



Republic of the Philippines  
Department of Agriculture

**Bureau of Fisheries and Aquatic Resources**

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**FISHERIES ADMINISTRATIVE)  
ORDER NO. 236-3 :  
Series of 2014**

**SUBJECT: Extension of FAO 236-2 Series of 2013 on the Rules and Regulations on the Operations of Purse Seine and Ring Net Vessels Using Fish Aggregating Devices (FADs) locally known as Payaos during the FAD Closure Period as Compatible Measures to WCPFC CMM 2013-01**

**WHEREAS**, the Western and Central Pacific Fisheries Commission (WCPFC) adopted **Conservation and Management Measure (CMM) 2013-01** entitled "CONSERVATION AND MANAGEMENT MEASURE FOR BIGEYE, YELLOWFIN AND SKIPJACK TUNA IN THE WESTERN AND CENTRAL PACIFIC OCEAN".

1. Paragraph 14 states that "A three (3) months (July, August and September) prohibition of setting on FADs shall be in place for all purse seine vessels fishing in EEZ and high seas (see paragraphs 3-7 of CMM 2009-02 for the rules for the FAD closure in the high seas)".
2. Paragraph 22 states that "Other coastal states within the Convention Area with effort in their EEZs exceeding 1,500 days annually over the period 2006-2010 shall limit effort in their EEZs to 2001-2004 average or 2010 levels.

**WHEREAS**, FAO 236, FAO 236-1 and FAO 236-2 was enacted as compatible measures to CMM 2008-01, 2011-01, 2012-01 respectively.

**WHEREAS**, in view of the adoption and implementation of CMM 2013-01, there is a need to establish the FAD closure period within the EEZ of the Philippines on July, August and September as a compatible measure to CMM 2013-01

**NOW THEREFORE**, the following provisions of this Order are hereby adopted and implemented:

**Section 1. FAD Closure Period.** The FAD Closure period under FAO 236 shall take effect for the period of three (3) months starting from July 1 to September 30, 2014.

**Section 2. Net Inspection/Accreditation.** The BFAR shall conduct annual inspection/re inspection and marking of purse seine and ring net fishing gears to ensure compliance to the reduced net depth established under FAO 236 which is 115 fathoms.

**Section 3. Monitor/Observer Coverage.** All Purse seine and ringnet catcher vessels fishing on FADs during the FAD closure period shall carry onboard accredited Monitors/Fisheries Observers who shall gather data and recommend further improvements during the aforementioned period.

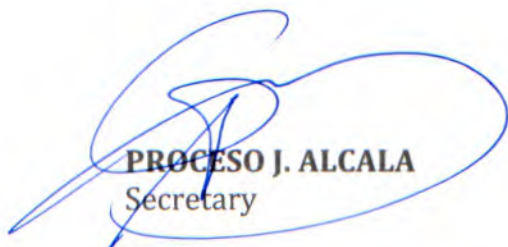
**Section 4. Prohibitions.** The following acts shall be prohibited under this FAO:

1. Setting on FADs without annual inspection/re-inspection of nets.
2. Using unauthorized nets during FAD closure Period (authorized/allowed reduced net depth shall be 115 fathoms and below as established in FAO 236), and
3. Setting on FADs without Observers as they are required.

**Section 5. Sanctions.** Any fishing company or individual who commits any of the above prohibited acts shall be subjected to a fine of One hundred thousand pesos (Php 100,000.00) to Three hundred thousand pesos (Php 300,000.00) for small-scale commercial fishing, Four hundred thousand pesos (Php 400,000.00) to Seven hundred thousand pesos (700,000.00) for medium-scale commercial fishing, and Eight hundred thousand pesos (800,000.00) to One million pesos (1,000,000.00) for large scale commercial fishing. The minimum fine shall be imposed for the first-time offenders. However, BFAR may impose the maximum fine for the fishing company who violated for the fourth time, including confiscation of catch and cancellation of CFVGL.

**Section 6. Effectivity.** This Order shall take effect fifteen (15) days after the publication in the Official Gazette and/or in two (2) newspapers of general circulation and upon registration with the National Administrative Register and shall be deemed coterminous with CMM 2013-01.

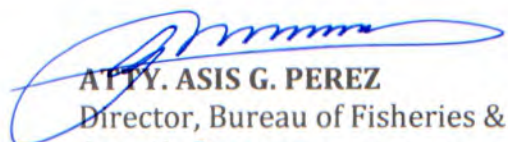
Issued this 24<sup>th</sup> day of Feb., 2014 at Quezon City, Metro Manila, Philippines



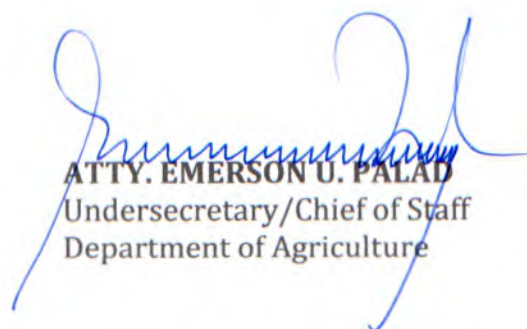
**PROCESO J. ALCALA**  
Secretary

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