

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



HOUSE OF REPRESENTATIVES

*Introduced by Representative Rufus B. Rodriguez and
Representative Maximo B. Rodriguez, Jr.*

House Bill No. **2163**

EXPLANATORY NOTE

Live fish trade involves the fish trade of both food fish as well as ornamental fish for aquariums with the majority of these fishes coming from Southeast Asia.

Within the live food trade there are certain types of fish demanded more often by consumers, particularly smaller and medium-sized fish. According to the book *While Stocks Last: The Live Reef Food Fish Trade* consumer demand has caused the fish captured on coral reefs to be the most valued fish in the trade.

Consumers are important because they are directly purchasing these fish species at restaurants and stores. These preferences inevitably affect the biodiversity of marine life making certain fish species rarer to find.

The live fish food trade is lucrative businesses which leads some fishermen to use illegal fishing methods and as is often the case, consumers are willing to pay large amounts of money on rare and fresh fish.

Illegal live fish trade in the country is reaching alarming levels. The trade of live reef fish in the country goes on unabated and at the rate it's going, critical coral reefs particularly in the Palawan area will soon be gone due to dynamite and cyanide fishing, threatening the sanctity of these endangered areas. It is estimated that since the 1960s, more than one million kilograms of cyanide has been squirted into Philippine reefs alone with the live fish trade continuously growing. In 1994, the Philippines exported 200,000 kg of live fish; by 2004 the Philippines were annually exporting 800,000 kg.

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


RUFUS B. RODRIGUEZ


MAXIMO B. RODRIGUEZ, JR.

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AN ACT

**BANNING THE USE OF CYANIDE, DYNAMITE AND ALL FORMS OF ILLEGAL FISHING
TECHNIQUES IN THE LIVE FISH TRADE IN THE PHILIPPINES**

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

SECTION 1. Declaration of Policy – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

SEC. 2. Live fish trade includes the act of fishermen of using cyanide, dynamite or other forms of illegal fishing in catching fish alive in order to trade or sell them in the international and local markets.

SEC. 3. It is hereby prohibited for fishermen and all other individuals and corporations to engage in live fish trade using cyanide dynamite and other forms of illegal fishing techniques.

SEC. 4. Penal Provisions – Any person, whether juridical or natural, caught engaging in live fish trade using cyanide dynamite and other forms of illegal fishing techniques. shall be held liable to pay a fine of not less than Five hundred Thousand Pesos (P500,000) nor more than One Million Pesos (P1,000,000) and imprisonment of not less than five (5) years nor more than ten (10) years.

SEC. 5. Implementing Rules – The Department of Agriculture, thru the Bureau of Fisheries and Aquatic Resources shall issue such orders, rules and regulations and other issuances as may be necessary to ensure the effective implementation of this Act.

SEC. 6. Separability Clause – If for any reason, any part of or provision of this Act is declared unconstitutional or invalid, such parts not affected thereby shall remain in full force and effect.

SEC. 7. Repealing Clause – Any law, executive order, letter of instruction, rules and regulations, circulars, issuances or any part thereof inconsistent with any of the provisions of this Act is hereby repealed, modified or amended accordingly.

SEC. 8. Effectivity – This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,