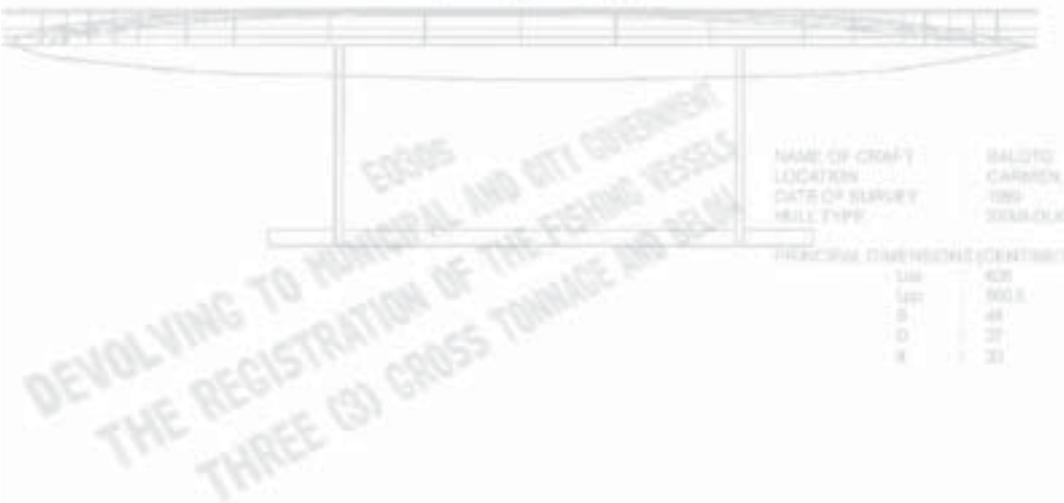




## EXECUTIVE ORDER 305

# Local Government Guide to Registration of Municipal Fishing Boats 3GT and Below



**USAID**  
FROM THE AMERICAN PEOPLE



The FISHERIES IMPROVED FOR SUSTAINABLE HARVEST Project



The registration of municipal fishing boats three gross tons (3GT) and below has been devolved to municipal and city local government units (LGU) by virtue of Executive Order No. 305. From August 2005, the Philippine Coast Guard (PCG) has ceased to perform this function.

This pamphlet was published by the League of Municipalities of the Philippines (LMP) and the League of Cities of the Philippines (LCP) with support from the Fisheries Improved for Sustainable Harvest of the U.S. Agency for International Development to guide municipal and city LGUs in the proper registration of municipal fishing boats.

***Text, Concept and Design*** Marlito Guidote

***Technical Inputs*** Nygiel Armada, Regina Bacalso, Engr. Romulo Estur

***Edits*** Howard Cafugauan, Asuncion Sia

***Lay\_out*** Ysolde Collantes-Jatulan



### **Pass an enabling municipal/city ordinance**

For Executive Order No. 305 (EO 305) to take effect in a municipality/city, the LGU must adopt an enabling Ordinance that describes how EO 305 will be implemented in its area of jurisdiction.

The Ordinance may be specific to the registration of municipal fishing boats, or it may be a fishery ordinance or coastal resource management ordinance that contains registration as one of its provisions. As a general rule, the Ordinance must be consistent with the Fisheries Code of the Philippines (RA 8550), Local Government Code of the Philippines (RA 7160), and in the case of ARMM, with the Fisheries and Aquatic Act of ARMM (MMAA 86) and Local Government Code of ARMM (MMAA 25).

#### **Mandatory provisions of EO 305 that must be part of the Ordinance:**

1. Standard Application Form
2. Tonnage Measurement Formula
3. PNP Maritime Group or PNP Clearance
4. Certificate of Number (CN)
5. Fees and penalties
6. Official Number based on prescribed numbering system
7. Monitoring mechanism
8. Record keeping and regular submission of reports
9. Technical training on admeasurement

#### **Optional provisions of EO 305 that may be part of the Ordinance:**

1. Permitting and licensing system for fishers and fishing gears
2. Assignment of vessel name
3. Physical marking and coding system
4. Rule on deletion or cancellation of registration



#### **Is registration also a license to fish?**

No. EO 305 is limited to the conferment of identity to the fishing vessel and does not serve as an authorization or license to fish in municipal waters, which shall be the subject of a separate application with the LGU in accordance with the local fishery ordinance and RA 8550. The LGU may institute its own of licensing system including the operation of motorboats.



#### **Can the LGU impose a registration fee?**

The LGU is authorized to impose registration and other miscellaneous fees subject to ceilings prescribed by RA 7160 and the municipal/city revenue code. The Ordinance may include a provision that prescribes the manner by which funds from registration may be used.



## Identify the registering office and formally appoint personnel in the municipality/city to manage registration

The municipality/city must identify in its Ordinance the office responsible for managing the registration and assign personnel to carry out specific duties related to registration.



### **What office should handle registration?**

The municipality/city has the discretion to choose which office to assign the responsibility of registering fishing boats. The responsibility may be given to the Municipal Agriculture Office, Municipal Environment and Natural Resource Management Office, Coastal Resource Management Office or the Municipal Engineering Office.



### **What is the role of the Philippine Coast Guard (PCG) in the registration of municipal fishing boats?**

Although EO 305 has devolved the registration function from the PCG to the municipality/city, PCG stations retain their visitorial function and are authorized to inspect municipal fishing boats to check for any measurements errors and ensure compliance with safety measures. They are also tasked to train the municipality/city in the measurement of fishing vessels (admeasurement).



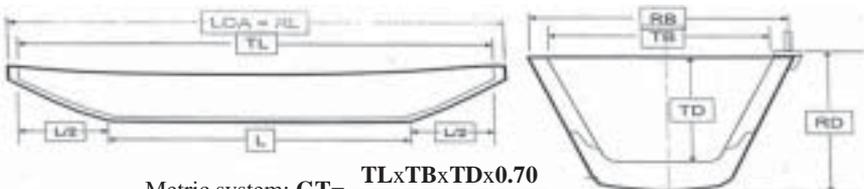
### **Can the LGU request the PCG station for assistance in registration?**

Yes, LGUs may request the PCG Station Commander for assistance in admeasurement. The PCG Station Commander accommodates such requests subject to the availability of PCG personnel skilled in admeasurement.



## Train personnel of the registering office on vessel measurement and record management

The MARINA and Philippine Coast Guard are required to train, accredit and authorize inspectors of the municipality/city for admeasurement. Admeasurement is based on a standard formula that uses specific parameters expressed in metric units (see illustration). However, the actual measurement is not as straightforward as the formula may suggest, given the diverse configurations of municipal fishing boats in the Philippines.



$$\text{Metric system: } GT = \frac{TL \times TB \times TD \times 0.70}{2.83}$$



## What specific skills does the municipality/city need to properly implement registration?

Aside from the required admeasurement training, the LGU must have personnel trained in filling prescribed registration forms and managing registration records. Other skills helpful to the LGU are vessel safety, search and rescue, and law enforcement; these skills are particularly useful to LGUs in high-traffic maritime areas or areas with a large number of motorized fishing boats.



## Who is the best person in the municipality/city to train as inspector?

The training involves measurement of vessels and recording data on standard forms. The best persons to train are those who have mathematical skills and are physically fit for the rigors of inspection and mobile registrations. Municipal agriculturists, municipal engineers and fishery technicians may serve as admeasurement inspectors.



## Prepare the tools and materials required for efficient registration

Before registration, personnel in charge of registration must ensure that there are enough copies of the standard *Municipal Fishing Vessel Registration Application Form*, *Certified Standard Admeasurements* and *Tonnage Form*, *Certificate of Number* and additional forms that may be required during registration. (These forms can be found in the annex of the IRR of EO 305.)

Other materials needed are measuring tapes (at least eight (8) meters in length) and a handy calculator. Cameras and computer with database software are required if the LGU intends to keep photographic documents and electronic records.

ANNEX A: STANDARD VESSEL REGISTRATION APPLICATION FORM			
Republic of the Philippines Province of _____ Municipality/City of _____			
MUNICIPAL FISHING VESSEL REGISTRATION APPLICATION FORM		OFFICIAL NO.:	DATE:
PURPOSE AND DOCUMENTATION			
TYPE OF REGISTRATION		FOR CHANGE IN HOMEPORT	
Local Registration	Transfer of Homeport	PREVIOUS HOMEPORT	ORIGINAL OR
Reissue of New Certificate of Number (CN)	Re-issuance of Certificate of Number (CN)	FOR CHANGE IN OWNERSHIP	
Transfer/Transit Form (Old Series 1-1)		ACQUIRED FROM (Name, Full Name, etc.)	
ADDRESS (No. or Street Name, Municipality, Province)		ADDRESS OF PREVIOUS OWNER (No. of Street, Barangay, Municipality, Province)	
HOMEPORT	VESSEL TYPE	FOR CHANGE IN TECHNICAL SPECIFICATIONS	
	Motorized Non-motorized	Technical specifications	ORIGINAL OR
NAME OF FISHING VESSEL		FOR CHANGE IN NAME OF FISHING VESSEL	
		ORIGINAL NAME OF FISHING VESSEL	ORIGINAL OR
NAME OF FISHER (Name, Province, etc.)		PROPOSED NAME	
TUGBORELL	NEAR-BUY	OTHERS	
I HEREBY CERTIFY THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.		PRINTED NAME AND SIGNATURE OF OWNER	
REMARKS, PROBLEMS AND RECOMMENDATIONS			
		NOTED BY:	
		MUNICIPAL/CITY AGRICULTURIST	



### **Allocate budget for registration**

Funds must be made available for training, printing of the required forms, purchase of materials (pens, measuring tapes, calculators, typewriters, computers and other materials that may be needed before and during registration), and the actual administration of field registration.



### **Disseminate registration ordinance and announce the registration period to the public**

The municipality/city must disseminate or publish the ordinance in full or in a popular version to affected communities and announce registration schedules.



#### **Q: What channels may be used to inform the public about the registration?**

There are many ways to publicize the registration. The best way is through Barangay officials and Barangay Fisheries and Aquatic Resource Management Councils (BFARMCs). Local radio stations, churches and other public gatherings are also effective channels of information, especially for announcing registration schedules.



### **Conduct the registration of municipal fishing boats**

When devising a registration system for municipal fishing boats, the LGU must take into consideration the location of registrants and their boats, the season and sea conditions, and the manpower and budget allocated for registration.





**Q: What registration approaches or methods are recommended?**

Any or a combination of the following approaches may be used: passive approach, where registrants are required to go to a registration station; active or mobile registration, where inspectors go to the areas where the registrants are located; and penalty registration, where inspectors visit unregistered boat owners after the lapse of the required period and compel them to register under pain of penalty.



**Monitor compliance of fishing boat owners**

Before the conduct of registration, the LGU must require barangay chairmen to send the estimated number of municipal fishing boats in their barangay; this will help measure compliance. Municipal coastal law enforcement units (*Bantay Dagat*) and the PNP may be tasked to monitor non-compliance. The PCG and MARINA have visitorial functions and may enforce the law any time.



**Q: How often must a fishing boat owner register?**

A boat is licensed annually but registered only once, unless ownership changes, or major alterations are introduced and change the gross tonnage measurement of the boat, in which case the owner is required to re-register the boat. Such changes must be monitored by barangay leaders.



**Q: How can the municipality/city monitor compliance?**

The municipality/city can monitor the rate of compliance by comparing the estimated number of fishing boats to the actual number of registered boats. Mobile or penalty registration may be conducted to cover those who do not register during the prescribed period.



**Keep a data bank and send regular reports to MARINA, Philippine Coast Guard and the BFAR**

EO 305 requires the municipality/city to keep a databank of registered fishing boats. The IRR of EO 305 specifies a standard coding format for each record generated by the registration of fishing vessels. Recordkeeping may be manual or electronic (computer-based). LGUs are also required to submit regular updates to the MARINA, PCG and BFAR.



**Q: What reports are required of the municipality/city and how often are they submitted?**

The municipality/city is required to send regular summary reports of registered fishing boats, owners' names, certificates of number, propulsion descriptions and other data to the nearest MARINA, PCG and DA-BFAR Office within the first quarter of the succeeding year. The law does not specify a standard reporting form.

## AD HOC OVERSIGHT COMMITTEE

**Mr. Blademir L. Mancenido**, League of Municipalities of the Philippines  
2/F LMP Building, 265 Ermin Garcia Street, Cubao Q. C. Tels.: (02) 913-5737; 912-0349

**Ms. Hazel Biniza**, League of Cities of the Philippines  
LCP Bldg., Lemery cor. Estrada St., Malate Manila, Tel. (02) 521-6461

**Mr. Felizardo C. Lim**, National Anti-Poverty Commission–Fisherfolk Sectoral Committee  
DA Compound, Diliman, Q.C. Tels.: (02) 920-3389; 928-8741 Fax: (02) 920-3389

**Ms. Marjorie Grutas**, National Fisheries Aquatic Resources Management Council  
3<sup>rd</sup> F/Arcadia Building 860 Quezon Avenue, Q. C. Tel. (02) 372-6714

**Engr. Romulo Estur**, Maritime Industry Authority  
UN Avenue, Manila Tel.: (02) 526-1244

**CDR Ernesto Cabatac PCG**, Philippine Coast Guard  
Port Area, Manila

**Ms. Elenita Asuncion**, Department of Transportation and Communication  
2/F Columbia Tower, Ortigas Avenue, Wack-wack, Madaluyong City Tels.: (02) 727-7960; 727-1703

**PSUPT. Micco D. Soriano**, Philippine National Police-Maritime Group  
National Headquarters, PNP Camp Crame, Q. C. Tel.: (02) 722-1074

**Atty. Wilfredo Tolitol**, Department of Justice  
Padre Faura, Manila Tel.: (02) 526-2748

**Mar Guidote**, FISH Project - USAID  
18F OMM-CITRA, San Miguel Ave, Ortigas, Pasig Tel.: (02) 636-0052

**For further information, please write or call:**  
MARITIME INDUSTRY AUTHORITY  
UN Avenue, Manila, Tel.: (02)526-1244

Through the support of:



The FISHERIES IMPROVED FOR SUSTAINABLE HARVEST Project

<http://www.oneocean.org>

**MANILA OFFICE:** 18/F OMM-CITRA Bldg., San Miguel Ave., Ortigas Center, 1605 Pasig City, Metro Manila  
Tel. nos: (02) 636-0052 to 53 Fax: (02) 634-0327 Email: FISH@ttemi.com.ph

**CEBU OFFICE:** 5/F CIFC Towers, J. Luna Ave. cor. J.L. Briones St., NRA, 6000 Cebu City  
Tel. nos.: (032) 232-1821 to 23, 412-0487 to 89 Fax: (032) 232-1825 Email: fishproject@oneocean.org

**BOHOL FIELD OFFICE:** 2/F Robins Home Depot, 40 Palma St., 6300 Tagbilaran City, Bohol  
Tel. no.: (038) 501-7134 Cell no.: (0918) 906-1318

**NORTHERN PALAWAN FIELD OFFICE:** 5 Redfern Apartment, Barangay 1, Coron, 5316 Palawan  
Cell. no.: (0918) 906-1319

**SURIGAO DEL SUR FIELD OFFICE:** 3/F EDU Home Bldg., Osmeña St., Tandag, 8300 Surigao del Sur  
Tel. no.: (086) 211-4262 Cell no.: (0918) 979-2245

**TAWI-TAWI FIELD OFFICE:** Rachel's Place Hotel and Restaurant Bldg., Ilmoh St., Lamion, Bongao, 7500 Tawi-Tawi  
Tel. no.: (068) 268-1253 Cell no.: (0918) 906-1304