

TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES
H. No. 1857

Introduced by **Representative Binky April M. Tupas**

EXPLANATORY NOTE

AN ACT
CREATING THE DEPARTMENT OF FISHERIES AND COASTAL
RESOURCES, DEFINING ITS POWERS AND FUNCTIONS,
APPROPRIATING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Based on the Philippine Fisheries Profile prepared by the Bureau of Fisheries and Aquatic Resources¹, a total of 2,299,127 fisherfolk engaged in diverse fishing and aquaculture activities were registered in the BFAR Fisherfolk Registration System (FishR) in 2023. Majority of which are involved in capture fishing which accounts for 50.9% of the total livelihood distribution, followed by aquaculture with 11.4%, gleaning with 11.1%, fish vending with 7.0%, and fish processing with 2.0%.

In 2023, fisheries production recorded a total volume of 4.26 million MT equating to a total value of Php 328.74 billion. Although the production volume experienced a slight decline from 4.34 million MT in 2022, the total production value increased by about Php 2.00 billion from the previous year's performance. Aquaculture held the largest volume share at 56.0%, while capture fisheries, composed of both commercial and municipal fisheries, accounted for 44.1% of the total fisheries production volume. Conversely, capture fisheries contributed a substantial 62.3% share of the total value of production, equating to Php 204.72 billion. Aquaculture, on the other hand, contributed only Php 124.02 billion, or 37.7% of the total value, despite having a significant production volume.

Seaweed remained the top produced commodity across all sub sectors with 1.62 million MT or 38.2% of the total volume production which accounted to approximately Php 12.71 billion. This was followed by tuna which contributed the largest share in terms of production value with Php 51.08 billion. Milkfish, sardines, tilapia, roundscad, and big-eyed scad were also among the top commodities with the highest production volume, with each contributing more than 100,000 MT to the total fisheries production. In terms of value, tuna ranked the highest contribution to the total value of production

¹ 2023 Philippine Fisheries Profile, Bureau of Fisheries and Aquatic Resources, October 2024

in 2023 with a share of 15.5% or Php 51.08 billion. This is followed by milkfish, shrimp, and tilapia with a share of 14.0%, 9.3%, and 8.9%, respectively.

There was a constant decline in the poverty incidence among fisherfolk from 2009 to 2018. However, in 2021, an increase was recorded as the poverty rate surged to 30.6%, marking the highest rate among the basic sectors for the said year. Both farmers and fisherfolk consistently demonstrated a high poverty rate from 2009 to 2021, which made them the poorest among the basic sectors within the given period.

The Philippines is abundant in both marine and inland water resources. In terms of marine water resources, coastal waters have an area of 244,164 sq. km, territorial sea have an area of 114,314 sq. km., and the shelf area (extend continental shelf beyond 200 nautical miles) have an area of 134,525 sq.km. Area for inland water resources is as follow: fishpond with an area of 228,380 sq. km.; marshland/swamp with an area of 142,365 sq. km.; and inland water with an area of 492,269 sq. km.

The fisheries industry plays an indispensable role in both the national and global economy. The dedication of our hardworking fisherfolk is crucial in ensuring food security, supporting livelihoods, and driving economic growth. Yet, the viability of the fishing industry and the well-being of fishermen remain at risk for several reasons: overfishing, decreasing fish populations, inadequate infrastructure, pollution, habitat destruction, and the negative effects of climate change.

To ensure the sustainable development and management of all fisheries, coastal, and marine resources in its archipelagic waters, territorial sea, and exclusive economic zone, this bill proposes the creation of the Department of Fisheries and Coastal Resources (DFCR). The Department shall have primary jurisdiction over the conservation, development, exploration, management, policy planning and utilization of all fishery and coastal resources of the country, including the habitats of fish and all other marine life and activities which impact on marine life.

The creation of the DFCR will help spur rural development and create opportunities to increase the income of fishermen. It will help the government invest in strategic infrastructure for fisheries, coastal, and marine resources. At the same time, it will enable the government to address problems of pollution, destructive fishing practices, habitat destruction, and climate change. It will sustain the country's continuing efforts to increase food production to meet the demands of a fast, growing population. For these reasons, the immediate passage of this bill is earnestly sought.

In light of the foregoing, the immediate consideration and approval of this measure is respectfully urged.


BINKY APRIL M. TUPAS

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

SECTION 1. Short Title. – This Act shall be known as the “*Department of Fisheries and Coastal Resources Act of 2025*.”

SEC. 2. Declaration of Policy. – It is hereby declared the policy of the State:

- (a) To protect and conserve the nation’s fisheries, coastal, and marine wealth in its archipelagic waters, territorial sea, exclusive economic zone, and the adjacent high seas;
- (b) To undertake the sustainable development and management of all fisheries, coastal, and marine resources in its archipelagic waters, territorial sea, and exclusive economic zone;
- (c) To reserve fisheries, coastal, and marine resources for the exclusive use and enjoyment of Filipino citizens and to protect the rights of small-scale fishermen subsisting on the nation’s marine resources.;
- (d) To ensure the rational and sustainable development, management and conservation of the fishery and aquatic resources in Philippine waters including the Exclusive Economic Zone (EEZ) and in the adjacent high seas, consistent with the primordial objective of maintaining a sound ecological balance, protecting and enhancing the quality of the environment. The Philippines shall pursue its commitment to international conventions and cooperate with other states and international bodies, in order to conserve and manage threatened, aquatic species, straddling and highly migratory fish stocks and other living marine resources.

SEC. 3. Creation of the Department of Fisheries and Coastal Resources.
– There is hereby created the Department of Fisheries and Coastal Resources, hereinafter referred to as the Department.

SEC. 4. Jurisdiction of the Department. – The Department shall have primary jurisdiction over the conservation, development, exploration, management, policy planning and utilization of all fishery and coastal resources of the country, including the habitats of fish and all other marine life and activities which impact on marine life.

The Department shall have the authority to supervise and regulate the production and harvesting of fish and fishery products within its jurisdiction, as well as the processing and marketing of all fisheries and aquatic products in the country.

Municipal waters shall remain under the jurisdiction of local government units which shall manage the municipal waters in accordance with national fishery policies, laws, rules and regulations.

SEC. 5. Powers and Functions. – The Department shall have the following powers, functions and responsibilities:

I. Policy and Planning

(a) Formulate, recommend, and implement national policies, plans, and programs, and guidelines on fisheries and coastal resources;

(b) Formulate and implement, consistent with the development framework of the National Economic and Development Authority, a fishery and aquatic resources development program with the objectives of food security and sustainable development;

(c) Formulate policies and initiatives based on the commitments of the country on international treaties and agreements;

(d) Prepare and implement a Comprehensive Fisheries and Aquatic Resources Management Plan;

II. Enforcement, Regulation and Industry Development

(e) Implement the provisions of Republic Act No. 8550 and the relevant provisions of Republic Act No. 8435 and enforce all fishery laws, rules and regulations;

(f) Promulgate rules and regulations pertaining to the classification, construction, maintenance and operation of all fishing ports, landing sites and fish markets and the operations of business therein except those owned and operated by LGUs;

(g) Exercise quasi-judicial functions to resolve and settle conflicts on resource use and allocation in consultation with the National Fisheries Regulatory and Adjudication Board (NFRAB) and LGUs;

(h) Regulate and issue licenses and permits for the operation of commercial fishing vessels and fishery related activities;

(i) Provide a fisheries modernization credit program to finance fishery projects of fishermen, fish farmers, fish processors, commercial fishers, and other stakeholders in the fishing industry;

(j) Acquire, maintain, operate, purchase or dispose equipment and facilities such as slupyards, fishing vessels, fishing equipments, refrigerated trucks, ice plants and cold storages, communication, and aquaculture facilities;

(k) Fix, assess and collect reasonable fees, tolls, charges, rentals and the like for the use, sale, lease or properties, equipment, facilities and services;

(l) Provide infrastructure support such as municipal fishing ports, farm to market roads, quality laboratories in fish ports, marketing facilities, local fisheries shipbuilding and repair facilities, and post-harvest facilities, in cooperation with concerned agencies;

(m) Implement a National Marketing Assistance Program aimed at providing a steady market for fishermen, fish farmers and fishery –related enterprises;

III. Resource Sharing and Capability-Building

(n) Ensure knowledge, information and resource-sharing, and database-building on fisheries, coastal and marine-related information;

(o) Develop the Philippine Fisheries and Aquatic Resources Information System (PFARIS) that will serve as the depository and information server of all fisheries, aquatic, and marine-related information;

(p) Assist and provide technical expertise to government agencies and local government units;

IV. Fisheries Conservation and Management

(q) Promulgate rules, and regulations governing the conservation, exploration, and utilization of all fishery and coastal resources except in municipal waters;

(r) Designate marine sanctuaries and marine protected areas;

(s) Engage in the conservation, protection and rehabilitation of rare, threatened and endangered marine species as it may determine, including their habitats;

(t) Institutionalize a monitoring control and surveillance system to ensure that fisheries, aquatic, and marine resources are utilized and managed on a sustainable basis;

(u) Perform all other functions consistent with this Act and as may be provided by law.

SEC. 6. Composition. - The Department shall be headed by a Secretary. The Department proper shall be composed of the Office of the Secretary, the Offices of the Undersecretaries, and the Assistant Secretaries.

SEC. 7. Secretary of Fisheries and Coastal Resources. –The Secretary shall be appointed by the President, subject to confirmation by the Commission on Appointments. The Secretary shall have the following functions:

- (a) Provide executive direction and supervision over the entire operations of the Department and its attached agencies;
- (b) Establish policies and standards for the effective, efficient, and economical operation of the Department, in accordance with the programs of the government;
- (c) Review and approve requests for financial and manpower resources of all operating offices of the Department;
- (d) Designate and appoint officers and employees of the Department, excluding the undersecretaries, assistant secretaries, regional and assistant regional directors, in accordance with civil service laws, rules and regulations;
- (e) Exercise disciplinary powers over officers and employees of the Department in accordance with law including their investigation and designation of a committee or officer to conduct such investigation;
- (f) Coordinate with LGUs, other agencies and public and private interest groups, including nongovernment organizations (NGOs) and people's organizations (POs) on Department policies and initiatives;
- (g) Prepare and submit to the President through the Department of Budget and Management (DBM) an estimate of the necessary expenditures of the Department during the next fiscal year, on the basis of the reports and estimates by bureaus and offices;
- (h) Advise the president on the promulgation of executive and administrative orders and formulation of regulatory and legislative proposals on matters pertaining to fisheries and coastal resources;
- (i) Promulgate rules, regulations and other issuances in carrying out the Department's mandate, objective, policies, plans, programs and projects; and
- (j) Perform such other functions as may be provided by law or assigned by the President.

SEC. 8. Undersecretaries. - The Secretary shall be assisted by three (3) Undersecretaries, who shall be appointed by the President upon recommendation of the Secretary: Provided, that two (2) of the Undersecretaries shall be career officers.

SEC. 9. Assistant Secretaries - the Secretary shall be assisted by four (4) Assistant Secretaries who shall be appointed by the President upon recommendation of the Secretary: Provided, that two (2) of the Assistant Secretaries shall be career officers.

SEC. 10. Qualifications - No person shall be appointed Secretary, Undersecretary, or Assistant Secretary of the department unless he or she is a resident of the Philippines, of good moral character, of proven integrity, and with at least seven (7) years of competence and expertise in any of the following: fisheries, biology, public administration, management, economics, law or other equivalent relevant disciplines.

SEC. 11. Regional Offices. - The Department shall have such department-wide regional offices as may be necessary in the administrative regions, each to be headed by a Regional Director, who shall be assisted by one (1) Assistant Director, appointed by the President. The regional offices shall, within their respective administrative regions, the following functions:

- (a) Provide efficient and effective front-line service to the fishery and coastal sector, particularly to fisher folks;
- (b) Implement laws, policies, plans, programs, projects, rules and regulations of the Department;
- (c) Coordinate with the Regional Offices of the other departments, offices, agencies and LGUs in the region; and
- (d) Perform other functions as may be provided by law or assigned by the Secretary.

SEC. 12. Transfer of Agencies and Personnel. –

The following agencies are hereby abolished, and their powers and functions, applicable funds and appropriations, records, equipment, property, and personnel transferred to the Department:

- (1) Bureau of Fisheries and Aquatic Resources;
- (2) Philippine Fisheries Development Authority;
- (3) The National fisheries Research and Development Institute;
- (4) The National and Municipal Fisheries and Aquatic Resources Management Councils created under Republic Act No. 8550;
- (5) The Philippine Technical Advisory Committee of the SEAFDEC Aquaculture Department created under Executive Order No. 834 dated October 04, 1982;

(6) The fisheries related functions of the Laguna Lake Development Authority;

(7) The Philippine Council for Aquatic and Marine Research and Development;

(8) The Marine Research and Conservation Division and the different sections there under and the Coastal Environment Program, all marine and coastal related projects and programs of the Department of Environment and Natural Resources, and all fisheries related functions of the DENR;

(9) The fisheries related functions of the Bureau of Agricultural Research, Bureau of Agricultural Statistics, and the Agricultural Institute of the Department of Agriculture

SEC. 13. Structure and Staffing Pattern. – Subject to the approval of the DBM, the Department shall determine its organizational structure, staffing pattern, qualification standards, and placement of personnel in the Department, its bureaus, services, and offices. Officers and employees of the department shall be appointed in accordance with the civil service law, rules, and regulations.

SEC. 14. Transition Period. – The transfer of functions, assets, funds, equipment, properties, transactions and personnel of the affected agencies, and the formulation of the internal organic structure, staffing pattern, and revised budget of the Department shall be completed within six (6) months from the effectivity of this Act, during which time, the existing personnel shall continue to assume their posts in holdover capacities until new appointments are issued: Provided, That after the abolition of the agencies as specified in Section 15 (a) of this Act, the Department in coordination with the DBM, shall determine and create new positions, the funding requirements of which should not exceed the equivalent cost of positions abolished.

SEC. 15. Appropriations. – The amount needed for the initial implementation of this Act shall be taken from the current fiscal year's appropriation of agencies as specified in Section 15 (a) of this Act. Thereafter, the amount needed for the operation and maintenance of the Department shall be included in the General Appropriations Act.

SEC. 16. Implementing Rules and Regulations. – The duly appointed Secretary of the Department shall immediately create an organization committee composed of representatives from the Department of Budget and Management, Department of Agriculture, Department of Environment and Natural Resources, Civil Service Commission, representative from the fishing sector, and the academe, for the formulation of the necessary rules and regulations for the effective implementation of this Act.

SEC. 17. Separability Clause. – If any provision of this Act shall be declared unconstitutional or inoperative, the other provisions not so affected shall remain in force and effect.

SEC. 18. Repealing Clause. – All laws, degrees, executive orders, rules and issuances or parts thereof inconsistent with this Act or the rules and

regulations promulgated pursuant thereto are hereby repealed, amended, or modified accordingly.

SEC. 19. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,