

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session

House Bill No. **523**



Introduced by Representative Reynante U. Arrogancia

EXPLANATORY NOTE

The Philippines, an archipelago of more than 7,100 islands and with rich marine life, consists of a coastline length of 36,289 sq. km, coastal waters of 266,000 sq. km. and oceanic water area of 1,934,000 sq km. In the 2022 Philippine Fisheries Profile issued by the Bureau of Fisheries, reported that the Philippines ranked 11th among the top fish producing countries in the world with its total production of 4.11 million metric tons (MT) of fish, crustaceans, mollusks, and aquatic plants (including seaweeds). Based on the BFAR Fisherfolk Registration System or FishR 2022 data, 2.3 million registered fisherfolk are involved in various fishing and aquaculture activities.¹

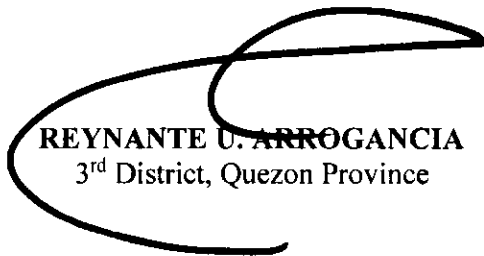
With the vast breadth and depth of our marine life and coastal waters, different government agencies such as the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR), Philippine National Police Maritime Group, Philippine Coast Guard and the Philippine Navy are mandated to enforce fisheries and environmental laws which given the vastness the area they cannot fully cover or enforce their mandate. Hence, the Bantay Dagat program came into fruition, which is a community-based law enforcement institution composed of fisherfolk in coastal villages or barangays on volunteer to assist in enforcing national laws and local ordinances on fishing and the environment.

The Bantay Dagat known as the Deputy Sea Wardens or Sea Rangers serves as a community-based seaborne law enforcement team of local government units under various fisheries and environmental protection laws. They play a critical role as the frontliners that deter the devastation of the marine life and resources in the locality. However, there is a need to institutionalize the Bantay Dagat, provide them with appropriate incentives, social protection and the proper training in order for them to continue safeguarding the municipal waters despite the dangers and hazards they face.

Reference

¹ <https://www.bfar.da.gov.ph/wp-content/uploads/2024/02/2022-Philippine-Fisheries-Profile.pdf>

In view of the foregoing, the passage of the bill is earnestly sought. A similar measure has been filed in the House of Representatives in the previous Congress and it is hoped that in the 20th Congress, this bill be passed to become a law.



REYNANTE U. ARROGANCIA
3rd District, Quezon Province

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AN ACT
INSTITUTIONALIZING BANTAY DAGAT AND GRANTING BENEFITS TO
ACCREDITED BANTAY DAGAT AND OTHER PURPOSES

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

1 **SECTION 1. *Short Title.*** – This Act shall be known as the “Bantay Dagat Welfare and Incentives
2 Act.”
3

4 **SEC. 2. *Statement of Policy.*** The State shall protect the rights of subsistence fishermen, especially
5 of local communities, to the preferential use of local marine and fishing resources. It shall provide
6 support to such fishermen through appropriate technology and research, adequate financial,
7 production, and marketing assistance, and other services. The State shall also protect, develop, and
8 conserve such resources. Towards this end the State shall support coastal municipalities and cities
9 in the enforcement of fishery laws, rules, and regulations. In the enforcement of the relevant laws,
10 the Bureau of Fisheries and Aquatic Resources (BFAR), in coordination with the local government
11 units (LGUs), is authorized to train and deputize fisherfolks as Deputy Fish Wardens, locally
12 known as Bantay Dagat. This Act provides benefits and incentives to accredited Bantay Dagat and
13 seeks to strengthen their services in achieving the conservation, protection and sustainable
14 management of fisheries and aquatic resources.
15

16 **SEC. 3. *Definition.*** - Bantay Dagat, also known as the Deputy Fish Wardens or Sea Wardens,
17 shall refer to persons who have undergone training programs on coastal and fisheries law
18 enforcement under any accredited government or non-government organization and who
19 voluntarily work as deputized fishery law enforcers. They shall be accredited to function as Bantay
20 Dagat by the Municipal or City Fisheries and Aquatic Resources Management Council
21 (M/CFMARC) and be deputized in writing by the Local Chief Executive (LCE) in accordance with
22 the guidelines promulgated by the Bureau of Fisheries and Aquatic Resources (BFAR).
23

24 **SEC. 4. *Registration.*** – In order for Bantay Dagat to be entitled to benefits and incentives provided
25 under this Act, said Bantay Dagat shall register with the M/CFARMC in the municipality or city
26 where said Bantay Dagat renders service. The FARMC, through the concerned LCE, shall furnish
27 a copy of such registry to the BFAR through its Regional Offices, which is hereby mandated to
28 maintain a national register of accredited Bantay Dagat nationwide. The accredited Bantay Dagat
29 shall be given appropriate proof of said accreditation.

30 **SEC. 5. *Qualifications of Bantay Dagat.*** - Any person seeking accreditation as Bantay Dagat
31 must possess the following qualifications:
32

- 33 a. A Filipino citizen
- 34 b. A registered and licensed fisherfolk in the municipality or city of accreditation;
- 35 c. Not less than twenty-one (21) years but not more than sixty (60) years of age;
- 36 d. Has no conviction of any offense involving violation of the Fisheries Code and related
37 environmental laws;
- 38 e. Completed the Fishery Laws Enforcement Training for Bantay Dagat or Deputy Fish
39 Wardens; and
- 40 f. Involved in coastal and fisheries management activities for at least three (3) years.
41

42 **SEC. 6. *Number of Bantay Dagat.*** - The BFAR shall determine the ideal ratio of Bantay Dagat
43 to the number of fisherfolks and the area of the municipal waters or fisheries management area in
44 every municipality or city.
45

46 **SEC. 7. *Benefits and Incentives.*** - In recognition of their services, all accredited Bantay Dagat
47 who are actively and regularly performing their duties shall be entitled to the following incentives
48 and benefits:
49

- 50 a. *Insurance and PhilHealth Coverage.* - Each Bantay Dagat shall be entitled to life and
51 accident insurance and PhilHealth coverage upon deputation as such by the LCE;
52
- 53 b. *Hazard Allowance* - Each Bantay Dagat exposed to situations, conditions, or factors where
54 foreseeable but available danger or risks exist, and which adversely endanger the Bantay
55 Dagat's life and safety, shall be entitle to hazard allowance in an amount to be determined
56 by the FARMC and the Peace and Order Council (POC) of the local government unit
57 concerned;
58
- 59 c. *Subsistence Allowance* - Each Bantay Dagat who renders seaborne patrolling or rescue
60 services for at least eight (8) hours a day shall be entitled to subsistence allowance
61 equivalent to the meals they take in the course of their duty, which shall be computed in
62 accordance with prevailing circumstances as determined by the local government unit
63 concerned;
64
- 65 d. *Training, Education and Career Enrichment Programs* - The concerned coastal
66 municipality or city in coordination with BFAR and other government agencies and non-
67 government organizations shall provide opportunities to accredited Bantay Dagat for the
68 following:
69
 - 70 I. Continuing education, study and exposure tour training, grants, field immersion,
71 scholarships including TESDA trainings and the like;
72
 - 73 II. Scholarships in the form of tuition fees in state colleges, to be granted to one (1) child
74 of every Bantay Dagat who will not be able to take advantage of the programs stated in
75 Section 7, d. III; and
76
 - 77 II. Special training programs such as those on paralegal education, case
78 documentation and evidence gathering and preservation, and operations of special
79 gadgets or equipment for effective and efficient coastal and fisheries law
80 enforcement;

- 81 e. *Civil Service Eligibility* – A second grade eligibility shall be granted to accredited Bantay
82 Dagat who have rendered five (5) years of continuous service as such; Provided, That
83 should the Bantay Dagat volunteer become a regular employee of the government, the total
84 number of years served as Bantay Dagat shall be credited to his/her service in computing
85 retirement benefits;
86
- 87 f. *Free Legal Services* – Legal representation and consultation services for Bantay Dagat
88 shall be immediately provided by the Municipal or City Legal Office and/or the Public
89 Attorney's Office in civil or criminal cases filed by or against Bantay Dagat volunteers
90 arising out of or in connection with the performance of duties; and
91
- 92 g. *Preferential Access to Loans* – the BFAR, in coordination with the Department of Social
93 Welfare Development and other concerned government agencies, shall provide, within one
94 hundred eighty (180) days after the effectivity of this Act, a mechanism for access to loan
95 services by organized Bantay Dagat volunteers.
96
97

98 **SEC. 8. Review by the Municipal or City FARMC.** - Every incentive or benefit for Bantay Dagat
99 volunteers requiring the expenditures of local funds shall be reviewed and recommended by the
100 FARMC for the approval of the Local Chief Executive to ensure that only deserving Bantay Dagat
101 get the same.
102

103 **SEC. 9. Security of Tenure.** – All accredited Bantay Dagat shall enjoy security of tenure and shall
104 not be removed or terminated except for just and valid causes as may be determined by BFAR and
105 as provided in the implementing rules and regulations of this Act.
106

107 **SEC. 10. Agent of Persons in Authority.** – The accredited Bantay Dagat shall be considered as
108 agents of persons in authority while in the performance of their duties and responsibilities.
109

110 **SEC. 11. Funding Requirement of Bantay Dagat Operation.** - Local governments, by virtue of
111 this Act, are mandated to allocate regular funding for the benefits and incentives of the Bantay
112 Dagat and their operational requirements. Such operational requirements shall include, but shall
113 not be limited to:
114

- 115 (a) the conduct of seaborne operations such as regular patrol in the coastal areas;
116 (b) maintenance of equipment, gadgets, and supplies necessary for their functions;
117 (c) vehicle, fuel and food allowance for their operations; and
118 (d) conduct of seminars or workshops for Bantay Dagat members.
119

120 **SEC. 12. Rules and Regulations.** - The BFAR, in cooperation with the Department of the Interior
121 and Local Government, the Department of Justice, the Civil Service Commission and other
122 concerned government agencies and non-government organizations, shall formulate, within one
123 hundred eighty (180) days from its effectivity, the rules and regulations necessary to implement
124 this Act.
125

126 **SEC. 13. Separability Clause.** – If any provisions of this Act is declared invalid, the remainder or
127 any provision hereof not affected thereby shall remain in force and effect.
128

129 **SEC. 14. Repealing Clause.** – All laws, decrees, executive orders, and other presidential issuances
130 which are not inconsistent with this Act are hereby repealed, amended, or modified accordingly.

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

133
134 *Approved,*