

FIFTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
First Regular Session

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SENATE

Senate Bill No. 866

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

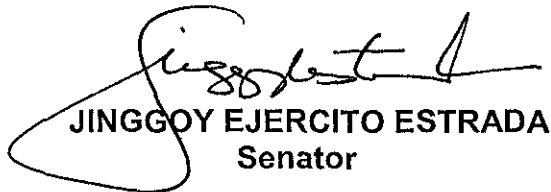
EXPLANATORY NOTE

The proposed bill urges to help maintain the equilibrium of life in our environment. This will prohibit the trade or export of wildlife whether fish or plant of whatever species dead or live, belonging to either endangered or threatened species. The definition of terms embodied in Section 2 of the Act was borrowed from the United States Endangered Species Act of 1973.

It is very important that we take care of our nature and wildlife so that in the nearby future, our children will be able to appreciate it. In addition to this, this Act will also promote the quality of life of the endangered or threatened species in our country.

This piece of legislation will surely close the doors to those individuals or groups who are engaged in trade or export wildlife or whatever species, whether dead or alive.

Hence, the approval of this bill is earnestly needed.


JINGGOY EJERCITO ESTRADA
Senator

SENATE

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AN ACT
TO ABSOLUTELY PROHIBIT THE TRADE OR EXPORT OF WILDLIFE, BOTH
FLORA AND FAUNA OF WHATEVER SPECIES, WHETHER DEAD OR ALIVE,
PROVIDING PENALTY THEREFORE AND FOR OTHER PURPOSES

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

SECTION 1. Declaration of Policy. It is hereby declared the policy of the State to conserve, improve and protect its natural resources and environment and take steps to conserve endangered and threatened wildlife species, both flora and fauna.

SEC. 2. Definition of Terms. For purposes of this Act, the terms:

- (a) Endangered species – means any specie which is in danger or extinction in the Philippines;
- (b) Threatened species – means any specie which is likely to become an endangered specie within the foreseeable future in the Philippines;
- (c) Fish or wildlife – means any member of the animal kingdom, including but not limited to, any mammal, fish, bird, amphibian, reptile, mollusk, crustacean, arthropod or other invertebrate and includes any pork, product, egg or offspring thereof, or the dead body or any parts thereof;
- (d) Plant – means any member of the plant kingdom, including seeds, roots and other parts thereof;
- (e) Species – means any species, subspecies of fish or wildlife or plant or geographically separate population thereof;
- (f) Convention - means the Convention on International Trade in Endangered Species in wild Fauna and Flora and the appendices thereto, of which the Philippines is a signatory;
- (g) Trade – means the export or reexport of any specie of fish or wildlife or plant;

- (h) Reexport – means the export of any specimen that has previously been imported and
- (i) Specimen – any wildlife, animal or plant, whether dead or alive.

SEC. 3. *Prohibition.* The trade or export or reexport of fish or wildlife plant or whatever specie, dead or alive, belonging either to the endangered or threatened species as contained in the appendices of the Convention, as defined in this Act, is absolutely prohibited.

SEC. 4. *Presumption of Violations.* The presence of any specimen mentioned in Section 3 hereof inside piers or airports for international travel or in the possession of one who is going out of the Philippines is considered a prima facie violation of this Act.

SEC. 5. *Penalty.* Any person who violates the provisions of this Act shall be punished with a fine of not less than Twenty Thousand Pesos (P20,000.00) but not more than Fifty Thousand Pesos (P50,000.00) or imprisonment of not less than six (6) years but not more than ten (10) years, or both at the discretion of the Court. If a juridical person, the president, the manager commit the offense, and the official in charge with the business operation shall likewise suffer the penalty herein provided,

SEC. 6. *Repealing Clause.* Any law, presidential decree, or issuance, executive order, letter of instruction, rules or regulation inconsistent with this Act is hereby repealed or modified accordingly.

SEC. 7. *Effectivity.* This Act shall take effect in fifteen (15) days after its complete publication in a newspaper of general circulation.

Approved,