



**MARITIME INDUSTRY AUTHORITY**

PANGASIWAAN NG KALAKALANG PANDAGAT

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11 April 2016

**ATTY. DENISE CABANOS /**  
**ATTY. JOSEPH REBANO**  
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Bonifacio Global City  
1630 Taguig, Metro Manila

Dear Atty. Cabanos and Atty. Rebano:

This refers to our letter dated 16 February 2016 in response to your letter of 04 September 2015 protesting the implementation of Ordinance No. 28, series of 2015, by the Sangguniang Panlalawigan of the Province of Zambales entitled "An Ordinance for the Provincial Coast Watch Surveillance and Environment Monitoring System in the Province of Zambales".

Please be informed that the Department of Justice in its Opinion No. 8, s. 2016 dated 07 March 2016 opines that PO28 is invalid and legally infirm as it violates the 1987 Constitution, Republic Act (RA) No. 7160 (the Local Government Code), RA 9993 (Philippine Coast Guard Law of 2009), Presidential Decree No. 857, as amended by Executive Order (EO) No. 513, s. 1978 and EO 159, s. 1987 (Providing for the Creation/Reorganization of the Philippine Ports Authority), and EO No. 57, s. 2011 (Establishing a National Coast Watch System). The said letter-opinion is addressed to Hon. Jose Luis M. Alano, Executive Director, National Coast Watch Council/Secretariat, in response to his request for opinion on the validity of Provincial Ordinance No. 28 (PO28) series of 2015.

It further states that PO28 usurps powers and functions that have already been allocated to the PCG, PPA and the NCWC under the various laws and issues that created them. Furthermore, the Province improperly exercised the State's authority under Section III, Part II of the United Nations Convention of the Law of the Sea (UNCLOS), given that PO28 violates Article 26 (Charges which may be levied on foreign ships) of the same.

Very truly yours,

  
**MAXIMO Q. MEJIA JR., PhD**  
Administrator

MARITIME PHILIPPINES

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