

[BFAR ADMINISTRATIVE ORDER NO. 171, August 14, 1990]

ESTABLISHING A CLOSED SEASON OF FIVE (5) YEARS FOR THE OPERATION WITHIN THE WATER PORTION OF MACAJALAR BAY, CAGAYAN DE ORO CITY

Pursuant to Sections 4 and 7 of Presidential Decree No. 704, as amended, otherwise known as the "Fisheries Decree of 1975", and Section 1 of Presidential Decree No. 1015, the following rules and regulations are hereby promulgated for the protection and conservation of fisheries and aquatic resources within the water portion of Macajalar Bay, Cagayan de Oro City.

SECTION 1. Definition - For the purpose of this Order, the following terms shall be construed as follows:

(a) Water portion of Macajalar Bay - refers to a body of water North of Cagayan de Oro City beginning at point 1 (mouth of Iponan River), and more particularly described as follows:

Thence, Due North, 7,000 meters to point 2

Thence, S,35°00'E, 4,000 meters to point 4

Thence, S,30°00'E, 3,700 meters to point 5

Thence, Due East, 5,000 meters to point 6

(mouth of Alae River) then traverse along the coastline of Macajalar Bay in SW direction to the point of beginning, containing approximately 8,750 hectares, as shown in the sketch Map attached hereto and made as an integral part of this Order.

(b) Commercial fishing boat - refers to fishing boat more than three (3) gross tons.

SECTION 2. Prohibition - It shall be unlawful for any person, partnership, association, cooperative or corporation to operate commercial fishing boats within the water portion of Macajalar Bay, Cagayan de Oro City during the five (5) year season from the effectivity of this Order.

SECTION 3. Penal Clause - Violation of the foregoing prohibition shall subject the offender to a fine of not less than Five Hundred Pesos (P500.00) but not more than Five Thousand Pesos (P5,000.00) or imprisonment from six (6) months to four (4) years, or both such fine and imprisonment in the discretion of the court; Provided, 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 Pesos (P5,000.00) including the confiscation of the fish caught, gear and other fishing paraphernalia used therein.