

Republic of the Philippines
Department of Natural Resources
BUREAU OF FISHERIES AND AQUATIC RESOURCES
M a n i l a

FISHERIES ADMINISTRATIVE)

:

13 AUG 1974

ORDER NO. 112)

SUBJECT: Rules and Regulations Governing
the Issuance of Permits for the
Exportation of Fish and Aquatic/
Fishery Products.

Pursuant to the provisions of Section 4 of Act No. 4003, as amended, Section 4 (h) of Republic Act No. 3512, and Sub-pars. 3 and 8, Paragraph B, Section 6 of Presidential Decree No. 43, the following rules and regulations on the issuance of permits governing the exportation of fish and aquatic/fishery products are hereby promulgated for the guidance of all concerned:

SECTION 1. Definition of terms. - As used in this Administrative Order the following terms are defined as follows:

(a) Fish and aquatic/fishery products - Fish includes all fishes and other aquatic animals such as crustaceans, (crabs, prawns, shrimps and lobsters), mollusks (clams, mussels, scallops, oysters, snails and other shellfish) and aquatic/fishery products include all products of aquatic living resources in any form.

(b) Declared value (FOB) - the value of the commodity or product as indicated and declared in the Export Entry.

SECTION 2. Classes of permits. - There are two (2) classes of permits under this Order, namely:

(a) commercial permit - A permit issued for commercial purposes.

(b) gratuitous permit - A permit issued free of charge for personal, educational, scientific, souvenir, museum, aquarium or similar purposes provided the value of the fish or aquatic/fishery product involved does not exceed One Hundred Pesos (P 100.00) and/or weighs not more than five (5) kilos.

SEC. 3. Filing of application. - An application for a commercial permit properly accomplished must be accompanied by a duly certified check, post office money order payable to the Director of Fisheries and Aquatic Resources, or cash in the amount of P 5.00. Applications are non-transferable.

SEC. 4. Exportation of fish and aquatic/fishery products. - The exportation of fish and aquatic/fishery products shall be allowed only upon the issuance of a commercial permit by the Director of Fisheries and Aquatic Resources after an application therefor has been duly filed on official form prescribed for the purpose, at least five (5) days prior to the probable date of exportation of such fish or aquatic/fishery products. For such permit, a fee of Fifty Pesos (P 50.00) shall be collected.

SEC. 5. Issuance of permit. -

(a) A commercial permit may be issued only after an application therefor has been duly filed in accordance with the proceeding section, the fish or aquatic/fishery products inspected, and the applicant has paid the required permit fee and such other

charges for administrative services rendered in connection with the exportation.

(b) A gratuitous permit may be issued only after an application therefor has been duly filed in accordance with the proceeding section, and the fish or aquatic/fishery products inspected by the Director of Fisheries and Aquatic Resources or his duly authorized representative.

SEC. 6. Duration of permits. - Permits issued under this Order shall expire thirty (30) days from the date of the issuance thereof. An unused permit shall be considered automatically cancelled: Provided, That a new permit may be issued in lieu of an unused, partially used or expired permit upon request.

SEC. 7. Inspection, quality control and other administrative and technical services in the exportation of fish and aquatic/fishery products. - The fish and aquatic/fishery products shall, before exportation, be presented by the exporter to the Director of Fisheries and Aquatic Resources or his duly authorized representatives for inspection, quality control and such other administrative and technical services as may be necessary, together with a copy of the Customs Export Entry, Exporter's Declaration and other required documents. For such inspection, quality control and other administrative and technical services in connection with the exportation, a fee of one half of one per cent (1/2 of 1%) of the declared value (FOB) of the fish or aquatic/fishery products shall be collected.

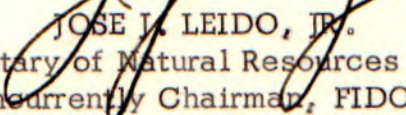
If upon inspection, the product sought to be exported does not meet the quality requirements prescribed by the Bureau of

Fisheries and Aquatic Resources, or prohibited fish or aquatic/ fishery products are found included in the exportation, the same shall be removed immediately and, in case of the latter, confiscated, and the exporter shall, in addition, be penalized in accordance with the provisions of Section 18 of Presidential Decree No. 43.

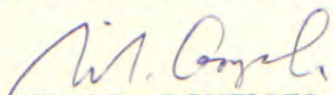
SEC. 8. Penal provisions. - Any violation of this Order shall subject the offender to a fine of not more than five thousand pesos or imprisonment of not more than five years or both such fine and imprisonment in the discretion of the Court: Provided, That the Director of Fisheries and Aquatic Resources is hereby empowered to impose an administrative fine of not more than one thousand pesos or to cancel the permit, or both such fine and cancellation at the discretion of the Director of Fisheries and Aquatic Resources, upon any person, partnership or corporation who shall violate this Order.

SEC. 9. Repeal of inconsistent orders, rules and regulations. - All Orders, rules and regulations inconsistent herewith are repealed or amended accordingly.

SEC. 10. Effectivity. - This Order shall take effect fifteen (15) days after its publication in the Official Gazette and in two (2) newspapers of general circulation.


JOSE L. LEIDO, JR.
Secretary of Natural Resources and
Concurrently Chairman, FIDC

RECOMMENDED BY:


FELIX R. GONZALES
Director of Fisheries and
Aquatic Resources