accreditation.

28 SEC. 5. *Qualifications of Bantay Dagat* - Any person seeking  
29 accreditation as *Bantay Dagat* must possess the following qualifications:

- 30 a) a Filipino citizen;



- b) a registered and licensed fisherfolk in the municipality or city where he/she intends to be accredited;
- c) not less than twenty-one (21) years but not more than sixty (60) years of age;
- d) not have been convicted of any offense involving violation of the Fisheries Code and related environmental laws;
- e) completed the Fishery Laws Enforcement Training for Bantay Dagat or Deputy Fish Wardens; and
- f) involved in coastal and fisheries management activities for at least three (3) years.

SEC. 6. *Number of Bantay Dagat.* - The BFAR shall determine the ideal ratio of Bantay Dagat to the number of fisherfolks and the area of the municipal waters or fisheries management area in every municipality or city.

SEC. 7. *Benefits and Incentives.* - In recognition of their services, all accredited *Bantay Dagat* who are actively and regularly performing their duties shall be entitled to the following incentives and benefits:

a) *Insurance and PhilHealth Coverage* - Each *Bantay Dagat* shall be entitled to life and accident insurance and PhilHealth coverage upon deputation as such by the LCE;

b) *Hazard Allowance* - Each *Bantay Dagat* exposed to situations, conditions, or factors where foreseeable but unavoidable danger or risks exist, and which adversely endanger said *Bantay Dagat's* life and/or safety, shall be entitled to hazard allowance in an amount to be determined by the FARMC and the Peace and Order Council (POC) of the local government unit concerned;

c) *Subsistence Allowance* - Each *Bantay Dagat* who renders seaborne patrolling or rescue services for at least eight (8) hours a day shall be entitled to subsistence allowance equivalent to the meals they

1 take in the course of their duty, which shall be computed in accordance  
2 with prevailing circumstances as determined by the local government unit  
3 concerned;

4 d) *Training, Education and Career Enrichment Programs* – The  
5 concerned coastal municipality or city in coordination with BFAR and  
6 other government agencies and non-government organizations shall  
7 provide opportunities to accredited *Bantay Dagat* for the following:

8 1) Continuing education, study and exposure tour  
9 trainings, grants, field immersion, scholarships, and the like;

10 2) Scholarships in the form of tuition fees in state colleges,  
11 to be granted to one child of every *Bantay Dagat* who will not be able  
12 to take advantage of the above programs; and

13 3) Special training programs such as those on paralegal  
14 education, case documentation and evidence gathering and  
15 preservation, and operations of special gadgets or equipment for  
16 effective and efficient coastal and fisheries law enforcement;

17 e) *Civil Service Eligibility*. – A second grade eligibility shall be  
18 granted to accredited *Bantay Dagat* who have rendered five (5) years of  
19 continuous service as such: *Provided, That* should the *Bantay Dagat*  
20 volunteer become a regular employee of the government, the total number  
21 of years served as *Bantay Dagat* shall be credited to his/her service in  
22 computing retirement benefits;

23 f) *Free Legal Services* - Legal representation and consultation  
24 services for *Bantay Dagat* shall be immediately provided by the Municipal  
25 or City Legal Officer and/or Public Attorney's Office in cases of coercion,  
26 interference, and in other civil and criminal cases filed by or against  
27 *Bantay Dagat* volunteers arising out of or in connection with the  
28 performance of their duties; and



1           g) *Preferential Access to Loans* – The BFAR, in coordination with  
2 the Department of Social Welfare Development and other concerned  
3 government agencies, shall provide, within one hundred eighty (180) days  
4 after the effectivity of this Act, a mechanism for access to loan services by  
5 organized *Bantay Dagat* volunteers.

6           SEC. 8. *Review by the Municipal or City FARMC.* – Every incentive  
7 or benefit for *Bantay Dagat* volunteers requiring the expenditure of local  
8 funds shall be reviewed and recommended by the FARMC for the approval  
9 of the Local Chief Executive to ensure that only deserving *Bantay Dagat*  
10 get the same.

11          SEC. 9. *Security of Tenure.* – All accredited *Bantay Dagat* shall enjoy  
12 security of tenure and shall not be removed or terminated except for just  
13 and valid causes as may be determined by BFAR. Said just or valid causes  
14 shall be included in the implementing rules and regulations of this Act.

15          SEC. 10. *Agent of Person in Authority.* – The accredited *Bantay*  
16 *Dagat* shall be considered as agents of persons in authority while in the  
17 performance of their duties and responsibilities.

18          SEC. 11. *Funding Requirement of Bantay Dagat Operation.* – Local  
19 governments, by virtue of this Act, are mandated to allocate regular  
20 funding for the benefits and incentives of the *Bantay Dagat* and their  
21 operational requirements. Such operational requirements shall include,  
22 but shall not be limited to: (a) the conduct of seaborne operations such as  
23 regular patrol in the coastal areas; (b) maintenance of equipment, gadgets,  
24 and supplies necessary for their functions; (c) vehicle, fuel and food  
25 allowance for their operations; and (d) conduct of seminars or workshops  
26 for *Bantay Dagat* members.

27          SEC. 12. *National Government Subsidy.* - The national government,  
28 through the BFAR, shall provide annual subsidy to local governments that  
29 are able to organize their own *Bantay Dagat* groups.

1        SEC. 13. *Rules and Regulations.* – The BFAR, in cooperation with  
2 the Department of the Interior and Local Government, the Department of  
3 Justice, the Civil Service Commission and other concerned government  
4 agencies and non-government organizations, shall formulate, within one  
5 hundred eighty (180) days from its effectivity, the rules and regulations  
6 necessary to implement this Act.

7        SEC. 14. *Separability Clause.* – If any provision of this Act is  
8 declared invalid, the remainder or any provision hereof not affected  
9 thereby shall remain in force and effect.

10       SEC. 15. *Repealing Clause.* – All laws, decrees, executive orders and  
11 other presidential issuances which are inconsistent with this Act are  
12 hereby repealed, amended or modified accordingly.

13       SEC. 16. *Effectivity* – This Act shall take effect fifteen (15) days after  
14 its publication in at least two (2) national newspapers of general  
15 circulation.

16       *Approved,*