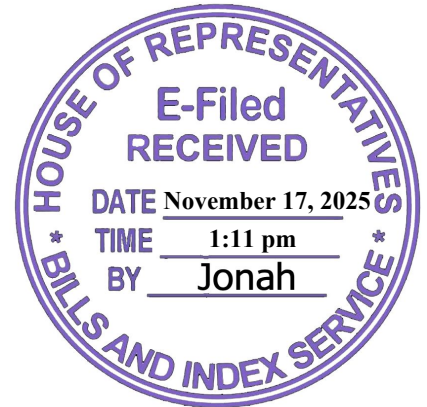


Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City, Metro Manila

**TWENTIETH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 6045**



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**Introduced by:**

**HON. CHRISTOPHERSON “COCO” M. YAP**

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**EXPLANATORY NOTE**

This bill seeks to reserve, on an exclusive basis, the entire fifteen (15)-kilometer span of municipal waters for the use of duly registered small-scale and subsistence fisherfolk and their organizations. It upholds the principles of food security, social justice, and environmental sustainability by prohibiting commercial fishing within municipal waters.

Republic Act No. 8550, otherwise known as the *Philippine Fisheries Code of 1998*, as amended by Republic Act No. 10654, already recognizes the preferential rights of municipal fisherfolk and establishes mechanisms to support them. However, existing provisions still permit the operation of commercial fishing vessels between 10.1 and 15 kilometers from the shoreline. Experience has shown that such exceptions diminish small fishers’ access to nearshore resources, complicate enforcement, and contribute to the depletion of local fish stocks.

Jurisprudence has settled the geographic extent of municipal waters at fifteen (15) kilometers from the coastline, as affirmed by the Supreme Court in *De Borja v. PUMALU-MV* (2017), while areas beyond this limit fall under national jurisdiction through the Department of Agriculture and the Bureau of Fisheries and Aquatic Resources (*Republic v. Province of Palawan*, 2018).

Anchored on these legal foundations, the bill:

1. Grants exclusive fishing rights within municipal waters to registered small-scale and subsistence fisherfolk;
2. Categorically prohibits commercial fishing within the 0–15 kilometer zone;
3. Mandates the registration and support of fisherfolk by local government units; and
4. Aligns penalties and enforcement with the framework established under the *Fisheries Code*, as amended.

By clarifying and strengthening the exclusive use of municipal waters, this measure advances the long-standing policy of prioritizing municipal fisherfolk, promotes equitable access to coastal resources, and supports sustainable fisheries management in pursuit of national food security and climate-resilient livelihoods.

In view of the foregoing, **ug sa ngalan sa SERBISYONG TINUORAY**, the undersigned respectfully requests the immediate passage of this measure.

  
**CHRISTOPHERSON "COCO" M. YAP**  
Representative, Second District of Southern Leyte

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
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**TWENTIETH CONGRESS**  
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**Introduced by:**

**HON. CHRISTOPHERSON “COCO” M. YAP**

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**AN ACT**

**GRANTING EXCLUSIVE FISHING RIGHTS TO SMALL-SCALE AND SUBSISTENCE FISHERFOLK WITHIN THE FIFTEEN (15) KILOMETER MUNICIPAL WATERS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS THE "PHILIPPINE FISHERIES CODE OF 1998," AND FOR OTHER PURPOSES**

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

**SECTION 1. Short Title.** — This Act shall be known as the “Karapatan sa Karagatan Act”.

**SECTION 2. Declaration of Policy.** — It is hereby declared the policy of the State to ensure food security, protect the rights of small-scale and subsistence fisherfolk, and promote the sustainable management of fisheries and aquatic resources within municipal waters.

**SECTION 3. Definition of Terms.** — For purposes of this Act:

- (a) “*Small-scale fisherfolk*” refers to individuals or groups who are directly or personally and physically engaged in fishing and fishery-related activities using fishing boats of three (3) gross tons or less, or fishing gear not requiring the use of boats, and whose catch is primarily for local consumption or subsistence.
- (b) “*Subsistence fisherfolk*” refers to individuals or families who rely primarily on fishing for their daily food needs and whose catch is not intended for commercial sale.

- (c) “*Municipal waters*” refers to streams, lakes, inland bodies of water, and marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality or city touch the sea at low tide and a third line parallel with the general coastline and fifteen (15) kilometers from it, including offshore islands, as defined by law and jurisprudence.

**SECTION 4. Exclusive Fishing Rights.** — The right to fish, gather, and engage in fishery-related activities within the fifteen (15)-kilometer municipal waters, as defined under Section 4(58) of Republic Act No. 8550, is hereby reserved exclusively to registered small-scale and subsistence fisherfolk who are residents of the municipality or city concerned, including their duly registered organizations and cooperatives.

**SECTION 5. Role of Local Government Units.** — The municipal or city government, in consultation with the Fisheries and Aquatic Resources Management Council (FARMC), shall be responsible for the management, conservation, development, protection, utilization, and disposition of all fish and fishery/aquatic resources within their respective municipal waters. The LGUs shall enact appropriate ordinances and enforce this Act in accordance with national fisheries policy.

**SECTION 6. Prohibition of Commercial Fishing and Other Prohibited Acts in Municipal Waters** — Notwithstanding Section 18 of Republic Act No. 8550, as amended by Republic Act No. 10654, the following shall apply within the entire fifteen (15)-kilometer municipal waters as defined in Section 4(58) of Republic Act No. 8550:

- (a) No commercial fishing vessel, regardless of size or tonnage, shall operate within said municipal waters. Any exception to this prohibition must be expressly provided by law and shall be subject to strict regulation and prior consultation with affected fisherfolk;
- (b) It shall be unlawful for any person, corporation, organization, or entity to engage in commercial fishing or other extractive activities within said municipal waters;
- (c) It shall be unlawful for any non-resident to fish, gather, or otherwise extract aquatic resources within said municipal waters, and for any person, corporation, organization, or entity to authorize, permit, allow, or cause the same; and

(d) It shall be unlawful to violate any ordinance, regulation, or implementing rule issued pursuant to this Act.

Any authorization or permit issued or relied upon in contravention of this Section is null and void.

**SECTION 7. Registration and Support.** — All small-scale and subsistence fisherfolk must be registered with the local government unit and included in the official registry of municipal fisherfolk. The Department of Agriculture, in coordination with local government units, shall provide technical, financial, and capacity-building support to registered fisherfolk.

**SECTION 8. Penalties.** — Any person, association, or entity found violating the provisions of this Act shall be subject to penalties as provided under Republic Act No. 8550, as amended, and other applicable laws.

**SECTION 9. Implementing Rules and Regulations.** — The Department of Agriculture, in consultation with the Department of the Interior and Local Government, Bureau of Fisheries and Aquatic Resources, and representatives of small-scale and subsistence fisherfolk, shall promulgate the necessary rules and regulations to implement this Act within ninety (90) days from its effectivity.

**SECTION 10. Separability Clause.** — If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in full force and effect.

**SECTION 11. Repealing Clause.** — All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

**SECTION 12. Effectivity.** — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

**Approved,**