

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SIXTEENTH CONGRESS

First Regular Session

House Bill No. 3791



Introduced by Hon. Delphine Gan Lee

EXPLANATORY NOTE

Probably one of the most unusual freshwater fish found anywhere in the world, the *Sinarapan* or *Tabios* is endemic to Lake Buhi and Lake Bato in the Camarines Sur Province. It was first found in 1902 where it was described as the smallest known vertebrate. Extensive research on the *Sinarapan* showed that the biggest specimen only grew as big as 15 millimeters with an average length of only 12.5 millimeters.¹ *Sinarapan* are a kind of goby and they are transparent save for their black eyes. The *Sinarapan* is unique among the fish species of the world. It is the only known species of goby known to exist only in freshwater. The adults also retain many characteristics of the larval form. This unique strategy to cope with the rigors of water life has been of great interest to scientists. The small size of this fish also allows it to inhabit places that bigger fish cannot occupy. This is referred to by scientists as microhabitats that led to the continued, albeit endangered, survival of this species.

Capturing the *Sinarapan* is an art. Fishermen first cut and trim a bamboo stalk. A palm leaf is then wrapped around the top. The stalk is next anchored to the bed of the lake with the leaf functioning both as a beacon and trap.² *Sinarapan* is an important food source for the Bicolano fishermen. These are caught in big quantities and then dried to make a meal called *badi*. *Sinarapan* are also fried in oil, or boiled with vegetables, and have a delicious flavor.

¹ <http://www.nowpublic.com/environment/Sinarapan-tabios-worlds-smallest-edible-fish-endangered>

² <http://www.ekolife.com.ph/tours/camarines-sur/Sinarapan.html>

When more are caught than the local market demands, the surplus is salted or dried in cakes and exported to the neighboring towns in Camarines Sur and Albay Provinces.³

However, *badi* is no longer served in the native restaurants. Years of neglect and abuse have seriously depleted the population of the Sinarapan, which are found nowhere else on the planet. Moreover, the introduction of various non-native fish has also been a factor in depleting the numbers of Sinarapans to at times critically low levels. It is now considered an endangered species⁴ and is in dire need of protection.

Studies conducted by Dr. Victor Soliman⁵ showed that Sinarapan can still be found in Lakes Buhi and Bato. The fish now thrives in Lakes Manapao, Katugday and Makuwaw, which are tarns or mountain lakes in Mt. Asog in Buhi, Camarines Sur. The fish stock in Lakes Buhi and Bato have not recovered significantly from the adverse effects of overfishing. There are intrinsic and extrinsic factors that can explain the low population of Sinarapan in Lakes Buhi and Bato. Primarily, the stock had experienced the immediate and lagged effects of biological overfishing of various forms – growth, recruitment and ecosystem. In growth overfishing, very high proportion of immature Sinarapan was caught or died from fishing operations. Recruitment overfishing results from excessive proportion of adults being fished or dying in fishing.⁶

This bill seeks to conserve the Sinarapan species through the creation of the Center for the Conservation of the Sinarapan and by providing measures and prohibitions that will aid in the preservation efforts for this national treasure.


HON. DELPHINE GAN LEE
Representative, AGRI Party-List

³ <http://www.aenet.org/volcano/sinarap.htm>

⁴ Endangered Wildlife and Plants of the World, Anne Hildyard, Marshall Cavendish Corporation, 2001.

⁵ Dr. Victor Soliman is the founder of the Sinarapan Conservation Initiative in Bicol University Tabaco Campus, Tabaco City, Philippines.

⁶ <http://haribon.org.ph>

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1 **AN ACT**
2 **CREATING A CENTER FOR THE CONSERVATION**
3 **OF THE SINARAPAN AND PROVIDING MEASURES FOR ITS PROTECTION**

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

4 SECTION 1. *Short Title.* – This Act shall be known as the “Sinarapan Protection Act
5 of 2013.”

6 SECTION 2. *Declaration of Policy.* – Pursuant to the Constitution, it is the policy of
7 the State to protect and advance the right of the people to a balanced and healthful ecology in
8 accord with the rhythm and harmony of nature. It shall also be the policy of the State to
9 conserve the country’s wildlife resources and their habitats for sustainability. Recognizing
10 that the Sinarapan is included in the United Nations Red List of Threatened Species, in
11 furtherance of this national policy, this Act shall have the following objectives:

12 (A) To conserve and protect the Sinarapan and their habitats to promote ecological
13 balance and enhance biological diversity;

14 (B) To regulate the collection and trading of Sinarapan;

15 (C) To pursue, with due regard to the national interest, the Philippine commitment to
16 international obligations, particularly those concerning the protection of wildlife

and their habitat;

(D) To initiate and support scientific studies on the conservation of the Sinarapan.

SECTION 3. *Definition of Terms.* – For purposes of this Act, the term “*Sinarapan*” or “*Tabios*” shall refer to a species of goby endemic to the Philippines and is scientifically known as *Mistichthys luzonensis*.

SECTION 4. *Center for the Conservation of the Sinarapan.* – The Center for the Conservation of the Sinarapan is hereby created. It shall be an office under the Bureau of Fisheries and Aquatic Resources.

SECTION 5. *Powers and Functions of the Center.* – For the implementation of the purposes and objectives of this Act, the Center is hereby authorized to organize and establish a technical staff composed of qualified personnel and may hire the services of experts and consultants, both local and foreign. Further, it may enlist the services of government officials and employees as may be necessary. The Center shall have the following functions:

(A) Initiate programs and projects as may be necessary for the conservation and protection of the Sinarapan and coordinate the implementation thereof;

(B) Coordinate programs as may be required including the delineation of any areas within the Sinarapan’s habitat to ensure the survival of the species;

(C) Accept donations in cash or in kind from domestic and international sources in support of its activities subject to the appropriate rules of the Commission on Audit;

(D) Initiate programs and activities geared towards encouraging the active participation and involvement of the private sector and the academe in the conservation efforts of the Center;

1 (E) Enter, make and execute contracts of any kind as may be necessary or incidental
2 to the attainment of its purposes with any person or corporation;

3 (F) Call on any government agency, office or instrumentality or local governments for
4 such assistance as it may deem necessary for the performance of its functions and
5 powers;

6 (G) Encourage, support, coordinate and/or undertake scientific studies and researches
7 concerning the Sinarapan and cause the publication of such studies as may be
8 deemed appropriate by the Center;

9 (H) Do all such things, transact all such business and perform such functions directly
10 or indirectly necessary, incidental or conducive to the attainment of the purposes
11 and objectives of this Act.

12 SECTION 6. *Illegal Acts.* – It shall be unlawful for any person to willfully and
13 knowingly exploit Sinarapan and their habitats, or undertake the following acts, except as
14 may be provided by the Center:

15 (A) Fishing, capturing, killing, or destroying Sinarapan species;

16 (B) Inflicting injury which cripples and/or impairs the reproductive system of
17 Sinarapan species;

18 (C) Dumping of waste products in the natural habitat of the Sinarapan;

19 (D) Introduction of foreign species in the natural habitat of the Sinarapan;

20 (E) Trading, transporting, collecting, hunting or possession of Sinarapan, their by-
21 products and derivatives;

22 (F) Any act analogous to the foregoing with the effect of harming or depleting the
23 Sinarapan population.

24 SECTION 7. *Penalties for Violations of this Act.* – The penalty of imprisonment of a

1 minimum of six (6) years and one (1) day to twelve (12) years and/or a fine of One hundred
2 thousand pesos (P100,000.00) to One million five hundred thousand pesos (P1,500,000.00)
3 shall be imposed on any person who violates any of the provisions of this Act.

4 SECTION 8. *Funding.* – The Center shall have an initial funding of TEN MILLION
5 PESOS (P10,000,000.00).

6 SECTION 9. *Implementing Rules and Regulations.* – The Secretary of the Department
7 of Agriculture and the Secretary of the Department of Environment and Natural Resources
8 shall issue the implementing rules and regulations necessary for the implementation of this
9 Act within thirty (30) days from its date of effectivity.

10 SECTION 10. *Separability Clause.* – If any provision or part hereof, is held invalid or
11 unconstitutional, the remainder of the law or the provision not otherwise affected shall remain
12 valid and subsisting.

13 SECTION 11. *Repealing Clause.* – Any law, presidential decree or issuance,
14 executive order, letter of instruction, administrative order, rule or regulation contrary to or
15 inconsistent with the provisions of this act is hereby repealed, modified or amended
16 accordingly.

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