



OFFICE OF THE SANGGUNIANG BAYAN Sta. Cruz, Laguna



EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF SANTA CRUZ, LAGUNA HELD ON SEPTEMBER 05, 2022, MONDAY, 9:25 IN THE MORNING AT THE BATASANG BAYAN, ESCOLAPIA BUILDING, SANTA CRUZ, LAGUNA.

PRESENT:

Honorable LAARNI A. MALIBIRAN

..... VICE MAYOR
Presiding Officer

Honorable Ambiel John C. Panganiban

..... Councilor

Honorable Lea A. Almarvez

..... Councilor

Honorable Norman T. Tolentino

..... Councilor

Honorable Esmeraldo C. De Las Armas, Jr.

..... Councilor

Honorable Rizaldy N. Kalaw

..... Councilor

Honorable Mark Anthony P. Joven

..... Councilor

Honorable Lucena R. Odejar

..... Councilor

Honorable Alan T. Pamatmat

..... Councilor

Honorable Patrocinia S. Kalaw

..... Councilor - ABC Federation President

Honorable Regine S. Regalado

..... Councilor - SK Federation President

MUNICIPAL ORDINANCE NO. 09 - S2022

AN ORDINANCE ADOPTING THE REGISTRATION AND LICENSING OF MUNICIPAL FISHERFOLK, FISHING VESSELS AND FISHING GEAR IN THE MUNICIPALITY OF SANTA CRUZ LAGUNA, PROVIDING PENALTIES FOR VIOLATION THEREOF, AND FOR OTHER PURPOSES.

WHEREAS, the Philippine Constitution protects and advances the rights of the people to a balanced and healthy ecology in accord with the rhythm and harmony of nature;

WHEREAS, the Local Government Code of 1991 has devolved the management of municipal waters and its coastal and fisheries resources of the Municipal Government;

WHEREAS, Section 16 of Republic Act 8550, otherwise known as the Philippine Fisheries Code of 1998 provides that the Municipal Government shall have jurisdiction over municipal waters. The Municipal Government in consultation with the Fisheries and Aquatic Resource Management Council shall be responsible for the development, conservation, protection, rehabilitation, utilization, disposition and management of all coastal resources;

WHEREAS, an endorsement dated June 28, 2022 was presented to the Sangguniang Bayan favorably requesting to enact an Ordinance required by Bureau of Fisheries and Aquatic Resources (BFAR) requiring the registration of fishing vessels and fishing gears in the Municipality of Santa Cruz Laguna;

NOW THEREFORE, upon motion of Hon. Norman T. Tolentino (Chairman, Committee on Agriculture, Fishery and Cooperative), duly seconded by Hon. Lucena R. Odejar, Hon. Patrocinia S. Kalaw, and Hon. Mark Anthony P. Joven and with the approval of all the members of the Sangguniang Bayan present, it was

Be it enacted by the Sangguniang Bayan of Santa Cruz Laguna in its regular session assembled, that:

CHAPTER I GENERAL PROVISIONS

SECTION 1. Title - This ordinance shall be known as the "Fishing Registration and Licensing Ordinance of the Municipality of Santa Cruz Laguna".

SECTION 2. Scope - The ordinance shall cover all municipal capture fisherfolk, natural or juridical, their vessels, gear and other paraphernalia which are operating in the municipal waters of the Municipality of Santa Cruz Laguna.

SECTION 3. Policy - It is the policy of the Municipality of Santa Cruz Laguna to promote the proper management, conservation, development, protection, and utilization of its municipal waters. It shall regulate the utilization of its coastal and fishery resources. It shall be achieved through registration and licensing by limiting access to the fishery and aquatic resources of the Municipality by giving priority to the residents and to protect the rights of the fisher folks in the preferential use of municipal waters.





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SECTION 4. Definition of Terms - As used in this Ordinance, the following terms are defined as follows:

Admeasurements - the measure of the volumetric capacity of the fishing vessel to determine its GT

BFAR - Bureau of Fisheries and Aquatic Resources

Certificate of Fisherfolk Registration - proof that the fisherfolk is listed in the municipal fisherfolk' registry

Certificate of Number - proof of identity of fishing vessel

Community Tax Certificate - proof of residence in a municipality or city

Fisherfolk - people directly or personally or physically engaged in taking and/or culturing and processing fishery and/ or aquatic resources.

Fisherfolk Cooperative - a duly registered association of fisherfolk with a common bond interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contribution to the capital requirement and accepting a fair share of the risks and benefits of the undertakings in accordance with universally accepted cooperative principles.

Fisherfolk Cooperative - a duly registered association of fisherfolk with a common bond interest, who have voluntarily joined together to achieve a lawful common social or economic end, making equitable contribution to the capital requirement and accepting a fair share of the risks and benefits of the undertakings in accordance with universally accepted cooperative principles

Fisherfolk Organization - an organized group, association, federation, alliance or institution of fisherfolk which has at least fifteen (15) members, a set of officers, a constitution and by-laws, an organizational structure and a program of action

Fishery species - aquatic flora and fauna including but not restricted to fish, algae, coelenterates, mollusks, crustaceans, echinoderms and cetaceans.

Fishing - the taking of fishery species from the wild state or habitat with or without the use of fishing vessels

Fishing Gear - any instrument or device and its accessories utilized in taking fish and other fishery species

Fisherfolk Registration - the act/process of enlisting fisherfolk for the purpose of determining priorities among them, of limiting entry into municipal waters and of monitoring activities/and or other purposes

Fishing Vessel - any boat, ship or other watercraft equipped to be used for taking of fishery species aiding or assisting one (1) or more vessels in the performance of any activity relating to fishing, including but not limited to, preservation, supply storage, refrigeration, transportation, and/or processing

For the purpose of this FAO, any watercraft used for fishing or in support to fishing operations in municipal waters weighing three (3) GT and below

GT - Gross Tonnage; the product of vessel tonnage length, vessel depth, and vessel multiplied by a factor of 0.70 divided by 2.83

Homeport - refers to the locality where the fishing vessel is registered

LGUs - Local Government Units; refer to cities and municipalities

Limited Access - a fishery policy by which a system of equitable resource use and allocation is established by law through fishery rights granting and licensing procedure as provided by the Philippine Fisheries Code

Fishing License - a permit to fish using specific types of fishing vessel(s) gear and other fishing paraphernalia for a specified duration in municipal waters, granted only to registered fisherfolk

MARINA - Maritime Industry Authority

Motorized Fishing Vessel - a fishing vessel propelled by mechanical means.

HON. MARK ANTHONY P. JOVEN
Councillor

HON. LUCENA R. ODEJAR
Councillor

HON. ALAN T. PAMATMAT
Councillor

HON. PATROCINIA S. KALAW
ABC Federation President

HON. REGINE S. BASTADO
SK Federation President

HON. RIZALDY N. KALAW
Councillor

HON. ESMERALDO C. DELA ROSA
Councillor

HON. NORMAN T. TOLENTINO
Councillor

HON. LEA A. ALMAREVEZ
Councillor

HON. AMBIELO JOHN C. PANGANIBAN
Councillor



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HON. RIZALDY N. KALAW
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HON. ESMERALDO C. DELAS ARMAS, JR.
Councillor

HON. NORMAN T. TOLENTINO
Councillor

HON. LEA A. ALMARVEZ
Councillor

HON. AMBIELO JOHN C. PANGANIBAN
Councillor

Municipal Fisherfolk - persons who are directly or indirectly engaged in municipal fishing and other related fishing activities

Municipal Fishing - refers to fishing within municipal waters using fishing vessels of three (3) GT or less, or fishing not requiring the use of fishing vessels

Municipal Waters - include not only streams, lakes, inland bodies of water and tidal waters within the municipality which are not included within the protected areas as defined under Republic Act No. 7586 (The NIPAS Law), public forest, timber lands, forest reserves or fishery reserves, but also marine waters included between two (2) lines drawn perpendicular to the general coastline from points where the boundary lines of the municipality touch the sea at low tide and a third line parallel with the general coastline including offshore islands and fifteen (15) kilometers from such coastline. Where two (2) municipalities are so situated on opposite shores that there is less than thirty (30) kilometers of marine waters between them, the third line shall be equally distant from the opposite shore of the respective municipalities

Under the ARMM Aquatic and Fisheries Code, municipal waters only extend twelve (12) kilometers from the coastline LGUs Local Government Units; refer to cities and municipalities.

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Under the ARMM Aquatic and Fisheries Code, municipal waters only extend twelve (12) kilometers from the coastline

Net Tonnage - the GT multiplied by a factor 0.32

New Entrants to Fishery - refers to fisherfolk which are classified as (a) new generation of fisher folk; (b) fisher folk changing homeports; or (c) returning fisherfolk (those who have stopped fishing temporarily)

New Fishing Vessels - vessels which are used by (a) new generation of fisherfolk; (b) fisherfolk changing homeports; or (c) returning fisherfolk (those who have stopped fishing temporarily)

Registered Breadth - the transverse distance taken at a widest part of the hull, excluding rub rails from the outer board side of the skin on one side of the hull to the outboard side of the skin on the other side of the hull

Registered Depth - the vertical distance taken at or near mid ships from a line drawn horizontally through the gunwale of the skin of the sides of the hull (excluding the rail) to the outboard face of the bottom skin of the hull, excluding the keel

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Registered Length - the horizontal distance between the outboard side of the foremost part of the stem and the outboard side of the aftermost part of the stern, excluding fittings and attachments

Resource Rent - the difference between the value of the products produced from harvesting a publicly owned resource less the cost of producing it, where cost includes the normal return to capital and normal return to labor

Returning Fisherfolk – fisherfolk who have stopped fishing temporarily but are now resuming their fishing activities

Tonnage Breadth - measured at the mid part from the gunwale inside of the skin of the hull to the inside of the skin on the other side of the hull

Tonnage Depth - measured at the centerline from a point below the line of the tonnage deck. Measurement taken at right angle to the vessel centerline of the vessel down to the inboard of the bottom skin of the hull

Tonnage Length - the length measured at the center line of the fishing vessel from the point forward where the line of the tonnage deck intersects the line of the inboard faces at the stem to the point aft where the line of the tonnage deck intersects the inboard face of the stern

Tonnage Registration - an act/process of enlisting a fishing vessel three (3) GT and below for the purpose of establishing its identity and ownership by assigning it a permanent number [recorded in the municipal registry of municipal fishing vessels]

CHAPTER II REGISTRATION OF FISHERFOLK AND THEIR FISHING GEAR

SECTION 5. Registry of Fisherfolk and their Fishing Gear - The Municipality of Santa Cruz Laguna through the Municipal Agricultural Officer shall keep a registry of fisherfolk and/or their organizations. Gear types and specifications shall be incorporated in the Fisherfolk Registry. The registry shall be for purposes of information generation, monitoring and regulation. It shall also serve as basis for determining preferential rights as to the use of its municipal waters. All fishery related activities in the municipal waters shall be permitted only to municipal fisherfolk and their cooperatives/organizations who are listed as such in the registry.

The Municipal Agricultural Officer shall maintain and update the registry of fisherfolk and their fishing gear with the assistance of the B/M/ CFARMC and submit the updated registries to the Office of the Mayor. The Barangay Councils shall be furnished a copy of the registry to be posted in barangay halls and in other strategic locations where it shall be open to the public for validation of the correctness and completeness of the list.

SECTION 6. Registration of Municipal Fisherfolk and Fishing Gear - All qualified fisherfolk shall be registered with the Municipality of Santa Cruz, Laguna through the Municipal Agricultural Officer. All fishing gear and/or paraphernalia to be used by the applicant fisherfolk shall be registered simultaneously. Municipal fisherfolk shall be qualified to secure a license, upon completely filling-up the prescribed application form. Registered fisherfolk shall carry with them their CFR and license at all times when engaged in fishing operations and present or surrender the same, whenever and wherever requested by the PNP Maritime-Group, PNP, MFARMC, Bantay Dagat personnel and other duly authorized law enforcers.

SECTION 7. Qualification/Eligibility - Only the municipal fisherfolk who meet the following eligibility requirements shall be allowed to register:

- A citizen of the Philippines;
- Must be directly or personally and physically engaged in the taking of fishery and/or aquatic resources from the wild state or habitat with or without the use of fishing vessels;
- A resident of the Municipality/City for at least six (6) months; and,
- At least eighteen (18) years of age.

SECTION 8. Requirements for Registration of Municipal Fisherfolk - Municipal fisherfolk shall register with the MAO by submitting the following documents:

- Duly accomplished Standard Fisherfolk Registration Form (Annex "A"); and,
- Community Tax Certificate (CTC) secured from the barangay treasurer or municipal/city treasurer.



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SECTION 9. Certificate of Fisherfolks Registration (CFR) - Upon submission of the documentary requirements, the Municipality/ City shall issue to the fisherfolk the Certificate of Fisher folks Registration (CFR) (Annex "B").

SECTION 10. Maintenance of Fisherfolk Registry - The LGU, through the MCAO), shall keep a registry of fisherfolk and/or their organizations. Gear types and specifications shall be incorporated in the Registry of Fisherfolk in as much as the municipal fisherfolk and his fishing gear and/or paraphernalia are registered simultaneously

The MAO shall maintain and update the registry of fisherfolk and their fishing gear with the assistance of the MFARMC and submit the updated registries to the Office of the Mayor. The Barangay Councils shall be furnished a copy of the registry to be posted in barangay halls and in other strategic locations where it shall be open to the public for validation of the correctness and completeness of the list.

The LGU shall regularly submit the list of fisherfolk registered and deleted/cancelled from the registry within the first quarter of the succeeding year to the BFAR- Fisheries Information Management System.

CHAPTER III REGISTRATION OF FISHING VESSELS 3 GT AND BELOW

SECTION 11. Registration of Fishing Vessels - All fishing vessels three (3) GT and below shall be registered with the Municipality through the MAO and pursuant to Executive Order No. 305 (Local Government Guide to Registration of Municipal Fishing Boats 3GT and below).

SECTION 12. Registry of Fishing Vessels - The Municipality of Santa Cruz Laguna through the Municipal Agriculturist Office (MAO) shall keep a registry of fishing vessels 3 GT and below. The registry shall be for purposes of information generation, monitoring and regulation, establishment of identity and ownership of vessels, maritime safety.

The MAO shall maintain and update the registry of fishing vessels with the assistance of the FARMC and submit the updated registries to the Office of the Mayor. The LGU shall regularly submit the list of fishing vessels registered and deleted/cancelled from the registry within the first quarter of the succeeding year to the MARINA Central Office or Regional Office concerned, the PCG Station/ Detachment and DA-BFAR. The Barangay Councils shall be furnished a copy of the registry to be posted in barangay halls and in other strategic locations where it shall be accessible to the public for validation of the correctness and completeness of the list.

SECTION 13. Eligibility for Fishing Vessel Registration - Only those fishing vessels which are owned by Filipino citizens, single proprietorship, partnerships and/or corporations fully owned by Filipinos, and duly registered or accredited fisherfolk associations and cooperatives shall be eligible for registration.

SECTION 14. General Registration Guidelines for Issuance of Certificate of Number (CN)
The applicant shall submit to the MAO the following documents:

- Duly Accomplished Standard Registration Application under oath using a standard application (Annex C);
- Certified Standard Tonnage Admeasurements Form (Annex "D");
- Clearance from the PNP- Maritime Group Headquarters or local PNP certifying that the fishing vessel is not involved in any criminal offense; and,
- Official receipt evidencing payment of corresponding vessel registration fees.

The MAO shall verify and evaluate the submitted documents and upon finding that the registrant has complied with all the documentary requirements and has paid the registration fee, the MAO shall process and facilitate the issuance of the CN (Annex E) for approval of the Municipal Mayor or his duly authorized representative

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SECTION 15. Issuance of New Certificate of Number (CN)

The Municipality shall issue a new CN in case the fishing vessel changes its homeport. A change in homeport may occur in case the owner/operator decides to change residence or principal office, or sells or transfers ownership of the fishing vessel to a person or entity with domicile in another local government unit, the Municipality/ City shall, upon application for change of homeport, issue a certificate of clearance and shall delete the registration of such fishing vessel from its register.

No clearance for the change of homeport shall be issued by the current homeport under the following instances:

- the single proprietorship, partnership, corporation or fisherfolk cooperative has no branch office in the intended homeport;
- there is an outstanding safety requirement, which the fishing vessel has to comply;
- the fishing vessel is involved in a pending criminal or administrative case for violation of a fishery law or ordinance or a civil case regarding questions of ownership.

The new homeport shall issue a new CN upon filing of an application for issuance of a new CN supported by the following documents:

- The original copy of the CN; and, clearance to change homeport issued by the current homeport; and,
- Clearance to change homeport issued by the current homeport.

Upon approval of the change of homeport, all records pertaining to the vessel shall be transmitted by the previous homeport to the new homeport.

SECTION 16. Re-issuance of CN. The Municipality shall re-issue the CN in the following instances:

- change in ownership or transfer of the fishing vessel without change in homeports;
- change in the engine of motorized fishing vessel;
- change of name; and,
- loss of CN.

A. In case the fishing vessel is the subject of sale or transfer of ownership, the Municipality shall re-issue the CN, containing the amended information on ownership upon application of the new owner or transferee, and subject to compliance with following requirements:

- Submission of a duly notarized Deed of Absolute Sale;
- Posting in the Barangay or Town/ City Hall for seven (7) consecutive days giving notice that the fishing vessel has been sold or transferred to a new owner;
- Affidavit of Posting executed by the Punong Barangay or Municipal Mayor that said notice had been posted in the premises and that there are no oppositors to the fishing vessel's sale; and,
- Original copy (ies) of the CN.

B. In case of change in the engine,

In case of replacement of vessel engine, an application for the issuance of new CN shall be filed with the current homeport accompanied by the following documents:

- The original copy of the CN;
- Official Receipt of Purchase of Engine; and
- Police Clearance that the engine purchased is not from a carnapped /stolen vessel.

C. Change of name of the fishing vessel

The municipality/city shall re-issue a CN when an owner or operator desires to change the name of his fishing vessel, upon application filed with the current homeport, stating the reason for such.

An application for change of name shall not be approved if the fishing vessel is involved in civil case regarding question of ownership or in a criminal or civil case for violation of a fishery law or ordinance.

Only applications with complete documentary requirements shall be accepted. The following are the documents that should be attached to the application.

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HON. LERIA A. AMARVEZ
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HON. AMBIEL JOHN C. PANGANIBAN
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OFFICE OF THE SANGGUNIANG BAYAN Sta. Cruz, Laguna



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- a. The original copy of the CN;
- b. The Posting of a notice in the Barangay or Municipal Hall on the Change of Name of the fishing vessel, for a period of seven(7) consecutive days;
- c. Affidavit of Posting executed by the Punong Barangay or Municipal Mayor that notice had been posted and that no opposition or claims were filed against the vessel during the seven-day period of posting.

D. Loss of CN

- d. Affidavit of loss; and,
- e. Certified photocopy of the original CN.

SECTION 17. Vessel Marking or Color Coding

For easy identification of fishing vessels from the Municipality, all duly registered fishing vessels operating in the municipal waters shall be assigned an official number and a name and shall be painted a mark/ color background white and the yellow letters.

SECTION 18. Deletion and Cancellation of Fishing Vessel Registration - The fishing vessel registration shall be deleted or cancelled under the following circumstances:

- a. Loss or decay of the fishing vessel;
- b. Involvement of the vessel in a marine/maritime incident;
- c. Transfer of municipal area of operation of the fishing vessel; and,
- d. Such other lawful causes.

Under the foregoing circumstances, the owner/operator of the subject vessel shall immediately inform the Municipality.

SECTION 19. Monitoring of Registered Fishing Vessel

The LGU shall institute a monitoring system to determine compliance with EO 305 and its Implementing Guidelines.

The LGU shall take in consideration in its legislation other factors to guide them in approving the registration of fishing vessels, such as but not limited to the carrying capacity of its marine resources and the constitutional and statutory preferential rights of municipal fisherfolk within municipal waters.

CHAPTER IV LICENSING

SECTION 20. Licensing of Municipal Fishing Activities – All municipal fisherfolk shall be required to have a fishing license (Annex G) to be issued by the Municipality before they can engage in fishing activities within municipal waters. The fishing license shall cover the entire fishing unit which includes the fisherfolk, their fishing vessels and fishing gear.

No person shall be allowed to engage in fishery-related activities in the municipal waters unless they obtain a fishing license.

SECTION 21. Non-transferability of licenses - Fishery licenses issued by the local government units for fisherfolk, fishing gear and fishing vessels shall not be transferred.

SECTION 22. Eligibility Requirements for Obtaining a Municipal Fishing License – Fishing license shall only be issued to fisherfolk:

- a. Who are duly registered in the Municipality/ City in accordance with Chapter III of this Ordinance;
- b. Whose fishing vessel (s) is duly registered in accordance with Chapter II of this Ordinance; and,
- c. Whose fishing gear is duly registered in the Municipality/City in accordance with Chapter III of this Ordinance.

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HON. ALAN T. PANAMATAT
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SECTION 23. Requirements for the Initial Issuance of Municipal Fishing License -

Applicants for fishing license shall submit the following documents to the M/CAO:

- Duly Accomplished Fishing License Application Form (Annex "H");
- Certificate of Fisherfolk Registration (CFR);
- Certificate of Number (CN) for those who have fishing vessels;
- Clearance from the PNP Maritime Group Headquarters or in its absence, the local PNP;
- Official Receipt evidencing payment of the corresponding license fees.

SECTION 24. Responsibilities of the License Holder- The responsibilities of the license holder shall include the following:

- carry the duplicate or certified true copy of vessel registration and fishing license during fishing operation;
- provide information on type and quantity of fish catch, fishing area, landing points and other relevant information;
- comply with all laws, policies, regulations, ordinances relating to fishing activities;
- submit himself or herself to the administrative processes in case of violation in the terms and conditions of the license; and,
- pay the administrative fines, penalties, charges, and indemnity in case of violation of the terms and conditions of the license without prejudice to prosecution in a criminal case for any violation of law arising out of the same acts.

SECTION 25. Validity of License and Renewal - All registered fisherfolk, fishing vessels and fishing gear shall be issued a license upon initial application on such date as may be specified by the LGU. The renewal of licenses shall coincide with the date of birth of the fisher folk concerned.

Fishing licenses issued by the LGU shall be valid for a period of one (1) year, renewable annually, unless the license holder violates any of the terms and conditions of the license, or, unless the local government unit prescribes the limited entry scheme as described in Section 25 of this order.

The fisherfolk who is unable to fish or whose vessel is undergoing repairs during a period of time inclusive of the date in which he is supposed to renew his license (date when the license expires) shall be exempted from renewing the same. He shall, however, renew his license/s immediately after he is able to fish or after his vessel is repaired.

SECTION 26. Requirements for Renewal of License - The fishing license may be renewed if the terms and conditions accompanying the license are complied with by the license holder, and upon presentation of the licenses covering the previous period.

CHAPTER V FEES

SECTION 27. Fisherfolk and Fishing Gear Registration Fee- Fisherfolk and fishing gear registration shall not be viewed as a revenue-generating instrument but as a basic service. The fisherfolk and fishing gear registration fee shall be free of charge.

SECTION 28. Fishing Vessel Registration Fees - There shall be collected the following registration fee from the owner of each fishing vessel of three (3) GT and below being operated within the municipal waters of this Municipality.

Type of Fishing Vessel	Standard Fees
Non-motorized	
Motorized (10 hp and below)	110.00
Motorized (16.1 hp and above)	165.00

SECTION 29. Schedule of Fishing License Fee - The fishing license shall be granted upon payment of the corresponding license fees. Registered fishers from other municipalities who will be permitted to fish within the municipal waters of this municipality shall pay [double] the rate fixed hereunder.



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For using and engaging in the following Fishing Gears / Operations	Standard Fees
HOOK and LINES	100.00/year
GILL NETS	100.00/year
SQUID JIGS	100.00/year
POTS and TRAPS	100.00/year
SPEAR FISHING	120.00/year
FISH CORRALS	150.00/year
STATIONARY LIFTNETS	100.00/year
ROUND-HAUL SEINE	100.00/year
SCOOPNET	150.00/year
OTHERS	

SECTION 30. Time and Manner of Payment - The fees herein imposed shall be paid to the Municipal Treasurer's Office (specify period when payment shall be made. e.g. "within the first thirty (30) days of January or within the first thirty (30) days of each calendar quarter").

CHAPTER V PROHIBITED ACTS AND SANCTIONS

SECTION 31. Unauthorized Fishing Activities. No person, natural or juridical, shall engage in any fishing activity in municipal waters without registration papers and/or valid licenses from the Municipal Government.

Any person found to be engaged in fishing without registration papers and/or valid licenses shall constitute a prima facie presumption that the person and/or vessel is engaged in unauthorized fishing: Provided, That fishing for daily food sustenance or for leisure which is not for commercial, occupation or livelihood purposes is hereby be allowed.

Any violation of the provisions of this section shall be punished by a fine of Two Thousand Five Hundred Pesos (P2,500.00) or imprisonment of not less than Six (6) months or both such fine and imprisonment, at the discretion of the Court.

SECTION 32. Grounds for Rejection, Revocation or Cancellation of Licenses - The licenses may be revoked or cancelled on any of the following grounds:

- violation of any existing fishery laws, decree, letter of instructions or its implementing rules and regulations;
- non-compliance with the terms and conditions of the license;
- false or fraudulent statements in the application thereof by the applicant or his representatives;
- failure to pay required fees
- commission of the same fisheries violation for a third time; and,
- when public interest so requires.

Non-compliance with the terms and conditions of the license underground (b) may consist of any of the following:

- use of gear other than that specified in the license;
- alteration of the fishing vessel tonnage specified in the license;
- failure to submit notification of transfer of ownership of the fishing vessel and/or gear; and,
- refusal to be subjected to administrative processes in case of violation of the terms and conditions of the license.

For any violation of the provisions of the Fisheries Code and other related legislation committed by the license holder as his first offense, a warning shall be issued in addition to the imposition of corresponding fines and penalties. This shall be recorded on the license itself. For the second offense, an additional and higher administrative fine shall be imposed.

HON. MARK ANTHONY P. JOVEN
Councillor

HON. LUCENA R. ODEJAR
Councillor

HON. ALAN T. PANIATIAT
Councillor

HON. PATROCINIA S. KALAW
ABC Federation President

HON. REGINE S. REGALADO
SK Federation President

HON. RIZALDY N. KALAW
Councillor

HON. ESMERALDO C. DELAS ARMAS, JR.
Councillor

HON. NORMAN T. TOLENTINO
Councillor

HON. LEA A. ALMARVEZ
Councillor

HON. AMBIELO JOHN C. PANGANIBAN
Councillor



OFFICE OF THE SANGGUNIANG BAYAN Sta. Cruz, Laguna



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SECTION 33. Imposition of Fines and Penalties on the License Holder. For any violation of the provisions of the Fisheries Code and other related legislation committed by the license holder as his first offense, a warning shall be issued in addition to the imposition of corresponding fines and penalties. This shall be recorded on the license itself. For the second offense, an additional administrative fine in the amount of Php 500.00 shall be imposed. Licenses will automatically be revoked if the holder commits same offense for a third time.

CHAPTER VI FINAL PROVISIONS

SECTION 34. Separability Clause. If, for any reason, any provision, section or part of this ordinance is declared invalid or unconstitutional by a Court of competent jurisdiction or suspended or revoked by the authorities concerned, such judgment shall not affect or impair the remaining provisions, sections or parts which shall continue to be in full force and effect.

SECTION 35. Applicability Clause. All other related matters not specifically provided in this ordinance shall be governed by the pertinent provisions of existing applicable laws or ordinances


SECTION 36. Repealing Clause. All ordinances, rules and regulations, or parts thereof, in conflict with, or inconsistent with any provisions of this ordinance are hereby repealed or modified accordingly. Should there be existing general or special ordinances which were inadvertently excluded in the codification process during the formulation of this ordinance, they shall continue to be in full force and effect provided that they are not in conflict with, or contrary to, the provisions of this ordinance.

SECTION 37. Effectivity. Upon approval by the Mayor, this Ordinance shall take effect thirty (30) days after posting in the bulletin board at the entrance of the Municipal/ City Hall and in two (2) other conspicuous places within the Municipality/City, and has been published once in a local newspaper of general circulation in the locality.

ORDERED: Let copies of this resolution be furnished the Honorable Sangguniang Panlalawigan, Honorable Mayor, the Municipal Budget Officer, the Municipal Treasurer, the Municipal Planning and Development Officer, the Municipal Accountant, the Municipal Agriculturist, the Municipal Fisheries and Aquatic Resources Management Council, and all other concerned offices, for their information and appropriate action.

APPROVED. September 05, 2022

I HEREBY CERTIFY to the correctness of the above-quoted ordinance.


MARIA TERESA ROBLES LABOG
Secretary to the Sangguniang Bayan


HON. AMBIEL JOHN C. PANGANIBAN
Councilor


HON. LEA A. ALMARVEZ
Councilor


HON. NORMAN T. TOLENTINO
Councilor


HON. ESMERALDO C. DE LAS ARMAS, JR.
Councilor



OFFICE OF THE SANGGUNIANG BAYAN Sta. Cruz, Laguna




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HON. RIZALDY N. KALAW
Councilor


HON. LUCENA R. ODEJAR
Councilor



HON. PATROCINIA S. KALAW
ABC Federation President


HON. MARK ANTHONY P. JOVEN
Councilor


HON. ALAN T. PAMATMAT
Councilor


HON. REGINIO REGALADO
SK Federation President

ATTESTED :


HON. LAARNI A. MALIBIRAN
Municipal Vice Mayor
Presiding Officer

APPROVED:


HON. EDGAR S. SAN LUIS
Municipal Mayor

10-17-22