

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
Second Regular Session

**HOUSE BILL NO. 9463**



---

Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

---

**AN ACT**  
**STRENGTHENING THE WILDLIFE CONSERVATION AND PROTECTION**  
**MECHANISM IN THE PHILIPPINES, AMENDING FOR THIS PURPOSE**  
**REPUBLIC ACT NO. 9147, OTHERWISE KNOWN AS THE "WILDLIFE**  
**RESOURCES CONSERVATION AND PROTECTION ACT", PROVIDING FUNDS**  
**THEREFOR AND FOR OTHER PURPOSES**

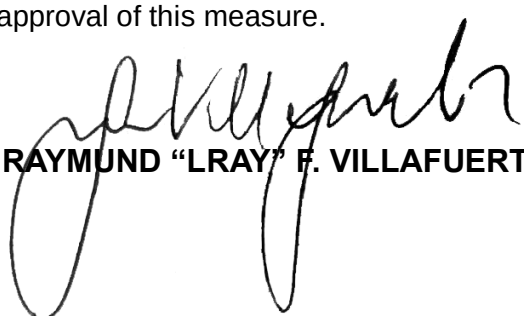
This bill seeks to strengthen the wildlife conservation and protection mechanism in the country. As a Party to the CITES or the Convention on International Trade in Endangered Species of Wild Fauna and Flora in 1981, the Philippine government has the obligation, among others, to adopt its own national laws applying the provisions of the CITES, such as prohibiting the trade of wildlife in violation of the convention, imposing penalties for violations, and confiscating illegally traded specimens.

In fulfilment of this obligation, Republic Act No. 9147 or the Wildlife Resources Conservation and Protection Act was passed into law in 2001. RA 9147 included a list of illegal acts that are considered detrimental to wildlife with corresponding penalties, such as imprisonment or fines, or both, that are intended to serve as deterrent for violative acts against wildlife and their habitats. In sum, RA No. 9147 provided the support mechanism and facilities for wildlife management and wildlife policy implementation.

We have since observed the gaps in the Ra 9147 years since its enactment twenty years ago. There are many other violations that remain rampant and undetected. The incidence of wildlife crimes has evolved and grown. The trade and transport of wildlife species have become widescale and transnational in nature.

The attached bill seeks to address, among others, the evolving nature of wildlife offenses and also to fortify the mechanisms in place to afford better protection to our wildlife resources.

In view of the foregoing, I earnestly seek the approval of this measure.

  
**LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.**

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**EIGHTEENTH CONGRESS**  
Second Regular Session

**HOUSE BILL NO. 9463**

---

Introduced by **HON. LUIS RAYMUND “LRAY” F. VILLAFUERTE, JR.**

---

**AN ACT**  
**STRENGTHENING THE WILDLIFE CONSERVATION AND PROTECTION**  
**MECHANISM IN THE PHILIPPINES, AMENDING FOR THIS PURPOSE**  
**REPUBLIC ACT NO. 9147, OTHERWISE KNOWN AS THE "WILDLIFE**  
**RESOURCES CONSERVATION AND PROTECTION ACT", PROVIDING FUNDS**  
**THEREFOR AND FOR OTHER PURPOSES**

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

SECTION 1. Section 1 of Republic Act No. 9147 is hereby amended to read as follows:

“SECTION 1. This Act shall be known as the "REVISED Wildlife Resources Conservation and Protection Act OF 2021.”

SECTION 2. Section 2 of Republic Act No. 9147 is hereby amended to read as follows:

“SECTION 2. Declaration of Policy. – It shall be the policy of the State to conserve AND PROTECT the country's wildlife resources and their habitats for sustainability AND TO PROMOTE ECOLOGICAL BALANCE, ENHANCE BIOLOGICAL DIVERSITY, PREVENT EXTINCTION, AND ENSURE THE PROVISION OF ECOSYSTEM SERVICES. In the pursuit of this policy, this Act shall have the following objectives:

(a) to regulate the collection, POSSESSION, USE and trade of Wildlife, WILDLIFE BY-PRODUCTS AND DERIVATIVES;

(b) to pursue, with due regard to the national interest, the Philippine commitments to international conventions, TREATIES AND AGREEMENTS ON THE protection of wildlife and their habitats, AND ON THE FAIR AND EQUITABLE SHARING OF THE BENEFITS ARISING OUT OF THE UTILIZATION OF GENETIC RESOURCES FROM WILDLIFE;

(c) to initiate or support scientific studies on the conservation of biological

diversity and sustainable utilization of wildlife resources;

(d) TO PROMOTE FULL AWARENESS AND WIDEST DISSEMINATION OF POLICIES ON WILDLIFE CONSERVATION AND PROTECTION; AND

(e) TO ADDRESS AND END THE LARGE SCALE, TRANSNATIONAL, AND ORGANIZED CRIME OF WILDLIFE TRAFFICKING."

SECTION 3. Section 3 of Republic Act No. 9147 is hereby amended to read as follows:

"SECTION 3. Scope of Application. – The provisions of this Act shall be enforceable for all wildlife species found in all areas of the country, including exotic species which are subject to trade, are cultured, maintained and/or bred in captivity or propagated in the country."

SECTION 4. Section 4 of Republic Act No. 9147 is hereby amended to read as follows:

"SECTION 4. Jurisdiction of the Department of Environment and Natural Resources, the Department of Agriculture, THE PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT, AND THE BANGSAMORO GOVERNMENT. – The Department of Environment and Natural Resources (DENR) shall have jurisdiction over all terrestrial plant and animal species, all turtles and tortoises and wetland species, including but not limited to crocodiles, water birds and all amphibians and dugong. The Department of Agriculture (DA) shall have jurisdiction over all habitats, all aquatic resources including but not limited to all fishes, aquatic plants, invertebrates and all marine mammals, except dugong. The secretaries of the DENR and the DA shall review, and by joint administrative order, revise and regularly update the list of species under their respective jurisdiction. In the Province of Palawan, jurisdiction herein conferred is vested to the Palawan Council for Sustainable Development (PCSD) pursuant to Republic Act No. 7611, OTHERWISE KNOWN AS THE "STRATEGIC ENVIRONMENTAL PLAN (SEP) FOR PALAWAN ACT" AND, IN THE BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO, JURISDICTION HEREIN CONFERRED IS VESTED TO THE BANGSAMORO GOVERNMENT (BMG) PURSUANT TO REPUBLIC ACT NO. 11054, OTHERWISE KNOWN AS THE "BANGSAMORO ORGANIC LAW"."

SECTION 5. Section 5 of Republic Act No. 9147 is hereby amended to read as follows:

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

(A) "BIOLOGICAL DIVERSITY" OR "BIODIVERSITY" REFERS TO THE VARIABILITY AMONG LIVING ORGANISMS FROM ALL SOURCES INCLUDING, INTER ALIA, TERRESTRIAL, MARINE AND OTHER AQUATIC ECOSYSTEMS AND THE ECOLOGICAL COMPLEXES OF WHICH THEY ARE PART; THIS INCLUDES DIVERSITY WITHIN SPECIES, BETWEEN SPECIES AND OF ECOSYSTEMS;

(B) "BIOLOGICAL RESOURCES" REFERS TO GENETIC RESOURCES, ORGANISMS OR PARTS THEREOF, POPULATIONS OR ANY OTHER BIOTIC COMPONENT OF ECOSYSTEMS WITH ACTUAL OR POTENTIAL USE OR VALUE FOR HUMANITY, INCLUDING BUT NOT LIMITED TO, ALL BIOLOGICAL SPECIMENS SUCH AS PLANTS, SEEDS, TISSUES AND OTHER PROPAGATION MATERIALS, ANIMALS, LIVE OR PRESERVED, WHETHER WHOLE OR IN PART;

(C) "Bioprospecting" REFERS TO the research, collection and utilization of biological and genetic resources for purposes of applying the knowledge derived there from solely for commercial purposes;

(D) "BIOSAFETY" REFERS TO THE NEED TO PROTECT HUMAN, PLANT AND ANIMAL HEALTH OR LIFE AND THE ENVIRONMENT FROM THE POSSIBLE ADVERSE EFFECTS OF THE PRODUCTS OF MODERN BIOTECHNOLOGY AND POTENTIALLY HARMFUL EXOTIC SPECIES;

(E) "BOTANICAL GARDEN" REFERS TO AN ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT OWNED/OPERATED/MANAGED WHERE A COLLECTION OF WILD FLORA IS MAINTAINED FOR RECREATIONAL, EDUCATIONAL, RESEARCH, CONSERVATION AND SCIENTIFIC PURPOSES;

(F) By-products REFERS TO any part taken from wildlife SPECIES SUCH AS BUT NOT LIMITED TO MEAT, HIDES, ANTLERS, FEATHERS, LEATHER, FUR, INTERNAL ORGANS, BONES, ROOTS, TRUNKS, BARKS, PETIOLES, LEAF FIBERS, BRANCHES, LEAVES, STEMS, FLOWERS, SCALES, SCUTES, SHELLS/ CORAL PARTS, CARAPACE AND THE LIKE, OR WHOLE DEAD BODY OF WILDLIFE IN ITS PRESERVED/STUFFED STATE, INCLUDING COMPOUNDS INDIRECTLY PRODUCED IN A BIOCHEMICAL PROCESS OR CYCLE;

(G) "Captive-breeding/culture or propagation" REFERS TO the process of producing individuals under controlled conditions or with human interventions;

(H) "CERTIFICATE OF WILDLIFE REGISTRATION" REFERS TO DOCUMENT AUTHORIZING A PERSON TO POSSESS WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES;

(I) "CERTIFICATE OF INTRODUCTION FROM THE SEA" REFERS TO A DOCUMENT ISSUED BY THE BUREAU OF FISHERIES AND AQUATIC RESOURCES FOR THE INTRODUCTION FROM THE SEA OF WILDLIFE SPECIES TAKEN FROM MARINE ENVIRONMENTS OUTSIDE THE JURISDICTION OF ANY STATE;

(J) "CITES" REFERS TO THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA, ADOPTED IN WASHINGTON ON 3 MARCH 1973, WHICH ENTERED INTO FORCE FOR THE PHILIPPINES ON 16 NOVEMBER 1981;

(K) "Collection or collecting" REFERS TO the act of TAKING, gathering or harvesting wildlife, its by-products AND/or derivatives;

(L) "Conservation" REFERS TO preservation and sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat;

(M) "CRITICAL HABITAT" REFERS TO AN AREA OUTSIDE PROTECTED AREAS UNDER REPUBLIC ACT NO. 7586 OR THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) ACT, AS AMENDED BY REPUBLIC ACT NO. 11038 OR THE EXPANDED NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (ENIPAS) ACT, THAT ARE KNOWN HABITATS OF THREATENED SPECIES AND DESIGNATED BASED ON SCIENTIFIC DATA TAKING INTO CONSIDERATION SPECIES ENDEMICITY AND/OR RICHNESS, PRESENCE OF MAN-MADE PRESSURES/THREATS TO THE SURVIVAL OF WILDLIFE LIVING IN THE AREA, AMONG OTHERS;

(N) "Critically endangered species" refers to a species or subspecies that is facing extremely high risk of extinction in the wild in the immediate future;

(O) "DERIVATIVES" REFERS TO A SUBSTANCE/MATERIAL EXTRACTED OR TAKEN FROM WILDLIFE SUCH AS BUT NOT LIMITED TO BLOOD, SALIVA, OILS, RESINS, GENES, GUMS, HONEY, COCOON, FUR, TANNIN, URINE, SERUM, SPORES, POLLEN AND THE LIKE; A COMPOUND DIRECTLY OR INDIRECTLY PRODUCED FROM WILDLIFE AND/OR PRODUCTS PRODUCED FROM WILDLIFE AND WILDLIFE PRODUCTS; INCLUDING COMPOUNDS INDIRECTLY PRODUCED IN A BIOCHEMICAL PROCESS OR CYCLE;

(P) "Economically important species" REFERS TO species which have actual or potential value in trade or utilization for commercial purpose AS WELL AS SPECIES WHICH HAVE ACTUAL OR POTENTIAL NEGATIVE IMPACT ON THE ENVIRONMENT AND ECONOMIC ACTIVITIES SUCH AS, BUT NOT LIMITED TO, AGRICULTURE AND FOOD PRODUCTION;

(Q) "Endangered species" refers to species or subspecies that is not critically endangered but whose survival in the wild is unlikely if the causal factors continue operating;

(R) "Endemic species" REFERS TO species or subspecies which is naturally occurring and found only within specific areas in the country;

(S) "Exotic species" REFERS TO species or subspecies which do not naturally occur in the country;

(T) "EXPORT OF WILDLIFE" REFERS TO THE ACT OF BRINGING WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES FROM THE PHILIPPINES TO ANY OTHER COUNTRY;

(U) "Export permit" refers to a permit authorizing A PERSON to bring out wildlife,

WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES from the Philippines to any other country;

(V) "GENETIC MATERIAL" REFERS TO ANY MATERIAL OF PLANT, ANIMAL, MICROBIAL OR OTHER ORIGIN CONTAINING FUNCTIONAL UNITS OF HEREDITY;

(W) "GENETIC RESOURCES" REFERS TO GENETIC MATERIAL OF ACTUAL OR POTENTIAL VALUE;

(X) "Gratuitous permit" REFERS TO permit issued to any PERSON engaged in non-commercial scientific, or educational undertaking to collect wildlife.

(Y) "Habitat" REFERS TO place or environment where species or subspecies naturally occur or has naturally established its population;

(Z) "IMPORT OF WILDLIFE" REFERS TO THE ACT OF BRINGING IN TO THE PHILIPPINES WILDLIFE, WILDLIFE BYPRODUCTS AND/OR DERIVATIVES FROM ANOTHER COUNTRY;

(AA) "Import permit" refers to a permit authorizing A PERSON to bring in wildlife, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES from another country;

(BB) "Indigenous wildlife" REFERS TO species or subspecies of wildlife naturally occurring or has naturally established population in the country;

(CC) "Introduction" REFERS TO bringing species into the wild that is outside its natural habitat;

(DD) "INTRODUCTION FROM THE SEA" REFERS TO TRANSPORTATION INTO THE COUNTRY OF SPECIMENS OF ANY SPECIES WHICH WERE TAKEN IN THE MARINE ENVIRONMENT NOT UNDER THE JURISDICTION OF ANY STATE;

(EE) "INVASIVE ALIEN SPECIES" OR "IAS" REFERS TO SPECIES WHOSE INTRODUCTION AND/OR SPREAD OUTSIDE THEIR NATURAL PAST OR PRESENT DISTRIBUTION THREATENS BIOLOGICAL DIVERSITY;

(FF) "LARGE SCALE" REFERS TO ANY VIOLATION STATED UNDER SECTION 27 (A), (E), (F), (I) AND (J) OF THIS ACT, INVOLVING ONE HUNDRED (100) OR MORE INDIVIDUAL SPECIMENS OF ANY THREATENED SPECIES; OR TWO HUNDRED (200) OR MORE INDIVIDUAL SPECIMENS OF NON-THREATENED SPECIES;

(GG) "LOCAL TRANSPORT PERMIT" REFERS TO THE PERMIT ISSUED AUTHORIZING A PERSON TO BRING, CARRY, OR SHIP WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES FROM ONE PLACE TO ANOTHER WITHIN THE TERRITORIAL JURISDICTION OF THE PHILIPPINES;

(HH) "MALTREATMENT" REFERS TO THE COMMISSION OF TORTURE OR THE EXERCISE OF CRUELTY TO ANY WILDLIFE, OR OMISSION OR NEGLECT TO PROVIDE ADEQUATE CARE, SUSTENANCE OR SHELTER TO

WILDLIFE;

(II) "OTHER PROTECTED WILDLIFE SPECIES" REFERS TO ALL NON-THREATENED SPECIES THAT HAVE THE TENDENCY TO BECOME THREATENED DUE TO THE DESTRUCTION OF HABITAT OR OTHER SIMILAR CAUSES AS MAY BE LISTED BY THE SECRETARY UPON THE RECOMMENDATION OF THE NATIONAL WILDLIFE MANAGEMENT COMMITTEE;

(JJ) "PERSON" REFERS TO NATURAL OR JURIDICAL PERSONS;

(KK) "POSSESSION" REFERS BOTH TO ACTUAL POSSESSION OR IMMEDIATE PHYSICAL CONTROL OVER WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES; AND TO CONSTRUCTIVE POSSESSION OR OWNERSHIP OR CONTROL OVER THE PLACE OR CONVEYANCE WHERE THE WILDLIFE, BYPRODUCTS AND/OR DERIVATIVES ARE FOUND;

(LL) "PROTECTED WILDLIFE" REFERS TO ALL WILDLIFE FALLING UNDER ANY CATEGORY OF THREATENED WILDLIFE SPECIES AND "OTHER PROTECTED WILDLIFE SPECIES LISTED BY THE DENR, DA, PCSD AND BMG THAT IS NOT IN THE THREATENED LIST BUT ARE IDENTIFIED AND LISTED BY DENR, DA, PCSD AND BMG AS REQUIRING LEGAL PROTECTION;

(MM) "Reexport permit" refers to a permit authorizing A PERSON to bring out of the country a previously imported wildlife, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES;

(NN) "Secretary" REFERS TO the Secretary of the Department of Environment and Natural Resources and the Secretary of the Department of Agriculture;

(OO) "SPECIAL LOCAL TRANSPORT PERMIT" REFERS TO A PERMIT CONFERRED TO HOLDERS OF WILDLIFE SPECIAL USE PERMIT (WSUP) AUTHORIZING THE CONVEYANCE OF WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES FROM THE FACILITY OF ORIGIN TO ONE OR MORE PLACES IN THE WITHIN THE PHILIPPINES AND BACK TO THE FACILITY OF ORIGIN;

(PP) "SYNDICATE" REFERS TO THREE OR MORE INDIVIDUALS FORMED OR ACTING TOGETHER WITH AN INTENTION OF CARRYING OUT THE VIOLATIONS OF SECTION 27 (A), (E), (F), (I) AND (J) OF THIS ACT;

(QQ) "Threatened Wildlife Species" REFERS TO a general term to denote species or subspecies considered as critically endangered, endangered, vulnerable or other accepted categories of wildlife whose population is at risk of extinction;

(RR) "Trade" REFERS TO the act of engaging in the exchange, exportation or importation, purchase or sale of wildlife, their derivatives and/or by-products, locally or internationally;

(SS) "Traditional use" REFERS TO THE utilization of wildlife by indigenous people in accordance with written or unwritten rules, usage, customs and practices traditionally observed, accepted and recognized by them;

(TT) "Vulnerable species" refers to species or subspecies that is not critically endangered nor endangered but is under threat from adverse factors throughout their range and is likely to move to the endangered category in the near future;

(UU) "Wildlife" REFERS TO wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred or propagated;

(VV) "Wildlife collector's permit" REFERS TO THE permit to take, GATHER or HARVEST from the wild certain species and quantities of wildlife AS PARENTAL STOCKS for commercial BREEDING purposes;

(WW) "Wildlife farm/culture permit" REFERS TO a permit to develop, operate and maintain a wildlife breeding farm for conservation, trade and/or scientific purposes;

(XX) "WILDLIFE LOCAL TRADE PERMIT" REFERS TO A PERMIT AUTHORIZING A PERSON TO SELL OR OFFER FOR SALE, WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES;

(YY) "WILDLIFE LAUNDERING" REFERS TO THE PROCESS BY WHICH WILDLIFE TRADERS DISGUISE THE ORIGIN AND OWNERSHIP OF ILLEGALLY ACQUIRED WILDLIFE BY MAKING SUCH APPEAR TO HAVE BEEN DERIVED FROM A LEGITIMATE SOURCE OR EMERGING MECHANISM UTILIZED BY BREEDING FARMS AND PRIVATE ZOOLOGICAL PARKS TO CIRCUMVENT WILDLIFE LAWS AND REGULATIONS;

(ZZ) "WILDLIFE RESCUE CENTER" REFERS TO GOVERNMENT ESTABLISHED OR DESIGNATED REPOSITORIES OF CONFISCATED, DONATED, RETRIEVED, OR TURNED-OVER WILDLIFE OR AN ESTABLISHMENT WHERE SICK, INJURED, CONFISCATED WILDLIFE ARE TEMPORARILY KEPT AND REHABILITATED PRIOR TO THE RELEASE TO THEIR NATURAL HABITAT OR IMPLEMENTATION OF OTHER MODES OF DISPOSITION AS MAY BE AUTHORIZED BY THE SECRETARY OR THE PCSD;

(AAA) "WILDLIFE REGISTRATION" REFERS TO THE ACT OF ENTERING IN THE OFFICIAL RECORDS WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES AND GRANTING AUTHORITY TO ANY PERSON TO MAINTAIN SAID WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES;

(BBB) "WILDLIFE SPECIAL USE PERMIT" REFERS TO A PERMIT AUTHORIZING THE HOLDER THEREOF TO UTILIZE LEGALLY POSSESSED/ACQUIRED WILDLIFE, BY-PRODUCTS AND/OR DERIVATIVES FOR LOCAL SHOWS, EXHIBITIONS, OR EDUCATIONAL PURPOSES OR TO COLLECT ECONOMICALLY IMPORTANT SPECIES FOR DIRECT TRADE PURPOSES;

(CCC) "WILDLIFE TRAFFICKING" REFERS TO THE VIOLATION OF SECTION 27 (A), (E), (F), (I) AND (3) OF THIS ACT, WHEN THE SAME IS COMMITTED IN LARGE SCALE OR BY A SYNDICATE OR FOR THE PURPOSE OF EXPORTING OF SUCH WILDLIFE, THEIR BY-PRODUCTS AND DERIVATIVES; "WILDLIFE TRAFFICKING IS ALSO COMMITTED WHEN WILDLIFE, WILDLIFE BY-PRODUCTS AND DERIVATIVES INVOLVED IN THE VIOLATION OF SECTION 27 (A), (E), (F), (I) AND (J) OF THIS ACT IS IMPORTED FROM ANOTHER COUNTRY BY THE PERSON OR IN CONNIVANCE WITH THE PERSONS INVOLVED IN SAID VIOLATION;

(DDD) "ZOOLOGICAL PARK" OR "ZOO" REFERS TO AN ESTABLISHMENT EITHER PRIVATE OR GOVERNMENT OWNED/ OPERATED/ MANAGED WHERE A COLLECTION OF TERRESTRIAL OR MARINE ANIMALS IS MAINTAINED FOR RECREATIONAL, EDUCATIONAL, RESEARCH AND SCIENTIFIC PURPOSES."

SECTION 6. Section 6 of Republic Act No. 9147 is hereby amended to read as follows:

"SECTION 6. Wildlife Information. – All activities, as subsequently manifested under this Chapter, shall be authorized by the DENR, DA, PCSD OR BMG upon proper evaluation of SCIENTIFIC DATA OR best available information showing that the activity is, or for a purpose, not detrimental to the survival of the species or subspecies involved and/or their habitat. For this purpose, the DENR, DA, PCSD OR BMG shall regularly update wildlife information through research.

THE DENR, DA, PCSD AND BMG SHALL ESTABLISH THEIR RESPECTIVE WILDLIFE MANAGEMENT COMMITTEES (WMCS) TO PROVIDE TECHNICAL AND SCIENTIFIC ADVICE ON WILDLIFE. EACH WMCS SHALL BE RESPECTIVELY COMPOSED OF REPRESENTATIVES FROM THE DENR, DA, PCSD, AND BMG, AS THE CASE MAY BE, THE ENVIRONMENTAL MANAGEMENT BUREAU (EMB), THE BIODIVERSITY MANAGEMENT BUREAU (BMB), AND OTHER CONCERNED GOVERNMENT AGENCIES, AND LOCAL SCIENTISTS WITH EXPERTISE ON VARIOUS FIELDS OF DISCIPLINE ON WILDLIFE. STAKEHOLDERS MAY BE INVITED AS RESOURCE PERSONS WHEN NECESSARY."

SECTION 7. Insert a new section after Section 6 of Republic Act No. 9147 to read as follows:

"SEC. 6.1. INVASIVE ALIEN SPECIES. - THE DENR, DA, PCSD AND BMG SHALL CONTROL AND MANAGE ALL INVASIVE ALIEN SPECIES (IAS). WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT, THE DENR, DA, PCSD AND BMG SHALL JOINTLY ESTABLISH A LIST OF INVASIVE ALIEN SPECIES AND FORMULATE A NATIONAL INVASIVE ALIEN SPECIES STRATEGY AND ACTION PLAN (NISSAP) ON THE PREVENTION, CONTROL OF, AND REHABILITATION FROM THE SAME. THE LIST OF IAS AND THE NISSAP SHALL BE REVIEWED AND UPDATED, PERIODICALLY.

ALL NATIONAL GOVERNMENT AGENCIES AND LOCAL GOVERNMENT UNITS SHALL COORDINATE WITH THE DENR, DA AND PCSO AND BMG, AS APPLICABLE, IN THE IMPLEMENTATION AND LOCALIZATION OF THE STRATEGY AND ACTION PLAN: PROVIDED, THAT THE DENR, DA, PCSO AND BMG, AS THE CASE MAYBE, ARE AUTHORIZED TO CAUSE THE SLAUGHTER OR EXTERMINATION OF INVASIVE ALIEN SPECIES BY EUTHANASIA OR OTHER HUMANELY ACCEPTABLE MEANS UPON DETERMINATION THAT THE INVASIVE SPECIES MAY CAUSE SERIOUS THREAT TO LOCAL WILDLIFE, PEOPLE AND THE ENVIRONMENT."

SECTION 8. Sections 7, 8, 9, and 10 of Republic Act No. 9147 are hereby merged to read as follows:

SECTION 8. COLLECTION, POSSESSION, TRANSPORT OF WILDLIFE, WILDLIFE BY-PRODUCT AND DERIVATIVES. – THE COLLECTION, POSSESSION AND TRANSPORT OF WILDLIFE, BY PRODUCTS AND DERIVATIVES MAY BE ALLOWED IN ACCORDANCE WITH SECTION 6 OF THIS ACT: PROVIDED, THAT IN THE COLLECTION OF WILDLIFE, APPROPRIATE, HUMANE AND ACCEPTABLE WILDLIFE COLLECTION TECHNIQUES WITH LEAST OR NO DETRIMENTAL EFFECTS TO THE EXISTING WILDLIFE POPULATIONS AND THEIR HABITATS SHALL LIKEWISE BE REQUIRED: PROVIDED, FURTHER, THAT ONLY PERSONS OR ENTITIES WITH APPROPRIATE FACILITY AS WELL AS FINANCIAL AND TECHNICAL CAPABILITY, INCLUDING SCIENTIFIC KNOWLEDGE ARE ALLOWED POSSESSION OF THE SAME;: PROVIDED, FURTHERMORE, THAT IN CASE OF TRANSPORT, THE SAME WILL NOT BE PREJUDICIAL TO WILDLIFE, PUBLIC HEALTH AND QUARANTINE REGULATIONS AND WILDLIFE, WILDLIFE BY-PRODUCTS AND DERIVATIVES ARE NOT OBTAINED IN VIOLATION OF LAW; PROVIDED, FINALLY, THAT COLLECTION OF WILDLIFE THAT ARE NOT THREATENED OR LISTED AS OTHER PROTECTED WILDLIFE, BY INDIGENOUS PEOPLE OR INDIVIDUALS IN ANCESTRAL LAND/DOMAIN OR PRIVATE PROPERTY, RESPECTIVELY, IS ALLOWED FOR TRADITIONAL, SUBSISTENCE AND NONCOMMERCIAL USE."

SECTION 9. Section 11 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 11. Exportation and/or Importation AND/OR INTRODUCTION FROM THE SEA of Wildlife, BY-PRODUCTS AND DERIVATIVES. – Wildlife BY-PRODUCTS AND DERIVATIVES may be exported to or imported from another country, OR INTRODUCED FROM THE SEA, as may be authorized by the DENR, DA, PCSO or BMG, subject to strict compliance with the provisions of this Act and rules and regulations promulgated pursuant thereto: Provided, That the recipient of the LIVE wildlife is technically and financially capable to maintain it: PROVIDED, FURTHER, THAT THE IMPORTATION OF INVASIVE ALIEN SPECIES SHALL NOT BE ALLOWED."

SECTION 10. Section 12 of Republic Act No. 9147 is hereby amended to read as

follows:

"SEC. 12. Introduction, Reintroduction or Restocking of Endemic or Indigenous Wildlife – The introduction, reintroduction or restocking of endemic and indigenous wildlife shall be allowed for population enhancement or recovery purposes subject to prior clearance from the DENR, DA, PCSD or BMG, pursuant to Section 6 of this Act. ANY PROPOSED INTRODUCTION SHALL BE SUBJECT TO A SCIENTIFIC STUDY WHICH SHALL FOCUS ON THE BIOECOLOGY AND NATURAL HISTORY. The proponent shall also conduct public consultations with concerned individuals or entities."

SECTION 11. Section 13 of Republic Act No. 9147 Is hereby amended to read as follows:

"SEC. 13. Introduction of Exotic Wildlife. – No exotic species shall be introduced into the country, unless a clearance from the DENR, DA, PCSD OR BMG is first obtained. In no case shall exotic species be introduced into protected areas covered by Republic Act No. 7586, AS AMENDED BY REPUBLIC ACT NO. 11038, and to critical habitats under Section 25 hereof.

PROVIDED, THAT THE INTRODUCTION OF SUCH EXOTIC SPECIES SHALL NOT POSE ANY ADVERSE IMPACTS ON LOCAL ECOLOGY AND THAT FURTHER environmental impact study SHALL BE UNDERTAKEN which shall focus on the bioecology, NATURAL HISTORY, socioeconomic and related aspects of the area where the species will be introduced. The proponent shall also be required to secure the prior informed consent from the local stakeholders."

SECTION 12. Section 14 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 14. Bioprospecting. – Bioprospecting shall be allowed upon execution of an undertaking by THE proponent, stipulating therein its compliance with and commitment(s) to terms and conditions imposed by the DENR, DA, PCSD OR BMG to protect biological diversity AND THE FAIR AND EQUITABLE SHARING OF BENEFITS DERIVED FROM THE UTILIZATION OF PHILIPPINE GENETIC RESOURCES.

Before granting the necessary permit, THE PROPONENT shall BE required TO OBTAIN prior informed consent from the concerned indigenous cultural communities, local communities, AND THE PROTECTED AREA MANAGEMENT BOARD under Republic Act No. 7586, AS AMENDED BY REPUBLIC ACT NO. 11038, AS MAY BE APPROPRIATE.

If the applicant is a foreign entity or individual, a local institution SHALL be actively involved in the research, collection and, whenever applicable and appropriate, in the technological development of the products derived from the biological and genetic resources."

SECTION 13. Section 15 of Republic Act No. 9741 is hereby amended to read as

follows:

SECTION 13. Scientific Researches on Wildlife. – Collection and utilization of biological resources for scientific research and not for commercial purposes shall be allowed upon execution and issuance of a gratuitous permit by the DENR, DA PCSD OR BMG. THE GRATUITOUS PERMIT SHALL CONTAIN THE CONDITIONS FOR THE CONDUCT OF THE RESEARCH, WHICH SHALL INCLUDE SUBMISSION OF THE REQUIRED REPORT, ONE YEAR AFTER COMPLETION OF THE RESEARCH OR STUDY: PROVIDED, THAT THE GRATUITOUS PERMIT SHALL ONLY BE ISSUED AFTER CLEARANCE FROM CONCERNED AGENCIES OR BODIES SHALL HAVE BEEN SECURED.

FILIPINO RESEARCHERS SHALL BE GIVEN PRIORITY IN ALL RESEARCH APPLICATIONS. IF THE APPLICANT IS A FOREIGN ENTITY OR INDIVIDUAL, A LOCAL INSTITUTION SHALL BE ACTIVELY INVOLVED IN THE RESEARCH, COLLECTION AND, WHENEVER APPLICABLE AND APPROPRIATE, IN THE TECHNOLOGICAL DEVELOPMENT OF THE PRODUCTS DERIVED FROM THE BIOLOGICAL AND GENETIC RESOURCES."

SECTION 14. Section 16 of Republic Act No. 9147 Is hereby amended to read as follows:

"SEC. 16. Biosafety. – All activities dealing on pathogenic organisms in the Philippines, as well as activities requiring the importation, introduction, field release and breeding of organisms that are potentially harmful to man and the environment shall be reviewed BY DENR, PCSD OR DA-BFAR in accordance THROUGH biosafety guidelines ensuring public welfare and the protection and conservation of wildlife and their habitats."

SECTION 15. Section 17 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 17. Commercial Breeding or Propagation of Wildlife Resources. – Breeding or propagation of wildlife for commercial purposes shall be allowed by the DENR, DA PCSD OR BMG, pursuant to Section 6 through the issuance of wildlife farm/culture permit: Provided, that only PROPAGATED FLORA AND progenies of WILD FAUNA raised, as well as unproductive parent stock shall be utilized for trade: Provided, further, That commercial PROPAGATION AND breeding operations for wildlife, whenever appropriate, shall be subject to an environmental impact study."

SECTION 16. Section 18 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 18. Economically Important Species. – The DENR, DA, PCSD, AND 12 BMG shall establish a list of economically-important species. WHERE APPROPRIATE, a population assessment of such species shall be conducted within a reasonable period and shall be regularly reviewed and updated by the DENR, DA, PCSD, AND BMG.

The collection of certain species shall only be allowed when the results of the assessment show that, despite certain extent of collection, the population of such species can still remain viable and capable of recovering its numbers. For this purpose, the DENR, DA, PCSD, AND BMG shall establish a schedule and volume of allowable harvests.

Whenever an economically important species become threatened, any form of collection shall be prohibited except for scientific, educational or breeding/propagation purposes, pursuant to the provisions of this Act."

SECTION 17. Section 19 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 19. Designation of Management and Scientific Authorities for International Trade in Endangered Species of Wild Fauna and Flora. – For the implementation of THE CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (CITES), the management authorities for terrestrial and aquatic resources shall be the BIODIVERSITY MANAGEMENT BUREAU (BMB) of the DENR and the Bureau of Fisheries and Aquatic Resources (BFAR) of the DA, respectively. In the Province of Palawan AND BANGSAMORO AUTONOMOUS REGION IN MUSLIM MINDANAO the implementation hereof is vested to the Palawan Council for Sustainable Development pursuant to Republic Act No. 7611, AND IS THE BANGSAMORO GOVERNMENT (BMG) PURSUANT TO REPUBLIC ACT NO. 11054.

To provide advice to the management authorities, there shall be designated scientific authorities for terrestrial and aquatic/marine species. For the terrestrial species, the scientific authorities shall be the Ecosystems Research and Development Bureau (ERDB) of the DENR, the UNIVERSITY OF THE PHILIPPINES (U.P.) Institute of Biological Sciences, U.P. INSTITUTE OF BIOLOGY and the National Museum and other agencies as may be designated by the Secretary. For the marine and aquatic species, the scientific authorities shall be the NATIONAL FISHERIES RESEARCH AND DEVELOPMENT INSTITUTE (NFRDI), U.P. Marine Science Institute, U.P. Visayas, Siliman University and the National Museum and other PUBLIC OR PRIVATE ACADEMIC INSTITUTIONS OR agencies as may be designated by the Secretary: Provided, That in the case of terrestrial species, the ERDB shall chair the scientific authorities, and in the case of marine and aquatic species, the NFRDI shall chair the scientific authorities."

SECTION 18. Section 20 of Republic Act No. 9147 Is hereby amended to read as follows:

"SEC. 20. Authority to Issue Permits. – In order to effectively implement this Act, THE DENR, DA, PCSD AND BMG shall issue permits/certifications/clearances with corresponding period of validity, appropriate FOR SUCH PURPOSE, AS DETERMINED BY THE REGULATIONS. THESE PERMITS shall include but not limited to the following:

(1) Wildlife farm or culture permit

- (2) Wildlife collector's permit
- (3) Gratuitous permit
- (4) Local transport permit
- (5) Export/Import/Re-export permit
- (6) SPECIAL LOCAL TRANSPORT PERMIT
- (7) WILDLIFE TRADE PERMIT
- (8) WILDLIFE SPECIAL USE PERMIT
- (9) CERTIFICATE OF INTRODUCTION FROM THE SEA
- (10) CLEARANCE TO OPERATE ZOOLOGICAL, BOTANICAL AND OTHER SIMILAR FACILITIES
- (11) CERTIFICATE OF WILDLIFE REGISTRATION

These permits may be renewed subject to the guidelines issued by the appropriate agency and upon consultation with concerned groups."

SECTION 19. Section 21 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 21. AUTHORITY TO COLLECT Fees and Charges. – THE DA, DENR PCSD OR BMG ARE HEREBY AUTHORIZED TO IMPOSE AND COLLECT REASONABLE FEES AND CHARGES for the issuances of permits, CLEARANCES AND CERTIFICATES enumerated in the preceding section.

For the export of wildlife species, an export permit fee of not greater than FIVE PERCENT (5%) of the export value, excluding transport costs, shall be charged: Provided, however, That in the determination of aforesaid fee, the production costs shall be given due consideration. Cut flowers, leaves AND THE LIKE, AND AQUACULTURE PRODUCTS AND THE LIKE, produced from farms shall be exempted from the said export fee.

THE DENR, DA, PCSD OR BMG MAY ALSO IMPOSE AN IMPORT PERMIT FEE FOR THE IMPORTATION OF WILDLIFE, BASED ON IMPORT VALUE AND/OR VALUATION OF POTENTIAL RISKS TO BIODIVERSITY AND HUMAN HEALTH; PROVIDED, THAT ALL FEES AND CHARGES SHALL BE FIXED, ONLY AFTER CONSULTATION WITH CONCERNED GROUPS, THE FEES AND CHARGES MAY ALSO BE REVIEWED EVERY TWO (2) YEARS OR AS THE NEED ARISES AND REVISE THE SAME ACCORDINGLY, SUBJECT TO THE SAME CONSULTATION PROCESS."

SECTION 20. Section 22 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 22. Determination of Threatened Wildlife Species and Listing of Other Protected Wildlife Species. – The DENR, DA, PCSD OR BMG shall determine whether any wildlife species or subspecies is threatened and classify the same as critically endangered, endangered, vulnerable or other accepted categories. THE CLASSIFICATION SHALL BE MADE based on the best scientific data and internationally accepted criteria, including but not limited to the following:

- (a) present or threatened destruction, modification or curtailment of its habitat or range;

- (b) over-utilization for commercial, recreational, scientific or educational purposes;
- (c) Inadequacy of existing regulatory mechanism, and
- (d) other natural or man-made factors affecting the existence of wildlife.

THE DENR, DA, PCSD OR BMG SHALL ALSO ESTABLISH A LIST OF THREATENED WILDLIFE SPECIES, SO DETERMINED UNDER THE APPROPRIATE CATEGORY. THE LIST MAY ALSO INCLUDE THOSE SPECIES THAT ARE NON-THREATENED BUT HAS THE TENDENCY TO BECOME THREATENED IN THE ABSENCE OF ADEQUATE LEGAL PROTECTION AND SHALL FALL UNDER THE CATEGORY OF EITHER OTHER THREATENED SPECIES OR OTHER PROTECTED WILDLIFE SPECIES. The list shall be PUBLISHED AND updated regularly or as the need arises, EITHER MOTU PROPRIO OR UPON FILING OF A PETITION BASED ON SUBSTANTIAL SCIENTIFIC INFORMATION OF ANY PERSON SEEKING FOR THE ADDITION OR DELETION OF A SPECIES FROM THE LIST: Provided, That species listed as threatened OR OTHER PROTECTED WILDLIFE shall not be removed there from within three (3) years following its initial listing: PROVIDED, FURTHER, THAT ALL NEWLY DISCOVERED SPECIES SHALL AUTOMATICALLY FALL UNDER THE CATEGORY OF OTHER THREATENED WILDLIFE SPECIES, AND SHALL REMAIN AS SUCH UNLESS PROPERLY DETERMINED OTHERWISE.

SECTION 21. Section 23 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 23. Collection of Threatened OR OTHER PROTECTED Wildlife SPECIES, By-products and Derivatives. – The collection of threatened AND OTHER PROTECTED wildlife SPECIES, as determined and listed pursuant to this Act, including its by-products and derivatives, shall be allowed only for scientific, or breeding or propagation purposes in accordance with Section of this Act: Provided, That only PERSONS ACCREDITED BY THE DA, DENR, PCSD, AND BMG shall be allowed to collect for conservation breeding or propagation purposes."

SECTION 22. Section 24 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 24. Conservation Breeding, AND Propagation of Threatened OR OTHER PROTECTED WILDLIFE Species. – Conservation breeding OR propagation of threatened species shall be encouraged in order to enhance its population in its natural habitat. It shall be done simultaneously with the rehabilitation and/or protection of the habitat where the captive-bred or propagated species shall be released, reintroduced or restocked.

Commercial breeding OR propagation of threatened species may be allowed provided that the following minimum requirements are met by the applicant, to wit:

- (a) Proven effective breeding, captive management AND PROPAGATION techniques of the species; and

(b) Commitment to undertake commercial breeding AND PROPAGATION in accordance with Section 17 of this Act

(c) UNDERTAKING TO CONTRIBUTE PART OF VIABLE PROGENIES TO SPECIES REHABILITATION EFFORTS, AS MAY BE PROVIDED IN THE REGULATIONS.

The DENR, DA PCSD OR BMG shall prepare a list of threatened species for commercial breeding and shall regularly revise or update such list or as the need arises."

SECTION 23. Section 25 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 25. Establishment of Critical Habitats – THE DENR, DA, PCSD, AND BMG MAY designate critical habitats outside protected areas under Republic Act No. 7586, AS AMENDED, where threatened species are found. Such designation shall be made on the basis of the best scientific data taking into consideration species endemicity and/or richness, presence of man-made pressures/threats to the survival of wildlife living in the area, among others.

All designated critical habitats shall be protected. In coordination with the local government units and other concerned groups, from any form of exploitation or destruction which may be detrimental to the survival of the threatened species dependent therein. For such purpose, the DENR, DA PCSD OR BMG may acquire, by purchase, donation or expropriation, lands, or interests therein, including the acquisition of usufruct, establishment of easements or other undertakings appropriate in protecting the critical habitat."

SECTION 24. Section 26 of Republic Act No. 9147 is hereby amended to read as follows:

SEC. 26. Registration of Threatened and OTHER PROTECTED Wildlife SPECIES in the Possession of Private Persons. – THE DENR, DA, PCSD, AND BMG SHALL CONTROL, REGULATE, AND CAUSED THE REGISTRATION OF ALL THREATENED AND OTHER PROTECTED WILDLIFE POSSESSED BY PRIVATE INDIVIDUALS AND ENTITIES. THREATENED AND OTHER PROTECTED WILDLIFE IN POSSESSION OF PRIVATE INDIVIDUALS AND ENTITIES THAT ARE NOT REGISTERED SHALL BE CONFISCATED IN FAVOR OF THE GOVERNMENT, AND THOSE IN POSSESSION SHALL BE SUBJECT TO THE PENALTIES HEREIN PROVIDED. CERTIFICATES OF WILDLIFE REGISTRATION SHALL BE ISSUED FOR THE FOLLOWING:

(A) THREATENED WILDLIFE STOCK ACQUIRED UNDER A PRIOR VALID WILDLIFE PERMIT ISSUED TO THE SAME APPLICANT, INCLUDING BUT NOT LIMITED TO WILDLIFE IMPORT PERMITS OR CERTIFICATIONS, WILDLIFE COLLECTOR'S PERMIT, SUBJECT TO SUBMISSION OF PROOF OF LEGAL ACQUISITION;

(B) THREATENED WILDLIFE STOCK PURCHASED OR OTHERWISE ACQUIRED FROM LEGAL SOURCES SUBJECT TO SUBMISSION OF PROOF OF LEGAL ACQUISITION;

(C) PROGENIES OR OFFSPRING OF DULY REGISTERED PARENTAL THREATENED WILDLIFE STOCKS;

(D) OTHER PROTECTED WILDLIFE THAT ARE NOW OR WILL EVENTUALLY BE INCLUDED IN THE LIST OF DENR, DA, PCSD, AND BARMM AS REQUIRING LEGAL PROTECTION;

All Philippine wildlife IN POSSESSION OF PRIVATE INDIVIDUALS AND ENTITIES WHICH ARE NOT IN THE LIST AS THREATENED OR OTHER PROTECTED WILDLIFE SPECIES, but which may later become so, shall be registered within six (6) months or as may be provided in the regulation, after the publication of the list where the name of the wildlife appeared.

POSSESSION OF REGISTERED WILDLIFE SPECIES SHALL BE SUBJECT TO THE CONDITIONS UNDER SECTION 12. WHEN A REGISTERED THREATENED SPECIES IS NEEDED FOR BREEDING, PROPAGATION OR RESEARCH PURPOSES, THE STATE MAY ACQUIRE THE REGISTERED WILDLIFE FROM ANY PERSON THROUGH A MUTUALLY ACCEPTABLE ARRANGEMENT."

SECTION 25. Section 27 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 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) killing and/or destroying wildlife species, INCLUDING CAUSING DEATH OR DESTRUCTION AS A RESULT OF ANY VIOLATION OF THIS ACT, except in the following instances:

- (i) when it is done as part of the religious rituals of established tribal groups or indigenous cultural communities;
- (ii) when the wildlife is afflicted with an incurable communicable disease;
- (iii) when it is deemed necessary to put an end to the misery suffered by the wildlife;
- (iv) when it is done to prevent an imminent danger to the life or limb of a human being;
- (v) when the wildlife is killed or destroyed after it has been used in authorized research or experiments; AND
- (vi) WHEN DONE FOR THE PURPOSE OF WILDLIFE POPULATION MANAGEMENT OR ERADICATION OF INVASIVE ALIEN SPECIES, AS AUTHORIZED BY THE DENR, DA, PCSD, OR BMG.

(b) inflicting injury which cripples and/or impairs the reproductive system of wildlife species;

(c) effecting any of the following acts in critical habitat(s):

- (i) dumping of waste products detrimental to wildlife AND/OR THE

CRITICAL HABITAT;

(ii) squatting or otherwise ILLEGALLY occupying any portion of the critical habitat;

(iii) mineral exploration and/or extraction, TREASUREHUNTING AND/OR PROSPECTING;

(iv) burning;

(v) logging;

(vi) quarrying

(vii) LAND RECLAMATION

(viii) INTRODUCTION, USE, OR APPLICATION OF POISONOUS SUBSTANCE THAT ENDANGERS THE HABITAT OR PARTS THEREOF OR RENDERS HABITAT OR PARTS THEREOF NO LONGER VIABLE FOR WILDLIFE;

(d) introduction, reintroduction or restocking of wildlife resources;

(e) trading OR ATTEMPTING TO TRADE, wildlife, WILDLIFE BY-PRODUCTS OR DERIVATIVES, INCLUDING ADVERTISING, CONTRACTING OR OFFERING FOR THE PURPOSE OF SALE OR PROCUREMENT OF WILDLIFE, BY-PRODUCTS OR DERIVATIVES;

(f) collecting, hunting or possessing wildlife, their by-products OR derivatives ;

(g) gathering or destroying of active nests, nest trees, host plants and the like;

(h) maltreating and/or inflicting other injuries not covered by the preceding paragraphs;

(i) transporting of wildlife, WILDLIFE BY-PRODUCTS OR DERIVATIVES; AND

(j) WILDLIFE LAUNDERING.

PROVIDED, THAT WHEN ANY OF VIOLATIONS OF LETTERS (A), (E), (F), (I), AND (J) UNDER THIS SECTION IS COMMITTED BY A SYNDICATE OR, IN LARGE SCALE, OR THE WILDLIFE INVOLVE IS BOUND FOR EXPORT OR IS ACTUALLY EXPORTED TO ANOTHER COUNTRY; OR IS IMPORTED FROM ANOTHER COUNTRY BY THE PERSON OR IN CONNIVANCE WITH THE PERSONS FROM WHOM THE WILDLIFE WAS APPREHENDED, THE OFFENSE COMMITTED IS WILDLIFE TRAFFICKING AND SHALL BE PENALIZED ACCORDINGLY."

SECTION 26. Section 28 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 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 FROM six (6) years and one (1) day to twelve (12) years and/or

a fine of SIX HUNDRED THOUSAND PESOS (P600,000.00) to TWO MILLION (P2,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against species listed as CRITICALLY ENDANGERED;

(b) imprisonment FROM four (4) years and one (1) day to six (6) years and/or a fine of THREE HUNDRED THOUSAND PESOS (P300,000.00) to SIX HUNDRED THOUSAND PESOS (P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, 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 ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) to Three Hundred Thousand Pesos (P300,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, 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 ONE HUNDRED THOUSAND PESOS (P100,000.00) to Two hundred thousand pesos (P200,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against other threatened species; and

(e) imprisonment FROM six (6) months and one (1) day to one (1) year and/or a fine of FIFTY THOUSAND PESOS (P50,000.00) to ONE HUNDRED THOUSAND PESOS (P100,000.00)/ OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against other PROTECTED wildlife species.

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

(a) imprisonment FROM four (4) years and 1 day to six (6) years and/or a fine of FOUR HUNDRED THOUSAND PESOS (P400,000.00) to SIX HUNDRED THOUSAND PESOS (P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against species listed as CRITICALLY ENDANGERED;

(b) imprisonment FROM THREE years and 1 day to four (4) years and/or a fine of TWO HUNDRED THOUSAND PESOS (P200,000.00) to FOUR HUNDRED THOUSAND PESOS (P400,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against endangered species;

(c) imprisonment FROM TWO years and one (1) day TO THREE (3) YEARS and/or a fine of ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) to TWO HUNDRED THOUSAND PESOS (P200,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against vulnerable species;

(d) imprisonment FROM ONE (1) YEAR and one (1) day to TWO (2) YEARS and/or a fine of ONE HUNDRED THOUSAND PESOS (P100,000.00) to ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against other threatened species; and

(e) imprisonment FROM six (6) months AND ONE (1) DAY TO ONE (1) YEAR and/or a fine of FIFTY THOUSAND PESOS (P50,000.00) to ONE HUNDRED THOUSAND PESOS (P100,000.00)/ OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against other PROTECTED wildlife species;

For illegal acts under paragraphs (c) and (d) of the immediately preceding section, an imprisonment FROM FOUR (4) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS and/or a fine of THREE HUNDRED THOUSAND PESOS (P300,000.00) to ONE MILLION PESOS (P1,000,000.00) shall be imposed. IF CRITICAL HABITAT REQUIRES REHABILITATION OR RESTORATION AS DETERMINED BY THE COURT, THE OFFENDER SHALL BE REQUIRED TO RESTORE THE SAME, WHENEVER PRACTICABLE, OR PAY ADDITIONAL COMPENSATION FOR THE DAMAGE CAUSED.

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

(a) imprisonment FROM SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS and/or a fine of Three hundred thousand pesos (P300,000.00) TO ONE MILLION PESOS (P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING species listed as CRITICALLY ENDANGERED;

(b) Imprisonment FROM FOUR (4) YEARS AND ONE (1) DAY to SIX (6) YEARS and/or a fine of TWO HUNDRED THOUSAND PESOS (P200,000.00) to THREE HUNDRED THOUSAND PESOS (P300,000.00)/ OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING endangered species;

(c) Imprisonment FROM TWO (2) YEARS AND ONE (1) DAY to FOUR (4) YEARS and/or a fine of SEVENTY FIVE THOUSAND PESOS (P75,000.00) to ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00)/ OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING vulnerable species;

(d) Imprisonment of FROM ONE (1) YEAR AND ONE (1) DAY to TWO (2) YEARS and/or a fine of FIFTY THOUSAND PESOS (P50,000.00) TO ONE HUNDRED THOUSAND PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against species listed as threatened species; and

(e) Imprisonment FROM SIX (6) MONTHS AND ONE (1) DAY to ONE (1) YEAR

and/or a fine of THIRTY THOUSAND PESOS (P30,000.00) to FIFTY THOUSAND PESOS (P50,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING other PROTECTED species.

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

(a) Imprisonment of FOUR (4) years and one (1) day to SIX (6) years and/or a fine of three HUNDRED THOUSAND PESOS (P300,000.00) to SIX HUNDRED THOUSAND PESOS (P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against species listed as CRITICALLY ENDANGERED;

(b) Imprisonment THREE YEARS and one (1) day to FIVE YEARS and/or a fine of TWO HUNDRED THOUSAND PESOS (P200,000.00) to THREE HUNDRED THOUSAND PESOS (P300,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against endangered species;

(c) Imprisonment FROM TWO (2) YEARS and one (1) day to FOUR (4) YEARS and/or a fine of ONE HUNDRED THOUSAND PESOS (P100,000.00) to TWO HUNDRED THOUSAND PESOS (P200,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against vulnerable species;

(d) Imprisonment FROM ONE YEAR and one (1) day to TWO (2) YEARS and/or a fine of ONE HUNDRED THOUSAND PESOS (P100,000.00) to ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against species as other threatened species; and

(e) Imprisonment FROM SIX (6) MONTHS AND ONE (1) DAY to ONE (1) YEAR and/or a fine of FIFTY THOUSAND PESOS (P50,000.00) to ONE HUNDRED THOUSAND PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if inflicted or undertaken against other PROTECTED species.

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

(a) Imprisonment FROM EIGHT (8) YEARS AND ONE (1) DAY to TEN (10) YEARS and a fine of FIVE HUNDRED THOUSAND PESOS (P500,000.00) to ONE MILLION PESOS (P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING species listed as CRITICALLY ENDANGERED;

(b) Imprisonment FROM SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS and a fine of THREE HUNDRED THOUSAND PESOS (P300,000.00) to SIX HUNDRED THOUSAND PESOS (P600,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING

endangered species;

(c) imprisonment FROM FOUR (4) YEARS AND ONE (1) DAY to SIX (6) YEARS and a fine of ONE HUNDRED FIFTY THOUSAND PESOS (P150,000.00) to THREE HUNDRED THOUSAND PESOS (P300,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING vulnerable species; AND

(d) Imprisonment TWO (2) YEARS AND ONE (1) DAY to FOUR (4) YEARS and a fine of ONE HUNDRED THOUSAND PESOS (P100,000.00) to TWO HUNDRED THOUSAND PESOS (P200,000.00), if inflicted or undertaken against species listed as other threatened species; AND

(e) Imprisonment FROM ONE (1) YEAR AND ONE (1) DAY to TWO (2) YEARS and a fine of FIFTY THOUSAND PESOS (P50,000.00) to ONE HUNDRED THOUSAND PESOS (P100,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, if INVOLVING other PROTECTED species.

FOR VIOLATIONS OF LETTERS (A), (E), (F), (I), AND (J) UNDER SECTION 27 OF THIS ACT, COMMITTED BY A SYNDICATE OR, IN LARGE SCALE, OR THE WILDLIFE INVOLVED IS BOUND FOR EXPORT OR IS ACTUALLY EXPORTED TO ANOTHER COUNTRY; OR IS IMPORTED FROM ANOTHER COUNTRY BY THE PERSON OR IN CONNIVANCE WITH THE PERSONS FROM WHOM THE WILDLIFE WAS APPREHENDED, OTHERWISE KNOWN AS WILDLIFE TRAFFICKING THE FOLLOWING FINES AND PENALTIES SHALL BE IMPOSED:

(a) IMPRISONMENT FROM TWELVE (12) YEARS AND ONE (1) DAY TO TWENTY (20) YEARS AND A FINE OF ONE MILLION PESOS (P1,000,000.00) TO TEN (10) MILLION PESOS (P10,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN AGAINST SPECIES LISTED AS CRITICALLY ENDANGERED;

(b) IMPRISONMENT FROM EIGHT (8) YEARS AND ONE (1) DAY TO TWELVE (12) YEARS AND A FINE OF EIGHT HUNDRED THOUSAND PESOS (P800,000.00) TO TWO MILLION PESOS (P1,000,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN AGAINST ENDANGERED SPECIES;

(c) IMPRISONMENT FROM SIX (6) YEARS AND ONE (1) DAY TO EIGHT (8) YEARS AND A FINE OF THREE HUNDRED THOUSAND PESOS (P300,00.00) TO EIGHT HUNDRED THOUSAND PESOS (P800,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN AGAINST VULNERABLE SPECIES;

(d) IMPRISONMENT FROM FOUR (4) YEARS AND ONE (1) DAY TO SIX (6) YEARS AND A FINE OF TWO HUNDRED THOUSAND PESOS (P200,000.00) TO FOUR HUNDRED THOUSAND PESOS (P400,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR 2 UNDERTAKEN AGAINST OTHER THREATENED SPECIES; AND

(e) IMPRISONMENT FROM TWO (2) YEARS AND ONE (1) DAY TO FOUR (4) YEARS AND A FINE OF ONE HUNDRED THOUSAND PESOS (P100,000.00) TO TWO HUNDRED THOUSAND PESOS (P200,000.00), OR TWO TIMES THE PROVEN MARKET VALUE, WHICHEVER IS HIGHER, IF INFLICTED OR UNDERTAKEN AGAINST OTHER PROTECTED WILDLIFE SPECIES."

SECTION 27. Insert thirteen (13) new sections after Section 28 of Republic Act No. 9147 to read as follows:

"SEC. 28.1. IMPOSITION OF PENALTY FOR VIOLATION COMMITTED BY JURIDICAL ENTITY AND ADDITIONAL LIABILITY. – IF THE VIOLATION IS COMMITTED BY A CORPORATION, COOPERATIVE, ASSOCIATION OR ANY OTHER JURIDICAL PERSONS, THE PENALTY SHALL BE IMPOSED UPON THE PERSONS WHO COMMITTED THE ACT AS WELL AS THE PRESIDENT, DIRECTORS, MANAGERS, MANAGING PARTNER, OR OTHER OFFICIALS RESPONSIBLE FOR SUCH VIOLATION.

ANY GOVERNMENT OFFICIAL OR EMPLOYEE, WHO IS FOUND LIABLE, FOR ANY OFFENSE PENALIZED BY SIX YEARS OF IMPRISONMENT OF THIS ACT, SHALL, IN ADDITION TO THE PENALTY WHICH MAY BE IMPOSED UPON HIM AS PRINCIPAL, BE PERPETUALLY DISQUALIFIED FROM HOLDING ANY PUBLIC OFFICE.

ANY PERSON CONVICTED OF A VIOLATION OF THIS ACT SHALL BE PERMANENTLY AND PERPETUALLY DISQUALIFIED FROM BEING ISSUED ANY WILDLIFE PERMITS, CLEARANCES, AGREEMENTS AND/OR CERTIFICATES."

"SEC. 28.2. RECOVERY OF COST AND REPARATION AND RESTORATION OF AFFECTED RESOURCE. – IN ADDITION TO THE FINE AND IMPRISONMENT THAT MAY BE IMPOSED FOR VIOLATION OF THIS ACT, THE OFFENDER SHALL ALSO PAY ALL REASONABLE COST INCURRED BY THE STATE RESULTING FROM THE SAID VIOLATION. THE COST MAY INCLUDE EXPENSES FOR TRANSPORT, MAINTENANCE OF THE SEIZED WILDLIFE, AND PROPER DISPOSAL THEREOF.

THE OFFENDER SHALL LIKEWISE BE LIABLE TO PAY THE RESOURCE ECONOMIC VALUE, PROVEN TO HAVE BEEN LOST OR SUFFERED AS A RESULT OF THE VIOLATION AND TO INDEMNIFY THE STATE FOR THE COST OF RESTORATION OF THE AFFECTED RESOURCE."

"SEC. 28.3. ESCALATION OF THE AMOUNT OF FINES. – THE FINES HEREIN PRESCRIBED SHALL AUTOMATICALLY INCREASE, WITHOUT NEED FOR FURTHER LEGISLATION OR ADMINISTRATIVE ISSUANCE, BY TEN PERCENT (10%) EVERY FIVE (5) YEARS FROM THE EFFECTIVITY OF THIS ACT TO MAINTAIN THE DETERRENT FUNCTION OF SUCH FINES."

"SEC. 28.4. DISPUTABLE PRESUMPTIONS. – WITHOUT THE APPROPRIATE WILDLIFE PERMIT, CERTIFICATION OR CLEARANCE, OR AUTHORITY, AT

THE TIME OF APPREHENSION, THE FOLLOWING SHALL CONSTITUTE A PRESUMPTION THAT A CORRESPONDING OFFENSE, PENALIZED UNDER THIS ACT, HAS BEEN COMMITTED BY THE PERSON/S INVOLVED:

(a) POSSESSION OF ANY HUNTING, TRAPPING OR COLLECTING PARAPHERNALIA ALONG WITH LIVE OR DEAD WILDLIFE, WILDLIFE PRODUCTS AND DERIVATIVES SHALL BE A DISPUTABLE PRESUMPTION THAT THE POSSESSOR CAUSED THE KILLING AND/OR DESTRUCTION, INFLICTION OF INJURY, MALTREATMENT, COLLECTION, HUNTING OF WILDLIFE, WILDLIFE BY-PRODUCTS AND/OR DERIVATIVES, AS APPROPRIATE;

(b) FAILURE ON THE PART OF THE AIRFREIGHT, SHIPPING, TRUCKING OR FORWARDING COMPANIES FROM WHOSE POSSESSION THE WILDLIFE, BY-PRODUCTS AN/OR DERIVATIVES ARE DISCOVERED OR SEIZED TO FULLY COOPERATE IN THE INVESTIGATION BY CONCERNED GOVERNMENT AUTHORITIES ON THE MATTER SHALL CREATE A PRESUMPTION THAT THERE IS CONNIVANCE OR CONSPIRACY BETWEEN THE COMPANY AND THE SHIPPER TO VIOLATE THE RELEVANT PROVISIONS OF THIS ACT."

"SEC. 28.5. SEPARATE OFFENSES FOR EACH SPECIES AND CIRCUMSTANCES FOR THE IMPOSITION OF MAXIMUM PENALTY. – IN CASES WHERE MORE THAN ONE WILDLIFE SPECIES, IS COLLECTED, HUNTED, POSSESSED TRANSPORTED OR OTHERWISE INVOLVED IN CONNECTION WITH THE VIOLATION OF THIS ACT, EACH WILDLIFE SPECIES INVOLVED SHALL CONSTITUTE A SEPARATE AND DISTINCT COUNT OF VIOLATION OF THIS ACT.

EACH SEPARATE DISTINCT COUNT OF VIOLATION SHALL BE PROSECUTED AND PENALIZED SEPARATELY, REGARDLESS OF INTENT, UNITY OR CONNECTIONS OF THE ACTS RESULTING INTO THE VIOLATION. MOREOVER, NUMBER OF SPECIMEN INVOLVED IN EVERY SPECIES AND THE CIRCUMSTANCES OBTAINING IN EACH PROVEN VIOLATION, AS SPECIFIED HEREUNDER, SHALL SERVE AS BASIS FOR THE IMPOSITION OF PENALTIES.

A. IF MORE THAN ONE (1) SPECIMEN OF A CRITICALLY ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY SHALL BE IMPOSED;

B. IF MORE THAN FIVE (5) OF SPECIMENS OF AN ENDANGERED SPECIES IS INVOLVED, THE MAXIMUM PENALTY SHALL BE IMPOSED;

C. IF MORE THAN EIGHT (8) SPECIMENS OF A VULNERABLE SPECIES IS INVOLVED, THE MAXIMUM PENALTY SHALL BE IMPOSED;

D. . IF MORE THAN TEN (10) SPECIMENS OF A NEAR THREATENED SPECIES IS INVOLVED, THE MAXIMUM PENALTY SHALL BE IMPOSED;

E. IF MORE THAN FIFTEEN (15) SPECIMENS OF OTHER WILDLIFE

SPECIES IS INVOLVED, THE MAXIMUM PENALTY SHALL BE IMPOSED;

F. IF AT THE TIME OF HIS OR HER TRIAL FOR A VIOLATION OF THIS ACT, THE ACCUSED SHALL HAVE BEEN PREVIOUSLY CONVICTED BY FINAL JUDGMENT OF THE SAME OR ANOTHER VIOLATION OF THIS ACT, MAXIMUM PENALTY SHALL BE IMPOSED;

G. IF THE PROHIBITED ACT COMMITTED INVOLVES THE INDUCEMENT OF INDIGENOUS PEOPLES, THE MAXIMUM PENALTY SHALL BE IMPOSED."

"SEC. 28.6. LIABILITY UNDER OTHER LAWS. – PROSECUTION FOR VIOLATION OF THIS ACT SHALL BE WITHOUT PREJUDICE TO THE PROSECUTION OF THE OFFENDER FOR VIOLATION OF OTHER LAWS, RULES AND REGULATIONS."

"SEC. 28.7. CREATION OF PLANTILLA POSITIONS FOR LAW ENFORCEMENT. – THE DENR, DA, PCSD, AND BMG ARE HEREBY AUTHORIZED TO CREATE, SUBJECT TO EXISTING GUIDELINES, PERMANENT POSITIONS OF ENFORCEMENT OFFICERS, OR DESIGNATE THEIR EXISTING PERMANENT EMPLOYEES AS SUCH FROM THEIR RESPECTIVE ENFORCEMENT UNITS. SUCH ENFORCEMENT OFFICERS SHALL HAVE FULL AUTHORITY TO ENFORCE THE PROVISIONS OF THIS ACT AND OTHER ENVIRONMENTAL LAWS.

THE ENFORCEMENT OFFICERS ARE AUTHORIZED TO CARRY THEIR AGENCY'S BADGE AND GOVERNMENT FIREARMS IN THE CONDUCT OF THEIR DUTIES, SUBJECT TO THE EXISTING RULES ON FIREARMS AND AFTER PROPER TRAINING FROM APPROPRIATE GOVERNMENT FACILITY CONDUCTING FIREARMSTRAINING."

"SEC. 28.8. PERSONS AND DEPUTIES AUTHORIZED TO ENFORCE THE PENAL PROVISIONS OF THIS ACT. – ENFORCEMENT OFFICERS OF DENR, DA, PCSD, AND BMG, THE PHILIPPINE NATIONAL POLICE (PNP), THE NATIONAL BUREAU OF INVESTIGATION (NBI), AND OTHER LAW ENFORCEMENT AGENCIES ARE AUTHORIZED TO ENFORCE THE PENAL PROVISIONS OF THIS ACT. THESE AGENCIES SHALL DESIGNATE WILDLIFE ENFORCEMENT OFFICERS TO ARREST VIOLATORS OF THIS ACT AND TO SEIZE ALL WILDLIFE BY PRODUCTS AND DERIVATIVES AND, PROCEEDS THEREOF, INCLUDING ALL TOOLS IMPLEMENTS AND CONVEYANCES, USED, IN RELATION THERETO.

DENR, DA PCSD, AND BMG MAY ALSO DEPUTIZE WILDLIFE ENFORCEMENT OFFICERS FROM ARMED FORCES OF THE PHILIPPINES (AFP), LOCAL GOVERNMENT UNITS, NONGOVERNMENT ORGANIZATIONS, AND OTHER VOLUNTEERS WHO HAVE UNDERGONE NECESSARY TRAINING FOR THIS PURPOSE. THESE AGENCIES MAY ALSO SEEK THE COOPERATION OF INTERNATIONAL AND REGIONAL ORGANIZATIONS IN THE CONDUCT OF ITS INVESTIGATION AND ENFORCEMENT ACTIONS.

"SEC. 28.9. CREATION OF WILDLIFE TRAFFIC MONITORING UNITS. – THE

DENR, DA, PCSD, AND BMG SHALL CREATE WILDLIFE TRAFFIC MONITORING UNITS (WTMUS) IN STRATEGIC AIR AND SEAPORTS ALL OVER THE COUNTRY TO ENSURE THE STRICT COMPLIANCE AND EFFECTIVE IMPLEMENTATION OF ALL EXISTING WILDLIFE LAWS, RULES AND REGULATIONS, INCLUDING PERTINENT INTERNATIONAL AGREEMENTS. FOR THIS PURPOSE, THE DENR, DA PCSD, AND BMG ARE AUTHORIZED TO ADD IN THEIR STAFFING PATTERN ENFORCEMENT OFFICERS, TO BE ASSIGNED AT WTMUS.

CUSTOMS OFFICERS AND/OR OTHER AUTHORIZED GOVERNMENT REPRESENTATIVES ASSIGNED AT AIR OR SEAPORTS WHO MAY HAVE INTERCEPTED WILDLIFE COMMODITIES IN THE DISCHARGE OF THEIR OFFICIAL FUNCTIONS SHALL TURN OVER INTERCEPTED WILDLIFE, BY-PRODUCTS AND DERIVATIVES TO THE WILDLIFE TRAFFIC MONITORING UNIT ASSIGNED IN THE AREA, OR THE COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE (CENRO) SHOULD THE WILDLIFE TRAFFIC MONITORING UNIT BE NOT AVAILABLE OR NOT YET ORGANIZED IN THE SAID PORT OR AIRPORT."

"SEC. 28.10. WILDLIFE REGULATORY AND LAW ENFORCEMENT MANAGEMENT INFORMATION SYSTEM. – DENR, DA, PCSD, AND BMG SHALL DEVELOP, ESTABLISH AND MAINTAIN THEIR RESPECTIVE WILDLIFE LAW ENFORCEMENT MANAGEMENT INFORMATION SYSTEM TO AID IN THE MONITORING, REGULATION, CONTROL AND SURVEILLANCE OF ACTIVITIES INVOLVING WILDLIFE. THESE SYSTEMS SHALL BE SO DESIGNED, KEEPING IN MIND THE NEED FOR COORDINATION, SUPPORT, INFORMATION SHARING AND COORDINATIVE ACTION AMONG DENR, DA, PCSD, BARMM, AND OTHER RELEVANT AGENCIES."

"SEC. 28.11. AUTHORITY TO PROVIDE, ADJUDICATE, AND ADMINISTER PENALTIES. – THE DENR, DA, PCSD OR BMG ARE GIVEN THE POWER TO EXERCISE ADMINISTRATIVE ADJUDICATION IN ALL CASES OF VIOLATIONS OF THIS ACT. FOR THIS PURPOSE, DENR, DA, PCSD OR BMG, MAY PROVIDE A SCHEDULE OF ADMINISTRATIVE PENALTIES FOR VIOLATIONS OF THIS ACT AND THE RULES AND REGULATIONS ISSUED HEREUNDER.

IN THE EXERCISE OF ITS ADJUDICATION POWER, DENR, DA, PCSD OR BMG MAY CAUSE THE CONFISCATION, FORFEITURE AND FINAL DISPOSITION OF ALL WILDLIFE, ITS DERIVATIVES AND BY PRODUCTS AS WELL AS TOOLS AND CONVEYANCES USE IN CONNECTION WITH THE VIOLATION. IN THE SAME MANNER, IMPOSED FINES AND OTHER PENALTIES PROVIDED IN THIS ACT AND THE REGULATIONS ISSUED HEREUNDER, AND CITE IN CONTEMPT THOSE WHO MISLEAD, EVADE OR REFUSE TO COOPERATE IN THE INVESTIGATION.

IN RELATION WITH THIS SECTION, THE DENR, DA, PCSD, AND BMG IS FURTHER AUTHORIZED TO ORGANIZE THEIR RESPECTIVE ADJUDICATION STRUCTURES OR DESIGNATE EXISTING STRUCTURES TO IMPLEMENT THE ADJUDICATION AUTHORITY PROVIDED IN THIS ACT,

SHOULD THERE BE ANY.

TO ENSURE THE EFFECTIVE AND EFFICIENT IMPLEMENTATION OF THIS SECTION, THE DENR, DA, PCSD, AND BMG ARE FURTHER AUTHORIZED TO ISSUE PROCEDURAL RULE AND REGULATIONS, AS APPROPRIATE."

"SEC. 28.12. ROLE OF OTHER NATIONAL AGENCIES, LOCAL GOVERNMENT UNITS AND THE GENERAL PUBLIC. – IN ADDITION TO THE MANDATED ROLES AND FUNCTIONS AS MAY BE PROVIDED IN THIS ACT AND OTHER LAWS, RULES AND REGULATIONS, NATIONAL AGENCIES, INSTRUMENTALITIES, INCLUDING GOVERNMENT OWNED AND CONTROLLED CORPORATIONS AND LOCAL GOVERNMENT UNITS SHALL ASSIST AND SUPPORT THE DENR, DA, PCSD, AND BMG IN THE IMPLEMENTATION AND ENFORCEMENT OF THIS ACT.

LOCAL GOVERNMENT UNITS SHALL, REQUIRE THE PRESENTATION OF A DULY ISSUED PERMITS AND/OR CLEARANCES FROM DENR, DA, PCSD OR BARMM AS A PREREQUISITE FOR THE ISSUANCE OR RENEWAL OF BUSINESS PERMITS AND OTHER APPLICABLE LOCAL GOVERNMENT PERMITS AND CLEARANCES FOR ALL BUSINESS AND ACTIVITIES INVOLVING WILDLIFE.

PRIVATE PERSON WHO SHALL PROVIDE INFORMATION LEADING TO THE, PROSECUTION AND CONVICTION OF OFFENDERS FOR ANY VIOLATION OF THIS ACT AND ITS IMPLEMENTING RULES AND REGULATIONS SHALL BE GIVEN AMPLE PROTECTION AND REWARD IN ACCORDANCE WITH EXISTING REGULATIONS."

"SEC. 28.13. STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION (SLAPP) IN THE ENFORCEMENT OF THIS ACT. – A LEGAL ACTION FILED TO HARASS, VEX, EXERT UNDUE PRESSURE, OR STIFLE ANY LEGAL RECOURSE THAT ANY PERSON, INSTITUTION, OR THE GOVERNMENT HAS TAKEN OR MAY TAKE IN THE ENFORCEMENT OF THIS ACT SHALL BE TREATED AS A STRATEGIC LAWSUIT AGAINST PUBLIC PARTICIPATION (SLAPP).

THE RULES OF PROCEDURE FOR ENVIRONMENTAL CASES SHALL GOVERN THE PROCEDURE IN CIVIL, CRIMINAL, AND SPECIAL CIVIL ACTIONS INVOLVING THE ENFORCEMENT OR VIOLATIONS OF THIS ACT INCLUDING ACTIONS TREATED AS A SLAPP AS PROVIDED IN THIS SECTION."

SECTION 28. Section 29 of Republic Act No. 9147 Is hereby amended to read as follows:

"SEC. 29. Wildlife Management Fund. – There are hereby established a Wildlife Management Funds EACH to be administered by the DENR, DA PCSD AND BMG 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, monitoring activities, INTELLIGENCE GATHERING AND MONITORING ACTIVITIES, PROCUREMENT OF

VEHICLES, FIREARMS AND AMMUNITIONS, as well as enhancement of capabilities of relevant agencies.

The Fund shall BE DERIVED from ADMINISTRATIVE fines imposed and damages awarded, PROCEEDS FROM ALLOWABLE DISPOSITION OF WILDLIFE, WILDLIFE BY-PRODUCTS AND DERIVATIVES, fees, charges, donations, endowments, administrative fees or grants in the form of contributions, INCLUDING AWARD FOR COST OF REPARATION AND RESTORATION OF AFFECTED RESOURCE. Contributions to the Fund shall be exempted from donor taxes and all other tax charges or fees Imposed by the government."

SECTION 29. Section 31 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 31. Establishment of National Wildlife Research Centers AND FORENSICS LABORATORY. – The DENR AND DA, IN COORDINATION WITH PCSD AND BMG, shall establish national wildlife research centers for terrestrial and aquatic species to lead in the conduct of scientific researches on the proper strategies for the conservation and protection of wildlife, including captive breeding or propagation. THE DENR, DA, PCSD, AND BMG MAY ALSO 2 ESTABLISH OR DESIGNATE FORENSICS LABORATORIES FOR THE CONDUCT OF FORENSIC ANALYSES AND OTHER RELATED CAPABILITIES FOR WILDLIFE LAW ENFORCEMENT. In this regard, the DENR, DA, PCSD, AND BMG shall ESTABLISH PARTNERSHIPS WITH experts from academic AND research institutions and THE PRIVATE SECTOR."

SECTION 30. Section 32 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 32. Wildlife Rescue Center. – The DENR, DA, PCSD, AND BMG, shall establish or designate wildlife rescue centers to take temporary custody and care of all confiscated, abandoned, TURNED OVER or donated wildlife. SUCH WILDLIFE RESCUE CENTERS SHALL BE STAFFED BY QUALIFIED PERSONNEL AND SHALL ALSO HAVE THE NECESSARY TOOLS, MACHINES, EQUIPMENT AND FACILITIES CONSISTENT WITH THE REQUIREMENTS OF ANIMAL HEALTH AND WELFARE. The DENR, DA, PCSD, AND BMG shall formulate guidelines for the disposition of wildlife from the rescue centers AND SHALL REGULARLY INCLUDE IN THE PROPOSAL FOR INCLUSION IN THE GENERAL APPROPRIATIONS ACT, THE NECESSARY AMOUNT NEEDED FOR THE ESTABLISHMENT AND MAINTENANCE OF WILDLIFE RESCUE CENTER."

SECTION 31. Section 34 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 34. Exemption from taxes. – Any donation, contribution, GRANT, bequest, subsidy or financial aid which may be made to the DENR, DA, PCSD, BMG, and to NGOs AND PEOPLES ORGANIZATIONS engaged in wildlife conservation, PROTECTION AND LAW ENFORCEMENT duly registered with the Securities and Exchange Commission OR THE COOPERATIVE DEVELOPMENT AUTHORITY, as certified by the local government unit, the DENR, DA OR PCSD,

for the conservation and protection of wildlife resources and their habitats shall constitute as an allowable deduction from the taxable income of the donor and shall be exempt from donor's tax."

SECTION 32. Section 35 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 35. Flagship Species. – Local government units shall initiate conservation measures for WILDLIFE species in their areas. For this purpose, they may adopt flagship species such as the Cebu black shama (*copsychus cebuensis*), tamaraw (*bubalus mindorensis*), Philippine tarsier (*tarsius syrichta*), Philippine teak (*tectona philippinensis*), which shall serve as emblems of conservation for the local government concerned. THE DENR, DA, PCSD, AND BMG MAY PROVIDE GUIDELINES ON THE SELECTION OF FLAGSHIP SPECIES."

SECTION 33. Insert a new section after Section 35 of Republic Act No. 9147 to read as follows:

"SEC. 35.1. HERITAGE TREES. – IN COORDINATION WITH AND WITH ASSISTANCE FROM THE DENR OR PCSD, LOCAL GOVERNMENT UNITS SHALL DECLARE OR DESIGNATE AS HERITAGE TREES CERTAIN QUALIFIED ENDEMIC OR INDIGENOUS TREE SPECIES WITHIN THEIR TERRITORIAL JURISDICTION. THE SECRETARY OR PCSD OR THEIR AUTHORIZED REPRESENTATIVES MAY PROVIDE GUIDELINES ON THE SELECTION OF HERITAGE TREES."

SECTION 34. Section 36 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 36. REGULATION OF Botanical Gardens, Zoological Parks and Other Similar Establishments. – The DENR, DA, PCSD, AND BMG shall regulate the establishment, operation and maintenance of botanical gardens, zoological and other similar establishments for recreation, education and conservation THROUGH THE ISSUANCE OF CLEARANCE TO OPERATE. THE DENR, DA, PCSD, AND BMG SHALL LIKEWISE PROMULGATE REGULATIONS FOR SUCH PURPOSE."

SECTION 35. Insert a new section after Section 36 of Republic Act No. 9147 to read as follows:

"SEC. 36.1. REGISTRATION OF MUSEUM SPECIMENS. – EXCEPT FOR THE NATIONAL MUSEUM, ALL OTHER MUSEUMS AND SIMILAR ESTABLISHMENTS DISPLAYING WILDLIFE BY-PRODUCTS AND DERIVATIVES FOR PUBLIC VIEWING SHALL REGISTER SAID SPECIMENS WITH THE DENR, DA PCSD OR BMG AS THE CASE MAY BE. THE DENR, DA, PCSD, AND BMG SHALL PROMULGATE RULES AND REGULATIONS FOR SUCH PURPOSE."

SECTION 36. Section 37 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 37. Implementing Rules and Regulations. – Within four (4) months following the effectivity of this Act, THE DENR, DA, PCSD, AND BMG shall JOINTLY promulgate THE IMPLEMENTING rules and regulations for the effective implementation of this Act. Whenever appropriate, coordination in the preparation and implementation of rules and regulations on joint and inseparable issues shall be done by THE DENR, DA, PCSD, AND BMG. The commitments of the State to international agreements and protocols shall likewise be a consideration in the implementation of this Act."

SECTION 37. Section 38 of Republic Act No. 9147 is hereby amended to read as follows:

"SEC. 38. Appropriations. – The amount necessary to implement the provisions of this Act shall be charged against the RESPECTIVE appropriations of the DENR, DA, PCSD and BMG in the current General Appropriations Act. Thereafter, such sums as may be necessary to fully implement the provisions of this Act shall be included in the RESPECTIVE APPROPRIATIONS OF THE DENR, DA, PCSD, AND BMG, AS APPLICABLE, IN THE annual General Appropriations Act.

SECTION 38. Insert a new section after Section 38 of Republic Act No. 9147 to read as follows:

"SEC. 38.1. CONSTRUCTION. – THE PROVISION OF THIS ACT SHALL BE LIBERALLY CONSTRUED IN FAVOR OF THE CONSERVATION AND PROTECTION OF WILDLIFE SPECIES AND THEIR HABITATS TOWARDS THE PROMOTION OF ECOLOGICAL BALANCE AND ENHANCEMENT OF BIOLOGICAL DIVERSITY."

SECTION 39. Separability Clause. – If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected thereby shall continue to be in full force and effect.

SECTION 40. Repealing Clause. – All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof which are contrary to or inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 41. Effectivity. – This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

Approved,