

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



HOUSE OF REPRESENTATIVES

House Bill No. 8062

Introduced by Hon. Antonio B. Legarda Jr.

AN ACT

**DECLARING THE PREFERENTIAL RIGHTS OF MUNICIPAL FISHERFOLK BY
DECLARING THE FIFTEEN (15)-KILOMETER MUNICIPAL WATERS AS
EXCLUSIVELY RESERVED FOR THEIR USE, PROTECTING MUNICIPAL
WATERS FROM COMMERCIAL FISHING, PROVIDING SUPPORT MEASURES
FOR SUSTAINABLE LIVELIHOODS, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Municipal waters are intended to sustain small-scale fisherfolk, yet increasing commercial encroachment continues to threaten their livelihoods and the long-term sustainability of coastal communities. Data show that suspected commercial fishing intrusions within the fifteen (15)-kilometer municipal waters rose by 10.5% from 2023 to 2024¹, with more than 270,000 apparent intrusions recorded between January 2017 and January 2024.²

As intrusions rise, municipal fisheries production continues to decline. The increasing presence of commercial vessels in nearshore waters intensifies fishing pressure in areas already biologically vulnerable, directly affecting catch volumes of small-scale fishers. In 2024, marine municipal fisheries output decreased by 8.8%, falling from 879,960 metric tons (MT) to 802,770 MT.³ This decline is further aggravated by illegal, unreported, and unregulated (IUU) fishing, which resulted in an estimated Php5.4 billion in economic losses between 2022 to 2023.⁴ Such rapid depletion of marine

¹ Intrusions of big fishers in municipal waters rose in 2024 – conservation group, Rappler, July 17, 2025, <https://www.rappler.com/philippines/intrusions-big-fishers-municipal-waters-increased-2024/>

² PHL fish catch declining 45,000 MT a year due to overfishing, lax regulation – report, Business World, February 2, 2026, <https://www.bworldonline.com/economy/2026/02/02/728053/phl-fish-catch-declining-45000-mt-a-year-due-to-overfishing-lax-regulation-report/>

³ *Supra* note 1.

⁴ *Supra* note 2.

resources poses a serious threat not only on fisherfolk livelihoods but also to the country's long-term food security.

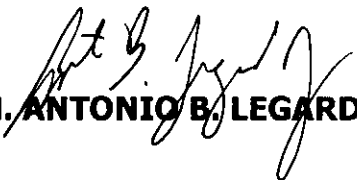
While Republic Act No. 8550, otherwise known as *The Philippine Fisheries Code of 1998*, as amended, recognizes the preferential rights of small-scale fishers, inconsistent enforcement and regulatory ambiguities have weakened these protections, resulting in continued commercial encroachment despite clear statutory intent.

This bill seeks to reaffirm legislative intent by expressly reserving the fifteen (15)-kilometer municipal waters for registered local fisherfolk and their cooperatives. It strengthens safeguards against unauthorized commercial fishing while allowing for strictly regulated exceptions only within the 10.1 to 15-kilometer zone, subject to rigorous environmental standards and public consultation. Such exceptions shall be narrowly construed and shall not diminish the primary and preferential rights of municipal fisherfolk.

This measure also reinforces the role of local government units (LGUs) in managing their respective municipal waters, consistent with the principle of decentralization. By clarifying both local jurisdiction and national supervision, the bill promotes coordinated and accountable fisheries governance.

Ultimately, this bill aims to protect the rights of municipal fisherfolk and ensure the sustainable management of our marine resources for future generations.

In view of the foregoing, the passage of this bill is earnestly sought. This bill also serves as the counterpart measure to that filed in the Senate by Senator Loren Legarda.


HON. ANTONIO B. LEGARDA, JR.

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17 **AN ACT**
18 **DECLARING THE PREFERENTIAL RIGHTS OF MUNICIPAL FISHERFOLK BY**
19 **DECLARING THE FIFTEEN (15)-KILOMETER MUNICIPAL WATERS AS**
20 **EXCLUSIVELY RESERVED FOR THEIR USE, PROTECTING MUNICIPAL**
21 **WATERS FROM COMMERCIAL FISHING, PROVIDING SUPPORT MEASURES**
22 **FOR SUSTAINABLE LIVELIHOODS, AND FOR OTHER PURPOSES**
23

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

26 Section 1. ***Short Title.*** – This Act shall be known as the “Municipal Fisherfolk
27 Protection Act”.

28 Section 2. ***Declaration of Policy.*** – It is hereby declared the policy of the
29 State to uphold the preferential rights of municipal fisherfolk in the use, management,
30 and protection of municipal waters. Recognizing that fisheries are vital to food security,
31 ecological balance, and the livelihoods of coastal communities, the State affirms its
32 duty under the Constitution to protect small-scale fisherfolk and promote social justice
33 through sustainable and inclusive fisheries governance.

34 Towards this end, the State shall ensure that the fifteen (15)-kilometer
35 municipal waters are reserved primarily for the use of municipal fisherfolk and their
36 duly registered organizations or cooperatives. Such preferential use shall be construed
37 as a substantive right and not merely a regulatory preference.

1 The State shall prohibit unauthorized commercial fishing in these waters,
2 establish science-based and community-informed safeguards, and provide institutional
3 and livelihood support to strengthen the resilience, productivity, and dignity of
4 subsistence fishers. This policy shall be implemented with due regard to environmental
5 sustainability, the autonomy of local government units, and the principles of
6 decentralization.

7 Section 3. ***Definition of Terms.*** – For purposes of this Act, the following
8 terms are hereby defined:

9 a) ***Municipal Waters*** – include not only streams, lakes, inland bodies of water
10 and tidal waters within the municipality which are not included within the
11 protected areas as defined under Republic Act No. 7586 (The NIPAS Law),
12 public forest, timber lands, forest reserves or fishery reserves, but also
13 marine waters included between two (2) lines drawn perpendicular to the
14 general coastline from points where the boundary lines of the municipality
15 touch the sea at low tide and a third line parallel with the general coastline
16 including offshore islands and fifteen (15) kilometers from such coastline.
17 Where two (2) municipalities are so situated on opposite shores that there
18 is less than thirty (30) kilometers of marine waters between them, the
19 third line shall be equally distant from opposite shore of the respective
20 municipalities.

21 b) ***Fisheries and Aquatic Resources Management Council (FARMC)*** – refers to
22 the multi-sectoral advisory body created under Section 69 of Republic Act
23 No. 8550, or the Philippine Fisheries Code of 1998, as amended by
24 Republic Act No. 10654, to assist in the preparation and implementation
25 of local fisheries plans and policies. FARMCs are established at the national
26 (NFARMC), municipal/city (M/CFARMC), and barangay levels, and are
27 composed of representatives from local government units, fisherfolk
28 organizations, academe, and relevant government agencies.

29 c) ***Department*** - shall mean the Department of Agriculture.

30 Section 4. ***Jurisdiction of Municipal/City Government.*** – The
31 municipal/city government shall have jurisdiction over municipal waters as defined in

1 this Act. The municipal/city government, in consultation with the Fisheries and Aquatic
2 Resources Management Councils (FARMC), shall be responsible for the management,
3 conservation, development, protection, utilization, and disposition of all fish and
4 fishery/aquatic resources within their respective municipal waters.

5 The municipal/city government may, in consultation with the FARMC, enact
6 appropriate ordinances for this purpose and in accordance with the National Fisheries
7 Policy. The ordinances enacted by the municipality and component city shall be
8 reviewed pursuant to Republic Act No. 7160 by the Sanggunian of the province which
9 has jurisdiction over the same.

10 The Local Government Units (LGUs) shall also enforce all fishery laws, rules and
11 regulations as well as valid fishery ordinances enacted by the municipal/city council.

12 The management of contiguous fishery resources such as bays which straddle
13 several municipalities, cities or provinces, shall be done in an integrated manner, and
14 shall not be based on political subdivisions of municipal waters in order to facilitate
15 their management as single resource systems. The LGUs which share or border such
16 resources may group themselves and coordinate with each other to achieve the
17 objectives of integrated fishery resource management. The Integrated Fisheries and
18 Aquatic Resources Management Councils (IFARMCs) established under Section 76 of
19 Republic Act No. 8550 otherwise known as "The Philippine Fisheries Code of 1998" as
20 amended by Republic Act No. 10654 shall serve as the venues for close collaboration
21 among LGUs in the management of contiguous resources.

22 Section 5. ***Grant of Fishing Privileges in Municipal Waters.*** – The duly
23 registered fisherfolk organizations/cooperatives shall have preference in the grant of
24 fishery rights by the Municipal/City Council pursuant to Section 149 of the Local
25 Government Code: Provided, That in areas where there are special agencies or offices
26 vested with jurisdiction over municipal waters by virtue of special laws creating these
27 agencies such as, but not limited to, the Laguna Lake Development Authority and the
28 Palawan Council for Sustainable Development, said offices and agencies shall continue
29 to grant permits for proper management and implementation of the aforementioned
30 structures.

1 Section 6. ***Users of Municipal Waters.*** – All fishery-related activities in
2 municipal waters, as defined in Republic Act No. 8550 as amended by Republic Act
3 No. 10654, shall be primarily reserved for municipal fisherfolk and their cooperatives
4 or organizations listed in the registry of municipal fisherfolk, subject only to limited
5 and conditional exceptions expressly provided in this Act.

6 The municipal or city government, however, may, through its local chief
7 executive and acting pursuant to an appropriate ordinance, authorize or permit small
8 and medium commercial fishing vessels to operate within the ten-point one (10.1) to
9 fifteen (15) kilometer area from the shoreline in municipal waters as defined herein,
10 provided, that all the following are met:

- 11 a) no commercial fishing in municipal waters with depth less than seven (7)
12 fathoms as certified by the appropriate agency;
- 13 b) fishing activities utilizing methods and gears that are determined to be
14 consistent with national policies set by the Department;
- 15 c) prior consultation, through public hearing, with the Municipal/City
16 Fisheries and Aquatic Resources Management Council (M/CFARMC) has
17 been conducted; and
- 18 d) the applicant vessel as well as the shipowner, employer, captain and crew
19 have been certified by the appropriate agency as not having violated
20 Republic Act No. 8550 as amended by Republic Act No. 10654, other
21 environmental laws, and related laws.

22 In no case shall the authorization or permit mentioned above be granted for
23 fishing in bays as determined by the Department to be in an environmentally critical
24 condition and during closed season as provided for in Section 9 of this Republic Act
25 No. 8550 as amended by Republic Act No. 10654.

26 Section 7. ***Requirements.*** – The municipality/city government, which intends
27 to allow the entry of commercial fishing boats in 10.1 to 15 km. from the coastline of
28 municipal waters, shall:

- 29 a) Establish the boundaries of the allowable areas for commercial fishing.
30 The concerned municipality and city government may seek the assistance

1 of the Department and/or the National Mapping and Resource Information
2 Authority (NAMRIA) in establishing the boundaries and isobath depth of
3 waters;

- 4 b) Conduct a public hearing, in consultation with FARMCs, to present the
5 following: (1) a map showing the areas of the municipal waters where
6 small and medium commercial fishing vessels may be allowed to operate;
7 (2) the type of fishing vessels and gears that may be allowed in such
8 waters; and (3) the draft municipal fisheries ordinance permitting such
9 commercial fishing operations;
- 10 c) Enact appropriate municipal fisheries ordinance; and
- 11 d) Other requirements as may be deemed appropriate by the Department,
12 including but not limited to: scientific and technical assessments to ensure
13 sustainability; socio-economic impact evaluation on municipal fisherfolk;
14 certification of non-violation of fisheries and environmental laws by the
15 vessel and its operators; compliance with harvest control rules, gear
16 restrictions, and vessel monitoring measures; and the establishment of
17 grievance or conflict resolution mechanisms.

18 These requirements shall be complied with prior to the issuance or renewal of
19 any permit.

20 Section 8. ***Bureau of Fisheries and Aquatic Resources (BFAR).*** – To
21 ensure the effective implementation of this Act, the Bureau of Fisheries and Aquatic
22 Resources (BFAR) of the Department of Agriculture shall exercise the following
23 functions, consistent with its mandate under existing laws:

- 24 a) Formulate and issue guidelines, regulations, and standards governing
25 fishing activities in municipal waters consistent with national fisheries
26 policy;
- 27 b) Provide technical assistance to local government units (LGUs) in the
28 conduct of stock assessments, habitat evaluations, isobath mapping, and
29 determination of environmentally critical areas;

- c) Certify, upon request of LGUs, the compliance status of commercial fishing vessels and operators with Republic Act No. 8550, as amended, environmental laws, and related regulations;
- d) Recommend closed seasons, catch ceilings, and harvest control rules applicable to municipal waters, based on scientific evidence;
- e) Coordinate with the Philippine Coast Guard, the Philippine National Police-Maritime Group, and local enforcement units in the apprehension and prosecution of violations; and
- f) Maintain and regularly update the Registry of Municipal Fisherfolk (RFM) to ensure that preferential rights are granted only to duly qualified beneficiaries.

Section 9. ***Maritime Industry Authority (MARINA).*** – To ensure the effective implementation of this Act, the MARINA shall exercise the following functions, consistent with its mandate under existing laws:

- a) Ensure that all commercial fishing vessels operating within Philippine waters are properly registered, classified, and documented in accordance with maritime safety and vessel standards;
- b) Verify vessel tonnage, engine capacity, and classification to prevent misdeclaration or downgrading of vessels seeking access to municipal waters;
- c) Maintain a centralized database of commercial fishing vessels which shall be accessible to both BFAR and LGUs for enforcement and verification purposes;
- d) Coordinate with BFAR and LGUs in identifying vessels found operating illegally within municipal waters and impose appropriate administrative sanctions, including suspension or cancellation of vessel registration, where warranted;
- e) Formulate and issue guidelines, regulations, and standards for commercial fishing vessels authorized to operate within the 10.1 to 15-kilometer zone; and
- f) Assist in ensuring maritime safety compliance in the conduct of fisheries operations.

1 *Provided*, that MARINA's functions under this act shall pertain strictly to vessel
2 registration, classification, and maritime safety regulation, without encroaching upon
3 BFAR's fisheries management authority.

4 Section 10. ***Repealing Clause.*** – All laws, executive orders, issuances,
5 decrees, rules and regulations or any part thereof which are inconsistent with or
6 contrary to the provisions of this Act are deemed amended, modified, or repealed
7 accordingly.

8 Section 11. ***Effectivity Clause.*** – This Act shall take effect fifteen (15) days
9 after its publication in the *Official Gazette* or in a newspaper of general circulation.

10 *Approved,*