IMPLEMENTING RULES AND REGULATIONS PURSUANT TO REPUBLIC ACT NO. 10944: “AN ACT ESTABLISHING MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF HINATUAN, PROVINCE OF SURIGAO DE...

IRR of REPUBLIC ACT NO. 10944, June 16, 2025

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RULE I TITLE AND SCOPE

GENERAL PROVISIONS

Section 1. Title. - These rules shall be known and cited as the "Rules and Regulations Implementing Republic Act No. 10944: An Act Establishing a Multi-Species Marine Hatchery in the Municipality of Hinatuan, Province of Surigao del Sur and Appropriating Funds Therefor".

Section 2. Purpose. - These Rules shall govern the supervision, monitoring, and transfer of the Multi-Species Marine Hatchery (MSMH) of Munisipality of Hinatuan, Surigao del Sur.

Section 3. Definition of Terms. For purposes of these Rules and Regulations, the following definitions shall apply:

a. Commissioning - testing of all facilities and equipment including all inputs needed in the operation of the hatchery;

b. Construction - refers to the process of building the hatchery facility which includes planning and designing the layout and installation of equipment.

c. Feasibility Study (FS) - an analytical report of the assessment of a project concerning its market, technical, financial, socio-economic and management feasibility. It is the culmination report of all the preparatory work that provides a comprehensive review of all aspects of the project before a final decision about its implementation is taken.

d. Multi-species Marine Hatchery (MSMH) - refers to land-based structure/s for breeding ad seedstock production (e.g. egg, larva, post-larvae, fry), which are used for growing and culturing different species of marine fish, shellfish, and crustaceans.

e. Phasing-in program - refers to the gradual transition of the operation and management of the hatchery from the Department of Agriculture - Bureau of Fisheries and Aquatic Resources (DA-BFAR) to the Local Government Unit (LGU) within two (2) years after construction and commissioning.

RULE 2. GUIDELINES AND PROCEDURES

Section 4. Construction. The multi-species marine hatchery shall be constructed under the supervision of the DA-BFAR Regional Fisheries Office (RFO) XIII. The design and specifications of the hatchery shall be based on

the DA-BFAR-approved feasibility study and detailed engineering design.

Section 5. Operation and Management. The DA-BFAR through its RFO XIII shall allocate funds and spearhead the initial operation of the MSMH within two (2) years after its construction and commissioning.

Section 5.1. Training and phasing-in program. The DA-BFAR RFO XIII shall provide a training and phasing-in program for the technical personnel of the LGU of Hinatuan, Surigao del Sur for the operation and management of the hatchery.

Section 6. Transfer of the Operations and Management of the Multi-Species Marine Hatchery. The DA-BFAR RFO XIII shall transfer through a Memorandum of Agreement (MOA) the operation and management of the MSMH to the LGU of Hinatuan, Surigao del Sur within two years after the construction and commissioning of the project.

Section 6.1. Staffing Pattern. Upon the transfer of the MSMH, the LGU of Hinatuan, Surigao del Sur shall create, through an ordinance, a minimum of three (3) years plantilla positions to effectively manage and operate the hatchery.

Section 7. Monitoring Committee. The DA-BFAR RFO XIII shall create a Monitoring Committee composed of the following:

a. Chief of Fisheries Production and Support Service Division (FPSSD)

b. Provincial Fisheries Officer in Quezon

c. Legislated Hatchery (LH) Project Focal Person

d. Laboratory personnel

e. Planning Officer

Section 8. Functions. The Monitoring Committee shall perform the following activities:

a. Conduct of periodic on-site monitoring and assessment of the operation of the MSMH after its transfer to the LGU of Hinatuan, Surigao del Sur;

b. Conduct consultation with the LGU of Hinatuan, Surigao del Sur on the result of the monitoring; and

c. Submit a report and recommendations to the DA-BFAR Central Office and to the LGU of Hinatuan, Surigao del Sur.

Section 9. Funding Allocation.

The LGU of Hinatuan, Surigao del Sur, through an ordinance, shall set aside funds from any available local revenue in an amount deemed appropriate for the management and operation of the hatchery after the transfer of the MSMH.

The LGU of Hinatuan, Surigao del Sur shall open a trust fund account exclusive for the proceeds of the MSMH and shall be exclusively used for the operation, management, and development of the facility including capacity building for personnel, and for other fisheries-related projects.

After the transfer of the facility's operation and management to the LGU of Hinatuan, Surigao del Sur, the DA-BFAR shall continue to provide technical assistance to the LGU.

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RULE 3. OTHER PROVISION

Section 10. Circulars. The DA-BFAR shall issue memoranda and circulars to implement the provision of these Rules and Regulations as may be deemed necessary.

Section 11. Amendments. The DA-BFAR may amend, suspend, or revoke these Rules as may be necessary. Provided, however, that any amendment shall take effect fifteen (15) days after the date of publication in a newspaper of general circulation in the Philippines and its filing in the Office of the National Administrative Register (ONAR).

Section 12. Separability Clause. If any clause, sentence, provision or section of these Rules shall be held invalid or unconstitutional, the remaining part thereof shall not be affected hereby.

Section 13. Effectivity. The Rules shall take effect fifteen (15) days following its completion after the date of publication in a newspaper of general circulation in the Philippines and its filing in the Office of the National Administrative Register (ONAR).

Issued this 01 AUG 2025 in Quezon City, Metro Manila, Philippines.

Recommending approval:

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