

[ **BFAR ADMINISTRATIVE ORDER NO. 199, S. 2000, February 23, 2000** ]

**GUIDELINES ON FISH TRANSSHIPMENT**

Pursuant to Sections 3, 41 and 42 of Republic Act No. 8550, the following guidelines on the transshipment of fish caught outside Philippine waters by foreign fishing vessels are hereby promulgated for compliance by all concerned:

**SECTION I. OBJECTIVES** . — This set of guidelines aims to carry out and implement various functions of government agencies relative to fish transshipment activities like entry and berthing of foreign fishing vessels, fish unloading, processing, and eventual transshipment of fish and its by-products to the foreign markets and to facilitate and expedite the processing of the necessary documents and other requirements relative to the transshipment operation of the foreign fishing vessels in the Davao Fish Port Complex in Davao City or any duly designated government-owned or -controlled regional fishport complexes in the Philippines.

**SECTION II. DEFINITION OF TERMS** . — As used in these guidelines, the following terms and phrases shall mean:

1. *BFAR* — The Bureau of Fisheries and Aquatic Resources
2. *BI* — The Bureau of Immigration
3. *BOC* — The Bureau of Customs
4. *DA* — The Department of Agriculture
5. *DFA* — The Department of Foreign Affairs
6. *DFPC* — The Davao Fish Port Complex
7. *Foreign Fishing Vessels* — Fishing Vessels registered in countries other than the Philippines.
8. *Foreign Fishing Operator* — One who owns and provides the means including labor, capital, fishing gear, and vessel, which may or may not be engaged in direct fishing duly licensed by another country.
9. *LGUs* — The Local Government Units.
10. *LOA* — The Length Over All of the Vessel
11. *NQO* — The National Quarantine Office

12. *One Stop Action Center (OSAC)* — A multi-agency government center created pursuant to Memorandum of Agreement duly notarized on August 8, 1996, whose principal tasks include but not limited to the processing of documents of fishery products that are to be transshipped to foreign markets and the documentation of incoming and outgoing foreign vessels.
13. *PCG* — The Philippine Coast Guard.
14. *PFDA* — The Philippine Fisheries Development Authority
15. *PN* — The Philippine Navy
16. *PNP-ASG* — The Philippine National Police-Aviation Security Group
17. *PNP-MG* — The Philippine National Police-Maritime Group
18. *POEA* — The Philippine Overseas Employment Administration
19. *Philippine Waters* — include all bodies of water within the Philippine territory such as lakes, streams, creeks, brooks, ponds, swamps, lagoons, gulfs, bays and seas and other bodies of water now existing or which may hereafter exist in the provinces, cities, municipalities, and barangays and the waters around, between and connecting the islands of the archipelago regardless of their breadth and dimensions, the territorial sea, the sea beds, the insular shelves, and all other waters over which the Philippines has sovereignty and jurisdiction including the 200-nautical miles Exclusive Economic Zone and the continental shelf.
20. *Skipper* — The deck officer in command of the vessel.
21. *Transshipment* — The process in which the fish from foreign fishing vessel is unloaded, cleaned, classified and packed at the DFPC or any other designated government-owned or- controlled regional fish port complex, and transshipped by air freight to other countries of destination.
22. *Transshipment Agent* — any person, partnership or corporation duly organized and existing under and by virtue of the laws of the Republic of the Philippines, having an office inside the premises of the DFPC, or any duly designated government-owned or -controlled regional fishport complex, and who acts as the legal agent/representative of the foreign fishing operator intending to utilize the fish port facilities for the transshipment of fish caught in international waters for foreign market destinations.

**SECTION III. PASSAGE.** — Foreign fishing vessels intending to call at any duly designated government-owned or – controlled regional Fish Port for unloading of fish caught outside Philippine waters for transshipment shall pass through the navigational lane to be designated for this purpose. Navigational lanes for other government-owned or – controlled regional fishports to be designated as transshipment points shall be determined and identified through separate Fisheries Administrative Orders accordingly.

**SECTION IV. TRANSSHIPMENT.** — Foreign fishing vessels wishing to avail of land, air and sea facilities available in the Philippines to transport fishery products which are caught outside Philippine territorial waters to its final destination shall call only at duly designated government-owned or- controlled regional fishport complexes after securing clearance from the Department of Agriculture, thru the BFAR.

**SECTION V. ORGANIZATION OF ONE-STOP ACTION CENTER.** — A One-Stop Action Center (OSAC) shall be organized in every designated government-owned or –controlled regional fishport complex whose principal tasks include, but not limited to the processing of documents of fishery products that are to be transhipped to foreign markets and the documentation of incoming and outgoing foreign vessels. This office shall be composed of representatives of government agencies including the Philippine Fisheries Development Authority (PFDA), Bureau of Customs (BOC), Bureau of Immigration (BI), National Quarantine Office (NQO), Philippine Navy (PN), Philippine Coast Guard (PCG), PNP-Maritime Group (PNP-MG), Philippine Overseas Employment Administration (POEA), and the Bureau of Fisheries and Aquatic Resources (BFAR) as the lead agency.

**SECTION VI. CLEARANCE .** — Foreign fishing vessels intending to call at any designated government-owned or –controlled regional fish port complex shall first be accredited by the BFAR and shall secure entry clearance from the Department of Foreign Affairs (DFA) or its duly designated agency before entering Philippine territorial waters and shall notify the Bureau of Immigration (BI) of the name of the vessel, its registry number, its last port of call, the names of its skipper and all its crew and their nationalities.

## **SECTION VII. GENERAL PROCEDURES**

1. Vessel Accreditation. — The transshipment agent shall initiate the accreditation of foreign fishing vessels under their stewardship. All applicants for accreditation shall be filed with the designated regional fish ports. The port manager shall recommend the application for accreditation to the Bureau of Fisheries and Aquatic Resources in accordance with the prescribed manual of operations on the matter.

Applications for accreditation shall be accompanied by the following documents:

- 1.1 Name of fishing vessel, registry number, previous names, national flag and port of registry;
- 1.2 Applications for accreditation shall be accompanied by a 5" x 10" picture;

- 1.3 Name and address of owner or owners;
- 1.4 Name and address of operator (manager) or operators (managers);
- 1.5 International Radio Call Sign and Radio Frequency;
- 1.6 Where and when built;
- 1.7 Type of vessel;
- 1.8 Type of fishing method or methods;
- 1.9 Length (LOA);
- 1.10 Moulded depth;
- 1.11 Breadth;
- 1.12 Gross and net registered tonnage;
- 1.13 All applications shall be accompanied by an accreditation fee of P5,000.00 per vessel. In addition, a departure clearance of P100.00 shall be charged to each vessel by the BFAR;
- 1.14 Profile and pictures of the skipper and all its crew members for verification and derogatory investigation.

The BFAR shall furnish, on a monthly basis, the pertinent bureaus the list of its accredited vessels.

2. Pre-Arrival Requirements. — Any foreign fishing vessel intending to dock at the DFPC, or any other government-owned or -controlled regional fish port complex as a transshipment and re-supply point, shall, thru its duly authorized agent, notify OSAC 48 hours before the vessel's estimated time of arrival (ETA). The arrival notice shall contain the following information:

- 2.1 Name of the vessel;
- 2.2 Registry number of the vessel;
- 2.3 Accreditation no. of the vessel, if already accredited;
- 2.4 LOA/DRAFT;
- 2.5 Estimated time of arrival (date and hour);

Hours should be in military form:

- e.g. 1:00 AM should read 0100 HRS  
 12:00 Noon should read 1200 HRS  
 2:00 PM should read as 1400 HRS  
 10:00 PM should read as 2200 HRS  
 12:00 MN should read as 2400 HRS

- 2.6 Exact coordinates of the Vessel when notice was transmitted;
- 2.7 Name and nationality of the Skipper or Boat Captain;
- 2.8 Number, name and nationality of Crewmen on board;
- 2.9 Volume of Catch by species, fishing areas and exact coordinates;
- 2.10 Nature of sickness and/or injuries of crew, if there is any; and
- 2.11 Emergency or security assistance, if needed.