MUNICIPAL ORDINANCE NO. 10
Series of 2008

AN ORDINANCE PROHIBITING ILLEGAL FISHING ACTIVITIES AND OTHER DESTRUCTIVE FORMS OF FISHING AS WELL AS FISHING IN FISHERY RESERVES, REFUGE AND SANCTUARIES WITHIN 15 KILOMETERS FROM THE SHORELINE AND/OR WITHIN THE TERRITORIAL JURISDICTION OF BACOOR CAVITE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

(Sponsored by: Councilor Avelino Solis)

WHEREAS, numerous complaints reached the Sangguniang Bayan regarding the rampant illegal fishing activities in the seas, shorelines and waters within the territorial jurisdiction of Bacoor, Cavite;

WHEREAS, these illegal activities have caused tremendous damage to the fisherfolk of Bacoor, Cavite, causing the reduction of the volume of their catch, thereby causing economic dislocation in that sector of the community;

WHEREAS, the Sangguniang Bayan is empowered to enact or amend ordinances and resolutions to protect the environment and impose appropriate penalties for acts endangering the environment, such as dynamite fishing and other destructive fishing methods;

NOW THEREFORE: be it resolved as it is hereby resolved to enact an Ordinance to read as follows:

BE, enacted by the Sangguniang Bayan:
Section 1 – Definition of Terms:

a. **Commercial Fishing Boat** – refers to fishing boats weighing more than three (3) gross tons.

b. **Electro Fishing** – refers to the use of electricity generated by dry cell batteries, electric generator, or other sources of electric power to kill, stupefy, disable or render unconscious fish or fishery aquatic products in both fresh and salt water areas.

c. **Fishing Gear** – any instrument or device and its accessories utilized in taking fish and other fishery species.

d. **Fishing with the use of explosives** – the use of dynamite and other explosives or other chemical compounds that contains combustible elements or ingredients that upon ignition by friction, concussion, percussion or detonation of all parts of the compound, may kill stupefy, disable or render unconscious any fish or other aquatic resources or the use of any other substance and/or device which causes an explosion that is capable of producing the said harmful effects on any fishery species and aquatic resources and capable of damaging and altering the natural habitat.

e. **Fishing with the use of obnoxious or poisonous substance** – the use of any substance, plant extracts or juice thereof, sodium cyanide and or cyanide compounds or other chemicals either in raw or processed from, harmful or harmless to human beings, which kills, stupefy, disable or render unconscious fish or fishery species and aquatic resources and capable of damaging and altering the natural habitat.

f. **MFARMC** - refers to Municipal Fisheries and Aquatic Resources Management Council of Bacoor, Cavite.

g. **Modified Danish Seine** - refers to the fishing gear also known as HARUTA HULBOT-HULBOT, LIBA-LIBA, BULI-BULI, BIRA-BIRA, HULAHOO ZIPPER, LAPORMAS, PALISOT, PATANGKOP, LIKISAN, PALUSOT or PASANGKO consisting of conical, cylindrical and other shapes of net with or without a pair of wings, the ends of which are connected to ropes with buri leaves, plastic strip or any similar materials to serve as scoring, herding device with hauling ropes passing through a metallic/rattan ring permanently attached to a tom weight (linggote) or a mechanical winch or by manpower.

h. **Motorized push net** - refers to a fishing gear also known as SUD-SOD, SAKAG, SURO-SURO or PATURO consisting of synthetic or natural fiber material attached to a triangular frame made of bamboo poles, wooden posts or logs and mounted at the bow of motorized boats to capture fish through a forward or horizontal pushing motion in the water using either commercial or municipal fishing boat.

i. **Municipal Fishing Boat** - refers to fishing within municipal waters using fishing vessel of three (3) gross tons or less, or fishing net requiring the use of fishing vessels.

j. **Muro Ami** - fishing method that destroy coral reefs, sea grass beds, and other fishery marine life habitat using such methods that require diving and other physical or mechanical acts to pound the coral reefs and other habitat to entrap, gather or catch fish and other fishery species.
k. Purse Setline - Refers to a fishing gear also known as TAKSAY PANGLONG KALANSISI and KUBKOB, or an encircling net having a line at the bottom passing through tangles attached to the net, which can be drawn or pushed. In general, the net is set from a boat or pair of boats around a school of fish. The bottom of the net is closed with the purse line. The net then pulled aboard the fishing boat or boats until the fish are concentrated in the bunt or fish bag.

l. Travel (All Kind) - Refers to a fishing gear also known as GALADAD, which is an active fishing gear consisting of a bag-shaped net, with or without boards to open its opening which is dragged or towed along the bottom of the sea or through the water column to take the fishery species by straining or by the use of trawls (bottom mid-water and baby trawl) and two nets.

m. Use of fine mesh net - Refers to a net with mesh size less than three centimeters (3cm) measured between two (2) opposite knots of a full mesh stretched or otherwise determined by the appropriate government agency.

n. Use of super light - Also called magic light, is a type of light using halogen or metal halide bulb which may be located above the sea surface or submerged in the water. It consists of a ballast, regulator, electric cable and socket. The energy comes from a generator, battery or dynamo coupled with the main engine.

Section 2. Prohibition. Fishing activities such as fishing with the use of mesh net, super lights, explosives, dyes or other similar destructive fishing methods is hereby prohibited.
Office of the Mayor
Municipality of Bacoor
Province of Cavite

Section 7 - Separability Clause

If any provision, any portion of this ordinance is declared void by a court of competent jurisdiction or suspended or declared invalid by the Supreme Court, the remaining provisions, sections or parts thereof which shall continue to be in full force and effect.

Section 6 - Persons and Departments Authorized to Enforce This Ordinance

Any person violating the provisions under this ordinance shall pay the necessary fine/penalty to the principal office of MUNICIPALITY OF BACOOR.

Section 4 - If any provision of this Act is declared invalid, the part shall be deemed severable from the remaining provisions.

Section 3 - Persons, Associations, Partnerships or Corporations who are engaged in illegal fishing activities are hereby prohibited by the provisions of this Act.

Section 2 - All fishing activities are hereby declared illegal and shall be prohibited.

Section 1 - Any person who shall continue to fish beyond the specified area shall be punished by a fine of P2,500.00 per person.

TWO THOUSAND FIVE HUNDRED PESOS (P2,500.00) PER PERSON.
MUNICIPAL ORDNANCE NO. 10, Series of 2008 "AN ORDINANCE PROHIBITING ILLEGAL FISHING ACTIVITIES AND OTHER DESTRUCTIVE FORMS OF FISHING AS WELL AS REGULATING THE PERMITTING, MONITORING AND SANCTIONING OF FISHING IN PUBLIC RESERVES, REFUGES AND SUSTAINABLE FISHING AREAS OF THE MUNICIPALITY OF BAASOOR"

Section 8 - Applicability Clause - All other related matters not specifically provided for in this ordinance shall be governed by the pertinent provisions of existing applicable laws and ordinances.

Section 9 - Repealing Clause - All ordinances rules and regulations, or parts thereof which are in conflict or contrary to the provisions of this ordinance, are hereby expressly repealed.

Section 10 - Effectivity - This ordinance shall take effect fifteen (15) days after its publication by the Sanggumang Bayan.

UNANIMOUSLY ENACTED this 16th day of June 2008.

Vice Mayor Rosette M. Fernandez

Attended by:

Certified by:

Approved by:

Vice Mayor

Municipal Mayor

Province of Cavite
Office of the Sanggumang Bayan

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