

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4045

Introduced by Rep. Gabriel Luis R. Quisumbing

EXPLANATORY NOTE

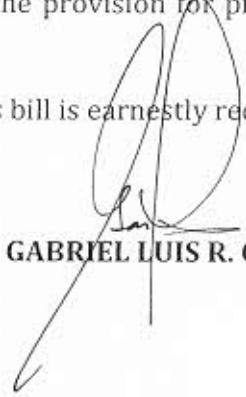
The Constitution under Article XIII, Section 7 explicitly provides that the State shall protect the rights of subsistence fisherfolk, especially of local communities, to the preferential use of the communal marine and fishing resources, both inland and offshore. It shall provide support to such fisherfolk through appropriate technology and research, adequate financial, production, and marketing assistance, and other services. The right of fisherfolk to receive a just share from their labor in the utilization of marine and fishing resources is likewise expressly affirmed in the same provision.

This mandate is echoed in Chapter 1, Section 2 of Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998, which declares that it is the policy of the State to protect the rights of fisherfolk and to extend to them all the support needed to improve their quality of living. Pursuant to these legal provisions, the Department of Agriculture has promulgated rules and regulations and other issuances to give life to these noble principles.

However, the devastation in 2008 wrought by typhoon Frank (International Name: Fengshen), in all vividness, showed us how all these efforts to empower our fisherfolk were put to naught in the absence of adequate disaster preparedness. In the wake of typhoon Frank, twenty-two fishing vessels, aside from the ill-fated M/V Princess of the Stars, were either damaged or destroyed. Some remain missing together with their crew. Worse, some of the crew members who were actually found could not be identified and could not be sent back to their families who waited in agony as they wanted nothing else but to give them a proper burial. All this could have been avoided had the fishing vessels been seaworthy, and the crew properly equipped with sufficient identification, training and paraphernalia.

This bill is introduced to give paramount importance to sufficient identification of fishing vessels and its crew, and the provision for proper training and equipment relating to disaster preparedness.

In view of the foregoing, early passage of this bill is earnestly requested.


GABRIEL LUIS R. QUISUMBING

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AN ACT
AMENDING SECTIONS 19, 28, 30, 37, 38 AND 65 OF REPUBLIC ACT NO. 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 19 of Republic Act No. 8550 ("RA 8550"), otherwise
2 known as the Philippine Fisheries Code of 1998, is hereby amended to read as
3 follows:

4
5 *"Sec.19. Registry of Municipal Fisherfolk. -* The LGU shall maintain a
6 registry of municipal fisherfolk, who are fishing or may desire to fish
7 in municipal waters for the purpose of **IDENTIFICATION OF THESE**
8 **INDIVIDUALS, OF** determining priorities among them, of limiting
9 entry into the municipal waters, and of monitoring fishing activities
10 and/or other related purposes: *Provided, That the FARMC shall submit*
11 *to the LGU the list of priorities for its consideration.*

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13 The LGUs shall also maintain a registry of municipal fishing vessels
14 by type of gear and other boat particulars with the assistance of the
15 FARMC. **THIS REGISTRY SHALL LIKEWISE BE POSTED IN**
16 **BARANGAY HALLS OR OTHER STRATEGIC LOCATIONS WHERE IT**
17 **SHALL BE OPEN TO PUBLIC INSPECTION."**

18
19 **Sec. 2.** Section 28 of RA 8550 is hereby amended to read as follows:

1
2 *Sec. 28. Commercial Fishing Vessels Registration.* - The registration,
3 documentation, inspection and manning of the operation of all types
4 of fishing vessels plying Philippine waters shall be in accordance with
5 existing laws, rules and regulations, **ESPECIALLY THOSE**
6 **PERTAINING TO THE SEAWORTHINESS OF THE VESSELS, THE**
7 **SAFETY OF THEIR CREW, AND DISASTER MANAGEMENT PLANS."**
8

9 **Sec 3.** Section 30 of RA 8550 is hereby amended to read as follows:
10

11 *"Sec. 30. Renewal of Commercial Boat License.* - The commercial
12 fishing boat license shall be renewed every three (3) years:
13 **PROVIDED, THAT THE FISHING VESSEL HAS PASSED THE**
14 **EVALUATION OF THE APPROPRIATE GOVERNMENT AGENCIES**
15 **WITH RESPECT TO ITS SEAWORTHINESS AND ITS COMPLIANCE**
16 **WITH DISASTER MANAGEMENT MEASURES AS MAY BE PROVIDED**
17 **BY LAW, RULES AND REGULATIONS."**
18

19 **Sec. 4.** Section 37 of RA 8550 is hereby amended to read as follows:
20

21 *"Sec. 37. Medical Supplies and Life-Saving Devices.* - All fishing
22 vessels shall be provided with adequate medical supplies and life-
23 saving devices to be determined by the Occupational Safety and Health
24 Center: *Provided, That* [a fishing vessel of twenty (20) GT or more
25 shall have as a member of its crew a person qualified as a first aider
26 duly certified by the Philippine National Red Cross] **ALL MEMBERS**
27 **OF THE CREW OF FISHING VESSELS SHALL BE REQUIRED TO**
28 **UNDERGO MANDATORY BASIC FIRST-AID AND DISASTER**
29 **PREPAREDNESS TRAINING UNDER THE PHILIPPINE NATIONAL**
30 **RED CROSS, FREE OF CHARGE; PROVIDED FURTHER, THAT ALL**
31 **FISHING VESSELS SHALL BE EQUIPPED WITH STANDARD FIRST-**
32 **AID KITS AS MAY BE DETERMINED BY THE PHILIPPINE**
33 **NATIONAL RED CROSS."**

1
2 **Sec. 5.** Section 38 of RA 8550 is hereby amended to read as follows:
3

4 "Sec. 38. *Reportorial Requirements.* - Each commercial fishing
5 vessel shall keep a daily record of **THE COMPLETE NAMES OF THE**
6 **MEMBERS OF THE CREW ON BOARD**, fish catch and spoilage,
7 landing points, and quantity and value of fish caught, and off-loaded
8 for transshipment, sale and/or other disposal. Detailed information
9 shall be duly certified by the vessel's captain and transmitted monthly
10 to the officer or representative of the Department, at the nearest
11 designated landing point."
12

13 **Sec. 6.** Section 65 of RA 8550 is hereby amended to read as follows:
14

15 *Sec. 65. Functions of the Bureau of Fisheries and Aquatic Resources.-*
16 As a line bureau, the BFAR shall have the following functions:

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18 c. issue identification cards **AND CORRESPONDING STAINLESS**
19 **STEEL NAME TAGS SIMILAR TO THOSE USED BY MILITARY**
20 **PERSONNEL**, free of charge, to fishworkers engaged in commercial
21 fishing. **THESE IDENTIFICATION CARDS AND TAGS SHALL**
22 **CONTAIN THE COMPLETE NAME OF THE MEMBER OF THE CREW,**
23 **HIS/HER RELIGION, BLOOD GROUP WITH RH FACTOR, AND**
24 **SOCIAL SECURITY NUMBER. THE CREW MEMBER SHALL ATTEST**
25 **TO THE TRUTH OF THE FOREGOING INFORMATION AS STATED IN**
26 **HIS/HER IDENTIFICATION CARD AND TAG. SUCH ATTESTATION**
27 **SHALL BE STATED EXPLICITLY IN THE CORRESPONDING**
28 **IDENTIFICATION CARD: x x x"**
29

30 **Sec. 7. Repealing Clause.** - All laws, decrees, orders, rules and regulations or
31 other issuances or parts thereof inconsistent with the provisions of this Act are
32 hereby repealed or modified accordingly.
33

1 **Sec. 8. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its
2 publication in a newspaper of general circulation in the Philippines.

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4 Approved,