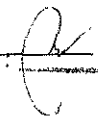


FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

SENATE
OFFICE OF THE SECRETARY

10 JUL 21 8 54 AM

SENATE
S. No. 1691

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

There is no doubt that animals have contributed to the enrichment and humanity of society. Pets, in particular, have been a source of enduring companionship, service and therapy to their owners.

Republic Act No. 8485 known as "The Animal Welfare Act of 1998" established a policy of protection and promotion of the welfare of all animals in the Philippines. Though commendable, this law did not include adequate measures for protection of both the animals and the community in which they live in.

In order to encourage the harmonious living of animals and humans, a policy of responsible pet ownership must also be upheld.

This bill penalizes those who abandon their pets, or those who abandon animals they have sideswiped or run over. It also penalizes pet owners who allow their animals to run wild, endangering the community. Finally, it mandates that programs which promote animal welfare be established in every city and municipality throughout the country.¹


MIRIAM DEFENSOR SANTIAGO

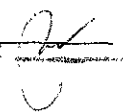
¹ This bill was originally filed in the Fourteenth Congress, Second Regular Session

FIFTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
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SENATE
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RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 AMENDING REPUBLIC ACT NO. 8485, ALSO KNOWN AS, "THE ANIMAL
3 WELFARE ACT OF THE PHILIPPINES,"
4
5

6 *Be it enacted by the Senate and the House of Representatives of the Philippines in*
7 *Congress assembled:*
8

9 SECTION 1. Section 1 of Republic Act 8485 is hereby amended to read as follows:

10 "SECTION 1. THIS ACT SHALL BE KNOWN AS THE "ANIMAL
11 WELFARE AND CONTROL ACT."
12

13 SECTION 2. A new section is hereby inserted after Section 4 of Republic Act 8485 to
14 read as follows:

15 "SECTION 5. IT SHALL BE UNLAWFUL FOR THE OWNER OF ANY
16 ANIMAL TO ALLOW IT TO RUN AT LARGE UNATTENDED ON OR
17 ABOUT THE STREETS OR ON THE PROPERTY OF ANOTHER WITHOUT
18 SUCH PROPERTY OWNER'S CONSENT. ANY SUCH ANIMAL AT LARGE
19 SHALL BE IMPOUNDED BY THE LOCAL ANIMAL CONTROL
20 AUTHORITIES.

21 IT SHALL BE THE DUTY OF EVERY OWNER OF ANY ANIMAL TO KEEP
22 THE ANIMAL UNDER CONTROL AT ALL TIMES WHILE THE ANIMAL IS
23 ON THE REAL PROPERTY OF THE OWNER. FOR PURPOSE OF THIS
24 SECTION, AN ANIMAL IS DEEMED UNDER CONTROL WHEN IT IS
25 CONFINED BY WAY OF FENCE OR OTHER ENCLOSURE, RESTRAINED
26 BY SUBSTANTIAL CHAIN OR LEASH, RESTRAINED IN SOME OTHER

1 PHYSICAL MANNER BY A COMPETENT PERSON, OR IS UNDER THE
2 CONTROL OF A COMPETENT PERSON WHO IS PRESENT WITH THE
3 ANIMAL, VIA VOICE COMMAND, SO THAT THE ANIMAL DOES NOT
4 WANDER OFF THE REAL PROPERTY OF THE OWNER.

5 IN ADDITION, ALL MALE AND FEMALE DOGS AND CATS THAT
6 HAVE NOT BEEN SPAYED OR NEUTERED MUST BE SECURELY
7 CONFINED IN SUCH A WAY THAT THEY NOT ONLY CANNOT GET OUT
8 TO RUN LOOSE, BUT ALSO CANNOT BE REACHED BY OTHER DOGS
9 OR CATS.

10 IT SHALL BE THE DUTY OF THE OWNER OF ANY ANIMAL TO
11 KEEP THE ANIMAL UNDER CONTROL AT ALL TIMES WHILE THE
12 ANIMAL IS OFF OF THE REAL PROPERTY LIMITS OF THE OWNER. FOR
13 THE PURPOSES OF THIS SECTION, AN ANIMAL IS DEEMED UNDER
14 CONTROL WHEN IT IS CONFINED WITHIN A VEHICLE, PARKED OR IN
15 MOTION, IS SECURED BY A LEASH OR OTHER DEVICE HELD BY A
16 COMPETENT PERSON, OR IS PROPERLY CONFINED WITHIN AN
17 ENCLOSURE WITH PERMISSION OF THE OWNER OF THE PROPERTY
18 WHERE THE ENCLOSURE IS LOCATED.”

19 SECTION 3. Section 5 of the same Act is hereby renumbered as Section 6.

20 SECTION 4. A new section is hereby inserted after Section 5 of Republic Act 8485 to
21 read as follows:

22 “SECTION 7. THE COMMITTEE SHALL DRAW UP GUIDELINES
23 FOR THE ESTABLISHMENT OF ANIMAL SHELTERS. EVERY CITY AND
24 MUNICIPALITY IS ENCOURAGED TO ESTABLISH AT LEAST ONE
25 ANIMAL SHELTER WITHIN THEIR VICINTY. IN THE MEANTIME THAT
26 NO ANIMAL SHELTER HAS BEEN ESTABLISHED, A PLAN FOR THE
27 PROTECTION AND ADOPTION OF LOST AND STRAY ANIMALS SHALL

1 BE FORMULATED BY THE COMMITTEE ON ANIMAL WELFARE IN
2 COORDINATION WITH THE DEPT. OF INTERIOR AND LOCAL
3 GOVERNMENT (DILG).

4
5 IN SUPPORT OF THESE OBJECTIVES, THE COMMITTEE SHALL
6 ESTABLISH PROGRAMS FOR THE TRAINING OF ALL ANIMAL
7 CONTROL OFFICERS INSTRUCTING THEM IN THE PROPER
8 OPERATION OF ANIMAL SHELTERS AND THE HUMANE TREATMENT
9 OF LOST AND STRAY ANIMALS.”

10
11 SECTION 5. Section 6 of the same Act is hereby renumbered as Section 8.

12 SECTION 6. Section 7 of the same Act is hereby renumbered as Section 9.

13 SECTION 7. A new section is hereby inserted after Section 7 of the same Act to read as
14 follows:

15 “SECTION 10. IT SHALL BE UNLAWFUL FOR ANY PERSON WHO
16 IS IN THE CUSTODY OF AN ANIMAL TO ABANDON THE ANIMAL.

17 IF ANY PERSON BEING THE OWNER OR HAVING CHARGE OR
18 CONTROL OF ANY ANIMAL SHALL WITHOUT REASONABLE CAUSE
19 OR EXCUSE ABANDON IT, WHETHER PERMANENTLY OR NOT,
20 WITHOUT PROVIDING FOR THE CARE OF THAT ANIMAL, SUCH ACT
21 SHALL CONSTITUTE MALTREATMENT UNDER SECTION 8.

22 IF THE ANIMAL IS LEFT IN CIRCUMSTANCES LIKELY TO
23 CAUSE THE ANIMAL ANY UNNECESSARY SUFFERING, OR IF THIS
24 ABANDONMENT RESULTS IN THE DEATH OF THE ANIMAL, THE
25 PERSON LIABLE SHALL SUFFER THE MAXIMUM PENALTY.

26 ABANDONMENT MEANS THE RELINQUISHMENT OF ALL
27 RIGHT, TITLE, CLAIM, OR POSSESSION OF THE ANIMAL WITH THE

1 INTENTION OF NOT RECLAIMING IT OR RESUMING ITS OWNERSHIP
2 OR POSSESSION.”

3 SECTION 8. A new section is hereby inserted after the section above to read as follows:

4 “SECTION 11. IF A DRIVER OF A MOTOR VEHICLE OR OTHER
5 SELF-PROPELLED VEHICLE SHALL STRIKE AND INJURE OR KILL ANY
6 DOMESTICATED ANIMAL, SUCH DRIVER SHALL GIVE REASONABLE
7 AID AND ASSISTANCE AND/OR PROTECTION TO SUCH ANIMAL,
8 WITHOUT PLACING HIMSELF OR HERSELF AT UNREASONABLE RISK,
9 AND CALL AND REPORT THE FACTS PERTAINING TO THE INCIDENT
10 TO EITHER OF THE FOLLOWING AUTHORITIES:

- 11 1. BARANGAY OFFICIALS; OR
- 12 2. THE POLICE AGENCY HAVING JURISDICTION IN THE AREA
13 WHERE THE ANIMAL IS STRUCK.

14 AFTER MAKING THE REPORT REQUIRED ABOVE, THE DRIVER
15 SHALL COMPLY WITH THE INSTRUCTIONS GIVEN BY THE AGENCY
16 CONTACTED AND SHALL, IF INSTRUCTED, REMAIN AT THE SCENE
17 UNTIL APPROPRIATE POLICE OR ANIMAL CONTROL AUTHORITY
18 ARRIVES. AFTER ARRIVAL OF APPROPRIATE AUTHORITY, THE
19 DRIVER SHALL COOPERATE WITH SUCH AUTHORITY IN THE
20 INVESTIGATION AND REPORTING OF THE INCIDENT.

21 AS AN ALTERNATIVE TO COMPLYING WITH THE
22 REQUIREMENTS SET FORTH ABOVE, THE MOTOR VEHICLE DRIVER
23 MAY TRANSPORT THE ANIMAL WHICH HAS BEEN STRUCK TO THE
24 CITY OR MUNICIPALITY’S ANIMAL FACILITY, OR, IN THE CASE OF
25 AN ANIMAL WHICH IS INJURED AND NOT DEAD, TO A
26 VETERINARIAN FOR TREATMENT OF THE ANIMAL’S INJURIES. IF THE
27 DRIVER CHOOSES THE LATTER COURSE OF ACTION, HE/SHE SHALL
28 BE RESPONSIBLE FOR THE COST OF TREATMENT IF REQUIRED BY

1 THE VETERINARIAN. FAILURE TO COMPLY WITH ANY OF THE
2 REQUIREMENTS IN THIS SECTION SHALL CONSTITUTE
3 ABANDONMENT OF THE ANIMAL UNDER SECTION 8.

4 THIS SECTION SHALL NOT APPLY TO DRIVERS OF
5 EMERGENCY VEHICLES IF SUCH VEHICLES ARE BEING OPERATED IN
6 RESPONSE TO A BONA FIDE EMERGENCY SITUATION AT THE TIME
7 THE ANIMAL IS STRUCK. EMERGENCY VEHICLE OPERATORS WHO
8 STRIKE AN ANIMAL DURING A RESPONSE TO A BONA FIDE
9 EMERGENCY SITUATION SHALL NOTIFY THE AUTHORITIES
10 MENTIONED ABOVE OF THE INCIDENT AS SOON AS IS PRACTICABLE
11 THEREAFTER.”

12
13 SECTION 9. Section 8 of the same Act is hereby renumbered as Section 12.

14 SECTION 10. A new section is hereby inserted after the section above to read as
15 follows:

16 “SECTION 13. *Appropriations.* – THE AMOUNT NECESSARY FOR THE
17 INITIAL IMPLEMENTATION OF THIS ACT SHALL BE CHARGED AGAINST
18 THE APPROPRIATIONS OF THE DEPT. OF AGRICULTURE. THEREAFTER,
19 SUCH SUM AS MAY BE NECESSARY FOR ITS FULL IMPLEMENTATION
20 SHALL BE INCLUDED IN THE ANNUAL GENERAL APPROPRIATIONS ACT AS
21 A DISTINCT AND SEPARATE ITEM.”

22
23 SECTION 11. Section 9 of the same Act is hereby renumbered as Section 14.

24 SECTION 12. Section 10 of the same Act is hereby renumbered as Section 15.

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

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

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

6

7

8 Approved,

9

10 /acs