IMPLEMENTING RULES AND REGULATION OF REPUBLIC ACT NO. 10945, “AN ACT ESTABLISHING A MULTI-SPECIES MARINE HATCHERY IN THE MUNICIPALITY OF PEREZ, PROVINCE OF QUEZON, AND APPROPRIA...

IRR of REPUBLIC ACT NO. 10945, May 08, 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. 10945,"An Act Establishing a Multi-Species Marine Hatchery in the Municipality of Perez, Province of Quezon and Appropriating Funds Therefor".

Section 2. Purposes. These rules shall govern the supervision, monitoring, and transfer of the Multi-Species Marine Hatchery (MSMH) of the Municipality of Perez, Quezon.

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 aspects needed in the operation of the hatchery;

b.

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

c.

Feasibility Study (FS) - an analytical report of the assessment of a project concerning its market, 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 - refers to land-based structure/s for artificial breeding and fish fry production for use in the growing and culturing of marine fish, shellfish, and crustaceans of different species.

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 constructed under the supervision of of the DA-BFAR Regional Fisheries Office (RFO) IV-A. 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 IV-A 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 IV-A shall provide a training and phasing-in program for the technical personnel of the Local Government Unit (LGU) of Perez, Quezon for the operation and management of the hatchery.

Section 6. Transfer of the Operation and Management of the Multi-Species Marine Hatchery. The DA-BFAR RFO IV-A shall transfer through a Memorandum of Agreement (MOA) the operation and management of the MSMH to the LGU of Perez, Quezon within two (2) years after construction and commissioning of the project and after integrated broodstock milkfish hatchery technology have been transferred to the LGU of Perez, Quezon.

Section 6.1. Staffing Pattern. Upon the transfer of the MSMH, the LGU of Perez, Quezon shall create, through an ordinance, a minimum of six (6) plantilla positions to effectively manage and operate the hatchery.

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

1.

BFAR RFO IV-A

a.

Chief of Fisheries Production and Support Services Division (FPSSD)

b.

Provincial Fisheries Officer in Quezon

c.

Legislated Hatchery (LH) Project Focal Person

d.

Laboratory Personnel

e.

Planning Officer

2.

LGU of Perez, Quezon Focal Person

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

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a.

Conduct periodic on-site monitoring on the operation of the MSMH;

b

Conduct consultation with the LGU of Perez, Quezon on the result of the monitoring; and

c.

Submit report and recommendations to the DA-BFAR Central Office and to the LGU of Perez, Quezon.

Section 9. Funding Allocation.

The LGU of Perez, Quezon shall, through an ordinance, 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 Perez, Quezon shall open a trust fund account exclusive for the proceeds of the MSMH. This fund shall be exclusively used for the operation, management, and development of the facility, including capacity building for personnel, and for other fisheries-related project.

After the transfer of the facility's operation and management to the LGU of Perez, Quezon, the DA-BFAR shall continue to provide technical assistance to the LGU.

RULE 3. OTHER PROVISIONS

Section 10. Circulars. The DA-BFAR shall issue memoranda and circulars to implement the provisions 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. If any clause, sentence, provision, or section of these Rules shall be held invalid or unconstitutional, the remaining parts thereof shall not be affected thereby.

Section 13. Effectivity. These Rules shall take effect fifteen (15) days following it publication in the Official Gazette or in a newspaper of general circulation in the Philippines and its filing in the Office of the National Administrative Register (ONAR).

Issued this 08 MAY 2025 in Quezon City, Metro Manila, Philippines.

Recommending Approval:

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