

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. 6414



Introduced by
KABATAAN Party-list Rep. RENEE LOUISE M. CO,
Gabriela Women's Party Rep. SARAH JANE I. ELAGO, and
ACT Teachers Party-list Rep. ANTONIO L. TINIO

AN ACT
TO PROTECT MARINE MAMMALS AND THEIR HABITAT AND TO ENSURE
THEIR SURVIVAL FOR THE BENEFIT OF FUTURE GENERATIONS

EXPLANATORY NOTE

As the Philippines is an archipelago, protecting marine wildlife and marine mammals must be at the forefront of legislative concerns. The health of the country's marine population is important for a country such as ours where a big percentage of the population rely on the sea for food and livelihood. A diverse and robust population of dolphins and whales is an indicator of the health of the seas.

Marine mammals, including dolphins and whales, perform essential ecological functions that support fisheries and ecosystem stability. As top predators, they help regulate fish populations by controlling mid-level predators and naturally removing weak or sick individuals, preventing imbalances that can deplete fish stocks.

They also enhance nutrient cycling by transporting nutrients across habitats, boosting the productivity of coral reefs, seagrass beds, and pelagic ecosystems. As "sentinel species," their health reflects the state of marine environments and provides early warning of pollution, overfishing, and climate stress.

Protecting marine mammals therefore strengthens fisheries, supports coastal livelihoods, and safeguards the marine ecosystems on which national food security depends. Their decline threatens the ecological balance of the seas and endangers the livelihoods of coastal communities.

According to the Red List Status of Marine Mammals in the Philippines, a report from the country's top marine mammal scientists, the status of the

populations of the 27 species dolphins and whales in the country is 'Data Deficient'. This means that the different marine mammal populations in the Philippines cannot be evaluated due to insufficient information about their status in the wild. Despite the limited research being done, experts have designated four "Vulnerable" species of marine mammals in the Philippines which includes Humpback whales, Fraser's dolphins, Sperm whales, and the Gray's spinner dolphins¹.

From the current studies, two marine mammal species in the Philippines are identified as "Critically Endangered"-- the dugong and the Irrawaddy dolphins. Irrawaddy dolphins are found only in Malampaya Sound and Municipality of Quezon in Palawan; as well as in Pulupandan, Negros Occidental. The Irrawaddy dolphin population in Negros Occidental is particularly alarming, with only 10 to 13 individuals remaining². Experts warn that without immediate government intervention, this unique population may disappear entirely within this decade. The extinction of these species would represent not only an ecological tragedy but a national failure to safeguard our natural heritage.

Furthermore, during the recent assessments conducted by the International Union for the Conservation of Nature (IUCN) Marine Mammal Protected Areas Task Force, five (5) areas in the country have been identified as Important Marine Mammal Areas (IMMAs), namely Babuyan Marine Corridor, Tanon Strait, Malampaya Sound, Bohol Sea and Iloilo & Guimaras Straits³. IMMAs are defined as "discrete portions of habitat, important to marine mammal species, that have the potential to be delineated and managed for conservation." These habitats deserve protection and monitoring because of their importance for the conservation of the species or populations within that area.

Globally, wildlife species like marine mammals also face threats from human activities including by-catch from large-scale fishing activities, entanglement in fishing gear, collision with vessels, depletion of food stocks, hunting, and illegal trade, habitat destruction, oceanic pollution, and climate change. According to the International Union for Conservation of Nature (IUCN) about 300 million tons of plastic are produced annually, and about 8 million tons end up in the ocean every year. Marine species like dolphins, whales, and turtles ingest or are entangled by the plastic debris which causes severe injuries and/or excruciating deaths. Data shows that as much as one million sea birds and about 100,000 marine mammals die annually because of plastic pollution⁴.

¹ Alava, M.N.R., M.L.L. Dolar, E.R. Sabater, M.T.R. Aquino, and M.D. Santos (eds.). Red List Status of Marine Mammals in the Philippines. Bureau of Fisheries and Aquatic Resources National Fisheries Research and Development Institute.

² Dolar, M., de la Paz, M. & Sabater, E. 2018. Orcaella brevirostris (Iloilo-Guimaras Subpopulation). The IUCN Red List of Threatened Species 2018: e.T123095978A123095988. <http://dx.doi.org/10.2305/IUCN.UK.2018-2.RLTS.T123095978A123095988.en>

³ IUCN-MMPATF, 'IMPORTANT MARINE MAMMAL AREAS', Marine Mammal Protected Areas Task Force (MMPATF), www.marinemammalhabitat.org. Available at: <https://www.marinemammalhabitat.org/immas/>, Accessed: 13 August 2020

⁴ IUCN Issues brief, <https://www.iucn.org/>, accessed from: <https://www.iucn.org/resources/issues-briefs/marine-plastics>, 13 August 2020

National development requires the protection and conservation of the oceans and marine ecosystems. This is actually part of the Global Sustainability Goals for 2030.

Resources and manpower need to be organized to effectively manage marine protected areas. Regulations are needed and should be put in place to reduce overfishing, marine pollution, and ocean acidification. Hence, saving and conserving our ocean must remain a priority in the development of the country⁵.

Aside from working towards the Global Sustainability Goals, the Philippines also has a responsibility toward its citizens and the international community to protect marine mammals within, outside, and those transiting its territory as the country is also a signatory to the Conservation of Migratory Species (CMS) and the Convention on the International Trade in Endangered Species (CITES)⁶.

On the national level, there are several laws that seek to protect marine mammals/wildlife in the country. These are:

- a) Fisheries Administrative Order 185, s. 1992 (FAO 185) and Fisheries Administrative Order 185-1 s. 1997 (FAO 185-1) which bans the taking or catching, selling, purchasing, and possessing, transporting, and exporting of dolphins and whale species;
- b) The Amended Animal Welfare Act or RA 10631 bans animal cruelty in the country and makes it illegal for anyone to torture or provide inadequate care for any animal;
- c) The Wildlife Resources Conservation and Protection Act of the Philippines or RA 9147 aims, in part, to: "(c) to pursue, with due regard to the national interest, the Philippine commitment to international conventions, protection of wildlife and their habitats";
- d) The Republic Act No. 10654 which seeks to Prevent, Deter And Eliminate Illegal, Unreported And Unregulated Fishing, Amending Republic Act No. 8550, Otherwise Known As "The Philippine Fisheries Code Of 1998,

Despite these laws, however, there are still documented direct takes of dolphins as well as import and export of wild dolphins from inhumane and unsustainable sources that violate existing local laws and international conventions.

⁵ Goal 14: Conserve and sustainably use the oceans, seas and marine resources, United Nation Sustainable Development Goals, Accessed from: https://www.un.org/sustainabledevelopment/oceans/?fbclid=IwAR3TguiaRvSkJ1q0zC35OvolqYCMUxc_604SFicLmmAliGSUIYmzR9NcMKU, 13 August 2020

⁶ Alava, MNR, MLL Dolar, ER Sabater, MTR Aquino, and MD Santos (eds). Red List Status of Marine Mammals in the Philippines. Bureau of Fisheries and Aquatic Resources National Fisheries Research and Development Institute.

Since 2001 the Philippines has imported a total of six (6) false killer whales and twelve (12) bottlenose dolphins from what is known as the 'Japanese drive fisheries'. To date, all false killer whales have died even before their sexual maturity at a facility in Subic.

The World Association of Zoos and Aquariums (WAZA) issued a policy statement condemning the Japanese dolphin hunts as inhumane. A similar policy statement was made by the Alliance of Marine Mammal Parks and Aquariums (AMMPA)⁷.

In December 2008, January 2009, and January 2011, the Philippines imported a total of 25 bottlenose dolphins caught in the wild from the Solomon Islands. These dolphins were imported into the country despite the scientific opinion of the International Union for the Conservation of Nature (IUCN) that the export of the dolphins from the Solomon Islands is unsustainable⁸. The CITES Scientific Authorities in the Philippines such as the Silliman University and the National Museum likewise supported the ban on the import of dolphins until such time that the harvest of dolphins from the Solomon islands has been scientifically proven to be sustainable. Unfortunately, the dolphins were still imported into the country despite the strong scientific opinion of Philippine experts (National Museum and Silliman University) and the clear violation in the Wildlife Act and our CITES Commitments.

In August 2025, NOAA Fisheries published its "2025 Marine Mammal Protection Act Comparability Finding Determinations for Harvesting Nations" in the US Federal Register. These rulings apply to approximately 2,500 fisheries in 135 countries that seek to export fish and fish products to the United States. Each country's conclusions are determined by comparing fisheries one by one. Two hundred forty (240) fisheries from 46 nations, including the Philippines, had their comparability findings denied. Our 9 out of 14 identified Philippine export fisheries were non-comparable due to a lack of clear policy for the Marine Mammal Bycatch Reduction Program, as well as other regulatory and monitoring policies in commercial fishing operations⁹.

The protection and conservation of the marine ecosystem and marine wildlife is necessary for national development. It is important for the education, appreciation, and economic benefit of the Filipino people, and the generations yet to come.

⁷ Japan aquariums to stop buying Taiji dolphins. (2015, May 21). BBC News. <https://www.bbc.com/news/world-asia-32822504>

⁸ Parsons, E. C. M., Rose, N. A., & Telecky, T. M. (2010). The trade in live Indo-Pacific bottlenose dolphins from Solomon Islands – A CITES decision implementation case study. *Marine Policy*, 34(3), 384–388. <https://doi.org/10.1016/j.marpol.2009.08.008>

⁹ Marine Mammal Protection Act Import Provisions Comparability Finding Application Final Report | Philippines. (2025). In <https://www.fisheries.noaa.gov/>. National Oceanic and Atmospheric Administration | National Marine Fisheries Service. Retrieved November 25, 2025, from <https://www.fisheries.noaa.gov/s3/2025-08/Philippines-final-2025-508.pdf>

Peering into its legislative history, this bill was first filed by BAYAN MUNA Party-list Rep. Neri Colmenares in the 16th Congress. It was later filed again by the Makabayan Bloc–KABATAAN Party-list Rep. Raoul Manuel, ACT Teachers Party-list Rep. France Castro, and Gabriela Women’s Party Rep. Arlene Brosas—in the 19th Congress.

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



REP. RENEE LOUISE M. CO
KABATAAN Party-list



REP. ANTONIO L. TINIO
ACT Teachers Party-list



REP. SARAH JANE I. ELAGO
Gabriela Women’s Party

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AN ACT
TO PROTECT MARINE MAMMALS AND THEIR HABITAT AND TO ENSURE
THEIR SURVIVAL FOR THE BENEFIT OF FUTURE GENERATIONS

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

1 **SECTION 1. Short Title.** — This Act shall be known as the “*Marine Mammal*
2 *Protection Act*”.

3

4 **SECTION 2. Declaration of Policies.** — It is hereby declared the policy of the State:

5

6 (a) To conserve all marine mammals by supporting research of wildlife
7 populations in the Philippines. The State shall partner with academic and
8 scientific, local community organizations, and non-government institutions in
9 studying and assessing the marine mammal populations of the Philippines in
10 order to form a database that will assess and support conservation programs
11 of wild populations and their habitat. Marine mammal species belonging to
12 the Taxonomic Orders Carnivora, Cetartiodactyla and Sirenia are covered by
13 this Act;

14

15 (b) To support the creation of Marine Protected Areas and Networks and Marine
16 Corridors, based on the latest scientific information, that shall seek to protect
17 wild populations of marine mammals from heavy industries such as offshore
18 drilling, seismic tests, reclamation projects, black sand mining and other
19 destructive activities on known migration routes, feeding and mating
20 habitats. The State shall involve local communities in the protection and
21 conservation of the marine ecosystem through education and training
22 programs;

23

1 (c) In relation to the above, to recognize and support the monitoring and
2 conservation of Important Marine Mammal Areas (IMMAs) as designated by
3 the International Union for Conservation of Nature (IUCN) Marine Mammal
4 Protected Areas Task Force (MMPATF). These are areas defined as “discrete
5 portions of habitat, important to marine mammal species, that have the
6 potential to be delineated and managed for conservation;”
7

8 (d) To enable the national government to immediately undertake conservation
9 and management measures for critically endangered and vulnerable species
10 of marine mammals in the country, as provided for in latest scientific
11 information;
12

13 (e) To strengthen the role of scientists and scientific institutions as important
14 advisory and recommendatory bodies in the implementation of conservation
15 laws and rehabilitation programs of the government;
16

17 (f) To promote responsible community-based whale and dolphin-watching tours
18 in the wild that shall contribute to public education, cultural appreciation and
19 enhance the local and national economy. Protocols in the proper conduct of
20 whale and dolphin-watching tours shall be drafted by the Department of
21 Environment and Natural Resources Biodiversity Management Bureau
22 (DENR-BMB), Department of Agriculture’s Bureau of Fisheries and Aquatic
23 Resources (DA-BFAR) and Department of Tourism (DOT), CITES Scientific
24 Authorities, environment and conservation NGOs, to protect wild
25 populations from being disturbed by tourism activities. Such protocols will be
26 periodically modified based on the latest scientific information;
27

28 (g) To promote the welfare of all marine mammals by protecting all known
29 habitats and ensuring that wild marine mammal populations in the
30 Philippines, as well as captive animals are not subjected to harassment,
31 distress, injury or death arising from human activities and that these animals
32 be allowed to live in their habitat and conform to their natural behaviours;
33

34 (h) To enhance the education of the Filipino people as well as the global
35 community on marine mammals in the Philippines; and
36

37 (i) To protect marine mammals in Philippine waters from plastic pollution by
38 strictly implementing the Solid Waste Management Act of the Philippines and
39 controlling land-based garbage from reaching the oceans.
40

41
42 **SECTION 3. Definition of Terms.** — For the purposes of this Act, the following terms
43 will be used to mean as follows:
44

45 (a) *Animal(s)* refers to marine mammals.

46
47 (b) *By-catch* refers to non-target species in fisheries
48

- 1 (c) *Captive-bred* refers to animals that are the offspring of animals which were
2 themselves born in captivity, also referred to as a F2 Generation.
3
- 4 (d) *Captive-reared* refers to animals that are the offspring of animals which were
5 wild when they were caught.
6
- 7 (e) *Captive breeding* is the process of breeding animals in human-controlled
8 environments with restricted settings, such as wildlife reserves, zoos and
9 other conservation facilities. Captive breeding for marine mammals should be
10 established in a manner not detrimental to the survival of the species in the
11 wild and must be maintained without the addition of animals from the wild.
12 Captive breeding facilities must be managed in a manner that has been
13 demonstrated to be capable of reliably producing second-generation offspring
14 (F2) in a controlled environment.
15
- 16 (f) *Cetacean* refers to whales, dolphins, and all animals that belong under the
17 Order Cetartiodactyla.
18
- 19 (g) *CITES* refers to the Convention on International Trade in Endangered Species
20 of Wild Fauna and Flora. This was ratified by the Philippines on August 18,
21 1981 and entered into force on November 16, 1981. In 2001 the Philippines
22 enacted the enabling law for its CITES commitment resulting in Republic Act
23 No. 9147 or the Wildlife Resources Conservation and Protection Act.
24
- 25 (h) *Commercial purposes* refers to the use of anything for commerce, trade, or any
26 profit-oriented activity.
27
- 28 (i) *Critical habitat* refers to a specific geographical area where a threatened or
29 endangered species reside that have physical and biological features
30 necessary for the survival of the threatened or endangered species
31
- 32 (j) *F2 Generation* refers to the same as *Captive-bred*.
33
- 34 (k) *Harassment* refers to any act of pursuit, torment, or annoyance which has the
35 potential to injure or disturb a marine mammal or marine mammal
36 population in the wild, by causing disruption of behavioral patterns,
37 including, but not limited to migration, nursing, breeding, feeding, resting, or
38 breathing.
39
- 40 (l) *IMMA* refers to Important Marine Mammal Areas, defined as “discrete
41 portions of habitat, important to marine mammal species, that have the
42 potential to be delineated and managed for conservation.” These areas
43 deserve place-based protection and monitoring because of their importance
44 for the conservation of the species or populations within that area.
45
- 46 (m) *IUCN* refers to the International Union for Conservation of Nature, a global
47 organization composed of governments, scientific experts, and civil society
48 organizations with more than 1,400 member organizations. It is the global

1 authority on the status of the natural world and the measures needed to
2 safeguard it. The IUCN provides advice to the CITES on the conservation
3 status of wild flora and fauna. Its scientific input, including the Red List, is
4 critical for CITES Parties to make informed decisions about species protection
5 and trade regulations.

6
7 (n) *Live* refers to an animal that is living and in apparent good health.

8
9 (o) *Marine corridors* are geographical features that are used by mobile species for
10 migration between feeding and mating areas.

11
12 (p) *Marine mammals* are any mammal species that live in marine or estuarine
13 environments and/or derive its food from a saltwater environment. The term
14 represents three different mammalian groups: (1) *Order Carnivora* such as
15 polar bears, sea otters, seals, sea lions, and walruses; (2) *Order Cetartiodactyla*
16 such as whales and dolphins; and (3) *Order Sirenia* such as manatees and
17 dugongs.

18
19 (q) *Marine Protected Areas (MPA) and MPA Networks* refers to clearly defined
20 geographical spaces, recognized, dedicated and managed, through legal or
21 other effective means, to achieve the long-term conservation of nature with
22 associated ecosystem services and cultural values.

23
24 (r) *Possess* means to have actual or constructive possession or control thereof.

25
26 (s) *Public display* refers to the open exhibition of anything in any facility, park,
27 hotel, resort, or vessel, whether fixed or mobile, for entertainment.

28
29 (t) *Purchase* means to buy, including the act of agreeing or offering to buy.

30
31 (u) *Purse seine fishing* refers to a fishing technique used to catch large pelagic fish
32 like tuna by a net that hangs vertically in the water with its bottom edge held
33 down by weights and its top edge buoyed by floats.

34
35 (v) *Wildlife rehabilitation* or simply *rehabilitation* is the process of removing the
36 animal from the wild to provide professional care to sick, injured, and
37 orphaned animals using methods to prepare them to ultimately return to their
38 natural habitat.

39
40 (w) *Rehabilitation facility* refers to non-commercial, government-accredited
41 facilities with the purpose of rescue, treatment, and release of animals.

42
43 (x) *Release* means to return the marine mammal to its natural habitat.

44
45 (y) *Rescue* means to take any marine mammal immediately out of danger.

46
47 (z) *Scientific Authorities* refer to institutions for marine and aquatic species as
48 designated by Republic Act No. 9147 or the Wildlife Resources Conservation

1 and Protection Act, such as the Bureau of Fisheries and Aquatic Resources
2 (BFAR), the University of the Philippines Marine Science Institute, University
3 of the Philippines Visayas, Silliman University, the National Museum of the
4 Philippines, and the Philippine Aquatic Red List Committee (PARLC) –
5 Subcommittee on Cetaceans.

6
7 (aa) *Selling or trading* means to barter, exchange, offer, or expose for sale.

8
9 (bb) *Stranded* refers to any marine animal, whether dead or alive, that is found on
10 the shore or in shallow waters and unable to return to the ocean.

11
12 (cc) *Taking or catching* means to kill, capture, trap, snare, and/or net marine
13 mammals.

14
15 (dd) *Wild* refers to any animal that was born and is living or growing in its natural
16 environment, and is not domesticated, cultivated, or captive-bred.

17
18 **SECTION 4.** *Creation of the Marine Mammal Protection And Conservation Committee.* – A
19 marine mammal protection body called the Marine Mammal Protection and
20 Conservation Committee (MMPCC) shall be established and composed of one (1)
21 representative from each of the following:

- 22
23 (a) Department of Environment and Natural Resources- Biodiversity Management
24 Bureau (DENR-BMB), as Chair;
25 (b) Department of Agriculture-Bureau of Fisheries and Aquatic Resources
26 (DA-BFAR), as Co-chair;
27 (c) Silliman University, as Chair of Scientific Authorities;
28 (d) University of the Philippines Marine Science Institute;
29 (e) University of the Philippines Visayas;
30 (f) National Museum;
31 (g) Philippine Aquatic Redlist Committee (PARLC);
32 (h) Balyena.org;
33 (i) Marine Wildlife Watch of the Philippines (MWWP);
34 (j) Earth Island Institute or Dolphin Safe Program Asia Pacific (DSAP);
35 (k) Philippine Animal Welfare Society (PAWS);
36 (l) Oceana Philippines; and
37 (m) Other reputable non-government organizations and concerned individuals.

38

39 Recommendations, manuals and guidelines from the MMPCC shall be adapted by all
40 concerned agencies and Local Government Units (LGUs) undertaking conservation
41 work on marine mammals.

42

43 **SECTION 5.** *Functions of the Marine Mammal Protection and Conservation Committee.* –
44 The MMPCC shall have the following functions:

45

- 46 (a) Develop and coordinate comprehensive research programs for marine mammals
47 in the Philippines for the purpose of conservation prioritizing critically
48 endangered species;

- 1
- 2 (b) Establish plans, policies, and technical working groups to protect marine
3 mammals and reduce bycatch in commercial and artisanal fisheries;
- 4
- 5 (c) Formulate manuals and protocols for the rescue of stranded animals;
- 6
- 7 (d) Outline guidelines for sustainable dolphin and whale-watching tours;
- 8
- 9 (e) Undertake technical assessments of rescued, stranded or rehabilitated marine
10 mammals for release in the wild;
- 11
- 12 (f) Provide technical evaluation and consultative input on applications for
13 importation and exportation of marine mammals.
- 14
- 15 (g) Help build the capacity of the national government to immediately undertake
16 conservation and management measures in areas where populations of marine
17 mammals are critically endangered or vulnerable as shown in the latest scientific
18 studies and scientific information.
- 19
- 20 (h) Recommend urgent action on critically endangered marine mammal species that
21 shall be adapted by concerned agencies and Local Government Units (LGUs)
- 22
- 23 (i) Delineate MPAs, MPA Networks, and Marine Corridors that shall seek to
24 protect wild populations of marine mammals and their habitats.
- 25
- 26 (j) Support the monitoring and conservation of IMMAs as designated by the IUCN
27 and the Marine Mammal Protected Areas Task Force (MMPATF)
- 28
- 29 (k) Help design educational and training programs for schools, local communities,
30 concerned organizations, and other stakeholders.
- 31
- 32 (l) Assess the import and export of marine mammals in the Philippines.
- 33

34 **SECTION 6. *Rescue Efforts.*** – All rescue efforts in response to strandings must
35 provide quick and effective action that will best serve the well-being of the animal in
36 distress and not to add further stress. All rescue efforts must have the objective of
37 releasing marine mammals back in the wild to again be a viable part of the wild
38 population. All live stranded marine mammals shall be released immediately to the
39 wild, if deemed healthy. The disposition of sick or injured marine mammals will be
40 the responsibility of the DENR-BMB or DA-BFAR-DA, in accordance with the
41 Protocols in the proper rescue, rehabilitation and release of marine mammals as
42 promulgated by the MMPCC. Dead marine mammals that are washed to the seashore
43 shall be surrendered to the nearest DENR-BMB or DA-BFAR office for proper
44 disposition. The remains or carcass of a dead marine mammal may also be
45 surrendered to the National Museum of the Philippines for preservation and/or
46 display.

47

48 **SECTION 7. *Rehabilitation.*** – Rehabilitation of marine mammals is an option only if

1 there is a high viability that the animal can be restored to health and released back
2 into the wild. Rehabilitation shall be subject to:

- 3
- 4 (a) Availability of facilities and equipment for the species and number of animals
5 involved;
 - 6
 - 7 (b) Safety and expeditious transport of the animal that is manageable and poses no
8 major risk to others or to facility personnel; and
 - 9
 - 10 (c) Sufficiency of funds and personnel to provide care for a short and reasonable
11 period.
 - 12

13 The disposition of any rehabilitated animal that is not suitable for release will be
14 determined by the MMPCC and the Scientific Authorities for recommendation to the
15 DENR-BMB and DA-BFAR. Furthermore, stranded and severely injured animals that
16 are beyond rehabilitation may be euthanized on site only by authorized and licensed
17 veterinarians, if the facilities and equipment are available.

18
19 All rehabilitated marine mammals shall be immediately released to the wild.
20 Monitoring of rehabilitation will be done by DENR-BMB with the MMPCC.

21
22 **SECTION 8. Prohibited Acts.** – It shall be unlawful to:

- 23
- 24 (a) Intentionally take or catch marine mammals in Philippine waters or to sell,
25 purchase, possess, transport, import, or export and trade the same, whether
26 dead or alive, in any state or form, whether raw or processed.
 - 27
 - 28 (b) Intentionally deploy purse-seine nets or any fishing gear on or to encircle marine
29 mammals in fishing operations or to intentionally wound and kill any marine
30 mammals in the course of catching fish.
 - 31
 - 32 (c) Take any stranded or rescued live marine mammal for trade or other
33 commercial purposes, including for public display, while being rehabilitated.
 - 34
 - 35 (d) Import and export live, wild, marine mammals including rescued or
36 rehabilitated animals.
 - 37
 - 38 (i) The import/export of parts or tissues of deceased animals may be
39 allowed for research purposes of reputable universities and scientific
40 institutions. All applications to import or export such marine mammal
41 parts for research purposes will be reviewed and evaluated by the
42 DENR-BMB, DA-BFAR, and the Scientific Authorities.
 - 43
 - 44 (ii) Only live, captive-bred marine mammals of the second generation (F2
45 generation) from reputable aquariums will be allowed for import and/or
46 export in the country, subject to compliance with existing laws such as
47 the Wildlife Resources Conservation and Protection Act (R.A. 9147), the
48 Animal Welfare Act (R.A. 8485), the Amended Fisheries Code (R.A.

1 10654), and the assessment and evaluation of the DENR-BMB, DA-BFAR
2 and the MMPCC.

3
4 (e) Use explosives, toxins, industrial discharges, or high-intensity noise (air guns,
5 seismic surveys, pile driving, sonar) within regulated distances of critical
6 habitats or IMMAs.

7
8 (f) Operate vessels above regulated speeds or approach closer than minimum
9 standoff distances to be determined in the Implementing Rules and Regulations
10 of this Act.

11
12
13 **SECTION 9. *Penalty.*** - Any violation described in the prohibited acts under this Act
14 shall be penalized with imprisonment from six (6) months to six (6) years or a fine of at
15 least One Hundred and Twenty Thousand Pesos (PHP 120,000.00) but not more than
16 Three Hundred Thousand Pesos (PHP 300,000.00), or both at the discretion of the court,
17 including forfeiture of the catch subject of the offense and cancellation of their fishing
18 and/or business permit, if applicable.

19
20 If any of the offenses is committed by or has been caused by a corporation or
21 association, the president and each one of its agents or representatives in the
22 Philippines in case of a foreign corporation or association, who shall have knowingly
23 permitted or failed to prevent the commission of such offense, shall be held liable as
24 principals thereof.

25
26 **SECTION 10. *Implementing Rules And Regulations.*** - Within six (6) months following
27 the effectivity of this Act, the Secretaries of the DENR and the DA in consultation with
28 CITES Scientific and Management Authorities, shall promulgate the implementing
29 rules and regulations for the effective implementation of this Act. The commitments of
30 the State to international agreements and protocols shall guide the drafting of the
31 implementing rules and regulations.

32
33 **SECTION 11. *Appropriation.*** - Any amount necessary for the implementation of this
34 Act shall be charged from the appropriation of the DENR and DA under the General
35 Appropriations Act.

36
37 **SECTION 12. *Separability Clause.*** - Should any provision of this Act be subsequently
38 declared as unconstitutional, the same shall not affect the validity or the legality of the
39 other provisions.

40
41 **SECTION 13. *Repealing Clause.*** - The provisions of Fisheries Administrative Orders
42 (FAO) 185, 185-1, 223, 223-1, and all other laws, orders, and regulations inconsistent
43 with the provisions of this Act are hereby repealed or amended accordingly.

44
45 **SECTION 14. *Effectivity.*** - This Act shall take effect fifteen (15) days after publication
46 in the Official Gazette or two (2) newspapers of general circulation.

Approved,