



Republic of the Philippines
MINISTRY OF AGRICULTURE AND FOOD
Office of the Minister
Elliptical Road, Diliman, Quezon City

FISHERIES ADMINISTRATIVE)
ORDER NO. 156 : 1986-07-03
Series of 1986.)

SUBJECT: Guidelines and Procedures in the
Effective Implementation of LOI
No. 1328.

Pursuant to the provisions of Sections 4 and 7 of Presidential Decree No. 704, as amended, otherwise known as the "Fisheries Decree of 1975", and in order to effectively implement the provisions of LOI No. 1328, the following guidelines and procedures are hereby promulgated:

SECTION 1. Purpose. - There is an urgent need to improve the standard of living in the rural fishing communities of the country, to protect municipal fishery resources against the heavy exploitation of fish and aquatic resources in the entire marine water areas prohibiting the operation of commercial trawl and purse seine in marine water areas within a distance of seven (7) kilometers from the shorelines of all the provinces of the Philippines, to provide municipal and small-scale fishermen a wider area within which to operate fishing boats of three (3) gross tons or less and to increase their catch per unit effort.

SEC. 2. Definition of terms. - For purposes of this Order, the following terms shall mean:

- a) Commercial trawl - a fishing gear operated by a fishing boat of more than three (3) gross tons consisting of nets made in the form of a conical bag with the mouth kept open by various devices (as otter boards/doors, wooden or iron beam, two boats and extra long ropes) and the entire gear towed, trailed or trawled, to capture fish or fishery/aquatic products.
- b) Commercial Purse Seine - a fishing gear operated by a fishing boat of more than three (3) gross tons consisting of a net with the bunt or landing piece located in any side of the net, and the whole net provided with a pursing device, which consists of a series of purse rings attached to the footrope by straps or ring bridles with a pursing line rove through the rings that closes the bottom of the seine when pulled thereby forming a trap or purse, the net of which is hauled by means of a power block.

SEC. 3. Range of prohibition. - The operation of commercial trawl and purse seine is prohibited in marine water areas within a distance of seven (7) kilometers from the shorelines: Provided, however, That provinces comprising several islands or islets, the seven (7) kilometers distance shall be measured perpendicular from the shorelines of such islands or islets: Provided, further, That in islands or islets where the distance between or among them is fourteen (14) kilometers or less the same shall be treated as one island or islet and the seven (7) kilometers distance shall be reckoned from the outer shorelines of such group of island or islet: Provided, finally, that in coastal areas seven (7) fathoms deep or more which are not reached by sustenance fishermen, the operation of commercial trawl and purse seine may be allowed by the Minister of Agriculture and Food, upon the recommendation of the Director of Fisheries and Aquatic Resources, only after such areas have been defined and designated as such by the Bureau of Fisheries and Aquatic Resources on a yearly or seasonal basis.

SEC. 4. Persons authorized to enforce this Order. - The following are authorized to enforce the provisions of this Order:

- (a) Philippine Constabulary (PC)
- (b) Philippine Coast Guard (PCG)
- (c) Integrated National Police (INP)
- (d) Bureau of Fisheries and Aquatic Resources
Law Enforcement Officers (BFAR)
- (e) Deputy Fish Wardens

SEC. 5. Persons to be deputized. - To implement this Order, provincial governors/city/municipal mayors and barangay captains/officials of all the coastal municipalities and barangays of the Philippines and officers of registered fishermen association shall, after proper orientation and training by the Bureau of Fisheries and Aquatic Resources be deputized by the Minister of Agriculture and Food to enforce the provisions of LOI No. 1328 including all other existing and related fishery laws, decrees, rules and regulations.

SEC. 6. Submission of monthly reports. - Persons duly authorized to enforce the provisions of this Order shall submit a monthly report of accomplishment to their respective agencies concerned, copy furnished the Director of Fisheries and Aquatic Resources.

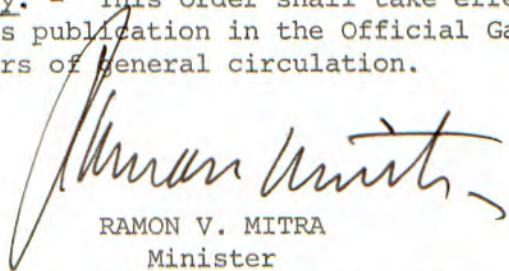
SEC. 7. Procedures on apprehension.

- (a) Determine the distance of the fishing boat from the shorelines whether it is operating within the prohibited distance and using commercial trawl or purse seine.

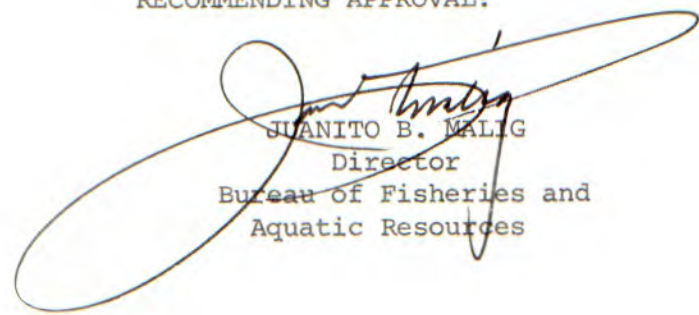
- (b) Identify yourself, stop and board the fishing boat.
- (c) Aboard the fishing boat, stop the operation and anchor. Plot the position of the fishing boat on a Philippine Coast and Geodetic Survey (PCGS) Map indicating its distance from the shoreline.
- (d) Require the Captain/Patron/Master Fisherman or the Officer-in-Charge to sign and conform with the plotted position of the fishing boat and inform them of the violation committed.
- (e) Bring or tow the fishing boat to the nearest port.
- (f) Prepare an Investigation and Apprehension Report (IAR).
- (g) If evidence so warrants, initiate the filing of the corresponding administrative and/or criminal case.
- (h) Impound the fishing gear.

SEC. 8. Penalty. - The penalty to be imposed for the violation of the provisions of LOI No. 1328 are those provided for under Section 38(d) of Presidential Decree No. 704, as amended.

SEC. 9. 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.


RAMON V. MITRA
Minister
Ministry of Agriculture and Food

RECOMMENDING APPROVAL:


JUANITO B. MALIG
Director
Bureau of Fisheries and
Aquatic Resources