

AMENDING CERTAIN PROVISIONS OF PRESIDENTIAL DECREE NO. 1219 DATED OCTOBER 14, 1977, PROVIDING FOR RE EXPLOITATION, EXPLOITATION, UTILIZATION AND CONSERVATION OF CORAL RESOURCES

PRESIDENTIAL DECREE NO. 1698, May 22, 1980

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WHEREAS, coral resources are known to exist beneath territorial waters and in the marine economic zone of the Philippines;

WHEREAS, the exploitation of these resources, especially the precious coral varieties, will bring revenue to the country and generate employment in the processing and utilization of these resources;

WHEREAS, it is necessary that the exploration, exploitation, utilization and conservation of these resources be properly regulated to insure the preservation of the country's marine environment;

WHEREAS, conservation of ordinary corals is necessary for the preservation of the natural breeding ground, habitat or abode of fishes and other marine organisms;

WHEREAS, ordinary corals are natural protection of the shore and adjacent infrastructure against destructive effects of wave erosion;

WHEREAS, there is a need to fully implement the policies established in Presidential Decree No. 1219; and

WHEREAS, it is necessary to reorient these policies with the realities and conditions of our coral reef resources;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Republic of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby order and decree:

SECTION 1. Section 4 of Presidential Decree No. 1219 dated October 14, 1977, is hereby amended to read as follows:

"SEC. 4. Implementing Agency. This Decree shall be implemented by the Bureau of Fisheries and Aquatic Resources, who shall have jurisdiction and responsibility in the exploration, exploitation, utilization and conservation of coral resources."

SEC. 2. Section 5 of the same Decree is hereby amended to read as follows:

"SEC. 5. Ordinary Coral—The gathering, harvesting, collecting, transporting, possession, sale and/or exporting of ordinary corals either in raw or processed form in any quantity, is prohibited. The use of corals as materials in buildings and other man-made structures, such as but not limited' to piers, dams and dikes, is likewise prohibited."

SEC. 3. Section 6 of the same Decree is hereby amended to read as follows:

"SEC. 6. Gratuitous Permit—The Minister of Natural Resources may issue a gratuitous permit to duly established and recognized research and educational institutions to gather in limited quantities any coral for

scientific or educational purposes only."

SEC. 4. Section 7 and 8 of the same Decree is hereby amended to read as follows:

"SEC. 7. Special Permit—The Minister of Natural Resources may issue a special permit to only one person/corporation for a limited period to conduct experimental collection of precious and semiprecious corals.

The applicant for a special permit must be a Filipino citizen, or a corporation, at least seventy (70) per cent of the capital stock of which is owned or controlled by Filipinos.

Vessels to be used for such operations shall be of Philippine Registry. Provided, That if foreign vessels are used, prior clearance from the government agencies concerned shall first be obtained."

SEC. 5. Section 11 of the same Decree is hereby amended to read as follows:

SEC. 11. Penalties.—Any person gathering precious or semi-precious corals without any permit shall, upon conviction, be punished by imprisonment of not less than sixty (60) days nor more than six (6) years or a fine of not less than Six Thousand Pesos (P6,000.00), or both, at the discretion of the Court. Likewise, any person gathering, harvesting, collecting, transporting, possessing, selling, exporting and/or using ordinary corals either in raw or processed form in violation of Section 5 hereof, or exporting precious and semi-precious corals in violation of Section 9 hereof shall, upon conviction, be punished by imprisonment of not less than thirty (30) days nor more than three (3) years or a fine of not less than Three Thousand Pesos (P3,000.00), or both at the discretion of the court. Provided, That the penalties herein prescribed shall be without prejudice to the confiscation by the government of the corals illegally gathered together with the vessel, the gear and paraphernalia used therein. Confiscation shall also cover attempted illegal exportation of corals."

SEC. 6. Section 13 of the same Decree is hereby amended to read as follows:

"SEC. 13. Transitory Provisions.—All possessors of existing coral stocks gathered prior to the effectivity of this Decree are required to dispose all their existing stocks within fifteen (15) days from the date of effectivity of this Decree."

SEC. 7. Enforcement—The PC/INP, Philippine Navy, Philippine Coast Guard and the Bureau of Customs shall assist the Bureau of Fisheries and Aquatic Resources in the effective enforcement of the provisions of this Decree.

SEC. 8. Effectivity.—This Decree shall take effect immediately.

Done in the City of Manila, this 22nd day of May, in the year of Our Lord, nineteen hundred and eighty.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JOAQUIN T. VENUS, JR.
Presidential Assistant

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