

AN ACT CREATING A FISHERIES COMMISSION, DEFINING ITS POWERS, DUTIES AND FUNCTIONS, AND APPROPRIATING FUNDS THEREFOR.

REPUBLIC ACT NO. 3512, March 20, 1963

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

SECTION 1. It is hereby declared a national policy to encourage, promote and conserve our fishing resources in order to insure a steady and sufficient supply of fish, and other fishery products for our increasing population, and to reduce to a minimum level possible the importation of such produce so as to help stabilize the national economy by enlarging the office charged with the development, improvement, management and conservation of our fishery resources.

SEC. 2. Creation.— In pursuance of said policy, there is hereby created an office to be known as the Philippine Fisheries Commission under the direct control and supervision of the Secretary of Agriculture and Natural Resources.

SEC. 3. Composition and Organization.—The Philippine Fisheries Commission shall have a chief to be known as Commissioner and two assistants to be known as Deputy Commissioners who shall be appointed by the President of the Philippines with the consent of the Commission on Appointments. The Commissioner shall receive a salary range of 68, the Deputy Commissioners a salary range of 62 in accordance with the salary pattern of the Wage and Position Classification Office (WAPCO).

The Commissioner shall, subject to the approval of the Secretary of Agriculture and Natural Resources, organize the commission into such divisions, sections, and other units as he deems proper to insure the maximum efficiency of its operation; establish and maintain field offices and stations at suitable and appropriate places in the Philippines as may be needed to carry out the purposes of this Act; and create an advisory committee on fishery and allied matters to be composed of the Commissioner as chairman, with the two Deputy Commissioners and four from the private sector engaged in deep-sea fishing, fish culture, fish processing and allied industries, as members. Each member from the private sector shall receive a per diem not exceeding twenty pesos for each meeting actually attended which meetings shall be held not more than twice each month.

SEC. 4. Powers, duties and function.—The Commissioner shall have the following powers, duties and functions:

- To supervise and control the management, development, production, occupancy, demarcation, protection and utilization of national and municipal fisheries, public fishery reserves and fishery reservations.
- To issue, in accordance with law, licenses or permits for the removal or taking of aquatic products and to suspend or revoke the same for cause.
- To carry out the provisions of this Act and Act Numbered Four thousand three, as amended, otherwise known as the Fisheries Act, and all rules and regulations promulgated thereunder and all other laws pertaining to the supervision, administration, and disposition of aquatic resources.

- To increase and conserve the fishery resources of the Philippines by studying the life cycle of fishes establishing fish hatcheries, nurseries and demonstration fishponds; intensify fish stocking in inland waters; and protecting the spawning or breeding grounds of fishes.
- To conduct studies of fishing practices and methods of fish capture in relation to protection of aquatic resources, economical operation and prevention of waste and to disseminate the results and information obtained from such studies through bulletins or circulars and economic maps.
- To conduct demonstration services so as to acquaint the people with the various methods and trends of modern fishery practices.
- To conduct oceanographical and limnological surveys and explore fishing areas, fishing banks, and fisheries of the Philippines as well as international waters for necessary expansion of fishing operations.
- To prepare and execute upon the approval of the Secretary of Agriculture and Natural Resources, forms, instructions, rules and regulations consistent with the purpose of this Act and for the development of fisheries.
- To make arrests personally or through his duly authorized representatives in accordance with Rule One hundred nine of the Rules of Court of the Philippines.
- To make searches and seizures personally or thru his duly authorized representatives in accordance with the Rules of Court of the Philippines when the things to be seized are explosives such as blasting caps, dynamites and the like, fish poison and poisoned or dynamited fish; including fishery products, fishing equipment, tackle and other things that are subject to seizure under existing fishery laws.
- To administer oaths, receive affidavits, issue subpoena and take testimonies in official investigations personally or through his duly authorized representatives.
- To make investigations concerning the nature, organization and resources of any or all fishery business.
- To render technical assistance and advisory serves to fishing boat operators on the proper construction, operation, rigging, appropriate gear, equipment and other devices of fishing boats for deep-sea fishing.
- To establish regional, city, provincial, and municipal fisheries stations in the Philippines whenever necessary for extension work, in such a manner as to facilitate practical training of fishermen in the operation of modern fishing gear and devices; to conduct experiments and tests related to fishing activities and the suitability and modification of foreign fisheries methods in the Philippines for commercial adoption, etcetera and to effectively implement the enforcement of existing fishery laws on illegal fishing.
- To admeasure and inspect safety devices, boilers and fishing gear and certify to the same, whenever a loan is applied for such vessel and/or gear with the Development Bank of the Philippines or any other government banking and/or financing institutions. The certification in favor of the applicant which shall be a requirement for obtaining a loan, shall be issued only upon payment of a fee, the amount of which is to be determined by the Commissioner which shall in no case exceed twenty pesos.
- To assist private persons or entities in the procurement of fishing equipment, supplies and fishing boats.
- To assist private parties in the proper distribution or marketing of their catch through the establishment of a central fish market, fish piers, ice plants and cold storage in strategic fishing centers of the Philippines to be determined by the Commissioner.
- To maintain an information service which shall disseminate practical information and pertinent data on findings of research, studies and observations and rules and regulations promulgated by the Secretary of Agriculture and

Natural Resources for the benefit of the people in the industry.

- To perform such other related functions which will promote the development and exploitation of deep-sea fisheries in the Philippines.
- To classify available swamp lands according to their suitability or fitness for fishpond purposes. The certification of the Commissioner as to the suitability or fitness of swamp lands for fishpond purposes shall be a requirement for obtaining loan from the Development Bank of the Philippines or any other government banking and/or financing institutions. Such certification shall be issued upon payment of a fee in an amount to be determined by the Commissioner, but which shall in no case exceed twenty pesos.

SEC. 5. Power over fishing vessels and fishery matters.— All powers, functions and duties heretofore exercised by the Bureau of Customs, Philippine Navy and Philippine Constabulary over fishing vessels and fishery matters are hereby transferred to and vested in the Philippine Fisheries Commission and all the corresponding records and documents kept in the custody of the Commission. The Commissioner or his authorized representatives shall collect all the fees and charges on fishing vessels which are now collected by the Bureau of Customs.

SEC. 6. Penalty.—Any person, partnership or corporation who shall violate any of the provisions of this Act or of the rules and regulations promulgated hereunder shall be punished by an administrative fine of not more than one thousand pesos or cancellation of permit or license at the discretion of the Commissioner.

All decisions rendered by the Commissioner are appealable to the Secretary of Agriculture and Natural Resources whose decision shall be final.

Any person who fails or refuses to comply with the legal summons of the Commission or who refuses to be sworn to in his testimony or gives or furnishes false or misleading information or causes to mislead in an investigation made pursuant to subsection (k) of Section four of this Act, shall be punished by a fine not exceeding five hundred pesos, or imprisonment of not exceeding six months or both, in the discretion of the court. If the false information or misleading data have been given under oath, the penalties prescribed by law for perjury shall be imposed.

SEC. 7. The Bureau of Fisheries is hereby abolished.— All the personnel, records, appropriations, property, and equipments (found in its divisions, sections or services actually identified with the carrying out of the fisheries work) of the Bureau are hereby transferred to the Philippine Fisheries Commission: Provided, however, That no official or employee of the Bureau of Fisheries shall be laid off in the implementation of this section.

SEC. 8. Repeal—Republic Act Numbered One hundred seventy-seven, and all other acts, orders, and regulations or parts thereof which are inconsistent with any provision of this Act, are hereby repealed.

SEC. 9. Funds.—In addition to the funds set aside for the Bureau of Fisheries in the General Appropriation Act, there is hereby appropriated the amount of ten million pesos out of any funds in the National Treasury not otherwise appropriated, to carry out the purposes of this Act during the fiscal year ending June, nineteen hundred sixty-four. Thereafter the necessary amount for the same purpose, shall be included in the annual General Appropriations Act.

SEC. 10. This Act shall take effect upon its approval.

Approved, March 20, 1963.

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