



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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 1543



Introduced by **Representative Francisco T. Matugas**

EXPLANATORY NOTE

The Philippines, being an archipelagic nation, is blessed with rich and diverse marine ecosystems that provide food, livelihood, and ecological balance for millions of Filipinos. However, over the years, our coastal and marine resources have faced increasing threats from illegal, unreported, and unregulated (IUU) fishing, marine pollution, habitat degradation, and the impacts of climate change.

Local government units (LGUs), in partnership with coastal communities, have taken active roles in marine protection through the establishment of **Bantay Dagat** volunteer groups. These community-based organizations have served as the first line of defense against destructive and illegal activities in municipal waters. Despite their significant contribution, Bantay Dagat volunteers often lack the legal recognition, institutional support, resources, training, and protection necessary to effectively perform their duties.

This bill seeks to institutionalize the Bantay Dagat as a vital component of the country's coastal resource management and maritime law enforcement framework. By passing this measure, the State affirms its commitment to empowering communities in the stewardship of marine resources, promoting sustainable fisheries, and enhancing coastal law enforcement.

The institutionalization of the Bantay Dagat is not only an environmental imperative but also a socio-economic investment in the future of our coastal communities.

This version of the bill was filed in the 17th, 18th and 19th Congresses by Hon. Francisco Jose F. Matugas II. Unfortunately, the bill remained in the Committee level.

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

FRANCISCO T. MATUGAS
Representative
First District, Surigao del Norte



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**AN ACT GRANTING BENEFITS AND INCENTIVES TO ACCREDITED
BANTAY DAGAT AND FOR OTHER PURPOSES**

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

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

3 SEC. 2. *Statement of Policy.* - The State shall protect the rights of
4 subsistence fishermen and local communities to the preferential use of the
5 communal marine and fishing resources, both inland and offshore. It shall provide
6 support to such fishermen through appropriate technology and research and other
7 services. Towards this end, coastal municipalities and cities are vested with
8 jurisdiction over the municipal waters as defined by Republic Act No. 8550 and
9 upon consultation with the Fisheries and Aquatic Resource Management Council
10 (FARMC), be responsible for the management, conservation, development,
11 protection, utilization, and disposition of all fish and fisheries and aquatic
12 resources within their respective municipal waters. The LGUs shall also enforce
13 all fishery laws, rules and regulations as well as valid fishery ordinances enacted
14 by the municipal or city council. In the enforcement of said laws, the Bureau of
15 Fisheries and Aquatic Resources (BFAR), in coordination with the local
16 government units (LGUs) is authorized to train and deputize fisherfolks as Deputy
17 Fish Wardens, locally known as Bantay Dagat. This Act shall provide

benefits and incentives to these volunteers Bantay Dagat who are frontliners in the protection of coastal marine and fisheries resources.

The government and all its instrumentalities shall also recognize the rights of accredited Bantay Dagat to organize themselves to strengthen and systemize their services for their community, and to make a venue for sharing their experiences and for recommending policies and guidelines for the conservation, protection and sustainable management of fisheries and aquatic resources.

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

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

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

- a.) Filipino citizen;
- b.) a registered and licensed fisherfolk in the municipality or city where he/she intends to be accredited;
- c.) not less than twenty-one (21) years but not more than sixty (60) years of age;
- d.) not have been convicted of any offense involving violation of the Fisheries Code and related environmental laws;

1 e.) completed the Fishery Laws Enforcement Training for Bantay Dagat
2 or Deputy Fish Wardens: and

3 f.) involved in coastal and fisheries management activities for at least
4 three (3) years.

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

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

11 (a) Insurance and PhilHealth Coverage - Each Bantay Dagat shall be
12 entitled to life and accident insurance and PhilHealth coverage upon
13 deputation as such by the LCE:

14 (b) Hazard Allowance - Each Bantay Dagat exposed to situations,
15 conditions, or factors where foreseeable but unavoidable danger or
16 risks exist and which adversely endanger said Bantay Dagat's life
17 and/or safety, shall be entitled to hazard allowance in an amount to
18 be determined by the FARMC and the Peace and Order Council
19 (POC) of the local government unit concerned;

20 (c) Subsistence Allowance - Each Bantay Dagat who renders seaborne
21 patrolling or rescue services for at least eight (8) hours a day shall be
22 entitled to subsistence allowance equivalent to the meals they take
23 in the course of their duty which shall be computed in accordance
24 with prevailing circumstances as determined by the local government
25 unit concerned;

26 (d) Training, Education and Career Enrichment Programs – The
27 concerned coastal municipality or city in coordination with BFAR and
28 other government agencies and non-government organizations shall
29 provide opportunities to accredited Bantay Dagat for the following:

30 (1) Continuing education, study and exposure tour trainings, grants,
31 field immersion, scholarships, and the like;

1 (2) Scholarships in the form of tuition fees in state colleges, to be
2 granted to one child of every Bantay Dagat who will not be able to
3 take advantage of the above programs: and

4 (3) Special training programs such as those on paralegal education,
5 case documentation and evidence gathering and preservation and
6 operations of special gadgets or equipment for effective and
7 efficient coastal and fisheries law enforcement;

8 (e) Civil Service Eligibility. - A second-grade eligibility shall be granted
9 to accredited Bantay Dagat who have rendered five (5) years of
10 continuous service as such: *Provided*, That should the Bantay Dagat
11 volunteer become a regular employee of the government, the total
12 number of years served as Bantay Dagat shall be credited to his/her
13 service in computing retirement benefits;

14 (f) Free Legal Services - Legal representation and consultation services
15 for Bantay Dagat shall be immediately provided by the Municipal or
16 City Legal Officer and/or Public Attorney's Office in cases of coercion,
17 interference and in other civil and criminal cases filed by or against
18 Bantay Dagat volunteers arising out of or in connection with the
19 performance of their duties; and

20 (g) Preferential Access to Loans - The BFAR, in coordination with the
21 Department of Social Welfare Development and other concerned
22 government agencies shall provide, within one hundred eighty (180)
23 days after the effectivity of this Act, a mechanism for access to loan
24 services by organized Bantay Dagat volunteers.

25 SEC. 8. *Review by the Municipal or City FARMC.* - Every incentive or
26 benefit for Bantay Dagat volunteers requiring the expenditure of local funds shall
27 be reviewed and recommended by the FARMC for the approval of the LCE to
28 ensure that only deserving Bantay Dagat get the same.

29 SEC. 9. *Security of Tenure.* - All accredited Bantay Dagat shall enjoy
30 security of tenure and shall not be removed or terminated except for just and valid
31 causes as may be determined by BFAR. Said just or valid causes shall be included
32 in the implementing rules and regulations of this Act.

1 SEC. 10. *Agent of Person in Authority.* The accredited Bantay Dagat shall
2 be considered as agents of persons in authority while in the performance of their
3 duties and responsibilities.

4 SEC. 11. *Funding Requirement, of Bantay Dagat Operation.* – Local
5 government units, by virtue of this Act, are mandated to allocate regular funding
6 for the benefits and incentives of the Bantay Dagat and their operational
7 requirements. Such operational requirements shall include, but shall not be
8 limited to: (a) the conduct of seaborne operations such as regular patrol in the
9 coastal areas; (b) maintenance of equipment, gadgets, and supplies necessary for
10 their functions; (c) vehicle, fuel and food allowance for their operations; and (d)
11 conduct of seminars or workshops for Bantay Dagat members.

12 SEC. 12. *National Government Subsidy.* - The national government,
13 through the BFAR, shall provide annual subsidy to local governments that are
14 able to organize their own Bantay Dagat groups.

15 SEC. 13. *Rules and Regulations.* - The BFAR in cooperation with the
16 Department of the Interior and Local Government, the Department of Justice, the
17 Civil Service Commission and other concerned government agencies and non-
18 government organizations, shall formulate, within one hundred eighty (180) days
19 from its effectivity, the rules and regulations necessary to implement this Act.

20 SEC. 14. *Separability Clause.* - If any provision of this Act is declared
21 invalid, the remainder or any provision hereof not affected thereby shall remain
22 in force and effect.

23 SEC. 15. *Repealing Clause.* - All laws, decrees, executive orders and other
24 presidential issuances which are inconsistent with this Act are hereby repealed,
25 amended or modified accordingly.

26 SEC. 16. *Effectivity* - This Act shall take effect fifteen (15) days after its
27 publication in at least two (2) national newspapers of general circulation.

28 Approved,