

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. **1263**



By Honorable Jose Carlos L. Cari

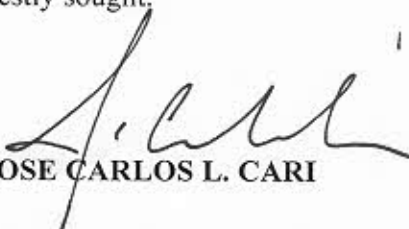
EXPLANATORY NOTE

Our country can rightly be considered as a maritime nation dependent to a large extent on a healthy coastal environment. It has a 17,460 kilometer coastline and 226,000 square kilometers of coastal waters. Sixty per cent (60%) of the country's municipalities and almost all major cities are coastal. By 2015, it is estimated that almost Fifty One Million (51,000,000) Filipinos will be living in coastal areas. More than fifty one per cent (51%) of the country's protein are derived from marine fisheries. Despite these numbers, not much attention is given for the preservation and enhancement of coastal marine resources. For 2013, the allocated budget for the Bureau of Fisheries and Aquatic Resources (BFAR) of P4,609,672,000 account for only eight per cent (8%) of the total budget allocation for the Department of Agriculture and only 0.23% of the total budget allocation of Two Trillion Six Billion Pesos (P2,006,000,000,000). Of the P4,609,672,000 budget of the BFAR, only Twenty Three per cent (23%) or P1,055,874,000 is earmarked for capital outlay while the rest is for personal services and maintenance and other operating expenses. This explains why the BFAR is more inclined towards programs aimed increasing production rather than preserving coastal marine resources and ensuring its sustainability.

Obviously, there are not enough funds to finance the programs and projects needed for a healthy and sustainable coastal environment. To date, over seventy per cent (70%) of our coral reefs are in poor condition and of the 450,000 hectares of mangroves in 1918, less than 140,000 hectares exist today. The wanton destruction and exploitation of our coastal marine resources have resulted in lesser fish catch, loss of marine biodiversity and declining fish stocks to sustain an increasing population. Funds are needed to rehabilitate, improve and enhance our coastal marine resources. If managed properly, coastal areas and its resources can continue to benefit the Philippine economy and the well-being of many coastal residents.

This bill seeks to provide an annual allocation of at least Five Billion Pesos (P5,000,000,000), to be given to coastal cities and municipalities, for a period of ten (10) years for the implementation of programs aimed solely at rehabilitating and improving our coastal marine resources. The distribution of the allocation shall be based upon the municipal waters of coastal cities and municipalities with the Bureau of Fisheries and Aquatic Resources (BFAR) as the implementing agency. The ten-year period provided for the annual allocation would suffice for local governments purchase the equipment and machinery necessary for the protection of coastal marine areas, for programs to be initiated and take effect, and for marine resources to be once again sustainable for the growing needs of the country. With the annual allotment to fund programs aimed solely at the enhancement and preservation of our country's coastal marine resources, the development and preservation of marine life in our country will be assured.

In view of the foregoing, the approval of this bill is earnestly sought.


JOSE CARLOS L. CARI

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AN ACT
PROVIDING FUNDS FOR THE COASTAL MANAGEMENT DEVELOPMENT
PROGRAMS OF COASTAL CITIES AND MUNICIPALITIES WITH THE AIM OF
ENHANCING, REHABILITATING AND IMPROVING THE COUNTRY'S COASTAL
MARINE RESOURCES

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

SECTION 1. *Title.* This Act shall be known as the Coastal Areas Rehabilitation and Improvement Act of 2012.

SECTION 2. *Definition of Terms.*

- a. BFAR – shall refer to the Bureau of Fisheries and Aquatic Resources.
- b. Coastal marine resources – includes fish, coral reefs, sea grass beds, mangroves, and all other aquatic flora and fauna and other living resources of the coastal marine environment.
- c. DILG – shall refer to the Department of Interior and Local Government.
- d. FARMC – shall refer to the Fisheries and Aquatic Resources Management Council.
- e. Municipal waters – as defined under Section 58 of Republic Act No. 8550, includes not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline including offshore islands and fifteen (15) kilometers from such coastline. Where two (2) municipalities are so situated on opposite shores that there is less than thirty (30) kilometers of marine waters between them, the third line shall be equally distant from opposite shore of the respective municipalities.
- f. NAMRIA – shall refer to the National Mapping and Resource Information Authority.

SECTION 3. *Continuing Allotment.* An annual allocation in an amount equivalent to at least Five Billion Pesos (P5,000,000,000) shall be provided for the rehabilitation and improvement of coastal marine life and resources. For this purpose, the Department of Budget and Management (DBM) is hereby mandated to include annually for ten (10) years from the effectivity of this Act, in the President's program of expenditures, the afore-stated amount for the implementation of this Act. Such amount shall be added to the annual budget of the Department of Agriculture, and shall be



immediately released to coastal cities and municipalities without any condition except those imposed by the BFAR in accordance with this Act.

SECTION 4. *Period of Effectivity.* This Act shall be effective for a period of ten (10) years from the date of its enactment.

SECTION 5. *Implementing Agency.* The BFAR shall be the implementing agency to achieve the objectives of this Act. For this purpose, the BFAR is tasked with the allocation and distribution of the allotted amount to the coastal cities and municipalities in accordance with its prescribed rules and regulations. The BFAR shall likewise provide technical assistance to coastal cities and municipalities, as well as monitor the implementation of programs established in accordance with this Act.

SECTION 6. *Distribution to Local Governments.* The annual allotted amount shall be allocated and distributed by the BFAR to coastal cities and municipalities based on the extent of their municipal waters, as determined by the NAMRIA, and upon submission and approval of the developmental programs by the local governments. The NAMRIA, in accordance with its mandate as the central mapping agency of the country, is tasked to establish and delineate the municipal waters of coastal cities and municipalities, as well as resolve boundary disputes in relation thereto.

SECTION 7. *Fund Utilization.* The allocation shall fund programs such as the purchase of equipment and machineries to be used for coastal marine protection, establishment of artificial reefs, rehabilitation and maintenance of marine sanctuaries, livelihood programs for fisher folks, programs for the training and capability-building for personnel directly involved in coastal marine enhancement and protection such as, but not limited to, the *Bantay Dagat*, and finance other programs aimed at rehabilitating and improving our coastal marine life and resources. The annual allocation received by coastal cities and municipalities under this Act shall not be utilized for payment of any personnel, salaries, emoluments and other employment benefits of whatever nature.

SECTION 8. *Role of the Local Government Unit. Designation of a Coastal Area Officer per Coastal City or Municipality.* Each coastal city and municipality, in consultation with its Fisheries and Aquatic Resource Management Councils (FARMC) and with the concurrence from its *Sanggunian*, shall formulate its own developmental programs for the rehabilitation and improvement of their coastal resources which shall be submitted to the BFAR for approval. For this purpose, there shall be designated, in each coastal city or municipality, a Coastal Area Officer to spearhead and monitor its own programs established under this Act. The Coastal Area Officer shall coordinate with the BFAR. The salaries and other benefits for a Coastal Area Officer shall be sourced from the local budget of the coastal city or municipality.

SECTION 9. *Reportorial Requirements.* The city or municipality referred to in the preceding section shall furnish the Department of Interior and Local Government, the Bureau of Fisheries and Aquatic Resources, and other like agencies, of its development plans and programs for each year.

SECTION 10. *Implementing Rules and Regulations.* The BFAR is hereby mandated to formulate rules and regulations for the implementation of this Act within thirty (30) from its effectivity. Such rules and regulations shall take effect upon publication in a newspaper of general circulation.

SECTION 11. *Repealing Clause.* All laws, executive orders, rules and regulations or parts thereof which may be inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 12. *Effectivity Clause.* This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.