


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

OFFICE OF THE SECRETARY

10 JUL 21 A8:29

SENATE
S. No. 1684

RECEIVED BY: 


Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Republic Act No. 9147, also known as the "Wildlife Resources Conservation and Protection Act" provides that it shall be the policy of the State to conserve the country's wildlife resources and their habitats for sustainability.

According to a study conducted in the United States, the ethic of hunting involves the consideration of fair chase, which allows the animal the opportunity to avoid the hunter. The study also showed that since exotic animals are clustered in a captive setting at unusually high densities, these animals attract disease more readily than more widely dispersed native species who roam freely. Thus, the transportation of captive exotic animals to commercial hunt operations can facilitate the spread of disease across great distances.

This bill seeks to prohibits the transfer, transport, or possession of a confined exotic animal, for the purposes of allowing the killing or injuring of that animal for entertainment or for the collection of a trophy. ¹


MIRIAM DEFENSOR SANTIAGO

¹ This bill was originally filed in the Fourteenth Congress, Second Regular Session

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1 AN ACT
2 TO PROHIBIT CERTAIN CONDUCT RELATING TO EXOTIC ANIMALS

3
4 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
5 *Congress assembled:*
6

7 SECTION 1. *Short Title.* – This Act may be cited as the “Exotic Animal Protection Act”.

8 SECTION 2. *Definition of Terms.* – As used in this Act, the term:

9 (1) “Confined exotic animal” shall refer to “exotic species”, as defined under the
10 Republic Act No. 9147 a.k.a. “Wildlife Resources Conservation and Protection Act”, that has
11 been held in captivity, whether or not the defendant knows the length of the captivity, for the
12 shorter of the majority of the animal’s life, or a period of 1 year; and

13 (2) “Captivity” does not include any period during which an animal lives as it would in
14 the wild surviving primarily by foraging for naturally occurring food; roaming at will over an
15 open area of not less than 1,000 acres; and having the opportunity to avoid hunters.

16 SECTION 3. *Transport or Possession of Exotic Animals for Purposes of Killing or*
17 *Injuring Them.* – Whoever, in or substantially affecting domestic or foreign commerce,
18 knowingly transfers, transports, or possesses a confined exotic animal, for the purposes of
19 allowing the killing or injuring of that animal for entertainment or for the collection of a trophy,
20 shall be punished by a fine of not less than Fifty Thousand Pesos (P50,000.00), and
21 imprisonment of not more than two (2) years. This provision shall not apply to the killing or
22 injuring of an exotic animal in a government natural area reserve undertaking habitat restoration.

23 SECTION 4. *Enforcement.* – Any person authorized by the Secretary of the Department
24 of Environment and Natural Resources (DENR) may:

1 (A) without a warrant, arrest any person that violates this section (including
2 regulations promulgated under this section) in the presence or view of the arresting
3 person;

4 (B) execute any warrant or other process issued by an officer or court of
5 competent jurisdiction to enforce this section; and

6 (C) with a search warrant, search for and seize any animal taken or possessed in
7 violation of this section.

8 SECTION 5. *Forfeiture.* – Any animal seized with or without a search warrant shall be
9 held by the Secretary, and upon conviction of the defendant, shall be forfeited to the government
10 and disposed of by the Secretary, in accordance with law.

11 SECTION 6. *Separability Clause.* – If any provision or part hereof, is held invalid or
12 unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain
13 valid and subsisting.

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

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

19 Approved,