

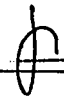
EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

SENATE

'21 MAR -2 P3 :00

S. NO. 2078

REC'D



Introduced by **SENATOR CYNTHIA A. VILLAR**

AN ACT
STRENGTHENING THE WILDLIFE CONSERVATION AND PROTECTION
MECHANISM IN THE PHILIPPINES, AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 9147, OTHERWISE KNOWN AS THE "WILDLIFE
RESOURCES CONSERVATION AND PROTECTION ACT", PROVIDING FUNDS
THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

This bill, which seeks to strengthen the wildlife conservation and protection mechanism in the country, is filed in fitting observance of the 2021 World Wildlife Day on 3 March 2021.

The United Nations (UN) General Assembly constituted the annual celebration of World Wildlife Day in December 2013 in order to raise awareness on the vital existence of wild fauna and flora, to remind the people and States of their obligation to protect the wildlife species, and also to commemorate the international adoption in 1973 of the CITES or the Convention on International Trade in Endangered Species of Wild Fauna and Flora¹. The CITES is the international agreement among countries to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

The Philippines joined and ratified the CITES in 1981. As a Party to the said Convention, the Philippine government has the obligation, among others, to adopt its own national laws applying the provisions of the CITES, such as prohibiting the

¹ <https://www.un.org/en/observances/world-wildlife-day/background>

trade of wildlife in violation of the convention, imposing penalties for violations, and confiscating illegally traded specimens. In fulfillment of this obligation, Republic Act No. 9147 or the *Wildlife Resources Conservation and Protection Act* was passed into law in 2001.

RA No. 9147 is as a measure that provided the necessary environmental policy enabling Philippine government to manage and conserve the wildlife resources of the country comprehensively. RA 9147 included a list of illegal acts that are considered detrimental to wildlife with corresponding penalties, such as imprisonment or fines, or both, that are intended to serve as deterrent for violative acts against wildlife and their habitats. In sum, RA No. 9147 provided the support mechanism and facilities for wildlife management and wildlife policy implementation.

Through the years and applying the provisions of RA No. 9147, the Philippine enforcement authorities were able to apprehend perpetrators of wildlife offenses. Some of these cases include the following incidents, to wit: the seizure of 447 exotic animals in Mati City, Davao Oriental, valued at PHP 50 million in April 2019;² the seizure in March 2019 of 1,529 live exotic turtles inside an abandoned luggage at the NAIA Terminal 2 in Pasay City.³; in March 2018, the National Bureau of Investigation (NBI) arrested four persons for selling endangered species Pasay City and more than 300 wildlife animals, found stuffed in cramped cages, were rescued⁴; and in July 2018, a truckload of banned wildlife meat, composed of 21 frozen pangolins and 16 sea turtles, believed destined for the black market was confiscated at a Department of Environment and Natural Resources (DENR) checkpoint at the northern outskirts of Puerto Princesa City.⁵

² GMA News Online, "More than 400 Exotic Animals Rescued in Davao Oriental; 2 Suspects, Arrested," GMA News Online, April 11, 2019, [PAGE], accessed July 23, 2020, <https://www.gmanetwork.com/news/news/regions/691009/more-than-400-exotic-animals-rescued-in-davao-oriental-2-suspects-arrested/story/>

³ Amy Gunia, "Philippines: 1500 Turtles Found in Luggage at Manila Airport," Time, March 05, 2019, [PAGE], accessed July 23, 2020, <https://time.com/5543654/manila-philippines-turtles-smuggling/>

⁴ Robertzon Ramirez, "4 Nabbed for Selling Wildlife," Philstar.com, March 13, 2018, [PAGE], accessed July 23, 2020, <https://www.philstar.com/nation/2018/03/14/1796509/4-nabbed-selling-wildlife>

⁵ Redempto D. Anda, "DENR Seizes Truckload of Turtle, Pangolin Meat in Puerto Princesa," INQUIRER.net, July 28, 2018, [PAGE], accessed July 23, 2020, <https://newsinfo.inquirer.net/1015279/denr-seizes-truckload-of-turtle-pangolin-meat-in-puerto-princesa>

While admittedly there were successful arrest of wildlife violators and confiscation of wildlife specimens over the years, there are many other violations that remain rampant and undetected. Also, despite the existence of RA No. 9147 for twenty (20) years already, the incidence of wildlife crimes has evolved and grown. In recent years, concerns were raised on the increasing apprehensions of well-equipped, organized, and syndicated violators, dealing with wildlife in relatively large quantities, and/or with international connection. The trade and transport of wildlife species have become widescale and transnational in nature, and those involved in wildlife crimes continue to innovate. This phenomenon poses challenges to the enforcement authorities and to the country's existing policies and mechanisms.

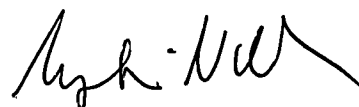
The attached bill seeks to address, among others, the evolving nature of wildlife offenses and also to fortify the mechanisms in place to afford better protection to our wildlife resources.

The need to protect our wildlife resources find critical relevance now as we continue to battle the ill-effects of the COVID-19 virus. We have gathered that there were researches indicating that the constant exploitation of wild fauna and their habitats, mostly through human actions, had the effect of raising the risk of zoonotic disease transmission (or the transmission of disease from animal to human). For instance, when human destroy the natural habitats of wild animals, the latter may be constrained to transfer to locations where humans live. Another example is the hunting of wild animals and eating them afterwards. And third, the interaction of humans and wild animals is greatly increased in cases of illegal wildlife trade. There were studies suggesting that COVID-19 virus may have originated from bats and that the first people infected were traders in bat meat, who may have subsequently visited the Huanan seafood market, where the virus spread was first traced. With this background, there is more reason now to strengthen our policies on wildlife conservation and protection.

The salient features of the attached bill amending RA 9047 include the following, among others:

- It recognizes the jurisdiction of Palawan Council for Sustainable Development (PCSD) and the Bangsamoro Government over wildlife species in their respective territories;
- It addresses the crime of "wildlife trafficking" by providing its definition and commensurate penalties, and other strategies to deter the devious schemes of wildlife syndicates that are large-scale and transnational;
- It provides the definition of "wildlife laundering", considers it illegal and assigns a corresponding penalty for its commission;
- It includes control and management mechanism for invasive alien species, that threatens the survival of our local plants and animals;
- It provides guidelines on the collection, possession and transport of wildlife, its by-products and derivatives;
- It provides increase in the penalties (imprisonment and/or fines) for illegal acts to serve as deterrent for the commission of wildlife crimes; and
- It has provisions stating the application of the disputable presumption that wildlife offenses have been committed.

In view of the foregoing, I earnestly seek the approval of this measure.



CYNTHIA A. VILLAR

SENATE

21 MAR -2 P3:00

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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1.** Section 1 of Republic Act No. 9147 is hereby amended to read as
2 follows:

3 "SECTION 1. *Title.* – This Act shall be known as the "**REVISED**
4 **Wildlife Resources Conservation and Protection Act OF 2021.**"

5 **SEC. 2.** Section 2 of Republic Act No. 9147 is hereby amended to read as
6 follows:

7 "SEC. 2. *Declaration of Policy.* - It shall be the policy of the State to
8 conserve **AND PROTECT** the country's wildlife resources and their
9 habitats for sustainability **AND TO PROMOTE ECOLOGICAL**
10 **BALANCE, ENHANCE BIOLOGICAL DIVERSITY, PREVENT**
11 **EXTINCTION, AND ENSURE THE PROVISION OF ECOSYSTEM**

1 **SERVICES.** In the pursuit of this policy, this Act shall have the following
2 objectives:

3 ~~[(a) to conserve and protect wildlife species and their habitats to~~
4 ~~promote ecological balance and enhance;]~~

5 (a) to regulate the collection, **POSSESSION, USE** and trade of
6 wildlife, **WILDLIFE BY-PRODUCTS AND DERIVATIVES;**

7 (b) to pursue, with due regard to the national interest, the
8 Philippine commitmentS to international conventions, **TREATIES AND**
9 **AGREEMENTS ON THE** protection of wildlife and their habitats, **AND**
10 **ON THE FAIR AND EQUITABLE SHARING OF THE BENEFITS**
11 **ARISING OUT OF THE UTILIZATION OF GENETIC RESOURCES**
12 **FROM WILDLIFE; [and]**

13 (c) to initiate or support scientific studies on the conservation of
14 biological diversity and sustainable utilization of wildlife resources;

15 **(D) TO PROMOTE FULL AWARENESS AND WIDEST**
16 **DISSEMINATION OF POLICIES ON WILDLIFE CONSERVATION**
17 **AND PROTECTION; AND**

18 **(E) TO ADDRESS AND END THE LARGE SCALE,**
19 **TRANSNATIONAL, AND ORGANIZED CRIME OF WILDLIFE**
20 **TRAFFICKING."**

21 **SEC. 3.** Section 3 of Republic Act No. 9147 is hereby amended to read as
22 follows:

1 "SEC. 3. *Scope of Application.* – The provisions of this Act shall be
2 enforceable for all wildlife species found in all areas of the country,
3 including ~~[protected areas under Republic Act No. 7586, otherwise~~
4 ~~known as the National Integrated Protected Areas System (NIPAS) Act,~~
5 ~~and critical habitats. This Act shall also apply to]~~ exotic species which are
6 subject to trade, are cultured, maintained and/or bred in captivity or
7 propagated in the country."

8 **SEC. 4.** Section 4 of Republic Act No. 9147 is hereby amended to read as
9 follows:

10 "SEC. 4. *Jurisdiction of the Department of Environment and Natural*
11 *Resources, [and] the Department of Agriculture, **THE PALAWAN***
12 ***COUNCIL FOR SUSTAINABLE DEVELOPMENT, AND THE***
13 ***BANGSAMORO GOVERNMENT.*** – The Department of Environment
14 and Natural Resources (DENR) shall have jurisdiction over all terrestrial
15 plant and animal species, all turtles and tortoises and wetland species,
16 including but not limited to crocodiles, waterbirds and all amphibians and
17 dugong. The Department of Agriculture (DA) shall have jurisdiction over
18 all ~~[declared]~~ aquatic ~~[critical]~~ habitats, all aquatic resources including
19 but not limited to all fishes, aquatic plants, invertebrates and all marine
20 mammals, except dugong. The secretaries of the DENR and the DA shall
21 review, and by joint administrative order, revise and regularly update the
22 list of species under their respective jurisdiction. In the Province of
23 Palawan, jurisdiction herein conferred is vested to the Palawan Council

1 for Sustainable Development (PCSD) pursuant to Republic Act No. 7611,
2 **OTHERWISE KNOWN AS THE "STRATEGIC ENVIRONMENTAL**
3 **PLAN (SEP) FOR PALAWAN ACT" AND, IN THE BANGSAMORO**
4 **AUTONOMOUS REGION IN MUSLIM MINDANAO, JURISDICTION**
5 **HEREIN CONFERRED IS VESTED TO THE BANGSAMORO**
6 **GOVERNMENT (BMG) PURSUANT TO REPUBLIC ACT NO. 11054,**
7 **OTHERWISE KNOWN AS THE "BANGSAMORO ORGANIC LAW"."**

8 **SEC. 5.** Section 5 of Republic Act No. 9147 is hereby amended to read as
9 follows:

10 *"SEC. 5. Definition of Terms. - As used in the Act, the term:*

11 **(A) "BIOLOGICAL DIVERSITY" OR "BIODIVERSITY"**
12 **REFERS TO THE VARIABILITY AMONG LIVING ORGANISMS**
13 **FROM ALL SOURCES INCLUDING, INTER ALIA, TERRESTRIAL,**
14 **MARINE AND OTHER AQUATIC ECOSYSTEMS AND THE**
15 **ECOLOGICAL COMPLEXES OF WHICH THEY ARE PART; THIS**
16 **INCLUDES DIVERSITY WITHIN SPECIES, BETWEEN SPECIES**
17 **AND OF ECOSYSTEMS;**

18 **(B) "BIOLOGICAL RESOURCES" REFERS TO GENETIC**
19 **RESOURCES, ORGANISMS OR PARTS THEREOF, POPULATIONS**
20 **OR ANY OTHER BIOTIC COMPONENT OF ECOSYSTEMS WITH**
21 **ACTUAL OR POTENTIAL USE OR VALUE FOR HUMANITY,**
22 **INCLUDING BUT NOT LIMITED TO, ALL BIOLOGICAL**
23 **SPECIMENS SUCH AS PLANTS, SEEDS, TISSUES AND OTHER**

1 **PROPAGATION MATERIALS, ANIMALS, LIVE OR PRESERVED,**
2 **WHETHER WHOLE OR IN PART;**

3 ~~[(a)]~~ (C) "Bioprospecting" [means] **REFERS TO** the
4 research, collection and utilization of biological and genetic resources for
5 purposes of applying the knowledge derived there from solely for
6 commercial purposes;

7 (D) **"BIOSAFETY" REFERS TO THE NEED TO PROTECT**
8 **HUMAN, PLANT AND ANIMAL HEALTH OR LIFE AND THE**
9 **ENVIRONMENT FROM THE POSSIBLE ADVERSE EFFECTS OF THE**
10 **PRODUCTS OF MODERN BIOTECHNOLOGY AND POTENTIALLY**
11 **HARMFUL EXOTIC SPECIES;**

12 (E) **"BOTANICAL GARDEN" REFERS TO AN**
13 **ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT**
14 **OWNED/OPERATED/MANAGED WHERE A COLLECTION OF WILD**
15 **FLORA IS MAINTAINED FOR RECREATIONAL, EDUCATIONAL,**
16 **RESEARCH, CONSERVATION AND SCIENTIFIC PURPOSES;**

17 ~~[(b)]~~ (F) "By-product~~S~~ [~~or derivatives~~]" [means] **REFERS**
18 **TO** any part taken [~~or substance extracted~~] from wildlife [~~, in raw or in~~
19 ~~processed form. This includes stuffed animals and herbarium specimens]~~
20 **SPECIES SUCH AS BUT NOT LIMITED TO MEAT, HIDES,**
21 **ANTLERS, FEATHERS, LEATHER, FUR, INTERNAL ORGANS,**
22 **BONES, ROOTS, TRUNKS, BARKS, PETIOLES, LEAF FIBERS,**
23 **BRANCHES, LEAVES, STEMS, FLOWERS, SCALES, SCUTES,**

1 **SHELLS, CORAL PARTS, CARAPACE AND THE LIKE, OR WHOLE**
2 **DEAD BODY OF WILDLIFE IN ITS PRESERVED/STUFFED STATE,**
3 **INCLUDING COMPOUNDS INDIRECTLY PRODUCED IN A BIO-**
4 **CHEMICAL PROCESS OR CYCLE;**

5 **[(e)] (G) "Captive-breeding/culture or propagation" [means]**
6 **REFERS TO** the process of producing individuals under controlled
7 conditions or with human interventions;

8 **(H) "CERTIFICATE OF WILDLIFE REGISTRATION"**
9 **REFERS TO DOCUMENT AUTHORIZING A PERSON TO POSSESS**
10 **WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES;**

11 **(I) "CERTIFICATE OF INTRODUCTION FROM THE SEA"**
12 **REFERS TO A DOCUMENT ISSUED BY THE BUREAU OF**
13 **FISHERIES AND AQUATIC RESOURCES FOR THE**
14 **INTRODUCTION FROM THE SEA OF WILDLIFE SPECIES TAKEN**
15 **FROM MARINE ENVIRONMENTS OUTSIDE THE JURISDICTION**
16 **OF ANY STATE;**

17 **(J) "CITES" REFERS TO THE CONVENTION ON**
18 **INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD**
19 **FAUNA AND FLORA, ADOPTED IN WASHINGTON ON 3 MARCH**
20 **1973, WHICH ENTERED INTO FORCE FOR THE PHILIPPINES ON**
21 **16 NOVEMBER 1981;**

1 ~~(d)~~ (K) "Collection or collecting" [means] **REFERS TO** the
2 act of **TAKING**, gathering or harvesting wildlife, its by-products **AND/or**
3 derivatives;

4 ~~(e)~~ (L) "Conservation" [means] **REFERS TO** preservation
5 and sustainable utilization of wildlife, and/or maintenance, restoration
6 and enhancement of the habitat;

7 **(M) "CRITICAL HABITAT" REFERS TO AN AREA OUTSIDE**
8 **PROTECTED AREAS UNDER REPUBLIC ACT NO. 7586 OR THE**
9 **NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS)**
10 **ACT, AS AMENDED BY REPUBLIC ACT NO. 11038 OR THE**
11 **EXPANDED NATIONAL INTEGRATED PROTECTED AREAS SYSTEM**
12 **(ENIPAS) ACT, THAT ARE KNOWN HABITATS OF THREATENED**
13 **SPECIES AND DESIGNATED BASED ON SCIENTIFIC DATA**
14 **TAKING INTO CONSIDERATION SPECIES ENDEMICITY AND/OR**
15 **RICHNESS, PRESENCE OF MAN-MADE PRESSURES/THREATS TO**
16 **THE SURVIVAL OF WILDLIFE LIVING IN THE AREA, AMONG**
17 **OTHERS;**

18 ~~(f)~~ (N) "Critically endangered species" refers to a species
19 or subspecies that is facing extremely high risk of extinction in the wild in
20 the immediate future;

21 **(O) "DERIVATIVES" REFERS TO A**
22 **SUBSTANCE/MATERIAL EXTRACTED OR TAKEN FROM WILDLIFE**
23 **SUCH AS BUT NOT LIMITED TO BLOOD, SALIVA, OILS, RESINS,**

1 **GENES, GUMS, HONEY, COCOON, FUR, TANNIN, URINE, SERUM,**
2 **SPORES, POLLEN AND THE LIKE; A COMPOUND DIRECTLY OR**
3 **INDIRECTLY PRODUCED FROM WILDLIFE AND/OR PRODUCTS**
4 **PRODUCED FROM WILDLIFE AND WILDLIFE PRODUCTS;**
5 **INCLUDING COMPOUNDS INDIRECTLY PRODUCED IN A BIO-**
6 **CHEMICAL PROCESS OR CYCLE;**

7 **[~~(g)~~] (P)** "Economically important species" **[means]**
8 **REFERS TO** species **[~~or subspecies~~]** which have actual or potential value
9 in trade or utilization for commercial purpose **AS WELL AS SPECIES**
10 **WHICH HAVE ACTUAL OR POTENTIAL NEGATIVE IMPACT ON**
11 **THE ENVIRONMENT AND ECONOMIC ACTIVITIES SUCH AS, BUT**
12 **NOT LIMITED TO, AGRICULTURE AND FOOD PRODUCTION;**

13 **[~~(h)~~] (Q)** "Endangered species" refers to species or
14 subspecies that is not critically endangered but whose survival in the wild
15 is unlikely if the causal factors continue operating;

16 **[~~(i)~~] (R)** "Endemic species" **[means]** **REFERS TO** species or
17 subspecies which is naturally occurring and found only within specific
18 areas in the country;

19 **[~~(j)~~] (S)** "Exotic species" **[means]** **REFERS TO** species or
20 subspecies which do not naturally occur in the country;

21 **(T)** "EXPORT OF WILDLIFE" **REFERS TO THE ACT OF**
22 **BRINGING WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR**

1 **DERIVATIVES FROM THE PHILIPPINES TO ANY OTHER**
2 **COUNTRY;**

3 ~~[(4)]~~ **(U)** "Export permit" refers to a permit authorizing [~~an~~
4 individual] **A PERSON** to bring out wildlife, **WILDLIFE BY-PRODUCTS**
5 **AND/OR DERIVATIVES** from the Philippines to any other country;

6 **(V)** **"GENETIC MATERIAL" REFERS TO ANY MATERIAL OF**
7 **PLANT, ANIMAL, MICROBIAL OR OTHER ORIGIN CONTAINING**
8 **FUNCTIONAL UNITS OF HEREDITY;**

9 **(W)** **"GENETIC RESOURCES" REFERS TO GENETIC**
10 **MATERIAL OF ACTUAL OR POTENTIAL VALUE;**

11 ~~[(4)]~~ **(X)** "Gratuitous permit" [~~means~~] **REFERS TO** permit
12 issued to any [~~individual or entity~~] **PERSON** engaged in non-commercial
13 scientific, or educational undertaking to collect wildlife;

14 ~~[(4)]~~ **(Y)** "Habitat" [~~means~~] **REFERS TO** place or
15 environment where species or subspecies naturally occur or has naturally
16 established its population;

17 **(Z)** **"IMPORT OF WILDLIFE" REFERS TO THE ACT OF**
18 **BRINGING IN TO THE PHILIPPINES WILDLIFE, WILDLIFE BY-**
19 **PRODUCTS AND/OR DERIVATIVES FROM ANOTHER COUNTRY;**

20 ~~[(4)]~~ **(AA)** "Import permit" refers to a permit authorizing [~~an~~
21 individual] **A PERSON** to bring in wildlife, **WILDLIFE BY-PRODUCTS**
22 **AND/OR DERIVATIVES** from another country;

1 ~~[(e)]~~ **(BB)** "Indigenous wildlife" [means] **REFERS TO** species
2 or subspecies of wildlife naturally occurring or has naturally established
3 population in the country;

4 ~~[(p)]~~ **(CC)** "Introduction" [means] **REFERS TO** bringing
5 species into the wild that is outside its natural habitat;

6 **(DD) "INTRODUCTION FROM THE SEA" REFERS TO**
7 **TRANSPORTATION INTO THE COUNTRY OF SPECIMENS OF ANY**
8 **SPECIES WHICH WERE TAKEN IN THE MARINE ENVIRONMENT**
9 **NOT UNDER THE JURISDICTION OF ANY STATE;**

10 **(EE) "INVASIVE ALIEN SPECIES" OR "IAS" REFERS TO**
11 **SPECIES WHOSE INTRODUCTION AND/OR SPREAD OUTSIDE**
12 **THEIR NATURAL PAST OR PRESENT DISTRIBUTION THREATENS**
13 **BIOLOGICAL DIVERSITY;**

14 **(FF) "LARGE SCALE" REFERS TO ANY VIOLATION STATED**
15 **UNDER SECTION 27 (A), (E), (F), (I) AND (J) OF THIS ACT,**
16 **INVOLVING ONE HUNDRED (100) OR MORE INDIVIDUAL**
17 **SPECIMENS OF ANY THREATENED SPECIES; OR TWO HUNDRED**
18 **(200) OR MORE INDIVIDUAL SPECIMENS OF NON-THREATENED**
19 **SPECIES;**

20 **(GG) "LOCAL TRANSPORT PERMIT" REFERS TO THE**
21 **PERMIT ISSUED AUTHORIZING A PERSON TO BRING, CARRY,**
22 **OR SHIP WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES**

1 FROM ONE PLACE TO ANOTHER WITHIN THE TERRITORIAL
2 JURISDICTION OF THE PHILIPPINES;

3 (HH) "MALTREATMENT" REFERS TO THE COMMISSION OF
4 TORTURE OR THE EXERCISE OF CRUELTY TO ANY WILDLIFE, OR
5 OMISSION OR NEGLECT TO PROVIDE ADEQUATE CARE,
6 SUSTENANCE OR SHELTER TO WILDLIFE;

7 (II) "OTHER PROTECTED WILDLIFE SPECIES" REFERS
8 TO ALL NON-THREATENED SPECIES THAT HAVE THE TENDENCY
9 TO BECOME THREATENED DUE TO THE DESTRUCTION OF
10 HABITAT OR OTHER SIMILAR CAUSES AS MAY BE LISTED BY
11 THE SECRETARY UPON THE RECOMMENDATION OF THE
12 NATIONAL WILDLIFE MANAGEMENT COMMITTEE;

13 (JJ) "PERSON" REFERS TO NATURAL OR JURIDICAL
14 PERSONS;

15 (KK) "POSSESSION" REFERS BOTH TO ACTUAL
16 POSSESSION OR IMMEDIATE PHYSICAL CONTROL OVER
17 WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES; AND TO
18 CONSTRUCTIVE POSSESSION OR OWNERSHIP OR CONTROL
19 OVER THE PLACE OR CONVEYANCE WHERE THE WILDLIFE, BY-
20 PRODUCTS AND/OR DERIVATIVES ARE FOUND;

21 (LL) "PROTECTED WILDLIFE" REFERS TO ALL WILDLIFE
22 FALLING UNDER ANY CATEGORY OF THREATENED WILDLIFE
23 SPECIES AND "OTHER PROTECTED WILDLIFE SPECIES LISTED

1 BY THE DENR, DA, PCSD AND BMG THAT IS NOT IN THE
2 THREATENED LIST BUT ARE IDENTIFIED AND LISTED BY DENR,
3 DA, PCSD AND BMG AS REQUIRING LEGAL PROTECTION;

4 ~~[(q)]~~ (MM) "Reexport permit" refers to a permit authorizing
5 ~~[an individual]~~ A PERSON to bring out of the country a previously
6 imported wildlife, WILDLIFE BY-PRODUCTS AND/OR
7 DERIVATIVES;

8 ~~[(r)]~~ (NN) "Secretary" ~~[means either or both]~~ REFERS TO
9 the Secretary of the Department of Environment and Natural Resources
10 and the Secretary of the Department of Agriculture;

11 (OO) "SPECIAL LOCAL TRANSPORT PERMIT" REFERS TO A
12 PERMIT CONFERRED TO HOLDERS OF WILDLIFE SPECIAL USE
13 PERMIT (WSUP) AUTHORIZING THE CONVEYANCE OF
14 WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES FROM THE
15 FACILITY OF ORIGIN TO ONE OR MORE PLACES IN THE WITHIN
16 THE PHILIPPINES AND BACK TO THE FACILITY OF ORIGIN;

17 (PP) "SYNDICATE" REFERS TO THREE OR MORE
18 INDIVIDUALS FORMED OR ACTING TOGETHER WITH AN
19 INTENTION OF CARRYING OUT THE VIOLATIONS OF SECTION
20 27 (A), (E), (F), (I) AND (J) OF THIS ACT;

21 ~~[(s)]~~ (QQ) "Threatened Wildlife Species" REFERS TO a
22 general term to denote species or subspecies considered as critically

1 endangered, endangered, vulnerable or other accepted categories of
2 wildlife whose population is at risk of extinction;

3 ~~[(t)]~~ **(RR)** "Trade" ~~[means]~~ **REFERS TO** the act of engaging
4 in the exchange, exportation or importation, purchase or sale of wildlife,
5 their derivatives and/or by-products, locally or internationally;

6 ~~[(t)]~~ **(SS)** "Traditional use" ~~[means]~~ **REFERS TO THE**
7 utilization of wildlife by indigenous people in accordance with written or
8 unwritten rules, usage, customs and practices traditionally observed,
9 accepted and recognized by them;

10 ~~[(v)] "Transport permit" means a permit issued authorizing an~~
11 ~~individual to bring wildlife from one place to another within the territorial~~
12 ~~jurisdiction of the Philippines;]~~

13 ~~[(w)]~~ **(TT)** "Vulnerable species" refers to species or subspecies
14 that is not critically endangered nor endangered but is under threat from
15 adverse factors throughout their range and is likely to move to the
16 endangered category in the near future;

17 ~~[(x)]~~ **(UU)** "Wildlife" ~~[means]~~ **REFERS TO** wild forms and
18 varieties of flora and fauna, in all developmental stages, including those
19 which are in captivity or are being bred or propagated;

20 ~~[(y)]~~ **(VV)** "Wildlife collector's permit" ~~[means a]~~ **REFERS TO**
21 **THE** permit to take, **GATHER** or ~~[collect]~~ **HARVEST** from the wild
22 certain species and quantities of wildlife **AS PARENTAL STOCKS** for
23 commercial **BREEDING** purposes; ~~[and]~~

1 ~~(z)~~ (WW) "Wildlife farm/culture permit" [means] REFERS
2 TO a permit to develop, operate and maintain a wildlife breeding farm
3 for conservation, trade and/or scientific purposes;

4 (XX) "WILDLIFE LOCAL TRADE PERMIT" REFERS TO A
5 PERMIT AUTHORIZING A PERSON TO SELL OR OFFER FOR SALE,
6 WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES;

7 (YY) "WILDLIFE LAUNDERING" REFERS TO THE PROCESS
8 BY WHICH WILDLIFE TRADERS DISGUISE THE ORIGIN AND
9 OWNERSHIP OF ILLEGALLY ACQUIRED WILDLIFE BY MAKING
10 SUCH APPEAR TO HAVE BEEN DERIVED FROM A LEGITIMATE
11 SOURCE OR EMERGING MECHANISM UTILIZED BY BREEDING
12 FARMS AND PRIVATE ZOOLOGICAL PARKS TO CIRCUMVENT
13 WILDLIFE LAWS AND REGULATIONS;

14 (ZZ) "WILDLIFE RESCUE CENTER" REFERS TO
15 GOVERNMENT ESTABLISHED OR DESIGNATED REPOSITORIES
16 OF CONFISCATED, DONATED, RETRIEVED, OR TURNED-OVER
17 WILDLIFE OR AN ESTABLISHMENT WHERE SICK, INJURED,
18 CONFISCATED WILDLIFE ARE TEMPORARILY KEPT AND
19 REHABILITATED PRIOR TO THE RELEASE TO THEIR NATURAL
20 HABITAT OR IMPLEMENTATION OF OTHER MODES OF
21 DISPOSITION AS MAY BE AUTHORIZED BY THE SECRETARY OR
22 THE PCSD;

1 **(AAA) "WILDLIFE REGISTRATION" REFERS TO THE ACT OF**
2 **ENTERING IN THE OFFICIAL RECORDS WILDLIFE, BY-**
3 **PRODUCTS AND/OR DERIVATIVES AND GRANTING AUTHORITY**
4 **TO ANY PERSON TO MAINTAIN SAID WILDLIFE, BY-PRODUCTS**
5 **AND/OR DERIVATIVES;**

6 **(BBB) "WILDLIFE SPECIAL USE PERMIT" REFERS TO A**
7 **PERMIT AUTHORIZING THE HOLDER THEREOF TO UTILIZE**
8 **LEGALLY POSSESSED/ACQUIRED WILDLIFE, BY-PRODUCTS**
9 **AND/OR DERIVATIVES FOR LOCAL SHOWS, EXHIBITIONS, OR**
10 **EDUCATIONAL PURPOSES OR TO COLLECT ECONOMICALLY**
11 **IMPORTANT SPECIES FOR DIRECT TRADE PURPOSES;**

12 **(CCC) "WILDLIFE TRAFFICKING" REFERS TO THE**
13 **VIOLATION OF SECTION 27 (A), (E), (F), (I) AND (J) OF THIS**
14 **ACT, WHEN THE SAME IS COMMITTED IN LARGE SCALE OR BY A**
15 **SYNDICATE OR FOR THE PURPOSE OF EXPORTING OF SUCH**
16 **WILDLIFE, THEIR BY-PRODUCTS AND DERIVATIVES;**
17 **"WILDLIFE TRAFFICKING IS ALSO COMMITTED WHEN**
18 **WILDLIFE, WILDLIFE BY-PRODUCTS AND DERIVATIVES**
19 **INVOLVED IN THE VIOLATION OF SECTION 27 (A), (E), (F), (I)**
20 **AND (J) OF THIS ACT IS IMPORTED FROM ANOTHER COUNTRY**
21 **BY THE PERSON OR IN CONNIVANCE WITH THE PERSONS**
22 **INVOLVED IN SAID VIOLATION;**

1 **(DDD) "ZOOLOGICAL PARK" OR "ZOO" REFERS TO AN**
2 **ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT OWNED/**
3 **OPERATED/ MANAGED WHERE A COLLECTION OF TERRESTRIAL**
4 **OR MARINE ANIMALS IS MAINTAINED FOR RECREATIONAL,**
5 **EDUCATIONAL, RESEARCH AND SCIENTIFIC PURPOSES."**

6 **SEC. 6.** Section 6 of Republic Act No. 9147 is hereby amended to read as
7 follows:

8 "SEC. 6. *Wildlife Information.* – All activities, as subsequently
9 manifested under this Chapter, shall be authorized by the [Secretary]
10 **DENR, DA, PCSD OR BMG** upon proper evaluation of **SCIENTIFIC**
11 **DATA OR** best available information [~~or scientific data~~] showing that the
12 activity is, or for a purpose, not detrimental to the survival of the species
13 or subspecies involved and/or their habitat. For this purpose, the
14 [Secretary] **DENR, DA, PCSD OR BMG** shall regularly update wildlife
15 information through research.

16 **THE DENR, DA, PCSD AND BMG SHALL ESTABLISH THEIR**
17 **RESPECTIVE WILDLIFE MANAGEMENT COMMITTEES (WMCS) TO**
18 **PROVIDE TECHNICAL AND SCIENTIFIC ADVICE ON WILDLIFE.**
19 **EACH WMCS SHALL BE RESPECTIVELY COMPOSED OF**
20 **REPRESENTATIVES FROM THE DENR, DA, PCSD, AND BMG, AS**
21 **THE CASE MAY BE, THE ENVIRONMENTAL MANAGEMENT**
22 **BUREAU (EMB), THE BIODIVERSITY MANAGEMENT BUREAU**
23 **(BMB), AND OTHER CONCERNED GOVERNMENT AGENCIES, AND**

1 LOCAL SCIENTISTS WITH EXPERTISE ON VARIOUS FIELDS OF
2 DISCIPLINE ON WILDLIFE. STAKEHOLDERS MAY BE INVITED
3 AS RESOURCE PERSONS WHEN NECESSARY.”

4 SEC. 7. Insert a new section after Section 6 of Republic Act No. 9147 to read
5 as follows”

6 “SEC. 6.1. *INVASIVE ALIEN SPECIES.* – THE DENR, DA,
7 PCSD AND BMG SHALL CONTROL AND MANAGE ALL INVASIVE
8 ALIEN SPECIES (IAS). WITHIN ONE (1) YEAR FROM THE
9 EFFECTIVITY OF THIS ACT, THE DENR, DA, PCSD AND BMG
10 SHALL JOINTLY ESTABLISH A LIST OF INVASIVE ALIEN SPECIES
11 AND FORMULATE A NATIONAL INVASIVE ALIEN SPECIES
12 STRATEGY AND ACTION PLAN (NISSAP) ON THE PREVENTION,
13 CONTROL OF, AND REHABILITATION FROM THE SAME. THE
14 LIST OF IAS AND THE NISSAP SHALL BE REVIEWED AND
15 UPDATED, PERIODICALLY.

16 ALL NATIONAL GOVERNMENT AGENCIES AND LOCAL
17 GOVERNMENT UNITS SHALL COORDINATE WITH THE DENR, DA
18 AND PCSD AND BMG, AS APPLICABLE, IN THE
19 IMPLEMENTATION AND LOCALIZATION OF THE STRATEGY AND
20 ACTION PLAN: *PROVIDED*, THAT THE DENR, DA, PCSD AND
21 BMG, AS THE CASE MAYBE, ARE AUTHORIZED TO CAUSE THE
22 SLAUGHTER OR EXTERMINATION OF INVASIVE ALIEN SPECIES
23 BY EUTHANASIA OR OTHER HUMANELY ACCEPTABLE MEANS

1 UPON DETERMINATION THAT THE INVASIVE SPECIES MAY
2 CAUSE SERIOUS THREAT TO LOCAL WILDLIFE, PEOPLE AND THE
3 ENVIRONMENT.”

4 SEC. 8. Sections 7, 8, 9, and 10 of Republic Act No. 9147 are hereby merged to
5 read as follows:

6 **“SEC. 8. COLLECTION, POSSESSION, TRANSPORT OF**
7 **WILDLIFE, WILDLIFE BY-PRODUCT AND DERIVATIVES. – THE**
8 **COLLECTION, POSSESSION AND TRANSPORT OF WILDLIFE, BY**
9 **PRODUCTS AND DERIVATIVES MAY BE ALLOWED IN**
10 **ACCORDANCE WITH SECTION 6 OF THIS ACT: *PROVIDED*, THAT**
11 **IN THE COLLECTION OF WILDLIFE, APPROPRIATE, HUMANE**
12 **AND ACCEPTABLE WILDLIFE COLLECTION TECHNIQUES WITH**
13 **LEAST OR NO DETRIMENTAL EFFECTS TO THE EXISTING**
14 **WILDLIFE POPULATIONS AND THEIR HABITATS SHALL**
15 **LIKEWISE BE REQUIRED: *PROVIDED, FURTHER*, THAT ONLY**
16 **PERSONS OR ENTITIES WITH APPROPRIATE FACILITY AS WELL**
17 **AS FINANCIAL AND TECHNICAL CAPABILITY, INCLUDING**
18 **SCIENTIFIC KNOWLEDGE ARE ALLOWED POSSESSION OF THE**
19 **SAME;: *PROVIDED, FURTHERMORE*, THAT IN CASE OF**
20 **TRANSPORT, THE SAME WILL NOT BE PREJUDICIAL TO**
21 **WILDLIFE, PUBLIC HEALTH AND QUARANTINE REGULATIONS**
22 **AND WILDLIFE, WILDLIFE BY-PRODUCTS AND DERIVATIVES**
23 **ARE NOT OBTAINED IN VIOLATION OF LAW: *PROVIDED*,**

1 **FINALLY, THAT COLLECTION OF WILDLIFE THAT ARE NOT**
2 **THREATENED OR LISTED AS OTHER PROTECTED WILDLIFE, BY**
3 **INDIGENOUS PEOPLE OR INDIVIDUALS IN ANCESTRAL**
4 **LAND/DOMAIN OR PRIVATE PROPERTY, RESPECTIVELY, IS**
5 **ALLOWED FOR TRADITIONAL, SUBSISTENCE AND NON-**
6 **COMMERCIAL USE."**

7 **SEC. 9.** Section 11 of Republic Act No. 9147 is hereby amended to read as
8 follows:

9 "SEC. 11. *Exportation and/or Importation AND/OR*
10 **INTRODUCTION FROM THE SEA of Wildlife, BY-PRODUCTS AND**
11 **DERIVATIVES. – Wildlife [species] BY-PRODUCTS AND**
12 **DERIVATIVES** may be exported to or imported from another country,
13 **OR INTRODUCED FROM THE SEA,** as may be authorized by the
14 **[Secretary] DENR, DA, PCSD or BMG [er—the—designated**
15 **representative],** subject to strict compliance with the provisions of this
16 Act and rules and regulations promulgated pursuant thereto: *Provided,*
17 That the recipient of the **LIVE** wildlife is technically and financially
18 capable to maintain it: **PROVIDED, FURTHER, THAT THE**
19 **IMPORTATION OF INVASIVE ALIEN SPECIES SHALL NOT BE**
20 **ALLOWED."**

21 **SEC. 10.** Section 12 of Republic Act No. 9147 is hereby amended to read as
22 follows:

1 "SEC. 12. *Introduction, Reintroduction or Restocking of Endemic or*
2 *Indigenous Wildlife.* – The introduction, reintroduction or restocking of
3 endemic and indigenous wildlife shall be allowed ~~[only]~~ for population
4 enhancement or recovery purposes subject to prior clearance from the
5 ~~[Secretary of the authorized representative]~~ DENR, DA, PCSD or BMG,
6 pursuant to Section 6 of this Act. **ANY PROPOSED INTRODUCTION**
7 **SHALL BE SUBJECT TO A SCIENTIFIC STUDY WHICH SHALL**
8 **FOCUS ON THE BIOECOLOGY AND NATURAL HISTORY.** The
9 proponent shall also conduct public consultations with concerned
10 individuals or entities."

11 **SEC. 11.** Section 13 of Republic Act No. 9147 is hereby amended to read as
12 follows:

13 "SEC. 13. *Introduction of Exotic Wildlife.* – No exotic species shall
14 be introduced into the country, unless a clearance from the ~~[Secretary]~~
15 **DENR, DA, PCSD OR BMG** ~~[or the authorized representative]~~ is first
16 obtained. In no case shall exotic species be introduced into protected
17 areas covered by Republic Act No. 7586, **AS AMENDED BY REPUBLIC**
18 **ACT NO. 11038**, and to critical habitats under Section 25 hereof.

19 ~~[In cases where introduction is allowed, it shall be subject to]:~~
20 **PROVIDED, THAT THE INTRODUCTION OF SUCH EXOTIC**
21 **SPECIES SHALL NOT POSE ANY ADVERSE IMPACTS ON LOCAL**
22 **ECOLOGY AND THAT FURTHER** environmental impact study **SHALL**
23 **BE UNDERTAKEN** which shall focus on the bioecology, **NATURAL**

1 **HISTORY**, socioeconomic and related aspects of the area where the
2 species will be introduced. The proponent shall also be required to
3 secure the prior informed consent from the local stakeholders.”

4 **SEC. 12.** Section 14 of Republic Act No. 9147 is hereby amended to read as
5 follows:

6 “SEC. 14. *Bioprospecting.* - Bioprospecting shall be allowed upon
7 execution of an undertaking by ~~[any]~~ **THE** proponent, stipulating therein
8 its compliance with and commitment(s) to ~~[reasonable]~~ terms and
9 conditions ~~[that may be]~~ imposed by the ~~[Secretary]~~ **DENR, DA, PCSD**
10 **OR BMG** ~~[which are necessary]~~ to protect biological diversity **AND THE**
11 **FAIR AND EQUITABLE SHARING OF BENEFITS DERIVED FROM**
12 **THE UTILIZATION OF PHILIPPINE GENETIC RESOURCES.**

13 ~~[The Secretary or the authorized representative, in consultation~~
14 ~~with the concerned agencies,]~~ ~~[b]~~ Before granting the necessary permit,
15 **THE PROPONENT** shall **BE** required **TO OBTAIN** ~~[that]~~ prior informed
16 consent ~~[be obtained by the applicant]~~ from the concerned indigenous
17 cultural communities, local communities, ~~[management board]~~ **AND**
18 **THE PROTECTED AREA MANAGEMENT BOARD** under Republic Act
19 No. 7586, **AS AMENDED BY REPUBLIC ACT NO. 11038**, ~~[or private~~
20 ~~individual entity. The applicant shall disclose fully the intent and scope of~~
21 ~~the bioprospecting activity in a language and process understandable to~~
22 ~~the community. The prior informed consent from the indigenous peoples~~
23 ~~shall be obtained in accordance with existing laws. The action on the~~

1 ~~bioprospecting proposal by concerned bodies shall be made within a~~
2 ~~reasonable period.] AS MAY BE APPROPRIATE.~~

3 ~~[Upon submission of the complete requirements, the Secretary shall~~
4 ~~act on the research proposal within a reasonable period.]~~

5 If the applicant is a foreign entity or individual, a local institution
6 ~~[should]~~ **SHALL** be actively involved in the research, collection and,
7 whenever applicable and appropriate, in the technological development
8 of the products derived from the biological and genetic resources.”

9 **SEC. 13.** Section 15 of Republic Act No. 9741 is hereby amended to read as
10 follows:

11 “SEC.15. *Scientific Researches on Wildlife.* - Collection and
12 utilization of biological resources for scientific research and not for
13 commercial purposes shall be allowed upon execution ~~[of an~~
14 ~~undertaking/agreement with]~~ and issuance of a gratuitous permit by the
15 ~~[Secretary or the authorized representative: *Provided,* That prior~~
16 ~~clearance from concerned bodies shall be secured before the issuance of~~
17 ~~the gratuitous permit: *Provided, further,* That the last paragraph of~~
18 ~~Section 14 shall likewise apply.] DENR, DA PCSD OR BMG. THE~~
19 **GRATUITOUS PERMIT SHALL CONTAIN THE CONDITIONS FOR**
20 **THE CONDUCT OF THE RESEARCH, WHICH SHALL INCLUDE**
21 **SUBMISSION OF THE REQUIRED REPORT, ONE YEAR AFTER**
22 **COMPLETION OF THE RESEARCH OR STUDY: *PROVIDED,* THAT**
23 **THE GRATUITOUS PERMIT SHALL ONLY BE ISSUED AFTER**

1. **CLEARANCE FROM CONCERNED AGENCIES OR BODIES SHALL**
2. **HAVE BEEN SECURED.**

3. **FILIPINO RESEARCHERS SHALL BE GIVEN PRIORITY IN**
4. **ALL RESEARCH APPLICATIONS. IF THE APPLICANT IS A**
5. **FOREIGN ENTITY OR INDIVIDUAL, A LOCAL INSTITUTION**
6. **SHALL BE ACTIVELY INVOLVED IN THE RESEARCH, COLLECTION**
7. **AND, WHENEVER APPLICABLE AND APPROPRIATE, IN THE**
8. **TECHNOLOGICAL DEVELOPMENT OF THE PRODUCTS DERIVED**
9. **FROM THE BIOLOGICAL AND GENETIC RESOURCES.”**

10. **SEC. 14.** Section 16 of Republic Act No. 9147 is hereby amended to read as
11 follows:

12. **“SEC. 16. *Biosafety.* – All activities dealing on [~~genetic engineering~~**
13 **and] pathogenic organisms in the Philippines, as well as activities**
14 **requiring the importation, introduction, field release and breeding of**
15 **organisms that are potentially harmful to man and the environment shall**
16 **be reviewed **BY DENR, PCSD OR DA-BFAR** in accordance [~~with the~~**
17 **THROUGH** biosafety guidelines ensuring public welfare and the
18 **protection and conservation of wildlife and their habitats.”**

19. **SEC. 15.** Section 17 of Republic Act No. 9147 is hereby amended to read as
20 follows:

21. **“SEC. 17. *Commercial Breeding or Propagation of Wildlife***
22 ***Resources.* - Breeding or propagation of wildlife for commercial purposes**
23 **shall be allowed by the [~~Secretary or the authorized representative~~]**

1 **DENR, DA PCSD OR BMG**, pursuant to Section 6 through the issuance
2 of wildlife farm/culture permit: *Provided*, That only **PROPAGATED**
3 **FLORA AND** progenies of [wildlife] **WILD FAUNA** raised, as well as
4 unproductive parent stock shall be utilized for trade: *Provided, further*,
5 That commercial **PROPAGATION AND** breeding operations for wildlife,
6 whenever appropriate, shall be subject to an environmental impact
7 study."

8 **SEC. 16.** Section 18 of Republic Act No. 9147 is hereby amended to read as
9 follows:

10 "SEC. 18. *Economically Important Species.* – The [~~Secretary, within~~
11 ~~one (1) year after the effectivity of this Act,~~] **DENR, DA, PCSD, AND**
12 **BMG** shall establish a list of economically-important species. **WHERE**
13 **APPROPRIATE**, a population assessment of such species shall be
14 conducted within a reasonable period and shall be regularly reviewed
15 and updated by the [~~Secretary~~] **DENR, DA, PCSD, AND BMG.**

16 The collection of certain species shall only be allowed when the
17 results of the assessment show that, despite certain extent of collection,
18 the population of such species can still remain viable and capable of
19 recovering its numbers. For this purpose, the [~~Secretary~~] **DENR, DA,**
20 **PCSD, AND BMG** shall establish a schedule and volume of allowable
21 harvests.

22 Whenever an economically important species become threatened,
23 any form of collection shall be prohibited except for scientific,

1 educational or breeding/propagation purposes, pursuant to the
2 provisions of this Act."

3 **SEC. 17.** Section 19 of Republic Act No. 9147 is hereby amended to read as
4 follows:

5 "SEC. 19. *Designation of Management and Scientific Authorities for*
6 *International Trade in Endangered Species of Wild Fauna and Flora.* –
7 For the implementation of [~~International agreement on international~~
8 ~~trade in endangered species of wild fauna and flora~~] **THE**
9 **CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED**
10 **SPECIES OF WILD FAUNA AND FLORA (CITES)**, the management
11 authorities for terrestrial and aquatic resources shall be the [~~Protected~~
12 ~~Areas and Wildlife Bureau~~] **BIODIVERSITY MANAGEMENT BUREAU**
13 **(BMB)** of the DENR and the Bureau of Fisheries and Aquatic Resources
14 **(BFAR)** of the DA, respectively [~~and that in~~]. In the Province of Palawan
15 **AND BANGSAMORO AUTONOMOUS REGION IN MUSLIM**
16 **MINDANAO** the implementation hereof is vested to the Palawan Council
17 for Sustainable Development pursuant to Republic Act No. 7611, **AND**
18 **THE BANGSAMORO GOVERNMENT (BMG) PURSUANT TO**
19 **REPUBLIC ACT NO. 11054.**

20 To provide advice to the management authorities, there shall be
21 designated scientific authorities for terrestrial and aquatic/marine
22 species. For the terrestrial species, the scientific authorities shall be the
23 Ecosystems Research and Development Bureau (ERDB) of the DENR, the

1 **UNIVERSITY OF THE PHILIPPINES (U.P.)** Institute of Biological
2 Sciences, **U.P. INSTITUTE OF BIOLOGY** and the National Museum and
3 other agencies as may be designated by the Secretary. For the marine
4 and aquatic species, the scientific authorities shall be the **[BFAR]**
5 **NATIONAL FISHERIES RESEARCH AND DEVELOPMENT**
6 **INSTITUTE (NFRDI)**, U.P. Marine Science Institute, U.P. Visayas,
7 Siliman University and the National Museum and other **PUBLIC OR**
8 **PRIVATE ACADEMIC INSTITUTIONS OR** agencies as may be
9 designated by the Secretary: *Provided*, That in the case of terrestrial
10 species, the ERDB shall chair the scientific authorities, and in the case of
11 marine and aquatic species, the **[U.P. Marine Science Institute] NFRDI**
12 shall chair the scientific authorities."

13 **SEC. 18.** Section 20 of Republic Act No. 9147 is hereby amended to read as
14 follows:

15 "SEC. 20. *Authority ~~[of the Secretary]~~ to Issue Permits.* – ~~[The~~
16 ~~Secretary or the duly authorized representative, i]~~ In order to effectively
17 implement this Act, **THE DENR, DA, PCSD AND BMG** shall issue
18 permits/certifications/clearances with corresponding period of validity,
19 **[whenever] appropriate FOR SUCH PURPOSE, AS DETERMINED BY**
20 **THE REGULATIONS. THESE PERMITS** ~~[which]~~ shall include but not
21 limited to the following:

- 22 (1) Wildlife farm or culture permit **[3 to 5 years;]**
23 (2) Wildlife collector's permit **[1 to 3 years;]**

1 **CHARGES** for the issuances of permits, **CLEARANCES AND**
2 **CERTIFICATES** enumerated in the preceding section.

3 For the export of wildlife species, an export permit fee of not
4 greater than [~~three percentum (3%)~~] **FIVE PERCENT (5%)** of the
5 export value, excluding transport costs, shall be charged: *Provided,*
6 *however,* That in the determination of aforesaid fee, the production costs
7 shall be given due consideration. **Cutflowers, leaves AND THE LIKE,**
8 **AND AQUACULTURE PRODUCTS AND THE LIKE,** produced from
9 farms shall be exempted from the said export fee [~~:-Provided, further,~~
10 ~~That fees and charges shall be reviewed by the Secretary every two (2)~~
11 ~~years or as the need arises and revise the same accordingly, subject to~~
12 ~~consultation with concerned sectors~~].

13 **THE DENR, DA, PCSD OR BMG MAY ALSO IMPOSE AN**
14 **IMPORT PERMIT FEE FOR THE IMPORTATION OF WILDLIFE,**
15 **BASED ON IMPORT VALUE AND/OR VALUATION OF POTENTIAL**
16 **RISKS TO BIODIVERSITY AND HUMAN HEALTH: *PROVIDED,***
17 **THAT ALL FEES AND CHARGES SHALL BE FIXED, ONLY AFTER**
18 **CONSULTATION WITH CONCERNED GROUPS, THE FEES AND**
19 **CHARGES MAY ALSO BE REVIEWED EVERY TWO (2) YEARS OR**
20 **AS THE NEED ARISES AND REVISE THE SAME ACCORDINGLY,**
21 **SUBJECT TO THE SAME CONSULTATION PROCESS."**

22 **SEC. 20.** Section 22 of Republic Act No. 9147 is hereby amended to read as
23 follows:

1 “SEC. 22. *Determination of Threatened Wildlife Species and Listing*
2 *of Other Protected Wildlife Species.* -The [Secretary] **DENR, DA, PCSD**
3 **OR BMG** shall determine whether any wildlife species or subspecies is
4 threatened and classify the same as critically endangered, endangered,
5 vulnerable or other accepted categories. **THE CLASSIFICATION**
6 **SHALL BE MADE** based on the best scientific data and [with due regard
7 to] internationally accepted criteria, including but not limited to the
8 following:

9 (a) present or threatened destruction, modification or curtailment
10 of its habitat or range;

11 (b) over-utilization for commercial, recreational, scientific or
12 educational purposes;

13 (c) inadequacy of existing regulatory mechanism, and

14 (d) other natural or man-made factors affecting the existence of
15 wildlife.

16 ~~[The Secretary shall review, revise and publish the list of~~
17 ~~categorized threatened wildlife within one (1) year after effectivity of this~~
18 ~~Act.]~~ **THE DENR, DA, PCSD OR BMG SHALL ALSO ESTABLISH A**
19 **LIST OF THREATENED WILDLIFE SPECIES, SO DETERMINED**
20 **UNDER THE APPROPRIATE CATEGORY. THE LIST MAY ALSO**
21 **INCLUDE THOSE SPECIES THAT ARE NON-THREATENED BUT**
22 **HAS THE TENDENCY TO BECOME THREATENED IN THE ABSENCE**
23 **OF ADEQUATE LEGAL PROTECTION AND SHALL FALL UNDER**

1 **THE CATEGORY OF EITHER OTHER THREATENED SPECIES OR**
2 **OTHER PROTECTED WILDLIFE SPECIES. [Thereafter,] [t] The list**
3 shall be **PUBLISHED AND** updated regularly or as the need arises,
4 **EITHER *MOTU PROPRIO* OR UPON FILING OF A PETITION**
5 **BASED ON SUBSTANTIAL SCIENTIFIC INFORMATION OF ANY**
6 **PERSON SEEKING FOR THE ADDITION OR DELETION OF A**
7 **SPECIES FROM THE LIST: *Provided*, That [a] species listed as**
8 threatened **OR OTHER PROTECTED WILDLIFE** shall not be removed
9 there from within three (3) years following its initial listing: ***PROVIDED,***
10 ***FURTHER, THAT ALL NEWLY DISCOVERED SPECIES SHALL***
11 ***AUTOMATICALLY FALL UNDER THE CATEGORY OF OTHER***
12 ***THREATENED WILDLIFE SPECIES, AND SHALL REMAIN AS SUCH***
13 ***UNLESS PROPERLY DETERMINED OTHERWISE.***

14 ~~[Upon filing Upon filing of a petition based on substantial scientific~~
15 ~~information of any person seeking for the addition or deletion of a~~
16 ~~species from the list, the Secretary shall evaluate in accordance with the~~
17 ~~relevant factors stated in the first paragraph of this section, the status of~~
18 ~~the species concerned and act on said petition within a reasonable~~
19 ~~period.~~

20 ~~The Secretary shall also prepare and publish a list of wildlife which~~
21 ~~resembles so closely in appearance with listed threatened wildlife, which~~
22 ~~species shall likewise be categorized as threatened.]”~~

1 **SEC. 21.** Section 23 of Republic Act No. 9147 is hereby amended to read as

2 follows:

3 “**SEC. 23. *Collection of Threatened OR OTHER PROTECTED***
4 ***Wildlife SPECIES, By-products and Derivatives.*** – The collection of
5 threatened **AND OTHER PROTECTED** wildlife **SPECIES**, as determined
6 and listed pursuant to this Act, including its by-products and derivatives,
7 shall be allowed only for scientific, or breeding or propagation purposes
8 in accordance with Section 6 of this Act: *Provided*, That only [the
9 ~~accredited individuals, business, research, educational or scientific~~
10 ~~entities~~] **PERSONS ACCREDITED BY THE DA, DENR, PCSD, AND**
11 **BMG** shall be allowed to collect for conservation breeding or propagation
12 purposes.”

13 **SEC. 22.** Section 24 of Republic Act No. 9147 is hereby amended to read as

14 follows:

15 “**SEC. 24. *Conservation Breeding[, ~~Commercial Breeding or~~ AND***
16 ***Propagation of Threatened OR OTHER PROTECTED WILDLIFE***
17 ***Species.*** – Conservation breeding [and] **OR** propagation of threatened
18 species shall be encouraged in order to enhance its population in its
19 natural habitat. It shall be done simultaneously with the rehabilitation
20 and/or protection of the habitat where the captive-bred or propagated
21 species shall be released, reintroduced or restocked.

1 Commercial breeding ~~[and]~~ **OR** propagation of threatened species
2 may be allowed provided that the following minimum requirements are
3 met by the applicant, to wit:

4 (a) Proven effective breeding, ~~[and]~~ captive management **AND**
5 **PROPAGATION** techniques of the species; and

6 (b) Commitment to undertake commercial breeding **AND**
7 **PROPAGATION** in accordance with Section 17 of this Act~~;~~
8 ~~simultaneous with conservation breeding];~~

9 **(C) UNDERTAKING TO CONTRIBUTE PART OF VIABLE**
10 **PROGENIES TO SPECIES REHABILITATION EFFORTS, AS MAY BE**
11 **PROVIDED IN THE REGULATIONS.**

12 The ~~[Secretary]~~ **DENR, DA PCSD OR BMG** shall prepare a list of
13 threatened species for commercial breeding and shall regularly revise or
14 update such list or as the need arises."

15 **SEC. 23.** Section 25 of Republic Act No. 9147 is hereby amended to read as
16 follows:

17 "**SEC. 25. *Establishment of Critical Habitats.*** – ~~[Within two (2) years~~
18 ~~following the effectivity of this Act, the Secretary shall]~~ **THE DENR, DA,**
19 **PCSD, AND BMG MAY** designate critical habitats outside protected
20 areas under Republic Act No. 7586, **AS AMENDED**, where threatened
21 species are found. Such designation shall be made on the basis of the
22 best scientific data taking into consideration species endemcity and/or

1 richness, presence of man-made pressures/threats to the survival of
2 wildlife living in the area, among others.

3 All designated critical habitats shall be protected, in coordination
4 with the local government units and other concerned groups, from any
5 form of exploitation or destruction which may be detrimental to the
6 survival of the threatened species dependent therein. For such purpose,
7 the [Secretary] DENR, DA PCSD OR BMG may acquire, by purchase,
8 donation or expropriation, lands, or interests therein, including the
9 acquisition of usufruct, establishment of easements or other
10 undertakings appropriate in protecting the critical habitat."

11 **SEC. 24.** Section 26 of Republic Act No. 9147 is hereby amended to read as
12 follows:

13 "SEC. 26. *Registration of Threatened and [Exotic] OTHER*
14 ***PROTECTED Wildlife SPECIES in the Possession of Private Persons. –***
15 ~~[No person or entity shall be allowed possession of wildlife unless such~~
16 ~~person or entity can prove financial and technical capability and facility~~
17 ~~to maintain said wildlife. Twelve (12) months after the effectivity of this~~
18 ~~Act, the Secretary shall set a period, within which persons/entities shall~~
19 ~~register all threatened species collected and exotic species imported~~
20 ~~prior to the effectivity of this Act. However, when the threatened~~
21 ~~species is needed for breeding/propagation or research purposes, the~~
22 ~~State may acquire the wildlife through a mutually acceptable~~
23 ~~arrangement.] THE DENR, DA, PCSD, AND BMG SHALL CONTROL,~~

1 **REGULATE, AND CAUSED THE REGISTRATION OF ALL**
2 **THREATENED AND OTHER PROTECTED WILDLIFE POSSESSED**
3 **BY PRIVATE INDIVIDUALS AND ENTITIES. THREATENED AND**
4 **OTHER PROTECTED WILDLIFE IN POSSESSION OF PRIVATE**
5 **INDIVIDUALS AND ENTITIES THAT ARE NOT REGISTERED**
6 **SHALL BE CONFISCATED IN FAVOR OF THE GOVERNMENT, AND**
7 **THOSE IN POSSESSION SHALL BE SUBJECT TO THE PENALTIES**
8 **HEREIN PROVIDED. CERTIFICATES OF WILDLIFE**
9 **REGISTRATION SHALL BE ISSUED FOR THE FOLLOWING:**

10 **(A) THREATENED WILDLIFE STOCK ACQUIRED UNDER A**
11 **PRIOR VALID WILDLIFE PERMIT ISSUED TO THE SAME**
12 **APPLICANT, INCLUDING BUT NOT LIMITED TO WILDLIFE**
13 **IMPORT PERMITS OR CERTIFICATIONS, WILDLIFE**
14 **COLLECTOR'S PERMIT, SUBJECT TO SUBMISSION OF PROOF**
15 **OF LEGAL ACQUISITION;**

16 **(B) THREATENED WILDLIFE STOCK PURCHASED OR**
17 **OTHERWISE ACQUIRED FROM LEGAL SOURCES SUBJECT TO**
18 **SUBMISSION OF PROOF OF LEGAL ACQUISITION;**

19 **(C) PROGENIES OR OFFSPRING OF DULY REGISTERED**
20 **PARENTAL THREATENED WILDLIFE STOCKS.**

21 **(D) OTHER PROTECTED WILDLIFE THAT ARE NOW OR**
22 **WILL EVENTUALLY BE INCLUDED IN THE LIST OF DENR, DA,**
23 **PCSD, AND BARMM AS REQUIRING LEGAL PROTECTION.**

1 All Philippine wildlife [~~which are not listed as threatened prior to~~
2 ~~the effectivity of this Act~~] **IN POSSESSION OF PRIVATE**
3 **INDIVIDUALS AND ENTITIES WHICH ARE NOT IN THE LIST AS**
4 **THREATENED OR OTHER PROTECTED WILDLIFE SPECIES**, but
5 which may later become so, shall [~~likewise~~] be registered [~~during the~~
6 ~~period set after the publication of the updated list of threatened~~
7 ~~species~~] within six (6) months or as may be provided in the regulation,
8 after the publication of the list where the name of the wildlife appeared.

9 **POSSESSION OF REGISTERED WILDLIFE SPECIES SHALL**
10 **BE SUBJECT TO THE CONDITIONS UNDER SECTION 12. WHEN**
11 **A REGISTERED THREATENED SPECIES IS NEEDED FOR**
12 **BREEDING, PROPAGATION OR RESEARCH PURPOSES, THE**
13 **STATE MAY ACQUIRE THE REGISTERED WILDLIFE FROM ANY**
14 **PERSON THROUGH A MUTUALLY ACCEPTABLE**
15 **ARRANGEMENT."**

16 **SEC. 25.** Section 27 of Republic Act No. 9147 is hereby amended to read as
17 follows:

18 "SEC. 27. *Illegal Acts.* – Unless otherwise allowed in accordance
19 with this Act, it shall be unlawful for any person to willfully and
20 knowingly **EXPLOIT WILDLIFE RESOURCES AND THEIR**
21 **HABITATS, OR** undertake [~~, or to induce, solicit or employ another~~
22 ~~person to undertake,~~] the following acts:

1 (a) killing and/OR destroying wildlife species, **INCLUDING**
2 **CAUSING DEATH OR DESTRUCTION AS A RESULT OF**
3 **ANY VIOLATION OF THIS ACT,** except in the following
4 instances;

5 (i) when it is done as part of the religious rituals of
6 established tribal groups or indigenous cultural
7 communities;

8 (ii) when the wildlife is afflicted with an incurable
9 communicable disease;

10 (iii) when it is deemed necessary to put an end to the misery
11 suffered by the wildlife;

12 (iv) when it is done to prevent an imminent danger to the life
13 or limb of a human being; [~~and~~]

14 (v) when the wildlife is killed or destroyed after it has been
15 used in authorized research or experiments; **AND**

16 **(VI) WHEN DONE FOR THE PURPOSE OF WILDLIFE**
17 **POPULATION MANAGEMENT OR ERADICATION OF**
18 **INVASIVE ALIEN SPECIES, AS AUTHORIZED BY**
19 **THE DENR, DA, PCSD, OR BMG.**

20 (b) inflicting injury which cripples and/or impairs the reproductive
21 system of wildlife species;

22 (c) effecting any of the following acts in critical habitat(s):

1 (i) dumping of waste products detrimental to wildlife
2 **AND/OR THE CRITICAL HABITAT;**

3 (ii) squatting or otherwise **ILLEGALLY** occupying any
4 portion of the critical habitat;

5 (iii) mineral exploration and/or extraction, **TREASURE-**
6 **HUNTING AND/OR PROSPECTING;**

7 (iv) burning;

8 (v) logging; [~~and~~]

9 (vi) quarrying

10 **(VII) LAND RECLAMATION**

11 **(VIII) INTRODUCTION, USE, OR APPLICATION OF**
12 **POISONOUS SUBSTANCE THAT ENDANGERS THE**
13 **HABITAT OR PARTS THEREOF OR RENDERS**
14 **HABITAT OR PARTS THEREOF NO LONGER VIABLE**
15 **FOR WILDLIFE;**

16 (d) introduction, reintroduction or restocking of wildlife resources;

17 (e) trading [~~of~~] **OR ATTEMPTING TO TRADE,** wildlife,
18 **WILDLIFE BY-PRODUCTS OR DERIVATIVES,**
19 **INCLUDING ADVERTISING, CONTRACTING OR**
20 **OFFERING FOR THE PURPOSE OF SALE OR**
21 **PROCUREMENT OF WILDLIFE, BY-PRODUCTS OR**
22 **DERIVATIVES;**

1 (f) collecting, hunting or possessing wildlife, their by-products
2 [~~and~~] **OR** derivatives;

3 (g) gathering or destroying of active nests, nest trees, host plants
4 and the like;

5 (h) maltreating and/or inflicting other injuries not covered by the
6 preceding paragraphs; [~~and~~]

7 (i) transporting of wildlife, **WILDLIFE BY-PRODUCTS OR**
8 **DERIVATIVES; AND**

9 **(J) WILDLIFE LAUNDERING**

10 **:PROVIDED, THAT WHEN ANY OF VIOLATIONS OF LETTERS (A),**
11 **(E), (F), (I), AND (J) UNDER THIS SECTION IS COMMITTED BY A**
12 **SYNDICATE OR, IN LARGE SCALE, OR THE WILDLIFE INVOLVE**
13 **IS BOUND FOR EXPORT OR IS ACTUALLY EXPORTED TO**
14 **ANOTHER COUNTRY; OR IS IMPORTED FROM ANOTHER**
15 **COUNTRY BY THE PERSON OR IN CONNIVANCE WITH THE**
16 **PERSONS FROM WHOM THE WILDLIFE WAS APPREHENDED,**
17 **THE OFFENSE COMMITTED IS WILDLIFE TRAFFICKING AND**
18 **SHALL BE PENALIZED ACCORDINGLY."**

19 **SEC. 26.** Section 28 of Republic Act No. 9147 is hereby amended to read as
20 follows:

21 "SEC. 28. *Penalties for Violations of this Act.* – For any person who
22 undertakes illegal acts under paragraph (a) of the immediately preceding

1 section to any species as may be categorized pursuant to this Act, the
2 following penalties and/or fines shall be imposed:

3 (a) imprisonment [~~of a minimum~~] **FROM** six (6) years and one
4 (1) day to twelve (12) years and/or a fine of [~~One hundred thousand~~
5 ~~pesos (P100,000.00)]~~ **SIX HUNDRED THOUSAND PESOS**
6 **(P600,000.00)** to [~~One million pesos (P1,000,000.00)]~~ **TWO MILLION**
7 **(P2,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
8 **WHICHEVER IS HIGHER,** if inflicted or undertaken against species
9 listed as [~~critical~~] **CRITICALLY ENDANGERED;**

10 (b) imprisonment [~~of~~] **FROM** four (4) years and one (1) day to
11 six (6) years and/or a fine of [~~Fifty thousand pesos (P50,000.00)]~~
12 **THREE HUNDRED THOUSAND PESOS (P300,000.00)** to [~~Five~~
13 ~~hundred thousand pesos (P500,000.00)]~~ **SIX HUNDRED THOUSAND**
14 **PESOS (P600,000.00), OR TWO TIMES THE PROVEN MARKET**
15 **VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken against
16 endangered species;

17 (c) imprisonment of two (2) years and one (1) day to four (4)
18 years and/or a fine of [~~Thirty thousand pesos (P30,000.00)]~~ **ONE**
19 **HUNDRED FIFTY THOUSAND PESOS (P150,000.00)** to Three
20 Hundred Thousand Pesos (P300,000.00), **OR TWO TIMES THE**
21 **PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or
22 undertaken against vulnerable species;

1 (d) imprisonment of one (1) year and one (1) day to two (2) years
2 and/or a fine of [~~Twenty thousand pesos (P20,000.00)~~] **ONE HUNDRED**
3 **THOUSAND PESOS (P100,000.00)** to Two hundred thousand pesos
4 (P200,000.00), **OR TWO TIMES THE PROVEN MARKET VALUE,**
5 **WHICHEVER IS HIGHER,** if inflicted or undertaken against other
6 threatened species; and

7 (e) imprisonment [~~of~~] **FROM** six (6) months and one (1) day to
8 one (1) year and/or a fine of [~~Ten thousand pesos (P10,000.00)~~] **FIFTY**
9 **THOUSAND PESOS (P50,000.00)** to [~~One hundred thousand pesos~~
10 (~~P100,000.00~~)] **ONE HUNDRED THOUSAND PESOS (P100,000.00),**
11 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
12 **HIGHER,** if inflicted or undertaken against other **PROTECTED** wildlife
13 species.

14 For illegal acts under paragraph (b) of the immediately preceding
15 section, the following penalties and/or fines shall be imposed:

16 (a) imprisonment [~~of minimum~~] **FROM** four (4) years and 1 day
17 to six (6) years and/or a fine of [~~Fifty thousand pesos (P50,000.00)~~]
18 **FOUR HUNDRED THOUSAND PESOS (P400,000.00)** to [~~Five~~
19 ~~hundred thousand pesos (P500,000.00)] **SIX HUNDRED THOUSAND**
20 **PESOS (P600,000.00), OR TWO TIMES THE PROVEN MARKET**
21 **VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken against
22 species listed as [~~critical~~] **CRITICALLY ENDANGERED;**~~

1 (b) imprisonment [~~of~~] **FROM** [~~two (2)~~] **THREE** years and 1 day
2 to four (4) years and/or a fine of [~~Thirty thousand pesos (P30,000.00)]~~
3 **TWO HUNDRED THOUSAND PESOS (P200,000.00)** to [~~Two~~
4 ~~hundred thousand pesos (P200,000.00)]~~ **FOUR HUNDRED**
5 **THOUSAND PESOS (P400,000.00), OR TWO TIMES THE PROVEN**
6 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken
7 against endangered species;

8 (c) imprisonment [~~of one (1)~~] **FROM TWO** yearS and one (1)
9 day] **TO THREE (3) YEARS** and/or a fine of [~~Twenty thousand pesos~~
10 [~~P20,000.00)]~~ **ONE HUNDRED FIFTY THOUSAND PESOS**
11 **(P150,000.00)** to [~~Two hundred thousand pesos (P200,000.00)]~~ **TWO**
12 **HUNDRED THOUSAND PESOS (P200,000.00), OR TWO TIMES**
13 **THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted
14 or undertaken against vulnerable species;

15 (d) imprisonment [~~of six (6) months]~~ **FROM ONE (1) YEAR** and
16 one (1) day to [~~one (1) year]~~ **TWO (2) YEARS** and/or a fine of [~~Ten~~
17 ~~thousand pesos (P10,000.00)]~~ **ONE HUNDRED THOUSAND PESOS**
18 **(P100,000.00)** to [~~Fifty thousand pesos (P50,000.00)]~~ **ONE**
19 **HUNDRED FIFTY THOUSAND PESOS (P150,000.00), OR TWO**
20 **TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if
21 inflicted or undertaken against other threatened species; and

22 (e) imprisonment [~~of one (1) month to]~~ **FROM** six (6) months
23 **AND ONE (1) DAY TO ONE (1) YEAR** and/or a fine of [~~Five thousand~~

1 ~~pesos (P5,000.00)]~~ **FIFTY THOUSAND PESOS (P50,000.00)** to
2 ~~[Twenty thousand pesos (P20,000.00)]~~ **ONE HUNDRED THOUSAND**
3 **PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET**
4 **VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken against
5 other **PROTECTED** wildlife species;

6 For illegal acts under paragraphs (c) and (d) of the immediately
7 preceding section, an imprisonment ~~[of one (1) month to eight (8)~~
8 ~~years]~~ **FROM FOUR (4) YEARS AND ONE (1) DAY TO EIGHT (8)**
9 **YEARS** and/or a fine of ~~[Five thousand pesos (P5,000.00)]~~ **THREE**
10 **HUNDRED THOUSAND PESOS (P300,000.00)** to ~~[Five million pesos~~
11 ~~(P5,000,000.00)]~~ **ONE MILLION PESOS (P1,000,000.00)** shall be
12 imposed. **IF CRITICAL HABITAT REQUIRES REHABILITATION OR**
13 **RESTORATION AS DETERMINED BY THE COURT, THE OFFENDER**
14 **SHALL BE REQUIRED TO RESTORE THE SAME, WHENEVER**
15 **PRACTICABLE, OR PAY ADDITIONAL COMPENSATION FOR THE**
16 **DAMAGE CAUSED.**

17 For illegal acts under paragraph (e) **AND (F)** the following
18 penalties and/or fines shall be imposed:

19 (a) imprisonment ~~[of two (2) years and one (1) day]~~ **FROM SIX**
20 **(6) YEARS AND ONE (1) DAY** ~~[to four (4) years]~~ **TO EIGHT (8)**
21 **YEARS** and/or a fine of ~~[Five thousand pesos (P5,000.00) to]~~ Three
22 hundred thousand pesos (P300,000.00) **TO ONE MILLION PESOS**
23 **(P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**

1 **WHICHEVER IS HIGHER, if [~~inflicted or undertaken against~~]**
2 **INVOLVING** species listed as [~~critical~~] **CRITICALLY ENDANGERED;**

3 (b) imprisonment [~~of one (1) year and one (1) day~~] **FROM**
4 **FOUR (4) YEARS AND ONE (1) DAY** to [~~two (2) years~~] **SIX (6)**
5 **YEARS** and/or a fine of [~~Two thousand pesos (P2,000.00)~~] **TWO**
6 **HUNDRED THOUSAND PESOS (P200,000.00)** to [~~Two hundred~~
7 ~~thousand pesos (P200,000.00)~~] **THREE HUNDRED THOUSAND**
8 **PESOS (P300,000.00), OR TWO TIMES THE PROVEN MARKET**
9 **VALUE, WHICHEVER IS HIGHER, if [~~inflicted or undertaken against~~]**
10 **INVOLVING** endangered species;

11 (c) imprisonment [~~of six (6) months and one (1) day~~] **FROM**
12 **TWO (2) YEARS AND ONE (1) DAY** to [~~one (1) year~~] **FOUR (4)**
13 **YEARS** and/or a fine of [~~One thousand pesos (P1,000.00)~~] **SEVENTY**
14 **FIVE THOUSAND PESOS (P75,000.00)** to [~~One hundred thousand~~
15 ~~pesos (P100,000.00)~~] **ONE HUNDRED FIFTY THOUSAND PESOS**
16 **(P150,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
17 **WHICHEVER IS HIGHER, if [~~inflicted or undertaken against~~]**
18 **INVOLVING** vulnerable species;

19 (d) imprisonment of [~~one (1) month and one (1) day~~] **FROM**
20 **ONE (1) YEAR AND ONE (1) DAY** to [~~six (6) months~~] **TWO (2)**
21 **YEARS** and/or a fine of [~~Five hundred pesos (P500.00) to~~] **FIFTY**
22 **THOUSAND PESOS (P50,000.00) TO ONE HUNDRED THOUSAND**
23 **PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET**

1 **VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken against
2 species listed as threatened species; and

3 (e) imprisonment [~~of ten (10) days~~] **FROM SIX (6) MONTHS**
4 **AND ONE (1) DAY** to [~~one (1) month~~] **ONE (1) YEAR** and/or a fine of
5 [~~Two hundred pesos (P200.00)~~] **THIRTY THOUSAND PESOS**
6 **(P30,000.00)** to [~~Twenty thousand pesos (P20,000.00)~~] **FIFTY**
7 **THOUSAND PESOS (P50,000.00), OR TWO TIMES THE PROVEN**
8 **MARKET VALUE, WHICHEVER IS HIGHER,** if [~~inflicted or undertaken~~
9 ~~against~~] **INVOLVING** other [~~wildlife~~] **PROTECTED** species.

10 For illegal acts under paragraphs [~~(f) and~~] (g) **AND (H)** of the
11 immediately preceding section, the following penalties and/or fines shall
12 be imposed:

13 (a) imprisonment of [~~two (2)~~] **FOUR (4)** years and one (1) day
14 to [~~four (4)~~] **SIX (6)** years and/or a fine of [~~Thirty thousand pesos~~
15 ~~(P30,000.00)~~] **THREE HUNDRED THOUSAND PESOS (P300,000.00)**
16 to [~~Three hundred thousand pesos (P300,000.00)~~] **SIX HUNDRED**
17 **THOUSAND PESOS (P600,000.00), OR TWO TIMES THE PROVEN**
18 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken
19 against species listed as [~~critical~~] **CRITICALLY ENDANGERED;**

20 (b) imprisonment [~~of one (1) year~~] **THREE YEARS** and one (1)
21 day}] to [~~two (2) years~~] **FIVE YEARS** and/or a fine of [~~Twenty~~
22 ~~thousand pesos (P20,000.00)~~] **TWO HUNDRED THOUSAND PESOS**
23 **(P200,000.00)** to [~~Two hundred thousand pesos (P200,000.00)~~]

1 **THREE HUNDRED THOUSAND PESOS (P300,000.00), OR TWO**
2 **TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if
3 inflicted or undertaken against endangered species;

4 (c) imprisonment [~~of six (6) months~~] **FROM TWO (2) YEARS**
5 and one (1) day to [~~one (1) year~~] **FOUR (4) YEARS** and/or a fine of
6 [~~Ten thousand pesos (P10,000.00)~~] **ONE HUNDRED THOUSAND**
7 **PESOS (P100,000.00)** to [~~One hundred thousand pesos~~
8 (~~P100,000.00~~)] **TWO HUNDRED THOUSAND PESOS (P200,000.00),**
9 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
10 **HIGHER,** if inflicted or undertaken against vulnerable species;

11 (d) imprisonment [~~of one (1) month~~] **FROM ONE YEAR** and one
12 (1) day to [~~six (6) months~~] **TWO (2) YEARS** and/or a fine of [~~Five~~
13 ~~thousand pesos (P5,000.00)~~] **ONE HUNDRED THOUSAND PESOS**
14 **(P100,000.00)** to [~~Fifty thousand pesos (P50,000.00)~~] **ONE**
15 **HUNDRED FIFTY THOUSAND PESOS (P150,000.00), OR TWO**
16 **TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if
17 inflicted or undertaken against species as other threatened species; and

18 (e) imprisonment [~~of ten (10) days~~] **FROM SIX (6) MONTHS**
19 **AND ONE (1) DAY** to [~~one (1) month~~] **ONE (1) YEAR** and/or a fine of
20 [~~One thousand pesos (P1,000.00)~~] **FIFTY THOUSAND PESOS**
21 **(P50,000.00)** to [~~Five thousand pesos (P5,000.00)~~] **ONE HUNDRED**
22 **THOUSAND PESOS (P100,000.00), OR TWO TIMES THE PROVEN**
23 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken

1 against other [~~wildlife~~] **PROTECTED** species [~~:- Provided, That in case of~~
2 paragraph (f), where the acts were perpetuated through the means of
3 inappropriate techniques and devices, the maximum penalty herein
4 provided shall be imposed].

5 For illegal acts under paragraphs [~~(h) and~~] (i) **AND (J)** of the
6 immediately preceding section, the following penalties and fines shall be
7 imposed:

8 (a) imprisonment [~~of six (6) months and one (1) day~~] **FROM**
9 **EIGHT (8) YEARS AND ONE (1) DAY** to [~~one (1) year~~] **TEN (10)**
10 **YEARS** and a fine of [~~Fifty thousand pesos (P50,000.00)~~] **FIVE**
11 **HUNDRED THOUSAND PESOS (P500,000.00)** to [~~One hundred~~
12 ~~thousand pesos (P100,000.00)~~] **ONE MILLION PESOS**
13 **(P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
14 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against~~]
15 **INVOLVING** species listed as [~~critical species~~] **CRITICALLY**
16 **ENDANGERED;**

17 (b) imprisonment [~~of three (3) months and one (1) day~~] **FROM**
18 **SIX (6) YEARS AND ONE (1) DAY** to [~~six (6) months~~] **TO EIGHT (8)**
19 **YEARS** and a fine of [~~Twenty thousand pesos (P20,000.00)~~] **THREE**
20 **HUNDRED THOUSAND PESOS (P300,000.00)** to [~~Fifty thousand~~
21 ~~pesos (P50,000.00)~~] **SIX HUNDRED THOUSAND PESOS**
22 **(P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**

1 **WHICHEVER IS HIGHER**, if [~~inflicted or undertaken against~~]
2 **INVOLVING** endangered species;

3 (c) imprisonment [~~of one (1) month and one (1) day~~] **FROM**
4 **FOUR (4) YEARS AND ONE (1) DAY** to [~~three (3) months~~] **SIX (6)**
5 **YEARS** and a fine of [~~Five thousand pesos (P5,000.00)~~] **ONE**
6 **HUNDRED FIFTY THOUSAND PESOS (P150,000.00)** to [~~Twenty~~
7 ~~thousand pesos (P20,000.00)~~] **THREE HUNDRED THOUSAND PESOS**
8 **(P300,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
9 **WHICHEVER IS HIGHER**, if [~~inflicted or undertaken against~~]
10 **INVOLVING** vulnerable species; **AND**

11 (d) imprisonment [~~of ten (10) days~~] **TWO (2) YEARS AND ONE**
12 **(1) DAY** to [~~one (1) month~~] **FOUR (4) YEARS** and a fine of [~~One~~
13 ~~thousand pesos (P1,000.00)~~] **ONE HUNDRED THOUSAND PESOS**
14 **(P100,000.00)** to [~~Five thousand pesos (P5,000.00)~~] **TWO HUNDRED**
15 **THOUSAND PESOS (P200,000.00)**, if inflicted or undertaken against
16 species listed as other threatened species; **AND**

17 (e) imprisonment [~~of five (5) days~~] **FROM ONE (1) YEAR AND**
18 **ONE (1) DAY** to [~~ten (10) days~~] **TWO (2) YEARS** and a fine of [~~Two~~
19 ~~hundred pesos (P200.00)~~] **FIFTY THOUSAND PESOS (P50,000.00)**
20 to [~~One thousand pesos (P1,000.00)~~] **ONE HUNDRED THOUSAND**
21 **PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET**
22 **VALUE, WHICHEVER IS HIGHER**, if [~~inflicted or undertaken against~~]
23 **INVOLVING** other [~~wildlife~~] **PROTECTED** species.

1 ~~[All wildlife, its derivatives or by products, and all paraphernalia,~~
2 ~~tools and conveyances used in connection with violations of this Act,~~
3 ~~shall be ipso facto forfeited in favor of the government; Provided, That~~
4 ~~where the ownership of the aforesaid conveyances belong to third~~
5 ~~persons who has no participation in or knowledge of the illegal acts, the~~
6 ~~same may be released to said owner. The apprehending agency shall~~
7 ~~immediately cause the transfer of all wildlife that have been seized or~~
8 ~~recovered to the nearest Wildlife Rescue Center of the Department in the~~
9 ~~area.~~

10 ~~If the offender is an alien, he shall be deported after service and~~
11 ~~payment of fines, without any further proceedings.~~

12 ~~The fines herein prescribed shall be increased by at least ten~~
13 ~~percent (10%) every three (3) years to compensate for inflation and to~~
14 ~~maintain the deterrent function of such fines.]~~

15 **FOR VIOLATIONS OF LETTERS (A), (E), (F), (I), AND (J)**
16 **UNDER SECTION 27 OF THIS ACT, COMMITTED BY A SYNDICATE**
17 **OR, IN LARGE SCALE, OR THE WILDLIFE INVOLVED IS BOUND**
18 **FOR EXPORT OR IS ACTUALLY EXPORTED TO ANOTHER**
19 **COUNTRY; OR IS IMPORTED FROM ANOTHER COUNTRY BY THE**
20 **PERSON OR IN CONNIVANCE WITH THE PERSONS FROM WHOM**
21 **THE WILDLIFE WAS APPREHENDED, OTHERWISE KNOWN AS**
22 **WILDLIFE TRAFFICKING THE FOLLOWING FINES AND**
23 **PENALTIES SHALL BE IMPOSED:**

1 **(A) IMPRISONMENT FROM TWELVE (12) YEARS AND ONE**
2 **(1) DAY TO TWENTY (20) YEARS AND A FINE OF ONE MILLION**
3 **PESOS (P1,000,000.00) TO TEN (10) MILLION PESOS**
4 **(P10,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
5 **WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN**
6 **AGAINST SPECIES LISTED AS CRITICALLY ENDANGERED;**

7 **(B) IMPRISONMENT FROM EIGHT (8) YEARS AND ONE (1)**
8 **DAY TO TWELVE (12) YEARS AND A FINE OF EIGHT HUNDRED**
9 **THOUSAND PESOS (P800,000.00) TO TWO MILLION PESOS**
10 **(P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
11 **WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN**
12 **AGAINST ENDANGERED SPECIES;**

13 **(C) IMPRISONMENT FROM SIX (6) YEARS AND ONE (1)**
14 **DAY TO EIGHT (8) YEARS AND A FINE OF THREE HUNDRED**
15 **THOUSAND PESOS (P300,00.00) TO EIGHT HUNDRED**
16 **THOUSAND PESOS (P800,000.00), OR TWO TIMES THE PROVEN**
17 **MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR**
18 **UNDERTAKEN AGAINST VULNERABLE SPECIES;**

19 **(D) IMPRISONMENT FROM FOUR (4) YEARS AND ONE (1)**
20 **DAY TO SIX (6) YEARS AND A FINE OF TWO HUNDRED**
21 **THOUSAND PESOS (P200,000.00) TO FOUR HUNDRED**
22 **THOUSAND PESOS (P400,000.00), OR TWO TIMES THE PROVEN**

1 MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR
2 UNDERTAKEN AGAINST OTHER THREATENED SPECIES; AND

3 (E) IMPRISONMENT FROM TWO (2) YEARS AND ONE (1)
4 DAY TO FOUR (4) YEARS AND A FINE OF ONE HUNDRED
5 THOUSAND PESOS (P100,000.00) TO TWO HUNDRED
6 THOUSAND PESOS (P200,000.00), OR TWO TIMES THE PROVEN
7 MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR
8 UNDERTAKEN AGAINST OTHER PROTECTED WILDLIFE
9 SPECIES.”

10
11 SEC. 27. Insert thirteen (13) new sections after Section 28 of Republic Act No.
12 9147 to read as follows:

13 “SEC. 28.1. *IMPOSITION OF PENALTY FOR VIOLATION*
14 *COMMITTED BY JURIDICAL ENTITY AND ADDITIONAL*
15 *LIABILITY.* – IF THE VIOLATION IS COMMITTED BY A
16 CORPORATION, COOPERATIVE, ASSOCIATION OR ANY OTHER
17 JURIDICAL PERSONS, THE PENALTY SHALL BE IMPOSED UPON
18 THE PERSONS WHO COMMITTED THE ACT AS WELL AS THE
19 PRESIDENT, DIRECTORS, MANAGERS, MANAGING PARTNER, OR
20 OTHER OFFICIALS RESPONSIBLE FOR SUCH VIOLATION.

21 ANY GOVERNMENT OFFICIAL OR EMPLOYEE, WHO IS
22 FOUND LIABLE, FOR ANY OFFENSE PENALIZED BY SIX YEARS
23 OF IMPRISONMENT OF THIS ACT, SHALL, IN ADDITION TO THE

1 PENALTY WHICH MAY BE IMPOSED UPON HIM AS PRINCIPAL,
2 BE PERPETUALLY DISQUALIFIED FROM HOLDING ANY PUBLIC
3 OFFICE.

4 ANY PERSON CONVICTED OF A VIOLATION OF THIS ACT
5 SHALL BE PERMANENTLY AND PERPETUALLY DISQUALIFIED
6 FROM BEING ISSUED ANY WILDLIFE PERMITS, CLEARANCES,
7 AGREEMENTS AND/OR CERTIFICATES."

8 "SEC. 28.2. *RECOVERY OF COST AND REPARATION AND*
9 *RESTORATION OF AFFECTED RESOURCE.* – IN ADDITION TO
10 THE FINE AND IMPRISONMENT THAT MAY BE IMPOSED FOR
11 VIOLATION OF THIS ACT, THE OFFENDER SHALL ALSO PAY ALL
12 REASONABLE COST INCURRED BY THE STATE RESULTING FROM
13 THE SAID VIOLATION. THE COST MAY INCLUDE EXPENSES FOR
14 TRANSPORT, MAINTENANCE OF THE SEIZED WILDLIFE, AND
15 PROPER DISPOSAL THEREOF.

16 THE OFFENDER SHALL LIKEWISE BE LIABLE TO PAY THE
17 RESOURCE ECONOMIC VALUE, PROVEN TO HAVE BEEN LOST OR
18 SUFFERED AS A RESULT OF THE VIOLATION AND TO
19 INDEMNIFY THE STATE FOR THE COST OF RESTORATION OF
20 THE AFFECTED RESOURCE."

21 "SEC. 28.3. *ESCALATION OF THE AMOUNT OF FINES.* - THE
22 FINES HEREIN PRESCRIBED SHALL AUTOMATICALLY INCREASE,
23 WITHOUT NEED FOR FURTHER LEGISLATION OR

1 ADMINISTRATIVE ISSUANCE, BY TEN PERCENT (10%) EVERY
2 FIVE (5) YEARS FROM THE EFFECTIVITY OF THIS ACT TO
3 MAINTAIN THE DETERRENT FUNCTION OF SUCH FINES."

4 "SEC. 28.4. *DISPUTABLE PRESUMPTIONS*. - WITHOUT THE
5 APPROPRIATE WILDLIFE PERMIT, CERTIFICATION OR
6 CLEARANCE, OR AUTHORITY, AT THE TIME OF APPREHENSION,
7 THE FOLLOWING SHALL CONSTITUTE A PRESUMPTION THAT A
8 CORRESPONDING OFFENSE, PENALIZED UNDER THIS ACT, HAS
9 BEEN COMMITTED BY THE PERSON/S INVOLVED:

10 (A) POSSESSION OF ANY HUNTING, TRAPPING OR
11 COLLECTING PARAPHERNALIA ALONG WITH LIVE OR DEAD
12 WILDLIFE, WILDLIFE PRODUCTS AND DERIVATIVES SHALL BE
13 A DISPUTABLE PRESUMPTION THAT THE POSSESSOR CAUSED
14 THE KILLING AND/OR DESTRUCTION, INFLECTION OF INJURY,
15 MALTREATMENT, COLLECTION, HUNTING OF WILDLIFE,
16 WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES, AS
17 APPROPRIATE;

18 (B) FAILURE ON THE PART OF THE AIRFREIGHT,
19 SHIPPING, TRUCKING OR FORWARDING COMPANIES FROM
20 WHOSE POSSESSION THE WILDLIFE, BY-PRODUCTS AN/OR
21 DERIVATIVES ARE DISCOVERED OR SEIZED TO FULLY
22 COOPERATE IN THE INVESTIGATION BY CONCERNED
23 GOVERNMENT AUTHORITIES ON THE MATTER SHALL CREATE A

1 **PRESUMPTION THAT THERE IS CONNIVANCE OR CONSPIRACY**
2 **BETWEEN THE COMPANY AND THE SHIPPER TO VIOLATE THE**
3 **RELEVANT PROVISIONS OF THIS ACT."**

4 **"SEC. 28.5. SEPARATE OFFENSES FOR EACH SPECIES AND**
5 **CIRCUMSTANCES FOR THE IMPOSITION OF MAXIMUM**
6 **PENALTY. - IN CASES WHERE MORE THAN ONE WILDLIFE**
7 **SPECIES, IS COLLECTED, HUNTED, POSSESSED TRANSPORTED**
8 **OR OTHERWISE INVOLVED IN CONNECTION WITH THE**
9 **VIOLATION OF THIS ACT, EACH WILDLIFE SPECIES INVOLVED**
10 **SHALL CONSTITUTE A SEPARATE AND DISTINCT COUNT OF**
11 **VIOLATION OF THIS ACT.**

12 **EACH SEPARATE DISTINCT COUNT OF VIOLATION SHALL**
13 **BE PROSECUTED AND PENALIZED SEPARATELY, REGARDLESS**
14 **OF INTENT, UNITY OR CONNECTIONS OF THE ACTS RESULTING**
15 **INTO THE VIOLATION. MOREOVER, NUMBER OF SPECIMEN**
16 **INVOLVED IN EVERY SPECIES AND THE CIRCUMSTANCES**
17 **OBTAINING IN EACH PROVEN VIOLATION, AS SPECIFIED**
18 **HEREUNDER, SHALL SERVE AS BASIS FOR THE IMPOSITION OF**
19 **PENALTIES.**

20 **A. IF MORE THAN ONE (1) SPECIMEN OF A CRITICALLY**
21 **ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY**
22 **SHALL BE IMPOSED;**

1 **B. IF MORE THAN FIVE (5) OF SPECIMENS OF AN**
2 **ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY**
3 **SHALL BE IMPOSED;**

4 **C. IF MORE THAN EIGHT (8) SPECIMENS OF A**
5 **VULNERABLE SPECIES IS INVOLVED, THE MAXIMUM PENALTY**
6 **SHALL BE IMPOSED;**

7 **D. IF MORE THAN TEN (10) SPECIMENS OF A NEAR**
8 **THREATENED SPECIES IS INVOLVED, THE MAXIMUM PENALTY**
9 **SHALL BE IMPOSED;**

10 **E. IF MORE THAN FIFTEEN (15) SPECIMENS OF OTHER**
11 **WILDLIFE SPECIES IS INVOLVED, THE MAXIMUM PENALTY**
12 **SHALL BE IMPOSED;**

13 **F. IF AT THE TIME OF HIS OR HER TRIAL FOR A**
14 **VIOLATION OF THIS ACT, THE ACCUSED SHALL HAVE BEEN**
15 **PREVIOUSLY CONVICTED BY FINAL JUDGMENT OF THE SAME**
16 **OR ANOTHER VIOLATION OF THIS ACT, MAXIMUM PENALTY**
17 **SHALL BE IMPOSED.**

18 **G. IF THE PROHIBITED ACT COMMITTED INVOLVES THE**
19 **INDUCEMENT OF INDIGENOUS PEOPLES, THE MAXIMUM**
20 **PENALTY SHALL BE IMPOSED."**

21 **"SEC. 28.6. LIABILITY UNDER OTHER LAWS. --**
22 **PROSECUTION FOR VIOLATION OF THIS ACT SHALL BE**

1 **WITHOUT PREJUDICE TO THE PROSECUTION OF THE OFFENDER**
2 **FOR VIOLATION OF OTHER LAWS, RULES AND REGULATIONS.”**

3 **“SEC. 28.7. CREATION OF PLANTILLA POSITIONS FOR LAW**
4 **ENFORCEMENT. – THE DENR, DA, PCSD, AND BMG ARE HEREBY**
5 **AUTHORIZED TO CREATE, SUBJECT TO EXISTING GUIDELINES,**
6 **PERMANENT POSITIONS OF ENFORCEMENT OFFICERS, OR**
7 **DESIGNATE THEIR EXISTING PERMANENT EMPLOYEES AS SUCH**
8 **FROM THEIR RESPECTIVE ENFORCEMENT UNITS. SUCH**
9 **ENFORCEMENT OFFICERS SHALL HAVE FULL AUTHORITY TO**
10 **ENFORCE THE PROVISIONS OF THIS ACT AND OTHER**
11 **ENVIRONMENTAL LAWS.**

12 **THE ENFORCEMENT OFFICERS ARE AUTHORIZED TO CARRY**
13 **THEIR AGENCY’S BADGE AND GOVERNMENT FIREARMS IN THE**
14 **CONDUCT OF THEIR DUTIES, SUBJECT TO THE EXISTING RULES**
15 **ON FIREARMS AND AFTER PROPER TRAINING FROM**
16 **APPROPRIATE GOVERNMENT FACILITY CONDUCTING**
17 **FIREARMS TRAINING.”**

18 **“SEC. 28.8. PERSONS AND DEPUTIES AUTHORIZED TO**
19 **ENFORCE THE PENAL PROVISIONS OF THIS ACT. –**
20 **ENFORCEMENT OFFICERS OF DENR, DA, PCSD, AND BMG, THE**
21 **PHILIPPINE NATIONAL POLICE (PNP), THE NATIONAL BUREAU**
22 **OF INVESTIGATION (NBI), AND OTHER LAW ENFORCEMENT**
23 **AGENCIES ARE AUTHORIZED TO ENFORCE THE PENAL**

1 **PROVISIONS OF THIS ACT. THESE AGENCIES SHALL DESIGNATE**
2 **WILDLIFE ENFORCEMENT OFFICERS TO ARREST VIOLATORS OF**
3 **THIS ACT AND TO SEIZE ALL WILDLIFE BY PRODUCTS AND**
4 **DERIVATIVES AND, PROCEEDS THEREOF, INCLUDING ALL**
5 **TOOLS IMPLEMENTS AND CONVEYANCES, USED, IN RELATION**
6 **THERETO.**

7 **DENR, DA PCSD, AND BMG MAY ALSO DEPUTIZE WILDLIFE**
8 **ENFORCEMENT OFFICERS FROM ARMED FORCES OF THE**
9 **PHILIPPINES (AFP), LOCAL GOVERNMENT UNITS, NON-**
10 **GOVERNMENT ORGANIZATIONS, AND OTHER VOLUNTEERS**
11 **WHO HAVE UNDERGONE NECESSARY TRAINING FOR THIS**
12 **PURPOSE. THESE AGENCIES MAY ALSO SEEK THE**
13 **COOPERATION OF INTERNATIONAL AND REGIONAL**
14 **ORGANIZATIONS IN THE CONDUCT OF ITS INVESTIGATION**
15 **AND ENFORCEMENT ACTIONS.**

16 **"SEC. 28.9. *CREATION OF WILDLIFE TRAFFIC MONITORING***
17 ***UNITS.* – THE DENR, DA, PCSD, AND BMG SHALL CREATE**
18 **WILDLIFE TRAFFIC MONITORING UNITS (WTMUS) IN**
19 **STRATEGIC AIR AND SEAPORTS ALL OVER THE COUNTRY TO**
20 **ENSURE THE STRICT COMPLIANCE AND EFFECTIVE**
21 **IMPLEMENTATION OF ALL EXISTING WILDLIFE LAWS, RULES**
22 **AND REGULATIONS, INCLUDING PERTINENT INTERNATIONAL**
23 **AGREEMENTS. FOR THIS PURPOSE, THE DENR, DA PCSD, AND**

1 **BMG ARE AUTHORIZED TO ADD IN THEIR STAFFING PATTERN**
2 **ENFORCEMENT OFFICERS, TO BE ASSIGNED AT WTMUS.**

3 **CUSTOMS OFFICERS AND/OR OTHER AUTHORIZED**
4 **GOVERNMENT REPRESENTATIVES ASSIGNED AT AIR OR**
5 **SEAPORTS WHO MAY HAVE INTERCEPTED WILDLIFE**
6 **COMMODITIES IN THE DISCHARGE OF THEIR OFFICIAL**
7 **FUNCTIONS SHALL TURN OVER INTERCEPTED WILDLIFE, BY-**
8 **PRODUCTS AND DERIVATIVES TO THE WILDLIFE TRAFFIC**
9 **MONITORING UNIT ASSIGNED IN THE AREA, OR THE**
10 **COMMUNITY ENVIRONMENT AND NATURAL RESOURCES**
11 **OFFICE (CENRO) SHOULD THE WILDLIFE TRAFFIC**
12 **MONITORING UNIT BE NOT AVAILABLE OR NOT YET**
13 **ORGANIZED IN THE SAID PORT OR AIRPORT."**

14 **"SEC. 28.10. *WILDLIFE REGULATORY AND LAW***
15 ***ENFORCEMENT MANAGEMENT INFORMATION SYSTEM.* – DENR,**
16 **DA, PCSD, AND BMG SHALL DEVELOP, ESTABLISH AND**
17 **MAINTAIN THEIR RESPECTIVE WILDLIFE LAW ENFORCEMENT**
18 **MANAGEMENT INFORMATION SYSTEM TO AID IN THE**
19 **MONITORING, REGULATION, CONTROL AND SURVEILLANCE OF**
20 **ACTIVITIES INVOLVING WILDLIFE. THESE SYSTEMS SHALL BE**
21 **SO DESIGNED, KEEPING IN MIND THE NEED FOR**
22 **COORDINATION, SUPPORT, INFORMATION SHARING AND**

1 **COORDINATIVE ACTION AMONG DENR, DA, PCSD, BARMM, AND**
2 **OTHER RELEVANT AGENCIES."**

3 **"SEC. 28.11. AUTHORITY TO PROVIDE, ADJUDICATE, AND**
4 **ADMINISTER PENALTIES. – THE DENR, DA, PCSD OR BMG ARE**
5 **GIVEN THE POWER TO EXERCISE ADMINISTRATIVE**
6 **ADJUDICATION IN ALL CASES OF VIOLATIONS OF THIS ACT.**
7 **FOR THIS PURPOSE, DENR, DA, PCSD OR BMG, MAY PROVIDE A**
8 **SCHEDULE OF ADMINISTRATIVE PENALTIES FOR VIOLATIONS**
9 **OF THIS ACT AND THE RULES AND REGULATIONS ISSUED**
10 **HEREUNDER.**

11 **IN THE EXERCISE OF ITS ADJUDICATION POWER, DENR,**
12 **DA, PCSD OR BMG MAY CAUSE THE CONFISCATION,**
13 **FORFEITURE AND FINAL DISPOSITION OF ALL WILDLIFE, ITS**
14 **DERIVATIVES AND BY PRODUCTS AS WELL AS TOOLS AND**
15 **CONVEYANCES USE IN CONNECTION WITH THE VIOLATION. IN**
16 **THE SAME MANNER, IMPOSED FINES AND OTHER PENALTIES**
17 **PROVIDED IN THIS ACT AND THE REGULATIONS ISSUED**
18 **HEREUNDER, AND CITE IN CONTEMPT THOSE WHO MISLEAD,**
19 **EVADE OR REFUSE TO COOPERATE IN THE INVESTIGATION.**

20 **IN RELATION WITH THIS SECTION, THE DENR, DA, PCSD,**
21 **AND BMG IS FURTHER AUTHORIZED TO ORGANIZE THEIR**
22 **RESPECTIVE ADJUDICATION STRUCTURES OR DESIGNATE**

1 **EXISTING STRUCTURES TO IMPLEMENT THE ADJUDICATION**
2 **AUTHORITY PROVIDED IN THIS ACT, SHOULD THERE BE ANY.**

3 **TO ENSURE THE EFFECTIVE AND EFFICIENT**
4 **IMPLEMENTATION OF THIS SECTION, THE DENR, DA, PCSD,**
5 **AND BMG ARE FURTHER AUTHORIZED TO ISSUE PROCEDURAL**
6 **RULE AND REGULATIONS, AS APPROPRIATE."**

7 **"SEC. 28.12. ROLE OF OTHER NATIONAL AGENCIES, LOCAL**
8 **GOVERNMENT UNITS AND THE GENERAL PUBLIC. – IN**
9 **ADDITION TO THE MANDATED ROLES AND FUNCTIONS AS MAY**
10 **BE PROVIDED IN THIS ACT AND OTHER LAWS, RULES AND**
11 **REGULATIONS, NATIONAL AGENCIES, INSTRUMENTALITIES,**
12 **INCLUDING GOVERNMENT OWNED AND CONTROLLED**
13 **CORPORATIONS AND LOCAL GOVERNMENT UNITS SHALL**
14 **ASSIST AND SUPPORT THE DENR, DA, PCSD, AND BMG IN THE**
15 **IMPLEMENTATION AND ENFORCEMENT OF THIS ACT.**

16 **LOCAL GOVERNMENT UNITS SHALL, REQUIRE THE**
17 **PRESENTATION OF A DULY ISSUED PERMITS AND/OR**
18 **CLEARANCES FROM DENR, DA, PCSD OR BARMM AS A PRE-**
19 **REQUISITE FOR THE ISSUANCE OR RENEWAL OF BUSINESS**
20 **PERMITS AND OTHER APPLICABLE LOCAL GOVERNMENT**
21 **PERMITS AND CLEARANCES FOR ALL BUSINESS AND**
22 **ACTIVITIES INVOLVING WILDLIFE.**

1 PRIVATE PERSON WHO SHALL PROVIDE INFORMATION
2 LEADING TO THE, PROSECUTION AND CONVICTION OF
3 OFFENDERS FOR ANY VIOLATION OF THIS ACT AND ITS
4 IMPLEMENTING RULES AND REGULATIONS SHALL BE GIVEN
5 AMPLE PROTECTION AND REWARD IN ACCORDANCE WITH
6 EXISTING REGULATIONS."

7 "SEC. 28.13. *STRATEGIC LAWSUIT AGAINST PUBLIC*
8 *PARTICIPATION (SLAPP) IN THE ENFORCEMENT OF THIS ACT. –*
9 A LEGAL ACTION FILED TO HARASS, VEX, EXERT UNDUE
10 PRESSURE, OR STIFLE ANY LEGAL RECOURSE THAT ANY
11 PERSON, INSTITUTION, OR THE GOVERNMENT HAS TAKEN OR
12 MAY TAKE IN THE ENFORCEMENT OF THIS ACT SHALL BE
13 TREATED AS A STRATEGIC LAWSUIT AGAINST PUBLIC
14 PARTICIPATION (SLAPP).

15 THE RULES OF PROCEDURE FOR ENVIRONMENTAL CASES
16 SHALL GOVERN THE PROCEDURE IN CIVIL, CRIMINAL, AND
17 SPECIAL CIVIL ACTIONS INVOLVING THE ENFORCEMENT OR
18 VIOLATIONS OF THIS ACT INCLUDING ACTIONS TREATED AS A
19 SLAPP AS PROVIDED IN THIS SECTION."

20 SEC. 28. Section 29 of Republic Act No. 9147 is hereby amended to read as
21 follows:

22 "SEC. 29. *Wildlife Management Fund.* – The are hereby established
23 a Wildlife Management Funds EACH to be administered by the

1 [Department] **DENR, DA PCSD AND BMG** as a special account in the
2 National Treasury [which]. **IT** shall finance rehabilitation or restoration
3 of habitats affected by acts committed in violation of this Act and support
4 scientific research, enforcement, [and] monitoring activities,
5 **INTELLIGENCE GATHERING AND MONITORING ACTIVITIES,**
6 **PROCUREMENT OF VEHICLES, FIREARMS AND AMMUNITIONS,**
7 as well as enhancement of capabilities of relevant agencies.

8 The Fund shall [derive] **BE DERIVED** from **ADMINISTRATIVE**
9 fines imposed and damages awarded, **PROCEEDS FROM ALLOWABLE**
10 **DISPOSITION OF WILDLIFE, WILDLIFE BY-PRODUCTS AND**
11 **DERIVATIVES,** fees, charges, donations, endowments, administrative
12 fees or grants in the form of contributions, **INCLUDING AWARD FOR**
13 **COST OF REPARATION AND RESTORATION OF AFFECTED**
14 **RESOURCE.** Contributions to the Fund shall be exempted from donor
15 taxes and all other tax charges or fees imposed by the government.”

16 **SEC. 29.** Section 31 of Republic Act No. 9147 is hereby amended to read as
17 follows:

18 “**SEC. 31. *Establishment of National Wildlife Research Centers AND***
19 ***FORENSICS LABORATORY.*** – The [Secretary] **DENR AND DA, IN**
20 **COORDINATION WITH PCSD AND BMG,** shall establish national
21 wildlife research centers for terrestrial and aquatic species to lead in the
22 conduct of scientific researches on the proper strategies for the
23 conservation and protection of wildlife, including captive breeding or

1 propagation. **THE DENR, DA, PCSD, AND BMG MAY ALSO**
2 **ESTABLISH OR DESIGNATE FORENSICS LABORATORIES FOR**
3 **THE CONDUCT OF FORENSIC ANALYSES AND OTHER RELATED**
4 **CAPABILITIES FOR WILDLIFE LAW ENFORCEMENT.** In this regard,
5 the ~~[Secretary]~~ **DENR, DA, PCSD, AND BMG** shall ~~[encourage the~~
6 ~~participation of]~~ **ESTABLISH PARTNERSHIPS WITH** experts from
7 academic~~[/]~~ **AND** research institutions and ~~[wildlife industry]~~ **THE**
8 **PRIVATE SECTOR."**

9 **SEC. 30.** Section 32 of Republic Act No. 9147 is hereby amended to read as
10 follows:

11 "SEC. 32. *Wildlife Rescue Center.* – The ~~[Secretary]~~ **DENR, DA,**
12 **PCSD, AND BMG,** shall establish or designate wildlife rescue centers to
13 take temporary custody and care of all confiscated, abandoned,
14 **TURNED OVER** ~~[and/]~~ or donated wildlife ~~[to ensure their welfare and~~
15 ~~well-being]~~. **SUCH WILDLIFE RESCUE CENTERS SHALL BE**
16 **STAFFED BY QUALIFIED PERSONNEL AND SHALL ALSO HAVE**
17 **THE NECESSARY TOOLS, MACHINES, EQUIPMENT AND**
18 **FACILITIES CONSISTENT WITH THE REQUIREMENTS OF**
19 **ANIMAL HEALTH AND WELFARE.** The ~~[Secretary]~~ **DENR, DA,**
20 **PCSD, AND BMG** shall formulate guidelines for the disposition of
21 wildlife from the rescue centers **AND SHALL REGULARLY INCLUDE**
22 **IN THE PROPOSAL FOR INCLUSION IN THE GENERAL**
23 **APPROPRIATIONS ACT, THE NECESSARY AMOUNT NEEDED FOR**

1 **THE ESTABLISHMENT AND MAINTENANCE OF WILDLIFE**
2 **RESCUE CENTER."**

3 **SEC. 31.** Section 34 of Republic Act No. 9147 is hereby amended to read as
4 follows:

5 "SEC. 34. *Exemption from taxes.* – Any donation, contribution,
6 **GRANT**, bequest, subsidy or financial aid which may be made to the
7 ~~[Department of Environment and Natural Resources or to the~~
8 ~~Department of Agriculture]~~ **DENR, DA, PCSD, BMG**, and to NGOs **AND**
9 **PEOPLES ORGANIZATIONS** engaged in wildlife conservation,
10 **PROTECTION AND LAW ENFORCEMENT** duly registered with the
11 Securities and Exchange Commission **OR THE COOPERATIVE**
12 **DEVELOPMENT AUTHORITY**, as certified by the local government
13 unit, the ~~[Department of Environment and Natural Resources or the~~
14 ~~Department of Agriculture]~~ **DENR, DA OR PSCD**, for the conservation
15 and protection of wildlife resources and their habitats shall constitute as
16 an allowable deduction from the taxable income of the donor and shall
17 be exempt from donor's tax."

18 **SEC. 32.** Section 35 of Republic Act No. 9147 is hereby amended to read as
19 follows:

20 "SEC. 35. *Flagship Species.* – Local government units shall initiate
21 conservation measures for ~~[endemic]~~ **WILDLIFE** species in their areas.
22 For this purpose, they may adopt flagship species such as the Cebu black
23 shama (*copsychus cebuensis*), tamaraw (*bubalus mindorensis*),

1 Philippine tarsier (*tarsius syrichta*), Philippine teak (*tectona*
2 *philippinensis*), which shall serve as emblems of conservation for the
3 local government concerned. **THE DENR, DA, PCSD, AND BMG MAY**
4 **PROVIDE GUIDELINES ON THE SELECTION OF FLAGSHIP**
5 **SPECIES."**

6 **SEC. 33.** Insert a new section after Section 35 of Republic Act No. 9147 to
7 read as follows:

8 **"SEC. 35.1. HERITAGE TREES. – IN COORDINATION WITH**
9 **AND WITH ASSISTANCE FROM THE DENR OR PCSD, LOCAL**
10 **GOVERNMENT UNITS SHALL DECLARE OR DESIGNATE AS**
11 **HERITAGE TREES CERTAIN QUALIFIED ENDEMIC OR**
12 **INDIGENOUS TREE SPECIES WITHIN THEIR TERRITORIAL**
13 **JURISDICTION. THE SECRETARY OR PCSD OR THEIR**
14 **AUTHORIZED REPRESENTATIVES MAY PROVIDE GUIDELINES**
15 **ON THE SELECTION OF HERITAGE TREES."**

16 **SEC. 34.** Section 36 of Republic Act No. 9147 is hereby amended to read as
17 follows:

18 **"SEC. 36. REGULATION OF Botanical Gardens, Zoological Parks**
19 **and Other Similar Establishments. – The [Secretary] DENR, DA, PCSD,**
20 **AND BMG** shall regulate the establishment, operation and maintenance
21 of botanical gardens, zoological and other similar establishments for
22 recreation, education and conservation **THROUGH THE ISSUANCE OF**
23 **CLEARANCE TO OPERATE. THE DENR, DA, PCSD, AND BMG**

1 **SHALL LIKEWISE PROMULGATE REGULATIONS FOR SUCH**
2 **PURPOSE."**

3 **SEC. 35.** Insert a new section after Section 36 of Republic Act No. 9147 to
4 read as follows:

5 **"SEC. 36.1. REGISTRATION OF MUSEUM SPECIMENS. –**
6 **EXCEPT FOR THE NATIONAL MUSEUM, ALL OTHER MUSEUMS**
7 **AND SIMILAR ESTABLISHMENTS DISPLAYING WILDLIFE BY-**
8 **PRODUCTS AND DERIVATIVES FOR PUBLIC VIEWING SHALL**
9 **REGISTER SAID SPECIMENS WITH THE DENR, DA PCSD OR BMG**
10 **AS THE CASE MAY BE. THE DENR, DA, PCSD, AND BMG SHALL**
11 **PROMULGATE RULES AND REGULATIONS FOR SUCH PURPOSE."**

12 **SEC. 36.** Section 37 of Republic Act No. 9147 is hereby amended to read as
13 follows:

14 **"SEC. 37. Implementing Rules and Regulations. -** Within four (4)
15 months following the effectivity of this Act, ~~[secretaries of the~~
16 ~~Department of Environment and Natural Resources and the Department~~
17 ~~of Agriculture, in coordination with the Committees on Environment and~~
18 ~~Ecology of the Senate and the House of Representatives, respectively;]~~
19 **THE DENR, DA, PCSD, AND BMG shall JOINTLY** promulgate
20 ~~[respective]~~ **THE IMPLEMENTING** rules and regulations for the
21 effective implementation of this Act. Whenever appropriate, coordination
22 in the preparation and implementation of rules and regulations on joint
23 and inseparable issues shall be done by ~~[both Departments]~~ **THE DENR,**

1 **DA, PCSD, AND BMG.** The commitments of the State to international
2 agreements and protocols shall likewise be a consideration in the
3 implementation of this Act."

4 **SEC. 37.** Section 38 of Republic Act No. 9147 is hereby amended to read as
5 follows:

6 "SEC. 38. *Appropriations.* - The amount necessary to implement
7 the provisions of this Act shall be charged against the **RESPECTIVE**
8 appropriations of the [~~Department of Environment and Natural~~
9 Resources] DENR, DA, PCSD and BMG in the current General
10 Appropriations Act. Thereafter, such sums as may be necessary to fully
11 implement the provisions of this Act shall be included in the
12 **RESPECTIVE APPROPRIATIONS OF THE DENR, DA, PCSD, AND**
13 **BMG, AS APPLICABLE, IN THE** annual General Appropriations Act.

14 **SEC. 38.** Insert a new section after Section 38 of Republic Act No. 9147 to
15 read as follows:

16 "SEC. 38.1. **CONSTRUCTION.** - **THE PROVISION OF THIS**
17 **ACT SHALL BE LIBERALLY CONSTRUED IN FAVOR OF THE**
18 **CONSERVATION AND PROTECTION OF WILDLIFE SPECIES AND**
19 **THEIR HABITATS TOWARDS THE PROMOTION OF ECOLOGICAL**
20 **BALANCE AND ENHANCEMENT OF BIOLOGICAL DIVERSITY."**

21 **SEC. 39. *Separability Clause.*** - If any provision of this Act is declared
22 unconstitutional or invalid, other parts or provisions hereof not affected thereby shall
23 continue to be in full force and effect.

1 **SEC. 40. *Repealing Clause.*** –All laws, decrees, executive orders, rules and
2 regulations, and other issuances or parts thereof which are contrary to or
3 inconsistent with this Act are hereby repealed, amended or modified accordingly.

4 **SEC. 42. *Effectivity.*** – This Act shall take effect fifteen (15) days after its
5 complete publication in the *Official Gazette* or in two (2) newspapers of general
6 circulation.

Approved,