

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 1534



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 one of the megadiverse countries, which hosts several thousand of species of plants and animals, of which more than half are endemic or cannot be found anywhere else on earth. However, this is also what makes the country a hotspot for illegal wildlife trade.

Data from the Department of Environment and Natural Resources- Biodiversity Management Bureau (DENR-BMB) show that from 2013 to 2018, 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.

Just last month, government authorities seized about 200 tons of giant clam shells worth P1.2 billion pesos in one of their task force operations in the island province of Palawan.

Experts have revealed that our country loses P50 billion annually due to these rampant illegal activities. 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, according to DENR reports.

Currently, the offense of trading of wildlife under Republic Act No. 9147, otherwise known as the "Wildlife Resources Conservation and Protection Act," 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 and its products to the international markets. By using a complex web of poachers and networks of traffickers, these violators stay one step ahead of the law.

Widespread trafficking of thousands of wildlife, if not abated, will not only cause the extinction of targeted species but will also lead to the collapse of our rich biodiversity that has provided millions of Filipinos resources for food, natural medicines, wood and plant products, as well as sustainable livelihoods among others.

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
- (p) 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"

SEC. 2. 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/or fines shall be imposed:

(a) imprisonment of **TWENTY-FIVE (25) YEARS AND ONE (1) DAY TO
THIRTY (30) YEARS** [a minimum of six (6) years and one (1) day to
twelve (12) years] and/or 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 species listed as **CRITICALLY ENDANGERED** [critical];

(b) imprisonment of **TWENTY (20) YEARS AND ONE (1) DAY TO TWENTY-FIVE (25) YEARS** [four (4) years and one (1) day to six (6) years] and/or a fine of **THREE HUNDRED THOUSAND PESOS (P300,000.00) TO SEVEN HUNDRED THOUSAND PESOS (P700,000.00)** [Fifty thousand pesos (P50,000.00) to Five hundred thousand pesos (P500,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **FIFTEEN (15) YEARS AND ONE (1) DAY TO TWENTY (20) YEARS** [two (2) years and one (1) day to four (4) years] and/or a fine of **TWO HUNDRED THOUSAND PESOS (P200,000.00) 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 vulnerable species;

(d) imprisonment of **TEN (10) YEARS AND ONE (1) DAY TO FIFTEEN (15) YEARS** [one (1) year and one (1) day to two (2) years] and/or 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 other threatened species; and

(e) imprisonment of **FIVE (5) YEARS AND ONE (1) DAY TO TEN (10) YEARS** [six (6) months and one (1) day to one (1) year] and/or a fine of **FIFTY THOUSAND PESOS (P50,000.00) 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 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 of **TWENTY (20) YEARS AND ONE (1) DAY TO TWENTY-FIVE (25) YEARS** [a minimum 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 EIGHT HUNDRED THOUSAND PESOS (P800,000.00)** [Fifty thousand pesos (P50,000.00) to Five hundred thousand pesos (P500,000.00)], if inflicted or undertaken against species listed as **CRITICALLY ENDANGERED** [critical];

(b) imprisonment of **FIFTEEN (15) YEARS AND ONE (1) DAY TO TWENTY (20) YEARS** [two (2) years and one (1) day to four (4) years] and/or a fine of **TWO HUNDRED THOUSAND PESOS (P200,000.00) TO FIVE HUNDRED THOUSAND PESOS (P500,000.00)** [Thirty thousand pesos (P30,000.00) to Two hundred thousand pesos (P200,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **TEN (10) YEARS AND ONE (1) DAY TO FIFTEEN (15) YEARS** [one (1) year and one (1) day to two (2) years] and/or 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 vulnerable species;

(d) imprisonment of **FIVE (5) YEARS AND ONE (1) DAY TO TEN (10) YEARS** [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)** [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 **ONE (1) YEAR AND ONE (1) DAY TO FIVE (5) YEARS** [one (1) month to six (6) months] and/or a fine of **TWENTY THOUSAND PESOS (P20,000.00) 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 other **PROTECTED** wildlife species.

For illegal acts under paragraphs (c) and (d) of the immediately preceding section, an imprisonment of **FIVE (5) YEARS TO TEN (10) YEARS** [one (1) month to eight (8) years] and/or a fine of **TWO HUNDRED THOUSAND PESOS (P200,000.00) TO FIVE MILLION PESOS (P5,000,000.00)** [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 fines shall be imposed:

(a) imprisonment of **FIFTEEN (15) YEARS AND ONE (1) DAY TO TWENTY (20) YEARS** [two (2) years and one (1) day to four (4) years] and/or a fine of **FIVE HUNDRED THOUSAND PESOS (P500,000.00) TO TWO MILLION PESOS (P2,000,000.00)** [Five thousand pesos (P5,000.00) to Three hundred thousand pesos (P300,000.00)], if inflicted or undertaken against species listed as **CRITICALLY ENDANGERED** [critical];

(b) imprisonment of **TEN (10) YEARS AND ONE (1) DAY TO FIFTEEN (15) YEARS** [one (1) year and one (1) day to two (2) years] and/or a fine of **THREE HUNDRED THOUSAND PESOS (P300,000.00) TO SEVEN HUNDRED THOUSAND PESOS (P700,000.00)** [Two thousand pesos (P2,000.00) to Two hundred thousand pesos (P200,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **FIVE (5) YEARS AND ONE (1) DAY TO TEN (10) YEARS** [six (6) months and one (1) day to one (1) year] and/or a fine of **TWO HUNDRED THOUSAND PESOS (P200,000.00) TO FIVE HUNDRED THOUSAND PESOS (P500,000.00)** [One thousand pesos

(P1,000.00) to One hundred thousand pesos (P100,000.00)], if inflicted or undertaken against vulnerable species;

(d) imprisonment of **ONE (1) YEAR AND ONE (1) DAY TO FIVE (5) YEARS** [one (1) month and one (1) day to six (6) months] and/or a fine of **ONE HUNDRED THOUSAND PESOS (P100,000.00) TO THREE HUNDRED THOUSAND PESOS (P300,000.00)** [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 **SIX (6) MONTHS AND AND ONE (1) DAY TO ONE (1) YEAR** [ten (10) days to one (1) month] and/or a fine of **FIFTY THOUSAND PESOS (P50,000.00) TO TWO HUNDRED THOUSAND PESOS (P200,000.00)** [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 fines shall be imposed:

(a) imprisonment of **TEN (10) YEARS AND ONE (1) DAY TO FIFTEEN (15) YEARS** [two (2) years and one (1) day to four (4) years] and a fine of **TWO HUNDRED THOUSAND PESOS (P200,000.00) 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 species listed as **CRITICALLY ENDANGERED** [critical];

(b) imprisonment of **FIVE (5) YEARS AND ONE (1) DAY TO TEN (10) 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 **ONE (1) YEAR AND ONE (1) DAY TO FIVE (5) YEARS** [six (6) months and one (1) day to one (1) year] and a fine of **FIFTY THOUSAND PESOS (P50,000.00) 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 **SIX (6) MONTHS AND ONE (1) DAY TO ONE (1) YEAR** [one (1) month and one (1) day to six (6) months] 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 Fifty thousand pesos (P50,000.00)], if inflicted or undertaken against species listed as other threatened species; and

(e) imprisonment of **ONE (1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS** [ten (10) days to one (1) month] and a fine of **TEN THOUSAND PESOS (P10,000.00) 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 fines shall be imposed:

(a) imprisonment of **FIVE (5) YEARS AND ONE (1) DAY TO TEN (10) 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 species listed as **CRITICALLY ENDANGERED** [critical species];

(b) imprisonment of **ONE (1) YEAR AND ONE (1) DAY TO FIVE (5) YEARS** [three (3) months and one (1) day to six (6) months] and a fine of **FIFTY THOUSAND PESOS TO TWO HUNDRED THOUSAND PESOS (P200,000.00)** [Twenty thousand pesos (P20,000.00) to Fifty thousand pesos (P50,000.00)], if inflicted or undertaken against endangered species;

(c) imprisonment of **SIX (6) MONTHS AND ONE (1) DAY TO ONE (1) YEAR** [one (1) month and one (1) day to three (3) months] 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 vulnerable species;

(d) imprisonment of **ONE (1) MONTH AND ONE (1) DAY TO SIX (6) MONTHS** [ten (10) days to one (1) month] and a fine of **TEN THOUSAND PESOS (P10,000.00) 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 species listed as other threatened species;

(e) imprisonment of **TEN (10) DAYS TO ONE (1) MONTH** [five (5) days to ten (10) days and] a fine of **FIVE THOUSAND PESOS (P5,000.00) TO THIRTY THOUSAND PESOS (P30,000.00)** [Two hundred pesos (P200.00) to One thousand pesos (P1,000.00)], if inflicted or undertaken against other **PROTECTED** 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 three (3) years to compensate for inflation and to maintain the deterrent function of such fines."

SEC. 3. 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 LIKEWISE IMPLEMENT A SYSTEM OF REWARD 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."

SEC. 4. *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.

SEC. 5. *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.