



Republic of the Philippines
Province of Sorsogon
CITY OF SORSOGON



Office of the Sangguniang Panlungsod

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION VIA ZOOM OF THE SEVENTH CITY COUNCIL HELD AT THE OFFICE OF THE SECRETARY TO THE SANGGUNIANG PANLUNGSOD ON OCTOBER 27, 2020.

PRESENT:

HON. MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

BACON DISTRICT

Hon. Jo Abegail C. Dioneda
Hon. Melchor P. Atutubo
Hon. Hilario D. Dioneda
Hon. Danilo A. Deladia

EAST DISTRICT

Hon. Ralph Walter R. Lubiano
Hon. Mary Ellen D. Jamisola
Hon. Franco Eric O. Ravanilla
Hon. Joven G. Laura

WEST DISTRICT

Hon. Nestor J. Baldon
Hon. Erwin J. Duana
Hon. Fernando David H. Duran, III
Hon. Rebecca D. Aquino

EX-OFFICIO MEMBERS

Hon. Lorenz S. Abenion

ABSENT:

Hon. Ma. Teresa D. Perdigon – on Official Business

Resolution No. 293, Series of 2020

(Authors: Hon. Erwin J. Duana)

RESOLUTION ENACTING AN ORDINANCE PRESCRIBING GUIDELINES FOR THE PROPER USE OF COLLAPSIBLE FISH POT, CRAB POT, SQUID POT AND OTHER FINE MESH NET FISHING PARAPHERNALIA (COMMONLY KNOWN AS BOBO) IN THE CITY OF SORSOGON, THUS, RENAMING THE SAME AS “MATALINO” AND FOR OTHER PURPOSES.

WHEREAS, Article XIII Section 7 of the 1987 Philippine Constitution provides that the State shall protect the rights of subsistence fishermen, especially of local communities to the preferential use of the communal marine and fishing resources;

WHEREAS, Section 19 of Republic Act No. 8550, otherwise known as the “Philippine Fisheries Code of 1998” as amended by Republic Act. No. 10654., mandates LGU’s to maintain a registry of fisherfolks fishing vessels by type of gear and other boat

particularly for the purpose of determining priorities among them of limiting entry into the municipal waters and of monitoring fishing activities and/or other related purpose;

WHEREAS, presently there are so much confusion among Sorsogon City Fisherfolks regarding the usage of fine mesh net or Fish Pot commonly known as “Bobo” of said fishing gear is allowed in the City Water or not;

WHEREAS, the management of the fishery resources within fifteen (15) kilometers from the coast is now firmly under the jurisdiction of the local government units, it is therefore appropriate and necessary for the City Government of Sorsogon in consultation with City Fisherfolks shall enact appropriate fishery ordinance in accordance with the National Fishery Law;

WHEREAS, under Section 19 of City Ordinance No. 013 Series of 2005 under Registration of Fishing Gear the use of Bobo (Fish Pot) and crab pot is listed as among fishing gear allowed provided, however, that the same is duly registered with the office of the City Agriculturist;

WHEREAS, Fine Mesh Net pursuant to Republic Act 8550 states that these are acts with mesh size of less than three centimeters (3cm) measured between two (2) opposite knots of a full mesh when stretched or as otherwise determined by the appropriate government agency are allowed;

NOW THEREFORE, foregoing premises considered the Sangguniang Panlungsod in a session assembled on motion of **City Councilor Erwin J. Duana** duly seconded by **City Councilor Jo Abegail C. Dioneda**, resolved as it is hereby Done to enact:

CITY ORDINANCE NO. 20, SERIES OF 2020

AN ORDINANCE PRESCRIBING GUIDELINES/REGULATIONS FOR THE PROPER USE OF COLLAPSIBLE FISH POT, CRAB POT, SQUID POT AND OTHER FINE MESH NET FISHING PARAPHERNALIA (COMMONLY KNOWN AS BOBO) IN THE CITY OF SORSOGON, THUS, RENAMING THE SAME AS “MATALINO” AND FOR OTHER PURPOSES.

Be it Ordained by the Sangguniang Panlungsod of Sorsogon City in session assembled that:

SECTION 1. SHORT TITLE

This City Ordinance shall be known as the “**MATALINO**” ORDINANCE of 2020.

SECTION 2. SCOPE

The ordinance shall cover all Sorsogon City fisherfolk, their fishing gear and other paraphernalia using fine mesh net (Matalino) which are operating in the territorial jurisdiction of the municipal waters of the City of Sorsogon.

SECTION 3. RATIONALE

This piece of legislation is promulgated to address this concern and sustain the livelihood requirements of fisherfolks of the City of Sorsogon. Further, it regulates certain

method of fishing approach and technology in order to enhance abundant production potentials and avoid confusion among them regarding question of legality of the usage of fine mesh net in the City of Sorsogon.

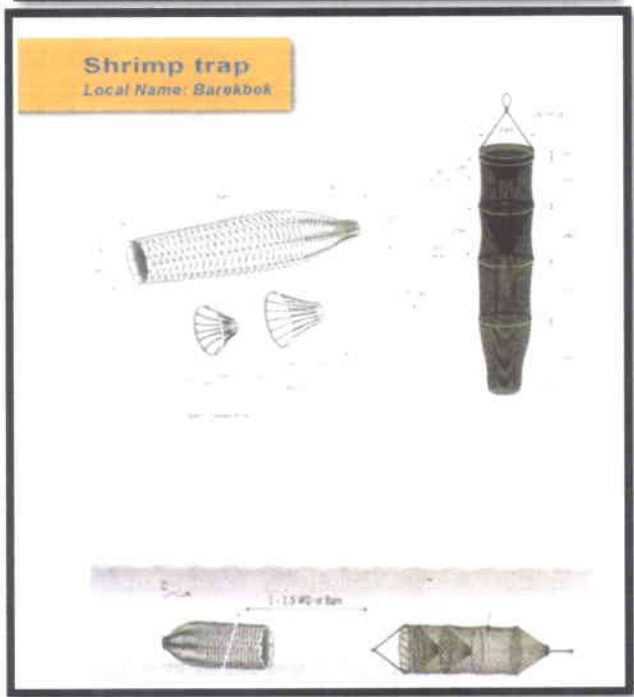
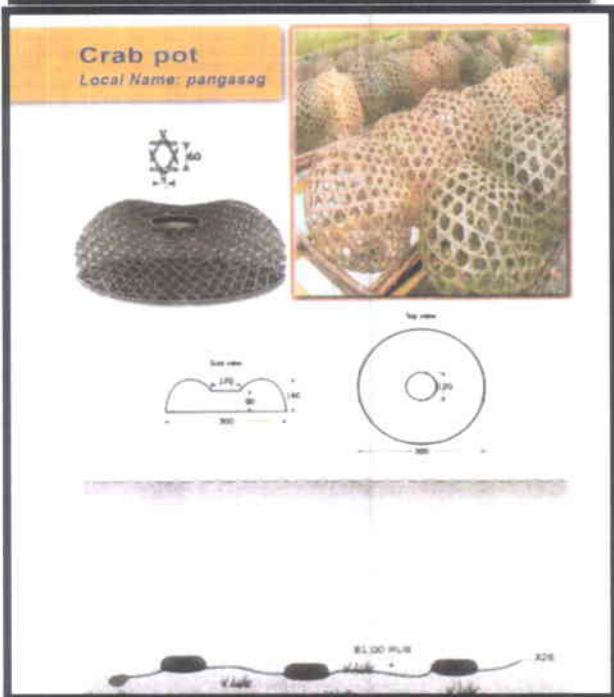
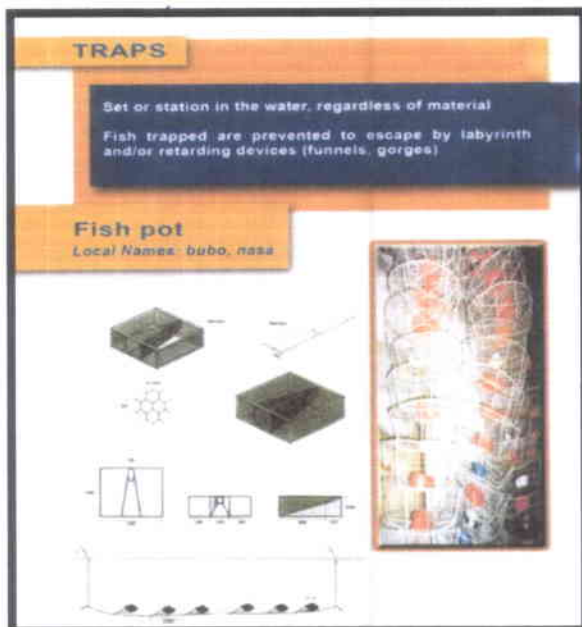
SECTION 4. DEFINITION OF TERMS

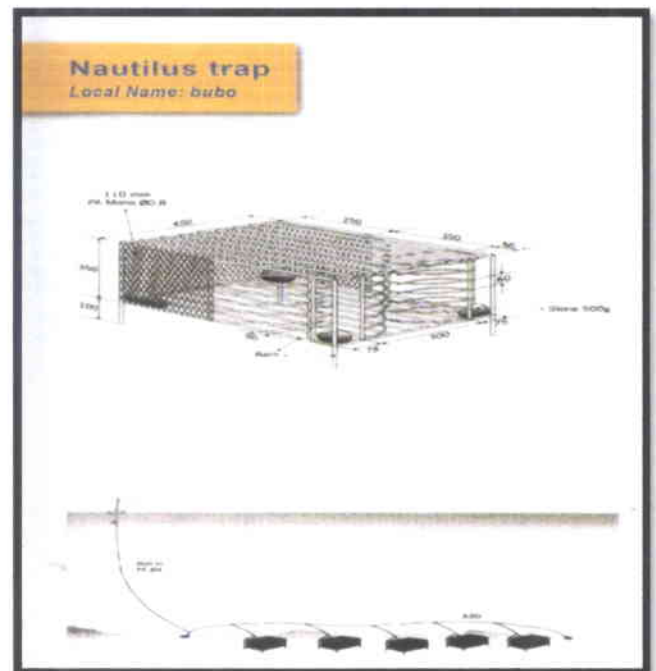
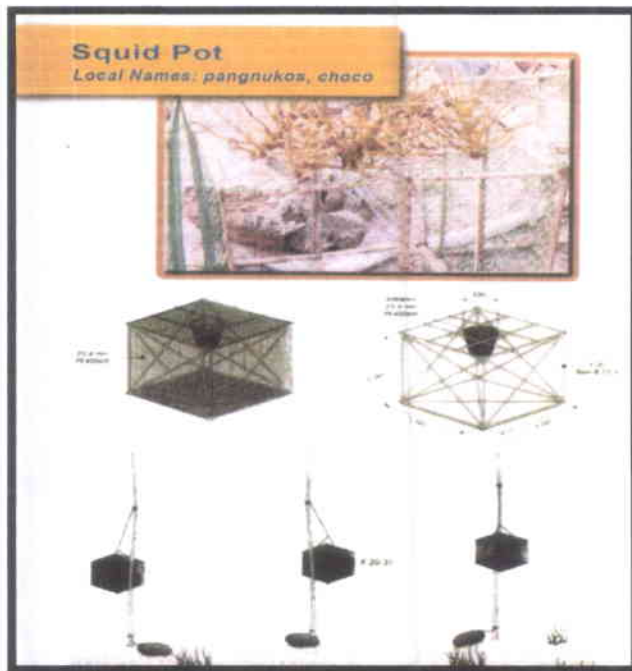
As used in and for purposes of this ordinance, the following terms whether in singular or plural, are hereby defined as follows:

- a. Registered City Fisher folks Of Sorsogon City** - are persons who are directly or indirectly engaged in city fishing and other fishing activities and who are duly registered in the roster of fisher folks in the City Agricultural Office of LGU-Sorsogon City;
- b. City Fishing Activities** – refers to fishing within the city waters of LGU-Sorsogon City using fishing vessels of three (3) gross tons or less or fishing for commercial purposes not requiring the use of fishing vessels;
- c. City 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 which form 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 inlands 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 opposite shore of the respective municipalities;
- d. Fine Mesh Net** – net with mesh size less than three centimeters (3 cms) measured between two (2) opposite knots of a full mesh when stretched or as otherwise determined by the appropriate government agency;
- e. Fishing with the use of fine meshed nets** – means fishing with the use of nets whose mesh size is less than three (3) centimeters when stretched between two opposite knots;
- f. Taiwanese-Type Collapsible Pot/Trap** – comprised of segments/compartments covered with either monofilament or polyethylene nettings measured about 30 cm X 30 cm X 30 cm and provided with non-returning valve of two sides. One unit of collapsible trap/pot comprised of 20 segments/compartments usually measured at eight meters per unit;
- g. Fish Coral or Baklad** – a stationary wire or traps devised to intercept and capture fish, consisting of rows or stakes bamboo mating or wire / netting with one or more enclosures usually designed with easy entrance but difficult exit, and with or without guide to direct the fish to the catching chambers or purse;
- h. Fish Pen** – fish enclosure made up of closely woven bamboo screens, nylon screens, or other materials attached to poles staked to the water area for the purpose of growing and/or culturing fish to various sizes;

- i. **Fish Cage** - a stationary or floating fish enclosure made of synthetic net, wire / bamboo screens or other materials set in the form of an inverted mosquito net (hapa type) with or without cover with all sides either tied to post staked to the water bottom or with anchored floats aquaculture purposes;
- j. **Fisher folks** – people directly or personally and physically engage in taking and/or culturing or processing fishery and or aquatic products;
- k. **Matalino** – meaning bright, intelligent and wise;
- l. **Republic Act 8550** – refers to the Philippine Fisheries Code of 1998; and
- m. **Republic Act No. 10654** – refers to the “Act to Prevent, Deter, and Eliminate Illegal and Unregulated Fishery”.

SECTION 5. ILLUSTRATION DIAGRAM OF DIFFERENT TYPES OF FISH TRAPS/POTS USING FINE MESH NET





SECTION 6. MANDATORY REGISTRATION OF CITY FISHERFOLKS

All Sorsogon City Fisher folks shall be required to register in the City Agriculture Office as well as fishing bancas, gear type fishing paraphernalias specifically those using fish pot, squid pot, crab pot and other fishing paraphernalia under the category of fine mesh net for purposes of determining among them if they are satisfactorily in compliance of the rules and regulation of the same with the assistance of the Barangay concerned wherein they are residing and shall be updated annually and posted in the Barangay Halls or other strategic places open for public inspection.

It shall be unlawful for any person, to take or catch fish or other aquatic products by means of the above-mentioned fishing paraphernalia in the city waters of this city, unless, provided with the necessary registration requisites being implemented by the City Agriculture Office.

SECTION 7. MANDATORY PAYMENT OF REGISTRATION FEE

In this particular provision of this ordinance, it is deemed hereby adopted the provisions of Section 19 of the City Ordinance No. 13 Series of 2005 (An Ordinance Providing for The Development, Management, Conservation, Protection, Utilization and

Disposition of all Fish and Fishery/Aquatic Resources within the City Waters of Sorsogon City, and for other Purposes) states that:

“The use of any fishing gear shall not be allowed in the City Waters unless the same is registered with the Office of the City Agriculturist. The corresponding license or permit to use such gear shall be issued by the City Mayor through the said office, upon payment of the following permit fees at the City Treasurer’s Office on or before January 30 of each year, to wit:”

Fishing Gear	Annual Fees	
Traps/Pots (Fish Pot/Crab Pot/Squid Pot)		
Small	P	10.00
Medium	P	20.00
Large	P	30.00
Taiwanese-Type Collapsible Trap/Pot	P	30.00

Provided, that Taiwanese-Type Collapsible Trap/Pot is only allowed to banca operator at **twenty five (25) units** of Eight meters per unit with an equivalent length of five hundred (500) meters.

Provided further, that fishing with the use of unregistered and unlicensed fishing gears shall subject for impounding until such time that the same are registered and licensed.

Provided finally, that the marginal fisher folk are exempted from paying the aforesaid fees and shall register their fishing gears for statistical and records purposes.

SECTION 10. TO WHOM TO SUBMIT APPLICATION

All applications and registrations shall be forwarded to the Office of the City Agriculture upon receipt of the application, it shall determine the said application for accreditation for the usage of fish pot, crab pot and squid pot and other fishing gears using fine mesh net for their regulatory conduct of inspection and validation and statistical documentation for the purpose.

Such list or registry of fisher folk shall be updated or as may be necessary. The same shall be permanently posted in barangay halls or in the City hall and in other strategic locations where it shall be open to public inspection for the purpose of validating the correctness and completeness of the list. The Office of the Agriculturist, in consultation with the FARMC shall formulate the necessary mechanism for inclusion or exclusion procedures that shall be most beneficial to the resident fisher folk subject to approval by the Sangguniang Panlungsod. The FARMC may likewise recommend such mechanisms as warranted.

The Office of the City Agriculturist shall issue identification cards for registered fisher folk and the same shall be carried at all times while fishing along with the permit to fish duly issued by the Local Chief Executive pursuant to the pertinent provision of this City Ordinance.

SECTION 11. RESTRICTION

In this ordinance, fish pots, crab pots, squid pots and collapsible fish trap/pot are deemed restricted, to wit:

- a. No scaring device must be used along with the above mentioned fishing paraphernalia/gear;
- b. They are not allowed to engage in fishing using the same fishing gear in an area wherein fish pen, fish cages, fish corrals are erected. They must be at least a distance of 20 meters away from the said fishing facility; and
- c. All collapsible Fishing gears shall be allowed only on fishing ground with muddy bottom far from the shoreline where juvenile marine species thrive.

SECTION 12. EXCEPTIONS

As an exception to this ordinance, the use of fine fish mesh net shall be allowed through a specific gear license or permit granted for this purpose, only in the following circumstances:

1. If the net is used to catch:
 - a. Padas (*Siganidae*), bangus fry (*Chanoschanos*), sugpo fry (*Penaeidae*), Banak fry (*Mugilidae*) and such other immature species intended for culture purposes;
 - b. Aquarium/ornamental animals ;
 - c. Other species already mature such as, but not limited to, alamang (*Acetes* spp.), tabios (*Pandacapygmea*), sinarapan (*Mistichthys luzonensis*), dilis (*Engraulidae*), and snails (*Ampularialuzonica* and *Vivipora* spp.); and
2. In cases of ring nets, purse seines for sardines, mackerels and scads, and bagnets wherein the mesh size is 1.9 centimeters (17 knots), measured between two opposite knots of a full mesh when stretched; provided, however, that the operator is required to take measures to ensure that no juvenile will be caught.

SECTION 13. PENALTY CLAUSE

Any person found violating any of the provision of this ordinance shall be fined in the amount of **One Thousand Pesos (₱1,000.00)** for the first offense, **Two Thousand Pesos (₱2,000.00)** for the second offense and **Three Thousand Pesos (₱3,000.00)** for the third offense.

The amount collected in the violation of this ordinance shall be shared by the Barangay Council concerned in which the violators had been apprehended and the City Government. Fifty percent (50%) shall accrue to the coffers of barangay government and the other Fifty percent (50%) shall accrue the coffers of the city government.

All fish catch shall be confiscated in favour of the City Government.

SECTION 14. REPEALING CLAUSE

All ordinances and regulations or parts thereof in conflict with this ordinance are hereby repealed or modified accordingly.

SECTION 15. EFFECTIVITY CLAUSE

This ordinance shall take effect immediately upon its approval by the Sangguniang Panlungsod and after compliance with the law on public dissemination and of publication.

DATE APPROVED: October 27, 2020

I HEREBY CERTIFY to the correctness of the foregoing resolution and ordinance.



ROVAN E. DOMASIAN
Acting Secretary to the Sangguniang Panlungsod

Attested:



MARK ERIC C. DIONEDA
City Vice Mayor/Presiding Officer

Approved:



MA. ESTER E. HAMOR
City Mayor