

IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 12107, “AN ACT ESTABLISHING MULTI-SPECIES MARINE HATCHERY IN THE CITY OF BAYBAY, PROVINCE OF LEYTE, AND APPROPRIATING FUND...

IRR of REPUBLIC ACT NO. 12107, January 05, 2026

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RULE I. TITLE AND SCOPE

GENERAL PROVISION

Section 1. Title. These rules shall be known and cited as the Rules and Regulations Implementing Republic Act No. 12107: "An Act Establishing a Multi-Species Marine Hatchery in the City of Baybay, Province of Leyte and Appropriating Funds Therefor".

Section 2. Purposes. These rules shall govern the establishment, supervision, operation, monitoring and transfer of the Multi-Species Marine Hatchery (MSMH) of Baybay City, Leyte.

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

a.

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

b.

Feasibility Studies (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 works that provides a comprehensive review of all aspects of the project before a final decision about its implementation is taken.

c.

Multi-Species Marine Hatchery (MSMH) - refers to a land-based structure/s for artificial breeding and fish-fry production for the use in the growing and culturing marine fish, shellfish and crustaceans of different species.

d.

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) in the Local Government Unit (LGU) within two (2) years of construction.

e.

Transfer - refers to the turn-over of the MSMH by the DA-BFAR to the LGU of Baybay City, Leyte, including its operation and management within two (2) years after construction.

RULE 2. GUIDELINES AND PROCEDURES

Section 4. Feasibility Study. The DA-BFAR shall conduct a full-scale feasibility study in support of its construction to comply with the requirements of the Department of Budget and Management.

Section 5. Construction. The multi-special marine hatchery shall be constructed under the supervision of the DA-BFAR Regional Fisheries Office (RFO) VIII. The design and specifications of the hatchery shall be based on the DA-BFAR approved feasibility study and detailed engineering design.

Section 6. Operation and Management. The DA-BFAR through its RFO VIII shall allocate funds and spearhead the initial operation of the MSMH within two (2) years after its construction.

Section 6.1. Training and phasing-in program. The DA-BFAR RFO VIII shall provide a training and phasing-in program for the technical personnel of the LGU of Baybay City, Leyte to ensure the efficient operation and management of the hatchery.

Section 7. Transfer of the Operation and Management of the Multi-Species Marine Hatchery. The DA-BFAR RFO VIII shall transfer through a Memorandum of Agreement (MOA) the operation and management of the MSMH to the LGU of Baybay City, Leyte within two (2) years after construction.

Section 7.1. Staffing Pattern. Upon the transfer of the MSMH, the LGU of Baybay City, Leyte shall create, through an ordinance, a minimum of three (3) plantilla positions to effectively manage and operate the hatchery. The hatchery shall have the following minimum operational structure. (see image in the original document)

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

a.

Chief of Fisheries Production and Support Services Division (FPSSD)

b.

Provincial Fisheries Officer in Leyte

c.

Legislated Hatchery Project Focal Person

d.

Engineering Personnel

e.

Laboratory Personnel

f.

Planning Officer

g.

City Fisheries and Aquatic Resource Management Council (CFARMC) Representative

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

a.

Conduct periodic on-site monitoring and assessment on the operation of the MSMH after its transfer to the LGU of Baybay City, Leyte;

b.

Conduct consultation with the LGU of Baybay City, Leyte on the result of the monitoring; and

c.

Submit report and recommendations to the DA-BFAR Central Office and to the LGU of Baybay City, Leyte.

Section 10. Funding Allocation.

The LGU of Baybay City, Leyte, 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.

After the transfer of the facility's operation and management to the LGU of Baybay City, Leyte, 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, in consultation with LGU Baybay City, Leyte, 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 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 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 05 JAN 2026 in Quezon City, Metro Manila, Philippines.

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