NATIONAL ADMINISTRATIVE REGISTER · NOVEMBER 27, 2014

ESTABLISHING CLOSED SEASON FOR THE CONSERVATION OF SARDINES IN EAST SULU SEA, BASILAN STRAIT AND SIBUGUEY BAY

BFAR ADMINISTRATIVE CIRCULAR NO. 255, S. 2014, November 27, 2014

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Date Filed: 27 November 2014

Pursuant to Sections 2 (c) and (f), 3 (a),9, 16, 35 and 107 of Republic Act 8550 or the Philippine Fisheries Code of 1998, this Administrative Circular is hereby promulgated for the conservation of sardines in that portion of the East Sulu Sea, Basilan Strait and Sibuguey Bay hereafter known as the conservation area of approximately 6,481.80 square nautical miles or 22,260.36 square kilometers encompassing the western municipal/national waters of Zamboanga Del Norte, the waters bordering south and eastern waters of Zamboanga City and southern portion of Zamboanga Sibugay, enclosed by lines drawn between the points and coastlines shown in the attached chart and coordinates.

Section 1. Definition. The following terms as used herein shall be construed as follows:

- Sardines - are species of fish belonging to the family Clupeidae including but not limited to: Sardinella lemuru (Bali sardinella)- tamban-tuloy, tuloy, tunsoy, and haul-haul; Amblygaster sirm (spotted sardinella)-tamban-kasig, kasig; Sardinella fimbriata (fimbriated sardines)- tamban-lapad, tabagak, laolao, tunsoy and iiryan; Sardinella gibbosa (goldstripe sardinella)- tamban-yapad; Dussumiera acuta (round dwarf herring)- tulis, balantiyog, and hilos-hilos.

- Purse Seine - a form of encircling net having a line at the bottom passing through rings attached to the net, which can be drawn or pursed. In general, the net is set from a boat or pair of boats around the school of fish. The bottom of the net is pulled closed with the purse line. The net is hauled through a power block or a device such as the locally built power block- "ferris wheel". The net is then pulled aboard the fishing boat or boats until the fish are concentrated in the bunt or bag. The bunt or bag with the smallest mesh size is located in one end of the wings. The boat being used is more than three (3) gross tons.

- Ringnet - is a type of encircling net with the bunt or bag located at the center of the net where hauling starts by pulling both ends of the net simultaneously after releasing the tom weight (Lingote) to close the lower portion of the net. Hauling of the net is usually done manually or using a mechanical winch. It can be operated by an outrigger motorized or launch type boat. The boat being used is more than three (3) gross tons.

- Bagnet - is a type of fishing gear resembling an inverted mosquito net where the net is lowered under the boat and lifted by a series of pull ropes to the deck of the boat. The impounded fish are released on deck for sorting. The boat is provided with surface and submerged lights, both either incandescent or halogen bulbs to attract school of fish. The boat being used is more than three (3) gross tons.

- Scoop net - is a fishing gear also known as "paulbo" used for catching post larval and fingerlings stage of sardines, anchovies and other small pelagic fish species locally known as "lupoy satuloy" or "lupoy sa malangsi" and "sihag-sihag". The scoop net is made of a one-meter diameter circular shaped frame. Attached/ weaved in this frame is a conical mosquito net. Fishing is done at nighttime until early morning in shallow municipal water areas

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utilizing small outrigger wooden boat of less than 3 gross tons. One fisher operates each boat using a scoop net and a 500-candle power incandescent lamp for luring fish. During operation, fishers group themselves together to lure more fish. Each fisher performs harvesting by scooping the fish out of the water.

Section 2. Prohibition. - It shall be unlawful for any person, association, or corporation to kill or catch, or cause to be killed or caught or taken, any sardines as defined in section 1(a) in the conservation area using purse seine, ringnet, bagnet and scoopnet, or to purchase, sell, offer or expose for sale, or have in possession or under his control any sardines caught in the conservation area, during the closed season from December 1, 2014 to March 1, 2015 and every such period thereafter subject to the annual review by the NFARMC.

Section 3. Review and Adjustment - The implementation of the closed season shall be subjected to continuous research and peer review by experts from the Bureau of Fisheries and Aquatic Resources, National Fisheries Research and Development Institute, academe, and industry experts, to determine the best management strategy that would ensure the sustainability and conservation of the sardines. Three months prior to the start of each closed season, the Director, may, upon the recommendation of the Technical Working Group created in Section 4 hereof, adjust the period of the closed season for that year, which may begin on November 15 and end on February 15, and issue an advisory for this purpose. Should there be no advisory, then the closed season shall begin on December 1 and end on March 1.

Section 4. Creation and Composition of a Technical Working Group (TWG) – A Technical Working Group is hereby created to conduct research and peer review of the closed season and provide recommendations to the Director and the NFARMC for purposes of policy adjustments. The TWG shall be chaired by the BFAR Regional Director of Region 9 and shall be composed of the following members:

- 4 Representatives from the fishing industry (Zamboanga del Norte, Zamboanga Sibugay, Zamboanga City and ARMM)

- Representative from the canning industry

- Representative from the bottled sardines industry

- 2 Representatives from the village type processors

- Academe - Research and Extension

- DOST- Research

- DTI - Industry Coordination

- DOLE - Training and Livelihood

- 2 Representatives from the Law enforcement agencies (PNP-Maritime and PCG) - fishery law enforcement

- Concerned LGUs (ZamPen, ARMM)

- BFAR and NFRDI

- BFAR RFO 9 and ARMM

- Representative from the Industrial Group of Zamboanga, Inc.

- Representative from the Labor Sector

Section 5. Sanctions. Violation of Section 2 of this Order shall be penalized in accordance with the applicable provision of RA 8550 and other applicable laws.

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Section 6. Repealing Clause. - All administrative orders, rules and regulations or parts thereof which are inconsistent with the provisions of this order are hereby repealed.

Section 7. Effectivity. - This administrative order shall take effect fifteen (15) days after its publication in the Official Gazette and/or two newspapers of general circulation and upon registration with the National Administrative Register.

Recommending Approval:

(SGD) ATTY. ASIS G. PEREZ
Undersecretary for Fisheries and
Concurrent Director, BFAR

Approved:

(SGD) PROCESO J. ALCALA
Secretary, DA

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