

# Executive Order No. 772, s. 1982

Signed on February 8, 1982 (<https://www.officialgazette.gov.ph/1982/02/08/executive-order-no-772-s-1982/>).

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MALACAÑANG

MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 772

## **AMENDING PRESIDENTIAL DECREE NO. 977 CREATING THE PHILIPPINE FISH MARKETING AUTHORITY, DEFINING ITS FUNCTIONS AND POWERS, AND FOR OTHER PURPOSES**

WHEREAS, under the New Republic, national economic development shall be pursued with renewed dedication and greater determination;

WHEREAS, the Ministry of Natural Resources is primarily responsible for the coordination and monitoring of the implementation of the Integrated Fisheries Development Plan, including the acceleration of the efficient production and harvesting of fishery products that would ensure a steady and sufficient supply thereof to the consuming public;

WHEREAS, the development, operation and maintenance of fishing port complexes constitutes an essential component of fisheries development, to provide adequate and essential facilities for the efficient and effective handling of the production and harvest of fishery operators;

WHEREAS, pursuant to Presidential Decree No. 1770, it is the primary responsibility of the National Food Authority to formulate an integrated and more effective procurement and distribution system for fish as a basic food commodity in order to ensure adequate supply of the commodity at reasonable prices; and

WHEREAS, under Presidential Decree No. 1416 as amended, the President is empowered to undertake such organization and related improvements as may be appropriate in the light of changing circumstances and new developments;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution and the authority vested in me by Presidential Decree No. 1416 as amended, do hereby order and ordain:

SECTION 1. Section 2 of Presidential Decree No. 977 as amended is hereby further amended to read as follows:

“SEC. 2. Creation of the Philippine Fisheries Development Authority. To carry out the above policy, there is hereby created a body corporate to be known as the Philippine Fisheries Development Authority, hereinafter referred to as the Authority, which shall be attached to the Ministry of Natural Resources.”

SECTION 2. Section 4 of Presidential Decree No. 977 is hereby amended to read as follows:

“SEC. 4. Functions and Powers. – The Authority shall have the following functions and powers:

- a) Manage, operate, and develop the Navotas Fishing Port Complex and such other fishing port complexes that may be established by the Authority under this Decree;
- b) Identify and determine the sites for the establishment of fishing port complexes and prepare, adopt and implement comprehensive plans for their overall development, including the specifications for infrastructure facilities, such as piers, wharves, quays, landings, anchorages and breakwaters in coordination with the Ministry of Public Works and Highways civil works, such as factory buildings, warehouses, cold storage and ice plants, and other structures related to the fishing industry as may be necessary and useful in the conduct of its business;
- c) Supervise to the extent necessary, the enterprises which the Authority may authorize to be established within the fishing port complexes under its jurisdiction;
- d) Acquire, maintain, operate, purchase, lease or dispose of equipment such as vessels, fishing gear, refrigerated trucks, vans and rolling stock, ice and cold storage plants, barges, communication facilities, and related facilities;

- e) Assess and collect reasonable fees, tolls, charges, rentals, and the like, for the use, lease or sale of property, equipment, facilities and services in order to raise revenues for the Authority and to adjust the same when so warranted;
- f) Formulate and implement rules and regulations on the conduct of business activities inside the fishing port complexes;
- g) Contract indebtedness and issue bonds, upon recommendation of the Minister of Finance and approval by the President of the Philippines, whenever essential to the proper administration of its corporate affairs;
- h) Acquire, hold and dispose of real and personal property in the exercise of its functions and powers;
- i) Have perpetual succession under its corporate name;
- j) Prescribe and amend its by-laws; adopt and use a corporate seal; sue and be sued; enter into contracts; and exercise the general corporate powers conferred by the laws upon private and government-owned or controlled corporations;
- k) Exercise the right of eminent domain; and
- l) Perform any and all things that may be necessary to carry out the purposes of this Decree.”

SECTION 3. Section 5 of Presidential Decree No. 977 is hereby amended to read as follows:

“SEC. 5. Capitalization; Sinking Fund. – The Authority shall have an authorized capital stock of Five Hundred Million Pesos (P500,000,000.00) which shall be fully subscribed by the Republic of the Philippines, and the following amounts shall be paid in:

- (a) The net assets of the Authority, including the Navotas fishing port complex, the valuation of which shall be determined jointly with the Office of Budget and Management and the Commission on Audit;
- (b) The amount corresponding to the balance of the programmed appropriations for the Authority for calendar year 1981; and
- (c) The amount corresponding to the programmed appropriations for the Authority for calendar year 1982.

The Authority is authorized to establish a sinking fund necessary to meet such obligations as may be incurred by the Authority. The annual contributions to the sinking fund shall come from revenues derived from its fishing port complexes and, where such revenues are deficient, from such other corporate funds not otherwise intended for any specific purpose and as may be designated by the Board. Unless otherwise directed by the Board, the sinking fund shall be placed under the custody of any government bank which shall invest the same in such manner as may be advantageous to the Authority.”

SECTION 4. Section 6 of Presidential Decree No. 977 as amended is hereby further amended to read as follows:

“SEC. 6. Board of Directors. – The Corporate powers of the Authority shall be vested in and exercised by a Board of Directors, hereinafter referred to as the Board, to be composed of the following or their respective deputies:

a) Minister of Natural Resources	Chairman
b) Administrator of the National Food Authority	Vice-Chairman
c) Minister of Public Works and Highways	Member
d) Minister of Trade and Industry	Member
e) Minister of Agriculture	Member
f) Two representatives of the private sector of the fishery industry	Members

The two representatives of the private sector shall be appointed by the President upon recommendation of the Minister of Natural Resources for a term of four years; Provided, That, initially, one representative shall be appointed for a term of two years and the other one for four years.

In the absence of the Chairman, the Vice-Chairman shall act as the Chairman.”

SECTION 5. Section 11 of Presidential Decree No. 977 is hereby amended to read as follows:

“SEC. 11. The Navotas Fishing Port Complex; Other Fishing Port Complexes. – The Navotas Fishing Port Complex which is bounded on the north by Manila Bay; on the east by Roxas Boulevard Extension; on the south by Manila Bay; and on the west by the breakwater, including all lands, piers, wharves, quays, landings, anchorages, basin, breakwaters, markets and other infrastructure facilities therein, is hereby transferred to and placed under the exclusive jurisdiction, control, administration, and supervision of the Authority.

Other fishing port complexes and related facilities may be established by the Board, with the approval of the President of the Philippines, to be governed and operated by the Authority.

In accordance with Presidential Decree No. 1770, the National Food Authority is responsible for the efficient and non-exclusive marketing of fish and fishery/aquatic products particularly for the purpose of price stabilization that would ensure the adequate supply of such products at reasonable prices to the consuming public, provided that the fish marketing operations of the National Food Authority shall take into consideration the role of private enterprise in fish marketing and distribution.

For this purpose, it shall have access to the fishing port complexes presently or to be placed under the jurisdiction of the Authority including, but not necessarily limited to, the following: (1) the construction, operation and maintenance of cold storage facilities; (2) the procurement and distribution of fish and fishery/aquatic products; and (3) the operation and maintenance of transport facilities for the procurement and distribution of fish and fishery/aquatic products handled by the National Food Authority.

The Authority and the National Food Authority may enter into such agreements, particularly with reference to the management of certain activities in fishing port complexes operated by the Authority.”

SECTION 6. The Authority shall continue to meet its present contractual obligations, including those under loan agreements.

SECTION 7. All laws, decrees, orders, proclamation, rules, regulations, or parts thereof, which are inconsistent with any of the provisions of this Executive Order are hereby repealed or modified accordingly.

SECTION 8. Any portion or provision of this Executive Order that may be declared unconstitutional shall not have the effect of nullifying the other provisions thereof; Provided, That such remaining portions can still stand and be given effect in their entirety to accomplish the objectives of this Executive Order.

SECTION 9. This Executive Order shall take effect immediately.

DONE in the City of Manila, this 8th day of February, in the year of Our Lord, Nineteen Hundred and Eighty-Two.

(Sgd.) **FERDINAND E. MARCOS**  
President of the Philippines

By the President:

(Sgd.) **JUAN C. TUVERA**

Presidential Executive Assistant

Source: **Malacañang Records Office**

Office of the President of the Philippines. (1982). [*Executive Order Nos. : 706 – 780*]. Manila : Malacañang Records Office.

## RESOURCES

- [PDF] [Executive Order No. 772, February 8, 1982](http://www.officialgazette.gov.ph/downloads/1982/02feb/19820208-EO-0772-FM.pdf)  
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