



HOUSE OF REPRESENTATIVES

H. No. 5070

BY REPRESENTATIVES BATERINA, VILLAFUERTE, CHAVEZ AND MARAÑON, PER
COMMITTEE REPORT NO. 1361

AN ACT AMENDING SECTIONS 91 AND 97 OF REPUBLIC ACT NO.
8550, OTHERWISE KNOWN AS THE "PHILIPPINE FISHERIES
CODE OF 1998"

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

1 SECTION 1. Section 91 of Republic Act No. 8550, otherwise known as
2 the "Philippine Fisheries Code of 1998", is hereby amended to read as follows:

3 "SEC. 91. *Ban on Coral Exploitation and Exportation.* --

4 It shall be unlawful for any person or corporation to gather,
5 possess, sell or export ordinary precious and semi-precious
6 corals, whether raw or in processed form, except for scientific or
7 research purposes.

8 "Violations of this provision shall be punished by
9 imprisonment from six (6) months to two (2) years and a fine

1 from Two thousand pesos (P2,000) to Twenty thousand pesos
2 (P20,000), or both such fine and imprisonment, at the discretion
3 of the court, and forfeiture of the subject corals, including the
4 vessel and its proper disposition.

5 "The confiscated corals shall either be returned to the sea
6 or donated to schools and museums for educational or scientific
7 purposes or disposed through other means.

8 "ANY SPECIES OF CORAL THAT IS ARTIFICIALLY
9 CULTURED OR PROPAGATED PURSUANT TO PUBLISHED RULES
10 AND REGULATIONS TO BE PROMULGATED BY THE
11 DEPARTMENT SHALL BE ALLOWED AND EXEMPTED FROM THE
12 PROHIBITIONS OF THIS SECTION."

13 SEC. 2. Section 97 of Republic Act No. 8550 is hereby amended to
14 read as follows:

15 "SEC. 97. *Fishing or Taking of Rare, Threatened or*
16 *Endangered Species.* – It shall be unlawful to fish or TO
17 WILLFULLY take rare, threatened or endangered species FROM
18 THE WILD, as listed in the CONVENTION ON INTERNATIONAL
19 TRADE OF ENDANGERED SPECIES OF FLORA AND FAUNA,
20 HEREINAFTER REFERRED TO AS CITES, and as [determined]
21 IMPLEMENTED by the Department PURSUANT TO ITS
22 PUBLISHED RULES AND REGULATIONS.

1 **“THE TERM ‘THREATENED AND ENDANGERED SPECIES’**
2 **IN THE CONTEXT OF THIS SECTION AND FOR CLARIFICATION**
3 **OF THE PENALTY PROVISIONS OF THIS ACT SHALL MEAN ANY**
4 **OF THE RARE MARINE LIFE CONSISTING OF THE SPECIES**
5 **LISTED IN THE CITES, BUT SHALL NOT INCLUDE SPECIES**
6 **THAT ARE ARTIFICIALLY PROPAGATED OR BRED IN CAPTIVITY.**

7 “Violation of the provision of this section shall be
8 punished by imprisonment of twelve (12) years to twenty (20)
9 years and/or a fine of One hundred and twenty thousand pesos
10 (P120,000) and forfeiture of the catch, and the cancellation of
11 fishing permit.

12 **“SHOULD THE CULPABLE VIOLATION BE THROUGH OR**
13 **BY A FISHING VESSEL MANNED BY MORE THAN TWO PERSONS,**
14 **THE HEAD OR CAPTAIN OF THE BOAT AND THE SUPPORT**
15 **PERSONNEL THEREOF INVOLVED IN THE FISHING AND**
16 **CATCHING OF SUCH PROTECTED MARINE LIFE SHALL BE**
17 **PRESUMED TO HAVE COMMITTED THE PROHIBITED ACT AND**
18 **THE PENALTY PROVIDED FOR IN THE IMMEDIATELY**
19 **PRECEDING PARAGRAPH SHALL BE IMPOSED ON THEM.”**

20 SEC. 3. This Act shall take effect fifteen (15) days after its publication
21 in a newspaper of general circulation.

Approved,