

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

House Bill No. 9410



Introduced by Hon. Robert Ace S. Barbers

**AN ACT AMENDING CERTAIN PROVISIONS OF REPUBLIC ACT NO. 9147,
OTHERWISE KNOWN AS THE “WILDLIFE RESOURCES CONSERVATION AND
PROTECTION ACT,” BY INCREASING THE PENALTIES PROVIDED AND FOR
OTHER PURPOSES**

EXPLANATORY NOTE

The Philippines is a megadiverse country hosting a vast collection of plants and animals, of which many species are found nowhere else in the world. Consequently, this puts the country in the map as a hotspot for illegal wildlife trade.

Data from the Department of Environment and Natural Resources- Biodiversity Management Bureau (DENR-BMB) showed that enforcement officers were able to confiscate more than 26,700 different species of animals, with an estimated market value of P184.9 million pesos, from wildlife traffickers between 2013 and 2018.

In April 2021, government authorities seized roughly 200 tons of giant clam shells worth P1.2 billion pesos in one of their task force operations in the island of Palawan.

The estimated loss due to illegal wildlife trade is P50 billion pesos per year according to experts at DENR. This amount includes the market value of wildlife and its resources, their ecological role and value, the cost of habitat damage during poaching and losses in potential ecotourism revenues.

Republic Act No. 9147, otherwise known as the “Wildlife Resources Conservation and Protection Act,” is currently enforced to protect wildlife resources and their habitats. The offense of trading of wildlife under this law, carries a penalty that ranges from P200 to P300,000 fine and imprisonment of 10 days to 4 years, depending on the conservation status of species involved.

Despite government efforts and the existence of punitive measures under the law, wildlife crimes continue to thrive at an alarming scale. Offenders have now evolved into an organized crime groups that supply wildlife to the international markets founded on a complex web of poachers and networks of traffickers.

Rampant illegal wildlife trade historically leads to overexploitation. If left unabated, overexploitation can severely threaten the survival of species and cause their

extinction, consequently leading to the collapse of the country's rich biodiversity that the livelihood of many Filipinos rely on.

Now that these unlawful activities have been linked to the emergence and spread of new infectious diseases in humans, including emergent viruses such as Ebola, SARS, MERS-CoV and Coronavirus, there is more reason that lawless exploitation of wildlife must be stopped.

Considering its far-reaching impact on the environment, there is a pressing need to amend certain provisions of RA 9147, by imposing stiffer penalties to deter future violations, in order to intensify our campaign to preserve and protect wildlife resources.

In view of the foregoing, immediate approval of this bill is earnestly sought.

HON. ROBERT ACE S. BARBERS
2nd District, Surigao del Norte



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

SECTION 1. Section 5 of Republic Act No. 9147, otherwise known as the
“Wildlife Resources Conservation and Protection Act,” is hereby amended to read as
follows:

“SECTION 5. Definition of Terms. – As used in this Act, the term:

- (a) xxx
xxx
- (s) xxx

**(Q) “OTHER PROTECTED WILDLIFE SPECIES” REFERS TO
OTHER SPECIES THAT ARE NOT CONSIDERED ENDANGERED
OR VULNERABLE BUT HAVE THE TENDENCY TO BECOME
THREATENED DUE TO WILDLIFE EXPLOITATION OR OTHER
SIMILAR CAUSES AS MAY BE LISTED BY THE SECRETARY.**

XXX”

SECTION 2. Section 27 of the same Act is hereby amended to read as follows:

“SECTION 27. Illegal Acts – Unless otherwise allowed in accordance with this
Act, it shall be unlawful for any person to willfully and knowingly exploit wildlife
resources and their habitats, or undertake the following acts:

- (a) xxx
xxx
- (d) xxx
- (e) trading of wildlife, **WILDLIFE BY-PRODUCTS OR DERIVATIVES;**

XXX”

SECTION 3. Section 28 of the same Act is hereby amended to read as follows:

“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** [and/or] fines shall be imposed:

(a) imprisonment of **FIFTEEN (15) YEARS AND ONE (1) DAY TO TWENTY YEARS (20) YEARS** [a minimum of six (6) years and one (1) day to twelve (12) years and/or] **AND** a fine of **FIVE HUNDRED THOUSAND PESOS (P500,000.00) TO TWO MILLION PESOS (P2,000,000.00)** [One hundred thousand pesos (100,000.00) to One million pesos (1,000,000.00)], if inflicted or undertaken against **CRITICALLY ENDANGERED SPECIES** [species listed as critical];

(b) imprisonment of **TWELVE (12) YEARS AND ONE (1) DAY TO FIFTEEN (15) YEARS** [four (4) years and one (1) day to six (6) years and/or] **AND** a fine of **THREE HUNDRED THOUSAND PESOS (P300,000.00) TO ONE MILLION PESOS (P1,000,000.00)** [Fifty thousand pesos (P50,000.00) to Five hundred thousand pesos (P500,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **TEN (10) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS** [two (2) years and one (1) day to four (4) years and/or] **AND** a fine of **ONE HUNDRED THOUSAND PESOS (P100,000.00) TO SEVEN HUNDRED THOUSAND PESOS (P700,000.00)** [Thirty thousand pesos (P30,000.00) to Three hundred thousand pesos (P300,000.00)], if inflicted or undertaken against vulnerable species;

(d) imprisonment of **EIGHT (8) YEARS AND ONE (1) DAY TO TEN (10) YEARS** [one (1) year and one (1) day to two (2) years and/or] **AND** a fine of **SIXTY THOUSAND PESOS (P60,000.00) TO FOUR HUNDRED THOUSAND PESOS (P400,000.00)** [Twenty thousand pesos (P20,000.00) to Two hundred thousand pesos (P200,000.00)], if inflicted or undertaken against other threatened species; and

(e) imprisonment of **SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS** [six (6) months and one (1) day to one (1) year and/or] **AND** a fine of **FORTY THOUSAND PESOS (P40,000.00) TO THREE HUNDRED THOUSAND PESOS (P300,000.00)** [Ten thousand pesos (P10,000.00) to One hundred thousand pesos (P100,000.00)], if inflicted or undertaken against other **PROTECTED** wildlife species.

POSSESSION OF DEAD WILDLIFE SPECIES AND/OR ITS BY-PRODUCTS SUCH AS, BUT NOT LIMITED TO, BODY PARTS, ORGANS, AND MEAT SHALL BE A PRIMA FACIE EVIDENCE OF THE ACT OF KILLING THE WILDLIFE SPECIES INVOLVED.

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

(a) imprisonment of **TWELVE (12) YEARS AND ONE (1) DAY TO FIFTEEN (15) YEARS** [a minimum of four (4) years and one (1) day to six (6) years and/or] **AND** a fine of **THREE HUNDRED THOUSAND PESOS (P300,000.00) TO ONE MILLION PESOS (P1,000,000.00)** [Fifty thousand pesos (P50,000.00) to Five hundred thousand pesos (P500,000.00)], if inflicted or undertaken against **CRITICALLY ENDANGERED SPECIES** [species listed as critical];

(b) imprisonment of **TEN (10) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS** [two (2) years and one (1) day to four (4) years and/or] **AND** a fine of **ONE HUNDRED THOUSAND (P100,000.00) TO SIX HUNDRED THOUSAND PESOS (P600,000.00)** [Thirty thousand pesos (P30,000.00) to Two hundred thousand pesos (P200,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **EIGHT (8) YEARS AND ONE (1) DAY TO TEN (10) YEARS** [one (1) year and one (1) day to two (2) years and/or] **AND** a fine of **SIXTY THOUSAND PESOS (P60,000.00) TO FOUR HUNDRED THOUSAND PESOS (P400,000.00)** [Twenty thousand pesos (P20,000.00) to Two hundred thousand pesos (P200,000.00)], if inflicted or undertaken against vulnerable species;

(d) imprisonment of **SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS** [six (6) months and one (1) day to one (1) year and/or] **AND** a fine of **FORTY THOUSAND PESOS (P40,000.00) TO THREE HUNDRED THOUSAND PESOS (P300,000.00)** [Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00)], if inflicted or undertaken against other threatened species; and

(e) imprisonment of **FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS** [one (1) month to six (6) months and/or] **AND** a fine of **TWENTY THOUSAND PESOS (P20,000.00) TO ONE HUNDRED THOUSAND PESOS (P100,000.00)** [Five thousand pesos (P5,000.00) to Twenty thousand pesos (P20,000.00)], if inflicted or undertaken against other **PROTECTED** wildlife species.

For illegal acts under paragraphs (c) and (d) of the immediately preceding section, an imprisonment of **SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS** [one (1) month to eight (8) years and/or] **AND** a fine of **FIFTY THOUSAND PESOS (P50,000.00) TO TEN MILLION PESOS (P10,000,000.00)** [Five thousand pesos (P5,000.00) to Five million pesos (P5,000,000.00)] shall be imposed.

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

(a) imprisonment of **TEN (10) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS** [two (2) years and one (1) day to four (4) years and/or] **AND** a fine of **TWO HUNDRED THOUSAND PESOS (P200,000.00) TO EIGHT HUNDRED THOUSAND PESOS (P800,000.00)** [Five thousand pesos (P5,000.00) to Three hundred thousand pesos (P300,000.00)], if inflicted or undertaken against **CRITICALLY ENDANGERED SPECIES** [species listed as critical];

(b) imprisonment of **EIGHT (8) YEARS AND ONE (1) DAY TO TEN (10) YEARS** [one (1) year and one (1) day to two (2) years and/or] **AND** a fine of **ONE HUNDRED THOUSAND PESOS (P100,000.00) TO FIVE HUNDRED THOUSAND PESOS (P500,000.00)** [Two thousand pesos (P2,000.00) to Two hundred thousand pesos (P200,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS** [six (6) months and one (1) day to one (1) year and/or] **AND** a fine of **SIXTY THOUSAND PESOS (P60,000.00) TO THREE HUNDRED THOUSAND PESOS (P300,000.00)** [One thousand pesos (P1,000.00) to One hundred thousand pesos (P100,000.00)], if inflicted or undertaken against vulnerable species;

(d) imprisonment of **FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS** [one (1) month and one (1) day to six (6) months and/or] **AND** a fine of **FORTY THOUSAND PESOS (P40,000.00) TO TWO HUNDRED THOUSAND PESOS (P200,000.00)** [Five hundred pesos (P500.00) to Fifty thousand pesos (P50,000.00)], if inflicted or undertaken against species listed as other threatened species; and

(e) imprisonment of **TWO (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS** [ten (10) days to one (1) month and/or] **AND** a fine of **TWENTY THOUSAND PESOS (P20,000.00) TO ONE HUNDRED THOUSAND PESOS (P100,000.00)** [Two hundred pesos (P200.00) to Twenty thousand pesos (P20,000.00)], if inflicted or undertaken against other **PROTECTED** wildlife species.

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

(a) imprisonment of **EIGHT (8) YEARS AND ONE (1) DAY TO TEN (10) YEARS** [two (2) years and one (1) day to four (4) years] and a fine of **ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) TO FIVE HUNDRED THOUSAND PESOS (P500,000.00)** [Thirty thousand pesos (P30,000.00) to Three hundred thousand pesos (P300,000.00)], if inflicted or undertaken against **CRITICALLY ENDANGERED SPECIES** [species listed as critical];

(b) imprisonment of **SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS** [one (1) year and one (1) day to two (2) years] and a fine of

ONE HUNDRED THOUSAND PESOS (P100,000.00) TO THREE HUNDRED THOUSAND PESOS (P300,000.00) [Twenty thousand pesos (P20,000.00) to Two hundred thousand pesos (P200,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS** [six (6) months and one (1) day to one (1) year] and a fine of **SIXTY THOUSAND PESOS (P60,000.00) TO TWO HUNDRED THOUSAND PESOS (P200,000.00)** [Ten thousand pesos (P10,000.00) to One hundred thousand pesos (P100,000.00)], if inflicted or undertaken against vulnerable species;

(d) imprisonment of **TWO (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS** [one (1) month and one (1) day to six (6) months] and a fine of **FORTY THOUSAND PESOS (P40,000.00) TO ONE HUNDRED THOUSAND PESOS (P100,000.00)** [Five thousand pesos (P5,000.00) to Fifty thousand pesos (P50,000.00)], if inflicted or undertaken against species listed as other threatened species; and

(e) imprisonment of **ONE (1) YEAR AND ONE (1) DAY TO TWO (2) YEARS** [ten (10) days to one (1) month] and a fine of **TWENTY THOUSAND PESOS (P20,000.00) TO FIFTY THOUSAND PESOS (P50,000.00)** [One thousand pesos (P1,000.00) to Five thousand pesos (P5,000.00)], if inflicted or undertaken against other **PROTECTED** 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] **AND** fines shall be imposed:

(a) imprisonment of **SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS** [six (6) months and one (1) day to one (1) year] and a fine of **ONE HUNDRED THOUSAND PESOS (P100,000.00) TO THREE HUNDRED THOUSAND PESOS (P300,000.00)** [Fifty thousand pesos (P50,000.00) to One hundred thousand pesos (P100,000.00)], if inflicted or undertaken against **CRITICALLY ENDANGERED SPECIES** [species listed as critical];

(b) imprisonment of **FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS** [three (3) months and one (1) day to six (6) months] and a fine of **SIXTY THOUSAND PESOS (P60,000.00) TO ONE HUNDRED THOUSAND PESOS (P100,000.00)** [Twenty thousand pesos (P20,000.00) to Fifty thousand pesos (P50,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **TWO (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS** [one (1) month and one (1) day to three (3) months] and a fine of **FORTY THOUSAND PESOS (P40,000.00) TO FIFTY THOUSAND**

PESOS (P50,000.00) [Five thousand pesos (P5,000.00) to Twenty thousand pesos (P20,000.00)], if inflicted or undertaken against vulnerable species;

(d) imprisonment of **ONE (1) YEAR AND ONE (1) DAY TO TWO (2) YEARS** [ten (10) days to one (1) month] and a fine of **TWENTY THOUSAND PESOS (P20,000.00) TO THIRTY THOUSAND PESOS (P30,000.00)** [One thousand pesos (P1,000.00) to Five thousand pesos (P5,000.00)], if inflicted or undertaken against [species listed as] other threatened species;

(e) imprisonment of **SIX (6) MONTHS AND ONE (1) DAY TO ONE (1) YEAR** [five (5) days to ten (10) days and] a fine of **TEN THOUSAND PESOS (P10,000.00) TO TWENTY THOUSAND PESOS (P20,000.00)** [Two hundred pesos (P200.00) to One thousand pesos (P1,000.00)], if inflicted or undertaken against other **PROTECTED** wildlife species.

THE MAXIMUM APPLICABLE PENALTY SHALL BE IMPOSED UPON A RECIDIVIST WHO COMMITS ANY OF THE PUNISHABLE ACTS MENTIONED IN THE IMMEDIATELY PRECEDING SECTION. A RECIDIVIST IS ONE WHO, AT THE TIME OF HIS OR HER TRIAL FOR A VIOLATION OF THIS ACT, SHALL HAVE BEEN PREVIOUSLY CONVICTED BY FINAL JUDGMENT OF THE SAME OR ANOTHER VIOLATION OF THIS ACT.

XXX.”

Section 4. Section 29 of the same Act is hereby amended to read as follows:

“SECTION 29. Wildlife Management Fund. — There is hereby established a Wildlife Management Fund to be administered by the Department as a special account in the National Treasury. It shall finance rehabilitation or restoration of habitats affected by acts committed in violation of this Act and support scientific research, enforcement and monitoring activities, as well as enhancement of capabilities of relevant agencies.

The Fund shall derive from fines imposed and damages awarded, fees, charges, donations, endowments, administrative fees or grants in the form of contributions. Contributions to the Fund shall be exempted from donor taxes and all other taxes, charges or fees imposed by the government.

THE DEPARTMENT SHALL IMPLEMENT A SYSTEM OF REWARDS AND INCENTIVES TO THE ENFORCEMENT OFFICERS AND/OR INFORMANTS OF VIOLATORS OF THIS ACT. THE AMOUNT OF THE MONETARY REWARD, AS DETERMINED BY THE SECRETARY OF THE DEPARTMENT, SHALL BE TAKEN FROM THIS FUND, AND SHALL BE GIVEN TO THE PROPER RECIPIENTS UPON ARREST OF THE VIOLATORS, OR UPON THE FILING OF

COMPLAINT/INFORMATION WITH THE PROPER COURT OR TRIBUNAL.”

SECTION 5. *Repealing Clause.* – All laws, orders, issuances, circulars, rules and regulations or parts thereof, which are inconsistent with the provisions of this Act are hereby repealed, modified, or amended accordingly.

SECTION 6. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved.