

Commonwealth of the Philippines
Department of Agriculture and Commerce
Bureau of Science
Fish and Game Administration
Manila

FISH AND GAME ADMINISTRATIVE)
ORDERNO. 13)

February 18, 1939

SUBJECT: Regulations establishing closed season for the conservation of sardines and herrings.

Pursuant to the provisions of Section 79 (b) of the Revised Administrative Code of 1917 and sections 4, 7, 8, 9 and 19 of Act No. 4003, the Fisheries Act, and for the protection and conservation of certain species of fish known as sardines and herrings (Clupeidae), the following rules and regulations are hereby promulgated for the information and guidance of all concerned:

1. Definitions. – For the purpose of this administrative order the following terms as used herein shall be construed as follows:

a) Sardines and herrings shall include all species of fish belonging to the family Clupeidae and known under various common Philippine names such as: Tamban (Tagalog, Visaya, Bicol, Tausog and Samal); tunsoy, tawilis, silinasi (Tagalog); abor kanasi (Bicol) tulis, tunsoy, bilis, Halobaybay (Tagalog); tulai, pinatay (Tausog and Samal); mangai, tamban-tuloy, balantiong, haul haul, tamban-tulog (Visaya), barangan bilis, tulisan (Ilocano).

b) Silinasi, or lupoy shall mean the larvae, fry, or young of any species of sardines and herrings.

2. Prohibition. – It shall be unlawful for any person, association, or corporation to kill or catch, or cause to be killed, caught, or taken from these waters, purchase, sell, offer or expose for sale, any sexually immature sardines, or herrings, or their larvac or fry or young known as silinasi or lupoy during the closed season from November 15 to March 15, inclusive of every year, in that portion of the Visayan Sea, north of the island of Negros and between the northern parts of the island of Panay and Cebu.

3. Restrictions. – Licenses and permits issued under Act No. 4003 on any fishing gear, or regulations or municipal ordinances promulgated thereunder shall contain provisions to the effect that :

(a) The terms and conditions of the license, permit or contract shall be subject to change at the discretion of the Secretary of Agriculture and Commerce.

(b) The licensee or permittee shall be responsible for any and all the acts of his agents and employees, contractors, and employees of the contractors connected with his fishing operation.

4. Exemptions. –

(a) for scientific, educational, personal, or propagation purposes, any person, association, institution or corporation of good repute may be granted by the Secretary of Agriculture and Commerce, free of charge, a permit to catch or cause to be caught in any manner fishes of all sizes otherwise prohibited in this administrative order, subject to such conditions as the Secretary of Agriculture and Commerce may deem wise to impose for the proper protection and conservation of these species.

(b) For propagation purposes not connected with any scientific or educational purposes, the proper municipal official or officials may issue licenses in accordance with Sections 68, 69 and 70 of Act No. 4003, the Fisheries Act, for taking fry of all species for which fees may be fixed and collected, subject to such conditions as the Secretary of Agriculture and Commerce may deem wise to impose.

(c) Fish caught under these licenses but used for the purpose other than those mentioned hereinabove shall be subject to the same penalty as if no permit had been granted.

5. Penalty. – Any violation of the provisions of this administrative order shall subject the offender to prosecution and, upon conviction, he shall suffer the penalty provided for in Section 823 of Act No. 4003, the Fisheries Act, which is fine of not more than two hundred pesos, or imprisonment for not more than six months, or both, in the discretion of the court.

6. Repealing provision. – All administrative orders and regulations or parts thereof inconsistent with the provisions of this administrative order are hereby revoked.

7. Effectivity. – This administrative order shall take effect on July 1, 1939.

(SGD.) **BENIGNO S. AQUINO**
Secretary of Agriculture and Commerce

Recommended by:

(SGD.) **A.S. ARGUELLES**

APPROVED: March 24, 1939

(SGD.) **MANUEL L. QUEZON**
President of the Philippines