

H. No. 4067
S. No. 2522

Republic of the Philippines
Congress of the Philippines

Metro Manila

Thirteenth Congress

Third Regular Session

— ■ —

Begun and held in Metro Manila, on Monday, the twenty-fourth day of July, two thousand six.

[REPUBLIC ACT NO. 9379]

AN ACT DEFINING HANDLINE FISHING, PROVIDING EFFECTIVE REGULATIONS THEREFOR AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* — This Act shall be known as "The Handline Fishing Law".

SEC. 2. *Declaration of Policy.* — It is hereby declared the policy of the State:

(a) To promulgate specific policies and procedures governing handline fishing and utilization of handline fishing boats;

(b) To support the development of the handline fishing industry and promote the competitiveness, sustainability and social development of handline fishing and its allied industries;

(c) To strengthen existing rules and regulations governing handline fishing and ensure the safety and seaworthiness of handline fishing boats.

SEC. 3. *Definition of Terms.* – For purposes of this Act, the following terms and phrases shall mean as follows:

(1) *Handline Fishing* – a traditional fishing method that uses the hook and line, a passive fishing gear with a single vertical line carrying one hook and used by simply dropping the line into the water and waiting for the fish to bite.

(2) *Handline Fishing Boat* – a fishing boat with or without outrigger and with or without auxiliary small boats on board that exclusively utilizes the handline fishing method.

SEC. 4. *Handline Fishing Boat Documentation.* – The registration, inspection, manning and other documentation of handline fishing boats as flag boats shall be with the Maritime Industry Authority (MARINA), while the licensing and related documentation of said boats as fishing boats shall be with the Bureau of Fisheries and Aquatic Resources (BFAR).

SEC. 5. *Fishing by Philippine Handline Fishing Boats in International Waters.* – Handline fishing boats of Philippine registry may operate in international waters or waters of other countries that allow such operations: *Provided*, That they comply with the appropriate and applicable safety, manning, radio communications and other standards and requirements geared at promoting seaworthiness: *Provided, however*, That they secure an appropriate international fishing permit and certificate of clearance from the BFAR: *Provided, further*, That the fish caught by handline fishing boats shall be considered as caught in Philippine waters and therefore not subject to all import duties and taxes when the same is landed in government

designated fish landings and fish ports in the Philippines: *Provided, finally*, That fishermen on board Philippine registered handline fishing boats conducting fishing activities beyond the Philippine Exclusive Economic Zone are not considered as overseas Filipino workers.

SEC. 6. *Manning Complement of Handline Fishing Boats.*

– Every handline fishing boat of Philippine registry, except auxiliary boat, when actually operated, shall be manned in accordance with the following:

(a) The person holding the position of Boat Master shall be issued a Boat Captain License after submitting a Certificate of Engagement from the present boat owner whom he works with, affidavit of boat owner taking the risk and responsibility for engaging the Boat Master, and Certificate of Completion for theoretical and practical training for all applicants to the position. The Identification Card of the Boat Master shall bear the words "ONLY FOR HANDLINE FISHING BOAT".

(b) The person holding the position of Boat Engineer shall be issued a Boat Engine Officer License after submitting a Certificate of Engagement from the present boat owner whom he works with, affidavit of boat owner taking the risk and responsibility for engaging the Boat Engineer, and Certificate of Completion for theoretical and practical training for all applicants to the position. The Identification Card of the Boat Engineer shall bear the words "ONLY FOR HANDLINE FISHING BOAT": *Provided*, That upon approval of this Act, incumbent Boat Masters and Boat Engineers shall be issued their respective licenses after submission of their Certificate of Engagement, affidavit of boat owner taking the risk and responsibility and Certificate of Completion for theoretical and practical training: *Provided, further*, That the Certificate of Completion for theoretical and practical training shall be complied within one year: *Provided, furthermore*, That for handline fishing boats that fish outside Philippine waters, the Boat Master, Boat Engineer and other boat personnel required by the appropriate minimum safe manning document, shall also

submit a copy of their respective Seaman's Identification and Record Book (SIRB).

SEC. 7. *Construction of Handline Fishing Boats.* – Existing and newly constructed handline fishing boats shall be admeasured/re-admeasured and shall follow prepared boat plans based on the following:

(a) For boats of five gross tons and below including auxiliary boats, a picture and actual dimensions of the boat submitted by the owner or boat builder;

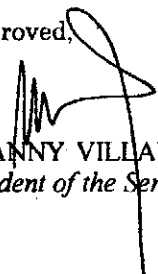
(b) For boats above five gross tons, the boat plan signed and sealed by a Naval Architect. However, boat plans complying with the dimensions and specifications of previously approved and sealed plans by a registered Naval Architect shall be considered as having been approved and sealed by a registered Naval Architect.

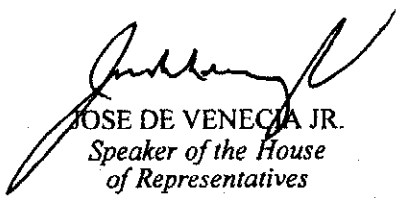
SEC. 8. *Implementing Rules and Regulations.* – The Secretary of the Department of Agriculture, within ninety (90) days from the approval of this Act, through a technical working committee composed of the BFAR, the MARINA, the Philippine Coast Guard, the National Telecommunications Commission and other concerned government agencies, in consultation with fisherfolk and handline fishing industry organizations and other stakeholders, shall promulgate the necessary rules and regulations including, but not limited to, the establishment of a one-stop shop for the industry; provision for first aid, life saving and firefighting devices; provision and operation of radio communication facilities; reportorial requirements and similar standards that promote seaworthiness for the full implementation of this Act.

SEC. 9. *Repealing Clause.* – All existing laws, decrees, executive orders and rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.


SEC. 10. *Effectivity.* - This Act shall take effect fifteen (15) days after its publication in two newspapers of general circulation.

Approved,


MANNY VILLAR
President of the Senate


JOSE DE VENECIA JR.
Speaker of the House of Representatives

This Act which is a consolidation of House Bill No. 4067 and Senate Bill No. 2522 was finally passed by the House of Representatives and the Senate on December 18, 2006 and December 13, 2006, respectively.


OSCAR G. YABES
Secretary of the Senate


ROBERTO P. NAZARENO
Secretary General House of Representatives

Approved: MAR 08 2007


GLORIA MACAPAGAL-ARROYO
President of the Philippines

O



PGMA Hologram # 39224