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FISHERIES ADMINISTRATIVE
ORDER NO. 258-1
Series of 2024

SUBJECT: AMENDING FISHERIES ADMINISTRATIVE ORDER NO. 258, SERIES OF 2018, ENTITLED "ESTABLISHMENT OF TUNA CONSERVATION AND MANAGEMENT ZONES (TCMZ) IN THE MINDANAO/CELEBES SEA," TO COVER PACIFIC SEABOARD, WEST PHILIPPINE SEA AND SULU SEA

WHEREAS, the high fishing pressure on juvenile tunas causes growth overfishing, resulting in reduced potential yield from the fishery, decreased economic and other benefits that could be obtained from the stock, and negatively impacts on productivity and sustainability of resources is one of the issues in tuna fisheries;

WHEREAS, the juvenile tunas are usually caught by surface fisheries including purse seine, ringnets, and shallow hook and line fishing;

WHEREAS, there is an urgent need to address issues on juvenile catch; the Western and Central Pacific Fisheries Commission (WCPFC) implements several measures including but not limited to CMM 2017-01;

WHEREAS, Fisheries Administrative Order No. 226 sets the ceiling of small tuna by-catch at 10% and regulates the trading of small tunas;

WHEREAS, the Philippines as a signatory to the WCPFC and various RFMOs commits to comply and promote effective management in order to achieve the long-term conservation and sustainable use of highly migratory fish stocks;

WHEREAS, reports of the Philippine Fisheries Observer Program (PFOP) indicate a high incidence of juvenile skipjack, yellowfin, and bigeye tuna catch in the Mindanao-Celebes Sea Area;

WHEREAS, the country also implements compatible measures within the Exclusive Economic Zone (EEZ) in compliance with the relevant WCPFC CMMs;

WHEREAS, tuna handline fishing is considered a more sustainable fishing method;

WHEREAS, there is a long-time clamor among tuna handliners to have their own fishing zones;

WHEREAS, the Establishment of Tuna Conservation and Management Zones (TCMZ) in the Mindanao — Celebes Sea shall be considered as other fishery management areas;

NOW, THEREFORE, the Tuna Conservation and Management Zones (TCMZ) in the Mindanao — Celebes Sea shall be established and considered as other fishery management areas as a compatible measure in the conservation and protection of small tunas and provide fishing zones to handline fisherfolk for sustainable tuna fish production.

SECTION 1. Definition

- a) TCMZ — refers to the Tuna Conservation and Management Zone initially established in the Mindanao — Celebes Sea; composed of payao clusters that are designated as exclusive fishing zones for tuna handlines and conservation areas for small tunas.
- b) Payao or FAD — 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.
- c) Tuna handline — a traditional fishing technique where a single fishing line is held in the hands and targets relatively larger and deep-dwelling tunas.

SECTION 2. Area. The established TCMZ clusters shall be defined in accordance with the coordinates as attached:

****The area bounded within the coordinates is to be determined and agreed upon during the stakeholders' consultation for the establishment of TCMZ clusters.**

SECTION 3. Management. All concerned fishermen groups/ alliances/ cooperatives/ associations, LGUs, and BFAR-RFOs are enjoined to implement this policy. A Memorandum of Agreement (MOA) among BFAR, LGUs, and beneficiary groups shall form the basis of managing the TCMZ.

SECTION 4. Prohibition. It shall be unlawful to catch tuna in the TCMZ area by means of purse seine, ringnet, or other fishing with the use of nets. The allowed fishing gears are handline, troll line, and other hook and line fishing methods.

SECTION 5. Penalty. Pursuant to Section 95 of R.A. 8550 as amended by R.A. 10654, violation of this order upon a summary of administrative liability, the owner, operator, boat captain and master fisherman of the vessel, or the chief executive officer in a corporation, or the managing partner in a partnership shall be punished with confiscation of the catch and fishing gears, and a fine three (3) times the value of the value indicated below, whichever is higher:

- (1) Twenty thousand pesos (P20,000.00) for municipal fishing: Provided, that if the offender fails to pay the fine, he shall render community service;

- (2) Fifty thousand pesos (P50,000.00) for small-scale commercial fishing;
- (3) One hundred thousand pesos (P 100,000.00) for medium-scale commercial fishing; and
- (4) Five hundred thousand pesos (P500, 000.00) for large-scale commercial fishing.

Upon conviction by a court of law, the offender shall be punished with imprisonment of two (2) years to six (6) years and a fine equivalent to twice the administrative fine, confiscation, and forfeiture of fishing gear and catch.

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.

Issued this ___ day of ___, 2024 at Quezon City, Metro Manila, Philippines.

FRANCIS TIU LAUREL, JR.
Secretary
Department of Agriculture

Recommending Approval:

DRUSILA ESTHER E. BAYATE
Undersecretary for Fisheries
Chair, NFARMC

