

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
Second Regular Session
HOUSE BILL NO. **10895**



Introduced by REP. PHILIP CONRAD "DOK BONG" M. ACOP

AN ACT
STRENGTHENING THE INSTITUTIONAL FRAMEWORK FOR ANIMAL PROTECTION, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 8485, OTHERWISE KNOWN AS "THE ANIMAL WELFARE ACT OF 1998," AS AMENDED BY REPUBLIC ACT NO. 10631, CREATING THE ANIMAL WELFARE BUREAU, MANDATING LOCALIZED ENFORCEMENT DESKS, RESTRUCTURING PENALTIES FOR REPEAT OFFENDERS, DEFINING AND CRIMINALIZING AGGRAVATED ANIMAL CRUELTY, BARRING THE AVAILMENT OF PROBATION FOR HEINOUS ACTS OF ABUSE, ESTABLISHING A NATIONAL ABUSER REGISTRY, AND INSTITUTING MANDATES FOR DISASTER MANAGEMENT.

EXPLANATORY NOTE

The persistent prevalence of egregious animal abuse highlights the critical limitations of our current animal welfare penal framework. Under the current regime of Republic Act No. 8485, as amended by Republic Act No. 10631, the relatively light penalties allow even the most sadistic abusers to escape incarceration by availing themselves of probation under Presidential Decree No. 968. This loophole effectively undermines the law's deterrent value and leaves the public crying out for real judicial accountability.

This measure directly addresses this gap by establishing a distinct statutory classification for Aggravated Animal Cruelty. By enumerating specific, severe malicious acts, including extreme physical torture, mass poisoning, and exploitation for profit, and elevating their penalties to prisión mayor (six years and one day to eight years), this Bill pushes these offenses beyond the six-year statutory threshold for probation.

Consequently, this mandatory, non-probationary sentencing structure ensures that both repeat offenders and first-time perpetrators of heinous animal abuse face certain, actual confinement in a national penitentiary.

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


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

SECTION 1. *Short Title.* — This Act shall be known as the "*Comprehensive Animal Welfare Reform and Enforcement Act*".

SEC. 2. *Transition of the Animal Welfare Division to the Animal Welfare Bureau (AWB).* — The Animal Welfare Division currently existing under the Bureau of Animal Industry (BAI) is hereby dissolved. In its stead, there is hereby created an Animal Welfare Bureau (AWB) as an attached agency under the Department of Agriculture (DA).

The AWB shall be the primary regulatory, enforcement, and policy-making body of the National Government concerning animal welfare. It shall be headed by a Director and an Assistant Director, both of whom must be licensed veterinarians with at least five (5) years of active experience in animal welfare advocacy or practice.

The AWB shall have its own distinct line-item budget in the annual General Appropriations Act (GAA) to ensure regular funding for its enforcement, regulatory, and public education mandates.

SEC. 3. *Localization and Enforcement Desks.* — To ensure the swift enforcement of this Act at the grassroots level, the following localized enforcement mechanisms are hereby mandated:

- a) **Philippine National Police (PNP) Animal Welfare Desks.** — There shall be established a dedicated Animal Welfare Desk in every city and municipal police station across the country. The PNP, in coordination with the AWB,

shall train specialized police officers to handle, investigate, and prosecute violations of animal welfare laws.

- b) **Barangay Animal Welfare Units (BAWU).** — Every Barangay, through its Sangguniang Barangay, shall establish a Barangay Animal Welfare Unit (BAWU) under the supervision of the Barangay Chairperson. The BAWU shall be responsible for monitoring local pet ownership, managing localized, humane stray populations through Trap-Neuter-Return (TNR) programs, and serving as the first responder to local reports of animal abuse, neglect, or abandonment.
- c) **Allocation of Funds.** — Local Government Units (LGUs) are hereby authorized and mandated to allocate a portion of their National Tax Allotment (NTA) and local development funds for the operations, training, and maintenance of their respective BAWUs and municipal shelters.

SEC. 4. Clear Institutional Mandates for Disasters. — Animal protection and rescue protocols shall be systematically integrated into national and local disaster risk management frameworks:

- a) **Mandatory Evacuation Integration.** — The National Disaster Risk Reduction and Management Council (NDRRMC) and all Local DRRM Offices (LDRRMOs) shall include companion animals, livestock, and working animals in all mandatory evacuation protocols, disaster response mapping, and temporary shelter planning.
- b) **Statutory Presumption of Criminal Neglect.** — It shall be a prima facie case of criminal neglect and endangerment under this Act for any owner, custodian, or guardian to leave an animal chained, tethered, caged, or otherwise restrained without an immediate and unassisted means of escape during a declared State of Calamity or a mandatory evacuation order.
- c) **Penalty in Disasters.** — If such restraint or abandonment during a disaster results in the severe injury or agonizing death of the animal, the owner or custodian shall be prosecuted under Section 6 of this Act, and the defense of force majeure or act of God shall be legally inadmissible.

SEC. 5. Amendment of Section 9 of Republic Act No. 8485. Section 9 of Republic Act No. 8485, as amended by Republic Act No. 10631, is hereby further amended to read as follows:

“Section 9. Penalties for Standard Violations and Repeat Offenders.
— Any person who subjects any animal to cruelty, maltreatment, or neglect not falling under the definition of Aggravated Animal Cruelty under Section 9-A of this Act shall, upon conviction, suffer the graduated penalties provided under Republic Act No. 10631.

Provided, however, that Repeat Offenders—defined as any person who commits a violation of this Act after having been previously convicted under a final judgment for any violation of RA 8485, RA 10631, or this Act—shall be punished with the penalty of Imprisonment of Six (6) Years and One (1) Day to Eight (8) Years (*prisión mayor*) and a fine of not less than Three Hundred Thousand Pesos (P300,000.00) but not exceeding Five Hundred Thousand Pesos (P500,000.00).

In view of the minimum imposable penalty exceeding the six-year statutory threshold, any person convicted as a repeat offender under this Section shall be strictly and absolutely disqualified from applying for or availing of the benefits of probation under Presidential Decree No. 968, otherwise known as 'The Probation Law of 1976', as amended; consequently, the offender shall serve the full term of imprisonment continuously and mandatorily within a national penitentiary."

SEC. 6. Insertion of a New Section 9-A to Republic Act No. 8485. — A new section, designated as Section 9-A, is hereby inserted into Republic Act No. 8485, as amended, to read as follows:

"Section 9-A. Aggravated Animal Cruelty. — The crime of animal cruelty or maltreatment shall be classified as Aggravated, and shall carry the non-probationary penalty of Imprisonment of Six (6) Years and One (1) Day to Eight (8) Years (*prisión mayor*) and a fine of not less than Three Hundred Thousand Pesos (P300,000.00) but not exceeding Five Hundred Thousand Pesos (P500,000.00), when committed under any of the following specific instances, regardless of whether the offender is a first-time or a repeat offender:

- a) **Extreme Physical Torture and Mutilation.** — Where the animal is subjected to prolonged, intentional physical pain, skinning, burning, burning alive, chemical dousing, dismemberment, or the severing of limbs without professional veterinary medical justification;
- b) **Cruelty for Commercial Gain or Digital Distribution.** — Where the act of cruelty, torture, or killing is recorded, filmed, or streamed for the purpose of commercial sale, online broadcasting, or the creation and distribution of 'crush' videos and digital content;
- c) **Sordid motive or extreme malice.** — Where the crime is committed with evident premeditation, or out of pure vengeance against a pet owner, or as an act of domestic intimidation and psychological abuse against a family member;
- d) **Cruelty Resulting in Agonizing Death.** — Where the maltreatment, severe starvation, or intentional withholding of medical care directly results in a slow, agonizing, and protracted death of the animal;
- e) **Vehicular Hit-and-Run and Abandonment.** — Where the offender, while operating a motor vehicle, strikes an animal and intentionally flees the scene without rendering immediate aid, transporting the animal to a veterinary facility, or reporting the incident to the nearest Barangay Animal Welfare Unit (BAWU) or police station, resulting in the animal's severe injury, prolonged suffering, or death;
- f) **Mass Cruelty and Poisoning.** — Where the offender intentionally poisons, kills, or severely harms multiple animals simultaneously

in a single course of conduct, such as the deliberate poisoning of neighborhood strays or community pets;

- g) **Cruelty Committed by a Syndicate or Organized Group.** — Where the offense is planned, coordinated, or executed by an organized group of three (3) or more individuals, including organized dogfighting or horse fighting rings.

Any individual convicted of Aggravated Animal Cruelty under this Section shall be strictly barred from the availment of probation under Presidential Decree No. 968, otherwise known as 'The Probation Law of 1976', as amended. The court shall have no statutory discretion to grant probation, and the convict shall serve actual, mandatory time in a state penitentiary, notwithstanding their status as a first-time offender."

SEC. 7. Mandatory Blacklisting and the National Animal Abuser Registry (NAAR). — Any person convicted by final judgment of animal cruelty, maltreatment, severe neglect, abandonment, or unlawful killing under this Act shall suffer the accessory penalty of a Mandatory Lifetime Ban on Animal Ownership. Such person shall be legally barred from owning, harboring, breeding, fostering, or possessing custody over any type of animal. For this purpose, the AWB shall establish, maintain, and update a centralized, public, and searchable electronic database to be known as the National Animal Abuser Registry (NAAR).

The NAAR shall contain the names and identifying details of all individuals convicted of animal welfare violations. All pet shops, commercial breeders, agricultural sellers, and animal shelters shall be legally mandated to cross-reference the NAAR prior to finalizing any sale, adoption, or transfer of animal ownership. Any establishment that transfers an animal to a blacklisted individual shall have its business license revoked and face an administrative fine of One Hundred Thousand Pesos (P100,000.00).

SEC. 8. Implementing Rules and Regulations (IRR). — Within sixty (60) days from the effectivity of this Act, the Department of Agriculture, in coordination with the Department of the Interior and Local Government (DILG), the Department of Justice (DOJ), the PNP, and accredited animal welfare Non-Government Organizations (NGOs), shall promulgate the necessary rules and regulations for its effective implementation.

SEC. 9. Separability Clause. — If any provision of this Act is declared unconstitutional or invalid, the remaining provisions not affected thereby shall continue to be in full force and effect.

SEC. 10. Repealing Clause. — All laws, decrees, executive orders, rules, and regulations, or parts thereof inconsistent with the provisions of this Act, including relevant sections of Republic Act No. 8485 and Republic Act No. 10631, are hereby repealed or modified accordingly.

SEC. 11. Effectivity. — This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in at least two (2) newspapers of general circulation.

Approved,