

SIXTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
*First Regular Session*



Senate  
Office of the Secretary

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SENATE

S.B. No. 268

FILED BY: *ji*

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Introduced by Sen. Manuel "Lito" M. Lapid

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EXPLANATORY NOTE

Over the past year the deteriorating health of Mali, Manila Zoo's lone elephant, has brought attention to devastating zoo conditions in the Philippines. Mali's plight and her poor living conditions caused an international clamor for her release and transfer. Despite public pressure and several Senate Resolutions filed supporting Mali's release there has been no improvement of her condition.

More deplorable is the poor care that was given to Lolong, the world's largest captive crocodile, who was the star attraction in an eco-tourism park in Agusan del Sur. The necropsy shows that Lolong died due to poor physiological and environmental conditions that were left untreated by park keepers.

Lolong's death and Mali's deteriorating health point out the inefficiency of present legislation to address the needs of animals in captivity for the purpose of exhibition to the public. Republic Act No. 8485, more popularly known as the "Animal Welfare Act of 1998," states a general requirement for zoos to treat animals humanely and to provide for adequate, clean, and sanitary establishments. However, the Act does not outline minimum standards of care and sanitation for zoos and aquariums. Hence the need for further legislation.

The proposed measure outlines internationally accepted minimum standards for the care and accommodation of animals in zoos and aquaria. Such standards should be complied with before zoos and aquaria are licensed to operate.

In view of the foregoing, the immediate passage of this bill is earnestly sought.

MANUEL "LITO" M. LAPID  
*Senator*



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RECEIVED BY: *[Signature]*

Introduced by Sen. Manuel "Lito" M. Lapid

AN ACT  
ESTABLISHING STANDARDS FOR CARE  
FOR ANIMALS HELD IN CAPTIVITY

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

**SECTION 1. Short Title.** - This Act shall be known as the "Zoo Animals' Welfare Act of 2013."

**SEC. 2. Declaration of Policy.** - It is the purpose of this Act to protect and promote the welfare of all animals in the Philippines held in captivity for the purpose of exhibition to the public.

**SEC. 3. Definition of Terms.** - As used in this Act, unless otherwise indicated:

- (a) "Zoo" shall refer to any establishment, except circuses and pet shops, whether publicly or privately owned, where live animals are kept for exhibition to the public for seven or more days a year, including zoological collections, animal parks, safari parks, bird gardens, dolphinarium, aquaria, and specialist collections, including those for invertebrates;
- (b) "Animal" shall refer to all species of the animal kingdom including species of the classes Mammalia, Aves, Reptilia, Amphibia, Pisces, and groups of Invertebrata;
- (c) "Welfare" shall refer to the physical, behavioral, and social well-being of animals through the provision of appropriate conditions for the species involved, including but not necessarily limited to housing, environment, diet, medical care, and social contact where applicable; and

- (d) "Enclosure" shall refer to any accommodation provided for animals in zoos and aquaria; and

**SEC. 4. Routine Observation of Animals.** - The condition and health of all animals in the zoo shall be checked daily by the persons in charge of their care for that particular day. Animals which are noted to be unduly stressed, sick or injured shall be given immediate attention and, where necessary, treatment.

**SEC. 5. Accommodations.** - Animals shall be provided with an environment, space, and equipment sufficient to allow such exercise as is needed for the welfare of their particular species. The following minimum standards of enclosures shall be observed:

- (a) The physical carrying capacity of the enclosure shall not be over-burdened;
- (b) Enclosures should ensure that animals cannot be unnaturally provoked for the benefit of the viewing public;
- (c) The animals placed in visibly adjoining enclosures shall not be those which interact in an excessively stressful way;
- (d) Separate accommodation should be capable of being made for pregnant animals and animals with young, if necessary, in the interests of avoiding unnecessary stress or suffering; and
- (e) Separate accommodation should be capable of being made for animals being temporarily separated from a group.
- (f) The temperature, humidity, ventilation, and lighting shall be that suitable for the comfort and well-being of the particular species;
- (g) Outdoor enclosures shall be provided with sufficient shelter from inclement weather or excessive sunlight where this is necessary for the comfort and well-being of the particular species;
- (h) Enclosures shall be furnished such items and equipment in accordance with the needs of the species, such as, bedding material, perching, vegetation, burrows, nesting boxes, and pools;
- (i) Vegetation capable of harming animals must be kept out of their reach;
- (j) The installation of any electrical apparatus or equipment shall be done in such a way that it does not present a hazard to animals and its safe operation cannot be disrupted by them;

- (k) Rubbish in enclosures is cleared regularly to avoid any possibility of harm;  
and
- (l) Any direct physical contact between animals and visiting guests should only be under the control of zoo staff and for periods of time and under conditions consistent with the animals' welfare and not leading to their discomfort.

**SEC. 6. *Defects.*** - Any defects in animal barriers and appliances or equipment within enclosures shall be repaired or replaced without delay. If not possible, the animals shall be removed from the possibility of any contact with the source of the danger.

**SEC. 7. *Food and Drink.*** - Food and drink to be provided to animals in zoos should be of the nutritive value and quantity required for the particular species, bearing in mind the condition, size and age of each animal, and the need to allow for special circumstances and special diets for certain animals. Veterinary or other specialist advice should be obtained and followed concerning all aspects of nutrition. Uncontrolled feeding by visitors shall not be permitted. Where feeding is permitted it should be on a selective basis only with suitable food provided and approved by the management.

**SEC. 8. *Veterinary Care.*** - Arrangements shall be made for routine veterinary examination, including parasite checks. Preventive medication, including vaccination shall be administered at such intervals as may be recommended by a veterinary surgeon or practitioner.

**SEC. 9. *Safety and Security.*** - Animals shall be kept at all times in enclosures, except for free-running non-hazardous animals which shall be kept within the perimeter of the zoo as well as for animals under the control of authorized staff.

Stand-off barriers shall be provided where direct contact would be possible between visitors and hazardous animals through or over any enclosure barrier, to the extent that such an animal would be capable of causing injury.

**SEC. 10. *Emergency First-Aid.*** - First-aid equipment and written first-aid instructions shall be made readily accessible on the premises. Where venomous animals are kept in a zoo, the appropriate and up-to-date anti-venom medication shall

be held at the zoo or a local hospital within a reasonable distance ensuring the safety of staff and visitors.

**SEC. 11. *Registration and Licensing.*** - The Bureau of Animal Industry shall not issue the certificate of registration and/or license specified in Republic Act No. 8485 without first ascertaining full compliance by zoos of the conditions set forth herein.

**SEC. 12. *Appropriations.*** - The amount necessary to carry out the provisions of this Act shall be provided in a supplemental budget or included in the General Appropriations Act of the year of its enactment into law. Thereafter, the expenses for its continued implementation shall be included in the subsequent General Appropriations Act.

**SEC. 13. *Implementing Agency.*** - The Department of Agriculture, in coordination with the Bureau of Animal Industry and other relevant agencies, shall promulgate rules and regulations to implement the provisions of this Act.

**SEC. 14. *Repealing Clause.*** - All laws, presidential decrees, executive orders, rules, and regulations, or portions thereof, inconsistent with this Act are hereby repealed or modified accordingly.

**SEC. 15. *Separability Clause.*** - If any part of provision of this Act shall be held unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

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

Approved,