

FISHERIES ACT

[Act No. 4003 as amended by C. A. No. 471]

(Continued from June Number)

ARTICLE VIII.—*Hawksbill turtle fisheries*

SEC. 51. *License to take hawksbill turtles.*—Unless provided with a license issued in accordance with the provisions of this article, no person, association or corporation shall take hawksbill turtles (*Eretmochelys imbricata* penant) in Philippine waters.

SEC. 52. *Who may apply for licenses to take hawksbill turtles.*—Licenses to take hawksbill turtles in Philippine waters shall be granted to any citizens of the Philippine Islands or of the United States, or to associations or corporations that are duly registered or incorporated under the laws of the Philippine Islands or of the United States or of any State thereof and authorized to transact business in the Philippine Islands, and at least sixty-one per centum of whose capital stock or interest in said capital stock is owned wholly by citizens of the Philippine Islands or of the United States, or to citizens of countries the laws of which grant similar rights to citizens of the Philippine Islands or of the United States, or to citizens of countries the laws of which grant similar rights to citizens of the Philippine Islands: Provided, however, That all foreign persons, associations and corporations now engaged in the catching of hawksbill turtles may obtain licenses for the taking of hawksbill turtles under the provisions of this article and may renew such licenses so long as they have not been guilty of any violation of this Act, or the customs laws, or the regulations promulgated thereunder: Provided, also, That no individual, association or corporation granted a license to take hawksbill turtles shall be authorized to transfer or assign its or his interest or sell its or his stock directly or indirectly to persons, associations or corporations not qualified under the terms of this

Act to take hawksbill turtles, under penalty of cancellation or forfeiture of its or his license: Provided, further, That a transfer made by a stockholder or member of an association or corporation of his stock or interest in violation of the provisions hereof shall not be cause of the forfeiture of the license of such association or corporation but said transfer shall be null and void and shall not be registered in the books of such association or corporation.

SEC. 53. *Application for license to take hawksbill turtles.*—All applications for licenses to take hawksbill turtles shall be filed in triplicate with the official or chief of the bureau, office or service designated to carry out the provisions of this Act, who shall forward the original and duplicate copies thereof, together with his recommendation, to the Secretary of Agriculture and Natural Resources. Licenses for taking hawksbill turtles shall be issued by the Secretary of Agriculture and Natural Resources, upon proof that the license fees required have been duly paid. The license issued hereunder shall remain in force only until the end of the calendar year for which they are issued, shall authorize the holder thereof to take hawksbill turtles in Philippine waters, subject to the provisions of this article and to such rules, regulations and restrictions as may hereafter be established for the protection and conservation of the hawksbill turtle fisheries, and shall be nontransferable.

SEC. 54. *Record of turtles taken.*—The holder of any license issued hereunder shall keep a true record of the number of turtles taken by him under such license and of the persons or boats employed by him in such pursuit. Such record shall be examined and verified by the collector of customs or by any internal-revenue officer or by any officer authorized herein to en-

force the provisions of this Act at any port where the licensee may desire to dispose of his catch and no license shall dispose of his catch without inspection by such officer. When the catch has been inspected, the officer shall note the fact in the record book, make a formal copy of such record, sign his name thereon and forward same to the Secretary of Agriculture and Natural Resources.

SEC. 55. *Special permit.*—A special permit may be granted by the Secretary of Agriculture and Natural Resources to any person of good repute, authorizing the holder thereof to take hawksbill turtles for a scientific, educational or personal purposes, or for propagation. Such permit shall remain in force for a period of one year from date of issue, shall not be transferable, and shall be subject to such other restrictions as may be imposed by the Secretary of Agriculture and Natural Resources.

The taking of hawksbill turtles by the holder of such permit for other than scientific, educational or personal purposes or for propagation shall be sufficient cause for the nullification of the permit.

SEC. 56. *Holder of licenses or permits to carry same at all times.*—All holders of licenses or permits granted under this article must at all times carry in their possession such licenses or permits ready to exhibit the same upon demand by any peace officer or other person designated by the Secretary of Agriculture and Natural Resources to enforce the provisions of this Act. Failure to comply with this requirement shall cause the cancellation of the licenses or permits. Should any such licenses or permits be found with defaced, erased, or illegible date of issue, they shall be seized at once by the first peace officer or other authorized person who becomes aware of this fact, and said licenses or permits shall be declared null and void.

SEC. 57. *Restrictions.*—The Secretary of Agriculture and Natural Resources may impose restrictions upon

the number of licenses which may be issued for the taking of hawksbill turtles in Philippine waters, or upon the number of licensees who may be allowed to operate therein, and may order that such restrictions be made generally applicable in all Philippine waters or be limited to a particular marine area, or areas, therein. The Secretary of Agriculture and Natural Resources may also cause any application for licenses to be refused or order the cancellation of any license, when, in his opinion, the public interest so requires. The action of the Secretary of Agriculture and Natural Resources under this section shall be final.

SEC. 58. *Power to prescribe license fee.*—The Secretary of Agriculture and Natural Resources shall from time to time prescribe the fee to be paid for the license to take hawksbill turtles in Philippine waters, and shall announce the same in an order which shall be published at least sixty days before becoming effective. Such fee shall in no case be less than five pesos nor more than fifty pesos per annum.

SEC. 59. *Power to fix minimum size of hawksbill turtles.*—The Secretary of Agriculture and Natural Resources shall fix the minimum size for hawksbill turtles which may be taken in Philippine waters.

After such restriction shall have been imposed, it shall be unlawful for any person, association or corporation to take, sell, transfer, or have in pos-

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session for any purpose any hawksbill turtle of a smaller size than the minimum prescribed by the Secretary of Agriculture and Natural Resources. Offenders shall be penalized, in accordance with the penal provisions of this Act.

SEC. 60. *Shipment of hawksbill turtles or their shells.*—The shipment or exportation from the Philippine Islands of hawksbill turtles or their shells shall be unlawful unless such shipment or exportation is properly effected through the customhouse at a port of entry.

SEC. 61. *Prohibition.*—It shall be prohibited and declared unlawful:

(a) To fish, take, wound or kill in all waters of the Philippine Islands, or hold in possession, living or dead, or to purchase, offer, or expose for sale, transport, ship, or export, alive or dead, any under-sized hawksbill turtle.

(b) To capture any hawksbill turtle by means of line and sinker.

SEC. 62. *Provision for protection of other species of turtles.*—When in his opinion the public interest shall so require, the Secretary of Agriculture and Natural Resources may inaugurate similar measures for the protection and conservation of all or any of the other species of turtles specified by him.

ARTICLE IX.—*Inland fisheries.*

SEC. 63. *Fishpond and fishery permits or lease agreements within forest lands.*—Permits or leases entitling the holders thereof, for a certain stated period of time not to exceed twenty years, to enter upon definite tracts of a public forest land to be devoted exclusively for fishpond purposes or to take certain fishery products or to construct fishponds within tidal, mangrove and other swamps, ponds and streams within public forest lands or proclaimed timber lands or established forest reserves may be issued or executed by the Secretary of Agriculture and (Commerce) Natural Resources, subject to the restrictions and limitations imposed by the forest laws and regulations, to such persons, associations or corporations as are qualified to utilize or take

forest products under Act Numbered Thirty-six hundred and seventy-four. Renewal may be granted, but the combined period of the original lease and its renewals shall not exceed fifty years. (As amended by C. A. 471-1.)

SEC. 64. *Obstruction to navigation and removal thereof.*—Nothing in this article shall be construed as permitting the lessee or permittee to obstruct the free navigation of any stream adjoining or flowing the area, nor prohibit or interfere with the passage of people along such streams or the banks thereof, nor impede the flow and ebb of the tide to and from the interior of the swamps. When it is found that any construction is made contrary to the provisions of this Act and/or constitutes an encroachment upon waters in violation of public right, the removal thereof shall be effected by or under the order and direction of the Secretary of Agriculture and (Commerce) Natural Resources or his duly authorized representative. (As amended by C. A. 471-1.)

ARTICLE X.—*Collection of fees and application for research*

SEC. 65. *Collection of fees.*—The fees authorized to be collected under this chapter and accruing to the Insular Government shall be paid to the official or chief of bureau, office or service designated by the Secretary of Agriculture and Natural Resources, in the manner prescribed for, and subject to the same penalties for delinquency except as herein otherwise provided, as the fixed internal-revenue taxes under the Internal Revenue Law.

SEC. 66. *Appropriation.*—A sum not to exceed one hundred thousand pesos yearly is set aside from the funds accruing to the National Government from the fees authorized to be collected under this chapter including bonds that may be forfeited in accordance with the provisions of this Act or regulations, rules, and order promulgated thereunder, penalties and fines, and all revenue collected from sales of fish and other aquatic products raised in fish farms, experimental and demonstration

stations established or which may be established under this Act. The money appropriated by this Act shall be disbursed by the proper officials, with the approval of the Secretary of Agriculture and (Commerce) Natural Resources, for the following purposes:

(a) For scientific and economic research work relative to the fishes, sponges, and other aquatic resources of the Philippines;

(b) For the diffusion of knowledge among the fishermen of the Philippines;

(c) For the study, improvement, propagation of the fishes and aquatic resources most suitable for Philippine waters;

(d) For the establishment, maintenance and operation of experimental stations, farms, aquariums, and fish culture laboratories;

(e) For the study, improvement, and in the culture of fishes and other aquatic resources, in the most economic and efficient manner of fishing, in the preservation of fish and other aquatic products, in the management of fisheries and canneries;

(f) For all other purposes the object of which shall be to foster, propagate, and protect fishes, shells, sponges and other aquatic resources of the Philippines and carry out the provisions of this Act.

Said sum shall be appropriated annually in the Appropriation Act, commencing with the year nineteen hundred and thirty-four, and shall be available for the construction, maintenance, and repair of buildings, vessels, dams and other necessary structures; the purchase, leasing or reservation of the necessary land and building, the purchase of apparatus, instruments, chemicals, supplies, and other necessary material; the salaries, wages, and traveling expenses of the necessary personnel; and such other expenses as may be deemed necessary to carry out the purposes of this Act in an effective and adequate manner; Provided, That any unexpended balance of the fund collected and herein ap-

Republic of the Philippines
COMMISSION ON ELECTIONS
Manila

LIST OF MUNICIPAL OFFICIALS
ELECT

November 11, 1947 Elections

(Continued from June number)

PROVINCE OF BUKIDNON

IMPASUGONG

Mayor Jacinto A. Pace (L)

Vice-Mayor Leon Silagon (L)

Councilors:

1. Eusebia Olinay (L)

2. Albino Imhay (L)

3. Isidoro Lomanoy (L)

4. Juan E. Gregoncion (L)

MALAYBALAY

Mayor Teofilo Salcedo (L)

Vice-Mayor Anselmo Binayao (L)

Councilors:

1. Juanito Hunla-an (L)

2. Isidro Marte (L)

3. Anacleto Torres (L)

4. Mauricio Bagiohan (L)

5. Castulo Jagualing (L)

6. Anecito Yamoc (L)

MALUKO

Mayor Amado D. D'itona (L)

(declared elected by court
of First Inst.)

Vice-Mayor Teofilo Madula (L)

Councilors:

1. Aniceto Mancawan (L)

2. Anselmo Somonda (L)

3. Pedro D. Gawahan (L)

4. Ramon Sugdan (Independent)

5. Bernabe K. Guinayao (L)

6. Emedio Linan (L)

TALAKAG

Mayor Juan Amoran (L)

Vice-Mayor Matias Salcedo (L)

Propriated at the end of each year shall not revert to the National Treasury but shall be used for the purposes for which it was appropriated. (As amended by C. A. 471-1.)

(To be continued)