

[REPUBLIC ACT NO. 1088, June 15, 1954]

AN ACT TO AMEND SECTION ELEVEN OF ACT NUMBERED FOUR THOUSAND AND THREE, OTHERWISE KNOWN AS THE FISHERIES ACT.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Section eleven of Act Numbered Four thousand and three, otherwise known as the Fisheries Act is hereby amended to read as follows:

"SEC. 11. *Prohibition of the use of obnoxious or poisonous substances in fishing.*—The use of any obnoxious or poisonous substance liable to stupefy, disable, or cause death of fishes or other aquatic animals for the taking of same; or the placing of any such substance in fresh water or marine water of the Philippines where it may cause the stupefaction, disablement, or death of fishes and is intended to cause such stupefaction, disablement, or death; or the gathering by any means of the fishes or other aquatic animals stupefied, disabled or killed by the action of poisonous or obnoxious substance shall be unlawful. The discovery of obnoxious or poisonous substance in any person, fishing boat, banca, raft, or any other watercraft shall constitute a *prima facie* presumption against the person, owner, possessor or in charge of the boat or any watercraft that the said obnoxious or poisonous substance is being used for fishing purposes in violation of this section, and that the discovery in any fishing boat or fish caught or killed by the use of poisonous or obnoxious substance shall constitute a *prima facie* presumption that the person, owner, possessor or in charge of the fishing boat or any other watercraft or the fishing crew have been fishing with poisonous or obnoxious substance: *provided, however,* That the Secretary of Agriculture and Natural Resources may issue permits for the use of poisonous or obnoxious substances in taking fish or other aquatic animals in limited numbers for scientific purposes only. Such authorized party must have the permit with him ready to exhibit on demand by any peace officer or deputy authorized in section five hereof to enforce the provisions of this Act."

SEC. 2. A fishing boat, for the purpose of this Act, includes all boats as bancas, sailboats, motor boats or any other type of watercraft whether licensed or not for the purpose: *Provided,* That any of such boats referred to herein used for the purpose of transporting the fish from the fishing grounds to the market are fishing boats.

SEC. 3. This Act shall take effect upon its approval.