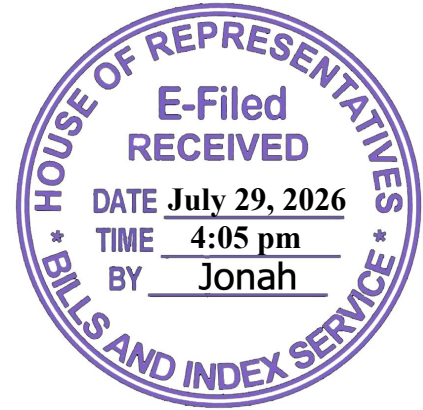


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
Second Regular Session

House Bill No. 10381



INTRODUCED BY **HONORABLE JANICE V. DEGAMO**

EXPLANATORY NOTE

The Philippines' fisheries and aquaculture sector constitutes a critical pillar of our national economy, livelihood, and food security. According to the Bureau of Fisheries and Aquatic Resources , in the first quarter of 2026 alone, fisheries production reached approximately 856.29 thousand metric tons, valued at roughly PHP 78.58 billion. The sector likewise contributed an estimated 9.6% to the Gross Value Added (GVA) in Agriculture, Forestry, and Fishing.

Notwithstanding its economic contribution, the sector faces compounding and systemic threats that undermine both fisherfolk livelihoods and the nation's long-term food security. Overfishing, driven by excessive fishing efforts , have resulted in the steady decline of major fish stocks. This is further exacerbated by the impacts of climate change, which not only disrupt marine ecosystems but also pose a grave challenge to our municipal fisherfolk, who often lack the resources and seaworthy vessels needed to safely and productively fish in increasingly unpredictable conditions.

Given these challenges, there is an urgent need to revisit Republic Act No. 8550, as amended by Republic Act No. 10654, otherwise known as The Philippine Fisheries Code of 1998. The law, while providing a foundational framework for the conservation, management, and sustainable use of fisheries and aquatic resources, has shown outdated enforcement mechanisms and adaptive capacity in responding to the effects of climate change and shifting socioeconomic realities.

This bill introduces amendments such as the adoption of the Ecosystem Approach to Fisheries Management (EAFM) which institutionalizes a science based, holistic management framework that accounts for ecological interactions, habitat integrity, and human dimensions of fisheries. It likewise expands the scope of municipal fisherfolk registration to include persons engaged in fisheries culture activities, thereby addressing a longstanding regulatory gap that has excluded aquaculture practitioners from formal recognition, entitlement to municipal water rights, and access to government support programs.

This bill seeks to ensure that the Philippine fisheries regulatory framework remains responsive, scientifically grounded, and equitably administered in the face of mounting environmental and socioeconomic challenges.

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


JANICE V. DEGAMO
Representative, 3rd District, Negros Oriental

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HOUSE OF REPRESENTATIVES
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Introduced by **HONORABLE JANICE V. DEGAMO**

**AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT
NUMBER 8550, AS AMENDED BY REPUBLIC ACT NUMBER 10654,
OTHERWISE KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998**

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

Section 1. Section 4 of Republic Act 8550, as amended is hereby further amended to
read as follows:

“Section 4. ***Definition of Terms.***- As used in this Code, the Following
terms and phrases shall mean as follows:

A. Commercial Fishing- the taking of fishery species by passive or
active gear for trade, business & profit beyond subsistence or sports
fishing, to be further classified as:

**1) SEMI- COMMERCIAL FISHING- FISHING WITH
PASSIVE OR ACTIVE GEARS THAT ARE SPECIFICALLY
MADE FOR SPECIFIC TARGET SPECIES, IN THE RIGHT
SIZES, IN AN OPEN FISHING SEASON AND USING GEARS
THAT DOES NOT TUCH THE BOTTOM, UTILIZING
BOATS WITH A THREE POINT ONE (3.1) GROSS TONS
(GT) UP TO FIFTEEN (15) GT;**

**2) Small-Scale Commercial Fishing- fishing with passive or active
gear utilizing BOATS OF FIFTEEN AND ONE (15.1) GT UP
TO THIRTY (30) GT;**

3) Medium Scale Commercial Fishing- fishing with passive or active gear utilizing **BOATS OF THIRTY POINT ONE (30.1) GT UP TO ONE HUNDRED FIFTY (150) GT;** and

4) Large Commercial Fishing- fishing utilizing active gears and vessels of more than one hundred fifty (150) GT.

B. DESTRUCTIVE FISHING - IS FISHING WITH THE USE OF NOXIOUS OR POISONOUS SUBSTANCES, BLAST FISHING, USE OF ACTIVE FISHING GEARS THAT TOUCHES THE GROUND, AND/OR THE USE OF FISHING GEAR IN WAYS OR IN PLACES SUCH THAT ONE OR MORE KEY COMPONENTS OF AN ECOSYSTEM ARE OBLITERATED, DEVASTATED, OR RENDERED USELESS.

C. ECOSYSTEM APPROACH TO FISHERIES MANAGEMENT (EAFM)- IS A HOLISTIC APPROACH TO MANAGEMENT THAT REPRESENTS A MOVE AWAY FROM FISHERIES MANAGEMENT SYSTEMS THAT FOCUS ONLY ON THE SUSTAINABLE HARVEST OF TARGET SPECIES, TOWARDS SYSTEMS AND DECISION-MAKING PROCESSES THAT BALANCE ECOLOGICAL WELL-BEING WITH HUMAN AND SOCIETAL WELL-BEING, WITHIN IMPROVED GOVERNANCE FRAMEWORKS.

D. Fishing gear- any instrument or device and its accessories utilized in taking fish and other fishery species.

i. ACTIVE FISHING GEAR- IS A FISHING DEVICE CHARACTERIZED BY THE PURSUIT OF THE TARGET SPECIES BY TOWING, PUSHING THE GEARS, SURROUNDING, COVERING, DREDGING, AND SCARING THE TARGET SPECIES TO

IMPOUNDMENTS; SUCH AS, BUT NOT LIMITED TO, TRAWL, PURSE SEINES, DANISH SEINES, PAALING AND DRIFT GILL NET.

ii. PASSIVE FISHING GEAR- IS CHARACTERIZED BY THE ABSENCE OF PURSUIT OF THE TARGET SPECIES; SUCH AS, BUT NOT LIMITED TO, HOOK AND LINE, FISHPOTS, TRAPS AND GILL NETS SET ACROSS THE PATH OF THE FISH.

iii. MUNICIPAL FISHING. – MUNICIPAL FISHING SHALL REFER TO FISHING ACTIVITIES CONDUCTED WITHIN MUNICIPAL WATERS UTILIZING FISHING VESSELS, INCLUDING SEMI-COMMERCIAL FISHING VESSELS NOT EXCEEDING FIFTEEN (15) GROSS TONS, OR FISHING OPERATIONS CONDUCTED WITHOUT THE USE OF VESSELS. SUCH ACTIVITIES MAY EMPLOY ACTIVE GEARS NECESSARY FOR TARGETING SPECIFIC FISH SPECIES DURING DECLARED FISHING SEASONS

Section 2. Section 9 of Republic Act 8550, as amended is hereby further amended to read as follows:

“Section 9. Establishment of Closed Season. - The Secretary may declare, through public notice in at least two (2) newspapers of general circulation or in public service announcements, whichever is applicable, at least five (5) days before the declaration, a closed season in any or all Philippine waters outside the boundary of municipal waters and in bays, for conservation and ecological purposes. The Secretary may include waters under the jurisdiction of special agencies, municipal waters and bays, and /or other areas reserved for the use of the municipal fisher folk in the area to be covered by the closed season: Provided, however, That this shall be done only upon the concurrence

and approval or recommendation of such special agency and the concerned LGU, ~~and~~—FARMC, **AND THE FISHERIES MANAGEMENT SCIENTIFIC ADVISORY GROUP (SAG)**: Provided, further, That in municipal water, fishery management areas and other areas reserved for the use of the municipal fisherfolk, closed season may be established by the concerned LGU in consultation with the FARMC **AND THE SAG** for conservation and ecological purposes. The FARMCs **AND THE SAGS** may also recommend the establishment of closed seasons in municipal waters, fisheries management and other areas reserved for the use of the municipal fisherfolk.

Section 3. Section 16 of Republic Act 8550, as amended is hereby further amended to read as follows:

“Section 16. Jurisdiction of Municipal/ City Government- The municipal/ city government shall have jurisdiction over municipal waters as defined in this Code. The municipal/ city government, in consultation with the 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 **USING THE ECOSYSTEM APPROACH TO FISHERIES MANAGEMENT OR EAFM.**

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

The LGUs shall also enforce all fishery laws, rules and regulations as well as valid fishery ordinances enacted by the municipal/ city council.

The management of contiguous fishery resources such as bays which straddle several 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 a 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 (FARMCs) established under Section 76 of this Code shall serve as the venues for close collaboration among LGUs in the management of contiguous resources.

Section 4. Section 18 of Republic Act 8550, as amended is hereby further amended to read as follows:

“ Section 18. Users of Municipal Waters.- All fishery related activities in municipal waters as defined in this Code, shall be utilized by municipal fisherfolk, their cooperatives/ organizations, **AND SEMI-COMMERCIAL FISHERFOLKS** 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 **FIFTY (50)** 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 **IN LINE WITH EAFM;**
- c) Prior consultation, through public hearing, with the M/CFARMC has been conducted;
- d) **ENSURE MONTHLY FISH CATCH REPORT TO LOCAL AND NATIONAL GOVERNMENT FOR TRACEABILITY AND TRANSPARENCY FOR FISHERIES MANAGEMENT AREAS STOCK ASSESSMENT AND MONITORING; AND**

- e) The applicant vessel as well as the shipowner, employer, captain, and crew have been certified by the appropriate agency as not having violated this Code, 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 Department to be in an environmentally critical condition and during closed season as provided for in Section 9 of this Code.

Section 5. Section 19 of Republic Act 8550, as amended is hereby further amended to read as follows:

“ Section 19. Registry of Municipal Fisherfolk- the LGU shall maintain a registry of municipal fisherfolk, who are **DIRECTLY ENGAGED IN FISHERIES AND OR MAY DESIRE TO FISH INSIDE THE MUNICIPAL WATERS. THE REGISTRY SHALL LIKEWISE INCLUDE THE FISHING BOAT OPERATORS, LICENSED FISHERMEN CREW OF A FISHING VESSEL INCLUDING THOSE USED FOR SEMI-COMMERCIAL FISHING CONSISTING OF BOAT CAPTAINS, MOTORMAN AND BOATSWAIN** for the purpose of determining priorities among them, of limiting entry into the municipal waters, and of monitoring fishing activities and/or other related purposes: Provided, that the FARMC shall submit to the LGU the list of priorities for its consideration. Xxx”

Section 6. Section 90 of Republic Act 8550, as amended is hereby further amended to read as follows:

“ *Section 90. Use of Active Gear in the Municipal Water and Bays and Other Fishery Management Areas.*- It shall be unlawful to engage in fishing in municipal waters and in all bays as well as other fishery management areas using active fishing gears **EXCEPT WHEN AUTHORIZED BY THE MUNICIPAL OR CITY GOVERNMENT THROUGH AN ORDINANCE, THAT ALLOWS IDENTIFIED FISHING GEARS TARGETING SPECIFIC SPECIES, AT SPECIFIC TIME OR SEASON, SUBJECT TO HARVEST CONTROL RULES AND MEASURES,**

**DETERMINED BY THE LGU UPON CONSULTATION AND
APPROVAL OF THE M/CFARMC. xxx”**

Section 7. Implementing Rules and Regulations.- The Department of Agriculture, through the Bureau of Fisheries and Aquatic resources, shall coordinate with the Department of Interior and Local Government and other concerned agencies including fisherfolk association, non-government organizations, civil society organizations, academe, and other stakeholders, to issue the implementing rules and regulations of this Act.

Section 8. Separability Clause.- If any part or provision of this Act is held invalid or unconstitutional, the remaining parts or provisions not affected shall remain in full force and effect.

Section 9. Repealing Clause.- All laws, executive orders, presidential decrees or issuances, letters of instruction, administrative orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 10. Effectivity.- This Act shall take effect fifteen (15) days after its publication in the Official Gazette or at least two (2) newspapers of general circulation.

Approved,