

MALACAÑANG

RESIDENCE OF THE PRESIDENT  
OF THE PHILIPPINES  
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 40

CREATING A COMMITTEE TO IMPLEMENT THE EXECUTION OF THE  
FISHERIES ACT FOR PURPOSES OF SUPPRESSING DYNAMITE FISHING.

WHEREAS, fish is basically an essential food of our people and, therefore, the Government should strive to preserve the fish resources of our country;

WHEREAS, dynamite fishing is decidedly destructive of the fish resources of our waters and is prohibited under the provisions of Section 12 of Act No. 4003, otherwise known as "Fisheries Act" and penalized under Section 76 thereof;

WHEREAS, it has been noted that big scale dynamite fishing invariably involves the use of boats licensed as "fish carriers";

WHEREAS, the existing regulations governing the issuance of "fish carrier" license do not require the owners of boats applying therefor to present proof of the legitimate source of the fish stock they expect to load therein;

WHEREAS, many owners of boats now licensed as "fish carriers" are believed without legitimate sources of the stock of fish usually loaded in their boats and such boats are publicly known to be used in connection with dynamite fishing;

WHEREAS, a conscientious and thorough screening of the present licenses of boats operated as "fish carriers" is expected to reveal those who have legitimate sources of stock of fish and the amount of such stock to justify their continued enjoyment of the privilege of such licenses, as well as those who do not have such resources and, therefore, should not continue to enjoy said privilege; and

WHEREAS, the withdrawal or revocation of the licenses of boats plying as "fish carriers," if the owners thereof cannot prove the existence of the legitimate source of the fish stock they load

in their boats, will have withdrawn from operation the potential instruments of dynamite fishing;

NOW, THEREFORE, I, RAMON MAGSAYSAY, President of the Philippines, by virtue of the powers vested in me by law, do hereby order:

1. There is hereby created a Screening Committee composed of one representative from each of the Departments of Agriculture and Natural Resources, Finance and National Defense, to be designated by the respective Secretaries thereof within ten (10) days from the date of this Executive Order.
2. The said Committee shall immediately proceed to screen all persons who operate boats licensed as "fish carriers" and require them to present evidence to prove the legitimate source of their fish supply and the monthly output thereof.
3. The Committee shall submit a written report of its findings and recommendations to the Secretary of Agriculture and Natural Resources, accompanied by the evidence presented in each case.
4. On the basis of the findings and recommendations of the Committee, the Secretary of Agriculture and Natural Resources shall decide whether or not to withdraw or revoke the license for "fish carrier" in each case, and his decision in the premises shall be final.
5. The Committee shall submit a proposed set of rules and regulations governing the issuance of "fish carrier" license for the guidance of the Secretary of Agriculture and Natural Resources in the promulgation of rules and regulations governing the issuance of "fish carrier" license in the future in the exercise of his authority under Section 4 of the "Fisheries Act".

Done in the City of Manila, this 14th day of June in the year of Our Lord, nineteen hundred and fifty-four, and of the Independence of the Philippines, the eighth.

(SGD.) RAMON MAGSAYSAY  
President of the Philippines

By the President:

(SGD.) FRED RUIZ CASTRO  
Executive Secretary