

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



'22 JUL 13 A10 :15

SENATE
S. No. 467

RECEIVED BY. _____

Introduced by SENATOR JINGGOY EJERCITO ESTRADA

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

The Philippines is envied as one of the countries with richest biodiversity. In the article, "Revisiting the State of Philippine Biodiversity and the Legislation on Access and Benefit Sharing" published in 2020 by the Food and Fertilizer Technology Center for the Asian and Pacific Region, it described the Philippines as "one of the world's megadiverse countries with almost 75% of world's biodiversity found in the country" and illustrated that, "the country houses an estimated total of 53,000 described species (composed of almost 15,000 plant species and 38,000 animal species), of which more than half is considered endemic and hence, cannot be found in any other place in the world. The country actually ranks fifth in terms of the number of plant species with at least 25% of the world's plant genera endemic to the country. It is also considered to be a center of animal diversity with an estimated total of 1,437 terrestrial wildlife, of which almost 49% is endemic. Based on the data of the Department of Environment and Natural Resources (DENR), the Philippines has an estimated 207 terrestrial mammals (133 are endemic), 691 birds (239 endemic), 419 reptile (241 endemic) and 120 amphibians (98 endemic). Meanwhile, the country

ranks third in terms of marine biodiversity and considered part of the Coral Triangle. It hosts almost 10,000 marine species which is equivalent to nearly one-fifth of the world's marine species. It has 1,700 reef species and at least 3,214 (121 are endemic) fish species. These number, however, might be underestimated and are subject to changes since there is very high rate of species discovery in the country."

The same article revealed the precarious condition of these treasures because of their unsustainable use and management that leads to their destruction and to an increase in the number of endangered plant and animal species. Currently, there are more than seven hundred (700) threatened species that warranted to tag our country as one of the world's biodiversity hotspots and a top priority in terms of conservation.

In 2001, Republic Act No. 9147, otherwise known as "Wildlife Resources Conservation and Protection Act" was approved to promote ecological balance and enhance biological diversity and regulate the collection and trade of wildlife. However, given the rapid pace of destruction of the country's wildlife resources, there is a need to amend the said law to immediately and squarely address the same.

The "*Revised Wildlife Resources Conservation and Protection Act of 2022*" seeks to intensify the efforts of the government and all stakeholders in ensuring the protection and conservation of the wildlife in the country. It mandates the concerned government agencies to control and manage all invasive alien species, or species whose introduction and/or spread outside their natural past or present distribution threatens biological diversity. This will be realized by establishing a list and formulating a National Invasive Alien Species Strategy and Action Plan (NISSAP). It also provides regulations for the collection, possession, transport of wildlife, wildlife by-product and derivatives. Similarly, regulations for the commercial breeding or propagation of threatened species are regulated under the proposed measure.

To ensure the achievement of the objectives of the proposed law and compliance to it, the bill expanded the list of illegal acts and imposed stricter penalties to violators thereof.

This measure was reported out by the Committees on Environment, Natural Resources and Climate Change in the 18th Congress.

In view of the foregoing, the swift passage of this measure is earnestly sought.




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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, otherwise known as the "Wildlife
2 Resources Conservation and Protection Act" is hereby amended to read as follows:

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

6 Sec. 2. Section 2 of Republic Act No. 9147 is hereby amended to read as
7 follows:

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

14 In the pursuit of this policy, this Act shall have the following
15 objectives:

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

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

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

14 "~~[(d)]~~ **(C)** to initiate or support scientific studies on the
15 conservation of biological diversity **AND SUSTAINABLE**
16 **UTILIZATION OF WILDLIFE RESOURCES;**

17 **"(D) TO PROMOTE FULL AWARENESS AND**
18 **WIDEST DISSEMINATION OF POLICIES ON WILDLIFE**
19 **CONSERVATION AND PROTECTION;**

20 **"(E) TO ADDRESS AND END THE LARGE-SCALE,**
21 **TRANSNATIONAL, AND ORGANIZED CRIME OF**
22 **WILDLIFE TRAFFICKING; AND,**

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

30
31 Sec. 3. Section 3 of Republic Act No. 9147 is hereby amended to read as
32 follows:

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

9 Sec. 4. Section 4 of Republic Act No. 9147 is hereby amended to read as
10 follows:

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

1 **CONFERRED IS VESTED TO THE BANGSAMORO**
2 **GOVERNMENT (BMG) PURSUANT TO REPUBLIC ACT**
3 **NO. 11054, OTHERWISE KNOWN AS 'THE**
4 **BANGSAMORO ORGANIC LAW'."**

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

7 "Sec. 5. *Definition of Terms.* – As used in the Act, the
8 term:

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

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

26 **"[(a)] *"Bioprospecting"* [means] REFERS TO the**
27 **research, collection and utilization of biological and genetic**
28 **resources for purposes of applying the knowledge derived**
29 **therefrom solely for commercial purposes;**

30 **"(D) *BIOSAFETY* REFERS TO THE NEED TO**
31 **PROTECT HUMAN, PLANT AND ANIMAL HEALTH OR**
32 **LIFE AND THE ENVIRONMENT FROM THE POSSIBLE**

1 **ADVERSE EFFECTS OF THE PRODUCTS OF MODERN**
2 **BIOTECHNOLOGY AND POTENTIALLY HARMFUL**
3 **EXOTIC SPECIES;**

4 **"(E) 'BOTANICAL GARDEN' REFERS TO AN**
5 **ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT**
6 **OWNED/OPERATED/MANAGED WHERE A**
7 **COLLECTION OF WILD FLORA IS MAINTAINED FOR**
8 **RECREATIONAL, EDUCATIONAL, RESEARCH,**
9 **CONSERVATION AND SCIENTIFIC PURPOSES;**

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

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

26 **"(H) CERTIFICATE OF WILDLIFE**
27 **REGISTRATION REFERS TO DOCUMENT**
28 **AUTHORIZING A PERSON TO POSSESS WILDLIFE, BY-**
29 **PRODUCTS AND/OR DERIVATIVES;**

30 **"(I) CERTIFICATE OF INTRODUCTION FROM**
31 **THE SEA REFERS TO A DOCUMENT ISSUED BY THE**
32 **BUREAU OF FISHERIES AND AQUATIC RESOURCES**

1 (BFAR) FOR THE INTRODUCTION FROM THE SEA OF
2 WILDLIFE SPECIES TAKEN FROM MARINE
3 ENVIRONMENTS OUTSIDE THE JURISDICTION OF
4 ANY STATE;

5 "(J) *CITES* REFERS TO THE CONVENTION ON
6 INTERNATIONAL TRADE IN ENDANGERED SPECIES
7 OF WILD FAUNA AND FLORA, ADOPTED IN
8 WASHINGTON ON 03 MARCH 1973, WHICH ENTERED
9 INTO FORCE FOR THE PHILIPPINES ON 16 NOVEMBER
10 1981;

11 "[~~(d)~~] (K) '*Collection or collecting*' [means] REFERS
12 TO the act of **TAKING**, gathering or harvesting wildlife, it by-
13 products **AND**/or derivatives;

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

17 "(M) '*CRITICAL HABITAT*' REFERS TO AN AREA
18 OUTSIDE PROTECTED AREAS UNDER REPUBLIC ACT
19 NO. 7586 OR THE NATIONAL INTEGRATED
20 PROTECTED AREAS SYSTEM (NIPAS) ACT, AS
21 AMENDED BY REPUBLIC ACT NO. 11038 OR THE
22 EXPANDED NATIONAL INTEGRATED PROTECTED
23 AREAS SYSTEM (ENIPAS) ACT, THAT ARE KNOWN
24 HABITATS OF THREATENED SPECIES AND
25 DESIGNATED BASED ON SCIENTIFIC DATA TAKING
26 INTO CONSIDERATION SPECIES ENDEMICITY
27 AND/OR RICHNESS, PRESENCE OF MAN-MADE
28 PRESSURES/THREATS TO THE SURVIVAL OF
29 WILDLIFE LIVING IN THE AREA, AMONG OTHERS;

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

1 “(O) *DERIVATIVES* REFERS TO A SUBSTANCE /
2 **MATERIAL EXTRACTED OR TAKEN FROM WILDLIFE**
3 **SUCH AS BUT NOT LIMITED TO BLOOD, SALIVA, OILS,**
4 **RESINS, GENES, GUMS, HONEY, COCOON, FUR,**
5 **TANNIN, URINE, SERUM, SPORES, POLLEN AND THE**
6 **LIKE; A COMPOUND DIRECTLY OR INDIRECTLY**
7 **PRODUCED FROM WILDLIFE AND/OR PRODUCTS**
8 **PRODUCED FROM WILDLIFE AND WILDLIFE**
9 **PRODUCTS; INCLUDING COMPOUNDS INDIRECTLY**
10 **PRODUCED IN A BIOCHEMICAL PROCESS OR CYCLE;**

11 “(P) *DOMESTICATED* REFERS TO ANY PLANT OR
12 **ANIMAL LISTED BY THE RELEVANT AUTHORITIES**
13 **EASILY PROPAGATED AND ALTERED OR SELECTED**
14 **FOR DESIRABLE CHARACTERISTICS AND**
15 **PREFERENCES FOR DOMESTIC USE;**

16 “[(g)] (Q) '*Economically important species*' [means]
17 **REFERS TO** species [~~or subspecies~~] which have actual or
18 potential value in trade or utilization for commercial purpose
19 **AS WELL AS SPECIES WHICH HAVE ACTUAL OR**
20 **POTENTIAL NEGATIVE IMPACT ON THE**
21 **ENVIRONMENT AND ECONOMIC ACTIVITIES SUCH**
22 **AS, BUT NOT LIMITED TO, AGRICULTURE AND FOOD**
23 **PRODUCTION;**

24 “[(h)] (R) '*Endangered species*' refers to species or
25 subspecies that is not critically endangered but whose survival
26 in the wild is unlikely if the causal factors continue operating;

27 “[(i)] (S) '*Endemic species*' [means] **REFERS TO**
28 species or subspecies which is naturally occurring and found
29 only within specific areas in the country;

30 “[(j)] (T) '*Exotic species*' [means] **REFERS TO** species
31 or subspecies which do not naturally occur in the country.

1 “(U) ***EXPORT OF WILDLIFE*** REFERS TO THE ACT
2 **OF BRINGING WILDLIFE, WILDLIFE BY-PRODUCTS**
3 **AND/OR DERIVATIVES FROM THE PHILIPPINES TO**
4 **ANY OTHER COUNTRY;**

5 “~~(K)~~ (V) *Export permit* refers to a permit authorizing
6 ~~[an individual]~~ **A PERSON** to bring out wildlife, **WILDLIFE**
7 **BY-PRODUCTS AND/OR DERIVATIVES** from the
8 Philippines to any other country;

9 “(W) ***GENETIC MATERIAL*** REFERS TO ANY
10 **MATERIAL OF ACTUAL OR POTENTIAL VALUE;**

11 “(X) ***GENETIC RESOURCES*** REFERS TO GENETIC
12 **MATERIAL OF ACTUAL OR POTENTIAL VALUE;**

13 “~~(H)~~ (Y) *Gratuitous permit* [means] **REFERS TO**
14 permit issued to any ~~[individual or entity]~~ **PERSON** engaged
15 in non-commercial scientific or educational undertaking to
16 collect wildlife;

17 “~~(M)~~ (Z) *Habitat* [means] **REFERS TO** place or
18 environment where species or subspecies naturally occur or
19 has naturally established its population;

20 “(AA) ***IMPORT OF WILDLIFE*** REFERS TO THE
21 **ACT OF BRINGING IN TO THE PHILIPPINES**
22 **WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR**
23 **DERIVATIVES FROM ANOTHER COUNTRY;**

24 “~~(N)~~ (BB) *Import permit* refers to a permit
25 authorizing ~~[an individual]~~ **A PERSON** to bring in wildlife,
26 **WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES** from
27 another country;

28 “~~(O)~~ (CC) *Indigenous wildlife* [means] **REFERS TO**
29 bringing species into the wild that is outside its natural
30 habitat;

31 “(EE) ***INTRODUCTION FROM THE SEA*** REFERS
32 **TO TRANSPORTATION INTO THE COUNTRY OF**

1 SPECIMENS OF ANY SPECIES WHICH WERE TAKEN IN
2 THE MARINE ENVIRONMENT NOT UNDER THE
3 JURISDICTION OF ANY STATE;

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

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

19 "(HH) *LOCAL TRANSPORT PERMIT* REFERS TO
20 THE PERMIT ISSUED AUTHORIZING A PERSON TO
21 BRING, CARRY, OR SHIP WILDLIFE, BY-PRODUCTS
22 AND/OR DERIVATIVES FROM ONE PLACE TO
23 ANOTHER WITHIN THE TERRITORIAL JURISDICTION
24 OF THE PHILIPPINES;

25 "(II) *MALTREATMENT* REFERS TO THE
26 COMMISSION OF TORTURE OR THE EXERCISE OF
27 CRUELTY TO ANY WILDLIFE, OR OMISSION OR
28 NEGLECT TO PROVIDE ADEQUATE CARE, SUSTENANCE
29 OR SHELTER TO WILDLIFE;

30 "(JJ) *OTHER WILDLIFE SPECIES* REFERS TO ALL
31 NON-THREATENED SPECIES THAT HAVE THE
32 TENDENCY TO BECOME THREATENED DUE TO THE

1 **DESTRUCTION OF HABITAT OR OTHER SIMILAR**
2 **CAUSES AS MAY BE LISTED BY THE SECRETARY UPON**
3 **THE RECOMMENDATION OF THE NATIONAL WILDLIFE**
4 **MANAGEMENT COMMITTEE;**

5 “(KK) *PERSON* REFERS TO NATURAL OR
6 **JURIDICAL PERSONS;**

7 “(LL) *POSSESSION* REFERS BOTH TO ACTUAL
8 **POSSESSION OR IMMEDIATE PHYSICAL CONTROL**
9 **OVER WILDLIFE, BY-PRODUCTS AND/OR**
10 **DERIVATIVES; AND TO CONSTRUCTIVE POSSESSION**
11 **OR OWNERSHIP OR CONTROL OVER THE PLACE OR**
12 **CONVEYANCE WHERE THE WILDLIFE, BY-PRODUCTS**
13 **AND/OR DERIVATIVES ARE FOUND;**

14 “(MM) *PROTECTED WILDLIFE* REFERS TO ALL
15 **WILDLIFE FALLING UNDER ANY CATEGORY OF**
16 **THREATENED WILDLIFE SPECIES AND OTHER**
17 **WILDLIFE SPECIES LISTED BY THE DENR, DA, PCSD**
18 **AND BMG THAT IS NOT IN THE THREATENED LIST BUT**
19 **ARE IDENTIFIED AND LISTED BY DENR, DA, PCSD**
20 **AND BMG AS REQUIRING LEGAL PROTECTION;**

21 “[(q)] (NN) ‘*Reexport permit*’ refers to a permit
22 authorizing [~~an individual~~] **A PERSON** to bring out of the
23 country a previously imported wildlife, **WILDLIFE BY-**
24 **PRODUCTS AND/OR DERIVATIVES;**

25 “[(f)] (OO) ‘*Secretary*’ [~~means either or both~~] **REFERS**
26 **TO** the Secretary of the Department of Environment and
27 Natural Resources and the Secretary of the Department of
28 Agriculture;

29 “(PP) *SHIPPER* REFERS TO A PERSON THAT
30 **SENDS OR TRANSPORT WILDLIFE, WILDLIFE BY-**
31 **PRODUCTS AND DERIVATIVES BY SEA, LAND, OR AIR;**

1 “(QQ) *SPECIAL LOCAL TRANSPORT PERMIT*
2 **REFERS TO A PERMIT CONFERRED TO HOLDERS OF**
3 **WILDLIFE SPECIAL USE PERMIT (WSUP)**
4 **AUTHORIZING THE CONVEYANCE OF WILDLIFE, BY-**
5 **PRODUCTS AND/OR DERIVATIVES FROM THE**
6 **FACILITY OF ORIGIN TO ONE OR MORE PLACES**
7 **WITHIN THE PHILIPPINES AND BACK TO THE**
8 **FACILITY OF ORIGIN;**

9 “(RR) *SYNDICATE* **REFERS TO THREE (3) OR**
10 **MORE INDIVIDUALS FORMED OR ACTING TOGETHER**
11 **WITH AN INTENTION OF CARRYING OUT THE**
12 **VIOLATIONS OF SECTION 27 (A), (E), (F), (I), AND (J)**
13 **OF THIS ACT;**

14 “[(s)] **(SS) ‘Threatened *WILDLIFE Species*’ REFERS**
15 **TO a general term to denote species or subspecies considered**
16 **as critically endangered, endangered, vulnerable or other**
17 **accepted categories of wildlife whose population is at risk of**
18 **extinction;**

19 “[(t)] **(TT) ‘Trade’ [means] REFERS TO** the act of
20 engaging in the exchange, exportation or importation,
21 purchase or sale of wildlife, their derivatives **AND/** or by-
22 products, locally or internationally;

23 “[(u)] **(UU) ‘Traditional use’ [means] REFERS TO**
24 **THE** utilization of wildlife by indigenous people in accordance
25 with written or unwritten rules, usage, customs and practices
26 traditionally observed, accepted and recognized by them;

27 “[(v)] ~~‘Transport permit’ means a permit issued~~
28 ~~authorizing an individual to bring wildlife from one place to~~
29 ~~another within the territorial jurisdiction of the Philippines;]~~

30 “[(w)] **(VV) ‘Vulnerable species’** refers to species or
31 subspecies that is not critically endangered nor endangered
32 but is under threat from adverse factors throughout their

1 **CONFISCATED WILDLIFE ARE TEMPORARILY KEPT**
2 **AND REHABILITATED PRIOR TO THE RELEASE TO**
3 **THEIR NATURAL HABITAT OR IMPLEMENTATION OF**
4 **OTHER MODES OF DISPOSITION AS MAY BE**
5 **AUTHORIZED BY THE DENR, DA, PCSD, OR BMG.**

6 **“(CCC) *WILDLIFE REGISTRATION* REFERS TO**
7 **THE ACT OF ENTERING IN THE OFFICIAL RECORDS**
8 **WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES**
9 **AND GRANTING AUTHORITY TO ANY PERSON TO**
10 **MAINTAIN SAID WILDLIFE, BY-PRODUCTS AND/OR**
11 **DERIVATIVES;**

12 **“(DDD) *WILDLIFE SPECIAL USE PERMIT***
13 **REFERS TO A PERMIT AUTHORIZING THE HOLDER**
14 **THEREOF TO UTILIZE LEGALLY POSSESSED /**
15 **ACQUIRED WILDLIFE, BY-PRODUCTS AND/OR**
16 **DERIVATIVES FOR LOCAL SHOWS, EXHIBITIONS, OR**
17 **EDUCATIONAL PURPOSES OR TO COLLECT**
18 **ECONOMICALLY IMPORTANT SPECIES FOR DIRECT**
19 **TRADE PURPOSES;**

20 **“(EEE) *WILDLIFE TRAFFICKING* REFERS TO THE**
21 **VIOLATION OF SECTION 27 (A), (E), (F), AND (J) OF**
22 **THIS ACT WHEN THE SAME IS COMMITTED IN LARGE**
23 **SCALE OR BY A SYNDICATE OR FOR THE PURPOSE OF**
24 **EXPORTING OF SUCH WILDLIFE, THEIR BY-**
25 **PRODUCTS AND DERIVATIVES; WILDLIFE**
26 **TRAFFICKING IS ALSO COMMITTED WHEN WILDLIFE,**
27 **WILDLIFE BY-PRODUCTS AND DERIVATIVES**
28 **INVOLVED IN THE VIOLATION OF SECTION 27 (A),**
29 **(E), (F), (I), AND (J) OF THIS ACT IS IMPORTED FROM**
30 **ANOTHER COUNTRY BY THE PERSON OR IN**
31 **CONNIVANCE WITH THE PERSONS INVOLVED IN**
32 **SAID VIOLATION;**

1 “(FFF) **ZOOLOGICAL PARK OR ZOO** REFERS TO
2 **AN ESTABLISHMENT EITHER PRIVATE OR**
3 **GOVERNMENT OWNED / OPERATED / MANAGED**
4 **WHERE A COLLECTION OF TERRESTRIAL OR MARINE**
5 **ANIMALS IS MAINTAINED FOR RECREATIONAL,**
6 **EDUCATIONAL, RESEARCH AND SCIENTIFIC**
7 **PURPOSES.”**

8 Sec. 6. Section 6 of Republic Act No. 9147 is hereby amended to read as
9 follows:

10 “Sec. 6. *Wildlife Information.* – All activities, as
11 subsequently manifested under this Chapter, shall be
12 authorized by the [Secretary] **DENR, DA, PCSD OR BMG**
13 upon proper evaluation of **SCIENTIFIC DATA OR** best
14 available information [~~or scientific data~~] showing that the
15 activity is, for a purpose, not detrimental to the survival of the
16 species or subspecies involved and/or their habitat. For this
17 purpose, the [Secretary] **DENR, DA, PCSD OR BMG** shall
18 regularly update wildlife information through research.

19 “**THE DENR, DA, PCSD AND BMG SHALL**
20 **ESTABLISH THEIR RESPECTIVE WILDLIFE**
21 **MANAGEMENT COMMITTEES (WMCS) TO PROVIDE**
22 **TECHNICAL AND SCIENTIFIC ADVICE ON WILDLIFE.**
23 **EACH WMCS SHALL BE RESPECTIVELY COMPOSED OF**
24 **REPRESENTATIVES FROM THE DENR, DA, PCSD, AND**
25 **BMG, AS THE CASE MAY BE, THE ENVIRONMENTAL**
26 **MANAGEMENT BUREAU (EMB), THE BIODIVERSITY**
27 **MANAGEMENT BUREAU (BMB), AND OTHER**
28 **CONCERNED GOVERNMENT AGENCIES, AND LOCAL**
29 **SCIENTISTS WITH EXPERTISE ON VARIOUS FIELDS**
30 **OF DISCIPLINE ON WILDLIFE. STAKEHOLDERS MAY**
31 **BE INVITED AS RESOURCE PERSONS WHEN**
32 **NECESSARY.”**

1 Sec. 7. Insert a new section after Section 6 of Republic Act No. 9147 to read
2 as follows:

3 **"SEC. 6.1. *INVASIVE ALIEN SPECIES.* – THE**
4 **DENR, DA, PCSD AND BMG SHALL CONTROL AND**
5 **MANAGE ALL INVASIVE ALIEN SPECIES. WITHIN ONE**
6 **(1) YEAR FROM THE EFFECTIVITY OF THIS ACT, THE**
7 **DENR, DA, PCSD AND BMG SHALL JOINTLY**
8 **ESTABLISH A LIST OF INVASIVE ALIEN SPECIES AND**
9 **FORMULATE A NATIONAL INVASIVE ALIEN SPECIES**
10 **STRATEGY AND ACTION PLAN (NISSAP) ON THE**
11 **PREVENTION, CONTROL OF, AND REHABILITATION**
12 **FROM THE SAME. THE LIST OF IAS AND THE NISSAP**
13 **SHALL BE REVIEWED AND UPDATED PERIODICALLY.**

14 **"ALL NATIONAL GOVERNMENT AGENCIES AND**
15 **LOCAL GOVERNMENT UNITS SHALL COORDINATE**
16 **WITH THE DENR, DA, PCSD, AND BMG, AS**
17 **APPLICABLE, IN THE IMPLEMENTATION AND**
18 **LOCALIZATION OF THE STRATEGY AND ACTION PLAN:**
19 ***PROVIDED,* THAT THE DENR, DA, PCSD AND BMG, AS**
20 **THE CASE MAY BE, ARE AUTHORIZED TO CAUSE THE**
21 **SLAUGHTER OR EXTERMINATION OF INVASIVE ALIEN**
22 **SPECIES BY EUTHANASIA OR OTHER HUMANELY**
23 **ACCEPTABLE MEANS UPON DETERMINATION THAT**
24 **THE INVASIVE SPECIES MAY CAUSE SERIOUS THREAT**
25 **TO LOCAL WILDLIFE, PEOPLE AND THE**
26 **ENVIRONMENT.**

27 **"CITIZENS, CIVIL SOCIETY ORGANIZATIONS**
28 **AND ACADEMIC INSTITUTIONS MAY SUBMIT**
29 **PROPOSALS TO DENR, DA, PCSD, AND BMG TO LIST**
30 **SPECIES OR GROUPS OF SPECIES OF CONCERN FOR**
31 **INCLUSION IN THE IAS LISTS AND THE SAID**
32 **GOVERNMENT AGENCIES SHALL RESPOND**

1 **JUSTIFYING THEIR DECISIONS TO LIST OR**
2 **OTHERWISE.”**

3 Sec. 8. Sections 7, 8, 9, and 10 of Republic Act No. 9147 are hereby
4 consolidated to read as follows:

5 **“SEC. 8. COLLECTION, POSSESSION,**
6 **TRANSPORT OF WILDLIFE, WILDLIFE BY-PRODUCT**
7 **AND DERIVATIVES. – THE COLLECTION, POSSESSION**
8 **AND TRANSPORT OF WILDLIFE, BY-PRODUCTS AND**
9 **DERIVATIVES MAY BE ALLOWED IN ACCORDANCE**
10 **WITH SECTION 6 OF THIS ACT: *PROVIDED*, THAT IN**
11 **THE COLLECTION OF WILDLIFE, APPROPRIATE,**
12 **HUMANE AND ACCEPTABLE WILDLIFE COLLECTION**
13 **TECHNIQUES WITH LEAST OR NO DETRIMENTAL**
14 **EFFECTS TO THE EXISTING WILDLIFE POPULATIONS**
15 **AND THEIR HABITATS SHALL LIKEWISE BE**
16 **REQUIRED: *PROVIDED, FURTHER*, THAT ONLY**
17 **PERSONS OR ENTITIES WITH APPROPRIATE**
18 **FACILITY AS WELL AS FINANCIAL AND TECHNICAL**
19 **CAPABILITY, INCLUDING SCIENTIFIC KNOWLEDGE**
20 **ARE ALLOWED POSSESSION OF THE SAME:**
21 ***PROVIDED, FURTHERMORE*, THAT IN CASE OF**
22 **TRANSPORT, THE SAME WILL NOT BE PREJUDICIAL**
23 **TO WILDLIFE, PUBLIC HEALTH AND QUARANTINE**
24 **REGULATIONS AND WILDLIFE, WILDLIFE BY-**
25 **PRODUCTS AND DERIVATIVES ARE NOT OBTAINED IN**
26 **VIOLATION OF LAW: *PROVIDED, FINALLY*, THAT**
27 **COLLECTION OF WILDLIFE THAT ARE NOT**
28 **THREATENED OR LISTED AS OTHER PROTECTED**
29 **WILDLIFE, BY INDIGENOUS PEOPLE OR**
30 **INDIVIDUALS IN ANCESTRAL LAND / DOMAIN OR**
31 **PRIVATE PROPERTY, RESPECTIVELY, IS ALLOWED**

1 **FOR TRADITIONAL, SUBSISTENCE AND**
2 **NONCOMMERCIAL USE."**

3 Sec. 5. Section 11 of Republic Act No. 9147 is hereby amended to read as
4 follows:

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

20 Sec. 10. Section 12 of Republic Act No. 9147 is hereby amended to read as
21 follows:

22 "Sec. 12. *Introduction, Reintroduction or Restocking*
23 *of Endemic or Indigenous Wildlife.* – The introduction,
24 reintroduction or restocking of endemic and indigenous
25 wildlife shall be allowed [~~only~~] for population enhancement or
26 recovery purposes subject to prior clearance from the
27 [~~Secretary of the authorized representative~~] **DENR, DA,**
28 **PCSD OR BMG**, pursuant to Section 6 of this Act.

29 "Any proposed introduction shall be subject to a
30 scientific study which shall focus on the bioecology **AND**
31 **NATURAL HISTORY.** The proponent shall also conduct
32 public consultations with concerned individuals or entities.

1 Sec. 11. Section 13 of Republic Act No. 9147 is hereby amended to read as
2 follows:

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

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

23 Sec. 12. Section 14 of Republic Act No. 9147 is hereby amended to read as
24 follows:

25 "Sec. 14. *Bioprospecting.* – Bioprospecting shall be
26 allowed upon execution of an undertaking by [~~any~~] **THE**
27 proponent, stipulating therein its compliance with and
28 commitment(s) to [~~reasonable~~] terms and conditions [~~that~~
29 ~~may be~~] imposed by the [Secretary] **DENR, DA, PCSD OR**
30 **BMG** [~~which are necessary~~] to protect biological diversity
31 **AND THE FAIR AND EQUITABLE SHARING OF**
32 **BENEFITS DERIVED FROM THE UTILIZATION OF**

1 PHILIPPINE GENETIC RESOURCES. IN ADDITION TO
2 THE FPIC, INDIGENOUS KNOWLEDGE ACCESS IN
3 RELATION TO BIOPROSPECTING SHALL BE VALUATED
4 USING ACCEPTED STANDARDS OF VALUATION IN
5 RELATION TO WHAT THE RESEARCH WOULD HAVE
6 COST WITHOUT SUCH KNOWLEDGE. THE
7 COMPENSATION FOR THIS INTELLECTUAL PROPERTY
8 SHALL BE APART FROM THE ROYALTIES AND BENEFIT
9 SHARING OBLIGATIONS HEREIN.

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

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

29 “If the applicant is foreign entity or individual, a local
30 institution [should] **SHALL** be actively involved in the
31 research, collection and, whenever applicable and

1 appropriate, in the technological development of the products
2 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
6 and utilization of biological resources for scientific research
7 and not for commercial purposes shall be allowed upon
8 executive [~~of an undertaking / agreement with~~] and issuance
9 of a gratuitous permit by the [~~Secretary or the authorized~~
10 ~~representative: *Provided,* That prior clearance from~~
11 ~~concerned bodies shall be secured before the issuance of the~~
12 ~~gratuitous permit: *Provided, further,* That the last paragraph~~
13 ~~of Section 14 shall likewise apply.] **DENR, DA, PCSD PR**
14 **BMG. THE GRATUITOUS PERMIT SHALL CONTAIN THE**
15 **CONDITIONS FOR THE CONDUCT OF THE RESEARCH,**
16 **WHICH SHALL INCLUDE SUBMISSION OF THE**
17 **REQUIRED REPORT, ONE YEAR AFTER COMPLETION**
18 **OF THE RESEARCH OR STUDY: *PROVIDED,* THAT THE**
19 **GRATUITOUS PERMIT SHALL ONLY BE ISSUED AFTER**
20 **CLEARANCE FROM CONCERNED AGENCIES OR**
21 **BODIES SHALL HAVE BEEN SECURED.**~~

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

31 “**IF SUCH SCIENTIFIC STUDIES YIELD**
32 **FINDINGS THAT IS LATER COMMERCIALIZED**

1 **DESPITE THE ORIGINAL INTENT NOT TO, THE**
2 **PROVISIONS OF SECTION 18 AND 20 HEREIN SHALL**
3 **APPLY.”**

4 Sec. 14. Section 16 of Republic Act No. 9147 is hereby amended to read as
5 follows:

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

14 Sec. 15. Section 17 of Republic Act No. 9147 is hereby amended to read as
15 follows:

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

27 Sec. 16. Insert a new section after Section 17 of Republic Act No. 9147 which
28 shall read as follows:

29 “**SEC. 17.1. COMMERCIAL BREEDING OR**
30 **PROPAGATION OF THREATENED SPECIES. –**
31 **COMMERCIAL BREEDING OR PROPAGATION OF**
32 **THREATENED SPECIES MAY BE ALLOWED PROVIDED**

1 **THAT THE FOLLOWING MINIMUM REQUIREMENTS**
2 **ARE MET BY THE APPLICANT:**

3 **“(A) PROVEN EFFECTIVE BREEDING AND**
4 **CAPTIVE MANAGEMENT TECHNIQUES FOR THE**
5 **SPECIES; AND,**

6 **“(B) COMMITMENT TO SIMULTANEOUSLY**
7 **UNDERTAKE CONSERVATION BREEDING AND**
8 **COMMERCIAL BREEDING IN ACCORDANCE WITH**
9 **SECTION 20 OF THIS ACT: *PROVIDED*, THAT**
10 **CONSERVATION BREEDING SHALL INCLUDE**
11 **RE STOCKING PLANS IN SUITABLE HABITATS.**

12 **“THE DENR SECRETARY, DA SECRETARY, PCSD**
13 **CHAIRPERSON, BMG MINISTER OF ENVIRONMENT,**
14 **NATURAL RESOURCES AND ENERGY (BMG-MENRE),**
15 **AND BMG MINISTER OF AGRICULTURE, FISHERIES**
16 **AND AGRARIAN REFORM (BMG-MAFAR), SHALL**
17 **PREPARE A LIST OF THREATENED SPECIES FOR**
18 **COMMERCIAL BREEDING AND SHALL REGULARLY**
19 **REVISE OR UPDATE SUCH LIST OR AS THE NEED**
20 **ARISES.”**

21 Sec. 17. Section 18 of Republic Act No. 9147 is hereby amended to read as
22 follows:

23 **“Sec. 18. *Economically Important Species.* – The**
24 **[Secretary, within one (1) year after the effectivity of this Act,]**
25 **DENR, DA, PCSD, AND BMG shall establish a list of**
26 **economically-important species. **WHERE APPROPRIATE**, a**
27 **population assessment of such species shall be conducted**
28 **within a reasonable period and shall be regularly reviewed and**
29 **updated by the [Secretary] **DENR, DA, PCSD, AND BMG.****

30 **“The collection of certain species shall only be allowed**
31 **when the results of the assessment show that, despite certain**
32 **extent of collection, the population of such species can still**

1 remain viable and capable of recovering its numbers. For this
2 purpose, the [Secretary] **DENR, DA, PCSD, AND BMG** shall
3 establish a schedule and volume of allowable harvests.

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

8 Sec. 18. Section 19 of Republic Act No. 9147 is hereby amended to read as
9 follows:

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

28 "To provide advice to the management authorities,
29 there shall be designated scientific authorities for terrestrial
30 and aquatic / marine species. For the terrestrial species, the
31 scientific authorities shall be the Ecosystems Research and
32 Development Bureau (ERDB) of the DENR, the **UNIVERSITY**

1 **OF THE PHILIPPINES** (U.P.) Institute of Biological
2 Sciences, **U.P. INSTITUTE OF BIOLOGY** and the National
3 Museum and other agencies as may be designated by the
4 Secretary. For the marine and aquatic species, the scientific
5 authorities shall be the [~~BFAR~~] **NATIONAL FISHERIES**
6 **RESEARCH AND DEVELOPMENT INSTITUTE (NFRDI)**,
7 U.P. Marine Science Institute, U.P. Visayas, Siliman University
8 and the National Museum and other **PUBLIC OR PRIVATE**
9 **ACADEMIC INSTITUTIONS OR** agencies as may be
10 designated by the Secretary: *Provided*, That in the case of
11 terrestrial species, the ERDB shall chair the scientific
12 authorities, and in the case of marine and aquatic species, the
13 [~~U.P. Marine Science Institute~~] **NFRDI** shall chair the
14 scientific authorities.”

15 Sec. 19. Section 20 of Republic Act No. 9147 is hereby amended to read as
16 follows:

17 “Sec. 20. *Authority [~~of the Secretary~~] to Issue Permits.*
18 – [~~The Secretary or the duly authorized representative,~~] [i] In
19 order to effectively implement this Act, **THE DENR, DA,**
20 **PCSD AND BMG** shall issue permits / certifications /
21 clearances with corresponding period of validity, [~~whenever~~]
22 appropriate **FOR SUCH PURPOSE, AS DETERMINED BY**
23 **THE REGULATIONS. THESE PERMITS** [~~which~~] shall
24 include but not limited to the following:

25 “(1) Wildlife farm or culture permit [~~3 to 5 years;~~]
26 “(2) Wildlife collector’s permit [~~1 to 3 years;~~]
27 “(3) Gratuitous permit [~~1 year~~]
28 “(4) Local transport permit [~~1 to 3 months; and~~]
29 “(5) Export / Import / Re-export Permit [~~1 to 6~~
30 months.]

31 “(6) **SPECIAL LOCAL TRANSPORT PERMIT**

32 “(7) **WILDLIFE TRADE PERMIT**

1 “(8) WILDLIFE SPECIAL USE PERMIT

2 “(9) CERTIFICATE OF INTRODUCTION FROM
3 THE SEA

4 “(10) CLEARANCE TO OPERATE ZOOLOGICAL,
5 BOTANICAL AND OTHER SIMILAR FACILITIES

6 “(11) CERTIFICATE OF WILDLIFE
7 REGISTRATION

8 “These permits may be renewed subject to the
9 guidelines issued by the appropriate agency and upon
10 consultation with concerned groups.”

11 Sec. 20. Section 21 of Republic Act No. 9147 is hereby amended to read as
12 follows:

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

29 “For the export of wildlife species, an export permit fee
30 of not greater than [~~three percentum (3%)~~] **FIVE PERCENT**
31 **(5%)** of the export value, excluding transport costs, shall be
32 charged: *Provided, however,* That in the determination of

1 aforesaid fee, the production costs shall be given due
2 consideration. Cutflowers, leaves and the like, **AND**
3 **AQUACULTURE PRODUCTS AND THE LIKE**, produced
4 from farms shall be exempted from the said export fee [~~:=~~
5 ~~Provided, further, That fees and charges shall be reviewed by~~
6 ~~the Secretary every two (2) years or as the need arises and~~
7 ~~revise the same accordingly, subject to consultation with~~
8 ~~concerned sectors.]~~

9 **"THE DENR, DA, PCSD OR BMG MAY ALSO**
10 **IMPOSE AN IMPORT PERMIT FEE FOR THE**
11 **IMPORTATION OF WILDLIFE, BASED ON IMPORT**
12 **VALUE AND/OR VALUATION OF POTENTIAL RISKS TO**
13 **BIODIVERSITY AND HUMAN HEALTH: PROVIDED,**
14 **THAT ALL FEES AND CHARGES SHALL BE FIXED, ONLY**
15 **AFTER CONSULTATION WITH CONCERNED GROUPS,**
16 **THE FEES AND CHARGES MAY ALSO BE REVIEWED**
17 **EVERY TWO (2) YEARS OR AS THE NEED ARISES AND**
18 **REVISE THE SAME ACCORDINGLY, SUBJECT TO THE**
19 **SAME CONSULTATION PROCESS."**

20 Sec. 21. Section 22 of Republic Act No. 9147 is hereby amended to read as
21 follows:

22 **"Sec. 22. Determination of Threatened *WILDLIFE***
23 ***Species AND LISTING OTHER WILDLIFE SPECIES.* – The**
24 **[Secretary] DENR, DA, PCSD OR BMG shall determine**
25 **whether any wildlife species or subspecies is threatened and**
26 **classify the same as critically endangered, endangered,**
27 **vulnerable or other accepted categories. THE**
28 **CLASSIFICATION SHALL BE MADE** based on the best
29 scientific data and [~~with due regard to~~] internationally
30 accepted criteria, including but not limited to the following:

31 **"(a) present or threatened destruction, modification or**
32 **curtailment of its habitat or range;**

1 “(b) over-utilization for commercial, recreational,
2 scientific or educational purposes; **AND,**

3 “~~[(c) Inadequacy of existing regulatory mechanism,~~
4 and]

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

7 “~~[The Secretary shall review, revise and publish the list~~
8 ~~of categorized threatened wildlife within one (1) year after~~
9 ~~effectivity of this Act.]~~ **THE DENR, DA, PCSD OR BMG**

10 **SHALL ALSO ESTABLISH A LIST OF THREATENED**
11 **WILDLIFE SPECIES, SO DETERMINED UNDER THE**
12 **APPROPRIATE CATEGORY. THE LIST MAY ALSO**
13 **INCLUDE THOSE SPECIES THAT ARE NON-**
14 **THREATENED BUT HAS THE TENDENCY TO BECOME**
15 **THREATENED IN THE ABSENCE OF ADEQUATE LEGAL**
16 **PROTECTION AND SHALL FALL UNDER THE CATEGORY**
17 **OF EITHER OTHER THREATENED SPECIES OR OTHER**
18 **WILDLIFE SPECIES. [Thereafter, ~~t~~] The list shall be**
19 **PUBLISHED AND** updated regularly or as the need arises,
20 **EITHER *MOTU PROPRIO* OR UPON FILING OF A**
21 **PETITION BASED ON SUBSTANTIAL SCIENTIFIC**
22 **INFORMATION OF ANY PERSON SEEKING FOR THE**
23 **ADDITION OR DELETION OF A SPECIES FROM THE**
24 **LIST: *Provided,* That [a] species listed as threatened OR**
25 **OTHER PROTECTED WILDLIFE shall not be removed there**
26 **from within three (3) years following its initial listing:**
27 ***PROVIDED, FURTHER, THAT ALL NEWLY DISCOVERED***
28 **SPECIES SHALL AUTOMATICALLY FALL UNDER THE**
29 **CATEGORY OF OTHER THREATENED WILDLIFE**
30 **SPECIES, AND SHALL REMAIN AS SUCH UNLESS**
31 **PROPERLY DETERMINED OTHERWISE.**

1 “Upon filing of a petition based on substantial scientific
2 information of any persons seeking for the addition or deletion
3 of a species from the list, the [Secretary] **DENR, DA, PCSD**
4 **OR BMG** shall evaluate in accordance with the relevant
5 factors stated in the first paragraph of this section, the status
6 of the species concerned and act on said petition within a
7 reasonable period **OF TIME**.

8 “The [Secretary] **DENR, DA, PCSD AND BMG** shall
9 also prepare and publish a list of wildlife which resembles so
10 closely in appearance with listed threatened wildlife, which
11 species shall likewise be categorized as threatened.”

12 Sec. 22. Section 23 of Republic Act No. 9147 is hereby amended to read as
13 follows:

14 “Sec. 23. *Collection of Threatened **OR OTHER***
15 ***WILDLIFE SPECIES, By-products and Derivatives.*** – The
16 collection of threatened **AND OTHER** wildlife **SPECIES**, as
17 determined and listed pursuant to this Act, including its by-
18 products and derivatives, shall be allowed only for scientific,
19 or breeding or propagation purposes in accordance with
20 Section 6 of this Act: *Provided*, That only [~~the accredited~~
21 ~~individuals, business, research, educational or scientific~~
22 ~~entities~~] **PERSONS ACCREDITED BY THE DENR, DA,**
23 **PCSD, AND BMG** shall be allowed to collect for conservation
24 breeding or propagation purposes.”

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

27 “Sec. 24. *Conservation Breeding [~~Commercial~~*
28 *~~Breeding~~ or Propagation of Threatened **OR OTHER***
29 ***WILDLIFE SPECIES.*** – Conservation breeding or
30 propagation of threatened species shall be encouraged in
31 order to enhance its population in its natural habitat. It shall
32 be done simultaneously with the rehabilitation and/or

1 protection of the habitat where the captive-bred or
2 propagated species shall be released, reintroduced or
3 restocked.

4 "Commercial breeding [~~and~~] **OR** propagation of
5 threatened species may be allowed provided that the
6 following minimum requirements are met by the applicant, to
7 wit:

8 "(a) Proven effective breeding, [~~and~~] captive
9 management **AND PROPAGATION** techniques of the
10 species; and

11 "(b) Commitment to undertake commercial breeding
12 **AND PROPAGATION** in accordance with Section 17 of this
13 Act [~~, simultaneous with conservation breeding~~];

14 **"(C) UNDERTAKING TO CONTRIBUTE PART OF**
15 **VIALE PROGENIES TO SPECIES REHABILITATION**
16 **EFFORTS, AS MAY BE PROVIDED IN THE**
17 **REGULATIONS.**

18 "The [~~Secretary~~] **DENR, DA, PCSD OR BMG** shall
19 prepare a list of threatened species for commercial breeding
20 and shall regularly revise or update such list or as the need
21 arises."

22 Sec. 24. Section 25 of Republic Act No. 9147 is hereby amended to read as
23 follows:

24 "Sec. 25. *Establishment of Critical Habitats.* – [~~Within~~
25 ~~two (2) years following the effectivity of this Act, the Secretary~~
26 ~~shall~~] **THE DENR, DA, PCSD, AND BMG SHALL** designate
27 critical habitats outside protected areas under Republic Act
28 No. 7586, **AS AMENDED BY REPUBLIC ACT NO. 11038**,
29 where threatened species are found. Such designation shall
30 be made on the basis of the best scientific data taking into
31 consideration species endemism and/or richness, presence of

1 man-made pressures / threats to the survival of wildlife living
2 in the area, among others.

3 "All designated critical habitats shall be protected, in
4 coordination with the local government units and other
5 concerned group, from any form of exploitation or destruction
6 which may be detrimental to the survival of the threatened
7 species dependent therein. For such purpose, the [Secretary]
8 **DENR, DA, PCSD OR BMG** may acquire, by purchase,
9 donation or expropriation, lands, or interests therein,
10 including the acquisition of usufruct, establishment
11 easements or other undertakings appropriate in protecting
12 the critical habitat."

13 Sec. 25. Section 26 of Republic Act No. 9147 is hereby amended to read as
14 follows:

15 "Sec. 26. *Registration of Threatened and [Exotic]*
16 ***OTHER Wildlife SPECIES in the Possession of Private***
17 ***Persons.*** – ~~[No person or entity shall be allowed possession of~~
18 ~~wildlife unless such person or entity can prove financial and~~
19 ~~technical capability and facility to maintain said wildlife.~~
20 ~~Twelve (12) months after the effectivity of this Act, the~~
21 ~~Secretary shall set a period, within which persons/entities~~
22 ~~shall register all threatened species collected and exotic~~
23 ~~species imported prior to the effectivity of this Act. However,~~
24 ~~when the threatened species is needed for breeding /~~
25 ~~propagation of research purposes, the State may acquire the~~
26 ~~wildlife through a mutually acceptable arrangement.]~~ **THE**
27 **DENR, DA, PCSD, AND BMG SHALL CONTROL,**
28 **REGULATE, AND CAUSE THE REGISTRATION OF ALL**
29 **THREATENED AND OTHER PROTECTED WILDLIFE**
30 **POSSESSED BY PRIVATE INDIVIDUALS AND**
31 **ENTITIES. THREATENED AND OTHER PROTECTED**
32 **WILDLIFE IN POSSESSION OF PRIVATE INDIVIDUALS**

1 AND ENTITIES THAT ARE NOT REGISTERED SHALL BE
2 CONFISCATED IN FAVOR OF THE GOVERNMENT, AND
3 THOSE IN POSSESSION SHALL BE SUBJECT TO THE
4 PENALTIES HEREIN PROVIDED. CERTIFICATES OF
5 WILDLIFE REGISTRATION SHALL BE ISSUED FOR THE
6 FOLLOWING:

7 "(A) THREATENED WILDLIFE STOCK ACQUIRED
8 UNDER A PRIOR VALID WILDLIFE PERMIT ISSUED TO
9 THE SAME APPLICANT, INCLUDING BUT NOT LIMITED
10 TO WILDLIFE IMPORT PERMITS OR CERTIFICATIONS,
11 WILDLIFE COLLECTOR'S PERMIT, SUBJECT TO
12 SUBMISSION OF PROOF OF LEGAL ACQUISITION;

13 "(B) THREATENED WILDLIFE STOCK
14 PURCHASED OR OTHERWISE ACQUIRED FROM LEGAL
15 SOURCES SUBJECT TO SUBMISSION OF PROOF OF
16 LEGAL ACQUISITION;

17 "(C) PROGENIES OR OFFSPRING OF DULY
18 REGISTERED PARENTAL THREATENED WILDLIFE
19 STOCKS; AND,

20 "(D) OTHER WILDLIFE SPECIES THAT ARE NOW
21 OR WILL EVENTUALLY BE INCLUDED IN THE LIST OF
22 DENR, DA, PCSD, AND BMG AS REQUIRING LEGAL
23 PROTECTION.

24 ~~"[After the period set has elapsed, threatened wildlife~~
25 ~~possessed without certificate of registration shall be~~
26 ~~confiscated in favor of the government, subject to the~~
27 ~~penalties herein provided.]~~

28 "All Philippine wildlife [~~which are not listed as~~
29 ~~threatened prior to the effectivity of this Act]~~ **IN**
30 **POSSESSION OF PRIVATE INDIVIDUALS AND**
31 **ENTITIES WHICH ARE NOT IN THE LIST AS**
32 **THREATENED OR OTHER WILDLIFE SPECIES,** but which

1 may later become so, shall [likewise] be registered [during
2 the period set after the publication of the updated list of
3 threatened species] **WITHIN SIX (6) MONTHS OR AS
4 MAY BE PROVIDED IN THE REGULATION, AFTER THE
5 PUBLICATION OF THE LIST WHERE THE NAME OF THE
6 WILDLIFE APPEARED.**

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

15 **"THE DENR, DA, PCSD AND BMG SHALL
16 IMPROVE THE REGISTRATION AND MONITORING
17 SYSEM OF THREATENED WILDLIFE TO PREVENT
18 FRAUD, MISREPRESENTATION AND/OR WILDLIFE
19 LAUNDERING AND INCLUDE PRACTICAL INTERIM
20 MEASURES IN THE PROCESS."**

21 Sec. 26. Section 27 of Republic Act No. 9147 is hereby amended to read as
22 follows:

23 **"Sec. 27. *Illegal Acts.* – Unless otherwise allowed in
24 accordance with this Act, it shall be unlawful for any person
25 to willfully and knowingly exploit wildlife resources and their
26 habitats, or undertake, **OR TO INDUCE, SOLICIT OR
27 EMPLOY ANOTHER PERSON TO UNDERTAKE,** the
28 following acts:**

29 **"(a) killing and/OR destroying wildlife species,
30 INCLUDING CAUSING DEATH OR DESTRUCTION AS A
31 RESULT OF ANY VIOLATION OF THIS ACT,** except in the
32 following instances:

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

3 “(ii) when the wildlife is afflicted with an incurable
4 communicable disease;

5 “(iii) when it is deemed necessary to put an end to the
6 misery suffered by the wildlife;

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

9 “(v) when the wildlife is killed or destroyed after it has
10 been used in authorized research or experiments; **AND,**

11 **“(VI) WHEN DONE FOR THE PURPOSE OF**
12 **WILDLIFE POPULATION MANAGEMENT OR**
13 **ERADICATION OF INVASIVE ALIEN SPECIES, AS**
14 **AUTHORIZED BY THE DENR, DA, PCSD, OR BMG.**

15 “(b) inflicting injury which cripples and/or impairs the
16 reproductive system of wildlife species;

17 “(c) effecting any of the following acts in critical
18 habitat(s):

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

23 “(ii) squatting or otherwise **ILLEGALLY** occupying any
24 portion of the critical habitat;

25 “(iii) mineral exploration and/or extraction,
26 **TREASURE-HUNTING AND/OR PROSPECTING;**

27 “(iv) burning **EXCEPT BY AUTHORITIES IF**
28 **ESTABLISHING FIRE BREAKS OR OTHER**
29 **CONSERVATION AND MANAGEMENT MEASURES;**

30 “(v) logging; [~~and~~]

31 “(vi) quarrying **AT ANY SCALE;**

32 **“(VII) LAND RECLAMATION;**

1 “(VIII) INTRODUCTION, USE, OR APPLICATION
2 OF POISONOUS SUBSTANCE THAT ENDANGERS THE
3 HABITAT OR PARTS THEREOF OR RENDERS HABITAT
4 OR PARTS THEREOF NO LONGER VIABLE FOR
5 WILDLIFE;

6 “(d) introduction, reintroduction or restocking of
7 wildlife resources;

8 “(e) trading [øf] **OR ATTEMPTING TO TRADE**
9 wildlife, **WILDLIFE BY-PRODUCTS OR DERIVATIVES,**
10 **INCLUDING ADVERTISING, CONTRACTING OR**
11 **OFFERING FOR THE PURPOSE OF SALE OR**
12 **PROCUREMENT OF WILDLIFE, BY-PRODUCTS OR**
13 **DERIVATIVES;**

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

19 “(g) gathering or destroying of active nests, nest trees,
20 host plants and the like;

21 “(h) maltreating and/or inflicting other injuries not
22 covered by the preceding paragaphS; [and]

23 “(i) transporting of wildlife, **WILDLIFE BY-**
24 **PRODUCTS OR DERIVATIVES;**

25 **“(J) WILDLIFE LAUNDERING; AND,**

26 **“(K) DESTRUCTION OF WILDLIFE HABITAT**
27 **WHICH CONSISTS IN ANY OF THE ACTS IN LETTER (C)**
28 **OF THIS SECTION, INCLUDING A COMBINATION**
29 **THEREOF, RESULTING IN THE CESSATION OR**
30 **IMPAIRMENT OF THE ECOLOGICAL SERVICE OR**
31 **FUNCTION ASSOCIATED WITH THE HABITAT WHICH**
32 **WILL TAKE A CONSIDERATBLE AMOUNT OF TIME AND**

1 EFFORT TO RESTORE OR REHABILITATE. FOR THE
2 PURPOSE OF THIS PROHIBITION, THE DENR, DA,
3 PCSD OR BMG SHALL UNDERTAKE THE VALUATION OF
4 THE TIME AND EFFORT REQUIRED FOR
5 REHABILITATION AND CHARGE SUCH COSTS TO THE
6 OFFENDER: *PROVIDED*, THAT WHEN ANY OF
7 VIOLATIONS OF LETTERS (A), (E), (F), (I), AND (J)
8 UNDER THIS SECTION IS COMMITTED BY A
9 SYNDICATE OR, IN LARGE SCALE, OR THE WILDLIFE
10 INVOLVED IS BOUND FOR EXPORT OR IS ACTUALLY
11 EXPORTED TO ANOTHER COUNTRY, OR IS IMPORTED
12 FROM ANOTHER COUNTRY BY THE PERSON OR IN
13 CONNIVANCE WITH THE PERSONS FROM WHOM THE
14 WILDLIFE WAS APPREHENDED, THE OFFENSE
15 COMMITTED IS WILDLIFE TRAFFICKING AND SHALL
16 BE PENALIZED ACCORDINGLY.”

17 Sec. 27. Section 28 of Republic Act No. 9147 is hereby amended to read as
18 follows:

19 “Sec. 28. *Penalties for Violations of this Act.* – For any
20 person who undertakes illegal acts under paragraph (a) of the
21 immediately preceding section to any species as may be
22 categorized pursuant to this Act, the following penalties
23 and/or fines shall be imposed:

24 “(a) imprisonment [~~of a minimum~~] **FROM** six (6) years
25 and one (1) day to twelve (12) years and/or a fine of [~~One~~
26 ~~hundred thousand pesos (P100,000.00)]~~ **SIX HUNDRED**
27 **THOUSAND PESOS (P600,000.00)** to [~~One million pesos~~
28 ~~(P1,000,000.00)]~~ **TWO MILLION PESOS**
29 **(P2,000,000.00), OR TWO TIMES THE PROVEN**
30 **MARKET VALUE, WHICHEVER IS HIGHER,** if inflicted or
31 undertaken against species listed as [~~critical~~] **CRITICALLY**
32 **ENDANGERED;**

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

9 “(c) imprisonment of two (2) years and one (1) day to
10 four (4) years and/or fine of [~~Thirty thousand pesos~~
11 (~~P30,000.00~~)] **ONE HUNDRED FIFTY THOUSAND PESOS**
12 (**P150,000.00**) to Three hundred thousand pesos
13 (P300,000.00), **OR TWO TIMES THE PROVEN MARKET**
14 **VALUE, WHICHEVER IS HIGHER**, if inflicted or undertaken
15 against vulnerable species;

16 “(d) imprisonment of one (1) year and one (1) day to
17 two (2) years and/or a fine of [~~Twenty thousand pesos~~
18 (~~P20,000.00~~)] **ONE HUNDRED THOUSAND PESOS**
19 (**P100,000.00**) to Two hundred thousand pesos
20 (P200,000.00), **OR TWO TIMES THE PROVEN MARKET**
21 **VALUE, WHICHEVER IS HIGHER**, if inflicted or undertaken
22 against other threatened species; and,

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

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

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

13 “(b) imprisonment [~~of~~] **FROM** [~~two (2)~~] **THREE (3)**
14 years and one (1) day to four (4) years and/or a fine of [~~Thirty~~
15 ~~thousand pesos (P30,000.00)~~] **TWO HUNDRED**
16 **THOUSAND PESOS (P200,000.00)** to [~~Two hundred~~
17 ~~thousand pesos (P200,000.00)~~] **FOUR HUNDRED**
18 **THOUSAND PESOS (P400,000.00), OR TWO TIMES**
19 **THE PROVEN MARKET VALUE, WHICHEVER IS**
20 **HIGHER,** if inflicted or undertaken against endangered
21 species;

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

29 “(d) imprisonment [~~of six (6) months~~] **FROM ONE (1)**
30 **YEAR** and one (1) days to [~~one (1) year~~] **TWO (2) YEARS**
31 and a fine of [~~Ten thousand pesos (P10,000.00)~~] **ONE**
32 **HUNDRED THOUSAND PESOS (P100,000.00)** to [~~Fifty~~

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

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

14 "For illegal acts under paragraphs (c) and (d) of the
15 immediately preceding section, an imprisonment [~~of one (1)~~
16 ~~month to eight (8) years~~] **FROM FOUR (4) YEARS AND**
17 **ONE (1) DAY TO EIGHT (8) YEARS** and/or a fine of [~~Five~~
18 ~~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**
21 **REQUIRES REHABILITATION OR RESTORATION AS**
22 **DETERMINED BY THE COURT, THE OFFENDER SHALL**
23 **BE REQUIRED TO RESTORE THE SAME, WHENEVER**
24 **PRACTICABLE, OR PAY ADDITIONAL COMPENSATION**
25 **FOR THE DAMAGE CAUSED.**~~

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

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

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

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

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

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

31 ~~“(e) imprisonment [of ten (10) days]~~ **FROM SIX (6)**
32 **MONTHS AND ONE (1) DAY** to [one (1) month] **ONE YEAR**

1 and/or a fine of [~~Two hundred pesos (P200.00)~~], **THIRTY**
2 **THOUSAND PESOS (P30,000.00)** to [~~Twenty thousand~~
3 ~~pesos (P20,000.00)~~] **FIFTY THOUSAND PESOS**
4 **(P50,000.00), OR TWO TIMES THE PROVEN MARKET**
5 **VALUE, WHICHEVER IS HIGHER,** if [~~inflicted or~~
6 ~~undertaken against~~] **INVOLVING** other wildlife species.

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

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

19 "(b) imprisonment of [~~one (1) year~~] **THREE (3)**
20 **YEARS** and one (1) day to [~~two (2) years~~] **FIVE (5) YEARS**
21 and/**OR** a fine of [~~Twenty thousand pesos (P20,000.00)~~]
22 **TWO HUNDRED THOUSAND PESOS (P200,000.00)** to
23 [~~Two hundred thousand pesos (P200,000.00)~~] **THREE**
24 **HUNDRED THOUSAND PESOS (P300,000.00), OR TWO**
25 **TIMES THE PROVEN MARKET VALUE, WHICHEVER IS**
26 **HIGHER,** if inflicted or undertaken against endangered
27 species.

28 "(c) imprisonment [~~of six (6) months~~] **FROM TWO (2)**
29 **YEARS** and one (1) day to [~~one (1) year~~] **FOUR (4) YEARS**
30 and/**OR** a fine of [~~Ten thousand pesos (P10,000.00)~~] **ONE**
31 **HUNDRED THOUSAND PESOS (P100,000.00)** to [~~One~~
32 ~~hundred thousand pesos (P100,000.00)~~] **TWO HUNDRED**

1 **THOUSAND PESOS (P200,000.00), OR TWO TIMES**
2 **THE PROVEN MARKET VALUE, WHICHEVER IS**
3 **HIGHER,** if inflicted or undertaken against vulnerable
4 species;

5 ~~“(d) imprisonment [of one (1) month]~~ **FROM ONE (1)**
6 **YEAR** and one (1) day to ~~[six (6) months]~~ **TWO (2) YEARS**
7 and/OR a fine of ~~[Five thousand pesos (P5,000.00)]~~ **ONE**
8 **HUNDRED THOUSAND PESOS (P100,000.00)** to ~~[Fifty~~
9 ~~thousand pesos (P50,000.00)]~~ **ONE HUNDRED FIFTY**
10 **THOUSAND PESOS (P150,000.00), OR TWO TIMES**
11 **THE PROVEN MARKET VALUE, WHICHEVER IS**
12 **HIGHER,** if inflicted or undertaken against species as other
13 threatened species; and,

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

26 ~~“(f) For illegal acts under paragraphs [(h) and] (i) AND~~
27 **(J)** of the immediately preceding section, the following
28 penalties and fines shall be imposed

29 ~~“(a) imprisonment [of six (6) months and one (1) day]~~
30 **FROM EIGHT (8) YEARS AND ONE (1) DAY** to ~~[one (1)~~
31 ~~year]~~ **TEN (10) YEARS** and a fine of ~~[Fifty thousand pesos~~
32 ~~(P50,000.00)]~~ **FIVE HUNDRED THOUSAND PESOS**

1 ~~(P500,000.00)~~ to [~~One hundred thousand pesos~~
2 ~~(P100,000.00)~~] **ONE MILLION PESOS (P1,000,000.00),**
3 **OR TWO TIMES THE PROVEN MARKET VALUE,**
4 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken~~
5 ~~against~~] **INVOLVING** species listed as [~~critical species~~]
6 **CRITICALLY ENDANGERED;**

7 “(b) imprisonment [~~of three (3) months and one (1)~~
8 ~~day~~] **FROM SIX (6) YEARS AND ONE (1) DAY** to [~~six (6)~~
9 ~~months~~] **TO EIGHT (8) YEARS** and a fine of [~~Twenty~~
10 ~~thousand pesos (P20,000.00)~~] **THREE HUNDRED**
11 **THOUSAND PESOS (P300,000.00)** to [~~Fifty thousand~~
12 ~~pesos (P50,000.00)~~] **SIX HUNDRED THOUSAND PESOS**
13 **(P600,000.00), OR TWO TIMES THE PROVEN MARKET**
14 **VALUE, WHICHEVER IS HIGHER,** if [~~inflicted or~~
15 ~~undertaken against~~] **INVOLVING** endangered species;

16 “(c) imprisonment [~~of one (1) month and one (1) day~~]
17 **FROM FOUR (4) YEARS AND ONE (1) DAY** to [~~three (3)~~
18 ~~months~~] **SIX (6) YEARS** and a fine of [~~Five thousand pesos~~
19 ~~(P5,000.00)~~] **ONE HUNDRED FIFTY THOUSAND PESOS**
20 **(P150,000.00)** to [~~Twenty thousand pesos (P20,000.00)~~]
21 **THREE HUNDRED THOUSAND PESOS (P300,000.00),**
22 **OR TWO TIMES THE PROVEN MARKET VALUE,**
23 **WHICHEVER IS HIGHER,** if [~~inflicted or undertaken~~
24 ~~against~~] **INVOLVING** vulnerable species;

25 “(d) imprisonment [~~of ten (10) days~~] **FROM TWO (2)**
26 **YEARS AND ONE (1) DAY** to [~~one (1) month~~] **FOUR (4)**
27 **YEARS** and a fine of [~~One thousand pesos (P1,000.00)~~] **ONE**
28 **HUNDRED THOUSAND PESOS (P100,000.00)** to [~~Five~~
29 ~~thousand pesos (P5,000.00)~~] **TWO HUNDRED THOUSAND**
30 **PESOS (P200,000.00),** if inflicted or undertaken against
31 species listed as other threatened species; **AND,**

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

10 ~~“[All wildlife, its derivatives or by products, and all~~
11 ~~paraphernalia, tools, and conveyances used in connection~~
12 ~~with violations of this Act shall be ipso facto forfeited in favor~~
13 ~~of the government: Provided, That where the ownership of~~
14 ~~the aforesaid conveyances belong to third persons who has~~
15 ~~no participation in or knowledge of the illegal acts, the same~~
16 ~~may be released to said owner. The apprehending agency~~
17 ~~shall immediately cause the transfer of all wildlife that have~~
18 ~~been seized or recovered to the nearest Wildlife Rescue~~
19 ~~Center of the Department of Environment in the said area.]~~

20 ~~“[If the offender is an alien, he shall be deported after~~
21 ~~service of sentence and payment of fines, without any further~~
22 ~~proceedings.]~~

23 ~~“[The fines herein prescribed shall be increased by at~~
24 ~~least ten percent (10%) every three (3) years to compensate~~
25 ~~for inflation and to maintain the deterrent function of such~~
26 ~~fines.]~~

27 **“FOR VIOLATIONS OF LETTERS (A), (E), (F), (I),**
28 **AND (J) UNDER SECTION 27 OF THIS ACT,**
29 **COMMITTED BY A SYNDICATE OR, IN LARGE SCALE,**
30 **OR THE WILDLIFE INVOLVED IS BOUND FOR EXPORT**
31 **OR IS ACTUALLY EXPORTED TO ANOTHER COUNTRY;**
32 **OR IS IMPORTED FROM ANOTHER COUNTRY BY THE**

1 PERSONS OR IN CONNIVANCE WITH THE PERSONS
2 FROM WHOM THE WILDLIFE WAS APPREHENDED,
3 OTHERWISE KNOWN AS WILDLIFE TRAFFICKING,
4 THE FOLLOWING FINES AND PENALTIES SHALL BE
5 IMPOSED:

6 "(A) IMPRISONMENT FROM TWELVE (12)
7 YEARS AND ONE (1) DAY TO TWENTY (20) YEARS AND
8 A FINE OF ONE MILLION PESOS (P1,000,000.00) TO
9 TEN MILLION PESOS (P10,000,000.00), OR TWO
10 TIMES THE PROVEN MARKET VALUE, WHICHEVER IS
11 HIGHER, IF INFLICTED OR UNDERTAKEN AGAINST
12 SPECIES LISTED AS CRITICALLY ENDANGERED;

13 "(B) IMPRISONMENT FROM EIGHT (8) YEARS
14 AND ONE (1) DAY TO TWELVE (12) YEARS AND A FINE
15 OF EIGHT HUNDRED THOUSAND PESOS
16 (P800,000.00) TO TWO MILLION PESOS
17 (P2,000,000.00), OR TWO TIMES THE PROVEN
18 MARKET VALUE, WHICHEVER IS HIGHER, IF
19 INFLICTED OR UNDERTAKEN AGAINST ENDANGERED
20 SPECIES;

21 "(C) IMPRISONMENT FROM SIX (6) YEARS AND
22 ONE (1) DAY TO EIGHT (8) YEARS AND A FINE OF
23 THREE HUNDRED THOUSAND PESOS (P300,000.00)
24 TO EIGHT HUNDRED THOUSAND PESOS
25 (P800,000.00), OR TWO TIMES THE PROVEN MARKET
26 VALUE, WHICHEVER IS HIGHER, IF INFLICED OR
27 UNDERTAKEN AGAINST VULNERABLE SPECIES;

28 "(D) IMPRISONMENT FROM FOUR (4) YEARES
29 AND ONE (1) DAY TO SIX (6) YEARS AND A FINE OF
30 TWO HUNDRED THOUSAND PESOS (P200,000.00) TO
31 FOUR HUNDRED THOUSAND PESOS (P400,000.00),
32 OR TWO TIMES THE PROVEN MARKET VALUE,

1 WHICHEVER IS HIGHER, IF INFLICTED OR
2 UNDERTAKEN AGAINST OTHER THREATENED
3 SPECIES; AND,

4 “(E) IMPRISONMENT FROM TWO (2) YEARES
5 AND ONE (1) DAY TO FOUR (5) YEARS AND A FINE OF
6 ONE HUNDRED THOUSAND PESOS (P100,000.00) TO
7 TWO HUNDRED THOUSAND PESOS (P200,000.00), OR
8 TWO TIMES THE PROVEN MARKET VALUE,
9 WHICHEVER IS HIGHER, IF INFLICTED OR
10 UNDERTAKEN AGAINST OTHER WILDLIFE SPECIES.”

11 Sec. 28. Insert eleven (11) new sections after Section 28 of Republic Act No.
12 9147 which shall read as follows:

13 “**SEC. 28.1. IMPOSITION OF PENALTY FOR**
14 **VIOLATION COMMITTED BY JURIDICAL ENTITY AND**
15 **ADDITIONAL LIABILITY. – IF THE VIOLATION IS**
16 **COMMITTED BY A CORPORATION, COOPERATIVE,**
17 **ASSOCIATION OR ANY OTHER JURIDICAL PERSONS,**
18 **THE PENALTY SHALL BE IMPOSED UPON THE**
19 **PERSONS WHO COMMITTED THE ACT AS WELL AS THE**
20 **PRESIDENT, DIRECTORS, MANAGERS, MANAGING**
21 **PARTNER, OR OTHER OFFICIALS RESPONSIBLE FOR**
22 **SUCH VIOLATION.**

23 “**ANY GOVERNMENT OFFICIAL OR EMPLOYEE,**
24 **WHO IS FOUND LIABLE, FOR ANY OFFENSE**
25 **PENALIZED BY SIX (6) YEARS OF IMPRISONMENT OF**
26 **THIS ACT, SHALL, IN ADDITION TO THE PENALTY**
27 **WHICH MAY BE IMPOSED UPON HIM AS PRINCIPAL,**
28 **BE PERPETUALLY DISQUALIFIED FROM HOLDING**
29 **ANY PUBLIC OFFICE.**

30 “**ANY PERSON CONVICTED OF A VIOLATION OF**
31 **THIS ACT SHALL BE PERMANENTLY AND**
32 **PERPETUALLY DISQUALIFIED FROM BEING ISSUED**

1 ANY WILDLIFE PERMITS, CLEARANCES, AGREEMENTS
2 AND/OR CERTIFICATES.

3 "SEC. 28.2. *RECOVERY OF COST AND*
4 *REPARATION AND RESTORATION OF AFFECTED*
5 *RESOURCE.* – IN ADDITION TO THE FINE AND
6 IMPRISONMENT THAT MAY BE IMPOSED FOR
7 VIOLATION OF THIS ACT, THE OFFENDER SHALL ALSO
8 PAY ALL REASONABLE COST INCURRED BY THE STATE
9 RESULTING FROM THE SAID VIOLATION. THE COST
10 MAY INCLUDE EXPENSES FOR TRANSPORT,
11 MAINTENANCE OF THE SEIZED WILDLIFE, AND
12 PROPER DISPOSAL THEREOF.

13 "THE OFFENDER SHALL LIKEWISE BE LIABLE TO
14 PAY THE RESOURCE ECONOMIC VALUE, PROVEN TO
15 HAVE BEEN LOST OR SUFFERED AS A RESULT OF THE
16 VIOLATION AND TO INDEMNIFY THE STATE FOR THE
17 COST OF RESTORATION OF THE AFFECTED
18 RESOURCE.

19 "SEC. 28.3. *ESCALATION OF THE AMOUNT OF*
20 *FINES.* – THE FINES HEREIN PRESCRIBED SHALL
21 AUTOMATICALLY INCREASE, WITHOUT NEED FOR
22 FURTHER LEGISLATION OR ADMINISTRATIVE
23 ISSUANCE, BY TEN PERCENT (10%) EVERY FIVE (5)
24 YEARS FROM THE EFFECTIVITY OF THIS ACT TO
25 MAINTAIN THE DETERRENT FUNCTION OF SUCH
26 FINES.

27 "SEC. 28.4. *DISPUTABLE PRESUMPTIONS*–
28 WITHOUT THE APPROPRIATE WILDLIFE PERMIT,
29 CERTIFICATION OR CLEARANCE, OR AUTHORITY, AT
30 THE TIME OF APPREHENSION, THE FOLLOWING
31 SHALL CONSTITUTE A PRESUMPTION THAT A
32 CORRESPONDING OFFENSE, PENALIZED UNDER THIS

1 ACT, HAS BEEN COMMITTED BY THE PERSON/S
2 INVOLVED:

3 "(A) POSSESSION OF ANY HUNTING, TRAPPING
4 OR COLLECTING PARAPHERNALIA ALONG WITH LIVE
5 OR DEAD WILDLIFE PRODUCTS AND DERIVATIVES
6 SHALL BE A DISPUTABLE PRESUMPTION THAT THE
7 POSSESSOR CAUSED THE KILLING AND/OR
8 DESTRUCTION, INFLICTION OF INJURY,
9 MALTREATMENT, COLLECTION, HUNTING OF
10 WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR
11 DERIVATIVES, AS APPROPRIATE;

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

23 "SEC. 28.5. *SEPARATE OFFENSES FOR EACH*
24 *SPECIES AND CIRCUMSTANCES FOR THE*
25 *IMPOSITION OF MAXIMUM PENALTY. – IN CASES*
26 *WHERE MORE THAN ONE (1) WILDLIFE SPECIES IS*
27 *COLLECTED, HUNTED, POSSESSED, TRANSPORTED OR*
28 *OTHERWISE INVOLVED IN CONNECTION WITH THE*
29 *VIOLATION OF THIS ACT, EACH WILDLIFE SPECIES*
30 *INVOLVED SHALL CONSTITUTE A SEPARATE AND*
31 *DISTINCT COUNT OF VIOLATION OF THIS ACT.*

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

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

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

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

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

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

26 **"(F) IF THE PROHIBITED ACT COMMITTED**
27 **INVOLVES THE INDUCEMENT OF INDIGEOUS**
28 **PEOPLES, THE MAXIMUM PENALTY SHALL BE**
29 **IMPOSED; AND,**

30 **"(G) IF AT THE TIME OF HIS OR HER TRIAL FOR**
31 **A VIOLATION OF THIS ACT, THE ACCUSED SHALL**
32 **HAVE BEEN PREVIOUSLY CONVICTED BY FINAL**

1 JUDGMENT OF THE SAME OR ANOTHER VIOLATION OF
2 THIS ACT, MAXIMUM PENALTY SHALL BE IMPOSED.

3 "SEC. 28.6. *LIABILITY UNDER OTHER LAWS.* –
4 PROSECUTION FOR VIOLATION OF THIS ACT SHALL
5 BE WITHOUT PREJUDICE TO THE PROSECUTION OF
6 THE OFFENDER FOR VIOLATION OF OTHER LAWS,
7 RULES AND REGULATIONS.

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

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

26 "SEC. 28.8. *WILDLIFE REGULATORY AND LAW*
27 *ENFORCEMENT MANAGEMENT INFORMATION*
28 *SYSTEM.* – DENR, DA, PCSD, AND BMG SHALL
29 DEVELOP, ESTABLISH, AND MAINTAIN THEIR
30 RESPECTIVE WILDLIFE LAW ENFORCEMENT
31 MANAGEMENT INFORMATION SYSTEM TO AID IN THE
32 MONITORING, REGULATION, CONTROL, AND

1 SURVEILLANCE OF ACTIVITIES INVOLVING
2 WILDLIFE. THESE SYSTEMS SHALL BE SO DESIGNED,
3 KEEPING IN MIND THE NEED FOR COORDINATION,
4 SUPPORT, INFORMATION SHARING AND
5 COORDINATIVE ACTION AMON DENR, DA, PCSD,
6 BMG, AND OTHER RELEVANT AGENCIES.

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

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

27 "IN RELATION WITH THIS SECTION, THE DENR,
28 DA, PCSD, AND BMG IS FURTHER AUTHORIZED TO
29 ORGANIZE THEIR RESPECTIVE ADJUDICATION
30 STRUCTURES OR DESIGNATE EXISTING STRUCTURES
31 TO IMPLEMENT THE ADJUDICATION AUTHORITY
32 PROVIDED IN THIS ACT, SHOULD THERE BE ANY.

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

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

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

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

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

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

17 Sec. 29. Section 29 of Republic Act No. 9147 is hereby amended to read as
18 follows:

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

30 **"The Fund shall [derive] BE DERIVED from**
31 **ADMINISTRATIVE fines imposed and damages awarded,**
32 **PROCEEDS FROM ALLOWABLE DISPOSITION OF**

1 **WILDLIFE, WILDLIFE BY-PRODUCTS AND**
2 **DERIVATIVES,** fees, charges, donations, endowments,
3 administrative fees or grants in the form of contributions,
4 **INCLUDING AWARD FOR COST OF REPARATION AND**
5 **RESTORATION OF AFFECTED RESOURCE.** Contributions
6 to the Fund shall be exempted from donor taxes and all other
7 taxes, charges or fees imposed by the government.

8 **"THE FUND SHALL BE EXCLUSIVELY UTILIZED**
9 **AS FOLLOWS:**

10 **"(A) THIRTY PERCENT (30%) FOR THE**
11 **MONITORING, ENFORCEMENT, AND PROSECUTION**
12 **ACTIVITIES ON TRAFFICKING OF WILDLIFE;**

13 **"(B) TWENTY PERCENT (20%) FOR THE**
14 **MAINTENANCE AND OPERATION OF RESCUE**
15 **CENTERS AND FOR THE REHABILITATION AND**
16 **RESTORATION OF HABITATS AFFECTED BY ACTS**
17 **COMMITTED IN VIOLATION OF THIS ACT;**

18 **"(C) TWENTY PERCENT (20%) FOR THE**
19 **PURCHASE, UPGRADE AND MAINTENANCE OF**
20 **VEHICLES, VESSELS, FIREARMS AND AMMUNITIONS,**
21 **COMMUNICATION AND OTHER EQUIPMENT USED FOR**
22 **THE MONITORING, CONTROL AND SURVEILLANCE OF**
23 **WILDLIFE SPECIES;**

24 **"(D) FIFTEEN PERCENT (15%) FOR THE**
25 **CAPACITY DEVELOPMENT OF WILDLIFE PERSONNEL,**
26 **DEPUTIZED LAW ENFORCEMENT AGENCIES AND**
27 **VOLUNTEERS, AND STAKEHOLDERS.**

28 Sec. 30. Section 30 of Republic Act No. 9147 is hereby amended to read as
29 follows:

30 **"Sec. 30. [~~Deputation of Wildlife Enforcement Officers~~]**
31 ***PERSONS AND DEPUTIES AUTHORIZED TO ENFORCE***
32 ***THE PENAL PROVISIONS OF THIS ACT.* – [~~The DENR~~]**

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

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

30 Sec. 31. Section 31 of Republic Act No. 9147 is hereby amended to read as
31 follows:

1 "Sec. 31. *Establishment of National Wildlife Research*
2 *Centers* **AND FORENSICS LABORATORY.** – The
3 [Secretary] **DENR AND DA, IN COORDINATION WITH**
4 **PCSD AND BMG,** shall establish national wildlife research
5 centers for terrestrial and aquatic species to lead in the
6 conduct of scientific researches on the proper strategies for
7 the conservation and protection of wildlife, including captive
8 breeding or propagation. **THE DENR, DA, PCSD, AND BMG**
9 **MAY ALSO ESTABLISH OR DESIGNATE FORENSICS**
10 **LABORATORIES FOR THE CONDUCT OF FORENSIC**
11 **ANALYSES AND OTHER RELATED CAPABILITIES FOR**
12 **WILDLIFE LAW ENFORCEMENT.** In this regard, the
13 [Secretary], **DENR, DA, PCSD, AND BMG** shall [encourage
14 ~~the participation of~~] **ESTABLISH PARTNERSHIPS WITH**
15 experts from academic [f] **AND** research institutions and
16 [~~wildlife industry~~] **THE PRIVATE SECTOR."**

17 Sec. 32. Section 32 of Republic Act No. 9147 is hereby amended to read as
18 follows:

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

1 THE NECESSARY AMOUNT NEEDED FOR THE
2 ESTABLISHMENT AND MAINTENANCE OF WILDLIFE
3 RESCUE CENTER.

4 "FOR THE FORFEITURE OF WILDLIFE UNDER
5 SEC. 28.9 AT SUCH VOLUMES THAT WILL BE
6 UNTENABLE FOR DENR, DA OR PCSD TO HOLD IN
7 RESCUE CENTERS, THE FACILITIES IN WHICH THE
8 WILDLIFE WAS FOUND, IF ADEQUATE, SHALL BE
9 TEMPORARILY TAKEN OVER BY THE AUTHORIZED
10 AGENCIES IN ORDER TO ENSURE THE CONTINUED
11 CARE OF SUCH WILDLIFE RESCUE CENTERS
12 MANAGED BY THE STATE OR ACCREDITED BY THE
13 STATE TO HOLD SUCH CONFISCATED WILDLIFE."

14 Sec. 33. Section 33 of Republic Act No. 9147 is hereby amended to read as
15 follows:

16 "Sec. 33. *Creation of Wildlife Traffic Monitoring Units.*
17 – The [~~Secretary~~], **DENR, DA, PCSD, AND BMG** shall create
18 a wildlife traffic monitoring units (**WTMUS**) in strategic air
19 and seaports all over the country to ensure the strict
20 compliance and effective implementation of all existing
21 wildlife laws, rules and regulations, including pertinent
22 international agreements. **FOR THIS PURPOSE, THE**
23 **DENR, DA, PCSD AND BMG ARE AUTHORIZED TO ADD**
24 **IN THEIR STAFFING PATTERN ENFORCEMENT**
25 **OFFICERS, TO BE ASSIGNED AT WTMUS.**

26 "Customs officers and/or other authorized government
27 representatives assigned at air or seaports who may have
28 intercepted wildlife commodities in the discharge of their
29 official functions shall [~~, prior to further disposition thereof,~~
30 ~~secure a clearance from~~] **TURN OVER INTERCEPTED**
31 **WILDLIFE, BY-PRODUCTS AND DERIVATIVES TO** the
32 wildlife traffic monitoring unit assigned in the area, **OR THE**

1 **COMMUNITY ENVIRONMENT AND NATURAL**
2 **RESOURCES OFFICE (CENRO) SHOULD THE WILDLIFE**
3 **TRAFFIC MONITORING UNIT BE NOT AVAILABLE OR**
4 **NOT YET ORGANIZED IN THE SAID PORT OR**
5 **AIRPORT.”**

6 Sec. 34. Section 34 of Republic Act No. 9147 is hereby amended to read as
7 follows:

8 “Sec. 34. *Exemption from Taxes.* – Any donation,
9 contribution, **GRANT**, bequest, subsidy or financial aid which
10 may be made to the [~~Department of Environment and Natural~~
11 ~~Resources or to the Department of Agriculture~~] **DENR, DA,**
12 **PCSD, BMG,** and to NGOs **AND PEOPLES**
13 **ORGANIZATIONS** engaged in wildlife conservation,
14 **PROTECTION AND LAW ENFORCEMENT** duly registered
15 with the Securities and Exchange Commission **OR THE**
16 **COOPERATIVE DEVELOPMENT AUTHORITY**, as certified
17 by the local government unit, the [~~Department of~~
18 ~~Environment and Natural Resources or the Department of~~
19 ~~Agriculture~~] **DENR, DA, PCSD OR BMG**, for the conservation
20 and protection of wildlife resources and their habitats shall
21 constitute as an allowable deduction from the taxable income
22 of the donor and shall be exempt from donor’s tax.”

23 Sec. 35. Section 35 of Republic Act No. 9147 is hereby amended to read as
24 follows:

25 “Sec. 35. *Flagship Species.* – Local government units
26 shall initiate conservation measures for [~~endemic~~] **WILDLIFE**
27 species in their areas. For this purpose, they may adopt
28 flagship species such as the Cebu black shama (*copsychus*
29 *cebuensis*), tamaraw (*bubalus mindorensis*), Philippine tarsier
30 (*tarsius syrichta*), Philippine teak (*tectona philippinensis*),
31 which shall serve as emblems of conservation for the local
32 government concerned. **THE DENR, DA, PCSD, AND BMG**

1 **MAY PROVIDE GUIDELINES ON THE SELECTION OF**
2 **FLAGSHIP SPECIES.”**

3 Sec. 36. Insert a new section after Section 35 of Republic Act No. 9147 is which
4 shall read as follows:

5 **“SEC. 35.1. HERITAGE TREES. – IN**
6 **COORDINATION WITH AND WITH ASSISTANCE FROM**
7 **THE DENR, PCSD OR BMG-MENRE, LOCAL**
8 **GOVERNMENT UNITS SHALL DECLARE OR DESIGNATE**
9 **AS HERITAGE TREES CERTAIN QUALIFIED ENDEMIC**
10 **OR INDIGENOUS TREE SPECIES WITHIN THEIR**
11 **TERRITORIAL JURISDICTION. THE DENR, PCSD OR**
12 **BMG OR THEIR AUTHORIZED REPRESENTATIVES MAY**
13 **PROVIDE GUIDELINES ON THE SELECTION OF**
14 **HERITAGE TREES AND PROVIDE FOR THEIR**
15 **PROTECTION AND THE PROPAGATION OF SEEDS AND**
16 **WILDLINGS.”**

17 Sec. 37. Section 36 of Republic Act No. 9147 is hereby amended to read as
18 follows:

19 **“Sec. 36. REGULATION OF *Botanical Gardens,***
20 ***Zoological Parks and Other Similar Establishments.* – The**
21 **[Secretary] DENR, DA, PCSD, AND BMG shall regulate the**
22 **establishment, operation and maintenance of botanical**
23 **gardens, zoological parks and other similar establishments for**
24 **recreation, education and conservation THROUGH THE**
25 **ISSUANCE OF CLEARANCE TO OPERATE, THE DENR,**
26 **DA, PCSD, AND BMG SHALL LIKEWISE PROMULGATE**
27 **REGULATIONS FOR SUCH PURPOSE.”**

28 Sec. 38. Insert a new section after Section 36 of Republic Act No. 9147 which
29 shall read as follows:

30 **“SEC. 36.1. REGISTRATION OF MUSEUM**
31 **SPECIMENS. – EXCEPT FOR THE NATIONAL MUSEUM,**
32 **ALL OTHER MUSEUMS AND SIMILAR**

1 **ESTABLISHMENTS DISPLAYING WILDLIFE BY-**
2 **PRODUCTS AND DERIVATIVES FOR PUBLIC VIEWING**
3 **SHALL REGISTER SAID SPECIMENS WITH THE DENR,**
4 **DA, PCSD OR BMG AS THE CASE MAY BE. THE DENR,**
5 **DA, PCSD, AND BMG SHALL PROMULGATE RULES AND**
6 **REGULATIONS FOR SUCH PURPOSE.**

7 Sec. 39. Section 37 of Republic Act No. 9147 is hereby amended to read as
8 follows:

9 "Sec. 37. *Implementing Rules and Regulations.* –
10 Within [~~twelve (12)~~] **SIX (6)** months following the effectivity
11 of this Act, [~~secretaries of the Department of Environment and~~
12 ~~Natural Resources and the Department of Agriculture, in~~
13 ~~coordination with the Committees on Environment and~~
14 ~~Ecology of the Senate and the House of Representatives,~~
15 ~~respectively,]~~ **THE DENR, DA, PCSD, AND BMG** shall
16 **JOINTLY** promulgate [~~respective~~] **THE IMPLEMENTING**
17 rules and regulations for the effective implementation of this
18 Act. Whenever appropriate, coordination in the preparation
19 and implementation of rules and regulations on joint and
20 inseparable issues shall be done by [~~both Departments~~] **THE**
21 **DENR, DA, PCSD, AND BMG.** The commitments of the
22 State to international agreements and protocols shall likewise
23 be a consideration in the implementation of this Act."

24 Sec. 40. Section 38 of Republic Act No. 9147 is hereby amended to read as
25 follows:

26 "Sec. 38. *Appropriations.* – The amount necessary to
27 initially implement the provisions of this Act shall be charged
28 against the **RESPECTIVE** appropriations of the [~~Department~~
29 ~~of Environment and Natural Resources]~~ **DENR, DA, PCSD,**
30 **AND BMG** in the current General Appropriations Act.
31 Thereafter, such sums as may be necessary to fully implement
32 the provisions of this Act shall be included **IN THE**

1 **RESPECTIVE APPROPRIATIONS OF THE DENR, DA,**
2 **PCSD, AND BMG, AS APPLICABLE,** in the annual General
3 Appropriations Act.”

4 Sec. 41. Insert a new section after Section 38 of Republic Act No. 9147 which
5 shall read as follows:

6 **“SEC. 38.1. CONSTRUCTION. – THE**
7 **PROVISIONS OF THIS ACT SHALL BE LIBERALLY**
8 **CONSTRUED IN FAVOR OF THE CONSERVATION AND**
9 **PROTECTION OF WILDLIFE SPECIES AND THEIR**
10 **HABITATS TOWARDS THE PROMOTION OF**
11 **ECOLOGICAL BALANCE AND ENHANCEMENT OF**
12 **BIOLOGICAL DIVERSITY.”**

13 Sec. 42. *Separability Clause.* – If any provision or part hereof is held invalid or
14 unconstitutional, the remainder of the law or the provision or part not otherwise
15 affected shall remain valid and subsisting.

16 Sec. 43. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or
17 parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

18 Sec. 44. *Effectivity.* – This Act shall take effect fifteen (15) days after its
19 publication in the *Official Gazette* or in two (2) newspapers of general circulation.

Approved,