

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 653



Introduced by: **REP. TOBIAS "TOBY" M. TIANGCO**

EXPLANATORY NOTE

It has been a declared policy of the State "to ensure the rational and sustainable development, management and conservation of the fishery and aquatic resources in the Philippine waters". Under Section 16, Article I of Republic Act (R.A.) No. 8550, the municipal or city government shall have jurisdiction over municipal waters.

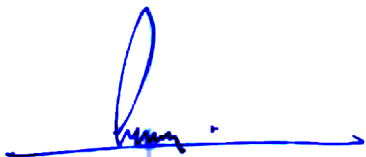
The Manila Bay has been the gateway to our political, economic and social center. It is bordered by coastal cities and municipalities of the National Capital Region or NCR (Manila Pasay, Paranaque, Las Pinas, and Navotas), and the coastal provinces of Bataan, Pampanga, Bulacan in Region 3, and Cavite in Region 4. These cities and municipalities are thus mandated to administer and conserve the waters within their jurisdiction. Consistent to this, it becomes inevitable that varying and inconsistent policies will be implemented. Policies of one city may be more onerous and burdensome than the others. One jurisdiction might be more proactive than the others. Fisherfolks are thus subjected to several rules and procedures to have access to the Manila Bay.

In *Metropolitan Manila Development Authority v. Concerned Citizens of the Philippines*, the Supreme Court issued a writ of continuing mandamus that is aimed to the protection and preservation of the Manila Bay. The desire to restore the Manila Bay to its beauty and cleanliness will only be feasible if all government agencies, cities and municipalities exercising governmental functions over Manila Bay will be governed by single rules, policies and procedures. This is to ensure consistency and efficiency in the adoption and implementation of programs.

In 2014, R.A. 8550 was amended by R.A. 10654. Despite the remarkable amendments in the law, the perceived problem on exercise of jurisdiction of several municipalities and cities over the Manila Bay was not addressed. Under Section 127, Chapter VII of R.A. 8550, the Congress of the Philippines shall undertake a mandatory review of the Code at least once every five (5) years and as often as it may deem necessary, to ensure that fisheries policies and guidelines remain responsive to changing circumstances.

Following the above disquisitions, the amendment of the law is timely and more appropriate. To address the gaps and challenges in the current law, it is proposed that the administration, supervision and conservation of the Manila Bay be entrusted to the *Manila Bay Aquatic Resources Management Council (MBARMC)*.

This bill has been approved in third reading by the 19th Congress. It is for these reasons that I seek the approval of this bill.



TOBIAS "TOBY" M. TIANGCO
Representative
Lone District, Navotas City

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Introduced by: **REP. TOBIAS "TOBY" M. TIANGCO**

AN ACT
CREATING THE MANILA BAY AQUATIC RESOURCES
MANAGEMENT COUNCIL AND APPROPRIATING FUNDS
THEREFOR

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

SECTION 1. *Manila Bay Aquatic Resources Management Council.* –

The Manila Bay Aquatic Resources Management Council, hereinafter referred to as the "Council," is hereby established as the sole authority to manage, control and supervise the fisheries and aquatic resources of the Manila Bay. The Council is composed of the following:

- (a) Secretary of Agriculture, as Chairperson, or a duly authorized representative with a rank not lower than Undersecretary;
- (b) Secretary of Environment and Natural Resources, or a duly authorized representative with a rank not lower than Undersecretary;

(c) Secretary of the Interior and Local Government, or a duly authorized representative with a rank not lower than Undersecretary;

(d) Secretary of Human Settlements and Urban Development, or a duly authorized representative with a rank not lower than Undersecretary;

(e) Secretary of Health, or a duly authorized representative with a rank not lower than Undersecretary;

(f) Secretary of Public Works and Highways, or a duly authorized representative with a rank not lower than Undersecretary;

(g) Secretary of Justice, or a duly authorized representative with a rank not lower than Undersecretary;

(h) Chairperson of the Metropolitan Manila Development Authority, or a duly authorized representative;

(i) Administrator of the Local Water Utilities and Administration, or a duly authorized representative;

(j) Governor of the Province of Bataan, or a duly authorized representative;

(k) Governor of the Province of Bulacan, or a duly authorized representative;

(l) Governor of the Province of Pampanga, or a duly authorized representative;

(m) Governor of the Province of Cavite, or a duly authorized representative;

(n) Mayors of the cities and municipalities bordering Manila Bay, or their duly authorized representatives;

(o) Commandant of the Philippine Coast Guard, or a duly authorized representative; and

(p) Director of the Philippine National Police-Maritime Group, or a duly authorized representative; as members.

SEC. 2. *Powers and Functions.* – The Council shall:

(a) Supervise, manage and control the fisheries and aquatic resources of the Manila Bay with close coordination with the local government units (LGUs) encompassing it;

(b) Formulate a unified policy for the protection, preservation and progress of the Manila Bay to support the goal of food sufficiency and food security;

(c) Regulate the business operations of fisheries related enterprises operating in Manila Bay such as fish pens and fish farming; and

(d) Perform such other functions as may be necessary or directed by the President of the Philippines.

SEC. 3. *Secretariat.* – The Office of the Director of the Bureau of Fisheries and Aquatic Resources shall serve as the secretariat of the Council and perform the following:

(a) Ensure meetings are effectively organized and recorded;

(b) Establish and maintain document management system to keep records of the minutes, deeds, constitutions, terms of reference and other documents;

(c) Manage effective communication and correspondence;

(d) Build and maintain effective relationships within the Council and with other stakeholders; and

(e) Establish and maintain an online presence such as websites, social media and other platforms.

SEC. 4. ***Appropriations.*** – The amount necessary for the initial implementation of this Act shall be charged against the current year's appropriations of the departments and agencies concerned. Thereafter, the funding of which shall be included in the annual General Appropriations Act.

SEC. 5. ***Implementing Rules and Regulations.*** – Within six (6) months from the effectivity of this Act, the Council shall promulgate the rules and regulations necessary for the effective implementation of this Act.

SEC. 6. ***Separability Clause.*** – If any provision or part of this Act is declared unconstitutional or invalid, the remaining parts or provisions not affected shall remain in full force and effect.

SEC. 7. ***Repealing Clause.*** – Section 16 of Republic Act No. 8550, as amended, otherwise known as "The Philippine Fisheries Code of 1998," is amended to exempt the municipal waters of Manila Bay Area from the jurisdiction of the municipal or city governments. All laws, decrees, executive

orders and rules and regulations contrary to or inconsistent with the provisions of this Act are repealed or modified accordingly.

SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,