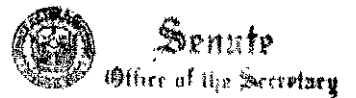


SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



13 AUG 22 P5:10

SENATE
S. No. 1344

RECEIVED BY: *Jui*

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 ethics 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 diseases across great distances.

This bill seeks to prohibit 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.*

acs
Miriam Defensor Santiago
MIRIAM DEFENSOR SANTIAGO

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

'13 AUG 22 P5:10

SENATE
S. No. 1344

RECEIVED BY: 

Introduced by Senator Miriam Defensor Santiago

1 AN ACT
2 PROHIBITING CERTAIN CONDUCT RELATING TO EXOTIC ANIMALS

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

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

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

5 (A) “Confined exotic animal” shall refer to “exotic species,” as defined under
6 Republic Act No. 9147 or the “Wildlife Resources Conservation and Protection Act,” that has
7 been held in captivity, whether or not the defendant knows the length of the captivity, for the
8 shorter of the majority of the animal’s life, or a period of one (1) year, whichever is lesser;

9 (B) “Captivity” does not include any period during which an animal lives as it would
10 in the wild surviving primarily by foraging for naturally occurring food; roaming at will over an
11 open area of not less than 400 hectares; and having the opportunity to avoid hunters; and

12 (C) “Secretary” shall refer to the Secretary of Environment and Natural Resources.

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

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

3 (A) Without a warrant, arrest any person that violates this Act (including regulations
4 promulgated pursuant to this Act) in the presence or view of the arresting person;

5 (B) Execute any warrant or other process issued by an officer or court of competent
6 jurisdiction to enforce this Act; and

7 (C) With a search warrant, search for and seize any animal taken or possessed in
8 violation of this Act.

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

12 SECTION 6. *Implementing Rules and Regulations.* – Within sixty (60) days after the
13 enactment of this Act, the Secretary shall promulgate the necessary rules and regulations to
14 implement this Act.

15
16 SECTION 7. *Separability Clause.* – If any provision or part hereof is held invalid or
17 unconstitutional, the remainder of the Act or the provision not otherwise affected shall remain
18 valid and subsisting.

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

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

Approved,