

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

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO: 7122

Introduced By: **HON. CLAUDE P. BAUTISTA**

EXPLANATORY NOTE

The World Bank Group reports that, “The current structure of the Bureau of Fisheries and Aquatic Resources (BFAR) under the Department of Agriculture (DA) makes it difficult to coordinate actions across various agencies involved in marine issues (e.g., law enforcement, environmental protection, and local government units). A dedicated department would have the authority and mandate to ensure integrated management and a cohesive national strategy for aquatic resources, including international affairs related to fishing in high seas and territorial disputes.”

This measure short-titled as the “Yamang” Dagat Protection Bill” seeks to reorganize the current BFAR by establishing it as an independent agency separate from the DA. The primary objectives are to preserve and enhance the sustainable management of the Philippines’ aquatic resources; improve governance, accountability, and policy coherence in fisheries and aquatic resources management; strengthen sectoral resilience against climate change, overfishing, and environmental degradation; and to promote the welfare of fisherfolk and coastal communities through dedicated, autonomous administration and budgetary control.

BFAR, as we speak, operates within the DA, which leads to the diffusion of responsibility between agricultural policy objectives and fisheries-specific needs. An independent BFAR would be insulated from agricultural policy shifts, enabling more consistent, long-term fisheries planning, science-based decision-making, and targeted resource management.

This bill aims to improve the governance, accountability, and effectiveness of nationwide fisheries and aquatic resources management by establishing the Bureau of Fisheries and Aquatic Resources as an independent agency. By focusing dedicated attention, expertise, and resources on these critical sectors, the measure seeks to promote sustainable livelihoods for fisherfolk, safeguard aquatic ecosystems, and enhance the resilience and competitiveness of the country’s fisheries industry.


CLAUDE P. BAUTISTA

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HOUSE BILL NO. 7122

Introduced by Representative Claude P. Bautista

AN ACT
ESTABLISHING THE BUREAU OF FISHERIES AND AQUATIC RESOURCES
AS AN INDEPENDENT AGENCY SEPARATE FROM THE DEPARTMENT OF
AGRICULTURE AND APPROPRIATING FUNDS THEREFOR

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

Section 1. Short Title. This Act shall be known as the “Yamang Dagat Protection Act.”

Section 2. Findings and Purpose

(a) Findings-The sustainable management, conservation, and development of the nation’s fisheries, aquatic resources, and marine ecosystems are vital to national security, food sovereignty, livelihoods, and environmental integrity.

The existing organizational arrangement places the Bureau of Fisheries and Aquatic Resources (BFAR) within the Department of Agriculture, which constrains its autonomy, budgetary discretion, and regulatory effectiveness.

There is a compelling public interest in establishing BFAR as an independent agency with clearly defined powers, responsibilities, and accountability to enhance sector leadership, science-based decision making, and stakeholder trust.

(b) PurposeThe purpose of this Act is to establish BFAR as an independent agency, separate from the Department of Agriculture, with clear mandates for fisheries management, aquatic resources, aquaculture development, and coastal/estuarine protection; budgetary and appointive autonomy;

strengthened scientific capability and data-driven policymaking; and enhanced transparency, accountability, and stakeholder engagement.

Section 3. Definition of Terms.-As used in this Act:

- a) “Agency” means the Bureau of Fisheries and Aquatic Resources (BFAR), an independent agency of the state
- b) “Independent Agency” means an agency not part of the executive department structure, with its own charter, governing council or commission, and budgetary autonomy as provided by this Act.
- c) “Director” means the Director of BFAR, appointed as specified in Section 4.
- d) “Council” means the BFAR Governance Council established by Section 4, unless otherwise provided.
- e) “Fisheries Resources” includes marine, estuarine, inland water, and aquatic organisms, habitats, and ecosystems.
- f) “Aquaculture” includes cultivation of aquatic organisms, including freshwater and marine species, and related infrastructure and services.

Section 4. Establishment and Governance

(a) Establishment- There is established the Bureau of Fisheries and Aquatic Resources (BFAR) as an independent agency, separate from the Department of Agriculture.

(b) Governance Council

(1) There shall be a BFAR Governance Council responsible for overall policy direction, strategic planning, and high-level oversight.

(2) The Council shall consist of:

- a Chairperson appointed by the President with the advice and consent of Congress for a fixed term of three years, renewable once;
- two scientists with relevant fisheries/aquatic sciences background appointed by the President;
- two representatives from affected stakeholders such as small-scale fishers, aquaculture industry, coastal communities appointed by the President;
- one representative from the Department of Agriculture (ex officio, non-voting) to ensure continuity of cross-sector coordination during transition, unless and until fully separated.

(3) Functions of the Council

- Approve the BFAR strategic plan, annual budget, and major policy initiatives;
- Establish performance metrics and accountability standards for BFAR programs;
- Ensure transparency, publish annual reports, and conduct oversight hearings as appropriate;

(c) Director

(1) The Council shall appoint a Director of BFAR for a fixed term of three years, with the possibility of renewal, based on merit, qualifications, and integrity.

(2) Qualifications - Advanced degree in marine biology, fisheries science, ecology, aquaculture, natural resource management, or a related field; at least five years of senior leadership experience; demonstrated ability to lead a large, multidisciplinary organization.

(3) Powers and duties of the Director:

- Implement Council policies and strategic plan;
- Manage BFAR's day-to-day operations, personnel, and procurement within the framework of this Act;
- Submit annual budget requests and performance reports to the Council;
- Represent BFAR in interagency and international fora.

(d) Autonomy and Oversight

BFAR shall have its own structure, payroll, procurement, and program budgets, distinct from the Department of Agriculture, with annual appropriation enacted by the Philippine Congress and subject to annual audit.

The Council shall provide oversight but not micromanage day-to-day operations; the Director shall ensure compliance with applicable laws and regulations.

Section 5. Functions and Powers. BFAR shall have the following primary functions and powers:

(a) Fisheries Management and Conservation-Develop and implement national policies for sustainable fisheries management, including quotas, licensing, gear restrictions, protected areas, and bycatch mitigation.

Monitor, assess, and regulate fish stocks, habitats, and ecosystems; undertake stock assessments and publish data publicly.

(b) Aquaculture Development-Promote sustainable aquaculture development, including site allocation, environmental impact assessments, biosecurity, and best-practice standards.

Support small-scale and artisanal aquaculture sectors, with emphasis on resilience, market access, and safety.

(c) Resource Monitoring and Research-Conduct and sponsor scientific research on fish biology, genetics, ecology, climate impacts, and ecosystem-based management.

Maintain open data portals and support data interoperability with other agencies.

(d) Compliance, Enforcement, and Safety-Implement enforcement of fisheries laws, including patrolling, licensing compliance, vessel monitoring, and sanctions for violations.

Ensure seafood safety and quality through inspection, traceability, and risk-based surveillance.

(e) Coastal and Community Resilience-Protect coastal and estuarine habitats, coral reefs, mangroves, and critical habitats against degradation.

Promote community engagement, stakeholder dialogue, and livelihoods through inclusive programs.

(f) International Cooperation-Represent the nation in international fisheries organizations; negotiate treaties and technical cooperation agreements as needed.

(g) Public Information and Transparency- Publish annual performance reports, budgets, and strategic plans; maintain accessible channels for public inquiries and comment.

Section 6. Budget, Financing, and Appropriations

(a) Independent Budget-BFAR shall have an annual appropriation distinct from the Department of Agriculture, subject to the legislative budget process.

(b) Financing-BFAR may accept grants, donations, and technical assistance from international organizations, subject to applicable laws and safeguards.

(c) Audits-BFAR shall be audited annually by the Commission on Audit, with reports published publicly.

Section 7. Transition

(a) Transition Plan-Within 180 days of enactment, a transition plan shall be prepared to transfer functions, personnel, facilities, and assets from the Department of Agriculture to BFAR, ensuring continuity of services.

(b) Personnel-Employees currently assigned to BFAR within the Department of Agriculture shall be given opportunities to transfer to BFAR, with fair personnel protections and accrued benefits in accordance with law.

(c) Property and Contracts-Real and personal property, contracts, and obligations tied to BFAR shall be legally transferred and codified in BFAR's name.

Section 8. Legislative Oversight and Accountability

(a) Annual Report-BFAR shall present an annual performance report to Congress, detailing program outcomes, financial statements, and impact assessments.

(b) Oversight Hearings-Congress may conduct periodic oversight hearings to review BFAR performance, governance, and compliance with statutory requirements.

(c) Audits and Investigations-BFAR shall be subject to audits by the Commission on Audit, with findings acted upon by the Council and reported publicly.

Section 9. Interagency Coordination. BFAR shall coordinate with:

- a) The Department of Environment and Natural Resources or equivalent environmental agency for habitat protection and environmental impact considerations.
- b) The Department of Trade and Industry for seafood safety, processing, and export standards.
- c) Other relevant agencies to ensure coherent policy across agriculture, environment, trade, and coastal development.

Section 10. Implementing Rules and Regulations.- Within sixty (60) days from the effectivity of this Act, the Secretary of Agriculture, in consultation with the Council, shall issue the necessary rules and regulations to implement this Act.

Section 11. Separability Clause.- If any section or provision of this Act is declared unconstitutional, the other sections or provisions shall be in full force and effect.

Section 12. Repealing Clause.- All laws, decrees, orders, rules, and regulations, and other issuances or parts thereof inconsistent with this Act are hereby repealed.

Section 13. Effectivity. -This Act shall take effect fifteen (15) days after its publication in the Official Gazette or a newspaper of general circulation.

Approved,