



- 1 resources with the necessity of maintaining a sound ecological  
2 balance and protecting and enhancing the quality of the  
3 environment;
- 4 c. Protect the rights of the small and marginal fishers in the  
5 preferential use of communal coastal and fishery resources;
- 6 d. Allow people's full and active participation in the conservation and  
7 management of the coastal and fishery resources and promote  
8 awareness of sustainable fisheries through appropriate education  
9 and training;
- 10 e. Promote and adhere to the precautionary principle of conservation,  
11 management and exploitation of living coastal and fishery resources  
12 in order to assure the sustainable development of the coastal  
13 environment. The absence of adequate scientific and technical  
14 information should not be used as a reason for postponing or failing  
15 to take conservation and management measures; and
- 16 f. Promote ecosystem-based fisheries management.

17 **SEC. 3. *Scope of Application.*** – The provisions of this Act shall be  
18 enforceable in all Philippine waters including other waters over which the  
19 Philippines has sovereignty and jurisdiction, and the country's 200 –  
20 nautical mile Exclusive Economic Zone (EEZ) and continental shelf,  
21 including protected areas under Republic Act No. 7586, otherwise known  
22 as the National Integrated Protected System (NIPAS) Act, as amended by  
23 Republic Act No. 11038; critical habitats; and all Philippine flagged  
24 fishing vessels operating in areas governed by a Regional Fisheries  
25 Management Organization, in the high seas, or in waters of other coastal  
26 states.

27 **SEC. 4. *Jurisdiction of the Department of Agriculture.*** – The  
28 Department of Agriculture (DA) shall have jurisdiction over the catching,  
29 sale, purchase, possession, transportation, importation and exportation of  
30 sharks, rays, and chimaeras, and all declared aquatic habitats. In the  
31 Province of Palawan, jurisdiction herein conferred is vested on the  
32 Palawan Council for Sustainable Development pursuant to Republic Act

1 No. 7611 insofar as the regulation over the activities described in the  
2 foregoing paragraph.

3 The Bureau of Fisheries and Aquatic Resources of the Department  
4 of Agriculture (DA-BFAR) shall be the lead agency in the implementation  
5 of this Act. The Department of Trade and Industry (DTI), Department of  
6 Environment and Natural Resources, the Philippine Coast Guard, the  
7 Philippine National Police, other law enforcement agencies, and Local  
8 Government Units (LGUs) shall likewise assist in the implementation of  
9 this Act.

10 The Department of Tourism (DOT) shall provide the necessary  
11 assistance to the DA-BFAR and the LGUs in identifying shark ecotourism  
12 sites.

## 13 CHAPTER II

### 14 DEFINITION OF TERMS

15 **SEC. 5. *Definition of Terms.*** – As used in this Act:

16 a. *Bycatch* refers to the incidental take of undesirable size or  
17 age classes of the target species, or the incidental take of other non-target  
18 species or protected, endangered, or threatened species;

19 b. *Corridor* refers to an artificial or natural avenue where which  
20 wide-ranging animals can travel to, plants can propagate in, genetic  
21 interchange can occur, populations can move in response to environmental  
22 changes and natural disasters, and threatened species can be replenished  
23 from other areas. Marine corridors encompass mangroves, coral reefs, and  
24 seagrass beds;

25 c. *Critical Habitat* refers to a place or environment that  
26 contains physical or biological features essential to its conservation;

27 d. *Finning* refers to the practice of removing and retaining  
28 shark fins;

29 e. *Habitat* refers to the place or environment where species or  
30 subspecies naturally occur or have naturally established their population;

31 f. *Non-detriment Finding (NDF)* refers to a science-based risk  
32 assessment where the vulnerability of a species is considered in relation to  
33 how well it is managed;

1 g. *Shark* refers to cartilaginous fishes belonging to the class  
2 *Chondrichthyes*, which includes true sharks, skates, rays, and chimaeras;

3 h. *Shark Sanctuary* refers to designated area where sharks  
4 cannot be caught;

5 i. *Traceability* refers to the ability to trace and follow food or a  
6 substance intended to be or expected to be incorporated into a food or  
7 product through all stages of fishing, production, processing and  
8 distribution;

9 j. *Trade* refers to the act of engaging in the exchange,  
10 exportation, importation, re-exportation, purchase or sale of sharks, their  
11 derivatives or by-products, locally or internationally;

12 k. *Utilized bycatch* refers to non-target species that are traded  
13 or consumed, in part or whole.

14 **CHAPTER III**

15 **ARTICLE I**

16 **CONSERVATION AND PROTECTION OF SHARKS, RAYS, AND**  
17 **CHIMAERAS**

18 **SEC. 6. *Wildlife Information.*** – All activities, as subsequently  
19 manifested under this Chapter, shall be authorized by the Secretary of the  
20 Department of Agriculture, hereinafter referred to as “Secretary”, upon  
21 proper evaluation of best available information or scientific data showing  
22 that the activity is, or for a purpose, not detrimental to the survival of the  
23 species or subspecies involved and/or their habitat. For this purpose, the  
24 Secretary shall regularly update wildlife information through research.

25 **SEC. 7. *Sharks in Captivity.*** – No person or entity shall be  
26 allowed possession of a shark unless such person or entity can prove  
27 financial and technical capability and facility to maintain said specie:  
28 *Provided*, That the shark was not obtained in violation of this Act, and the  
29 source of stock is verifiable in order that mortality can be monitored  
30 accurately. The DA-BFAR will develop husbandry and holding tank  
31 standards as well as a permitting system for the keeping of sharks in  
32 captivity.

1           **SEC. 8. *Tourism Interaction.*** – The DA-BFAR, within one (1)  
2 year after the effectivity of this Act, shall develop human-shark  
3 interaction guidelines in captivity as well as in the wild.

4           **SEC. 9. *Research Interaction.*** – The DA-BFAR, within one (1)  
5 year after the effectivity of this Act, shall develop research and researcher  
6 interaction guidelines for studies focusing on sharks, rays and chimaeras.

7           **SEC. 10. *Non-Detriment Findings (NDF).*** – The DA-BFAR,  
8 within three (3) years after the effectivity of this Act, shall determine the  
9 NDF for targeted and incidentally caught shark species.

10           **SEC. 11. *Collection and/or Possession of By-Products and***  
11 ***Derivatives.*** – The collection and possession of shark, ray and chimaera  
12 species shall only be allowed when the results of the NDF show that,  
13 despite the extent of specie collection, the population of such species can  
14 still remain viable and capable of recovering its numbers. For this  
15 purpose, the DA-BFAR shall establish a schedule and volume of allowable  
16 harvests.

17           **SEC. 12. *Handling and Release Practices.*** – The DA-BFAR,  
18 within one (1) year after the effectivity of this Act, shall develop acceptable  
19 fisheries handling and release guidelines for all types of protected and/or  
20 unwanted sharks, rays and chimaeras based on the best available science  
21 and safe release experience.

22           **SEC. 13. *Bycatch reduction measures and reporting***  
23 ***mechanisms.*** – The DA-BFAR, within three (3) years after the effectivity  
24 of this Act, shall provide technical and financial assistance on research for  
25 gear restriction, and identify modified fishing gears to reduce shark  
26 bycatch mortality. The DA-BFAR shall also develop a standard reporting  
27 system for sharks that are bycatch.

28           **SEC. 14. *Release and Reporting of Bycatch.*** – Live sharks that  
29 have not been assessed through the NDF shall be immediately released  
30 unharmed to the sea. Dead sharks shall be handed over to the DA-BFAR  
31 for proper documentation and disposal. Any incident must be reported to  
32 the competent authority using the standard reporting system.



1           **SEC. 16. Identification of Critical Habitats.** – The DA-BFAR,  
2 within one (1) year after the effectivity of this Act, shall identify critical  
3 habitats for sharks and establish these as shark sanctuaries.

4           **SEC. 17. Development of Target Reference Points (TRP) and**  
5 **Limit Reference Points (LRP).** – The DA-BFAR shall, within three (3)  
6 years from the effectivity of this Act, determine TRP and LRP based on  
7 the results of national stock assessments and the precautionary principle.

8           **SEC. 18. Catch Ceiling Limitations.** – The DA-BFAR may  
9 prescribe limitations or quota on the total quantity of sharks captures, for  
10 a specified period of time and specified area based on the best available  
11 evidence, harvest strategies, and target limits. Catch ceilings may be  
12 established upon the concurrence and approval or recommendation of the  
13 agency and the concerned LGU in consultation with the Fisheries Aquatic  
14 and Resource Management Council (FARMC) for conservation or  
15 ecological purposes.

16           **SEC. 19. Establishment of Closed Season.** – The Secretary may  
17 declare, through public notice in at least two (2) newspapers of general  
18 circulation or in public service announcements, whichever is applicable, a  
19 closed season in any or all Philippine waters outside the boundary of  
20 municipal waters and in bays, for conservation and ecological purposes:  
21 *Provided*, That the declaration shall not be made five (5) days before the  
22 start of such closed season; *Provided, however*, That the declaration shall  
23 be done only upon the concurrence and approval or recommendation of the  
24 concerned LGU and FARMC: *Provided further*, That in municipal waters,  
25 fishery management areas and other areas reserved for the use of the  
26 municipal fisherfolk, closed season may be established by the concerned  
27 LGU in consultation with the FARMC for conservation or ecological  
28 purposes. The FARMCs may also recommend the establishment of closed  
29 seasons in municipal waters, fisheries management and other areas  
30 reserved for the use of the municipal fisherfolk.

31           **SEC. 20. Support to Fisherfolk.** –The Department of Agriculture  
32 (DA) and LGUs shall provide support to commercial and municipal  
33 fisherfolk through appropriate technology and research, credit, production

1 and marketing assistance such as, training for additional/supplementary  
2 livelihood.

3 **ARTICLE IV**  
4 **TRACEABILITY**

5 All business operators identified in the supply chain of shark  
6 trading and utilization shall cooperate with the DA-BFAR in carrying out  
7 official controls, and shall have responsibilities including the following:

8 **SEC. 21. *Implementation of Traceability System.*** – Business  
9 operators must operate traceability procedures for ingredients, raw  
10 materials at all stages of production, processing, transport, storage and  
11 distribution, and be able to (i) identify any person or business operator  
12 that has supplied them with the species; (ii) identify any person or  
13 business to which they have supplied their products; (iii) the products that  
14 were supplied including quantity or volume, site of fishing grounds, specie,  
15 and fishing gear used; and (iv) make this information available to DA-  
16 BFAR and their consumers.

17 **SEC. 22. *Labeling or identification.*** – Business operators must  
18 ensure that their products are adequately labeled or otherwise identified  
19 through relevant documentation. They must also comply with the labeling  
20 requirements of the country destination.

21 **CHAPTER IV**  
22 **ILLEGAL ACTS**

23 **SEC. 23. *Illegal Acts.*** – Under this Act, it shall be unlawful for  
24 any person to willfully and knowingly undertake the following acts:

25 a. Killing, taking, keeping captive, and trading vulnerable,  
26 threatened, endangered, or critically endangered species, except  
27 in the following instances;

28 (1) When it is done as part of the rituals of established tribal  
29 groups or indigenous cultural communities;

30 (2) When the shark is afflicted with an incurable and/or  
31 communicable disease;

32 (3) When the shark is killed or destroyed after it has been used  
33 in authorized research or experiments.



- 1 b. Inflicting injury which cripples and/or impairs the reproductive
- 2 system of sharks;
- 3 c. Disturbing sharks and their habitats;
- 4 d. Effecting any of the following acts in critical habitats:
- 5 (1) Dumping of waste products detrimental to sharks;
- 6 (2) Squatting or otherwise occupying any portion of the critical
- 7 habitat;
- 8 (3) Mineral exploration and/or extraction;
- 9 e. Introducing, reintroducing, or restocking of shark species
- 10 without permits;
- 11 f. Finning;
- 12 g. Collecting, hunting, possessing, importing, exporting, or re-
- 13 exporting sharks, their by-products and derivatives without the
- 14 result of the NDF and full traceability at all stages, from
- 15 collection to production, processing, transport, storage, and
- 16 distribution;
- 17 h. Falsely advertising or mislabeling any product, which could
- 18 mislead consumers;
- 19 i. Obstruction of corridors; and
- 20 j. Use of shark wires.

21 **CHAPTER V**

22 **FINES AND PENALTIES**

23 **SEC. 24. *Fines and Penalties.* –**

- 24 a. Killing, taking, keeping in captivity, inflicting injury, harassing,
- 25 and trading vulnerable, threatened, endangered, or critically
- 26 endangered species:
- 27 (1) Imprisonment of two (2) years and one (1) day to four (4)
- 28 years and/or a fine of Thirty thousand pesos (P30,000) to
- 29 Three hundred thousand pesos (P300,000.00) per animal if
- 30 inflicted or undertaken against vulnerable species;
- 31 (2) Imprisonment of one (1) year and one (1) day to two (2) years
- 32 and/or a fine of Twenty thousand pesos (P20,000.00) to Two

- 1                   hundred thousand pesos (P200,000) per animal if inflicted or  
2                   undertaken against other threatened species;
- 3                   (3) Imprisonment of four (4) and one (1) day to six (6) years  
4                   and/or a fine of Fifty thousand pesos (P50,000.00) to Five  
5                   hundred thousand pesos (P500,000.00) per animal if inflicted  
6                   or undertaken against endangered species; and
- 7                   (4) Imprisonment of a minimum of six (6) years and one (1) day  
8                   to twelve (12) years and/or a fine of One hundred thousand  
9                   pesos (P100,000.00) to One million pesos (P1,000,000.00) per  
10                  animal if inflicted or undertaken against species listed as  
11                  critically endangered.
- 12                 b. Inflicting injury which cripples and/or impairs the reproductive  
13                  system of sharks: imprisonment of one (1) month to six (6)  
14                  months and /or a fine of Five thousand pesos (P5,000.00) to  
15                  Twenty thousand pesos (P20,000.00), if inflicted or undertaken  
16                  against other wildlife species.
- 17                 c. Disturbing sharks and their habitats: imprisonment of one (1)  
18                  month to six (6) months and/or a fine of Five thousand pesos  
19                  (P5,000.00) to Twenty thousand pesos (P20,000.00) if inflicted or  
20                  undertaken against other wildlife species.
- 21                 d. Effecting acts in critical habitat(s): For illegal acts under  
22                  paragraph (e) of the preceding section, the following penalties  
23                  and/or fines shall be imposed: an imprisonment of one (1) month  
24                  to eight (8) years and/or a fine of Five thousand pesos  
25                  (P5,000.00) to Five million pesos (P5,000,000.00) shall be  
26                  imposed.
- 27                 e. Introducing, reintroducing, or restocking of shark species  
28                  without permits: an imprisonment of one (1) month to eight (8)  
29                  years and/or a fine of Five thousand pesos (P5,000.00) to Five  
30                  million pesos (P5,000,000.00) shall be imposed.
- 31                 f. Finning.
- 32                 Upon a summary finding of administrative liability, the owner,  
33                 operator, boat captain and master fisherman of the vessel, or the chief

1 executive officer in a corporation, or the managing partner in a  
2 partnership shall be punished with confiscation of the catch and fishing  
3 gears, and a fine three (3) times the value of the catch or the value  
4 indicated below, whichever is higher:

- 5 (1) Twenty thousand pesos (P20,000.00) for municipal fishing:  
6 Provided, That if the offender fails to pay the fine, he shall  
7 render community service;
- 8 (2) Fifty thousand pesos (P50,000.00) for small-scale commercial  
9 fishing;
- 10 (3) One hundred thousand pesos (P100,000.00) for medium-scale  
11 commercial fishing; and
- 12 (4) Five hundred thousand pesos (P500,000.00) for large-scale  
13 commercial fishing.

14 Upon conviction by a court of law, the offender shall be punished  
15 with imprisonment of two (2) years to six (6) years and fine equivalent to  
16 twice the administrative fine, confiscation and forfeiture of fishing gear  
17 and catch.

18 g. Collecting, hunting, possessing, importing, exporting, or re-  
19 exporting sharks, their by-products and derivatives without the  
20 result of the NDF and full traceability, at all stages, from  
21 collection to production, processing, transport, storage, and  
22 distribution.

23 Failure on the part of the shipping or forwarding company from  
24 whose possession the fish or fishery species imported or exported are  
25 discovered or seized to fully cooperate in the investigation conducted by  
26 concerned government authorities shall create a presumption that there is  
27 connivance or conspiracy between the shipping company and the shipper  
28 to perpetrate the aforementioned offense.

29 Upon a summary finding of administrative liability, the offender  
30 shall be punished with an administrative fine of five (5) times the value of  
31 the species or Three hundred thousand pesos (P300,000.00) to Five  
32 hundred thousand pesos (P500,000.00), whichever is higher, and forfeiture  
33 and/or destruction of the species.

1           Upon conviction by a court of law, the offender shall be punished  
2 with eight (8) years of imprisonment and fine of twice the administrative  
3 fine, forfeiture and/or destruction of the species: *Provided*, That offenders  
4 shall be banned from being members or stockholders of companies  
5 currently engaged in fisheries or companies to be created in the future, the  
6 guidelines for which shall be promulgated by the Department.

7           h. Falsely advertising or mislabeling any product, which could  
8           mislead consumers;

9           Failure on the part of the shipping or forwarding company from  
10 whose possession the fish or fishery species imported or exported are  
11 discovered or seized to fully cooperate in the investigation conducted by  
12 concerned government authorities shall create a presumption that there is  
13 connivance or conspiracy between the shipping company and the shipper  
14 to perpetrate the aforementioned offense.

15           Upon a summary finding of administrative liability, the offender  
16 shall be punished with an administrative fine of five (5) times the value of  
17 the species or Three hundred thousand pesos (P300,000.00) to Five  
18 hundred thousand pesos (P500,000.00), whichever is higher, and forfeiture  
19 and/or destruction of the species.

20           Upon conviction by a court of law, the offender shall be punished  
21 with eight (8) years of imprisonment and fine of twice the administrative  
22 fine, forfeiture and/or destruction of the species: *Provided*, That offenders  
23 shall be banned from being members or stockholders of companies  
24 currently engaged in fisheries or companies to be created in the future, the  
25 guidelines for which shall be promulgated by the Department.

26           i. Obstruction of corridors;

27           Upon a summary finding of administrative liability, the offender  
28 shall be punished with an administrative fine of One hundred fifty  
29 thousand pesos (P150,000.00) to Five hundred thousand pesos  
30 (P500,000.00), dismantling of the obstruction at the expense of the  
31 offender, and the suspension or revocation of the permit or license.

32           j. Use of shark wires.



1 Department of Agriculture, in coordination with the Department of Trade  
2 and Industry, Department of Tourism, and the Committees on  
3 Environment and Ecology of the Senate and the House of Representatives,  
4 respectively, shall promulgate respective rules and regulations for the  
5 effective implementation of this Act. Whenever appropriate, coordination  
6 in the preparation and implementation of rules and regulations on joint  
7 and inseparable issues shall be done by the Departments. The  
8 commitments of the State to international agreements and protocols shall  
9 likewise be a consideration in the implementation of this Act.

10 **SEC. 28. Appropriations.** – The DA shall immediately include in  
11 the Department's program the implementation of this Act, the funding of  
12 which shall be included in the annual General Appropriations Act.

13 **SEC. 29. Information and Education.** – The BFAR, DENR,  
14 DOT, DTI, LGUs, and other academic institutions shall undertake a  
15 nationwide information and education campaign to adequately inform the  
16 populace of the value of sharks and rays in the marine ecosystem, and of  
17 the importance of preserving their respective habitats and feeding  
18 grounds.

19 **SEC. 30. Separability Clause.** – If any section or provision of this  
20 Act is held unconstitutional or invalid, the remaining sections or  
21 provisions with the provisions not affected thereby shall continue to be in  
22 full force and effect.

23 **SEC. 31. Repealing Clause.** – All laws, decrees, executive orders,  
24 rules and regulations, issuances or parts thereof inconsistent with the  
25 provisions of this Act are hereby repealed or modified accordingly.

26 **SEC. 32. Transition Period.** – Due to the substantially new  
27 requirement imposed by this Act, a transition period of three (3) years  
28 from its entry into force is provided.

29 During the transition period, sharks, their by-products, and  
30 derivatives may be sold and traded, and stocks that have been produced  
31 before the end of the transitional period may continue to be sold or  
32 exported until exhausted.

1           **SEC. 33. *Effectivity.*** – This Act shall take effect fifteen (15) days  
2 after its publication in the Official Gazette or in a newspaper of general  
3 circulation.

4           Approved,