



Republic of the Philippines  
**OFFICE OF THE SECRETARY**  
Elliptical Road, Diliman  
1100 Quezon City

**FISHERIES ADMINISTRATIVE  
ORDER NO. 266 :**  
**(Series of 2020)**

**SUBJECT: RULES AND REGULATIONS ON THE IMPLEMENTATION OF VESSEL MONITORING MEASURES (VMM) AND ELECTRONIC REPORTING SYSTEM (ERS) FOR COMMERCIAL PHILIPPINE FLAGGED FISHING VESSELS AMENDING FAO 260 SERIES OF 2018**

**WHEREAS**, SEC. 119 of Republic Act No. 8550 as amended by Republic Act No. 10654, entitled "An Act to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, Amending Republic Act No. 8550, Otherwise Known as the Philippine Fisheries Code of 1998 and for Other Purposes", provides that no municipal, commercial or distant water fishing vessel shall engage in fishing activity without complying with the vessel monitoring measures promulgated by the Department of Agriculture- Bureau of Fisheries and Aquatic Resources (DA-BFAR) in coordination with the Local Government Units.

**WHEREAS**, in accordance with Section 14 of the Fisheries Code, as amended, the DA-BFAR is mandated to establish a Monitoring, Control and Surveillance (MCS) system in coordination with the LGUs, FARMCs, the private sector and other agencies concerned to ensure that the fisheries and aquatic resources are judiciously and wisely utilized and managed on a sustainable basis and conserved for the benefit and enjoyment exclusively of Filipino citizens.

**WHEREAS**, the Philippines is a signatory to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and is a party to various Regional Fisheries Management Organizations (RFMOs), Western Central Pacific Fisheries Commission (WCPFC), Island Overseas Transport Corporation / Indian Ocean Tuna Commission (IOTC) and International Commission for the Conservation of Atlantic Tunas (ICCAT) and other Tuna RFMOs, as such, the Philippines must implement management measures such as vessel monitoring systems in accordance with the Convention and resolutions issued of the RFMOs.

**WHEREFORE**, the Department in consultation with the NFARMC hereby promulgates the rules and regulation on the vessel monitoring measures) the importance of vessel monitoring measures as an MCS tool to achieve the conservation and management of fisheries and aquatic resources in the Philippines and pursuant to the foregoing laws, the Department of Agriculture, through the Bureau of Fisheries and Aquatic Resources (DA-BFAR) hereby promulgate and implement the following rules and regulations, in accordance with Republic Act No. 8550 as amended by Republic Act No. 10654, for compliance of all concerned.

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**CHAPTER I**  
**General Provisions**

**Section 1. Objectives** - This order has the following objectives:

- a. To enhance monitoring of fishing operations for fisheries management through the implementation of vessel monitoring measures.
- b. To enhance law enforcement to regulate the capture fisheries sector towards achieving long term resource sustainability.
- c. To implement vessel monitoring measures to track fishing behavior for scientific research and data.
- d. To establish a system that will facilitate law enforcement and aid in case building and prosecution of fisheries law violations.
- e. To gather data on fishing effort and catch data by means of an electronic reporting system which will serve as basis for fisheries management measures.
- f. To aid in the seafood traceability and catch documentary requirements of the government.
- g. To ensure safety for fishers thru a tracking device that would monitor the vessels' location during accidents and disasters.
- h. To implement policies embodied in Republic Act 8550, as amended by RA 10654 and its implementing rules and regulations, relating to the vessel monitoring requirements of fishing vessels

**Section 2. Definition of Terms**

For purposes of this Order, the following terms as used herein shall mean and shall be construed as follows:

- a. **Automatic Location Communicator (ALC) or Mobile Tracking-Transceiver Unit** – an automatic tracking device approved by the Bureau to be installed on the fishing vessels that utilizes radio data communications to transmit information concerning the Philippine flagged fishing vessels positions, fishing activities, and any other activity of the vessel as may be required.
- b. **Catcher vessel** - a type of fishing vessel with fishing gear on board and does the actual catching of fish.
- c. **Commercial Fishing** - the taking of fishery species by passive or active gear for trade, business or profit beyond subsistence or sports fishing, to be further classified as:
  - i. **Small scale commercial fishing** – fishing with passive or active gear utilizing fishing vessels of 3.1 gross tons (GT) up to twenty (20) gross tons,



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- ii. **Medium scale commercial fishing** – fishing utilizing active gears and vessels above 20 GT up to one hundred fifty (150) GT, and
  - iii. **Large scale commercial fishing** – fishing utilizing active gears and vessels of more than one hundred fifty (150) GT.
- d. **Commercial Fishing Vessel License (CFVL)** - Refers to a permit to operate specific types of fishing vessel for specific duration in areas beyond municipal waters for demersal or pelagic fishery resources
  - e. **Commercial Fishing Gear License (CFGL)** - Refers to a permit to operate specific types of fishing gear for specific duration in areas beyond municipal waters for demersal or pelagic fishery resources
  - f. **Department** -the Department of Agriculture
  - g. **Director** -the Director of the Bureau of Fisheries and Aquatic Resources
  - h. **Bureau** – Bureau of Fisheries and Aquatic Resources (BFAR).
  - i. **Exclusive Economic Zone (EEZ)** – an area beyond and adjacent to the territorial sea which shall not extend beyond 200 nautical miles from the Philippine baselines as defined under existing laws.
  - j. **Electronic Reporting System (ERS)** – is used to record, report, process, store and send fisheries data (catch, landing, and transshipment).
  - k. **High Seas** – the area beyond Philippine waters which does not belong to the jurisdiction of any other State.
  - l. **IRR** – Implementing Rules and Regulations of the Fisheries Code, as amended (RA 8550, as amended by RA 10654).
  - m. **IUUF** – Illegal, Unregulated and Unreported Fishing.
  - n. **Fish Aggregating Devices (FADs)** – any man-made structures deployed in fishing grounds, either anchored or drifting, which is used mainly for the purpose of aggregating fish.
  - o. **Fisheries Monitoring Center (FMC)** - serves as a land-based component for fisheries monitoring control and surveillance which operates and maintains the Vessel Monitoring Measures either at a national or regional level.
  - p. **FMC Software / VMS / VMM Software** – refers to the Software acquired by the BFAR that has the ability to monitor/track and manage all registered and licensed Philippine Flagged Vessels operating within the Philippine waters and areas beyond national jurisdiction.



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