

MINISTRY OF
NATURAL RESOURCES

FISHERIES ADMINISTRATIVE)
ORDER NO. 148 :
Series of 1984.)

1984-01-16

SUBJECT: Regulation on the Gathering, Catching,
Taking, or Removing of Marine Tropical
Aquarium Fish.

Pursuant to the provisions of Sections 4 and 7 of Presidential Decree No. 704, otherwise known as the "Fisheries Decree of 1975", the following rules governing the gathering, catching, taking, or removing of marine tropical aquarium fish from Philippine waters are hereby promulgated:

SECTION 1. Definition. - As used in this Order, the following terms shall mean:

- a. Marine tropical aquarium fish - are any fish with or without attractive colors found in tropical marine waters of the Philippines that are captured alive for aquarium purposes.
- b. Use of obnoxious or poisonous substance - means the use of any substance, plants, extracts, or juice thereof, chemicals, whether in raw or processed form, harmful or harmless to human beings, which kill, stupefy, disable, or render unconscious fish or fishery products including but not limited to sodium cyanide and/or other cyanide compounds or other chemicals.
- c. Director - refers to the Director of Fisheries and Aquatic Resources.
- d. Minister - refers to the Minister of Natural Resources.
- e. Bureau - refers to the Bureau of Fisheries and Aquatic Resources.
- f. Regional office - refers to any of the regional offices of the Bureau of Fisheries and Aquatic Resources.

SEC. 2. Gathering, catching, taking, or removing of marine tropical aquarium fish. - No person, corporation, or cooperative shall gather, catch, take, or remove marine tropical aquarium fish from Philippine waters without a permit duly issued by the Director for that purpose.

SEC. 3. Who are entitled to a permit to gather, catch, take, or remove marine tropical aquarium fish? -

- a. Citizens of the Philippines;
- b. Corporations duly registered in accordance with Philippine laws sixty per centum (60%) at least of the capital stock of which belongs to citizens of the Philippines; and
- c. Duly registered cooperatives.

SEC. 4. Restrictions. -

- a. No person shall gather, catch, take, or remove marine tropical aquarium fish except in the marine waters of the province so stated in the license issued by the Director. The permit issued for one province is not transferable to another province.
- b. The Minister upon recommendation of the Director may, however, designate restricted areas in Philippine waters from time to time for the conservation of marine tropical aquarium fish.

SEC. 5. Prohibition. - It shall be unlawful for any person to gather, catch, take, or remove marine tropical aquarium fish with the use of obnoxious or poisonous substances as defined under Section 1 hereof.

SEC. 6. Filing of application. - An application to gather, catch, take, or remove marine tropical aquarium fish shall be filed with the Bureau through the regional office upon payment of an application fee in the amount of two (P2.00) pesos, in cash or in check, payable to the Director. Applications are non-transferable.

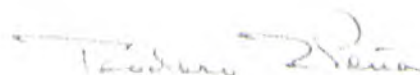
SEC. 7. Issuance of a permit. - A permit to gather, catch, take, or remove marine tropical aquarium fish may be issued to any qualified person upon payment of a permit fee in the amount of ten (P10.00) pesos. These permits are non-transferable.

SEC. 8. Duration of the permit. - A permit to gather, catch, take, or remove marine tropical aquarium fish shall be valid for a period of one (1) year starting from January to December 31 of each year and may be renewed every year.

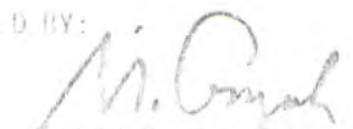
SEC. 9. Penalty. - Violation of this Order shall subject the offender to a penalty of imprisonment from eight (8) to ten (10) years: Provided, That the Director is hereby empowered still to impose upon the offender an administrative fine of not more than five thousand pesos (P5,000.00) including the cancellation of the permit and the confiscation of the marine tropical aquarium fish and the chemicals used in favor of the Bureau without prejudice to any judicial action which may be taken against such offender.

SEC. 10. Repealing clause. - Fisheries Administrative Order No. 124, s. 1979, and all other existing rules and regulations inconsistent with this Order are hereby repealed or modified accordingly.

SEC. 11. Effectivity. - This Order shall take effect fifteen (15) days after its publication in the Official Gazette and/or in two (2) newspapers of general circulation.


TEODORO Q. PENA
Minister

RECOMMENDED BY:


FELIX B. GUNGAH
Director of Fisheries
and Aquatic Resources

Feb. 9, 1984 - Mind Daily Express