



REPUBLIC OF THE PHILIPPINES  
Province of Eastern Samar  
MUNICIPALITY OF GUIUAN

**- OFFICE OF THE SANGGUNIANG BAYAN -**

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EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF GUIUAN, EASTERN SAMAR HELD ON February 2, 2022 AT THE MUNICIPAL SESSION HALL.

**Ordinance No. 004, Series of 2022**

(Sponsor: Hon. Carlito S. Abrugar, Jr. – Chairman – Comm. on Agriculture and Food; Hon. Manuel L. Velasco – V. Chairman; Members – Hon. Jose Eric C. Cordero, Hon. Francis Aldous B. Sison and Hon. Rogelio O. Cablaog)

**AN ORDINANCE**

**ENACTING THE BASIC FISHERY ORDINANCE OF 2022 OF GUIUAN, EASTERN SAMAR AND AMENDING FOR THE PURPOSE ORDINANCE NO. 07, S-2010, OTHERWISE KNOWN AS BASIC FISHERY ORDINANCE OF 2010 OF THE MUNICIPALITY OF GUIUAN, EASTERN SAMAR.**

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Section 1. **TITLE** – This ordinance shall be known as “**The Basic Fishery Ordinance of the Municipality of Guiuan, Eastern Samar**”.

**ARTICLE I**

**DECLARATION OF POLICY AND DEFINITION OF TERMS**

Section 2. **DECLARATION OF POLICY** – It is hereby declared the policy of the Municipality of Guiuan, E. Samar, for the Coastal Zone Management to:

1. Promote conservation and ensure sustainable and equitable utilization of its coastal areas and resources;
2. Ensure, for the benefit and enjoyment of the people of the Municipality of Guiuan, the judicious and wise utilization, protection, conservation and management on a sustainable basis of its coastal and aquatic resources with the necessity of maintaining a sound ecological balance and promoting and enhancing the quality of the coastal environment;
3. Protect the rights of municipal fisherfolk for the preferential use of common coastal and aquatic resources;
4. Allow people’s full and active participation in the conservation and management of the coastal and aquatic resources and promote awareness of sustainable fisheries through appropriate education and training;
5. LGU to provide full support for sustainable fisheries through appropriate technology and research, adequate financial, production and marketing assistance, and other services;
6. Promote and adhere to the precautionary principle of conservation, management and exploitation of living coastal and fishery resources in order to assure the

sustainable development of the coastal environment. The absence of adequate scientific and technical information shall not be used as a reason for postponing or failing to take conservation and management measures;

7. Promote social equity, alleviate poverty, and ensure food security in the coastal areas of the Municipality of Guiuan, E. Samar through the proper management of coastal and aquatic resources;
8. Promote responsibility and accountability in the use of coastal and aquatic resources;
9. Promote stewardship in the management of coastal and aquatic resources, CBFMA concessions and sanctuaries including the active participation in the policy and decision-making; and,
10. Recognize the role of women in fisheries through the provision of support through appropriate technology and research, adequate financial, production and marketing assistance, construction of post-harvest facilities and other services.

Section 3. **APPLICATION OF PROVISIONS** – The provisions of this Ordinance shall be enforced in:

1. Municipal waters as defined in this Ordinance;
2. All coastal and aquatic resources of the Municipality of Guiuan, Eastern Samar;
3. All lands, activities or businesses relating to the use, development, conservation and management of the municipal waters and the coastal and aquatic resources of the Municipality of Guiuan; and
4. All natural and juridical persons or entities that use and/or intend to use the coastal and aquatic resources of the Municipality of Guiuan, Eastern Samar.

Section 4. **DEFINITION OF TERMS** – As used in this Ordinance, the following terms and phrases shall mean as follows:

1. **Municipal water** – include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not the subject of private ownership and not included within the national parks, brackish water fishponds leased by the government, and national fishery reserves, refuge and sanctuaries but also marine waters included between two lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline including offshore islands and 15 kilometres from such coastline. Where two municipalities are so situated on opposite shores such that there is less than thirty (30) kilometres of marine waters between them, the third line shall be a line equidistant from the opposite shores of the respective municipalities.

2. **MFARMC** – refers to the Municipal Fisheries and Aquatic Resource Management Council.
3. **MTC – Fishing Gear** – refers to fishing gear characterized by active movement and/or pursuit of the target species by towing, lifting, and pushing the gears surrounding, covering, dredging, pumping and scaring the target species to impoundments or encirclements, such as but not limited to, trawl, purse seines, Danish seines, harvesting machines, beach seines and pa-aling.
4. **Ancillary Industries** – industries related to the manufacture, supply and maintenance of fishing vessels, gears, nets and other fishing paraphernalia, fishery machine shops, and other facilities such as hatcheries, nurseries, feed manufacturing, refrigeration, processing plants and other pre- harvest and post-harvest facilities.
5. **Aquaculture** – fishery operations involving all forms of raising and culturing fish and fishery species in freshwater, brackish and marine water areas.
6. **Aquatic/Coastal Pollution** – the introduction by human, animal, machine and establishment or household waste, directly or indirectly, to the coastal environment which results or is likely to result in such deleterious effects as to harm living and non-living fishery and coastal resources; pose potential and/or real hazard to human health; hindrance to coastal activities such as fishing and navigation, including the dumping/disposal of waste and other marine litter; discharge of petroleum or residual of petroleum, and other radioactive, noxious or harmful liquid, gaseous or solid substances, from any water, land or other human-made structures.
7. **Artificial Reef** - any structure of natural or man-made materials placed in a body of water to serve as habitat/shelter, source of food, aggregating device and/or breeding areas for fishery species.
8. **Auxiliary Invoice** – a document to be accomplished by any person or firm to enable him/her/them to ship out fish and other fisheries product in compliance with the provisions of R.A. 8550 (Section 15). A document issued by the Local Chief Executive or his authorized representative to transport fish or any fishery product from point of origin to the point of destination.
9. **A7 for ICZM** – Alliance of Seven (7) Municipalities (Lawaan, Balangiga, Giporlos, Quinapondan, Salcedo, Mercedes and Guiuan) for Integrated Coastal Zone Management.
10. **Bantay Dagat/ Kalikasan** – deputized municipal and barangay- based fishery law enforcement volunteers.
11. **By-catch** – any catch of species (fish, sharks, marine mammals, turtles, seabirds, etc.) other than target species.
12. **Bona – fide resident** – a genuine resident of a barangay as certified by the barangay chairman and/or the barangay council.
13. **CBFO** – Community - Based Fisherfolk Organization.

14. **Carrying Capacity** – the maximum number of a given species which can be supported by a particular habitat or ecosystem without damaging it.
15. **Closed season** - the period during which the taking of a specified fishery species by the use of a specified fishing gear is prohibited in a specified area(s) in the municipal waters.
16. **Coastal area** – may be regarded as a strip of water and land area with the seaward boundary running along a line with the depth of 200 meters or where it is three (3) kilometres from the shoreline, whichever is farther, while the landward boundary is one (1) kilometre from the same shoreline or from the topographical or plant or vegetation features associated with sea, whichever is farther.
17. **Commercial Fishing** - the taking of fishery species with a fishing vessel of more than three (3) gross tons within an area reserved for exclusive use by municipal waters, fishery management areas or other areas reserved for exclusive use by municipal fishers and extending to or beyond the country's 200 - mile exclusive economic zone (EEZ).
18. **Coral** – marine mammals, anthozoan and cnidarian coelenterates, consisting of polyps and the rigid skeletal structure they produce. The living animal with its skeleton and the skeleton alone are both referred to as coral. Included are members of the genus *Corallium*, characterized by a rigid axis of compact calcareous or horny spicules and represented by red, pink and white corals which are considered precious corals; the *Anthipatharians*, characterized by a thorny, horny axis and represented by the black coral which are considered semi-precious corals and ordinary corals which are neither precious nor semi-precious and usually characterized by calcareous skeleton.
19. **Coral Reef** – geological features built by natural calcification and other deposits from corals and calcareous algae.
20. **Deforestation** – unsound agricultural practices such as the use of banned chemicals and excessive use of chemicals, intensive use of artificial fish feed, and wetland conversions, which cause similar hazards and deleterious effect shall also constitute aquatic or coastal.
21. **Department** - shall refer to the Department of Agriculture.
22. **Ecotourism Zone** – the part of the municipal waters for tourism development.
23. **Endangered Species** – species of animals and plants in danger of extinction as provided by existing fishery laws, rules and regulations or as classified as such by the Convention on the International Trade of Endangered Species (CITES) of Flora and Fauna.
24. **Environmental Compliance Certificate** – a document issued by the Department of Environment and Natural Resources – Environmental Management Bureau (DENR-EMB) after a positive review of the ECC application certifying that based on the representations of the proponent the proposed project or undertaking will not cause significant negative impact.

25. **Fine-Meshed Nets** – all net-webbing, whether made of natural fibers, synthetic or any other materials used in fishing, with a mesh size of less than three (3) centimetres when stretched.
26. **Fish Cage** – any method of cultivating fish in a fish enclosure which is either stationary or floating made up of nettings or screen sewn or fastened together and installed in the water and held in place by wooden post or various anchors and floats.
27. **Fisheries** - refers to all activities relating to the act or business of fishing, culturing preserving processing marketing, developing, conserving and managing fishery resources.
28. **Fishery License** – a document that allows natural or juridical persons to engage in any fishery activities in the municipal waters.
29. **Fisherfolk** - people directly or personally, and physically engaged in taking and/or culturing and processing fishery resources.
30. **Fisherfolk License** – an instrument awarded by the LGU to Fishers upon registration to enable him/her to engage in fishing activity.
31. **Fisherfolk Organization** - an accredited organized group, association, federation, alliance or institution of fishers which has at least fifteen (15) members, a set of officers, a constitution and by-laws, and having an organizational structure and programs of action.
32. **Fish Fry** – the early stage in the life cycle of fish.
33. **Fishpen** - an artificial enclosure constructed within a body of water for culturing fish, made up of bamboo poles closely arranged in an enclosure with either fine bamboo or wooden materials, screen or nylon netting to prevent the escape of the enclosed organisms.
34. **Fishery Management Zone** – the part of the municipal waters that may be managed by a group for conservation and protection or production.
35. **Fishery and Marine Resources** – include not only finfish but also mollusks, crustaceans, echinoderms, marine mammals, and all other products derived from the sea and other aquatic body in any form.
36. **Fish Vendors** – person/s engage in buying and selling fish and other fishery products.
37. **Fishing** - the taking of fishery species from the wild or natural habitat, with or without the use of fishing vessels.
38. **Fishing Gear** – any instruments or device and its accessories utilized in taking fish and other fishery species.
39. **Fishing Light Attractor**- Any light used to attract fish for fishing.
40. **Fishing Vessel** - any vessel, boat, ship or other watercraft whether motorized or non-motorized, equipped to be used for taking of fishery species or aiding or assisting one or more vessels at sea in the performance of any activity relating to

fishing, including, but not limited to the preservation, supply, storage, refrigeration, transportation and processing.

41. **Fishing with Explosives** - the use of dynamite, other explosives or other chemical compounds that contains combustible elements or ingredients which, upon ignition by friction, concussion, percussion or detonation of all or parts of the compound, will kill, stupefy, disable or render unconscious any fishery species. It also refers to the use of any substances and/or device which causes an explosion that is capable of producing the said harmful effects on any fishery species and coastal resources, capable of damaging and altering the natural habitat.
42. **Fishing with Noxious or Poisonous Products** - the use of any substance, plant extracts or juice (e.g. tobli) thereof, sodium cyanide and/or cyanide compounds or other chemicals (e.g. lannate) either in a raw or processed form, harmful or harmless to human beings, which will kill, stupefy, disable or render unconscious any fishery species and coastal resources and capable of damaging and altering the natural habitat.
43. **Intertidal Zone** – a stretch of land fringing a body of water, the part of a seashore between the low-water line usually at a seaward margin of low tide terraces and the upper limit of wave wash at high tide.
44. **LGU** – Local Government Unit.
45. **Mangroves** - a community of intertidal plants including all species of trees, shrubs, vines and herbs found on coasts, swamps or border of swamps.
46. **Marine Protected Area** – an area in the municipal waters so established through an ordinance, which is intended for rehabilitation and replenishment of fishery and coastal resources because of its ecological function as a spawning and/or feeding grounds for one or a group of marine species and is characterized by high productivity and/or high biodiversity.
47. **Marine Reserve** – a designated area within the municipal waters where fishing activities are strictly regulated.
48. **Marine/Fish Sanctuary** – a designated NO TAKE AREA within the municipal waters where human activities are also regulated.
49. **Migratory Species** - any fishery species which in the course of their life could travel from freshwater to marine water or vice- versa, or any marine species which travel over great distances in marine waters.
50. **Monitoring, Control and Enforcement** –
  - a. Monitoring– for monitoring fisheries, this may include long- term observation of:
    1. fishing effort which can be expressed by the number of days or hours of fishing, number of fishing gears and number of fisherfolk;
    2. characteristics of fishery resources; and
    3. fishery yields or catch.

- b. Control - regulatory conditions (legal framework) under which the exploitation, utilization and disposition of the resources may be conducted.
  - c. Enforcement – ensuring that fishery laws, rules and regulations, and ordinances are complied with, and violation thereof are appropriately penalized. This includes surveillance which refers to the degree and types of observations required to maintain compliance with regulations.
51. **Multiple Use Zone** – the part of the municipal waters declared for various legal and non-destructive activities.
  52. **Multi-layered Net** – a fishing gear with two or more nets of varying mesh size set parallel or side-by-side with each other resulting in fine mesh net size that is considered below the legally accepted net size.
  53. **Municipal Fishers** – persons who are engaged in municipal fishing and/or fishing within the municipal waters.
  54. **Municipal Fishing** - fishing using vessels of three (3) gross tons or less, or fishing not requiring the use of fishing vessels within fifteen (15) kilometres distance from the shoreline.
  55. **Non-Government Organization (NGO)** - an agency, institution, a foundation or a group of persons whose purpose is to assist people's organizations/associations in various ways including, but not limited to, organizing education, training, research and/or resource accessing.
  56. **Passive Fishing Gear** – fishing gear which is characterized by the absence of gear movement and/or the pursuit of the target species, such as, but not limited to, hook and line, fish traps, crab pots, traps and gill nets set across the path of the fish.
  57. **Payao** – a device that serves as fish aggregating device.
  58. **People's Organization** - a bonafide and duly accredited association of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership and structure. Its members belong to a sector/s in the community who voluntarily band themselves together to work for their own upliftment, development and greater good.
  59. **Resource Users** – refer to individuals, groups, business and other institutions utilizing the coastal resources of the municipality.
  60. **Sabalo** – the reproductively mature grown milkfish (bangus) usually measuring more than sixty (60) centimetres in length from the tip of its mouth to the extreme end of the caudal fin or tail.
  61. **Superlight** –Also called magic light, is the type of fishing device using halogen or metal halide bulb which may be located above the sea surface or submerged in water. It consists of a ballast, regulator, electric cable or socket. The source of energy comes from a generator, battery or dynamo coupled with the main engine.

- 62. **Sustainable Development** – development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.
- 63. **Subsistence Fishing** - refers to fishing, other than sport fishing, that is carried out primarily to feed the family and relatives of the person doing the fishing. Generally it also implies the use of low tech "artisanal" fishing techniques and is carried out by people who are very poor.
- 64. **Trade and Navigational Zone** – the part of the municipal waters designated for navigational purposes.
- 65. **Zone** – subdivision of the municipal waters into priority uses.

**ARTICLE II**

**UTILIZATION, MANAGEMENT, DEVELOPMENT AND CONSERVATION OF COASTAL AND FISHERY RESOURCES OF THE MUNICIPALITY OF GUIUAN**

Section 5. **JURISDICTION OF THE ORDINANCE** - This Ordinance shall have jurisdiction over the municipal waters of Guiuan, Eastern Samar. The municipal waters as defined in Section 4 of this ordinance shall be delineated and demarcated in appropriate technical description based on DENR Administrative Order 17 with layout and visualization from the Regional Environmental Information System, viz:

<b>Technical Description of Municipal Waters</b>		
<b>WP#</b>	<b>Longitude</b>	<b>Latitude</b>
1	125°43'53.9" E	11°05'31.4" N
2	125°46'59.7" E	11°13'00.0" N
3	125°49'37.2" E	11°11'14.7" N
4	125°50'39.5" E	11°09'59.6" N
5	125°51'07.8" E	11°09'22.7" N
6	125°52'23.1" E	11°07'24.6" N
7	125°52'57.2" E	11°06'46.9" N
8	125°53'04.1" E	11°06'36.9" N
9	125°53'21.3" E	11°06'20.9" N
10	125°54'27.9" E	11°04'56.4" N
11	125°54'51.1" E	11°04'13.5" N
12	125°55'13.7" E	11°03'50.3" N
13	125°55'30.8" E	11°03'29.9" N
14	125°55'58.3" E	11°02'53.3" N
15	125°56'37.1" E	11°01'58.3" N
16	125°57'21.8" E	11°00'23.6" N
17	125°57'45.1" E	10°59'17.2" N
18	125°57'55.8" E	10°58'07.3" N
19	125°58'05.0" E	10°57'23.5" N
20	125°58'13.8" E	10°56'37.1" N
21	125°58'14.2" E	10°56'11.5" N
22	125°58'18.5" E	10°55'50.4" N
23	125°58'20.6" E	10°54'58.5" N
24	125°58'17.1" E	10°54'40.9" N
25	125°58'52.0" E	10°54'37.1" N



- 62. **Sustainable Development** – development that meets the needs of the present generation without compromising the ability of future generations to meet their own needs.
- 63. **Subsistence Fishing** - refers to fishing, other than sport fishing, that is carried out primarily to feed the family and relatives of the person doing the fishing. Generally it also implies the use of low tech “artisanal” fishing techniques and is carried out by people who are very poor.
- 64. **Trade and Navigational Zone** – the part of the municipal waters designated for navigational purposes.
- 65. **Zone** – subdivision of the municipal waters into priority uses.

**ARTICLE II**

**UTILIZATION, MANAGEMENT, DEVELOPMENT AND CONSERVATION OF COASTAL AND FISHERY RESOURCES OF THE MUNICIPALITY OF GUIUAN**

Section 5. **JURISDICTION OF THE ORDINANCE** - This Ordinance shall have jurisdiction over the municipal waters of Guiuan, Eastern Samar. The municipal waters as defined in Section 4 of this ordinance shall be delineated and demarcated in appropriate technical description based on DENR Administrative Order 17 with layout and visualization from the Regional Environmental Information System, viz:

<b>Technical Description of Municipal Waters</b>		
<i>WP#</i>	<i>Longitude</i>	<i>Latitude</i>
1	125°43'53.9" E	11°05'31.4" N
2	125°46'59.7" E	11°13'00.0" N
3	125°49'37.2" E	11°11'14.7" N
4	125°50'39.5" E	11°09'59.6" N
5	125°51'07.8" E	11°09'22.7" N
6	125°52'23.1" E	11°07'24.6" N
7	125°52'57.2" E	11°06'46.9" N
8	125°53'04.1" E	11°06'36.9" N
9	125°53'21.3" E	11°06'20.9" N
10	125°54'27.9" E	11°04'56.4" N
11	125°54'51.1" E	11°04'13.5" N
12	125°55'13.7" E	11°03'50.3" N
13	125°55'30.8" E	11°03'29.9" N
14	125°55'58.3" E	11°02'53.3" N
15	125°56'37.1" E	11°01'58.3" N
16	125°57'21.8" E	11°00'23.6" N
17	125°57'45.1" E	10°59'17.2" N
18	125°57'55.8" E	10°58'07.3" N
19	125°58'05.0" E	10°57'23.5" N
20	125°58'13.8" E	10°56'37.1" N
21	125°58'14.2" E	10°56'11.5" N
22	125°58'18.5" E	10°55'50.4" N
23	125°58'20.6" E	10°54'58.5" N
24	125°58'17.1" E	10°54'40.9" N
25	125°58'52.0" E	10°54'37.1" N

26	126°00'25.9" E	10°54'08.9" N
27	126°01'28.2" E	10°53'37.6" N
28	126°03'05.3" E	10°52'22.5" N
29	126°03'22.8" E	10°52'00.3" N
30	126°04'18.7" E	10°50'39.4" N
31	126°05'08.1" E	10°49'22.7" N
32	126°05'11.3" E	10°49'06.5" N
33	126°05'29.9" E	10°48'38.6" N
34	126°05'42.6" E	10°47'48.5"-N
35	126°05'52.5" E	10°46'44.9" N
36	126°06'06.9" E	10°45'32.8" N
37	126°06'03.4" E	10°45'09.9" N
38	126°05'59.2" E	10°44'14.0" N
39	126°05'26.9" E	10°42'06.8" N
40	126°04'41.7" E	10°40'43.2" N
41	126°03'32.7" E	10°39'16.4" N
42	126°00'55.1" E	10°37'31.1" N
43	125°59'45.3" E	10°37'08.6" N
44	125°57'49.3" E	10°36'54.1" N
45	125°56'04.2" E	10°37'05.7" N
46	125°55'14.5" E	10°37'20.6" N
47	125°54'28.3" E	10°36'11.4" N
48	125°52'43.8" E	10°34'48.9" N
49	125°51'12.7" E	10°34'03.4" N
50	125°48'03.8" E	10°33'25.1" N
51	125°47'15.5" E	10°33'27.7" N
52	125°45'32.2" E	10°33'12.3" N
53	125°45'03.3" E	10°33'12.9" N
54	125°42'10.9" E	10°33'49.7" N
55	125°41'27.1" E	10°34'09.6" N
56	125°38'56.3" E	10°35'52.8" N
57	125°36'07.3" E	10°37'41.7" N
58	125°35'43.0" E	10°38'09.3" N
59	125°34'48.0" E	10°38'43.8" N
60	125°34'20.7" E	10°39'09.1" N
61	125°33'17.5" E	10°40'43.6" N
62	125°32'50.0" E	10°41'02.1" N
63	125°31'04.7" E	10°43'39.6" N
64	125°30'33.5" E	10°45'30.8" N
65	125°30'26.9" E	10°46'50.6" N
66	125°31'06.4" E	10°50'02.5" N
67	125°32'08.6" E	10°51'39.4" N
68	125°32'38.1" E	10°52'23.8" N
69	125°31'10.0" E	10°53'31.3" N
70	125°29'53.3" E	10°55'11.9" N
71	125°29'16.5" E	10°56'23.4" N
72	125°28'51.2" E	10°58'09.9" N
73	125°28'43.6" E	10°59'08.6" N
74	125°29'22.9" E	10°59'06.9" N
75	125°32'18.9" E	11°00'37.4" N
76	125°33'18.4" E	11°01'50.8" N
77	125°37'21.6" E	11°03'38.6" N
78	125°37'24.0" E	11°03'45.6" N
79	125°39'01.2" E	11°03'41.7" N

80	125°39'52.9" E	11°03'35.8" N
81	125°40'21.8" E	11°04'09.7" N
82	125°41'03.6" E	11°03'54.2" N
83	125°41'26.5" E	11°03'49.3" N
84	125°41'42.2" E	11°03'57.5" N
85	125°42'05.1" E	11°03'55.2" N
86	125°42'11.2" E	11°03'57.8" N
87	125°42'13.7" E	11°04'04.4" N

The LGU shall be responsible for the management, conservation, development, protection, utilization and disposition of all coastal and fishery resources within the municipal waters.

The LGU, in consultation with the stakeholders including the MFARMC, A7 for ICZM and other stakeholders, shall recommend appropriate ordinances and draft executive orders to be enacted and adopted by the municipality. *Provided, however,* that all ordinances and executive orders recommended conform to the existing national and local laws and policies and shall not endanger the sustainability of the coastal and fishery resources or destroy ecological balance.

**Section 6. REGULATION OF FISHERY ACTIVITIES** - Fishery activities are subject to the regulation of the LGU. No person, cooperative, partnership, firm or corporation shall exploit, occupy, produce, breed, culture, capture or gather fish, fry or fingerlings of any species, and other coastal and fishery resources, or engage in any commercial fishing activity in the municipal waters without a license, lease, or permit secured from the municipality and in consonance with R.A. 8550 as amended by R.A. 10654.

The LGU can implement measures through enacting ordinances, Executive Orders and other measures to regulate or prohibit fishery activities in an area whenever it is determined by the LGU, in consultation with the MFARMC, A7 for ICZM and other stakeholders, that a specific area in the municipal waters is over fished or in danger of being over fished based on available data or information, and that there is a need to regenerate the coastal and fishery resources in that area. Additionally, the LGU may also enact an ordinance to regulate the fishery activities in an area or the entire municipal waters such as, but not limited to the regulation of buying and selling of certain fishery and marine products upon recommendations of the MFARMC, A7 for ICZM and other stakeholders.

The municipality, through the Mayor's Office, shall be responsible for the issuance of an executive order on the process of obtaining permits, licenses and other related documents to Fishers.

Section 7. **ZONATION OF THE MUNICIPAL WATERS** - The municipal waters shall be delineated according to the following priority coastal zones. Identification of the appropriate area(s) within the municipal waters shall be done within the assistance of concerned GOs and MFARMC, NGOs and Fisherfolk Organizations and A7 for ICZM.

Zone 1 – Ecotourism Zone – these shall be areas with high ecotourism potential such as excellent coral cover, wrecks, migration path of migratory fishes, caves and drops, etc.

Zone 2 – No Take Zone – these shall refer to Marine Sanctuaries where fishing and other extractive activities are strictly prohibited. Human activities such as research and recreation are regulated.

Zone 3 – Multiple-Use Zone – area(s) where certain legal and non- destructive activities can be done.

Zone 4 – Fishery Management Zone – area(s) with distinct characteristic features suitable for specific fishery activity.

Zone 5 – Trade and Navigational Zone – area(s) for navigation. No structures or activities that can cause obstructions of navigation shall be allowed in this area.

Zone 6 – Cultural Zone – area(s) traditionally used for social, cultural and religious activities shall be designated for said purposes.

Zone 7 – Marine Reserve Zone – a designated area within the municipal water where fishing activities are strictly regulated.

Zone 8 – Mangrove Zone – area(s) designated for rehabilitation, protection and conservation for all known mangrove species.

*Provided, however,* that this zonation does not preclude the conduct and management of other activities as appropriate within this priority zones.

Section 8. **USE OF MUNICIPAL WATERS** - The use of the coastal and aquatic resources of the municipal waters shall be for the proper utilization of the registered *fisherfolk and bona fide* residents of the Municipality of Guiuan and the A7 municipalities. *Provided that,* fisherfolk and fishing boat(s) are properly registered and bona fide resident in any of the member municipalities. *Provided, further,* that portions of the coastal and aquatic resources in the municipal waters shall be reserved for the use or conduct of activities, such as but not limited to, research and education activities which may be allowed under appropriate

regulations, for purely research, scientific, technological and educational purposes that would benefit the people of the Municipality of Guiuan and the A7 municipalities.

Section 9. **USERS OF MUNICIPAL WATERS** - Utilization of the coastal resources by the constituents of the Municipality of Guiuan and the A7 municipalities, shall be subject to existing laws and regulations. Preferential rights shall be granted to duly accredited fisherfolk organizations. *Provided, however,* that registered municipal fishers from other municipalities may be allowed access to the coastal resources of the Municipality of Guiuan subject to existing national laws, rules, regulations and local ordinances. *Provided, further,* that no commercial fishing vessel/activities and illegal fishing, as prohibited by National Law and Local Ordinances, will be allowed to operate within the municipal waters. For this purpose, all member municipalities shall issue an instrument certifying that the bearer is a duly registered fisherfolk and/or registered boat owner.

Section 10. **ACCESS TO COASTAL AND FISHERY RESOURCES** - The number of licenses, leases or permits to be granted by the LGU should take into consideration the principle maximum sustainable yield (MSY) of the resources and other generally accepted indicators of the health of the coastal and aquatic resources. Bona fide resident municipal fishers of the municipality, including from members of the Alliance of the Seven (7) Municipalities and registered organizations or cooperatives of the LGU shall have priority to utilize municipal and demarcated fishery areas in the municipal waters. The *Sangguniang Bayan* shall set the optimum number of fishing privileges to be awarded in consultation with technical experts and MFARMC.

Section 11. **REGISTRY OF COASTAL AND AQUATIC RESOURCE USERS** - The LGU, through its CRM office shall maintain a registry of coastal and aquatic resource users for the purpose of determining priorities for the regulated/limited areas in the municipal waters as well as for monitoring fishing activities. The registry shall be regularly updated and on recommendation from the MFARMC, the LGU may exclude fishers from the registry for valid reasons.

The CRM office with the assistance of the MFARMC shall also maintain a registry of municipal fishing vessels, type of gears and other boat and fishing particulars. The LGU shall conduct an annual review of registry of fisherfolk together with the CRM office of municipality and the MFARMC.

The alliance shall assign a color code of fishing boats for every Municipality subject for approval of the municipality concerned. Assigned color shall be used as the background of registry number, which shall not be less than *twelve (12) inches in height and forty-eight (48) inches in width*. Registry code number shall be painted at the bow (dulong) on both sides

of the fishing vessel with a size of *six (6) inches in height and one (1) inch* width letter to identify fishing boats registered in the municipality.

Section 12. **FISHEFOLK ORGANIZATION AND/OR COOPERATIVES** - Fisherfolk organizations and cooperatives, whose members are listed in the registry of municipal fishers, may be granted use of demarcated fishery areas to engage in fish capture, coastal aquaculture and/or fish farming. *Provided, however,* that an organization/cooperative member whose household is already in possession of a fishery privilege other than fish capture can no longer enjoy the fishery privilege granted to an organization or cooperative.

Section 13. **DEMARCATED FISHERY PRIVILEGES** - The LGU may grant demarcated fishery privileges to fishery organizations or cooperatives for mariculture operations in demarcated areas stipulated in this ordinance pursuant to Section 22 of R.A. 8550, as amended by R.A. 10654. The Sangguniang Bayan may demarcate additional sub-zones as deemed necessary.

Section 14. **ENHANCEMENT OF PUBLIC AWARENESS AND PARTICIPATION** - The LGU shall ensure the enhancement of public awareness on the need for the protection of the coastal environment and the conservation and management of coastal and fishery resources. It shall also promote and ensure participation of the communities in the policy- making, decision- making and management processes. Towards this end, the LGU shall subject policy recommendations, proposed ordinances, plans and programs related to fisheries and coastal resources to consultations with municipal fisherfolk communities and other stakeholders. Such public consultations shall be of record and readily available to the public.

Section 15. **RECOGNITION OF SCIENTIFIC AND TECHNICAL BASES, OF TRADITIONAL/LOCAL AND CRITICAL KNOWLEDGE AND TECHNOLOGIES** – The LGU shall ensure that responsible fishery activities, projects and programs recognize the usefulness of, and, when possible, seek available sound scientific and technical bases in order to assist coastal and fishery managers, the people and other interested groups in making decisions and actions.

The LGU shall recognize traditional/local fisheries knowledge and technologies, in particular those applied to small- scale fisheries, in order to encourage their proper application to sustainable coastal and fishery resource conservation, management and development.

Section 16. **ARTIFICIAL REEFS AND OTHER FISH AGGREGATING DEVICES (FADS)** - The construction, installation and deployment of artificial reefs and other fish aggregating devices in the municipal waters shall be subject to existing laws, rules and regulations, and shall not

unduly affect the sustained productivity nor decrease the biodiversity of the natural environment through their use or misuse. *Provided, however,* that before the artificial reef and other aggregating devices are installed and/or constructed in the municipal waters, there should be an assessment of the proposed site, a monitoring program and management plan. *Provided further,* that artificial reefs and other fish aggregating devices shall not be installed within one kilometre distance from coral reefs. The LGU, through the CRM office, shall seek advice from fishery experts regarding the construction/deployment of FADS in the municipal waters before any permit to deploy is granted.

Section 17. **ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SYSTEM** - All proposed projects and undertakings by agencies and institutions of the government, including government- owned and controlled corporations, as well as private corporations, firms and entities which may significantly affect the quality of the environment shall be guided by the Environmental Impact Statement (EIS) system. The preparation of the EIS shall form an integral part of the entire planning process. No person, natural or juridical, shall undertake any development project without first securing an Environmental Compliance Certificate (ECC) from the concerned agency of the government as provided by law. The LGU and its officials shall not issue a Mayor's permit to any development project without an ECC.

Section 18. **PROTECTION OF RARE, THREATENED AND ENDANGERED SPECIES** - The LGU shall undertake conservation and rehabilitation measures to protect rare, threatened or endangered species as may be determined by agencies concerned, and shall prohibit fishing and taking of rare, threatened or endangered species including their eggs and young, and reproducing individuals as identified by existing national and international laws. The CRM office shall have a list of endangered species for use in public awareness of the different fishing communities of the municipality.

Section 19. **PROTECTION OF SPAWNERS OR BREEDERS** - The LGU shall ensure that breeders of any fish and shellfish will be protected. Fishing or taking of breeders of any economically important fish, shellfish and other aquatic resources as determined by MFARMC shall be strictly regulated. The list of endangered species shall also include list of economically important breeders.

Section 20. **SUPPORT TO MUNICIPAL FISHERIES** - The LGU, in coordination with other agencies and institutions concerned, shall provide support to fishing communities and their organizations through appropriate technology and research, credit, production, post- harvest and making assistance and other services such as, but not limited to, training for additional or supplementary livelihood coastal and aquatic resource management and family planning and responsible parenthood. The CRM office of the LGU shall develop a program for livelihood, social services and other areas of support for the fisherfolk.

Section 21. **MONITORING, CONTROL AND ENFORCEMENT** – The LGU in consultation with the A7 for ICZM, MFARMC and other agencies and institutions, shall establish effective mechanisms and guidelines for monitoring of resources and water quality, control and enforcement to ensure compliance with policies, programs and projects on conservation and protection. *Provided*, that such mechanisms and guidelines shall be subjected to periodic review by a body formed by the LGU for the purpose.

**ARTICLE III**  
**EXCLUSIVE FISHERY PRIVILEGES**

Section 22. **GRANT OF EXCLUSIVE FISHERY PRIVILEGES IN MUNICIPAL WATERS** - The Sangguniang Bayan may grant exclusive fishery privileges such as, but not limited to, the erection of fish corrals, oyster, mussel or aquatic beds or bangus fry areas in designated areas in the municipal waters, pursuant to Section 149 of the Local Government Code of 1991. *Provided, however*, that such privileges does not run counter to the coastal zoning of the municipal waters and other policies set by the LGU. *Provided further*, that pursuant to Section 53 of R.A. 8550, as amended by R.A. 10654, no new concessions, licenses, permits, leases and similar privileges for the establishment or operation of fisheries in the municipal areas shall be granted except to municipal fisherfolk and their organizations from the alliance of Seven (7) municipalities.

Section 23. **PREFERENCE IN THE GRANTING OF EXCLUSIVE FISHERY PRIVILEGES IN MUNICIPAL WATERS** - Preference shall be given to duly registered and accredited organizations, cooperatives and people’s organizations of marginal fishermen of the A7 community pursuant to Paragraph (b) (1), Section 149 of R.A. 7160. *Provided, however*, that privilege to gather, take or catch *bangus* fry, prawn fry or *kawag-kawag*, *crablets*, *kuyog* or fry of other species and fish from municipal waters by nets, traps or other fishing gears by marginal fishermen shall be free of any rental, fee, charge or any other imposition whatever, pursuant to Paragraph (b) (2), Section 149 of R.A. 7160.

Section 24. **PROCEDURE IN THE GRANTING OF EXCLUSIVE FISHERY PRIVILEGES** - The LGU shall observe the following procedure in the granting of exclusive fishery privileges:

1. The *Sangguniang Bayan*, in consultation with existing institutions and organizations including the MFARMC, shall determine by ordinance the fees for the exclusive fishery privilege being applied for:
  - a. The fees to be collected shall be based on the evaluation of the resources and other acceptable standards of valuation advantageous to the municipality.



- b. Consultations shall be conducted at venues near the area applied for proof of the consultation shall be made part of the requirement.
    - c. Brgy. Clearance/Certification that no barangay development plan in the area that is being applied for;
    - d. Certificate of Inspection from the Office of the Municipal Agricultural Services or MENRO in the area that is being applied for.
2. The *Sangguniang Bayan*, in consultation with existing institutions and organizations including the A7 for ICZM and MFARMC, shall draw up ecologically sound criteria for the fishery activity and for the selection of the organizations or cooperatives that shall be granted exclusive fishery privileges;
  - a. In the case of failure of bidding or in the absence of an interested bidder, after notice of the LGU may enter into a negotiated bid.
  - b. In the case that the grantee fails to comply with requirements of the grant, the municipal government may cancel the exclusive fishery privilege.
3. The *Sangguniang Bayan* shall post in the municipal hall and two other strategic places within the municipality a notice to fisherfolk organizations or cooperatives to apply for the privilege and provide formal written notices to registered organizations/cooperatives. The same notice shall be posted in at least two strategic places in every fishing barangay and announced in a local radio station once a week for four consecutive weeks;
4. Interested parties shall be given forty-five (45) days from the posting of the notice to signify their intention to the *Sangguniang Bayan* to avail of the exclusive fishery privilege:
  - a. All interested parties shall write a letter signifying their intention to avail of the privileges.
  - b. The *Sangguniang Bayan* shall post a list of the interested parties in strategic areas including fish ports, market, town plaza, the SB municipal hall.
5. Should two or more fisherfolk groups signify their intent to avail of the privilege, the *Sangguniang Bayan* shall accommodate them, if possible;
6. The *Sangguniang Bayan*, through a resolution, shall award the grant to the selected fisherfolk organization or cooperative;
7. The grantee organization/cooperative shall enter into a written agreement with the LGU pertaining to the exclusive fishery privilege. The grantee shall

provide a report detailing its financial status, development plan and production (catch, harvest, etc.) to the CRM office.

#### **ARTICLE IV FISH CORRALS, CAGES AND PENS**

**Section 25. CONSTRUCTION AND OPERATION OF FISH CORRALS THROUGH THE GRANT OF EXCLUSIVE FISHERY PRIVILEGES** - The LGU shall designate sub- zones as areas for the establishment and operation in the municipal waters through the grant of exclusive fishery privilege through bidding *in case there are two or more parties interested in the area or location*. Provided, that the distance from one fish corral to another of different owners shall be 200 meters and 50 meters from each other if both are of the same owner. Provided, further, that no fish corral shall be constructed in areas within 50 meter distance from the shoreline during the lowest tide and in navigation areas and channels.

**Section 26. NON- OPERATION OF FISH CAGES, PENS AND CORRALS** - Non- operation of fish cage, pens and corrals for a period of six (6) months shall be subjected to the cancellation of permit and award the same to interested party. Licensee shall deposit the amount of Five Hundred Pesos (Php 500.00) for the eventual dismantling of the structures in case of non- operation within a period of six (6) months. Should the licensee opts to dismantle and removed the structures himself, the deposited amount shall be returned to him.

#### **ARTICLE V MARINE PROTECTED AREA (MPA)**

**Section 27. ESTABLISHMENT AND MANAGEMENT OF MARINE PROTECTED AREA** - The LGU shall henceforth declare portions of the Municipal Waters as Marine Protected Area (MPA). Appropriate Zoning of the Municipal Waters shall be done immediately in consultation with the stakeholders and in coordination with Technical Groups. The Zoning of the Municipal Waters shall take into consideration appropriate use of the resources to ensure sustainability of the fisheries. It shall also consider the socio – economic status of the fisherfolk. Provided, that existing Marine Sanctuaries shall be retained.

**Section 28.** The management of each specific Marine Sanctuary however shall be the responsibility of the LGU concerned or the management body established for the purpose. *Provided, however, that a Memorandum of Agreement shall be executed between the LGU, Barangay Council concerned and the People's Organization for effective and sustainable management.*

**ARTICLE VI**  
**MANAGEMENT OF THE GATHERING OF FISH FRY AND OTHER AQUATIC JUVENILES**

Section 29. **DESIGNATED GATHERING AREAS FOR FISH FRY AND OTHER AQUATIC JUVENILES** - The LGU shall designate gathering and collecting areas for fish fry and other juveniles.

Section 30. **RESERVED AREA FOR FISH FRY AND OTHER AQUATIC JUVENILES** - A reserved area where no fry gathering will be allowed at any time will be designated by the LGU for sustainable supply of fish fry and other aquatic juveniles.

Section 31. **USE OF APPROPRIATE GATHERING METHODS FOR FISH FRY AND OTHER AQUATIC JUVENILES** - The LGU shall determine appropriate technologies for the gathering of fish fry and juvenile in designated areas and shall promote the use of said technologies where applicable.

**ARTICLE VII**  
**ECO – TOURISM MANAGEMENT**

Section 32. **FORMULATION OF MUNICIPAL TOURISM DEVELOPMENT** - The municipal government, through the Municipal Tourism Development Council, shall formulate a Municipal Tourism Development Plan, taking into consideration the zonation of the municipal waters as provided for in Section 7 hereof. Such Municipal Tourism Development Plan shall provide for the requirements for the establishment and operation of tourism facilities within the municipality, in addition to the zonation of the municipal waters, environmental health, sustainable development, and equitable access to resources among the municipal fisherfolk.

Section 33. **NON – ESTABLISHMENT OF PERMANENT AND SEMI- PERMANENT STRUCTURES IN FORESHORE LAND** - No permanent or semi- permanent structure shall be established within the foreshore land without the necessary permit(s) from the concerned agencies. All structures so constructed shall be removed by the ones who constructed them, or caused their construction, otherwise this will be done for them at their expense within two (2) months from the effectivity of this ordinance.

Section 34. **ALTERATION OF SEASCAPE** - No alteration of the coastal shoreline shall be allowed by the municipality, such as but not limited to, importation or extraction of sand, extraction of seagrass, and construction of seawalls or riprap without proper consultation with technical working group of PAMB and compliance of the required ECC.

**ARTICLE VIII**  
**MANAGEMENT OF COASTAL AQUACULTURE**

Section 35. **PROMOTION OF AQUACULTURE** - The LGU shall consider aquaculture, including culture – based fisheries, as a means to promote diversification of income and preservation and conservation of coastal and fishery resources. *Provided, however,* that the municipality shall ensure that resources are used responsibly and adverse impacts on the environment and on local communities are minimized. *Provided, further,* that the municipal government shall ensure that the livelihood of the people and their access to fishing grounds are not adversely affected. *Provided, still further,* that the municipal government shall establish effective procedures to undertake appropriate environmental assessment, monitoring and mitigation with the aim of minimizing adverse ecological changes and related economic and social consequences resulting from water extraction, discharge of effluents, use of drugs and chemicals, and other aquaculture activities. The practice of aquaculture shall be in conformity with the Code of Practice for Aquaculture as provided by BFAR. *Provided, finally that* large corporations and companies that setup aquaculture ventures must present development plans that include the undertaking of Hatchery support in order to conserve and maintain fish stocks in the wild.

Section 36. **NON- DISPOSITION OF PUBLIC LANDS FOR FISHERY PURPOSES** - Public lands such as tidal swamps, mangroves, marches, foreshore lands and ponds shall not be disposed or alienated for any purpose.

Section 37. **QUALIFICATIONS OF APPLICANTS TO CONSTRUCT AND OPERATE AQUACULTURE ACTIVITIES** - The following are the minimum qualifications of any applicant who wishes to secure a permit or lease to construct and operate any aquaculture activity in the municipal waters:

1. A bona fide\_ resident of the municipality or of the A7 member municipalities, of legal age, and a registered voter of the municipality; and/or
2. An accredited fisherfolk organization, local investor(s) or any other organization wherein at least sixty (60) percent of its members are residents of the municipality or of the A7 municipalities and licensed fisherfolk.
3. For corporations, foreign investor(s), at least sixty (60) percent of the capital stock belongs to Filipino citizens.

Section 38. **DESIGNATED AREAS FOR AQUACULTURE AND MARICULTURE** - The LGU in consultation with concerned agencies shall designate sub- zones of Coastal **Zone 3** as areas for the establishment and operation of fish pens/fish cages, seaweed farms and sea ranches

and develop guidelines for the granting of permits and the terms and conditions governing said permits such as maximum area, number of units, distance between units, etc.

*Provided, however,* that no fish pens/fish cages, seaweed farms and sea ranches shall be allowed outside of the designated areas within **Zone 3**, except for scientific, technological and educational purposes. *Provided, further,* that the establishment, operation and management of aquaculture/mariculture structures shall not exceed the carrying capacity of the area.

**Section 39. DISTANCE FROM THE SHORELINE** - No fish pen, fish corrals, fish cage and culture of other aquatic organisms shall be constructed within fifty (50) metres from the lowest tide mark except in cove areas. *Provided, however,* that no fish pen, fish corrals, fish cage, and culture of other aquatic organisms shall also be constructed in designated navigation route and eco- tourism sites. *Provided, further,* that no fish pen, fish corrals, fish cage, and culture of other aquatic organisms shall also be constructed in front of any wharf; *Provided, finally,* that violators of this section will be required to demolish their fish pen, fish corrals, fish cage, and culture of other aquatic organisms at their own expense.

**Section 40. STOCKING DENSITY** - An ecologically and economically optimum stocking density for fish pen and fish cage operation including feeding regimes should be observed by the operators. Stocking density should not exceed standards set by BFAR to prevent water quality degradation and subsequent fish kills.

**Section 41. PERMIT AND ANNUAL FEES** - Any person or entity who wishes to construct and operate a fish pen, fish corrals, fish cage, and culture of other aquatic organisms within the designated area in **Zone 3** shall pay the required fees fixed by the *Sangguniang Bayan*; *Provided, however,* that permit to construct and operate a fish pen or fish cage shall be for a period of one (1) year renewable every year.

**Section 42. LIMITATIONS ON THE GRANTING OF PERMITS TO CONSTRUCT AND OPERATE FISH PENS, FISH CAGES AND CULTURE OF OTHER AQUATIC ORGANISMS** - The following limitations shall be strictly followed:

1. The area for fish pen, fish corrals, fish cage, and culture of other aquatic organisms shall not be subleased in whole or in part. However, the permittee, licensee or lessee may enter into a joint venture agreement, a management contract, or a profit- sharing agreement with a resident of the municipality or of the **A7** community; *Provided, however,* that the municipal government is notified of such agreement;
2. The use of dummies shall be sufficient cause for the disqualification of an applicant from obtaining such permit or renewal.

**Section 43. GROUNDS FOR THE REJECTION OF APPLICATIONS/RENEWALS OF PERMIT TO CONSTRUCT AND OPERATE FISH PENS, FISH CAGES AND CULTURE OF OTHER AQUATIC ORGANISMS** - The following are the grounds for rejection of an application for and non-renewal of a permit to construct and operate fish pen and fish cage:

1. Fraudulent, false and misleading statements in the application;
2. Failure to pay the prescribed application fees and to fulfil other requirements;
3. Failure to comply with the conditions of the contract with the municipal government; and
4. When public welfare so requires as deemed by the municipal government.

**Section 44. GROUNDS FOR THE CANCELLATION OF PERMIT TO CONSTRUCT AND PERMIT FISH PENS, FISH CAGES AND CULTURE OF OTHER AQUATIC ORGANISMS** - The following are the grounds for the cancellation of a permit to construct a fish pen, fish corrals, fish cage, and culture of other aquatic organisms:

1. Fraudulent, false and misleading statements in the application;
2. Failure to comply with the provisions of existing national laws and local ordinances;
3. Construction and operation of fish pen or fish cage outside of the designated area;
4. Failure to pay the necessary fees and other surcharges relative thereto;
5. Non- operation of fish pen or fish cage within 90 days from the date of issuance of the permit to construct and operate;
6. Failure to comply with the conditions of the contract with the municipal government; and
7. When public welfare so requires as deemed by the municipal government.

*Provided, however,* that a voluntary written request for the cancellation of the permit by the licensee is sufficient for the cancellation of a permit without prejudice to the performance of obligations obtaining during the cancellation of the permit or that may arise from the permit.

Abandoned fish pens can be leased to new applicants by the municipal government in consultation with the barangay council from which the licensee obtained clearance.

**Section 45. REGISTRATION OF FISH HATCHERIES AND PRIVATE FISH PONDS** - All fish hatcheries, fish breeding facilities and private fish ponds shall be registered with the

municipal government where the structure will be constructed. The fees and minimum standards shall be prescribed by the Sangguniang Bayan.

Section 46. **MONITORING OF FISH PRODUCTION** - The LGU through its CRM office shall formulate a monitoring mechanism to determine and optimize fish production in the municipal waters.

Section 47. **MAINTENANCE OF WATER QUALITY AND CLEANLINESS** - The LGU through its CRM office and Solid Waste Management Council shall monitor water quality and require the operators, owners and caretakers of fish pens, fish cages and other aquaculture activities to maintain the quality of the water at the optimal level relative to natural productivity and the cleanliness of the areas devoted for aquaculture development.

The operators, owners and caretakers of fish pens, fish cages and other aquaculture activities shall develop mechanisms for proper waste disposal. Violation of this section may be ground for cancellation of the permit to operate fish pens, fish cages and other aquaculture activities.

#### **ARTICLE IX MANAGEMENT OF SPECIES**

Section 48. **REGULATION OF GEARS** - The municipal government shall regulate the construction and operation of fishing gears based on sound ecological practices and as provided in R.A. 8550. A grantee/permittee for such gear should submit records of catch volume to the CRM office annually. This should be stipulated in the fishery privilege contract.

Section 49. **RESERVED AREA FOR ENDANGERED SPECIES** - A reserved area for endangered or threatened species as listed in the CITES shall be designated by the municipal government where NO gathering by any means shall be allowed at any time.

#### **ARTICLE X MANAGEMENT OF GLEANING AREAS**

Section 50. **REGULATING THE GATHERING OF SHELLS AND OTHER MOLLUSKS** - The municipal government shall designate gathering, collection and reservation areas for shells and other mollusks. Collection and gathering shall be regulated and strict compliance will be required.

Section 51. **RECOGNITION OF WOMEN'S ROLE IN THE MANAGEMENT OF GLEANING AREAS** - The municipal government shall consult and work with fisherwomen's

groups/organizations in the designation and management of gleaning areas. *Provided that*, the municipal government will ensure the provision of necessary support and trainings.

**ARTICLE XI**  
**MANAGEMENT OF MANGROVES AND SEAGRASSES**

Section 52. **BAN ON MANGROVE CONVERSION** - All existing natural stand of mangrove forest within the municipality are declared as reserved/protected areas. The cutting of mangrove forest within the municipality declared as reserved/protected areas and conversion of mangrove areas into fishpond shall be prohibited.

Section 53. **MANAGEMENT OF MANGROVES** - The municipal government, through the CRMO, in coordination with the MFARMC and the people and their organizations in the adjacent barangays where mangroves are located shall promote the proper management of mangrove areas in the municipality. *Provided, however*, that the municipal government shall develop a program that will promote and ensure community stewardship of existing mangrove areas.

Section 54. **IMMEDIATE RESTORATION OF CONVERTED MANGROVES** - The municipal government, in coordination with the MFARMC and the people and their organizations in the adjacent barangays where mangroves are located and other concerned agencies, shall immediately take steps for the restoration of all abandoned, undeveloped or underutilized fishponds to their original state.

Section 55. **COMMUNITY – BASED MANGROVE MANAGEMENT** - The municipal government, in coordination with DENR, existing organizations and institutions, including the MFARMC, based in the locality, shall identify suitable areas for and undertake mangrove reforestation. When appropriate and subject to existing laws, rules and regulations, and government programs and projects, the municipal government, in coordination with proper government agencies, shall assist communities and community members to obtain the best arrangements possible with regard to their access to the resources in the mangrove areas they reforest, such as, Community-Based Forest Management Agreement under the CBFM Program of the DENR. The CRM Officer shall develop a program for the management of mangrove in the municipality. *Provided, however*, that all reforestation and or mangrove management program shall be strictly science based.

Section 56. **MANGROVE - FRIENDLY TECHNOLOGIES** - The municipal government shall promote and support the use of mangrove- friendly technologies to encourage the active participation of communities in mangrove management.



Section 57. **PROTECTION OF SEAGRASSES** - The municipal government, in coordination with the MFARMC and people in the barangays and their organizations, shall ensure protection of seagrasses in the municipal waters; *Provided, however,* that the municipal government shall regulate the use of fishing gears and other human activities that may adversely affect the seagrass. The municipal government in coordination with the POs and NGOs will identify suitable areas for seagrass conservation. Planting of mangroves in the seagrass beds shall be prohibited.

## **ARTICLE XII PREVENTION OF AQUATIC POLLUTION**

Section 58. **COASTAL/AQUATIC POLLUTION** - All activities in the grounds or waters, directly or indirectly, which result or likely to result in such deleterious effect which harm living and non- living aquatic resources, are hazards to human health, hindrance to coastal or fishery activities such as fishing and navigation, including dumping/disposal of waste and other marine litter shall be prohibited. *Provided,* that in case of failure to do so, the person having violated shall be liable to undertake containment, removal and clean- up operations, or otherwise be fined by the municipal government in coordination with other agencies accordingly. In all cases, prevention of pollution shall be considered the best strategy.

Section 59. **PEOPLE'S PARTICIPATION IN WASTE MANAGEMENT** - The municipal government in coordination with the different people's organization and cooperatives, agencies and institutions concerned shall conduct continuous education on proper management of solid and liquid wastes. *Provided, however,* that the municipal government shall designate appropriate/specific solid waste disposal site. *Provided, further,* that all laws and regulations on waste disposal and pollution control shall be strictly enforced.

Section 60. **ROLE OF BARANGAYS IN WASTE MANAGEMENT** - Each barangay shall formulate a Barangay Solid Waste Management Plan. The municipal government in coordination with the barangays shall provide measures to facilitate collection, transportation, processing and disposal of wastes. Wherever feasible, every household is encouraged to maintain a viable waste management scheme.

## **ARTICLE XIII NAVIGATION**

Section 61. **NAVIGATIONAL ROUTE** - The municipal government, in consultation with the MFARMC, shall designate the navigational routes of ferries and other fishing crafts and shall disallow any activity that shall obstruct the designated navigational route.

Section 62. **PORT AND HARBOR CONSTRUCTION AND DEVELOPMENT** - Port development shall be located and designed in a manner that will minimize changes to existing water and sediment quality parameters such as salinity and temperature, dissolved oxygen, nitrogen and sediment concentration, organic constituents, and transparency of waters. *Provided, however,* that ports and harbors shall be placed in areas with the highest available flushing rate, and access channels shall be designed to minimize adverse water circulation changes and creation of stagnant water column. *Provided, further,* that ports and harbors shall incorporate facilities which allow for effective waste disposal and erosion control.

Section 63. **FERRY OPERATIONS** - Ferry operations shall be subject to regulation by the municipal government, subject to existing rules and regulations on safety and public transportation standards. *Provided, however,* that within 60 days from the enactment of this ordinance, the municipal government shall issue implementing rules and regulations for the purpose.

#### **ARTICLE XIV POST – HARVEST FACILITIES, ACTIVITIES AND TRADES**

Section 64. **ESTABLISHMENT OF POST - HARVEST FACILITIES** - The municipal government shall coordinate with the private sector and other concerned agencies and MFARMC in the establishment of post – harvest facilities such as, but not limited to, municipal fishing land sites, fish ports, ice plants and cold storage and other fish processing establishment to serve primarily the needs of the municipality. *Provided, however,* that such post-harvest facilities shall be consistent with the Comprehensive Post-Harvest and Ancillary Industries Plan.

Section 65. **EXPORTATION AND IMPORTATION OF FISH AND FISHERY PRODUCTS** - Export of fish and fishery products shall be regulated whenever such exportation affects the food security and production. *Provided, however,* that exportation of live fish shall be prohibited except those which are hatched or cultured in accredited hatcheries and ponds; *Provided, further,* that to protect and maintain the local biodiversity or ensure the sufficiency of supply of breeders, eggs and fry of bangus, prawn and other endemic species, as may be determined by the Department, shall not be exported or caused to be exported by any person.

No person shall import fish and fish products of whatever size, stage or form, for any purpose without securing the necessary permit from the Department.

Section 66. **AUXILIARY INVOICE** - All fish and fishery products must have an auxiliary invoice to be issued by duly designated municipal personnel for their transport from the point of origin to their point of destination in the Philippines and/or export purposes upon payment

of the prescribed fee to defray administrative costs therefore. *Provided*, that fish and fishery products caught or otherwise obtained in violation of provisions of national laws, rules and regulations, and this ordinance, or are declared as health hazards by concerned institutions, shall not be issued auxiliary invoices nor allowed to be transported.

Section 67. **MONITORING OF IMPORTED FISH IN WET MARKETS** - The CRM Office shall monitor the entry and the distribution of imported fish in wet markets.

**ARTICLE XV**  
**OTHER FISHING METHODS NOT ALLOWED IN THE MUNICIPAL WATERS**

Section 68. **GATHERING OF TROPICAL/AQUARIUM FISH** - Tropical/aquarium fish are generally attractive to tourists who like to snorkel and scuba dive in reef areas. Gathering them for trade as aquarium animals would mean disappearance of these species in our coral reefs that is against the efforts of the LGUs for Ecotourism. Gathering of aquarium/tropical fish is hereby banned in the municipal waters.

Section 69. **USE OF COMPRESSOR AS AN ACCESSORY IN FISHING** - Use of industrial compressor as a breathing apparatus is very hazardous to the health of our fishermen as the air filter system is not designed for breathing. It usually results to headache and nausea. Since the diver is directly connected to a hose for breathing, any obstruction of the hose results to directly cutting the air supply to the diver, causing an emergency accent and eventually, decompression sickness, paralysis and even death. The method is very efficient and depletive. The use of compressor in fishing is therefore strictly prohibited in the municipal waters. Its use shall be penalized in accordance with Section 85 hereof.

Section 70. **FISHING IN PAYAO OTHER THAN HOOK AND LINE, TROLL AND JIGGER WITHIN 100 – METER RADIUS IS STRICTLY PROHIBITED** - Fishing in Payao using gears other than hook and line, troll and jig within 100 meters radius is prohibited.

Section 71. **GATHERING AND POSSESSION OF “KUYOG” WITHOUT PERMIT FOR AQUACULTURE** - “*Kuyog*” are juveniles of siganids. Gathering of “*kuyog*” by any means is strictly prohibited in the municipal waters. Possession of “*Kuyog*” shall be construed as gathering and therefore illegal and punishable by law.

Section 72. **GATHERING, SELLING AND POSSESSION OF GRAVID CRABS, LOBSTERS AND SHRIMPS** - Gathering and selling of gravid or berried crabs, lobsters and shrimps are strictly prohibited. Possession of gravid or berried crabs, lobsters and shrimps shall mean gathering and selling and therefore illegal.

Section 73. **GATHERING AND POSSESSION OF ABALONE LESS THAN TWO (2) INCHES SHELL LENGTH EXCEPT FOR AQUACULTURE, EDUCATION AND RESEARCH WITHIN THE MUNICIPAL WATERS** - Abalone at two (2) inches shell length is estimated to have spawned about four (4) times and therefore have produced enough offspring for the next generation. However, gathering and possession of abalone less than two inches in shell length is illegal and punishable by law. *Provided*, that permit shall be granted for research and education purposes.

#### **ARTICLE XVI FISHERY PERMITS AND FEES**

Section 74. **FISHERY LICENSE AND PERMIT** - All individual, cooperatives, partnerships, firms or corporations who are listed in the Registry of Resource Users must secure Permit from the LGU through the Municipal CRM Office before engaging in fishing using particular gear and/or boat or engage in any fisheries activities within the municipal waters; *Provided, however*, that the fishery Permit is non-transferable. *Provided, further*, that the holders agree unconditionally to comply with all laws, orders, policies, and rules and regulations governing fishing. The permittee shall also assume responsibility for any and all of his acts with his fishing operation.

1. The LGU shall enumerate the type of gears allowed in the municipal waters.
2. Before issuance of the permit, applicant shall be required to attend an Ecological Awareness Seminar (EAS) and Orientation on the National and Local Laws, Rules and Regulations.

Section 75. **RENEWAL OF FISHERY LICENSE AND PERMIT** - The Fishery Permit, which should indicate limitations for access and use, shall be renewable annually. The holder shall have sixty (60) days prior to the expiration of the license and permit to renew.

Section 76. **REQUIRED DOCUMENTS** - Applicants for Fishery Permit shall submit the following documents to the Municipal CRM Officer:

1. Duly Accomplished Application Form;
2. Certification of inclusion in the municipal registry of resource users;
3. Certification of membership to an accredited municipal fisherfolk organization, if applicable;
4. Community Residence Certificate (for individual) or Certificate of Registration or Accreditation (for organizations, cooperatives, partnership, firms of corporations);
5. Barangay Clearance;
6. Official Receipt of Payment for Registration;

7. Registration Papers (for motor boats); and
8. Other documents depending on the permit applied for.

Section 77. **SCHEDULE OF PERMIT FEES AND OTHER CHARGES** - Permit for specific fishery activity shall be granted only to licensed individuals, organizations, cooperatives, partnerships and corporations upon payment of corresponding fees in accordance with the rates stipulated in this Fishery Ordinance.

Permit/License (Php/Year)	Schedule of Fees
➤ Use of motorized boats	➤ 25.00/HP
➤ Use of non- motorized boat	➤ 100.00
➤ Construction and Operation of Fish Corrals <ul style="list-style-type: none"> <li>• shallow (Pasabing, skaylab and lambat)</li> <li>• deep</li> </ul>	➤ 500.00/Unit ➤ 1,000.00/Unit
➤ Construction and Operation of Seaweed Culture Farm/ha.	➤ 500.00/ha.
➤ Construction and Operation of Invertebrate Culture Farm/ha.	➤ 800.00/ha.
➤ Construction and Operation of Oyster and Other culture beds /ha.	➤ 800.00/ha.
➤ Construction and Operation of Fish Pen/meter	➤ 20.00/square meter
➤ Construction and Operation of Fish Cage/Unit/Year <ul style="list-style-type: none"> <li>• 12m x 12m with minimum carrying capacity of 10, 000 fingerlings</li> <li>• 15m x 15m with 20, 000 fingerlings</li> <li>• 18m x 18m with 30, 000 or more fingerlings</li> </ul>	➤ 2, 500.00/unit ➤ 4, 000/unit ➤ 8, 000/unit
➤ Permit fee for berthing/anchorage <ul style="list-style-type: none"> <li>• For vessels/boats of 3- 10 GT</li> <li>• For vessels/boats of more than 10 GT</li> </ul>	➤ 500.00/day ➤ 1,000.00/day

(The LGU, through the *Sangguniang Bayan*, may impose additional fees to fishing gears and other fishing operations which are not stated above).

Section 78. **COASTAL ENVIRONMENTAL CONSERVATION FEE** - An environmental conservation fee equivalent to 0.5 percent of the gross income of business establishments that use coastal and aquatic resources shall be collected. Such fund shall go to the Coastal

Resource Management Fund (CRMF) and shall be used solely for the conservation, management and development of the coastal and aquatic resources of the municipality.

Section 79. **GRATUITOUS PERMIT** - The LGU may issue gratuitous permit to government agencies, educational and research institutions to occupy, produce, culture, capture or gather fish of any species and other fishery products in the municipal waters for scientific or educational purposes, subject to the terms and conditions as may be imposed. *Provided*, that the permittee shall have secured the required permits from national agencies.

Section 80. **UTILIZATION OF ADMINISTRATIVE FINES** - Fifty (50) percent of all fines collected shall be given to the apprehending team, municipal or A7 enforcement team, as incentive and fifty (50) percent to the CRMO of the LGU.

## **ARTICLE XVII**

### **CREATION OF THE MUNICIPAL COASTAL RESOURCE MANAGEMENT (CRM) OFFICE**

Section 81. **CREATION OF THE COASTAL RESOURCE MANAGEMENT (CRM) OFFICE** - There is hereby created a Coastal Resource Management Office, solely for the purpose of attending to the coastal and aquatic resources concerns of the communities.

Section 82. **FUNCTIONS, DUTIES AND POWERS OF THE CRM OFFICER** - The CRM Officer shall have the following functions, duties and powers:

1. Formulate measures for the approval of the Municipal Mayor and the Sangguniang Bayan, as the case may be, to ensure the delivery of basic services and provisions for adequate facilities relative to coastal and fishery resource management;
2. Develop plans and strategies for the approval thereof by the Municipal Mayor and the Sangguniang Bayan, as the case may be, implement the same, particularly those which have to do with coastal resource management and fisheries programs and projects;
3. Extend technical assistance and ensure equitable access to municipal coastal and aquatic resources of municipal fisherfolk in the context of sustainable management and use of coastal and aquatic resources;
4. Enforce laws, administrative orders, rules and regulations, and ordinances relating to coastal resources and fisheries management;
5. Coordinate with government agencies, non- government organizations and people's organizations that seek to promote sustainable management of coastal and aquatic resources;

6. Be in the frontline of the delivery of the basic services, particularly those needed for the survival of the inhabitants during and in the aftermath of man-made and natural disasters and calamities;
7. Recommend to the Sangguniang Bayan and advise the Municipal Mayor, as the case may be, on all other matters related to coastal and aquatic resources to ensure the improvement of livelihood and living conditions of the inhabitants; and
8. Exercise such other powers and perform such other duties and functions as may be prescribed by law, rules and regulations, and ordinances, or as assigned by the Municipal Mayor.

**Section 83. QUALIFICATIONS OF THE MUNICIPAL CRM OFFICER** - No person shall be appointed Municipal CRM Officer unless he is a citizen of the Philippines, a resident of the municipality, of good moral character, holder of a college degree from a recognized college or university with extensive and actual experience in fishery management, and first grade civil service eligible or its equivalent.

#### **ARTICLE XVIII PROHIBITIONS AND PENALTIES**

**Section 84. COMPLIANCE WITH NATIONAL LAWS** - The LGU notes its support and application of existing national laws, orders, rules and regulations such as, but not limited to, R.A. 8550, as amended by R.A. 10654, and R.A. 7160, especially with regard to their penalties. The following are prohibited in the municipal waters:

1. **FISHING WITHOUT LICENSE AND PERMIT** – No person shall occupy, produce, breed, culture, capture or gather in the municipal waters without a license and permit. Violators of this section shall be penalized and prosecuted under the Republic Act No. 8550, and other relevant national laws.
2. **COMMERCIAL FISHING IN THE MUNICIPAL WATERS** – It shall also be unlawful for any commercial fishing vessel to fish within the municipal waters, as it is defined in this Ordinance and in Republic Act No. 8550 and other relevant national laws.
3. **ILLEGAL CONSTRUCTION AND OPERATION OF FISH CORRALS, FISH PENS, FISH CAGES AND SIMILAR STRUCTURES** – It shall be unlawful to construct and operate fish corral, fish pen, fish cage and other similar structure without permit and/or outside of the designated areas. Violators of this section shall be penalized under existing laws.

**Section 85. OTHER FISHING METHODS AND PRACTICES PROHIBITED WITHIN THE MUNICIPAL WATERS IN ADDITION TO THE EXISTING NATIONAL LAWS (R.A. 8550, R.A. 7160, etc.)**

1. Ban in the gathering of tropical/aquarium fish.
2. Ban in the use of compressor as breathing apparatus – The presence of a compressor and accessories in a fishing vessel whether within the municipal waters or docked ashore is sufficient ground for confiscation of the same and other fishing paraphernalia. The use of compressor for non-fishing activities as an exemption shall be provided in the IRR.
3. Fishing in *Payao* within 100 meters radius is prohibited except, hook and line (*pangawil*), troll (*pagsubid*), jig (*bundak*). It is also unlawful to fish in *payao* within 100 meters radius without prior permit from the registered owner of the *Payao*.
4. Gathering of “*Kuyog*” – It shall be unlawful to gather and possess “*Kuyog*” except with permit issued by concerned LGU which is intended for aquaculture and educational purposes.
5. Gathering, selling and possession of gravid crabs, lobsters, slipper lobsters and shrimps are prohibited.
6. Gathering, selling and possession of abalone less than two (2) inches shell length.
7. Gathering, selling and possession of mangrove crabs less than 400 grams.
8. Gathering, selling and possession of blue swimming crab with carapace length of 4.5 inches and below.
9. Gathering of sea cucumber using rake-like device.
10. Gathering of sea cucumber (*Kigo*) not less than 320 grams
11. Catching, gathering and possession of gravid Siganid (*Hamul-od, Manlalara, Danggit, Liliko-an and Kitong*) during closed season from the months of February to May.
12. Fishing in Fish Sanctuaries/Marine Protected Areas.
13. Use of multiple layered net, commercial fishing using bag net (*lawagan*) and superlight.
14. Use of fishing light attractor more than 500 watts.
15. Fishing with explosives (blast fishing).
16. Fishing with noxious and poisonous substances/materials.

Section 86. **PENALTIES.** Violations of any of the provisions in this ordinance shall be penalized by a fine of Two Thousand Five Hundred Pesos (PhP2,500.00) for every person per violation committed or imprisonment of not more than six (6) months or both fine and imprisonment upon the discretion of the court except those specially penalized in the National Laws (i.e. R.A. 7150 in relation to R.A. 8550, as amended by R.A. 10654).



Provided that for item 15 and 16 of section 85 hereof, the penalties

A) Environmental damage due to illegal fishing and other activities shall be imposed based on accepted resource evaluation.

B) **AUTHORITY TO COLLECT FINES AND IMPOSE PENALTIES**

The LGU, through its authorized representative, is authorized to collect administrative fine from any violator and impose penalties for violations of this ordinance within the municipal waters. That all fines and penalties shall be properly receipted through the Municipal Treasurer or his authorized representative.

The Mayor or his/her authorized representative is hereby authorized to enter into an extra- judicial or out-of-court settlement of any offense involving violation of any provision of this ordinance, subject however, to the following conditions:

1. That the offense does not involve fraud.
2. That the offender shall voluntarily offer his interest to enter into a compromise provided that he shall pay a compromise settlement fee in the amount equivalent to the maximum fee imposed to the specific provision being violated under pertinent laws and ordinances including but not limited to R.A. 8550 as amended by R.A. 10654.
3. That the confiscation of the catch, fishing gears and paraphernalia including the violation of Sec. 69, Sec. 85 (par. 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16) hereof shall be imposed on first offense violation. *Provided*, that the penalty of impoundment of fishing vessel shall be imposed on second offense violation. *Provided further*, that in items 15 and 16 of Section 85 hereof shall not preclude the imposition of penalties under the national law.

Fifty (50) percent of the fine collected by the LGU shall be given to the law enforcement team who apprehended the violator that pays the fine. This amount shall serve as an incentive to the law enforcement team which could only be drawn by the Office of Municipal Agricultural Officer, MENRO or CRM Officer enforcing fishery laws.

#### **ARTICLE XIX LAW ENFORCEMENT**

Section 87. **WHO SHALL ENFORCE THIS ORDINANCE, OTHER LAWS, RULES AND REGULATIONS** - The Philippine National Police, the Philippine Coast Guard, the Law Enforcement of the DENR – CENRO PASu, the DA – BFAR, the Bantay Dagat/ Kalikasan Task

Force of the municipality, the BANTAY Dagat/ Kalikasan Task Force of the A7 for ICZM, deputized fish wardens and the Barangay Officials/*Tanod/Blue Brigade* are hereby authorized to enforce this ordinance and other fishery laws, rules and regulations.

The Municipal Mayor or DA – BFAR may deputize in writing the Bantay Dagat/*Kalikasan* Task Force or other persons to act and enforce the provisions of this ordinance, other laws, rules and regulations within the jurisdiction of the municipality or of the A7 for IZCM.

Anyone of the above persons and entities is authorized to file administrative cases before the proper agencies and bodies, enter into a compromise settlement or initiate criminal proceedings in accordance with the Rules of Court, for offense committed.

## **ARTICLE XX GENERAL PROVISIONS**

Section 88. **MANDATORY REVIEW** - The LGU shall undertake the mandatory review of this ordinance at least once every three (3) years and as often as it may deem necessary, to ensure that coastal and fisheries policies and guidelines remain responsive to the changing circumstances.

## **ARTICLE XXI TRANSITORY PROVISIONS**

Section 89. **EXISTING FISH PENS AND FISH CAGES** - Fish pens and fish cages existing and operating prior to the effectivity of this Ordinance which are situated outside of the designated area and have no permits shall continue to operate until their contract with the Municipality expires but not exceeding one year. *Provided, however,* that those whose contract have already expired and those whose operations have already stopped prior to the effectivity of this Ordinance are no longer allowed to continue. Operators of these fish pens and fish cages shall be responsible for the demolition of their structures. A moratorium period shall be decided by each municipality provided that it shall not be more than two (2) months.

Section 90. **DESIGNATION OF INTERIM CRM OFFICER** - Pending the creation of the Coastal Resource Management Office by the Municipality, as provided for in this Ordinance, the Municipal Mayor shall designate and Interim CRM Officer to assist the Municipality in the implementation of the Ordinance.

Section 91. **REGISTRATION OF RESOURCE USERS** - Within 90 days from the effectivity of this Ordinance, the Municipal Government shall conduct a registration of all resource users, as provided for in this Ordinance.

**ARTICLE XXII  
FINAL PROVISIONS**

Section 92. **APPROPRIATION** - The sum necessary to effectively carry out the provision of this Ordinance during the first year of its implementation shall be allocated. The budget for subsequent years which shall not be less than the amount of the prior year. Appropriation shall be submitted by the Municipal CRM Office to be included in the Annual Municipal Budget Ordinance.

Section 93. **IMPLEMENTING RULES AND REGULATIONS.** The Local Chief Executive through the appropriate offices shall formulate the Implementing Rules and Regulations (IRR) of this Ordinance within six (6) months of its approval.

Section 94. **REPEALING CLAUSE** - All previous ordinances, executive orders, rules and regulations or parts thereof which are inconsistent with this Ordinance are hereby repealed or modified accordingly.

Section 95. **SEPARABILITY CLAUSE** - If, for any reasons, any part or provision of this Ordinance shall be held unconstitutional or otherwise invalid, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.


Section 96. **EFFECTIVITY CLAUSE** - This Ordinance and the Implementing Rules and Guidelines shall take effect ten (10) days after a copy hereof is posted in a bulletin board at the entrance of and in at least two (2) other conspicuous places of the municipal building and the Ordinance has been published once in a regional or local newspaper of general circulation.


Enacted and Approved: February 2, 2022, at Guiuan, Eastern Samar.

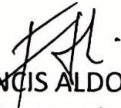
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HON. FLORIANO G. BAGRO, JR.  
SB Member

  
HON. ANTONIA R. CABLAO  
SB Member

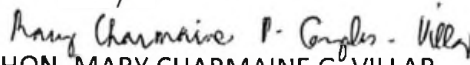
  
HON. CARLITO S. ABRUGAR, JR.  
SB Member

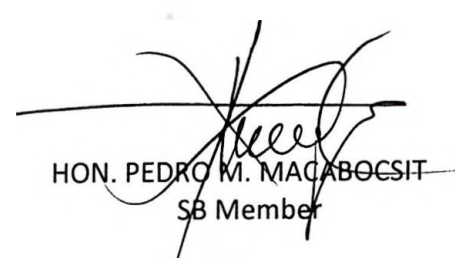
  
HON. ROGELIO O. CABLAO  
SB Member

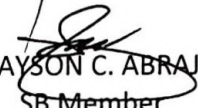
  
HON. FRANCIS ALDOUS B. SISON  
SB Member

  
HON. JOSE ERIC C. CORDERO  
SB Member

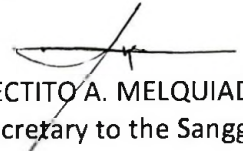
  
HON. MANUEL L. VELASCO  
SB Member

  
HON. MARY CHARMAINE G. VILLAR  
SB Member  
President – Liga ng mga Barangay

  
HON. PEDRO M. MACABOC SIT  
SB Member

  
HON. JAYSON C. ABRAJANO  
SB Member  
President – SK Federation

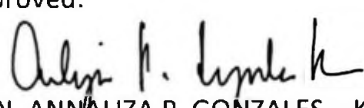
I hereby certify to the correctness of the foregoing Ordinance:

  
RECTITO A. MELQUIADES  
Secretary to the Sangguniang Bayan

Attested by:

  
HON. VERONICA C. RAMIREZ  
Municipal Vice-Mayor & Presiding Officer

Approved:

  
HON. ANNALIZA P. GONZALES – KWAN  
Municipal Mayor