



NOV 17 2020

DA-DENR-DILG JOINT ADMINISTRATIVE ORDER
No. 2020 - 01

SUBJECT: DEFINING THE ROLES AND RESPONSIBILITIES OF AGENCIES CONCERNED IN THE LOCAL TRADE AND TRANSPORT OF WILDLIFE UNDER THE JURISDICTION OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

Pursuant to the provisions of Executive Order No. 192 s. 1987, Republic Act (RA) No. 9147 ("Wildlife Resources Conservation and Protection Act of 2001"), RA 8485 ("Animal Welfare Act of 1998"), as amended by RA 10631, and RA 7160 ("Local Government Code of 1991"), and their corresponding implementing rules and regulations, the following guidelines are hereby promulgated:

Section 1. *Basic Principles and Policies.* It is the policy of the State to conserve the country's wildlife resources and their habitats for sustainability. It is also the policy of the State to protect and promote the welfare of all animals in the Philippines by supervising and regulating the establishment and operations of all facilities utilized for breeding, maintaining, keeping, treating or training of all animals either as objects of trade or as household pets. Further, it is the policy of the State to provide for a more responsive and accountable local government structure instituted through a system of decentralization.

Section 2. *Objectives.* This Joint Administrative Order ("Order") seeks the furtherance of the above policies and to ensure that the procedures of the agencies' regulations on local trade and transport of wildlife, particularly in the issuance of the required separate and distinct permits, are well coordinated.

Section 3. *Scope and Coverage.* This Order shall apply to the local trade of all terrestrial wild animal species, all turtles and tortoises, and wetland species, including but not limited to crocodiles, waterbirds, all amphibians, and reptiles including their by-products and derivatives, except in the Province of Palawan where other rules and regulations may apply in accordance with the Wildlife Act and RA 7611 ("Strategic Environmental Plan for Palawan Act" or "SEP Law").

Section 4. *Definition of Terms.* For purposes of this Joint Administrative Order, the following terms are herein defined as follows:

- a. *Animal Welfare* – pertains to the physical and psychological well-being of animals. It includes, but not limited to, the avoidance of abuse, maltreatment, cruelty and exploitation of animals by humans by

maintaining appropriate standards of accommodation, feeding and general care, the prevention and treatment of disease and the assurance of freedom from fear, distress, harassment, and unnecessary discomfort and pain, and allowing animals to express normal behavior;

- b. *Certificate of Wildlife Registration* – an official document issued by the DENR evidencing that the wildlife species have been entered in the official records and granting authority to the named person, agency or institution to maintain such wildlife;
- c. *Collection or collecting* – the act of gathering or harvesting wildlife, its by-products or derivatives;
- d. *Local Transport Permit* – a document issued by the DENR authorizing an individual or entity to bring, carry or transport wildlife, by-products or derivatives acquired from legal sources from the point of origin to the final destination within the country;
- e. *Shipping Permit* – the official document of the Bureau of Animal Industry (BAI) issued with authority “With Authority of the Director” by Veterinary Quarantine Officers, government and private veterinarians deputized by the Secretary of the Department of Agriculture allowing the movement of animals from one place to another;
- f. *Trading of wildlife* – the act of engaging in the exchange, exportation or importation, purchase or sale of wildlife, wildlife by-products or derivatives;

Transporting of wildlife – the act of carrying or conveying wildlife, wildlife, wildlife by-products or derivatives from one place to another;

- g. *Veterinary Quarantine Certificate* – a document issued by the Bureau of Animal Industry (BAI) for animals certifying that these are free from evidence of dangerous communicable animal diseases or exposure thereto;
- h. *Wildlife* – wild forms and varieties of fauna, in all developmental stages, including those which are in captivity or are being bred or propagated, under the jurisdiction of the DENR, specifically all terrestrial animal species, all turtles and tortoises and wetland species, including but not limited to crocodiles, waterbirds and all amphibians and dugongs;
- i. *Wildlife by-products* - Any part taken from wildlife species such as meat, hides, antlers, feathers, leather, fur, internal organs, bones, scales, scutes, shells, coral parts, carapace and the like, or whole dead body of wildlife in its preserved/stuffed state, including compounds indirectly produced in a bio-chemical process or cycle;
- j. *Wildlife derivatives* – A substance/material extracted or taken from wildlife such as but not limited to blood, saliva, oils, resins, genes, gums, honey, cocoon, fur, tannin, urine, serum, spores, pollen and the like; a

compound directly or indirectly produced from wildlife and/or products produced from wildlife and wildlife products;

- k. *Wildlife Farm Permit* – a document issued by the DENR to develop, operate and maintain a wildlife breeding farm for conservation, trade and/or scientific purposes.

Section 5. Common Roles and Responsibilities. As allowed by their respective mandates, the Department of Agriculture (DA), the Department of Environment and Natural Resources (DENR), and the Department of the Interior and Local Government (DILG) shall promote public awareness of and compliance with the laws, rules and regulations relating to local trade in wildlife. They shall likewise render mutual assistance in related monitoring and capacity-building activities.

Section 6. Roles and Responsibilities of the DA. The DA, through the BAI, shall:

- a. Provide training and materials to local government units (LGUs) and the DENR on animal welfare regulations and the role of LGUs;
- b. Provide information, education and communication materials on animal welfare laws, rules and regulations;
- c. Incorporate in each Shipping Permit a statement that such permit shall not be valid for the transport of wildlife;
- d. Include as a requirement for the issuance of a Certificate of Registration for entities dealing with wildlife the presentation of the appropriate wildlife permits/clearances from the concerned DENR Regional Office;
- e. Assist the DENR in raising awareness on laws on wildlife resources, particularly the legal requirements for possession, trade and transport of wildlife and wildlife by-products;
- f. Regularly provide DENR with relevant information, if any, on illegal wildlife trade and transport obtained from its sector; and
- g. Ensure that there is a separate category for "wildlife trade" in all checklists for industry type or kind/line of business in certification or transport permit application forms.

Section 7. Roles and Responsibilities of the DENR. The DENR, through its regional offices and/or the Biodiversity Management Bureau (BMB), shall:

- a. Provide training and materials to DA and the LGUs on wildlife trade regulation in order to enhance their capacity and roles in combating illegal wildlife trade;
- b. Provide information, education and communication materials to raise awareness on conservation and protection of wildlife species and on the

prohibition and criminal liabilities for illegal wildlife trade and other violations of the Wildlife Act;

- c. Coordinate with LGUs in the apprehension and prosecution of those engaged in illegal wildlife trade;
- d. Incorporate in each Local Transport Permit a statement that such permit shall not be valid for the transport of wildlife unless the necessary Phytosanitary or Veterinary Quarantine Certificate is obtained from Bureau of Plant Industry (BPI) or BAI, respectively.
- e. Provide technical assistance to LGUs in the drafting of local ordinances to support and supplement national regulations on the protection of wildlife and local trade thereof;
- f. Assist in ensuring that holders of wildlife permits are compliant with applicable animal welfare regulations;
- g. Train appropriate DA and LGU officers and employees as Wildlife Enforcement Officers (WEOs); and
- h. Strengthen public participation in detecting and reporting illegal wildlife trade activities.

Section 8. Roles and Responsibilities of the DILG. The DILG shall:

- a. Enjoin all local chief executives and presiding officers of concerned Sanggunians and other local stakeholders to support the implementation of the Wildlife Act and the Animal Welfare Act as well as their respective implementing rules and regulations and pertinent national policies, and to report and provide information on illegal wildlife trade and transport to the DENR for monitoring and law enforcement purposes;
- b. Reiterate to LGUs, through an appropriate issuance, the requirement of proper DENR wildlife permit and/or clearance for persons and entities engaged in the trade of wildlife and the cancellation of the business permits of persons and entities involved in illegal trade of wildlife;
- c. Cause the widest dissemination of this Joint Administrative Order to all LGUs;
- d. Assist the DENR and the DA in monitoring LGU compliance through the Bureau of Local Government Supervision (BLGS);
- e. Enjoin the enactment of local ordinances to support and supplement national regulations on local wildlife in their respective territorial jurisdictions, such as inclusion of appropriate provisions in their Comprehensive Land Use Plan (CLUP) and Zoning Ordinances, and the designation of City or Municipal Environment and Natural Resources Officer;

- f. Assist LGUs in enacting local ordinances to support and supplement national regulations on local wildlife in their respective territorial jurisdictions;
- g. Assist the DENR in organizing activities to raise awareness on laws on wildlife resources, particularly the legal requirements for possession, trade and transport of wildlife and wildlife by-products, in coordination with LGUs; and
- h. Ensure that there is a separate category for "wildlife trade" in all checklists for industry type or kind/line of business in business permit and other application forms.

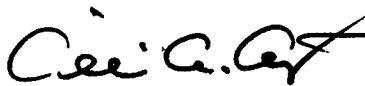
Section 9. Public Participation. The participation of the citizens in compliance monitoring of wildlife permit holders as well as in providing information on illegal wildlife trade shall be encouraged.

Section 10. Funding. All necessary expenses for the implementation of these guidelines and compliance monitoring of permit holders shall be chargeable to the regular budgets of the respective agencies, subject to existing accounting and auditing rules and regulations.

Section 11. Separability Clause. If any provision of this Joint Administrative Order is declared unconstitutional, the remaining provisions shall not be affected and shall remain in full force and effect.

Section 12. Repealing Clause. All previous orders, rules and regulations inconsistent with the provisions of this Joint Administrative Order are hereby repealed or modified accordingly.

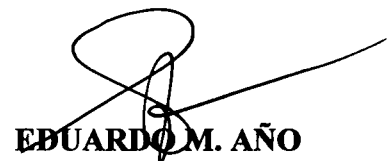
Section 13. Effectivity. This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and upon submission of a copy thereof to the Office of the National Administrative Registry (ONAR) at the University of the Philippines Law Center.


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