

AN ACT TO DECLARE ILLEGAL THE POSSESSION, SALE OR DISTRIBUTION OF FISH OR OTHER AQUATIC ANIMALS STUPEFIED, DISABLED OR KILLED BY MEANS OF DYNAMITE OR OTHER EXPLOSIVE OR TOXIC SU...

REPUBLIC ACT NO. 428, June 07, 1950

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

SECTION 1. It shall be unlawful for any person knowingly to possess, sell or distribute, in any place and manner, fish or other aquatic animals stupefied, disabled or killed by means of dynamite or other explosive or toxic substances.

SEC. 2. Any person violating the provision of section one hereof shall be penalized as follows:

- If the total value of all the fish or other aquatic animals in possession, sale or distribution does not exceed one hundred pesos, by a fine of not less than fifty pesos nor more than two hundred pesos, or by imprisonment of not less than one month nor more than six months, or by both such fine and imprisonment;
- If the total value of all the fish or other aquatic animals in possession, sale or distribution exceeds one hundred pesos, by a fine of not less than two hundred pesos nor more than five hundred pesos, or by imprisonment of not less than six months nor more than five years, or by both such fine and imprisonment.

SEC. 3. Any person who should buy fish or other aquatic animals, knowing the same to have been stupefied, disabled or killed in violation of this Act, shall be punished under section two hereof, unless he denounces the act to competent authorities in which case he shall be exempted from criminal liability.

Any person who should buy fish or other aquatic animals stupefied, disabled or killed in violation of this Act, shall, upon discovering said violation, denounce the same to the proper authorities who shall forthwith take the necessary steps leading to the corresponding investigation and prosecution of the offender under this Act.

SEC. 4. Any policeman, peace officer, sanitary inspector, or employee of the Bureau of Health, or any person in authority who, having acquired knowledge of any violation of this Act, by denunciation or otherwise, should without just cause, fail to take the necessary steps leading to the investigation and prosecution of the offense, or should hinder or unnecessarily delay said investigation and prosecution, shall be removed or suspended from office and punished under section two hereof.

SEC. 5. For the purposes of this Act the words "fish or other aquatic animals" shall be interpreted to include fish or aquatic animals that may have been dried, refrigerated, canned or otherwise processed.

SEC. 6. The president of the sanitary division of the locality or the sanitary inspector or any representative of the Bureau of Health duly authorized therefor, immediately upon request of any interested party, shall examine the fish or aquatic animals alleged to have been stupefied, disabled or killed in violation of this Act, and his report shall be submitted to competent court as expert opinion.

SEC. 7. The Department of Health with the concurrence of the Department of Agriculture and Natural Resources shall issue instructions and regulations to implement the provisions of this Act, particularly the preceding section.

SEC. 8. All laws inconsistent with this Act are hereby repealed.

SEC. 9. This Act shall take effect upon its approval.

Approved, June 7, 1950.

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