

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



23 APR 17 P2:42

SENATE
S. No. 2073

RECEIVED BY: _____

Introduced by Senator Jinggoy Ejercito Estrada

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

EXPLANATORY NOTE

The Department of Environment and Natural Resources (DENR) launched the "Adopt-A-Wildlife Species Program" in 2010 in line with the State policy set forth in Republic Act No. 9147 otherwise known as the "Wildlife Resources Conservation and Protection Act" to "conserve the country's wildlife resources and their habitats for sustainability". The creation of the said program and the guidelines for its implementation are provided under DENR Administrative Order No. 2010-16. The program established partnership with local government units, civil society groups, and interested individuals in:


- a) ensuring the perpetuity of threatened species and protection of their habitats in order to achieve downgrading of category or eventual removal from the threatened list;
- b) effectively conserving and protecting threatened wildlife species and their habitats through the active participation of stakeholders to help promote biodiversity conservation and prevent species extinction;
- c) providing opportunities to private entities and individuals to assist the government in the enforcement the Wildlife Act; and,

- d) raising the level of awareness and stimulating public action in protecting the environment and conserving the country's biological resources.

According to the DENR in 2022,¹ there are 984 threatened flora species and 1,106 threatened fauna species. Along with this, the country remains as a biodiversity hotspot because of human-induced destruction of the habitat. This fact is confirmed by Conservation International which stated that the Philippines hosts over two-thirds of the plant and animal species in the planet, at least 20,000 of which cannot be found anywhere else. However, various destructive human activities such as unsustainable fishing and illegal wildlife trafficking continue to push the country's wildlife to the edge of collapse.²

The *"Adopt-a-Wildlife Species Act"* seeks to institutionalize through legislation the initiative of the DENR and provide a more sustainable operationalization for wider participation of various stakeholders both from the public and the private sector. To ensure the proper and proactive implementation of the law, the bill proposes the creation of National Technical Committee and Regional Monitoring Committee within the DENR and the Department of Agriculture. Similar to the Program implemented by the DENR, this piece of legislation also seeks to provide tax incentives to the adopting entity or individual under the Program.

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



JINGGOY EJERCITO ESTRADA

¹ [SPEECH OF ACTING SECRETARY JIM O. SAMPULNA \(2022 World Wildlife Day Celebration, 03 March 2022\) \(denr.gov.ph\)](#)

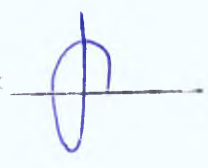
² [Protecting biodiversity in the Philippines \(conservation.org\)](#)

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AN ACT
ESTABLISHING AN "ADOPT-A-WILDLIFE SPECIES PROGRAM" AND
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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), and the Department of Finance (DOF). The Program shall be
8 implemented in all appropriate areas of the country with the active participation,
9 involvement and assistance of the local government units (LGUs), nongovernment
10 organizations (NGOs), people's organizations (POs), civil society groups and private
11 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 their duly authorized representatives, whichever government agency has jurisdiction
10 over the selected wildlife species, in accordance with Republic Act No. 9147 or the
11 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 The MOA shall, among others:

- 24 1) Identify the threatened species and/or its habitat that will be covered by
25 the Program;
26 2) Identify any process or processes that threaten the species and/or its
27 habitat;
28 3) Specify measures to be undertaken to ensure the conservation and
29 protection of the threatened species and/or its habitat;
30 4) Enumerate baselines and performance indicators that are to be used in
31 evaluating the conservation and protection of the threatened species and/or
32 its habitat; and

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

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

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

- 16 a) A National Technical Committee (NTC) composed of ranking officials and
17 experts in the field of wildlife conservation and management, including
18 representatives from the private sector who are engaged in biodiversity
19 conservation, to formulate the design and mechanics of the implementation
20 of the Program. The NTC shall likewise meet once every three (3) months
21 or as often as necessary to process project proposals submitted by parties
22 interested in participating in the Program, and submit appropriate
23 recommendations to the concerned government agency head; and
- 24 b) A Regional Monitoring Committee (RMC) composed of ranking regional
25 officials down to the provincial and municipal/community levels, to conduct
26 periodic monitoring and evaluation of the performance of the adopting
27 entity or individual, the results of which shall be the basis in granting the
28 tax exemption to the adopting entity or individual mandated under Section
29 6 hereof, or in pre-terminating the MOA when deemed appropriate, in cases
30 of abandonment or insolvency of the adopting entity or individual or for
31 serious violation of the MOA.

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

3 a) Comply strictly with the terms and conditions stipulated in the MOA
4 undertaken pursuant to Section 3 hereof; and

5 b) Perform such other obligations or undertakings as may be required by the
6 national government agency which has jurisdiction over the subject wildlife
7 species consistent with Republic Act No. 9147.

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

14 *Sec. 7. Additional Incentives and Awards.* – To attract and encourage wider
15 participation from the various sectors of society, additional incentives and awards may
16 be provided by the government to deserving participants of the Program.

17 *Sec. 8. Information Campaign.* – The DENR shall publish a list of wildlife species
18 to be included in the Program and, in coordination with the Department of the Interior
19 and Local Government (DILG), shall be responsible in disseminating the information
20 about the Program through the media and the LGUs.

21 *Sec. 9. Appropriations.* – The amount necessary for the initial implementation
22 of this Act shall be charged against the current year’s appropriations of the DENR and
23 the DA. Thereafter, such amounts as may be necessary for its continued
24 implementation shall be included in the annual General Appropriations Act.

25 *Sec. 10. Implementing Rules and Regulations.* – Within sixty (60) days from
26 the effectivity of this Act, the DENR and the DA shall, in consultation with the DOF,
27 jointly formulate the rules and regulations to implement the relevant provisions of this
28 Act.

29 *Sec. 11. 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. 12. *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. 13. *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,