

RA8550
CHAPTER VII

GENERAL PROVISIONS

SEC. 108. Fisherfolk Settlement Areas - The Department shall establish and create fisherfolk settlement, areas in coordination with concerned agencies of the government, where certain areas of the public domain, specifically near the fishing grounds, shall be reserved for the settlement of the municipal fisherfolk. Nothing in this section shall be constructed to vest ownership of any resettlement area to a municipal fisherfolk for whom said areas may have been reserved for or had been actually granted to.

SEC. 109. Municipal Fisheries Grant Fund - For the development, management and conservation for the municipal resources, there is hereby created a Fishery Grant Fund to finance fishery projects of the LGUs primarily for the upliftment of the municipal fisherfolk. The amount of One hundred million pesos (P100,000,000.00) is hereby appropriated out of the Department's allocation in the General Appropriations Act (GAA) to support the Grant Fund.

For this purpose, the Department may seek financial assistance from any source and may receive any donation therefore.

SEC. 110. Fishery Loan Guarantee Fund - Pursuant to Section 7, Article XIII of the Constitution, there is hereby created a Fishery Loan and Guarantee Fund with an initial of One hundred million pesos (P100,000,000.00) which shall be administered by the Land Bank of the Philippines. The fund shall be made available for lending to qualified borrowers to finance the development of the fishery industry under a program to be prescribed by the Department.

For the same purpose, The Department may seek financial assistance from any source and may receive any donation there from.

SEC. 110. Fishery Loan Guarantee Fund - Pursuant to Section 7, Article XIII of the Constitution, there is hereby created a Fishery Loan and Guarantee Fund with an initial of One hundred million pesos (P100,000,000.00) which shall be administered by the Land Bank of the Philippines. The fund shall be made available for lending to qualified borrowers to finance the development of the fishery industry under a program to be prescribed by the Department.

For the same purpose, The Department may seek financial assistance from any source and may receive any donation there from.

SEC. 111. Fishing Vessels Development Fund - There is hereby created a Fishing Vessels Development Fund to enhance the building and/or acquisition of fishing vessels. This shall e a long – term loan facility that shall be administered by the Development Bank of the Philippines. The amount of Two hundred and fifty million

pesos (P250,000,000.00) per year for five (5) years is hereby appropriated out of the Department's allocation in the GAA to support this Development Fund.

SEC. 112. Special Fisheries Science and Approfishtech Fund - The Department shall provide subsidy for full technical and financial support for the development of appropriate technology, both in fishery and ancillary industries, that are ecologically sound, locally source based and labor intensive, based on the requirement and needs of the FARMCs. An initial amount of One hundred million pesos (100,000,000.00) shall be authorized for the purpose of a Special Fisheries Science and Approfishtech Fund, and thereafter shall included in the GAA.

SEC. 113. Aquaculture Investment Fund - An Aquaculture Investment Fund in the minimum amount of Fifty million pesos (P50,000,000.00) shall established for soft loans which be extended to municipal fisherfolk and their organization who will engage in aquaculture, and for the development of underdeveloped or underutilized inland fishponds.

SEC. 114. Other Fisheries Financing Facilities - In addition to Fisheries to fisheries credit guarantee, grant and other similar facilities granted under this Code, qualified Filipino fisherfolk and fisheries enterprises shall enjoy such other facilities granted them under existing and/or new laws, specially as to rural credit, with preference being given to fisheries cooperatives.

SEC. 115. Professionalization of Fisheries Graduates - There is hereby created a Fisheries Board of Examiners in the Professionals Regulation Commission to upgrade the Fisheries Profession: Provided, however, That those who have passed the Civil Service Examination for Fisheries shall automatically be granted eligibility by the Fisheries Board of Examiners: Provided, further, That they have served the industry in either public or private capacity for not less than five (5) years: Provided, finally, That the first Board Examination for B.S. Fisheries Graduates shall be conducted within one (1) year from the approval of this Code.

SEC. 116. Upgrading of State Fisheries Schools/ Colleges - The Department, in coordination with the Commission on Higher Education (CHED) , Department of Education, Culture and Sports (DECS), and Technical Education and Skills Development Authority (TESDA), shall upgrade State Fisheries Schools /Colleges which provided both formal and non-formal education: Provided, however. That the CHED shall incorporate Approfishtech in the curricula if fisheries schools/colleges.

SEC. 117. Inclusion of Fisheries Conservation Subjects in School Curriculum - Fisheries conservation subjects shall be incorporated in the curricula of elementary and secondary schools both private and public.

SEC. 118. Educational campaign at all levels - The Department, the CHED, the DECS and the Philippine Information Agency shall Launch and pursue a nationwide educational campaign to:

- a. help realize the policies and implement the provisions of this Code.
- b. promote the development, management, conservation and proper use of the environment;
- c. promote the principle of sustainable development; and
- d. promote the development of truly Filipino-oriented fishing and ancillary industries.

Sec. 119. Infrastructure Support - The Department in cooperation with concerned agencies shall:

- a. prepare and implement a nationwide plan for the development of municipal fishing ports and markets;
- b. prioritize the construction of farm-to-market roads linking the fisheries production sites, coastal landing points and other post-harvest facilities to major market and arterial roads/highways;
- c. identify community infrastructure facilities such as fish landing ports, ice plant and cold storage facilities in consultation with fishery cooperative/ associations and prepare plans and designs for their construction and would be consistent with international environmental standards and occupational safety in sanitation and environmental impact;
- d. establish and maintain quality laboratories in major fish ports and prescribe the highest standards for the operation and maintenance of such post-harvest facilities.
- e. arrange and make representations with appropriate funding institutions to finance such facilities for the use of the fishery cooperatives/associations;
- f. develop and strengthen marketing facilities and promote cooperative marketing systems; and
- g. promote and strengthen local fisheries ship-building and repair industry.

SEC. 120. Extension Services - The Department shall develop cost-effective, practical and efficient extension services on a sustained basis, in addition to those provided by state educational institutions, especially to municipal fisherfolk in

undeveloped areas, utilizing practicable and indigenous resources and government agencies available, and based upon a system of self-reliance and self-help.

SEC. 121. Protection of Sensitive Technical Information - The Department shall take such measures as may be necessary in order to protect trade, industrial and policy information of Filipino fisherfolk, fisheries owners/operators, entrepreneurs, manufacturers and researchers, when disclosure of such information will injure the competitiveness or viability of domestic fisheries.

SEC. 122. Assistance in Collecting Information - The Department, in coordination with other government entities concerned, may require Filipino representatives abroad and foreign-based personnel to assist in the collection of fisheries data and information.

SEC. 123. Charting of Navigational Lanes and Delineation of Municipal Waters. - The Department shall authorize the National Mapping and Resource Information Authority (NAMRIA) for the designation and charting of navigational lanes in fishery areas and delineation of municipal waters. The Philippine Coast Guard shall exercise control and supervision over such designated navigational lanes.

SEC. 124. Persons and Deputies Authorized to Enforce this Code and Other Fishery Laws, Rules and Regulations - The law enforcement officers of the Department, the Philippine Navy, Philippine Coast Guard, Philippine National Police (PNP), PNP-Maritime Command, law enforcement officers of the LGUs and other government enforcement agencies, are hereby authorized to enforce this Code and other fishery laws, rules, and regulations. Other competent government officials and employees, punong barangays and officers and members of fisherfolk associations who have undergone training on law enforcement may be designated in writing by the Department as deputy fish wardens in the enforcement of this Code and other fishery laws, rules and regulations.

SEC. 125. Strengthening Prosecution and Conviction of Violators of Fishery Laws. - The Department of Justice (DOJ) shall embark on a program to strengthen the prosecution and conviction aspects of fishery law enforcement through augmentation of the current complement of state prosecutors and through their continuous training and reorientation of fishery laws, rules and regulations.

SEC. 126. Foreign Grants and Aids. – All foreign grants, aids, exchange programs, loans, researchers, and the like shall be evaluated and regulated by the Department to ensure that such are consistent with the Filipinization, democratization and industrialization of fishing industry and the development of the entire country.

SEC. 127. Mandatory Review. - The Congress of the Philippines shall undertake a mandatory review of this Code at least once every five (5) years and as oft as it may deem necessary, to ensure that fisheries policies and guidelines remain responsive to changing circumstances.

