

[**EXECUTIVE ORDER NO. 305, April 02, 2004**]

**DEVOLVING TO MUNICIPAL AND CITY GOVERNMENTS THE
REGISTRATION OF FISHING VESSELS THREE (3) GROSS
TONNAGE BELOW**

WHEREAS, the Maritime Authority (MARINA) is mandated under Section 12 (f) Executed Order No. 125, as amended Executed Order No. 125-A, to register vessels;

WHEREAS, The Philippines Coast Guard (PCG) has been deputized by the MARINA to register fishing vessels three (3) gross tonnage and below pursuant to Department Order No. 98-1180 of the Department of Transportation and Communication and MARINA Memorandum Circular No. 139;

WHEREAS, Section 139 (3) of Republic Act No. 7160, otherwise know as the Local Government Code of 1991, provides that the Sangguniang Bayan shall issue licenses for the operation of fishing vessels three (3) gross tonnage or less, and Section 16, 17 and 18 of RA No. 8550, otherwise know as the "Philippine Fisheries Code of 1998", provide that the LGU shall have the Jurisdiction on municipal water;

WHEREAS, the marginalized fisherfolks nationwide are faced with the difficulty of registration of fishing vessels three (3) gross tonnage and below with the national government, especially in areas where the PCG offices are inaccessible;

WHEREAS, the League of Municipalities of the Philippines, the League of Cities of the Philippines and the National Anti-Poverty Commission Fisherfolk Sectoral Council strongly recommend that the authority to undertake the registration of fishing vessels three (3) gross tonnage and below presently being performed by the PCG by authority of MARINA be devolved the LGUs in line with their mandates under R.A. 7160 and No. 8550.

NOW THEREFORE, I Gloria Macapal-Arroyo, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

Section 1. *Devolution to Local Government Units.* The Municipal/City Government shall undertake the registration of fishing vessels three (3) gross tonnage and below. Said LGUs, in consultation with the Municipal/City Fisheries and Aquatic Resource Management Council (FARMC), shall enact ordinance prescribing the procedures of registration and imposing penalties for non-registration.

Section. 2. *Transition Period.* There shall be a transition period not to exceed the one (1) year of effectivity hereof, during which time the Municipal/City Governments shall train the technical personnel with the assistance of the MARINA and PCG and prepare the appropriate officers of the full discharge of this devolved functions. The DOTC, through the MARINA and PCG, is hereby directed to extend its assistance and