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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
SEVENTEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 3509

HOUSE OF REPRESENTATIVES
RECEIVED
DATE: <u>06 SEP 2016</u>
TIME: <u>3:55 PM</u>
BY: <u>[Signature]</u>
REGISTRATION UNIT BILLS AND INDEX SERVICE

INTRODUCED BY HON. VINI NOLA A. ORTEGA

EXPLANATORY NOTE

According to latest data available from the Philippine Statistics Authority, Fishermen posted the highest poverty incidence among the nine basic sectors in the Philippines in 2012 at 39.2%¹.

Recent data and study from the Philippine Statistics Authority² also show the following figures:

During the first quarter of 2016, total production of the fisheries sector was 5.11 percent lower than the previous year's level.

About 2.5 percent decrement on production was noted in municipal fisheries. Almost 86 percent of its volume came from unloading in municipal landing centers while the rest were caught from inland bodies of water. Both subsectors declined during the quarter. Less fishing activities were observed as hot weather conditions prevailed in the coastal areas. Municipal fisheries contributed 28.95 percent to total output of fisheries.

Harvests from aquaculture farms were reduced by 3.40 percent. Decreasing trends on major species like milkfish, tilapia, tiger prawn and seaweeds were reflected. High mortality and slow growth of species were experienced amid the dry spell. For seaweeds, rampant ice-ice disease and

¹ <https://psa.gov.ph/content/fishermen-farmers-and-children-remain-poorest-basic-sectors-0> (last accessed 15 August 2016, 2:55pm)

² <https://psa.gov.ph/fisheries-situationer> (last accessed 15 August 2016, 2:47pm)

35 epiphytes affected its produce with a decline of 6.82 percent. Of the total fisheries
36 production, 46.34 percent came from aquaculture subsector.

37

38 Fisheries are an important sector in the Philippines economy, employing
39 about 1.6 million people, according to government figures. Municipal fisheries
40 employ 1.37 million people while the aquaculture sector employs a further
41 226,000 people.³

42

43 In addition to the effects of the dry spell mentioned above, part of the
44 reason for the drop in fisheries output in 2013 was the serious impact of Typhoon
45 Haiyan (Yolanda) on the aquaculture and municipal fisheries sectors in the
46 central Visayas region after the storm struck in November that year.

47

48 Damage caused by the storm continues to affect fisheries and agricultural
49 production in affected areas as work continues to repair the damage and support
50 rebuilding of affected rural communities.⁴

51

52 Considering the foregoing, this measure is being proposed in order to
53 address the adverse effects of natural and man-made calamities, climate change,
54 and other unforeseen weather phenomena, by providing our small-scale
55 fishermen and subsistence fisherfolks an alternative source of livelihood by
56 giving them the necessary training and knowledge to extend assistance to their
57 communities during said unfortunate events in coordination with their
58 respective Barangays, the Philippine Coast Guard, the NDRRMC, and other
59 related government agencies.

60

61 Not only will this Bill provide assistance to our small-scale fishermen and
62 subsistence fisherfolks during times of misfortune by augmenting their sources
63 of income, more importantly, this measure will encourage camaraderie and
64 instill the spirit of "*bayanihan*" among them in their respective communities in
65 times of need while at the same time provide support to existing government
66 instrumentalities and personnel.

67

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³ <http://www.worldfishing.net/news101/regional-focus/philippines-steps-up-assistance-to-small-scale-fishermen#sthash.5pjQ76jA.dpuf> (last accessed 15 August 2016, 5:53pm)

⁴ *Ibid.*

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Hence, the approval of this Bill is earnestly sought.



HON. VINI NOLA A. ORTEGA
Representative
ABONO Party-list

108
109 Republic of the Philippines
110 HOUSE OF REPRESENTATIVES
111 Quezon City
112 SEVENTEENTH CONGRESS
113 First Regular Session
114 HOUSE BILL NO. 3509
115

116 -----
117 INTRODUCED BY HON. VINI NOLA A. ORTEGA
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120 AN ACT PROVIDING FOR
121 ALTERNATIVE SOURCE OF LIVELIHOOD FOR SMALL-SCALE
122 FISHERMEN AND SUBSISTENCE FISHERFOLKS IN COASTAL
123 COMMUNITIES IN THE PHILIPPINES BY DEPUTIZING THEM AS
124 AUXILIARY RESPONSE TEAM IN NATURAL AND MAN-MADE
125 CALAMITIES AND DISASTERS.
126

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129 **Section 1. Title.** – This Act shall be known as the “Alternative Source of
130 Livelihood for Fishermen Act of 2016”.
131

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133 **Section 2. Declaration of Policy.** –
134

135 The State shall protect the rights and interests of small-scale fishermen and
136 subsistence fisherfolks especially of local coastal communities.
137

138 However, due to uncertainty and issues of sustainability of resources available to
139 them coupled with unforeseen or fortuitous events such as typhoons, effects of
140 climate change, or man-made disasters, the State shall provide for other means of
141 sources of livelihood for these fishermen in order to augment their source of
142 income during said period.
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145

146 To provide as an alternative source of livelihood, the State shall deputize small-
147 scale fishermen and subsistence fisherfolks to serve as members of an auxiliary
148 response team in coordination with their respective Barangays, the Philippine
149 Coast Guard, the NDRRMC, and other related government agencies.

150

151 This shall serve as a means for equitable distribution of opportunities, income,
152 and wealth in accordance with national economic development programs of the
153 State.

154

155 They shall be provided practical training and knowledge to conduct search and
156 rescue operations, clean-up of oil spill and other noxious substances from vessels
157 and retrieval from wreckage procedures, and other necessary technical
158 information to fulfill their duties and responsibilities as such.

159

160 In consideration thereto, small-scale fishermen and subsistence fisherfolks shall
161 be adequately compensated accordingly for their contributions to their
162 communities.

163

164

165 **Section 3. Definition of Terms.** – For purposes of this Act, the following terms
166 shall be defined as follows:

167

168 (a) *Small-scale Fishermen* refers to individuals utilizing “artisanal” or
169 traditional fishing (as opposed to commercial fishing), using relatively
170 small amount of capital and energy, relatively small fishing vessels (less
171 than 3.1 gross tons GT), and mainly for local consumption.

172

173 (b) *Subsistence Fisherfolks* refers to individuals who engage in fishing, other
174 than sport fishing, that is carried out primarily to feed the family and
175 relatives of the individual engaged in fishing. Generally it also implies
176 the use of low tech “artisanal” or traditional fishing techniques.

177

178

179 **Section 4. Determination and Registration of Small-scale Fishermen and**
180 **Subsistence Fisherfolks.** – Section 19 of RA 8850 (Fisheries Code of 1998)

181 provides that "The LGU shall maintain a registry of municipal fisherfolk, who
182 are fishing or may desire to fish in municipal waters for the purpose of
183 determining priorities among them, of limiting entry into the municipal waters,
184 and of monitoring fishing activities and/or other related purposes. Such list or
185 registry shall be updated annually or as may be necessary, and shall be posted in
186 barangay halls or other strategic locations where it shall be open to public
187 inspection, for the purpose of validating the correctness and completeness of the
188 list."

189
190 In accordance with this provision of the RA 8850, the Bureau of Fisheries and
191 Aquatic Resources (BFAR) designed the Municipal Fisherfolks Registration
192 System (FishR) of coastal LGUs.

193
194 In view of the abovementioned provision, the Department of Social Welfare and
195 Development (DSWD) office of every coastal city or municipality, as the case
196 may be, shall coordinate with the BFAR and the Municipal Fisherfolks
197 Registration System for determination and registration purposes of small-scale
198 and subsistence fisherfolks in accordance with this Act.

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201 **Section 5. Training Programs. – Section 24 of RA 8850 (Fisheries Code of**
202 **1998) provides for the *Support to Municipal Fisherfolk* thru "the Department**
203 **and the LGUs (shall provide support to municipal fisherfolk) through**
204 **appropriate technology and research, credit, production and marketing**
205 **assistance and other services such as, but not limited to training for**
206 **additional/supplementary livelihood".**

207
208 The qualified and registered Small-scale Fishermen and Subsistence Fisherfolks
209 under this Act shall undergo training under the tutelage and supervision of
210 relative government agencies for this purpose, such as but not limited to the
211 Philippine Coast Guard, the NDRRMC of the Office of Civil Defense, Technical
212 Education and Skills Development Authority (TESDA), and the respective
213 Barangays to which the individuals belong to for search and rescue operations,
214 clean-up of oil spill and other noxious substances from vessels and retrieval from
215 wreckage procedures, and other necessary technical information required during
216 periods of natural calamities, typhoons, man-made disasters, and the like.

217

218 In addition to the foregoing, the Small-scale Fishermen and Subsistence
219 Fisherfolks shall also be given provisions for equipment and tools necessary for
220 their functions as auxiliary response team.

221

222

223 **Section 6. Remuneration.** – The qualified and registered Small-scale Fishermen
224 and Subsistence Fisherfolks who have successfully undergone the training
225 required as certified by the appropriate government agency who conducted the
226 same, shall be entitled to remuneration for their participation, contribution, and
227 assistance in their respective cities, municipalities, and communities, as the case
228 may be, when called upon as auxiliary response team during periods of natural
229 calamities, typhoons, man-made disasters, and the like.

230

231 The remuneration to be given shall be reasonable and commensurate to the
232 services rendered by the Small-scale Fishermen and Subsistence Fisherfolks as
233 uniformly determined and prescribed by the Department of Social Welfare and
234 Development (DSWD) in its Implementing Rules and Regulations of this Act,
235 which shall be funded from the city or municipal’s Social Fund, as the case may
236 be.

237

238

239 **Section 6. Implementing Agency.** – The Bureau of Fisheries and Aquatic
240 Resources (BFAR), in coordination with the Department of Social Welfare and
241 Development (DSWD), and other related agencies such as the Philippine Coast
242 Guard, the NDRRMC, Office of the Civil Defense, the Technical Education and
243 Skills Development Authority (TESDA), among others, shall serve as the
244 implementing agency in carrying out the provisions of this Act in the respective
245 covered coastal cities and municipalities of the Philippines.

246

247

248 **Section 7. Funding.** – **Section 109 of RA 8850 (Fisheries Code of 1998)**
249 provides for a *Municipal Fisheries Grant Fund*. – “For the development,
250 management and conservation of the municipal resources, there is hereby
251 created a Fishery Grant Fund to finance fishery projects of the LGUs primarily
252 for the upliftment of the municipal fisherfolk. The amount of One Hundred

253 Million pesos (P100,000,000.00) is hereby appropriated out of the Department's
254 allocation in the General Appropriations Act (GAA) to support the Grant Fund.”
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258 **Section 8. Implementing Rules and Regulations.** – Within ninety (90) days
259 after the effectivity of this Act, the Bureau of Fisheries and Aquatic Resources
260 (BFAR) in consultation and support of the Department of Social Welfare and
261 Development (DSWD), the Philippine Coast Guard (PCG), the NDRRMC,
262 Technical Education Skills Development Authority (TESDA), and other related
263 agencies, shall formulate the rules and regulations necessary for the effective
264 implementation of this Act.
265
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267 **Section 9. Separability Clause.** - If any provision or part hereof is held invalid
268 or unconstitutional, the remainder of the law or the provision thereof shall
269 remain valid and effective.
270
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272 **Section 10. Effectivity.** - This Act shall take effect fifteen (15) days after its
273 publication in the Official Gazette or in at least two (2) newspapers of general
274 circulation.
275

276 Approved
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