



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

FOR : **The Directors**
Legal Affairs Service
Policy and Planning Service
Climate Change Service

The Bureau Directors
Environmental Management Bureau
Biodiversity Management Bureau
Land Management Bureau
Forest Management Bureau

The Executive Directors
National Water Resources Board
Manila Bay Coordinating Office

The Regional Executive Directors
Region III and Region IV-A

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **INVITATION TO ATTEND AND REQUEST FOR COMMENTS FOR THE BILLS REFERRED TO THE COMMITTEE ON AQUACULTURE AND FISHERIES RESOURCES OF THE HOUSE OF REPRESENTATIVES**

DATE : 11 November 2022

In reference to the electronic mail dated 10 November 2022 from the Committee on Aquaculture and Fisheries Resources of the House of Representatives, received by our Office on 10 November 2022, requesting the Department's position on the following bills:

1. HB No. 2926 - "An Act Amending Certain Section of Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998, as Amended, and Creating the Manila Bay Management Council Thereof" by Rep. Tobias "Toby" M. Tiangco
2. HB No. 3380 - "An Act Mandating the Establishment of Fisherfolk Resettlement Areas by the Department of Agriculture, Department of Human Settlements and Urban Development, and the Local Government Units, Amending for the Purpose Sec. 108 of Republic Act No. 8550, otherwise known as the "Philippine Fisheries Code of 1998." as Amended by Republic Act No. 10654" by Rep. Tobias "Toby" M. Tiangco

In this regard, we are **requesting your comments and recommendations on or before 16 November 2022, 5 PM via email at denrlegislative@yahoo.com** for the drafting of the

position paper requested by the Committee. The scheduled committee hearing is on **November 28, 2022, at 9:30 AM** at the Nograles Hall, Ground Floor, South Wing Annex Building, House of Representatives, and simultaneously via Zoom.

Further, your or your representative's attendance at the mentioned meeting is requested as the agenda will deliberate on the bills that are of significance to your mandates.

Attached herewith are the invitation, and copies of the House Bills for your reference.

For information and action, please.

ROMIROSE B. PADIN

*cc: Undersecretary for Legal, Administration, Human Resources, and Legislative Affairs
Undersecretary for Policy, Planning, and International Affairs
Assistant Secretary for Administration and Legislative Affairs*



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

November 14, 2022

SEC. MA. ANTONIA YULO-LOYZAGA

Secretary

Department of Environment and Natural Resources

Dear Sec. Yulo-Loyzaga:

Please be informed that the House Committee on Aquaculture and Fisheries Resources shall conduct its initial deliberations on HB No. 2926 and HB No. 3380 (*Please see attached Agenda and copy of the bills*) on a scheduled **Hybrid/Blended Committee Meeting on November 28, 2022, 9:30 a.m., at the Nograles Hall, Ground Floor, South Wing Annex Building, House of Representatives.**

In this regard, you and/or your staff are invited to attend the meeting *in person* to present your respective position on the measures.

Please take note of the following House Protocols in the conduct of hybrid/blended meetings:

- a) The names of the participants must be submitted to the Secretariat not later than **November 22, 2022 (Tuesday)** for accreditation by the House Security Group and the House Medical Services. Please note that only the person whose name you submitted will be allowed entry into the House premises.
- b) The House of Representatives requires a negative Covid-19 test result upon entry to its premises. We provide complimentary antigen testing for essential resource persons, who are advised to arrive an hour earlier than the scheduled meeting. Alternatively, you may submit a certificate of a negative antigen or RT-PCR test conducted by a DOH-accredited laboratory 1-2 days before the meeting.

Virtual participants may still join the meeting using the following Zoom details:

Link: <https://us02web.zoom.us/j/84517117724?pwd=VWl5VENLS3k0N3g2VzdhaXVvQkVKdz09>
Meeting ID: 845 1711 7724 Passcode: 218947

Should you have any questions, please coordinate with the Committee Secretariat via email: committee.aquaculture@house.gov.ph or through the Committee Secretary (*Celia Milagros T. Miciano*): +639177937331.

The Committee looks forward to your presence in this meeting. Thank you very much.

Very truly yours,

ALFREDO D. MARAÑON III
Chairperson



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

COMMITTEE ON AQUACULTURE AND FISHERIES RESOURCES
REGULAR MEETING

28 November 2022 (Monday), 9:30 am
Nograles Hall, Ground Floor, South Wing Annex Building, House of Representatives

Meeting link: <https://us02web.zoom.us/j/84517117724?pwd=VWl5VENLS3k0N3g2VzdhaXVvQkVKdz09>
Meeting ID: 845 1711 7724 Passcode: 218947

AGENDA

- I. Call to Order/Opening Prayer
- II. Roll Call
- III. Opening Remarks of the Chairman
- IV. Approval of the Minutes of the previous Meeting (September 14, 2022)
- V. Initial Deliberations of the following House Bills:
 - 1) **HB No. 2926** - "An Act Amending Certain Section of Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998, as Amended, and Creating the Manila Bay Management Council Thereof" *by Rep. Tobias "Toby" M. Tiangco*
 - 2) **HB No. 3380** - "An Act Mandating the Establishment of Fisherfolk Resettlement Areas by the Department of Agriculture, Department of Human Settlements and Urban Development, and the Local Government Units, Amending for the Purpose Sec. 108 of Republic Act No. 8550, otherwise known as the "Philippine Fisheries Code of 1998." as Amended by Republic Act No. 10654" *by Rep. Tobias "Toby" M. Tiangco*
- VI. Other Matters
- VII. Adjournment

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 3380



Introduced by: **REP. TOBIAS "TOBY" M. TIANGCO**

EXPLANATORY NOTE


Two decades had passed since the passage of the Philippine Fisheries Code of 1998 and yet, there is little progress as to the establishment of settlement for the fisherfolks. As a result, fisherfolks continue to be a very vulnerable sector, continually displaced not only by natural calamities, but also by industrial, commercial and tourism-related development.

A consultation workshop with the United Nations Food and Agricultural Organization (UN-FAO) shows that the Filipino fisherfolk is among the poorest of the poor. The said workshop also revealed that the displacement of fishermen is one of the causes why fisherfolks belong to the poorest of the poor despite the country's rich marine resources.

This measure aims to strengthen the mandate and facilitate the establishment of settlement areas for fisherfolks by including the local government units of coastal areas, and the newly created Department of Human Settlements and Urban Development as co-implementing agencies of the Department of Agriculture.

It is hoped that with this measure, the intended protection for the rights and welfare of fisherfolks, who are mostly underprivileged, will finally be realized. The proposed bill was filed as House Bill No. 6876 during the 18th Congress and the same was passed on the third and final reading in the House of Representatives and was transmitted to the Senate for its consideration.

In light of the foregoing, the approval of this bill is earnestly sought.


TOBIAS "TOBY" M. TIANGCO
Representative
Lone District, Navotas City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3380

Introduced by: **REP. TOBIAS "TOBY" M. TIANGCO**

AN ACT
MANDATING THE ESTABLISHMENT OF FISHERFOLK RESETTLEMENT AREAS
BY THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HUMAN
SETTLEMENTS AND URBAN DEVELOPMENT, AND THE LOCAL GOVERNMENT
UNITS, AMENDING FOR THE PURPOSE SEC. 108 OF REPUBLIC ACT NO. 8550,
OTHERWISE KNOWN AS THE "PHILIPPINE FISHERIES CODE OF 1998." AS
AMENDED BY REPUBLIC ACT NO. 10654"

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

SECTION 1. Section 108 of Republic Act No. 8550, otherwise known as "The Philippine Fisheries Code of 1998", as amended by Republic Act No. 10654, is hereby amended as follows:

SEC. 108. Fisherfolk Settlement Areas. — [The Department shall establish and create fisherfolk settlement areas in coordination with concerned agencies of the government, where certain areas of the public domain, specifically near the fishing ground, shall be reserved for the settlement of the municipal fisherfolk. Nothing in this section shall be construed to vest ownership of any resettlement area to a municipal fisherfolk for whom said areas may have been reserved for or had been actually granted to.]

THE DEPARTMENT OF AGRICULTURE, DEPARTMENT OF HUMAN SETTLEMENTS AND URBAN DEVELOPMENT, AND THE LOCAL GOVERNMENT UNITS OF CITIES OR MUNICIPALITIES HAVING JURISDICTION OVER COASTAL AREAS AND MUNICIPAL WATERS SHALL ESTABLISH AND CREATE SETTLEMENT AREAS FOR FISHERFOLK WITH ADEQUATE ACCESS TO FISHING GROUNDS AS MAY BE DETERMINED BY THE DEPARTMENT OF AGRICULTURE: *PROVIDED*, THAT WHERE THERE EXIST PREVIOUSLY IDENTIFIED OR ESTABLISHED SETTLEMENT AREAS WITH ADEQUATE ACCESS TO FISHING GROUNDS, FISHERFOLK SHALL BE GRANTED PREFERENCE IN THE AWARD THEREOF: *PROVIDED, FURTHER*, THAT PREFERENCE SHALL BE GIVEN, OR SETTLEMENT AREAS SHALL BE ESPECIALLY ESTABLISHED, ONLY IN FAVOR OF FISHERFOLK

WHO ARE REGISTERED AS SUCH WITH THEIR RESPECTIVE CITY OR MUNICIPALITY AND WHO ARE WITHOUT REAL PROPERTY: *PROVIDED FINALLY* THAT LOCAL GOVERNMENT UNITS HAVING JURISDICTION OVER COASTAL AREAS AND MUNICIPAL WATERS ARE HEREBY MANDATED TO INTEGRATE SETTLEMENT AREAS FOR FISHERFOLK IN THEIR RESPECTIVE COMPREHENSIVE LAND USE PLANS.”

SEC. 2. *Separability Clause.* – If any portion or provision of this Act is declared unconstitutional or invalid, the other portions or provisions hereof, which are not affected thereby, shall remain in full force and effect.

SEC. 3. *Repealing Clause.* -All other laws, decrees, orders, circulars, issuances, rules and regulations and part thereof which are inconsistent with this Act are hereby repealed, amended, or modified accordingly.

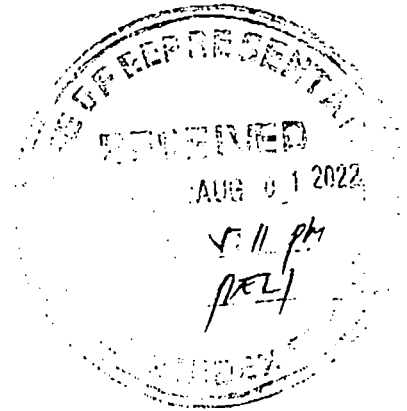
SEC. 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2926



Introduced by: **REP. TOBIAS "TOBY" M. TIANGCO**

EXPLANATORY NOTE

It has been a declared policy of the State "to ensure the rational and sustainable development, management and conservation of the fishery and aquatic resources in the Philippine waters". Under Section 16, Article I of Republic Act (R.A.) No. 8550, the municipal or city government shall have jurisdiction over municipal waters.

The Manila Bay has been the gateway to our political, economic and social center. It is bordered by coastal cities of the National Capital Region or NCR (Manila Pasay, Paranaque, Las Pinas, and Navotas), and the coastal provinces of Bataan, Pampanga, Bulacan in Region 3, and Cavite in Region 4. These cities and municipalities are thus mandated to administer and conserve the waters within their jurisdiction. Consistent to this, it becomes inevitable that varying and inconsistent policies will be implemented. Fisherfolks are thus subjected to several rules and procedures to have access to the Manila Bay.

In *Metropolitan Manila Development Authority v. Concerned Citizens of the Philippines*, the Supreme Court issued a writ of continuing mandamus that is aimed to the protection and preservation of the Manila Bay. The desire to restore the Manila Bay to its beauty and cleanliness will only be feasible if all government agencies, cities and municipalities exercising governmental functions over Manila Bay will be governed by single rules, policies and procedures. This is to ensure consistency and efficiency in the adoption and implementation of programs.

In 2014, R.A. 8550 was amended by R.A. 10654. Despite the remarkable amendments in the law, the perceived problem on exercise of jurisdiction of several municipalities and cities over the Manila Bay was not addressed. Under Section 127, Chapter VII of R.A. 8550, the Congress of the Philippines shall undertake a mandatory review of the Code at least once every five (5) years and as often as it may deem necessary, to ensure that fisheries policies and guidelines remain responsive to changing circumstances.

Following the above disquisitions, the amendment of the law is timely and more appropriate. To address the gaps and challenges in the current law, it is proposed that

the administration, supervision and conservation of the Manila Bay be entrusted to the Manila Bay Management Council (MBMC).

It is for these reasons that I seek the approval of this bill.



TOBIAS "TOBY" M. TIANGCO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2926

Introduced by: REP. TOBIAS "TOBY" M. TIANGCO

AN ACT
AMENDING CERTAIN SECTION OF REPUBLIC ACT NO. 8550, OTHERWISE
KNOWN AS THE PHILIPPINE FISHERIES CODE OF 1998, AS AMENDED, AND
CREATING THE MANILA BAY MANAGEMENT COUNCIL THEREOF

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

SECTION 1. Section 16 Article 1 on Municipal Fisheries of Republic Act No. 8550, as
amended, is hereby further amended, to read as follows:

"SEC. 16. Jurisdiction of the Municipal/City Governments. – x x x"

"x x x"

"The management of contiguous fishery resources such as bays which straddled several municipalities, cities, and provinces, shall be done in an integrated manner and not 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 Resource 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[.]: *PROVIDED, HOWEVER, THAT THIS PROVISION SHALL NOT APPLY TO THE PROVINCES, CITIES OR MUNICIPALITIES BORDERING THE COASTAL WATERS OF THE MANILA BAY AREA: PROVIDED, FURTHER, THAT THE MANILA BAY MANAGEMENT COUNCIL (MBMC) CREATED UNDER THIS ACT SHALL HAVE THE SUPERVISION AND CONTROL OVER THE MANILA BAY.*"

SEC. 2. *Creation of Manila Bay Management Council (MBMC).* – There is hereby established Manila Bay Management Council (MBMC) as the sole authority to manage, control and supervise the Manila Bay. It shall be composed of the following:

1. The Secretary of the Department of Agriculture (DA) or his duly authorized representative;
2. The Secretary of the Department of Environment and Natural Resources (DENR) or his duly authorized representative; and
3. The Chairperson of the Metropolitan Manila Development Authority (MMDA) or his duly authorized representative.
4. The Governor of the Province of Bataan or his duly authorized representative
5. The Governor of the Province of Bulacan or his duly authorized representative
6. The Governor of the Province of Pampanga or his duly authorized representative
7. The Governor of the Province of Cavite or his duly authorized representative

The Office of the Director of the Bureau of Fisheries and Aquatic Resources (BFAR) shall serve as the secretariat of the MBMC.

The MBMC shall have the following powers and functions:

1. Supervise, manage and control the Manila Bay with close coordination to the LGUs encompassing it;
2. Formulate a unified policy for the protection, preservation and progress of the Manila Bay, to support the goal of food sufficiency and food security;
3. Perform such other functions as may be necessary or proper to attain the objectives of this Act.

SEC. 3. Appropriation. – The MBMC shall be provided with an initial appropriation of Twenty million pesos (Php20,000,000.00) to be drawn from the national government.

SEC. 4. Implementing Rules and Regulations. – The Manila Bay Management Council, in consultation and coordination with the DA, DENR, and MMDA shall promulgate the implementing rules and regulations of this Act, within six (6) months from the effectivity of this Act. Appropriations for the succeeding years shall be included in the General Appropriations Act.

SEC. 5. Separability Clause. – If any portion of this Act is declared unconstitutional or invalid, the portions or provisions which are not affected shall continue to be in full force and effect.

SEC. 6. Repealing Clause. – All laws, decrees, executive orders and rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 7. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved.