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SENATE

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S. NO. 2522

(In Substitution of SB Nos. 799, 1743 and 1764, in consideration of H. No. 4067)

Prepared by the Committees with Senators Villar, Roxas, Magsaysay, Jr.
and its Members as authors thereof

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:

1 SECTION 1. *Short Title.* - This Act shall be known as "The Handline Fishing Law
2 of 2006".

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

4 a. to promulgate specific policies and procedures governing handline fishing and
5 utilization of handline fishing boats;

6 b. to support the development of the handline fishing industry and promote the
7 competitiveness, sustainability and social development of handline fishing
8 and its allied industries;

9 c. to strengthen existing rules and regulations governing handline fishing
10 and ensure the safety and seaworthiness of handline fishing boats.

11 SEC. 3. *Handline Fishing, Defined.* - Handline fishing is a traditional fishing
12 method that uses the hook and line, a passive fishing gear with a single vertical line carrying
13 one hook and used by simply dropping the line into the water and waiting for the fish to bite.

14 Handline fishing boat, on the other hand, refers to boat with or without outrigger
15 and with or without auxiliary small boats on board that exclusively utilizes the traditional
16 fishing method.

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

6 **SEC. 5. *Fishing by Philippine Handline Fishing Boats in International***
7 ***Waters.-*** Handline fishing boats of Philippine registry may operate in international
8 waters or waters of other countries that allow such operations: *Provided*, That they
9 comply with the appropriate and applicable safety, manning, radio communications and
10 other standards and requirements geared at promoting seaworthiness: *Provided, however*,
11 That they secure an appropriate international fishing permit and certificate of clearance
12 from the BFAR: *Provided, further*, That the fish caught by handline fishing boats shall
13 be considered as caught in Philippine waters and therefore not subject to all import duties
14 and taxes when the same is landed in government designated fish landings and fish ports
15 in the Philippines: *Provided, finally*, That fishermen on board Philippine registered
16 handline fishing boats conducting fishing activities beyond the Philippine Exclusive
17 Economic Zone are not considered as overseas Filipino workers.

18 **SEC. 6. *Manning Complement of Handline Fishing Boats.*** - Every handline
19 fishing boat of Philippine registry, except auxiliary boat, when actually operated, shall be
20 manned in accordance with the following:

21 (a.) The person holding the position of Boat Master shall be issued a Boat Captain
22 License after submitting a Certificate of Engagement from the present boat
23 owner whom he works with, Affidavit of boat owner taking the risk and
24 responsibility for engaging the Boat Master, and Certificate of Completion for
25 theoretical and practical training for all applicants to the position. The
26 Identification Card of the Boat Master shall be stamped with the words
27 “ONLY FOR HANDLINE FISHING BOAT”.

1 (b.)The person holding the position of Boat Engineer shall be issued a Boat
2 Engine Officer License after submitting a Certificate of Engagement from the
3 present boat owner whom he works with, Affidavit of boat owner taking the
4 risk and responsibility for engaging the Boat Engineer, and Certificate of
5 Completion for theoretical and practical training for all applicants to the
6 position. The Identification Card of the Boat Engineer shall be stamped with
7 the words “ONLY FOR HANDLINE FISHING BOAT”.

8 *Provided*, That upon approval of this Act, incumbent Boat Masters and Boat Engineers
9 shall be issued their respective licenses after submission of their Certificate of
10 Engagement, Affidavit of boat owner taking the risk and responsibility and Certificate of
11 Completion for theoretical and practical training. *Provided*, further, That the Certificate
12 of Completion for theoretical and practical training shall be complied within one (1) year;
13 *Provided*, furthermore, That for handline fishing boats, the Boat Master, Boat Engineer
14 and others required by the appropriate *minimum safe manning* document, shall also
15 submit a copy of their respective Seaman’s Identification and Record Book (SIRB).

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

19 (a.) For boats of 5 gross tons and below including auxiliary boats, a picture and
20 actual dimensions of the boat submitted by the owner or boat builder;

21 (b.) For boats above 5 gross tons, the boat plan signed and sealed by a Naval
22 Architect. However, boat plans complying with the dimensions and specifications of
23 previously approved and sealed plans by a registered Naval Architect shall be considered
24 as having been approved and sealed by a registered Naval Architect.

25 **SEC. 8. *Implementing Rules and Regulations.*** – The Secretary of the Department of
26 Agriculture, within ninety (90) days after the effectivity of this Act, through a technical
27 working committee composed of the Bureau of Fisheries and Aquatic Resources (BFAR),
28 Maritime Industry Authority (MARINA), Philippine Coast Guard (PCG), National

1 Telecommunications Commission (NTC) and other concerned government agencies, in
2 consultation with fisherfolk and handline fishing industry organizations and other
3 stakeholders, shall promulgate the necessary rules and regulations including but not limited
4 to the the establishment of one-stop shop for the industry; provision for first aid, life saving
5 and firefighting devices; operation of radio communication facilities; reportorial
6 requirements and similar standards that promote seaworthiness for the full implementation
7 of this Act.

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

11 SEC. 10. *Effectivity*. - This Act shall take effect thirty (30) days after its complete
12 publication in the Official Gazette or in two (2) newspapers of general circulation, whichever
13 comes first.

14 Approved,

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