

APPENDIX

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

FISHERIES ADMINISTRATIVE)
 ;
ORDER NO. 9)

SUBJECT: Regulations for the conservation of certain species of fish, commonly called "ipon" in the Northern Provinces of Luzon.

Pursuant to the provisions of Sections 4, 7, 13 and 19 of Act No. 4003, entitled "An Act to amend and compile the laws relating to fish and other aquatic resources of the Philippines Islands and for other purposes", as amended, and for the protection and conservation of certain species of fish known as Ipon in Northern Luzon, which are the fry of gobies, belonging to Gobiidae and Eleotridae, the following rules and regulations 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). Ipon shall mean the fry and fingerlings or young of gobies found in the Provinces of Ilocos Norte, Ilocos Sur, La Union and other provinces of Northern Luzon.

(b). Trap shall include bobo, sarep, pataya, pamoboan, padait, paculod, pamalibtocan (known as palibtuk in Alilem, Ilocos Sur), burayoc, paed, and similar fishing traps and fishing devices.

2. Restrictions. - Licenses and permits issued by a municipal council shall contain provisions to the effect that:

(a) No trap shall be constructed within 200 meter distance from the mouth of any river or of any branch thereof toward its source and no two traps shall be less than 200 meters apart.

(b) Fish traps shall be so made or constructed as to leave open a third of the width of the river, creek, streams, or outlet of a lake to allow the free passage of fishes and fry during their migration up or down stream, and to permit the passage of launches, acts and other crafts.

(c) The licensee assumes responsibility for any and all the acts of his agents and employees, contractors, and employees of the contractors connected with his fishing operations.

(d) The terms and conditions of the license, permit for contract are subject to change at the discretion of the Secretary of Agriculture and Commerce.

3. Prohibition. - It shall be unlawful for any person association or corporation:

(a) To use bobo, or other similar device in catching Ipon, from January 1 to March 31 of each year;

(b) To use sarep, paculod, cascasad, sacsacalang, pasursor, or kitang, from April 1 to May 31 of each year;

(c) To use chinchorro, tangar and garamgam (nets) at the mouth of any river, from January 1 to March 31 and from September 1 to December 31 of each year.

4. Exemption. - For scientific, educational, or propagation purposes, any person, association, institution, or corporation of good repute may be granted by the Secretary of Agriculture and Commerce, or his duly authorized representative, free of charge, a permit to catch or cause to be caught "Ipon" by any method during any period, subject to such conditions as said Secretary may deem wise to impose for the proper conservation of these species. Any person who shall catch fish under such permit, but used same for purposes other than those mentioned herein above, shall be subject to the same penalties as if no license had been granted.

5. Enforcement. - For the purpose of enforcing the provisions of this Administrative Order, fishery inspectors, agents or officers; members of the Philippine Constabulary; members of municipal and municipal district police; members of the secret service force, inspectors, guards and wharf-fingers of the customs service; internal revenue officers and agents; officers of the coast guard cutters and lighthouse keepers; and such other competent officials, employees and persons, as may be designated in writing by the Secretary of Agriculture and Commerce, are hereby made deputies of said Department Head and empowered:

(a) To ascertain whether persons found fishing are duly provided with licenses required in the Fisheries Act and in this Administrative Order;

(b) To arrest any person found committing or attempting to commit an offense against the provisions of Act No. 4003 and of this Administrative Order;

(c) To administer oaths and to take testimony in any official matter or investigation conducted by them touching any matter under the authority of the Fisheries Act, and this Administrative Order; and

(d) To file the necessary complaint in court and report such violations to the Secretary of Agriculture and Commerce, for appropriate action. (Sec. 5, Act No. 4003, as amended.)

In addition to the deputies so designated in the first paragraph of this section, the municipal mayors of the municipalities concerned shall act as such deputies and enforce these rules and regulations in their respective jurisdictions.

6. Penalties. - Any person, institution, association or corporation who shall violate any of the provisions of this Administrative Order shall be liable to prosecution and, upon conviction, 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.

7. Repealing provisions. - Department Order No. 4, series of 1923 and Department Order No. 6, series of 1924, and all other orders and regulations or parts thereof inconsistent with the provisions of this Administrative Order are hereby revoked.

8. Date of effectivity. - This Administrative Order shall take effect on October 1, 1939.

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

APPROVED: July 28, 1939.

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

TRUE COPY:

jgt/-
3/4/55