

[LLDA RESOLUTION NO. 137, S. 2000, June 29, 2000]

**ADOPTING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 8550
AND ITS IMPLEMENTING RULES AND REGULATIONS AND
APPROVING CLARIFICATORY GUIDELINES THEREOF**

WHEREAS, Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998, was enacted by the Tenth Congress of the Republic of the Philippines on 25 February 1998, "...Providing for the Development, Management and Conservation of the Fisheries and Aquatic Resources, Integrating All Laws Pertinent Thereto and For Other Purposes";

WHEREAS, Article II of Chapter III of the said law mandates the creation of Fisheries and Aquatic Resources Management Councils (FARMCs) in the national level and in all municipalities/cities abutting municipal waters with the assistance of the Local Government Units (LGUs) and other government entities;

WHEREAS, Republic Act No. 8550 likewise directed other government agencies such as the LLDA to extend technical assistance to the FARMCs which shall include among others, the formation and strengthening of fisherfolks organizations and the provision of other services as may be deemed necessary;

WHEREAS, the Department of Agriculture under its Administrative Order No. 3, Series of 1998, issued the Implementing Rules and Regulations of the Philippine Fisheries Code of 1998, including among others, Rule 69.1 thereof relating to the creation of the Inter-Sectoral Committee to formulate the organizational guidelines on the formation of FARMCs;

WHEREAS, the Department of Agriculture issued Fisheries Administrative Order No. 196 on January 21, 2000 specifying the Guidelines on the Creation and Implementation of Fisheries and Aquatic Resources Management Councils which provides in Sec. 23 thereof that Special Agencies, such as the LLDA, shall integrate the plans and policies formulated by FARMCs into their agency/corporate policies and plans of operation for implementation;

WHEREAS, on 21 October 1998, the Inter-Agency Coordinating Council (IACC) for FARMC Operation in Laguna de Bay was formed to serve as a coordinating and consultative body on the implementation of the Philippine Fisheries Code of 1998 in Laguna de Bay and collaborate towards a cohesive implementation of FARMC activities;

WHEREAS, the LLDA as the lead agency has initiated various activities leading to the formation, effective operation and integration of the Laguna de Bay Integrated Fisheries and Aquatic Resources Management Council (LdBFARMC); and

WHEREAS, in the effective implementation in the Laguna de Bay Region of Fisheries Administrative Order No. 196, Guidelines on the Creation and

Implementation of Fisheries and Aquatic Resources Management Councils, there is a need to formally adopt said provision and issue clarificatory guidelines to serve as basic frame of reference for the IACC in the organization, operation and integration of the FARMCs;

NOW, THEREFORE , foregoing premises considered, BE IT RESOLVED, as it is hereby RESOLVED, to adopt Article II of Chapter III of Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998, FAO 196, Guidelines on the Creation and Implementation of FARMCs and approve the following clarificatory guidelines on the implementation of the said provision in the Laguna de Bay Region:

ARTICLE I

TITLE, OBJECTIVES AND DEFINITION

Section 1. Title. — These guidelines shall be known and cited as “Adopting Certain Provisions of Republic Act No. 8550 and its Implementing Rules and Regulations as provided in Fisheries Administrative Order No. 196 and Approving Clarificatory Guidelines Thereof.”

Section 2. Objectives . — These Guidelines aim to achieve the following objectives:

1. Develop a set of systems and procedures in the integration and operation of FARMCs in the Laguna de Bay Region;
2. Re-identify responsibilities of agencies concerned in the operation of FARMCs and strengthen networking and linking among coordinating agencies;
3. Institutionalize the operation of FARMCs in the Laguna de Bay Region.

Section 3. Definition of Terms. — For the purpose of these guidelines, whenever any of the following words, terms, phrases or abbreviations are used herein or in any amendment or supplementary thereto which may be issued hereafter, they shall have the meaning ascribed in these guidelines:

1. **Agreement** — the joint undertaking stipulated in the Memorandum of Agreement signed by the members of the Inter-Agency Coordinating Council on FARMC Implementation in the Laguna de Bay Region.
2. **Authority or LLDA** — the Laguna Lake Development Authority which is one of the “other government entities” referred to in R.A. No. 8550.
3. **Crater Lakes** — the Seven Lakes of San Pablo City and Tadalak Lake in Los Baños, Laguna.
4. **DA-BFAR Region IV** — Department of Agriculture-Bureau of Fisheries and Aquatic Resources Region IV (Southern Tagalog Region).

5. **FARMC** — The Fisheries and Aquatic Resource Management Council.
6. **Fisherfolks** — people directly or personally and physically engaged in taking and/or culturing and processing fishery and/or aquatic resources.
7. **Fisherfolk Cooperative** — a duly registered association of fisherfolk with a common bond of interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contribution to the capital requirements and accepting a fair share of the risks and benefits of the undertakings in accordance with universally accepted cooperative principles.
8. **Fisherfolks Organizations** — an organized and legitimate group, association, federation, alliance or institution of fisherfolks which has at least fifteen (15) members, a set of officers, constitutions and by-laws, an organizational structure and a program of action.
9. **Fisheries** — all activities relating to the act or business of fishing, culturing, preserving, processing, marketing, developing, conserving and managing aquatic resources and the fishery areas, including the privilege to fish or take aquatic resources thereof.
10. **Fishery Operator** — one who owns and provides the means including the land, labor, capital, fishing gear and vessel but not personally engage in fishery.
11. **Fishworker** — A person regularly or not regularly employed in commercial fishing and related industries whose income is either in wage, profit sharing or stratified sharing basis, including those fish vendors, working in fish pens, fish cages, fish corrals/traps and fishponds.
12. **Inter-Agency Coordinating Council** — a body composed of the Laguna Lake Development Authority, Commission on Human Rights Region IV, Department of Agriculture-Bureau of Fisheries and Aquatic Resources Region IV, Department of Interior and Local Government Region IV, Department of Justice Region IV, Fisherfolk organization and concerned Local Government Units in the Provinces of Laguna, Rizal and National Capital Region which is tasked to ensure the substantial implementation of the Fisheries Code of 1998 in the Laguna de Bay Region.
13. **Laguna Lake or lake** — the Laguna de Bay
14. **Laguna de Bay Region** — comprises the whole Provinces of Rizal and Laguna, the cities of San Pablo, Pasay, Caloocan, Quezon, Manila, Marikina, Pasig, Muntinlupa, Antipolo and Tagaytay, the towns of Tanauan, Sto. Tomas and

Malvar in Batangas, the towns of Silang and Carmona in Cavite, Lucban in Quezon and the towns of Taguig and Pateros in Metro Manila;

15. **National Capital Region or NCR** — the cities and municipalities of Metro Manila that fall within the jurisdictional boundary of Laguna de Bay Region namely, Muntinlupa, Taguig, Pateros and Pasig.

16. **NGOs** — legitimate Non-Governmental Organizations directly involved in fishery related activities within the Laguna de Bay Region.

17. **POs** — legitimate people's organizations directly involved in fishery related activities within the Laguna de Bay Region.

ARTICLE II

CREATION OF THE FISHERIES AQUATIC RESOURCES MANAGEMENT COUNCILS

Section 4. Organization Guidelines. — The FARMCs in the Laguna de Bay Region shall be formed by fisherfolks organizations, cooperatives and Non-Government Organizations in the locality and shall be assisted by the Local Government Units and the LLDA. Before organizing the FARMCs, the LLDA, LGU, NGOs, fisherfolks and other concerned POs shall undergo consultation and orientation on the formation of FARMC.

Section 5. Barangay Fishery Aquatic Resource Management Council (BFARMC). — The BFARMC shall be organized in all lakeshore barangays in Laguna de Bay Region. The BFARMCs shall serve in an advisory capacity to the LGUs and the LLDA.

Section 6. Integration of Municipality/City FARMCs. — For each lakeshore town around Laguna de Bay, the BFARMCs shall consolidate/federate into a Municipal/City FARMC. The latter shall then integrate into a province-wide FARMC to form the Integrated Rizal FARMC, Integrated Laguna FARMC and Integrated Metro Manila FARMC. Consequently, the three province-wide FARMCs shall constitute the Laguna de Bay Integrated FARMC (LdBIFARMC).

Section 7. FARMCs for the Seven Crater Lakes of San Pablo City, Nagcarlan and Rizal, Laguna. For the Seven Crater Lakes of San Pablo City, Nagcarlan and Rizal, Laguna, the BFARMCs in each lake shall consolidate/federate to form the Lakewide FARMC (LFARMC). The Lakewide FARMC shall then integrate to form the Seven Lakes Integrated FARMC (SLIFARMC).

Section 8. Composition of BFARMC and LFARMC. — The BFARMC and the LFARMC shall be composed of the following:

- a) Representative from the Barangay Development Council
- b) Chairperson — Committee on Agriculture and Fisheries
- c) Representative from the accredited Non-Government

Organizations (NGO)

- d) Representative from the Private Sector
- e) Representative from the Municipal Agricultural Office
- f) At least eleven (11) barangay fisherfolk representatives which include representatives from youth and women sectors.

Section 9. Functions of BFARMC and LFARMC . — The BFARMC and LFARMC shall have the following functions:

- 1. Assist in the preparation of the integrated fishery development plan in coordination with the concerned Barangay Development Council and Municipal FARMCs;
- 2. Advise the concerned Sangguniang Barangay/Bayan/Lungsod in fishery matters through its Committee on Fisheries;
- 3. Recommend for the enactment of the integrated fishery ordinances to the concerned Sangguniang Barangay and Sangguniang Pambayan/Panlungsod through their respective Committee on Fisheries and the LLDA;
- 4. Assist in the enforcement of fishery laws, rules and regulations in the particular lake where they operate;
- 5. Perform such other functions which may be assigned by the concerned Sangguniang Barangay/Bayan/Lungsod and the LLDA.

Section 10. Municipal/City Fishery Aquatic Resource Management Council (MFARMC/CFARMC). — The MFARMC/CFARMC shall be created in each of the lakeshore municipalities and cities and shall serve in advisory capacity to the LGUs and the LLDA.

Section 11. Composition of MFARMCs . — The MFARMCs shall be composed of the following:

- a) Municipal/City Planning and Development officer
- b) Chairperson, Committee on Fisheries and Agriculture of the Sangguniang Bayan/Lungsod
- c) Representative of the Municipal/City Development Council
- d) Representative of accredited Non-Government Organizations
- e) Representative from the Private Sector
- f) Representative from the Municipal/City Agricultural Office
- g) At least eleven fisherfolks representatives to be composed of seven barangay fisherfolks representatives which include representatives from youth and women sectors.