

Fisherfolk of the Municipality. Provided further that maximum penalty shall be imposed also to violators who shall be in possession and/or actually using compressors in fishing during closed season without prejudice to other liabilities for possession and/or actual use of compressor in fishing under laws, rules, regulations and ordinances now existing or hereafter may be promulgated by competent authorities.

Section 7. Administrative Sanction. Violation of this Ordinance may be subject to administrative liability, the amount of which shall be based on the applicable provisions provided under R. A. No. 10654 on administrative fines. The procedures, rules and regulations in the conduct of administrative adjudication shall be determined by the Administrative Adjudication Committee created for this purpose.

Provided that the administrative fine for possession and/or actual use of compressors in fishing shall be twice the market values of the fish catch or Five Thousand Pesos (P5,000) whichever is higher, Provided, further that, maximum penalty may be imposed on violators who are not registered in the Official Registry of Fisherfolk of the Municipality.

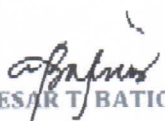
Section 8. Creation of Municipal Fisheries Administrative Adjudication Committee. The Municipal Fisheries Administrative Adjudication Committee is hereby created to hear, decide and impose administrative fines against acts or omissions committed in violation of this ordinance and other fishery ordinance of the municipality. It shall be composed of the Mayor as Chairperson, the Vice Mayor, Sangguniang Bayan Committee Chair on Fisheries, Municipal Agriculturist or his duly designated representative, representative of the municipal fisherfolk in the MFARMC, and representative of the commercial fishing sector in the FARMC.

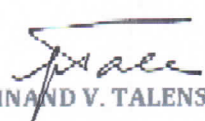
Section 9. Powers and Functions of the Administrative Adjudication Committee. The Administrative Adjudication Committee shall have the following powers and functions:

- a) Promulgate rules and regulations for conduct of administrative adjudication and the disposition of confiscated catch, gears, equipment and other paraphernalia;
- b) Issue *subpoena duces tecum* and *ad testificandum* in administrative cases before it and cite in contempt person who shall ignore such subpoena;
- c) Authority to issue notice of violation and other confiscation;
- d) Hear, decide and impose administrative fines.

Section 10. Assistance to Affected Fisherfolk, Fishing Operators, and Fish Workers. The Office of the Municipal Agriculturist shall, in coordination


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with the Municipal Social Welfare and Development Office, identify persons and families directly affected by this Ordinance on the official registry of fisherfolk, fish workers and operators. A comprehensive program on alternative livelihood shall be designed and implemented during the implementation of this Ordinance.

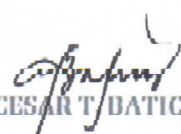
Section 11. Bantay Dagat Fund. The Bantay Dagat Fund is hereby established to enhance the budget for conservation, protection and regulation of fisheries activities in the municipal waters of Roxas. The Fund shall be administered by the Municipal Agriculture Office as a special account in any government financial institution.

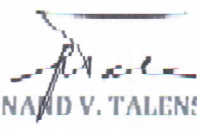
It shall be funded from the Annual Appropriation Ordinance of the municipality beginning the next budget year. For purposes of establishing the Trust Fund, an initial amount of One Hundred Thousand Pesos (P100,000.00) is hereby appropriated. This amount shall be automatically included in the succeeding annual budget of the municipality, provided that such amount may be increased but shall not be decreased. Additionally, administrative fines and penalties imposed under this ordinance, proceeds from the sale of forfeited fish, fishing gears, paraphernalia and fishing vessels, and contributions in the form of endowments, grants and donations to the fund, which shall be exempted from donor and other taxes, charges or fees imposed by the government shall also inure to the Bantay Dagat Fund.

The Fund shall be exclusively utilized as follows:

- (a) Ten percent (10%) for the purchase, maintenance and operation of municipal patrol boats;
- (b) Ten percent (10%) for litigation expenses, travel cost of witnesses and other litigation-related costs, including defense of Bantay Dagat members who are sued by reason of their duties and functions;
- (c) Forty percent (40%) for operating cost of Bantay Dagat such as, but not limited to, honoraria, medical and insurance expenses for sickness or injury, training and capacity building, and indemnity for death;
- (d) Ten percent (10%) for office supplies and enforcement gadgets;
- (e) Twenty percent (20%) scholarship for children of fisherfolks and fishworkers in fish catch, aquaculture, fishing and fish processing; and
- (f) Ten percent (10%) for livelihood assistance for poverty alleviation and production enhancement.


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Section 12. Review and Adjustments. The implementation of the closed season shall be closely monitored and analyzed by experts of the Bureau of Fisheries and Aquatic Resources (BFAR), National Fisheries Research and Development Institute, Mindoro State College of Agriculture and Technology, other academic institutions, and industry experts. Three months prior to the start of each closed season, the Local Chief Executive may, upon the recommendation of the Inter-LGU Coordinating Group created in Section 7 hereof, adjust the closed season for that year, which may begin at new moon on the month of November and end at new moon on the month of January, and shall issue joint advisory for this purpose; Provided, that the new period shall be in synchrony with all other local government units implementing Closed Season. Provided further that, in the absence of such advisory, the closed season shall begin on November 15 and end on January 15.

Section 13. Implementation Arrangement; Membership in Inter-LGU Coordinating Group. Each Municipal or City Government shall enforce this ordinance in their respective municipal waters. Provided that, to ensure proper coordination and collaboration, the Municipality shall join an Inter-LGU Coordinating Group (ILCG) which shall be created and coordinated at the provincial level for purposes of conducting continuous and coordinated monitoring, research, and review, and provide recommendations to concerned Municipal/City Mayors and Sangguniang Bayan to make the necessary policy adjustments in the implementation of Closed Season in their respective municipal water.

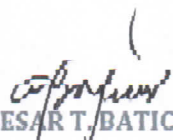
Section 14. Law Enforcement; Municipal Bantay Dagat Task Force. The Municipality shall lead in the enforcement of this Ordinance, providing necessary operational and logistical funds therefor. Pursuant to Section 156 of the Fisheries Code, as amended by R.A. No. 10654, there is hereby created a Municipal Bantay Dagat Task Force with the following compositions:

1. Municipal Fisheries Officer
2. Local PNP
3. PNP-Maritime Group
4. BFAR
5. Philippine Navy
6. Deputized Bantay Dagat as members

The Municipal Bantay Dagat Task Force shall be headed by the Municipal Fisheries Officer. It shall be responsible for monitoring, surveillance, apprehension, seizure and filing of cases.

Section 15. Repealing Clause. All ordinances, local issuances, resolutions or rules and regulations or parts thereof which are inconsistent with the provisions of this Ordinance is hereby amended, repealed or revoked accordingly.


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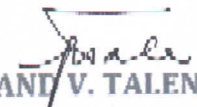

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Section 16. Effectivity. This Ordinance shall take effect fifteen (15) days after posting in the Municipal Hall, Barangay Halls of all affected barangays and in other conspicuous places.

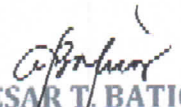
On motion of Councilor Juanito A. Bacay, Jr. duly seconded by Councilors Ruel S. Taytay, Gualberto V. Magno, John John S. Yason and Joseph M. Galicia this Ordinance is hereby ENACTED.

Adopted: 13 November 2017

CERTIFIED CORRECT:


FERDINAND V. TALENS, MPA
Secretary to the Sangguniang Bayan

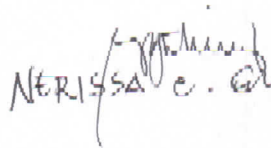
ATTESTED:


CESAR T. BATICOS
Municipal Vice Mayor

APPROVED:


VIOLETA L. DIMAPILIS
Municipal Mayor
Date: _____

merz/mun.ord'17

 11-28-17
NERISSA C. GUTIERREZ