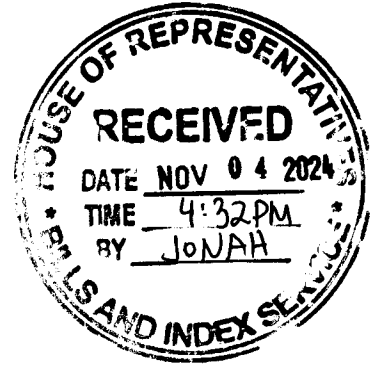




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
Third Regular Session

HOUSE BILL NO. **11028**



Introduced by Representative Crispin Diego “Ping” D. Remulla

AN ACT
STRENGTHENING ANIMAL WELFARE STANDARDS, ENACTING A REVISED
ANIMAL WELFARE ACT, THEREBY REPEALING REPUBLIC ACT NO. 8485, AS
AMENDED BY REPUBLIC ACT NO. 10631, APPROPRIATING FUNDS
THEREFOR AND FOR OTHER PURPOSES

EXPLANATORY NOTE

The incidents involving Killua, a dog who was beaten to death by Barangay Tanod Anthony Solares in Bato, Camarines Sur in March 2024, and the puppy thrown from an elevated footbridge by a mall security guard in February 2024 highlight a growing concern over animal cruelty in the Philippines. These are only two of the numerous cases in the country.

In lieu of such incidents, there is a growing call for legislation that would strengthen the provision of the Animal Welfare Act. The mentioned incidents, though tragic, serve as catalysts for a much-needed change in how the country addresses animal cruelty.

Additionally, Republic Act No. 8485, as amended by Republic Act No. 10631, or the Animal Welfare Act states that the Director of the Bureau of Animal Industry shall supervise the implementation of the law and its rules and regulations. However, the agency mainly

focuses on policy and program development, along with providing advisory services. Additionally, the agency has no control over regional and local veterinary clinics, animal production, and animal welfare. This lack of direct control presents a gap in the effective enforcement of animal welfare laws.

This measure seeks to strengthen animal welfare standards by enacting a revised animal welfare act, thereby repealing Republic Act No. 8485, as amended by Republic Act No. 10631. The measure proposes to create an Animal Welfare Bureau for the effective implementation and enforcement of the law. In addition, this proposed measure strengthens the animal welfare provisions and provides penalties for the violation of animal rights. Ultimately, this measure aims to create a more humane society where in the country can take meaningful steps toward preventing animal cruelty and ensuring the protection and well-being of all animals.

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

A handwritten signature in black ink, appearing to read 'Ping D. Remulla', with a stylized, cursive script.

CRISPIN DIEGO “PING” D. REMULLA



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

ARTICLE I

Title, Declaration of Policy, and Definition of Terms

SECTION 1. Short Title. – This Act shall be known as the “Revised Animal Welfare Act.”

SEC. 2. Declaration of Policy. – It is the policy of the State to protect life, liberty, and property which includes the promotion of animal welfare by establishing a system of supervision and regulation to ensure humane treatment in all aspects of the keeping, maintaining, handling, breeding, training, treating, and use of animals. Good animal welfare involves adherence to the five basic freedoms of animals namely:

- a) Freedom from thirst, hunger, and malnutrition;
- b) Freedom from physical discomfort and pain;
- c) Freedom from injury and disease;
- d) Freedom to express normal behaviors; and

1 e) Freedom from fear and distress.

2 **SEC. 3. Coverage.** – This Act shall apply to all programs, activities, and undertakings
3 of individuals, corporations, associations, organizations, or entities, including but not limited
4 to animal producers, small-hold farmers, private entities, or government agencies, that:

5 a) Handle, breed, train, keep, care for, transport, exhibit, display, use, or otherwise
6 interact with any animals, whether as pets, livestock, wildlife, or animals used for
7 education, entertainment, or show; or

8 b) Own, operate, or maintain any facility that interacts with animals.

9 **SEC. 4. Objectives.** – The State shall promote the welfare of all animals by establishing
10 rules, regulations, guidelines, and standards and endeavor to achieve the following objectives:

11 a) To protect and promote animal welfare by providing rules, regulations, guidelines,
12 and standards in the establishment and operation of animal facilities, transportation,
13 and the like;

14 b) To establish welfare guidelines and standards in the use, treating, breeding,
15 maintaining, keeping, and training of all animals;

16 c) To protect and promote animal health through the maintenance of adequate, clean,
17 and sanitary facilities used in the keeping, breeding, treating, and training of
18 animals;

19 d) To promote responsible pet ownership through education and information
20 dissemination;

21 e) To regulate the operation and maintenance of animal facilities or any establishment
22 where animals are kept for whatever reason or purpose;

23 f) To formulate rules and regulations that will ensure the promotion of animal welfare
24 in the establishment, maintenance, and operation of any pet shop, kennel, pound,
25 shelter, slaughterhouse, veterinary clinic, veterinary hospital, stockyard, corral, stud

1 farm, or stock farm or zoo for the breeding, raising, treatment, sale or trading, or
2 training of animals;

3 g) To establish inter-agency, multi-sectoral, and local government corporations for the
4 promotion and protection of animal welfare;

5 h) To create an agency and establish an organizational structure that will effectively
6 implement the provisions of this Act and all laws relevant to it;

7 i) To promote public awareness and concern for caring for animals and their welfare.

8 **SEC. 5. Animal Welfare Principles.** – Animal welfare standards, practices, policies,
9 and regulations must be based on the following principles:

10 (a) Decisions regarding animal care, use, and welfare shall be made by balancing
11 scientific knowledge and professional judgment with consideration of ethical and
12 societal values;

13 (b) Animals must be provided water, food, proper handling, healthcare, and an
14 environment appropriate to their care and use, with thoughtful consideration for
15 their species-typical biology and behavior;

16 (c) Animals should be cared for in ways that minimize fear, pain, stress, and suffering;

17 (d) Conservation and management of animal populations should be humane, socially
18 responsible, and scientifically prudent;

19 (e) Protection of animal habitat is an animal welfare consideration;

20 (f) Consider the five basic freedoms of animals:

21 (1) Freedom from hunger, thirst, and malnutrition;

22 (2) Freedom from physical discomfort and pain;

23 (3) Freedom from injury and disease;

24 (4) Freedom to conform to essential behavioral patterns; and

25 (5) Freedom from fear and distress.

(g) Animals shall be treated with respect and dignity throughout their lives and, only when absolutely necessary, provided with a humane death.

SEC. 6. Definitions. – As used in this Act, the following terms shall mean:

(a) Animals refer to vertebrate and invertebrate species, which may be food-producing, companion, laborers, aquatic, or laboratory including birds. The term excludes human and non-mammalian species;

(b) Animal welfare pertains to the physical and psychological well-being of animals. It includes but is not limited to, the avoidance of abuse, maltreatment, cruelty, and exploitation of animals by humans by maintaining appropriate standards of accommodation, feeding, and general care, the prevention and treatment of diseases, and the assurance of freedom from fear, distress, harassment, and unnecessary discomfort and pain and allowing animals to express normal behavior;

(c) Animal facility refers to any facility, structure, or premises used for the purpose of keeping, caring, breeding, rearing, holding, gaming, training, trading, treating, or exhibiting animals, including but not limited to farms, zoos, aviaries, apiaries, kennels, race tracks, cockpits, pet shops, shelters, pounds, animal rescue centers, airports, and seaports, quarantine stations, animal holding facilities, stables, livestock markets, stockyards, corrals, stud farms, stock farms, slaughterhouses, aquaria, laboratories, veterinary clinics, and veterinary hospitals;

(d) Animal fighting venture refers to any event, show, exhibition, program, or other activity that involves a fight conducted or to be conducted between two or more animals for the purposes of sport, wagering, amusement, or entertainment;

(e) Animal welfare enforcement officer refers to the Philippine National Police, National Bureau of Investigation, and other law enforcement agencies, citizens' groups, community organizations, and other volunteer members of NGOs, and

1 peoples organizations designated as such enforcement officers by the Secretary of
2 Agriculture;

3 (f) Bureau refers to the Animal Welfare Bureau;

4 (g) Captive animals refer to animals that are confined for educational or recreational
5 purposes in places such as but not limited to zoos, sanctuaries, rescue centers, sea
6 or ocean facilities, and the like;

7 (h) Department refers to the Department of Agriculture;

8 (i) Director refers to the individual in charge of the Animal Welfare Bureau;

9 (j) Euthanasia refers to the Bureau-approved process or method of painless death of
10 animals;

11 (k) Keeper refers to any person who owns, possesses, or has control or custody over an
12 animal;

13 (l) Local Government Unit (LGU) refers to the provinces, cities, or municipalities;

14 (m) Pets refer to documented or otherwise, or domestic animals intended for
15 companionship, therapy, seeing and hearing guides, recreation and value formation,
16 and breeding such as but not limited to dogs, cats, fishes, rabbits, rodents, reptiles,
17 and birds that are either acquired locally or through importation under government
18 rules and regulations;

19 (n) Person refers to any individual, corporation, company, business, enterprise,
20 association, partnership, syndicate, trust, or other entity;

21 (o) Reporter refers to any person who reports a suspected violation of any provision of
22 this Act to the proper authorities;

23 (p) Secretary refers to the Secretary of the Department of Agriculture;

(q) Strategic Lawsuit Against Public Participation (SLAPP) refers to 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;

(r) Transport facility refers to any public or private transportation, whether air, water, or land, including tricycles and the like, used to transport animals to a particular destination;

(s) Wild animal refers to any individual of a species that is not normally domesticated in the Philippines, including those in captivity under the control of a person.

Furthermore, the Bureau may define such other terms as may be used in the implementation of this Act.

CHAPTER II

The Animal Welfare Bureau

SEC. 7. Animal Welfare Bureau. – The Animal Welfare Bureau is hereby created as a line bureau under the Department of Agriculture. It shall establish regional, provincial, and municipal offices as may be appropriate and necessary to carry out effectively and efficiently the provision of this Act.

SEC. 8. Functions of the Bureau. – As a line bureau, it shall have the following functions:

(a) Formulate policies, guidelines, standards, rules, and regulations for the effective implementation of this Act;

(b) Provided minimum standards on the appropriate food, water, and shelter for each species of pets and animals depending on the age, breed, size, and special needs thereof;

(c) In consultation with the Land Transportation Office, Land Transportation Franchising Regulatory Board, Civil Aeronautics Board, the Maritime Industry,

1 other transport regulating bodies or agencies, exports, and animal welfare groups,
2 set a species-specific standard for the transportation of animals, including
3 definitions for cruel confinement and restraint during transport, appropriate designs
4 for transport cages and facilities, restraint types, provision of food and water,
5 ventilation, and protection from extreme weather conditions;

6 (d) Establish an emergency animal response and rescue system to appropriately
7 respond in cases of calamities such as but not limited to floods, earthquakes, and
8 other natural disasters;

9 (e) Promulgate guidelines for the humane slaughter of animals, in consultation with the
10 National Meat Inspection Service, local government units, and other concerned
11 government agencies;

12 (f) Implement a system for inspection of animal facilities to ensure compliance with
13 animal welfare standards and regulations;

14 (g) Monitor compliance of the local government units with animal welfare programs,
15 standards, rules, and regulations;

16 (h) Ensure proper coordination with non-government organizations, people's
17 organizations, and academe for the strict implementation of the rules and
18 regulations issued;

19 (i) Formulate guidelines and qualifications related to research and testing on animals;

20 (j) To issue, suspend, and cancel permits or certifications pursuant to the purposes of
21 this Act;

22 (k) To levy and collect fees for registration, certification, inspection, monitoring
23 system, and other fees the Bureau may deem necessary for the effective
24 implementation of this Act;

- 1 (l) Keep records and documents pertaining to animal welfare in the country as well as
2 the maintenance of surveillance and management information systems on animal
3 welfare;
- 4 (m) Create a system and guidelines for the determination or approval of applications of
5 certifications, authorizations, and permits necessary for the establishment,
6 maintenance, and operation of animal facilities, as well as to issue said
7 certifications, authorizations, and permits and to collect associated fees;
- 8 (n) To call upon any government agencies for assistance consistent with its powers,
9 duties, and responsibilities for the purpose of ensuring the effective and efficient
10 implementation of this Act and the rules and regulations promulgated thereunder,
11 and it shall be the duty of such government agency to assist the Bureau when called
12 upon for assistance using any available fund in its budget for this purpose; and
- 13 (o) Perform such other duties and responsibilities which are necessary to achieve the
14 purposes of this Act.

15 **SEC. 9. Composition of the Bureau.** – As a line bureau, the Bureau shall be headed
16 by a Director and assisted by two (2) Assistant Directors who shall supervise the administrative
17 and technical services of the Bureau.

18 The Director must possess adequate knowledge, training, and experience in the field of
19 agriculture, biology, animal husbandry, veterinary science, veterinary medicine, or other
20 similar discipline.

21 **SEC. 10. Personnel and Staffing Pattern.** – Notwithstanding the provisions of
22 existing laws, the Secretary of the Department of Agriculture shall require the Director of the
23 Bureau of Animal Industry (BAI), as an Interim Director of the Bureau, to submit within thirty
24 (30) days from the effectivity of this Act their recommendation on the personnel and staffing

pattern of the Bureau and to submit the same to the Department of Budget and Management and the Civil Service Commission.

CHAPTER III

The Animal Welfare Enforcement Officer

SEC. 11. Deputization of Animal Welfare Enforcement Officers. – The Secretary of the Department of Agriculture shall deputize animal welfare enforcement officers from non-government organizations, citizens' groups, community organizations, and other volunteers who have undergone the necessary training for this purpose.

The Philippine National Police (PNP), the Armed Forces of the Philippines (AFP), the National Bureau of Investigation (NBI), and other law enforcement agencies shall designate animal welfare enforcement officers who shall assist in the implementation of this Act. In the absence of such enforcement officers, the said law enforcement officers shall continue to implement the law under their general mandate.

The animal welfare enforcement officers shall have the full authority to seize and rescue illegally traded and maltreated animals and to arrest violators of this Act subject to existing laws, rules and regulations on arrest and detention. Regardless of the absence of designated animal welfare enforcement officers in law enforcement, the same shall not preclude them from the enforcement of the provisions of this Act.

The Bureau shall set guidelines in the training, qualification, reporting, and coordination of deputized animal welfare enforcement officers to cover the following:

1. Guidelines on the criteria and training requirements for the deputization of animal welfare enforcement officers; and
2. The mechanism for the supervision, monitoring, and reporting of these enforcement officers.

1 **CHAPTER IV**

2 **Basic Animal Care and Handling Guidelines**

3 **SEC. 12. Provision of Food and Water.** – Any keeper of an animal must provide the
4 animal with, or arrange to have the animal provided with, access to appropriate nutritious food
5 at least once a day, or at a frequency that is typical for the species, sufficient to maintain good
6 health; and, if appropriate for the species, continuous access to potable water that is not frozen,
7 and is free of debris, feces, algae, and other contaminants.

8 The Bureau shall provide guidelines on the appropriate food, water, and shelter for the
9 animals depending on the kind, nature, and special needs thereof.

10 **SEC. 13. Provision of Appropriate Shelter and Facilities.** – Any keeper of an animal
11 must provide such animal with regular access to a shelter to maintain good health; is regularly
12 cleaned and sanitized; and is large enough for the animal to lie down, fully stretch its limbs,
13 turn around freely without any impediment, and stand up, including on its hind legs if
14 applicable, allowing the animal to express natural behavior and locomotion.

15 **SEC. 14. Provision of Veterinary Medical Care for Sick, Compromised, or Injured**
16 **Animals.** – Any keeper of an animal must take all reasonable steps to ensure that the physical,
17 health, and behavioral needs of the animals are met in accordance with good practice and
18 scientific knowledge. This shall include, at minimum, a hands-on examination at least once
19 yearly by a licensed veterinarian; prompt treatment of any illness or injury by a licensed
20 veterinarian; and, when needed, humane euthanasia by a licensed veterinarian.

21 **SEC. 15. Provision of Appropriate Transport Facility.** – Transport facilities for
22 animals must be constructed, provisioned, and utilized in such a way as to avoid causing injury
23 or undue suffering to the animals. Transport facilities shall include secure cages or restraint
24 systems appropriate for the species being transported, as well as adequate ventilation to ensure
25 the comfort and safety of the animal appropriate to its nature and size.

1 **SEC. 16. Provision of Opportunity for Animals to Express Natural Behaviors**

2 **Including Pay, Provision of Enrichment Activities, and Exercise.** – Any keeper of an animal
3 must provide such animal regular opportunities to express species-specific natural behaviors,
4 for play and exercise, in an area of sufficient space, and for stimulation through environmental
5 enrichment activities to promote their health and welfare. The Bureau, in consultation with
6 stakeholders, shall implement a timeline for improving farm facilities to comply with the
7 provisions hereof.

8 **CHAPTER V**

9 **Prohibited Acts**

10 **SEC. 17. Prohibition on Cruelty, Maltreatment, Abuse, and Exploitation.** – It shall
11 be unlawful for any person to torture, abuse, or exploit any animal, to neglect to provide
12 adequate care, sustenance, or shelter, or maltreatment of any animals, cause or procure to be
13 tortured, or deprive such animals of adequate care sustenance or shelter, or maltreat or use the
14 same in research or experiments not expressly authorized by the Bureau.

15 An act of cruelty includes but is not limited to the following:

- 16 a) Beating, harming, injuring, crushing, mutilating, maiming, disfiguring, stabbing,
17 cutting, poisoning, drowning, torturing, tormenting, starving, overworking, or
18 abusing an animal, or any other act or omission toward an animal, including any act
19 of neglect, causing the animal pain, suffering or distress, whether physical or
20 psychological;
- 21 b) Exposing an animal to inhuman and unsafe conditions and situations including
22 overcrowded, inappropriate, unclean, or unsanitary animal facilities, shelters, or
23 transport facilities;
- 24 c) Killing an animal by being run over by a motor vehicle or of electrocution or gas
25 chamber or using any petrol or diesel exhaust;

1 d) Using an animal in research or experiments not expressly authorized by the Bureau;

2 and

3 e) Overworking an animal.

4 **SEC. 18. Prohibition on Neglect.** – It shall be unlawful for any keeper of an animal to
5 fail to provide such animal with basic care in accordance with Chapter V of this Act. It shall
6 also be unlawful for any keeper of animal to allow such animal to roam the streets resulting in
7 its impoundment by the local impounding authority.

8 **SEC. 19. Prohibition on Killing of Animals.** – It shall be unlawful for any person to
9 kill any animals other than cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, or other
10 food animals for human consumption. The killing of pets and animals not declared as food
11 animals for human consumption, or cause or procuring the same to be killed is prohibited
12 except in the following instances:

13 1) When it is done as part of the religious rituals of an established religion or sect or a
14 ritual required by a tribal or ethnic custom of Indigenous cultural communities;
15 however, religious or tribal leaders shall keep records in accordance with relevant
16 guidelines issued on the matter;

17 2) Euthanasia of a pet animal is afflicted with an incurable communicable disease as
18 determined and certified by a duly licensed veterinarian;

19 3) When euthanasia of an animal is deemed necessary to put an end to the misery
20 suffered by the animal as determined and certified by a duly licensed veterinarian;

21 4) When it is done to prevent imminent danger to the life or limb of a human being;

22 5) When done for the purpose of animal population control as a last resort duly
23 certified by the Provincial/City Veterinary Officer;

24 6) Euthanasia of an animal by a duly licensed veterinarian after the animal has been
25 used in an authorized research or experiment in accordance with Section 26;

1 7) Humane slaughter of a farm animal; or

2 8) Any other ground analogs to the foregoing as determined and certified by a duly
3 licensed veterinarian. In all of the above-mentioned cases, the killing shall at all
4 times be done only through euthanasia or other humane procedures approved by the
5 Animal Welfare Bureau. For this purpose, humane procedures shall mean the use
6 of the most scientific methods available as may be determined by the Bureau.

7 **SEC. 20. Prohibition on Animal Fights.** – It is prohibited to subject animals to fights
8 such as but not limited to dog fighting, carabao or bullfighting, horse fighting, and the like, not
9 authorized or regulated by law. Any person who participates under the circumstances as
10 described herein shall be considered as an accessory in the commission of animal fighting
11 and/or abetting in the commission of animal cruelty. It shall include but not be limited to putting
12 one animal with another for the purpose of human entertainment, wafering, or sport. In certain
13 instances, one of the animals involved may be a “bait animal” used for the ostensible purpose
14 of sport or training.

15 The prohibition on animal fights shall include but not be limited to the following:

- 16 a) Cause, procure, permit, encourage, promote, organize, sponsor, or incite a fight in
17 which an animal is pitted against another animal for any purposes such as dog
18 fighting and horse fighting and the like;
- 19 b) Advertise, promote, sell tickets, or otherwise assist in an animal fighting venture;
- 20 c) Attend such a fight;
- 21 d) Breed or train any animal for the purpose of having it fight, engage, or otherwise
22 participate in an animal fighting venture;
- 23 e) Permit an animal fighting venture to take place on any site, structure, facility, or
24 other premises under the person’s ownership or control;
- 25 f) Attend, wager on, or otherwise patronize an animal fighting venture; and

1 g) Cause or allow a person who has not yet reached the age of 16 to attend an animal
2 fighting venture.

3 Animal fighting ventures held during festivities, festivals, fiestas, and the like are not
4 exempt from this Section and are strictly prohibited.

5 **SEC. 21. Prohibition on Dog Meat Trading.** – It shall be unlawful for any person to
6 engage in the trade of dogs for their meat which includes the farming or capture, transport, sale,
7 or slaughter of dogs and their meat for human consumption. The trade of dogs shall include but
8 shall not be limited to buying and/or selling dogs, dog meats and carcasses, dog farming,
9 collecting, and/or slaughtering for consumption.

10 **SEC. 22. Prohibition on Abandonment.** – It shall be unlawful for any keeper of an
11 animal, whether temporary or permanent, to abandon such animal. Animal abandonment refers
12 to leaving behind an animal alone or permitting the animal to be abandoned in circumstances
13 that might cause them harm.

14 **SEC. 23. Prohibition on Ear Cropping / Tail Docking, De-vocalization, and**
15 **Declawing.** – The conduct of ear cropping, tail docking, devocalization, declawing, or any
16 other similar mutilation is prohibited as constituting animal cruelty except in cases as may be
17 required for the well-being of an animal as determined by a duly licensed veterinarian and not
18 for aesthetic purposes. When allowed, the same may only be performed by a duly licensed
19 veterinarian.

20 **SEC. 24. Operating an Animal Facility without a Permit or Certificate.** – Operating
21 any facility without a necessary permit or certification from the Bureau is hereby prohibited.

22 **CHAPTER VI**

23 **Enforcement**

24 **SEC. 25. In General.** – The Bureau, either independently, or in cooperation with
25 LGUs, the registered NGOs, Animal Welfare Enforcement Officers, the Philippine National

Police, and other concerned parties, is authorized to carry out enforcement operations and measures to ensure compliance with the provisions of this Act and to eradicate, stop, and prevent activities prohibited under this Act.

SEC. 26. Visitorial/Inspection Power. – Owners and/or operators of animal facilities shall be subjected to regular, as well as random inspections by the Bureau on its own or through its deputized agencies and enforcement officers to ensure compliance with the standards set forth by this Act and subsequent rules and regulations. Fines and suspension or revocation of certificates as provided in the implementing rules and regulations of this Act shall be imposed in case of non-compliance.

SEC. 27. Apprehension of Offending Person/s. – Any person who has knowledge or information about the commission of any of the prohibited acts heretofore cited may refer the same to the law enforcement authority or the Animal Welfare Bureau and/or its deputized animal welfare enforcement officers, and other law enforcement agencies for appropriate action. The procedure in the filing of criminal charges shall be as prescribed by the rules of criminal procedure contained in the Rules of Court.

SEC. 28. Seizure of Effects. – Any items seized including animals, pursuant to arrests made for violation of any provision of this Act shall be held by any person, facility, or organization, authorized by the Bureau, including the LGUs, the law enforcement agencies, or any Bureau accredited NGO pending disposition of administrative, civil, and criminal proceedings. Animals seized shall be referred to Bureau-accredited animal facilities. For wildlife, the same shall be referred to the DENR-BMB, without prejudice to the latter's referral or transfer of the animals to other animal facilities provided it has better and more suited facilities.

Any animals seized and/or rescued from any inhumane condition or facility shall be immediately relieved from such condition or situation without prejudice to the immediate conduct of proper documentation such as photographing for purposes of preserving evidence.

SEC. 29. Rescue of Animals in an Enclosed Facility. – Any animals found to have been kept, abandoned, deprived of basic care, protection, and food, or subjected to inhumane or cruel situations in an enclosed, locked, secured, or sealed facility, whether public or private, may be rescued, or relieved from the cruel situation or condition in coordination with the Barangay or the Law enforcement agencies or Animal Welfare Enforcement Officers/NGOs. The said enclosed facility may be broken open subject to diligent efforts shown to contact the owner of the facility. Except in cases where there is imminent danger to the life of the animal, diligent effort to contact the owner of the facility may be dispensed with provided the Barangay or the Police or any licensed veterinarian has certified on the occurrence of such danger.

SEC. 30. Protection Orders. – A protection order is a relief granted under this Act for the purpose of preventing further violations of the provisions herein as well as to protect an animal from further distress, fear, cruelty, or discomfort by relieving them or removing them from such inhumane condition and granting other necessary reliefs. The protection order shall be enforced by law enforcement agencies, deputized animal welfare enforcement officers, or the Bureau.

The protection orders that may be issued under this Act are the Barangay Protection Order (BPO), temporary protection order (TPO), and permanent protection order (PPO).

A Barangay Protection Order is issued by the barangay office where the perpetrator of the prohibited act or the complaining individual or entity lives or holds office. This BPO shall be effective for fifteen (15) days. A Temporary Protection Order shall be issued by the court having jurisdiction over the case filed against the respondent which shall last for a period of thirty (30) days. A Permanent Protection Order shall be issued by the appropriate court having

1 jurisdiction over the case filed against the respondent which shall remain in effect unless
2 revoked by the court after the dismissal of the case against the respondent.

3 A protection order may be sought by any concerned citizen, deputized animal welfare
4 officer, law enforcement officer, the Board, or the LGU through the City or Provincial
5 Veterinary Officers.

6 The protection under this Act may include any of the following reliefs:

- 7 a) Prohibition of respondent from taking possession of the animal(s) that is or was in
8 the respondent's possession;
- 9 b) Prohibition of respondent from taking possession of any animal for the duration of
10 the protection order;
- 11 c) Prohibition of respondent from purchasing any live animal for any purpose for the
12 duration of the protection order;
- 13 d) Directing the respondent to stay away from the person who has caused the
14 apprehension of the respondent and his or her family or household member at a
15 distance specified in the protection order or a minimum of 50 meters;
- 16 e) Directing the respondent to stay away from the residence, school, place of
17 employment, or any specified place frequented by a particular reporter, as well as
18 such reporter's designated family or household member/s;
- 19 f) Granting temporary or permanent custody of the animal to any animal welfare
20 enforcement officer or any interested animal welfare group who shall apply for the
21 custody of the said animal/s;
- 22 g) Restitution for actual costs for the rescue, care, and rehabilitation of animal/s
23 subject matter of the protection order; and
- 24 h) Such other forms of relief as the court deems necessary to protect any animals as
25 well as any Reporter and the Reporter's designated family or household member/s.

1 The issuance of the BPO or the pendency of an application for BPO shall not preclude
2 the application for or the granting of TPO or PPO. Any violation of the protection order shall
3 be deemed as multiple violations under this Act and shall be penalized accordingly.

4 **SEC. 31. Strategic Lawsuit Against Public Participation (SLAPP) in the**
5 **Enforcement of this Act.** – If a person believes that a legal action filed against the person
6 constitutes a SLAPP, such person may make such assertion as an affirmative defense in the
7 action. A special hearing on the SLAPP affirmative defense shall be held by the court at the
8 earliest possible juncture in the action. The hearing on the SLAPP affirmative defense shall be
9 summary in nature, and the SLAPP affirmative defense shall be resolved within thirty (30)
10 days after the summary hearing. If the court dismisses the action pursuant to the SLAPP
11 affirmative defense, the court may award attorney’s fees and costs of suit, as well as damages
12 under a counterclaim if such has been filed. The dismissal shall be with prejudice.

13 If the court rejects the SLAPP affirmative defense, the evidence adduced during the
14 summary hearing shall be treated as evidence of the parties on the merits of the case. The action
15 shall proceed in accordance with the Rules of the Court.

16 **SEC. 32. Disputable Presumption.** – if, at the time of apprehension, a person lacks
17 the appropriate permit, certification or clearance, or authority, issued by the Bureau or other
18 pertinent government agencies including duly licensed Local Government Veterinarian, the
19 following shall constitute prima facie evidence of the corresponding illegal acts punishable
20 under this Act:

- 21 a) The possession of a body, carcasses, or any parts thereof, meats of any animals
22 prohibited to be killed, whether raw, cooked, or processed, other than those allowed
23 under existing laws on food animals, without justification or necessary permit or
24 veterinary certificate from the Bureau, LGU Veterinarian, or the National Meat
25 Inspection Service or local slaughterhouses showing the reasons for the killing and

1 the method used for the killing as well as the purpose for which the carcasses are to
2 be used is a presumption that the animals were killed under circumstances
3 prohibited under this Act. Thus, punishable, provided that such possession includes
4 the possession of any paraphernalia used for killing, torture, or maltreatment such
5 as clubs, knives, cages, and restraints, along with live or dead animals including any
6 of its products and derivatives shall be a disputable presumption that the possessor
7 causes the killing and/or destruction, infliction of injury, maltreatment, as
8 appropriate;

- 9 b) The presence of fresh and/or dried blood, by-products, or derivatives of the animals,
10 with or without the tools, equipment, and/or paraphernalia derivatives, shall be a
11 disputable presumption of the killing and/or destruction of the habitat of the animal
12 involved.

13 CHAPTER VII

14 Permits, Certificates, and Authority to Collect Fees and Charges

15 **SEC. 33. Certificate of Registration and Permits.** – No person, association,
16 partnership, corporation, cooperative, or any government agency or instrumentality shall
17 establish, maintain, or operate any animal facility including transport facility public or private,
18 without first securing from the Bureau a certificate of registration thereof. Any facility, public
19 or private, that has a minimum of ten (10) animals combined or otherwise shall be considered
20 as operating an animal facility when the following circumstances are present:

- 21 a) When operating and representing itself publicly as such; and
22 b) When it has been securing donations or effecting rescue under the definition of this
23 code.

24 As such, the said facility shall be covered by the guidelines and requirements of the
25 Act.

The Bureau may revoke or cancel the certificate of registration of an animal facility if such animal facility is found to be in violation of any provision of this Act or any associated guidelines, rules, regulations, standards, or other just cause.

SEC. 34. Mayor's Permit Requirement. – No LGU shall issue a Mayor's or business permit to any person, association, partnership, corporation, cooperative, or government agency or instrumentality without the presentation of a certificate coming from the Bureau that it has complied with the animal welfare standards set forth herein or any rules and regulations as may hereafter be enforced.

CHAPTER VIII

Other Animal Welfare Provisions

SEC. 35. Use of Animals for Show, Media, TV, Movies, or Entertainment. – Promoters/organizers of animal shows, media, or entertainment shall obtain the necessary permit from the Bureau when using animals. The presence of a licensed veterinarian during the entire show, taping, shooting, or program shall be required. The Bureau shall lay down requirements for this purpose. All other provisions regarding proper care and treatment of animals, in general, shall be applicable to these animals used for show or entertainment, especially with respect to transport, holding area, allowance for rest, and provision of food and water.

It shall be unlawful for producers and promoters of shows where animals are used to import, procure, or use animals from sources without animal welfare standards/laws and/or have been shown to have maltreated or exposed animals to inhumane conditions prior to their importation. The animal should be given sufficient food and accommodation as well as adequate rest for the entire duration of its stay in the Philippines.

SEC. 36. Use of Animals for Work. – Animals used as working animals including but not limited to carriage horses, farm animals, and the like must comply with the health and

welfare standards set forth herein and as may be issued by the Bureau taking into consideration their nature and behavior. Working animals should not be allowed to work under circumstances where their health and safety will be at risk. Overworking of animals is hereby prohibited. Water and appropriate shelter protecting the same from extreme weather conditions must be provided.

SEC. 37. Use of Animals as a Guide or Service Animals. – Service animals, such as but not limited to guide/service dogs are hereby regulated by the Bureau and welfare guidelines established. Certification guidelines and standards for the accreditation of dogs shall be established by the Bureau in consultation with relevant agencies and concerned groups. Service dogs or guide dogs shall be defined accordingly.

SEC. 38. Use of Animals in Research and Scientific Study. – animals used in scientific procedures, research, and studies shall be regulated by the Bureau, ensuring that animal welfare regulations and guidelines in the use, experimentation, testing, and manipulations of animals for said purpose are complied with at all times. The academe and research institutions are encouraged to use non-animal research, testing, or educational models or strategies when reasonably and practicably available. Animal experimentation may be performed only as a last resort upon exhaustion of alternative approaches. No person, partnership, corporation, cooperative, government agency, or instrumentality undertaking or operating any research facility shall use any animal in research or experiments without first obtaining written authorization from the Bureau upon compliance with such guidelines and qualifications necessary to obtain such authority.

SEC. 39. Farm Animals. – The Bureau shall set out standards and guidelines in consultation with the stakeholders in the establishment and gradual compliance with animal welfare standards to better the living and health conditions of animals in the farm industry.

SEC. 40. Transportation of Animals. – the following stipulations shall be followed

when transporting animals:

a) No person shall transport an animal or cause an animal to be transported in a way likely to cause injury or undue suffering to an animal, including but not limited to overcrowding, lack of adequate ventilation and appropriate transport cages, unnecessary or painful restraint, improper and unsafe stowing, transport during extreme weather conditions and the like, as well as failure to adequately provide food and water for the transported animals;

b) No person transporting an animal in connection with an economic activity shall fall to:

- i. Ensure that such animal is fit to travel and checked regularly during the voyage, at least once every six hours;
- ii. Protect such animals from extreme temperatures, with journeys limited to duration as prescribed by the Bureau depending on the species, nature, and needs of the transported animal;
- iii. Ensure that vehicle loading and unloading facilities are constructed and maintained to avoid injury and suffering;
- iv. Provide sufficient floor space and height allowance so as to allow such animal to lie down, stand up, fully stretch its limbs, and turn around freely without any impediment; and
- v. After each eight (8) hour travel period, rest such animal off the vehicle for at least 24 hours, providing such animal sufficient water and feed.

For purposes of this Section, transport “in connection with an economic activity” includes but is not limited to journeys undertaken by commercial haulers, farmers, commercial animal breeders, and horse racers. Such transport is not limited to transport where an immediate

exchange of money, goods, or services takes place and instead includes, in particular, transport that directly or indirectly involves or aims at a financial gain;

c) No person shall transport an animal fewer than eight (8) weeks old, a pregnant female who has passed through ninety percent (90%) of her expected gestational period, a female who has given birth in the past seven (7) days, or a sick or injured animal unless such transport is to or from a veterinary practice or clinic;

d) Any violation of this Section shall be penalized even if the transporter has a permit to transport from the Bureau;

e) Any violation of this Section shall be penalized even if the transporter has a permit to transport from the Bureau; and

f) Any vehicle used in the transportation or importation/exportation of animals in violation of the provisions of this Act shall be deemed an instrument employed in the commission of the crime and shall be ordered confiscated and forfeited in favor of the government upon conviction of the accused.

SEC. 41. Importation and Exportation of Live Animals. – For the import and/or export of live animals, compliance with the provisions of this Act must be ensured, including proper holding facilities. Import of animals from countries of extremely cold climates shall be prohibited unless specifically authorized on a case-by-case basis by the Bureau upon submission of an approved care and sustainability program or plan.

SEC. 42. Spray and Neuter and Vaccination of Stray Cats and Dogs. – The LGUs through the Office of the Provincial, City, and First-Class Municipalities shall implement a mandatory spay and neuter for stray dogs and cats to control animal strays and rabies. The Bureau may come up with other dog/cat population control programs in keeping with what is relevant and necessary. Pest control companies shall not be allowed to capture and dispose of cats and/or dogs.

SEC. 43. Communication, Education, and other Public Awareness Campaigns. –

The Bureau together with other agencies, NGOs, and stakeholders shall implement programs toward increasing awareness of animal welfare through education and various information awareness activities and programs.

CHAPTER IX

Appropriations

SEC. 44. Appropriation. – The initial funding to establish the Bureau shall be taken from the General Appropriations of the Department of Agriculture to the extent of the amount of Fifty Million Pesos (PHP 50,000,000.00) for the first year.

The subsequent funding shall be included in the General Appropriations Act which shall include all necessary amounts to achieve the purposes of this Act and to ensure the proper functioning of the Bureau, including the enforcement of this Act.

CHAPTER X

Penalties

SEC. 45. Penalties. – The following penalties shall be imposed for violation of any provision of this Act:

- a) Any person who subjects any animal to cruelty, torture, maltreatment, or any of the prohibited acts herein shall be punished with a penalty of imprisonment ranging from one (1) year and six (6) months to three (3) years or a fine not less than thirty thousand pesos (PHP 30,000.00) but not more than one hundred thousand pesos (PHP 100,000.00), or both.
- b) Abandonment of animals shall be punished with a penalty of imprisonment ranging from six (6) months to one (1) year, or a fine not exceeding ten thousand pesos (PHP 10,000.00), or both. If the animal is left in circumstances likely to cause the animal unnecessary suffering or if this abandonment results in the death or injury

of the animal, the person liable shall suffer the maximum penalty of imprisonment of one (1) year and a fine of ten thousand pesos (PHP 10,000.00).

c) Operating an animal facility, including any animal transport facility, without the required permit shall be punished with a penalty of imprisonment ranging from six (6) months to one (1) year or a fine not exceeding ten thousand pesos (PHP 10,000.00), or both. The penalties imposed herein are without prejudice to the administrative liability of the owner/operator.

d) Failure to obtain the required permits to use animals for show, entertainment, or any form of media, or use animals for research and/or scientific education experiments shall be punished with a penalty of imprisonment ranging from six (6) months to one (1) year and six (6) months or a fine not exceeding thirty thousand pesos (PHP 30,000.00), or both.

e) If the violation is committed by a juridical person, the offender responsible thereof shall be punished with the corresponding penalty of imprisonment. If the violation is committed by an alien, he or she shall be immediately deported after the service of sentence without any further proceedings;

f) The penalty of imprisonment ranging from two (2) years and one (1) day to three (3) years or a fine not exceeding two hundred fifty thousand pesos (PHP 250,000.00), or both, shall be imposed if the offense involves any of the following circumstances:

i. Committed by a syndicate involving a group of three (3) or more individuals;

ii. Committed by an offender who makes a business out of cruelty to animals;

iii. Committed by a public officer or employee; or

- iv. Where at least three (3) animals are involved.
- g) If any of the foregoing situations, the offender shall suffer subsidiary imprisonment in case of insolvency and the inability to pay a fine;
- h) The maximum applicable penalty shall be imposed upon a person 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;
- i) Any person found guilty of dog meat trading shall be punished with a penalty or fine not exceeding five thousand pesos (PHP 5,000.00) per dog and a penalty of imprisonment ranging from one (1) year to four (4) years;
- j) Any violation of any other provisions of this Act shall be punished with a penalty of imprisonment ranging from three (3) months to one (1) year, or a fine not exceeding five thousand pesos (PHP 5,000.00), or both;
- k) The liability of any person herein is without prejudice to his/her liability for any other offenses under another law including administrative liabilities;
- l) Any person who has been habitually convicted of a violation of this Act shall be permanently and perpetually disqualified from being issued any permits or certificates to operate any animal facility including owning or possessing an animal/pet;
- m) The courts, in its discretion, in lieu of service in jail, may require that the imposed penalties of imprisonment not exceeding one (1) year be served by the defendant by rendering community service under such terms and conditions that the courts may determine depending on the gravity of the offense. Under this circumstance, the courts will prepare an order imposing the penalty of community service in lieu of the penalty, specifying the number of hours to be worked and the period for it to

be completed. Community service to be rendered must be related to assistance to animals.

CHAPTER XI

Miscellaneous Provisions

SEC. 46. Animal Welfare Fund. – there is hereby established an Animal Welfare Fund to be administered by the Bureau as a special account in the National Treasury. It shall finance the programs of the Bureau on animal welfare as well as the enforcement process. The Fund shall be derived from the fines imposed and damages awarded pursuant to a violation of this Act, fees charged for permits, registrations, authorizations, donations, endowments, administrative fees, or grants in the form of contributions. Contribution to the Fund shall be exempt from donor taxes and all other taxes, charges, or fees imposed by the government.

SEC. 47. Mandatory Animal Welfare Education. – It shall be mandatory for all primary and secondary education schools, public and private, to integrate in their curriculum and have activities on the following:

- a) The promotion and protection of the welfare of animals;
- b) Responsible pet ownership; and
- c) Concept of animal welfare.

SEC. 48. Emergency Response. – The Bureau shall create and implement, in collaboration with the LGUs and animal welfare NGOs, an interagency emergency response program for rescuing and caring for animals in times of calamity including but not limited to floods, earthquakes, and the like. Such program shall include the establishment and placing of the animals in identified animal evacuation centers, temporary shelters, and/or recognized rescue centers, whether public or private, until the same is claimed by their rightful owners or can be rehomed appropriately.

The Bureau, through the LGUs, shall likewise establish an emergency response system to rescue and/or refer animals' victims of abuse, cruelty, and maltreatment to recognized animal shelters or facilities whether public or private.

SEC. 49. Custody of Rescued Animals. – Any animal/s seized or rescued from violators of this Act made in response to a violation of any provision of this Act and subsequent guidelines, rules, and regulations may be held in custody pending disposition of administrative, civil, or criminal proceedings. Animals seized or rescued shall be referred to the Local Government Pound or Shelter, bureau-accredited animal facilities, subject to rules and regulations as may be hereinafter issued. For wildlife, the same shall be referred to the DENR-BMB or their nearest regional offices.

SEC. 50. Role of Local Government Units and Other Government Agencies. – LGUs shall support the Bureau in the implementation of this Act by issuing necessary animal welfare ordinances and implementing animal welfare programs in coordination with the Bureau, including the conduct of mandatory spay and neutering to control dog and cat population as well as veterinary access. Other government agencies handling animals within the definition of this Act are required to adopt and implement animal welfare standards, policies, rules, and regulations in their operation consistent with this Act.

Recognizing the important role of the Barangay, a Barangay Animal Welfare Task Force shall be created and shall adopt programs consistent with the provisions of this Act and rules and regulations issued to implement the purpose of this Act.

SEC. 51. Construction of the Law. – This Act shall be liberally construed in favor of the promotion and protection of the welfare of animals.

SEC. 52. Transition. – During the transition, within one (1) year from effectivity hereof, the existing Bureau of Animal Industry shall remain to be the supervisory and authority in the implementation of the provisions of this Act and shall manage, supervise, turn over, and

1 monitor the establishment of the Bureau until the same becomes operational including the
2 assignment and appointment of personnel and staff during the transition.

3 **SEC. 53. Separability Clause.** – If any portion or provision of this Act is declared
4 unconstitutional or invalid, the other portions or provisions hereof, which are not affected, shall
5 continue to be in full force and effect.

6 **SEC. 54. Repealing Clause.** – All laws, decrees, rules, and regulations inconsistent
7 with the provisions of this Act are hereby repealed or amended accordingly.

8 **SEC. 55. Effectivity.** – This Act shall take effect fifteen (15) days after its publication
9 in the Official Gazette or in two (2) newspapers of general circulation.

Approved,