



HOUSE OF REPRESENTATIVES

H. No. 6893

BY REPRESENTATIVES HERRERA-DY, CALIMBAS-VILLAROSA, GOLEZ (A.),
PALMONES, UMALI (R.), CLIMACO, CASTRO, ARROYO (D.),
MACAPAGAL-ARROYO (G.), NAVA, GULLAS AND PRIMICIAS-AGABAS,
PER COMMITTEE REPORT NO. 2678

AN ACT STRENGTHENING THE ANIMAL WELFARE ACT OF THE PHILIPPINES

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

1 SECTION 1. *Short Title.* — This Act shall be known and cited as the
2 “Animal Welfare Act of the Philippines 2013”.

3 SEC. 2. *Declaration of Policy.* — It shall be the policy of the State to
4 protect and promote the welfare of all terrestrial, aquatic and marine animals,
5 by establishing a system of supervision and regulation in all aspects of its
6 keeping, maintaining, handling, transporting, breeding, training, treating and
7 use of all animals either as object of trade, working animals or as household
8 pets, in adherence to the five (5) basic freedom of animals, namely:

9 (a) Freedom from thirst, hunger and malnutrition;

10 (b) Freedom from physical discomfort and pain;

11 (c) Freedom from injury and disease;

12 (d) Freedom to conform to essential behavioral pattern; and

1 (e) Freedom from fear and distress.

2 SEC. 3. *Coverage.* – This Act shall apply to all programs, activities
3 and undertakings of persons, corporations, associations, organizations, animal
4 producers, small-hold farmers, entities or government agencies that handle,
5 breed, train, keep, care, transport, use any animal whether as pet, livestock,
6 wildlife, through entertainment or show; or operate, maintain any facility for
7 animals either as shelter, kennel, pet shops, stockyard, corral, stud farm or
8 stockfarm, slaughterhouses, zoo, pound, including sea or ocean animal facility,
9 veterinary clinics and hospitals, laboratories, and the like.

10 SEC. 4. *Objectives.* – The State shall promote the welfare of all
11 animals by establishing rules, regulations, guidelines and standards, and
12 endeavor to achieve the following objectives:

13 (a) To promote animal welfare by providing rules, regulations,
14 guidelines and standards in the establishment and operation of animal facilities,
15 transportation, and the like;

16 (b) To establish welfare guidelines and standards in the breeding,
17 importation, experiment, maintaining, keeping, treating and training of all
18 animals;

19 (c) To promote animal health through the maintenance of adequate,
20 clean and sanitary facilities used in the keeping, breeding, treating and training
21 of animals;

22 (d) To promote responsible pet ownership through education and
23 information dissemination;

24 (e) To regulate the operation and maintenance of animal facilities or
25 any establishment where animals are kept for whatever reason or purpose;

26 (f) To formulate rules and regulations that will ensure the promotion of
27 animal welfare in the establishment, maintenance and operation of any pet
28 shop, kennel, pound, shelter, slaughterhouses, veterinary clinic, veterinary

1 hospital, stockyard, corral, stud farm, or stockfarm or zoo for the breeding,
2 raising, treatment, sale or trading, or training of animals;

3 (g) To establish interagency, multisectoral and local government
4 cooperation for the promotion and protection of animal welfare;

5 (h) To create an organizational structure that will effectively implement
6 the provisions of this Act and all laws relevant to it; and

7 (i) To promote public awareness and concern for the care of animals
8 and its welfare.

9 SEC. 5. *Animal Welfare Principles.* – Any animal welfare standard,
10 practice, policy and regulation must take into account the following principles:

11 (a) Decisions regarding animal care, use and welfare shall be made by
12 balancing scientific knowledge and professional judgment with consideration
13 of ethical and societal values;

14 (b) Animals must be provided water, food, proper handling, health
15 care, and an environment appropriate to their care and use, with thoughtful
16 consideration for their species-typical biology and behavior;

17 (c) Animals should be cared for in ways that minimize fear, pain, stress
18 and suffering;

19 (d) Conservation and management of animal populations should be
20 humane, socially responsible and scientifically prudent;

21 (e) Protection of animal habitat is an animal welfare consideration;

22 (f) Consider the five (5) basic freedom of animals:

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

24 (2) Freedom from physical discomfort and pain;

25 (3) Freedom from injury and disease;

26 (4) Freedom to conform to essential behavioral pattern; and

27 (5) Freedom from fear and distress; and

1 (g) Animals shall be treated with respect and dignity throughout their
2 lives and, when necessary, provided a humane death.

3 SEC. 6. *Definitions.* – As used in this Act, the following terms shall
4 mean:

5 (a) *Animal* refers to domesticated vertebrate and invertebrate species
6 under the control of man, which may be food producing, companion, labor,
7 aquatic or laboratory, including birds. The term excludes human and
8 nonmammalian species.

9 (b) *Animal welfare* refers to the physical and psychological well-being
10 of animals. It includes, but not limited to, the avoidance of abuse,
11 maltreatment, cruelty and exploitation of animals by humans by maintaining
12 appropriate standards of accommodation, feeding and general care, the
13 prevention and treatment of disease and the assurance of freedom from fear,
14 distress, harassment, and unnecessary discomfort and pain, and allowing
15 animals to express normal behavior.

16 (c) *Animal facility* refers to structure or premise used for the purpose of
17 caring, breeding, rearing, holding, gaming, training, trading, treating and
18 exhibition such as, but not limited to, farms, zoos, aviaries, apiaries, kennels,
19 race tracks, cockpits, pet shops, pounds, animal rescue centers, airport and
20 seaport quarantine stations, animal holding facilities, stables, livestock,
21 markets, slaughterhouses, veterinary clinics and veterinary hospitals.

22 (d) *Captive animals* refer to animals that are confined for educational
23 or recreational purposes in places such as, but not limited to, zoos, sanctuaries,
24 including rescue centers, sea or ocean facility and the like.

25 (e) *Euthanasia* refers to the process of painless death to animals.

26 (f) *Pet animals* refer to documented or otherwise, or domestic animals
27 intended for companionship, therapy, seeing and hearing guides, recreation and
28 value formation, and breeding such as, but not limited to, dogs, cats, fishes,

1 rabbits, rodents, reptiles and birds that are either acquired locally or through
2 importation under government rules and regulations.

3 (g) *Transport facility* refers to any transportation, public or private,
4 whether air, water, land including tricycles and the like used to transport
5 animals to a particular destination.

6 SEC. 7. *Animal Welfare Division (AWD)*. – The AWD shall be
7 created under the Bureau of Animal Industry (BAI) of the Department of
8 Agriculture (DA) which shall be primarily responsible for overseeing,
9 supervising, regulating and promoting the welfare of animals including all
10 animal facilities and establishments where animals are held, treated,
11 maintained, bred, trained; or kept for sale and trade as well as transportation
12 thereof, whether public or private, to ensure animal care and welfare; and
13 prevent any incident of death, sickness or infliction of cruelty and maltreatment
14 of animals. It shall be chiefly responsible in ensuring the implementation of
15 animal welfare regulations, programs and standards.

16 The AWD shall be headed by a Division Chief who shall be responsible
17 for the general administration and management of the AWD. The Division
18 Chief of the AWD shall be appointed by the Secretary of the DA and shall
19 perform such other duties that may be assigned to him/her. He/She must
20 possess adequate knowledge, training and experience in the field of veterinary
21 science and/or veterinary medicine.

22 The AWD shall consist of three (3) sections: the Registration and
23 Permit Section, the Monitoring Section and the Enforcement Section. The
24 BAI shall prepare the plantilla of personnel of the AWD.

25 SEC. 8. *Powers and Duties of the AWD*. – The AWD shall have the
26 following powers and duties:

27 (a) To establish a system for the effective implementation of this Act;

1 (b) To adopt measures to ensure that no animal cruelty, maltreatment
2 and the like are inflicted to animals in any animal facility including, but not
3 limited to, residential, zoos and sanctuaries, pounds, public and private
4 transport system;

5 (c) To establish an emergency response system to rescue and/or refer
6 animals victim of abuse, cruelty and maltreatment to recognized animal shelter
7 or facility whether public or private;

8 (d) To establish an emergency animal response and rescue system in
9 case of calamities such as, but not limited to, floods, earthquakes and the like;

10 (e) To immediately seize, confiscate animals in any facility defined
11 herein found to be violating the provisions of this Act, its implementing rules
12 and regulations, and other regulations and standards issued for the strict
13 implementation of this Act;

14 (f) To inspect vehicles or any transport system used to transport
15 animals and to order the closure, stoppage of operation of any said transport
16 facility violating the provisions of this Act, its implementing rules and
17 regulations, and other regulations and standards issued for the strict
18 implementation of this Act;

19 (g) To stop, confiscate or order the impounding of any transport
20 system, public or private, found to be violating the provisions of this Act, its
21 rules and regulations, and other regulations and standards issued for the strict
22 implementation of this Act;

23 (h) To inspect animal facilities used for training, keeping, maintaining,
24 breeding, or holding animals including veterinary clinics, fix or mobile, and
25 hospitals to ensure compliance with animal welfare standards and regulations;

26 (i) To close or order the closure of animal facilities found violating the
27 provisions of this Act or any animal welfare standards and regulations after
28 proper relocation of animals;

1 (j) To delegate certain powers and functions to the local government
2 units (LGUs), relevant and necessary for purposes of effectively implementing
3 animal welfare programs and standards;

4 (k) To monitor compliance by the LGUs of the animal welfare
5 programs, standards, rules and regulations;

6 (l) To ensure proper coordination and tie-ups with nongovernment
7 organizations (NGOs), people's organizations and the academe for the strict
8 implementation of the rules and regulations issued;

9 (m) To supervise and monitor the implementation of this Act and to
10 ensure strict compliance thereof;

11 (n) To deputize personnel from regional field units, LGUs, NGOs,
12 people's organizations, community organizations and certain veterinary
13 professionals to assist in the implementation of this Act;

14 (o) To establish and maintain a database surveillance and management
15 information system on animal welfare in the Philippines;

16 (p) To act as repository of data and documents which may be utilized
17 by the Bureau, government agencies and NGOs;

18 (q) To levy and collect fees for its registration, certification, inspection
19 and monitoring system;

20 (r) To collect fines and penalties pursuant to the provisions of this Act;

21 (s) To release data and information to the public through the use of
22 both trimedia and nontraditional media;

23 (t) To keep records and documents pertaining to animal welfare in the
24 country as well as the maintenance of surveillance and management
25 information system on animal welfare;

26 (u) To create and maintain a web-based registry accessible to the public
27 of all the animal facilities in the country, whether public or private;

1 (v) To issue certifications, authorizations and permits necessary for the
2 establishment, maintenance and operation of animal and transport facilities, as
3 well as to create a system and guidelines in the determination of approval of
4 the application of said certifications, authorizations and permits;

5 (w) To establish a system and regulations in the inspection of animal
6 facilities;

7 (x) To conduct regular as well as random inspections to ensure that the
8 continuing qualifications for the release and renewal of the issued
9 certifications, authorizations and permits are duly complied with and to impose
10 necessary sanctions in case of noncompliance;

11 (y) To create, establish and implement a national program on rewards
12 and incentives for Most Animal Welfare Friendly Region, Province and City;
13 and

14 (z) To perform such other duties and responsibilities which are
15 necessarily included in achieving the purposes of this Act.

16 SEC. 9. *Advisory Committee on Animal Welfare (CAW)*. — There is
17 hereby created a Committee on Animal Welfare (CAW) attached to the DA
18 which shall, subject to the approval of the Secretary of the DA, recommend the
19 necessary rules and regulations for the strict compliance of the provisions of
20 this Act.

21 The CAW shall likewise recommend to the AWD and from
22 time-to-time, revise code of practice for the purpose of providing practical
23 guidance in respect of any provision made under this Act. An adopted code of
24 practice may specify requirements:

25 (a) For the keeping, breeding, treatment, handling, transportation, sale,
26 killing, catching, trapping, netting, marking, care, use, husbandry or
27 management of an animal or a class of animal; or

1 (b) In relation to licensed premises or facilities, the setting of safety
2 and sanitary standards, transportation, equipment or conditions at licensed
3 premises.

4 SEC. 10. *Composition and Meetings of the CAW.* – The CAW shall be
5 composed of the official representatives of the following:

- 6 (a) One (1) from the AWD of the DA;
7 (b) One (1) from the Department of Education (DepED) or academe;
8 (c) One (1) from the Protected Areas and Wildlife Bureau (PAWB) of
9 the Department of Environment and Natural Resources (DENR);
10 (d) One (1) from the Department of the Interior and Local Government
11 (DILG);
12 (e) One (1) from the National Meat Inspection Service of the DA;
13 (f) One (1) from nationally recognized veterinary associations;
14 (g) One (1) from the Agricultural Training Institute (ATI) of the DA;
15 (h) One (1) from the Philippine Veterinary Medical Association
16 (PVMA);
17 (i) One (1) from the Veterinary Practitioners Association of the
18 Philippines (VPAP);
19 (j) One (1) from the Philippine Animal Hospital Association (PAHA);
20 (k) One (1) from the Philippine Animal Welfare Society (PAWS);
21 (l) One (1) from the Philippine Society for the Prevention of Cruelty to
22 Animals (PSPCA);
23 (m) One (1) from the Philippine Society of Swine Practitioners (PSSP);
24 (n) One (1) from the Philippine College of Canine Practitioners
25 (PCCP);
26 (o) One (1) from the Philippine Society for Animal Science (PSAS);
27 (p) One (1) from the Department of Justice (DOJ); and

1 (q) Six (6) representatives from the qualified animal welfare
2 organizations with two (2) from Luzon, two (2) from Visayas and two (2) from
3 Mindanao.

4 The CAW shall be chaired by the Division Chief of the AWD. The
5 AWD shall act as secretariat to the advisory CAW. It shall be responsible for
6 calling the meetings and sending notices for such meetings. The secretariat
7 shall also be responsible in records keeping and ensuring correct transcription
8 of minutes of the meetings. The CAW shall meet quarterly or as often as the
9 need arises.

10 Within fifteen (15) days from the effectivity of this Act, the Secretary of
11 the DA shall issue advisory to concerned government offices, academe,
12 concerned NGOs, veterinary associations and animal welfare organizations to
13 submit their recommendation and/or application for membership to the
14 advisory CAW.

15 Except for the identified government agencies, the other institutional
16 members of the Committee shall be appointed by the Secretary of the DA upon
17 the endorsement of the Chief of the AWD pursuant to an application or as
18 nominated by their respective agencies/sectors.

19 The application and nomination of the institutional members shall
20 commence after fifteen (15) days from the time this Act takes effect and shall
21 last for thirty (30) days. The appointments shall be made within thirty (30)
22 days from the nomination.

23 Each member shall have a term of service of two (2) years unless earlier
24 removed for just cause pursuant to the rules on the matter subject to the
25 assessment of the AWD.

26 The procedure for removal and replacement, as well as enforceable
27 disciplinary action on members shall be established in the internal rules and
28 regulations of the Committee which shall be formulated and issued by the

1 Committee thirty (30) days after the appointment of the minimum number of
2 all its representatives.

3 SEC. 11. *Requirements for Advisory CAW Members and Nominees.*

4 – The existing and additional animal welfare organizations and non-animal
5 welfare NGOs shall submit the following annually:

6 (a) Updated Securities and Exchange Commission (SEC) registration;

7 (b) Bureau of Internal Revenue registration; and

8 (c) Annual reports of programs:

9 (1) For animal welfare NGOs, programs in all the enumerated fields:
10 humane education, spay-neuter, lobbying and campaigning against animal
11 cruelty, rescue, rehabilitation and rehoming of animals and disaster-relief for
12 animals; and

13 (2) For veterinary organizations: spay-neuter outreach programs for
14 ingredient pet owners.

15 Nonsubmission of the said requirements annually upon the request of
16 the Director of the BAI shall cause the representation of such organization to
17 be revoked for the year. Each NGO shall be given sixty (60) days from the
18 receipt of yearly written notice to submit the documentary requirements.

19 SEC. 12. *Nomination and Appointment of Animal Welfare NGOs.*

20 – Animal welfare NGOs in Luzon, Visayas and Mindanao who meet the
21 qualifications indicated may submit their applications to the Director of the
22 BAI who will endorse qualified applicants to the Secretary of the DA for final
23 appointment.

24 Qualified animal welfare NGO CAW members must be appointed
25 within sixty (60) days from their submission of nomination forms to the
26 Director of the BAI.

27 SEC. 13. *Forfeiture or Termination of CAW Membership for the Year.*

28 – (a) Nongovernment Members. – Three (3) consecutive nonattendance

1 of the official or his/her alternate CAW representative for the organization
2 shall result in the termination of the said NGO's CAW membership for the
3 year and forfeiture of voting rights of the said organization for that particular
4 year.

5 (b) Government Members. – Two (2) consecutive nonattendance of
6 the official representative from a government entity shall cause the issuance of
7 a warning memorandum to the personnel involved with the third incident of
8 nonattendance as grounds for replacement of the representative of the
9 government agency. The Director of the BAI shall write asking for the
10 replacement of the said representative for the next CAW meeting.

11 SEC. 14. *Honorarium for Attending CAW Members.* – The CAW
12 members shall not receive any additional compensation but may receive
13 reasonable honorarium for each monthly attendance which shall be sourced
14 from funds accrued from the penalties and fees collected in the implementation
15 of this Act. The DA shall allocate from its appropriations, funds to pay for the
16 honorarium for the first year of implementation of this Act and thereafter
17 include it in its annual appropriations.

18 SEC. 15. *Qualifications and Functions of Regional, Provincial, City*
19 *and Municipal Animal Welfare Officers.* – A regional animal welfare officer
20 shall be appointed by the Secretary of the DA upon recommendation of the
21 Division Chief of the AWD. The said officer must possess the following
22 minimum qualifications:

23 (a) A veterinarian with a minimum of one (1) year experience on the
24 practice of veterinary or an animal husbandry graduate; and

25 (b) Has undergone relevant training on animal welfare practices.

26 Provinces, cities and municipalities shall also assign their respective
27 animal welfare officers and necessary technical support staff to effectively
28 implement the provisions of this Act. The said officers shall possess at the

1 very least the same qualifications as that of the Regional Animal Welfare
2 Officer.

3 The Provincial Animal Welfare Officer shall report to the Director of
4 the BAI, through the Chief of the AWD, and shall have the following
5 functions:

6 (1) Supervise the operations of the municipal animal welfare officers in
7 the province including investigations of reports of violations of the Animal
8 Welfare Act;

9 (2) Submit to the Director of the BAI, with specific recommendations
10 on applications for permits, through the Chief of the AWD; and

11 (3) Submit reports on violations of the Animal Welfare Act, with
12 recommendations, to the Director of the BAI, through the Chief of the AWD.

13 *Functions of the Municipal Animal Welfare Officers:*

14 (i) Process application for permits to operate pet shops, kennels,
15 veterinary clinics, veterinary hospitals, stockyards, corrals, stud farms,
16 breeding operations and zoos, as well as the transport of animals in any form of
17 public or private transportation facility, to provide maximum comfort while in
18 transit.

19 (ii) Monitor the operations of permittees with respect to the
20 implementation of the provisions of this Act.

21 (iii) Confiscate animals which are the subject of violations of this Act.

22 (iv) Gather evidence and file charges against violators of this Act.

23 (v) Assist government prosecutors in the prosecution of violators of
24 this Act.

25 *Functions of the City Animal Welfare Officers:*

26 The city animal welfare officers shall report to the Director of the BAI.
27 They shall have the same functions with the Municipal Animal Welfare
28 Officers.

1 SEC. 16. *The Bureau of Animal Industry (BAI)*. – The Director of the
2 BAI, through the AWD, shall supervise and regulate the establishment,
3 operation and maintenance of pet shops, kennels, veterinary clinics, veterinary
4 hospitals, stockyards, corrals, stud farms and zoos and any other form or
5 structure for the confinement or animals where they are bred, treated,
6 maintained, or kept either for sale or trade or for training, as well as the
7 transport of such animals in any form of public or private transportation facility
8 *to provide maximum comfort while in transit and minimize, if not totally*
9 *eradicate, incidence of sickness and death and prevent any cruelty from being*
10 *inflicted upon the animals. The Director may call upon any government*
11 *agency for assistance consistent with its powers, duties and responsibilities for*
12 *the purpose of ensuring the effective and efficient implementation of this Act*
13 *and the rules and regulations promulgated thereunder.*

14 It shall be the duty of such government agency to assist said director
15 when called upon for assistance using any available funds in its budget for the
16 purpose.

17 SEC. 17. *Certification Requirement*. – No person, association,
18 partnership, corporation, cooperative or any government agency or
19 *instrumentality including slaughterhouses shall establish, maintain and operate*
20 *any pet shop, kennel, veterinary clinic, veterinary hospital, stockyard, corral,*
21 *stud farm or stock farm, zoo, animal shelters, animal sanctuaries, pounds and*
22 *the like without first securing from the AWD a certificate of registration*
23 *thereof.*

24 Operating without necessary permits, certifications and authorizations
25 required shall be punishable with imprisonment not exceeding one (1) year and
26 fine not exceeding Fifty thousand pesos (P50,000.00). Subsequent violations,
27 *unless specified otherwise, shall merit the perpetual prohibition to apply for*
28 *same permits, certifications and authorizations.*

1 The certification shall be issued upon proof that the facilities of such
2 establishment for animals are adequate, clean and sanitary and complies with
3 animal welfare standards required for its use and purpose and that the same
4 will not be used for, nor cause any pain or suffering to the animals. The
5 certificate shall be valid for a period of one (1) year unless earlier cancelled for
6 just cause before the expiration of its term by the AWD and may be renewed
7 from year to year upon compliance with the conditions imposed hereunder.
8 The AWD shall charge reasonable fees for the issuance and renewal of such
9 certificate.

10 The condition that such facilities be adequate and appropriate for the
11 type of animal, clean and sanitary, and that they will not be used for, nor cause
12 any pain and/or suffering to the animals is a continuing requirement for the
13 operation of these establishments. The AWD may revoke or cancel such
14 certificate or registration for failure to observe this condition and other just
15 causes.

16 Government officials or employees who shall issue any permit,
17 certification or authorization when applicants are not qualified to obtain the
18 same shall be punished with the same fine and term of imprisonment as the
19 offenders and shall likewise be disqualified to work for government agencies
20 and/or instrumentalities which issue certificates or permits to the public for the
21 same period as the term of imprisonment but shall in no case be less than
22 one (1) year. This sanction shall be imposed as a separate penalty from other
23 administrative sanctions which may be imposed under other laws.

24 SEC. 18. *Mayor's Permit Requirement.* – No LGU shall issue a
25 mayor's or business permit to any person, association, partnership,
26 corporation, cooperative or government agency or instrumentality without the
27 presentation of certificate coming from the AWD that it has complied with the

1 animal welfare standards set forth herein or any rule and regulation as may
2 hereafter be enforced.

3 For purposes of this Act, what is adequate and appropriate, clean and
4 sanitary shall be defined in the implementing rules and regulations taking into
5 consideration the nature and needs of the specific animal or specie thereof.
6 Other relevant international standards may be used as reference for this
7 purpose.

8 *SEC. 19. Transportation of Animals.* – It shall be the duty of any
9 owner or operator of any land, air or water, private and/or public utility
10 transporting pet, wildlife and all other animals to provide in all cases adequate,
11 clean and sanitary facilities for the safe conveyance and delivery thereof to
12 their consignee at the place of consignment. They shall provide sufficient food
13 and water for such animals while in transit for more than twelve (12) hours or
14 whenever necessary.

15 No public or private utility shall transport any such animal without a
16 written permit from the AWD or its authorized representative. No cruel
17 confinement or restraint shall be made on such animals while being
18 transported, including their loading/unloading.

19 Any form of cruelty shall be penalized even if the transporter has
20 obtained a permit from the AWD. Cruelty in transporting includes
21 overcrowding, placing of animals in the trunks or under the hood trunks of the
22 vehicles exposing animals to extreme weather condition without adequate
23 shelter.

24 *SEC. 20. Prohibition to Put Live Animals in Cargo Holds of Buses or*
25 *Trunks of Cars.* – It shall be a criminal offense to transport dogs or other
26 animals in cargo holds of buses, trunks of cars or other places in vehicles
27 which lack ventilation and inappropriate transport cages. Management and
28 staff of transport companies, whether planes, buses or ships, shall be held

1 liable for violation of this Act if they allow animals to be put in areas of their
2 carriers unless these areas are specifically prepared to carry live animals
3 without endangering their welfare or causing them suffering or death.

4 No public or private utility shall transport any such animal without a
5 written permit from the AWD and only after complying with the established
6 rules and regulations on proper animal transport as may be issued. Transport
7 of animals for show or entertainment shall likewise be regulated following
8 welfare standards.

9 The AWD shall ensure that only appropriate transport facility made for
10 the specific animal specie shall be authorized to transport animals. It shall
11 create, in consultation with the CAW, specific standards for transportation of
12 animals according to its classification. Cruel confinement and restraint shall be
13 accordingly defined, taking into consideration the specific need, behavior and
14 nature of the animal being transported.

15 Any vehicle used in the transportation or importation/exportation of
16 animals in violation of the provisions of this Act shall be deemed an instrument
17 employed in the commission of the crime, and shall be ordered confiscated and
18 forfeited in favor of the government, upon conviction of the accused.

19 If the animal involved is pet animal and wildlife animal, the penalties
20 shall be imposed in its maximum.

21 SEC. 21. *Humane Livestock Transport.* – Live farm animals should
22 likewise be transported in vehicles with ample space for them to stand up and
23 with protection from elements like rain or extreme heat. This is regardless of
24 whether they are bound for slaughter or not.

25 SEC. 22. *Prohibition on Cruelty, Maltreatment or Neglect or Killing*
26 *Animals.* – It shall be unlawful for any person to torture any animal, to neglect
27 to provide adequate care, sustenance or shelter, or maltreat any animal or to
28 subject any animal to fights not authorized or regulated by law, kill any such

1 animals or cause or procure them to be killed, tortured or be deprived of
2 adequate care, sustenance or shelter, or maltreat or use the same in research or
3 experiments not expressly authorized by the AWD and other appropriate
4 government agency in cases of terrestrial wildlife species and the like.

5 An act of cruelty and maltreatment includes, but shall not be limited to,
6 the following:

7 (a) An act that causes an animal unnecessary suffering or pain such as,
8 but not limited to, torture, maltreatment and the like;

9 (b) Exposing the animal to inhumane conditions and situations
10 including inappropriate shelter and/or transport facility;

11 (c) Treatment that is inhumane such as, but not limited to,
12 overcrowding, neglect or failure to provide adequate care, sustenance and
13 shelter; unnecessary restraint;

14 (d) Overworking an animal or failure to provide necessary rest; and

15 (e) Abandonment of animal and/or leaving the animal under
16 circumstances likely to cause the animal unnecessary pain and suffering, or if
17 its abandonment results in death.

18 The killing of any animal other than cattle, pigs, goats, sheep, poultry,
19 rabbits, carabaos, horses, deer and crocodiles is likewise hereby declared
20 unlawful except in the following instances:

21 (1) When it is done as part of the religious rituals of an established
22 religion or sect or a ritual required by tribal or ethnic custom of indigenous
23 cultural communities; however, leaders shall keep records in cooperation with
24 the CAW;

25 (2) When the pet animal is afflicted with an incurable communicable
26 disease as determined and certified by a duly licensed veterinarian;

1 (3) When the killing is deemed necessary to put an end to the misery
2 suffered by the animal as determined and certified by a duly licensed
3 veterinarian;

4 (4) When it is done to prevent an imminent danger to the life or limb of
5 a human being;

6 (5) *When done for the purpose of animal population control;*

7 (6) When the animal is killed after it has been used in authorized
8 research or experiments; and

9 (7) Any other ground analogous to the foregoing as determined and
10 certified by a duly licensed veterinarian.

11 In all the abovementioned cases, including those of cattle, pigs, goats,
12 sheep, poultry, rabbits, carabaos, horses, deer and crocodiles, the killing of the
13 animals shall at all times be done only through euthanasia or other humane
14 procedures approved by the CAW and in no case shall the animals be killed by
15 way of electrocution or gas chamber using any petrol or diesel exhaust. The
16 list of animals allowed to be killed for food or for the reasons enumerated may
17 be modified/revised as the need arises by the CAW subject to the approval of
18 the Secretary of the DA. For this purpose, humane procedures shall mean the
19 use of the most scientific methods available as may be determined and
20 approved by the Committee.

21 Likewise, possession of body carcasses or any part thereof, meats of any
22 animal, whether raw, cooked or processed, other than those allowed under
23 existing laws on food animals, without the necessary permit or veterinary
24 certificate from the National Meat Inspection Service or local slaughterhouses
25 showing the reasons for the killing and the method used for the killing as well
26 as the purpose for which the carcasses will be used is a presumption that the
27 animals were killed under circumstances prohibited under this Act, thus

1 punishable. Buying and selling of meat, raw, cooked or processed, carcasses
2 or parts thereof contemplated under this provision shall likewise be prohibited.

3 SEC. 23. *Prohibition on Animal Fights.* – It is prohibited to subject
4 animals to fights not authorized or regulated by law such as, but not limited to,
5 dog fighting, horse fighting and bull fighting. A person must not:

6 (a) Cause, procure, permit, encourage, promote, organize or incite a
7 fight in which an animal is pitted against another animal;

8 (b) Advertise, promote the intention to conduct such a fight; or

9 (c) Attend such a fight.

10 SEC. 24. *Who May File Complaints.* – The following persons may file
11 a complaint on animal cruelty or neglect:

12 (a) Any ordinary citizen with personal knowledge on the
13 incident/cruelty whether the animal is theirs or not;

14 (b) Officer or employee of the AWD-BAI; and

15 (c) Officer or representative of any animal welfare organization –
16 NGO.

17 SEC. 25. *Training for Humane Handling and Reporting Requirements*
18 *for Facilities and Institutions With Use of Animals.* – Institutions that use or
19 deal with animals are required to train personnel about humane handling and
20 humane catching. Training of trainers shall be undertaken by the BAI which
21 may deputize animal welfare organizations and private organizations who have
22 the expertise in humane handling or catching animals.

23 Further, methods through which deficiencies in animal care and
24 treatment may be reported, including deficiencies in animal care and treatment
25 reported by any employee of the facility will be specified in the implementing
26 rules and regulations. No facility employee, committee member or laboratory
27 personnel may be discriminated against, or be subject to any reprisal, for

1 reporting violations of any regulation or standard under the Animal Welfare
2 Act.

3 SEC. 26. *Prohibition of Pest Control and Private Animal Control*
4 *Companies to Treat Dogs and Cats as Pest.* – It shall be a violation to treat
5 companion animals such as dogs and cats as “pest” under this Act. Animal
6 control of strays shall be solely assigned to the veterinarian’s office. Should
7 the city veterinarian subcontract private companies to do the trapping and
8 euthanasia for the city, the office of the said city veterinarian shall draw up a
9 contract and ensure that provisions on euthanasia and humane catching under
10 this Act are followed.

11 In the event of cruelty to dogs and cats captured for the purpose of
12 animal control, both the private company and the city veterinarian can be held
13 liable.

14 SEC. 27. *Registration of Dogs and Cats Breeding.* – Any person
15 breeding dogs and cats to sell them shall be required to register with the BAI-
16 AWD. The BAI-AWD shall require all licensed breeders to keep record of
17 their bitches, including name, date of birth, address where kept, breed, color,
18 details of sire, date of mating, and puppies’ birth dates, weight, description,
19 and sale details – including date of sale, name, address and type of purchaser
20 (pet shop/private).

21 Maintaining these records accurately is a condition for licensing and the
22 records must be available for inspection at all times.

23 Aside from documentary requirements such as barangay clearances and
24 SEC or Department of Trade and Industry (DTI) registrations, the BAI-AWD
25 shall also issue humane guidelines for breeding and shall make adherence to
26 these guidelines a requirement before a breeder can be registered.

27 SEC. 28. *Working Dogs.* – Before issuing permits, the BAI-AWD
28 must check compliance with issued minimum care standards that ensure the

1 physical, mental and emotional well-being of working dogs such as employed
2 units, bomb-sniffing dogs, search-and-rescue dogs, and seeing-eye dogs.

3 Failure to comply with minimum standards of care shall make the
4 owners, handlers and/or staff members of agencies that provide these working
5 dogs liable under this Act.

6 Retired working dogs shall not be bred but must be neutered/spayed and
7 rehomed by coordinating with accredited animal welfare organizations, or
8 euthanized by a duly licensed veterinarian using the approved procedures
9 under this Act.

10 SEC. 29. *Duty to Protect.* – It shall be the duty of every person to
11 protect the natural habitat of wildlife. The destruction of said habitat shall be
12 considered as a form of cruelty to animals and its preservation is a way of
13 protecting the animals.

14 SEC. 30. *Protection of Persons Intervening to Alleviate Pain, Fear and*
15 *Suffering of Animals.* – Any person who, acting in good faith, responds or
16 intervenes without using violence or restraint greater than necessary to ensure
17 the safety of an animal being abused, shall not be held criminally, civilly or
18 administratively liable.

19 Anyone who undertakes to get a chained or caged starving, suffering or
20 sickly animal from the premises of an owner who has been remiss in providing
21 for its basic needs shall not be held criminally, civilly and administratively
22 liable: *Provided, That:*

23 (a) The barangay or subdivision association have confirmed in writing
24 that all attempts to contact the owner of the dog or property where the dog is
25 kept have failed;

26 (b) Entry into the premises is supervised by at least two (2) barangay
27 officials or law enforcement officials;

1 (c) During the seizure and transfer of the animal, no other item or piece
2 of property is touched except for what is necessary to get the animal which is
3 in imminent danger of death;

4 (d) Steps are taken to secure the property or premises from succeeding
5 intruders with new locks under the care of barangay or subdivision officials;
6 and

7 (e) A written note to the owner of the dog or the premises is left in the
8 area where the dog used to be and a duplicate with the barangay or subdivision
9 officials as to who may be contacted regarding the animal.

10 Damage to property such as broken locks and other expenses related to
11 the seizure such as replacement of locks or broken windows shall be for the
12 account of the owner of the animal.

13 SEC. 31. *Deputization of Inspection Officers.* – The Director of the
14 BAI shall deputize animal welfare enforcement officers from NGOs with
15 proven track records in filing criminal charges against animal offenders.
16 Guidelines for the gathering of evidence and filing criminal charges shall be
17 drawn up by the CAW to guide the inspection officers. Procedures will
18 include issuance of warning tickets with a checklist on the conditions to be
19 improved. Warnings will be up to second warning only before filing of
20 charges. Enforcement agencies shall designate animal welfare enforcement
21 officers who shall assist in the implementation of this Act. As such, the animal
22 welfare enforcement officers shall have full authority to seize and rescue
23 illegally traded and maltreated animals and to arrest violators of this Act,
24 subject to existing laws, rules and regulations on arrest and detention.

25 SEC. 32. *LGU Facilities for Keeping Rescued Animals.* – The LGU
26 should have a facility separate from its City Pound for rescued animals to be
27 held as evidence in court cases. Food, water and veterinary care shall be
28 provided for these animals for the account of the LGU until such a time that

1 the animals can be presented as evidence in court. After their presentation as
2 evidence, they can be fostered by individuals screened by animal welfare
3 NGOs accredited by the BAI-AWD, neutered and rehomed, or euthanized
4 according to the approved euthanasia procedures under this Act, if fostering or
5 rehoming is not feasible due to lack of fosterers or due to health or behavior
6 issues that may make an animal unsuitable for fostering or rehoming.

7 The government may likewise subcontract sheltering with an accredited
8 private shelter for as long as funding will be provided for that shelter and a
9 definite holding period for the animals is specified in the Memorandum of
10 Agreement between said LGU and the accredited private shelter.

11 SEC. 33. *Mandatory Spay-Neuter of Dogs and Cats Rescued From*
12 *Cruelty Before Rehoming for Adoption.* – Rescued dogs or cats, once they are
13 deemed fit for spay-neuter surgery, shall be neutered or spayed before
14 rehoming, whether from an animal shelter or facility registered with the BAI or
15 an LGU facility.

16 Violation of this provision shall cause either the issuance of a written
17 warning from the BAI-AWD or a revocation of permit issued by the
18 BAI-AWD to that facility. The erring facility's permit will not be renewed
19 until the oversight is corrected and a written assurance from the facility
20 veterinarian and facility manager is received by the BAI-AWD that all animals
21 to be placed will be neutered.

22 SEC. 34. *Establishment of Animal Welfare Desks in Police Stations*
23 *and Barangay Outposts.* – Animal welfare desks shall also be established in
24 each police station and barangay hall or outposts to ensure that those reporting
25 incidents of animal cruelty and neglect may receive proper guidance and
26 assistance. Barangay desk officers and officials, members of police that are
27 assigned to these desks are required to attend a seminar conducted by the BAI-
28 AWD or an accredited animal welfare NGO.

1 SEC. 35. *Legal Protection of Animal Welfare Violation Cases.* – For
2 the prosecution of animal welfare cases, the DOJ through its public prosecutors
3 may authorize any private law practitioner who may be well-oriented with
4 animal welfare law to prosecute and/or assist in the prosecution of offenders
5 who shall be under their direct control and supervision.

6 SEC. 36. *Temporary Protection Custody.* – For the effective
7 implementation of this Act and prosecution in case of violation thereof, the
8 LGU where the violation was committed or any NGO devoted to animal
9 welfare may, upon *prima facie* determination of cruelty, maltreatment or
10 neglect, take immediate temporary protective custody over distressed animal to
11 nurse it back to health and for the purpose of using it as evidence in the trial
12 against the animal abuser.

13 In the event that the offender is acquitted, the animal may be returned to
14 him/her subject to certain conditions that the LGU or NGO may impose.
15 However, if convicted, the protective custody over the animal becomes
16 permanent and should the animal be capable of being put up for adoption, then
17 said animal shall be turned over to an institution that offers rescued animals for
18 adoption.

19 SEC. 37. *Disaster-Relief and Response Program for Animals.* – The
20 AWD shall create a committee led by the city veterinarian and the regional
21 animal welfare officer who shall be responsible for drawing up guidelines for
22 disaster preparedness, response and relief for farm and companion animals in
23 their area. They will also set up a temporary holding or evacuation area for
24 these animals and are tasked to report immediately to the DA-BAI on the
25 number of animals affected by a disaster occurring in their area. The BAI will
26 fund these temporary shelters for affected animals and coordinate with the
27 LGU about providing food and water for them until the families or farmers

1 who own these animals are able to rebuild and return to their homes or to a
2 relocation area.

3 SEC. 38. *Penalties.* -- Any person who subjects any animal to cruelty,
4 maltreatment or neglect shall, upon conviction by final judgment, be punished
5 by imprisonment and/or fine, as indicated in the following graduated scale:

6 (a) Imprisonment of one (1) year and six (6) months and one (1) day to
7 two (2) years and/or a fine not exceeding One hundred thousand pesos
8 (P100,000.00) if the animal subjected to cruelty, maltreatment or neglect dies;

9 (b) Imprisonment of one (1) year and one (1) day to one (1) year and
10 six (6) months and/or a fine not exceeding Fifty thousand pesos (P50,000.00) if
11 the animal subjected to cruelty, maltreatment or neglect survives but is
12 severely injured with loss of its natural faculty to survive on its own and
13 needing human intervention to sustain its life; and

14 (c) Imprisonment of six (6) months to one (1) year and/or a fine not
15 exceeding Thirty thousand pesos (P30,000.00) for subjecting any animal to
16 cruelty, maltreatment or neglect but without causing its death or incapacitating
17 it to survive on its own.

18 If the violation is committed by a juridical person, the officer
19 responsible thereof shall serve the imprisonment. If the violation is committed
20 by an alien, he/she shall be immediately deported after the service of sentence
21 without any further proceeding.

22 The foregoing penalties shall also apply for any other violation of this
23 Act, depending upon the effect or result of the act or omission as defined in the
24 immediately preceding sections.

25 However, regardless of the resulting condition to the animals, the
26 penalty of two (2) years and one (1) day to three (3) years and/or a fine not
27 exceeding Two hundred fifty thousand pesos (P250,000.00) shall be imposed
28 if the offense is committed by any of the following:

- 1 (1) A syndicate;
- 2 (2) An offender who makes business out of cruelty to an animal;
- 3 (3) A public officer or employee; or
- 4 (4) Where at least three (3) animals are involved.

5 In any of the foregoing situations, the offender shall suffer subsidiary
6 imprisonment in case of insolvency and the inability to pay the fine.

7 SEC. 39. *Incentives for Informants.* – Informants on the violations of
8 this Act shall be compensated after charges have been filed against violators
9 and the same are found guilty of violations of this Act. The compensation shall
10 be established by the BAI but shall not be less than Ten thousand pesos
11 (P10,000.00) nor more than Fifty thousand pesos (P50,000.00). The BAI shall
12 include in its annual appropriations the budget to cover such incentives for
13 informants.

14 SEC. 40. *Implementing Rules and Regulations.* – The BAI shall
15 promulgate the necessary rules and regulations for the strict implementation of
16 the provisions of this Act within ninety (90) days from the effectivity of this
17 Act. Such guidelines shall be reviewed by the CAW every three (3) years from
18 its implementation or whenever necessary.

19 SEC. 41. *Separability Clause.* – If, for any reason, any section or
20 provision of this Act or any portion thereof, or the application of such section,
21 provision or portion thereof to any person, group or circumstances is declared
22 invalid or unconstitutional, the remainder of this Act shall not be affected by
23 such declaration and shall continue in full force and effect.

24 SEC. 42. *Repealing Clause.* – Republic Act No. 8485, as amended, is
25 hereby repealed. All other laws, decrees, administrative orders, ordinances,
26 rules and regulations or parts thereof inconsistent with the provisions of this
27 Act are hereby modified or repealed accordingly.

1 SEC. 43. *Effectivity Clause.* -- This Act shall take effect fifteen (15)
2 days after its publication in the *Official Gazette* or in at least two (2) national
3 newspapers of general circulation.

Approved,

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