

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

16TH CONGRESS
First Regular Session

HOUSE BILL NO. 3768



Introduced by **REP. EVELINA G. ESCUDERO**

EXPLANATORY NOTE

This year, five fishing vessels were apprehended in Bicol waters and charged with the conduct of illegal fishing activities. The arrests only served to highlight the fact that illegal fishing has already become a serious and major concern in the region.

Illegal fishing is now not only rampant but has become a large-scale operation in Bicol. Illegal-fishing vessels originating from outside the region enter the vast Bicol waters, particularly the Sorsogon, Masbate and Albay waters as well as the Pasacao area, with seeming impunity. The boats are sometimes equipped with high-powered weapons, hampering the efforts and already limited capabilities of the Bureau of Fisheries and Aquatic Resources (BFAR) and of the Coast Guard.

Clearly, there is an urgent need to provide an effective solution to this serious problem which not only affects the all-important fishing industry in Bicol but also results in the degradation of the region's marine ecosystems.

The most significant step that can be taken is to strengthen the capabilities and resources of those who already have the mandate to guard Bicol waters --- the Philippine Navy, the BFAR, the Coast Guard, and the maritime component of the Philippine National Police (PNP). This bill seeks to do this thru the creation of a special agency: the Bicol Region Anti-Illegal Fishing Authority (BRAIFA) which shall be under the joint administration of the Philippine Navy and the BFAR and with manpower complements from the Coast Guard, the Philippine National Police, and other concerned government agencies.

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


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Representative
1st District, Sorsogon


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Representative
2nd District, Sorsogon



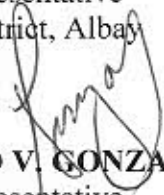
EDCEL B. LAGMAN

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AL FRANCIS C. BICHARA

Representative
2nd District, Albay



FERNANDO V. GONZALEZ

Representative
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1st District, Camarines Sur

DIOSDADO MACAPAGAL ARROYO

Representative
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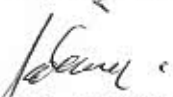


MARIA LEONOR GERONA-ROBREDO

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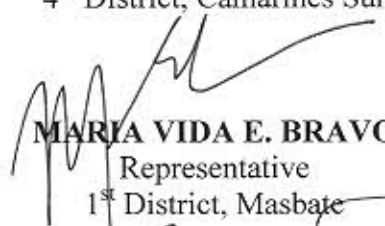
FELIX WILLIAM B. FUENTEBELLA

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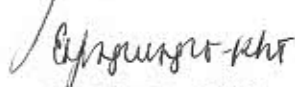
SALVIO B. FORTUNO

Representative
5th District, Camarines Sur



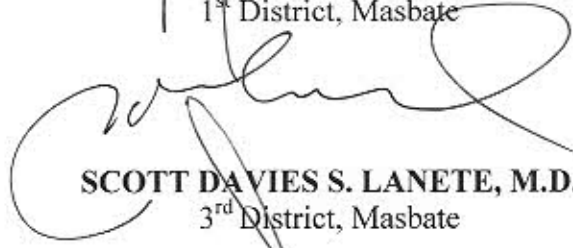
MARIA VIDA E. BRAVO

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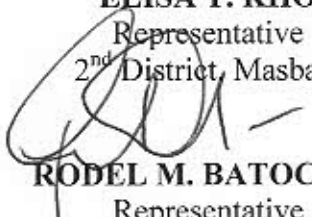
ELISA T. KHO

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2nd District, Masbate



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RODEL M. BATOCABE

Representative
AKO BICOL Party List

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ANTHONY M. BRAVO
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ANAKPAWIS Party List



DELPH GAN LEE
Representative
AGRI Party List

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16TH CONGRESS
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HOUSE BILL NO. 3768

Introduced by **REP. EVELINA G. ESCUDERO**

AN ACT
CREATING THE BICOL REGION ANTI-ILLEGAL FISHING AUTHORITY
(BRAIFA) AND PROVIDING FUNDS THEREFOR.

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

SECTION 1. This Act shall be known as the “*BRAIFA Creation Act of 2009*”.

SEC. 2. There is hereby created the Bicol Region Anti-Illegal Fishing Authority or BRAIFA, hereinafter referred to as the *Authority*.

SEC. 3. *Duties of the BRAIFA.* The BRAIFA shall have the following responsibilities within the Bicol region:

1. Patrolling of Bicol regional waters;
2. Patrolling of contiguous fishery resources (e.g., bays which straddle several municipalities, cities, or provinces) in the absence of or upon request of existing IFARMCs (Integrated Fisheries and Aquatic Resources Management Councils);
3. Enforcement of anti-illegal fishing laws, rules and regulations in Bicol regional waters and contiguous fishery resources including arrest/apprehension of suspected illegal fishers, impoundment of vessels & equipment used in illegal fishing, and filing of cases against suspected illegal fishers;
4. Assistance upon request of LGUs and anti-illegal fishing units or teams created by LGUs, including *Bantay Dagat* and the Fisheries & Aquatic Resources Management Councils (FARMCs); and
5. Other duties and responsibilities as may be provided by law.

SEC. 4. *Composition of the Authority.* The Authority shall be composed of personnel who shall be detailed from the offices of the following government agencies:

1. The Bureau of Fisheries and Aquatic Resources (BFAR) under the Department of Agriculture (DA),
2. The Department of Environment and Natural Resources (DENR),
3. The Philippine Coast Guard, and
4. The Philippine National Police Maritime Command.

Further, the Philippine Navy shall assign at least two (2) of its vessels with firepower capability for the use of the Authority. The vessels' corresponding officers and personnel shall become part of the Authority.

SEC. 5. *Co-Administrators of the Authority.* The highest-ranking official of the BFAR assigned to the Authority and the highest-ranking officer of the Philippine Navy assigned to the Authority shall serve as its Co-Administrators.

SEC. 6. *The BRAIFA Advisory Council.* There shall be a BRAIFA Advisory Council to be composed of the Governors of the six Bicol provinces. The Council shall meet at least twice every year with the Authority for feedback and reports.

SEC. 7. *The BRAIFA Fund.* For purposes of this Act, there is hereby created a BRAIFA Fund which shall be appropriated yearly out of the allocation of the Department of Agriculture (DA) in the General Appropriations Act (GAA).

For the same purpose, the DA may seek financial assistance from any source and may receive any donation therefrom.

SEC. 8. All existing laws, orders, decrees, rules and regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 9. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

Approved,