

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9301**



**INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO,
JOCELYN P. TULFO, ERWIN T. TULFO, EDVIC G. YAP, AND ERIC GO YAP**

**AN ACT DEFINING AND PROVIDING FOR MORE SEVERE PENALTIES FOR
LARGE-SCALE EXPLORATION AND EXPLOITATION OF CORALS AND
CORAL REEFS, TAKING ENDANGERED SPECIES, AND OTHER SIMILAR
ACTS OF DESTRUCTION OF MARINE RESOURCES, FURTHER AMENDING
FOR THIS PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8550,
OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998, AS
AMENDED BY REPUBLIC ACT NO. 10654**

EXPLANATORY NOTE

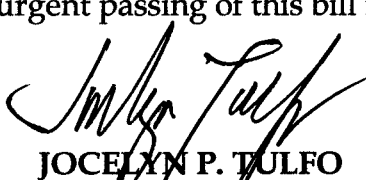
The vitality of Philippine biodiversity and marine life relies on the crucial support of coral and coral reefs. They sustain diverse marine species, safeguard natural resources, and support local livelihoods while combating global climate change. It is a global responsibility to protect these ecosystems from threats, damage, and destruction, benefiting the Philippine marine life, economy, and global ecology.

However, corals and coral reefs remain highly vulnerable due to irresponsible fishing methods and practices that exacerbate the fragility of reef ecosystems.

By amending Republic Act No. 8550, otherwise known as the "Philippine Fisheries Code of 1998", this bill seeks to impose higher fines and longer years of imprisonment for the punishable act of endangering species and marine resources for the purpose of promoting sustainable fisheries management and preserving marine biodiversity. More crucially, these stringent measures ensure the active participation of the Philippines in embodying environmental stewardship and sustainability.

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


RALPH WENDEL P. TULFO
Representative
2nd District of Quezon City


JOCELYN P. TULFO
Representative
ACT-CIS Partylist


ERWIN T. TULFO
Representative
ACT-CIS Partylist



EDVIC G. YAP
Representative
ACT-CIS Partylist



ERIC GO YAP
Representative
Lone District of Benguet

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FOR THIS PURPOSE CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8550,
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*Be it enacted by the Senate and the House of Representatives of the Philippines in Congress
assembled:*

SECTION 1. Section 92 of Republic Act No. 8550, as amended by Republic Act No. 10654, is hereby further amended to read as follows:

“Section 92. Fishing Through Explosives, Noxious or Poisonous Substance, or Electricity. –

xxx

Upon conviction by court of law, the offender shall be punished with imprisonment from TWELVE (12) TO TWENTY (20) YEARS [~~five (5) to ten (10) years~~], confiscation of catch, including those not caught illegally if co-mingled with those caught illegally, explosives, and noxious or poisonous substances, or electrofishing devices and paraphernalia, gear, and a fine equivalent to twice the amount of the administrative fine, without prejudice to the filing of separate criminal cases when the use of the same result to physical injury or loss of human life.”

SEC. 2. Section 96 of the same Code, as amended, is hereby further amended to read as follows:

"Section 96. Ban on Coral Exploitation and Exportation. –

xxx

Upon conviction by a court of law, the boat captain, master fisherman, and recruiter or organizer of fishworkers shall be punished by imprisonment from ten (10) years to twenty (20) years and a fine equivalent to twice the administrative fine and forfeiture of the subject corals. HOWEVER, FOR LARGE-SCALE CORAL EXPLOITATION, THE PUNISHMENT SHALL BE IMPRISONMENT AND THE FINE AS HEREINBEFORE PROVIDED. FOR THE PURPOSE OF THIS CODE, THE TERM 'LARGE SCALE' SHALL COVER CORALS, EXTRACTED OR EXPLOITED, WEIGHTING NOT LESS THAN TEN (10) KILOGRAMS.

The offender shall be required to pay the cost of restoration of the damaged coral reefs based on available studies and as determined by the Department."

SEC 3. Section 97 of the same Code, as amended, is hereby further amended to read as follows:

"Section 97. Ban on Muro-ami, Other Methods and Gear Destructive to Coral Reefs and Other Marine Habitat. –

xxx

Upon conviction by a court of law, the boat captain, master fisherman, and recruiter or organizer of fishworkers shall be punished with imprisonment of two (2) years to ten (10) years and a fine equivalent to twice the amount of the administrative fine.

LARGE-SCALE DESTRUCTION OF CORALS, CORAL REEFS, AND SEAGRASS BEDS, THROUGH 'MURO-AMI' ACTIVITIES, HOWEVER, SHALL BE PUNISHED WITH IMPRISONMENT FROM FORTY (40) YEARS TO LIFE IMPRISONMENT, OR A FINE FROM ONE MILLION PESOS (PHP1,000,000.00) TO TEN MILLION

PESOS (PHP10,000,000.00), OR BOTH SUCH FINE AND IMPRISONMENT, AT THE DISCRETION OF THE COURT."

xxx

SEC. 4. Section 102 of the same Code, as amended, is hereby further amended as follows:

"Section 102. Fishing or Taking of Rare, Threatened, or Endangered Species. –

xxx

Upon conviction by a court of law, the offender shall be punished by imprisonment of TWENTY (20) YEARS TO FORTY (40) YEARS [~~twelve (12) years and one (1) day to twenty (20) years~~] and a fine equivalent to twice the administrative fine, forfeiture of the species, and the cancellation of fishing permit."

xxx

SEC. 5. Section 125 of RA No. 8550, as amended, is hereby further amended to read as follows:

"Section 125. Strengthening Prosecution and Conviction of Violators of Fishery Laws. – The Department of Justice (DOJ) shall embark on a program to strengthen the prosecution and conviction aspects of fishery law enforcement through the augmentation of the current complement of state prosecutors and through their continuous training and reorientation on fishery laws, rules, and regulations.

THE DEPARTMENT SHALL LIKEWISE IMPLEMENT A SYSTEM OF REWARD AND INCENTIVES FOR THE LAW ENFORCEMENT OFFICERS AND/OR INFORMANTS OF VIOLATORS OF THIS CODE. THE AMOUNT OF MONETARY REWARD, IF ANY, SHALL NOT BE MORE THAN FIFTEEN PERCENT (15%) OF THE MINIMUM IMPOSABLE FINE, AND SHALL BE PAID WITHOUT NECESSARY DELAY, TO THE PROPER RECIPIENTS, UPON THE FILING OF THE

INFORMATION WITH A COMPETENT COURT, OR UPON THE ISSUANCE OF
A COMMITMENT ORDER IN CASE OF LAWFUL WARRANTLESS ARREST.

SEC. 6. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,