

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 4377



INTRODUCED BY REPRESENTATIVES
EVELINA G. ESCUDERO
and
MARIA VIDA ESPINOSA BRAVO

EXPLANATORY NOTE

Public interest in animal rights has intensified dramatically in the past years. Serious efforts by animal welfare advocates to prevent animal cruelty had paved the way for the enactment of Republic Act No. 8485. This was the Animal Welfare Act of 1998.

The purpose of the said law is to protect and promote the welfare of all animals in the Philippines. Animal cruelty is a repulsive act against some of the most vulnerable members of society. Consistent with this objective, RA No. 8485 provides penalties for violation of any provisions of said law including torture, neglect and maltreatment of animals.

However, there are still reports that high incidence of cruelty to animals, especially to dogs, man's best friend, continues to exist. Last September 15, 2016, it was reported in several news networks (print, online, television) that the Philippine National Police (PNP) and Network for Animals, a non-government organization (NGO), found in a vacant lot in Barangay San Roque, San Pedro, Laguna, four hundred (400) kilos of dog meat. The NGO received a tip that dogs are being butchered in the area to be sold in Baguio City. Dogs are sold from P10.00 to P100.00 depending on the size of the dog. Dog meat are said to sell at P140.00 per kilo.

Under RA No. 8485 as amended, violators of any provisions of said law shall be punished by imprisonment ranging from six (6) months to three (3) years or a fine ranging from Thirty thousand pesos (P30,000.00) to Two Hundred Fifty thousand pesos (P250,000.00), or both at the discretion of the court.

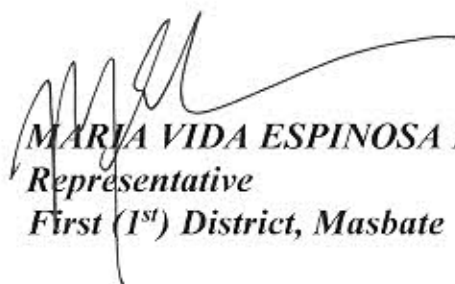
It is submitted that the penalties imposed under the present law are not enough to deter the commission of prohibited acts.

This bill seeks to put more teeth to the law by imposing stiffer penalties to violators. Also under this proposal, violators shall not benefit from Presidential Decree No. 968 or the Probation Law, if the animal subjected to cruelty dies, as the penalty thereof is raised to more than 6 years imprisonment.

With this measure, it is hoped that the incidence of animal cruelty may not just be decreased, but be totally eliminated. It is in this view that the immediate passage of the bill is earnestly sought.



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AN ACT
INCREASING THE PENALTIES FOR ANIMAL
CRUELTY, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 8485 ENTITLED, OTHERWISE
KNOWN AS THE “ANIMAL WELFARE ACT OF 1998,”
AS AMENDED, AND FOR OTHER PURPOSES

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

SECTION 1. *Increasing the Penalties Against Animal Cruelty.* -

Section 9 of Republic Act 8485, as amended, is further amended to read as follows:

Section 9. Any person who subjects any animal to cruelty, maltreatment or neglect shall, upon conviction by final judgment, be punished by imprisonment and/or fine, as indicated in the following graduated scale:

- 1) Imprisonment of [~~one (1) year and six (6) months and~~
~~one (1) day to two years~~] **SIX (6) YEARS AND SIX**
(6) MONTHS AND ONE (1) DAY TO EIGHT (8)

YEARS and/or fine not exceeding [~~One hundred thousand pesos (P100,000.00)~~] **FIVE HUNDRED THOUSAND PESOS (P500,000.00)** if the animal subjected to cruelty, maltreatment, or neglect dies;

2) Imprisonment of [~~one (1) year and one (1) day to one (1) year and six (6) months~~] **THREE (3) YEARS AND SIX (6) MONTHS AND ONE (1) DAY TO SIX (6) YEARS** and/or a fine not exceeding [~~Fifty thousand pesos (P50,000.00)~~] **THREE HUNDRED FIFTY PESOS (P350,000.00)** if the animal subjected to cruelty, maltreatment or neglect survives but is severely injured with loss of its natural faculty to survive on its own and needing human intervention to sustain its life; and

3) Imprisonment of [~~six (6) months to one (1) year~~] **THREE (3) YEARS AND SIX MONTHS AND (1) DAY** and/or fine not exceeding [~~Thirty thousand pesos (P30,000.00)~~] **TWO HUNDRED FIFTY THOUSAND PESOS (P250,000.00)** for subjecting any animal to cruelty, maltreatment or neglect but without causing its death or incapacitating it to survive on its own.

SECTION 2. *Separability Clause.* - If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected thereby shall remain in full force and effect.

1 **SECTION 3. *Repealing Clause.*** - All laws, acts, decrees, executive
2 orders, issuances, and rules and regulations or parts thereof which are contrary
3 to and inconsistent with this Act are hereby repealed, amended or modified
4 accordingly.

5 **SECTION 4. *Effectivity.*** - This Act shall take effect after fifteen (15)
6 days from its publication in at least two (2) national newspapers of general
7 circulation.

APPROVED.