



FISHERIES ADMINISTRATIVE)
ORDER NO. 224 :
Series of 2004)

SUBJECT: Establishment of Tuna Productivity Project in Davao Gulf

WHEREAS, the indiscriminate utilization of the Philippine fishing grounds has resulted to the massive depletion of fish stocks, thereby compelling the small-scale and medium-scale commercial fishing vessels to venture farther out to the international waters to fish;

WHEREAS, there is an urgent need to revive the viability of the local fishing grounds by discouraging the harvest of juvenile fish and by encouraging the practice of environmentally sound fishing methods;

WHEREAS, one of the effective fish attracting devices is the payao while the traditional handline or hook and line is found to be an environmentally sound fishing method;

WHEREAS, the small-scale and medium-scale commercial fishing boat operators of Malita, Davao del Sur and Governor Generoso, Davao Oriental have organized into a cooperative and, in order to revitalize the fishing grounds in the Southern Philippines, have embarked on a tuna fishing project where the use of "payao" and the traditional handline or hook and line fishing method shall be integrated into the Tuna Productivity Project in Davao Gulf;

NOW, THEREFORE, for and in consideration of the foregoing premises and pursuant to Sections 4 (14) and 86 of R.A. No. 8550, this order for the establishment of the Tuna Productivity Project in Davao Gulf beyond municipal waters is hereby issued for the information, implementation and compliance by all those concerned.

SECTION 1. Definition. – The terms as used in this order shall be construed as follows.

- a) TPP – refers to the Tuna Productivity Project in Davao Gulf of the BFAR jointly with the cooperative of small-scale and medium-scale commercial fishing vessels using only the traditional handline or hook and line gear in catching tuna in the network of "payaos."
- b) "Payao" or fish shelter – is a fish aggregating device consisting of a floating raft or drums anchored by a weighted line with suspended materials such as palm fronds which attract pelagic and schooling species of fish.

SECTION 2. Area - There is hereby established the TPP in Davao Gulf with an area of 25,613.16 hectares or 256.16 square kilometers (14 n.m. or 25.9 km from Malita, Davao del Sur and 15 n.m. or 27.7 km. from Governor Generoso, Davao Oriental) formed by the following coordinates and reflected on the accompanying map.

Pt. 1	6°32'37" N	Pt. 5	6° 17'45" N
	125° 48'00" E		125° 53'45" E
Pt. 2	6° 34'00" N	Pt.6	6° 18'50"N
	125° 51'00" E		125° 56'45"E
Pt. 3	6° 26'45" N	Pt. 7	6° 09'30"N
	125° 50'15" E		125° 57'00"E
Pt. 4	6° 27'37" N	Pt. 8	6° 10'37" N
	125° 53'15" E		126° 00'00"E

SECTION 3. Management – The TPP shall be under the control and supervision of the project presided by the Regional Director or his designated representative of Fisheries Regional Office No. XI, Davao City, the membership of which coming from the Davao Gulf Fishermen’s Cooperative and the municipal governments of Malita, Davao del Sur and Governor Generoso, Davao Oriental.

The site for the construction of payaos shall be determined upon consultation with the Philippine Coast Guard to ensure that such areas shall be away from navigational hazards.

The Davao Gulf Enforcement and Protection Alliance shall assist the TPP Management Board in implementing the applicable provisions of the fishery law within the project area, particularly in securing the “payaos” from illegal fishing, destructive elements and unwanted intrusions. Cooperative members, for their part, shall submit daily reports to the management board as to the status or condition of the “payaos.”

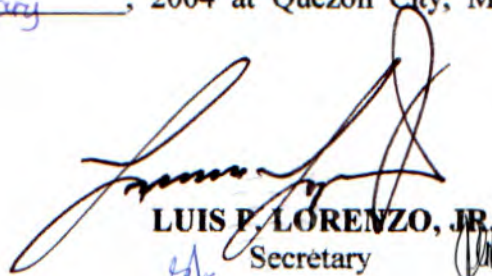
Small-scale and medium-scale commercial fishing vessels of cooperative members with valid license using only handlines or hook and line may be issued by the Fisheries Regional Office No. XI a special permit to fish in the TPP area upon payment of an application fee of P500.00 and special permit fee in the amount of P5,000.00 per annum which shall neither be refundable nor transferable.

SECTION 4. Prohibition. – It shall be unlawful to catch fish in the TPP area by means of purse seine, ringnet, bag net, or other types of active gear other than handline or hook and line notwithstanding any special permit that may have been issued for the purpose by the Fisheries Regional Office No. XI: Provided, That the discovery of any person in the area where he has no permit or license for his fishing vessel shall constitute a prima facie evidence that he is engaged in unauthorized fishing therein.

SECTION 5. Penalty – Violation of this order shall hold the commercial fishing boat captain or the three (3) highest officers of the boat liable to the penalty of fine equivalent to the value of the catch or ten thousand pesos (P10,000.00), whichever is higher, and imprisonment for six (6) months, confiscation of catch and fishing gear, and revocation of commercial fishing vessel and gear license.


SECTION 6. 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 and fifteen (15) days after its registration with the Office of the National Administrative Register.

Issued this 13th day of February, 2004 at Quezon City, Metro Manila, Philippines.

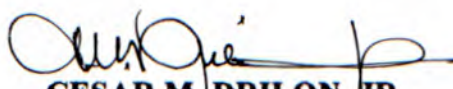


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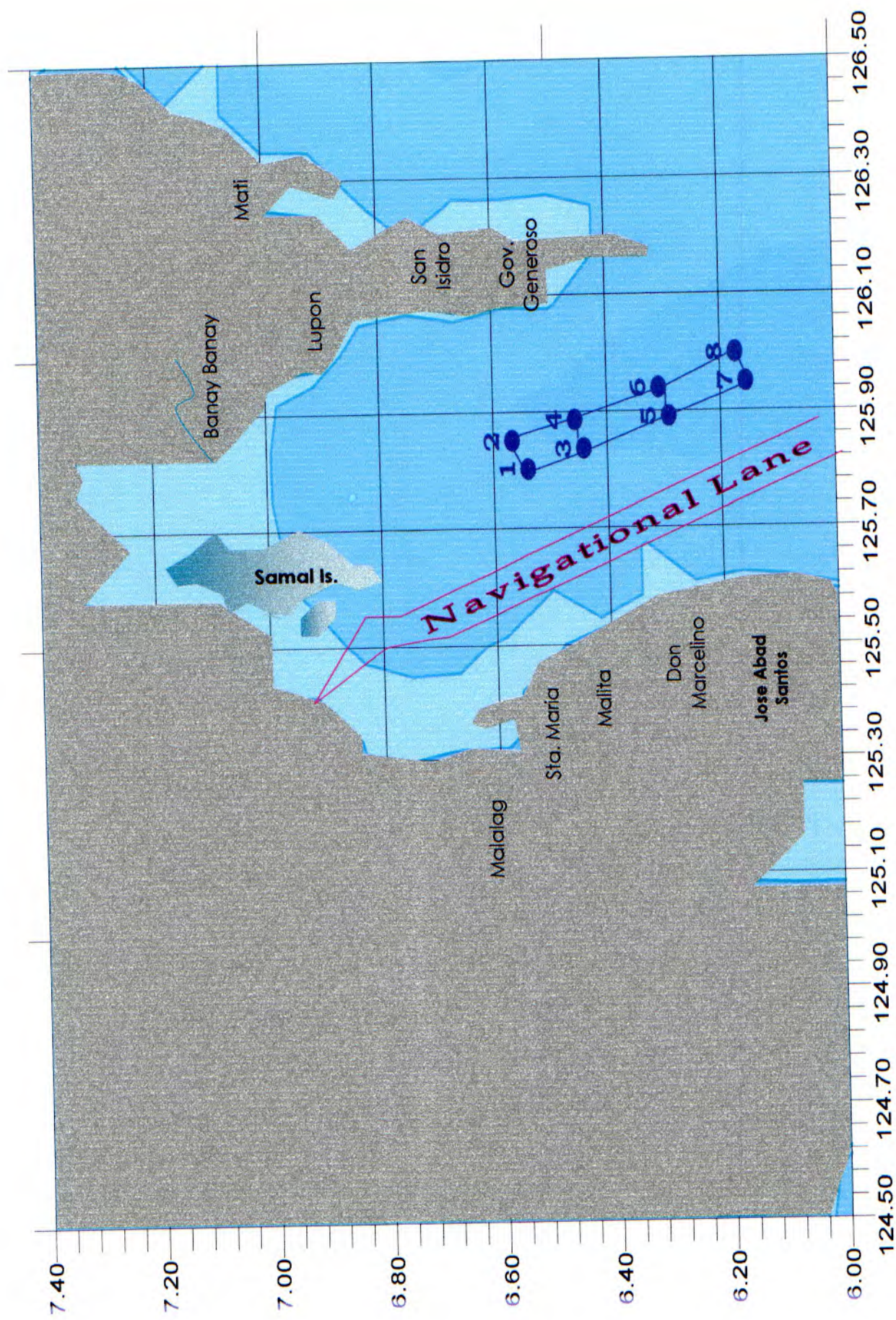


Figure 1- Location of the Tuna Productivity Project in Davao Gulf.