

PRESIDENTIAL DECREE NO. 1219
(As amended by Presidential Decree No. 1698, 1980)
[PROVIDING FOR THE EXPLORATION,
EXPLOITATION, UTILIZATION AND CONSERVATION OF CORAL RESOURCES]

WHEREAS, coral resources are known to exist beneath territorial waters and in the marine economic zone of the Philippines;

WHEREAS, the exploitation of these resources, especially the precious coral varieties, will bring revenue to the country and generate employment in the processing and utilization of these resources;

WHEREAS, it is necessary that the exploration, exploitation, utilization and conservation of these resources be properly regulated to ensure the preservation of the country's marine environment;

WHEREAS, conservation of ordinary corals is necessary for the preservation of the natural breeding ground, habitat or abode of fishes and other marine organisms;

WHEREAS, ordinary corals are natural protection of the shore and adjacent infrastructures against destructive effects of wave erosion;

NOW, THEREFORE, I, Ferdinand E. Marcos, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby promulgate the following:

Section 1
Title

This Decree shall be called "The Coral Resources Development and Conservation Decree."

Section 2
Declaration of Policy

It is hereby declared to be the policy of the State to promote and regulate the exploration, exploitation, utilization and conservation of coral resources, whether existing beneath territorial waters or in the marine economic zone of the Philippines, and to ensure the protection of these resources as provided for under other existing laws.

Section 3
Definition of Terms

As used in this Decree the following terms are defined as follows:

- a. Person includes a natural or juridical person.
- b. Coral consists of small anemone-like organisms belonging to Phylum Coelenterata which secrete their own skeletons of various forms that may be hard, soft, stony or horny, and shall include the following:
 1. Precious coral. Skeleton of anthozoan coelenterate characterized as having a rigid axis of compact calcareous or horny spicules, belonging to the genus *Corallium* as represented by the red, pink and white corals.
 2. Semi-precious coral. Skeleton of anthozoan coelenterate characterized by a

thorny, horny axis, such as the Antipatharians as represented by the black corals.

3. Ordinary coral. All kinds of coral other than precious and semi-precious coral.

c. Exploration. The preliminary surveys and random sampling within a concession area.

d. Exploitation. The actual extraction, gathering and collection in accordance with acceptable coral development and conservation practices.

e. Utilization. All operations involved in the manufacture, processing or conversion of raw corals into finished products.

f. Conservation. The complete preservation or limited harvesting of coral resources in such a way as not to adversely affect the sustained productivity of marine ecosystems.

g. Concessionaire. The person to whom a concession has been granted or awarded under the provisions of this Decree.

h. Finished Products. Processed and manufactured coral articles of trade and commerce in a form that may be immediately utilized by the end-user or consumer such as, but not limited to, jewelries or decorative articles.

Section 4 Implementing Agency

This Decree shall be implemented by the Bureau of Fisheries and Aquatic Resources, who shall have the jurisdiction and responsibility in the exploration, exploitation, utilization and conservation of coral resources.

Section 5 Ordinary Coral

The gathering, harvesting, collecting, transporting, possession, sale and/or exporting of ordinary corals either in raw or processed form in any quantity, is prohibited. The use of corals as materials in buildings and other man-made structures, such as but not limited to piers, dams and dikes, is likewise prohibited.

Section 6 Gratuitous Permit

The Minister of Natural Resources may issue a gratuitous permit to duly established and recognized research and educational institutions to gather in limited quantities any coral for scientific or educational purposes only.

Section 7 (and Section 8, as amended) Special Permit

The Minister of Natural Resources may issue a special permit to only one person/corporation for a limited issue to conduct experimental collection of precious and semi-precious corals.

The applicant for a special permit must be a Filipino citizen, or a corporation, at least seventy (70) per cent of the capital stock of which is owned or controlled by Filipinos.

Vessels to be used for such operations shall be of Philippine registry. Provided, That if foreign vessels are used, prior clearance from the government agencies concerned shall first be obtained.

Section 9
Export of Precious and Semi-precious Coral

Exportation of precious and semi-precious coral gathered is hereby prohibited, unless such corals are first processed and manufactured into finished products in the Philippines.

Section 10
Rules and Regulations

The Secretary of Natural Resources shall promulgate the rules and regulations to implement effectively the provisions of this Decree.

Section 11
Penalties

Any person gathering precious or semi-precious corals without any permit shall, upon conviction, be punished by imprisonment of not less than sixty (60) days nor more than six (6) years or a fine of not less than Six Thousand Pesos (P6,000.00), or both, at the discretion of the court. Provided, That the penalties herein prescribed shall be without prejudice to the confiscation by the government of the corals illegally gathered together with the vessel, the gear and paraphernalia used therein. Confiscation shall also cover attempted illegal exportation of corals.

Section 12
Repealing Clause

All laws, executive orders, and regulations inconsistent with the provisions of this Decree are hereby repealed or modified accordingly.

Section 13
Transitory Provisions

All possessors of existing coral stocks gathered prior to the effectivity of this Decree are required to dispose all their existing stocks within fifteen (15) days from the date of effectivity of this Decree.

Section 14
Effectivity

This Decree shall take effect upon its approval.

Approved: October 14, 1977