

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session



HOUSE BILL NO. 9201

Introduced by **REPRESENTATIVE AUDREY KAY T. ZUBIRI**

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

The fisheries sector plays a crucial role in ensuring national food security, sustaining rural livelihoods, and maintaining ecological balance. Data from the Philippine Statistics Authority indicate that around 2.29 million Filipinos depend directly on fisheries for employment, the majority of whom are municipal or small-scale fisherfolk¹. Despite this, they remain among the poorest sectors, with persistently high poverty incidence.

The situation of fisherfolk has been further exacerbated by emerging challenges. One of these is the 2024 Supreme Court decision allowing commercial fishing vessels to operate within municipal waters, which has raised serious concerns among small-scale fishers².

In the Philippines, the Fisheries Code of 1998 mandates a monitoring, control, and surveillance system among relevant agencies to ensure that fisheries and aquatic resources are utilized and managed sustainably for the exclusive benefit of Filipino citizens. This mandate is enshrined in the 1987 Constitution, particularly Article XII, Section 7, which underscores the State's

¹[https://www.seafdec.org/fisheries-country-profile-philippines/#:~:text=The%20fisheries%20sector%20is%20an,transportation%20\(BFAR%2C%202024\)](https://www.seafdec.org/fisheries-country-profile-philippines/#:~:text=The%20fisheries%20sector%20is%20an,transportation%20(BFAR%2C%202024))

²<https://pcaf.da.gov.ph/index.php/2025/07/29/ccenr-backs-legal-move-to-protect-municipal-waters-from-commercial-fishing/>

obligation to promote equity, safeguard traditional fishing grounds, and ensure that marginalized sectors benefit from the sustainable use of natural resources.

Despite the existence of strong policies, gaps in implementation, ambiguities in the delineation and governance of municipal waters, and weak enforcement mechanisms have undermined their full realization. As a result, municipal fisherfolk continue to face encroachment by commercial fishing vessels, leading to resource depletion, reduced catch, and increased economic vulnerability.

The proposed measure seeks to reaffirm, clarify, and strengthen the legal framework governing municipal waters and the preferential rights of municipal fisherfolk. It aims to provide clearer definitions, enhance enforcement mechanisms, and promote accountability among relevant institutions. Moreover, it endeavors to support sustainable fisheries management by empowering local government units and coastal communities to take a more active role in resource stewardship.

Specifically, this bill aims to:

- Reassert the preferential and primary rights of municipal fisherfolk over the fifteen (15)-kilometer municipal waters, clearly defining the scope of such rights in statutory form;
- Codify stricter limitations and safeguards on the entry of commercial fishing vessels within the 10.1 to 15-kilometer zone, ensuring that such access remains the exception rather than the rule;
- Strengthen the role of Fisheries and Aquatic Resources Management Councils (FARMCs) as participatory bodies in local fisheries governance;
- Reinforce the jurisdiction and accountability of local government units, consistent with the decentralization policy under Republic Act No. 7160;
- Institutionalize science-based and ecosystem-based management approaches, aligned with environmental protection laws such as Republic Act No. 7586; and
- Provide mechanisms for enforcement, compliance, and conflict resolution, ensuring that fisherfolk rights are not merely declaratory but effectively protected.

Ultimately, the passage of this bill is necessary to protect the livelihoods of millions of municipal fisherfolk, ensure sustainable fisheries management, and reaffirm the State's duty as steward of the nation's marine resources.

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



AUDREY KAY T. ZUBIRI
Representative, 3rd District of Bukidnon

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

1 **Section 1. *Short Title*** - This Act shall be known as the "Municipal Fisherfolk Protection Act".

2

3 **Sec. 2. *Declaration of Policy***. - It is hereby declared the policy of the State to uphold the

4 preferential rights of municipal fisherfolk in the use, management, and protection of municipal

5 waters. Recognizing that fisheries are vital to food security, ecological balance, and the

6 livelihoods of coastal communities, the State affirms its duty under the Constitution to protect

7 small-scale fisherfolk and promote social justice through sustainable and inclusive fisheries

8 governance. Towards this end, the State shall ensure that the fifteen (15)-kilometer municipal

9 waters are reserved primarily for the use of municipal fisherfolk and their duly registered

10 organizations or cooperatives. The State shall prohibit unauthorized commercial fishing in

11 these waters, establish science-based and community-informed safeguards, and provide

12 institutional and livelihood support to strengthen the resilience, productivity, and dignity of

13 subsistence fishers. This policy shall be implemented with due regard to environmental

14 sustainability, the autonomy of local government units, and the principles of decentralization,

15

16 **Sec. 3. *Definition of Terms***. - For purposes of this Act, the following terms are hereby defined:

- 1
- 2 a) Municipal Waters - include not only streams, lakes, inland bodies of water and tidal waters
- 3 within the municipality which are not included within the protected areas as defined under
- 4 Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery
- 5 reserves, but also marine waters included between two (2) lines drawn perpendicular to the
- 6 general coastline from points where the boundary lines of the municipality touch the sea at low
- 7 tide and a third line parallel with the general coastline including offshore islands and fifteen
- 8 (15) kilometers from such coastline. Where two (2) municipalities are so situated on opposite
- 9 shores that there is less than thirty (30) kilometers of marine waters between them, the third
- 10 line shall be equally distant from opposite shore of the respective municipalities;
- 11 b) Fisheries and Aquatic Resources Management Council (FARMC) - refers to the multi-
- 12 sectoral advisory body created under Section 69 of Republic Act No. 8550, or the Philippine
- 13 Fisheries Code of 1998, as amended by Republic Act No. 10654, to assist in the preparation
- 14 and implementation of local fisheries plans and policies. FARMCs are established at the
- 15 national (NFARMC), municipal/city (M/CFARMC), and barangay levels, and are composed
- 16 of representatives from local government units, fisherfolk organizations, academe, and relevant
- 17 government agencies; and
- 18 c) Department- shall mean the Department of Agriculture.
- 19

20 **Sec. 4. Jurisdiction of Municipal/City Government** - The municipal/city government shall

21 have jurisdiction over municipal waters as defined in this Act. The municipal/city government,

22 in consultation with the Fisheries and Aquatic Resources Management Councils (FARMC),

23 shall be responsible for the management, conservation, development, protection, utilization,

24 and disposition of all fish and fishery/aquatic resources within their respective municipal

25 waters.

26

27 The municipal/city government may, in consultation with the FARMC, enact appropriate

28 ordinances for this purpose and in accordance with the National Fisheries Policy. The

29 ordinances enacted by the municipality and component city shall be reviewed pursuant to

30 Republic Act No. 7160 by the Sangguniang of the province which has jurisdiction over the

31 same. The Local Government Units (LGUs) shall also enforce all fishery laws, rules and

32 regulations as well as valid fishery ordinances enacted by the municipal/city council. The

33 management of contiguous fishery resources such as bays which straddle several

34 municipalities, cities or provinces, shall be done in an integrated manner, and shall not be based

on political subdivisions of municipal waters in order to facilitate their management as single resource systems. The LGUs which share or border such resources may group themselves and coordinate with each other to achieve the objectives of integrated fishery resource management. The Integrated Fisheries and Aquatic Resources Management Councils (IFARMCs) established under Section 76 of Republic Act No. 8550 otherwise known as "The Philippine Fisheries Code of 1998" as amended by Republic Act No. 10654 shall serve as the venues for close collaboration among LGUs in the management of contiguous resources.

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

Sec. 6. Users of Municipal Waters. - All fishery related activities in municipal waters, as defined in Republic Act No. 8550 as amended by Republic Act No. 10654, shall be utilized by municipal fisherfolk and their cooperatives/organizations who are listed as such in the registry of municipal fisherfolk. The municipal or city government, however, may, through its local chief executive and acting pursuant to an appropriate ordinance, authorize or permit small and medium commercial fishing vessels to operate within the ten point one (10.1) to fifteen (15) kilometer area from the shoreline in municipal waters as defined herein, provided, that all the following are met:

- a) no commercial fishing in municipal waters with depth less than seven (7) fathoms as certified by the appropriate agency;
- b) fishing activities utilizing methods and gears that are determined to be consistent with national policies set by the Department;
- c) prior consultation, through public hearing, with the M/CFARMC has been conducted; and
- d) the applicant vessel as well as the shipowner, employer, captain and crew have been certified by the appropriate agency as not having violated Republic Act No. 8550 as amended by Republic Act No. 10654, environmental laws, and related laws. In no case shall the authorization or permit mentioned above be granted for fishing in bays as determined by the

1 Department to be in an environmentally critical condition and during closed season as provided
2 for in Section 9 of this Republic Act 17 No. 8550 as amended by Republic Act No. 10654.
3

4 **Sec. 7. Requirements.** - The municipality/city government, which intends to allow the entry of
5 commercial fishing boats in 10.1 to 15 km. from the coastline of municipal waters, shall:

6 a) Establish the boundaries of the allowable areas for commercial fishing. The concerned
7 municipality and city government may seek the assistance of the Department and/or the
8 National Mapping and Resource Information Authority (NAMRIA) in establishing the
9 boundaries and isobath depth of waters;

10 b) Conduct a public hearing, in consultation with FARMCs, to present the following: (1) a map
11 showing the areas of the municipal waters where small and medium commercial fishing vessels
12 may be allowed to operate; (2) the type of fishing vessels and gears that may be allowed in
13 such waters; and (3) the draft municipal fisheries ordinance permitting such commercial fishing
14 operations;

15 c) Enact appropriate municipal fisheries ordinance.

16 d) Other requirements as may be deemed appropriate by the Department other requirements as
17 may be deemed appropriate by the Department, including but not limited to: scientific and
18 technical assessments to ensure sustainability; socio-economic impact evaluation on municipal
19 fisherfolk; certification of non-violation of fisheries and environmental laws by the vessel and
20 its operators; compliance with harvest control rules, gear restrictions, and vessel monitoring
21 measures; and the establishment of grievance or conflict resolution mechanisms.
22

23 **Sec. 8. Repealing Clause.** - All laws, decrees, orders, rules, and regulations or other issuances
24 or parts inconsistent with the provisions of this Act are hereby repealed, amended, or modified
25 accordingly.
26

27 **Sec. 9. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its publication in
28 the Official Gazette or in at least two (2) newspapers of general circulation.
29

30 *Approved,*