

IMPLEMENTING RULES AND REGULATION OF REPUBLIC ACT NO. 11401, “AN ACT ESTABLISHING A FRESHWATER MULTISPECIES HATCHERY AND RESEARCH CENTER IN THE MUNICIPALITY OF BALO-I, PROVINCE ...

IRR of REPUBLIC ACT NO. 11401, 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. 11401,"An Act Establishing a Freshwater Multispecies Hatchery and Research Center in the Municipality of Balo-i, Province of Lanao del Norte and Appropriating Funds Therefor".

Section 2. Purposes. These rules shall govern the breeding, propagation and distribution of fry/fingerlings, supervision, monitoring and transfer of the Freshwater Multi-species Hatchery and Research Center in Balo-i, Lanao del Norte.

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;

f.

Transfer - refers to the turn-over of the Lanao del Norte Freshwater Aquaculture Center (LdNFAC) by the DA-BFAR to the LGU of Balo-i, including its operation and management within the two-year interim operation of the project.

RULE 2. GUIDELINES AND PROCEDURES

Section 4. Construction. The freshwater multi-species hatchery and research center, to be known as the Lanao del Norte Freshwater Aquaculture Center shall be constructed under the supervision of the DA-BFAR Regional Fisheries Office X. The design and specifications of the facility shall be based on the DA-BFAR-approved Feasibility Study (FS) and Detailed Engineering Design.

Section 5. Creation of Local Advisory Council. A Local Advisory Council shall be created that shall provide policy direction for the Lanao del Norte Freshwater Aquaculture Center and facilitate the exchange of information among the Center and the stakeholders. The Council shall be composed of the DA-BFAR Region X Director as Chairperson, the Governor of the Province of Lanao del Norte as Co-Chairperson, the President of the Municipal Mayors League of Lanao del Norte, the Mayor of the Municipality of Balo-i, Lanao del Norte, and three (3) representatives from the local fisheries sector of the Municipality of Balo-i to be appointed by the Governor as members.

Section 6. Operation and Management. The DA-BFAR through its RFO X shall allocate funds and spearhead the initial operation of the Lanao del Norte Freshwater Aquaculture Center within two (2) years after its construction and commissioning.

Section 6.1. Training and phasing-in program. The DA-BFAR RFO X shall provide a training and phasing-in program for the technical personnel of the LGU of Balo-i, Lanao del Norte, to ensure the effective operation and management of the Lanao del Norte Freshwater Aquaculture Center.

Section 6.2. Research and Experimentation. The Lanao del Norte Freshwater Aquaculture Center and the DA-BFAR through RFO X shall conduct continuing research and experimentation on the breeding and production of freshwater species, especially as they apply to local conditions, to discover new methods and technology that shall benefit the freshwater aquaculture hatchery.

Section 6.3. Breeding and Propagation. The breeding and propagation of freshwater fish species shall be in accordance with the BFAR FAO No. 233, Series of 2010, Aquatic Wildlife Conservation and other existing relevant policies.

Section 6.4. Fry/Fingerlings Dispersal. The Center shall disperse fry and fingerlings in the public bodies of water at such intervals as may be recommended by the Local Advisory Council and shall comply with existing relevant policies. It may also sell such fry and fingerlings to individuals or organized fish farmers at prevailing market prices.

Section 7. Transfer of the Operation and Management of the Lanao del Norte Freshwater Aquaculture Center. The DA-BFAR RFO X shall transfer, through a Memorandum of Agreement, transfer the operation and management of the Lanao del Norte Freshwater Aquaculture Center to the LGU of Balo-i, Lanao del Norte within two (2) years of initial operation of the project.

Section 7.1. Staffing Pattern. Upon the transfer of the Lanao del Norte Freshwater Aquaculture Center, the LGU of Balo-i, Lanao del Norte shall, through an ordinance, create a minimum of six (6) plantilla positions to effectively manage and operate the Center.

Section 8. Monitoring Committee. The DA-BFAR RFO X shall create a Monitoring Committee composed of the following:

a.

Chief of Fisheries Production and Support Services Division (FPSSD)

b.

Provincial Fisheries Officer in Lanao del Norte

c.

Legislated Hatchery Project Focal Person

d.

Laboratory Personnel

e.

Planning Officer

Section 9. Functions. The Monitoring Committee shall perform the following activities:

a.

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

b

Conduct consultation with the LGU of Balo-i, Lanao del Norte on the result of the monitoring; and

c.

Submit report and recommendations to the DA-BFAR Central Office and to the LGU of Balo-i, Lanao del Norte.

Section 10. Funding Allocation.

The LGU of Balo-i, Lanao del Norte 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 Center.

The LGU of Balo-i, Lanao del Norte may open a trust fund account exclusive for the proceeds of the Center. This fund shall be exclusively used for the operation and management of the facility.

After the transfer of the facility's operation and management to the LGU of Balo-i, Lanao del Norte, the DA-BFAR shall continue to provide technical assistance to the LGU.

RULE 3. OTHER PROVISIONS

Section 11. Circulars. The DA-BFAR shall issue memoranda and circulars to implement the provisions of these Rules and Regulations as may be deemed necessary.

Section 12. 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 13. 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 14. Effectivity. These Rules shall take effect fifteen (15) days following its 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.

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