

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 1988

Introduced by: REP. MEL SENEN S. SARMIENTO

EXPLANATORY NOTE

RA 8550 provides the authorized persons to enforce fishery laws, rules and regulations. However, it is silent on who the specific persons are who will file the corresponding charges on illegal fishing violations. There were previous instances wherein the cases filed by fisherfolk/fish wardens tasked to be the apprehending officers were either not accepted or dismissed due to lack of legal authority to do so. By clearly vesting authority to specific persons to enforce this Code and file complaints against violators based on deputization, the law would be properly implemented.

There are many law enforcement officers designated in this section, but a large number of these belong to members of the community (fish wardens) who are volunteers in nature and deserve to avail financial, personal and legal support from the concerned government agencies. The following considerations should be given: 1) allowance for food, transportation and other incidental expenses 2) health and medical benefits that includes accident and death 3) personal security and 4) legal assistance during prosecution and court proceedings.

The Code provides that the deputation is vested with the Department. However, this authority is also implemented by the local governments as provided in R.A. 7160 – The Local Government Code of 1991. This bill also seeks to limit the agencies that enforce the provision of the law.

Approval of this bill is therefore earnestly requested.


MEL SENEN S. SARMIENTO

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AN ACT
AMENDING SECTION 124 OF REPUBLIC ACT 8550, OTHERWISE KNOWN
AS THE PHILIPPINE FISHERIES CODE OF 1998

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1.** Section 124 of RA 8550 is hereby amended and shall read as follows:

2 Sec. 124 – Persons and Deputies Authorized to Enforce this Code and Other
3 Fishery Laws, Rules and Regulations **AND FILE CORRESPONDING CHARGES**
4 **AGAINST FISHERY VIOLATORS AT COMPETENT COURT.**

5
6 [The law enforcement officers of the Department, the Philippine Navy, Philippine
7 Coast Guard, Philippine National Police (PNP), PNP-Maritime Command, law enforcement
8 officers of the LGUs and other government agencies, are hereby authorized to enforce this
9 Code and other fishery rules, and regulations. Other competent government officials and
10 employees, punong barangays and officers and members of fisherfolk associations who have
11 undergone training on law enforcement may be designated in writing by the Department as
12 deputy fish wardens in the enforcement of this Code and other fishery laws, rules and
13 regulations.] **THE LAW ENFORCEMENT OFFICERS OF THE DEPARTMENT, PNP-**

1 MARITIME COMMAND, AND COMPOSITE TEAM CONSISTING OF LOCAL
2 PNP, LOCAL FISHERY OFFICERS OF FISHERFOLKS ASSOCIATIONS WHO
3 HAVE UNDERGONE TRAINING ON LAW ENFORCEMENT AND MAY BE
4 DESIGNATED IN WRITING BY THE DEPARTMENT AS DEPUTY FISH
5 WARDENS IN THE ENFORCEMENT OF THIS CODE AND OTHER FISHERY
6 LAWS, RULES AND REGULATIONS AND FILE THE CORRESPONDING
7 CHARGES AGAINST FISHERY VIOLATORS AT COMPETENT COURTS. THESE
8 ENFORCERS SHOULD BE IN THEIR PROPER UNIFORMS WITH PROPER
9 IDENTIFICATIONS AND DOCUMENTS DURING THE ENFORCEMENTS OF
10 THE LAW.

11

12 **SECTION 2. Repealing Clause.** – All laws, decrees, executive orders, proclamations, rules
13 and regulations, or parts thereof inconsistent herewith are hereby repealed or modified
14 accordingly.

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16 **SECTION 3. Separability Clause.** – If any provision of this Act is held invalid or
17 unconstitutional, the other provisions not affected hereby shall remain valid and subsisting.

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19 **SECTION 4. Effectivity Clause.** – This Act shall take effect fifteen (15) days after its
20 publication in at least two (2) national newspapers of general circulation.

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22 Approved,

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