



Republic of the Philippines
Department of Agriculture

Bureau of Fisheries and Aquatic Resources

PCA Compound, Elliptical Road, Diliman, Quezon City
Tel. Nos. 929-95-97 * 929-80-74

FISHERIES ADMINISTRATIVE

ORDER NO. 254-1

Series of 2018

SUBJECT: REGULATION AND IMPLEMENTING GUIDELINES ON GROUP HANDLINE FISHING OPERATIONS IN THE HIGH SEAS OF THE WCPFC CONVENTION AREA.

WHEREAS, the Philippines signed the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and its Annexes on September 5, 2000, which was subsequently ratified by the Senate on 2005;

WHEREAS, the Philippines is a member of the regional fisheries management organization, the Western and Central Pacific Fisheries Commission (WCPFC);

WHEREAS, in December 2017, the Commission adopted a new Conservation and Management Measure (CMM 2017-01) for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean which aims to provide for a robust transitional management regime that ensures the sustainability of bigeye, skipjack and yellowfin tuna stocks;

WHEREAS, CMM 2017-01 will create a bridge to the adoption of a harvest strategy for bigeye, skipjack, and yellowfin tuna in accordance with the work plan and indicative frames set out in the agreed work plan for adoption of harvest strategies under CMM 2014-06, which includes the development of management objectives and target reference points, and the Commission shall work towards achieving and sustaining the following;

1) Bigeye

Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average ($SB/SB_{F=0}$) for 2012-2015.

2) Skipjack

The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the interim target reference point of 50% of the spawning biomass in the absence of fishing, adopted in accordance with CMM 2015-06.

3) Yellowfin

Pending agreement on a target reference point the spawning biomass depletion ratio ($SB/SB_{F=0}$) is to be maintained at or above the average ($SB/SB_{F=0}$) for 2012-2015.

WHEREAS, Section 51 of CMM 2017-01 states that "CCM shall take necessary measures to ensure that the total catch of their respective other commercial tuna fisheries for bigeye, yellowfin or skipjack tuna, but excluding those fisheries taking less than 2,000 tonnes of bigeye, yellowfin and skipjack, shall not exceed either the average level for the period 2001-2004 or the level of 2004";

WHEREAS, this policy is designed as a conservation measure primarily to reduce effort in Philippine waters which is a spawning ground;

WHEREAS, Pursuant to Republic Act (RA) 9379, "An Act Defining Handline Fishing, Providing Effective Regulations Therefore and For Other Purposes", otherwise known as "The Handline Fishing Law of 2007";

WHEREAS, Section 2 of RA 9379 stresses the need to support the development of the handline fishing industry, promote its competitiveness, sustainability and social development;

WHEREFORE, in view of these premises, the Department of Agriculture, through the Bureau of Fisheries and Aquatic Resources (BFAR) hereby promulgates the following regulations and implementing guidelines.

Section 1. Definition of Terms. For purposes of this Order, the following terms as used herein shall mean and shall be construed as follows:

- 1) Automatic Location Communicator (ALC) or Mobile Tracking-Transceiver Unit — a two-way automatic tracking device WCPFC-approved device to be installed on fishing vessels that utilizes a satellite navigation and communication system for the purpose of transmitting information concerning the Philippine-flagged fishing vessels' positions, fishing activities, and any other activity of the vessels as may be required.
- 2) Bureau/BFAR — Bureau of Fisheries and Aquatic Resources.
- 3) Vessel Monitoring System (VMS) — Refers to a system used to track and monitor the position, time, course and speed of commercial fishing vessels in the territorial waters, EEZ and the high seas for purposes of conservation and management of fisheries resources.
- 4) Commercial Fishing Vessel/Gear License (CFVGL) — authorization granted by BFAR to fishing vessel operators to fish within commercial waters (>15 km from the shoreline) of the Philippines pursuant to Sec. 26 of R.A. 8550.
- 5) Exclusive Economic Zone (EEZ) — an area beyond and adjacent to the territorial sea of a country as defined under the United Nations Convention on the Law of the Sea and their respective existing laws.
- 6) Fish Aggregating Devices (FAD) — devices that shall include drifting logs, other drifting objects and anchored FADs.

- 7) Fisheries Monitoring Center (FMC) – serves as a land-based component for BFAR fisheries monitoring control and surveillance which operates and maintains the Vessel Monitoring System
- 8) Handline Fishing – refers to a traditional fishing method that uses the hook and line, a passive fishing gear with a single vertical line carrying one hook, and used by simply dropping the line into the water and waiting for the fish to bite.
- 9) Handline Fishing Boat – refers to a fishing boat with or without outrigger, with or without auxiliary small boats on board that exclusively utilizes the handline fishing method with or without the aid of a carrier operating as a group.
- 10) Pakura or Sirisan – is an auxiliary small boat, less than three (3) gross tons locally known as "pakura" or "sirisan" made of wood, fiberglass or any other material, with or without outrigger, propelled by a suitable engine and carried onboard a handline fishing boat for use in handline fishing operations beyond municipal waters.
- 11) High Seas (HS) – the area beyond Philippine waters which does not belong to the jurisdiction of any other State.
- 12) HSPI – High Seas Pocket 1 as referred to in CMM 2017-01 (see Attachment 2)
- 13) International Fishing Permit (IFP) – authorization granted by BFAR to licensed Philippine-flagged vessels to fish in waters of other coastal states and high seas where the Philippines has access agreements.
- 14) Regional Fisheries Observer – Personnel duly authorized by the Commission's Regional Observer Program to collect and record fisheries scientific data on fishing activities and monitor/report vessel compliance on the various CMMs by the Commission, other RFMOs and by the Bureau's compatible measures.
- 15) Regional Fisheries Management Organizations (RFMOs) – Organizations that implement conservation and management measures on tuna such as IOTC (Indian Ocean Tuna Commission), ICCAT (International Commission for the Conservation of Atlantic Tuna), and WCPFC in which the Philippines is a member and the CCSBT (Commission on the Conservation of Southern Bluefin Tuna) in which Philippines is cooperating non-member.
- 16) WCPFC – Western and Central Pacific Fisheries Commission.

Section 2. Scope and Application

- 1) This Administrative Order covers Philippine-registered handline fishing boats issued with International Fishing Permits and Special Permit to operate in the high seas of WCPFC Convention Area and registered in the WCPFC Records of Fishing Vessels.

- 2) This Administrative Order applies only to high seas in the WCPFC Convention Area (See CMM 2017-01 Attachment 2), which is the area of the high seas bounded by the EEZs of the Federated States of Micronesia to the north and east, Republic of Palau to the west, Indonesia and Papua New Guinea to the south with exact coordinates as used by WCPFC Vessel Monitoring System.

Section 3. Allocation of Fishing Access

- 1) Criteria in Qualifying for Fishing Access. Any person, corporation or entity who signifies to engage in handline fishing operation in the high seas of WCPFC Convention Area shall be pre-qualified based on the following criteria:
 - a) The handline fishing boats are Philippine-registered with valid Commercial Fishing Vessel and Gear License (CFVGL), International Fishing Permit and Special Permit to operate in the high seas of WCPFC Convention Area, subject to annual renewal and payment of an annual fee at the rate of USD 300 for handline fishing boats of 40 gross tonnage and below, and USD 600 for over 40 gross tonnage;
 - b) The handline fishing boats must be compliant with Philippine Coast Guard and Maritime Industry Authority (MARINA) rules and regulations;
 - c) The handline fishing boats must be Catch Documentary Scheme compliant;
 - d) The handline fishing boats must not have involved in any administrative or criminal offense for engaging in fishing activities in the Convention Area in violation of any conservation and management measures adopted by the WCPFC;
 - e) The handline fishing boats shall be registered with WCPFC;
 - f) The handline fishing boats shall be equipped with two-way Vessel Monitoring System;
 - g) Each handline fishing boat shall commit to deploy no more than 2 FADs;
 - h) The boat owner and three highest ranking officers of the boat must have attended the orientation to be conducted by the Bureau prior to operation;
- 2) Procedure in the Allocation of Fishing Access.
 - a) Letter of Intent. All interested persons, corporations or entities shall submit a formal letter of Intent (LOI) addressed to the Director of the Bureau indicating the handline fishing boat details such as registered name, gross tonnage, and gear.
 - b) Evaluation. Those who have submitted LOI will be evaluated on the basis of their compliance to the criteria and their history of fishing operations.

Section 4. Vessel Monitoring System. All handline fishing boats and corresponding carrier boats shall be equipped with and shall operate a two-way Automatic Location Communicator in accordance to FAO 241 Series of 2012 on Regulations in the Implementation of the Vessel Monitoring System (VMS) in the High Seas, CMM 2011-02 and CMM 2017-01. The FMC shall provide continuous real-time VMS information to the adjacent Coastal States/Territories for monitoring purposes. Access to VMS and other data shall be in accordance with WCPFC Rules and Procedures for the Protection, Access to and Dissemination of High Seas Non-Public Domain Data and Information Compiled by WCPFC for the Purpose of Monitoring, Control and Surveillance (MCS) Activities and Access to and Dissemination of High Seas VMS for Scientific Purposes.

Section 5. Reporting.

- 1) Handline fishing boats, carrier vessels and fishing companies shall notify BFAR through electronic or any other means at least 24 hours prior to entry and no more than 6 hours prior to exiting the fishing ground. Likewise, this information shall be transmitted to the adjacent Coastal States/Territories and WCPFC.
- 2) Report should be in the following format: "VID/entry or Exit: Date/Time; Lat/Long."
- 3) Handline fishing boats operating in high seas should report sightings of any fishing vessel to BFAR and WCPFC Secretariat. Such information shall include vessel type, date, time, position, markings, heading and speed.

Section 6. Vessel Listing. The Bureau shall maintain an updated list of all handline fishing boats operating in the high seas based on vessel's entry and exit reports submitted to WCPFC. The list will be submitted to WCPFC and will be made available to WCPFC members and other concerned stakeholders through dedicated website, www.bfar.da.gov.ph.

Section 7. Monitoring of Port Landings. All landings of handline fishing boats operating in the high seas of WCPFC Convention Area shall be made at authorized ports operated by the Philippine Fisheries Development Authority and/or other ports as approved by BFAR. Catch logsheet to include catch and effort data shall be accomplished and submitted by each handline vessel to the Bureau every month to ensure timely processing and analysis.

Section 8. Effort Limit. In accordance with applicable WCPFC CMM.

Section 9. Use of Fish Aggregating Device (FAD). Each handline fishing boat shall deploy not more than 2 FADs. Its design, deployment, replacement, reporting of FADs coordinates shall be in accordance with existing policies.

Section 10. Research. BFAR observers shall be accommodated by handline fishing boats for purposes of scientific studies in aid of fishery management.

Section 11. Nature of Access Right. Any transfer of access right or replacement of vessel covered by this Order shall be subjected to the prior approval of the Bureau and shall be based on the same conditions and criteria as provided herein, otherwise the transfer shall be considered void.

Section 12. Penalties. Any violations of the provisions of this Fisheries Administrative Order shall be penalized as follows:

- 1) Pursuant to Section 119 of R.A. 8550 as amended by R.A. 10654, intentional non-reporting of position manually every six (6) hours after having been notified by BFAR FMC that the VMS ALC is not transmitting as required, the administrative fine shall be equivalent to five times the value of the catch or twice the amount indicated below, whichever is higher:
 - a) Two hundred fifty thousand pesos (P250,000.00) for small-scale commercial fishing;
 - b) Five hundred thousand pesos (P500,000.00) for medium-scale commercial fishing; and
 - c) Two million five hundred thousand pesos (P2,500,000.00) for large-scale commercial fishing.

- 2) Pursuant to Section 89 of R.A. 8550 as amended by R.A. 10654, violation of Section 5 and 7, cases of unreported fishing committed in waters beyond national jurisdiction or high seas, the owner, operator, and the three (3) highest officers of the commercial fishing vessel shall be penalized with an administrative fine equivalent to five (5) times the value of the catch or the amount indicated below, whichever is higher:
 - a) Two million pesos (P2,000,000.00) to Nine million pesos (P9,000,000.00) for small-scale commercial fishing;
 - b) Ten million pesos (P10,000,000.00) to Fifteen million pesos (P15,000,000.00) for medium-scale commercial fishing; and
 - c) Sixteen million pesos (P16,000,000.00) to Twenty million pesos (P20,000,000.00) for large-scale commercial fishing vessels less than seven hundred fifty (750) gross tons, and Twenty-five million pesos (P25,000,000.00) to Forty-five million pesos (P45,000,000.00) for large-scale commercial fishing vessels seven hundred fifty (750) gross tons or more.

Upon conviction by a court of law, the three (3) highest officers of the commercial fishing vessel shall suffer the penalty of imprisonment of six (6) months and a fine equivalent to twice the amount of the administrative fine, and confiscation of catch and gear.

- 3) Deployment of FADs in excess of 2 as provided in Section 9 hereof shall be penalized with administrative fine of Php 50,000.00 per excess FAD and confiscation of the excess FAD;
- 4) Unauthorized transfer of access right or replacement of handline fishing boat as provided under Section 11 hereof shall be penalized with Php 100,000.00 at first offense, and Php 200,000.00 as well as revocation of Special Permit to operate in the high seas of WCPFC Convention Area for the second offense;
- 5) Fishing outside High Seas of WCPO Convention Area shall be penalized with Php 100,000.00 for the first offense and Php 200,000.00 as well as revocation of Special Permit to operate in the high seas of WCPFC Convention Area at second offense except in Philippine waters when authorized by BFAR;
- 6) Unloading in unauthorized ports and landings shall be penalized with Php 100,000.00 at first offense, Php 200,000.00 as well as revocation of Special Permit to operate in the high seas of WCPFC Convention Area at second offense.

Section 13. Separability Clause. If this Order or any part hereof is declared unconstitutional or invalid, the remaining sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

Section 14. Repealing Clause. All existing administrative order, rules and regulations which are inconsistent with the provisions this Order is hereby repealed or modified.

Section 15. Effectivity. This Order shall take effect fifteen (15) days after publication in any newspaper of general circulation and upon registration with the Office of the National Administrative Registry and shall be coterminous with CMM 2017-01.

Issued this 25th day of July, 2018 at Quezon City, Metro Manila, Philippines.

EMMANUEL F. PINOL
Secretary

DEPARTMENT OF AGRICULTURE

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Recommending Approval:


EDUARDO B. GONGONA
 Undersecretary of Fisheries, DA
 Director, BFAR



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Department of Agriculture
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WHEREAS, the Philippines signed the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean and its Annexes on September 5, 2000, which was subsequently ratified by the Senate on 2005;

WHEREAS, the Philippines is a member of the regional fisheries management organization, the Western and Central Pacific Fisheries Commission (WCPFC);

WHEREAS, in December 2017, the Commission adopted a new Conservation and Management Measure (CMM 2017-01) for Bigeye, Yellowfin and Skipjack Tuna in the Western and Central Pacific Ocean which aims to provide for a robust transitional management regime that ensures the sustainability of bigeye, skipjack and yellowfin tuna stocks;

WHEREAS, CMM 2017-01 will create a bridge to the adoption of a harvest strategy for bigeye, skipjack, and yellowfin tuna in accordance with the work plan and indicative frames set out in the agreed work plan for adoption of harvest strategies under CMM 2014-06, which includes the development of management objectives and target reference points, and the Commission shall work towards achieving and sustaining the following;

1) Bigeye

Pending agreement on a target reference point the spawning biomass depletion ratio (SB/SB₀) is to be maintained at or above the average (SB/SB₀) for 2012-2015.

2) Skipjack

The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the interim target reference point of 50% of the spawning biomass in the absence of fishing, adopted in accordance with CMM 2015-06.

3) Yellowfin

Pending agreement on a target reference point the spawning biomass depletion ratio (SB/SB₀) is to be maintained at or above the average (SB/SB₀) for 2012-2015.

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 - b) The handline fishing boats must be compliant with Philippine Coast Guard and Maritime Industry Authority (MARINA) rules and regulations;

- d) Five hundred thousand pesos (P500,000.00) for medium-scale commercial fishing; and
 - c) Two million five hundred thousand pesos (P2,500,000.00) for large-scale commercial fishing.
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Secretary



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MANILA TIMES JULY 30, 2018



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1) Bigeye.

Pending agreement on a target reference point the spawning biomass depletion ratio (SB/SB_{MSY}) is to be maintained at or above the average (SB/SB_{MSY}) for 2012-2015.

2) Skipjack

The spawning biomass of skipjack tuna is to be maintained on average at a level consistent with the interim target reference point of 50% of the spawning biomass in the absence of fishing, adopted in accordance with CMM 2015-06.

3) Yellowfin

Pending agreement on a target reference point the spawning biomass depletion ratio (SB/SB_{MSY}) is to be maintained at or above the average (SB/SB_{MSY}) for 2012-2015.

WHEREAS, Section 51 of CMM 2017-01 states that "CCM shall take necessary measures to ensure that the total catch of their respective other commercial tuna fisheries for bigeye, yellowfin or skipjack tuna, but excluding those fisheries taking less than 2,000 tonnes of bigeye, yellowfin and skipjack, shall not exceed either the average level for the period 2001-2004 or the level of 2004";

WHEREAS, this policy is designed as a conservation measure primarily to reduce effort in Philippine waters which is a spawning ground;

WHEREAS, Pursuant to Republic Act (RA) 9379, "An Act Defining Handline Fishing, Providing Effective Regulations Thereof and For Other Purposes", otherwise known as "The Handline Fishing Law of 2007";

WHEREAS, Section 2 of RA 9379 stresses the need to support the development of the handline fishing industry, promote its competitiveness, sustainability and social development;

WHEREFORE, in view of these premises, the Department of Agriculture, through the Bureau of Fisheries and Aquatic Resources (BFAR) hereby promulgates the following regulations and implementing guidelines.

Section 1. Definition of Terms. For purposes of this Order, the following terms as used herein shall mean and shall be construed as follows:

- 1) **Automatic Location Communicator (ALC) or Mobile Tracking-Transceiver Unit** - a two-way automatic tracking device WCPFC-approved device to be installed on fishing vessels that utilizes a satellite navigation and communication system for the purpose of transmitting information concerning the Philippine-flagged fishing vessels' positions, fishing activities, and any other activity of the vessels as may be required.
- 2) **Bureau/BFAR** - Bureau of Fisheries and Aquatic Resources.
- 3) **Vessel Monitoring System (VMS)** - Refers to a system used to track and monitor the position, time, course and speed of commercial fishing vessels in the territorial waters, EEZ and the high seas for purposes of conservation and management of fisheries resources.
- 4) **Commercial Fishing Vessel/Gear License (CFVGL)** - authorization granted by BFAR to fishing vessel operators to fish within commercial waters (>15 km from the shoreline) of the Philippines pursuant to Sec. 26 of R.A. 8550.
- 5) **Exclusive Economic Zone (EEZ)** - an area beyond and adjacent to the territorial sea of a country as defined under the United Nations Convention on the Law of the Sea and their respective existing laws.
- 6) **Fish Aggregating Devices (FAD)** - devices that shall include drifting logs, other drifting objects and anchored FADs.
- 7) **Fisheries Monitoring Center (FMC)** - serves as a land-based component for BFAR fisheries monitoring control and surveillance which operates and maintains the Vessel Monitoring System
- 8) **Handline Fishing** - refers to a traditional fishing method that uses the hook and line, a passive fishing gear with a single vertical line carrying one hook, and used by simply dropping the line into the water and waiting for the fish to bite.
- 9) **Handline Fishing Boat** - refers to a fishing boat with or without outrigger, with or without auxiliary small boats on board that exclusively utilizes the handline fishing method with or without the aid of a carrier operating as a group.
- 10) **Pakura or Sirisan** - is an auxiliary small boat, less than three (3) gross tons, locally known as "pakura" or "sirisan" made of wood, fiberglass or any other material, with or without outrigger, propelled by a suitable engine and carried onboard a handline fishing boat for use in handline fishing operations beyond municipal waters.
- 11) **High Seas (HS)** - the area beyond Philippine waters which does not belong to the jurisdiction of any other State.
- 12) **HSPI** - High Seas Pocket 1 as referred to in CMM 2017-01 (see Attachment 2)
- 13) **International Fishing Permit (IFP)** - authorization granted by BFAR to licensed Philippine-flagged vessels to fish in waters of other coastal states and high seas where the Philippines has access agreements.
- 14) **Regional Fisheries Observer** - Personnel duly authorized by the Commission's Regional Observer Program to collect and record fisheries scientific data on fishing activities and monitor/report vessel compliance on the various CMMs by the Commission, other RFMOs and by the Bureau's compatible measures.
- 15) **Regional Fisheries Management Organizations (RFMOs)** - Organizations that implement conservation and management measures on tuna such as IOTC (Indian Ocean Tuna Commission), ICCAT (International Commission for the Conservation of Atlantic Tuna), and WCPFC in which the Philippines is a member and the CCSBT (Commission on the Conservation of Southern Bluefin Tuna) in which Philippines is cooperating non-member.
- 16) **WCPFC** - Western and Central Pacific Fisheries Commission.

Section 2. Scope and Application

- 1) This Administrative Order covers Philippine-registered handline fishing boats issued with International Fishing Permits and Special Permit to operate in the high seas of WCPFC Convention Area and registered in the WCPFC Records of Fishing Vessels.
- 2) This Administrative Order applies only to high seas in the WCPFC Convention Area (See CMM 2017-01 Attachment 2), which is the area of the high seas bounded by the EEZs of the Federated States of Micronesia to the north and east, Republic of Palau to the west, Indonesia and Papua New Guinea to the south with exact coordinates as used by WCPFC Vessel Monitoring System.

Section 3. Allocation of Fishing Access

- 1) **Criteria in Qualifying for Fishing Access.** Any person, corporation or entity who signifies to engage in handline fishing operation in the high seas of WCPFC Convention Area shall be pre-qualified based on the following criteria:
 - a) The handline fishing boats are Philippine-registered with valid Commercial Fishing Vessel and Gear License (CFVGL), International Fishing Permit and Special Permit to operate in the high seas of WCPFC Convention Area, subject to annual renewal and payment of an annual fee at the rate of USD 300 for handline fishing boats of 40 gross tonnage and below, and USD 600 for over 40 gross

tonnage;

- b) The handline fishing boats must be compliant with Philippine Coast Guard and Maritime Industry Authority (MARINA) rules and regulations;
 - c) The handline fishing boats must be Catch Documentary Scheme compliant;
 - d) The handline fishing boats must not have involved in any administrative or criminal offense for engaging in fishing activities in the Convention Area in violation of any conservation and management measures adopted by the WCPFC;
 - e) The handline fishing boats shall be registered with WCPFC;
 - f) The handline fishing boats shall be equipped with two-way Vessel Monitoring System;
 - g) Each handline fishing boat shall commit to deploy no more than 2 FADs;
 - h) The boat owner and three highest ranking officers of the boat must have attended the orientation to be conducted by the Bureau prior to operation;
- 2) **Procedura in the Allocation of Fishing Access.**
- a) **Letter of Intent.** All interested persons, corporations or entities shall submit a formal letter of Intent (LOI) addressed to the Director of the Bureau indicating the handline fishing boat details such as registered name, gross tonnage, and gear.
 - b) **Evaluation.** Those who have submitted LOI will be evaluated on the basis of their compliance to the criteria and their history of fishing operations.

Section 4. Vessel Monitoring System. All handline fishing boats and corresponding carrier boats shall be equipped with and shall operate a two-way Automatic Location Communicator in accordance to FAO 241 Series of 2012 on Regulations in the Implementation of the Vessel Monitoring System (VMS) in the High Seas, CMM 2011-02 and CMM 2017-01. The FMC shall provide continuous real-time VMS information to the adjacent Coastal States/Territories for monitoring purposes. Access to VMS and other data shall be in accordance with WCPFC Rules and Procedures for the Protection, Access to and Dissemination of High Seas Non-Public Domain Data and Information Compiled by WCPFC for the Purpose of Monitoring, Control and Surveillance (MCS) Activities and Access to and Dissemination of High Seas VMS for Scientific Purposes.

Section 5. Reporting.

- 1) Handline fishing boats, carrier vessels and fishing companies shall notify BFAR through electronic or any other means at least 24 hours prior to entry and no more than 6 hours prior to exiting the fishing ground. Likewise, this information shall be transmitted to the adjacent Coastal States/Territories and WCPFC.
- 2) Report should be in the following format: "VID/entry or Exit: Date/Time: Lat/Long."
- 3) Handline fishing boats operating in high seas should report sightings of any fishing vessel to BFAR and WCPFC Secretariat. Such information shall include vessel type, date, time, position, markings, heading and speed.

Section 6. Vessel Listing. The Bureau shall maintain an updated list of all handline fishing boats operating in the high seas based on vessel's entry and exit reports submitted to WCPFC. The list will be submitted to WCPFC and will be made available to WCPFC members and other concerned stakeholders through dedicated website, www.bfar.da.gov.ph.

Section 7. Monitoring of Port Landings. All landings of handline fishing boats operating in the high seas of WCPFC Convention Area shall be made at authorized ports operated by the Philippine Fisheries Development Authority and/or other ports as approved by BFAR. Catch logsheet to include catch and effort data shall be accomplished and submitted by each handline vessel to the Bureau every month to ensure timely processing and analysis.

Section 8. Effort Limit. In accordance with applicable WCPFC CMM.

Section 9. Use of Fish Aggregating Device (FAD). Each handline fishing boat shall deploy not more than 2 FADs. Its design, deployment, replacement, reporting of FADs coordinates shall be in accordance with existing policies.

Section 10. Research. BFAR observers shall be accommodated by handline fishing boats for purposes of scientific studies in aid of fishery management.

Section 11. Nature of Access Right. Any transfer of access right or replacement of vessel covered by this Order shall be subjected to the prior approval of the Bureau and shall be based on the same conditions and criteria as provided herein, otherwise the transfer shall be considered void.

Section 12. Penalties. Any violations of the provisions of this Fisheries Administrative Order shall be penalized as follows:

- 1) Pursuant to Section 119 of RA 8550 as amended by R.A. 10654, intentional non-reporting of position manually every six (6) hours after having been notified by BFAR FMC that the VMS ALC is not transmitting as required, the administrative fine shall be equivalent to five times the value of the catch or twice the amount indicated below, whichever is higher:
 - a) Two hundred fifty thousand pesos (P250,000.00) for small-scale commercial fishing;
 - b) Five hundred thousand pesos (P500,000.00) for medium-scale commercial fishing; and
 - c) Two million five hundred thousand pesos (P2,500,000.00) for large-scale commercial fishing.
- 2) Pursuant to Section 89 of RA 8550 as amended by R.A. 10654, violation of Section 5 and 7, cases of unreported fishing committed in waters beyond national jurisdiction or high seas, the owner, operator, and the three (3) highest officers of the commercial fishing vessel shall be penalized with an administrative fine equivalent to five (5) times the value of the catch or the amount indicated below, whichever is higher:
 - a) Two million pesos (P2,000,000.00) to Nine million pesos (P9,000,000.00) for small-scale commercial fishing;
 - b) Ten million pesos (P10,000,000.00) to Fifteen million pesos (P15,000,000.00) for medium-scale commercial fishing; and
 - c) Sixteen million pesos (P16,000,000.00) to Twenty million pesos (P20,000,000.00) for large-scale commercial fishing vessels less than seven hundred fifty (750) gross tons, and Twenty-five million pesos (P25,000,000.00) to Forty-five million pesos (P45,000,000.00) for large scale commercial fishing vessels seven hundred fifty (750) gross tons or more.

Upon conviction by a court of law, the three (3) highest officers of the commercial fishing vessel shall suffer the penalty of imprisonment of six (6) months and a fine equivalent to twice the amount of the administrative fine, and confiscation of catch and gear.

3) Deployment of FADs in excess of 2 as provided in Section 9 hereof shall be penalized with administrative fine of Php 50,000.00 per excess FAD and confiscation of the excess FAD.

4) Unauthorized transfer of access right or replacement of handline fishing boat as provided under Section 11 hereof shall be penalized with Php 100,000.00 at first offense, and Php 200,000.00 as well as revocation of Special Permit to operate in the high seas of WCPFC Convention Area for the second offense.

5) Fishing outside High Seas of WCPFC Convention Area shall be penalized with Php 100,000.00 for the first offense and Php 200,000.00 as well as revocation of Special Permit to operate in the high seas of WCPFC Convention Area at second offense except in Philippine waters when authorized by BFAR.

6) Unloading in unauthorized ports and landings shall be penalized with Php 100,000.00 at first offense, Php 200,000.00 as well as revocation of Special Permit to operate in the high seas of WCPFC Convention Area at second offense.

Section 13. Separability Clause. If this Order or any part hereof is declared unconstitutional or invalid, the remaining sections or provisions thereof which are not affected thereby shall continue to be in full force and effect.

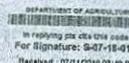
Section 14. Repealing Clause. All existing administrative order, rules and regulations which are inconsistent with the provisions this Order is hereby repealed or modified.

Section 15. Effectivity. This Order shall take effect fifteen (15) days after publication in any newspaper of general circulation and upon registration with the Office of the National Administrative Registry and shall be coterminous with CMM 2017-01.

Issued this 25th day of July 2018 at Quezon City, Metro Manila, Philippines.

EMMANUEL F. PINOL
Secretary

Recommending Approval:
EDUARDO B. SONGONA
Undersecretary of Fisheries, DA
Director, BFAR





Republic of the Philippines
Department of Agriculture
Bureau of Fisheries and Aquatic Resources
PCA Compound, Elliptical Road, Diliman, Quezon City
Tel. No. 929 9597/ 929 5847 Telefax No. 929 8074

July 30, 2018

Atty. Flordeliza C. Vargas-Trinidad
Director
Office of National Administrative Registrar
Rm., 208, Bocobo Hall, University of the Philippines-Law Center
Diliman, Quezon City



Dear Atty. Vargas – Trinidad:

On behalf of the Bureau of Fisheries and Aquatic Resources (BFAR), I am hereby filing three (3) certified photocopies and an electronic copy of Fisheries Administrative Orders No. 245-4 s. 2018 re: **“Regulations and Implementing Guidelines on Group Tuna Purse Seine Operations in High Seas Pocket Number 1 as a Special Management Area”**, and Fisheries Administrative Order No. 254 - 1 s. 2018 re: **“Regulating and Implementing Guideline on group Handline Fishing Operations in the High Seas of the WCPFC Convention Area”**, which was published on July 30, 2018 in Philippine Star and July 30, 2018 on Manila Times.

Please find the attached amount of P40.00 in cash payment for the filing fee.

Very truly yours,

RAFAEL V. RAMISCAL
Chief, Capture Fisheries Division



Republic of the Philippines
Department of Agriculture
**National Fisheries and Aquatic Resources
Management Council (NFARMC)**
Elliptical Road, Diliman, Quezon City

NFARMC RESOLUTION No. 13
Series of 2018

**RESOLUTION RECOMMENDING THE EXTENDED IMPLEMENTATION OF FISHERIES
ADMINISTRATIVE ORDER NOS. 236, 254 AND 245-3 AND TO INCORPORATE
NECESSARY AMENDMENTS THERETO**

WHEREAS, the National Fisheries and Aquatic Resources Management Council (NFARMC) is a multi-sectoral body composed of representatives from all major stakeholders in Philippine fisheries and serves as an advisory and recommendatory body to the Department of Agriculture (DA);

WHEREAS, Section 72 (a) of the Implementing Rules and Regulations of R. A. No. 8550 or The Philippine Fisheries Code, as amended by R. A. No. 10654, states that xxx "NFARMC shall have the following functions: (a) assist in the formulation of national policies for the protection, sustainable development and management of fishery and aquatic resources xxx";

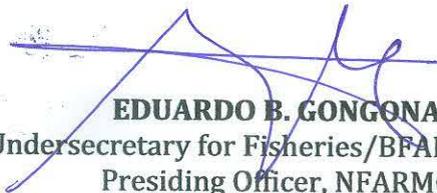
WHEREAS, the effectivity of the aforementioned Fisheries Administrative Orders have already lapsed and requires the recommendation of the NFARMC for approval of the Secretary of the Department of Agriculture in accordance with the last paragraph of Section 61 of R. A. No. 8550 as amended by R. A. No. 10654 to facilitate the extension of their implementation;

WHEREAS, the FAO 236, 254 and 245-3 should be aligned with the implementation of Conservation Management Measure 2017-01 of the Western and Central Pacific Fisheries Commission;

NOW, THEREFORE, BE IT RESOLVED, the implementation of Fisheries Administrative Order Nos. 236, 254 and 245-3 be extended for another three (3) years until February 10, 2021 taking into account the amendment in FAO 245-3 which provides symmetrical net as additional option for net design and mesh size requirement wherein the lower half of the ring net or purse seine should be not less than 3.5 inches;

RESOLVED, FURTHER, that copies of this resolution be furnished to the Office of the Secretary of the Department of Agriculture, the Office of the Director of the Bureau of Fisheries and Aquatic Resources and other concerned offices; and

UNANIMOUSLY RESOLVED during the second quarter meeting of the council on May 18, 2018 held at the Camp Holiday Resort and Recreation Center, Babak District, Island Garden City of Samal.


EDUARDO B. GONGONA
Undersecretary for Fisheries/BFAR Director
Presiding Officer, NFARMC


DR. YASMIN P. TIROL
Academe


ROSANNA BERNADETTE B. CONTRERAS
Aquaculture


FELIZARDO C. LIM
Fisherfolk - Luzon


ROMEO M. GUPONG
Fisherfolk - Luzon


MARTHA E. CADANO
Fisherfolk - Visayas

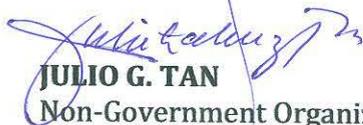

CABILI K. ABO
Fisherfolk - Mindanao


DINO H. BARRIENTOS
Small Scale Commercial Fisheries


ROBERTO A. BAYLOSIS
Alternate Member, Medium Scale
Commercial Fisheries


FERDINAND Y. LIM
Large Scale Commercial Fisheries


JOAQUIN T. LU
Fish Processing


JULIO G. TAN
Non-Government Organization

