Republic of the Philippines
House of Representatives
Quezon City

TWENTIETH CONGRESS

Second Regular Session

House Bill No. 11527

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Introduced by Representative Jernie Jett V. Nisay

EXPLANATORY NOTE

The Philippines is a home to many unique and threatened wildlife species. However, wildlife continues to be threatened by illegal hunting, collection, transport, trade, and destruction of their habitats. While Republic Act No. 9147, or the Wildlife Resources Conservation and Protection Act, already provides the current basic law for the protection and conservation of wildlife, the changing nature and increasing scale of wildlife crimes require stronger penalties and better enforcement measures.

Hence, this proposed measure now seeks to strengthen and update the existing wildlife protection law, particularly by providing clearer and heavier penalties for serious violations. The bill also adds important enforcement measures, including presumptions in certain wildlife cases, stronger administrative powers to confiscate and forfeit wildlife and equipment used in violations, Wildlife Enforcement Agents, Wildlife Traffic Monitoring Units, and a wildlife law enforcement information system.

Through these measures, the bill seeks to provide stronger penalties, better enforcement, and greater government support for the protection and conservation of Philippine wildlife.

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

REP. JERNIE JETT V. NISAY
Pusong Pinoy Partylist

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AN ACT
PROVIDING STRONGER MEASURES FOR THE CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES AND THEIR HABITATS, AND APPROPRIATING FUNDS THEREFOR, REPEALING FOR THE PURPOSE REPUBLIC ACT NO. 9147 OR THE "WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT"

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 "*Revised Wildlife Resources Conservation and Protection Act*".

SECTION. 2. ***Declaration of Policy.*** – It shall be the policy of the State to conserve and protect the country's wildlife resources and their habitats for sustainability and to promote ecological balance, enhance biological diversity, and ensure the provision of ecosystem services. In the pursuit of this policy, this Act shall have the following objectives:

(a) Regulate the collection, possession, use, and trade of wildlife, wildlife by-products and derivatives;

(b) Pursue, with due regard to the national interest, Philippine commitments to international conventions, treaties, and agreements on the protection of wildlife and their habitats, and on the fair and equitable sharing of the benefits from the lawful utilization of wildlife genetic resources;

(c) Initiate or support scientific studies on the conservation of biological diversity and sustainable utilization of wildlife resources.

(d) Promote full awareness and widest dissemination of policies on wildlife conservation and protection; and

(e) Strengthen the global effort to eradicate the transnational organized crimeof wildlife trade and trafficking.

SECTION. 3. ***Scope of Application****.* **–** This Act applies to all wildlife species found in all areas of the country, including exotic species which are subject to trade, are bred or cultured in captivity or propagated in the country.

SECTION. 4. ***Jurisdiction of the Department of Environment and Natural Resources, the Department of Agriculture, and the Palawan Council for Sustainable Development*****. –** The Department of Environment and Natural Resources (DENR) shall have jurisdiction over all terrestrial plant and animal species including turtles and tortoises, wetland species, including crocodiles, waterbirds and all amphibians, and the *Dugong Dugon* or *Dugong*. The Department of Agriculture (DA) shall have jurisdiction over all declared aquatic critical habitats, all aquatic resources including all fishes, aquatic plants, invertebrates and all marine mammals, except the *Dugong.* The Secretaries of the DENR and the DA shall review and, by joint administrative order, revise and regularly update the list of species under their respective jurisdictions and make the list readily available to all concerned government agencies and local government units. In the Province of Palawan, the jurisdiction is vested on the Palawan Council for Sustainable Development (PCSD) pursuant to Republic Act (RA) No. 7611, otherwise known as the "Strategic Environmental Plan (SEP) for Palawan Act".

SECTION. 5. ***Definition of Terms.*** **–** As used in the Act:

(a) *Biological diversity* or *biodiversity* refers to the variability among living organisms from all sources including, terrestrial, marine, and other aquatic ecosystems and the ecological complexes of which they are part, and the diversity within species, between species, and of ecosystems;

(b) *Biological resources* to genetic resource, organisms or parts thereof, populations or any other biotic component of ecosystems with actual or potential use or value for humanity, including all biological specimen such as plants, seeds, tissues, and other propagation materials, animals, live or preserved, whether whole or in part;

(c) *Bioprospecting* refers to the research, collection and utilization of biological and genetic resources for purposes of applying the knowledge derived from research solely for commercial purposes;

(d) *Biosafety* refers to the need to protect human, plant, and animal health or life and the environment from the adverse effects of the products of modern biotechnology;

(e) *Botanical garden* refers to a controlled and staffed institution where a collection of wild flora is maintained for recreational, educational, research, conservation, and scientific purposes;

(f) *By-product and derivative* refers to any part taken or substance extracted from wildlife, in raw or in processed form. This includes stuffed animals and *herbarium* specimen;

(g) *Captive-breeding, culture, or propagation* refers to the process of producing individual plants or animals under controlled conditions or with human intervention;

(h) *Certificate of Wildlife Registration* refers to a document authorizing a person to possess wildlife, wildlife by-products and derivatives;

(i) *Certificate of Introduction from the Sea* refers to a document issued by the Bureau of Fisheries and Aquatic Resources for the introduction from the sea of wildlife species taken from marine environments outside the jurisdiction of any State;

(j) *Collection or collecting* refers to the act of taking, gathering, or harvesting wildlife, wildlife by-products, or derivatives;

(k) *Conservation* refers to the preservation and sustainable utilization of wildlife, or maintenance, restoration, and enhancement of the habitat;

(l) *Critical habitat* refers to an area outside protected areas under RA 7586 or the "National Integrated Protected Areas System Act of 1992", as amended by RA 11038 or the "Expanded National Integrated Protected Areas System Act of 2018", that are known habitats of threatened Species and designated based on scientific data, taking into consideration species endemicity and richness, and the presence of man- made pressures and threats to the survival of wildlife living in the area, among others;

(m)*Critically-endangered species* refer to species or subspecies that are facing extremely high risk of extinction in the wild;

(n) *Domesticated* refers to any plant or animal listed by the relevant authorities easily propagated and altered or selected for desirable characteristics and preferences for domestic use;

(o) *Genetic material* refers to any material of plant, animal, microbial or other origin containing functional units of heredity;

(p) *Genetic resources* refer to genetic material of actual or potential value;

(q) *Gratuitous permit* refers to the permit issued to any person to collect wildlife for non-commercial scientific, or educational undertaking;

(r) *Habitat* refers to the place or environment where species or subspecies naturally occur or have naturally established their population;

(s) *Import permit* refers to a permit authorizing a person to bring in wildlife, wildlife by-products and derivatives from another country;

(t) *Indigenous wildlife* refers to species or subspecies of wildlife naturally occurring or have a naturally established population in the country;

(u) *Introduction* refers to the bringing of species into the wild or outside their natural habitat;

(v) *Introduction from the sea* refers to the transportation into the country of specimen of any species which were taken from the marine environment which is not under the jurisdiction of any State;

(w)*Invasive alien species* or *IAS* refer to species whose introduction or proliferation outside their natural past or present distribution threatens biological diversity;

(x) *Local transport permit* refers to a permit authorizing a person to bring wildlife from one place to another within the territorial jurisdiction of the Philippines;

(y) *Maltreatment* refers to the commission of torture or any form of cruelty to any wildlife, or omission or neglect to provide adequate care, sustenance or shelter to wildlife;

(z*) Near-threatened species* to species or subspecies that are neither critically endangered, endangered nor vulnerable but are under threat from adverse factors, such as over collection, throughout their range and are likely to move to the vulnerable category in the near future;

(aa) *Other wildlife species* refer to all other wildlife species not classified as threatened or near-threatened;

(bb) *Possession* refers to both actual possession or immediate physical control over wildlife, or wildlife by-products and derivatives, and to constructive possession or ownership or control over the place or conveyance where the wildlife, or wildlife by-products and derivatives are found;

(cc) *Re-export permit* refers to a permit authorizing a person to bring out of the country previously imported wildlife, wildlife by-products and derivatives thereof;

(dd) *Shipper* refers to a person that sends or transports goods by sea, land, or air;

(ee) *Special Local Transport Permit* refers to a permit conferred to a holder of a Wildlife Special Use Permit (WSUP) authorizing the conveyance of wildlife, by-products and derivatives from the facility of origin to one or more places within the Philippines, and back to the facility of origin;

(ff) *Threatened species* refer to species or subspecies considered as critically endangered, endangered, vulnerable, or other accepted categories of wildlife which is at risk of extinction;

(gg)*Trade* refers to the act of engaging in the exchange, exportation or importation, purchase or sale of wildlife, wildlife by-products and derivatives, locally or internationally;

(hh) *Traditional use* refers to the utilization of wildlife by indigenous cultural communities/ indigenous peoples (ICCs/IPs) in accordance with written or unwritten rules, usage, customs, and practices traditionally observed, accepted, and recognized by them;

(ii) *Vulnerable species* refer to species or subspecies that are not endangered but are under threat from adverse factors throughout their range and are likely to move to the endangered category in the near future;

(jj) *Wildlife* refers to wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred or propagated. It excludes domesticated species;

(kk) *Wildlife collector's permit* refers to a permit to take, gather**,** or harvest from the wild certain species and quantities of wildlife as parental stocks for commercial breeding purposes;

(ll) *Wildlife farm culture permit* refers to a permit to develop, operate, and maintain a wildlife breeding farm for conservation, trade, or scientific purposes;

(mm) *Wildlife local trade permit* refers to a permit authorizing a person to sell or offer for sale wildlife, wildlife by-products and derivatives;

(nn) *Wildlife laundering* refers to the process by which wildlife traders disguise the origin and ownership of illegally acquired wildlife by making such appear to have been derived from a legitimate source to circumvent wildlife laws and regulations;

(oo) *Wildlife rescue center* refers to a government established or designated repository of confiscated, donated, retrieved, or turned-over wildlife or an establishment where sick, injured, or confiscated wildlife are temporarily kept and rehabilitated prior to the release to their natural habitat or implementation of other modes of disposition as may be authorized by the DENR, DA, or the PCSD;

(pp) *Wildlife registration* refers to the act of entering in the official records wildlife, by-products and derivatives and granting authority to any person to maintain said wildlife, wildlife by-products and derivatives;

(qq) *Wildlife Special Use Permit* refers to a permit authorizing the holder thereof to utilize legally possessed or acquired wildlife, wildlife by- products and derivatives for local shows, exhibitions, or educational purposes or to collect economically important species for direct trade purposes;

(rr) *Zoological Park* or *Zoo* refers to an establishment where a collection of wild fauna is maintained for recreational, educational, research, conservation, or scientific purposes.

CHAPTER II
CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES

ARTICLE I

General Provisions

SECTION. 6. *Wildlife Information*. – All activities described in this Chapter shall be authorized by the DENR, DA, or PCSD upon proper evaluation of best available information or scientific data showing that the activity or its intended purpose is not detrimental to the survival of the species or subspecies involved and their habitat. For this purpose, the DENR, DA, or PCSD shall regularly update wildlife information through research.

The DENR, DA, and PCSD shall establish their respective National Wildlife Management Committee (NWMC) to provide technical and scientific advice on wildlife conservation and protection. Each NWMC shall be composed of representatives from the DENR, DA, or PCSD, other concerned government agencies, and local scientists with expertise on various fields of discipline on wildlife. The NWMC shall invite other stakeholders as resource persons and other experts, when necessary. The DENR, DA, or PCSD shall each designate the Chairpersons of their respective NWMCs.

The DENR and DA shall establish a Regional Wildlife Management Committee in every administrative region to provide technical and scientific advice on wildlife conservation and protection to DENR and DA field offices.

SECTION. 7. *Biosafety* – All activities dealing with genetic engineering and pathogenic organisms in the Philippines, as well as activities requiring the importation, introduction, field release and breeding of organisms shall be reviewed by the DENR, DA, or PCSD in accordance with the biosafety guidelines designed to ensure public welfare and the protection and conservation of wildlife and their habitats.

SECTION. 8. *Economically Important Species*. – The DENR, DA, and PCSD shall establish a list of economically-important species. Where appropriate, a population assessment of such species shall be conducted within a reasonable period and shall be regularly reviewed and updated.

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

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

SECTION. 9. *Invasive Alien Species*. – The DENR, DA**,** and PCSD shall manage IAS and formulate a National Invasive Alien Species Strategy and Action Plan (NISSAP) on the prevention, detection, eradication, control of and rehabilitation from invasive alien species, particularly those having the greatest impact on the environment, biodiversity, human health, and livelihood. Within one (1) year after the effectivity of this Act, the DENR, DA, and the PCSD shall jointly establish the list of invasive and potentially invasive alien species.

The list of IAS and the NISSAP shall be periodically reviewed and updated. Copies of the same shall be made readily available to concerned government agencies and local government units (LGUs). All national government agencies and LGUs shall coordinate with the DENR, DA, and PSCD in the implementation and localization of the strategy and action plan.

SECTION. 10. ***Designation of Management and Scientific Authorities for International Trade in Endangered Species of Wild Fauna and Flora*****. –** The Biodiversity Management Bureau of the DENR shall be the management authority in the implementation of international agreements on international trade in endangered species of wild fauna and flora and terrestrial resources, while the Bureau of Fisheries and Aquatic Resources of the DA shall be the authority with respect to aquatic resources. Finally, pursuant to RA 7611, the PCSD shall manage the implementation of international agreements on international trade in endangered species of wild fauna and flora, terrestrial resources and aquatic resources in the province of Palawan.

Scientific authorities shall provide advice to these management authorities. The scientific authorities for the terrestrial species are the Ecosystems Research and Development Bureau (ERDB) of the DENR, the University of the Philippines (U.P.) Institute of Biological Sciences, U.P. Institute of Biology, the National Museum, and other agencies as may be designated by the Secretary of the DENR or DA. The scientific authorities for the marine and aquatic species are the National Fisheries Research and Development Institute (NFRDI), U.P Marine Science Institure, U.P Visayas, Silliman University, the National Museum and other agencies as may be designed by the Secretary authorities for terrestrial species while the NFRDI shall be convenor of the scientific authorities for marine and aquatic species.

ARTICLE II
Permissible Activities

SECTION. 11. ***Collection of Wildlife*****.** – The collection of wildlife may be allowed in accordance with Section 6 of this Act subject to the following conditions:

(a) Appropriate and acceptable wildlife collection techniques with least or no detrimental effects to existing wildlife populations and their habitats shall be observed;

(b) The collection of wildlife by ICCs/IPs in their ancestral land or domain may be allowed for traditional use and not primarily for profit;

(c) The collection of wildlife resources by ICCs/IPs must be undertaken in accordance with the guidelines established by the Secretary of DA: *Provided,* That the collection of threatened wildlife shall be governed by Section 21 of this Act.

SECTION. 12. ***Possession of Wildlife***. **–** No person or entity shall be allowed possession of wildlife unless such person or entity can prove financial and technical capability, including scientific knowledge, and possesses the appropriate facility to maintain said wildlife: *Provided*, That such wildlife was not obtained in violation of this Act or other laws.

SECTION. 13. ***Collection or Possession of By-Products and Derivatives***. **–** The collection or possession of wildlife by-products and derivatives may be allowed: *Provided*, That the same was not obtained in violation of this Act or other laws.

SEC. 14. ***Local Transport of Wildlife, By-Products and Derivatives***. **–** Local transport of wildlife, wildlife by-products and derivatives legally collected or possessed shall be authorized by the concerned agency unless the same is prejudicial to wildlife and public health.

SECTION 15. Exportation or Importation of Wildlife, By-Products and Derivatives – Wildlife, wildlife by-products, and derivatives may be exported to imported from another country as may be authorized by the Secretaries of the DENR and DA, the PCSD Chairperson, or their designated representatives, subject to strict compliance with the provisions of this Act and the rules and regulations promulgated pursuant thereto: *Provided*, That the recipient of live wildlife has the technical and financial capacity to maintain it. However, the importation of IAS shall not be allowed.

SECTION. 16. ***Introduction, Reintroduction or Restocking of Endemic or Indigenous Wildlife***. – The introduction, reintroduction, or restocking of endemic and indigenous wildlife shall be allowed only for population enhancement or recovery purposes, subject to prior clearance from the Secretary of the DENR or the DA or their authorized representatives pursuant to Section 6 of this Act. Any proposed introduction shall be subjected to a scientific study which shall focus on the natural history of the specific wildlife sought to be introduced and its bio-ecological impact, as well as the conduct of public consultations with concerned individuals or entities.

SECTION. 17. ***Introduction of Exotic Wildlife***. –No exotic species shall be introduced into the country without clearance from the DENR, DA, or PCSD or their authorized representatives. In no case shall exotic species be introduced into protected areas under RA 7586, as amended by RA 11038 and to critical habitats referred to under Section 28 hereof: *Provided,* That the introduction of such exotic species shall not pose any adverse impacts on local ecology and that further environmental impact study shall be undertaken which shall focus on the bio-ecology, natural history, socioeconomic and related aspects of the area where the species will be introduced. The proponent shall also be required to secure the free and prior informed consent from concerned ICCs/IPs and to conduct public consultations with local stakeholders.

SECTION. 18. ***Bioprospecting***. – Bioprospecting shall be allowed upon execution of an undertaking by any proponent, which shall stipulate, among others, that the proponent shall comply with reasonable terms and conditions that may be imposed by the Secretaries of the DENR and DA, and the PCSD Chairperson to protect biological diversity and ensure fair and equitable sharing of benefits derived from the utilization of Philippine genetic resources.

Before any permit shall be granted by the Secretaries of the DENR and DA, the PCSD Chairperson, or their authorized representatives, the proponent shall secure the free, prior and informed consent of the concerned ICCs/IPs, pursuant to RA 8371 or "The Indigenous Peoples' Rights Act of 1997," and of the Protected Area Management Board under RA 7586, as amended by RA 11038, or of any affected local communities or persons. The applicant shall fully disclose the intent and scope

of the bioprospecting activity in a language and process understandable to the community.

Whenever applicable and appropriate, a local institution shall be tapped to be involved in the research, collection, and technological development of the product or products derived from the wildlife biological and genetic resources. Upon submission of the complete requirements, the Secretaries of the DENR and DA, and PCSD Chairperson shall act on the research proposal within a reasonable period.

SECTION. 19. ***Scientific Researches on Wildlife.*** **–** The collection and utilization of biological resources for scientific research, not for commercial purposes, shall be allowed upon execution of an undertaking or agreement or the issuance of a gratuitous permit by the Secretaries of the DENR and DA, or their authorized representative: *Provided*, That clearance from concerned bodies shall be secured before the issuance of the gratuitous permit: *Provided, further*, That special conditions may be provided by either the Secretary of the DENR or DA, or the Chairperson of the PCSD to facilitate the conduct of scientific research by Filipino students.

Whenever applicable and appropriate, a local institution shall be tapped to undertake or assist in the research, collection, and technological development of the product or products derived from the biological and genetic resources.

SECTION. 20. ***Commercial Breeding or Propagation of Wildlife Resources***. **–** Breeding or propagation of wildlife for commercial purposes shall be allowed by the Secretary of the DENR or DA, the PCSD Chairperson, or their authorized representatives pursuant to Section 6 of this Act through the issuance of a wildlife farm or culture permit: *Provided*, That only propagated flora, progenies of wild fauna raised, or specimens therefrom, as well as unproductive parent stock shall be utilized for trade: *Provided, further,* That commercial propagation and breeding operations for wildlife, whenever appropriate, shall be subject to an environmental impact study.

SECTION. 21. ***Collection of Threatened Wildlife, By-Products and Derivatives***. **–** The collection of threatened wildlife, as determined and listed pursuant to this Act, including its by-products and derivatives, shall be allowed only for scientific, or breeding or propagation purposes in accordance with Section 6 of this Act. Only persons accredited by the Secretary of the DENR or DA, or the PCSD Chairperson shall be allowed to collect wildlife for conservation breeding or propagation purposes.

SECTION. 22. ***Conservation Breeding or Propagation of Threatened Species.*** **–** Conservation breeding or propagation of threatened species shall be encouraged in their natural habitats. It shall be done simultaneously with the rehabilitation and protection of the habitat where the captive-bred or propagated species shall be released, reintroduced**,** or restocked.

SECTION. 23. ***Commercial Breeding or Propagation of Threatened Species*** **–** Commercial breeding or propagation of threatened species may be allowed: *Provided*, That these following minimum requirements are met by the applicant:

(a) Proven effective breeding and captive management techniques for the species; and

(b) Commitment to simultaneously undertake conservation breeding and commercial breeding in accordance with Section 20 of this Act.

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

ARTICLE III
Permits, Fees and Charges

SECTION. 24. ***Issuance and Validity of Permits*****. -** The Secretaries of the DENR and DA, and the PCSD Chairperson, or their duly authorized representatives, shall issue permits, certifications, or clearances with corresponding periods of validity as follows:

(a) Wildlife farm or culture permit	three (3) to five (5) years;
(b) Wildlife collector's permit	one (1) to three (3) years;
(c) Gratuitous permit	one (1) to three (3) years;
(d) Local transport permit;	not more than three (3) months;
(f) Wildlife Local Trade Permit	one (1) year;
(g) Wildlife Special Use Permit	one (1) to three (3) years
(h) Export/Import/Re-export Permit	one (1) to six (6) months
(i) Certificate of Introduction from the Sea	one (1) to six (6) months

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

SECTION. 25. ***Authority to Collect Fees and Charges*****.** – The Secretaries of the DENR, and DA, and the PCSD Chairperson are hereby authorized to impose and collect reasonable fees and charges for the issuance of permits enumerated in the preceding section, as may be determined upon consultation with the concerned groups, and in the amount fixed by the DENR, DA**,** or PCSD.

For the export of wildlife species, an export permit fee of not more than five percent (5%) of the export value, excluding transport costs, shall be charged: *Provided,* That in the determination of aforesaid fee, the production costs shall be given due consideration. Cut flowers, leaves, and the like produced from farms shall be exempted from the said export fee. These fees and charges shall be reviewed by the Secretaries of DENR and DA every two (2) years or as the need arises and revisions shall be made accordingly, subject to consultations with concerned sectors.

The Secretary of the DENR or DA, or the PCSD Chairperson may impose an import permit fee based on the import value of wildlife species and a valuation of the potential risks they pose to biodiversity and human health. Fees and charges for such importation stipulated under international agreements shall be borne by the applicant.

ARTICLE IV
Protection of Threatened Species

SECTION. 26. ***Determination of Threatened Species.*** **-** The Secretaries of the DENR and DA, or the PCSD Chairperson shall accordingly determine whether any wildlife species or subspecies is threatened, and classify the same as critically

endangered, endangered, vulnerable, or under other accepted category based on the best scientific data and with due regard to internationally-accepted criteria, including the following conditions:

(a) Its habitat or range has been destroyed or is under threat to be modified or curtailed;
(b) It is over-utilized for commercial, recreational, scientific or educational purposes; and
(c) Other natural or man-made factors that negatively affect the existence of wildlife.

The Secretaries of the DENR and DA, and the PCSD Chairperson shall accordingly review, revise, and publish the list of categorized threatened wildlife within one (1) year after effectivity of this Act. Thereafter, the list shall be updated regularly or as the need arises: *Provided*, That a species listed as threatened shall not be removed therefrom within three (3) years of its initial inclusion in the list.

The Secretary of the DENR or DA, or the PCSD Chairperson shall accordingly evaluate the status of the species that are the subject of a petition filed by any person seeking for the addition or deletion of such species from the list and act on said petition based on the criteria stated herein within a reasonable period.

SECTION. 27. *Registration of Threatened and Exotic Wildlife in the Possession of Private Persons*. – Threatened and exotic wildlife possessed without a Certificate of Wildlife Registration shall be confiscated in favor of the government and the person in possession shall be subject to the penalties provided in this Act. Certificates of Wildlife Registration shall be issued only for the following:

(a) Wildlife stock acquired under a prior valid wildlife permit issued to the same applicant, including wildlife import permits or certifications, wildlife collector's permit, subject to the submission of proof of legal acquisition;

(b) Wildlife stock purchased or otherwise acquired from legal sources subject to submission of proof of legal acquisition: *Provided,* That the sale or disposition of the stock to the applicant was duly reported to the DENR, DA, or PCSD by the source: *Provided, further*, That the wildlife sold or disposed are limited to those allowable under Sections 20 and 23 of this Act; and

(c) Progenies or offspring of duly registered parental wildlife stocks.

Possession of registered wildlife species shall be subject to the conditions under Section 12 of this Act. When a registered threatened species is needed for breeding, propagation or research purposes, the State may acquire the registered wildlife from any person through a mutually-acceptable arrangement.

ARTICLE V
Critical Habitats

SECTION. 28. *Establishment of Critical Habitats*. – The Secretaries of the DENR and DA, and the PCSD Chairperson shall designate critical habitats where threatened species are found outside protected areas under RA 7586, as amended

by RA 11038 and other existing laws. Such designation shall be made on the basis of the best scientific data taking into consideration species endemicity or richness, and presence of man-made pressures and threats to the survival of wildlife living in the area, among others.

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

To complement these habitats, the Secretary of the DENR, or DA**,** or the PCSD Chairperson may also identify for protection a geographically**-**defined area other than a protected area, which is governed and managed in ways that shall produce positive and sustained long-term outcomes for the *in-situ* conservation of biodiversity, with associated ecosystem functions and services, and where, cultural, spiritual, socioeconomic, and other locally relevant values can be applied or observed.

CHAPTER III

ARTICLE I
Illegal Acts

SECTION. 29. *Illegal Acts*. – It shall be unlawful for any person to willfully and knowingly undertake, or induce, solicit, or employ another person to undertake, the following acts:

(a) Killing or destroying wildlife species, including causing death or destruction as a result of any violation of this Act, except in the following instances:

(i.) When it is done as part of the religious rituals of established tribal groups or ICCs/IPs;

(ii.) When the wildlife is afflicted with an incurable communicable disease;

(iii.) When it is deemed necessary to put an end to the misery suffered by the wildlife;

(iv.) When it is done to prevent an imminent danger to the life or limb of a human being;

(v.) When the wildlife is killed or destroyed after it has been used in authorized research or experiments; and

(vi.) When done for the purpose of wildlife population management or eradication of invasive alien species, as authorized by the DENR, DA or PCSD.

(b) Injuring, crippling, or impairing the reproductive system of wildlife species;

(c) Committing any of the following acts in critical habitats:

(i.) Dumping of waste products detrimental to wildlife and the critical habitat;

(ii.) Squatting or otherwise illegally occupying any portion of the critical habitat;

(iii.) Mineral exploration or extraction, treasure-hunting or prospecting;

(iv.) Burning;

(v.) Logging;

(vi.) Quarrying;

(vii.) Land reclamation;

(viii.) Disturbing wildlife through activities that endanger flora, fauna and their habits; and

(ix.) Introduction of, whether intentional or not, any substance or man-made or anthropogenic material, agent**,** or medium that endangers the habitat or renders a habitat no longer viable for wildlife;

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

(e) Trading or attempting to trade wildlife, wildlife by-products and derivatives, including advertising, contracting or offering for the purpose of sale or procurement of wildlife, wildlife by-products and derivatives through online platform or any other means;

(f) Collecting, hunting, or possessing wildlife, wildlife by-products and derivatives;

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

(h) Maltreating or inflicting other injuries not covered by the preceding paragraphs;

(i) Transporting of wildlife without the appropriate, valid permits, clearances, agreements or certificates;

(j) Wildlife laundering; and

(k) Destruction of wildlife habitat which consists of any of the acts in paragraph

(c) herein, or a combination thereof, that results in the cessation or impairment of the ecological service or function associated with the habitat, and the effects of which will take a considerable amount of time and effort to reverse.

SECTION 30. ***Wildlife Trafficking****.* – When any of the violations of paragraphs (a), (e), (f), (i), and (j) in Sec. 29 of this Act are committed by a

syndicate or in large scale, or the wildlife involved is to be exported or is actually exported to another country, or is imported from another country by the person in connivance with the persons from whom the wildlife was apprehended, the offense committed is wildlife trafficking and shall be penalized accordingly.

Wildlife trafficking is also committed under any of the following circumstances, whether domestic or transnational:

(a) When one or more persons agree to commit any of the aforementioned illegal acts for a purpose relating directly or indirectly to obtaining of financial or other material benefit from any crime defined in this Act, including any act undertaken by one of the participants in furtherance of the agreement or involving an organized criminal group;

(b) When a person who, with knowledge of either the aim and general criminal activity of an organized criminal group or its intention to commit the crimes in question, takes an active part in criminal activities of the organized criminal group or other activities of the organized criminal group in the knowledge that the participation will contribute to the achievement of the above-described criminal aim; and

(c) When a person organizes, directs, aids, abets, facilitates or provides counsel in the commission of any of the illegal acts defined under this Act involving an organized criminal group.

ARTICLE II
Penalties

SECTION. 31. ***Penalties for Violations of this Act.*** – Any person who commits the illegal acts described under paragraph (a) of Sec. 29 of this Act, upon conviction, shall suffer the following penalties:

(a) *Reclusion temporal* or imprisonment of not less than twelve (12) years and one (1) day but not more than twenty (20) years and a fine of not less than Two hundred thousand pesos (₱200,000.00) but not more than Two million pesos (₱2,000,000.00), or both, if the illegal act involved critically- endangered species;

(b) *Prision mayor* or imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years, or a fine of not less than One hundred thousand pesos (₱100,000.00) but not more than to One million pesos (₱1,000,000.00), or both, if the illegal act involved endangered species;

(c) *Prision correccional* in its medium and maximum period or imprisonment of not less than two (2) years, four (4) months and one (1) day but not more than six (6) years, or a fine of not less than Sixty thousand pesos (₱60,000.00) but not more than Six hundred thousand pesos (₱600,000.00), or both, if the illegal act involved vulnerable species;

(d) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Forty thousand pesos (₱40,000.00) but not more than Four hundred thousand pesos (₱400,000.00), or both, if the illegal act involved near threatened species; and

(e) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Twenty thousand pesos (₱20,000.00) but not more than Two hundred thousand pesos (₱200,000.00), or both, if the illegal act involved other wildlife species.

For illegal acts under paragraph (b) of Sec 29 of this Act, the following penalties and fines shall be imposed:

(a) *Prision correccional* in its maximum period or imprisonment of not less than four (4) years, two (2) months and one (1) day but not more than six (6) years, or a fine of One hundred thousand pesos (₱100,000.00) but not more than One million pesos (₱1,000,000.00), or both, if the illegal act involved critically endangered species;

(b) *Prision correccional* in its medium period or imprisonment of not less than two (2) years, four (4) months and one (1) day but not more than four (4) years and two (2) months, or a fine of not less than Sixty thousand pesos (₱60,000.00) but not more than Four hundred thousand pesos (₱400,000.00),
or both, if the illegal act involved endangered species;

(c) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Forty thousand pesos (₱40,000.00) but not more than Four hundred thousand pesos (₱400,000.00), or both, if the illegal act involved vulnerable species;

(d) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Twenty thousand pesos (₱20,000.00) but not more than One hundred thousand pesos (₱100,000.00), or both, if the illegal act involved near threatened species; and

(e) *Arresto mayor* or imprisonment of not less than one (1) month and one (1) day to six (6) months, or a fine of Ten thousand pesos (₱10,000.00) to Forty thousand pesos (₱40,000.00), or both, if the illegal act involved other wildlife species.

For illegal acts described under paragraphs (c) and (d) of Sec. 29 of this Act, the penalty which shall be imposed is *arresto mayor* to *prision mayor* in its minimum period or imprisonment of not less than one (1) month and one (1) day but not more than eight (8) years, or a fine of not less than Ten thousand

pesos (₱10,000.00) but not more than Ten million pesos (₱10,000,000.00), or both. If a critical habitat requires rehabilitation or restoration as a result of the illegal act as determined by a court, the offender shall be additionally required to restore the same, whenever practicable, or pay additional compensation for the damage caused.

For illegal acts described in paragraph (e) Sec. 29 of this Act, the following penalties and fines shall be imposed:

(a) *Prision correccional* in its maximum period or imprisonment of not less than four (4) years, two (2) months and one (1) day but not more than six (6) years, or a fine of not less than Fifty thousand pesos (₱50,000.00) but not more than Six hundred thousand pesos (₱600,000.00), or both, if the illegal act involved critically endangered species;

(b) *Prision correccional* in its medium period or imprisonment of not less than two (2) years, four (4) months and one (1) day but not more than four (4) years and two (2) months, or a fine of not less than Thirty thousand pesos (₱30,000.00) but not more than Four hundred thousand pesos (₱400,000.00), or both, if the illegal act involved endangered species;

(c) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months or a fine of not less than Twenty thousand pesos (₱20,000.00) but not more than Two hundred thousand pesos (₱200,000.00), or both, if the illegal act involved vulnerable species;

(d) *Arresto mayor* or imprisonment of not less than one (1) month and one (1) day but not more than six (6) months, or a fine of not less than Ten thousand pesos (₱10,000.00) but not more than One hundred thousand pesos (₱100,000.00), or both, if the illegal act involved near threatened species; And

(e) *Arresto menor* in its medium period and maximum period or imprisonment of not less than eleven (11) to thirty (30) days, or a fine of not less than Five thousand pesos (₱5,000.00) but not more than Forty thousand pesos (₱40,000.00), or both, if the illegal act involved other wildlife species.

For illegal acts described under paragraphs (f) and (g) of Sec. 29 of this Act, the following penalties and fines shall be imposed:

(a) *Prision correccional* in its medium period or imprisonment of not less than two (2) years, four (4) months and one (1) day but not more than four (4) years and two (2) months, or a fine of not less than Sixty thousand pesos (₱60,000.00) but not more than Six hundred thousand pesos (₱600,000.00), or both, if the illegal act involved critically endangered species;

(b) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Forty thousand pesos

(₱40,000.00) but not more than Four hundred thousand pesos (₱400,000.00), or both, if the illegal act involved endangered species;

(c) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Twenty thousand pesos (₱20,000.00) but not more than Two hundred thousand pesos (₱200,000.00), or both, if the illegal act involved vulnerable species;

(d) *Arresto mayor* or imprisonment of not less than one (1) month and one (1) day but not more than six (6) months, or a fine of not less than Ten thousand pesos (₱10,000.00) but not more than One hundred thousand pesos (₱100,000.00), or both, if the illegal act involved near threatened species; and

(e) *Arresto menor* in its medium period and maximum period or imprisonment of not less than eleven (11) but not more than thirty (30) days, or a fine of not less than Two thousand pesos (₱2,000.00) but not more than Ten thousand pesos (₱10,000.00), or both, if the illegal act involved other wildlife species: *Provided*, That if the act was perpetuated through the means of inappropriate techniques and devices, the maximum penalty herein provided shall be imposed.

For illegal acts under paragraphs (h) and (i) of Sec. 29 of this Act, the following penalties and fines shall be imposed:

(a) *Prision correccional* in its minimum period or imprisonment of not less than (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than One hundred thousand pesos (₱100,000.00) but not more than Two hundred thousand pesos (₱200,000.00), or both, if the illegal act involved critically endangered species;

(b) *Arresto mayor* in its maximum period or imprisonment of not less than four (4) months and one (1) day but not more than six (6) months, or a fine of not less than Forty thousand pesos (₱40,000.00) but not more than One hundred thousand pesos (₱100,000.00), or both, if the illegal act involved endangered species;

(c) A*rresto mayor* in its minimum and medium period or imprisonment of not less than one (1) month but not more than four (4) months, or a fine of not less than Ten thousand pesos (₱10,000.00) but not more than Forty thousand pesos (₱40,000.00), or both, if the illegal act involved vulnerable species;

(d) *Arresto menor* in its medium period and maximum period or imprisonment of not less than eleven (11) but not more than thirty (30) days, or a fine of not less than Two thousand pesos (₱2,000.00) but not more than Ten thousand pesos (₱10,000.00), or both, if the illegal act involved near threatened species;

(e) *Arresto menor* in its minimum period or imprisonment of not less than one (1) day but not more than ten (10) days, or a fine of not less than Five hundred pesos (₱500.00) but not more than Two thousand pesos (₱2,000.00), or both, if the illegal act involved other wildlife species.

For illegal acts under paragraph (j) of Sec. 29 of this Act, the following penalties and fines shall be imposed:

(a) *Prision correccional* in its maximum period or imprisonment of not less than four (4) years, two (2) months and one (1) day but not more than six (6) years, or a fine of not less than Fifty thousand pesos (₱50,000.00) but not more than Six hundred thousand pesos (₱600,000.00), or both, if the illegal act involved critically endangered species;

(b) *Prision correccional* in its medium period or imprisonment of not less than two (2) years, four (4) months and one (1) day but not more than four (4) years and two (2) months, or a fine of not less than Thirty thousand pesos (₱30,000.00) but not more than Four hundred thousand pesos (₱400,000.00), or both, if the illegal act involved endangered species;

(c) *Prision correccional* in its minimum period or imprisonment or not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Twenty thousand pesos (₱20,000.00) but not more than Two hundred thousand pesos (₱200,000.00), or both, if the illegal act involved vulnerable species;

(d) *Arresto mayor* or imprisonment of not less than one (1) month and one (1) day but not more than six (6) months, or a fine of not less than Ten thousand pesos (₱10,000.00) but not more than One hundred thousand pesos (₱100,000.00), or both, if the illegal act involved near threatened species; and

(e) A*rresto menor* in its medium period and maximum period or imprisonment of not less than eleven (11) days but not more than thirty (30) days), or a fine of not less than Five thousand pesos (₱5,000.00) but not more than Forty thousand pesos (₱40,000.00), or both, if the illegal act involved other wildlife species.

For acts constituting wildlife trafficking, the following fines and penalties shall be imposed:

(a) *Reclusion temporal* or imprisonment of not less than twelve (12) years and one (1) day but not more than twenty (20) years, or a fine of not less than Two hundred thousand pesos (₱200,000.00) but no more than Two million pesos (₱2,000,000.00), or two times the proven market value, whichever is higher, or both, if the illegal act involved critically endangered species;

(b) *Prision mayor* or imprisonment of not less than six (6) years and one (1) day but not more than twelve (12) years, or a fine of not less than One hundred thousand pesos (₱100,000.00) but not more than One

million pesos (₱1,000,000.00), or two times the proven market value, whichever is higher, or both, if the illegal act involved endangered species;

(c) *Prision correccional* in its medium and maximum period or imprisonment of not less than two (2) years, four (4) months and one (1) day but not more than six (6) years, or a fine of Sixty thousand pesos (₱60,000.00) to Six hundred thousand pesos (₱600,000.00), or two times the proven market value, whichever is higher, or both, if the illegal act involved vulnerable species;

(d) *Prision correccional* in its minimum period or imprisonment of not less than six (6) months and one (1) day but not more than two (2) years and four (4) months, or a fine of not less than Twenty thousand pesos (₱20,000.00) but not more than Sixty thousand pesos (₱60,000.00), or two times the proven market value, whichever is higher, or both, if the illegal act involved other protected wildlife species.

SECTION. 32. ***Criminal Liabilities and Disqualification***. – (a) If the violation is committed by a corporation, cooperative, association, or any other juridical person, such as airfreight, shipping, trucking or forwarding companies, the penalty shall be imposed upon the president, director or directors, managers, managing partner, or other official thereof responsible for such violation: *Provided,* That the fine shall be doubled**:** *Provided, further,* That the liability imposed on the juridical person shall be without prejudice to the criminal liability of the natural person who actually committed the offense.

(a) Any government official or employee who violates this Act shall, in addition to the criminal liability that the court may find and the penalty that may be imposed pursuant thereto, be perpetually disqualified from holding any public office.

(b) Any person convicted of a violation of this Act shall be permanently and perpetually disqualified from being issued any wildlife permit, clearance, agreement or certificate.

SECTION. 33. ***Civil Liabilities***. – Civil action for the recovery of civil liability arising from the offense charged shall be included in the criminal action or may be separately filed. Civil liabilities are separate from criminal and administrative liabilities and shall include costs for maintenance of apprehended live wildlife species, economic reparations, or indemnification for environment damage among others.

SECTION. 34. ***Automatic Adjustment***. **–** The fines herein prescribed shall automatically increase by ten percent (10%) every three years from the effectivity of this Act without need for further legislation or administrative issuance.

ARTICLE III
Disputable Presumptions and Qualifying Circumstances

SECTION. 35. ***Disputable Presumptions*****. –** Without the appropriate wildlife permit, certification or clearance, or authority at the time of

apprehension, the following shall constitute *prima facie* evidence of the corresponding illegal acts punishable under this Act:

(a) Possession of any hunting, trapping or collecting paraphernalia along with live or dead wildlife, wildlife by-products and derivatives shall be a disputable presumption that the possessor caused the killing or destruction, infliction of injury, maltreatment, collection, hunting of wildlife, wildlife by-products and derivatives, as appropriate;

(b) Presence of fresh or dried blood, wildlife by-products and derivatives, with or without the tools, equipment or paraphernalia derivatives, shall be a disputable presumption of the killing and or destruction of, or inflicting injury on, the wildlife species involved;

(c) Entry into areas designated as critical habitats while in possession of hunting, trapping, or collecting paraphernalia shall be a disputable presumption that the person intends to collect, hunt, or gather wildlife resources thereat; and

(d) Failure on the part of any airfreight, shipping, trucking or forwarding company, or any parcel or mail delivery service providers from whose possession the wildlife, wildlife by-products or derivatives are discovered or seized to fully cooperate in the investigation on the matter by concerned government authorities shall create a presumption that there is connivance or conspiracy between the company or service provider and the shipper to violate the provisions of this Act.

SECTION. 36. ***Qualifying Circumstances***. – Any prohibited act committed on each wildlife specimen shall be counted separately. The imposition of penalties shall be qualified and the maximum penalty shall be imposed if the prohibited act committed involves:

(a) More than one (1) specimen of a critically endangered species;
(b) More than five (5) specimens of an endangered species;
(c) More than eight (8) specimens of a vulnerable species;
(d) More than ten (10) specimens of a near threatened species;
(e) More than fifteen (15) specimens of other wildlife species;
(f) More than twenty (20) wildlife specimens of any classification**.**

If the prohibited act is committed in a large scale or by a syndicate, the penalty of twice the maximum penalty shall be imposed. A prohibited act is deemed large scale when the total number of wildlife specimen involved is more than thirty (30). A prohibited act is deemed committed by a syndicate if more than three (3) persons are involved.

If the prohibited act committed involves the inducement of ICCs/IPs, the maximum penalty shall be imposed.

SECTION 37. ***Penalties for Recidivists*****. –** The maximum applicable penalty shall be imposed upon a recidivist who commits any of the illegal acts punishable under this Act. A recidivist refers to a person who, at the time of

the trial for violation of this Act, shall have been previously convicted by final judgment of the same or another violation of this Act.

SECTION 38. ***Liability Under Other Laws***. **–** Prosecution for violation of this Act shall be without prejudice to the prosecution of the offender for violation of other laws, rules and regulations.

ARTICLE IV
Administrative Adjudication

SECTION. 39. ***Authority to Adjudicate and Administer Penalties*****.** – The Secretaries of the DENR and DA, the PCSD Chairperson, or their respective authorized representatives shall exercise administrative adjudication confiscation, and forfeiture powers, including the power to cite in contempt, in all cases of violations of this Act. They may also impose administrative sanctions such as payment of fines, or order the suspension or cancellation of existing wildlife permits and disqualification from issuance of future permits, the closure of establishment, or the confiscation and forfeiture of all wildlife, wildlife by-products and derivatives, and all paraphernalia, tools and conveyances used in connection with the violation, and to dispose of the same in accordance with pertinent laws, regulations or policies on the matter. The Secretaries of the DENR and DA, the PCSD Chairperson, or their respective authorized representatives may, after due notice and hearing, cancel or suspend wildlife permits, clearances, agreements and certificates issued to persons found to have violated any provision of this Act, rules and regulations issued to implement it, or the terms of the permits, agreements or certificates. They shall issue appropriate procedural rules and regulations for the administrative adjudication of violations of this Act.

CHAPTER IV
TRANSNATIONAL WILDLIFE CRIMES

SECTION. 40. ***Transnational Character of Wildlife Crime.*** **–** Consistent with the provisions of the United Nations Convention on Transnational Organized Crime (UNCTOC) to which the Philippines is a Party, and which is considered part of the law of the land through incorporation, a wildlife crime acquires a transnational character if committed:

(a) In more than one State;

(b) In one State, but a substantial part of its preparation, planning, direction or control takes place in another State;

(c) In one State, but involves an organized criminal group that engages in criminal activities in more than one State; or

(d) In one State but has substantial effects on another State.

SECTION. 41. ***International Cooperation.*** **–**Upon the receipt of a request from another State Party of UNCTOC for the confiscation of proceeds of crime, property, equipment, or other instrumentalities from the commission of a transnational wildlife crime, the Philippine Center on Transnational Crime (PCTC) shall submit the request to the implementing agencies of this Act for the purpose of obtaining an order of confiscation, and if such an order is granted, shall enforce such order.

In addition, upon receipt of such a request, the PCTC shall, in coordination with the implementing agencies of this Act, take measures to identify, trace, freeze, seize property, equipment, other instrumentalities and the proceeds of the transnational wildlife crime.

SECTION. 42. ***Collection, Exchange, and Analysis of Information on the Nature of Transnational Wildlife Crime.*** **–** The PCTC shall, in consultation with the scientific and academic communities and other relevant international and regional organizations, including International Criminal Police Organization (INTERPOL) and Association of Southeast Asian Nation National Police (ASEANAPOL), consolidate and analyze the trends in organized crime in its territory, the circumstances in which organized crime operates, as well as the professional groups and technologies involved. The PCTC shall also consider developing and sharing analytical expertise concerning organized criminal activities with other international and regional organizations. For these purposes, common definitions, standards and methodologies should be developed and applied, as appropriate.

SEC. 43. ***Policies and Other Measures to Address Transnational Wildlife Crime.*** **–** The PCTC shall work with the DENR, DA, PCSD and the Office of the Special Envoy for Transnational Crimes, and consult with international and regional organizations, including INTERPOL, ASEANAPOL, and the ASEAN Centre for Biodiversity, to develop policies and measures conducive to the optimal implementation of the UNTOC in relation to wildlife crime, through regional and international cooperation, taking into account the negative effects of organized crime on society in general, and on sustainable development in particular.

CHAPTER V

WILDLIFE LAW ENFORCEMENT

SECTION. 44. ***Creation of Plantilla Positions for Wildlife Law Enforcement***. – The DA, DENR, and PCSD are hereby authorized to create, Subject to existing guidelines, permanent plantilla positions of Wildlife Enforcement Agents, or designate their existing permanent employees as such from their respective enforcement units. They shall have full authority to enforce the provisions of this Act such as the conduct of surveillance activities, investigation, application and service of search warrants, arrests of violators and seizures of illegally possessed, collected, traded or transported wildlife, their by- products and derivatives including the conveyances, tools and implements used thereto. Wildlife Enforcement Agents are authorized to carry their agency's badge and government firearms in the conduct of their duties, subject to the existing rules on firearms and after proper training from any government facility.

SEC. 45. ***Deputation of Wildlife Enforcement Officers***. **–** The Secretaries of the DENR and DA, and the PCSD Chairperson shall deputize wildlife enforcement officers from non-government organizations, citizens' groups, community organizations, LGUs and other volunteers who have

undergone necessary training for this purpose. The Philippine National Police, the National Bureau of Investigation, the Bureau of Customs and other law enforcement agencies shall designate wildlife enforcement officers. As such, the wildlife enforcement officers shall have the full authority to seize illegally traded wildlife and arrest violators of this Act, subject to existing laws, rules and regulations on arrest and detention. These agencies may also seek the cooperation of international and regional organizations in the conduct of their investigation and enforcement actions.

SEC. 46. ***Creation of Wildlife Traffi Monitoring Units***. – The Secretaries of the DENR and DA shall create Wildlife Traffic Units (WTMUs) in strategic air and seaports all over the country to ensure the strict compliance and effective implementation of all existing wildlife laws, rules and regulations, including pertinent international agreements. For this purpose, the DENR, DA and PCSD are authorized to provide for in their organizational structure such number of Wildlife Inspector positions as may be necessary, the appointees of which shall be assigned to WTMUs, and who shall have the same powers and duties as Wildlife Enforcement Officers. National government agencies with mandates related to transportation and local government units shall provide WTMUs the necessary assistance for the effective implementation of the latter's duties and functions.

Customs officers and the authorized representatives of other government agencies or instrumentalities such as, those from the Office for Transportation Security, the Civil Aviation Authority of the Philippines, assigned at air or seaports who may have discovered or intercepted wildlife commodities in the discharge of their official functions shall bring such discovery to the attention of, and turn over the intercepted wildlife, wildlife by-products and derivatives to the wildlife traffic monitoring unit assigned in the area.

SECTION. 47. ***Wildlife Regulatory and Law Enforcement Management Information System***. – The DENR, DA, and PCSD shall develop, establish, and maintain a wildlife law enforcement management information system to aid in the monitoring, regulation, control, and surveillance of activities involving wildlife, particularly the possession, transport and trade of wildlife, wildlife by-products and derivatives.

SECTION. 48. Role of Local Government Units. – Local government units shall support the DENR, DA, and PCSD in the implementation of this Act. LGUs shall require the presentation of the appropriate and duly issued wildlife permits or clearances by persons engaged in business activities involving wildlife as a prerequisite for the issuance or renewal of business permits and other applicable local government permits and clearances to such persons.

SECTION. 49. ***Public Participation***. - The participation of private citizens in reporting and providing information on illegal wildlife trade shall be encouraged. Any private person who shall provide any information leading to the apprehension, prosecution, and conviction of any offender for any violation of this Act and any rule or regulation promulgated to implement it, or the confiscation of wildlife, its derivatives or by-products, and all paraphernalia,

tools and conveyances used in connection with the violation, may be given a reward in an amount to be determined through a policy guideline issued by the DENR, DA, or the PCSD.

SECTION. 50. ***Strategi Lawsuit Against Public Participation in the Enforcement of this Act.*** – A legal action filed to harass, vex, exert undue pressure, or stifle any legal recourse that any person, institution, or the government has taken or may take in the enforcement of this Act shall be treated as a strategic lawsuit against public participation. The hearing on the defense of a strategic lawsuit against public participation shall be summary in nature. The affirmative defense shall be resolved within thirty (30) days after the summary hearing. If the court dismisses the action, the court may award damages, attorney's fees, and costs of suit under a counterclaim if such has been filed.

If the court rejects the defense of a strategic lawsuit against public participation, the evidence adduced during the summary hearing shall be treated as evidence of the parties on the merits of the case. The action shall proceed in accordance with the Rules of Court.

The Rules of Procedure for Environmental Cases shall govern the procedure in civil, criminal, and special civil actions involving the enforcement or violations of this Act, including actions treated as a strategic lawsuit against public participation as provided in this section.

CHAPTER VI
MISCELLANEOUS PROVISIONS

SECTION. 51. ***Wildlife Management Fund.*** – There is hereby established a Wildlife Management Fund to be administered separately by the DENR, DA, and PCSD as a special account in the National Treasury. It shall be utilized to finance rehabilitation or restoration of habitats affected by acts committed in violation of this Act and support scientific research, enforcement and monitoring activities, procurement of vehicles, firearms and ammunition, as well as enhancement of capabilities of relevant agencies.

The Fund shall be derived from administrative and criminal fines imposed, civil liabilities and damages awarded, proceeds from allowable disposition of wildlife, wildlife by-products and derivatives, fees, charges, donations, endowments, administrative fees or grants in the form of contributions.

Contributions to the Fund shall be exempt from the payment of the donor's tax and all other tax charges or fees imposed by the government. The administrative and criminal fines imposed, civil liabilities and damages awarded shall accrue to the Wildlife Management Fund of the DA, DENR, or the PCSD, as the case may be.

SECTION. 52. ***Tax Exemption.*** **–** All grants, bequests, endowments, donations and contributions which may be made to non-government organizations and people's organizations engaged in wildlife conservation, protection and law enforcement duly registered with the Securities and

Exchange Commission or the Cooperative Development Authority, as certified by the local government unit, the DENR, DA, or PCSD, for the conservation and protection of wildlife resources and their habitats shall be exempt from donor's tax and the same shall constitute as allowable deductions from gross income for purposes of computing the taxable income of the donor in accordance with the provisions of the NIRC of 1997, as amended.

Likewise, all grants, bequests, endowments, donations, and contributions which may be made to the DENR, DA, or PCSD shall also be exempted from donor's tax in accordance with the provisions of the National Internal Revenue Code of 1997, as amended.

These national government agencies may also avail of the tax expenditure subsidy administered by the Fiscal Incentives Review Board (FIRB), subject to the provisions of Title XIII (Tax Incentives) of the National Internal Revenue Code of 1997, as amended, Executive Order No. 93, as amended and the General Appropriations Act.

SECTION. 53. ***Wildlife Rescue Center***. – The Secretaries of the DENR and DA shall establish or designate wildlife rescue centers which shall take temporary custody and care of all confiscated, abandoned, or donated wildlife to ensure their welfare and well-being. All wildlife rescue centers shall be situated in appropriate facilities that are equipped with the necessary tools and apparatus, and staffed by regular, qualified and properly-trained personnel to ensure that all rescued wildlife are properly cared for. They shall formulate guidelines for the disposition of wildlife from these rescue centers.

SECTION. 54. ***Establishment of National Wildlife Research Centers***. – The Secretaries of the DENR and DA and the PCSD Chairperson shall establish national and local wildlife research centers for terrestrial and aquatic species that shall lead in the conduct of scientific researches on the proper strategies for the conservation and protection of wildlife, including captive breeding or propagation. Such research centers shall be staffed by qualified and properly-trained personnel, and shall be outfitted with the tools, machines and equipment necessary in the proper conduct of forensic analyses, and such other related capabilities necessary in effective wildlife law enforcement. To further enrich scientific studies and explorations in the area of wildlife protection and conservation, the DENR, DA, and PCSD shall establish partnerships with experts from academic and research institutions and legitimate wildlife trade industry.

SECTION. 55. ***Flagship Species***. – Local government units shall initiate conservation measures for wildlife species in their areas. For this purpose, they may adopt flagship species such as the Cebu black shama (*Copsychus cebuensis*), Tamaraw (*Bubalus mindorensis*), Philippine tarsier (*Tarsius syrichta*), or the Philippine teak tree (*Tectona philippinensis*), which shall serve as emblems of conservation for the local government concerned. The Secretary of the DENR or DA, or the PCSD Chairperson, or their authorized representatives may provide guidelines on the selection of flagship species.

SECTION. 56. ***Heritage Trees.*** – In coordination with and with assistance from the DENR or PCSD, LGUs shall declare or designate as heritage trees certain qualified endemic or indigenous tree species within their territorial jurisdiction.The Secretary of DENR or DA, or the PCSD Chairperson, or their authorized representatives may provide guidelines on the selection of heritage trees.

SECTION. 57. ***Botanical Gardens, Zoological Parks and Other Similar Establishments****.* **–** The DENR or DA Secretary shall regulate the establishment, operation and maintenance of botanical gardens, zoological parks and other similar establishments for recreation, education, and conservation.

SECTION. 58. ***Registration of Museum Specimens***. – Except for the National Museum, all other museums and similar establishments displaying wildlife by- products and derivatives for public viewing shall register said specimens with the DENR, DA, or PCSD, as the case may be.

SECTION. 59. ***Communication, Education, Public Awareness, and Information Sharing.*** – The DENR, DA, PCSD and the Office of Special Envoy for Transnational Crimes shall undertake wildlife information awareness and wildlife crime prevention activities with the assistance of other national agencies and LGUs. These agencies shall facilitate information sharing with other national agencies and pertinent agencies of the ASEAN and ASEAN member countries to further aid enforcement of wildlife protection laws and address and deter wildlife trafficking and the illegal wildlife trade.

CHAPTER VII
FINAL PROVISIONS

SECTION. 60. ***Appropriations.*** **–** The Secretaries of the DENR, DA, and the PCSD Chairperson shall immediately include in their Department's programs the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SECTION. 61*. Report to Congress***. –** The DENR and DA Secretaries and the PCSD Chairperson shall report to Congress, not later than March 30 of every year following the approval of this Act, the progress of efforts to conserve and protect Philippine wildlife resources and make the necessary recommendations in areas where there is need for legislative action.

SEC. 62. ***Joint Congressional Oversight Committee***. **–** There is hereby created a Joint Congressional Oversight Committee to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on Environment of the Senate and the Committee on Natural Resources of the House of Representatives, respectively, as co-chairpersons of the Joint Committee. The five (5) other members from each Chamber are to be designated by the Senate President and the Speaker of the House of

Representatives, respectively. The minority party or bloc shall be entitled to *pro rata* representation.

SECTION. 63. *Mandatory Review*. – The Congressional Oversight Committee shall undertake the mandatory review of this Act at least once every five (5) years after the effectivity of this Act, or as the need arises.

SECTION. 64. *Implementing Rules and Regulations* – Within twelve (12) months following the effectivity of this Act, the DENR and DA Secretaries shall jointly promulgate the rules and regulations to implement this Act. Whenever appropriate, coordination in the preparation and implementation of rules and regulations on joint and inseparable issues shall be done by the DENR, DA, and PCSD. The commitments of the Philippines under the international agreements and protocols shall likewise be a consideration in the implementation of this Act.

SECTION. 65. *Separability Clause*. – If any provision of this Act is declared unconstitutional or invalid, other parts or provisions hereof not affected shall continue to be in full force and effect.

SECTION. 66. *Repealing Clause*. – RA 9147 is hereby repealed. All other laws, ordinances, orders, rules, regulations and other issuances or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION. 67. *Effectivity*. - This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,