AN ACT BANNING THE CATCHING, SELLING, PURCHASING, POSSESSING, TRANSPORTING, IMPORTING AND EXPORTING OF ALL SHARKS AND RAYS IN THE COUNTRY

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

SECTION 1. Short Title. — This Act shall be known as the "Sharks and Rays Conservation Act".

SEC. 2. Declaration of Policy. — Pursuant to the objectives of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, it is the declared policy of the State to conserve, protect and sustain the management of the country's sharks and rays population. Thus, the State shall ensure the maintenance of ecological balance and marine biodiversity for the benefit of present and future generations of Filipinos.

SEC. 3. Prohibited Acts and Penalties. — It shall be unlawful to catch sharks and rays in Philippine waters or to sell, purchase, possess, transport, import or export the same, in any state, condition or form, or any part thereof. It shall also be unlawful to harm or to kill sharks and rays in the course of...
catching other species of fish. Sharks and rays which are accidentally included in the catch in the course of catching other species of fish shall be immediately released unharmed to the sea.

Specifically, the following illegal acts shall be prohibited and shall be punished with the corresponding penalties:

(a) Killing, destroying or inflicting injury on sharks and rays shall be punished with a fine of one hundred thousand pesos (P100,000.00) to one million pesos (P1,000,000.00) or imprisonment of a minimum of six (6) years and one (1) day to twelve (12) years, or both such fine and imprisonment;

(b) Catching, selling, purchasing and possessing of sharks and rays, and their by-products and derivatives shall be punished with a fine of fifty thousand pesos (P50,000.00) to five hundred thousand pesos (P500,000.00) or imprisonment of a minimum of four (4) years and one (1) day to twelve (12) years, or both such fine and imprisonment; and

(c) Transporting, importing and exporting of sharks and rays, and their by-products and derivatives shall be punished with a fine of thirty thousand pesos (P30,000.00) to three hundred thousand pesos (P300,000.00) or imprisonment of a minimum of two (2) years and one (1) day to twelve (12) years, or both such fine and imprisonment.

If the violation is committed by a juridical person or government entity, the head of office and the person responsible for the violation shall be held liable without prejudice to any further liability for violation of any provision of other applicable laws.

SEC. 4. Lead Agency. — The Bureau of Fisheries and Aquatic Resources (BFAR) of the Department of Agriculture (DA) shall be the lead agency in the implementation of this Act.

In coordination with the Department of Environment and Natural Resources (DENR), the BFAR shall issue the necessary orders to list all sharks
and rays as endangered species. The Department of Tourism (DOT) and the
Philippine Commission on Sports Scuba Diving shall provide the necessary
assistance to the BFAR, the DENR and the local government units (LGUs) in
identifying the habitats and feeding grounds of sharks and rays and declare the
same as protected.

SEC. 5. Prohibition on Using and Selling By-products of Sharks and
Rays. — To eliminate the demand that result in the massive killing of sharks
and rays, the selling and serving of shark’s fin soup and all food menus with
sharks and rays by-products shall be prohibited. The Philippine Coast Guard,
the Philippine National Police, other law enforcement agencies and LGUs shall
assist the BFAR and the Department of Trade and Industry (DTI) in the
implementation of this Act.

Following the identification of the habitats and fishing grounds of these
marine species, the BFAR shall recommend to the Secretary of the DENR the
issuance of an order declaring these areas as protected areas and pursuant
thereto, shall ensure that all local governments and the media, among others,
are appropriately informed.

SEC. 6. Information and Education. — The BFAR, the DENR, the
DOT, the DTI, the LGUs and other State academic institutions shall undertake
a nationwide information and education campaign to adequately inform the
populace of the value of sharks and rays in the marine ecosystem, and of the
importance of preserving their respective habitats and feeding grounds.

SEC. 7. Implementing Rules and Regulations. — Within sixty (60)
days after the effectivity of this Act, the BFAR, in coordination with the
DENR, the DOT and the DTI, shall issue the necessary rules and regulations
for the effective implementation of this Act.
SEC. 8. *Separability Clause.* — If any section or provision of this Act is held unconstitutional or invalid, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

SEC. 9. *Repealing Clause.* — All laws, decrees, executive orders, rules and regulations, issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 10. *Effectivity.* — This Act shall take effect fifteen (15) days from its publication in the *Official Gazette* or in a newspaper of general circulation. 

Approved,