



Republic of the Philippines
Department of Agriculture
Office of the Secretary
Elliptical Road, Diliman, Quezon City



FISHERIES ADMINISTRATIVE
ORDER NO. 246
Series of 2013

SUBJECT: Banning the Operation of Danish Seine and Modified Danish Seine in Philippine Waters

WHEREAS, the Bureau in Fisheries Administrative Order No. 222, Series of 2003, allowed the operation of modified Danish Seines in waters beyond fifteen (15) kilometers from the shoreline of any municipality provided that it shall not use tom weights and any method/accessories that destroy coral reefs, seagrass beds and other fishery marine habitats and that the minimum mesh size of the net shall not be less than three (3) centimetres;

WHEREAS, modified Danish Seines operating in Philippine waters continue to use tom weights and heavily weighted scarelines;

WHEREAS, a tom weight is a required operating component of modified Danish Seines without which the said gear will fail to carry out its ultimate objective to capture fish;

WHEREAS, these tom weights and heavily weighted scarelines contribute to the destruction of marine habitats as well as fishery resources;

WHEREAS, Section 92 of Republic Act 8550 makes it unlawful for any person, natural or juridical, to fish with gear method that destroys coral reefs, seagrass beds, and other fishery marine life habitat as may be determined by the Department;

WHEREFORE, pursuant to Section 92 of Republic Act 8550, this Order banning the operation of the Danish Seine and Modified Danish Seine in Philippine waters is hereby promulgated, and the previous FAO 222, S. 2003, is hereby repealed. For the information, guidance and compliance of all concerned.

SECTION 1. Definition of Terms - The terms used in this Order shall be construed as follows:

- a. *Danish Seine* – is an active fishing gear which consists of a conical net with a pair of wings, the ends of which are connected to a rope embedded with buri, plastic strips, sinkers or any similar materials to serve as scaring/herding device and hauled through a mechanical winch or by manpower.



- b. *Modified Danish Seine* – is an active fishing gear locally termed as holbot-holbot, palusot, zipper, bira-bira, hulahoop, liba-liba, buli-buli and other coined names consists of a conical net with a pair of wings, the ends of which are connected to a rope embedded with buri, plastic strips, sinkers or any similar materials to serve as scaring/herding device as hauling ropes passing through a ring permanently attached to a tom weight (linggote) and hauled through a mechanical winch or by manpower.

SECTION 2. Prohibition – It shall be unlawful for any person to operate municipal and commercial fishing boats using Danish Seine and Modified Danish Seine in catching fish in Philippine waters. However, persons, associations, cooperatives, partnerships, or corporations engaged in Danish Seine and Modified Danish Seine shall be given six (6) months from the effectivity of this Order within which to restructure and/or convert the same to other legitimate fishing gear.

SECTION 3. Penalty – The operator, boat captain, masterfisherman and recruiter/ organizer violating this Order shall suffer a penalty of imprisonment from two (2) to ten (10) years and a fine not less than one hundred thousand pesos (P100,000.00) to five hundred thousand pesos (P500,000.00) or both fine and imprisonment at the discretion of the court. The catch and gear used shall be confiscated.

SECTION 4. Repeal - All orders, rules and regulations or parts thereof which are inconsistent with this Order are hereby repealed or modified accordingly.

SECTION 5. 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 National Administrative Registrar.


Issued this 12th of September, 2013 at Quezon City.


PROCESO J. ALCALA
Secretary
Department of Agriculture

DEPARTMENT OF AGRICULTURE

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Atty. ASIS G. PEREZ
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Bureau of Fisheries & Aquatic Resources

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MEMORANDUM

FOR : **Hon. PROCESO J. ALCALA**
Secretary
Department of Agriculture

FROM : **BUREAU OF FISHERIES AND AQUATIC RESOURCES**

DATE : 21 November 2013

RE : **ERRATUM IN FAO 246 "BANNING THE OPERATION OF
DANISH SEINE AND MODIFIED DANISH SEINE IN
PHILIPPINE WATERS"**



Respectfully submitting the erratum in Fisheries Administrative Order (FAO) 246 "Banning the Operation of Danish Seine and Modified Danish Seine in Philippine Waters", which upon a re-reading we noticed a clerical error in the last statement of Section 3. Instead of,

"The boat and gear shall be confiscated."


The statement should have been,

"The catch and gear used shall be confiscated."

to be in accordance with Section 92 of RA 8550 or the Fisheries Code of the Philippines.

To facilitate the correction of the FAO, we have attached a corrected version of the FAO for signature of the Department of Agriculture Secretary. We will also be publishing the erratum to the FAO once the corrected version of the FAO has been signed.

For your consideration.


Atty. ASIS G. PEREZ
Director

cc: **DRUSILA ESTHER E. BAYATE**
OIC, Assistant Director for Technical Services





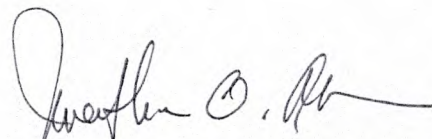
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ERRATUM

In the 30 September 2013 issue of this newspaper, Fisheries Administrative Order (FAO) No. 246, Series of 2013, repealing FAO No. 222, Series of 2003, was published. The last statement of Section 3 on the penal clause should read, 'The **catch** and gear used shall be confiscated,' and not 'boat and gear.' "

PDI-- December 17, 2013


CERTIFIED PHOTOCOPY

