



Republic of the Philippines

DEPARTMENT OF THE INTERIOR AND LOCAL GOVERNMENT

DILG-NAPOLCOM Center, EDSA corner Quezon Avenue, West Triangle, Quezon City

<http://www.dilg.gov.ph>



GUIDELINES ON THE IMPLEMENTATION OF THE FISHERIES COMPLIANCE AUDIT (FishCA)

Memorandum Circular No. 2018-147

August 31, 2018

1.0 Background

This Department issued Memorandum Circular (MC) No. 2018-59 entitled "Policies and Guidelines on the Regulation and Monitoring of Fishery Activities in Municipal Waters" last April 24, 2018 to ensure that Local Government Units (LGUs) play an active role in the management of water resources within their areas of jurisdiction, and to hold them accountable in the exercise of such powers and functions. To monitor compliance of LGUs to MC 2018-59 and to Republic Act No. 8550, otherwise known as the Philippine Fisheries Code of 1998 (RA 8550), as amended by Republic Act No. 10654, the Department crafted the Fisheries Compliance Audit (FishCA).

2.0 Purpose

The purpose of this issuance is to reinforce the responsibilities of LGUs under the R.A. No. 8550 as amended, and to consolidate compliance data of LGUs with regard to the provisions of the Code which shall be used to enhance and implement policies and interventions for the management of municipal waters.

3.0 Scope/Coverage

The audit shall cover all coastal cities and municipalities in the Philippines.

4.0 Legal Compliance

- 4.1. Section 17 R.A. No. 7160, also known as the Local Government Code of 1991 states that LGUs shall continue to exercise the powers and discharge the duties and functions currently vested upon them as necessary, appropriate, or incidental to efficiently and effectively provide basic services and facilities such as the enforcement of fishery laws in municipal waters.
- 4.2. Section 16 of R.A. No. 8550, also known as Philippine Fisheries Code of 1998 and amended by R.A. No. 10654 states that "the municipal/city government shall have jurisdiction over municipal waters as defined in this Code. The municipal/city government, in consultation with the Fisheries and Aquatic Resources Management Council (FARMC), shall be responsible for the management, conservation, development, protection, utilization, and disposition of all fish and fishery/aquatic resources within their respective municipal waters". Further, stated in the same section that the municipal/city government may, in consultation with the FARMC, enact appropriate ordinances for this purpose and in accordance with the National Fisheries Policy, and that LGUs shall enforce all

fishery laws, rules and regulations as well as valid fishery ordinances enacted by the municipality/city council.

- 4.3. Section 20 of R.A. No. 9275, otherwise known as the Philippine Clean Water Act of 2004 states that the LGU shall share responsibility in the management and improvement of water quality within their territorial jurisdictions.
- 4.4. DILG Memorandum Circular No. 2018-59 Policies and Guidelines on the Regulation and Monitoring of Fishery Activities in Municipal Waters enumerates the roles of LGUs in the management of fishery resources in their areas of jurisdiction.

5.0 Policy Content and Guidelines

5.1. On Accomplishing the Data Capture Forms

- 5.1.1. All coastal LGUs, particularly their Municipal/City Agriculture Officer, or its equivalent, are hereby directed to fully cooperate and support the implementation of the Fisheries Compliance Audit, a monitoring tool created by this Department to monitor LGUs' compliance to R.A. No. 10654, as amended.
- 5.1.2. Fisheries Data Capture Forms (DCF) and FishCA Guidelines may be accessed by the LGU through the link <http://tiny.cc/fishca>, or may be requested from the DILG Regional Office.
- 5.1.3. LGUs must report the initial status of compliance by the end of 3rd quarter of 2018. Accomplished DCFs must be submitted to the DILG Regional Office (RO) on the 5th day of October 2018.
- 5.1.4. For the succeeding years of the audit, LGUs shall submit the compliance report every 15th day of January.
- 5.1.5. LGUs are encouraged to update the DILG Regional Office for significant change or improvement on their compliance, whenever applicable.

5.2. Roles of the DILG Regional Office

- 5.2.1. The DILG RO shall coordinate with respective LGUs in the implementation of the Audit, and may provide assistance to LGUs in accomplishing the forms.
- 5.2.2. The DILG RO shall monitor the overall compliance of LGUs within their jurisdiction.
- 5.2.3. The DILG RO must ensure that all covered LGUs accomplish the audit and submit results on time, where consolidated accomplished DCFs shall be submitted to the DILG Bureau of Local Government Supervision (BLGS) through electronic mail mbcrpp.blgs@gmail.com. Template for report consolidation is accessible through the link <http://tiny.cc/fishca>
- 5.2.4. Initial consolidated results of FishCA must be submitted on the 20th day of October 2018. For the succeeding years, DILG RO shall submit consolidated data every 20th day of January.
- 5.2.5. In connection to Item 5.1.5, the DILG RO shall be responsible in reporting to the DILG BLGS updates/changes on status of LGU compliance, whenever applicable.

6.0 References

- 6.1. R.A No. 8550 or the Philippine Fisheries Code of 1998, as amended by R.A No. 10654
- 6.2. R.A. No. 7160 or the Local Government Code of 1991
- 6.3. DILG Memorandum Circular No. 2018-59 Policies and Guidelines on the Regulation and Monitoring of Fishery Activities in Municipal Waters

7.0 Repealing Clause

All DILG Memorandum Circulars inconsistent herewith in part or in full, are hereby modified, revoked, or repealed accordingly.

8.0 Effectivity

This Memorandum Circular shall take effect immediately.

9.0 Approving Authority


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10.0 Feedback

For related queries, kindly contact the Bureau of Local Government Supervision at Tel No. (02) 876-3454 loc. 4211 or at email address at dilg.manilabaypmo@gmail.com.