



Republic of the Philippines  
MUNICIPALITY OF ESPERANZA  
Province of Masbate  
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OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF ESPERANZA, MASBATE HELD AT THE SB SESSION HALL ON FEBRUARY 24, 2021 AT 9:00AM

**PRESENT:**

Hon. Rodolfo P. Pepito	... Vice Mayor/Presiding
Hon. Cicero S. Conag	... SB Member
Hon. Michael C. Comedia	... -do-
Hon. Melito M. Camon	... -do-
Hon. Rodel D. Pepito	... -do-
Hon. Felix A. Ponce, Jr.	... -do-
Hon. Raymond Ivan M. Diamos	... -do-
Hon. Robert C. Guiz	... -do-
Hon. Florentina S. Sepulveda	... LIGA President/Ex-Officio (under petition)
Hon. Leo B. Salgarino	... LIGA President/Ex-Officio
Hon. Jerico A. Gomez	... SK Federation President

**ABSENT:** Hon. Aldrin B. Jao ...SB Member

**RESOLUTION NO. 06 s2021**

**RESOLUTION TO OPPOSE THE ENACTMENT OF HOUSE BILL NO. 7853: AN ACT AMENDING SECTION 18 OF REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS "THE FISHERIES CODE OF 1998"**

**WHEREAS**, House Bill No. 7853: An Act Amending Section 18 of Republic Act No. 8850, otherwise known as "The Fisheries Code of 1998," authored by Rep. Pablo John F. Garcia, 3<sup>rd</sup> District, Province of Cebu, seeks to allow small and medium commercial fishing vessels to operate within ten point one (10.1) to fifteen (15) kilometers of the municipal waters.

**WHEREAS**, House Bill No. 7853 violates Article XIII, Section 7 of the Philippine Constitution which states that *"The State shall protect the rights of subsistence fishermen, especially of local communities, to the preferential use of local marine and fishing resources, both inland and offshore"*.

**WHEREAS**, House Bill No. 7853 is inconsistent with Chapter 1, Section 2: Declaration of Policy of the Fisheries Code of 1998, as amended by R.A. 10654, which states that it shall be the policy of the State:

(c) To ensure the *rational and sustainable development, management and conservation of the fishery and aquatic resources in Philippine waters* including the Exclusive Economic Zone (EEZ) and in the adjacent high seas, consistent with the primordial objective of maintaining a sound ecological balance, protecting and enhancing the quality of the environment, the Philippines shall pursue its commitment to international conventions and cooperate with other states and international bodies, in order to conserve and manage threatened aquatic species, straddling and highly migratory fish stocks and other living marine resources; xxx

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*(d) To protect the rights of fisherfolk, especially of the local communities with priority to municipal fisherfolk, in the preferential use of the municipal waters. Such preferential use, shall be based on, but not limited to, Maximum Sustainable Yield (MYS) or Total Allowable Catch (TAC) on the basis of resources and ecological conditions, and shall be consistent with our commitments under international treaties and agreements; xxx*

*(f) To adopt the precautionary principle and manage fishery and aquatic resources, in a manner consistent with the concept of an ecosystem-based approach to fisheries management and integrated coastal area management in specific natural fishery management areas, appropriately supported by research, technical services and guidance provided by the State; and xxx*

**WHEREAS**, the enactment of House Bill No. 7853 will result in disenfranchise of small fishers in the said municipal waters who are only using passive fishing gears as they will again be made to compete with bigger commercial fishing vessels using active fishing gears that can catch fishes at greater volume.

**WHEREAS**, the enactment of House Bill No. 7853 would return these municipal waters back to the very unsustainable and inequitable situation that led to the banning of commercial fishing in municipal waters in the first place. House Bill No. 7853 will only lead to more poverty and further depletion of fish stocks in these already constricted municipal waters.

**NOW THEREFORE**, on the motion of Hon. Raymond Ivan M. Damos duly seconded by Hon. Michael C Comedia, BE IT

**RESOLVED**, as it is hereby resolved to declare a strong opposition to the enactment of House Bill No. 7853.

**RESOLVED FURTHER**, for the members of the House Committee on Aquaculture and Fisheries Resources to instead look into possible legislations that would:

- a. Expedite the delineation of all municipal waters in the country;
- b. Complete the operationalization of all Fisheries Management Areas;
- c. Strengthen law enforcement within municipal waters, such as House Bill No. 5023: *Bantay Dagat Welfare and Incentives Act*; and
- d. Improve the livelihoods and capacities of small municipal fishers.

**RESOLVED FINALLY TO** furnish copy of this resolution to the office of the Hon. Mayor Fernando P. Talisic, the office of the Bureau of Fisheries and Aquatic Resources (BFAR) Masbate, and all concerned for their information and appropriate action.

**UNANIMOUSLY APPROVED.**

**I HEREBY CERTIFY** to the correctness of the foregoing:

  
**JOSE M. NANDALES**

Secretary to the Sanggunian

(Sponsored by Hon. Cicero S. Conag)

**ATTESTED:** 

**RODOLFO P. PEPITO**

Vice Mayor-Presiding Officer

**APPROVED:** 

**FERNANDO P. TALISIC**

Municipal Mayor