

## **REPUBLIC ACT NO. 10654**

AN ACT TO PREVENT, DETER AND ELIMINATE ILLEGAL, UNREPORTED AND UNREGULATED FISHING, AMENDING REPUBLIC ACT NO. 8550, OTHERWISE KNOWN AS "THE PHILIPPINE FISHERIES CODE OF 1998," AND FOR OTHER PURPOSE

### **SECTION 88**

#### **FAILURE TO SECURE FISHING PERMIT PRIOR TO ENGAGING IN DISTANT WATER FISHING**

- (a) It shall be unlawful for any person to fish in the high seas in the territorial seas, archipelagic waters, and Exclusive Economic Zones of other states using a Philippine flagged fishing vessel without first securing a fishing permit from the Department and authorization from the coastal state.

The discovery of any person in possession of a fishing gear or operating a fishing vessel in the abovementioned areas without a fishing permit from the Department or authorization from the coastal state shall constitute a prima facie presumption that the person is in violation of this provision.

- (b) It shall be unlawful for an owner or operator, and the three (3) highest officers, of a commercial fishing vessel to commit acts that are in contravention of the terms and conditions stated in the fishing permit or as may be promulgated by the Department.

Upon a summary finding of administrative liability, the owner, operator, and the three (3) highest officers of the commercial fishing vessel who violate this section, shall be punished with confiscation of the catch and gear and an administrative fine equivalent to five (5) times the value of the catch or the amount indicated below, whichever is higher:

- (1) Two million pesos (P2,000,000.00) to Nine million pesos (P9,000,000.00) for small-scale commercial fishing;
- (2) Ten million pesos (P10,000,000.00) to Fifteen million pesos (P15,000,000.00) for medium-scale commercial fishing; and
- (3) Sixteen million pesos (P16,000,000.00) to Twenty million pesos (P20,000,000.00) for large-scale commercial fishing vessel less than seven hundred fifty (750) gross tons, and Twenty-five million pesos (P25,000,000.00) to Forty-five million pesos (P45,000,000.00) for large-scale commercial fishing vessel seven hundred fifty (750) gross tons or more.

Upon conviction by a court of law, the three (3) highest officers of the commercial fishing vessel shall suffer the penalty of imprisonment of six (6) months and a fine equivalent to twice the amount of the administrative fine, and confiscation of catch and gear.