

Aquaculture provisions of the proposed fishery code



The issues of unchecked population growth and poverty -- and their impact on resource use and management -- are as true 50 years ago as it is now. This 1930s cartoon on population control originally appeared in *The Independent*, the most militant of the nationalist papers published from 1915 to 1931 in the Philippines (from A McCoy and A Rocas, 1985. *Philippine cartoons - Political caricature of the American era 1900 - 1941*. Vera-Reyes Inc. Phil. p. 162). The Philippine Fishery Code aims "to achieve food security as the overriding consideration in the utilization, management, development, conservation, and protection of fishery resources in order to provide the food needs of the population."

By **M Castaños**

What are the provisions for aquaculture in The Philippine Fishery Code (Senate Bill 1708) which was passed by the Congress on its third and final reading on 5 August 1997? Article III, Sec. 35-46, entitled *Aquaculture* provides for:

- *Code of practice for aquaculture*. This will be written by the Department of Agriculture and Fisheries (DAF), outlining general principles and guidelines for the sustainable development of the aquaculture industry. DAF will develop the code in consultation with the Department of Environment and Natural Resources

(DENR), fishworkers, holders of Fishpond Lease Agreements, fishpond owners, fisherfolk cooperatives, small-scale operators, research institutions and the academe, and other potential stakeholders. DAF may also consult specialized international organizations.

DAF will formulate incentives and disincentives for sustainable aquaculture practices such as effluent charges, user fees and negotiable permits.

DA and DENR will study, together with insurance companies, a provision for insurance to cover damage claims of third parties harmed by aquaculture.

DAF is tasked to set aside available public lands (certified suitable for fishpond development) for fish sanctuary, conservation and ecological purposes.

- *Fishpond lease agreements (FLAs)*. Old FLAs may be renewed for another 25 years. After that, these will be granted, **preferably**, to qualified fisherfolk cooperatives or associations and small or medium enterprises. New FLAs will be issued primarily to qualified fisherfolk cooperatives or associations.



New JICA expert

The new JICA expert stationed at AQD's Tigbauan Main Station is Yasushi Katabami who arrived October 13.

As a feed nutrition expert, he worked for 1.5 months as a counterpart of AQD researcher Nelson Golez. Katabami took a leave of absence from his job at Nippon Formula Feed Marketing Company, Ltd where he worked on marine farming. His other assignments overseas included: as a trainor in a 1988 shrimp seminar at the Hawaii University and as a seed production expert in Taiwan in 1989. He got both his



JICA Expert Katabami

college (1984) and master's (1986) degrees, majoring in fisheries and aquaculture / physiology, respectively, from Kagoshima University. - **NJD**

An AQD cooperator says ...

"... thank you for (a) job well-done in the technology verification of grouper culture in my pond at Sum-ag, Bacolod City." Mr. Roberto Sanson wrote his appreciation to AQD Chief Dr. Rolando Platon last summer. Mr. Sanson also said he will share the results with his colleagues in Negros.

P. Gopalakrishnan, a superintendent of fisheries in the Tata Chemicals Ltd (Gujarat, India), also wrote his appreciation of AQD's "prompt searching under the ASFA database and for (sending literature pertaining to tiger shrimp) and mullet breeding research." He said his company has just completed a small shrimp farm where they propose to give free training on shrimp farming to needy fishers and entrepreneurs. "We feel that we have to educate the farmer ... on the environmental impact of (shrimp farming)." - **L Plondaya**

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FLAs will cover not more than 25 hectares for a period of 25 years, renewable once.

Lease rates will not be less than P500 per ha per year with a 10% yearly increase imposed for three years after approval of the Code. Subsequent increases will be determined by DAF in consultation with the FLA leasees, non-government organizations, and other concerned agencies. The fees collected will be used for aquaculture research and development.

Leasees must develop their areas to become commercially productive within 3 years from approval of the lease.

The leasee must undertake reforestation of river banks, bays and streams and seashore fronting the dikes of their fishpond.

The leasee must provide facilities that will minimize environmental pollution like settling ponds, reservoirs, etc.

Non-compliance of these provisions will mean cancellation of FLA.

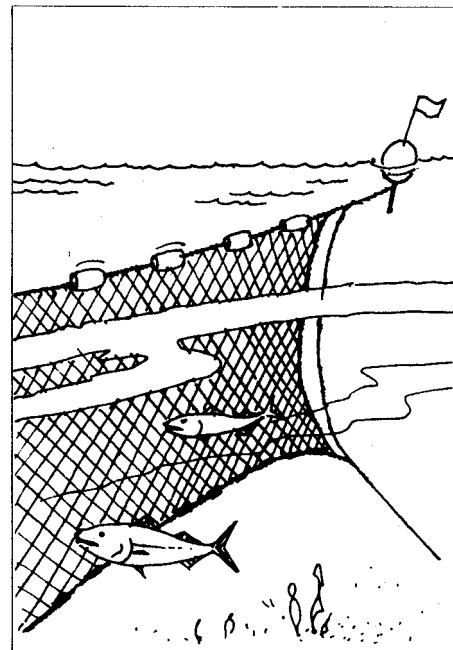
All abandoned, underdeveloped or underutilized fishponds covered by FLAs can be reverted to their original mangrove state. DENR in coordination with DAF, local government units, other concerned agencies, and Fisheries and Aquatic Resources Management Councils (FARMCs) will make this determination.

- *Fish pens, fish cages, fish traps, etc.* These will be constructed and operated only within the established zones designated by local government units in consultation with FARMCs.

Not more than 10% of the suitable water surface area of all lakes and rivers will be used; and the stocking density and feeding requirement will be controlled and determined by its carrying capacity.

For waters outside municipal jurisdiction, DAF will determine the fish pen or fish cage "belt."

No more new concessions, licenses, permits, or leases for fish pens, fish cages, fish corrals / traps and others will be given



unless granted to municipal fisherfolk and their organizations.

- *Non-obstruction to navigation and to defined migration paths of fishes.* All constructions must not obstruct the free navigation of any stream, river, lake, or bay; nor impede the flow of tide.

Nor should these obstruct any defined migration path of migratory fish species such as river mouths and estuaries within a distance to be determined by DAF, concerned LGU and the FARMC.

- *Insurance.* Inland fishponds, fish cages and fish pens are covered under the insurance program of the Philippine Crop Insurance Corporation for losses caused by force majeure and fortuitous events.

- *Registration.* All fish hatcheries, fish breeding facilities and private fishponds must be registered with the LGUs. DAF will also conduct a yearly inventory of all fishponds, fish pens and fish cages in both public and private lands.

Fishpond owners and fish pen / cage operators will report to the DAF every year the type of species cultured and the volume of production.