SUBJECT: Regulating the use of fine-meshed nets in fishing.

Pursuant to the provisions of Sections 4, 7 and 34 of Presidential Decree No. 704, as amended, otherwise known as the "Fisheries Decree of 1975", and for the conservation and protection of fishery resources, the use of fine-meshed nets in Philippine waters is hereby promulgated:

SECTION 1. Definition. - "Fine-meshed net" means all nets/webbings whether made of natural fibers, synthetic or any other materials used in fishing, with a mesh size less than three (3) centimeters measured between two (2) opposite knots of a full-mesh when stretched.

SEC. 2. Prohibition. - It shall be unlawful for any person, association, corporation, partnership or cooperative to fish in Philippine waters with the use of fine-meshed nets: Provided, however, That this prohibition shall not apply to the catching of the following species of fish:

(a) Padas (Family Siganidae), bangus fry (Chanos chanos), sugpo fry (Family Penaeidae), banak fry (Family Mugilidae), glass eels and elvers (Family Anguillidae) and ipon (Family Gobiidae);

(b) Marine Aquarium/ornamental fishes; and

(c) Other species which by their very nature are small but already matured such as but not limited to alamang (Acetes spp.), tabios/sinarapan (Mistichthys luzonensis), dilis (Family Engraulidae), dulong (Family Engraulidae and Gobiidae), hipon tagunton (Family Caridae) and snails (Ampularia luzonica and Vivipora spp.).
SEC. 3. Transitory Provision. - Person, association, corporation, partnership of cooperative engaged in fishing with the use of nets with mesh size of two (2) centimeters to 2.99 centimeters shall be given a grace period of one (1) year from the effectivity of this Order within which to conform and/or comply with this Order.

SEC. 4. Penal Clause. - Violation of Section 2 of this Order shall subject the offender to a fine of not less than Five Hundred (P500.00) Pesos but not more than Four Thousand (P4,000.00) Pesos or imprisonment from six (6) months to four (4) years, or both, such fine and imprisonment in the discretion of the Court: Provided, however, that the Director of Fisheries and Aquatic Resources is hereby empowered to impose upon the offender an administrative fine of not more than Five Thousand (P5,000.00) Pesos including the confiscation of the fishing nets/paraphernalia and the fish catch.

SEC. 5. Repealing Clause. - Fisheries Administrative Order Nos. 40, 40-1, 40-2, 40-3 and 40-4, are hereby repealed.

SEC. 6. Effectivity. - This Order shall take effect fifteen (15) days after its publication in the Official Gazette and/or two (2) newspapers of general circulation.

RAMON V. MITRA
Minister
Ministry of Agriculture and Food

RECOMMENDED BY:

JESUITO B. MAHLE
Director
Bureau of Fisheries and Aquatic Resources