

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



Senate
Office of the Secretary

'22 JUL -7 P2 :55

SENATE

S. No. 125

RECEIVED BY:

Introduced by **SENATOR CYNTHIA A. VILLAR**

**AN ACT
STRENGTHENING THE WILDLIFE CONSERVATION AND PROTECTION
MECHANISM IN THE PHILIPPINES, AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 9147, OTHERWISE KNOWN AS THE "WILDLIFE
RESOURCES CONSERVATION AND PROTECTION ACT", PROVIDING FUNDS
THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

There is much wisdom to raise awareness on the vital existence of wild fauna and flora and to remind the people and States of their obligation to protect the wildlife species. In fact, in 1973, the United Nation (UN) General Assembly adopted the Convention on International Trade in Endangered Species of Wild Fauna and Flora¹ (CITES). Under the CITES, the countries agreed to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

The Philippines joined and ratified the CITES in 1981. As a Party to the said Convention, the Philippine government has the obligation, among others, to adopt its own national laws applying the provisions of the CITES, such as prohibiting the trade of wildlife in violation of the convention, imposing penalties for violations, and confiscating illegally traded specimens. In fulfilment of this obligation, Republic Act No. 9147 or the *Wildlife Resources Conservation and Protection Act* was passed into law in 2001.

¹ <https://www.un.org/en/observances/world-wildlife-day/background>

RA No. 9147 is as a measure that provided the necessary environmental policy enabling Philippine government to manage and conserve the wildlife resources of the country comprehensively. RA 9147 included a list of illegal acts that are considered detrimental to wildlife with corresponding penalties, such as imprisonment or fines, or both, that are intended to serve as deterrent for violative acts against wildlife and their habitats. In sum, RA No. 9147 provided the support mechanism and facilities for wildlife management and wildlife policy implementation.

Through the years and applying the provisions of RA No. 9147, the Philippine enforcement authorities were able to apprehend perpetrators of wildlife offenses. Some of these cases include the following incidents, to wit: the seizure of 447 exotic animals in Mati City, Davao Oriental, valued at PHP 50 million in April 2019;² the seizure in March 2019 of 1,529 live exotic turtles inside an abandoned luggage at the NAIA Terminal 2 in Pasay City³; in March 2018, the National Bureau of Investigation (NBI) arrested four persons for selling endangered species Pasay City and more than 300 wildlife animals, found stuffed in cramped cages, were rescued⁴; and in July 2018, a truckload of banned wildlife meat, composed of 21 frozen pangolins and 16 sea turtles, believed destined for the black market was confiscated at a Department of Environment and Natural Resources (DENR) checkpoint at the northern outskirts of Puerto Princesa City.⁵

While admittedly there were successful arrest of wildlife violators and confiscation of wildlife specimens over the years, there are many other violations that remain rampant and undetected. Also, despite the existence of RA No. 9147 for more than twenty (20) years already, the incidence of wildlife crimes has evolved and grown. In recent years, concerns were raised on the increasing apprehensions of well-equipped, organized, and syndicated violators, dealing with wildlife in

² GMA News Online, "More than 400 Exotic Animals Rescued in Davao Oriental; 2 Suspects, Arrested," GMA News Online, April 11, 2019, [PAGE], accessed July 23, 2020, <https://www.gmanetwork.com/news/news/regions/691009/more-than-400-exotic-animals-rescued-in-davao-oriental-2-suspects-arrested/story/>

³ Amy Gunia, "Philippines: 1500 Turtles Found in Luggage at Manila Airport," Time, March 05, 2019, [PAGE], accessed July 23, 2020, <https://time.com/5543654/manila-philippines-turtles-smuggling/>

⁴ Robertzon Ramirez, "4 Nabbed for Selling Wildlife," Philstar.com, March 13, 2018, [PAGE], accessed July 23, 2020, <https://www.philstar.com/nation/2018/03/14/1796509/4-nabbed-selling-wildlife>

⁵ Redempto D. Anda, "DENR Seizes Truckload of Turtle, Pangolin Meat in Puerto Princesa," INQUIRER.net, July 28, 2018, [PAGE], accessed July 23, 2020, <https://newsinfo.inquirer.net/1015279/denr-seizes-truckload-of-turtle-pangolin-meat-in-puerto-princesa>

relatively large quantities, and/or with international connection. The trade and transport of wildlife species have become widescale and transnational in nature, and those involved in wildlife crimes continue to innovate. This phenomenon poses challenges to the enforcement authorities and to the country's existing policies and mechanisms.

The attached bill seeks to address, among others, the evolving nature of wildlife offenses and also to fortify the mechanisms in place to afford better protection to our wildlife resources.

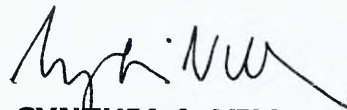
The need to protect our wildlife resources finds critical relevance now as we have experienced, and still continue to experience, the ill-effects of the COVID-19 virus. We have gathered that there were researches indicating that the constant exploitation of wild fauna and their habitats, mostly through human actions, had the effect of raising the risk of zoonotic disease transmission (or the transmission of disease from animal to human). For instance, when humans destroy the natural habitats of wild animals, the latter may be constrained to transfer to locations where humans live. Another example is the hunting of wild animals and eating them afterwards. And third, the interaction of humans and wild animals is greatly increased in cases of illegal wildlife trade. There were studies suggesting that COVID-19 virus may have originated from bats and that the first people infected were traders in bat meat, who may have subsequently visited the Huanan seafood market, where the virus spread was first traced. With this background, there is more reason now to strengthen our policies on wildlife conservation and protection.

The salient features of the attached bill amending RA No. 9147 include the following, among others:

- It recognizes the jurisdiction of Palawan Council for Sustainable Development (PCSD) and the Bangsamoro Government over wildlife species in their respective territories;
- It addresses the crime of "wildlife trafficking" by providing its definition and commensurate penalties, and other strategies to deter the devious schemes of wildlife syndicates that are large-scale and transnational;

- It provides the definition of "wildlife laundering", considers it illegal and assigns a corresponding penalty for its commission;
- It includes control and management mechanism for invasive alien species, that threatens the survival of our local plants and animals;
- It provides guidelines on the collection, possession and transport of wildlife, its by-products and derivatives;
- It provides increase in the penalties (imprisonment and/or fines) for illegal acts to serve as deterrent for the commission of wildlife crimes; and
- It has provisions stating the application of the disputable presumption that wildlife offenses have been committed.

In view of the foregoing, I earnestly seek the approval of this measure.


CYNTHIA A. VILLAR

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MECHANISM IN THE PHILIPPINES, AMENDING FOR THIS PURPOSE
REPUBLIC ACT NO. 9147, OTHERWISE KNOWN AS THE "WILDLIFE
RESOURCES CONSERVATION AND PROTECTION ACT", PROVIDING FUNDS
THEREFOR AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Section 1 of Republic Act No. 9147 is hereby amended to read as
2 follows:

3 "SECTION 1. *Title.* – This Act shall be known as the '**REVISED**
4 Wildlife Resources Conservation and Protection Act **OF 2022**.'"

5 **SEC. 2.** Section 2 of Republic Act No. 9147 is hereby amended to read as
6 follows:

7 "SEC. 2. *Declaration of Policy.* – It shall be the policy of the State to
8 conserve **AND PROTECT** the country's wildlife resources and their
9 habitats for sustainability **AND TO PROMOTE ECOLOGICAL BALANCE,**
10 **ENHANCE BIOLOGICAL DIVERSITY, PREVENT EXTINCTION, AND**
11 **ENSURE THE PROVISION OF ECOSYSTEM SERVICES.** In the pursuit
12 of this policy, this Act shall have the following objectives:

1 ~~[(a) to conserve and protect wildlife species and their habitats to~~
2 ~~promote ecological balance and enhance biological diversity;]~~

3 ~~[(b)] (A) to regulate the collection, **POSSESSION, USE** and trade~~
4 ~~of wildlife, **WILDLIFE BY-PRODUCTS AND DERIVATIVES;**~~

5 ~~[(c)](B) to pursue, with due regard to the national interest, the~~
6 ~~Philippine commitments to international conventions, **TREATIES AND**~~
7 ~~**AGREEMENTS ON THE** protection of wildlife and their habitats, **AND**~~
8 ~~**ON THE FAIR AND EQUITABLE SHARING OF THE BENEFITS**~~
9 ~~**ARISING OUT OF THE SUSTAINABLE UTILIZATION OF GENETIC**~~
10 ~~**RESOURCES FROM WILDLIFE; [and]**~~

11 ~~[(d)] (C) to initiate or support scientific studies on the conservation~~
12 ~~of biological diversity **AND SUSTAINABLE UTILIZATION OF**~~
13 ~~**WILDLIFE RESOURCES;**~~

14 ~~(D) TO PROMOTE FULL AWARENESS AND WIDEST~~
15 ~~DISSEMINATION OF POLICIES ON WILDLIFE CONSERVATION~~
16 ~~AND PROTECTION;~~

17 ~~(E) TO ADDRESS AND END THE LARGE SCALE,~~
18 ~~TRANSNATIONAL, AND ORGANIZED CRIME OF WILDLIFE~~
19 ~~TRAFFICKING; AND~~

20 ~~(F) TO UNDERTAKE THE ECONOMIC VALUATION OF~~
21 ~~WILDLIFE, THEIR BY-PRODUCTS AND DERIVATIVES AND~~
22 ~~UNDERTAKE THE NECESSARY STUDIES FOR BASELINES AND~~
23 ~~MONITORING OF THE STATUS THEREOF TOWARDS~~
24 ~~CONSERVATION, PAYMENTS FOR ECOSYSTEM SERVICES AND~~
25 ~~THE PREVENTION OF EXTINCTION."~~

26 **SEC. 3.** Section 3 of Republic Act No. 9147 is hereby amended to read as
27 follows:

1 "SEC. 3. *Scope of Application.* – The provisions of this Act shall be
2 enforceable for all wildlife species found in all areas of the country,
3 including [~~protected areas under Republic Act No. 7586, otherwise known~~
4 ~~as the National Integrated Protected Areas System (NIPAS) Act, and~~
5 ~~critical habitats. This Act shall also apply to~~] exotic species which are
6 subject to trade, are cultured, maintained and/or bred in captivity or
7 propagated in the country."

8 **SEC. 4.** Section 4 of Republic Act No. 9147 is hereby amended to read as
9 follows:

10 "SEC. 4. *Jurisdiction of the Department of Environment and Natural*
11 *Resources, [and] the Department of Agriculture, **THE PALAWAN***
12 ***COUNCIL FOR SUSTAINABLE DEVELOPMENT, AND THE***
13 ***BANGSAMORO GOVERNMENT.** – The Department of Environment and*
14 *Natural Resources (DENR) shall have jurisdiction over all terrestrial plant*
15 *and animal species, all turtles and tortoises and wetland species, including*
16 *but not limited to crocodiles, waterbirds and all amphibians and dugong.*
17 *The Department of Agriculture (DA) shall have jurisdiction over all*
18 *[declared] aquatic [critical] habitats, all aquatic resources including but*
19 *not limited to all fishes, aquatic plants, invertebrates and all marine*
20 *mammals, except dugong. The secretaries of the DENR and the DA shall*
21 *review, and by joint administrative order, revise and regularly update the*
22 *list of species under their respective jurisdiction. In the Province of*
23 *Palawan, jurisdiction herein conferred is vested to the Palawan Council for*
24 *Sustainable Development (**PCSD**) pursuant to Republic Act No. 7611,*
25 ***OTHERWISE KNOWN AS THE "STRATEGIC ENVIRONMENTAL***
26 ***PLAN (SEP) FOR PALAWAN ACT"** AND, IN THE BANGSAMORO*
27 ***AUTONOMOUS REGION IN MUSLIM MINDANAO, JURISDICTION***
28 ***HEREIN CONFERRED IS VESTED TO THE BANGSAMORO***
29 ***GOVERNMENT (BMG) PURSUANT TO REPUBLIC ACT NO. 11054,***
30 ***OTHERWISE KNOWN AS THE 'BANGSAMORO ORGANIC LAW'."***

1 **SEC. 5.** Section 5 of Republic Act No. 9147 is hereby amended to read as
2 follows:

3 "SEC. 5. *Definition of Terms.* - As used in the Act, the term:

4 **(A) "BIOLOGICAL DIVERSITY" OR "BIODIVERSITY"**
5 **REFERS TO THE VARIABILITY AMONG LIVING ORGANISMS**
6 **FROM ALL SOURCES INCLUDING, INTER ALIA, TERRESTRIAL,**
7 **MARINE AND OTHER AQUATIC ECOSYSTEMS AND THE**
8 **ECOLOGICAL COMPLEXES OF WHICH THEY ARE PART; THIS**
9 **INCLUDES DIVERSITY WITHIN SPECIES, BETWEEN SPECIES**
10 **AND OF ECOSYSTEMS;**

11 **(B) "BIOLOGICAL RESOURCES" REFERS TO GENETIC**
12 **RESOURCES, ORGANISMS OR PARTS THEREOF, POPULATIONS**
13 **OR ANY OTHER BIOTIC COMPONENT OF ECOSYSTEMS WITH**
14 **ACTUAL OR POTENTIAL USE OR VALUE FOR HUMANITY,**
15 **INCLUDING BUT NOT LIMITED TO, ALL BIOLOGICAL SPECIMENS**
16 **SUCH AS PLANTS, SEEDS, TISSUES AND OTHER PROPAGATION**
17 **MATERIALS, ANIMALS, LIVE OR PRESERVED, WHETHER WHOLE**
18 **OR IN PART;**

19 ~~[(a)]~~ **(C) "Bioprospecting" [means] REFERS TO** the research,
20 collection and utilization of biological and genetic resources for purposes
21 of applying the knowledge derived therefrom solely for commercial
22 purposes;

23 **(D) "BIOSAFETY" REFERS TO THE NEED TO PROTECT**
24 **HUMAN, PLANT AND ANIMAL HEALTH OR LIFE AND THE**
25 **ENVIRONMENT FROM THE POSSIBLE ADVERSE EFFECTS OF THE**
26 **PRODUCTS OF MODERN BIOTECHNOLOGY AND POTENTIALLY**
27 **HARMFUL EXOTIC SPECIES;**

28 **(E) "BOTANICAL GARDEN" REFERS TO AN**
29 **ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT**

1 OWNED/OPERATED/MANAGED WHERE A COLLECTION OF WILD
2 FLORA IS MAINTAINED FOR RECREATIONAL, EDUCATIONAL,
3 RESEARCH, CONSERVATION AND SCIENTIFIC PURPOSES;

4 [(b)] (F) "*By-products [or derivatives]*" [means] REFERS TO any
5 part taken [~~or substance extracted~~] from wildlife [~~, in raw or in processed~~
6 ~~form. This includes stuffed animals and herbarium specimens~~] SPECIES
7 SUCH AS BUT NOT LIMITED TO MEAT, HIDES, ANTLERS,
8 FEATHERS, LEATHER, FUR, INTERNAL ORGANS, BONES, ROOTS,
9 TRUNKS, BARKS, PETIOLES, LEAF FIBERS, BRANCHES, LEAVES,
10 STEMS, FLOWERS, SCALES, SCUTES, SHELLS/ CORAL PARTS,
11 CARAPACE AND THE LIKE, OR WHOLE DEAD BODY OF WILDLIFE
12 IN ITS PRESERVED/STUFFED STATE, INCLUDING COMPOUNDS
13 INDIRECTLY PRODUCED IN A BIOCHEMICAL PROCESS OR
14 CYCLE;

15 [(e)] (G) "*Captive-breeding/culture or propagation*" [means]
16 REFERS TO the process of producing individuals under controlled
17 conditions or with human interventions;

18 (H) "*CERTIFICATE OF WILDLIFE REGISTRATION*"
19 REFERS TO DOCUMENT AUTHORIZING A PERSON TO POSSESS
20 WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES;

21 (I) "*CERTIFICATE OF INTRODUCTION FROM THE SEA*"
22 REFERS TO A DOCUMENT ISSUED BY THE BUREAU OF FISHERIES
23 AND AQUATIC RESOURCES (BFAR) FOR THE INTRODUCTION
24 FROM THE SEA OF WILDLIFE SPECIES TAKEN FROM MARINE
25 ENVIRONMENTS OUTSIDE THE JURISDICTION OF ANY STATE;

26 (J) "*CITES*" REFERS TO THE CONVENTION ON
27 INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD
28 FAUNA AND FLORA, ADOPTED IN WASHINGTON ON 03 MARCH

1 **1973, WHICH ENTERED INTO FORCE FOR THE PHILIPPINES ON**
2 **16 NOVEMBER 1981;**

3 ~~[(d)]~~ **(K)** "*Collection or collecting*" [means] **REFERS TO** the act of
4 **TAKING**, gathering or harvesting wildlife, its by-products **AND/or**
5 derivatives;

6 ~~[(e)]~~ **(L)** "*Conservation*" [means] **REFERS TO** preservation and
7 sustainable utilization of wildlife, and/or maintenance, restoration and
8 enhancement of the habitat;

9 **(M)** "***CRITICAL HABITAT***" **REFERS TO AN AREA**
10 **OUTSIDE PROTECTED AREAS UNDER REPUBLIC ACT NO. 7586**
11 **OR THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM**
12 **(NIPAS) ACT, AS AMENDED BY REPUBLIC ACT NO. 11038 OR THE**
13 **EXPANDED NATIONAL INTEGRATED PROTECTED AREAS SYSTEM**
14 **(ENIPAS) ACT, THAT ARE KNOWN HABITATS OF THREATENED**
15 **SPECIES AND DESIGNATED BASED ON SCIENTIFIC DATA**
16 **TAKING INTO CONSIDERATION SPECIES ENDEMICITY AND/OR**
17 **RICHNESS, PRESENCE OF MAN-MADE PRESSURES/THREATS TO**
18 **THE SURVIVAL OF WILDLIFE LIVING IN THE AREA, AMONG**
19 **OTHERS;**

20 ~~[(f)]~~ **(N)** "*Critically endangered species*" refers to a species or
21 subspecies that is facing extremely high risk of extinction in the wild in
22 the immediate future;

23 **(O)** "***DERIVATIVES***" **REFERS TO A**
24 **SUBSTANCE/MATERIAL EXTRACTED OR TAKEN FROM WILDLIFE**
25 **SUCH AS BUT NOT LIMITED TO BLOOD, SALIVA, OILS, RESINS,**
26 **GENES, GUMS, HONEY, COCOON, FUR, TANNIN, URINE, SERUM,**
27 **SPORES, POLLEN AND THE LIKE; A COMPOUND DIRECTLY OR**
28 **INDIRECTLY PRODUCED FROM WILDLIFE AND/OR PRODUCTS**
29 **PRODUCED FROM WILDLIFE AND WILDLIFE PRODUCTS;**

1 INCLUDING COMPOUNDS INDIRECTLY PRODUCED IN A
2 BIOCHEMICAL PROCESS OR CYCLE;

3 (P) "**DOMESTICATED**" REFERS TO ANY PLANT OR
4 ANIMAL LISTED BY THE RELEVANT AUTHORITIES EASILY
5 PROPAGATED AND ALTERED OR SELECTED FOR DESIRABLE
6 CHARACTERISTICS AND PREFERENCES FOR DOMESTIC USE;

7 ~~[(g)]~~ (Q) "*Economically important species*" ~~[means]~~ REFERS TO
8 species ~~[or subspecies]~~ which have actual or potential value in trade or
9 utilization for commercial purpose **AS WELL AS SPECIES WHICH HAVE**
10 **ACTUAL OR POTENTIAL NEGATIVE IMPACT ON THE**
11 **ENVIRONMENT AND ECONOMIC ACTIVITIES SUCH AS, BUT NOT**
12 **LIMITED TO, AGRICULTURE AND FOOD PRODUCTION;**

13 ~~[(h)]~~ (R) "*Endangered species*" refers to species or subspecies that
14 is not critically endangered but whose survival in the wild is unlikely if the
15 causal factors continue operating;

16 ~~[(i)]~~ (S) "*Endemic species*" ~~[means]~~ REFERS TO species or
17 subspecies which is naturally occurring and found only within specific
18 areas in the country;

19 ~~[(j)]~~ (T) "*Exotic species*" ~~[means]~~ REFERS TO species or
20 subspecies which do not naturally occur in the country;

21 (U) "**EXPORT OF WILDLIFE**" REFERS TO THE ACT OF
22 **BRINGING WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR**
23 **DERIVATIVES FROM THE PHILIPPINES TO ANY OTHER**
24 **COUNTRY;**

25 ~~[(k)]~~ (V) "*Export permit*" refers to a permit authorizing ~~[an~~
26 individual] **A PERSON** to bring out wildlife, **WILDLIFE BY-PRODUCTS**
27 **AND/OR DERIVATIVES** from the Philippines to any other country;

1 **(W) "GENETIC MATERIAL" REFERS TO ANY MATERIAL**
2 **OF PLANT, ANIMAL, MICROBIAL OR OTHER ORIGIN**
3 **CONTAINING FUNCTIONAL UNITS OF HEREDITY;**

4 **(X) "GENETIC RESOURCES" REFERS TO GENETIC**
5 **MATERIAL OF ACTUAL OR POTENTIAL VALUE;**

6 ~~[(+)]~~ **(Y) "Gratuitous permit" [means] REFERS TO** permit issued
7 to any ~~[individual or entity]~~ **PERSON** engaged in non-commercial
8 scientific, or educational undertaking to collect wildlife;

9 ~~[(+)]~~ **(Z) "Habitat" [means] REFERS TO** place or environment
10 where species or subspecies naturally occur or has naturally established
11 its population;

12 **(AA) "IMPORT OF WILDLIFE" REFERS TO THE ACT OF**
13 **BRINGING IN TO THE PHILIPPINES WILDLIFE, WILDLIFE**
14 **BYPRODUCTS AND/OR DERIVATIVES FROM ANOTHER COUNTRY;**

15 ~~[(+)]~~ **(BB) "Import permit" refers to a permit authorizing [an**
16 **individual] A PERSON** to bring in wildlife, **WILDLIFE BY-PRODUCTS**
17 **AND/OR DERIVATIVES** from another country;

18 ~~[(+)]~~ **(CC) "Indigenous wildlife" [means] REFERS TO** species
19 or subspecies of wildlife naturally occurring or has naturally established
20 population in the country;

21 ~~[(+)]~~ **(DD) "Introduction" [means] REFERS TO** bringing
22 species into the wild that is outside its natural habitat;

23 **(EE) "INTRODUCTION FROM THE SEA" REFERS TO**
24 **TRANSPORTATION INTO THE COUNTRY OF SPECIMENS OF ANY**
25 **SPECIES WHICH WERE TAKEN IN THE MARINE ENVIRONMENT**
26 **NOT UNDER THE JURISDICTION OF ANY STATE;**

1 **(FF) "INVASIVE ALIEN SPECIES" OR "IAS" REFERS TO**
2 **SPECIES WHOSE INTRODUCTION AND/OR SPREAD OUTSIDE**
3 **THEIR NATURAL PAST OR PRESENT DISTRIBUTION THREATENS**
4 **BIOLOGICAL DIVERSITY;**

5 **(GG) "LARGE SCALE" REFERS TO ANY VIOLATION**
6 **STATED UNDER SECTION 27 (A), (E), (F), (I) AND (J) OF THIS**
7 **ACT, INVOLVING FIVE (5) OR MORE INDIVIDUAL SPECIMENS**
8 **FOR CRITICALLY ENDANGERED SPECIES; TEN (10) OR MORE**
9 **INDIVIDUAL SPECIMENS FOR ENDANGERED SPECIES; FIFTEEN**
10 **(15) OR MORE INDIVIDUAL SPECIMENS FOR VULNERABLE**
11 **SPECIES; TWENTY (20) OR MORE INDIVIDUAL SPECIMENS FOR**
12 **THREATENED SPECIES; OR FIFTY (50) OR MORE INDIVIDUAL**
13 **SPECIMENS FOR OTHER WILDLIFE SPECIES;**

14 **(HH) "LOCAL TRANSPORT PERMIT" REFERS TO THE**
15 **PERMIT ISSUED AUTHORIZING A PERSON TO BRING, CARRY, OR**
16 **SHIP WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES FROM**
17 **ONE PLACE TO ANOTHER WITHIN THE TERRITORIAL**
18 **JURISDICTION OF THE PHILIPPINES;**

19 **(II) "MALTREATMENT" REFERS TO THE COMMISSION**
20 **OF TORTURE OR THE EXERCISE OF CRUELTY TO ANY WILDLIFE,**
21 **OR OMISSION OR NEGLECT TO PROVIDE ADEQUATE CARE,**
22 **SUSTENANCE OR SHELTER TO WILDLIFE;**

23 **(JJ) "OTHER WILDLIFE SPECIES" REFERS TO ALL NON-**
24 **THREATENED SPECIES THAT HAVE THE TENDENCY TO BECOME**
25 **THREATENED DUE TO THE DESTRUCTION OF HABITAT OR OTHER**
26 **SIMILAR CAUSES AS MAY BE LISTED BY THE SECRETARY UPON**
27 **THE RECOMMENDATION OF THE NATIONAL WILDLIFE**
28 **MANAGEMENT COMMITTEE;**

1 (KK) "*PERSON*" REFERS TO NATURAL OR JURIDICAL
2 PERSONS;

3 (LL) "*POSSESSION*" REFERS BOTH TO ACTUAL
4 POSSESSION OR IMMEDIATE PHYSICAL CONTROL OVER
5 WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES; AND TO
6 CONSTRUCTIVE POSSESSION OR OWNERSHIP OR CONTROL
7 OVER THE PLACE OR CONVEYANCE WHERE THE WILDLIFE,
8 BYPRODUCTS AND/OR DERIVATIVES ARE FOUND;

9 (MM) "*PROTECTED WILDLIFE*" REFERS TO ALL WILDLIFE
10 FALLING UNDER ANY CATEGORY OF THREATENED WILDLIFE
11 SPECIES AND OTHER WILDLIFE SPECIES LISTED BY THE DENR,
12 DA, PCSD AND BMG THAT IS NOT IN THE THREATENED LIST BUT
13 ARE IDENTIFIED AND LISTED BY DENR, DA, PCSD AND BMG AS
14 REQUIRING LEGAL PROTECTION;

15 ~~[(n)]~~ (NN) "*Reexport permit*" refers to a permit authorizing [~~an~~
16 individual] **A PERSON** to bring out of the country a previously imported
17 wildlife, **WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES**;

18 ~~[(f)]~~ (OO) "*Secretary*" [~~means either or both~~] **REFERS TO** the
19 Secretary of the Department of Environment and Natural Resources and
20 the Secretary of the Department of Agriculture;

21 (PP) "*SHIPPER*" REFERS TO A PERSON THAT SENDS OR
22 TRANSPORT WILDLIFE, WILDLIFE BY-PRODUCTS AND
23 DERIVATIVES BY SEA, LAND, OR AIR;

24 (QQ) "*SPECIAL LOCAL TRANSPORT PERMIT*" REFERS TO
25 A PERMIT CONFERRED TO HOLDERS OF WILDLIFE SPECIAL USE
26 PERMIT (WSUP) AUTHORIZING THE CONVEYANCE OF WILDLIFE,
27 BY-PRODUCTS AND/OR DERIVATIVES FROM THE FACILITY OF
28 ORIGIN TO ONE OR MORE PLACES WITHIN THE PHILIPPINES
29 AND BACK TO THE FACILITY OF ORIGIN;

1 **(RR) "SYNDICATE" REFERS TO THREE OR MORE**
2 **INDIVIDUALS FORMED OR ACTING TOGETHER WITH AN**
3 **INTENTION OF CARRYING OUT THE VIOLATIONS OF SECTION 27**
4 **(A), (E), (F), (I) AND (J) OF THIS ACT;**

5 ~~[(s)]~~ **(SS) "Threatened *WILDLIFE Species*" REFERS TO** a general
6 term to denote species or subspecies considered as critically endangered,
7 endangered, vulnerable or other accepted categories of wildlife whose
8 population is at risk of extinction;

9 ~~[(t)]~~ **(TT) "Trade" [means] REFERS TO** the act of engaging in the
10 exchange, exportation or importation, purchase or sale of wildlife, their
11 derivatives **AND/or** by-products, locally or internationally;

12 ~~[(u)]~~ **(UU) "Traditional use" [means] REFERS TO THE** utilization
13 of wildlife by indigenous people in accordance with written or unwritten
14 rules, usage, customs and practices traditionally observed, accepted and
15 recognized by them;

16 ~~[(v)] "Transport permit" means a permit issued authorizing an~~
17 ~~individual to bring wildlife from one place to another within the territorial~~
18 ~~jurisdiction of the Philippines;]~~

19 ~~[(w)]~~ **(VV) "Vulnerable species"** refers to species or subspecies that
20 is not critically endangered nor endangered but is under threat from
21 adverse factors throughout their range and is likely to move to the
22 endangered category in the near future;

23 ~~[(x)]~~ **(WW) "Wildlife" [means] REFERS TO** wild forms and
24 varieties of flora and fauna, in all developmental stages, including those
25 which are in captivity or are being bred or propagated;

26 ~~[(y)]~~ **(XX) "Wildlife collector's permit" [means a] REFERS TO**
27 **THE** permit to take, **GATHER** or ~~[collect]~~ **HARVEST** from the wild

1 certain species and quantities of wildlife **AS PARENTAL STOCKS** for
2 commercial **BREEDING** purposes; [and]

3 [~~z~~] **(YY)** "*Wildlife farm/culture permit*" [means] **REFERS TO** a
4 permit to develop, operate and maintain a wildlife breeding farm for
5 conservation, trade and/or scientific purposes;

6 **(ZZ)** "**WILDLIFE LOCAL TRADE PERMIT**" **REFERS TO A**
7 **PERMIT AUTHORIZING A PERSON TO SELL OR OFFER FOR SALE,**
8 **WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES;**

9 **(AAA)** "**WILDLIFE LAUNDERING**" **REFERS TO THE**
10 **PROCESS BY WHICH WILDLIFE TRADERS DISGUISE THE ORIGIN**
11 **AND OWNERSHIP OF ILLEGALLY ACQUIRED WILDLIFE BY**
12 **MAKING SUCH APPEAR TO HAVE BEEN DERIVED FROM A**
13 **LEGITIMATE SOURCE OR EMERGING MECHANISM UTILIZED BY**
14 **BREEDING FARMS AND PRIVATE ZOOLOGICAL PARKS TO**
15 **CIRCUMVENT WILDLIFE LAWS AND REGULATIONS;**

16 **(BBB)** "**WILDLIFE RESCUE CENTER**" **REFERS TO**
17 **GOVERNMENT ESTABLISHED OR DESIGNATED REPOSITORIES**
18 **OF CONFISCATED, DONATED, RETRIEVED, OR TURNED-OVER**
19 **WILDLIFE OR AN ESTABLISHMENT WHERE SICK, INJURED,**
20 **CONFISCATED WILDLIFE ARE TEMPORARILY KEPT AND**
21 **REHABILITATED PRIOR TO THE RELEASE TO THEIR NATURAL**
22 **HABITAT OR IMPLEMENTATION OF OTHER MODES OF**
23 **DISPOSITION AS MAY BE AUTHORIZED BY THE DENR, DA, PCSD**
24 **OR BMG;**

25 **(CCC)** "**WILDLIFE REGISTRATION**" **REFERS TO THE ACT**
26 **OF ENTERING IN THE OFFICIAL RECORDS WILDLIFE,**
27 **BYPRODUCTS AND/OR DERIVATIVES AND GRANTING**
28 **AUTHORITY TO ANY PERSON TO MAINTAIN SAID WILDLIFE, BY-**
29 **PRODUCTS AND/OR DERIVATIVES;**

1 (DDD) "WILDLIFE SPECIAL USE PERMIT" REFERS TO A
2 PERMIT AUTHORIZING THE HOLDER THEREOF TO UTILIZE
3 LEGALLY POSSESSED/ACQUIRED WILDLIFE, BY-PRODUCTS
4 AND/OR DERIVATIVES FOR LOCAL SHOWS, EXHIBITIONS, OR
5 EDUCATIONAL PURPOSES OR TO COLLECT ECONOMICALLY
6 IMPORTANT SPECIES FOR DIRECT TRADE PURPOSES;

7 (EEE) "WILDLIFE TRAFFICKING" REFERS TO THE
8 VIOLATION OF SECTION 27 (A), (E), (F), (I) AND (J) OF THIS
9 ACT, WHEN THE SAME IS COMMITTED IN LARGE SCALE OR BY A
10 SYNDICATE OR FOR THE PURPOSE OF EXPORTING OF SUCH
11 WILDLIFE, THEIR BY-PRODUCTS AND DERIVATIVES; "WILDLIFE
12 TRAFFICKING" IS ALSO COMMITTED WHEN WILDLIFE,
13 WILDLIFE BY-PRODUCTS AND DERIVATIVES INVOLVED IN THE
14 VIOLATION OF SECTION 27 (A), (E), (F), (I) AND (J) OF THIS
15 ACT IS IMPORTED FROM ANOTHER COUNTRY BY THE PERSON
16 OR IN CONNIVANCE WITH THE PERSONS INVOLVED IN SAID
17 VIOLATION;

18 (FFF) "ZOOLOGICAL PARK" OR "ZOO" REFERS TO AN
19 ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT
20 OWNED/OPERATED/MANAGED WHERE A COLLECTION OF
21 TERRESTRIAL OR MARINE ANIMALS IS MAINTAINED FOR
22 RECREATIONAL, EDUCATIONAL, RESEARCH AND SCIENTIFIC
23 PURPOSES."

24 **SEC. 6.** Section 6 of Republic Act No. 9147 is hereby amended to read as
25 follows:

26 "SEC. 6. *Wildlife Information.* – All activities, as subsequently
27 manifested under this Chapter, shall be authorized by the [Secretary]
28 **DENR, DA, PCSD OR BMG** upon proper evaluation of **SCIENTIFIC**
29 **DATA OR** best available information [~~or scientific data~~] showing that the
30 activity is, or for a purpose, not detrimental to the survival of the species

1 or subspecies involved and/or their habitat. For this purpose, the
2 [Secretary] **DENR, DA, PCSD OR BMG** shall regularly update wildlife
3 information through research.

4 **THE DENR, DA, PCSD AND BMG SHALL ESTABLISH THEIR**
5 **RESPECTIVE WILDLIFE MANAGEMENT COMMITTEES (WMCS) TO**
6 **PROVIDE TECHNICAL AND SCIENTIFIC ADVICE ON WILDLIFE.**
7 **EACH WMCS SHALL BE RESPECTIVELY COMPOSED OF**
8 **REPRESENTATIVES FROM THE DENR, DA, PCSD, AND BMG, AS**
9 **THE CASE MAY BE, THE ENVIRONMENTAL MANAGEMENT**
10 **BUREAU (EMB), THE BIODIVERSITY MANAGEMENT BUREAU**
11 **(BMB), AND OTHER CONCERNED GOVERNMENT AGENCIES, AND**
12 **LOCAL SCIENTISTS WITH EXPERTISE ON VARIOUS FIELDS OF**
13 **DISCIPLINE ON WILDLIFE. STAKEHOLDERS MAY BE INVITED AS**
14 **RESOURCE PERSONS WHEN NECESSARY."**

15 **SEC. 7.** Insert a new section after Section 6 of Republic Act No. 9147 to read
16 as follows:

17 **"SEC. 6.1. *INVASIVE ALIEN SPECIES.* – THE DENR, DA, PCSD**
18 **AND BMG SHALL CONTROL AND MANAGE ALL INVASIVE ALIEN**
19 **SPECIES (IAS). WITHIN ONE (1) YEAR FROM THE EFFECTIVITY**
20 **OF THIS ACT, THE DENR, DA, PCSD AND BMG SHALL JOINTLY**
21 **ESTABLISH A LIST OF INVASIVE ALIEN SPECIES AND**
22 **FORMULATE A NATIONAL INVASIVE ALIEN SPECIES STRATEGY**
23 **AND ACTION PLAN (NISSAP) ON THE PREVENTION, CONTROL**
24 **OF, AND REHABILITATION FROM THE SAME. THE LIST OF IAS**
25 **AND THE NISSAP SHALL BE REVIEWED AND UPDATED**
26 **PERIODICALLY.**

27 **ALL NATIONAL GOVERNMENT AGENCIES AND LOCAL**
28 **GOVERNMENT UNITS SHALL COORDINATE WITH THE DENR, DA**
29 **AND PCSD AND BMG, AS APPLICABLE, IN THE IMPLEMENTATION**
30 **AND LOCALIZATION OF THE STRATEGY AND ACTION PLAN:**

1 **PROVIDED, THAT THE DENR, DA, PCSD AND BMG, AS THE CASE**
2 **MAYBE, ARE AUTHORIZED TO CAUSE THE SLAUGHTER OR**
3 **EXTERMINATION OF INVASIVE ALIEN SPECIES BY EUTHANASIA**
4 **OR OTHER HUMANELY ACCEPTABLE MEANS UPON**
5 **DETERMINATION THAT THE INVASIVE SPECIES MAY CAUSE**
6 **SERIOUS THREAT TO LOCAL WILDLIFE, PEOPLE AND THE**
7 **ENVIRONMENT.**

8 **CITIZEN, CIVIL SOCIETY ORGANIZATIONS AND ACADEMIC**
9 **INSTITUTIONS MAY SUBMIT PROPOSALS TO DENR, DA, PCSD,**
10 **AND BMG TO LIST SPECIES OR GROUPS OF SPECIES OF**
11 **CONCERN FOR INCLUSION IN THE IAS LISTS AND THE SAID**
12 **GOVERNMENT AGENCIES SHALL RESPOND JUSTIFYING THEIR**
13 **DECISIONS TO LIST OR OTHERWISE."**

14 **SEC. 8.** Sections 7, 8, 9, and 10 of Republic Act No. 9147 are hereby
15 consolidated to read as follows:

16 **"SEC. 8. *COLLECTION, POSSESSION, TRANSPORT OF***
17 ***WILDLIFE, WILDLIFE BY-PRODUCT AND DERIVATIVES. – THE***
18 ***COLLECTION, POSSESSION AND TRANSPORT OF WILDLIFE, BY***
19 ***PRODUCTS AND DERIVATIVES MAY BE ALLOWED IN***
20 ***ACCORDANCE WITH SECTION 6 OF THIS ACT: PROVIDED, THAT***
21 ***IN THE COLLECTION OF WILDLIFE, APPROPRIATE, HUMANE AND***
22 ***ACCEPTABLE WILDLIFE COLLECTION TECHNIQUES WITH LEAST***
23 ***OR NO DETRIMENTAL EFFECTS TO THE EXISTING WILDLIFE***
24 ***POPULATIONS AND THEIR HABITATS SHALL LIKEWISE BE***
25 ***REQUIRED: PROVIDED, FURTHER, THAT ONLY PERSONS OR***
26 ***ENTITIES WITH APPROPRIATE FACILITY AS WELL AS***
27 ***FINANCIAL AND TECHNICAL CAPABILITY, INCLUDING***
28 ***SCIENTIFIC KNOWLEDGE ARE ALLOWED POSSESSION OF THE***
29 ***SAME: PROVIDED, FURTHERMORE, THAT IN CASE OF***
30 ***TRANSPORT, THE SAME WILL NOT BE PREJUDICIAL TO***

1 **WILDLIFE, PUBLIC HEALTH AND QUARANTINE REGULATIONS**
2 **AND WILDLIFE, WILDLIFE BY-PRODUCTS AND DERIVATIVES**
3 **ARE NOT OBTAINED IN VIOLATION OF LAW: *PROVIDED,***
4 ***FINALLY,* THAT COLLECTION OF WILDLIFE THAT ARE NOT**
5 **THREATENED OR LISTED AS OTHER PROTECTED WILDLIFE, BY**
6 **INDIGENOUS PEOPLE OR INDIVIDUALS IN ANCESTRAL**
7 **LAND/DOMAIN OR PRIVATE PROPERTY, RESPECTIVELY, IS**
8 **ALLOWED FOR TRADITIONAL, SUBSISTENCE AND**
9 **NONCOMMERCIAL USE."**

10 **SEC. 9.** Section 11 of Republic Act No. 9147 is hereby amended to read as
11 follows:

12 "SEC. 11. *Exportation and/or Importation* **AND/OR**
13 ***INTRODUCTION FROM THE SEA* of Wildlife, **BY-PRODUCTS AND****
14 ***DERIVATIVES.* – Wildlife [species] **BY-PRODUCTS AND****
15 ****DERIVATIVES** may be exported to or imported from another country,**
16 ****OR INTRODUCED FROM THE SEA,** as may be authorized by the**
17 **[Secretary] **DENR, DA, PCSD or BMG** [~~or—the—designated~~**
18 **representative],** subject to strict compliance with the provisions of this Act
19 and rules and regulations promulgated pursuant thereto: *Provided,* That
20 the recipient of the **LIVE** wildlife is technically and financially-capable to
21 maintain it: ***PROVIDED, FURTHER, THAT THE IMPORTATION OF***
22 ****INVASIVE ALIEN SPECIES OR PROVEN BY SCIENTIFIC STUDIES****
23 ****TO BE POTENTIALLY INVASIVE SHALL NOT BE ALLOWED."****

24 **SEC. 10.** Section 12 of Republic Act No. 9147 is hereby amended to read as
25 follows:

26 "SEC. 12. *Introduction, Reintroduction or Restocking of Endemic or*
27 ***Indigenous Wildlife.* – The introduction, reintroduction or restocking of**
28 **endemic and indigenous wildlife shall be allowed [only] for population**
29 **enhancement or recovery purposes subject to prior clearance from the**

1 ~~[Secretary of the authorized representative]~~ **DENR, DA, PCSD or BMG,**
2 pursuant to Section 6 of this Act.

3 Any proposed introduction shall be subject to a scientific study which
4 shall focus on the bioecology **AND NATURAL HISTORY.** The proponent
5 shall also conduct public consultations with concerned individuals or
6 entities.”

7 **SEC. 11.** Section 13 of Republic Act No. 9147 is hereby amended to read as
8 follows:

9 “SEC. 13. *Introduction of Exotic Wildlife.* – No exotic species shall be
10 introduced into the country, unless a clearance from the ~~[Secretary]~~
11 **DENR, DA, PCSD OR BMG** ~~[or the authorized representative]~~ is first
12 obtained. In no case shall exotic species be introduced into protected
13 areas covered by Republic Act No. 7586, **AS AMENDED BY REPUBLIC**
14 **ACT NO. 11038, OTHERWISE KNOWN AS THE “EXPANDED**
15 **NATIONAL INTEGRATED PROTECTED AREAS SYSTEM ACT OF**
16 **2018”**, and to critical habitats under Section 25 hereof.

17 ~~[In cases where introduction is allowed, it shall be subject to]~~
18 **:PROVIDED, THAT THE INTRODUCTION OF SUCH EXOTIC**
19 **SPECIES SHALL NOT POSE ANY ADVERSE IMPACTS ON LOCAL**
20 **ECOLOGY AND THAT FURTHER** environmental impact study **SHALL**
21 **BE UNDERTAKEN** which shall focus on the bioecology, **NATURAL**
22 **HISTORY,** socioeconomic and related aspects of the area where the
23 species will be introduced. The proponent shall also be required to secure
24 the prior informed consent from the local stakeholders.”

25 **SEC. 12.** Section 14 of Republic Act No. 9147 is hereby amended to read as
26 follows:

27 “SEC. 14. *Bioprospecting.* – Bioprospecting shall be allowed upon
28 execution of an undertaking by ~~[any]~~ **THE** proponent, stipulating therein
29 its compliance with and commitment(s) to ~~[reasonable]~~ terms and

1 conditions ~~[that may be]~~ imposed by the ~~[Secretary]~~ **DENR, DA, PCSD**
2 **OR BMG** ~~[which are necessary]~~ to protect biological diversity **AND THE**
3 **FAIR AND EQUITABLE SHARING OF BENEFITS DERIVED FROM**
4 **THE UTILIZATION OF PHILIPPINE GENETIC RESOURCES. IN**
5 **ADDITION TO THE FPIC, INDIGENOUS KNOWLEDGE ACCESS IN**
6 **RELATION TO BIOPROSPECTING SHALL BE VALUATED USING**
7 **ACCEPTED STANDARDS OF VALUATION IN RELATION TO WHAT**
8 **THE RESEARCH WOULD HAVE COST WITHOUT SUCH**
9 **KNOWLEDGE. THE COMPENSATION FOR THIS INTELLECTUAL**
10 **PROPERTY SHALL BE APART FROM THE ROYALTIES AND**
11 **BENEFIT SHARING OBLIGATIONS HEREIN.**

12 ~~[The Secretary or the authorized representative, in consultation with~~
13 ~~the concerned agencies,]~~ **[b] Before granting the necessary permit, THE**
14 **PROPONENT shall BE required TO OBTAIN** ~~[that]~~ prior informed
15 consent ~~[be obtained by the applicant]~~ from the concerned indigenous
16 cultural communities, local communities, ~~[management board]~~ **AND THE**
17 **PROTECTED AREA MANAGEMENT BOARD** under Republic Act No.
18 7586, **AS AMENDED BY REPUBLIC ACT NO. 11038**, ~~[or private~~
19 ~~individual entity. The applicant shall disclose fully the intent and scope of~~
20 ~~the bioprospecting activity in a language and process understandable to~~
21 ~~the community. The prior informed consent from the indigenous peoples~~
22 ~~shall be obtained in accordance with existing laws. The action on the~~
23 ~~bioprospecting proposal by concerned bodies shall be made within a~~
24 ~~reasonable period]~~ **AS MAY BE APPROPRIATE.**

25 Upon submission of the complete requirements, the ~~[Secretary]~~
26 **DENR, DA, PCSD OR BMG** shall act on the research proposal within a
27 reasonable period **OF TIME.**

28 If the applicant is a foreign entity or individual, a local institution
29 ~~[should]~~ **SHALL** be actively involved in the research, collection and,

1 whenever applicable and appropriate, in the technological development of
2 the products derived from the biological and genetic resources.”

3 **SEC. 13.** Section 15 of Republic Act No. 9147 is hereby amended to read as
4 follows:

5 “SEC. 15. *Scientific Researches on Wildlife.* – Collection and
6 utilization of biological resources for scientific research and not for
7 commercial purposes shall be allowed upon execution [~~of an~~
8 ~~undertaking/agreement with~~] and issuance of a gratuitous permit by the
9 [~~Secretary or the authorized representative: *Provided,* That prior~~
10 ~~clearance from concerned bodies shall be secured before the issuance of~~
11 ~~the gratuitous permit: *Provided, further,* That the last paragraph of~~
12 ~~Section 14 shall likewise apply.] **DENR, DA, PCSD OR BMG. THE**
13 **GRATUITOUS PERMIT SHALL CONTAIN THE CONDITIONS FOR**
14 **THE CONDUCT OF THE RESEARCH, WHICH SHALL INCLUDE**
15 **SUBMISSION OF THE REQUIRED REPORT, ONE YEAR AFTER**
16 **COMPLETION OF THE RESEARCH OR STUDY: *PROVIDED,* THAT**
17 **THE GRATUITOUS PERMIT SHALL ONLY BE ISSUED AFTER**
18 **CLEARANCE FROM CONCERNED AGENCIES OR BODIES SHALL**
19 **HAVE BEEN SECURED.**~~

20 **FILIPINO RESEARCHERS SHALL BE GIVEN PRIORITY IN ALL**
21 **RESEARCH APPLICATIONS. IF THE APPLICANT IS A FOREIGN**
22 **ENTITY OR INDIVIDUAL, A LOCAL INSTITUTION SHALL BE**
23 **ACTIVELY INVOLVED IN THE RESEARCH, COLLECTION AND,**
24 **WHENEVER APPLICABLE AND APPROPRIATE, IN THE**
25 **TECHNOLOGICAL DEVELOPMENT OF THE PRODUCTS DERIVED**
26 **FROM THE BIOLOGICAL AND GENETIC RESOURCES.**

27 **IF SUCH SCIENTIFIC STUDIES YIELD FINDINGS THAT IS**
28 **LATER COMMERCIALIZED DESPITE THE ORIGINAL INTENT NOT**
29 **TO THE PROVISIONS OF SECTIONS 18 AND 20 HEREIN SHALL**
30 **APPLY.”**

1 **SEC. 14.** Section 16 of Republic Act No. 9147 is hereby amended to read as
2 follows:

3 “SEC. 16. *Biosafety.* – All activities dealing on [~~genetic engineering~~
4 ~~and~~] pathogenic organisms in the Philippines, as well as activities
5 requiring the importation, introduction, field release and breeding of
6 organisms that are potentially harmful to man and the environment shall
7 be reviewed **BY THE DENR, PCSD OR DA-BFAR** in accordance [~~with~~
8 ~~the~~] **THROUGH** biosafety guidelines ensuring public welfare and the
9 protection and conservation of wildlife and their habitats.”

10 **SEC. 15.** Section 17 of Republic Act No. 9147 is hereby amended to read as
11 follows:

12 “SEC. 17. *Commercial Breeding or Propagation of Wildlife Resources.*
13 – Breeding or propagation of wildlife for commercial purposes shall be
14 allowed by the [~~Secretary or the authorized representative~~] **DENR, DA,**
15 **PCSD OR BMG,** pursuant to Section 6 through the issuance of wildlife
16 farm/culture permit: *Provided,* That only **PROPAGATED FLORA AND**
17 progenies of [~~wildlife~~] **WILD FAUNA** raised, as well as unproductive
18 parent stock shall be utilized for trade: *Provided, further,* That commercial
19 **PROPAGATION AND** breeding operations for wildlife, whenever
20 appropriate, shall be subject to an environmental impact study.”

21 **SEC. 16.** Insert a new section after Section 17 of Republic Act No. 9147 to
22 read as follows:

23 “**SEC. 17.1. COMMERCIAL BREEDING OR PROPAGATION OF**
24 **THREATENED SPECIES. – COMMERCIAL BREEDING OR**
25 **PROPAGATION OF THREATENED SPECIES MAY BE ALLOWED**
26 **PROVIDED THAT THE FOLLOWING MINIMUM REQUIREMENTS**
27 **ARE MET BY THE APPLICANT:**

28 **(A) PROVEN EFFECTIVE BREEDING AND CAPTIVE**
29 **MANAGEMENT TECHNIQUES FOR THE SPECIES; AND**

1 **(B) COMMITMENT TO SIMULTANEOUSLY UNDERTAKE**
2 **CONSERVATION BREEDING AND COMMERCIAL BREEDING IN**
3 **ACCORDANCE WITH SECTION 20 OF THIS ACT: *PROVIDED*, THAT**
4 **CONSERVATION BREEDING SHALL INCLUDE RESTOCKING PLANS**
5 **IN SUITABLE HABITATS.**

6 **THE DENR SECRETARY, DA SECRETARY, PCSD**
7 **CHAIRPERSON, BMG MINISTER OF ENVIRONMENT, NATURAL**
8 **RESOURCES AND ENERGY (BMG-MENRE), AND BMG MINISTER**
9 **OF AGRICULTURE, FISHERIES AND AGRARIAN REFORM ((BMG-**
10 **MAFAR), SHALL PREPARE A LIST OF THREATENED SPECIES FOR**
11 **COMMERCIAL BREEDING AND SHALL REGULARLY REVISE OR**
12 **UPDATE SUCH LIST OR AS THE NEED ARISES."**

13 **SEC. 17.** Section 18 of Republic Act No. 9147 is hereby amended to read as
14 follows:

15 "SEC. 18. *Economically Important Species.* – The [Secretary, within
16 one (1) year after the effectivity of this Act,] **DENR, DA, PCSD, AND**
17 **BMG** shall establish a list of economically-important species. **WHERE**
18 **APPROPRIATE**, a population assessment of such species shall be
19 conducted within a reasonable period and shall be regularly reviewed and
20 updated by the [Secretary] **DENR, DA, PCSD, AND BMG.**

21 The collection of certain species shall only be allowed when the
22 results of the assessment show that, despite certain extent of collection,
23 the population of such species can still remain viable and capable of
24 recovering its numbers. For this purpose, the [Secretary] **DENR, DA,**
25 **PCSD, AND BMG** shall establish a schedule and volume of allowable
26 harvests.

27 Whenever an economically important species become threatened,
28 any form of collection shall be prohibited except for scientific, educational
29 or breeding/propagation purposes, pursuant to the provisions of this Act."

1 **SEC. 18.** Section 19 of Republic Act No. 9147 is hereby amended to read as
2 follows:

3 "SEC. 19. *Designation of Management and Scientific Authorities for*
4 *International Trade in Endangered Species of Wild Fauna and Flora.* – For
5 the implementation of [~~International agreement on international trade in~~
6 ~~endangered species of wild fauna and flora~~] **THE CONVENTION ON**
7 **INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD**
8 **FAUNA AND FLORA (CITES)**, the management authorities for
9 terrestrial and aquatic resources shall be the [~~Protected Areas and Wildlife~~
10 ~~Bureau~~] **BIODIVERSITY MANAGEMENT BUREAU (BMB)** of the DENR
11 and the Bureau of Fisheries and Aquatic Resources (BFAR) of the DA,
12 respectively [~~and that in~~]. In the Province of Palawan **AND**
13 **BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO**
14 the implementation hereof is vested to the Palawan Council for
15 Sustainable Development pursuant to Republic Act No. 7611, **AND THE**
16 **BANGSAMORO GOVERNMENT (BMG) PURSUANT TO REPUBLIC**
17 **ACT NO. 11054.**

18 To provide advice to the management authorities, there shall be
19 designated scientific authorities for terrestrial and aquatic/marine species.
20 For the terrestrial species, the scientific authorities shall be the
21 Ecosystems Research and Development Bureau (ERDB) of the DENR, the
22 **UNIVERSITY OF THE PHILIPPINES** (U.P.) Institute of Biological
23 Sciences, **U.P. INSTITUTE OF BIOLOGY** and the National Museum and
24 other agencies as may be designated by the Secretary. For the marine
25 and aquatic species, the scientific authorities shall be the [BFAR]
26 **NATIONAL FISHERIES RESEARCH AND DEVELOPMENT**
27 **INSTITUTE (NFRDI)**, U.P. Marine Science Institute, U.P. Visayas,
28 Siliman University and the National Museum and other **PUBLIC OR**
29 **PRIVATE ACADEMIC INSTITUTIONS OR** agencies as may be
30 designated by the Secretary: *Provided*, That in the case of terrestrial
31 species, the ERDB shall chair the scientific authorities, and in the case of

1 marine and aquatic species, the [~~U.P. Marine Science Institute~~] **NFRDI**
2 shall chair the scientific authorities."

3 **SEC. 19.** Section 20 of Republic Act No. 9147 is hereby amended to read as
4 follows:

5 "SEC. 20. *Authority [~~of the Secretary~~] to Issue Permits.* – [~~The~~
6 ~~Secretary or the duly authorized representative,~~] In order to effectively
7 implement this Act, **THE DENR, DA, PCSD AND BMG** shall issue
8 permits/certifications/ clearances with corresponding period of validity,
9 [~~whenever~~] appropriate **FOR SUCH PURPOSE, AS DETERMINED BY**
10 **THE REGULATIONS. THESE PERMITS** [~~which~~] shall include but not
11 limited to the following:

12 (1) Wildlife farm or culture permit [~~3 to 5 years;~~]

13 (2) Wildlife collector's permit [~~1 to 3 years;~~]

14 (3) Gratuitous permit [~~1 year;~~]

15 (4) Local transport permit [~~1 to 3 months; and~~]

16 (5) Export/Import/Re-export Permit [~~1 to 6 months.~~]

17 **(6) SPECIAL LOCAL TRANSPORT PERMIT**

18 **(7) WILDLIFE TRADE PERMIT**

19 **(8) WILDLIFE SPECIAL USE PERMIT**

20 **(9) CERTIFICATE OF INTRODUCTION FROM THE SEA**

21 **(10) CLEARANCE TO OPERATE ZOOLOGICAL, BOTANICAL**
22 **AND OTHER SIMILAR FACILITIES**

23 **(11) CERTIFICATE OF WILDLIFE REGISTRATION**

1 These permits may be renewed subject to the guidelines issued by
2 the appropriate agency and upon consultation with concerned groups."

3 **SEC. 20.** Section 21 of Republic Act No. 9147 is hereby amended to read as
4 follows:

5 "SEC. 21. ***AUTHORITY TO COLLECT Fees and Charges.*** -
6 ~~[Reasonable fees and charges as may be determined upon consultation~~
7 ~~with the concerned groups, and in the amount fixed by the Secretary shall~~
8 ~~be imposed]~~ **THE DA, DENR, PCSD OR BMG ARE HEREBY**
9 **AUTHORIZED TO IMPOSE AND COLLECT REASONABLE FEES AND**
10 **CHARGES** for the issuances of permits, **CLEARANCES AND**
11 **CERTIFICATES** enumerated in the preceding section. **SUCH FEES**
12 **SHALL COMPLY WITH ADMINISTRATIVE RULES FOR FEE-**
13 **SETTING AS WELL AS CONSTITUTIONAL PROVISIONS ON**
14 **ACCESS TO NATURAL RESOURCES OWNED BY THE STATE.**
15 **PROVISIONS ON BENEFIT SHARING FOR ANCESTRAL DOMAIN**
16 **HOLDERS SHALL BE EMBEDDED IN THE PROCEDURES AND**
17 **VALUATION FOR THE COLLECTION OF SUCH FEES.**

18 For the export of wildlife species, an export permit fee of not greater
19 than ~~[three percentum (3%)]~~ **FIVE PERCENT (5%)** of the export value,
20 excluding transport costs, shall be charged: *Provided, however,* That in
21 the determination of aforesaid fee, the production costs shall be given
22 due consideration. Cutflowers, leaves and the like, **AND AQUACULTURE**
23 **PRODUCTS AND THE LIKE**, produced from farms shall be exempted
24 from the said export fee ~~[; *Provided, further,* That fees and charges shall~~
25 ~~be reviewed by the Secretary every two (2) years or as the need arises~~
26 ~~and revise the same accordingly, subject to consultation with concerned~~
27 ~~sectors].~~

28 **THE DENR, DA, PCSD OR BMG MAY ALSO IMPOSE AN**
29 **IMPORT PERMIT FEE FOR THE IMPORTATION OF WILDLIFE,**
30 **BASED ON IMPORT VALUE AND/OR VALUATION OF POTENTIAL**

1 **RISKS TO BIODIVERSITY AND HUMAN HEALTH: PROVIDED,**
2 **THAT ALL FEES AND CHARGES SHALL BE FIXED, ONLY AFTER**
3 **CONSULTATION WITH CONCERNED GROUPS, THE FEES AND**
4 **CHARGES MAY ALSO BE REVIEWED EVERY TWO (2) YEARS OR**
5 **AS THE NEED ARISES AND REVISE THE SAME ACCORDINGLY,**
6 **SUBJECT TO THE SAME CONSULTATION PROCESS.”**

7 **SEC. 21.** Section 22 of Republic Act No. 9147 is hereby amended to read as
8 follows:

9 “**SEC. 22. Determination of Threatened WILDLIFE Species AND**
10 **LISTING OTHER WILDLIFE SPECIES.** – The [Secretary] **DENR, DA,**
11 **PCSD OR BMG** shall determine whether any wildlife species or
12 subspecies is threatened and classify the same as critically endangered,
13 endangered, vulnerable or other accepted categories. **THE**
14 **CLASSIFICATION SHALL BE MADE** based on the best scientific data
15 and [with due regard to] internationally accepted criteria, including but
16 not limited to the following:

17 (a) present or threatened destruction, modification or curtailment
18 of its habitat or range;

19 (b) over-utilization for commercial, recreational, scientific or
20 educational purposes; **AND**

21 ~~[(c) Inadequacy of existing regulatory mechanism, and]~~

22 ~~[(d)]~~ **(C)** other natural or man-made factors affecting the existence
23 of wildlife.

24 ~~[The Secretary shall review, revise and publish the list of categorized~~
25 ~~threatened wildlife within one (1) year after effectivity of this Act]~~ **THE**
26 **DENR, DA, PCSD OR BMG SHALL ALSO ESTABLISH A LIST OF**
27 **THREATENED WILDLIFE SPECIES, SO DETERMINED UNDER THE**
28 **APPROPRIATE CATEGORY. THE LIST MAY ALSO INCLUDE THOSE**

1 **SPECIES THAT ARE NON-THREATENED BUT HAS THE TENDENCY**
2 **TO BECOME THREATENED IN THE ABSENCE OF ADEQUATE LEGAL**
3 **PROTECTION AND SHALL FALL UNDER THE CATEGORY OF**
4 **EITHER OTHER THREATENED SPECIES OR OTHER WILDLIFE**
5 **SPECIES. [Thereafter,] [t] The list shall be PUBLISHED AND** updated
6 regularly or as the need arises, **EITHER *MOTU PROPRIO* OR UPON**
7 **FILING OF A PETITION BASED ON SUBSTANTIAL SCIENTIFIC**
8 **INFORMATION OF ANY PERSON SEEKING FOR THE ADDITION**
9 **OR DELETION OF A SPECIES FROM THE LIST: *Provided*, That [a]**
10 species listed as threatened **OR OTHER PROTECTED WILDLIFE** shall
11 not be removed there from within three (3) years following its initial
12 listing: ***PROVIDED, FURTHER, THAT ALL NEWLY DISCOVERED***
13 ***SPECIES SHALL AUTOMATICALLY FALL UNDER THE CATEGORY***
14 ***OF OTHER THREATENED WILDLIFE SPECIES, AND SHALL***
15 ***REMAIN AS SUCH UNLESS PROPERLY DETERMINED OTHERWISE.***

16 Upon filing of a petition based on substantial scientific information of
17 any person seeking for the addition or deletion of a species from the list,
18 the [Secretary] **DENR, DA, PCSD OR BMG** shall evaluate in accordance
19 with the relevant factors stated in the first paragraph of this section, the
20 status of the species concerned and act on said petition within a
21 reasonable period **OF TIME.**

22 The [Secretary] **DENR, DA, PCSD AND BMG** shall also prepare
23 and publish a list of wildlife which resembles so closely in appearance with
24 listed threatened wildlife, which species shall likewise be categorized as
25 threatened."

26 **SEC. 22.** Section 23 of Republic Act No. 9147 is hereby amended to read as
27 follows:

28 "SEC. 23. *Collection of Threatened **OR OTHER WILDLIFE***
29 ***SPECIES, By-products and Derivatives.*** – The collection of threatened
30 **AND OTHER** wildlife **SPECIES**, as determined and listed pursuant to this

1 Act, including its by-products and derivatives, shall be allowed only for
2 scientific, or breeding or propagation purposes in accordance with Section
3 6 of this Act: *Provided*, That only [~~the accredited individuals, business,~~
4 ~~research, educational or scientific entities~~] **PERSONS ACCREDITED BY**
5 **THE DENR, DA, PCSD, AND BMG** shall be allowed to collect for
6 conservation breeding or propagation purposes."

7 **SEC. 23.** Section 24 of Republic Act No. 9147 is hereby amended to read as
8 follows:

9 "SEC. 24. *Conservation Breeding* [~~, Commercial Breeding or~~] *or*
10 *Propagation of Threatened* **OR OTHER WILDLIFE SPECIES.** –
11 Conservation breeding or propagation of threatened species shall be
12 encouraged in order to enhance its population in its natural habitat. It
13 shall be done simultaneously with the rehabilitation and/or protection of
14 the habitat where the captive-bred or propagated species shall be
15 released, reintroduced or restocked.

16 Commercial breeding [~~and~~] **OR** propagation of threatened species
17 may be allowed provided that the following minimum requirements are
18 met by the applicant, to wit:

19 (a) Proven effective breeding, [~~and~~] captive management **AND**
20 **PROPAGATION** techniques of the species; and

21 (b) Commitment to undertake commercial breeding **AND**
22 **PROPAGATION** in accordance with Section 17 of this Act [~~,~~
23 ~~simultaneous with conservation breeding~~];

24 **(C) UNDERTAKING TO CONTRIBUTE PART OF VIABLE**
25 **PROGENIES TO SPECIES REHABILITATION EFFORTS, AS MAY BE**
26 **PROVIDED IN THE REGULATIONS.**

1 The [Secretary] **DENR, DA, PCSD OR BMG** shall prepare a list of
2 threatened species for commercial breeding and shall regularly revise or
3 update such list or as the need arises.”

4 **SEC. 24.** Section 25 of Republic Act No. 9147 is hereby amended to read as
5 follows:

6 “*SEC. 25. Establishment of Critical Habitats.* – ~~[Within two (2) years~~
7 ~~following the effectivity of this Act, the Secretary shall]~~ **THE DENR, DA,**
8 **PCSD, AND BMG SHALL** designate critical habitats outside protected
9 areas under Republic Act No. 7586, **AS AMENDED BY REPUBLIC ACT**
10 **NO. 11038**, where threatened species are found. Such designation shall
11 be made on the basis of the best scientific data taking into consideration
12 species endemicity and/or richness, presence of man-made
13 pressures/threats to the survival of wildlife living in the area, among
14 others.

15 All designated critical habitats shall be protected, in coordination
16 with the local government units and other concerned groups, from any
17 form of exploitation or destruction which may be detrimental to the
18 survival of the threatened species dependent therein. For such purpose,
19 the [Secretary] **DENR, DA, PCSD OR BMG** may acquire, by purchase,
20 donation or expropriation, lands, or interests therein, including the
21 acquisition of usufruct, establishment of easements or other undertakings
22 appropriate in protecting the critical habitat.”

23 **SEC. 25.** Section 26 of Republic Act No. 9147 is hereby amended to read as
24 follows:

25 “*SEC. 26. Registration of Threatened and [Exotic] OTHER Wildlife*
26 **SPECIES In the Possession of Private Persons.** – ~~[No person or entity~~
27 ~~shall be allowed possession of wildlife unless such person or entity can~~
28 ~~prove financial and technical capability and facility to maintain said~~
29 ~~wildlife. Twelve (12) months after the effectivity of this Act, the Secretary~~

1 shall set a period, within which persons/entities shall register all
2 threatened species collected and exotic species imported prior to the
3 effectivity of this Act. However, when the threatened species is needed
4 for breeding/propagation or research purposes, the State may acquire the
5 wildlife through a mutually acceptable arrangement.] **THE DENR, DA,
6 PCSD, AND BMG SHALL CONTROL, REGULATE, AND CAUSE THE
7 REGISTRATION OF ALL THREATENED AND OTHER PROTECTED
8 WILDLIFE POSSESSED BY PRIVATE INDIVIDUALS AND
9 ENTITIES. THREATENED AND OTHER PROTECTED WILDLIFE IN
10 POSSESSION OF PRIVATE INDIVIDUALS AND ENTITIES THAT
11 ARE NOT REGISTERED SHALL BE CONFISCATED IN FAVOR OF
12 THE GOVERNMENT, AND THOSE IN POSSESSION SHALL BE
13 SUBJECT TO THE PENALTIES HEREIN PROVIDED. CERTIFICATES
14 OF WILDLIFE REGISTRATION SHALL BE ISSUED FOR THE
15 FOLLOWING:**

16 **(A) THREATENED WILDLIFE STOCK ACQUIRED UNDER A
17 PRIOR VALID WILDLIFE PERMIT ISSUED TO THE SAME
18 APPLICANT, INCLUDING BUT NOT LIMITED TO WILDLIFE
19 IMPORT PERMITS OR CERTIFICATIONS, WILDLIFE COLLECTOR'S
20 PERMIT, SUBJECT TO SUBMISSION OF PROOF OF LEGAL
21 ACQUISITION;**

22 **(B) THREATENED WILDLIFE STOCK PURCHASED OR
23 OTHERWISE ACQUIRED FROM LEGAL SOURCES SUBJECT TO
24 SUBMISSION OF PROOF OF LEGAL ACQUISITION;**

25 **(C) PROGENIES OR OFFSPRING OF DULY REGISTERED
26 PARENTAL THREATENED WILDLIFE STOCKS; AND**

27 **(D) OTHER WILDLIFE SPECIES THAT ARE NOW OR WILL
28 EVENTUALLY BE INCLUDED IN THE LIST OF DENR, DA, PCSD,
29 AND BMG AS REQUIRING LEGAL PROTECTION.**

1 ~~[After the period set has elapsed, threatened wildlife possessed~~
2 ~~without certificate of registration shall be confiscated in favor of the~~
3 ~~government, subject to the penalties herein provided.]~~

4 All Philippine wildlife ~~[which are not listed as threatened prior to the~~
5 ~~effectivity of this Act]~~ **IN POSSESSION OF PRIVATE INDIVIDUALS**
6 **AND ENTITIES WHICH ARE NOT IN THE LIST AS THREATENED**
7 **OR OTHER WILDLIFE SPECIES**, but which may later become so, shall
8 ~~[likewise]~~ be registered ~~[during the period set after the publication of the~~
9 ~~updated list of threatened species]~~ **WITHIN SIX (6) MONTHS OR AS**
10 **MAY BE PROVIDED IN THE REGULATION,—AFTER THE**
11 **PUBLICATION OF THE LIST WHERE THE NAME OF THE WILDLIFE**
12 **APPEARED.**

13 **POSSESSION OF REGISTERED WILDLIFE SPECIES SHALL BE**
14 **SUBJECT TO THE CONDITIONS UNDER SECTION 12. WHEN A**
15 **REGISTERED THREATENED SPECIES IS NEEDED FOR BREEDING,**
16 **PROPAGATION OR RESEARCH PURPOSES, THE STATE MAY**
17 **ACQUIRE THE REGISTERED WILDLIFE FROM ANY PERSON**
18 **THROUGH A MUTUALLY ACCEPTABLE ARRANGEMENT.**

19 **THE DENR, DA, PCSD AND BMG SHALL IMPROVE THE**
20 **REGISTRATION AND MONITORING SYSTEM OF THREATENED**
21 **WILDLIFE TO PREVENT FRAUD, MISREPRESENTATION AND/OR**
22 **WILDLIFE LAUNDERING AND INCLUDE PRACTICAL INTERIM**
23 **MEASURES IN THE PROCESS."**

24 **SEC. 26.** Section 27 of Republic Act No. 9147 is hereby amended to read as
25 follows:

26 "SEC. 27. *Illegal Acts.* – Unless otherwise allowed in accordance with
27 this Act, it shall be unlawful for any person to willfully and knowingly
28 exploit wildlife resources and their habitats, or undertake, **OR TO**

1 **INDUCE, SOLICIT OR EMPLOY ANOTHER PERSON TO**
2 **UNDERTAKE**, the following acts:

3 (a) killing and/OR destroying wildlife species, **INCLUDING**
4 **CAUSING DEATH OR DESTRUCTION AS A RESULT OF ANY**
5 **VIOLATION OF THIS ACT**, except in the following instances:

6 (i) when it is done as part of the religious rituals of established
7 tribal groups or indigenous cultural communities;

8 (ii) when the wildlife is afflicted with an incurable communicable
9 disease;

10 (iii) when it is deemed necessary to put an end to the misery
11 suffered by the wildlife;

12 (iv) when it is done to prevent an imminent danger to the life or
13 limb of a human being; [~~and~~]

14 (v) when the wildlife is killed or destroyed after it has been used in
15 authorized research or experiments; **AND**

16 **(VI) WHEN DONE FOR THE PURPOSE OF WILDLIFE**
17 **POPULATION MANAGEMENT OR ERADICATION OF INVASIVE**
18 **ALIEN SPECIES, AS AUTHORIZED BY THE DENR, DA, PCSD, OR**
19 **BMG.**

20 (b) inflicting injury which cripples and/or impairs the reproductive
21 system of wildlife species;

22 (c) effecting any of the following acts in critical habitat(s):

23 (i) dumping of waste products detrimental to wildlife **AND/OR**
24 **THE CRITICAL HABITAT: PROVIDED, THAT DUMPING OF ANY**
25 **WASTE PRODUCT SHALL BE DEEMED TO BE DETRIMENTAL;**

1 (ii) squatting or otherwise **ILLEGALLY** occupying any portion of
2 the critical habitat;

3 (iii) mineral exploration and/or extraction, **TREASURE-HUNTING**
4 **AND/OR PROSPECTING;**

5 (iv) burning **EXCEPT BY AUTHORITIES IF ESTABLISHING**
6 **FIRE BREAKS OR OTHER CONSERVATION AND MANAGEMENT**
7 **MEASURES;**

8 (v) logging; [and]

9 (vi) quarrying **AT ANY SCALE;**

10 **(VII) LAND RECLAMATION;**

11 **(VIII) INTRODUCTION, USE, OR APPLICATION OF**
12 **POISONOUS SUBSTANCE THAT ENDANGERS THE HABITAT OR**
13 **PARTS THEREOF OR RENDERS HABITAT OR PARTS THEREOF NO**
14 **LONGER VIABLE FOR WILDLIFE;**

15 (d) introduction, reintroduction or restocking of wildlife resources;

16 (e) trading [of] **OR ATTEMPTING TO TRADE** wildlife,
17 **WILDLIFE BY-PRODUCTS OR DERIVATIVES, INCLUDING**
18 **ADVERTISING, CONTRACTING OR OFFERING FOR THE PURPOSE**
19 **OF SALE OR PROCUREMENT OF WILDLIFE, BY-PRODUCTS OR**
20 **DERIVATIVES;**

21 (f) collecting, hunting or possessing wildlife, their by-products
22 [and] **OR derivatives: PROVIDED, THAT THE DENR, DA, PCSD, AND**
23 **BMG SHALL DEVELOP A SYSTEM AND MECHANISM THAT ALLOW**
24 **RESCUE OF THREATENED WILDLIFE SPECIES;**

25 (g) gathering or destroying of active nests, nest trees, host plants
26 and the like;

1 (h) maltreating and/or inflicting other injuries not covered by the
2 preceding paragraphS; [~~and~~]

3 (i) transporting of wildlife, **WILDLIFE BY-PRODUCTS OR**
4 **DERIVATIVES;**

5 **(J) WILDLIFE LAUNDERING; AND**

6 **(K) DESTRUCTION OF WILDLIFE HABITAT WHICH**
7 **CONSISTS IN ANY OF THE ACTS IN LETTER (C) OF THIS**
8 **SECTION, INCLUDING A COMBINATION THEREOF, RESULTING**
9 **IN THE CESSATION OR IMPAIRMENT OF THE ECOLOGICAL**
10 **SERVICE OR FUNCTION ASSOCIATED WITH THE HABITAT**
11 **WHICH WILL TAKE A CONSIDERABLE AMOUNT OF TIME AND**
12 **EFFORT TO RESTORE OR REHABILITATE. FOR THE PURPOSE OF**
13 **THIS PROHIBITION, THE DENR, DA, PCSD OR BMG SHALL**
14 **UNDERTAKE THE VALUATION OF THE TIME AND EFFORT**
15 **REQUIRED FOR REHABILITATION AND CHARGE SUCH COSTS TO**
16 **THE OFFENDER.**

17 **: PROVIDED, THAT WHEN ANY OF VIOLATIONS OF LETTERS (A),**
18 **(E), (F), (I), AND (J) UNDER THIS SECTION IS COMMITTED BY A**
19 **SYNDICATE OR, IN LARGE SCALE, OR THE WILDLIFE INVOLVE IS**
20 **BOUND FOR EXPORT OR IS ACTUALLY EXPORTED TO ANOTHER**
21 **COUNTRY, OR IS IMPORTED FROM ANOTHER COUNTRY BY THE**
22 **PERSON OR IN CONNIVANCE WITH THE PERSONS FROM WHOM**
23 **THE WILDLIFE WAS APPREHENDED, THE OFFENSE COMMITTED**
24 **IS WILDLIFE TRAFFICKING AND SHALL BE PENALIZED**
25 **ACCORDINGLY."**

26 **SEC. 27.** Section 28 of Republic Act No. 9147 is hereby amended to read as
27 follows:

28 "SEC. 28. *Penalties for Violations of this Act.* – For any person who
29 undertakes illegal acts under paragraph (a) of the immediately preceding

1 section to any species as may be categorized pursuant to this Act, the
2 following penalties and/or fines shall be imposed:

3 (a) imprisonment ~~[of a minimum]~~ **FROM** six (6) years and one (1)
4 day to twelve (12) years and/or a fine of ~~[One hundred thousand pesos~~
5 ~~(P100,000.00)]~~ **SIX HUNDRED THOUSAND PESOS (P600,000.00)** to
6 ~~[One million pesos (P1,000,000.00)]~~ **TWO MILLION (P2,000,000.00),**
7 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
8 **HIGHER**, if inflicted or undertaken against species listed as ~~[critical]~~
9 **CRITICALLY ENDANGERED;**

10 (b) imprisonment ~~[of]~~ **FROM** four (4) years and one (1) day to six
11 (6) years and/or a fine of ~~[Fifty thousand pesos (P50,000.00)]~~ **THREE**
12 **HUNDRED THOUSAND PESOS (P300,000.00)** to ~~[Five hundred~~
13 ~~thousand pesos (P500,000.00)]~~ **SIX HUNDRED THOUSAND PESOS**
14 **(P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
15 **WHICHEVER IS HIGHER**, if inflicted or undertaken against endangered
16 species;

17 (c) imprisonment of two (2) years and one (1) day to four (4)
18 years and/or a fine of ~~[Thirty thousand pesos (P30,000.00)]~~ **ONE**
19 **HUNDRED FIFTY THOUSAND PESOS (P150,000.00)** to Three
20 Hundred Thousand Pesos (P300,000.00), **OR TWO TIMES THE**
21 **PROVEN MARKET VALUE, WHICHEVER IS HIGHER**, if inflicted or
22 undertaken against vulnerable species;

23 (d) imprisonment of one (1) year and one (1) day to two (2) years
24 and/or a fine of ~~[Twenty thousand pesos (P20,000.00)]~~ **ONE HUNDRED**
25 **THOUSAND PESOS (P100,000.00)** to Two hundred thousand pesos
26 (P200,000.00), **OR TWO TIMES THE PROVEN MARKET VALUE,**
27 **WHICHEVER IS HIGHER**, if inflicted or undertaken against other
28 threatened species; and

1 (e) imprisonment [~~of~~] **FROM** six (6) months and one (1) day to
2 one (1) year and/or a fine of [~~Ten thousand pesos (P10,000.00)]~~ **FIFTY**
3 **THOUSAND PESOS (P50,000.00)** to [~~One hundred thousand pesos~~
4 [~~P100,000.00)]~~ **ONE HUNDRED THOUSAND PESOS (P100,000.00),**
5 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
6 **HIGHER,** if inflicted or undertaken against other wildlife species.

7 For illegal acts under paragraph (b) of the immediately preceding
8 section, the following penalties and/or fines shall be imposed:

9 (a) imprisonment [~~of minimum~~] **FROM** four (4) years and 1 day to
10 six (6) years and/or a fine of [~~Fifty thousand pesos (P50,000.00)]~~ **FOUR**
11 **HUNDRED THOUSAND PESOS (P400,000.00)** to [~~five hundred~~
12 [~~thousand pesos (P500,000.00)]~~] **SIX HUNDRED THOUSAND PESOS**
13 **(P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
14 **WHICHEVER IS HIGHER,** if inflicted or undertaken against species
15 listed as [~~critical~~] **CRITICALLY ENDANGERED;**

16 (b) imprisonment [~~of~~] **FROM** [~~two (2)]~~ **THREE** years and one (1)
17 day to four (4) years and/or a fine of [~~Thirty thousand pesos~~
18 [~~(P30,000.00)]~~] **TWO HUNDRED THOUSAND PESOS (P200,000.00)** to
19 [~~Two hundred thousand pesos (P200,000.00)]~~ **FOUR HUNDRED**
20 **THOUSAND PESOS (P400,000.00), OR TWO TIMES THE PROVEN**
21 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken
22 against endangered species;

23 (c) imprisonment [~~of one (1)]~~ **FROM TWO** year**S** and one (**1**) day
24 **TO THREE (3) YEARS** and/or a fine of [~~Twenty thousand pesos~~
25 [~~(P20,000.00)]~~] **ONE HUNDRED FIFTY THOUSAND PESOS**
26 **(P150,000.00)** to Two hundred thousand pesos-(P200,000.00), **OR**
27 **TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
28 **HIGHER,** if inflicted or undertaken against vulnerable species;

1 (d) imprisonment [~~of six (6) months~~] **FROM ONE (1) YEAR** and
2 one (1) day to [~~one (1) year~~] **TWO (2) YEARS** and/or a fine of [~~Ten~~
3 ~~thousand pesos (P10,000.00)~~] **ONE HUNDRED THOUSAND PESOS**
4 **(P100,000.00)** to [~~Fifty thousand pesos (P50,000.00)~~] **ONE HUNDRED**
5 **FIFTY THOUSAND PESOS (P150,000.00), OR TWO TIMES THE**
6 **PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or
7 undertaken against other threatened species; and

8 (e) imprisonment [~~of one (1) month to~~] **FROM** six (6) months
9 **AND ONE (1) DAY TO ONE (1) YEAR** and/or a fine of [~~Five thousand~~
10 ~~pesos (P5,000.00)~~] **FIFTY THOUSAND PESOS (P50,000.00)** to
11 [~~Twenty thousand pesos (P20,000.00)~~] **ONE HUNDRED THOUSAND**
12 **PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET**
13 **VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken against
14 other wildlife species;

15 For illegal acts under paragraphs (c) and (d) of the immediately
16 preceding section, an imprisonment [~~of one (1) month to eight (8) years~~]
17 **FROM FOUR (4) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS**
18 and/or a fine of [~~Five thousand pesos (P5,000.00)~~] **THREE HUNDRED**
19 **THOUSAND PESOS (P300,000.00)** to Five million pesos
20 (P5,000,000.00) shall be imposed. **IF CRITICAL HABITAT REQUIRES**
21 **REHABILITATION OR RESTORATION AS DETERMINED BY THE**
22 **COURT, THE OFFENDER SHALL BE REQUIRED TO RESTORE THE**
23 **SAME, WHENEVER PRACTICABLE, OR PAY ADDITIONAL**
24 **COMPENSATION FOR THE DAMAGE CAUSED.**

25 For illegal acts under paragraph (e) **AND (F)** the following penalties
26 and/or fines shall be imposed:

27 (a) imprisonment [~~of two (2) years and one (1) day~~] **FROM SIX**
28 **(6) YEARS AND ONE (1) DAY [to four (4) years] TO EIGHT (8)**
29 **YEARS** and/or a fine of [~~Five thousand pesos (P5,000.00) to~~] Three
30 hundred thousand pesos (P300,000.00) **TO ONE MILLION PESOS**

1 **(P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
2 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against~~]
3 **INVOLVING** species listed as [~~critical~~] **CRITICALLY ENDANGERED;**

4 (b) imprisonment [~~of one (1) year and one (1) day~~] **FROM FOUR**
5 **(4) YEARS AND ONE (1) DAY** to [~~two (2) years~~] **SIX (6) YEARS**
6 and/or a fine of [~~Two thousand pesos (P2,000.00)~~] **TWO HUNDRED**
7 **THOUSAND PESOS (P200,000.00)** to [~~Two hundred thousand pesos~~
8 [~~P200,000.00~~]] **THREE HUNDRED THOUSAND PESOS**
9 **(P300,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
10 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against~~]
11 **INVOLVING** endangered species;

12 (c) imprisonment [~~of six (6) months and one (1) day~~] **FROM**
13 **TWO (2) YEARS AND ONE (1) DAY** to [~~one (1) year~~] **FOUR (4)**
14 **YEARS** and/or a fine of [~~One thousand pesos (P1,000.00)~~] **SEVENTY-**
15 **FIVE THOUSAND PESOS (P75,000.00)** to [~~One hundred thousand~~
16 [~~pesos (P100,000.00)~~]] **ONE HUNDRED FIFTY THOUSAND PESOS**
17 **(P150,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
18 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against~~]
19 **INVOLVING** vulnerable species;

20 (d) imprisonment of [~~one (1) month and one (1) day~~] **FROM ONE**
21 **(1) YEAR AND ONE (1) DAY** to [~~six (6) months~~] **TWO (2) YEARS**
22 and/or a fine of [~~Five hundred pesos (P500.00) to~~] **Fifty thousand pesos**
23 **(P50,000.00) TO ONE HUNDRED THOUSAND PESOS (P100,000.00),**
24 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
25 **HIGHER,** if inflicted or undertaken against species listed as threatened
26 species; and

27 (e) imprisonment [~~of ten (10) days~~] **FROM SIX (6) MONTHS**
28 **AND ONE (1) DAY** to [~~one (1) month~~] **ONE (1) YEAR** and/or a fine of
29 [~~Two hundred pesos (P200.00)~~] **THIRTY THOUSAND PESOS**
30 **(P30,000.00)** to [~~Twenty thousand pesos (P20,000.00)~~] **FIFTY**

1 **THOUSAND PESOS (P50,000.00), OR TWO TIMES THE PROVEN**
2 **MARKET VALUE, WHICHEVER IS HIGHER,** if [~~inflicted or undertaken~~
3 ~~against~~] **INVOLVING** other wildlife species.

4 For illegal acts under paragraphs [~~(f) and~~] (g) **AND (H)** of the
5 immediately preceding section, the following penalties and/or fines shall
6 be imposed:

7 (a) imprisonment of [~~two (2)~~] **FOUR (4)** years and one (1) day to
8 [~~four (4)~~] **SIX (6)** years and/or a fine of [~~Thirty thousand pesos~~
9 ~~(P30,000.00)~~] **THREE HUNDRED THOUSAND PESOS (P300,000.00)**
10 to [~~Three hundred thousand pesos (P300,000.00)~~] **SIX HUNDRED**
11 **THOUSAND PESOS (P600,000.00), OR TWO TIMES THE PROVEN**
12 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken
13 against species listed as [~~critical~~] **CRITICALLY ENDANGERED;**

14 (b) imprisonment [~~of one (1) year~~] **THREE YEARS** and one (1)
15 day) to [~~two (2) years~~] **FIVE YEARS** and/OR a fine of [~~Twenty~~
16 ~~thousand pesos (P20,000.00)~~] **TWO HUNDRED THOUSAND PESOS**
17 **(P200,000.00)** to [~~Two hundred thousand pesos (P200,000.00)~~]
18 **THREE HUNDRED THOUSAND PESOS (P300,000.00), OR TWO**
19 **TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if
20 inflicted or undertaken against endangered species;

21 (c) imprisonment [~~of six (6) months~~] **FROM TWO (2) YEARS**
22 and one (1) day to [~~one (1) year~~] **FOUR (4) YEARS** and/OR a fine of
23 [~~Ten thousand pesos (P10,000.00)~~] **ONE HUNDRED THOUSAND**
24 **PESOS (P100,000.00)** to [~~One hundred thousand pesos (P100,000.00)~~]
25 **TWO HUNDRED THOUSAND PESOS (P200,000.00), OR TWO**
26 **TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if
27 inflicted or undertaken against vulnerable species;

28 (d) imprisonment [~~of one (1) month~~] **FROM ONE YEAR** and one
29 (1) day to [~~six (6) months~~] **TWO (2) YEARS** and/OR a fine of [~~Five~~

1 ~~thousand pesos (P5,000.00)]~~ **ONE HUNDRED THOUSAND PESOS**
2 **(P100,000.00)** to [~~Fifty thousand pesos (P50,000.00)]~~ **ONE HUNDRED**
3 **FIFTY THOUSAND PESOS (P150,000.00), OR TWO TIMES THE**
4 **PROVEN MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or
5 undertaken against species as other threatened species; and

6 (e) imprisonment [~~of ten (10) days]~~ **FROM SIX (6) MONTHS**
7 **AND ONE (1) DAY** to [~~one (1) month]~~ **ONE (1) YEAR** and/OR a fine
8 of [~~One thousand pesos (P1,000.00)]~~ **FIFTY THOUSAND PESOS**
9 **(P50,000.00)** to [~~Five thousand pesos (P5,000.00)]~~ **ONE HUNDRED**
10 **THOUSAND PESOS (P100,000.00), OR TWO TIMES THE PROVEN**
11 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or undertaken
12 against other [~~wildlife]~~ **PROTECTED** species [~~:- Provided, That in case of~~
13 ~~paragraph (f), where the acts were perpetuated through the means of~~
14 ~~inappropriate techniques and devices, the maximum penalty herein~~
15 ~~provided shall be imposed].~~

16 For illegal acts under paragraphs [~~(h) and]~~ (i) **AND (J)** of the
17 immediately preceding section, the following penalties and fines shall be
18 imposed:

19 (a) imprisonment [~~of six (6) months and one (1) day]~~ **FROM**
20 **EIGHT (8) YEARS AND ONE (1) DAY** to [~~one (1) year]~~ **TEN (10)**
21 **YEARS** and a fine of [~~Fifty thousand pesos (P50,000.00)]~~ **FIVE**
22 **HUNDRED THOUSAND PESOS (P500,000.00)** to [~~One hundred~~
23 ~~thousand pesos (P100,000.00)]~~ **ONE MILLION PESOS**
24 **(P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
25 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against]~~
26 **INVOLVING** species listed as [~~critical species]~~ **CRITICALLY**
27 **ENDANGERED;**

28 (b) imprisonment [~~of three (3) months and one (1) day]~~ **FROM**
29 **SIX (6) YEARS AND ONE (1) DAY** to [~~six (6) months]~~ **TO EIGHT (8)**
30 **YEARS** and a fine of [~~Twenty thousand pesos (P20,000.00)]~~ **THREE**

1 **HUNDRED THOUSAND PESOS (P300,000.00)** to [~~Fifty thousand~~
2 ~~pesos (P50,000.00)]~~ **SIX HUNDRED THOUSAND PESOS**
3 **(P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
4 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against~~]
5 **INVOLVING** endangered species;

6 (c) imprisonment [~~of one (1) month and one (1) day~~] **FROM**
7 **FOUR (4) YEARS AND ONE (1) DAY** to [~~three (3) months~~] **SIX (6)**
8 **YEARS** and a fine of [~~Five thousand pesos (P5,000.00)]~~ **ONE HUNDRED**
9 **FIFTY THOUSAND PESOS (P150,000.00)** to [~~Twenty thousand pesos~~
10 ~~(P20,000.00)]~~ **THREE HUNDRED THOUSAND PESOS (P300,000.00),**
11 **OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
12 **HIGHER,** if [~~inflicted or undertaken against~~] **INVOLVING** vulnerable
13 species; **AND**

14 (d) imprisonment [~~of ten (10) days~~] **FROM TWO (2) YEARS**
15 **AND ONE (1) DAY** to [~~one (1) month~~] **FOUR (4) YEARS** and a fine of
16 [~~One thousand pesos (1,000.00)]~~ **ONE HUNDRED THOUSAND PESOS**
17 **(P100,000.00)** to [~~Five thousand pesos (P5,000.0)]~~ **TWO HUNDRED**
18 **THOUSAND PESOS (P200,000.00),** if inflicted or undertaken against
19 species listed as other threatened species; **AND**

20 (e) imprisonment [~~of five (5) days~~] **FROM ONE (1) YEAR AND**
21 **ONE (1) DAY** to [~~ten (10) days~~] **TWO (2) YEARS** and a fine of [~~Two~~
22 ~~hundred pesos (P200.00)]~~ **FIFTY THOUSAND PESOS (P50,000.00)** to
23 [~~One thousand pesos (P1,000.00)]~~ **ONE HUNDRED THOUSAND**
24 **PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET**
25 **VALUE, WHICHEVER IS HIGHER,** if [~~inflicted or undertaken against~~]
26 **INVOLVING** other [~~wildlife~~] **PROTECTED** species.

27 [~~All wildlife, its derivatives or by products, and all paraphernalia,~~
28 ~~tools and conveyances used in connection with violations of this Act shall~~
29 ~~be ipso facto forfeited in favor of the government: Provided, That where~~
30 ~~the ownership of the aforesaid conveyances belong to third persons who~~

1 ~~has no participation in or knowledge of the illegal acts the same may be~~
2 ~~released to said owner. The apprehending agency shall immediately cause~~
3 ~~the transfer of all wildlife that have been seized or recovered to the~~
4 ~~nearest Wildlife Rescue Center of the Department of in the area.~~

5 ~~If the offender is an alien, he shall be deported after service of~~
6 ~~sentence and payment of fines, without any further proceedings.~~

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

10 **FOR VIOLATIONS OF LETTERS (A), (E), (F), (I), AND (J)**
11 **UNDER SECTION 27 OF THIS ACT, COMMITTED BY A SYNDICATE**
12 **OR, IN LARGE SCALE, OR THE WILDLIFE INVOLVED IS BOUND**
13 **FOR EXPORT OR IS ACTUALLY EXPORTED TO ANOTHER**
14 **COUNTRY; OR IS IMPORTED FROM ANOTHER COUNTRY BY THE**
15 **PERSON OR IN CONNIVANCE WITH THE PERSONS FROM WHOM**
16 **THE WILDLIFE WAS APPREHENDED, OTHERWISE KNOWN AS**
17 **WILDLIFE TRAFFICKING THE FOLLOWING FINES AND**
18 **PENALTIES SHALL BE IMPOSED:**

19 **(A) IMPRISONMENT FROM TWELVE (12) YEARS AND ONE**
20 **(1) DAY TO TWENTY (20) YEARS AND A FINE OF ONE MILLION**
21 **PESOS (P1,000,000.00) TO TEN (10) MILLION PESOS**
22 **(P10,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**
23 **WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN**
24 **AGAINST SPECIES LISTED AS CRITICALLY ENDANGERED;**

25 **(B) IMPRISONMENT FROM EIGHT (8) YEARS AND ONE (1)**
26 **DAY TO TWELVE (12) YEARS AND A FINE OF EIGHT HUNDRED**
27 **THOUSAND PESOS (P800,000.00) TO TWO MILLION PESOS**
28 **(P2,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE,**

1 WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN
2 AGAINST ENDANGERED SPECIES;

3 (C) IMPRISONMENT FROM SIX (6) YEARS AND ONE (1)
4 DAY TO EIGHT (8) YEARS AND A FINE OF THREE HUNDRED
5 THOUSAND PESOS (P300,000.00) TO EIGHT HUNDRED
6 THOUSAND PESOS (P800,000.00), OR TWO TIMES THE PROVEN
7 MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR
8 UNDERTAKEN AGAINST VULNERABLE SPECIES;

9 (D) IMPRISONMENT FROM FOUR (4) YEARS AND ONE (1)
10 DAY TO SIX (6) YEARS AND A FINE OF TWO HUNDRED
11 THOUSAND PESOS (P200,000.00) TO FOUR HUNDRED
12 THOUSAND PESOS (P400,000.00), OR TWO TIMES THE PROVEN
13 MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR
14 UNDERTAKEN AGAINST OTHER THREATENED SPECIES; AND

15 (E) IMPRISONMENT FROM TWO (2) YEARS AND ONE (1)
16 DAY TO FOUR (4) YEARS AND A FINE OF ONE HUNDRED
17 THOUSAND PESOS (P100,000.00) TO TWO HUNDRED THOUSAND
18 PESOS (P200,000.00), OR TWO TIMES THE PROVEN MARKET
19 VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN
20 AGAINST OTHER WILDLIFE SPECIES."

21 **SEC. 28.** Insert eleven (11) new sections after Section 28 of Republic Act No.
22 9147 to read as follows:

23 **"SEC. 28.1. IMPOSITION OF PENALTY FOR VIOLATION**
24 **COMMITTED BY JURIDICAL ENTITY AND ADDITIONAL**
25 **LIABILITY. – IF THE VIOLATION IS COMMITTED BY A**
26 **CORPORATION, COOPERATIVE, ASSOCIATION OR ANY OTHER**
27 **JURIDICAL PERSONS, THE PENALTY SHALL BE IMPOSED UPON**
28 **THE PERSONS WHO COMMITTED THE ACT AS WELL AS THE**

1 **PRESIDENT, DIRECTORS, MANAGERS, MANAGING PARTNER, OR**
2 **OTHER OFFICIALS RESPONSIBLE FOR SUCH VIOLATION.**

3 **ANY GOVERNMENT OFFICIAL OR EMPLOYEE, WHO IS**
4 **FOUND LIABLE, FOR ANY OFFENSE PENALIZED BY SIX YEARS OF**
5 **IMPRISONMENT OF THIS ACT, SHALL, IN ADDITION TO THE**
6 **PENALTY WHICH MAY BE IMPOSED UPON HIM AS PRINCIPAL,**
7 **BE PERPETUALLY DISQUALIFIED FROM HOLDING ANY PUBLIC**
8 **OFFICE.**

9 **ANY PERSON CONVICTED OF A VIOLATION OF THIS ACT**
10 **SHALL BE PERMANENTLY AND PERPETUALLY DISQUALIFIED**
11 **FROM BEING ISSUED ANY WILDLIFE PERMITS, CLEARANCES,**
12 **AGREEMENTS AND/OR CERTIFICATES."**

13 **"SEC. 28.2. RECOVERY OF COST AND REPARATION AND**
14 **RESTORATION OF AFFECTED RESOURCE. – IN ADDITION TO THE**
15 **FINE AND IMPRISONMENT THAT MAY BE IMPOSED FOR**
16 **VIOLATION OF THIS ACT, THE OFFENDER SHALL ALSO PAY ALL**
17 **REASONABLE COST INCURRED BY THE STATE RESULTING FROM**
18 **THE SAID VIOLATION. THE COST MAY INCLUDE EXPENSES FOR**
19 **TRANSPORT, MAINTENANCE OF THE SEIZED WILDLIFE, AND**
20 **PROPER DISPOSAL THEREOF.**

21 **THE OFFENDER SHALL LIKEWISE BE LIABLE TO PAY THE**
22 **RESOURCE ECONOMIC VALUE, PROVEN TO HAVE BEEN LOST OR**
23 **SUFFERED AS A RESULT OF THE VIOLATION AND TO INDEMNIFY**
24 **THE STATE FOR THE COST OF RESTORATION OF THE AFFECTED**
25 **RESOURCE."**

26 **"SEC. 28.3. ESCALATION OF THE AMOUNT OF FINES. – THE**
27 **FINES HEREIN PRESCRIBED SHALL AUTOMATICALLY INCREASE,**
28 **WITHOUT NEED FOR FURTHER LEGISLATION OR**
29 **ADMINISTRATIVE ISSUANCE, BY TEN PERCENT (10%) EVERY**

1 FIVE (5) YEARS FROM THE EFFECTIVITY OF THIS ACT TO
2 MAINTAIN THE DETERRENT FUNCTION OF SUCH FINES."

3 "SEC. 28.4. *DISPUTABLE PRESUMPTIONS.* – WITHOUT THE
4 APPROPRIATE WILDLIFE PERMIT, CERTIFICATION OR
5 CLEARANCE, OR AUTHORITY, AT THE TIME OF APPREHENSION,
6 THE FOLLOWING SHALL CONSTITUTE A PRESUMPTION THAT A
7 CORRESPONDING OFFENSE, PENALIZED UNDER THIS ACT, HAS
8 BEEN COMMITTED BY THE PERSON/S INVOLVED:

9 (A) POSSESSION OF ANY HUNTING, TRAPPING OR
10 COLLECTING PARAPHERNALIA ALONG WITH LIVE OR DEAD
11 WILDLIFE, WILDLIFE PRODUCTS AND DERIVATIVES SHALL BE A
12 DISPUTABLE PRESUMPTION THAT THE POSSESSOR CAUSED THE
13 KILLING AND/OR DESTRUCTION, INFLECTION OF INJURY,
14 MALTREATMENT, COLLECTION, HUNTING OF WILDLIFE,
15 WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES, AS
16 APPROPRIATE;

17 (B) FAILURE ON THE PART OF THE AIRFREIGHT,
18 SHIPPING, TRUCKING OR FORWARDING COMPANIES FROM
19 WHOSE POSSESSION THE WILDLIFE, BY-PRODUCTS AND/OR
20 DERIVATIVES ARE DISCOVERED OR SEIZED TO FULLY
21 COOPERATE IN THE INVESTIGATION BY CONCERNED
22 GOVERNMENT AUTHORITIES ON THE MATTER SHALL CREATE A
23 PRESUMPTION THAT THERE IS CONNIVANCE OR CONSPIRACY
24 BETWEEN THE COMPANY AND THE SHIPPER TO VIOLATE THE
25 RELEVANT PROVISIONS OF THIS ACT."

26 "SEC. 28.5. *SEPARATE OFFENSES FOR EACH SPECIES AND*
27 *CIRCUMSTANCES FOR THE IMPOSITION OF MAXIMUM PENALTY.*
28 – IN CASES WHERE MORE THAN ONE WILDLIFE SPECIES, IS
29 COLLECTED, HUNTED, POSSESSED TRANSPORTED OR
30 OTHERWISE INVOLVED IN CONNECTION WITH THE VIOLATION

1 OF THIS ACT, EACH WILDLIFE SPECIES INVOLVED SHALL
2 CONSTITUTE A SEPARATE AND DISTINCT COUNT OF VIOLATION
3 OF THIS ACT.

4 EACH SEPARATE DISTINCT COUNT OF VIOLATION SHALL BE
5 PROSECUTED AND PENALIZED SEPARATELY, REGARDLESS OF
6 INTENT, UNITY OR CONNECTIONS OF THE ACTS RESULTING
7 INTO THE VIOLATION. MOREOVER, NUMBER OF SPECIMEN
8 INVOLVED IN EVERY SPECIES AND THE CIRCUMSTANCES
9 OBTAINING IN EACH PROVEN VIOLATION, AS SPECIFIED
10 HEREUNDER, SHALL SERVE AS BASIS FOR THE IMPOSITION OF
11 PENALTIES.

12 (A) IF MORE THAN ONE (1) SPECIMEN OF A CRITICALLY
13 ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY
14 SHALL BE IMPOSED;

15 (B) IF MORE THAN FIVE (5) OF SPECIMENS OF AN
16 ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY
17 SHALL BE IMPOSED;

18 (C) IF MORE THAN EIGHT (8) SPECIMENS OF A
19 VULNERABLE SPECIES IS INVOLVED, THE MAXIMUM PENALTY
20 SHALL BE IMPOSED;

21 (D) IF MORE THAN TEN (10) SPECIMENS OF A NEAR
22 THREATENED SPECIES IS INVOLVED, THE MAXIMUM PENALTY
23 SHALL BE IMPOSED;

24 (E) IF MORE THAN FIFTEEN (15) SPECIMENS OF OTHER
25 WILDLIFE SPECIES IS INVOLVED, THE MAXIMUM PENALTY
26 SHALL BE IMPOSED;

1 (G) IF THE PROHIBITED ACT COMMITTED INVOLVES THE
2 INDUCEMENT OF INDIGENOUS PEOPLES, THE MAXIMUM
3 PENALTY SHALL BE IMPOSED; AND

4 (F) IF AT THE TIME OF HIS OR HER TRIAL FOR A
5 VIOLATION OF THIS ACT, THE ACCUSED SHALL HAVE BEEN
6 PREVIOUSLY CONVICTED BY FINAL JUDGMENT OF THE SAME OR
7 ANOTHER VIOLATION OF THIS ACT, MAXIMUM PENALTY SHALL
8 BE IMPOSED."

9 "SEC. 28.6. *LIABILITY UNDER OTHER LAWS.* –
10 PROSECUTION FOR VIOLATION OF THIS ACT SHALL BE
11 WITHOUT PREJUDICE TO THE PROSECUTION OF THE OFFENDER
12 FOR VIOLATION OF OTHER LAWS, RULES AND REGULATIONS."

13 "SEC. 28.7. *CREATION OF PLANTILLA POSITIONS FOR LAW*
14 *ENFORCEMENT.* – THE DENR, DA, PCSD, AND BMG ARE HEREBY
15 AUTHORIZED TO CREATE, SUBJECT TO EXISTING GUIDELINES,
16 PERMANENT POSITIONS OF ENFORCEMENT OFFICERS, OR
17 DESIGNATE THEIR EXISTING PERMANENT EMPLOYEES AS SUCH
18 FROM THEIR RESPECTIVE ENFORCEMENT UNITS. SUCH
19 ENFORCEMENT OFFICERS SHALL HAVE FULL AUTHORITY TO
20 ENFORCE THE PROVISIONS OF THIS ACT AND OTHER
21 ENVIRONMENTAL LAWS.

22 THE ENFORCEMENT OFFICERS ARE AUTHORIZED TO CARRY
23 THEIR AGENCY'S BADGE AND GOVERNMENT FIREARMS IN THE
24 CONDUCT OF THEIR DUTIES, SUBJECT TO THE EXISTING RULES
25 ON FIREARMS AND AFTER PROPER TRAINING FROM
26 APPROPRIATE GOVERNMENT FACILITY CONDUCTING FIREARMS
27 TRAINING."

28 "SEC. 28.8. *WILDLIFE REGULATORY AND LAW*
29 *ENFORCEMENT MANAGEMENT INFORMATION SYSTEM.* – DENR,

1 DA, PCSD, AND BMG SHALL DEVELOP, ESTABLISH, AND
2 MAINTAIN THEIR RESPECTIVE WILDLIFE LAW ENFORCEMENT
3 MANAGEMENT INFORMATION SYSTEM TO AID IN THE
4 MONITORING, REGULATION, CONTROL, AND SURVEILLANCE OF
5 ACTIVITIES INVOLVING WILDLIFE. THESE SYSTEMS SHALL BE
6 SO DESIGNED, KEEPING IN MIND THE NEED FOR
7 COORDINATION, SUPPORT, INFORMATION SHARING AND
8 COORDINATIVE ACTION AMONG DENR, DA, PCSD, BMG, AND
9 OTHER RELEVANT AGENCIES."

10 "SEC. 28.9. *AUTHORITY TO PROVIDE, ADJUDICATE, AND*
11 *ADMINISTER PENALTIES.* – THE DENR, DA, PCSD OR BMG ARE
12 GIVEN THE POWER TO EXERCISE ADMINISTRATIVE
13 ADJUDICATION IN ALL CASES OF VIOLATIONS OF THIS ACT. FOR
14 THIS PURPOSE, DENR, DA, PCSD OR BMG, MAY PROVIDE A
15 SCHEDULE OF ADMINISTRATIVE PENALTIES FOR VIOLATIONS
16 OF THIS ACT AND THE RULES AND REGULATIONS ISSUED
17 HEREUNDER.

18 IN THE EXERCISE OF ITS ADJUDICATION POWER, DENR,
19 DA, PCSD OR BMG MAY CAUSE THE CONFISCATION, FORFEITURE
20 AND FINAL DISPOSITION OF ALL WILDLIFE, ITS DERIVATIVES
21 AND BY-PRODUCTS AS WELL AS TOOLS AND CONVEYANCES USE
22 IN CONNECTION WITH THE VIOLATION. IN THE SAME MANNER,
23 IMPOSED FINES AND OTHER PENALTIES PROVIDED IN THIS ACT
24 AND THE REGULATIONS ISSUED HEREUNDER, AND CITE IN
25 CONTEMPT THOSE WHO MISLEAD, EVADE OR REFUSE TO
26 COOPERATE IN THE INVESTIGATION.

27 IN RELATION WITH THIS SECTION, THE DENR, DA, PCSD,
28 AND BMG IS FURTHER AUTHORIZED TO ORGANIZE THEIR
29 RESPECTIVE ADJUDICATION STRUCTURES OR DESIGNATE

1 EXISTING STRUCTURES TO IMPLEMENT THE ADJUDICATION
2 AUTHORITY PROVIDED IN THIS ACT, SHOULD THERE BE ANY.

3 TO ENSURE THE EFFECTIVE AND EFFICIENT
4 IMPLEMENTATION OF THIS SECTION, THE DENR, DA, PCSD, AND
5 BMG ARE FURTHER AUTHORIZED TO ISSUE PROCEDURAL RULES
6 AND REGULATIONS, AS APPROPRIATE."

7 "SEC. 28.10. *ROLE OF OTHER NATIONAL AGENCIES, LOCAL*
8 *GOVERNMENT UNITS AND THE GENERAL PUBLIC.* – IN
9 ADDITION TO THE MANDATED ROLES AND FUNCTIONS AS MAY
10 BE PROVIDED IN THIS ACT AND OTHER LAWS, RULES AND
11 REGULATIONS, NATIONAL AGENCIES, INSTRUMENTALITIES,
12 INCLUDING GOVERNMENT OWNED AND CONTROLLED
13 CORPORATIONS AND LOCAL GOVERNMENT UNITS SHALL ASSIST
14 AND SUPPORT THE DENR, DA, PCSD, AND BMG IN THE
15 IMPLEMENTATION AND ENFORCEMENT OF THIS ACT.

16 LOCAL GOVERNMENT UNITS SHALL, REQUIRE THE
17 PRESENTATION OF A DULY ISSUED PERMITS AND/OR
18 CLEARANCES FROM DENR, DA, PCSD OR BMG AS A
19 PREREQUISITE FOR THE ISSUANCE OR RENEWAL OF BUSINESS
20 PERMITS AND OTHER APPLICABLE LOCAL GOVERNMENT
21 PERMITS AND CLEARANCES FOR ALL BUSINESS AND ACTIVITIES
22 INVOLVING WILDLIFE.

23 PRIVATE PERSON WHO SHALL PROVIDE INFORMATION
24 LEADING TO THE PROSECUTION AND CONVICTION OF
25 OFFENDERS FOR ANY VIOLATION OF THIS ACT AND ITS
26 IMPLEMENTING RULES AND REGULATIONS SHALL BE GIVEN
27 AMPLE PROTECTION AND REWARD IN ACCORDANCE WITH
28 EXISTING REGULATIONS."

1 **"SEC. 28.11. STRATEGIC LAWSUIT AGAINST PUBLIC**
2 **PARTICIPATION (SLAPP) IN THE ENFORCEMENT OF THIS ACT. –**
3 **A LEGAL ACTION FILED TO HARASS, VEX, EXERT UNDUE**
4 **PRESSURE, OR STIFLE ANY LEGAL RECOURSE THAT ANY**
5 **PERSON, INSTITUTION, OR THE GOVERNMENT HAS TAKEN OR**
6 **MAY TAKE IN THE ENFORCEMENT OF THIS ACT SHALL BE**
7 **TREATED AS A STRATEGIC LAWSUIT AGAINST PUBLIC**
8 **PARTICIPATION (SLAPP).**

9 **THE RULES OF PROCEDURE FOR ENVIRONMENTAL CASES**
10 **SHALL GOVERN THE PROCEDURE IN CIVIL, CRIMINAL, AND**
11 **SPECIAL CIVIL ACTIONS INVOLVING THE ENFORCEMENT OR**
12 **VIOLATIONS OF THIS ACT INCLUDING ACTIONS TREATED AS A**
13 **SLAPP AS PROVIDED IN THIS SECTION."**

14 **SEC. 29.** Section 29 of Republic Act No. 9147 is hereby amended to read as
15 follows:

16 **"SEC. 29. Wildlife Management Fund.** – There is hereby established
17 a Wildlife Management Funds **EACH** to be administered by the
18 **[Department] DENR, DA, PCSD, AND BMG** as a special account in the
19 National Treasury **[which]**. It shall finance rehabilitation or restoration of
20 habitats affected by acts committed in violation of this Act and support
21 scientific research, enforcement, **[and]** monitoring activities,
22 **INTELLIGENCE GATHERING AND MONITORING ACTIVITIES,**
23 **PROCUREMENT OF VEHICLES, FIREARMS AND AMMUNITIONS,** as
24 well as enhancement of capabilities of relevant agencies.

25 The Fund shall **[derive] BE DERIVED** from **ADMINISTRATIVE**
26 fines imposed and damages awarded, **PROCEEDS FROM ALLOWABLE**
27 **DISPOSITION OF WILDLIFE, WILDLIFE BY-PRODUCTS AND**
28 **DERIVATIVES,** fees, charges, donations, endowments, administrative
29 fees or grants in the form of contributions, **INCLUDING AWARD FOR**
30 **COST OF REPARATION AND RESTORATION OF AFFECTED**

1 **RESOURCE.** Contributions to the Fund shall be exempted from donor
2 taxes and all other taxes, charges or fees Imposed by the government.”

3 **THE FUND SHALL BE EXCLUSIVELY UTILIZED AS FOLLOWS:**

4 **A) THIRTY PERCENT (30%) FOR THE MONITORING,**
5 **ENFORCEMENT, AND PROSECUTION ACTIVITIES ON**
6 **TRAFFICKING OF WILDLIFE;**

7 **B) TWENTY PERCENT (20%) FOR THE MAINTENANCE AND**
8 **OPERATION OF RESCUE CENTERS AND FOR THE**
9 **REHABILITATION AND RESTORATION OF HABITATS AFFECTED**
10 **BY ACTS COMMITTED IN VIOLATION OF THIS ACT;**

11 **C) TWENTY PERCENT (20%) FOR THE PURCHASE,**
12 **UPGRADE AND MAINTENANCE OF VEHICLES, VESSELS,**
13 **FIREARMS AND AMMUNITIONS, COMMUNICATION AND OTHER**
14 **EQUIPMENT USED FOR THE MONITORING, CONTROL AND**
15 **SURVEILLANCE OF WILDLIFE SPECIES;**

16 **D) FIFTEEN PERCENT (15%) FOR THE SCIENTIFIC**
17 **RESEARCH AND DEVELOPMENT ACTIVITIES; AND**

18 **E) FIFTEEN PERCENT (15%) FOR THE CAPACITY**
19 **DEVELOPMENT OF WILDLIFE PERSONNEL, DEPUTIZED LAW**
20 **ENFORCEMENT AGENCIES AND VOLUNTEERS, AND**
21 **STAKEHOLDERS.**

22 **SEC. 30.** Section 30 of Republic Act No. 9147 is hereby amended to read as
23 follows:

24 “SEC. 30. [~~Deputation of Wildlife Enforcement Officers~~] **PERSONS**
25 **AND DEPUTIES AUTHORIZED TO ENFORCE THE PENAL**
26 **PROVISIONS OF THIS ACT.** – [~~The DENR shall deputize wildlife~~
27 ~~enforcement officers from nongovernment organizations, citizens groups,~~
28 ~~community organizations and other volunteers who have undergone the~~

1 ~~necessary training for this purpose.]~~ **ENFORCEMENT OFFICERS OF**
2 **THE DENR, DA, PCSD, BMG, [T]** the Philippine National Police (PNP),
3 the Armed Forces of the Philippines (AFP), the National Bureau of
4 Investigation (NBI), and other law enforcement agencies [~~shall designate~~
5 ~~wildlife enforcement officers]~~ **ARE AUTHORIZED TO ENFORCE THE**
6 **PENAL PROVISIONS OF THIS ACT.** [~~As such, the wildlife enforcement~~
7 ~~officers shall have the full authority to seize illegally traded wildlife and to~~
8 ~~arrest violators of this Act subject to existing laws, rules and regulations~~
9 ~~on arrest and detention.]~~ **THESE AGENCIES SHALL DESIGNATE**
10 **WILDLIFE ENFORCEMENT OFFICERS TO ARREST VIOLATORS OF**
11 **THIS ACT AND TO SEIZE ALL WILDLIFE BY PRODUCTS AND**
12 **DERIVATIVES AND, PROCEEDS THEREOF, INCLUDING ALL TOOLS**
13 **IMPLEMENTS AND CONVEYANCES, USED, IN RELATION**
14 **THERETO.**

15 **DENR, DA, PCSD, AND BMG MAY ALSO DEPUTIZE WILDLIFE**
16 **ENFORCEMENT OFFICERS FROM ARMED FORCES OF THE**
17 **PHILIPPINES (AFP), LOCAL GOVERNMENT UNITS, NON-**
18 **GOVERNMENTAL ORGANIZATIONS, AND OTHER VOLUNTEERS**
19 **WHO HAVE UNDERGONE NECESSARY TRAINING FOR THIS**
20 **PURPOSE. THESE AGENCIES MAY ALSO SEEK THE COOPERATION**
21 **OF INTERNATIONAL AND REGIONAL ORGANIZATIONS IN THE**
22 **CONDUCT OF ITS INVESTIGATION AND ENFORCEMENT**
23 **ACTIONS."**

24 **SEC. 31.** Section 31 of Republic Act No. 9147 is hereby amended to read as
25 follows:

26 "SEC. 31. *Establishment of National Wildlife Research Centers* **AND**
27 **FORENSICS LABORATORY.** – The [Secretary] **DENR AND DA, IN**
28 **COORDINATION WITH PCSD AND BMG,** shall establish national
29 wildlife research centers for terrestrial and aquatic species to lead in the
30 conduct of scientific researches on the proper strategies for the

1 conservation and protection of wildlife, including captive breeding or
2 propagation. **THE DENR, DA, PCSD, AND BMG MAY ALSO**
3 **ESTABLISH OR DESIGNATE FORENSICS LABORATORIES FOR THE**
4 **CONDUCT OF FORENSIC ANALYSES AND OTHER RELATED**
5 **CAPABILITIES FOR WILDLIFE LAW ENFORCEMENT.** In this regard,
6 the [Secretary] **DENR, DA, PCSD, AND BMG** shall [encourage the
7 participation of] **ESTABLISH PARTNERSHIPS WITH** experts from
8 academic[~~/~~] **AND** research institutions and [~~wildlife industry~~] **THE**
9 **PRIVATE SECTOR."**

10 **SEC. 32.** Section 32 of Republic Act No. 9147 is hereby amended to read as
11 follows:

12 "SEC. 32. *Wildlife Rescue Center.* – The [Secretary] **DENR, DA,**
13 **PCSD, AND BMG,** shall establish or designate wildlife rescue centers to
14 take temporary custody and care of all confiscated, abandoned, **TURNED**
15 **OVER** [~~and/~~] or donated wildlife [~~to ensure their welfare and well-being~~].
16 **SUCH WILDLIFE RESCUE CENTERS SHALL BE STAFFED BY**
17 **QUALIFIED PERSONNEL AND SHALL ALSO HAVE THE NECESSARY**
18 **TOOLS, MACHINES, EQUIPMENT AND FACILITIES CONSISTENT**
19 **WITH THE REQUIREMENTS OF ANIMAL HEALTH AND WELFARE.**
20 The [Secretary] **DENR, DA, PCSD, AND BMG** shall formulate guidelines
21 for the disposition of wildlife from the rescue centers **AND SHALL**
22 **REGULARLY INCLUDE IN THE PROPOSAL FOR INCLUSION IN**
23 **THE GENERAL APPROPRIATIONS ACT, THE NECESSARY AMOUNT**
24 **NEEDED FOR THE ESTABLISHMENT AND MAINTENANCE OF**
25 **WILDLIFE RESCUE CENTER.**

26 **FOR THE FORFEITURE OF WILDLIFE UNDER SEC 28.9 AT**
27 **SUCH VOLUMES THAT WILL BE UNTENABLE FOR DENR, DA OR**
28 **PCSD TO HOLD IN RESCUE CENTERS, THE FACILITIES IN WHICH**
29 **THE WILDLIFE WAS FOUND, IF ADEQUATE, SHALL BE**
30 **TEMPORARILY TAKEN OVER BY THE AUTHORIZED AGENCIES IN**

1 **ORDER TO ENSURE THE CONTINUED CARE OF SUCH WILDLIFE**
2 **UNTIL SUCH TIME AS THEY CAN BE TRANSFERRED TO WILDLIFE**
3 **RESCUE CENTERS MANAGED BY THE STATE OR ACCREDITED BY**
4 **THE STATE TO HOLD SUCH CONFISCATED WILDLIFE.”**

5 **SEC. 33.** Section 33 of Republic Act No. 9147 is hereby amended to read as
6 follows:

7 “*SEC. 33. Creation of Wildlife Traffic Monitoring Units.* – The
8 [Secretary] **DENR, DA, PCSD, AND BMG** shall create a wildlife traffic
9 monitoring units (**WTMUS**) in strategic air and seaports all over the
10 country to ensure the strict compliance and effective implementation of all
11 existing wildlife laws, rules and regulations, including pertinent
12 international agreements. **FOR THIS PURPOSE, THE DENR, DA,**
13 **PCSD, AND BMG ARE AUTHORIZED TO ADD IN THEIR STAFFING**
14 **PATTERN ENFORCEMENT OFFICERS, TO BE ASSIGNED AT**
15 **WTMUS.**

16 Customs officers and/or other authorized government
17 representatives assigned at air or seaports who may have intercepted
18 wildlife commodities in the discharge of their official functions shall [~~prior~~
19 ~~to further disposition thereof, secure a clearance from~~] **TURN OVER**
20 **INTERCEPTED WILDLIFE, BY-PRODUCTS AND DERIVATIVES TO**
21 the wildlife traffic monitoring unit assigned in the area, **OR THE**
22 **COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE**
23 **(CENRO) SHOULD THE WILDLIFE TRAFFIC MONITORING UNIT**
24 **BE NOT AVAILABLE OR NOT YET ORGANIZED IN THE SAID PORT**
25 **OR AIRPORT.”**

26 **SEC. 34.** Section 34 of Republic Act No. 9147 is hereby amended to read as
27 follows:

28 “*SEC. 34. Exemption from Taxes.* – Any donation, contribution,
29 **GRANT,** bequest, subsidy or financial aid which may be made to the

1 ~~[Department of Environment and Natural Resources or to the Department~~
2 ~~of Agriculture]~~ **DENR, DA, PCSD, BMG**, and to NGOs **AND PEOPLES**
3 **ORGANIZATIONS** engaged in wildlife conservation, **PROTECTION**
4 **AND LAW ENFORCEMENT** duly registered with the Securities and
5 Exchange Commission **OR THE COOPERATIVE DEVELOPMENT**
6 **AUTHORITY**, as certified by the local government unit, the ~~[Department~~
7 ~~of Environment and Natural Resources or the Department of Agriculture]~~
8 **DENR, DA, PCSD OR BMG**, for the conservation and protection of
9 wildlife resources and their habitats shall constitute as an allowable
10 deduction from the taxable income of the donor and shall be exempt from
11 donor's tax."

12 **SEC. 35.** Section 35 of Republic Act No. 9147 is hereby amended to read as
13 follows:

14 "SEC. 35. *Flagship Species.* – Local government units shall initiate
15 conservation measures for ~~[endemic]~~ **WILDLIFE** species in their areas.
16 For this purpose, they may adopt flagship species such as the Cebu black
17 shama (*copsychus cebuensis*), tamaraw (*bubalus mindorensis*), Philippine
18 tarsier (*tarsius syrichta*), Philippine teak (*tectona philippinensis*), which
19 shall serve as emblems of conservation for the local government
20 concerned. **THE DENR, DA, PCSD, AND BMG MAY PROVIDE**
21 **GUIDELINES ON THE SELECTION OF FLAGSHIP SPECIES."**

22 **SEC. 36.** Insert a new section after Section 35 of Republic Act No. 9147 to
23 read as follows:

24 **"SEC. 35.1. HERITAGE TREES. – IN COORDINATION WITH**
25 **AND WITH ASSISTANCE FROM THE DENR, PCSD OR BMG-**
26 **MENRE, LOCAL GOVERNMENT UNITS SHALL DECLARE OR**
27 **DESIGNATE AS HERITAGE TREES CERTAIN QUALIFIED ENDEMIC**
28 **OR INDIGENOUS TREE SPECIES WITHIN THEIR TERRITORIAL**
29 **JURISDICTION. THE DENR, PCSD OR BMG OR THEIR**
30 **AUTHORIZED REPRESENTATIVES MAY PROVIDE GUIDELINES ON**

1 **THE SELECTION OF HERITAGE TREES AND PROVIDE FOR THEIR**
2 **PROTECTION AND THE PROPAGATION OF SEEDS AND**
3 **WIDLINGS."**

4 **SEC. 37.** Section 36 of Republic Act No. 9147 is hereby amended to read as
5 follows:

6 "SEC. 36. **REGULATION OF Botanical Gardens, Zoological Parks**
7 *and Other Similar Establishments.* – The [Secretary] **DENR, DA, PCSD,**
8 **AND BMG** shall regulate the establishment, operation and maintenance
9 of botanical gardens, zoological parks and other similar establishments for
10 recreation, education and conservation **THROUGH THE ISSUANCE OF**
11 **CLEARANCE TO OPERATE. THE DENR, DA, PCSD, AND BMG SHALL**
12 **LIKewise PROMULGATE REGULATIONS FOR SUCH PURPOSE."**

13 **SEC. 38.** Insert a new section after Section 36 of Republic Act No. 9147 to
14 read as follows:

15 "SEC. 36.1. **REGISTRATION OF MUSEUM SPECIMENS.** –
16 **EXCEPT FOR THE NATIONAL MUSEUM, ALL OTHER MUSEUMS**
17 **AND SIMILAR ESTABLISHMENTS DISPLAYING WILDLIFE BY-**
18 **PRODUCTS AND DERIVATIVES FOR PUBLIC VIEWING SHALL**
19 **REGISTER SAID SPECIMENS WITH THE DENR, DA, PCSD OR BMG**
20 **AS THE CASE MAY BE. THE DENR, DA, PCSD, AND BMG SHALL**
21 **PROMULGATE RULES AND REGULATIONS FOR SUCH PURPOSE."**

22 **SEC. 39.** Section 37 of Republic Act No. 9147 is hereby amended to read as
23 follows:

24 "SEC. 37. *Implementing Rules and Regulations.* – Within [twelve
25 (12)] **SIX (6)** months following the effectivity of this Act, [secretaries of
26 the Department of Environment and Natural Resources and the
27 Department of Agriculture, in coordination with the Committees on
28 Environment and Ecology of the Senate and the House of
29 Representatives, respectively,] **THE DENR, DA, PCSD, AND BMG** shall

1 **JOINTLY** promulgate [~~respective~~] **THE IMPLEMENTING** rules and
2 regulations for the effective implementation of this Act. Whenever
3 appropriate, coordination in the preparation and implementation of rules
4 and regulations on joint and inseparable issues shall be done by [~~both~~
5 Departments] **THE DENR, DA, PCSD, AND BMG**. The commitments of
6 the State to international agreements and protocols shall likewise be a
7 consideration in the implementation of this Act.”

8 **SEC. 40.** Section 38 of Republic Act No. 9147 is hereby amended to read as
9 follows:

10 “SEC. 38. *Appropriations.* – The amount necessary to initially
11 implement the provisions of this Act shall be charged against the
12 **RESPECTIVE** appropriations of the [~~Department of Environment and~~
13 ~~Natural Resources~~] **DENR, DA, PCSD, AND BMG** in the current General
14 Appropriations Act. Thereafter, such sums as may be necessary to fully
15 implement the provisions of this Act shall be included **IN THE**
16 **RESPECTIVE APPROPRIATIONS OF THE DENR, DA, PCSD, AND**
17 **BMG, AS APPLICABLE,** in the annual General Appropriations Act.”

18 **SEC. 41.** Insert a new section after Section 38 of Republic Act No. 9147 to
19 read as follows:

20 “**SEC. 38.1. CONSTRUCTION. – THE PROVISION OF THIS ACT**
21 **SHALL BE LIBERALLY CONSTRUED IN FAVOR OF THE**
22 **CONSERVATION AND PROTECTION OF WILDLIFE SPECIES AND**
23 **THEIR HABITATS TOWARDS THE PROMOTION OF ECOLOGICAL**
24 **BALANCE AND ENHANCEMENT OF BIOLOGICAL DIVERSITY.”**

25 **SEC. 42. *Separability Clause.*** – If any provision of this Act is declared
26 unconstitutional or invalid, other parts or provisions hereof not affected thereby shall
27 continue to be in full force and effect.

1 **SEC. 43. Repealing Clause.** – All laws, decrees, executive orders, rules and
2 regulations, and other issuances or parts thereof which are contrary to or
3 inconsistent with this Act are hereby repealed, amended or modified accordingly.
4 **SEC. 44. Effectivity.** – This Act shall take effect fifteen (15) days after its
5 complete publication in the *Official Gazette* or in two (2) newspapers of general
6 circulation.

Approved,