

SEVENTEENTH CONGRESS
Second Regular Session

6296

EXPLANATORY NOTE

(1) Conserve and protect wildlife species and their habitats to promote ecological balance and enhance biological diversity;

(3) Pursue, with due regard to the national interest, the Philippine commitment to international conventions, protection of wildlife and their habitats; and

This House Bill seeks to protect and conserve the country's wildlife resources and their habitats for sustainability and continuity. Increasing its penalties and sanctions for all violations thereof.

Thus, the early passage of this bill is earnestly requested.

MICHAEL L. ROMERO Ph.D.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. **6296**

Introduced by REP. Michael L. Romero

AN ACT

AMENDING REPUBLIC ACT NO. 9147 OTHERWISE KNOWN AS THE
"**WILDLIFE RESOURCES CONSERVATION AND PROTECTION
ACT**", TO ADOPT A MORE COMPREHENSIVE AND EFFECTIVE
POLICY TO CONSERVE AND PROTECT THE COUNTRY'S WILDLIFE
RESOURCES AND THEIR HABITATS FOR SUSTAINABILITY,
PROVIDING STIFFER PENALTIES AND SANCTIONS, AND FOR
OTHER PURPOSES

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

SECTION 1.

Section 28 of Chapter V of Republic Act No. 9147, is hereby amended to
read as follows:

CHAPTER V

Fines and Penalties

SECTION 28. Penalties for Violations of this Act — For any person who
undertakes illegal acts under paragraph (a) of the immediately

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

(a) imprisonment of a minimum of six (6) years and one (1) day to twelve (12) years and/or a fine of not less than Three hundred thousand pesos (**P300,000.00**) to One million pesos (1,000,000.00), if inflicted or undertaken against species listed as critical;

(b) imprisonment of four (4) years and one (1) day to six (6) years and/or a fine of not less than One hundred fifty thousand pesos (**P150,000.00**) to Five hundred thousand pesos (P500,000.00), if inflicted or undertaken against endangered species;

(c) imprisonment of two (2) years and one (1) day to four (4) years and/or a fine of not less than One hundred thousand pesos (**P100,000.00**) to Four hundred thousand pesos (**P400,000.00**), if inflicted or undertaken against vulnerable species;

(d) imprisonment of one (1) year and one (1) day to two (2) years and/or a fine of not less than Fifty thousand pesos (**P50,000.00**) to Three hundred thousand pesos (**P300,000.00**), if inflicted or undertaken against other threatened species; and

(e) imprisonment of six (6) months and one (1) day to one (1) year and/or a fine of not less than Fifty thousand pesos (**P50,000.00**) to Two hundred thousand pesos (**P200,000.00**), if inflicted or undertaken against other wildlife species.

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

(a) imprisonment of a minimum of four (4) years and one (1) day to six (6) years and/or a fine of not less than One hundred fifty thousand pesos (**P150,000.00**) to Five hundred thousand pesos

(P500,000.00), if inflicted or undertaken against species listed as critical;

(b) imprisonment of two (2) years and one (1) day to four (4) years and/or a fine of not less than One hundred thousand pesos (**P100,000.00**) to Two hundred thousand pesos (P200,000.00), if inflicted or undertaken against endangered species;

(c) imprisonment of one (1) year and one (1) day to two (2) years and/or a fine of not less than Fifty thousand pesos (**P50,000.00**) to Two hundred thousand pesos (P200,000.00), if inflicted or undertaken against vulnerable species;

(d) imprisonment of six (6) months and one (1) day to one (1) year and/or a fine of not less than Fifty thousand pesos (**P50,000.00**) to One Hundred Fifty thousand pesos (**P150,000.00**), if inflicted or undertaken against other threatened species; and

(e) imprisonment of one (1) month to six (6) months and/or a fine of not less than Twenty thousand pesos (**P20,000.00**) to One hundred thousand pesos (**P100,000.00**), if inflicted or undertaken against other wildlife species.

For illegal acts under paragraphs (c) and (d) of the immediately preceding section, an imprisonment of one (**1**) year to eight (8) years and/or a fine of not less than Three hundred thousand pesos (**P300,000.00**) to Five million pesos (P5,000,000.00) shall be imposed.

For illegal acts under paragraph (e), the following penalties and/or fines shall be imposed:

(a) imprisonment of two (2) years and one (1) day to six (**6**) years and/or a fine of not less than One hundred fifty thousand pesos

(P150,000.00) to Four hundred thousand pesos **(P400,000.00)**, if inflicted or undertaken against species listed as critical;

(b) imprisonment of one (1) year and one (1) day to three **(3)** years and/or a fine of not less than One hundred thousand pesos **(P100,000.00)** to Three hundred thousand pesos **(P300,000.00)** if inflicted or undertaken against endangered species;

(c) imprisonment of six (6) months and one (1) day to two **(2)** years and/or a fine of not less than Fifty thousand pesos **(P50,000.00)** to Two hundred thousand pesos **(P200,000.00)**, if inflicted or undertaken against vulnerable species;

(d) imprisonment of three **(3)** months and one (1) day to one **(1)** year and/or a fine of not less than Thirty thousand pesos **(P30,000.00)** to One hundred thousand pesos **(P100,000.00)**, if inflicted or undertaken against species listed as other threatened species; and

(e) imprisonment of one **(1)** month to six **(6)** months and/or a fine of not less than Twenty thousand pesos **(P20,000.00)** to Fifty thousand pesos **(P50,000.00)**, if inflicted or undertaken against other wildlife species.

For illegal acts under paragraphs (f) and (g) of the immediately preceding section, the following penalties and/or fines shall be imposed:

(a) imprisonment of two (2) years and one (1) day to six **(6)** years and a fine of not less than One hundred fifty thousand pesos **(P150,000.00)** to Four hundred thousand pesos **(P400,000.00)**, if inflicted or undertaken against species listed as critical;

(b) imprisonment of one (1) year and one (1) day to three (3) years and a fine of not less than One hundred thousand pesos (**P100,000.00**) to Three hundred thousand pesos (**P300,000.00**), if inflicted or undertaken against endangered species;

(c) imprisonment of six (6) months and one (1) day to two (2) years and a fine of not less than Fifty thousand pesos (**P50,000.00**) to Two hundred thousand pesos (**P200,000.00**), if inflicted or undertaken against vulnerable species;

(d) imprisonment of three (3) months and one (1) day to one (1) year and a fine of not less than Thirty thousand pesos (**P30,000.00**) to One hundred thousand pesos (**P100,000.00**), if inflicted or undertaken against species listed as other threatened species; and

(e) imprisonment of one (1) month to six (6) months and a fine of not less than Twenty thousand pesos (**P20,000.00**) to Fifty thousand pesos (**P50,000.00**), if inflicted or undertaken against other wildlife species;

Provided, That in case of paragraph (f), where the acts were perpetuated through the means of inappropriate techniques and devices, the maximum penalty herein provided shall be imposed.

For illegal acts under paragraphs (h) and (i) of the immediately preceding section, the following penalties and/or fines shall be imposed:

(a) imprisonment of one (1) year and one (1) day to three (3) years and a fine of not less than One hundred thousand pesos (**P100,000.00**) to Two hundred thousand pesos (**P200,000.00**), if inflicted or undertaken against species listed as critical species;

(b) imprisonment of six **(6)** months and one (1) day to two **(2)** years and a fine of not less than Fifty thousand pesos **(P50,000.00)** to One hundred fifty thousand pesos **(P150,000.00)**, if inflicted or undertaken against endangered species;

(c) imprisonment of three **(3)** months and one (1) day to one **(1)** year and a fine of not less than Fifty thousand pesos **(P50,000.00)** to One hundred thousand pesos **(P100,000.00)**, if inflicted or undertaken against vulnerable species;

(d) imprisonment of one **(1)** month to six **(6)** months and a fine of not less than Thirty thousand pesos **(P30,000.00)** to Fifty thousand pesos **(P50,000.00)** if inflicted or undertaken against species listed as other threatened species;

(e) imprisonment of one **(1)** month to three **(3)** months and a fine of not less than Ten thousand pesos **(P10,000.00)** to Twenty thousand pesos **(P20,000.00)**, if inflicted or undertaken against other wildlife species.

All wildlife, its derivatives or by-products, and all paraphernalia, tools and conveyances used in connection with violations of this Act, shall be ipso facto forfeited in favor of the government;

Provided, That where the ownership of the aforesaid conveyances belong to third persons who has no participation in or knowledge of the illegal acts, the same may be released to said owner.

The apprehending agency shall immediately cause the transfer of all wildlife that have been seized or recovered to the nearest Wildlife Rescue Center of the Department in the area.

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

The fines herein prescribed shall be increased by at least ten percent (10%) every Five **(5)** years to compensate for inflation and to maintain the deterrent function of such fines.

SECTION 2. TRANSITORY PROVISION – Existing industries, businesses and offices affected by the implementation of this Act shall be given six **(6)** months transitory period from the effectivity of the IRR or such other period as may be determined, to comply with the requirements of this Act.

SECTION 3. IMPLEMENTING RULES AND REGULATIONS. – The departments and agencies charged with carrying out the provisions of this Act shall, within sixty **(60)** days after the effectivity of this Act, formulate the necessary rules and regulations for its effective implementation.

SECTION 4. REPEALING CLAUSE. – All laws, decrees, executive orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 5. SEPARABILITY CLAUSE. – If, for any reason, any section or provision of this Act is held unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 6. EFFECTIVITY CLAUSE. – This Act shall take effect after fifteen (15) days from its publication in the Official Gazette or in at least two (2) national newspapers of general circulation whichever comes earlier.

Approved,