

[PRESIDENTIAL DECREE NO. 534, August 08, 1974]

DEFINING ILLEGAL FISHING AND PRESCRIBING STIFFER PENALTIES THEREFOR

WHEREAS, the productive potentialities of the vast fishing grounds and other fishery resources in the country upon which the people depend as major and cheap source of food are being greatly reduced through the employment of various methods of illegal fishing;

WHEREAS, loss of human lives oftentimes occur and varied diseases and ailments are suffered by those who partake of fish and fishery products which have been illegally caught or gathered;

WHEREAS, in the interest and welfare of the people who depend mostly upon fish and sea or marine products for their daily food, positive steps must be adopted by the government through interrelated programs and projects including subsidiary laws and measures towards the implementation thereof.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order to be part of the law of the land, the following:

SECTION 1. Definition of Terms.—For purposes of this Decree, the following terms are denned:

- a. *Philippine Waters*.—include all bodies of water within Philippine Territory, such as rivers, streams, creeks, brooks, ponds, swamps, lagoons, gulfs, bays and seas and other bodies of water now existing, or which may hereafter exist in the provinces, cities, municipalities, municipal districts, and barrios; and the sea or fresh water around, between and connecting each of the islands of the Philippine Archipelago, irrespective of its depth, breadth, length and dimension, and all other waters belonging to the Philippines by historic or legal title, including the territorial sea, the seabed, the insular shelves and other submarine areas over which the Philippines has sovereignty or jurisdiction.
- b. *Fish and Fishery/Aquatic Products*.—fish includes all fishes and other aquatic animals such as crustaceans (crabs, prawns, shrimps and lobsters), mollusks (clams, mussels, scallops, oysters, snails and other shellfish). Fishery/aquatic products include all products of aquatic resources in any form.
- c. *Fishing with the use of Explosives*.—means the use of dynamite, other explosives, or chemical compound that contain combustible elements or ingredients that, upon ignition by friction, concussion, percussion, or detonation of all or parts of the compound, kill, stupefy, disable or render unconscious any fish or fishery/aquatic product. It shall also refer to the use of any other substance and/ or device that causes explosion capable of producing the said harmful effects on fish or fishery/aquatic products.
- d. *Fishing with the use of Obnoxious or Poisonous Substance*.—means the use of any substance or chemical, whether in raw or processed form, harmful or harmless, which kill, stupefy, disable, or render unconscious fish or fishery/aquatic products.