



Republic of the Philippines
Department of Agriculture

Bureau of Fisheries and Aquatic Resources

PCA Compound, Elliptical Road, Diliman, Quezon City
Tel. Nos. 929-95-97 * 929-80-74

FISHERIES ADMINISTRATIVE

ORDER NO. 236-5

Series of 2018

SUBJECT: EXTENSION OF FAO 236-4 SERIES OF 2015 ON THE RULES AND REGULATIONS ON THE OPERATIONS OF PURSE SEINE AND RING NET VESSELS USING FISH AGGREGATING DEVICES (FADS) LOCALLY KNOWN AS PAYAOS DURING THE FAD CLOSURE PERIOD AS COMPATIBLE MEASURES TO WCPFC CMM 2017-01.

WHEREAS, the Western and Central Pacific Fisheries Commission (WCPFC) adopted CMM 2017-01 entitled "Conservation and Management Measure for Bigeye, Yellowfin and Skipjack in the Western and Central Pacific Ocean".

1. Paragraph 16 states that "A three-month (July, August and September) prohibition of deploying, servicing or setting on FADs shall be placed between 0001 hours UTC on 1 July and 2359 hours UTC on 30 September each year for all purse seine vessels, tender vessels, and any other vessels operating in support of purse seine vessels fishing in the exclusive economic zones and the high seas in the area between 20°N and 20°S."
2. Paragraph 17 states that "In addition to the three-month FAD closure in paragraph 16, except for those vessels flying the Kiribati flag in the high seas adjacent to the Kiribati exclusive economic zone, and Philippine vessels operating in HSP1 in accordance with attachment 2, it shall be prohibited to deploy, service or set on FADs in the high seas for two additional sequential months of the year. Each CCM shall decide which two sequential months (either April - May or November- December) shall be closed to setting on FADs by their fleets in the high seas for 2018, and notify the secretariat of that decision by March 1, 2018."
3. Paragraph 25 states that "Coastal CCMs within the Convention Area shall restrict purse seine effort and/or catch of skipjack, yellowfin and bigeye tuna within their EEZs in accordance with the effort limits established and notified to the Commission and set out in Table 1 of Attachment 1. Those coastal CCMs that have yet to notify limits to the Commission shall do so by 31 December 2018".

WHEREAS, FAO 236, FAO 236-1, FAO 236-2, and FAO 236-3 and FAO 236-4 were enacted as compatible measures to CMMs 2008-01, 2011-01, 2012-01, 2013-01, 2014-01, 2015-01 and 2016-01, respectively.

WHEREAS, in view of the adoption and implementation of CMM 2017-01, there is a need to establish the FAD closure period within the EEZ of the Philippines on July, August and September as a compatible measure to CMM 2017-01.

NOW THEREFORE, the following provisions of this Order are hereby adopted and implemented:

Section 1. FAD Closure Period. The FAD closure period under FAO 236-5 shall take effect for the period of three (3) months starting from July 1 to September 30, 2018.

Section 2. Net Inspection/Accreditation. The BFAR shall conduct annual inspection/re-inspection and marking of purse seine and ring net fishing gears to ensure compliance to the reduced net depth established under FAO 236 which is 115 fathoms.

Section 3. Monitor/Observer Coverage. All purse seine and ringnet catcher vessels fishing on FADs during the FAD closure period shall carry onboard accredited Monitors/Fisheries Observers who shall gather data and recommend further improvements during the aforementioned period.

Section 4. Prohibitions. The following acts shall be prohibited under this FAO:

1. Setting on FADs without annual inspection/re-inspection of nets;
2. Using unauthorized nets during FAD closure period (authorized/allowed reduced net depth shall be 115 fathoms and below as established in FAO 236), and;
3. Setting on FADs without Observers as they are required.

Section 5. Sanctions. Any fishing company or individual who commits any of the above prohibited acts shall be subjected to a fine of One hundred thousand pesos (Php 100,000.00) to Three hundred thousand pesos (Php 300,000.00) for small-scale commercial fishing, Four hundred thousand pesos (Php 400,000.00) to Seven hundred thousand pesos (700,000.00) for medium-scale commercial fishing, and Eight hundred thousand pesos (800,000.00) to One million pesos (1,000,000.00) for large scale commercial fishing. The minimum fine shall be imposed for the first-time offenders. However, BFAR may impose the maximum fine for the fishing company who violated for the fourth time, including confiscation of catch and cancellation of CFVGL.

Section 6. Effectivity. This Order shall take effect fifteen (15) days after the publication in the Official Gazette and/or in two (2) newspapers of general circulation and upon registration with the National Administrative Register and shall be deemed coterminous with CMM 2017-01.

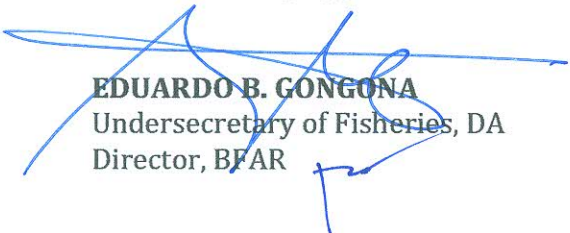
Issued this 6th day of July 2018 at Quezon City, Metro Manila, Philippines

EMMANUEL F. PIÑOL
Secretary

DEPARTMENT OF AGRICULTURE

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Received : 06/26/2018 03:06 PM

Recommending Approval:


EDUARDO B. GONGONA
Undersecretary of Fisheries, DA
Director, BFAR



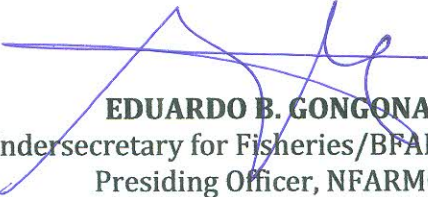
Republic of the Philippines
Department of Agriculture
**National Fisheries and Aquatic Resources
Management Council (NFARMC)**
Elliptical Road, Diliman, Quezon City

NFARMC RESOLUTION No. 13
Series of 2018


**RESOLUTION RECOMMENDING THE EXTENDED IMPLEMENTATION OF FISHERIES
ADMINISTRATIVE ORDER NOS. 236, 254 AND 245-3 AND TO INCORPORATE
NECESSARY AMENDMENTS THERETO**

- WHEREAS,** the National Fisheries and Aquatic Resources Management Council (NFARMC) is a multi-sectoral body composed of representatives from all major stakeholders in Philippine fisheries and serves as an advisory and recommendatory body to the Department of Agriculture (DA);
- WHEREAS,** Section 72 (a) of the Implementing Rules and Regulations of R. A. No. 8550 or The Philippine Fisheries Code, as amended by R. A. No. 10654, states that xxx "NFARMC shall have the following functions: (a) assist in the formulation of national policies for the protection, sustainable development and management of fishery and aquatic resources xxx";
- WHEREAS,** the effectivity of the aforementioned Fisheries Administrative Orders have already lapsed and requires the recommendation of the NFARMC for approval of the Secretary of the Department of Agriculture in accordance with the last paragraph of Section 61 of R. A. No. 8550 as amended by R. A. No. 10654 to facilitate the extension of their implementation;
- WHEREAS,** the FAO 236, 254 and 245-3 should be aligned with the implementation of Conservation Management Measure 2017-01 of the Western and Central Pacific Fisheries Commission;
- NOW, THEREFORE, BE IT RESOLVED,** the implementation of Fisheries Administrative Order Nos. 236, 254 and 245-3 be extended for another three (3) years until February 10, 2021 taking into account the amendment in FAO 245-3 which provides symmetrical net as additional option for net design and mesh size requirement wherein the lower half of the ring net or purse seine should be not less than 3.5 inches;
- RESOLVED, FURTHER,** that copies of this resolution be furnished to the Office of the Secretary of the Department of Agriculture, the Office of the Director of the Bureau of Fisheries and Aquatic Resources and other concerned offices; and
-

UNANIMOUSLY RESOLVED during the second quarter meeting of the council on May 18, 2018 held at the Camp Holiday Resort and Recreation Center, Babak District, Island Garden City of Samal.



EDUARDO B. GONGONA
Undersecretary for Fisheries/BFAR Director
Presiding Officer, NFARMC



DR. YASMIN P. TIROL
Academe



ROSANNA BERNADETTE B. CONTRERAS
Aquaculture



FELIZARDO C. LIM
Fisherfolk – Luzon



ROMEO M. GUPONG
Fisherfolk – Luzon




MARTHA E. CADANO
Fisherfolk – Visayas




CABILI K. ABO
Fisherfolk – Mindanao




DINO H. BARRIENTOS
Small Scale Commercial Fisheries



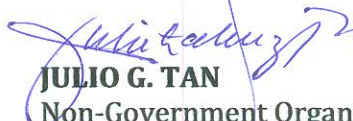
ROBERTO A. BAYLOSIS
Alternate Member, Medium Scale
Commercial Fisheries



FERDINAND Y. LIM
Large Scale Commercial Fisheries



JOAQUIN T. LU
Fish Processing



JULIO G. TAN
Non-Government Organization



DATE: JULY 12, 2018



Republic of the Philippines
Department of Agriculture
Bureau of Fisheries and Aquatic Resources
FCA Compound, Elliptical Road, Diliman, Quezon City
Tel. Nos. 929-95-97 • 929-80-74

FISHERIES ADMINISTRATIVE
ORDER NO. 236-5
Series of 2018

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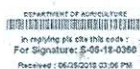
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EMMANUEL F. PIÑOL
Secretary



Recommending Approval:

EDUARDO R. GONGONA
Undersecretary of Fisheries, DA
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Department of Agriculture
BUREAU OF FISHERIES AND AQUATIC RESOURCES
PCA Bldg., Elliptical Road, Diliman, Quezon City

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POSITION: Director

COMPANY: Office of National Administrative Registrar

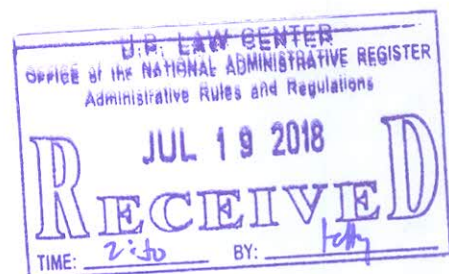
ADDRESS: UP, Diliman, Quezon City

SUBJECT: *Filing of FAO No. 236-5 s. 2018 re: Extension of FAO 236-4 s. 2015 on the Rules and Regulations on the Operation of Purse Seine and Ring Net Vessels using FAD's locally known as Payaos during the FAD Closure period as compatible measures to WCFPC CMM 2017-01 and FAO No. 258 s. 2018 re: Establishment of Tuna Conservation and Management Zones (TCMZ) in the Mindanao/Celebes Sea*

(To be filled up by Records Section)

DELIVERED BY: 
A. Villanueva
Printed Name and Signature

DATE: _____



RECEIVED BY: _____
Printed Name and Signature

DATE: _____