



## HOUSE OF REPRESENTATIVES

H. No. 7506

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BY REPRESENTATIVES SANTOS-RECTO, ROMERO, NOGRALES (K.A.),  
GO (A.C.), LEACHON, SAMBAR, DALIPE, TAN (A.), YAP (M.),  
BRAVO (M.V.), BELMONTE (R.) AND VILLARICA, PER COMMITTEE  
REPORT NO. 717

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### AN ACT ESTABLISHING THE NATIONAL MARICULTURE PROGRAM AND PROVIDING FUNDS THEREFOR

*Be it enacted by the Senate and House of Representatives of the  
Philippines in Congress assembled:*

1           SECTION 1. *Short Title.* - This Act shall be known as  
2 "The National Mariculture Program Act".

3           SEC. 2. *Declaration of Policy.* - The State shall ensure food  
4 security for everyone by utilizing and developing the country's  
5 natural wealth, and by protecting the country's aquatic resources as  
6 a valuable food resource. Towards this end, the State shall ensure  
7 the utmost protection of the country's marine environment and  
8 optimize its potential as a major contributor to food security.

9           Likewise, the State shall uphold the rights and interests of  
10 Filipino fisherfolk through the preferential use of marine and  
11 fishing resources in the country. Pursuant to this, there shall be a  
12 comprehensive program on marine fisheries and aquaculture

1 technology, to include research, financial and marketing assistance,  
2 and other services for the benefit of fisherfolk and local  
3 communities.

4       **SEC. 3. *National Mariculture Program.*** – The National  
5 Government, through the Bureau of Fisheries and Aquatic  
6 Resources of the Department of Agriculture (BFAR-DA), shall  
7 undertake a National Mariculture Program, guided by the following  
8 objectives:

9       (a) To promote mariculture as a major source of livelihood for  
10 fishermen;

11       (b) To identify and establish mariculture parks in suitable  
12 areas in consultation with the local government units (LGUs)  
13 concerned;

14       (c) To ensure food security and enhance socioeconomic growth  
15 through a sustainable mariculture industry;

16       (d) To adopt the ecosystem-based approach to fisheries  
17 management which shall ensure that the marine environment  
18 remains conducive to sustainable fisheries, species management  
19 and mariculture investment;

20       (e) To develop procedures in order to minimize the adverse  
21 effects of mariculture in view of the multiple uses of marine and  
22 coastal areas;

23       (f) To develop the technical skills of fishermen throughout  
24 the production, harvesting, processing, storage, and transport  
25 stages in the value chain;

26       (g) To provide appropriate infrastructure and equipment for  
27 postharvest technology;

1 (h) To provide stakeholders easy access to financial  
2 institutions; and

3 (i) To enable stakeholders to implement activities that will  
4 enhance climate change resiliency and increase capabilities for  
5 disaster risk reduction and management.

6 SEC. 4. *Definition of Terms.* – As used in this Act:

7 (a) *Ecosystem-Based Approach to Fisheries Management*  
8 refers to an approach to fisheries that strives to balance diverse  
9 societal objectives or needs by taking into account the knowledge  
10 and uncertainties about biotic, abiotic, and human components of  
11 ecosystems and their interaction, and applying an integrated  
12 approach to fisheries management within ecologically meaningful  
13 boundaries. It may be synonymously used with “ecosystem approach  
14 to fisheries management” (EAFM);

15 (b) *Mariculture* refers to an integrated branch of aquaculture  
16 designed to produce fish through sea cages, long lines and other  
17 culture structures in marine and coastal areas to grow high value  
18 species, such as bangus, siganid, seaweeds, oysters, mussels, red  
19 snappers, groupers and other related species;

20 (c) *Mariculture park or zone* refers to duly designated fishery  
21 areas where mariculture is undertaken; and

22 (d) *Mooring space* refers to a unit of space within a  
23 mariculture park or zone to which vessels, sea cages, lines, or other  
24 culture structures can be moored or secured in place.

25 SEC. 5. *Mariculture Development Parks or Zones.* – Subject  
26 to the limitations set forth under Sections 20 and 22 of Republic Act  
27 No. 8550, otherwise known as “The Philippine Fisheries Code of

1 1998"; Section 149 of Republic Act No. 7160, otherwise known as the  
2 "Local Government Code of 1991"; and relevant provisions of  
3 Republic Act No. 7586, otherwise known as the "National Integrated  
4 Protected Areas System Act of 1992", the LGU shall supervise the  
5 establishment of mariculture parks and zones in duly designated  
6 areas located within the municipal waters. In case of waters located  
7 outside of municipal waters, the DA shall designate and supervise  
8 the respective mariculture areas.

9 The technical, social, environmental, and economic viability  
10 and sustainability of the project shall be taken into consideration in  
11 selecting an area for a mariculture park or zone: *Provided*, That no  
12 mariculture park or zone shall be established in marine protected  
13 areas identified by the Department of Environment and Natural  
14 Resources (DENR) and the BFAR.

15 In the establishment of a mariculture park or zone, the  
16 province, city, or municipality shall enter into a lease agreement  
17 with registered fisherfolk cooperatives or private investors. The  
18 terms and conditions, as well as profit sharing terms, shall be  
19 specified therein. The lease agreements shall be valid for a period  
20 of ten (10) years, renewable for another ten (10) years.

21 In determining the rental ceiling in the mariculture park or  
22 zone, the BFAR, in consultation with the Sanggunian concerned,  
23 shall take into consideration its affordability to ordinary fisherfolk  
24 and its economic viability for the continued operation. In granting  
25 lease agreements, LGUs shall give preference to local fisherfolk.

1 A development plan shall always be required of applicants to  
2 form part of the bases for the grant of a license to operate by the  
3 concerned LGUs.

4 Considering the competing uses of seas and ocean space, the  
5 Philippine Coast Guard shall be required to determine if a proposed  
6 mariculture park or zone and its facilities therein pose a significant  
7 navigational hazard or obstruct safe travel, and, to issue a  
8 certification of its findings and recommendations and submit the  
9 same to the DA.

10 SEC. 6. *Mooring Spaces.* – The establishment of mariculture  
11 zone areas shall be based on mooring spaces to ensure that usage of  
12 the area for sea cages, long lines and other culture structures is  
13 limited to the granted space provided. Granted mooring spaces not  
14 developed or installed with culture structures within six (6) months  
15 will be forfeited and awarded to other qualified applicants. The  
16 BFAR shall prescribe the guidelines in the installation of sea cages,  
17 long lines and other culture structures.

18 SEC. 7. *Support Infrastructures.* – To ensure reliable access,  
19 cost-effective location, and economic feasibility of the mariculture  
20 park or zone, the LGUs or private investors, or both, as the case  
21 may be, shall cause the establishment of support infrastructures,  
22 such as fish hatcheries and/or nurseries, security facilities, onshore  
23 feed warehouse, net mending and drying sheds, ice plants, and cold  
24 storage facilities.

25 SEC. 8. *Aquaculture Technical Assistance and Training to*  
26 *Local Government Units, Fisherfolk Cooperatives/Associations, and*  
27 *Nongovernment Organizations.* – The DA shall provide technical,

1 training, and marketing support to the LGUs, fisherfolk  
2 cooperatives/associations, and nongovernment organizations with  
3 respect to the establishment, utilization, and management of  
4 mariculture systems in their respective jurisdictions.

5 Through a memorandum of agreement between the Southeast  
6 Asian Fisheries Development Center – Aquaculture Department  
7 (SEAFDEC-AQD) and the BFAR, SEAFDEC-AQD shall facilitate  
8 the transfer of the latest aquaculture technologies and assist in the  
9 DA's training programs for sustainable mariculture while  
10 promoting the adoption of good aquaculture practices.

11 SEC. 9. *Private Sector as Economic Partners.* – Private  
12 individual investors or enterprises shall be encouraged to take an  
13 active role in the establishment, utilization, and management of  
14 mariculture systems. For this purpose, qualified private investors  
15 or entrepreneurs shall coordinate with the local government officials  
16 concerned, the local fishing community, and appropriate  
17 government agencies.

18 SEC. 10. *Financing Scheme.* – The Land Bank of the  
19 Philippines (LBP) shall provide loan assistance to qualified  
20 fisherfolk organizations/cooperatives for the construction of the fish  
21 cage, the procurement of the initial stocks and feeds, and for other  
22 related expenses.

23 SEC. 11. *Continuing Research and Development.* – The  
24 BFAR, in coordination with fisheries schools and/or state  
25 universities and colleges in the area, and the concerned LGUs, shall  
26 conduct continuing research and development as well as application  
27 of technological advancements in the mariculture industry.

1           SEC. 12. *Monitoring and Evaluation.* - The DA shall  
2 monitor the implementation of research and development programs  
3 and mariculture projects. A technical advisory committee composed  
4 of the BFAR, the SEAFDEC-AQD, the National Fisheries Research  
5 and Development Institute, and the academe, shall review all  
6 existing mariculture parks or zones every four (4) years to  
7 determine their viability or effectiveness.

8           SEC. 13. *Appropriations.* - The amount needed for the  
9 implementation of this Act shall be included in the budgets of the  
10 concerned departments/agencies in the annual General  
11 Appropriations Act.

12           For LGUs, the implementation of the Program shall be funded  
13 from their Internal Revenue Allotments and other internally  
14 generated funds.

15           SEC. 14. *Identification of Mariculture Areas.* - Within six (6)  
16 months from the effectivity of this Act, the BFAR shall identify the  
17 LGUs which have potential areas for the establishment of  
18 mariculture parks: *Provided*, That not later than one (1) year from  
19 the effectivity of this Act, the BFAR, in coordination with the LGUs  
20 concerned, shall complete the master plan of each mariculture park  
21 in the identified areas: *Provided, further*, That the number of fish  
22 cages to be installed in the duly designated mariculture park shall  
23 be determined by the LGUs concerned through the enactment of an  
24 ordinance.

25           SEC. 15. *Annual Report.* - The DA, through the BFAR, shall  
26 render an annual report to Congress on the accomplishment of the  
27 program. A review on the viability of the program which includes a

1 complete list of areas suitable for the establishment of mariculture  
2 parks in the country with their respective feasibility study shall be  
3 made by the agencies concerned after three (3) years of  
4 implementation of this Act.

5 SEC. 16. *Information Campaign.* - The BFAR shall  
6 undertake an intensive public information campaign within three  
7 (3) months from the effectivity of this Act.

8 SEC. 17. *Implementing Rules and Regulations.* - Within  
9 ninety (90) days upon the approval of this Act, the DA, through the  
10 BFAR, together with the Department of the Interior and Local  
11 Government (DILG) and the representatives of the League of  
12 Provinces, League of Cities, and League of Municipalities, shall  
13 adopt rules and regulations necessary to implement the provisions  
14 of this Act.

15 SEC. 18. *Separability Clause.* - If any part of this Act should  
16 hereafter be declared unconstitutional or invalid, such other parts  
17 not affected thereby shall continue in full force and effect.

18 SEC. 19. *Repealing Clause.* - All laws, acts, decrees,  
19 executive orders, issuances, presidential proclamations and rules  
20 and regulations or parts thereof which are contrary to and  
21 inconsistent with this Act are hereby repealed, amended or modified  
22 accordingly.

23 SEC. 20. *Effectivity.* - This Act shall take effect fifteen (15)  
24 days after its publication in the *Official Gazette* or in any newspaper  
25 of general circulation.

Approved,