

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

Senate
Office of the Secretary

DEC 22 P4:11

SENATE
S. No. 2532

Introduced by Senator Miriam Defensor Santiago

AN ACT
AMENDING SECTION 28 OF REPUBLIC ACT NO. 9147, ALSO KNOWN AS
THE WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT

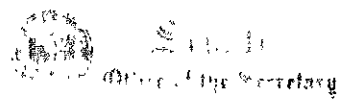
The Constitution, Article 2, Section 16 provides:

“Section 16. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.”

Early this year, it was reported that several Chinese fishermen were captured with 500 live and dead turtles in their boat, 60 nautical miles from Palawan. The fishermen were arrested and charged for violating the Philippine Wildlife Act and Philippine Fisheries Code. In November 2014, the regional trial court of Palawan found them guilty and ordered each fisherman to pay a fine of \$100,000 each for poaching in Philippine waters plus ₱120,000 (\$2,666) each for taking wildlife. Despite the seemingly hefty fine, the penalty is still not commensurate to the damage they have done to Philippine wildlife. Among the 500 turtles seized, several were female. The death of female sea turtles could hamper the population growth of this endangered species.

According to news reports, sea turtles are considered valuable in other countries and are sold at high prices despite being endangered species. This bill seeks to strengthen the Wildlife Resources Conservation and Protection Act by increasing the penalties for those who kill, traffic, or sell, among others, Philippine wildlife.

MIRIAM DEFENSOR SANTIAGO
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74 DEC 22 PM 3:11

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RECEIVED

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

1 AN ACT
2 AMENDING SECTION 28 OF REPUBLIC ACT NO. 9147, ALSO KNOWN AS
3 THE WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT

4 SECTION 1. Section 28 of Republic Act No. 9147, also known as the Wildlife
5 Resources Conservation and Protection Act, is hereby amended to read as follows:

6 "Section 28. Penalties for Violations of this Act. -

7

8 For illegal acts under paragraphs (c) and (d) of the immediately
9 preceding section, an imprisonment of ~~one (1) month to eight (8) years~~
10 **[SIX (6) MONTHS TO TWELVE (12) YEARS]** and/or a fine of five
11 thousand pesos (₱5,000.00) to Five million pesos (₱5,000,000.00) shall be
12 imposed.

13 For illegal acts under paragraph (e), the following penalties and/or
14 fines shall be imposed:

15 a. imprisonment of ~~two (2) years and one (1) day to four (4)~~
16 **years [FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS]**
17 and/or a fine of Five thousand pesos (₱5,000.00) to ~~Three hundred thousand~~
18 **pesos (₱300,000.00) [TWO MILLION (₱2,000,000.00) PESOS]**, if
19 inflicted or undertaken against species listed as critical;

1 b. imprisonment of ~~one (1) year and one (1) day to two (2) years~~
2 **[TWO (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS]** and/or a
3 fine of Two thousand pesos (₱2,000.00) to ~~Two hundred thousand pesos~~
4 ~~(₱200,000.00)~~ **[ONE MILLION (₱1,000,000.00) PESOS]**, if inflicted or
5 undertaken against endangered species;

6 c. imprisonment of ~~six (6) months and one (1) day to one (1)~~
7 ~~year~~ **[ONE (1) YEAR AND ONE (1) DAY TO TWO (2) YEARS]** and/or
8 a fine of One thousand pesos (₱1,000.00) to ~~One hundred thousand pesos~~
9 ~~(₱100,000.00)~~ **[FIVE HUNDRED THOUSAND (₱500,000.00) PESOS]**,
10 if inflicted or undertaken against vulnerable species;

11 d. imprisonment of ~~one (1) month and one (1) day to six (6)~~
12 ~~months~~ **[SIX (6) MONTHS AND ONE (1) DAY TO ONE (1) YEAR]**
13 and/or a fine of Five hundred pesos (₱500.00) to ~~Fifty thousand pesos~~
14 ~~(₱50,000.00)~~ **[ONE HUNDRED THOUSAND (₱100,000.00) PESOS]**, if
15 inflicted or undertaken against species listed as threatened species; and

16 ...

17 For illegal acts under paragraphs (f) and (g) of the immediately
18 preceding section, the following penalties and/or fines shall be imposed:

19 a. imprisonment of ~~two (2) years and one (1) day to four (4)~~
20 ~~years and a fine of Thirty thousand pesos (₱30,000.00) to Three hundred~~
21 ~~thousand pesos (₱300,000.00)~~ **[SIX YEARS AND ONE DAY TO**
22 **TWELVE YEARS AND A FINE OF FIVE HUNDRED THOUSAND**
23 **PESOS (₱500,000) TO TEN MILLION PESOS (₱10,000,000)]** , if
24 inflicted or undertaken against species listed as critical;

1 b. imprisonment of ~~one (1) year and one (1) day~~ to ~~two (2) years~~
2 and a fine of ~~Twenty thousand pesos (P20,000.00)~~ to ~~Two hundred~~
3 ~~thousand pesos (P200,000.00)~~ [**FOUR (4) YEARS AND ONE DAY TO**
4 **SIX YEARS AND A FINE OF ONE HUNDRED THOUSAND PESOS**
5 **(P100,000) TO FIVE MILLION PESOS (P5,000,000)**], if inflicted or
6 undertaken against endangered species;

7 c. imprisonment of ~~six (6) months and one (1) day~~ to ~~one (1)~~
8 ~~year and a fine of Ten thousand pesos (P10,000.00)~~ to ~~One hundred~~
9 ~~thousand pesos (P100,000.00)~~ [**ONE (1) YEAR AND ONE (1) DAY TO**
10 **TWO (2) YEARS AND A FINE OF TWENTY THOUSAND PESOS**
11 **(P20,000.00) TO FIVE HUNDRED THOUSAND PESOS**
12 **(P500,000.00)**], if inflicted or undertaken against vulnerable species;

13 d. imprisonment of ~~one (1) month and one (1) day~~ to ~~six (6)~~
14 ~~months and a fine of Five thousand pesos (P5,000.00)~~ to ~~Fifty thousand~~
15 ~~pesos (P50,000.00)~~ [**SIX (6) MONTHS AND ONE (1) DAY TO ONE (1)**
16 **YEAR AND A FINE OF TEN THOUSAND PESOS (P10,000.00) TO**
17 **ONE HUNDRED THOUSAND PESOS (P100,000.00)**], if inflicted or
18 undertaken against species as other threatened species; and

19 e. imprisonment of ~~ten (10) days~~ to ~~one (1) month~~ and a fine of
20 ~~One thousand pesos (P1,000.00)~~ to ~~Five thousand pesos (P5,000.00)~~ [**ONE**
21 **(1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS AND A FINE**
22 **OF FIVE THOUSAND PESOS (P5,000.00) TO FIFTY THOUSAND**
23 **PESOS (P50,000.00)**], if inflicted or undertaken against other wildlife
24 species: Provided, That in case of paragraph (f), where the acts were
25 perpetuated through the means of inappropriate techniques and devices, the

1 maximum penalty herein provided shall be imposed. **PROVIDED**
2 **FURTHER, THAT IF THE ACTS WERE PERPETUATED BY A**
3 **SYNDICATE OR A GROUP OF THREE OR MORE PEOPLE,**
4 **THEN THE MAXIMUM PENALTY HEREIN PROVIDED SHALL**
5 **ALSO BE IMPOSED.**

6

7 The fines herein prescribed shall be increased by at least ~~ten percent~~
8 ~~(10%)~~ **[TWENTY PERCENT (20%)]** every three (3) years to compensate
9 for inflation and to maintain the deterrent function of such fines.”

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

14 SECTION 3. *Effectivity Clause.* - This Act shall take effect fifteen (15) days after
15 its publication in at least two (2) newspapers of general circulation.

Approved,

/mamt