

[PRESIDENTIAL DECREE NO. 977, August 10, 1976]

CREATING THE PHILIPPINE FISH MARKETING AUTHORITY, DEFINING ITS FUNCTIONS AND POWERS, AND FOR OTHER PURPOSES

WHEREAS, it is recognized that fish is a staple food and major source of protein of the Filipino people;

WHEREAS, there is an imperative need to increase fish supply and stabilize consumer prices through the improvement of handling and marketing practices in fish landings and fish markets throughout the country, particularly in major centers of population;

WHEREAS, Filipino and foreign marketing experts are unanimous in their observation that there is a need for a more organized marketing and distribution system for fish that would coordinate the interests of fishing boat operators, fishpond and fishpen owners, brokers, wholesalers, retailers and consumers; and

WHEREAS, it is necessary to provide a modern organizational and marketing framework 'to supplement current and future development programs in the fishing industry.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, in order to effect the desired changes and reforms in the social, economic and political structure of our society, do hereby decree and order that the following be adopted and make part of the laws of the land:

SECTION 1. *Declaration of Policy.*—It is hereby declared to be the policy of the Government to promote the development of the fishing industry and improve efficiency in the handling, preserving, marketing and distribution of fish and fishery/aquatic products through the establishment and operation of fish markets and the efficient operation of fishing ports' harbors and other marketing facilities.

SEC. 2. *Creation of the Philippine Fish Marketing Authority.*—To carry out the above policy, there is hereby created the Philippine Fish Marketing Authority, hereafter referred to as the Authority, which shall be under the direct control and supervision of the Secretary of Natural Resources.

SEC. 3. *Principal Office.*—The Authority shall establish its principal office in the Metro Manila area and may establish such branches and agencies within the Philippines which may be necessary to carry out its objectives and functions.

SEC. 4. *Functions and Powers.*—The Authority shall have the following functions and powers:

- a) To manage, administer, operate, improve and modernize, coordinate and otherwise govern the activities, operations and facilities in the fishing ports, markets and landings that may hereinafter be placed under, or transferred to, the Authority and such other fish markets, fishing ports/harbors and infrastructure facilities as may be established under

this Decree; to investigate, prepare, adopt, implement and execute a comprehensive plan for the overall development of fishing port and market complexes and update such plan as may be necessary from time to time; to construct or authorize the construction in the land area under its jurisdiction, of infrastructure facilities, factory buildings, warehouses, cold storage and ice plants, and other structures related to the fishing industry or necessary and useful in the conduct of its business or in the attainment of the purposes and objectives of this Decree; to acquire, hold and dispose real and personal property in the exercise of its functions and powers;

b) To provide market intelligence, market information and advisory and promotional services to individuals and groups involved in the fishing industry, both in the private and public sectors;

c) To determine, regulate, control and supervise the operation of the enterprises which the Authority may authorize to be established within the fish markets and other fishery facilities;

d) To fix, assess, collect fees, tolls, charges, rentals, and the like, for the use, lease or sale of property, equipment, facilities and services in order to raise revenues for the Authority, and to adjust the same when so warranted;

e) To contract indebtedness and issue bonds, upon recommendation of the Secretary of Finance and approval by the President of the Philippines, whenever essential to the proper administration of its corporate affairs, and necessary to carry out the purposes of this Decree;

f) To promulgate rules and regulations on the use of wharves, piers and anchorages by fishing boats and other floating equipment and on the movement of fishing boats therein, as well as the stevedoring and arrastre services in the fish markets;

g) To have perpetual succession under its corporate name;

h) To prescribe and amend its by-laws; to adopt and use corporate seal; to sue and be sued; to enter into contracts; and to exercise the general corporate powers conferred by the law upon private and government-owned or controlled corporations;

i) To acquire, maintain, operate, purchase, dispose or lease vessels, fishing gears, refrigerated trucks, ice and cold storage plants, barges, fish plants, communication facilities, refrigerated trains, and related facilities;

j) To undertake, when public interest so requires and to attain the national economic objectives, the marketing of fish and fishery/ aquatic products, both for domestic consumption and for export; and

k) To exercise the right of eminent domain and to do and perform any and all things that may be necessary to carry out the purpose of this Decree.

SEC. 5. Capitalization.—The capitalization of the Authority shall consist of (1) the existing assets of the Navotas Fish Landing and such other property existing or