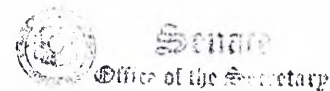


NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



'22 JUL 25 P2 :04

SENATE
S. No. 851

RECEIVED BY

Introduced by SENATOR RAMON BONG REVILLA, JR.

**AN ACT
ESTABLISHING AN "ADOPT-A-WILDLIFE SPECIES PROGRAM" AND
PROVIDING INCENTIVES THEREFOR**

EXPLANATORY NOTE

Republic Act No. 9147, otherwise known as the "Wildlife Resources Conservation and Protection Act," declared as State policy the conservation of the country's wildlife resources and their habitats for sustainability. Republic Act No. 11038 or the Expanded National Integrated Protected Areas System Act, meanwhile aimed to secure for the Filipino people of present and for future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas. These laws were among the significant domestic legal measures which guarantee the protection and preservation of our natural and biological resources.

This proposed measure seeks to add to and strengthen the abovementioned legislation by encouraging the active participation, involvement and assistance of the private sector, non-government organizations, private individuals, and civil society groups, among others, in the nature conservation and protection efforts, specifically under an adoption program.

It builds on the policy of the Department of Environment and Natural Resources (DENR) as embodied under Administrative Order No. 2010-16 which established the Adopt-A-Wildlife Species Program and provided the governing guidelines therefor. Under that program, adopting entities or individuals may: a)

support conservation projects through direct implementation of wildlife conservation project; b) provide financial resources for, and commission to an implementer, the implementation of the chosen conservation project; or c) make direct financial contributions to an existing wildlife species conservation program managed or duly recognized by the DENR.


This bill establishes the general terms and framework of the species adoption program. This has been previously approved on Third Reading by the House of Representatives on three consecutive Congresses – 14th, 15th and 16th Congresses.

In light of the Philippines being one of the mega-biodiverse countries in the world containing two-thirds of the Earth's animal and plant species, and also being one of the world's biodiversity hotspots with at least 700 threatened species, the passage of this bill is highly recommended.


RAMON BONG REVILLA, JR.

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

1 Section 1. *Short Title.* - This Act shall be known as the "*Adopt-a-Wildlife Species*
2 *Act*".

3 Sec. 2. *Adopt-a-Wildlife Species Program.* - There is hereby established an
4 "Adopt-a-Wildlife Species Program", which shall encourage the adoption of wildlife
5 species by local communities under guidelines to be jointly promulgated by the
6 Department of Environment and Natural Resources (DENR), the Department of
7 Agriculture (DA), the Department of Finance (DOF), and the Palawan Council for
8 Sustainable Development (PCSD). The program shall be implemented in all
9 appropriate areas of the country with the active participation, involvement and
10 assistance of the local government units (LGUs), non government organizations
11 (NGOs), people's organizations (POs), civil society groups and private individuals.

12 The program shall pursue the following objectives:

- 13 a) To conserve, protect and enhance biological diversity, and promote
14 ecological balance and sustainable development;
- 15 b) To prevent species extinction and promote the protection of threatened
16 species and their habitats;

- 1 c) To encourage the conservation of threatened species and their habitats
2 through the active participation of the private sector and all other sectors
3 of society; and
4 d) To raise the level of awareness and stimulate public action in protecting the
5 environment and conserving the country's biological resources.

6 Sec. 3. *Memorandum of Agreement.* – A Memorandum of Agreement (MOA)
7 stipulating the terms and conditions of the adoption shall be executed by and between
8 the entity or individual and the Secretary of the DENR, or the Secretary of the DA or
9 the Chairperson of the PCSD, or their duly authorized representatives, whichever
10 government agency has jurisdiction over the selected wildlife species, in accordance
11 with Republic Act No. 9147 or the Wildlife Resources Conservation and Protection Act.

12 The above parties, in preparing the MOA and in deciding the terms and
13 conditions therein, shall consider the following:

- 14 a) The most efficient and effective use of available resources for the
15 conservation and protection of threatened species and their habitat;
16 b) The minimization of any significant adverse social and economic
17 consequences;
18 c) The measures by which the public may cooperate in the conservation of a
19 threatened species and/or its habitat;
20 d) The special interest or knowledge that indigenous people may have in the
21 species and habitat concerned; and
22 e) The acquisition of expert and professional assistance.

23
24
25 The MOA shall, among others:

- 26 1) Identify the threatened species and/or its habitat that will be covered by
27 the program;
28 2) Identify any process or processes that threaten the species and/or its
29 habitat;
30 3) Specify measures to be undertaken to ensure the conservation and
31 protection of the threatened species and/or its habitat;

1 4) Enumerate baselines and performance indicators that are to be used in
2 evaluating the conservation and protection of the threatened species and/or
3 its habitat; and

4 5) Identify the private organizations or individuals and/or public authorities
5 who may be involved in the implementation of the measures included in the
6 MOA.

7 The MOA shall be effective for at least two (2) years, which period may be
8 extended upon mutual agreement of the parties: *Provided*, That such period may be
9 shortened in the event the adopting entity is dissolved or the adopting individual dies
10 without any willing and qualified successor before the expiration of the contract period,
11 unless the MOA is earlier terminated in accordance with Section 5 hereof: *Provided*,
12 *further*, That if the adopting entity or individual chooses to assign the implementation
13 of the program to another qualified entity or individual, such assignment shall be in
14 writing and must be approved by the head of the government agency concerned or
15 the person's duly authorized representative.

16 *Sec. 4. National Technical Committee and Regional Monitoring Committee. –*
17 The Secretary of the DENR and the Secretary of the DA shall establish in their
18 respective agencies the following committees:

19 a) A National Technical Committee (NTC) composed of ranking officials and
20 experts in the field of wildlife conservation and management, including
21 representatives from the private sector who are engaged in biodiversity
22 conservation, to formulate the design and mechanics of the implementation
23 of the program. The NTC shall likewise meet once every three (3) months
24 or as often as necessary to process project proposals submitted by parties
25 interested in participating in the program, and submit appropriate
26 recommendations to the concerned government agency head; and

27 b) A Regional Monitoring Committee (RMC) composed of ranking regional
28 officials down to the provincial and municipal/community levels, to conduct
29 periodic monitoring and evaluation of the performance of the adopting
30 entity or individual, the results of which shall be the basis in granting the
31 tax exemption to the adopting entity or individual mandated under Section
32 6 hereof, or in pre-terminating the MOA when deemed appropriate, in cases

1 of abandonment or insolvency of the adopting entity or individual or for
2 serious violation of the MOA.

3 *Sec. 5. Obligations of the Adopting Entity or Individual.* - The adopting entity
4 or individual shall be obligated to:

- 5 a) Comply strictly with the terms and conditions stipulated in the MOA
6 undertaken pursuant to Section 3 hereof; and
7 b) Perform such other obligations or undertakings as may be required by the
8 national government agency which has jurisdiction over the subject wildlife
9 species consistent with Republic Act No. 9147.

10 *Sec. 6. Tax Exemption.* - Any donation, contribution, bequest or grant which
11 shall be made to the "Adopt-a-Wildlife Species Program" by the adopting entity or
12 individual shall be exempt from the donor's tax and the same shall be considered as
13 allowable deduction from gross income in the computation of the donor's income tax,
14 in accordance with the provisions of the National Internal Revenue Code of 1997, as
15 amended.

16 *Sec. 7. Information Campaign.* - The DENR shall publish a list of wildlife species
17 to be included in the program and, in coordination with the Department of the Interior
18 and Local Government (DILG), shall be responsible in disseminating the information
19 about the program through the media and the LGUs.

20 *Sec. 8. Appropriations.* - The amount necessary for the initial implementation
21 of this Act shall be charged against the current year's appropriations of the DENR, the
22 DA, and the PCSD. Thereafter, such amounts as may be necessary for its continued
23 implementation shall be included in the annual General Appropriations Act.

24 *Sec. 9. Implementing Rules and Regulations.* - Within sixty (60) days from
25 the effectivity of this Act, the Secretary of the DENR, the Secretary of the DA, and the
26 Chairperson of the PCSD, or their duly authorized representatives, shall, in
27 consultation with the DOF, jointly formulate the rules and regulations to implement
28 the relevant provisions of this Act.

29 *Sec. 10. Separability Clause.* - If any provision or part hereof is held invalid or
30 unconstitutional, the remainder of the law or the provision or part not otherwise
31 affected shall remain valid and subsisting.

1 Sec. 11. *Repealing Clause.* – Any law, presidential decree or issuance, executive
2 order, letter of instruction, administrative order, rule, or regulation contrary to or
3 inconsistent with the provisions of this Act are hereby repealed, modified, or amended
4 accordingly.

5 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
6 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,