



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPTS FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BULALACAO, ORIENTAL MINDORO HELD ON APRIL 29, 2005 AT SANGGUNIANG BAYAN SESSION HALL, BULALACAO, ORIENTAL MINDORO

PRESENT:

Hon. Salvador A. Magalay	-	Presiding Officer
Hon. Guillermo G. Salas, Jr.	-	Sang. Bayan Member
Hon. Gabriel C. Hermilao	-	-do-
Hon. Efren S. Acosta	-	-do-
Hon. Rosalinda M. Cabagay	-	-do-
Hon. Leonardo A. Andallon	-	-do-
Hon. Sammy O. Madra	-	-do-
Hon. Roberto A. Hilario	-	-do-
Hon. Eric Michael R. Pajotal	-	-do-
Hon. Juan L. Salas, Sr.	-	Pres., Liga ng mga Brgy.

ABSENT:

Hon. Joseph Rey S. Amparo - SK Fed. President (On -Leave)

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X

SPECIAL ORDINANCE NO. 05-04-005

AN ORDINANCE CREATING TASK FORCE SAGIP KARAGATAN (TFSK) AT THE MUNICIPALITY OF BULALACAO, PROVINCE OF ORIENTAL MINDORO

Sponsor: Councillor Gabriel C. Hermilao
Chairman: Committee on Agriculture

WHEREAS, Republic Act 7160, otherwise known as the Local Government Code of 1991 has enabled the Local Government Units the promotion of sustainable development where the needs of today is being met without compromising the ability of future generations to meet their *basic needs*;

WHEREAS, our marine environment is confronted with interlocking nature of environmental problems characterized by massive exploitation through unabated illegal fishing, use of noxious chemicals, dynamite fishing and many others resulting to the fast dwindling and degradation of the marine environment;

WHEREAS, under RA 7160 and sections 16, 444,455 and 465 of the Local Government Code of 1991, the LGUs shall be responsible for the rational and sustainable development, management and conservation of the natural resources for a sound and ecological balance, thereby, protecting the interest and general welfare of its constituents in pole vaulting quality environment;

WHEREAS, it is imperative to create a composite team to be known as TASK FORCE SAGIP KARAGATAN (TFSK) arising from various Government and Non-Government Organizations to render effective enforcement of laws and ordinances necessary in carrying out the programs of the Local Government Units relative to the protection and conservation of the coastal and marine resources; Now, therefore, be it

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RESOLVED AS IT IS HEREBY RESOLVED, To: Enact special ordinance creating Task Force Sagip Karagatan (TFSK) at the Municipality of Bulalacao, Province of Oriental Mindoro;

BE IT ORDAINED by the Sangguniang Bayan of Bulalacao, Oriental Mindoro:

SECTION 1. TITLE. This Special Ordinance shall be known as "An Ordinance Creating Task Force Sagip Karagatan (TFSK) at the Municipality of Bulalacao, Province of Oriental Mindoro;

SECTION 2. DECLARATION OF POLICY. The Municipal Government shall have jurisdiction over municipal waters. It shall be responsible for the management, conservation, development, protection, utilization, and disposition of all fishing and fishery/aquatic resources within the municipal waters of Bulalacao. It shall also provide for preferential rights in the management and access to the fishery for marginal fishermen who are residents of this Municipality.

SECTION 3. CREATION AND COMPOSITION. A Task Force Sagip Karagatan hereinafter referred to as TFSK is hereby created for the purpose of effectively discharging the powers, functions prescribed under R.A. 7160, R.A. 8550 and Municipal Ordinance No. 98-09-017 of Bulalacao, Oriental Mindoro; and provided in this special ordinance the TFSK shall be a collegial body. It shall be composed of a Chairman and Representatives from the following government organizations and duly accredited/registered NGO's and PO's; to wit:

- a. Chairman –SB Committee on Agriculture
- b. Chief of Police - PNP
- c. Maritime Command
- d. Chairmen of respected BFARMC and MFARMC
- e. Deputized Fish Warden
- f. Accredited Association of Fishermen
- g. Municipal Agricultural Office
- h. (2) Representatives from NGO's /PO's duly appointed by the Municipal Mayor

The Chairman shall be selected through a majority vote by all those members present and voting.

SECTION 4. GENERAL POWERS, DUTIES AND FUNCTIONS. The authority and responsibility for the exercise of the LGU's powers and functions over the maintenance, preservation, conservation and promotion of marine resources within the municipal water of Bulalacao, Oriental Mindoro shall be vested in the TFSK which shall include but shall not be limited in taking the necessary measures against marine pollution; illegal fishing; collecting, gathering or quarrying of corals and endangered marine species; pebbles and aquatic plants and animals to be used as aquatic collections;

SECTION 5. SPECIFIC POWERS AND FUNCTIONS OF TASK FORCE SAGIP KARAGATAN. In addition to the powers, duties and functions vested under Section 4 of this special ordinance, TFSK shall have the following powers and functions;

- (a) Enforce all fishery laws, ordinances and applicable rules and regulations within the jurisdiction of municipal waters.

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- (b) Advise the Local Chief Executive and shall serve as an advisory committee to the Sangguniang Bayan on all matters involving fisheries;
- (c) Apprehend any violators of fishery laws and ordinances caught within the jurisdiction of this Municipality;
- (d) Deliver the offender to the nearest competent authority and file the necessary case before the Court of jurisdiction within the legal prescriptive period of time and shall act as witness in favor of the State;
- (e) Establish an efficient and effective seaborne patrolling schedule which shall not be lesser than four (4) times daily ^{or} as necessary as the case maybe;
- (f) Conduct surveys and compiled statistical data for the proper evaluation of the efficiency and effectiveness of anti-illegal fishing campaign;
- (g) Conduct regular information campaign against all forms of illegal fishing;
- (h) Render to the Local Chief Executive and to the Sangguniang Bayan a quarterly report on its activities and accomplishments during the five days after the end of every quarter which shall include an appraisal of the conditions obtaining in the team and recommendations for appropriate remedial legislation;
- (i) Perform such other functions necessary to carry out the provisions of this ordinance and as the Local Chief Executive may direct.

SECTION 6. TRANSITORY PROVISIONS – SPECIAL OVERSIGHT COMMITTEE. Special Oversight Committee is hereby created, composed of the Local Chief Executive as chairman, the Presiding Officer of the Sangguniang Bayan as co-chairman and the Municipal Agricultural Officer, Chairmen of the SB Committees on Environmental Protection, Peace and Order and Public Safety and Agriculture as members, which shall plan and oversee the expeditious and effective implementation of this Ordinance;

SECTION 7. APPROPRIATION. The Local Government Unit shall appropriate such amount necessary to carry out the provisions of this ordinance in its annual or supplemental budgeting;

SECTION 8. IMPLEMENTING RULES AND REGULATIONS. Within fifteen (15) days from the approval of this ordinance the Office of the Municipal Mayor thru the Head of Municipal Agricultural Office shall promulgate rules and regulations necessary to ensure the effective implementation of this Ordinance;

SECTION 9. SEPARABILITY CLAUSE. All ordinances, executive orders, rules and regulations and other issuances or parts thereof which are inconsistent with this Ordinance are hereby repelled, amended or modified accordingly.

The provisions of RA 8550, Presidential Decree 704 and Municipal Ordinance No. 98-09-017 of Bulalacao, Oriental Mindoro are hereby adopted.

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SECTION 10. EFFECTIVITY. This Ordinance shall take effect ten (10) days after its posting.

ENACTED this 29th day of April 2005, Bulalacao, Oriental Mindoro.

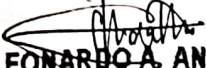
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GUILLERMO G. SALAS, JR.
SB Member


GABRIEL C. HERMILAO
SB Member


EFREN S. ACOSTA
SB Member

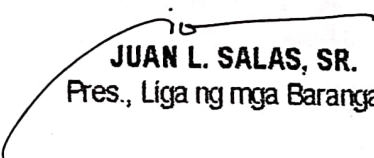
ROSALINDA M. CABAGAY
SB Member


LEONARDO A. ANDALLON
SB Member



SANNY O. MADRA
SB Member


ROBERTO A. HILARIO
SB Member


ERIC MICHAEL R. PAJOTAL
SB Member


JUAN L. SALAS, SR.
Pres., Liga ng mga Barangay


CERTIFIED TRUE AND CORRECT:


SALVADOR A. MAGALAY
Municipal Vice Mayor/
Presiding Officer

ATTESTED:


SIXTO O. BARRIENTOS
Secretary to the Sanggunian

APPROVED:


ENGR. ERNILO C. VILLAS
Municipal Mayor
Date Signed: 6-08-05