



Republic of the Philippines  
DEPARTMENT OF AGRICULTURE  
Office of the Secretary  
Elliptical Road, Diliman, Quezon City

FISHERIES ADMINISTRATIVE)  
ORDER NO. 190 :  
Series of 1994 )

SUBJECT: Regulations governing "Pa-aling"  
fishing operation in Philippine  
waters.

WHEREAS, on December 4, 1986 the Department of Agriculture (DA) banned the operation of "muro-ami" fishing method in Philippine waters thru Fisheries Administrative Order (FAO) No. 163, after it was determined that the operation thereof has caused the destruction of coral reefs;

WHEREAS, the impact of the ban has resulted in the economic dislocation of thousands of fishworkers and their families in Southern Cebu and Central Visayas who were heavily dependent on their employment in "muro-ami" fishing as their livelihood;

WHEREAS, the DA, cognizant of its commitment to alleviate the quality of life of sustenance fishermen and fishworkers, has provided an impetus for the modification of the "muro-ami" gear to "pa-aling" to avoid the destruction of coral reefs;

WHEREAS, an Inter-Agency Task Force (IATF) was created to monitor and observe the "pa-aling" technique; and, in its Final Report dated March 3, 1992 to DA, the IATF found that "pa-aling" fishing is not destructive to the coral communities and is a viable alternative to "muro-ami";

WHEREAS, two (2) public hearings were conducted by DA/BFAR in Quezon City and in Puerto Princesa City wherein the participants were given ample opportunity to articulate, expound and ventilate their views addressed towards the soundness of the "pa-aling" as a fishing method; and

NOW, THEREFORE, pursuant to Sections 4, 7 and 20 of Presidential Decree No. 704, as amended, the following rules and regulations governing "pa-aling" fishing operation in Philippine waters are hereby promulgated:

SECTION 1. Definition - The terms as used herein shall be construed as follows:

- a. "Pa-aling" - refers to a fishing gear consisting of a net set at coral/shoal reef areas whereby fish are driven towards the net by means of air bubbles produced by compressors.
- b. "Pa-aling fishing operation" - refers to the use of a mother boat and supported by airboats, net boats and a group of fishermen.

- c. Mother boat - refers to a fishing boat more than three (3) gross tons and used as carrier of fish catch, airboats, net boats, fishing paraphernalia and fishermen/crew.
- d. Air boat - refers to a boat with air compressors on board and several outlet valves where air hoses are connected.
- e. Net boat - refers to a boat with fishing nets and accessories on board and set by fishermen during fishing operations.
- f. Coral/shoal reefs - refer to submerged reef areas not connected to any land mass.
- g. Municipal waters - refer to the marine waters included between two lines drawn perpendicular to the general coastline from points where the boundary lines of the city or municipality touch the sea at low tide, and a third line parallel with the general coastline and fifteen (15) kilometers from it. Where two (2) municipalities are so situated on the opposite shores that there is less than thirty (30) kilometers of marine waters between them, the third line shall be equidistant from the opposite shores of the respective municipalities or cities.
- h. Bureau - refers to the Bureau of Fisheries and Aquatic Resources.
- i. Director - refers to the Director of the Fisheries and Aquatic Resources.
- j. Person - refers either to a natural or juridical person.

SEC. 2. Prohibition - It shall be unlawful for any person to operate commercial "pa-aling" fishing within municipal waters as defined in R.A. No. 7160; the water jurisdiction of the Palawan Council for Sustainable Development created under R.A. no. 7611; the water area east of 119°30', south of 13°00' and north of 10°30' as indicated in the attached map and made an integral part hereof; and, in other areas outside those covered under Section 4 hereof; and fish sanctuaries, protected areas and marine parks and reserves: Provided, however, that the operation thereof may be allowed beyond municipal waters if the mother boat, airboats and net boats employed in the "pa-aling" fishing operations have been duly issued their commercial fishing boat licenses by the Bureau: Provided, Further, That a gratuitous permit to operate commercial

"pa-aling" fishing beyond municipal waters may be issued by the Director to any government or private research and educational institution for research, experimental, educational and scientific purposes on "pa-aling" fishing, subject to such terms and conditions as the said Director may deem necessary to impose.

SEC. 3. Duration of license - The license to operate a commercial "pa-aling" mother boat and support boats shall be valid for a period of one (1) year unless sooner suspended, revoked, terminated or cancelled for violation of the fishery laws, rules and regulations.

SEC. 4. Restrictions - (a) "Pa-aling" fishing operations shall be limited to the following seasons and areas:

<u>SEASONS/MONTHS</u>		<u>SHOAL AREAS</u>
October 1 of one year to May 31 of the next year	-	South China Sea
June 1 to September 30	-	Sulu Sea

(b) One (1) "pa-aling" fishing gear and a group of fishermen shall be allowed for every two (2) alternating mother boats, provided that the maximum number of fishermen in one group shall not exceed 250. Only 24 mother boats shall be allowed per year, which shall be supported by the total of twelve (12) fishermen's group. The average catch of mother boats allowed to each licensee must be a maximum of 600 m.t. of fish a year.

Should applications for "pa-aling" mother boats exceed the maximum of 24 boats per year, the Bureau shall formulate guidelines for awarding of Commercial Fishing Boat License for pa-aling. Such guidelines must be submitted to the Secretary of Agriculture for his approval.

(c) The "pa-aling" fishing gear shall use fishing nets having mesh size not less than 3.38 centimeters.

(d) Commercial "pa-aling" fishing boats shall not have on board more than ten (10) stones and chains except those used as counter weights for marker buoys and as accessories to the boat. The discovery of more than ten (10) stones and chains on board the boats shall constitute a presumption that the same were used for fishing in violation of this Order.

(e) Only the Bureau shall be authorized to issue the Commercial Fishermen's License.

(f) No person below eighteen (18) years shall be issued a Commercial Fishermen's License or allowed on board the fishing boats unless otherwise issued a permit in accordance with existing laws.

SEC. 5. Monitoring and compliance - Employees/Officials of the Bureau and other authorized persons shall be allowed to board "pa-aling" boats to observe and monitor the fishing operations and technology used and for compliance with the fishery laws, rules and regulations. For this purpose, "pa-aling" fishing operators/licenseses shall notify the Bureau every first working day of the week the actual place of operation or position in the grid where their boats are operating. For monitoring of compliance to the total allowable catch, the catch of "pa-aling" boats should only be unloaded at the Navotas Fish Port Complex, Navotas, Metro Manila.

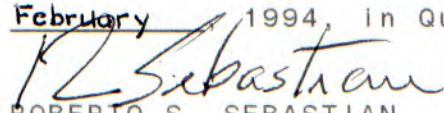
SEC. 6. Submission of Log Book - The operators/licenseses/master fishermen shall submit to the Bureau monthly fish catch report conforming with the prescribed form in the "pa-aling" log-book.

SEC. 7. Penalty - Any violation of this Order, shall subject the offender to a fine from Five Hundred Pesos (P500.00) to Five Thousand Pesos (P5,000.00) or imprisonment from six (6) months to four (4) years or both such fine and imprisonment in the discretion of the Court: Provided, That the Director is hereby empowered to impose upon the offender an administrative fine not exceeding Five Thousand Pesos (P5,000.00) or cancel his license, or impose both such fine and cancellation of the license.

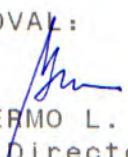
SEC. 8. Repealing Clause - All existing administrative orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Order are hereby modified or repealed accordingly.

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.

Issued this 24th day of February 1994, in Quezon City, Metro Manila, Philippines.

  
ROBERTO S. SEBASTIAN  
Secretary

RECOMMENDING APPROVAL:

  
GUILLERMO L. MORALES  
Director

Bureau of Fisheries & Aquatic Resources