

Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Seventeenth Congress

Third Regular Session

HOUSE BILL NO. 8109



Introduced by Representative ERICO ARISTOTLE C. AUMENTADO

EXPLANATORY NOTE

Study shows that chlorination affects marine life. Although the amount of chlorine in tap water is harmless to humans, but it can actually kill a fish and even corals. Use of chlorine in Philippine waters must be prohibited because it is a very reactive chemical element that can actually burn and in large amounts can be used as a chemical weapon.

Chlorine, even in amounts found in tap water, gives marine invertebrates and fish chemical burns. In fish, chlorine burns the gills. At the same time, it absorbs into the bloodstream and causes burns throughout the fish. It has a similar effect on invertebrates, who absorb it through their surfaces. These burns can cause serious damage to marine organisms. Even with low exposure, chlorine can hurt aquarium fish. If it's not deadly, the constant pain from the damage it causes can cause stress thus, making them vulnerable to disease. The signs of chlorine stress include fish darting around rapidly, gasping or jumping out of the tank. They may show stress by withdrawing tentacles or pulling themselves into their exoskeletons.

Thus, passage of the bill is earnestly sought.

ERICO ARISTOTLE C. AUMENTADO

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AN ACT
PROHIBITING THE USE OF CHLORINE IN ALL FISHING ACTIVITIES
AMENDING FOR THE PURPOSE SECTION 92 OF REPUBLIC ACT NO. 10654
AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Section 92 of Republic Act No. 10654 is hereby amended as
2 follows:

3 **Section 92. Fishing Through Explosives, Noxious or Poisonous Substance, or**
4 *Electricity.* – (a) It shall be unlawful for any person to catch, take or gather or cause
5 to be caught, taken or gathered fish or any fishery species in Philippine waters with
6 the use of explosives, noxious or poisonous substance such as **CHLORINE OR**
7 sodium cyanide, which will kill, stupefy, disable or render unconscious fish or fishery
8 species: *Provided*, That the Department, subject to such safeguards and conditions
9 deemed necessary and with the endorsement from the concerned LGUs, may allow,
10 for research, educational or scientific purposes only, the use of poisonous or noxious
11 substances to catch, take or gather fish or fishery species: *Provided, further*, That
12 the use of poisonous or noxious substances to eradicate predators and pests in
13 fishponds in accordance with accepted scientific practices and without causing
14 adverse environmental impact in neighboring waters and grounds shall not be
15 construed as illegal fishing.

16 The discovery of dynamite, other explosives and chemical compounds which
17 contain combustible elements, or noxious or poisonous substances, or equipment or
18 device for electrofishing in any fishing vessel or in the possession of any fisherfolk,
19 operator, fishing boat official or fishworker shall constitute a *prima facie* presumption
20 that any of these devices was used for fishing in violation of this Code.

21 The discovery in any fishing vessel of fish caught or killed with the use of
22 explosives, noxious or poisonous substances, or by electricity shall constitute
23 a *prima facie* presumption that the fisherfolk, operator, boat official or fishworker is
24 fishing with the use thereof.

1 Upon a summary finding of administrative liability, any person found liable for
2 the actual use of explosives, noxious or poisonous substances shall be punished
3 with confiscation of catch including those not caught illegally if co-mingled with those
4 caught illegally, gear, explosives and noxious or poisonous substances, or
5 electrofishing devices and paraphernalia and gear, and an administrative fine
6 equivalent to five (5) times the value of the catch or the amount of fine indicated
7 below whichever is higher:

8 (1) Thirty thousand pesos (P30,000.00) for municipal fishing;

9 (2) Three hundred thousand pesos (P300,000.00) for small-scale
10 commercial fishing;

11 (3) One million five hundred thousand pesos (P1,500,000.00) for
12 medium scale commercial fishing; and

13 (4) Three million pesos (P3,000,000.00) for large scale commercial
14 fishing.

15 Upon conviction by a court of law, the offender shall be punished with imprisonment
16 from five (5) to ten (10) years, confiscation of catch, including those not caught
17 illegally if co-mingled with those caught illegally, gear, explosives and noxious or
18 poisonous substances, or electrofishing devices and paraphernalia, gear, and a fine
19 equivalent to twice the amount of the administrative fine, without prejudice to the
20 filing of separate criminal cases when the use of the same result to physical injury or
21 loss of human life.

22 The actual use of electrofishing devices for illegal fishing shall be punished with
23 imprisonment of six (6) months and a fine of Five thousand pesos (P5,000.00).

24 (b) It shall be unlawful for any person to possess explosives, and noxious or
25 poisonous substances for illegal fishing.

26 Upon a summary finding of administrative liability, the offender shall be punished
27 with confiscation of catch, gear, and an administrative fine equivalent to five (5) times
28 the value of the catch or the amount indicated below whichever is higher:

29 (1) Ten thousand, pesos (P10,000.00) for municipal fishing;

30 (2) One hundred thousand pesos (P100,000.00) for small-scale
31 commercial fishing;

32 (3) Five hundred thousand pesos (P500,000.00) for medium scale
33 commercial fishing; and

34 (4) One million pesos (P1,000,000.00) for large scale commercial
35 fishing.

36 Violation of this provision shall be punished with imprisonment from six (6) months to
37 two (2) years, and a fine equivalent to twice the amount of the administrative fine and
38 confiscation of catch and gear.

1 **SEC. 2.** The Department of Agriculture, in consultation with concerned
2 government agencies and stakeholders, shall include in its implementing rules and
3 regulations of this Act.

4 **SEC. 3.** If any portion of this Act is declared unconstitutional or invalid, the
5 portions or provisions which are not affected shall continue to be in full force and
6 effect.

7 **Section 3.** All laws, decrees, executive orders and rules and regulations or
8 parts thereof which are inconsistent with this Act are hereby repealed or modified
9 accordingly.

10 **Section 4.** – This Act shall take effect fifteen (15) days after its complete
11 publication in at least two (2) newspapers of general circulation.

12 Approved,