

Commonwealth of the Philippines
DEPARTMENT OF AGRICULTURE AND COMMERCE
OFFICE OF THE SECRETARY
Manila

FISHERIES ADMINISTRATIVE)

ORDER NO. 20 :

August 6, 1940

SUBJECT: Establishing closed season for
the conservation of abo, arakaak,
Pagatpat, kiskisan, ponican, ta-
bangongo and Pusayan.

Pursuant to the provisions of Section 79(B) of the Revised Administrative Code of 1917 and Sections 4, 7, 8, 9 and 19 of Act No. 4003, the Fisheries Act, as amended, and for the protection and conservation of certain demersal, ground or bottom species known as "abo" "weakfish), "araksak" (plain croakers), "pagotpot" (Whiskered Croakers), "kiskisan" (spotted pomadasida), "ponicon" and "tabafigongo" (sea catfishes) and "pasayan" (shrimps), the following rules and regulations are hereby promulgated for the information and guidance of all concerned:

1. Definitions. - For the purpose of this Administrative Order, the following terms as used herein shall be construed as follows:

(a) Abo (*Otolithus argantous*) shall mean weakfishes belonging to the family *Otolithidae*, which are devoid of barbels and pores at the chin.

(b) Araksak (*Pseudasena masa*) shall mean plain croakers belonging to the family *Sciabudae* which, although also devoid of barbels, are with pores at the chin.

(c) Pagatpat shall mean whiskered croakers belonging to the family *Sciaenidae*, which bear a barbel at the chin.

(d) Kiskisan (*Pomadasida basta*) shall mean spotted grunts belonging to the family *Pomadasidae*, which are with spotted dorsal fin and with black spots on the back arranged one to each scale.

(e) Ponican and tabafigongo shall mean sea catfishes belonging to the family *Ariidae*.

(f) Pasayan shall mean marine shrimps or crustaceans belonging to the family *Poneidae*.

(g) Tralw shall mean fishing net made in the form of a bag with the mouth kept open by a device the whole affair being towed, dragged, trailed or trawled on the bottom of the sea to capture demersal, ground or bottom species.

2. Prohibition - It shall be unlawful for any person, association or corporation to use trawl in San Miguel Bay during the period from May 1 to October 31 of each year.

3. Restrictions. - Licenses and permits issued under Act No. 4003, as amended, or regulations, or municipal ordinances promulgated thereunder, shall contain provisions to the effect that:

(a) The terms and conditions of the licenses, permit or contract, shall be subject to change at the discretion of the Secretary of Agriculture and Commerce; and

(b) The licensee or permittee shall be responsible for any and all the acts of his agents and employees, contractors, and employees of the contractors connected with his fishing operations.

4. Exemption.

(a) For scientific, educational, personal or propagation 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 cause to be caught in any manner fishes of all sizes otherwise prohibited in this Administrative Order, subject to such conditions as the Secretary of Agriculture and Commerce may deem wise to impose for the proper protection and conservation of these fishes.

(b) For propagation purposes not connected with any scientific or educational purposes, the proper municipal official or officials may issue licenses to the highest bidder in accordance with Section 57 to 69 of Act No. 4003, the Fisheries Act, as amended, for taking fry of all fishes for which fees may be fixed or collected, subject to such conditions as the Secretary of Agriculture and Commerce may deem wise to impose.

(c) Any person who shall catch fish under these licenses, but uses same for purposes other than those mentioned hereinabove, shall be subject to the same penalty as if no permit has been granted.

5. Enforcement. - For the purpose of enforcing the provisions of this Administrative Order and of such regulations as may hereafter be promulgated, fishery inspectors, agents or officers; members of the Philippine Constabulary; members of the Municipal and municipal district police; members of the Secret service force, inspectors, guards or wharfingers of the customs service; internal revenue officers and agents; officers of coast guard cutters and light-house keepers; and such other competent officials, employees or per-

sons 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) Ascertain whether persons found engaged in fishing are duly provided with licenses required in this Administrative Order;

(b) arrest any person found committing or attempting to commit an offense in violation of this Administrative Order;

(c) seize, when deemed necessary, for evidence or for purposes as the Secretary of Agriculture and Commerce or his duly authorized representative may consider advisable, any fishing gear or apparatus used in violation of this Administrative order; and

(d) file the necessary complaint in Court and report such violation or violations to the Secretary of Agriculture and Commerce.

6. Penalty. Any violation of the provisions of this Administrative Order shall subject the offender to prosecution, and upon conviction, he shall be punished with the penalty imposed by Section 83 of the Fisheries Act, 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.

7. Repealing provisions. All administrative Orders and regulations or parts thereof inconsistent with the provisions of this Order are hereby revoked.

8. Date of Effectivity. This Administrative Order shall take effect on January 1, 1941.

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

APPROVED: Sept. 11, 1940

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

a true copy: