



Republic of the Philippines  
Province of Aklan  
MUNICIPALITY OF MALAY



*Office of the Sangguniang Bayan*

MUNICIPAL ORDINANCE NO. 2001-139

AN ORDINANCE DECLARING "ANGOL POINT REEF, TAMBISAAN, AND CROCODILE ISLAND REEF, TULUBHAN REEF, ILIG-ILIGAN REEF, BALINGHAI REEF, LAPUS-LAPUS REEF AND SA-ID POINT" AS FISH SANCTUARY AND REGULATING ITS PROTECTION, EXPLOITATION AND UTILIZATION.

(SPONSOR: HON. F. S. BAUTISTA)

Be it ordained by the Sangguniang Bayan of Malay, that:

SECTION 1. - **DEFINITION OF TERMS/PHRASES.** For purposes of this Ordinance, the following terms/phrases are hereby defined, to wit:

- (a) **FISH SANCTUARY** - a natural habitat of fishes and other marine species declared by law or ordinance to be reserved for fish shelter and breeding place for the production of marine species and preservation of other forms of marine life.
- (b) **RESTRICTED ZONE** - a body of marine waters surrounding the following areas:
  - (1) "**ANGOL POINT REEF**" - the area approximately 500 m. from North to South of the reef covering the distance from Lorenzo South Beach Resort to Angol Point.
  - (2) "**TAMBISAAN AND CROCODILE REEF**" - the area approximately 500 m. from North to South of the reef to the end of the Beach and North of Tambisaan.
  - (3) "**TULUBHAN REEF**" - the area approximately 500 m. perpendicular to the sea from the shoreline, covering the distance from North to South approximately 500 m.
  - (4) "**ILIG-ILIGAN REEF**" - the area approximately 500 m. rectangular, starting from the shoreline, North to South of the reef.
  - (5) "**BALINGHAI REEF**" - the area approximately 500 m. perpendicular to the sea from the shorelines. A covering distance from Friday's Beach Resort to Balinghai area.
  - (6) "**LAPUS-LAPUS REEF**" - the area approximately 500 m. rectangular covering the distance from the shoreline North to South.
  - (7) **SA-ID POINT** (Bolabog) to Sawang
  - (8) **15 SCUBA DIVING SITE AROUND THE ISLAND** - the area approximately 1,000 m. perpendicular to the sea from the shoreline. At a distance of 300 m. along the center, from North to South and West to East.

and declared by law or ordinance as "off-limit" or prohibited to fishing operations and/or exploitation/utilization of marine species; and

- (c) **PROTECTED AREA MANAGEMENT BOARD (PAMB)** - a policy making body created to oversee and manage the protection and preservation of fishes and all forms of marine life within the sanctuary and safeguard the encroachment of fishing operations and/or any or all types of methods of fish capture within the Restricted Zone.

SECTION 2. - **OFFICIAL DECLARATION OF "ANGOL POINT REEF, TAMBISAAN AND CROCODILE ISLAND REEF, TULUBHAN REEF, ILIG-ILIGAN REEF, BALINGHAI REEF, LAPUS-LAPUS REEF AND SA-ID POINT" (BOLABOG TO SAWANG) AS FISH SANCTUARY.** By virtue of the powers vested by law in the Sangguniang Bayan pursuant to the pertinent provisions of Section 447 (a-1-vi) it is hereby declared that "Angol Point Reef, Tambisaan and Crocodile Island Reef, Tulubhan Reef, Ilig-iligan Reef, Balinghai Reef, Lapus-lapus Reef and Sa-id Point" (Bolabog to Sawang) located within the Municipal waters of this Municipality is reserved as Fish Sanctuary in the context of Section 1(a) hereof. The fish sanctuary shall encompass the Body of marine waters surrounding the following:

- 1) **"ANGOL POINT REEF"** - the area approximately 500 m. from North to South of the reef covering the distance from Lorenzo South Beach Resort to Angol Point.
- 2) **"TAMBISAAN AND CROCODILE REEF"** - the area approximately 500 m. from North to South of the reef to the end of the Beach and North of Tambisaan.
- 3) **"TULUBHAN REEF"** - the area approximately 500 m. perpendicular to the sea from the shoreline, covering the distance from North to South approximately 500 m.
- 4) **"ILIG-ILIGAN REEF"** - the area approximately 500 m. rectangular, starting from the shoreline, North to South of the reef.
- 5) **"BALINGHAI REEF"** - the area approximately 500 m. perpendicular to the sea from the shorelines. A covering distance from Friday's Beach Resort to Balinghai area.
- 6) **"LAPUS-LAPUS REEF"** - the area approximately 500 m. rectangular covering the distance from the shoreline North to South.
- 7) **SA-ID POINT** (Bolabog) to Sawang

SECTION 3. - **RESTRICTED ZONE.** The pertinent provisions of existing Municipal Fishery Ordinances to contrary notwithstanding, any and all forms or types of fishing operations and/or methods of fish capture or exploitation/utilization of other species of marine life within the protected area of the Fish Sanctuary as delineated in Section 2 hereof is/are strictly prohibited.

SECTION 4. - **CREATION OF THE PROTECTED AREA MANAGEMENT BOARD (PAMB).** In order to provide adequate, effective and efficient management and enforcement of regulations to carry out and attain the goals, aims and purposes for the establishment of the Fish Sanctuary, a Protected Area Management Board (PAMB) is hereby created with the following composition, powers and functions, to wit:

- (a) **COMPOSITION.** The PAMB shall be composed of the Municipal Mayor as Chairman; the Vice Mayor as Vice Chairman; the Chairperson of the SB Committee on Agriculture and Committee on Natural Resources, Barangay Chairman of Barangay Manocmanoc, Balabag and Yapak; President Sea and Underwater Sport association; Chairman BFARMC of Barangay Manocmanoc, Balabag and Yapak; Chairman MFARMC; Municipal Agriculturist; MARICOM; and the Chief of Police as regular members.

The PAMB shall create a Technical Staff who shall undertake and take charge of the Secretariat and Monitoring requirements of PAMB.

- (b) **POWERS AND FUNCTIONS.** The Protected Area Management Board (PAMB) is hereby vested and delegated with the powers and authority to do and perform the following acts and things, namely:
- (1) Promulgate and issue policy guidelines pertaining to the effective and efficient management, protection, preservation and utilization of marine resources within the parameter of the Fish Sanctuary;
  - (2) Enforce the laws and regulations governing the implementation of policies, projects and programs initiated and conducted in the protected area of the Fish Sanctuary;
  - (3) Create Administrative and law-enforcement structures or organizations to supplement and support the MARICOM and other law-enforcement agencies of the government in accordance with the pertinent provisions of Section 391 (16) of R.A. No. 7160; and
  - (4) Perform such other functions necessary for the attainment of the goals and purposes for the establishment of the Fish Sanctuary.
- (c) **BUDGETARY SUPPORT.** The Municipal Budget Officer of this Municipality is hereby enjoined to provide budgetary support and/or appropriation for the administrative operations of the Protected Area Management Board (PAMB) as may be requested by the PAMP through the Municipal Mayor, which shall be included in the Annual Budget.

SECTION 5. - **PENAL CLAUSE.** Violation of any or all of the foregoing provisions of this Ordinance shall subject the offender to a fine of not less than TWO THOUSAND PESOS (₱2,000.00) but not more than TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) or imprisonment of not less than three (3) months but not more than six (6) months or both such fine and imprisonment at the discretion of the court, and outright impounding of the fishing paraphernalia or nets used and confiscation of the fish catch or other marine product collected.

SECTION 6. - **REPEALING CLAUSE.** All other ordinances and/or resolutions previously passed by this Sangguniang Bayan and approved by the authorities concerned, which are inconsistent with the provisions of this ordinance are hereby repealed and revoked.

SECTION 7. - **SEPARABILITY CLAUSE.** The provisions of this Ordinance are hereby declared to be separable and, if any clause, sentence, provisions or Section of this Ordinance or application thereof to any person or circumstance should for any reason to be held invalid, such invalidity shall not affect the other provisions of application of this Ordinance.

SECTION 8. - **EFFECTIVITY.** This Ordinance shall take effect fifteen (15) days after approval of the Body and after due information and proper publication.

**ENACTED.** DECEMBER 7, 2000.

**APPROVED.** SEPTEMBER 12, 2001.

CERTIFIED TRUE COPY:

  
**CONCORDIA S. ALCANTARA**

Secretary to the Sangguniang Bayan

**APPROVED SP IN RESOLUTION NO. 01-228, dtd. 2-18-09.**

