

FISHERIES ADMINISTRATIVE)

August 23, 1940

ORDER NO. 18)

SUBJECT: Establishing a close season of five
(5) years in the San Miguel Islands, com-
prising the Manuc-manucan, Bancsuan and
Bancoran Islets.

Pursuant to the provisions of Section 79 (B) of the Revised Administrative Code and of Sections 4, 7, 8, 5, 10 and 55 of Act No. 4003, entitled "An Act to Amend and Compie the laws Relating to Fish and other Aquatic Reosurces of the Philippines Islands, and for other purposes", as amended, and for the protection and conservation of turtles in the San Migule Islands, comprising the Manuc-manucan, Banosuan and Bancoran Islets in the Sulu Sea, the following rules and regulations are hereby promulgated for the information and guidance of all concerned:

1. Five years close season - There is hereby established a close season of five years from the date this Administrative Order takes effect, during which period the taking, gathering, catching, and the possession of turtles and/or their eggs from any islets and all waters in and around the San Miguel Islands, comprising the Manuc-manucan, Banosuan and Bancoran Islets, at a distance of three (3) nautical miles from any point on the shores of said Islets, are prohibited.

2. Prohibition - It shall be unlawful at all times during the close season for any person, association or corporation:

(a) To disturb or drive away from the areas described in the preceding section or in any manner take, kill, or catch or cause to be killed, caught, or take from these waters, purchase, sell offer or expose for sale any turtle taken therefrom, dead or alive, or have in possession any part of same, except as provided in Section 3 of this Administrative Order.

(b) To take from the same areas described in the preceding section, purchase, sell, offer or exposed for sale turtle eggs, or have same in possession, except as provided in the aforesaid Section 3 of this Administrative Order.

3. Exemption - (a) For scientific, education, or propaga-tion purposes, any person, association, institution or corporation of good repute may be granted by the Secretary of Agriculture and Commerce, free of charge, a permit to catch or take or cause to be caught or taken, turtles and/or their eggs, otherwise prohibited in this Administrative Order, subject to such conditions as the said Secretary of Agriculture and Commerce may deem wise to impose for the proper conservation of same.

(b) Any person who shall catch, or take, or cause to be caught or taken, turtles and/or their eggs, under these permits, but uses same for purposes other than those mentioned herein above, shall be subject to the same penalties as if no permit had been granted.

4. Enforcement. - For the purpose of enforcing the provisions of this Administrative Order and such regulations relating to fisheries, as may hereafter be promulgated, fish wardens, fishery inspectors, agents or officers; members of municipal and district police; members of the secret service force, inspectors, guards, wharfingers of the Customs Service; Internal Revenue officers and agents; officers of coast guard cutters and lighthouse keepers; and when such other competent officials, employees or persons, as may be designated in writing by the Secretary of Agriculture and Commerce, are hereby made deputies of said Department Head and empowered to: (a) arrest any person found committing or attempting to commit an offense against the provisions of Act No. 4003, as amended, and of this Administrative Order; (b) seize, when deemed necessary, for evidence or for such purposes as the Secretary of Agriculture and Commerce, or his duly authorized representative may consider advisable, any fishing gear or apparatus used or which may be used to catch, kill or take turtles and/or their eggs, taken or found in possession of any described; (c) administer oaths and take testimony in any official matter or investigation conducted by them touching any matter under the authority of the Fisheries Act and of this Administrative Order; and (d) file the necessary complaints in Court and report such violations to the Secretary of Agriculture and Commerce for appropriate action. (Sec. 5 Act No. 4003, as amended.)

5. Penalty - Any violation of the provisions of this Administrative Order shall subject the offender to prosecution and upon conviction, he shall suffer the penalty provided in Section 83 of Act No. 4003, which is a fine of not more than two hundred pesos, or imprisonment for not more than six months, or both, in the discretion of the court.

6. Repealing provisions. All administrative orders and regulations, or parts thereof, inconsistent with the provisions of this Administrative Order, are hereby revoked.

7. Effectivity. - This Administrative Order shall take effect on January 1, 1941.

(SGD.) BENIGNO S. AQUINO
Secretary of Agriculture
and Commerce

APPROVED:

(SGD.) MANUEL L. QUEZON
President of the Philippines