



Republic of the Philippines  
Province of Aklan  
MUNICIPALITY OF MALAY



*Office of the Sangguniang Bayan*

MUNICIPAL ORDINANCE NO. 162  
Series of 2002

**AN ORDINANCE DESIGNATING SNORKELING AREAS IN THE MUNICIPALITY OF MALAY, REGULATING ITS USE, IMPOSING SNORKELING FEE AND PROVIDE PENALTIES FOR VIOLATION THEREOF.**

SECTION 1. - **DEFINITION OF TERMS.** The following terms, as used in this ordinance, shall mean:

- (a) **SNORKELING AREAS** - refer to designated areas wherein tourists are permitted to conduct snorkeling activities.
- (b) **SEA RANGERS** - refer to FARMC members deputized by the local government of Malay as caretakers of snorkeling and other marine protected areas.
- (c) **SNORKELERS** - refer to anybody submerged in water for the purpose of viewing marine life and underwater scenery using a certain device or simply swimming within the snorkeling area.

SECTION 2. - **SNORKELING AREAS.** The following are hereby declared snorkeling areas:

- (a) Area offshore Barangay Tambisaan, Manocmanoc.
- (b) Area offshore Angol Point.
- (c) Area offshore between Willy's Place and Fridays (Fridays Reef).
- (d) Ilig-iligan Reef
- (e) Balinghai Reef
- (f) Said to Sawang Reef (Sitio Bolabog of barangay Balabag)
- (g) Tabon Point Reef
- (h) Area off-shore Caticlan Airport and Sambiray
- (i) Tulubhan Reef
- (j) Coral Garden - Off-shore Casa Pilar

SECTION 3. - **PROHIBITION.** The following acts are hereby prohibited within the declared snorkeling areas:

- (1) Dropping of anchor.
- (2) Dispensing motor oil or other pollutants of whatever nature.
- (3) Belching
- (4) Fishing of whatever nature
- (5) Picking of corals or other marine products for whatever purpose, except for research purposes.
- (6) Vandalism/scraping of corals

SECTION 4. - **DEPUTIZATION OF FISHERY AND AQUATIC RESOURCE MANAGEMENT COUNCIL (FARMC) AS SEA RANGERS.** Members of the Fishery and Aquatic Resource Management Council (FARMC), in barangays where declared snorkeling area is located, are hereby deputized to be caretakers of the aforementioned area. Such deputization shall be covered by a Memorandum of Agreement between the Barangay FARMC and the Municipality of Malay represented by the Local Chief Executive.

SECTION 5. - **SNORKELING FEE.** A snorkeling fee of TWENTY PESOS (₱20.00) shall be charged to anyone who snorkel in a designated snorkeling area. Such amount shall be allocated for the maintenance and preservation of the marine life and the natural marine scenery in the declared snorkeling areas.

SECTION 6. - **MANNER AND CUSTODY OF COLLECTIONS.** Collection and custody of snorkeling fees shall be delegated to a designated FARMC member of the concerned barangay, remittance of which shall be made according to the terms stipulated in a Memorandum of Agreement entered into by the concerned parties.

SECTION 7. - **COLLECTION SHARING.** Collected snorkeling fees shall be shared by the sea rangers or caretakers, the concerned barangay and the Municipality of Malay based on the rates of percentage agreed upon by the aforementioned parties in a Memorandum of Agreement.

SECTION 8. - **PENALTIES.**

(a) **SANCTIONS FOR THOSE WHO VIOLATE SECTION 3, PARAGRAPHS 1, 2 AND 3 OF THIS ORDINANCE.**

**FIRST OFFENSE** - Stern warning and ONE THOUSAND PESOS (₱1,000.00) fine.

**SECOND OFFENSE** - Suspension of license to operate as snorkeling service for one (1) month and a fine of ONE THOUSAND FIVE HUNDRED PESOS (₱1,500.00).

**THIRD, AND SUBSEQUENT OFFENSES** - Cancellation of license to operate as Snorkeling service and a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00).

(b) **SANCTIONS FOR THOSE WHO VIOLATE SECTION 3, PARAGRAPHS 4, 5 AND 6.**

**FIRST OFFENSE** - Stern warning, ONE THOUSAND PESOS (₱1,000.00) fine and confiscation of marine products and gadgets used for such collection, as the case may be.

**SECOND AND SUBSEQUENT OFFENSES** - Five (5) days imprisonment, TWO THOUSAND PESOS (₱2,000.00) fine and confiscation of marine products and gadgets used for such collection, as the case may be.


SECTION 9. - **REPEALING CLAUSE.** All ordinances, rules and regulations, or parts thereof, whose provisions are in conflict with, or contrary to, the provision of this ordinance are hereby repealed, amended, or modified accordingly.

SECTION 10. - **EFFECTIVITY.** This ordinance shall take effect upon approval and proper publication.

**ENACTED.** MARCH 13, 2002.

**APPROVED.** MAY 29, 2002.

CERTIFIED TRUE COPY:

  
**CONCORDIA S, ALCANTARA**

Secretary to the Sangguniang Bayan

**APPROVED. SP RESOLUTION NO. 02-236, dtd. 7-19-02**

