

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



Senate
Office of the Secretary

13 AUG -1 P5:02

SENATE
S. No. 1208

RECEIVED BY: *ji*

Introduced by Senator Miriam Defensor Santiago

EXPLANATORY NOTE

Dr. Yolanda Oliveros, director of the National Center for Disease Prevention and Control of the Department of Health, said that the Philippines at present ranked 6th among countries with highest reported incidents of rabies in the world. Although this is an improvement from its 3rd position in 2000, still, according to statistics 350 to 400 Filipinos die because of rabies annually. This number is unacceptable since rabies is a neglected disease that is 100 percent fatal but 100 percent preventable.

There already are several measures to prevent the spread of the disease such as the Anti-Rabies Act of 2007 (Republic Act No. 9482), which provides that dogs must be vaccinated annually and registered with the local government units. It also prohibits pet owners from allowing their dogs to roam outside their house. However, none so far focuses on responsible ownership of dogs.

This bill subjects the owner of the dog to damages. In doing so, it would encourage dog owners to act responsibly in taking their dogs out in public and in allowing interactions between their dogs and people on their property. This will reduce the number of serious injuries resulting from dog bites, and it will also prevent the spread of rabies.*

acs
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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



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SENATE
S. No. 1208

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Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 IN RELATION TO THE LIABILITY OF OWNERS FOR DOG BITES

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

3 SECTION 1. *Liability of Owner for Dog Bites.* – The owner of any dog is liable for
4 damages suffered by any person who is bitten by the dog while in a public place, or lawfully in a
5 private place, including the property of the owner of such dog. A person is lawfully upon the
6 private property of such owner when such person is on such property in the performance of any
7 duty imposed upon him or her by law, or when he or she is on such property upon the invitation,
8 express or implied, of the owner.

9 SECTION 2. *Exceptions.* – Nothing in this Act shall authorize the bringing of an action
10 against any government entity or instrumentality using a dog in military or police work if the bite
11 or bites occurred while the dog was defending itself from an annoying, harassing, or provoking
12 act, or assisting an employee of the entity or locality in any of the following:

13 (A) In the apprehension or holding of a suspect where the employee has a reasonable
14 suspicion of the suspect's involvement in criminal activity;

15 (B) In the investigation of a crime or a possible crime;

16 (C) In the search for Dangerous Drugs and/or Controlled Precursors and Essential
17 Chemicals;

18 (D) In the execution of a warrant;

19 (E) In the defense of a peace officer or another person.

1 SECTION 3. *Exception to Section 2.* – Section 2 of this Act shall not apply in any case
2 where the person who sustained the bite or bites was not a party to, nor suspected to be a party
3 in, the act or acts that prompted the use of the dog in the military or police work. The owner of
4 the dog shall not be liable if the dog was coming to the aid or defense of a person during the
5 commission or attempted commission of a crime or offense upon the owner or custodian or upon
6 the property of the owner or custodian of the dog.

7 SECTION 4. *Separability Clause.* – If any provision of this Act is declared
8 unconstitutional or invalid, the other sections or provisions hereof which are not affected thereby
9 shall continue to be in full force and effect.

10 SECTION 5. *Repealing Clause.* – All laws, decrees, orders, rules, and regulations or
11 parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or
12 modified accordingly.

13 SECTION 6. *Effectivity Clause.* – This Act shall take effect after fifteen (15) days
14 following its publication in at least two (2) newspapers of general circulation.

Approved,