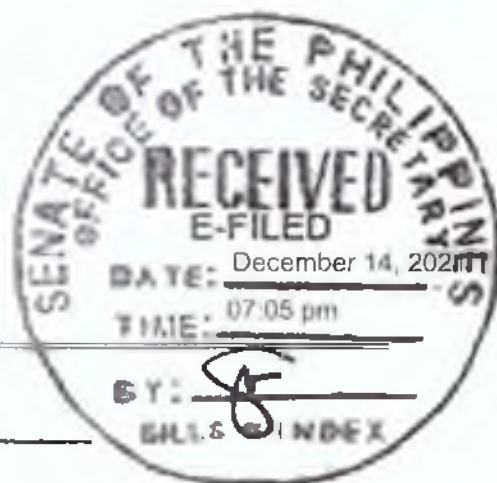


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Third Regular Session)

SENATE

COMMITTEE REPORT NO. 402



Submitted jointly by the Committees on Environment, Natural Resources and Climate Change; Finance; and Sustainable Development Goals, Innovation and Futures Thinking on December 14, 2021

Re : Senate Bill No. 2465, prepared jointly by the Committees.

Recommending its approval in substitution of Senate Bill Nos. 2078 and 2079, taking into consideration House Bill No. 9833 and the Privilege Speech delivered by Senator Cynthia A. Villar on the Conservation and Protection of Wildlife delivered during the March 8, 2021 plenary session.

Sponsor : Senator Cynthia A. Villar

MR. PRESIDENT:

The Committees on Environment, Natural Resources and Climate Change; Finance; and Sustainable Development Goals, Innovation and Futures Thinking to which were referred **Senate Bill No. 2078**, introduced by Senator Villar, entitled:

**"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"

Senate Bill No. 2079, introduced by Senators Zubiri and Binay, entitled:

**"AN ACT
PROVIDING FOR A REVISED WILDLIFE RESOURCES
CONSERVATION AND PROTECTION ACT, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES"**

taking into consideration **House Bill No. 9833**, introduced by Representatives Ramirez-Sato, Macapagal Arroyo, Rodriguez, Villafuerte, Vargas, Suansing (E.), Suansing (H.), Barbers, Mangaoang, Gato, Saulog, Bascug, Unabia, Bañas-Nogralles, Ty (D.), Violago, Ebcas, Tambunting, Villa, Quimbo, Haresco, Defensor (L.), Nuñez-Malanyaon, Olivarez, Estrella, Go (M.), Biazon, Dagooc, Co (A.N.), Nieto, Suntay, Padiernos, Garin (S.), Guya, Espino, Kho (W.), Deloso-Montalla, Nolasco, Tejada, Fortun, Fuentebella, Puno, Garcia (P.J.), Jimenez, Revilla, Savellano, Legarda, Ecleo, Gorriceta, Escudero, Dalipe, Agabas, Bolilia, Cabatbat, Bautista-Bandigan, Cua, Cuaresma, Daza, Duavit, Fariñas I (R.C.), Garcia (J.E.), Gasataya, Go (E.C.), Limkaichong, Sagarbarria, Zamora (W.K.), Abueg-Zaldivar, Balindong, Bordado, Bravo, Cari, Dalog, Dimaporo (A.), Dujali, Dy (F.), Gullas, Hofer, Labadlabad, Maceda, Natividad-Nagaño, Nava, Ouano-Dizon, Plaza, Sanchez, Tan (A.S.), Tiangco, Tutor, Vargas Alfonso, Vergara, Castelo, Enverga, Lara, Lacson, Loyola, Lusotan, Sangcopan, Taduran, Yap (V.), Barzaga, Yap (E.), Salceda, Sy-Alvarado and Fariñas (R.C.), entitled:

**"AN ACT
PROVIDING STRONGER MEASURES FOR THE CONSERVATION AND
PROTECTION OF WILDLIFE RESOURCES AND THEIR HABITATS,**

**REPEALING FOR THIS PURPOSE REPUBLIC ACT NO. 9147 OR THE
"WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT,"
AND APPROPRIATING FUNDS THEREFOR"**

and the:

**PRIVILEGE SPEECH OF SENATOR CYNTHIA A. VILLAR ON THE
CONSERVATION AND PROTECTION OF WILDLIFE**

delivered during the March 8, 2021 plenary session


have considered the same and have the honor to report them back to the Senate with the recommendation that the attached bill, **Senate Bill No. 2465**, prepared jointly by the Committees, entitled:

**"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"**

be approved in substitution of Senate Bill Nos. 2078 and 2079, taking into consideration House Bill No. 9833 and the Privilege Speech of Senator Cynthia A. Villar on the Conservation and Protection of Wildlife delivered during the March 8, 2021 plenary session, with Senators Villar, Zubiri, Binay, Angara and Cayetano as authors thereof.

Respectfully submitted:

Chairpersons:



SEN. SONNY ANGARA

Committee on Finance
Member, Committee on Sustainable
Development Goals, Innovation and Futures
Thinking

SEN. CYNTHIA A. VILLAR

Committee on Environment, Natural Resources and
Climate Change
Vice-Chairperson, Committee on Finance
Member, Committee on Sustainable Development
Goals, Innovation and Futures Thinking

SEN. PIA S. CAYETANO

Committee on Sustainable Development Goals, Innovation and Futures Thinking
Vice-Chairperson, Committee on Environment, Natural Resources and Climate Change
Vice-Chairperson, Committee on Finance

Vice-Chairpersons:



**SEN. FRANCIS "TOL" N.
TOLENTINO**

Committee on Environment, Natural Resources
and Climate Change
Member, Committee on Finance
Member, Committee on Sustainable
Development Goals, Innovation and Futures
Thinking

SEN. RONALD "BATO" DELA ROSA

Committee on Finance
Member, Committee on Environment, Natural
Resources and Climate Change
Member, Committee on Sustainable Development
Goals, Innovation and Futures Thinking

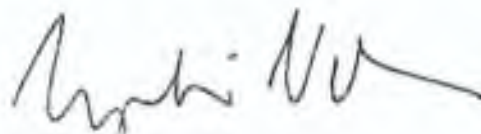
Respectfully submitted:

Chairpersons:



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Committee on Finance
Member, Committee on Sustainable
Development Goals, Innovation and Futures
Thinking



SEN. CYNTHIA A. VILLAR

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Vice-Chairpersons:

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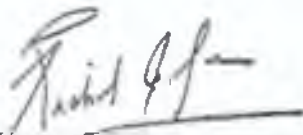
Committee on Finance
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SEN. JOB VILLANUEVA
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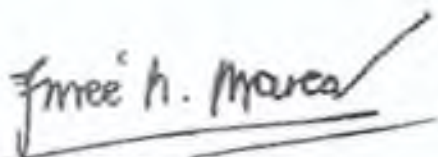


SEN. WIN GATCHALIAN
Committee on Finance
Member, Committee on Environment, Natural Resources and Climate Change



SEN. RICHARD J. GORDON
Committee on Finance
Member, Committee on Environment, Natural Resources and Climate Change

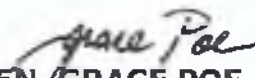
SEN. CHRISTOPHER BONG GO
Committee on Finance
Member, Committee on Environment, Natural Resources and Climate Change
Member, Committee on Sustainable Development Goals, Innovation and Futures Thinking



SEN. IMEE R. MARCOS
Committee on Finance
Member, Committee on Environment, Natural Resources and Climate Change

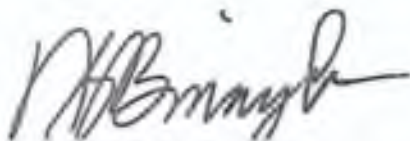
Abatistas - Saraguel
SEN. RISA HONTIVEROS
Committee on Finance
Member, Committee on Environment, Natural Resources and Climate Change
Member, Committee on Sustainable Development Goals, Innovation and Futures Thinking

*May interpellate }
propose amendments.*



SEN. GRACE POE
Committee on Finance
Member, Committee on Sustainable Development Goals, Innovation and Futures Thinking

Members:



SEN. MARIA LOURDES NANCY S. BINAY

Committee on Environment, Natural Resources and Climate Change
Committee on Finance
Committee on Sustainable Development Goals, Innovation and Futures Thinking



SEN. EMMANUEL "MANNY" D. PACQUIAO

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Committee on Finance
Committee on Sustainable Development Goals, Innovation and Futures Thinking



SEN. MANUEL "LITO" M. LAPID

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Committee on Finance
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SEN. PANFILO M. LACSON

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Committee on Finance
Committee on Sustainable Development Goals, Innovation and Futures Thinking



SEN. AQUILINO "KOKO" PIMENTEL III

Committee on Finance

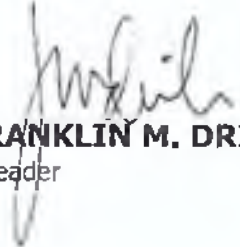
Ex Officio Members:



SEN. RALPH G. RECTO
President Pro-Tempore
Member, Committee on Environment, Natural Resources
and Climate Change



SEN. JUAN MIGUEL F. ZUBIRI
Majority Leader



SEN. FRANKLIN M. DRILON
Minority Leader

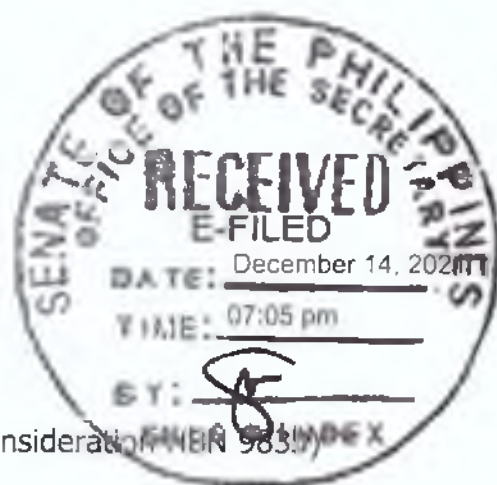
HON. VICENTE C. SOTTO III
Senate President

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

SENATE

S. NO. 2465

(In substitution of SBN 2078 and 2079, taking into consideration ENR 9831)



Prepared jointly by the Committees on Environment, Natural Resources and Climate Change; Finance; and Sustainable Development Goals, Innovation and Futures Thinking with Senators Villar, Zubiri, Binay, Angara, and Cayetano as authors

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

Be it enacted by the Senate and 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** Wildlife
4 Resources Conservation and Protection Act **OF 2021**.'"

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

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

1 **ENSURE THE PROVISION OF ECOSYSTEM SERVICES.** In the pursuit
2 of this policy, this Act shall have the following objectives:

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

5 ~~[(b)]~~ **(A)** to regulate the collection, **POSSESSION, USE** and trade of
6 wildlife, **WILDLIFE BY-PRODUCTS AND DERIVATIVES;**

7 ~~[(c)]~~ **(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 ON**
10 **THE FAIR AND EQUITABLE SHARING OF THE BENEFITS ARISING**
11 **OUT OF THE SUSTAINABLE UTILIZATION OF GENETIC**
12 **RESOURCES FROM WILDLIFE; [and]**

13 ~~[(d)]~~ **(C)** to initiate or support scientific studies on the conservation
14 of biological diversity **AND SUSTAINABLE UTILIZATION OF WILDLIFE**
15 **RESOURCES;**

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

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

22 **(F) TO UNDERTAKE THE ECONOMIC VALUATION OF**
23 **WILDLIFE, THEIR BY-PRODUCTS AND DERIVATIVES AND**
24 **UNDERTAKE THE NECESSARY STUDIES FOR BASELINES AND**

1 **MONITORING OF THE STATUS THEREOF TOWARDS**
2 **CONSERVATION, PAYMENTS FOR ECOSYSTEM SERVICES AND THE**
3 **PREVENTION OF EXTINCTION.”**

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

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

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

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

1 under their respective jurisdiction. In the Province of Palawan, jurisdiction
2 herein conferred is vested to the Palawan Council for Sustainable
3 Development (**PCSD**) pursuant to Republic Act No. 7611, **OTHERWISE**
4 **KNOWN AS THE "STRATEGIC ENVIRONMENTAL PLAN (SEP) FOR**
5 **PALAWAN ACT" AND, IN THE BANGSAMORO AUTONOMOUS**
6 **REGION IN MUSLIM MINDANAO, JURISDICTION HEREIN**
7 **CONFERRED IS VESTED TO THE BANGSAMORO GOVERNMENT**
8 **(BMG) PURSUANT TO REPUBLIC ACT NO. 11054, OTHERWISE**
9 **KNOWN AS THE 'BANGSAMORO ORGANIC LAW'."**

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

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

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

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

1 SEEDS, TISSUES AND OTHER PROPAGATION MATERIALS,
2 ANIMALS, LIVE OR PRESERVED, WHETHER WHOLE OR IN PART;

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

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

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

16 [(b)] (F) "*By-products [or derivatives]*" [means] REFERS TO any
17 part taken [or substance extracted] from wildlife [,-in raw or in processed
18 form. This includes stuffed animals and herbarium specimens] SPECIES
19 SUCH AS BUT NOT LIMITED TO MEAT, HIDES, ANTLERS,
20 FEATHERS, LEATHER, FUR, INTERNAL ORGANS, BONES, ROOTS,
21 TRUNKS, BARKS, PETIOLES, LEAF FIBERS, BRANCHES, LEAVES,
22 STEMS, FLOWERS, SCALES, SCUTES, SHELLS/ CORAL PARTS,
23 CARAPACE AND THE LIKE, OR WHOLE DEAD BODY OF WILDLIFE

1 **IN ITS PRESERVED/STUFFED STATE, INCLUDING COMPOUNDS**
2 **INDIRECTLY PRODUCED IN A BIOCHEMICAL PROCESS OR CYCLE;**

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

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

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

14 **(J)** "***CITES***" **REFERS TO THE CONVENTION ON**
15 **INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD**
16 **FAUNA AND FLORA, ADOPTED IN WASHINGTON ON 03 MARCH**
17 **1973, WHICH ENTERED INTO FORCE FOR THE PHILIPPINES ON**
18 **16 NOVEMBER 1981;**

19 [(e)] **(K)** "*Collection or collecting*" [means] **REFERS TO** the act of
20 **TAKING**, gathering or harvesting wildlife, its by-products **AND/or**
21 derivatives;

22 [(e)] **(L)** "*Conservation*" [means] **REFERS TO** preservation and
23 sustainable utilization of wildlife, and/or maintenance, restoration and
24 enhancement of the habitat;

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

12 [(N)] (N) "*Critically endangered species*" refers to a species or
13 subspecies that is facing extremely high risk of extinction in the wild in the
14 immediate future;

15 (O) "**DERIVATIVES**" REFERS TO A
16 SUBSTANCE/MATERIAL EXTRACTED OR TAKEN FROM WILDLIFE
17 SUCH AS BUT NOT LIMITED TO BLOOD, SALIVA, OILS, RESINS,
18 GENES, GUMS, HONEY, COCOON, FUR, TANNIN, URINE, SERUM,
19 SPORES, POLLEN AND THE LIKE; A COMPOUND DIRECTLY OR
20 INDIRECTLY PRODUCED FROM WILDLIFE AND/OR PRODUCTS
21 PRODUCED FROM WILDLIFE AND WILDLIFE PRODUCTS;
22 INCLUDING COMPOUNDS INDIRECTLY PRODUCED IN A
23 BIOCHEMICAL PROCESS OR CYCLE;

1 (P) "**DOMESTICATED**" REFERS TO ANY PLANT OR
2 ANIMAL LISTED BY THE RELEVANT AUTHORITIES EASILY
3 PROPAGATED AND ALTERED OR SELECTED FOR DESIRABLE
4 CHARACTERISTICS AND PREFERENCES FOR DOMESTIC USE;

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

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

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

17 [(j)] (T) "*Exotic species*" [means] REFERS TO species or
18 subspecies which do not naturally occur in the country;

19 (U) "**EXPORT OF WILDLIFE**" REFERS TO THE ACT OF
20 **BRINGING WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR**
21 **DERIVATIVES FROM THE PHILIPPINES TO ANY OTHER COUNTRY;**

22 [(k)] (V) "*Export permit*" refers to a permit authorizing [an
23 individual] **A PERSON** to bring out wildlife, **WILDLIFE BY-PRODUCTS**
24 **AND/OR DERIVATIVES** from the Philippines to any other country;

1 (W) "**GENETIC MATERIAL**" REFERS TO ANY MATERIAL
2 OF PLANT, ANIMAL, MICROBIAL OR OTHER ORIGIN CONTAINING
3 FUNCTIONAL UNITS OF HEREDITY;

4 (X) "**GENETIC RESOURCES**" REFERS TO GENETIC
5 MATERIAL OF ACTUAL OR POTENTIAL VALUE;

6 [(+)] (Y) "*Gratuitous permit*" [means] REFERS TO permit issued to
7 any [individual-or-entity] **PERSON** engaged in non-commercial scientific,
8 or educational undertaking to collect wildlife;

9 [(m)] (Z) "*Habitat*" [means] REFERS TO place or environment
10 where species or subspecies naturally occur or has naturally established its
11 population;

12 (AA) "**IMPORT OF WILDLIFE**" REFERS TO THE ACT OF
13 BRINGING IN TO THE PHILIPPINES WILDLIFE, WILDLIFE
14 BYPRODUCTS AND/OR DERIVATIVES FROM ANOTHER COUNTRY;

15 [(n)] (BB) "*Import permit*" refers to a permit authorizing [an
16 individual] **A PERSON** to bring in wildlife, **WILDLIFE BY-PRODUCTS**
17 **AND/OR DERIVATIVES** from another country;

18 [(o)] (CC) "*Indigenous wildlife*" [means] REFERS TO species
19 or subspecies of wildlife naturally occurring or has naturally established
20 population in the country;

21 [(p)] (DD) "*Introduction*" [means] REFERS TO bringing species
22 into the wild that is outside its natural habitat;

23 (EE) "**INTRODUCTION FROM THE SEA**" REFERS TO
24 TRANSPORTATION INTO THE COUNTRY OF SPECIMENS OF ANY

1 SPECIES WHICH WERE TAKEN IN THE MARINE ENVIRONMENT
2 NOT UNDER THE JURISDICTION OF ANY STATE;

3 (FF) "*INVASIVE ALIEN SPECIES*" OR "IAS" REFERS TO
4 SPECIES WHOSE INTRODUCTION AND/OR SPREAD OUTSIDE
5 THEIR NATURAL PAST OR PRESENT DISTRIBUTION THREATENS
6 BIOLOGICAL DIVERSITY;

7 (GG) "*LARGE SCALE*" REFERS TO ANY VIOLATION
8 STATED UNDER SECTION 27 (A), (E), (F), (I) AND (J) OF THIS ACT,
9 INVOLVING FIVE (5) OR MORE INDIVIDUAL SPECIMENS FOR
10 CRITICALLY ENDANGERED SPECIES; TEN (10) OR MORE
11 INDIVIDUAL SPECIMENS FOR ENDANGERED SPECIES; FIFTEEN
12 (15) OR MORE INDIVIDUAL SPECIMENS FOR VULNERABLE
13 SPECIES; TWENTY (20) OR MORE INDIVIDUAL SPECIMENS FOR
14 THREATENED SPECIES; OR FIFTY (50) OR MORE INDIVIDUAL
15 SPECIMENS FOR OTHER WILDLIFE SPECIES;

16 (HH) "*LOCAL TRANSPORT PERMIT*" REFERS TO THE
17 PERMIT ISSUED AUTHORIZING A PERSON TO BRING, CARRY, OR
18 SHIP WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES FROM
19 ONE PLACE TO ANOTHER WITHIN THE TERRITORIAL
20 JURISDICTION OF THE PHILIPPINES;

21 (II) "*MALTREATMENT*" REFERS TO THE COMMISSION
22 OF TORTURE OR THE EXERCISE OF CRUELTY TO ANY WILDLIFE,
23 OR OMISSION OR NEGLECT TO PROVIDE ADEQUATE CARE,
24 SUSTENANCE OR SHELTER TO WILDLIFE;

1 (JJ) "*OTHER WILDLIFE SPECIES*" REFERS TO ALL NON-
2 THREATENED SPECIES THAT HAVE THE TENDENCY TO BECOME
3 THREATENED DUE TO THE DESTRUCTION OF HABITAT OR OTHER
4 SIMILAR CAUSES AS MAY BE LISTED BY THE SECRETARY UPON
5 THE RECOMMENDATION OF THE NATIONAL WILDLIFE
6 MANAGEMENT COMMITTEE;

7 (KK) "*PERSON*" REFERS TO NATURAL OR JURIDICAL
8 PERSONS;

9 (LL) "*POSSESSION*" REFERS BOTH TO ACTUAL
10 POSSESSION OR IMMEDIATE PHYSICAL CONTROL OVER
11 WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES; AND TO
12 CONSTRUCTIVE POSSESSION OR OWNERSHIP OR CONTROL
13 OVER THE PLACE OR CONVEYANCE WHERE THE WILDLIFE,
14 BYPRODUCTS AND/OR DERIVATIVES ARE FOUND;

15 (MM) "*PROTECTED WILDLIFE*" REFERS TO ALL WILDLIFE
16 FALLING UNDER ANY CATEGORY OF THREATENED WILDLIFE
17 SPECIES AND OTHER WILDLIFE SPECIES LISTED BY THE DENR,
18 DA, PCSD AND BMG THAT IS NOT IN THE THREATENED LIST BUT
19 ARE IDENTIFIED AND LISTED BY DENR, DA, PCSD AND BMG AS
20 REQUIRING LEGAL PROTECTION;

21 ~~(N)~~ (NN) "*Reexport permit*" refers to a permit authorizing ~~(an~~
22 individual] **A PERSON** to bring out of the country a previously imported
23 wildlife, **WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES;**

1 ~~[(f)]~~ (OO) "*Secretary*" ~~[means either or both]~~ **REFERS TO** the
2 Secretary of the Department of Environment and Natural Resources and
3 the Secretary of the Department of Agriculture;

4 (PP) "*SHIPPER*" **REFERS TO A PERSON THAT SENDS OR**
5 **TRANSPORT WILDLIFE, WILDLIFE BY-PRODUCTS AND**
6 **DERIVATIVES BY SEA, LAND, OR AIR;**

7 (QQ) "*SPECIAL LOCAL TRANSPORT PERMIT*" **REFERS TO**
8 **A PERMIT CONFERRED TO HOLDERS OF WILDLIFE SPECIAL USE**
9 **PERMIT (WSUP) AUTHORIZING THE CONVEYANCE OF WILDLIFE,**
10 **BY-PRODUCTS AND/OR DERIVATIVES FROM THE FACILITY OF**
11 **ORIGIN TO ONE OR MORE PLACES WITHIN THE PHILIPPINES**
12 **AND BACK TO THE FACILITY OF ORIGIN;**

13 (RR) "*SYNDICATE*" **REFERS TO THREE OR MORE**
14 **INDIVIDUALS FORMED OR ACTING TOGETHER WITH AN**
15 **INTENTION OF CARRYING OUT THE VIOLATIONS OF SECTION 27**
16 **(A), (E), (F), (I) AND (J) OF THIS ACT;**

17 ~~[(s)]~~ (SS) "*Threatened WILDLIFE Species*" **REFERS TO** a general
18 term to denote species or subspecies considered as critically endangered,
19 endangered, vulnerable or other accepted categories of wildlife whose
20 population is at risk of extinction;

21 ~~[(t)]~~ (TT) "*Trade*" ~~[means]~~ **REFERS TO** the act of engaging in the
22 exchange, exportation or importation, purchase or sale of wildlife, their
23 derivatives **AND/or** by-products, locally or internationally;

1 ~~[(t)]~~ **(UU)** "*Traditional use*" ~~[means]~~ **REFERS TO THE** utilization of
2 wildlife by indigenous people in accordance with written or unwritten rules,
3 usage, customs and practices traditionally observed, accepted and
4 recognized by them;

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

8 ~~[(w)]~~ **(VV)** "*Vulnerable species*" refers to species or subspecies that
9 is not critically endangered nor endangered but is under threat from
10 adverse factors throughout their range and is likely to move to the
11 endangered category in the near future;

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

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

19 ~~[(z)]~~ **(YY)** "*Wildlife farm/culture permit*" ~~[means]~~ **REFERS TO** a
20 permit to develop, operate and maintain a wildlife breeding farm for
21 conservation, trade and/or scientific purposes;

22 **(ZZ)** "**WILDLIFE LOCAL TRADE PERMIT**" **REFERS TO A**
23 **PERMIT AUTHORIZING A PERSON TO SELL OR OFFER FOR SALE,**
24 **WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES;**

1 **(AAA) "WILDLIFE LAUNDERING"** REFERS TO THE
2 **PROCESS BY WHICH WILDLIFE TRADERS DISGUISE THE ORIGIN**
3 **AND OWNERSHIP OF ILLEGALLY ACQUIRED WILDLIFE BY**
4 **MAKING SUCH APPEAR TO HAVE BEEN DERIVED FROM A**
5 **LEGITIMATE SOURCE OR EMERGING MECHANISM UTILIZED BY**
6 **BREEDING FARMS AND PRIVATE ZOOLOGICAL PARKS TO**
7 **CIRCUMVENT WILDLIFE LAWS AND REGULATIONS;**

8 **(BBB) "WILDLIFE RESCUE CENTER"** REFERS TO
9 **GOVERNMENT ESTABLISHED OR DESIGNATED REPOSITORIES OF**
10 **CONFISCATED, DONATED, RETRIEVED, OR TURNED-OVER**
11 **WILDLIFE OR AN ESTABLISHMENT WHERE SICK, INJURED,**
12 **CONFISCATED WILDLIFE ARE TEMPORARILY KEPT AND**
13 **REHABILITATED PRIOR TO THE RELEASE TO THEIR NATURAL**
14 **HABITAT OR IMPLEMENTATION OF OTHER MODES OF**
15 **DISPOSITION AS MAY BE AUTHORIZED BY THE DENR, DA, PCSD**
16 **OR BMG;**

17 **(CCC) "WILDLIFE REGISTRATION"** REFERS TO THE ACT
18 **OF ENTERING IN THE OFFICIAL RECORDS WILDLIFE,**
19 **BYPRODUCTS AND/OR DERIVATIVES AND GRANTING**
20 **AUTHORITY TO ANY PERSON TO MAINTAIN SAID WILDLIFE, BY-**
21 **PRODUCTS AND/OR DERIVATIVES;**

22 **(DDD) "WILDLIFE SPECIAL USE PERMIT"** REFERS TO A
23 **PERMIT AUTHORIZING THE HOLDER THEREOF TO UTILIZE**
24 **LEGALLY POSSESSED/ACQUIRED WILDLIFE, BY-PRODUCTS**

1 AND/OR DERIVATIVES FOR LOCAL SHOWS, EXHIBITIONS, OR
2 EDUCATIONAL PURPOSES OR TO COLLECT ECONOMICALLY
3 IMPORTANT SPECIES FOR DIRECT TRADE PURPOSES;

4 (EEE) "*WILDLIFE TRAFFICKING*" REFERS TO THE
5 VIOLATION OF SECTION 27 (A), (E), (F), (I) AND (J) OF THIS ACT,
6 WHEN THE SAME IS COMMITTED IN LARGE SCALE OR BY A
7 SYNDICATE OR FOR THE PURPOSE OF EXPORTING OF SUCH
8 WILDLIFE, THEIR BY-PRODUCTS AND DERIVATIVES; "WILDLIFE
9 TRAFFICKING" IS ALSO COMMITTED WHEN WILDLIFE, WILDLIFE
10 BY-PRODUCTS AND DERIVATIVES INVOLVED IN THE VIOLATION
11 OF SECTION 27 (A), (E), (F), (I) AND (J) OF THIS ACT IS
12 IMPORTED FROM ANOTHER COUNTRY BY THE PERSON OR IN
13 CONNIVANCE WITH THE PERSONS INVOLVED IN SAID
14 VIOLATION;

15 (FFF) "*ZOOLOGICAL PARK*" OR "*ZOO*" REFERS TO AN
16 ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT
17 OWNED/OPERATED/MANAGED WHERE A COLLECTION OF
18 TERRESTRIAL OR MARINE ANIMALS IS MAINTAINED FOR
19 RECREATIONAL, EDUCATIONAL, RESEARCH AND SCIENTIFIC
20 PURPOSES."

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

22 "*SEC. 6. Wildlife Information.* – All activities, as subsequently
23 manifested under this Chapter, shall be authorized by the [Secretary]
24 **DENR, DA, PCSD OR BMG** upon proper evaluation of **SCIENTIFIC**

1 **DATA OR** best available information [~~or scientific data~~] showing that the
2 activity is, or for a purpose, not detrimental to the survival of the species
3 or subspecies involved and/or their habitat. For this purpose, the
4 [~~Secretary~~] **DENR, DA, PCSD OR BMG** shall regularly update wildlife
5 information through research.

6 **THE DENR, DA, PCSD AND BMG SHALL ESTABLISH THEIR**
7 **RESPECTIVE WILDLIFE MANAGEMENT COMMITTEES (WMCS) TO**
8 **PROVIDE TECHNICAL AND SCIENTIFIC ADVICE ON WILDLIFE.**
9 **EACH WMCS SHALL BE RESPECTIVELY COMPOSED OF**
10 **REPRESENTATIVES FROM THE DENR, DA, PCSD, AND BMG, AS THE**
11 **CASE MAY BE, THE ENVIRONMENTAL MANAGEMENT BUREAU**
12 **(EMB), THE BIODIVERSITY MANAGEMENT BUREAU (BMB), AND**
13 **OTHER CONCERNED GOVERNMENT AGENCIES, AND LOCAL**
14 **SCIENTISTS WITH EXPERTISE ON VARIOUS FIELDS OF**
15 **DISCIPLINE ON WILDLIFE. STAKEHOLDERS MAY BE INVITED AS**
16 **RESOURCE PERSONS WHEN NECESSARY."**

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

19 **"SEC. 6.1. *INVASIVE ALIEN SPECIES.* – THE DENR, DA, PCSD**
20 **AND BMG SHALL CONTROL AND MANAGE ALL INVASIVE ALIEN**
21 **SPECIES (IAS). WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF**
22 **THIS ACT, THE DENR, DA, PCSD AND BMG SHALL JOINTLY**
23 **ESTABLISH A LIST OF INVASIVE ALIEN SPECIES AND FORMULATE**
24 **A NATIONAL INVASIVE ALIEN SPECIES STRATEGY AND ACTION**

1 PLAN (NISSAP) ON THE PREVENTION, CONTROL OF, AND
2 REHABILITATION FROM THE SAME. THE LIST OF IAS AND THE
3 NISSAP SHALL BE REVIEWED AND UPDATED PERIODICALLY.

4 ALL NATIONAL GOVERNMENT AGENCIES AND LOCAL
5 GOVERNMENT UNITS SHALL COORDINATE WITH THE DENR, DA
6 AND PCSD AND BMG, AS APPLICABLE, IN THE IMPLEMENTATION
7 AND LOCALIZATION OF THE STRATEGY AND ACTION PLAN:
8 *PROVIDED*, THAT THE DENR, DA, PCSD AND BMG, AS THE CASE
9 MAYBE, ARE AUTHORIZED TO CAUSE THE SLAUGHTER OR
10 EXTERMINATION OF INVASIVE ALIEN SPECIES BY EUTHANASIA
11 OR OTHER HUMANELY ACCEPTABLE MEANS UPON
12 DETERMINATION THAT THE INVASIVE SPECIES MAY CAUSE
13 SERIOUS THREAT TO LOCAL WILDLIFE, PEOPLE AND THE
14 ENVIRONMENT.

15 CITIZEN, CIVIL SOCIETY ORGANIZATIONS AND ACADEMIC
16 INSTITUTIONS MAY SUBMIT PROPOSALS TO DENR, DA, PCSD,
17 AND BMG TO LIST SPECIES OR GROUPS OF SPECIES OF CONCERN
18 FOR INCLUSION IN THE IAS LISTS AND THE SAID GOVERNMENT
19 AGENCIES SHALL RESPOND JUSTIFYING THEIR DECISIONS TO
20 LIST OR OTHERWISE."

21 **SEC. 8.** Sections 7, 8, 9, and 10 of Republic Act No. 9147 are hereby consolidated
22 to read as follows:

23 **"SEC. 8. COLLECTION, POSSESSION, TRANSPORT OF**
24 **WILDLIFE, WILDLIFE BY-PRODUCT AND DERIVATIVES. – THE**

1 **COLLECTION, POSSESSION AND TRANSPORT OF WILDLIFE, BY**
2 **PRODUCTS AND DERIVATIVES MAY BE ALLOWED IN**
3 **ACCORDANCE WITH SECTION 6 OF THIS ACT: *PROVIDED*, THAT**
4 **IN THE COLLECTION OF WILDLIFE, APPROPRIATE, HUMANE AND**
5 **ACCEPTABLE WILDLIFE COLLECTION TECHNIQUES WITH LEAST**
6 **OR NO DETRIMENTAL EFFECTS TO THE EXISTING WILDLIFE**
7 **POPULATIONS AND THEIR HABITATS SHALL LIKEWISE BE**
8 **REQUIRED: *PROVIDED, FURTHER*, THAT ONLY PERSONS OR**
9 **ENTITIES WITH APPROPRIATE FACILITY AS WELL AS FINANCIAL**
10 **AND TECHNICAL CAPABILITY, INCLUDING SCIENTIFIC**
11 **KNOWLEDGE ARE ALLOWED POSSESSION OF THE SAME:**
12 ***PROVIDED, FURTHERMORE*, THAT IN CASE OF TRANSPORT, THE**
13 **SAME WILL NOT BE PREJUDICIAL TO WILDLIFE, PUBLIC HEALTH**
14 **AND QUARANTINE REGULATIONS AND WILDLIFE, WILDLIFE BY-**
15 **PRODUCTS AND DERIVATIVES ARE NOT OBTAINED IN**
16 **VIOLATION OF LAW: *PROVIDED, FINALLY*, THAT COLLECTION OF**
17 **WILDLIFE THAT ARE NOT THREATENED OR LISTED AS OTHER**
18 **PROTECTED WILDLIFE, BY INDIGENOUS PEOPLE OR**
19 **INDIVIDUALS IN ANCESTRAL LAND/DOMAIN OR PRIVATE**
20 **PROPERTY, RESPECTIVELY, IS ALLOWED FOR TRADITIONAL,**
21 **SUBSISTENCE AND NONCOMMERCIAL USE."**

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

1 "SEC. 11. *Exportation and/or Importation* **AND/OR**
2 **INTRODUCTION FROM THE SEA** of Wildlife, **BY-PRODUCTS AND**
3 **DERIVATIVES.** – Wildlife [species] **BY-PRODUCTS AND**
4 **DERIVATIVES** may be exported to or imported from another country, **OR**
5 **INTRODUCED FROM THE SEA**, as may be authorized by the [Secretary]
6 **DENR, DA, PCSD or BMG** [~~or the designated representative~~], subject to
7 strict compliance with the provisions of this Act and rules and regulations
8 promulgated pursuant thereto: *Provided*, That the recipient of the **LIVE**
9 wildlife is technically and financially capable to maintain it: **PROVIDED,**
10 **FURTHER, THAT THE IMPORTATION OF INVASIVE ALIEN SPECIES**
11 **OR PROVEN BY SCIENTIFIC STUDIES TO BE POTENTIALLY**
12 **INVASIVE SHALL NOT BE ALLOWED."**

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

15 "SEC. 12. *Introduction, Reintroduction or Restocking of Endemic or*
16 *Indigenous Wildlife.* – The introduction, reintroduction or restocking of
17 endemic and indigenous wildlife shall be allowed [~~only~~] for population
18 enhancement or recovery purposes subject to prior clearance from the
19 [~~Secretary of the authorized representative~~] **DENR, DA, PCSD or BMG,**
20 pursuant to Section 6 of this Act.

21 Any proposed introduction shall be subject to a scientific study which
22 shall focus on the biocology **AND NATURAL HISTORY.** The proponent
23 shall also conduct public consultations with concerned individuals or
24 entities."

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

3 “*SEC. 13. Introduction of Exotic Wildlife.* – No exotic species shall be
4 introduced into the country, unless a clearance from the ~~[Secretary]~~
5 **DENR, DA, PCSD OR BMG** ~~[or the authorized representative]~~ is first
6 obtained. In no case shall exotic species be introduced into protected areas
7 covered by Republic Act No. 7586, **AS AMENDED BY REPUBLIC ACT**
8 **NO. 11038, OTHERWISE KNOWN AS THE “EXPANDED NATIONAL**
9 **INTEGRATED PROTECTED AREAS SYSTEM ACT OF 2018”**, and to
10 critical habitats under Section 25 hereof.

11 ~~[In cases where introduction is allowed, it shall be subject to]~~
12 **:PROVIDED, THAT THE INTRODUCTION OF SUCH EXOTIC SPECIES**
13 **SHALL NOT POSE ANY ADVERSE IMPACTS ON LOCAL ECOLOGY**
14 **AND THAT FURTHER** environmental impact study **SHALL BE**
15 **UNDERTAKEN** which shall focus on the bioecology, **NATURAL**
16 **HISTORY**, socioeconomic and related aspects of the area where the
17 species will be introduced. The proponent shall also be required to secure
18 the prior informed consent from the local stakeholders.”

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

21 “*SEC. 14. Bioprospecting.* – Bioprospecting shall be allowed upon
22 execution of an undertaking by ~~[any]~~ **THE** proponent, stipulating therein
23 its compliance with and commitment(s) to ~~[reasonable]~~ terms and
24 conditions ~~[that may be]~~ imposed by the ~~[Secretary]~~ **DENR, DA, PCSD**

1 **OR BMG** ~~[which are necessary]~~ to protect biological diversity **AND THE**
2 **FAIR AND EQUITABLE SHARING OF BENEFITS DERIVED FROM**
3 **THE UTILIZATION OF PHILIPPINE GENETIC RESOURCES. IN**
4 **ADDITION TO THE FPIC, INDIGENOUS KNOWLEDGE ACCESS IN**
5 **RELATION TO BIOPROSPECTING SHALL BE VALUATED USING**
6 **ACCEPTED STANDARDS OF VALUATION IN RELATION TO WHAT**
7 **THE RESEARCH WOULD HAVE COST WITHOUT SUCH**
8 **KNOWLEDGE. THE COMPENSATION FOR THIS INTELLECTUAL**
9 **PROPERTY SHALL BE APART FROM THE ROYALTIES AND BENEFIT**
10 **SHARING OBLIGATIONS HEREIN.**

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

1 Upon submission of the complete requirements, the [Secretary]
2 **DENR, DA, PCSD OR BMG** shall act on the research proposal within a
3 reasonable period **OF TIME**.

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

8 **SEC. 13.** Section 15 of Republic Act No. 9147 is hereby amended to read as
9 follows:

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

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

8 **IF SUCH SCIENTIFIC STUDIES YIELD FINDINGS THAT IS**
9 **LATER COMMERCIALIZED DESPITE THE ORIGINAL INTENT NOT**
10 **TO THE PROVISIONS OF SECTIONS 18 AND 20 HEREIN SHALL**
11 **APPLY.”**

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

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

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

23 “SEC. 17. *Commercial Breeding or Propagation of Wildlife Resources.*
24 – Breeding or propagation of wildlife for commercial purposes shall be

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

8 **SEC. 16.** Insert a new section after Section 17 of Republic Act No. 9147 to read
9 as follows:

10 **“SEC. 17.1. COMMERCIAL BREEDING OR PROPAGATION OF**
11 **THREATENED SPECIES. – COMMERCIAL BREEDING OR**
12 **PROPAGATION OF THREATENED SPECIES MAY BE ALLOWED**
13 **PROVIDED THAT THE FOLLOWING MINIMUM REQUIREMENTS**
14 **ARE MET BY THE APPLICANT:**

15 (A) **PROVEN EFFECTIVE BREEDING AND CAPTIVE**
16 **MANAGEMENT TECHNIQUES FOR THE SPECIES; AND**

17 (B) **COMMITMENT TO SIMULTANEOUSLY UNDERTAKE**
18 **CONSERVATION BREEDING AND COMMERCIAL BREEDING IN**
19 **ACCORDANCE WITH SECTION 20 OF THIS ACT: PROVIDED, THAT**
20 **CONSERVATION BREEDING SHALL INCLUDE RESTOCKING PLANS**
21 **IN SUITABLE HABITATS.**

22 **THE DENR SECRETARY, DA SECRETARY, PCSD CHAIRPERSON,**
23 **BMG MINISTER OF ENVIRONMENT, NATURAL RESOURCES AND**
24 **ENERGY (BMG-MENRE), AND BMG MINISTER OF AGRICULTURE,**

1 **FISHERIES AND AGRARIAN REFORM ((BMG-MAFAR), SHALL**
2 **PREPARE A LIST OF THREATENED SPECIES FOR COMMERCIAL**
3 **BREEDING AND SHALL REGULARLY REVISE OR UPDATE SUCH LIST**
4 **OR AS THE NEED ARISES."**

5 **SEC. 17.** Section 18 of Republic Act No. 9147 is hereby amended to read as
6 follows:

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

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

18 Whenever an economically important species become threatened, any
19 form of collection shall be prohibited except for scientific, educational or
20 breeding/propagation purposes, pursuant to the provisions of this Act."

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

23 "SEC. 19. *Designation of Management and Scientific Authorities for*
24 *International Trade in Endangered Species of Wild Fauna and Flora.* – For

1 the implementation of ~~[International agreement on international trade in~~
2 ~~endangered species of wild fauna and flora]~~ **THE CONVENTION ON**
3 **INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD**
4 **FAUNA AND FLORA (CITES)**, the management authorities for terrestrial
5 and aquatic resources shall be the ~~[Protected Areas and Wildlife Bureau]~~
6 **BIODIVERSITY MANAGEMENT BUREAU (BMB)** of the DENR and the
7 Bureau of Fisheries and Aquatic Resources (BFAR) of the DA, respectively
8 ~~[and that in]~~. In the Province of Palawan **AND BANGSAMORO**
9 **AUTONOMOUS REGION IN MUSLIM MINDANAO** the implementation
10 hereof is vested to the Palawan Council for Sustainable Development
11 pursuant to Republic Act No. 7611, **AND THE BANGSAMORO**
12 **GOVERNMENT (BMG) PURSUANT TO REPUBLIC ACT NO. 11054.**

13 To provide advice to the management authorities, there shall be
14 designated scientific authorities for terrestrial and aquatic/marine species.
15 For the terrestrial species, the scientific authorities shall be the Ecosystems
16 Research and Development Bureau (ERDB) of the DENR, the **UNIVERSITY**
17 **OF THE PHILIPPINES (U.P.) Institute of Biological Sciences, U.P.**
18 **INSTITUTE OF BIOLOGY** and the National Museum and other agencies
19 as may be designated by the Secretary. For the marine and aquatic species,
20 the scientific authorities shall be the ~~[BFAR]~~ **NATIONAL FISHERIES**
21 **RESEARCH AND DEVELOPMENT INSTITUTE (NFRDI)**, U.P. Marine
22 Science Institute, U.P. Visayas, Siliman University and the National Museum
23 and other **PUBLIC OR PRIVATE ACADEMIC INSTITUTIONS OR**
24 agencies as may be designated by the Secretary: *Provided*, That in the case

1 of terrestrial species, the ERDB shall chair the scientific authorities, and in
2 the case of marine and aquatic species, the [~~U.P. Marine Science Institute~~]
3 **NFRDI** shall chair the scientific authorities.”

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

6 “SEC. 20. *Authority [~~of the Secretary~~] to Issue Permits.* – [~~The~~
7 ~~Secretary or the duly authorized representative,~~] In order to effectively
8 implement this Act, **THE DENR, DA, PCSD AND BMG** shall issue
9 permits/certifications/ clearances with corresponding period of validity,
10 [~~whenever~~] appropriate **FOR SUCH PURPOSE, AS DETERMINED BY**
11 **THE REGULATIONS. THESE PERMITS** [~~which~~] shall include but not
12 limited to the following:

13 (1) Wildlife farm or culture permit [~~3 to 5 years;~~]

14 (2) Wildlife collector’s permit [~~1 to 3 years;~~]

15 (3) Gratuitous permit [~~1 year;~~]

16 (4) Local transport permit [~~1 to 3 months; and~~]

17 (5) Export/Import/Re-export Permit [~~1 to 6 months.~~]

18 **(6) SPECIAL LOCAL TRANSPORT PERMIT**

19 **(7) WILDLIFE TRADE PERMIT**

20 **(8) WILDLIFE SPECIAL USE PERMIT**

21 **(9) CERTIFICATE OF INTRODUCTION FROM THE SEA**

22 **(10) CLEARANCE TO OPERATE ZOOLOGICAL, BOTANICAL**

23 **AND OTHER SIMILAR FACILITIES**

24 **(11) CERTIFICATE OF WILDLIFE REGISTRATION**

1 These permits may be renewed subject to the guidelines issued by
2 the appropriate agency and upon consultation with concerned groups."

3 **SEC. 20.** Section 21 of Republic Act No. 9147 is hereby amended to read as
4 follows:

5 "SEC. 21. ***AUTHORITY TO COLLECT Fees and Charges.*** –
6 ~~[Reasonable fees and charges as may be determined upon consultation~~
7 ~~with the concerned groups, and in the amount fixed by the Secretary shall~~
8 ~~be imposed]~~ **THE DA, DENR, PCSD OR BMG ARE HEREBY**
9 **AUTHORIZED TO IMPOSE AND COLLECT REASONABLE FEES AND**
10 **CHARGES** for the issuances of permits, **CLEARANCES AND**
11 **CERTIFICATES** enumerated in the preceding section. **SUCH FEES**
12 **SHALL COMPLY WITH ADMINISTRATIVE RULES FOR FEE-SETTING**
13 **AS WELL AS CONSTITUTIONAL PROVISIONS ON ACCESS TO**
14 **NATURAL RESOURCES OWNED BY THE STATE. PROVISIONS ON**
15 **BENEFIT SHARING FOR ANCESTRAL DOMAIN HOLDERS SHALL BE**
16 **EMBEDDED IN THE PROCEDURES AND VALUATION FOR THE**
17 **COLLECTION OF SUCH FEES.**

18 For the export of wildlife species, an export permit fee of not greater
19 than ~~[three-percentum (3%)]~~ **FIVE PERCENT (5%)** of the export value,
20 excluding transport costs, shall be charged: *Provided, however,* That in the
21 determination of aforesaid fee, the production costs shall be given due
22 consideration. Cutflowers, leaves and the like, **AND AQUACULTURE**
23 **PRODUCTS AND THE LIKE,** produced from farms shall be exempted from
24 the said export fee [~~∴ *Provided, further,* That fees and charges shall be~~

1 reviewed by the Secretary every two (2) years or as the need arises and
2 revise the same accordingly, subject to consultation with concerned
3 sectors].

4 **THE DENR, DA, PCSD OR BMG MAY ALSO IMPOSE AN IMPORT**
5 **PERMIT FEE FOR THE IMPORTATION OF WILDLIFE, BASED ON**
6 **IMPORT VALUE AND/OR VALUATION OF POTENTIAL RISKS TO**
7 **BIODIVERSITY AND HUMAN HEALTH: PROVIDED, THAT ALL FEES**
8 **AND CHARGES SHALL BE FIXED, ONLY AFTER CONSULTATION**
9 **WITH CONCERNED GROUPS, THE FEES AND CHARGES MAY ALSO**
10 **BE REVIEWED EVERY TWO (2) YEARS OR AS THE NEED ARISES**
11 **AND REVISE THE SAME ACCORDINGLY, SUBJECT TO THE SAME**
12 **CONSULTATION PROCESS."**

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

15 "SEC. 22. *Determination of Threatened **WILDLIFE** Species **AND***
16 ***LISTING OTHER WILDLIFE SPECIES.*** – The [Secretary] **DENR, DA,**
17 **PCSD OR BMG** shall determine whether any wildlife species or subspecies
18 is threatened and classify the same as critically endangered, endangered,
19 vulnerable or other accepted categories. **THE CLASSIFICATION SHALL**
20 **BE MADE** based on the best scientific data and [with due regard to]
21 internationally accepted criteria, including but not limited to the following:

22 (a) present or threatened destruction, modification or curtailment of
23 its habitat or range;

1 (b) over-utilization for commercial, recreational, scientific or
2 educational purposes; **AND**

3 [~~(c) Inadequacy of existing regulatory mechanism, and]~~

4 [~~(d)~~] **(C)** other natural or man-made factors affecting the existence
5 of wildlife.

6 [~~The Secretary shall review, revise and publish the list of categorized~~
7 ~~threatened wildlife within one (1) year after effectivity of this Act]~~ **THE**

8 **DENR, DA, PCSD OR BMG SHALL ALSO ESTABLISH A LIST OF**

9 **THREATENED WILDLIFE SPECIES, SO DETERMINED UNDER THE**

10 **APPROPRIATE CATEGORY. THE LIST MAY ALSO INCLUDE THOSE**

11 **SPECIES THAT ARE NON-THREATENED BUT HAS THE TENDENCY**

12 **TO BECOME THREATENED IN THE ABSENCE OF ADEQUATE LEGAL**

13 **PROTECTION AND SHALL FALL UNDER THE CATEGORY OF EITHER**

14 **OTHER THREATENED SPECIES OR OTHER WILDLIFE SPECIES.**

15 [~~Hereafter,]~~ [t] The list shall be **PUBLISHED AND** updated regularly or

16 as the need arises, **EITHER *MOTU PROPRIO* OR UPON FILING OF A**

17 **PETITION BASED ON SUBSTANTIAL SCIENTIFIC INFORMATION**

18 **OF ANY PERSON SEEKING FOR THE ADDITION OR DELETION OF**

19 **A SPECIES FROM THE LIST: *Provided*, That [a] species listed as**

20 **threatened OR OTHER PROTECTED WILDLIFE shall not be removed**

21 **there from within three (3) years following its initial listing: *PROVIDED*,**

22 ***FURTHER*, THAT ALL NEWLY DISCOVERED SPECIES SHALL**

23 **AUTOMATICALLY FALL UNDER THE CATEGORY OF OTHER**

1 **THREATENED WILDLIFE SPECIES, AND SHALL REMAIN AS SUCH**
2 **UNLESS PROPERLY DETERMINED OTHERWISE.**

3 Upon filing of a petition based on substantial scientific information of
4 any person seeking for the addition or deletion of a species from the list,
5 the [Secretary] **DENR, DA, PCSD OR BMG** shall evaluate in accordance
6 with the relevant factors stated in the first paragraph of this section, the
7 status of the species concerned and act on said petition within a reasonable
8 period **OF TIME.**

9 The [Secretary] **DENR, DA, PCSD AND BMG** shall also prepare and
10 publish a list of wildlife which resembles so closely in appearance with listed
11 threatened wildlife, which species shall likewise be categorized as
12 threatened.”

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

15 “*SEC. 23. Collection of Threatened **OR OTHER WILDLIFE SPECIES,***
16 *By-products and Derivatives.* – The collection of threatened **AND OTHER**
17 wildlife **SPECIES,** as determined and listed pursuant to this Act, including
18 its by-products and derivatives, shall be allowed only for scientific, or
19 breeding or propagation purposes in accordance with Section 6 of this Act:
20 *Provided,* That only [~~the accredited individuals, business, research,~~
21 ~~educational or scientific entities~~] **PERSONS ACCREDITED BY THE**
22 **DENR, DA, PCSD, AND BMG** shall be allowed to collect for conservation
23 breeding or propagation purposes.”

1 **SEC. 23.** Section 24 of Republic Act No. 9147 is hereby amended to read as
2 follows:

3 “**SEC. 24. Conservation Breeding** ~~[, Commercial Breeding or]~~ *or*
4 *Propagation of Threatened* **OR OTHER WILDLIFE SPECIES.** –
5 Conservation breeding or propagation of threatened species shall be
6 encouraged in order to enhance its population in its natural habitat. It shall
7 be done simultaneously with the rehabilitation and/or protection of the
8 habitat where the captive-bred or propagated species shall be released,
9 reintroduced or restocked.

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

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

15 (b) Commitment to undertake commercial breeding **AND**
16 **PROPAGATION** in accordance with Section 17 of this Act ~~[, simultaneous~~
17 ~~with conservation breeding];~~

18 **(C) UNDERTAKING TO CONTRIBUTE PART OF VIABLE**
19 **PROGENIES TO SPECIES REHABILITATION EFFORTS, AS MAY BE**
20 **PROVIDED IN THE REGULATIONS.**

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

1 **SEC. 24.** Section 25 of Republic Act No. 9147 is hereby amended to read as
2 follows:

3 “*SEC. 25. Establishment of Critical Habitats.* – ~~[Within two (2) years~~
4 ~~following the effectivity of this Act, the Secretary shall]~~ **THE DENR, DA,**
5 **PCSD, AND BMG SHALL** designate critical habitats outside protected
6 areas under Republic Act No. 7586, **AS AMENDED BY REPUBLIC ACT**
7 **NO. 11038**, where threatened species are found. Such designation shall
8 be made on the basis of the best scientific data taking into consideration
9 species endemicity and/or richness, presence of man-made
10 pressures/threats to the survival of wildlife living in the area, among others.

11 All designated critical habitats shall be protected, in coordination with
12 the local government units and other concerned groups, from any form of
13 exploitation or destruction which may be detrimental to the survival of the
14 threatened species dependent therein. For such purpose, the ~~[Secretary]~~
15 **DENR, DA, PCSD OR BMG** may acquire, by purchase, donation or
16 expropriation, lands, or interests therein, including the acquisition of
17 usufruct, establishment of easements or other undertakings appropriate in
18 protecting the critical habitat.”

19 **SEC. 25.** Section 26 of Republic Act No. 9147 is hereby amended to read as
20 follows:

21 “*SEC. 26. Registration of Threatened and [Exotic] OTHER Wildlife*
22 *SPECIES In the Possession of Private Persons.* – ~~[No person or entity shall~~
23 ~~be allowed possession of wildlife unless such person or entity can prove~~
24 ~~financial and technical capability and facility to maintain said wildlife.~~

1 ~~Twelve (12) months after the effectivity of this Act, the Secretary shall set~~
2 ~~a period, within which persons/entities shall register all threatened species~~
3 ~~collected and exotic species imported prior to the effectivity of this Act.~~
4 ~~However, when the threatened species is needed for breeding/propagation~~
5 ~~or research purposes, the State may acquire the wildlife through a mutually~~
6 ~~acceptable arrangement.] THE DENR, DA, PCSD, AND BMG SHALL~~
7 **CONTROL, REGULATE, AND CAUSE THE REGISTRATION OF ALL**
8 **THREATENED AND OTHER PROTECTED WILDLIFE POSSESSED BY**
9 **PRIVATE INDIVIDUALS AND ENTITIES. THREATENED AND OTHER**
10 **PROTECTED WILDLIFE IN POSSESSION OF PRIVATE**
11 **INDIVIDUALS AND ENTITIES THAT ARE NOT REGISTERED SHALL**
12 **BE CONFISCATED IN FAVOR OF THE GOVERNMENT, AND THOSE**
13 **IN POSSESSION SHALL BE SUBJECT TO THE PENALTIES HEREIN**
14 **PROVIDED. CERTIFICATES OF WILDLIFE REGISTRATION SHALL**
15 **BE ISSUED FOR THE FOLLOWING:**

16 (A) **THREATENED WILDLIFE STOCK ACQUIRED UNDER A**
17 **PRIOR VALID WILDLIFE PERMIT ISSUED TO THE SAME**
18 **APPLICANT, INCLUDING BUT NOT LIMITED TO WILDLIFE IMPORT**
19 **PERMITS OR CERTIFICATIONS, WILDLIFE COLLECTOR'S PERMIT,**
20 **SUBJECT TO SUBMISSION OF PROOF OF LEGAL ACQUISITION;**

21 (B) **THREATENED WILDLIFE STOCK PURCHASED OR**
22 **OTHERWISE ACQUIRED FROM LEGAL SOURCES SUBJECT TO**
23 **SUBMISSION OF PROOF OF LEGAL ACQUISITION;**

1 **(C) PROGENIES OR OFFSPRING OF DULY REGISTERED**
2 **PARENTAL THREATENED WILDLIFE STOCKS; AND**

3 **(D) OTHER WILDLIFE SPECIES THAT ARE NOW OR WILL**
4 **EVENTUALLY BE INCLUDED IN THE LIST OF DENR, DA, PCSD, AND**
5 **BMG AS REQUIRING LEGAL PROTECTION.**

6 ~~[After the period set has elapsed, threatened wildlife possessed~~
7 ~~without certificate of registration shall be confiscated in favor of the~~
8 ~~government, subject to the penalties herein provided.]~~

9 All Philippine wildlife ~~[which are not listed as threatened prior to the~~
10 ~~effectivity of this Act]~~ **IN POSSESSION OF PRIVATE INDIVIDUALS**
11 **AND ENTITIES WHICH ARE NOT IN THE LIST AS THREATENED OR**
12 **OTHER WILDLIFE SPECIES,** but which may later become so, shall
13 ~~[likewise] be registered [during the period set after the publication of the~~
14 ~~updated list of threatened species]~~ **WITHIN SIX (6) MONTHS OR AS**
15 **MAY BE PROVIDED IN THE REGULATION,—AFTER THE**
16 **PUBLICATION OF THE LIST WHERE THE NAME OF THE WILDLIFE**
17 **APPEARED.**

18 **POSSESSION OF REGISTERED WILDLIFE SPECIES SHALL BE**
19 **SUBJECT TO THE CONDITIONS UNDER SECTION 12. WHEN A**
20 **REGISTERED THREATENED SPECIES IS NEEDED FOR BREEDING,**
21 **PROPAGATION OR RESEARCH PURPOSES, THE STATE MAY**
22 **ACQUIRE THE REGISTERED WILDLIFE FROM ANY PERSON**
23 **THROUGH A MUTUALLY ACCEPTABLE ARRANGEMENT.**

1 **THE DENR, DA, PCSD AND BMG SHALL IMPROVE THE**
2 **REGISTRATION AND MONITORING SYSTEM OF THREATENED**
3 **WILDLIFE TO PREVENT FRAUD, MISREPRESENTATION AND/OR**
4 **WILDLIFE LAUNDERING AND INCLUDE PRACTICAL INTERIM**
5 **MEASURES IN THE PROCESS."**

6 **SEC. 26.** Section 27 of Republic Act No. 9147 is hereby amended to read as
7 follows:

8 **"SEC. 27. *Illegal Acts.*** – Unless otherwise allowed in accordance with
9 this Act, it shall be unlawful for any person to willfully and knowingly exploit
10 wildlife resources and their habitats, or undertake, **OR TO INDUCE,**
11 **SOLICIT OR EMPLOY ANOTHER PERSON TO UNDERTAKE,** the
12 following acts:

13 (a) killing and/**OR** destroying wildlife species, **INCLUDING**
14 **CAUSING DEATH OR DESTRUCTION AS A RESULT OF ANY**
15 **VIOLATION OF THIS ACT,** except in the following instances:

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

18 (ii) when the wildlife is afflicted with an incurable communicable
19 disease;

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

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

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

3 **(VI) WHEN DONE FOR THE PURPOSE OF WILDLIFE**
4 **POPULATION MANAGEMENT OR ERADICATION OF INVASIVE**
5 **ALIEN SPECIES, AS AUTHORIZED BY THE DENR, DA, PCSD, OR**
6 **BMG.**

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

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

10 (i) dumping of waste products detrimental to wildlife **AND/OR**
11 **THE CRITICAL HABITAT: *PROVIDED*, THAT DUMPING OF ANY**
12 **WASTE PRODUCT SHALL BE DEEMED TO BE DETRIMENTAL;**

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

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

17 (iv) burning **EXCEPT BY AUTHORITIES IF ESTABLISHING**
18 **FIRE BREAKS OR OTHER CONSERVATION AND MANAGEMENT**
19 **MEASURES;**

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

21 (vi) quarrying **AT ANY SCALE;**

22 **(VII) LAND RECLAMATION;**

23 **(VIII) INTRODUCTION, USE, OR APPLICATION OF**
24 **POISONOUS SUBSTANCE THAT ENDANGERS THE HABITAT OR**

1 PARTS THEREOF OR RENDERS HABITAT OR PARTS THEREOF NO
2 LONGER VIABLE FOR WILDLIFE;

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

4 (e) trading ~~[of]~~ **OR ATTEMPTING TO TRADE** wildlife, **WILDLIFE**
5 **BY-PRODUCTS OR DERIVATIVES, INCLUDING ADVERTISING,**
6 **CONTRACTING OR OFFERING FOR THE PURPOSE OF SALE OR**
7 **PROCUREMENT OF WILDLIFE, BY-PRODUCTS OR DERIVATIVES;**

8 (f) collecting, hunting or possessing wildlife, their by-products
9 ~~[and]~~ **OR derivatives: PROVIDED, THAT THE DENR, DA, PCSD, AND**
10 **BMG SHALL DEVELOP A SYSTEM AND MECHANISM THAT ALLOW**
11 **RESCUE OF THREATENED WILDLIFE SPECIES;**

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

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

16 (i) transporting of wildlife, **WILDLIFE BY-PRODUCTS OR**
17 **DERIVATIVES;**

18 **(J) WILDLIFE LAUNDERING; AND**

19 **(K) DESTRUCTION OF WILDLIFE HABITAT WHICH**
20 **CONSISTS IN ANY OF THE ACTS IN LETTER (C) OF THIS SECTION,**
21 **INCLUDING A COMBINATION THEREOF, RESULTING IN THE**
22 **CESSATION OR IMPAIRMENT OF THE ECOLOGICAL SERVICE OR**
23 **FUNCTION ASSOCIATED WITH THE HABITAT WHICH WILL TAKE**
24 **A CONSIDERABLE AMOUNT OF TIME AND EFFORT TO RESTORE OR**

1 REHABILITATE. FOR THE PURPOSE OF THIS PROHIBITION, THE
2 DENR, DA, PCSD OR BMG SHALL UNDERTAKE THE VALUATION OF
3 THE TIME AND EFFORT REQUIRED FOR REHABILITATION AND
4 CHARGE SUCH COSTS TO THE OFFENDER.

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

14 **SEC. 27.** Section 28 of Republic Act No. 9147 is hereby amended to read as
15 follows:

16 "SEC. 28. *Penalties for Violations of this Act.* – For any person who
17 undertakes illegal acts under paragraph (a) of the immediately preceding
18 section to any species as may be categorized pursuant to this Act, the
19 following penalties and/or fines shall be imposed:

20 (a) imprisonment [~~of a minimum~~] **FROM** six (6) years and one (1)
21 day to twelve (12) years and/or a fine of [~~One hundred thousand pesos~~
22 (~~P100,000.00~~)] **SIX HUNDRED THOUSAND PESOS (P600,000.00)** to
23 [~~One million pesos (P1,000,000.00)]~~ **TWO MILLION (P2,000,000.00),**
24 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**

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

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

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

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

22 (e) imprisonment [~~of~~] **FROM** six (6) months and one (1) day to one
23 (1) year and/or a fine of [~~Ten thousand pesos (P10,000.00)]~~ **FIFTY**
24 **THOUSAND PESOS (P50,000.00)** to [~~One hundred thousand pesos~~

1 ~~(P100,000.00)]~~ **ONE HUNDRED THOUSAND PESOS (P100,000.00),**
2 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
3 **HIGHER,** if inflicted or undertaken against other wildlife species.

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

6 (a) imprisonment ~~[of minimum]~~ **FROM** four (4) years and 1 day to
7 six (6) years and/or a fine of ~~[Fifty thousand pesos (P50,000.00)]~~ **FOUR**
8 **HUNDRED THOUSAND PESOS (P400,000.00)** to ~~[five hundred-~~
9 ~~thousand pesos (P500,000.00)]~~ **SIX HUNDRED THOUSAND PESOS**
10 **(P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
11 **WHICHEVER IS HIGHER,** if inflicted or undertaken against species listed
12 as ~~[critical]~~ **CRITICALLY ENDANGERED;**

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

20 (c) imprisonment ~~[of one (1)]~~ **FROM TWO** yearS and one **(1)** day
21 **TO THREE (3) YEARS** and/or a fine of ~~[Twenty thousand pesos~~
22 ~~(P20,000.00)]~~ **ONE HUNDRED FIFTY THOUSAND PESOS**
23 **(P150,000.00)** to Two hundred thousand pesos-(P200,000.00), **OR TWO**

1 **TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if**
2 inflicted or undertaken against vulnerable species;

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

10 (e) imprisonment [~~of one (1) month to~~] **FROM six (6) months AND**
11 **ONE (1) DAY TO ONE (1) YEAR** and/or a fine of [~~Five thousand pesos~~
12 ~~(P5,000.00)~~] **FIFTY THOUSAND PESOS (P50,000.00)** to [~~Twenty~~
13 ~~thousand pesos (P20,000.00)~~] **ONE HUNDRED THOUSAND PESOS**
14 **(P100,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
15 **WHICHEVER IS HIGHER,** if inflicted or undertaken against other wildlife
16 species;

17 For illegal acts under paragraphs (c) and (d) of the immediately
18 preceding section, an imprisonment [~~of one (1) month to eight (8) years~~]
19 **FROM FOUR (4) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS**
20 and/or a fine of [~~Five thousand pesos (P5,000.00)~~] **THREE HUNDRED**
21 **THOUSAND PESOS (P300,000.00)** to Five million pesos
22 (P5,000,000.00) shall be imposed. **IF CRITICAL HABITAT REQUIRES**
23 **REHABILITATION OR RESTORATION AS DETERMINED BY THE**
24 **COURT, THE OFFENDER SHALL BE REQUIRED TO RESTORE THE**

1 **SAME, WHENEVER PRACTICABLE, OR PAY ADDITIONAL**
2 **COMPENSATION FOR THE DAMAGE CAUSED.**

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

5 (a) imprisonment [~~of two (2) years and one (1) day~~] **FROM SIX**
6 **(6) YEARS AND ONE (1) DAY** [~~to four (4) years~~] **TO EIGHT (8) YEARS**
7 and/or a fine of [~~Five thousand pesos (P5,000.00) to~~] Three hundred
8 thousand pesos (P300,000.00) **TO ONE MILLION PESOS**
9 **(P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
10 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against~~]
11 **INVOLVING** species listed as [~~critical~~] **CRITICALLY ENDANGERED;**

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

20 (c) imprisonment [~~of six (6) months and one (1) day~~] **FROM TWO**
21 **(2) YEARS AND ONE (1) DAY** to [~~one (1) year~~] **FOUR (4) YEARS**
22 and/or a fine of [~~One thousand pesos (P1,000.00)~~] **SEVENTY-FIVE**
23 **THOUSAND PESOS (P75,000.00)** to [~~One hundred thousand pesos~~
24 [~~P100,000.00~~]] **ONE HUNDRED FIFTY THOUSAND PESOS**

1 **(P150,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
2 **WHICHEVER IS HIGHER, if [inflicted or undertaken against]**
3 **INVOLVING** vulnerable species;

4 (d) imprisonment of [~~one (1) month and one (1) day~~] **FROM ONE**
5 **(1) YEAR AND ONE (1) DAY** to [~~six (6) months~~] **TWO (2) YEARS**
6 and/or a fine of [~~Five hundred pesos (P500.00) to~~] Fifty thousand pesos
7 (P50,000.00) **TO ONE HUNDRED THOUSAND PESOS (P100,000.00),**
8 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
9 **HIGHER, if inflicted or undertaken against species listed as threatened**
10 species; and

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

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

21 (a) imprisonment of [~~two (2)] **FOUR (4)**~~ years and one (1) day to
22 [~~four (4)] **SIX (6)**~~ years and/or a fine of [~~Thirty thousand pesos~~
23 (P30,000.00)] **THREE HUNDRED THOUSAND PESOS (P300,000.00)**
24 to [~~Three hundred thousand pesos (P300,000.00)] **SIX HUNDRED**~~

1 **THOUSAND PESOS (P600,000.00), OR TWO TIMES THE PROVEN**
2 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken
3 against species listed as [~~critical~~] **CRITICALLY ENDANGERED;**

4 (b) imprisonment [~~of one (1) year~~] **THREE YEARS** and one (1) day
5 to [~~two (2) years~~] **FIVE YEARS** and/OR a fine of [~~Twenty thousand pesos~~
6 (~~P20,000.00~~)] **TWO HUNDRED THOUSAND PESOS (P200,000.00)** to
7 [~~Two hundred thousand pesos (P200,000.00)~~] **THREE HUNDRED**
8 **THOUSAND PESOS (P300,000.00), OR TWO TIMES THE PROVEN**
9 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken
10 against endangered species;

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

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

1 (e) imprisonment [~~of ten (10) days~~] **FROM SIX (6) MONTHS AND**
2 **ONE (1) DAY** to [~~one (1) month~~] **ONE (1) YEAR** and/OR a fine of [~~One~~
3 ~~thousand pesos (P1,000.00)~~] **FIFTY THOUSAND PESOS (P50,000.00)**
4 to [~~Five thousand pesos (P5,000.00)~~] **ONE HUNDRED THOUSAND**
5 **PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET**
6 **VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken against
7 other [~~wildlife~~] **PROTECTED** species [~~:- Provided, That in case of~~
8 ~~paragraph (f), where the acts were perpetuated through the means of~~
9 ~~inappropriate techniques and devices, the maximum penalty herein~~
10 ~~provided shall be imposed~~].

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

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

23 (b) imprisonment [~~of three (3) months and one (1) day~~] **FROM SIX**
24 **(6) YEARS AND ONE (1) DAY** to [~~six (6) months~~] **TO EIGHT (8) YEARS**

1 and a fine of [~~Twenty thousand pesos (P20,000.00)~~] **THREE HUNDRED**
2 **THOUSAND PESOS (P300,000.00)** to [~~Fifty thousand pesos~~
3 [~~P50,000.00~~]] **SIX HUNDRED THOUSAND PESOS (P600,000.00), OR**
4 **TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
5 **HIGHER, if [~~inflicted or undertaken against~~] INVOLVING** endangered
6 species;

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

15 (d) imprisonment [~~of ten (10) days~~] **FROM TWO (2) YEARS AND**
16 **ONE (1) DAY** to [~~one (1) month~~] **FOUR (4) YEARS** and a fine of [~~One~~
17 [~~thousand pesos (1,000.00)~~] **ONE HUNDRED THOUSAND PESOS**
18 **(P100,000.00)** to [~~Five thousand pesos (P5,000.0)~~] **TWO HUNDRED**
19 **THOUSAND PESOS (P200,000.00),** if inflicted or undertaken against
20 species listed as other threatened species; **AND**

21 (e) imprisonment [~~of five (5) days~~] **FROM ONE (1) YEAR AND**
22 **ONE (1) DAY** to [~~ten (10) days~~] **TWO (2) YEARS** and a fine of [~~Two~~
23 [~~hundred pesos (P200.00)~~] **FIFTY THOUSAND PESOS (P50,000.00)** to
24 [~~One thousand pesos (P1,000.00)~~] **ONE HUNDRED THOUSAND PESOS**

1 (P100,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,
2 WHICHEVER IS HIGHER, if [~~inflicted or undertaken against~~]
3 INVOLVING other [~~wildlife~~] **PROTECTED** species.

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

12 If the offender is an alien, he shall be deported after service of
13 sentence and payment of fines, without any further proceedings.

14 The fines herein prescribed shall be increased by at least ten percent
15 (10%) every three (3) years to compensate for inflation and to maintain
16 the deterrent function of such fines.]

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

1 **WILDLIFE TRAFFICKING THE FOLLOWING FINES AND PENALTIES**
2 **SHALL BE IMPOSED:**

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

9 (B) IMPRISONMENT FROM EIGHT (8) YEARS AND ONE (1)
10 DAY TO TWELVE (12) YEARS AND A FINE OF EIGHT HUNDRED
11 THOUSAND PESOS (P800,000.00) TO TWO MILLION PESOS
12 (P2,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,
13 WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN
14 AGAINST ENDANGERED SPECIES;

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

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

1 WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN
2 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 THOUSAND
6 PESOS (P200,000.00), OR TWO TIMES THE PROVEN MARKET
7 VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN
8 AGAINST OTHER WILDLIFE SPECIES."

9 **SEC. 28.** Insert eleven (11) new sections after Section 28 of Republic Act No.
10 9147 to read as follows:

11 **"SEC. 28.1. IMPOSITION OF PENALTY FOR VIOLATION**
12 **COMMITTED BY JURIDICAL ENTITY AND ADDITIONAL LIABILITY.**

13 **– IF THE VIOLATION IS COMMITTED BY A CORPORATION,**
14 **COOPERATIVE, ASSOCIATION OR ANY OTHER JURIDICAL**
15 **PERSONS, THE PENALTY SHALL BE IMPOSED UPON THE PERSONS**
16 **WHO COMMITTED THE ACT AS WELL AS THE PRESIDENT,**
17 **DIRECTORS, MANAGERS, MANAGING PARTNER, OR OTHER**
18 **OFFICIALS RESPONSIBLE FOR SUCH VIOLATION.**

19 **ANY GOVERNMENT OFFICIAL OR EMPLOYEE, WHO IS FOUND**
20 **LIABLE, FOR ANY OFFENSE PENALIZED BY SIX YEARS OF**
21 **IMPRISONMENT OF THIS ACT, SHALL, IN ADDITION TO THE**
22 **PENALTY WHICH MAY BE IMPOSED UPON HIM AS PRINCIPAL, BE**
23 **PERPETUALLY DISQUALIFIED FROM HOLDING ANY PUBLIC**
24 **OFFICE.**

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

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

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

18 "SEC. 28.3. *ESCALATION OF THE AMOUNT OF FINES.* – THE
19 FINES HEREIN PRESCRIBED SHALL AUTOMATICALLY INCREASE,
20 WITHOUT NEED FOR FURTHER LEGISLATION OR
21 ADMINISTRATIVE ISSUANCE, BY TEN PERCENT (10%) EVERY
22 FIVE (5) YEARS FROM THE EFFECTIVITY OF THIS ACT TO
23 MAINTAIN THE DETERRENT FUNCTION OF SUCH FINES."

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

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

15 **(B) FAILURE ON THE PART OF THE AIRFREIGHT, SHIPPING,**
16 **TRUCKING OR FORWARDING COMPANIES FROM WHOSE**
17 **POSSESSION THE WILDLIFE, BY-PRODUCTS AND/OR**
18 **DERIVATIVES ARE DISCOVERED OR SEIZED TO FULLY**
19 **COOPERATE IN THE INVESTIGATION BY CONCERNED**
20 **GOVERNMENT AUTHORITIES ON THE MATTER SHALL CREATE A**
21 **PRESUMPTION THAT THERE IS CONNIVANCE OR CONSPIRACY**
22 **BETWEEN THE COMPANY AND THE SHIPPER TO VIOLATE THE**
23 **RELEVANT PROVISIONS OF THIS ACT."**

1 **"SEC. 28.5. SEPARATE OFFENSES FOR EACH SPECIES AND**
2 **CIRCUMSTANCES FOR THE IMPOSITION OF MAXIMUM PENALTY.**

3 **– IN CASES WHERE MORE THAN ONE WILDLIFE SPECIES, IS**
4 **COLLECTED, HUNTED, POSSESSED TRANSPORTED OR**
5 **OTHERWISE INVOLVED IN CONNECTION WITH THE VIOLATION**
6 **OF THIS ACT, EACH WILDLIFE SPECIES INVOLVED SHALL**
7 **CONSTITUTE A SEPARATE AND DISTINCT COUNT OF VIOLATION**
8 **OF THIS ACT.**

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

16 **(A) IF MORE THAN ONE (1) SPECIMEN OF A CRITICALLY**
17 **ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY**
18 **SHALL BE IMPOSED;**

19 **(B) IF MORE THAN FIVE (5) OF SPECIMENS OF AN**
20 **ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY**
21 **SHALL BE IMPOSED;**

22 **(C) IF MORE THAN EIGHT (8) SPECIMENS OF A VULNERABLE**
23 **SPECIES IS INVOLVED, THE MAXIMUM PENALTY SHALL BE**
24 **IMPOSED;**

1 (D) IF MORE THAN TEN (10) SPECIMENS OF A NEAR
2 THREATENED SPECIES IS INVOLVED, THE MAXIMUM PENALTY
3 SHALL BE IMPOSED;

4 (E) IF MORE THAN FIFTEEN (15) SPECIMENS OF OTHER
5 WILDLIFE SPECIES IS INVOLVED, THE MAXIMUM PENALTY SHALL
6 BE IMPOSED;

7 (G) IF THE PROHIBITED ACT COMMITTED INVOLVES THE
8 INDUCEMENT OF INDIGENOUS PEOPLES, THE MAXIMUM
9 PENALTY SHALL BE IMPOSED; AND

10 (F) IF AT THE TIME OF HIS OR HER TRIAL FOR A VIOLATION
11 OF THIS ACT, THE ACCUSED SHALL HAVE BEEN PREVIOUSLY
12 CONVICTED BY FINAL JUDGMENT OF THE SAME OR ANOTHER
13 VIOLATION OF THIS ACT, MAXIMUM PENALTY SHALL BE
14 IMPOSED."

15 "SEC. 28.6. *LIABILITY UNDER OTHER LAWS.* – PROSECUTION
16 FOR VIOLATION OF THIS ACT SHALL BE WITHOUT PREJUDICE TO
17 THE PROSECUTION OF THE OFFENDER FOR VIOLATION OF OTHER
18 LAWS, RULES AND REGULATIONS."

19 "SEC. 28.7. *CREATION OF PLANTILLA POSITIONS FOR LAW*
20 *ENFORCEMENT.* – THE DENR, DA, PCSD, AND BMG ARE HEREBY
21 AUTHORIZED TO CREATE, SUBJECT TO EXISTING GUIDELINES,
22 PERMANENT POSITIONS OF ENFORCEMENT OFFICERS, OR
23 DESIGNATE THEIR EXISTING PERMANENT EMPLOYEES AS SUCH
24 FROM THEIR RESPECTIVE ENFORCEMENT UNITS. SUCH

1 ENFORCEMENT OFFICERS SHALL HAVE FULL AUTHORITY TO
2 ENFORCE THE PROVISIONS OF THIS ACT AND OTHER
3 ENVIRONMENTAL LAWS.

4 THE ENFORCEMENT OFFICERS ARE AUTHORIZED TO CARRY
5 THEIR AGENCY'S BADGE AND GOVERNMENT FIREARMS IN THE
6 CONDUCT OF THEIR DUTIES, SUBJECT TO THE EXISTING RULES
7 ON FIREARMS AND AFTER PROPER TRAINING FROM
8 APPROPRIATE GOVERNMENT FACILITY CONDUCTING FIREARMS
9 TRAINING."

10 "SEC. 28.8. *WILDLIFE REGULATORY AND LAW*
11 *ENFORCEMENT MANAGEMENT INFORMATION SYSTEM.* – DENR,
12 DA, PCSD, AND BMG SHALL DEVELOP, ESTABLISH, AND MAINTAIN
13 THEIR RESPECTIVE WILDLIFE LAW ENFORCEMENT
14 MANAGEMENT INFORMATION SYSTEM TO AID IN THE
15 MONITORING, REGULATION, CONTROL, AND SURVEILLANCE OF
16 ACTIVITIES INVOLVING WILDLIFE. THESE SYSTEMS SHALL BE SO
17 DESIGNED, KEEPING IN MIND THE NEED FOR COORDINATION,
18 SUPPORT, INFORMATION SHARING AND COORDINATIVE ACTION
19 AMONG DENR, DA, PCSD, BMG, AND OTHER RELEVANT
20 AGENCIES."

21 "SEC. 28.9. *AUTHORITY TO PROVIDE, ADJUDICATE, AND*
22 *ADMINISTER PENALTIES.* – THE DENR, DA, PCSD OR BMG ARE
23 GIVEN THE POWER TO EXERCISE ADMINISTRATIVE
24 ADJUDICATION IN ALL CASES OF VIOLATIONS OF THIS ACT. FOR

1 THIS PURPOSE, DENR, DA, PCSD OR BMG, MAY PROVIDE A
2 SCHEDULE OF ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF
3 THIS ACT AND THE RULES AND REGULATIONS ISSUED
4 HEREUNDER.

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

14 IN RELATION WITH THIS SECTION, THE DENR, DA, PCSD,
15 AND BMG IS FURTHER AUTHORIZED TO ORGANIZE THEIR
16 RESPECTIVE ADJUDICATION STRUCTURES OR DESIGNATE
17 EXISTING STRUCTURES TO IMPLEMENT THE ADJUDICATION
18 AUTHORITY PROVIDED IN THIS ACT, SHOULD THERE BE ANY.

19 TO ENSURE THE EFFECTIVE AND EFFICIENT
20 IMPLEMENTATION OF THIS SECTION, THE DENR, DA, PCSD, AND
21 BMG ARE FURTHER AUTHORIZED TO ISSUE PROCEDURAL RULES
22 AND REGULATIONS, AS APPROPRIATE."

23 "SEC. 28.10. *ROLE OF OTHER NATIONAL AGENCIES, LOCAL*
24 *GOVERNMENT UNITS AND THE GENERAL PUBLIC.* – IN ADDITION

1 TO THE MANDATED ROLES AND FUNCTIONS AS MAY BE
2 PROVIDED IN THIS ACT AND OTHER LAWS, RULES AND
3 REGULATIONS, NATIONAL AGENCIES, INSTRUMENTALITIES,
4 INCLUDING GOVERNMENT OWNED AND CONTROLLED
5 CORPORATIONS AND LOCAL GOVERNMENT UNITS SHALL ASSIST
6 AND SUPPORT THE DENR, DA, PCSD, AND BMG IN THE
7 IMPLEMENTATION AND ENFORCEMENT OF THIS ACT.

8 LOCAL GOVERNMENT UNITS SHALL, REQUIRE THE
9 PRESENTATION OF A DULY ISSUED PERMITS AND/OR
10 CLEARANCES FROM DENR, DA, PCSD OR BMG AS A PREREQUISITE
11 FOR THE ISSUANCE OR RENEWAL OF BUSINESS PERMITS AND
12 OTHER APPLICABLE LOCAL GOVERNMENT PERMITS AND
13 CLEARANCES FOR ALL BUSINESS AND ACTIVITIES INVOLVING
14 WILDLIFE.

15 PRIVATE PERSON WHO SHALL PROVIDE INFORMATION
16 LEADING TO THE PROSECUTION AND CONVICTION OF
17 OFFENDERS FOR ANY VIOLATION OF THIS ACT AND ITS
18 IMPLEMENTING RULES AND REGULATIONS SHALL BE GIVEN
19 AMPLE PROTECTION AND REWARD IN ACCORDANCE WITH
20 EXISTING REGULATIONS."

21 "SEC. 28.11. *STRATEGIC LAWSUIT AGAINST PUBLIC*
22 *PARTICIPATION (SLAPP) IN THE ENFORCEMENT OF THIS ACT. --*
23 *A LEGAL ACTION FILED TO HARASS, VEX, EXERT UNDUE*
24 *PRESSURE, OR STIFLE ANY LEGAL RECOURSE THAT ANY PERSON,*

1 **INSTITUTION, OR THE GOVERNMENT HAS TAKEN OR MAY TAKE**
2 **IN THE ENFORCEMENT OF THIS ACT SHALL BE TREATED AS A**
3 **STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION (SLAPP).**

4 **THE RULES OF PROCEDURE FOR ENVIRONMENTAL CASES**
5 **SHALL GOVERN THE PROCEDURE IN CIVIL, CRIMINAL, AND**
6 **SPECIAL CIVIL ACTIONS INVOLVING THE ENFORCEMENT OR**
7 **VIOLATIONS OF THIS ACT INCLUDING ACTIONS TREATED AS A**
8 **SLAPP AS PROVIDED IN THIS SECTION.”**

9 **SEC. 29.** Section 29 of Republic Act No. 9147 is hereby amended to read as
10 follows:

11 *“SEC. 29. Wildlife Management Fund.* – There is hereby established a
12 Wildlife Management Funds **EACH** to be administered by the [~~Department~~]
13 **DENR, DA, PCSD, AND BMG** as a special account in the National Treasury
14 [~~which~~]. It shall finance rehabilitation or restoration of habitats affected by
15 acts committed in violation of this Act and support scientific research,
16 enforcement, [~~and~~] monitoring activities, **INTELLIGENCE GATHERING**
17 **AND MONITORING ACTIVITIES, PROCUREMENT OF VEHICLES,**
18 **FIREARMS AND AMMUNITIONS,** as well as enhancement of capabilities
19 of relevant agencies.

20 The Fund shall [~~derive~~] **BE DERIVED** from **ADMINISTRATIVE** fines
21 imposed and damages awarded, **PROCEEDS FROM ALLOWABLE**
22 **DISPOSITION OF WILDLIFE, WILDLIFE BY-PRODUCTS AND**
23 **DERIVATIVES,** fees, charges, donations, endowments, administrative
24 fees or grants in the form of contributions, **INCLUDING AWARD FOR**

1 **COST OF REPARATION AND RESTORATION OF AFFECTED**
2 **RESOURCE.** Contributions to the Fund shall be exempted from donor taxes
3 and all other taxes, charges or fees Imposed by the government."

4 **THE FUND SHALL BE EXCLUSIVELY UTILIZED AS FOLLOWS:**

5 **A) THIRTY PERCENT (30%) FOR THE MONITORING,**
6 **ENFORCEMENT, AND PROSECUTION ACTIVITIES ON**
7 **TRAFFICKING OF WILDLIFE;**

8 **B) TWENTY PERCENT (20%) FOR THE MAINTENANCE AND**
9 **OPERATION OF RESCUE CENTERS AND FOR THE REHABILITATION**
10 **AND RESTORATION OF HABITATS AFFECTED BY ACTS COMMITTED**
11 **IN VIOLATION OF THIS ACT;**

12 **C) TWENTY PERCENT (20%) FOR THE PURCHASE,**
13 **UPGRADE AND MAINTENANCE OF VEHICLES, VESSELS, FIREARMS**
14 **AND AMMUNITIONS, COMMUNICATION AND OTHER EQUIPMENT**
15 **USED FOR THE MONITORING, CONTROL AND SURVEILLANCE OF**
16 **WILDLIFE SPECIES;**

17 **D) FIFTEEN PERCENT (15%) FOR THE SCIENTIFIC**
18 **RESEARCH AND DEVELOPMENT ACTIVITIES; AND**

19 **E) FIFTEEN PERCENT (15%) FOR THE CAPACITY**
20 **DEVELOPMENT OF WILDLIFE PERSONNEL, DEPUTIZED LAW**
21 **ENFORCEMENT AGENCIES AND VOLUNTEERS, AND**
22 **STAKEHOLDERS.**

23 **SEC. 30.** Section 30 of Republic Act No. 9147 is hereby amended to read as
24 follows:

1 "SEC. 30. [~~Deputation of Wildlife Enforcement Officers~~] **PERSONS**
2 **AND DEPUTIES AUTHORIZED TO ENFORCE THE PENAL**
3 **PROVISIONS OF THIS ACT.** - [~~The DENR shall deputize wildlife~~
4 ~~enforcement officers from nongovernment organizations, citizens groups,~~
5 ~~community organizations and other volunteers who have undergone the~~
6 ~~necessary training for this purpose.~~] **ENFORCEMENT OFFICERS OF THE**
7 **DENR, DA, PCSD, BMG, [T]** the Philippine National Police (PNP), the
8 Armed Forces of the Philippines (AFP), the National Bureau of Investigation
9 (NBI), and other law enforcement agencies [~~shall designate wildlife~~
10 ~~enforcement officers~~] **ARE AUTHORIZED TO ENFORCE THE PENAL**
11 **PROVISIONS OF THIS ACT.** [~~As such, the wildlife enforcement officers~~
12 ~~shall have the full authority to seize illegally traded wildlife and to arrest~~
13 ~~violators of this Act subject to existing laws, rules and regulations on arrest~~
14 ~~and detention.~~] **THESE AGENCIES SHALL DESIGNATE WILDLIFE**
15 **ENFORCEMENT OFFICERS TO ARREST VIOLATORS OF THIS ACT**
16 **AND TO SEIZE ALL WILDLIFE BY PRODUCTS AND DERIVATIVES**
17 **AND, PROCEEDS THEREOF, INCLUDING ALL TOOLS IMPLEMENTS**
18 **AND CONVEYANCES, USED, IN RELATION THERETO.**

19 **DENR, DA, PCSD, AND BMG MAY ALSO DEPUTIZE WILDLIFE**
20 **ENFORCEMENT OFFICERS FROM ARMED FORCES OF THE**
21 **PHILIPPINES (AFP), LOCAL GOVERNMENT UNITS, NON-**
22 **GOVERNMENTAL ORGANIZATIONS, AND OTHER VOLUNTEERS**
23 **WHO HAVE UNDERGONE NECESSARY TRAINING FOR THIS**
24 **PURPOSE. THESE AGENCIES MAY ALSO SEEK THE COOPERATION**

1 OF INTERNATIONAL AND REGIONAL ORGANIZATIONS IN THE
2 CONDUCT OF ITS INVESTIGATION AND ENFORCEMENT
3 ACTIONS.”

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

6 “SEC. 31. *Establishment of National Wildlife Research Centers* **AND**
7 **FORENSICS LABORATORY.** – The [Secretary] **DENR AND DA, IN**
8 **COORDINATION WITH PCSD AND BMG,** shall establish national
9 wildlife research centers for terrestrial and aquatic species to lead in the
10 conduct of scientific researches on the proper strategies for the
11 conservation and protection of wildlife, including captive breeding or
12 propagation. **THE DENR, DA, PCSD, AND BMG MAY ALSO ESTABLISH**
13 **OR DESIGNATE FORENSICS LABORATORIES FOR THE CONDUCT**
14 **OF FORENSIC ANALYSES AND OTHER RELATED CAPABILITIES**
15 **FOR WILDLIFE LAW ENFORCEMENT.** In this regard, the [Secretary]
16 **DENR, DA, PCSD, AND BMG** shall [~~encourage the participation of~~]
17 **ESTABLISH PARTNERSHIPS WITH** experts from academic[~~/~~] **AND**
18 research institutions and [~~wildlife industry~~] **THE PRIVATE SECTOR.”**

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

21 “SEC. 32. *Wildlife Rescue Center.* – The [Secretary] **DENR, DA,**
22 **PCSD, AND BMG,** shall establish or designate wildlife rescue centers to
23 take temporary custody and care of all confiscated, abandoned, **TURNED**
24 **OVER** [~~and/~~] or donated wildlife [~~to ensure their welfare and well-being~~].

1 **SUCH WILDLIFE RESCUE CENTERS SHALL BE STAFFED BY**
2 **QUALIFIED PERSONNEL AND SHALL ALSO HAVE THE NECESSARY**
3 **TOOLS, MACHINES, EQUIPMENT AND FACILITIES CONSISTENT**
4 **WITH THE REQUIREMENTS OF ANIMAL HEALTH AND WELFARE.**

5 The [Secretary] **DENR, DA, PCSD, AND BMG** shall formulate guidelines
6 for the disposition of wildlife from the rescue centers **AND SHALL**
7 **REGULARLY INCLUDE IN THE PROPOSAL FOR INCLUSION IN THE**
8 **GENERAL APPROPRIATIONS ACT, THE NECESSARY AMOUNT**
9 **NEEDED FOR THE ESTABLISHMENT AND MAINTENANCE OF**
10 **WILDLIFE RESCUE CENTER.**

11 **FOR THE FORFEITURE OF WILDLIFE UNDER SEC 28.9 AT**
12 **SUCH VOLUMES THAT WILL BE UNTENABLE FOR DENR, DA OR**
13 **PCSD TO HOLD IN RESCUE CENTERS, THE FACILITIES IN WHICH**
14 **THE WILDLIFE WAS FOUND, IF ADEQUATE, SHALL BE**
15 **TEMPORARILY TAKEN OVER BY THE AUTHORIZED AGENCIES IN**
16 **ORDER TO ENSURE THE CONTINUED CARE OF SUCH WILDLIFE**
17 **UNTIL SUCH TIME AS THEY CAN BE TRANSFERRED TO WILDLIFE**
18 **RESCUE CENTERS MANAGED BY THE STATE OR ACCREDITED BY**
19 **THE STATE TO HOLD SUCH CONFISCATED WILDLIFE."**

20 **SEC. 33.** Section 33 of Republic Act No. 9147 is hereby amended to read as
21 follows:

22 *"SEC. 33. Creation of Wildlife Traffic Monitoring Units. – The*
23 **[Secretary] DENR, DA, PCSD, AND BMG** shall create a wildlife traffic
24 monitoring units **(WTMUS)** in strategic air and seaports all over the

1 country to ensure the strict compliance and effective implementation of all
2 existing wildlife laws, rules and regulations, including pertinent
3 international agreements. **FOR THIS PURPOSE, THE DENR, DA, PCSD,**
4 **AND BMG ARE AUTHORIZED TO ADD IN THEIR STAFFING**
5 **PATTERN ENFORCEMENT OFFICERS, TO BE ASSIGNED AT WTMUS.**

6 Customs officers and/or other authorized government representatives
7 assigned at air or seaports who may have intercepted wildlife commodities
8 in the discharge of their official functions shall [~~prior to further disposition~~
9 ~~thereof, secure a clearance from~~] **TURN OVER INTERCEPTED**
10 **WILDLIFE, BY-PRODUCTS AND DERIVATIVES TO** the wildlife traffic
11 monitoring unit assigned in the area, **OR THE COMMUNITY**
12 **ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO)**
13 **SHOULD THE WILDLIFE TRAFFIC MONITORING UNIT BE NOT**
14 **AVAILABLE OR NOT YET ORGANIZED IN THE SAID PORT OR**
15 **AIRPORT."**

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

18 "SEC. 34. *Exemption from Taxes.* – Any donation, contribution,
19 **GRANT**, bequest, subsidy or financial aid which may be made to the
20 [~~Department of Environment and Natural Resources or to the Department~~
21 ~~of Agriculture~~] **DENR, DA, PCSD, BMG**, and to NGOs **AND PEOPLES**
22 **ORGANIZATIONS** engaged in wildlife conservation, **PROTECTION AND**
23 **LAW ENFORCEMENT** duly registered with the Securities and Exchange
24 Commission **OR THE COOPERATIVE DEVELOPMENT AUTHORITY**, as

1 certified by the local government unit, the [~~Department of Environment and~~
2 ~~Natural Resources or the Department of Agriculture~~] **DENR, DA, PCSD**
3 **OR BMG**, for the conservation and protection of wildlife resources and their
4 habitats shall constitute as an allowable deduction from the taxable income
5 of the donor and shall be exempt from donor's tax."

6 **SEC. 35.** Section 35 of Republic Act No. 9147 is hereby amended to read as
7 follows:

8 "SEC. 35. *Flagship Species.* – Local government units shall initiate
9 conservation measures for [~~endemic~~] **WILDLIFE** species in their areas.
10 For this purpose, they may adopt flagship species such as the Cebu black
11 shama (*copsychus cebuensis*), tamaraw (*bubalus mindorensis*), Philippine
12 tarsier (*tarsius syrichta*), Philippine teak (*tectona philippinensis*), which
13 shall serve as emblems of conservation for the local government concerned.
14 **THE DENR, DA, PCSD, AND BMG MAY PROVIDE GUIDELINES ON**
15 **THE SELECTION OF FLAGSHIP SPECIES."**

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

18 "SEC. 35.1. *HERITAGE TREES.* – **IN COORDINATION WITH**
19 **AND WITH ASSISTANCE FROM THE DENR, PCSD OR BMG-MENRE,**
20 **LOCAL GOVERNMENT UNITS SHALL DECLARE OR DESIGNATE AS**
21 **HERITAGE TREES CERTAIN QUALIFIED ENDEMIC OR**
22 **INDIGENOUS TREE SPECIES WITHIN THEIR TERRITORIAL**
23 **JURISDICTION. THE DENR, PCSD OR BMG OR THEIR**
24 **AUTHORIZED REPRESENTATIVES MAY PROVIDE GUIDELINES ON**

1 THE SELECTION OF HERITAGE TREES AND PROVIDE FOR THEIR
2 PROTECTION AND THE PROPAGATION OF SEEDS AND
3 WIDLINGS.”

4 SEC. 37. Section 36 of Republic Act No. 9147 is hereby amended to read as
5 follows:

6 “SEC. 36. *REGULATION OF Botanical Gardens, Zoological Parks and*
7 *Other Similar Establishments.* – The [Secretary] DENR, DA, PCSD, AND
8 BMG shall regulate the establishment, operation and maintenance of
9 botanical gardens, zoological parks and other similar establishments for
10 recreation, education and conservation **THROUGH THE ISSUANCE OF**
11 **CLEARANCE TO OPERATE. THE DENR, DA, PCSD, AND BMG SHALL**
12 **LIKEWISE PROMULGATE REGULATIONS FOR SUCH PURPOSE.”**

13 SEC. 38. Insert a new section after Section 36 of Republic Act No. 9147 to read
14 as follows:

15 “SEC. 36.1. *REGISTRATION OF MUSEUM SPECIMENS.* –
16 EXCEPT FOR THE NATIONAL MUSEUM, ALL OTHER MUSEUMS AND
17 SIMILAR ESTABLISHMENTS DISPLAYING WILDLIFE BY-
18 PRODUCTS AND DERIVATIVES FOR PUBLIC VIEWING SHALL
19 REGISTER SAID SPECIMENS WITH THE DENR, DA, PCSD OR BMG
20 AS THE CASE MAY BE. THE DENR, DA, PCSD, AND BMG SHALL
21 PROMULGATE RULES AND REGULATIONS FOR SUCH PURPOSE.”

22 SEC. 39. Section 37 of Republic Act No. 9147 is hereby amended to read as
23 follows:

1 "SEC. 37. *Implementing Rules and Regulations.* – Within [~~twelve (12)~~]
2 **SIX (6)** months following the effectivity of this Act, [~~secretaries of the~~
3 ~~Department of Environment and Natural Resources and the Department of~~
4 ~~Agriculture, in coordination with the Committees on Environment and~~
5 ~~Ecology of the Senate and the House of Representatives, respectively,]~~
6 **THE DENR, DA, PCSD, AND BMG** shall **JOINTLY** promulgate
7 [~~respective~~] **THE IMPLEMENTING** rules and regulations for the effective
8 implementation of this Act. Whenever appropriate, coordination in the
9 preparation and implementation of rules and regulations on joint and
10 inseparable issues shall be done by [~~both Departments~~] **THE DENR, DA,**
11 **PCSD, AND BMG.** The commitments of the State to international
12 agreements and protocols shall likewise be a consideration in the
13 implementation of this Act."

14 **SEC. 40.** Section 38 of Republic Act No. 9147 is hereby amended to read as
15 follows:

16 "SEC. 38. *Appropriations.* – The amount necessary to initially
17 implement the provisions of this Act shall be charged against the
18 **RESPECTIVE** appropriations of the [~~Department of Environment and~~
19 ~~Natural Resources~~] **DENR, DA, PCSD, AND BMG** in the current General
20 Appropriations Act. Thereafter, such sums as may be necessary to fully
21 implement the provisions of this Act shall be included **IN THE**
22 **RESPECTIVE APPROPRIATIONS OF THE DENR, DA, PCSD, AND**
23 **BMG, AS APPLICABLE,** in the annual General Appropriations Act."

1 **SEC. 41.** Insert a new section after Section 38 of Republic Act No. 9147 to read
2 as follows:

3 **"SEC. 38.1. CONSTRUCTION. – THE PROVISION OF THIS ACT**
4 **SHALL BE LIBERALLY CONSTRUED IN FAVOR OF THE**
5 **CONSERVATION AND PROTECTION OF WILDLIFE SPECIES AND**
6 **THEIR HABITATS TOWARDS THE PROMOTION OF ECOLOGICAL**
7 **BALANCE AND ENHANCEMENT OF BIOLOGICAL DIVERSITY."**

8 **SEC. 42. Separability Clause.** – If any provision of this Act is declared
9 unconstitutional or invalid, other parts or provisions hereof not affected thereby shall
10 continue to be in full force and effect.

11 **SEC. 43. Repealing Clause.** – All laws, decrees, executive orders, rules and
12 regulations, and other issuances or parts thereof which are contrary to or inconsistent
13 with this Act are hereby repealed, amended or modified accordingly.

14 **SEC. 44. Effectivity.** – This Act shall take effect fifteen (15) days after its
15 complete publication in the *Official Gazette* or in two (2) newspapers of general
16 circulation.

Approved,