

PRESIDENTIAL DECREE NO. 1015

DATE: September 22, 1976

AMENDING THE FIRST PARAGRAPH OF SECTION 17 AND SECTION 35 OF PRESIDENTIAL DECREE NO. 704

WHEREAS, it is the policy of the state to uplift the economic condition of the municipal and small-scale fishermen;

WHEREAS, to achieve this purpose in its imperative to provide them with a wider area in the Philippine waters within which to operate their fishing boats of three (3) gross tons or less;

WHEREAS, it is also our policy to conserve and maintain the ecology of our marine environment; and

WHEREAS, it is, therefore, necessary to amend Sections 17 and 35 of Presidential Decree No. 704;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution do hereby order and decree:

Sec. 1. The first paragraph of Section 17 of Presidential Decree No. 704, is hereby amended to read as follows:

Sec. 17. Commercial fishing boat license and other licenses. - No person shall operate a commercial fishing boat, pearl fishing boat or fishing boat for scientific, research or educational purposes, or engage in any **fishery** activity or seek employment as a fisherman without first securing a license from the Bureau: Provided, That no such special permit shall be required of a fishing boat engaged in scientific, research or educational purposes within Philippine waters pursuant to an international agreement of which the Philippines is a signatory, and which agreement defines the status, privileges and obligations of said boat and its crew and the non-Filipino officials of the international agency under which said boat operates: Provided, further, That the members of the crew of a fishing boat used for commercial fishing, including but not limited to duly licensed and/or authorized patrons, marine engineers, radio operators and cooks, shall be considered as fishermen: Provided, furthermore, That commercial fishing boats shall be allowed to operate only in the Philippine waters of seven (7) or more fathoms deep subject to the conditions that may be stated therein and the rules and regulations that may, from time to time, be promulgated by the Secretary: Provided, however, That the President of the Philippines may, upon the recommendation of the Secretary, ban the operation of commercial or other fishing gear in waters within a distance of seven (7) kilometers (3.78 nautical miles) from the shoreline if public interest so requires or if the ecology of the marine resources may be impaired: Provided, finally, That the Secretary may, upon the recommendation of the Director, establish a closed season in any Philippine water if necessary for conservation or ecological purposes.

Sec. 2. Section 35 of the same Presidential Decree is hereby amended to read as follows:

Sec. 35. Trawl fishing in waters seven (7) fathoms deep or less. - Subject to the provisions of Section 17 hereof, no person shall operate trawls in waters seven (7) fathoms deep or less: Provided, That baby trawls using fishing boats of three (3) gross tons or less may operate in areas four (4) fathoms deep or more if authorized by existing municipal ordinances duly approved by the Secretary: Provided, further, That the President of the Philippines may, upon the recommendation of the Secretary, ban the operation of trawls in waters within a distance of seven (7) kilometers (3.78 nautical miles) from the shoreline if public interest so requires.

Sec. 3. This Decree shall take effect immediately.

Done in the City of Manila, this 22nd day of September, in the year of Our Lord, nineteen hundred and seventy-six.