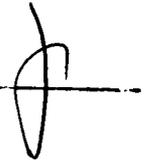


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)

23 OCT -2 P 1 :44

SENATE
S. No. 2458

RECEIVED BY: _____



Introduced by Senator Grace Poe

AN ACT
STRENGTHENING ANIMAL WELFARE STANDARDS, ENACTING A REVISED ANIMAL WELFARE ACT, THEREBY REPEALING REPUBLIC ACT NO. 8485, AS AMENDED BY REPUBLIC ACT NO. 10631, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

"ANIMALS DO HAVE RIGHTS TOO!", this is the cry of animal lovers, owners, activists, and advocates of animal welfare.

Some humans consider their pet animals like a member of their own family. They celebrate every milestone of their pets, build them a comfortable home, provide food and medicines, and mourn when their pets die. Nonetheless, not all animals are given the same care and attention they should receive from their humans given that they are sometimes left abandoned or, worse, experience cruelty.¹

Under Republic Act No. 8485, as amended by R.A. 10631, or the Animal Welfare Act, the Director of the Bureau of Animal Industry (BAI) is tasked to supervise the implementation of the law and its rules and regulations. However, BAI is a staff bureau that primarily performs policy, program development, and advisory functions; and is without control over regional and local veterinary services, animal

¹ <https://www.nnc.gov.ph/regional-offices/mindanao/region-ix-zamboanga-peninsula/5956-animals-do-have-rights-too>

production, and animal welfare which significantly impairs its implementation and enforcement of the Animal Welfare Act, among its other duties.²

Despite this law on Animal Welfare, some individuals continue to defy and ignore its implementation. Animal cruelty, killing, and eating, particularly dogs, still exist in our society today. Animal groups and advocates are clamoring for a more effective, implementable, and responsive law.

As such, this bill seeks to repeal Republic Act No. 8485, as amended by R.A. 10631, to fortify the law's animal welfare provisions, and to create an Animal Welfare Bureau for the effective implementation and enforcement of the law.

It aims to strengthen the country's animal welfare standards, policies, rules and regulations, implementation, and enforcement, as well as, provide penalties for violating the Act.

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



GRACE POE



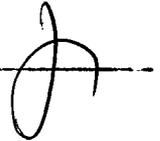
² https://legacy.senate.gov.ph/press_release/2011/0529_angara1.asp

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

CHAPTER I

TITLE, DECLARATION OF POLICY, AND DEFINITION OF TERMS

1 **Sec. 1. Title.** -This Act shall be known as the "The Revised Animal Welfare Act".

2 **Sec. 2. Declaration of Policy.** - It is the State's policy to protect life, liberty,
3 and property which includes the promotion of animal welfare by establishing a system
4 of supervision and regulation to ensure humane treatment in all aspects of the
5 keeping, maintaining, handling, transporting, breeding, training, treating, and use of
6 animals. Good animal welfare involves adherence to the five basic freedoms of animals
7 namely:

8 (1) Freedom from thirst, hunger, and malnutrition;

9 (2) Freedom from physical discomfort and pain;

10 (3) Freedom from injury and disease;

11 (4) Freedom to express normal behaviors; and

12 (5) Freedom from fear and distress.

1 **Sec. 3. Coverage.** - This Act shall apply to all programs, activities, and
2 undertakings of individuals, corporations, associations, organizations, or entities,
3 including but not limited to animal producers, small-hold farmers, private entities, or
4 government agencies, that:

- 5 a. Handle, breed, train, keep, care for, transport, exhibit, display,
6 use, or otherwise interact with any animals, whether as pets, livestock,
7 wildlife, or animals used for education, entertainment, or show; or
- 8 b. Own, operate, or maintain any facility that interacts with animals.

9 **Sec. 4. Objectives.** - The State shall promote the welfare of all animals by
10 establishing rules, regulations, guidelines, and standards and endeavour to achieve the
11 following objectives:

- 12 a. To protect and promote animal welfare by providing rules,
13 regulations, guidelines, and standards in the establishment and operation
14 of animal facilities, transportation, and the like;
- 15 b. To establish welfare guidelines and standards in the use, treating,
16 breeding, maintaining, keeping, and training of all animals;
- 17 c. To protect and promote animal health through the maintenance of
18 adequate, clean, and sanitary facilities used in the keeping, breeding,
19 treating, and training of animals;
- 20 d. To promote responsible pet ownership through education and
21 information dissemination;
- 22 e. To regulate the operation and maintenance of animal facilities or
23 any establishment where animals are kept for whatever reason or purpose;
- 24 f. To formulate rules and regulations that will ensure the promotion of
25 animal welfare in the establishment, maintenance, and operation of any pet
26 shop, kennel, pound, shelter, slaughterhouse, veterinary clinic, veterinary
27 hospital, stockyard, corral, stud farm, or stock farm or zoo for the breeding,
28 raising, treatment, sale or trading, or training of animals;
- 29 g. To establish inter-agency, multi-sectoral, and local government cooperation for
30 the promotion and protection of animal welfare;

1 h. To create an agency and establish an organizational structure that
2 will effectively implement the provisions of this Act and all laws relevant to it;

3 i. To promote public awareness and concern for caring for animals and
4 their welfare.

5 **Sec. 5. Animal Welfare Principles.** - Animal welfare standards, practices,
6 policies, and regulations must be based on the following principles:

7 a. Decisions regarding animal care, use, and welfare shall be made by
8 Balancing scientific knowledge and professional judgment with consideration
9 of ethical and societal values;

10 b. Animals must be provided water, food, proper handling, health care,
11 and an environment appropriate to their care and use, with thoughtful
12 consideration for their species-typical biology and behavior;

13 c. Animals should be cared for in ways that minimize fear, pain, stress,
14 and suffering; Conservation and management of animal populations should
15 be humane, socially responsible, and scientifically prudent;

16 d. Protection of animal habitat is an animal welfare consideration;

17 e. Consider the five basic freedoms of animals:

18 (1) Freedom from thirst, hunger, and malnutrition;

19 (2) Freedom from physical discomfort and pain;

20 (3) Freedom from injury and disease;

21 (4) Freedom to conform to essential behavioural patterns; and

22 (5) Freedom from fear and distress.

23 f. Animals shall be treated with respect and dignity throughout their lives
24 and, when necessary, provided with a humane death.

25 **Sec. 6. Definitions.** -As used in this Act, the following terms shall mean:

26 (1) **Animals** refer to domesticated vertebrate and invertebrate species under
27 the control of man, which may be food-producing, companion, laborers,
28 aquatic, or laboratory including birds. The term excludes human and non-
29 mammalian species;

- 1 (2) **Animal Welfare** pertains to the physical and psychological well-being of
2 animals. It includes, but is not limited to, the avoidance of abuse,
3 maltreatment, cruelty, and exploitation of animals by humans by
4 maintaining appropriate standards of accommodation, feeding, and general
5 care, the prevention and treatment of disease, and the assurance of
6 freedom from fear, distress, harassment and unnecessary discomfort and pain
7 and allowing animals to express normal behavior;
- 8 (3) **Animal Facility** refers to any facility, structure, or premises used for the
9 purpose of keeping, caring, breeding, rearing, holding, gaming, training,
10 trading, treating, or exhibiting animals, including but not limited to farms, zoos,
11 aviaries, apiaries, kennels, race tracks, cockpits, pet shops, shelters, pounds,
12 animal rescue centers, airports, and seaports quarantine stations, animal
13 holding facilities, stables, livestock markets, stockyards, corrals, stud farms, stock
14 farms, slaughterhouses, aquaria, laboratories, veterinary clinics, and veterinary
15 hospitals;
- 16 (4) **Animal fighting venture** refers to any event, show, exhibition,
17 program, or other activity that involves a fight conducted or to be
18 conducted between two or more animals for purposes of sport, wagering,
19 amusement, or entertainment;
- 20 (5) **Animal Welfare Enforcement Officer** refers to the Philippine National Police,
21 National Bureau of Investigation and other law enforcement agencies, citizens'
22 groups, community organizations, and other volunteer members of NGOs, and
23 Peoples organizations designated as such enforcement officers by the Secretary
24 of Agriculture;
- 25 (6) **Bureau** refers to the Animal Welfare Bureau;
- 26 (7) **Captive Animals** refers to animals that are confined for educational or
27 recreational purposes in places such as but not limited to zoos,
28 sanctuaries, rescue centers, sea or ocean facility, and the like;
- 29 (8) **Department** refers to the Department of Agriculture;
- 30 (9) **Director** refers to the individual in charge of the Animal Welfare Bureau;

- 1 (10) **Euthanasia** refers to the Bureau approved process or method of painless
2 death of animals;
- 3 (11) **Keeper** refers to any person who owns, possesses, or has control or custody
4 over an animal;
- 5 (12) **Local Government Unit (LGU)** refers to the Province, City, or Municipalities;
- 6 (13) **Pets** refers to documented or otherwise, or domestic animals intended for
7 companionship, therapy, seeing and hearing guides, recreation and value
8 formation, and breeding such as but not limited to dogs, cats, fishes, rabbits,
9 rodents, reptiles, and birds that are either acquired locally or through
10 importation under government rules and regulations;
- 11 (14) **Person** refers to any individual, corporation, company, business, enterprise,
12 association, partnership, syndicate, trust, or other entity;
- 13 (15) **Reporter** refers to any person who reports a suspected violation of any
14 provision of this Act to the proper authorities;
- 15 (16) **Secretary** refers to the Secretary of the Department of Agriculture;
- 16 (17) **Strategic Lawsuit Against Public Participation (SLAPP)** refers to a
17 legal action filed to harass, vex, exert undue pressure, or stifle any legal
18 recourse that any person, institution, or the government has taken or may take
19 in the enforcement of this Act;
- 20 (18) **Transport Facility** refers to any transportation public or private, whether air,
21 water, or land including tricycles and the like used to transport animals to a
22 particular destination;
- 23 (19) **Wild animal** refers to any individual of a species that is not normally
24 domesticated in the Philippines, including those in captivity under the control
25 of a person.
- 26 Furthermore, the Bureau may define such other terms as may be used
27 in the implementation of this Act;

1 **CHAPTER II**

2 **THE ANIMAL WELFARE BUREAU**

3 **Sec. 7. Animal Welfare Bureau** - is hereby created as a line bureau under the
4 Department of Agriculture. It shall establish regional, provincial and municipal offices as
5 may be appropriate and necessary to carry out effectively and efficiently the provisions
6 of this Act.

7 **Sec. 8. Functions of the Bureau.** - As a line bureau, it shall have the
8 following functions:

- 9 (1) Formulate policies, guidelines, standards, rules, and regulations for the
10 effective implementation of this Act;
- 11 (2) Provide minimum standards on the appropriate food, water, and shelter for
12 each species of pet and animals depending on the age, breed, size, and
13 special needs thereof;
- 14 (3) In consultation with the Land Transportation Office, Land Transportation
15 Franchising Regulatory Board, Civil Aeronautics Board, the Maritime Industry,
16 other transport regulating body or agencies, experts, and animal welfare
17 groups, set a species-specific standard for transportation of animals,
18 including definitions for cruel confinement and restraint during transport,
19 appropriate designs for transport cages and facilities, restraint types,
20 provision of food and water, ventilation, and protection from extreme
21 weather conditions;
- 22 (4) Establish an emergency animal response and rescue system to appropriately
23 respond in cases of calamities such as but not limited to floods, earthquakes,
24 and other natural disasters;
- 25 (5) Promulgate guidelines for humane slaughter of animals, in consultation with
26 the National Meat Inspection Service, local government units and other
27 concerned government agencies;
- 28 (6) Implement a system for inspection of animal facilities to ensure compliance
29 with animal welfare standards and regulations;

- 1 (7) Monitor compliance of the local government units with animal welfare
2 programs, standards, rules and regulations;
- 3 (8) Ensure proper coordination with non-government organizations, people's
4 organizations and academe for the strict implementation of the rules and
5 regulations issued;
- 6 (9) Formulate guidelines and qualifications related to research and testing on
7 animals;
- 8 (10) To issue, suspend, cancel permits or certifications pursuant to the purposes
9 of this Act;
- 10 (11) To levy and collect fees for registration, certification, inspection and
11 monitoring system and other fees as the Bureau may deem necessary for the
12 effective implementation of this Act;
- 13 (12) Keep records and documents pertaining to animal welfare in the country as
14 well as the maintenance of surveillance and management information system
15 on animal welfare;
- 16 (13) Create a system and guidelines for the determination or approval of
17 applications of certifications, authorizations, and permits necessary for the
18 establishment, maintenance, and operation of animal facilities, as well as to
19 issue said certifications, authorizations, and permits and to collect associated
20 fees;
- 21 (14) To call upon any government agencies for assistance consistent with its
22 powers, duties, and responsibilities for the purpose of ensuring the effective
23 and efficient implementation of this Act and the rules and regulations
24 promulgated thereunder, and it shall be the duty of such government agency
25 to assist the Bureau when called upon for assistance using any available fund
26 in its budget for the purpose; and
- 27 (15) ***Perform such other duties and responsibilities which are***
28 ***necessarily to achieve the purposes of this Act.***

29 **Sec. 9. Composition of the Bureau.** - As a line bureau, the Bureau shall be headed
30 by a Director and assisted by two (2) Assistant Directors who shall supervise the administrative

1 and technical services of the Bureau.

2 The Director must possess adequate knowledge, training and experience in the
3 field of agriculture, biology, animal husbandry, veterinary science, veterinary medicine
4 or other similar discipline.

5 **Sec. 10. Personnel and Staffing Pattern.** - Notwithstanding the provisions
6 of existing laws, the Secretary of the Department of Agriculture shall require the
7 Director of the Bureau of Animal Industry (BAI), as an interim Director of the Bureau
8 to submit within thirty (30) days from the effectivity of this Act their recommendation
9 on the personnel and staffing pattern of the Bureau and to submit the same to the
10 Department of Budget and Management and the Civil Service Commission.

11

CHAPTER III

12

THE ANIMAL WELFARE ENFORCEMENT OFFICER

13

14 **Sec. 11. Deputization of Animal Welfare Enforcement Officers.** — The
15 Secretary of the Department of Agriculture shall deputize animal welfare enforcement
16 officers from non-government organizations, citizens' groups, community organizations,
17 and other volunteers who have undergone the necessary training for this purpose.

18

19 The Philippine National Police (PNP), the Armed Forces of the Philippines (AFP),
20 the National Bureau of Investigation (NBI), and other law enforcement agencies shall
21 designate animal welfare enforcement officers who shall assist in the implementation of
22 this Act. In the absence of such enforcement officers, the said law enforcement officers
23 shall continue to implement the law under their general mandate.

24

25 The animal welfare enforcement officers shall have the full authority to seize and
26 rescue illegally traded and maltreated animals and to arrest violators of this Act subject
27 to existing laws, rules, and regulations on arrest and detention. Regardless of the
28 absence of designated animal welfare enforcement officers in law enforcement, the
29 same shall not preclude them from the enforcement of the provisions of this Act.

30

The Bureau shall set guidelines in the training, qualification, reporting, and
coordination of deputized animal welfare enforcement officers to cover the following:

1. Guidelines on the criteria and training requirements for the deputization

of animal welfare enforcement officers; and

1 **Sec. 18. Prohibition on Neglect.** - It shall be unlawful for any keeper of an
2 animal to fail to provide such animal with basic care in accordance with Chapter V of
3 this Act. It shall also be unlawful for any keeper of an animal to allow such animal to
4 roam the streets resulting in its impoundment by the local impounding authority.

5 **Sec. 19. Prohibition on Killing of Animals.** - It shall be unlawful for any
6 person to kill any animals other than cattle, pigs, goats, sheep, poultry, rabbits,
7 carabaos, horses, or other food animals for human consumption. The killing of pets and
8 animals not declared as food animals for human consumption, or cause or procuring the
9 same to be killed is prohibited except in the following instances:

10 1. When it is done as part of the religious rituals of an established religion or
11 sect or a ritual required by a tribal or ethnic custom of indigenous cultural
12 communities; however, religious or tribal leaders shall keep records in
13 accordance with relevant guidelines issued on the matter;

14 2. Euthanasia of a pet animal is afflicted with an incurable communicable
15 disease as determined and certified by a duly licensed veterinarian;

16 3. When euthanasia of an animal is deemed necessary to put an end to the
17 misery suffered by the animal as determined and certified by a duly licensed
18 veterinarian;

19 4. When it is done to prevent imminent danger to the life or limb of a human
20 being;

21 5. When done for the purpose of animal population control as a last resort
22 duly certified by the Provincial/City Veterinary Officer;

23 6. Euthanasia of an animal by a duly licensed veterinarian after the animal has
24 been used in an authorized research or experiment in accordance with Section
25 26;

26 7. Humane slaughter of a farm animal; or

27 8. Any other ground analogous to the foregoing as determined and certified by
28 a duly licensed veterinarian. In all of the above-mentioned cases, the killing
29 shall at all times be done only through euthanasia or other humane
30 procedures approved by the Animal Welfare Bureau. For this purpose, humane

1 procedures shall mean the use of the most scientific methods available as may
2 be determined by the Bureau.

3 **Sec. 20. Prohibition on Animal Fights.** -It is prohibited to subject animals
4 to fights such as but not limited to dog fighting, carabao or bullfighting or horse
5 fighting, and the like, not authorized or regulated by law. Any person who participates
6 under the circumstances as described herein shall be considered as an accessory in the
7 commission of animal fighting and/or abetting in the commission of animal cruelty. It
8 shall include but not be limited to pitting one animal with another for the purpose of
9 human entertainment, wagering, or sport. In certain instances, one of the animals
10 involved may be a "bait animal" used for the ostensible purpose of sport or training.

11 The prohibition on animal fights shall include but not be limited to the
12 following:

13 (a) Cause, procure, permit, encourage, promote, organize, sponsor, or
14 incite a fight in which an animal is pitted against another animal for any
15 purposes such as dog fighting and horse fighting and the like;

16 (b) Advertise, promote, sell tickets, or otherwise assist in an animal
17 fighting venture;

18 (c) Attend such a fight;

19 (d) Breed or train any animal for the purpose of having it fight, engage, or
20 otherwise participate in an animal fighting venture;

21 (e) Permit an animal fighting venture to take place on any site, structure,
22 facility, or other premises under the person's ownership or control;

23 (f) Attend, wager on, or otherwise patronize an animal fighting venture;
24 and

25 (g) Cause or allow a person who has not yet reached the age of 16 to
26 attend an animal fighting venture.

27 Animal fighting ventures held during festivities, festivals, fiestas, and the like are
28 not exempt from this Section and are strictly prohibited.

29 **Sec. 21. Prohibition on Dog Meat Trading.** - It shall be unlawful for any
30 person to engage in the trade of dogs for their meat which includes the farming or

1 capture, transport, sale, or slaughter of dogs and their meat for commercial human
2 consumption. The trade of dogs shall include but shall not be limited to buying and/or
3 selling of dogs, dog meats and carcasses, dog farming, collecting, and/or slaughtering
4 of dogs for commercial consumption.

5 **Sec. 22. Prohibition on Abandonment.** - It shall be unlawful for any keeper
6 of an animal, whether temporary or permanent, to abandon such animal. Animal
7 abandonment refers to leaving behind an animal alone or permitting the animal to be
8 abandoned in circumstances that might cause them harm.

9 **Sec. 23. Prohibition on Ear Cropping/ Tail docking, De-vocalization, and**
10 **Declawing.** - The conduct of ear cropping, tail docking, devocalization, declawing, or
11 any other similar mutilation is prohibited as constituting animal cruelty except in cases
12 as may be required for the well-being of the animal as determined by a duly licensed
13 veterinarian and not for aesthetic purposes. When allowed, the same may only be
14 performed by a duly licensed veterinarian.

15 **Sec. 24. Operating an Animal Facility without a Permit or Certificate.** -
16 Operating any facility without a necessary permit or certification from the Bureau is
17 hereby prohibited.

18 **CHAPTER VI**

19 **ENFORCEMENT**

20 **Sec. 25. In General.** - The Bureau, either independently, or in cooperation with
21 LGUs, the registered NGOs, Animal Welfare Enforcement Officers, the Philippine
22 National Police, and other concerned parties, is authorized to carry out enforcement
23 operations and measures to ensure compliance with the provisions of this Act and to
24 eradicate, stop and prevent activities prohibited under this Act.

25 **Sec. 26. Visitorial/Inspection Power.** - Owners and/or operators of animal
26 facilities shall be subjected to regular, as well as random Inspections by the Bureau on
27 its own or through its deputized agencies and Enforcement Officers to ensure
28 compliance with the standards set forth by this Act and subsequent rules and
29 regulations. Fines and suspension or revocation of certificates as provided in the
30 implementing rules and regulations of this Act shall be imposed in case of non-
31 compliance.

1 **Sec. 27. Apprehension of Offending Person/s.** - Any person who has
2 knowledge or Information about the commission of any of the prohibited acts
3 heretofore cited may refer the same to the law enforcement authority or to the Animal
4 Welfare Bureau and/or its deputized animal welfare enforcement officers, and other law
5 enforcement agencies for appropriate action. The procedure in the filing of criminal
6 charges shall be as prescribed by the rules of criminal procedure contained in the Rules
7 of Court.

8 **Sec. 28. Seizure of Effects.** -Any items seized including animals, pursuant to
9 arrests made for violation of any provision of this Act shall be held by any person,
10 facility, or organization, authorized by the Bureau, including the LGUs, the law
11 enforcement agencies or any Bureau accredited NGO pending disposition of
12 administrative, civil and criminal proceedings. Animals seized shall be referred to
13 Bureau-accredited animal facilities. For wildlife, the same shall be referred to the DENR -
14 BMB, without prejudice to the latter's referral or transfer of the animals to other animal
15 facilities provided it has better and more suited facilities.

16 Any animals seized and/or rescued from any inhumane condition or facility shall be
17 immediately relieved from such condition or situation without prejudice to the
18 immediate conduct of proper documentation such as photographing for purposes of
19 preserving evidence.

20 **Sec. 29. Rescue of Animals in an Enclosed Facility.** - Any animals found
21 to have been kept, abandoned, deprived of basic care, protection, and food, or
22 subjected to inhumane or cruel situations in an enclosed, locked, secured, or sealed
23 facility, whether public or private, may be rescued, or relieved from the cruel situation or
24 condition in coordination with the Barangay or the Law enforcement agencies or
25 Animal Welfare Enforcement Officers/NGOs. The said enclosed facility may be broken
26 open subject to diligent efforts shown to contact the owner of the facility. Except in
27 cases where there is an imminent danger to the life of the animal, diligent effort to
28 contact the owner of the facility may be dispensed with provided the Barangay or the
29 Police or any licensed veterinarian has certified on the occurrence of such danger.

30 **Sec. 30. Protection Orders.** - A protection order is a relief granted under
31 this Act for the purpose of preventing further violations of the provisions herein as
32 well as to protect an animal from further distress, fear, cruelty, or discomfort by

1 relieving them or removing them from such inhumane condition and granting other
2 necessary reliefs. The protection order shall be enforced by law enforcement agencies,
3 deputized animal welfare enforcement officers, or the Bureau.

4 The protection orders that may be issued under this Act are the Barangay
5 Protection Order (BPO), temporary protection order (TPO), and permanent protection
6 order (PPO).

7 A Barangay Protection Order is issued by the barangay office where the
8 perpetrator of the prohibited act or the complaining individual or entity lives or holds
9 office. This BPO shall be effective for fifteen (15) days. A Temporary Protection Order
10 shall be issued by the court having jurisdiction over the case filed against the
11 respondent which shall last for a period of thirty (30) days. A Permanent Protection
12 Order shall be issued by the appropriate court having jurisdiction over the case filed
13 against the respondent which shall remain in effect unless revoked by the court after
14 the dismissal of the case against the respondent.

15 A protection order may be sought by any concerned citizen, deputized animal
16 welfare officer, law enforcement officer, the Board, or the LGU through the City or
17 Provincial Veterinary Officers.

18 The protection under this Act may include any of the following reliefs:

19 (a) Prohibition of respondent from taking possession of the animal(s) that
20 is or was in the respondent's possession;

21 (b) Prohibition of respondent from taking possession of any animal for the
22 duration of the protection order;

23 (c) Prohibition of respondent from purchasing any live animal for any
24 purpose for the duration of the protection order;

25 (d) Directing the respondent to stay away from the person who has
26 caused the apprehension of the respondent and his or her family or
27 household member at a distance specified in the protection order or a
28 minimum of 50 meters;

29 (e) Directing the respondent to stay away from the residence, school,
30 place of employment, or any specified place frequented by a particular

1 reporter, as well as such reporter's designated family or household
2 member/s;

3 (f) Granting temporary or permanent custody of the animal to any animal
4 welfare enforcement officer or any interested animal welfare group who
5 shall apply for the custody of said animal/s;

6 (g) Restitution for actual costs for the rescue, care, and rehabilitation of
7 animal/s subject matter of the protection order; and

8 (h) Such other forms of relief as the court deems necessary to protect any
9 animals as well as any Reporter and the Reporter's designated family or
10 household member/s.

11 The issuance of the BPO or the pendency of an application for BPO shall not
12 preclude the application for or the granting of TPO or PPO. Any violation of the
13 protection order shall be deemed as multiple violations under this Act and shall be
14 penalized accordingly.

15 **Sec. 31. Strategic Lawsuit Against Public Participation (SLAPP) in the**
16 **Enforcement of this Act.** - If a person believes that a legal action filed against the
17 person constitutes a SLAPP, such person may make such assertion as an affirmative
18 defense in the action. A special hearing on the SLAPP affirmative defense shall be held
19 by the court at the earliest possible juncture in the action. The hearing on the SLAPP
20 affirmative defense shall be summary in nature, and the SLAPP affirmative defense shall
21 be resolved within thirty (30) days after the summary hearing. If the court dismisses the
22 action pursuant to the SLAPP affirmative defense, the court may award attorney's fees
23 and costs of suit, as well as damages under a counterclaim if such has been filed. The
24 dismissal shall be with prejudice.

25 If the court rejects the SLAPP affirmative defense, the evidence adduced during
26 the summary hearing shall be treated as evidence of the parties on the merits of the
27 case. The action shall proceed in accordance with the Rules of the Court.

28 **Sec. 32. Disputable Presumption.** - If, at the time of apprehension, a person
29 lacks the appropriate permit, certification or clearance, or authority, issued by the
30 Bureau or other pertinent government agencies including duly licensed Local
31 Government Veterinarian, the following shall constitute prima facie evidence of the
32 corresponding illegal acts punishable under this Act:

- 1 a. The possession of a body, carcasses or any parts thereof, meats of any
2 animals prohibited to be killed, whether raw, cooked or processed, other than
3 those allowed under existing laws on food animals, without justification or
4 necessary permit or veterinary certificate from the Bureau, LGU Veterinarian,
5 or the National Meat Inspection Service or local slaughterhouses showing the
6 reasons for the killing and the method used for the killing as well as the
7 purpose for which the carcasses are to be used is a presumption that the
8 animals were killed under circumstances prohibited under this Act thus,
9 punishable, provided that such possession includes the possession of any
10 paraphernalia used for killing, torture or maltreatment such as clubs, knife,
11 cages, restraints along with live or dead animals including any of its products
12 and derivatives shall be a disputable presumption that the possessor caused
13 the killing and/or destruction, infliction of injury, maltreatment, as
14 appropriate;
- 15 b. The presence of fresh and/or dried blood, by-products, or derivatives of the
16 animals, with or without the tools, equipment, and/or paraphernalia
17 derivatives, shall be a disputable presumption of the killing and/or destruction
18 of the habitat of the animal involved.

19 **CHAPTER VII**

20 **PERMITS, CERTIFICATES, AND AUTHORITY TO COLLECT FEES AND CHARGES**

21 **Sec. 33. Certificate of Registration and Permits.** - No person, association,
22 partnership, corporation, cooperative, or any government agency or instrumentality
23 shall establish, maintain, or operate any animal facility including transport facility public
24 or private, without first securing from the Bureau a certificate of registration thereof.
25 Any facility, public or private, that has a minimum of ten (10) animals combined or
26 otherwise shall be considered as operating an animal facility when the following
27 circumstances are present:

- 28 a. When operating and representing itself publicly as such; and
29 b. When it has been securing donations or effecting rescue under the
30 definition of this code.

1 As such, the said facility shall be covered by the guidelines and requirements of
2 the Act.

3 The Bureau may revoke or cancel the certificate of registration of an animal
4 facility if such animal facility is found to be in violation of any provision of this Act or any
5 associated guidelines, rules, regulations, standards or other just cause.

6 **Sec. 34. Mayor's Permit Requirement.** - No LGU shall issue a Mayor's or
7 business permit to any person, association, partnership, corporation, cooperative or
8 government agency or instrumentality without the presentation of a certificate coming
9 from the Bureau that it has complied with the animal welfare standards set forth herein
10 or any rules and regulations as may hereafter be enforced.

11 **CHAPTER VIII**

12 **OTHER ANIMAL WELFARE PROVISIONS**

13 **Sec. 35. Use of Animals for Show, Media, TV, Movies, or Entertainment -**
14 Promoters/organizers of animal shows, media, or entertainment, shall obtain the
15 necessary permit from the Bureau when using animals. The presence of a licensed
16 veterinarian during the entire show, taping, shooting, or program shall be required. The
17 Bureau shall lay down requirements for this purpose. All other provisions regarding
18 proper care and treatment of animals, in general, shall be applicable to these animals
19 used for show or entertainment, especially with respect to transport, holding area,
20 allowance for rest, and provision of food and water.

21 It shall be unlawful for producers and promoters of shows where animals are
22 used to Import, procure or use animals from sources without animal welfare
23 standards/laws and/or have been shown to have maltreated or exposed animals to
24 Inhumane conditions prior to their importation. The animal should be given sufficient
25 food and accommodation as well as adequate rest for the entire duration of Its stay in
26 the Philippines.

27 **Sec. 36. Use of Animals for Work.** - Animals used as working animals
28 including but not limited to carriage horses, farm animals, and the like must comply
29 with the health and welfare standards set forth herein and as may be issued by the
30 Bureau taking into consideration their nature and behavior. Working animals should not
31 be allowed to work under circumstances where their health and safety will be at risk.

1 Overworking of animals is hereby prohibited. Water and appropriate shelter protecting
2 the same from extreme weather conditions must be provided.

3 **Sec. 37. Use of Animals as a Guide or Service Animals** — Service animals,
4 such as but not limited to guide/service dogs are hereby regulated by the Bureau and
5 welfare guidelines established. Certification guidelines and standards for the
6 accreditation of dogs shall be established by the Bureau in consultation with relevant
7 agencies and concerned groups. Service dogs or Guide dogs shall be defined
8 accordingly.

9 **Sec. 38. Use of Animals in Research and Scientific Study.** - Animals used
10 in scientific procedures, research, and studies shall be regulated by the Bureau,
11 ensuring that animal welfare regulations and guidelines in the use, experimentation,
12 testing, and manipulations of animals for said purpose are complied with at all times.
13 The academe and research institutions are encouraged to use non-animal research,
14 testing, or educational model or strategy when reasonably and practicably available.
15 Animal experimentation may be performed only as a last resort upon exhaustion of
16 alternative approaches. No person, partnership, corporation, cooperative, government
17 agency, or instrumentality undertaking or operating any research facility shall use any
18 animal in research or experiments without first obtaining written authorization from the
19 Bureau upon compliance with such guidelines and qualifications necessary to obtain
20 such authority.

21 **Sec. 39. Farm Animals.** - The Bureau shall set out standards and guidelines in
22 consultation with the stakeholders in the establishment and gradual compliance with
23 animal welfare standards to better the living and health condition of animals in the farm
24 industry.

25 **Sec. 40. Transportation of Animals.** - The following stipulations shall be
26 followed when transporting animals:

27 a. No person shall transport an animal or cause an animal to be transported in a
28 way likely to cause injury or undue suffering to an animal, including but not
29 limited to overcrowding, lack of adequate ventilation and appropriate transport
30 cages, unnecessary or painful restraint, improper and unsafe stowing, transport
31 during extreme weather condition and the like, as well as failure to adequately
32 provide food and water for the transported animals.

1 b. No person transporting an animal in connection with an economic activity shall
2 fall to:

3 i. Ensure that such animal is fit to travel and checked regularly during the
4 voyage, at least once every six hours;

5 ii. Protect such animals from extreme temperatures, with journeys limited
6 to duration as prescribed by the Bureau depending on the species, nature,
7 and needs of the transported animal;

8 iii. Ensure that vehicle loading and unloading facilities are constructed and
9 maintained to avoid injury and suffering;

10 iv. Provide sufficient floor space and height allowance so as to allow such
11 animal to lie down, stand up, fully stretch Its limbs, and turn around freely
12 without any Impediment; and

13 v. After each eight (8) hour travel period, rest such animal off the vehicle
14 for at least 24 hours, providing such animal sufficient water and feed.

15 For purposes of this Section, transport "in connection with an economic activity"
16 includes but is not limited to journeys undertaken by commercial haulers, farmers,
17 commercial animal breeders, and horse racers. Such transport is not limited to transport
18 where an immediate exchange of money, goods, or services takes place and instead
19 includes, in particular, transport that directly or indirectly involves or aims at a financial
20 gain.

21 c. No person shall transport an animal fewer than eight (8) weeks old, a
22 pregnant female who has passed through ninety percent (90%) of her expected
23 gestational period, a female who has given birth in the past seven (7) days, or a
24 sick or injured animal unless such transport is to or from a veterinary practice or
25 clinic.

26 d. Any violation of this Section shall be penalized even If the transporter has a
27 permit to transport from the Bureau.

28 e. Any violation of this Section shall be penalized even if the transporter has a
29 permit to transport from the Bureau; and

30 f. Any vehicle used in the transportation or importation/exportation of animals in
31 violation of the provisions of this Act shall be deemed an instrument employed in

1 the commission of the crime and shall be ordered confiscated and forfeited in
2 favor of the government upon conviction of the accused.

3 **Sec. 41. Importation and Export of Live Animals.** — For the import and/or
4 export of live animals, compliance with the provisions of this Act must be ensured,
5 including proper holding facilities. Import of animals from countries of extremely cold
6 climates shall be prohibited unless specifically authorized on a case-by-case basis by the
7 Bureau upon submission of an approved care and sustainability program or plan.

8 **Sec. 42. Spay and Neuter and Vaccination of Stray Cats and Dogs.** - The
9 LGUs through the Office of the Provincial, City, and First-Class Municipalities shall
10 implement a mandatory spay and neuter for stray dogs and cats to control animal strays
11 and rabies. The Bureau may come up with other dog/cat population control programs in
12 keeping with what is relevant and necessary. Pest control companies shall not be
13 allowed to capture and dispose of cats and/or dogs.

14 **Sec. 43. Communication, Education, and other Public Awareness**
15 **Campaigns.** - The Bureau together with other agencies, NGOs, and stakeholders shall
16 implement programs towards increasing awareness of animal welfare through education
17 and various information awareness activities and programs.

18 **CHAPTER IX**

19 **APPROPRIATION**

20 **Sec. 44. Appropriation.** - The initial funding to establish the Bureau shall be
21 taken from the General Appropriations of the Department of Agriculture to the extent of
22 the amount of Fifty Million Pesos (50,000,000) for the first year.

23 The subsequent funding shall be included in the General Appropriation Act which
24 shall include all necessary amounts to achieve the purposes of this Act and to ensure
25 the proper functioning of the Bureau, including the enforcement of this Act.

26 **CHAPTER X**

27 **PENALTIES**

28 **Sec. 45. Penalties.** - The following penalties shall be imposed for violation of
29 any provision of this Act:

1 a. Any person who subjects any animal to cruelty, torture, maltreatment or
2 any of the prohibited acts herein shall be punished with a penalty of
3 imprisonment ranging from one (1) year and six (6) months to three (3) years or
4 a fine not less than thirty thousand pesos (P30,000.00) but not more than one
5 hundred thousand pesos (P100,000.00), or both.

6 b. Abandonment of animals shall be punished with a penalty of
7 imprisonment ranging from six (6) months to one (1) year, or a fine not
8 exceeding ten thousand pesos (P10,000.00), or both. If the animal is left In
9 circumstances likely to cause the animal unnecessary suffering or If this
10 abandonment results in the death or Injury of the animal, the person liable shall
11 suffer the maximum penalty of imprisonment of one (1) year and fine often
12 thousand pesos (P10,000.00).

13 c. Operating an animal facility, including any animal transport facility,
14 without the required permit shall be punished with a penalty of Imprisonment
15 ranging from six (6) months to one (1) year or a fine not exceeding ten thousand
16 pesos (P10,000.00), or both. The penalties imposed herein are without prejudice
17 to the administrative liability of the owner/operator.

18 d. Failure to obtain the required permits to use animals for show,
19 entainment, or any form of media, or use animals for research and/or scientific
20 education experiment shall be punished with a penalty of imprisonment ranging
21 from six (6) months to one (1) year and six (6) months or a fine not exceeding
22 thirty thousand pesos (P30,000.00), or both.

23 e. If the violation is committed by a juridical person, the offender
24 responsible thereof shall be punished with the corresponding penalty of
25 Imprisonment. If the violation is committed by an alien, he or she shall be
26 immediately deported after the service of sentence without any further
27 proceedings;

28 f. The penalty of imprisonment ranging from two (2) years and one (1)
29 day to three (3) years or a fine not exceeding two hundred fifty thousand pesos
30 (P250,000.00), or both, shall be imposed if the offense involves any of the
31 following circumstances:

- 1 i. Committed by a syndicate involving a group of three (3) or more
2 individuals;
- 3 ii. Committed by an offender who makes a business out of cruelty
4 to animals;
- 5 iii. Committed by a public officer or employee; or
6 iv. Where at least three (3) animals are involved.
- 7 g. In any of the foregoing situations, the offender shall suffer subsidiary
8 imprisonment in case of insolvency and the inability to pay fine.
- 9 h. The maximum applicable penalty shall be imposed upon a person who,
10 at the time of his or her trial for a violation of this Act, shall have been previously
11 convicted by final judgment of the same or another violation of this Act;
- 12 i. Any person found guilty of dog meat trading shall be punished with a
13 penalty of fine not exceeding five thousand pesos (P5,000.00) per dog and
14 penalty of Imprisonment ranging from one (1) year to four (4) years;
- 15 j. Any violation of any other provisions of this Act shall be punished with a
16 penalty of imprisonment ranging from three (3) months to one (1) year, or a fine
17 not exceeding five thousand pesos (P5,000.00), or both;
- 18 k. The liability of any person herein is without prejudice to his/her liability
19 for any other offenses under another law including administrative liabilities;
- 20 l. Any person who has been habitually convicted of a violation of this Act
21 shall be permanently and perpetually disqualified from being Issued any permits
22 or certificates to operate any animal facility including owning or possessing an
23 animal/pet;
- 24 m. The courts, in its discretion, in lieu of service in jail, may require that
25 the imposed penalties of imprisonment not exceeding one (1) year be served by
26 the defendant by rendering community service under such terms and conditions
27 that the courts may determine depending on the gravity of the offense. Under
28 this circumstance, the courts will prepare an order imposing the penalty of
29 community service in lieu of the penalty, specifying the number of hours to be
30 worked and the period for it to be completed. Community service to be rendered
31 must be related to assistance to animals.

1 **CHAPTER XI**

2 **MISCELLANEOUS PROVISIONS**

3 **Sec. 46. Animal Welfare Fund.** - There is hereby established an Animal
4 Welfare Fund to be administered by the Bureau as a special account in the National
5 Treasury. It shall finance the programs of the Bureau on animal welfare as well as the
6 enforcement process. The Fund shall be derived from fines imposed and damages
7 awarded pursuant to violations of this Act, fees charged for permits, registrations,
8 authorizations, donations, endowments, administrative fees, or grants in the form of
9 contributions. Contribution to the Fund shall be exempt from donor taxes and all other
10 taxes, charges, or fees imposed by the government.

11 **Sec. 47. Mandatory Animal Welfare Education.** - It shall be mandatory for
12 all primary and secondary education schools, public and private to integrate in their
13 curriculum and have activities on the following:

- 14 (1) The promotion and protection of the welfare of animals;
15 (2) (2) Responsible pet ownership; and
16 (3) (3) Concept of animal welfare.

17 **Sec. 48. Emergency Response.** - The Bureau shall create and implement, in
18 collaboration with the LGUs and animal welfare NGOs, an interagency emergency
19 response program for rescuing and caring for animals in times of calamity including but
20 not limited to floods, earthquakes, and the like. Such program shall include the
21 establishment and placing of the animals in identified animal evacuation centers,
22 temporary shelters, and/or recognized rescue centers, whether public or private until
23 the same is claimed by their rightful owners or can be rehomed appropriately.

24 The Bureau, through the LGUs, shall likewise establish an emergency response
25 system to rescue and/or refer animals' victim of abuse, cruelty, and maltreatment to
26 recognized animal shelters or facilities whether public or private.

27 **Sec. 49. Custody of Rescued Animals.** - Any animal/s seized or rescued from
28 violators of this Act made in response to a violation of any provision of this Act and
29 subsequent guidelines, rules, and regulations may be held in custody pending
30 disposition of administrative, civil, or criminal proceedings. Animals seized or rescued
31 shall be referred to the Local Government Pound or Shelter, Bureau accredited animal

1 facilities subject to rules and regulations as may be hereinafter issued. For wildlife, the
2 same shall be referred to the DENR-BMB or their nearest regional offices.

3 **Sec. 50. Role of Local Government Units and other government**
4 **agencies.** - LGUs shall support the Bureau In the implementation of this Act by issuing
5 necessary animal welfare ordinances and implementing animal welfare programs in
6 coordination with the Bureau, including the conduct of mandatory spay and neutering to
7 control dog and cat population as well as veterinary access. Other government agencies
8 handling animals within the definition of this Act are required to adopt and implement
9 animal welfare standards, policies, rules, and regulations in their operation consistent
10 with this Act.

11 Recognizing the important role of the Barangay, a Barangay Animal Welfare Task
12 Force shall be created and shall adopt programs consistent with the provisions of this
13 Act and rules and regulations issued to implement the purpose of this Act.

14 **Sec. 51. Construction of the Law.** - This Act shall be liberally construed in
15 favor of the promotion and protection of the welfare of the animals.

16 **Sec. 52. Transition.** - During the transition within one (1) year from effectivity
17 hereof, the existing Bureau of Animal Industry shall remain to be the supervisory and
18 authority in the implementation of the provisions of this act and shall manage, supervise
19 turn over, and monitor the establishment of the Bureau until the same becomes
20 operational including the assignment and appointment of personnel and staff during the
21 transition.

22 **Sec. 53. Separability Clause.** - If any portion or provision of this Act is
23 declared unconstitutional or invalid, the other portions or provisions hereof, which are
24 not affected, shall continue to be in full force and effect.

25 **Sec. 54. Repealing Clause.** - All laws, decrees, rules, and regulations
26 inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

27 **Sec. 55. Effectivity.** - This Act shall take effect fifteen (15) days after its
28 publication In the Official Gazette or in two (2) newspapers of general circulation.

Approved,