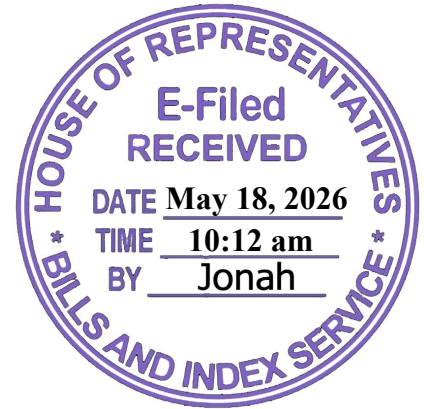


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **9272**



Introduced by Representative LEILA M. DE LIMA

AN ACT
CREATING THE DEPARTMENT OF FISHERIES AND AQUATIC RESOURCES,
PROVIDING FOR ITS POWERS AND FUNCTIONS, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Article XIII, Section 7 of the 1987 Constitution provides that, “[t]he State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of local marine and fishing resources, both inland and offshore. It shall provide support to such fishermen through appropriate technology and research, adequate financial, production, and marketing assistance, and other services. The State shall also protect, develop, and conserve such resources.”

According to the Philippine Fisheries Profile published by the Bureau of Fisheries and Aquatic Resources (BFAR) in 2022, the country’s total territorial water area, including the exclusive economic zone, is 2,200,000 sq.km. while the country’s coastline stretches 36,289 km.¹

As an archipelago composed of 7,641 islands, fishing and fishery-related livelihoods remain the primary form of livelihood for a total of 2,302,648 registered Filipino fisherfolk as of 2022.² However, data from the Philippine Statistics Authority (PSA) have consistently shown that fisherfolk remain among the poorest sectors in the country, with a poverty incidence of 30.6% in 2021³ and 27.4% in 2023.⁴

¹ Bureau of Fisheries and Aquatic Resources. (October 2023). 2022 Philippine Fisheries Profile. Retrieved from <https://www.bfar.da.gov.ph/wp-content/uploads/2024/02/2022-Philippine-Fisheries-Profile.pdf>.

² Ibid.

³ Philippine Statistics Authority. (24 March 2023). Fisherfolks and Farmers Remain to Have the Highest Poverty Incidences Among the Basic Sectors in 2021. Retrieved from <https://psa.gov.ph/content/fisherfolks-and-farmers-remain-have-highest-poverty-incidences-among-basic-sectors-2021>.

⁴ Philippine Statistics Authority. (6 February 2026). 881 Cities and Municipalities Recorded Poverty Incidence of 20 Percent or Lower in 2023. Retrieved from <https://psa.gov.ph/statistics/poverty>.

In 2025, the total volume of fisheries production in 2025 was estimated at 3.96 million metric tons, indicating an annual average decline of 2.5% from the 4.06 million metric tons output in 2024.⁵ These decreases in production, as noted in commercial fisheries, marine municipal fisheries, and aquaculture, are part of an alarming trend of declining production of the fisheries sector over the years. Furthermore, according to international conservation group Oceana, Philippine capture fisheries have been losing an average of 45,472 metric tons of fish each year since 2010, which amounts to more than 591,000 metric tons of fish that are not wasted nor exported, but just never allowed to exist in the first place.⁶ This 591,000 metric tons refers to lost potential, or rather, fish that would have grown, reproduced, and sustained future harvests if stocks had been kept within sustainable limits.⁷

According to marine biologist Wilfredo Campos, the average annual loss of 45,472 metric tons of fish could have fed around 93,000 Filipino families experiencing food insecurity.⁸

Unfortunately, in the Philippines, the yearly rate of overfishing, which causes ecosystems to lose the ability to replenish themselves, compounds the problem, thus continuously shrinking future catch even if the effort remains the same.⁹ Among the identified causes for this is the weak enforcement behind the great ambition of Republic Act No. 8550, or the Philippine Fisheries Code of 1998.

Republic Act No. 8550 laid down progressive principles, such as “food security as a national priority” and “preferential rights for municipal fisherfolk within the 15-kilometer municipal waters”, while providing conservation tools, such as marine protected areas and closed seasons.”¹⁰ However, at present, several of these principles, most notably the preferential rights of municipal fisherfolk to the 15-kilometer municipal waters, have been challenged or unenforced. Weak penalties, fragmented monitoring, and the persistence of illegal, unreported, and unregulated (IUU) fishing allowed pressure on fish stocks to intensify, thus leading to sustained overfishing.¹¹

In recognition of the need to strengthen the implementation and address the gaps of Republic Act No. 8550, the amendatory law, Republic Act No. 10654, was enacted in 2015 to “prevent, deter and eliminate illegal, unreported and unregulated fishing,” promising “tougher penalties, faster adjudication, modern monitoring and science-based management meant to reverse decades of overfishing.”¹²

However, almost a decade after the enactment of the amendatory law, the data continue to show lagging implementation and declining fish stocks. Clearly, there is a

⁵ Philippine Statistics Authority. (28 January 2026). Fisheries Situation Report, October to December 2025 and January to December 2025. Retrieved from <https://psa.gov.ph/statistics/fisheries-situationer>.

⁶ Baclig, C.E. (16 March 2026). Why Philippine fisheries keep losing 45 million kilos of fish a year. Inquirer. Retrieved from <https://newsinfo.inquirer.net/2196300/why-philippine-fisheries-keep-losing-45-million-kilos-of-fish-a-year>.

⁷ Ibid.

⁸ Ibid.

⁹ Ibid.

¹⁰ Ibid.

¹¹ Ibid.

¹² Ibid.

need for more decisive action on the part of the government to ensure that the enforcement of laws and the formulation and implementation of initiatives affecting the fisheries sector are truly responsive to the urgent needs of the sector, including livelihood support for fisherfolk and support for the country's food security.

As such, this bill seeks to create the Department of Fisheries and Aquatic Resources to serve as the primary policy and regulatory body on fisheries and aquatic resources in the country. While the existence and efforts of the Bureau of Fisheries and Aquatic Resources (BFAR), the agency attached to the Department of Agriculture (DA) that is currently spearheading initiatives for the fisheries sector, are duly recognized, the creation of a separate department would provide the much-needed specialized attention to the needs and concerns of the fisheries and aquatic resources industry and sector.

Unlike the current Bureau, the Department proposed in this bill shall have its own budget and autonomy to formulate and enforce policies and measures on matters concerning fisheries and aquatic resources. At the same time, this would allow the Department of Agriculture to focus on the various challenges of land-based farming that also pose threats to the country's food security.

In the 20th Congress, similar bills were filed by Representatives Shirlyn Bañas-Nogralles, Janice Degamo, Lordan Suan, Harold Duterte, Jonathan Keith Flores, Bienvenido Abante, Tsuyoshi Horibata, Vincenzo Luigi Villafuerte, Miguel Luis Villafuerte, Terry Ridon, Salvador Pleyto, Ricardo Cruz Jr., Jorge Bocobo, Adiran Salceda, Jane Castro, Rolando Macasaet, Ferdinand Martin Romualdez, Yedda Romualdez, Andrew Julian Romualdez, Jude Acidre, Keith Tan, Rufus Rodriguez, and Maximo Rodriguez, and Senators Francis "Kiko" Pangilinan and Alan Peter Cayetano. This bill largely adopts Senator Kiko Pangilinan's Senate Bill No. 221.

The immediate passage of this bill is earnestly sought.



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

1 SECTION. 1. *Short Title.* – This Act shall be known as the “*Department of*
2 *Fisheries and Aquatic Resources Act.*”

3
4 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the State:

5
6 (a) To promote the sustainable development and management of all
7 fisheries, marine, and aquatic resources in Philippine waters, including
8 its exclusive economic zones (EEZs), in the adjacent high seas, and in
9 coastal and inland aquatic resources, consistent to maintain a sound
10 ecological balance, and protect and enhance the quality of the
11 environment;

12
13 (b) To protect and conserve the nation’s aquatic wealth in its archipelagic
14 waters, territorial seas, and EEZs, and reserve its use and enjoyment
15 exclusively to Filipino citizens;

16
17 (c) To safeguard the rights of small-scale fishermen in the preferential use
18 of communal marine, fisheries, and aquatic resources;

19
20 (d) To ensure sustainable fisheries production in inland aquatic resources
21 consistent with the objective of ensuring the availability of food staples
22 and achieving food security; and

1 (e) To protect fisherfolk communities from the adverse effects of climate
2 change and natural and man-made hazards.

3
4 SEC. 3. *The Department of Fisheries and Aquatic Resources.* – The
5 Department of Fisheries and Aquatic Resources, hereinafter referred to as the
6 “Department,” is hereby created in accordance with the provisions of this Act.

7
8 SEC. 4. *Mandate.* – The Department shall have primary jurisdiction over the
9 management, conservation, development, protection, utilization, and disposition of all
10 fishery and aquatic resources of the country, including the habitats of fish and all other
11 marine life and other activities which impact these habitats, with the exception of
12 municipal waters, which shall remain under the jurisdiction of local government units
13 (LGUs): *Provided,* That LGUs shall manage their respective municipal waters in
14 accordance with national fishery policies, laws, rules, and regulations, and in a manner
15 consistent with the policies set forth herein.

16
17 The Department shall have the authority to supervise and regulate the
18 production and capture of fish and fishery products within its jurisdiction, as well as the
19 processing and marketing of all fisheries and aquatic products in the country.

20
21 The Department shall also have the responsibility of rationalizing all ocean
22 sector initiatives that impact fish and marine resources or their habitat, including, but
23 not limited to, exploration and development of marine energy, promotion and
24 management of coastal and marine tourism, designation of shipping lanes, and
25 identification of and management of protected areas and marine industry development
26 areas.

27
28 SEC. 5. *Powers and Functions.* – The Department shall exercise the following
29 powers and functions:

- 30
31 (a) Exercise authority and the responsibility over the utilization of the ocean,
32 including its fisheries and their habitat;
33 (b) Coordinate and monitor the implementation of fisheries and oceans
34 sector statutes, policies, plans, and programs for all maritime
35 components;
36 (c) Promulgate and enforce fisheries and oceans habitat regulations to
37 clarify and amplify the aforementioned departmental mandate in
38 accordance with the published fisheries and oceans management plans;
39 (d) Prepare and implement a comprehensive Fisheries and Management
40 Plan, based on precautionary principle and the principle of sustainable
41 development, using scientifically-generated information or best available
42 evidence on the status of the fisheries and marine resources;
43 (e) Formulate and implement a Fishery Industry Development Program
44 consistent with the national development plan and set policies and

standards for the efficient and economic operation of the fishing industry in accordance with the principles of food security and sustainable development;

- (f) Promulgate rules and regulations governing the conservation and proper utilization of fisheries and aquatic resources, with the exception of municipal waters, which shall remain under the jurisdiction of LGUs concerned;
- (g) Issue licenses for the operation of commercial fishing vessels and permits for the conduct of fishery activities, subject to the specific resource carrying capacities as determined through scientific studies or best available evidence: *Provided*, That preference shall be accorded to local communities situated in proximity to municipal waters;
- (h) Issue fish worker licenses and identification cards free of charge to fish workers engaged in commercial fishing;
- (i) Enforce all fishery laws, rules, and regulations and coordinate with appropriate government agencies in the enforcement of the same;
- (j) Provide technical and other forms of assistance in the settlement of conflicts arising from the use and allocation of fisheries and other aquatic resources in consultation with the National Fisheries and Aquatic Resources Management Council (NFARMC) and LGUs concerned;
- (k) Prescribe rules and regulations concerning the classification, construction, maintenance, operation, and inspection of all fishing ports, landing sites, and fish markets, and the operation of business therein, with the exception of those owned, controlled, or operated by LGUs;
- (l) Establish and maintain a Philippine Fisheries and Aquatic Information System (PFARIS) which shall function as the primary repository of all information pertaining to fisheries, oceanic, and other aquatic resources, including, but not limited to, fisheries and aquaculture production, domestic and international fisheries trade, consumption, and utilization of fisheries and other aquatic resources, and researches on fisheries conservation, production, processing, marketing, and innovations;
- (m) Enforce laws, treaties, rules, and regulations concerning the conservation and protection of rare, threatened, and endangered marine and other aquatic species and their respective habitats, including the conservation and management of straddling stocks and other highly migratory marine and aquatic species;
- (n) Designate marine protected areas such as marine sanctuaries, marine reserves, and marine parks pursuant to existing laws, treaties, rules, and regulations;
- (o) Formulate and enforce a Code of Conduct for Responsible Fisheries and Code of Conduct for Responsible Aquaculture;
- (p) Promote international cooperation within the sector of fisheries and integrated ocean management;

- (q) Impose administrative sanctions, including fines and penalties, for minor infractions in accordance with the schedules and limits as embodied in fisheries laws, rules, and regulations and as agreed upon by the Department of Justice (DOJ);
- (r) Acquire, maintain, operate, purchase, lease, or dispose fisheries equipment and facilities such as, but not limited to, fish port, fish yard, fishing vessel, fishing gear, refrigerated truck, ice plant, cold storage, and aquaculture facilities through the Philippine Fisheries and Development Authority (PFDA);
- (s) Fix, assess, collect, and adjust fees and charges for the use and sale of properties, equipment, facilities, and services, to support the programs and projects of the Department;
- (t) Provide infrastructure support such as, but not limited to, municipal fishing port, municipal fish landing site, municipal fish market, fish health, and food safety laboratory, local shipbuilding and repair facility, post-harvest facilities, and access roads through the PFDA;
- (u) Establish and implement a National Marketing Assistance Program through the PFDA to ensure the generation of highest possible income for fisherfolk and fishery-related enterprises by harmonizing fisheries supply with the demand from domestic and international markets; and
- (v) Perform such other functions as may be necessary to carry out the purposes of this Act or as may be provided by law.

SEC. 6. Composition. – The Department shall be headed by a Secretary. The Department proper shall be composed of the Office of the Secretary, and the Offices of the Undersecretaries and Assistant Secretaries.

SEC. 7. *The Secretary of the Department of Fisheries and Aquatic Resources.*
– The Secretary of the Department, hereinafter referred to as the Secretary, shall be appointed by the President subject to the confirmation of the Commission on Appointments, and shall exercise the following duties and functions:

- (a) Exercise supervision and control over all bureaus, institutes, centers, and offices under the Department;
- (b) Exercise authority and assume responsibility for the performance of the powers and functions of the Department;
- (c) Provide advice to the President on the promulgation of policies, rules and regulations, and other matters pertinent to the sustainable development, utilization, and management of fisheries and other aquatic resources;
- (d) Formulate policies and standards for the efficient and effective operation of the Department in accordance with the established plans, programs, and standards of the Government;

- 1 (e) Promulgate rules and regulations, and other issuances to carry out the
2 mandates, objectives, plans, programs, and projects of the Department;
3 and
4 (f) Perform such other functions as may be provided by law or assigned by
5 the President.
6

7 SEC. 8. *Undersecretaries.* – The Secretary shall be assisted by three (3)
8 Undersecretaries, who shall be appointed by the President upon the recommendation
9 of the Secretary: *Provided*, That two (2) of the Undersecretaries shall be career
10 officers.
11

12 SEC. 9. *Assistant Secretaries.* – The Secretary shall be assisted by three (3)
13 Assistant Secretaries who shall be appointed by the President upon the
14 recommendation of the Secretary: *Provided*, that two (2) of the Assistant Secretaries
15 shall be career officers.
16

17 SEC. 10. *Regional Offices.* – The Department may establish, operate, and
18 maintain a regional office in the different administrative regions of the country as may
19 be necessary. Each regional office shall be headed by a Regional Director, who may
20 be assisted by one (1) Assistant Regional Director. The Regional Director and
21 Assistant Regional Director shall be appointed by the President upon the
22 recommendation of the Secretary. The regional offices shall have support staff as may
23 be necessary to perform the following duties and functions:
24

- 25 (a) Implement laws, policies, plans, projects, rules, and regulations of the
26 Department;
27 (b) Provide efficient and effective frontline services to the fisheries sector,
28 particularly to municipal farmers;
29 (c) Coordinate with regional offices of other departments, offices, and
30 agencies, as well as with the LGUs within their respective jurisdictions;
31 and
32 (d) Perform such other functions as may be provided by law or assigned by
33 the Secretary.
34

35 SEC. 11. *Qualifications.* – No person shall be appointed Secretary,
36 Undersecretary, or Assistant Secretary of the Department unless the appointee is a
37 citizen and a resident of the Republic of the Philippines, of good moral character, of
38 proven integrity, and with at least seven (7) years of competence and expertise in any
39 of the following: biology, ecology, biogeochemistry, biotechnology, marine science,
40 limnology, oceanography, fisheries management, or other related disciplines, either in
41 the private or public sector.
42

43 SEC. 12. *Abolition, Transfer, and Merger of Agencies and Personnel.* – The
44 Bureau of Fisheries and Aquatic Resources (BFAR), reconstituted under Republic Act

No. 8550, is hereby abolished. All relevant functions, appropriations, records, properties, equipment, and personnel shall be transferred to the Department: *Provided*, That no official or employee of the BFAR shall be separated from the service in a manner inconsistent with Section 13 of this Act.

The National Fisheries and Aquatic Resources Management Council (NFARMC) created by Republic Act No. 8550, shall be transferred to the Department: *Provided*, That an Undersecretary of the Department shall be appointed as Chairperson of the NFARMC: *Provided, further*, That no official or employee of the NFARMC shall be separated from the service in a manner inconsistent with Section 13 of this Act.

The National Fisheries Research and Development Institute (NFRDI) created by Republic Act No. 8550 shall be transferred to the Department and shall serve as the principal research arm of the Department: *Provided*, That an Undersecretary of the Department and the Executive Director of the NFRDI shall be appointed as Chairperson and Vice-Chairperson of the NFRDI Governing Board, respectively: *Provided, further*, That no official or employee of the NFRDI shall be separated from the service in a manner inconsistent with Section 13 of this Act.

The Philippine Fisheries Development Authority (PFDA) created by Presidential Decree No. 977, as amended, shall be transferred as an attached government corporation to the Department, including its relevant functions, appropriations, records, properties, equipment, and personnel: *Provided*, That the Secretary shall be appointed as Chairperson of the PFDA Board of Directors: *Provided, further*, That no official or employee of the PFDA shall be separated from the service in a manner inconsistent with Section 13 of this Act.

All other operating units of the Department of Agriculture (DA) with functions and responsibilities dealing with fisheries and aquatic resources, including units under its attached agencies and corporations, are hereby transferred to the Department: *Provided*, That no official or employee of the DA shall be separated from the service in a manner inconsistent with Section 13 of this Act.

SEC. 13. *Separation and Retirement from Service.* – Employees who shall be separated from service within six (6) months from the effectivity of this Act as a result of the consolidation and/or reorganization under the provisions of this Act shall receive separation benefits to which they may be entitled under Executive Order No. 366, s. 2004: *Provided*, That those who are qualified to retire under existing retirement laws shall be allowed to retire and receive retirement benefits to which they may be entitled to under applicable laws and issuances.

SEC. 14. *Organizational Structure and Staffing Pattern.* – Subject to the approval of the Department of Budget and Management (DBM), the Department shall

1 determine its organizational structure and create new bureaus, divisions, or units as it
2 may deem necessary, and shall appoint officers and employees of the Department in
3 accordance with the civil services law, rules, and regulations.

4
5 SEC. 15. *Transition Period.* – The transfer of functions, assets, funds,
6 equipment, properties, transactions, and personnel of the affected agencies, and the
7 formulation of internal organic structure, staffing pattern, operating system, and
8 revised budget of the Department, shall be completed within six (6) months from
9 effectivity of this Act, during which time, the existing personnel shall continue to
10 assume their posts in hold over capacities until new appointments are issued:
11 *Provided,* That the Department, in coordination with the DBM, shall determine and
12 create new positions, the funding requirements of which shall not exceed the
13 equivalent cost of positions that may be abolished or reorganized.

14
15 SEC. 16. *Appropriations.* – The amount needed for the initial implementation of
16 this Act shall be taken from the current fiscal year's appropriation of the BFAR and all
17 agencies herein absorbed by or attached to the Department. Thereafter, the amount
18 needed for the operation and maintenance of the Department shall be included in the
19 General Appropriations Act.

20
21 SEC. 17. *Implementing Rules and Regulations.* – Within sixty (60) days from
22 the effectivity of this Act, the BFAR, Civil Service Commission (CSC), and DBM, in
23 coordination with the DA, PFDA, NFRDI, NFARMC, and other government agencies
24 concerned, shall promulgate the necessary rules and regulations to effectively
25 implement the provisions of this Act.

26
27 SEC. 18. *Separability Clause.* – If any section or provision of this Act is declared
28 invalid or unconstitutional, the sections or provisions not affected thereby shall
29 continue to be in full force and effect.

30
31 SEC. 19. *Repealing Clause.* – All laws, presidential decrees, executive and
32 administrative orders, letters of instruction, rules and regulations, or parts thereof
33 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
34 accordingly.

35
36 SEC. 20. *Effectivity.* – This Act shall take effect fifteen (15) days following its
37 publication in the Official Gazette or in two (2) newspapers of general circulation in the
38 Philippines.

Approved,