



REPUBLIC OF THE PHILIPPINES
Province of Eastern Samar
MUNICIPALITY OF GUIUAN

- OFFICE OF THE SANGGUNIANG BAYAN -

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE
SANGGUNIANG BAYAN OF GUIUAN, EASTERN SAMAR HELD ON March 24,
2015 AT THE MUNICIPAL SESSION HALL.

PRESENT:

HON. ROGELIO O. CABLAO	Vice-Mayor Presiding Officer
HON. VERONICA C. RAMIREZ	SB Member
HON. CORNELIO CARLO A. SISON	SB Member
HON. MANUEL L. VELASCO	SB Member
HON. DOMINADOR G. CHUA	SB Member
HON. HONORIO Y. ANIANO	SB Member
HON. ANTONIA R. CABLAO	SB Member
HON. MARK POL P. GONZALES	SB Member

ABSENT:

HON. CONSTANCIO A. OPANA	SB Member
HON. FLORO A. GUIMBAOLIBOT	SB Member

Ordinance No. 08, Series of 2015

(Sponsored by: Joint Committee on Ways and Means, Food and Agriculture and
Environment and Natural Resources)

AN ORDINANCE
DECLARING THE VICINITY OF MAYBAY REEF AS FISH SANCTUARY OF THE
MUNICIPALITY OF GUIUAN, EASTERN SAMAR PROVIDING FOR ITS
MANAGEMENT AND FOR OTHER PURPOSES.

WHEREAS, the aftermath of STY Yolanda disturbed most of the existing reefs in
the municipal waters of Guiuan, Eastern Samar;

WHEREAS, the situation of the fishery resources is aggravated by the continued
practice of illegal fishing and use of active gears that impacts on the current state of coral
reef covers;

WHEREAS, the municipality has to adopt certain measures to allow the
regeneration of fish stocks and the preservation of their habitat;

WHEREAS, the underwater assessment of the Maybay Reef and its surrounding
area revealed that corals are still in good condition and appropriate for it to be declared as
Fish Sanctuary;

WHEREAS, the Barangay Council of Brgy. 06 and its constituents including
existing POs in the area and other coastal barangays in the municipality expressed
support for the establishment of a fish sanctuary and fishery reserve at this area during
barangay consultations conducted;

NOW THEREFORE, on motion of Hon. Honorio Y. Aniano, duly seconded by Hon. Mark Pol P. Gonzales;

BE IT ORDAINED by this Sangguniang Bayan in its Session assembled, that –

Section 1. Title. This Ordinance shall be known as “An Ordinance Declaring the Vicinity of Maybay Reef as Fish Sanctuary of the Municipality of Guiuan, Eastern Samar, Providing for its Management and for other Purposes.”

Section 2. Purpose. The Maybay Fish Sanctuary will provide protection for the area and its immediate vicinity, preserve the same and allow the regeneration of depleted fishery resources and the rehabilitation of the degraded reef environment. The area will be protected and preserved to enable it to serve as a critical habitat and a feeding, breeding and spawning area of fish and other resources. By protecting it from disturbance, the fish sanctuary will function as replenishment site for the adjoining fishing ground. The fishery surrounding the fish sanctuary will function as the buffer to the sanctuary.

Section 3. Declaration of Policy. It is hereby declared the policy of the municipality:

1. To manage the coastal and fishery resource of the municipality, in a manner consistent with the principle of coastal resource management;
2. To protect and manage the municipal waters, its coastal and fishery resources for the enjoyment and benefit of the municipal fishers in the future; and
3. To enhance people’s participation in the coastal and fishery resources of the municipality.

Section 4. Objective. The objectives of the fish sanctuary are to regenerate depleted resources, conserve resources, protect the marine habitat and breeding ground for fish and other organism from all forms of fishing and other activities, and support fish population in adjacent area where fishing effort in the immediate and act as buffer to the sanctuary.

Section 5. Definition of Terms. The following terms, as used in this ordinance, shall mean:

1. Fishery Reserve – a designated area where activities are restricted for specific purposes.
2. MFARMC – shall mean Municipal Fisheries and Aquatic Resources Management Council.
3. Municipal Waters – the Municipal Waters of Guiuan, Eastern Samar as defined and determined in the Municipal Fishery Ordinance.
4. People’s Organization – a bona-fide association of citizens with demonstrated capacity to promote the public interest and with identifiable leadership, membership and structure. Its members belong to sector who voluntarily band themselves together to work for and by themselves for their own upliftment, development and greater good.
5. Artificial Reef – any structure of natural or man-made materials placed on a body to serve as shelter and habitat, source of food, breeding place, shoreline protection and deterrence to active fishing gears.
6. Coral – a hard calcareous substance made up of the skeleton of marine coenlenterate polyps, which includes reefs, shelves and atolls or any of the marine coententerate animals living in colonies where their skeletons form a stony mass.

7. Fish Sanctuary – a designated area where fishing or other form of activities, which may be destructive to the ecosystem of the area is prohibited and access may be restricted.

Section 6. Site and Coverage. The Maybay Reef Fish Sanctuary (core area) is that body of marine waters consisting of more or less 50 has., situated in the vicinity of Inatunglan Island and within the jurisdiction of the Municipality of Guiuan, Eastern Samar, and enclosed by imaginary lines drawn and connecting the following points:

Corner	Longitude	Latitude
1	125°42'26.135"	11°01'03.636"
2	125°42'26.540"	11°01'02.415"
3	125°42'27.771"	11°00'59.872"
4	125°42'29.512"	11°00'56.718"
5	125°42'31.324"	11°00'53.756"
6	125°42'32.942"	11°00'51.016"
7	125°42'34.897"	11°00'48.300"
8	125°42'36.070"	11°00'47.326"
9	125°42'37.343"	11°00'46.323"
10	125°42'39.016"	11°00'46.281"
11	125°42'40.612"	11°00'47.065"
12	125°42'41.779"	11°00'47.847"
13	125°42'43.346"	11°00'48.961"
14	125°42'44.750"	11°00'50.105"
15	125°42'46.195"	11°00'51.234"
16	125°42'47.936"	11°00'52.719"
17	125°42'49.426"	11°00'54.062"
18	125°42'51.084"	11°00'55.561"
19	125°42'52.661"	11°00'57.447"
20	125°42'53.678"	11°00'58.869"
21	125°42'53.964"	11°00'59.692"
22	125°42'53.834"	11°01'00.767"
23	125°42'53.234"	11°01'02.149"
24	125°42'52.089"	11°01'04.940"
25	125°42'50.529"	11°01'08.010"
26	125°42'49.160"	11°01'10.665"
27	125°42'47.656"	11°01'13.762"
28	125°42'46.199"	11°01'16.005'
29	125°42'45.160"	11°01'16.640"
30	125°42'43.837"	11°01'16.735"
31	125°42'42.077"	11°01'16.200"
32	125°42'39.026"	11°01'14.775"
33	125°42'36.124"	11°01'13.074"
34	125°42'33.505"	11°01'11.369"
35	125°42'33.124"	11°01'09.536"
36	125°42'28.875"	11°01'07.846"
37	125°42'27.075"	11°01'06.017"
38	125°42'26.145"	11°01'04.842"

Section 7. Creation of the Fish Sanctuary Management Council. There is hereby created the Maybay Reef Fish Sanctuary Management Council which will manage the Maybay Reef Fish Sanctuary and Fishery Reserve. The Barangay Council of Brgy. 06 will be tasked to assist the Management Council.

Section 8. Membership. All fisherfolk and those civic-minded residents of Brgy. 06 who volunteers to be members of the Maybay Reef Fish Sanctuary Management Council shall constitute its membership.

Section 9. Council Officers. The Maybay Reef Sanctuary Management Council shall have the following officers that shall come from among the members: Chairperson; Vice-person; Secretary; Treasurer; Auditor; Chairpersons and Vice-Chairpersons of the monitoring and Evaluation Committee, Enforcement Committee and Information, Education and Communication Committee. The officers of the Brgy. 06 Fisherfolk Association in coordination with its members and the Barangay Council shall form the Management Council of the Maybay Reef. The Officers of the Management Council shall be independent to that of the Association. Therefore, there shall be a separate election of officer for the Management Council apart from that of the Association. Those fisherfolk/civic-minded residents who are not members of the Association and who will not be elected officers but who are interested to be involved in the management will commit themselves as members of the management council through the Barangay Council.

Section 10. Functions of the Council. The Maybay Reef Fish Sanctuary Management Council shall operate the Maybay Reef Fish Sanctuary and Fishery Reserve. The Chairperson shall provide the overall direction and coordination. He shall also prepare the annual work plan. The Council will comprise of three (3) committees, namely: Monitoring and Evaluation Committee, the Enforcement Committee and the Information and Education Committee. The Monitoring and Evaluation Committee will conduct regular observations of the biophysical and socio-economic status and make reports on the changes brought about by the operation of the fish sanctuary and fishery reserve, The Enforcement Committee will conduct surveillance of the area, enforce the fish sanctuary and fishery reserve regulations and cause the apprehension of violators. The Information, Education and Communication Committee will conduct continuing education campaign to the public, explain the purpose of the fish sanctuary and fishery reserve, and secure their compliance to the regulations.

Section 11. Formulation of the Management Plan for the Fish Sanctuary. Within thirty (30) days from the approval of this Ordinance, the municipal government, the People's Organization, the barangays councils and the MFARMC, shall formulate a management plan for the operation of the fish sanctuary.

Section 12. Appropriation. The municipal government shall allocate funds under the Coastal Resource Management Office for the implementation of this Ordinance. The Sangguniang Bayan shall provide for the appropriation for the management of the sanctuary for the succeeding years to be included in the annual budget of the municipality.

Section 13. Prohibitions. It shall be unlawful for any person, whether natural or juridical to conduct fishing operation, gather or collect fishery resources inside the sanctuary (core area), such as but not limited to:

1. Use of explosive (paggamit hin dinamita (badil))
2. Use of poisonous or noxious substances (paggamit hin kuskos/tubli/lagtang/sosa (sodium cyanide) and other such substances
3. Electro fishing (pagkryente)

4. Use of nets (paggamit hin pukot)
5. Spear fishing (panmana) with or without the use of compressor
6. Other activities such as anchoring (pagpondo), gleaning (pamangti)
7. Pag-utod han pamondo or pagkawat han boya
8. Extraction of live or dead corals (pagkuha hin buhi or patay nga kuragba)
9. Sand mining (pagkuha hin baras)
10. Other such activities as maybe found in the prohibitions section of the Municipal Fishery Code.

Section 14. Penalty. Any person violating the prohibition in any of the Sections defined hereof shall be penalized as follows:

1. Violation of Section 13 (1-3) shall be penalized pursuant to Section 88 of RA 8550.
2. Violation of Section 13 (4-5) shall be fined in the amount of not exceeding Two Thousand Five Hundred (P2,500.00) or an imprisonment for a period not exceeding six (6) months or both penalties at the discretion of the court.
3. Violation of Section 13 (6) shall be fined the amount of not less than Five Hundred Pesos (P500.00).
4. Violation of Section 13 (7) shall be penalized Two Thousand Five Hundred (P2,500.00) and imprisonment of six (6) months.
5. Violation of Section 13 (8) shall be penalized pursuant to Section 92 of RA 8550.
6. Violation of Section 13 (9) shall be fined in the amount of not exceeding Two Thousand Five Hundred Pesos (P2,500.00) or an imprisonment for a period of not exceeding six (6) months and confiscation of the items and paraphernalia or both penalties at the discretion of the court.

Section 15. Operational Funds. An amount shall be appropriated for the purpose of the immediate implementation of this Ordinance and shall be the regular item in the annual appropriations of the barangay. Fines collected shall also be used for operation and maintenance of the Fish Sanctuary and Fishery Reserve.

Section 16. Repealing Clause. All previous ordinances, executive orders, rules and regulations or parts thereof, which are inconsistent with this ordinance are hereby repealed and modified accordingly.

Section 17. Separability Clause. If, for any reason or reasons, any part of or provision of this ordinance shall be held unconstitutional or invalid, other parts or provisions hereof which are not affected hereby shall continue to be in full force and in effect.

Section 18. Effectivity Clause. This Ordinance shall take effect ten (10) days after a copy of it is posted in a bulletin board at the entrance of the municipal hall and in at least two (2) other conspicuous places in the municipality.

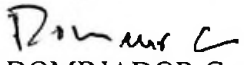
ENACTED AND APPROVED: March 24, 2015, at Guiuan, Eastern Samar.

HON. VERONICA C. RAMIREZ
SB Member


HON. CORNELIO CARLO A. SISON
SB Member


HON. MANUEL L. VELASCO
SB Member


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SB Member


HON. MARK POL P. GONZALES
SB Member
ABC Federation President

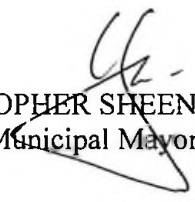
I hereby certify to the correctness of the foregoing Ordinance:


RECTITO A. MELQUIADES
Secretary to the Sangguniang Bayan

Attested by:


HON. ROGELIO O. CABLAO
Vice-Mayor & Presiding Officer

Approved:


HON. CHRISTOPHER SHEEN P. GONZALES
Municipal Mayor