

FOURTEENTH CONGRESS OF THE REPUBLIC)
 OF THE PHILIPPINES)
 First Regular Session)

7 OCT 2014

SENATE
 S. No. 1788

REGISTRATION

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

The Constitution, in Article II, Section 16 provides that:

The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

In connection with said policy, the State deemed it proper to enact laws to also protect the animals to maintain and restore the ecological balance in our country. For instance, on 11 February 1998, Congress enacted Republic Act No. 8485, also known as the Animal Welfare Act of 1998. The purpose of said law is to “protect and promote the welfare of all animals in the Philippines by supervising and regulating the establishment and operations of all facilities utilized for breeding, maintaining, keeping, treating or training of all animals either as objects of trade or as household pets.” Aside from that law, President Gloria Macapagal-Arroyo issued Proclamation No. 715 last 11 October 2004, declaring the first week of October of each year as “Animal Welfare Week.” According to the Whereas Clause of said proclamation, it is “necessary to inculcate in the hearts and minds of the Filipino youth to be kind and to love all kinds of animals either domesticated or in wildlife” and “the virtue of kindness, justice and protection of all living creatures is the greatest contributing factor to maintain and restore the ecological balance in our country.”

In line, with the above-mentioned laws and policy, this bill seeks to punish the unauthorized depiction of animal cruelty.*

Miriam Defensor Santiago
 MIRIAM DEFENSOR SANTIAGO
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* This bill was originally filed during the Thirteenth Congress, Second Regular Session.

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7 JUL 17 2017

SENATE
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RECEIVED [Signature]

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1 AN ACT
2 TO PUNISH DEPICTION OF ANIMAL CRUELTY

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

5 SECTION 1. *Short Title.* – This Act shall be known as the “Anti-Animal Cruelty
6 Depiction Act of 2007.”

7
8 SECTION 2. *Declaration of Policy.* – It is the policy of the State to protect and advance
9 the right of the people to a balanced and healthful ecology in accord with the rhythm and
10 harmony of nature. In line with this, the State seeks to protect the welfare of animals, because
11 their continued survival assures the maintenance of ecological balance.

12 SECTION 3. *Prohibited Acts.* – Whoever knowingly creates, sells, or possesses a
13 depiction of animal cruelty with the intention of placing that depiction in local or foreign
14 commerce for commercial gain, shall be fined in an amount not exceeding Ten Thousand Pesos
15 (P10,000.00) or imprisoned not more than five (5) years, or both.

16 SECTION 4. *Exceptions.* – Section 3 does not apply to any depiction that has serious
17 religious, political, scientific, educational, journalistic, historical, or artistic value.

18 SECTION 5. *Definition of Depiction of Animal Cruelty.* – The phrase “depiction of
19 animal cruelty” means any visual or auditory depiction, including any photograph, motion-
20 picture film, video recording, electronic image, or sound recording of conduct in which a living
21 animal is intentionally maimed, mutilated, tortured, wounded, or killed, if such conduct is illegal
22 under Philippine laws or the law of the country in which the creation, sale, or possession takes

1 place, regardless of whether the maiming, mutilation, torture, wounding, or killing took place in
2 the Philippines.

3 SECTION 6. *Separability Clause.* – If any provision or part hereof is held invalid or
4 unconstitutional, the remainder of the law of the provision not otherwise affected shall remain
5 valid and subsisting.

6 SECTION 7. *Repealing Clause.* – Any law, presidential decree or issuance, executive
7 order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent
8 with, the provisions of this Act is hereby repealed, modified or amended accordingly.

9 SECTION 8. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its
10 publication in at least two (2) newspapers of general circulation.

11 Approved,

jps/8-24-05