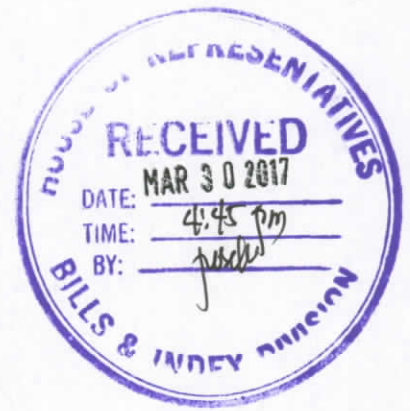


REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. **5390**



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

This measure seeks to professionalize and regulate the practice of fisheries professionals and upgrade the standard of fisheries education in the country through the licensure examination being administered by the Professional Regulatory Commission (PRC). This intent is provided for in Republic Act 8550 (Fisheries Code of 1998) and Republic Act 8435 (Agriculture and Fisheries Modernization Act of 1997) – that, it is the policy of the state to provide priority attention and support to professionalize the practice of fisheries profession in the Philippines which will be beneficial to sustain food security and economic development of the country, and to upgrade the standard of fisheries education. Through its licensure examination, the PRC is complimenting the effort of the CHED in upgrading the standard of fisheries education.

The bill provides for the following: the scope of the practice of the fisheries profession; mandates continuing professional education and development of fisheries professionals for global competitiveness; provides penal provisions for violation of its mandatory provisions; encourages the hiring of licensed fisheries professionals; determines the composition, tenure and qualifications of the fisheries regulatory board; and empowers the board of fisheries to regulate compliance by private and public institutions to the provisions of this Act.

Throughout the country, candidates for the licensure examination of the PRC come from more than 80 fishery schools. These schools vary widely in terms of their resources (faculty and facilities), curricular offerings, and amounts of budget support from the government. Many of these schools started as high schools and were later converted to college. They continued offering fisheries courses without upgrading their facilities and employed practically the same faculty, many of whom were not trained for college teaching.

Thus, it is imperative to screen and standardize the quality of fisheries graduates; regulate the practice of fisheries profession throughout the country; and prevent the practice of foreign professionals without permit.

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


GARY C. ALEJANO

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AN ACT
REGULATING THE PRACTICE OF FISHERIES PROFESSION IN THE
PHILIPPINES, CREATING FOR THE PURPOSE A PROFESSIONAL REGULATORY
BOARD OF FISHERIES AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I
TITLE, DECLARATION OF POLICY, OBJECTIVES AND DEFINITION OF TERMS

SECTION 1. *Short Title.* – This Act shall be known as the “*The Philippine Fisheries Profession Act of 2017*”.

SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State to provide priority attention and support to professionalize the practice of the fisheries profession in the Philippines, which will be beneficial to sustain food security and economic development of the country, and to upgrade the standards of fisheries education. These policies are provided for in Republic Act 8550 (Fisheries Code of 1998) and Republic Act 8435 (Agriculture and Fisheries Modernization Act of 1997).

Pursuant to this national policy, the government shall: (1) provide a program to set up an appropriate and healthy environment to the practice of the fisheries profession; and (2) establish quality standards for fisheries professionals that will guide fisheries schools / fisheries colleges, through the Commission on Higher Education (CHED), for the development of curricular programs that will attain the high standards of the profession.

SEC. 3. *Objectives.* – The Act provides for and shall govern:

- a. the administration and conduct of licensure examination, and registration and licensing of fisheries professionals;
- b. the supervision and regulation of the practice of the fisheries profession in the Philippines; and
- c. the upgrading of the fisheries profession and the professionalization of fisheries professionals.

SEC. 4. *Definition of Terms.* – For purposes of this Act, the following terms shall mean:

- a. Aquaculture – refers to fishery operations involving all forms of farming fish and other aquatic plants and animals in fresh, brackish, and marine waters;
- b. Aquatic Resources – shall include fish and other living resources of the aquatic environment that have/will have commercial value when utilized;

- c. Board – refers to the Professional Regulatory Board of Fisheries;
- d. Commission – refers to the Professional Regulation Commission;
- e. Fisheries – refers to all activities relating to the science and act or business of fishing, culturing, preserving, processing, marketing, developing, conserving and managing of aquatic resources and environment;
- f. Fisheries Sector – refers to the sector engaged in the production, growing, harvesting, processing, marketing, developing, conserving and managing of aquatic resources and environment;
- g. Fisheries Profession – the practice of the science and technical knowledge and skills of all areas of fisheries (catching, farming, processing, marketing, management, and conservation of aquatic resources and environment);
- h. Fisheries Professional – refers to a person who is technically qualified and competent to practice the fisheries profession and who has been issued a certificate of registration and professional identification card as fisheries professional by the Board and the Commission;
- i. Accredited Professional Organization (APO) – refers to an integrated national organization, association, or society that is granted accreditation by the Board and the Commission as the Accredited Professional Organization of Fisheries Professionals; and
- j. Scope of Examination – refers to the range of topics or subjects provided by the Board in the syllabi of the four areas of scope of examination for fisheries professionals in Section 9 (m) and 15 of this Act.

SEC. 5. Scope and Practice of the Fisheries Profession. – The scope and practice of the fisheries profession is the application of the fundamental and known principles of fisheries to the peculiar conditions and requirements of fisheries as an industry and as a field of science and shall include, but not be limited to the following:

- a. Consultation, evaluation, investigation and management services in fisheries;
- b. Preparation of fisheries designs, plans, specifications, project feasibility studies and estimates, and the supervision and other management services in the construction, installation, operation and maintenance of fishing vessels, farm and facilities, post-harvest equipment and facilities and other fisheries facilities, systems and technologies, in collaboration with other disciplines when needed;
- c. Conduct of research and development, training and extension work in fisheries, aquatic resource, aquaculture and post-harvest technologies;
- d. Management of fisheries resources and manufacture of fishery products, and/or marketing of fish and fishery products;
- e. Teaching fisheries courses in higher institutions of learning in the Philippines recognized by the government;
- f. Study and treatment of fish diseases and parasites that affect fishing, post-harvest and aquaculture activities and projects; and
- g. Employment in the government and private sectors where the positions require the knowledge and expertise of a fisheries professional except in small-scale fisheries

1 operations of municipal fisher folk such as fishing, aquaculture, fish processing where
2 licensed fisheries professionals are not required.

3
4 Scientists and professionals in closely related fields to fisheries and in support of
5 multidisciplinary fisheries activities such as economics, social science, engineering, marine
6 biology, oceanography/limnology and others who may immerse themselves in fisheries activities
7 that do not require technical knowledge in fisheries, are exempted from the licensure
8 requirements for fisheries professionals.

9
10
11 **ARTICLE II**
12 **PROFESSIONAL REGULATORY BOARD OF FISHERIES**
13

14 **SEC. 6. *Creation and Composition of the Professional Regulatory Board of Fisheries.***

15 – There is hereby created a Professional Regulatory Board of Fisheries to be composed of a
16 Chairman and three (3) Members to be appointed by the President of the Philippines from a list
17 of three (3) recommendees of the Professional Regulation Commission for each position chosen
18 from a list of five (5) nominees for each position submitted by the Accredited Professional
19 Organization of fisheries professionals. The new Board shall be constituted within three (3)
20 months from the effectivity of this Act.

21
22 The Chairman and the three (3) Members of the Board must be registered professional
23 fisheries technologists or fisheries professionals and issued with certificates of registration and
24 professional identification cards at the time of their appointment.

25
26
27 **SEC. 7. *Qualifications of Board Members.*** – The Chairman and Members of the Board,
28 at the time of their appointment, must possess the following qualifications:

- 29 a. Must be a natural-born citizen and resident of the Philippines;
30
31 b. Must be at least forty years of age;
32
33 c. Must be of proven integrity and of high moral and ethical values in his personal as
34 well as professional conduct;
35
36 d. Must not have been convicted by a court in a final judgment in crime involving moral
37 turpitude;
38
39 e. Must be a holder of a Bachelor's degree in the field of fisheries, or a holder of a
40 Master or Doctorate degree in the field of fisheries from a school, college, or
41 university recognized by the Government or abroad, and has been engaged in the
42 practice of fisheries profession for at least ten (10) years before his/her appointment;
43
44 f. Must not be connected with any school, college or university granting a degree that
45 qualifies graduates of such degree for admission to the licensure examination for
46 fisheries professionals; and
47
48 g. Must not be an incumbent officer or trustee of the accredited professional
49 organization for fisheries professionals.
50

51 **SEC. 8. *Term of Office.*** – The Chairman and Members of the Board shall hold office for
52 a term of three (3) years or until their successors shall have been qualified and appointed. They
53 may, however, be appointed for a second term. Any vacancy in the Board shall be filled for the
54 unexpired portion of the term only. Each member shall take an oath of office prior to the
55 assumption of duties.
56

1 The incumbent Chairman and Members shall continue to serve until their replacements
2 shall have been appointed and qualified.

3
4 **SEC.9. Powers and Functions of the Board.** – The Board shall have the following
5 powers and functions:

- 6 a. Promulgate, adopt and issue rules and regulations to carry out the provisions of this
7 Act;
- 8
9 b. Give and supervise the licensure examination for admission to the practice of the
10 fisheries profession;
- 11
12 c. Supervise and regulate the licensure, registration and practice of the fisheries
13 profession;
- 14
15 d. Administer the oath of a professional to the successful examinees in the licensure
16 examination for fisheries professionals in appropriate mass oath-taking ceremonies to
17 be held for the purpose;
- 18
19 e. Register and issue certificates of registration to successful examinees in licensure
20 examinations for fisheries professionals and to persons qualified to register as
21 fisheries professionals without examination;
- 22
23 f. Suspend or revoke the certificate of registration and professional identification card
24 of a fisheries professional for causes provided herein;
- 25
26 g. Adopt an official seal of the Board as well as the seal of fisheries professionals;
- 27 h. Adopt and promulgate a Code of Ethics for Fisheries Professionals and a Code of
28 Professional Standards for the Practice of the Fisheries Profession;
- 29
30 i. Look into the conditions affecting the practice of the fisheries profession and
31 whenever necessary, adopt measures as may be deemed appropriate for the
32 enhancement or maintenance of high professional and ethical standards of the
33 practice of the fisheries profession;
- 34
35 j. Ensure, in coordination with the Commission on Higher Education (CHED), that all
36 educational institutions offering courses in fisheries education comply with the
37 policies, standards and requirements of the course prescribed by the CHED in the
38 areas of curriculum, faculty, library and facilities;
- 39
40 k. Hear/try and decide administrative cases involving violations of the provisions of this
41 Act and its Implementing Rules and Regulations including the Code of Ethics for
42 Fisheries Professionals and Code of Professional Standards for the Practice of
43 Fisheries Profession and, for this purpose, issue subpoena and subpoena *duces tecum*
44 to secure the appearance of witnesses and the production of documents and to testify
45 in connection herewith;
- 46
47 l. Prescribe guidelines for the implementation of its continuing professional education
48 programs. CPE shall be mandatory for all fisheries professionals in coordination with
49 the accredited national association of fisheries professionals;
- 50
51 m. Prepare, adopt and issue, in consultation with the academe, the syllabi or terms of
52 specification of the subjects for the licensure examination and to amend the same; and
- 53
54 n. To discharge and perform such other duties and functions as may be necessary to
55 carry out the objectives and purposes of this Act.
- 56

1 Except matters which are ministerial in nature, all policies and functions of the Board
2 embodied in resolutions as well as rules and regulations issued by the Board shall be subject to
3 the review and approval of the Commission.
4

5
6 **SEC.10. *Compensation and Allowance of the Chairman and Members of the Board.*** –
7 The Chairman and Members of the Board shall receive compensation and allowances
8 comparable to the compensation and allowances received by the Chairmen and Members of
9 other Professional Regulatory Boards.
10

11
12 **SEC. 11. *Removal and Suspension of the Chairman and Members of the Board.*** – The
13 President may, upon recommendation of the Commission, remove any Member of the Board for
14 any of the following causes:

- 15 a. Negligence;
16
17 b. Incompetence;
18
19 c. Immoral, dishonorable or unprofessional conduct;
20 d. Violation of, or abetting the violation of, the Resolution or Code of Ethics for
21 Fisheries Professionals; and/or
22
23 e. Conviction in a final judgment of a crime involving moral turpitude.
24

25 The right of the respondent to due process and be assisted by counsel in an investigation
26 shall be respected and upheld. The President may, also upon recommendation of the
27 Commission, preventively suspend a Member under administrative investigation.
28

29
30 **SEC. 12. *Supervision of the Board, Custodian of its Records, Secretarial and Support***
31 ***Services.*** – The Board shall be under the general supervision and administrative control of the
32 Commission. All records of the Board including applications for examination, examination
33 papers and results, minutes of deliberation, administrative cases and other investigations
34 involving examinees and fisheries technologists shall be kept and subject to the disposition of the
35 Commission.
36

37 The Commission shall provide secretariat and support services to the Board for the
38 efficient and effective implementation of the provisions of this Act.
39

40
41 **SEC. 13. *Annual Report.*** – The Board shall, at the close of each calendar year, submit an
42 annual report to the Commission, of its proceedings and accomplishments during the year and
43 make recommendations for the adoption of measures that will upgrade the conditions affecting
44 the practice of the fisheries profession in the Philippines.
45

46
47 **ARTICLE III**
48 **EXAMINATION AND REGISTRATION**
49

50
51 **SEC. 14. *Licensure Examination.*** – All applicants for registration for the practice of the
52 fisheries profession shall be required to undergo and pass a written examination as provided in
53 this Act except those who qualify for registration under Section 26 of this Act. The licensure
54 examination for fisheries professionals shall be given by the Board at least once a year in such
55 places and dates the Commission may designate in accordance with the provisions of Republic
56 Act 8981.
57

SEC. 15. *Scope of Examination.* – The examination for fisheries professionals shall basically cover the following fields:

- a. Aquatic Resources and Ecology
- b. Aquaculture
- c. Capture Fisheries
- d. Post-Harvest Fisheries

The board may also re-cluster, rearrange, modify add or exclude any of the foregoing subjects as the need arises and may recommend to CHED changes in said subjects to conform to modern and advanced technologies in the fisheries profession.

SEC. 16. *Qualifications of Applicants for Examination.* – Each applicant for examination shall establish to the satisfaction of the Board that:

- a. He/she is citizen of the Philippines;
- b. He/she is of good moral character and must not have been convicted of any crime involving moral turpitude; and
- c. He/she is a graduate of at least a Bachelor's degree in the field of fisheries from a school, college or university established and recognized by the Government, or a recognized university abroad.

SEC. 17. *Fraudulent Application.* – The Board may suspend or revoke a certificate of registration and professional identification card already issued, if a registrant has been proved or found to have made misrepresentation/s in his application for examination.

SEC. 18. *Rating in the Board Examination.* – To pass the licensure examination for fisheries professionals, a candidate must obtain a weighted general average rating of seventy-five percent (75%) and with no grade lower than sixty percent (60%) in any given subjects. However, if an examinee obtained a general weighted average rating of seventy-five percent (75%) or higher but obtained a rating below sixty percent (60%) in any given subject/s, he/she shall be allowed to take the examination in the subject/s where a grade below sixty percent (60%) was obtained. This removal shall be availed of only once.

SEC.19. *Report of Ratings.* – The Board shall submit to the Commission the rating obtained by each examinee in the licensure examination within a period of ten (10) days after the examination in the last subject unless extended by the Commission for just and valid cause/s.

SEC. 20. *Report on the Performance of Examinees in Licensure Examination.* – The Board, through the Commission, may recommend to the Commission on Higher Education (CHED) the following:

- a. The schools, colleges or universities whose successful examinees in three (3) consecutive licensure examination for Fisheries Technologists is less than eight percent (8%) of the total number of its candidates who took the licensure examinations shall be recommended for close monitoring of their fisheries program; and
- b. The names of schools, colleges, or universities whose successful examinees in five (5) successive licensure examination for Fisheries Technologists is less than eight percent (8%) of the total number of its examinees in each of the licensure examination

1 taken shall be published in newspapers, and their fisheries course/ program shall be
2 recommended for closure.
3
4

5 **SEC. 21. Issuance of Certificate of Registration and Professional License.** – A
6 certificate of registration shall be issued to examinees that passed the licensure examination for
7 Fisheries Technologists, as well as to a person that qualified to register as fisheries professional
8 without examination, subject to the payment of fees prescribed by the Commission. The
9 Certificate of Registration, which indicates that the person named therein is entitled to practice as
10 Fisheries Professional with all the benefits and privileges pertaining thereto, shall bear the
11 signature of the Chairperson of the Commission and the Chairman and Members of the Board,
12 and the seal of the Commission and the Board. *Provided*, That he/she shall be allowed to practice
13 the profession without the need of securing another license from any government agency. The
14 Certificate of Registration shall remain in full force and effect until revoked or suspended in
15 accordance with this Act. A Professional Identification Card bearing the registration number, and
16 date of issuance, shall be renewed every three (3) years and upon satisfying the requirements of
17 the Board and Continuing Professional Education.
18
19

20 **SEC.22. Non-issuance of Certificate of Registration and Professional Identification**
21 **Card.** – The Board shall not register and issue a Certificate of Registration to any successful
22 examinee that has been convicted by a court of competent jurisdiction of any criminal offense
23 involving moral turpitude, or has been found guilty of immoral or dishonorable conduct after
24 investigation by the Board, or has been declared to be of unsound mind. The reason for the
25 refusal shall be set forth in writing.
26
27

28 **SEC. 23. Revocation or Suspension of the Certificate of Registration, Professional**
29 **Identification Card or Cancellation of Temporary/Special Permit.** – The Board may, after
30 giving proper notice of hearing to the party concerned, revoke the Certificate of Registration and
31 Professional Identification Card of a Fisheries Professional or suspend him/her from the practice
32 of the profession or cancel his/her temporary/special permit for unprofessional or unethical
33 conduct, malpractice, negligence, incompetence, or violation of any of the provisions of this Act,
34 its Implementing Rules and Regulations (IRR), Code of Ethics/Professional Standards for
35 Fisheries Professionals, and Code of Good Governance.
36
37

38 **SEC. 24. Reinstatement, Re-issuance, or Replacement of Certificate of Registration,**
39 **Professional Identification Card and Temporary/Special Permit.** – The Board may, after two
40 (2) years from the date of revocation of Certificate of Registration, reinstate any revoked
41 Certificate of Registration and reissue a suspended Professional Identification Card.
42
43

44 **SEC. 25. Continuing Professional Development.** – All fisheries professionals shall abide
45 by the requirements, rules, and regulation on continuing professional education to be
46 promulgated by the PRC Regulatory Board, subject to the approval of the Commission, in
47 coordination with the AIPO for fishery profession and the representative of duly accredited
48 education institutions. For this purpose, the Board may create a CPD Council to implement the
49 CPD program subject to the guidelines as may be issued by the Board.
50

51 **SEC. 26. Registration of Fisheries Professionals without Examination.** – Upon
52 approval of the application and payment of the prescribed fees, certificate of registration and
53 professional identification card shall be issued to the applicant for registration without
54 examination who can prove to the satisfaction of the Board that items a, b, or c below has been
55 met:
56

- a. He/she has at least a bachelor's degree in any field of fisheries from a school, college
or university established or recognized by the Government; *Provided*, That the

applicant has passed any of the civil service examination in fisheries, or has been granted eligibility by the Civil Service Commission by virtue of PD 907, or passed the Career Service (Professional) examination given by the Civil Service Commission; *Provided further*, That the applicant has served the fisheries industry in public or private capacity for five (5) years before the effectivity of Republic Act 8550;

- b. He/she has a graduate degree(master or doctorate) in fisheries or closely related fields such as marine biology, oceanography/limnology, food science/technology/engineering, fish taxonomy, biotechnology as applied in fisheries, aquatic biology, fishing boat design/engineering, aquatic resource management, fish health, fish nutrition, or fish chemistry from a school, college or university, established or recognized by the Government: *Provided*, That the applicant has served the fisheries industry in public or private capacity for at least ten (10) years; *Provided further*, That the applicant has published five (5) research and highly technical papers in reputable journals, books and proceedings within the ten-year service in fisheries;
- c. He/she is a graduate of at least a bachelor's degree in fisheries from a school, college or university, established or recognized by the Government; *Provided*, That the applicant has served the fisheries industry (private sector) for a total of ten (10) years; *Provided further*, That he/she can show proof of achievements, awards, commendations, or promotions of deserving performance and has published at least two (2) technical papers in fisheries.

The applicants are given one (1) year after the approval and publication of the Implementing Rules and Regulations of this Act to register as Fisheries Professionals without examination.

SEC. 27. Roster of Fisheries Professionals. – The Board, in coordination with the Accredited Professional Organization, shall prepare, update and maintain a Roster of Fisheries Professionals, their residence and office addresses, dates of registration or issuance of certificate, and other data which the Board may deem relevant.

The roster shall be open to the public; copies of which shall be made available to any party as may be deemed necessary.

SEC. 28. Issuance of Temporary/Special Permit. – Upon application and payment of the required fee and subject to the approval of the Commission, the Board may issue temporary or special permits to fisheries professionals from foreign countries whose services are urgently needed in the absence or inadequacy of local fisheries technologists for the purpose of promoting or enhancing the practice of the fisheries profession in the Philippines.

SEC. 29. Foreign Reciprocity. – No foreign fisheries professional shall be given a certificate of registration/professional license and professional identification card or be entitled to any of the privileges under this Act unless the country of which the foreign fisheries professional is a subject or citizen specifically permits Filipino fisheries professionals to practice within its territorial limits on the same basis as the subjects or citizens of said country or state.

SEC. 30. Seal and Use of Seal. – Every Fisheries Professional shall obtain a seal of such design as the Board shall adopt and approve which shall be impressed upon all documents, records, papers and/or instruments prepared by/or under the direct supervision of or issued by a registered Fisheries Professional only during the period of the validity of his professional identification card.

SEC. 31. Indication of Number, Certificate of Registration, Professional Tax Receipt, and APO Membership Official Receipt. – Every registered Fisheries Professional shall be required to indicate the number of his certificate of registration, professional identification card, the date of issuance and expiration of said card including the number of his professional tax receipt, its date and place of issue, and APO Membership Official Receipt Number on any and all documents that he signs, uses or issues in connection with the practice of the Fisheries Profession.

ARTICLE IV

PRACTICE OF THE FISHERIES PROFESSION

SEC. 32. Oath. – All successful examinees and those qualified for registration without examination shall be required to take an oath of profession before any member of the Board or any officer of the Commission authorized by it, or any person authorized by law to administer oaths prior to entering into the practice of the fisheries profession.

SEC. 33. Acts Constituting the Practice of the Fisheries Profession. – Any single act or transaction embraced within the provision of Section 5 hereof shall constitute an act of engaging in the practice of the fisheries profession.

SEC. 34. *Prohibition Against the Unauthorized Practice of the Fisheries Profession.* – No person shall practice the fisheries profession in the Philippines or offer himself/herself as Fisheries Professional, or use the title, word, letter, figure or any sign tending to convey the impression that one is a Fisheries Professional, or advertise or indicate in any manner whatsoever that one is qualified to practice the profession, unless he/she has satisfactorily passed the Board licensure examination for Fisheries Professionals, or registered as a Fisheries Professional without examination, except as otherwise provided in this Act, and is a holder of a valid Certificate of Registration and a Professional Identification Card or a valid temporary/special permit duly issued to him/her by the Board and the Commission.

SEC. 35. Prohibition Against Corporate Practice. – The practice of fisheries professionals is a professional service, admission to which shall be determined upon basis of individual and personal qualification. No firm, company, or association may be registered or licensed as such for the practice of the fisheries profession.

SEC. 36. *Prohibition Against Hiring Unlicensed Fisheries Professionals.* – Government agencies, educational institutions, private corporations/companies, and entrepreneurs in fisheries are prohibited from hiring unlicensed Fisheries Professionals whose work is defined in Section 5 of this Act.

SEC. 37. *Integration of Fishery Profession.* – The fishery profession shall be integrated into one (1) national professional organization of fisheries professionals which shall be duly registered with the Securities and Exchange Commission (SEC). The Board, subject to approval by the Commission, shall accredit the said organization as the one and only Accredited and Integrated Professional Organization (AIPO) of registered fisheries professionals. All fisheries professionals whose names appear in the Registry Book of Fishery Profession shall ipso facto or automatically become members thereof and shall receive all the benefits and privileges appurtenant thereto upon payment of AIPO membership fees and dues.

Membership in the Accredited Integrated Professional Organization (AIPO) shall not be a bar to membership in other organizations of fishery profession.

1 **SEC. 38. Code of Ethics and Professional Standards.** – The Board shall adopt and
2 promulgate the Code of Ethics and the Code of Professional Standards for Fisheries
3 Professionals which shall be issued by the Accredited Professional Organization of Fisheries
4 Professionals.

5
6
7 **SEC. 39. Vested Rights: Automatic Registration of Fisheries Professionals.** – All
8 Fisheries Technologists who are registered and licensed under Resolution 01(Series of 2002) of
9 the Board of Fisheries, PRC, entitled “Rules and Regulations Implementing PRC Resolution No.
10 2000-664, As Amended” (Creation of the Board of Fisheries as mandated by Section 115 of R.A.
11 8550, otherwise known as the Fisheries Code of 1998”) at the time this Act takes effect shall
12 automatically be registered as Fisheries Professionals.

13
14 **ARTICLE V**
15 **PENAL AND FINAL PROVISIONS**

16
17 **SEC. 40. Penal Provisions.** – Any violation of this Act, including the violations of the
18 Implementing Rules and Regulations thereof, shall be meted the penalty of a fine of not less than
19 Fifty Thousand Pesos (Php 50,000.00) or more than Five Hundred Thousand Pesos (Php
20 500,000.00), or imprisonment of not less than six (6) months, or both upon the discretion of the
21 court.

22
23 **SEC. 41. Appropriation.** – There shall be an initial appropriation of Twenty Million
24 Pesos (Php 20,000,000.00) to be disbursed for the operation of the Board of Fisheries which shall
25 include personal services, maintenance and other operating expenses and capital outlay. In
26 succeeding years the Chairperson of the Professional Regulation Commission shall immediately
27 include in the Commission’s programs the implementation of this Act, the funding of which shall
28 be included in the Annual General Appropriations Act and thereafter.

29
30 **SEC. 42. Transitory Provision.** – The existing Board of Fisheries shall continue to
31 function in the interim without another appointment until such time that the new Board shall
32 have been constituted pursuant to this Act.

33
34 **SEC. 43. Implementing Rules and Regulations.** – The Board shall, subject to the
35 approval of the Commission, adopt, promulgate and issue the Implementing Rules and
36 Regulations, in coordination with the accredited professional organization and other fisheries
37 institutions, to implement or carry out the provisions of this Act.

38
39 **SEC. 44. Separability Clause.** – If any clause, sentence, paragraph, or part of this Act
40 shall be declared unconstitutional or invalid, such judgment shall not affect, invalidate or impair
41 any other part of this Act.

42
43 **SEC. 45. Repealing Clause.** – Section 115 of R.A. 8550 and Section 75 of R.A. 8435
44 and PRC Resolution No. 2000-664, Series of 2000 are hereby repealed. All other laws, decrees,
45 executive orders, and other administrative issuances and parts thereof which are inconsistent
46 with the provisions of this Act are hereby modified, superseded or repealed accordingly.

47
48 **SEC. 46. Effectivity.** – This Act shall take effect fifteen (15) days following its full and
49 complete publication in the Official Gazette or in any major newspaper of general circulation in
50 the Philippines.

Approved,