

Republic of the Philippines
Department of Agriculture and Natural Resources
BUREAU OF FISHERIES
Diliman, Quezon City

FISHERIES ADMINISTRATIVE)

ORDER NO. 54)

June 25, 1959

SUBJECT: Regulating the Operation of
Trawl in Manila Bay.

Pursuant to the provisions of Section 4 of Act 4003, as amended, and for the protection and conservation of immature fishes in the Manila Bay area, the following provisions regulating the operation of trawl in Manila Bay, are hereby promulgated, for the information and guidance of all concerned:

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

(a) Trawl shall mean a net made in the form of a conical bag with the mouth kept open by various devices and the entire gear towed, trailed, or trawled, usually on the bottom of the sea to capture submerged species that naturally keep at or near the bottom.

(b) Baby trawl shall mean a trawl operated with a vessel three (3) tons gross or less.

(c) Commercial trawl shall mean a trawl operated with a vessel more than three tons gross.

(d) Mesh stretched shall mean the state or condition of a mesh of a net when its opposite knots are pulled thus bringing closely the two sides of the mesh.

(e) Fathoms deep or less shall mean the actual depth of the portion of the fishing ground measured at the time the apprehension is made based at six feet per fathom.

2. Restrictions. - (a) Municipal or City Councils of towns or cities bordering Manila Bay shall enact ordinances or resolutions regulating and licensing baby trawl in consonance with Act 4003, and the rules and regulations promulgated thereunder, subject to the approval of the Secretary of Agriculture and Natural Resources.

(b) No new license shall be issued to new baby trawls by municipalities or cities along Manila Bay after six (6) months from the effectivity of this Order.

(c) Licenses and permits issued under Act 4003, as amended, or the rules and regulations, and ordinances and resolutions, promulgated thereunder, shall contain provisions to the effect that:

(1) No trawl shall operate within 200 meters from fish corrals duly established in marine fisheries or 100 meters in fresh water fisheries.

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

(3) The terms and conditions of the license or permit shall be subject to change at the discretion of the Secretary of Agriculture and Natural Resources.

(d) No commercial trawl shall operate within municipal waters without the permission of the municipal authorities concerned.

3. Prohibition. - (a) It shall be unlawful for any person, association, institution, or corporation to operate commercial trawl for fishing purposes in waters less than six (6) fathoms deep within the portion of Manila Bay from Light Buoy No. 2, North Harbor, Manila, following the coastline of Rizal, Bulacan, Pampanga, and Bataan provinces to Almasin point; and in less than nine (9) fathoms deep from Light Buoy No. 2, North Harbor, following the coastline of Rizal and Cavite provinces to Restinga Point.

(b) It shall be unlawful for any person, association or corporation to operate baby trawl for fishing purposes along the shores of Manila Bay where the depth is less than three (3) fathoms; and in the area bounded on the north and east, by the shoreline of the City of Manila and the provinces of Rizal and Cavite; on the south, by an imaginary line drawn from Restinga Point to Fraile Island; and on the west, by an imaginary line drawn from Fraile Island to San Nicolas shoal, thence, to the west Radio Tower (nearest the shoreline) passing through Light Buoy No. 2, North Harbor.

(c) It shall be unlawful to operate any kind of trawl for fishing purposes in waters within the Manila Bay area which uses nets with mesh less than two and one-half (2-1/2) centimeters stretched.

(d) The prohibitions herein-above-mentioned shall have force and effect for a period of five (5) years from the date this Administrative Order takes effect.

4. Exemption. - (a) The Secretary of Agriculture and Natural Resources may grant free of charge to any person, association or corporation, a permit to operate trawl for fishing purposes, in the prohibited areas within the Manila Bay area, and to use mesh stretched, otherwise prohibited in this Administrative Order, provided they are used exclusively for scientific, educational or propagation purposes, subject to such conditions and limitations as the Secretary of Agriculture and Natural Resources may prescribe for the proper protection and conservation of fishes in the Manila Bay area.

(b) Persons, associations, or corporations duly authorized under the preceding section but found using their licenses or permits for purposes other than those specified in the permit or license 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, fish wardens and fishery inspectors, members of the Philippine Naval Patrol, members of the Philippine Constabulary and Philippine Army, members of the provincial, city, municipal and municipal district police, members of the secret service force, harbor police, and inspectors, guards and wharfingers of Bureau of Customs, Internal Revenue officers and agents, officers of Coast Guard cutters, lighthouse keepers, and such other competent officials, employees or persons as may be designated in writing by the Secretary of Agriculture and Natural Resources are hereby made deputies of said Department Head and empowered:

(a) To ascertain whether or not persons, associations, or corporations found engaged in trawl fishing in the Manila Bay area are duly provided with permits and licenses required;

(b) To arrest any person found committing or attempting to commit an offense against the provisions of this Administrative Order;

FAO NO. 54

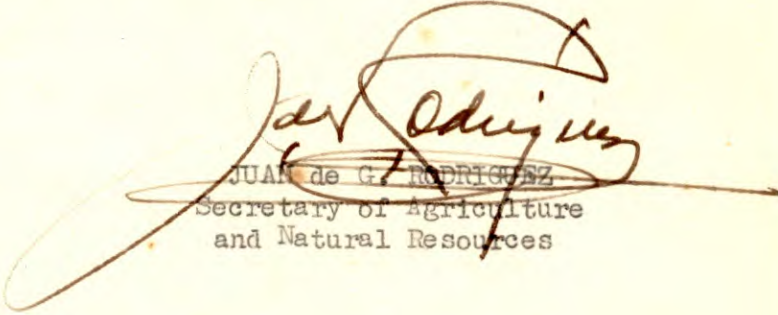
(c) To seize or confiscate, when deemed necessary, for evidence or for such purpose as the Secretary of Agriculture and Natural Resources or his duly authorized representative may consider advisable, any fishing gear or apparatus or fishing equipment used, in violation of this Administrative Order; and

(d) To file the necessary action in court for any violation of this Administrative Order and otherwise report said violation to the Secretary of Agriculture and Natural Resources.

6. Penalty. - Any violation of the provisions of this Administrative Order shall subject the offender to a fine of not more than two hundred pesos (₱200.00), or imprisonment for not more than six (6) months, or both, such fine and imprisonment, in the discretion of the court, as provided for in Section 83 of Act No. 4003, as amended.

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

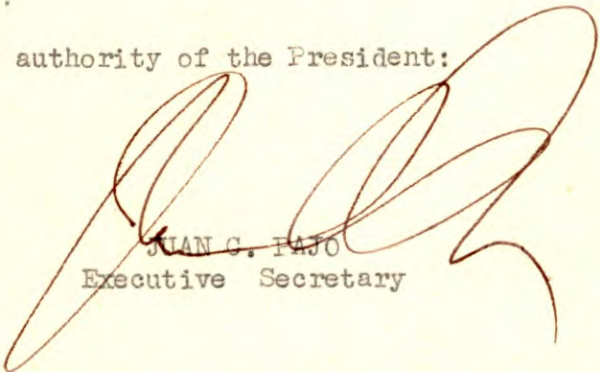
8. Effectivity. - This Administrative Order shall take effect fifteen (15) days after its publication in the Official Gazette.



JUAN de G. RODRIGUEZ
Secretary of Agriculture
and Natural Resources

APPROVED:

By authority of the President:



JUAN C. PAJO
Executive Secretary

FAO NO. 54