



Republic of the Philippines
Department of Environment and Natural Resources
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MEMORANDUM

FOR : **The Undersecretaries**
Integrated Environmental Science and Supervising Undersecretary of
the River Basin Control Office
Finance, Information Systems, and Climate Change

The Directors
Legal Affairs Service
Policy and Planning Service
Climate Change Service

All Bureau Directors

The Executive Director
National Water Resources Board
Palawan Council for Sustainable Development Staff

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **NOTICE OF MEETING AND REQUEST FOR COMMENTS
FROM THE COMMITTEE ON APPROPRIATIONS OF THE
HOUSE OF REPRESENTATIVES**

DATE : 06 February 2023

In reference to the letter received by our office on 02 February 2023, the Committee on Appropriations invites the Department to a meeting via the **Zoom Video Conference on Wednesday, February 8, 2023, at 9:00 A.M.** to deliberate on several measures including the following:

1. Substitute Bill to House Bills Numbered 16, 1091, 1714, 2256, 2542, 2773, 2826, 2940, 2995, 3047, 3466, 3498, 3774, 3778, 4145, 4233, 4381, 4685, 5109, 5152, 5158, 5185, 5211, 5758, 5856, 5906, and 6019, titled: "AN ACT ESTABLISHING EVACUATION CENTERS IN EVERY CITY AND MUNICIPALITY, AND APPROPRIATING FUNDS THEREFOR", introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Jude Acidre, et al.; and
2. Substitute Bill to House Bills Numbered 154, 306,309, 485, 1534, 2595, and 2769, titled: "AN ACT PROVIDING STRONGER MEASURES FOR THE CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES AND THEIR HABITATS, REPEALING FOR THIS PURPOSE REPUBLIC ACT NO. 9147 OR THE "WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT AND APPROPRIATING FUNDS THEREFOR", introduced by Representatives Alfelito "Alfel M." Bascug, Eddiebong G. Plaza, Luis Raymund "LRay" F. Villafuerte Jr., et al.

In this regard, we are respectfully requesting **comments/recommendations on the above-mentioned House Bills**. Kindly send them on or before **February 7, 2023, at 5 PM** via email at denr1lo@denr.gov.ph. Further, kindly inform us of the name/s of the representative/s from your office who will participate in the meeting so we may include him/her/them as resource person/s.

Attached is the invitation letter, and copies of the House bills for your reference.

For information and action, please.

ROMIROSE B. PADIN

cc: Undersecretary for Special Concerns and Legislative Affairs



Republic of the Philippines
House of Representatives
COMMITTEE ON APPROPRIATIONS
Quezon City, Metro Manila

February 1, 2023

HON. MARIA ANTONIA YULO LOYZAGA

Secretary
Department of Environment and Natural Resources
Visayas Ave., Diliman
Quezon City

Dear **Secretary Loyzaga**:

The Committee on Appropriations will hold a meeting via the Zoom Video Conference on Wednesday, February 8, 2023 at 9:00 A.M. to deliberate on several measures including the following:

1. Substitute Bill to House Bills Numbered 16, 1091, 1714, 2256, 2542, 2773, 2826, 2940, 2995, 3047, 3466, 3498, 3774, 3778, 4145, 4233, 4381, 4685, 5109, 5152, 5158, 5185, 5211, 5758, 5856, 5906, and 6019, titled: **"AN ACT ESTABLISHING EVACUATION CENTERS IN EVERY CITY AND MUNICIPALITY, AND APPROPRIATING FUNDS THEREFOR"**, introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Jude Acidre, et al.: and
2. Substitute Bill to House Bills Numbered 154, 306,309, 485, 1534, 2595, and 2769, titled: **"AN ACT PROVIDING STRONGER MEASURES FOR THE CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES AND THEIR HABITATS, REPEALING FOR THIS PURPOSE REPUBLIC ACT NO. 9147 OR THE "WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT AND APPROPRIATING FUNDS THEREFOR"**, introduced by Representatives Aifelito "Alfel M." Bascug, Eddiebong G. Plaza, Luis Raymund "LRay" F. Villafuerte Jr., et al.

In this regard, may we respectfully request your participation, as a resource person, in the said meeting. Should you have any clarification and for confirmation of your attendance, please contact the Committee Secretariat at +63 (939) 831.5386.

The Zoom Meeting ID and Passcode are as follows:

Meeting ID: 965 3926 8565

Passcode: APPRO23

Attached are the electronic copies of the Substitute Bills for your reference.

Thank you.

Very truly yours,



REP. ELIZALDY S. CO
Chairperson

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

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. _____

(In substitution of House Bills No. 154, 306,309, 485, 1534, 2595, 2769)

Introduced by Representatives Alfelito "Alfel M." Bascug, Eddiebong G. Plaza, Luis Raymund "LRay" F. Villafuerte Jr., Miguel Luis R. Villafuerte, Tsuyoshi Anthony G. Horibata, Nicholas C. Enciso VIII, Gloria Macapagal Arroyo, Robert Ace S. Barbers, Rufus B. Rodriguez, Eduardo R. Rama, Elpidio F. Barzaga Jr., Doris Maniquiz, Dante Garcia, Ma. Lucille Nava, MD, Reynaldo Tamayo, Antonio Legarda, Jr., Romeo Acop, Sonny Lagon, Stephen Paduano, Jose Arturo Garcia, Jr., Alfredo Marañon, III, Ralph Tulfo, Raul Angelo Bongalon, Eric Go Yap, Aniela Tolentino, Ciriaco Gato, Jr., Raoul Danniell Manuel, Ma. Alana Samantha Santos, Loreto Amante, Ching Bernos, Jose Alvarez, Juan Carlos "Arjo" Atayde, Ma. Rachel Arenas, Jocelyn Sy Limkaichong, Mujiv Hataman, Lordan Suan, Sancho Fernando Oaminal, Felimon Espares, Zia Alonto Adiong, Arthur Celeste, Christian Yap and Wilbert Lee

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

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

1 **SECTION 1. Title** – This Act shall be known as the "*Revised Wildlife*
2 *Resources Conservation and Protection Act*".

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

8 (a) to regulate the collection, possession, use, and trade of wildlife, wildlife
9 by-products and derivatives;

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

6 (c) to initiate or support scientific studies on the conservation of biological
7 diversity and sustainable utilization of wildlife resources;

8 (d) to promote full awareness and widest dissemination of policies on
9 wildlife conservation and protection; and

10 (e) to strengthen the global effort to eradicate the transnational organized
11 crime of wildlife trade and trafficking.

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

15 **SEC. 4. *Jurisdiction of the Department of Environment and Natural***
16 ***Resources, the Department of Agriculture, and the Palawan Council for***
17 ***Sustainable Development.*** – The Department of Environment and Natural
18 Resources (DENR) shall have jurisdiction over all terrestrial plant and animal
19 species including turtles and tortoises, wetland species, including crocodiles,
20 waterbirds and all amphibians and the *Dugong Dugon* or *Dugong*. The
21 Department of Agriculture (DA) shall have jurisdiction over all declared aquatic
22 critical habitats, all aquatic resources including all fishes, aquatic plants,
23 invertebrates and all marine mammals, except the Dugong. The Secretaries of the
24 DENR and the DA shall review and, by joint administrative order, revise and
25 regularly update the list of species under their respective jurisdictions and make
26 the list readily available to all concerned government agencies and local
27 government units. In the Province of Palawan, jurisdiction herein conferred is
28 vested on the Palawan Council for Sustainable Development (PCSD) pursuant to
29 Republic Act No. 7611, otherwise known as the “Strategic Environmental Plan
30 (SEP) for Palawan Act”.

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

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

1 within species, between species, and of ecosystems;

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

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

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

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

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

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

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

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

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

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

32 (l) *Critical habitat* refers to an area outside protected areas under Republic
33 Act (RA) No. 7586 or the National Integrated Protected Areas System (NIPAS)
34 Act, as amended by Republic Act 11038 or the ENIPAS, that are known habitats

1 of threatened species and designated based on scientific data taking into
2 consideration species endemicity and richness, and the presence of man-made
3 pressures and threats to the survival of wildlife living in the area, among others;

4 (m) *Critically endangered species* refers to a species or subspecies that is
5 facing extremely high risk of extinction in the wild;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (bb) *Person* refers to a natural or juridical person;

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

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

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

17 (af) *Special Local Transport Permit* refers to a permit conferred to holders
18 of a Wildlife Special Use Permit (WSUP) authorizing the conveyance of wildlife,
19 by-products and derivatives from the facility of origin to one or more places within
20 the Philippine, and back to the facility of origin;

21 (ag) *Threatened species* refers to species or subspecies considered as
22 critically endangered, endangered, vulnerable, or other accepted categories of
23 wildlife which is at risk of extinction;

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

27 (ai) *Traditional use* refers to the utilization of wildlife by indigenous people
28 in accordance with written or unwritten rules, usage, customs and practices
29 traditionally observed, accepted and recognized by them;

30 (aj) *Vulnerable species* refers to species or subspecies that are not
31 endangered but are under threat from adverse factors throughout their range and
32 is likely to move to the endangered category in the near future;

33 (ak) *Wildlife* refers to wild forms and varieties of flora and fauna, in all
34 developmental stages, including those which are in captivity or are being bred or

1 propagated. It excludes domesticated species;

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

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

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

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

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

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

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

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

29 CHAPTER II

30 CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES

31 ARTICLE I

32 General Provisions

33 **SEC. 6. *Wildlife Information.*** – All activities described in this Chapter, shall
34 be authorized by the DENR, DA or PCSD upon proper evaluation of best available

1 information or scientific data showing that the activity or its intended purpose is
2 not detrimental to the survival of the species or subspecies involved and their
3 habitat. For this purpose, the DENR, DA or PCSD shall regularly update wildlife
4 information through research.

5 The DENR, DA and PCSD shall establish their respective National Wildlife
6 Management Committee (NWMC) to provide technical and scientific advice on
7 wildlife conservation and protection. Each NWMC shall be composed of
8 representatives from the DENR, DA or PCSD, other concerned government
9 agencies, and local scientists with expertise on various fields of discipline on
10 wildlife. The NWMC shall invite other stakeholders as resource persons and other
11 experts, when necessary. The DENR, DA or PCSD shall act as Chairperson of their
12 respective NWMC.

13 The DENR and DA shall establish a Regional Wildlife Management
14 Committee (RWMC) in every administrative region to provide technical and
15 scientific advice on wildlife conservation and protection to DENR and DA field
16 offices.

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

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

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

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

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

9 The list of IAS and the NISSAP shall be periodically reviewed, updated and
10 copies of the same shall be made readily available to concerned government
11 agencies and local government units. All national government agencies and local
12 government units shall coordinate with the DENR, DA and PSCD in the
13 implementation and localization of the strategy and action plan.

14 **SEC. 10. *Designation of Management and Scientific Authorities for***
15 ***International Trade in Endangered Species of Wild Fauna and Flora.*** – The
16 Biodiversity Management Bureau (BMB) of the DENR shall be the management
17 authority in the implementation of international agreements on international
18 trade in endangered species of wild fauna and flora and terrestrial resources, while
19 the Bureau of Fisheries and Aquatic Resources (BFAR) of the DA shall be the
20 authority with respect to aquatic resources Finally, pursuant to Republic Act No.
21 7611, the Palawan Council for Sustainable Development, shall manage the
22 implementation of international agreements on international trade endangered
23 species of wild fauna and flora, terrestrial resources and aquatic resources in the
24 province of Palawan.

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

1 NFRDI shall be the lead convenor of the scientific authorities for marine and
2 aquatic species.

3 ARTICLE II

4 Permissible Activities

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

- 7 a) in the collection of wildlife, appropriate and acceptable wildlife collection
8 techniques with least or no detrimental effects to the existing wildlife
9 populations and their habitats shall be required;
- 10 b) collection of wildlife by indigenous peoples (IPs) in their ancestral land
11 or domain may be allowed for traditional use and not primarily for profit;
- 12 c) the collection of wildlife resources by IPs must be undertaken in
13 accordance with the guidelines established by the Secretary of
14 Agriculture: *Provided*, That the collection of threatened wildlife shall be
15 governed by Section 21 of this Act.

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

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

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

28 SEC. 15. *Exportation or Importation of Wildlife, By-Products and*
29 *Derivatives.* – Wildlife, wildlife by-products and derivatives may be exported to or
30 imported from another country as may be authorized by the Secretaries of the
31 DENR and DA and PCSO chairperson, or their designated representatives, subject
32 to strict compliance with the provisions of this Act and the rules and regulations
33 promulgated pursuant thereto: *Provided*, That the recipient of live wildlife has the
34 technical and financial capacity to maintain it. The importation of invasive alien

1 species shall not be allowed.

2 **SEC. 16. *Introduction, Reintroduction or Restocking of Endemic or***
3 ***Indigenous Wildlife.*** – The introduction, reintroduction, or restocking of endemic
4 and indigenous wildlife shall be allowed only for population enhancement or
5 recovery purposes, subject to prior clearance from the DENR or DA Secretary or
6 the authorized representative pursuant to Section 6 of this Act.

7 Any proposed introduction shall be subject to a scientific study which shall
8 focus on the bio-ecology and natural history as well as the conduct of public
9 consultations with concerned individuals or entities.

10 **SEC. 17. *Introduction of Exotic Wildlife.*** –No exotic species shall be
11 introduced into the country without clearance from the DENR, DA, or PCSD or
12 their authorized representatives. In no case shall exotic species be introduced into
13 protected areas covered by R.A. No. 7586 and R.A. No. 11038 and to critical
14 habitats under Section 27 hereof: *Provided*, That the introduction of such exotic
15 species shall not pose any adverse impacts on local ecology and that further
16 environmental impact study shall be undertaken which shall focus on the bio-
17 ecology, natural history, socioeconomic and related aspects of the area where the
18 species will be introduced. The proponent shall also be required to secure the free
19 and prior informed consent from concerned IP communities as well as to conduct
20 public consultations with local stakeholders.

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

27 Before any permit shall be granted by the DENR and DA Secretaries, and
28 the PCSD chairperson or their authorized representatives, the proponent shall
29 secure the free, prior and informed consent of the concerned indigenous cultural
30 communities, local communities, pursuant to RA 8731 or the "*Indigenous Peoples'*
31 *Rights Act of 1997*," and of the Protected Area Management Board under RAs 7586
32 and 11038, or from any affected person. The applicant shall fully disclose the
33 intent and scope of the bioprospecting activity in a language and process
34 understandable to the community.

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

7 **SEC. 19. *Scientific Researches on Wildlife.*** – Collection and utilization of
8 biological resources for scientific research, not for commercial purposes, shall be
9 allowed upon execution of an undertaking or agreement or the issuance of a
10 gratuitous permit by the DENR and DA Secretaries, or their authorized
11 representative: *Provided*, That clearance from concerned bodies shall be secured
12 before the issuance of the gratuitous permit: *Provided*, Further, That special
13 conditions to facilitate the conduct of scientific research by Filipino students may
14 be provided by either of the DENR or DA Secretary, or the Chairperson of the
15 PCSD.

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

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

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

1 **SEC. 22. *Conservation Breeding or Propagation of Threatened Species.* –**

2 Conservation breeding or propagation of threatened species shall be encouraged
3 in their natural habitats. It shall be done simultaneously with the rehabilitation
4 and protection of the habitat where the captive-bred or propagated species shall
5 be released, reintroduced, or restocked.

6 **SEC. 23. *Commercial Breeding or Propagation of Threatened Species* –**

7 Commercial breeding or propagation of threatened species may be allowed
8 provided that the following minimum requirements are met by the applicant:

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

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

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

16 **ARTICLE III**

17 **Permits, Fees and Charges**

18 **SEC. 24. *Issuance and Validity of Permits.*** - The DENR Secretary, DA
19 Secretary, and the PCSD Chairperson, or their duly authorized representative,
20 shall issue permits, certifications, or clearances with corresponding periods of
21 validity according to the following:

- 22 (1) Wildlife farm or culture permit three (3) to five (5) years;
- 23 (2) Wildlife collector's permit one (1) to three (3) years;
- 24 (3) Gratuitous permit one (1) to three (3) years;
- 25 (4) Local transport permit not more than three (3)
- 26 months;
- 27 (5) Special Local Transport Permit not more than three (3)
- 28 months;
- 29 (6) Wildlife Local Trade Permit one (1) year;
- 30 (7) Wildlife Special Use Permit one (1) to three (3) years;
- 31 (8) Export/Import/Re-export Permit one (1) to six (6) months;
- 32 (9) Certificate of Introduction from the Sea one (1) to six (6) months

33 The permits may be renewed subject to the guidelines to be issued by the

1 appropriate agency and upon consultation with concerned groups.

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

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

15 The DENR, DA Secretaries, or the PCSD Chairperson may impose an
16 import permit fee based on import value and valuation of potential risks to
17 biodiversity and human health. Fees and charges under international agreements
18 shall be borne by the applicant.

19 ARTICLE IV

20 Protection of Threatened Species

21 *SEC. 26. Determination of Threatened Species.* - The DENR and DA
22 Secretaries, or the PCSD Chairperson shall accordingly determine whether any
23 wildlife species or subspecies is threatened, and classify the same as critically
24 endangered, endangered, vulnerable, or other accepted categories based on the
25 best scientific data and with due regard to internationally accepted criteria,
26 including the following:

27 (a) present or threatened destruction, modification or curtailment of its
28 habitat or range;

29 (b) over-utilization for commercial, recreational, scientific or educational
30 purposes; and

31 (c) other natural or man-made factors affecting the existence of wildlife.

32 The DENR and DA Secretaries, and the PCSD Chairperson shall
33 accordingly review, revise, and publish the list of categorized threatened wildlife

1 within one (1) year after effectivity of this Act. Thereafter, the list shall be updated
2 regularly or as the need arises: *Provided*, That a species listed as threatened shall
3 not be removed therefrom within three (3) years of its initial inclusion in the list.

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

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

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

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

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

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

26 ARTICLE V

27 Critical Habitats

28 **SEC. 28. *Establishment of Critical Habitats.*** – The DENR, and DA
29 Secretaries, and the PCSD Chairperson shall designate critical habitats where
30 threatened species are found outside protected areas designated as such under
31 R.A Nos. 7586 and 11038 and other existing laws. Such designation shall be made
32 on the basis of the best scientific data taking into consideration species endemicy
33 or richness, presence of man-made pressures and threats to the survival of wildlife
34 living in the area, among others.

1 All designated critical habitats shall be protected, in coordination with the
2 local government units, indigenous peoples, and other concerned groups, from any
3 form of exploitation or destruction which may be detrimental to the survival of the
4 threatened species dependent therein. For such purpose, the DENR or DA
5 Secretary, and PCSD chairperson may acquire, by purchase, donation or
6 expropriation, lands, or interests therein, including the acquisition of usufruct,
7 establishment of easements or other undertakings appropriate in protecting the
8 critical habitat.

9 To complement these habitats, the DENR Secretary, DA Secretary, or the
10 PCSD chairperson may also identify for protection a geographically defined area
11 other than a protected area, which is governed and managed in ways that achieve
12 positive and sustained long-term outcomes for the *in-situ* conservation of
13 biodiversity, with associated ecosystem functions and services, and where,
14 cultural, spiritual, socio-economic, and other locally relevant values can be
15 applied or observed.

16 CHAPTER III 17 WILDLIFE CRIMES

18 ARTICLE I

19 Illegal Acts

20 **SEC. 29. *Illegal Acts.*** – It is unlawful for any person to willfully and
21 knowingly undertake, or to induce, solicit, or employ another person to undertake,
22 the following acts:

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

26 (i) when it is done as part of the religious rituals of established tribal
27 groups or indigenous cultural communities;

28 (ii) when the wildlife is afflicted with an incurable communicable
29 disease;

30 (iii) when it is deemed necessary to put an end to the misery suffered
31 by the wildlife;

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

34 (v) when the wildlife is killed or destroyed after it has been used in

1 authorized research or experiments; and

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

5 (b) Injuring, Crippling, or impairing the reproductive system of wildlife
6 species;

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

8 (i) dumping of waste products detrimental to wildlife and the critical
9 habitat;

10 (ii) squatting or otherwise illegally occupying any portion of the
11 critical habitat;

12 (iii) mineral exploration or extraction, treasure-hunting or
13 prospecting;

14 (iv) burning;

15 (v) logging;

16 (vi) quarrying.

17 (vii) land reclamation;

18 (viii) disturbing wildlife through activities that endanger flora, fauna
19 and their habitats; and

20 (ix) introduction, whether intentional or not, of substance or any man-
21 made or anthropogenic material, agent or medium that endangers
22 the habitat or renders habitat no longer viable for wildlife

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

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

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

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

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

34 (i) Transporting of wildlife without the appropriate, valid permits,

1 clearances, agreements or certificates;

2 (j) Wildlife laundering; and

3 (k) Destruction of wildlife habitat which consists of any of the acts in
4 paragraph (c) including a combination thereof, resulting in the cessation or
5 impairment of the ecological service or function associated with the habitat, the
6 effects of which will take a considerable amount of time and effort to reverse.

7 **SEC 30. *Wildlife Trafficking.*** – When any of the violations of paragraphs
8 (a), (e), (f), (i), and (j) in Sec. 29 are committed by a syndicate or in large scale, or
9 the wildlife involved is to be exported or is actually exported to another country,
10 or is imported from another country by the person in connivance with the persons
11 from whom the wildlife was apprehended, the offense committed is wildlife
12 trafficking and shall be penalized accordingly.

13 Wildlife trafficking is also committed under any of the following
14 circumstances, whether domestic or transnational: (a) When one or more persons
15 agree to commit any of the aforementioned illegal acts for a purpose relating
16 directly or indirectly to obtaining of financial or other material benefit from any
17 crime defined in this Act, including any act undertaken by one of the participants
18 in furtherance of the agreement or involving an organized criminal group; (b)
19 When a person who, with knowledge of either the aim and general criminal
20 activity of an organized criminal group or its intention to commit the crimes in
21 question, takes an active part in criminal activities of the organized criminal group
22 or other activities of the organized criminal group in the knowledge that the
23 participation will contribute to the achievement of the above-described criminal
24 aim; and (c) Organizing, directing, aiding, abetting, facilitating or counselling the
25 commission of any of the illegal acts defined under this Act involving an organized
26 criminal group.

27 28 **ARTICLE II**

29 **Penalties**

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

33 (a) *Reclusion temporal* or imprisonment of not less than twelve (12) years
34 and one (1) day but not more than twenty (20) years and a fine of not less

1 than Two hundred thousand pesos (P200,000.00) but not more than Two
2 million pesos (P2,000,000.00), or both, if the illegal act involved critically
3 endangered species;

4 (b) *Prision mayor* or imprisonment of not less than six (6) years and one (1)
5 day but not more than twelve (12) years, or a fine of not less than One
6 hundred thousand pesos (P100,000.00) but not more than to One million
7 pesos (P1,000,000.00), or both, if the illegal act involved endangered species;

8 (c) *Prision correccional* in its medium and maximum period or
9 imprisonment of not less than two (2) years, four (4) months and one (1) day
10 but not more than six (6) years, or a fine of not less than Sixty thousand
11 pesos (P60,000.00) but not more than Six hundred thousand pesos
12 (P600,000.00), or both, if the illegal act involved vulnerable species;

13 (d) *Prision correccional* in its minimum period or imprisonment of not less
14 than six (6) months and one (1) day but not more than two (2) years and
15 four (4) months, or a fine of not less than Forty thousand pesos (P40,000.00)
16 but not more than Four hundred thousand pesos (P400,000.00), or both, if
17 the illegal act involved near threatened species; and

18 (e) *Prision correccional* in its minimum period or imprisonment of not less
19 than six (6) months and one (1) day but not more than two (2) years and
20 four (4) months, or a fine of not less than Twenty thousand pesos
21 (P20,000.00) but not more than Two hundred thousand pesos (P200,000.00),
22 or both, if the illegal act involved other wildlife species.

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

25 (a) *Prision correccional* in its maximum period or imprisonment of not less
26 than four (4) years, two (2) months and one (1) day but not more than six
27 (6) years, or a fine of One hundred thousand pesos (P100,000.00) but not
28 more than One million pesos (P1,000,000.00), or both, if the illegal act
29 involved critically endangered species;

30 (b) *Prision correccional* in its medium period or imprisonment of not less
31 than two (2) years, four (4) months and one (1) day but not more than four
32 (4) years and two (2) months, or a fine of not less than Sixty thousand pesos
33 (P60,000.00) but not more than Four hundred thousand pesos
34 (P400,000.00), or both, if the illegal act involved endangered species;

1 (c) *Prision correccional* in its minimum period or imprisonment of not less
2 than six (6) months and one (1) day but not more than two (2) years and
3 four (4) months, or a fine of not less than Forty thousand pesos (P40,000.00)
4 but not more than Four hundred thousand pesos (P400,000.00), or both, if
5 the illegal act involved vulnerable species;

6 (d) *Prision correccional* in its minimum period or imprisonment of not less
7 than six (6) months and one (1) day but not more than two (2) years and
8 four (4) months, or a fine of not less than Twenty thousand pesos
9 (P20,000.00) but not more than One hundred thousand pesos (P100,000.00),
10 or both, if the illegal act involved near threatened species; and

11 (e) *Arresto mayor* or imprisonment of not less than one (1) month and one
12 (1) day to six (6) months, or a fine of Ten thousand pesos (P10,000.00) to
13 Forty thousand pesos (P40,000.00), or both, if the illegal act involved other
14 wildlife species.

15 For illegal acts described under paragraphs (c) and (d) of Sec.29 of this Act,
16 the penalty involved is *arresto mayor* to *prision mayor* in its minimum period or
17 imprisonment of not less than one (1) month and one (1) day but not more than
18 eight (8) years, or a fine of not less than Ten thousand pesos (P10,000.00) but not
19 more than Ten million pesos (P10,000,000.00), or both, shall be imposed. If a
20 critical habitat requires rehabilitation or restoration as a result of the illegal act
21 as determined by the Court, the offender shall be additionally required to restore
22 the same, whenever practicable, or pay additional compensation for the damage
23 caused.

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

26 (a) *Prision correccional* in its maximum period or imprisonment of not less
27 than four (4) years, two (2) months and one (1) day but not more than six
28 (6) years, or a fine of not less than Fifty thousand pesos (P50,000.00) but
29 not more than Six hundred thousand pesos (P600,000.00), or both, if the
30 illegal act involved critically endangered species;

31 (b) *Prision correccional* in its medium period or imprisonment of not less
32 than two (2) years, four (4) months and one (1) day but not more than four
33 (4) years and two (2) months, or a fine of not less than Thirty thousand pesos
34 (P30,000.00) but not more than Four hundred thousand pesos

1 (P400,000.00), or both, if the illegal act involved endangered species;

2 (c) *Prision correccional* in its minimum period or imprisonment of not less
3 than six (6) months and one (1) day but not more than two (2) years and
4 four (4) months or a fine of not less than Twenty thousand pesos
5 (P20,000.00) but not more than Two hundred thousand pesos (P200,000.00),
6 or both, if the illegal act involved vulnerable species;

7 (d) *Arresto mayor* or imprisonment of not less than one (1) month and one
8 (1) day but not more than six (6) months, or a fine of not less than Ten
9 thousand pesos (P10,000.00) but not more than One hundred thousand
10 pesos (P100,000.00), or both, if the illegal act involved near threatened
11 species; and

12 (e) *Arresto menor* in its medium period and maximum period or
13 imprisonment of not less than eleven (11) to thirty (30) days, or a fine of not
14 less than Five thousand pesos (P5,000.00) but not more than Forty
15 thousand pesos (P40,000.00), or both, if the illegal act involved other
16 wildlife species.

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

19 a) *Prision correccional* in its medium period or imprisonment of not less
20 than two (2) years, four (4) months and one (1) day but not more than four
21 (4) years and two (2) months, or a fine of not less than Sixty thousand pesos
22 (P60,000.00) but not more than Six hundred thousand pesos (P600,000.00),
23 or both, if the illegal act involved critically endangered species;

24 (b) *Prision correccional* in its minimum period or imprisonment of not less
25 than six (6) months and one (1) day but not more than two (2) years and
26 four (4) months, or a fine of not less than Forty thousand pesos (P40,000.00)
27 but not more than Four hundred thousand pesos (P400,000.00), or both, if
28 the illegal act involved endangered species;

29 (c) *Prision correccional* in its minimum period or imprisonment of not less
30 than six (6) months and one (1) day but not more than two (2) years and
31 four (4) months, or a fine of not less than Twenty thousand pesos
32 (P20,000.00) but not more than Two hundred thousand pesos (P200,000.00),
33 or both, if the illegal act involved vulnerable species;

34 (d) *Arresto mayor* or imprisonment of not less than one (1) month and one

1 (1) day but not more than six (6) months), or a fine of not less than Ten
2 thousand pesos (P10,000.00) but not more than One hundred thousand
3 pesos (P100,000.00), or both, if the illegal act involved near threatened
4 species; and

5 (e) *Arresto menor* in its medium period and maximum period or
6 imprisonment of not less than eleven (11) but not more than thirty (30)
7 days, or a fine of not less than Two thousand pesos (P2,000.00) but not more
8 than Ten thousand pesos (P10,000.00), or both, if the illegal act involved
9 other wildlife species: *Provided*, That if the act was perpetuated through
10 the means of inappropriate techniques and devices, the maximum penalty
11 herein provided shall be imposed.

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

14 (a) *Prision correccional* in its minimum period or imprisonment of not less
15 than (6) months and one (1) day but not more than two (2) years and four
16 (4) months, or a fine of not less than One hundred thousand pesos
17 (P100,000.00) but not more than Two hundred thousand pesos
18 (P200,000.00), or both, if the illegal act involved critically endangered
19 species;

20 (b) *Arresto mayor* in its maximum period or imprisonment of not less than
21 four (4) months and one (1) day but not more than six (6) months, or a fine
22 of not less than Forty thousand pesos (P40,000.00) but not more than One
23 hundred thousand pesos (P100,000.00), or both, if the illegal act involved
24 endangered species;

25 (c) *Arresto mayor* in its minimum and medium period or imprisonment of
26 not less than one (1) month but not more than four (4) months, or a fine of
27 not less than Ten thousand pesos (P10,000.00) but not more than Forty
28 thousand pesos (P40,000.00), or both, if the illegal act involved vulnerable
29 species;

30 (d) *Arresto menor* in its medium period and maximum period or
31 imprisonment of not less than eleven (11) but not more than thirty (30)
32 days, or a fine of not less than Two thousand pesos (P2,000.00) but not more
33 than Ten thousand pesos (P10,000.00), or both, if the illegal act involved
34 near threatened species;

1 (e) *Arresto menor* in its minimum period or imprisonment of not less than
2 one (1) day but not more than ten (10) days, or a fine of not less than Five
3 hundred pesos (P500.00) but not more than Two thousand pesos
4 (P2,000.00), or both, if the illegal act involved other wildlife species.

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

7 (a) *Prision correccional* in its maximum period or imprisonment of not less
8 than four (4) years, two (2) months and one (1) day but not more than six
9 (6) years, or a fine of not less than Fifty thousand pesos (P50,000.00) but
10 not more than Six hundred thousand pesos (P600,000.00), or both, if the
11 illegal act involved critically endangered species;

12 (b) *Prision correccional* in its medium period or imprisonment of not less
13 than two (2) years, four (4) months and one (1) day but not more than four
14 (4) years and two (2) months, or a fine of not less than Thirty thousand pesos
15 (P30,000.00) but not more than Four hundred thousand pesos
16 (P400,000.00), or both, if the illegal act involved endangered species;

17 (c) *Prision correccional* in its minimum period or imprisonment or not less
18 than six (6) months and one (1) day but not more than two (2) years and
19 four (4) months, or a fine of not less than Twenty thousand pesos
20 (P20,000.00) but not more than Two hundred thousand pesos (P200,000.00),
21 or both, if the illegal act involved vulnerable species;

22 (d) *Arresto mayor* or imprisonment of not less than one (1) month and one
23 (1) day but not more than six (6) months, or a fine of not less than Ten
24 thousand pesos (P10,000.00) but not more than One hundred thousand
25 pesos (P100,000.00), or both, if the illegal act involved near threatened
26 species; and

27 (e) *Arresto menor* in its medium period and maximum period or
28 imprisonment of not less than eleven (11) days but not more than thirty (30)
29 days), or a fine of not less than Five thousand pesos (P5,000.00) but not
30 more than Forty thousand pesos (P40,000.00), or both, if the illegal act
31 involved other wildlife species.

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

1 (a) *Reclusion temporal* or imprisonment of not less than twelve (12) years and
2 one (1) day but not more than twenty (20) years, or a fine of not less than
3 Two hundred thousand pesos (P200,000.00) but not more than
4 Two million pesos (P2,000,000.00), or two times the proven market value,
5 whichever is higher, or both, if the illegal act involved critically endangered
6 species;

7 (b) *Prision mayor* or imprisonment of not less than six (6) years and one
8 (1) day but not more than twelve (12) years, or a fine of not less than
9 One hundred thousand pesos (P100,000.00) but not more than One
10 million pesos (P1,000,000.00), or two times the proven market value,
11 whichever is higher, or both, if the illegal act involved endangered species;

12 (c) *Prision correccional* in its medium and maximum period or
13 imprisonment of not less than two (2) years, four (4) months and one (1) day
14 but not more than six (6) years, or a fine of Sixty thousand pesos
15 (P60,000.00) to Six hundred thousand pesos (P600,000.00), or two times the
16 proven market value, whichever is higher, or both, if the illegal act involved
17 vulnerable species;

18 (d) *Prision correccional* in its minimum period or imprisonment of not less
19 than six (6) months and one (1) day but not more than two (2) years and
20 four (4) months, or a fine of not less than Twenty thousand pesos
21 (P20,000.00) but not more than Sixty thousand pesos (P60,000.00), or two
22 times the proven market value, whichever is higher, or both, if the illegal
23 act involved other protected wildlife species.

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

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

1 public office.

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

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

11 **SEC. 34. *Amount of Fines.*** – The fines herein prescribed shall automatically
12 increase by ten percent (10%) every three years from the effectivity of this Act
13 without need for further legislation or administrative issuance.

14 **ARTICLE III**

15 **Disputable Presumptions and Qualifying Circumstances**

16 **SEC. 35. *Disputable Presumptions.*** – Without the appropriate wildlife
17 permit, certification or clearance, or authority at the time of apprehension, the
18 following shall constitute *prima facie* evidence of the corresponding illegal acts
19 punishable under this Act:

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

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

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

32 (d) Failure on the part of any airfreight, shipping, trucking or forwarding
33 company, or any parcel or mail delivery service providers from whose possession
34 the wildlife, wildlife by-products or derivatives are discovered or seized to fully

1 cooperate in the investigation on the matter by concerned government authorities
2 shall create a presumption that there is connivance or conspiracy between the
3 company or service provider and the shipper to violate the provisions of this Act.

4 **SEC. 36. *Qualifying Circumstances.*** – Any prohibited act committed on each
5 wildlife specimen shall be counted separately. The imposition of penalties shall be
6 qualified and the maximum penalty shall be imposed if the prohibited acts
7 committed involve:

8 a. More than one (1) specimen of a critically endangered species;

9 b. More than five (5) of specimens of an endangered species;

10 c. More than eight (8) specimens of a vulnerable species;

11 d. More than ten (10) specimens of a near threatened species;

12 e. More than fifteen (15) specimens of other wildlife species;

13 d. More than twenty (20) wildlife specimens of any classification;

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

19 If the prohibited act committed involves the inducement of indigenous
20 peoples (IPs), the maximum penalty shall be imposed.

21 **SEC 37. *Penalties for Recidivists.*** – The maximum applicable penalty shall
22 be imposed upon a recidivist who commits any of the illegal acts punishable under
23 this Act. A recidivist refers to a person who, at the time of the trial for violation
24 of this Act, shall have been previously convicted by final judgment of the same or
25 another violation of this Act.

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

29 **ARTICLE IV**

30 **Administrative Adjudication**

31 **SEC. 39. *Authority to Adjudicate and Administer Penalties.*** – The
32 Secretaries of the DENR and DA, PCSD chairperson, or their respective
33 authorized representatives shall exercise administrative adjudication,
34 confiscation, and forfeiture powers, including the power to cite in contempt, in all

1 cases of violations of this Act. They may also impose administrative sanctions such
2 as payment of fines, or order the suspension or cancellation of existing wildlife
3 permits and disqualification from issuance of future permits, the closure of
4 establishment, or the confiscation and forfeiture of all wildlife, wildlife by-products
5 and derivatives, and all paraphernalia, tools and conveyances used in connection
6 with the violation, and to dispose of the same in accordance with pertinent laws,
7 regulations or policies on the matter. The Secretaries of the DENR and DA, PCSD
8 chairperson, or their respective authorized representatives may, after due notice
9 and hearing, cancel or suspend wildlife permits, clearances, agreements and/or
10 certificates issued to persons found to have violated any provision of this Act, rules
11 and regulations issued to implement it, or the terms of the permits, agreements or
12 certificates. The Secretaries of the DENR and the DA, and the PCSD chairperson
13 shall issue appropriate procedural rules and regulations for the administrative
14 adjudication of violations of this Act.

15 CHAPTER IV

16 Transnational Wildlife Crimes

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

22 (a) In more than one State;

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

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

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

28 **SEC. 41. *International Cooperation.*** – Once the Philippine Center on
29 Transnational Crime (PCTC) has received a request from another State Party of
30 UNTOC for confiscation of proceeds of crime, property, equipment, or other
31 instrumentalities from the commission of a transnational wildlife crime, the
32 PCTC shall submit the request to the implementing agencies of this Act for the
33 purpose of obtaining an order of confiscation, and if such an order is granted, shall
34 enforce such order.

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

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

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

25 CHAPTER V

26 WILDLIFE LAW ENFORCEMENT

27 **SEC. 44. *Creation of Plantilla Positions for Wildlife Law Enforcement.*** –
28 The DA, DENR and PCSD are hereby authorized to create, subject to existing
29 guidelines, permanent positions of Wildlife Enforcement Agents, or designate
30 their existing permanent employees as such from their respective enforcement
31 units. They shall have full authority to enforce the provisions of this Act such as
32 the conduct of surveillance activities, investigation, application and service of
33 search warrants, arrests of violators and seizures of illegally possessed, collected,
34 traded or transported wildlife, their by-products and derivatives including the

1 conveyances, tools and implements used thereto. Wildlife Enforcement Agents are
2 authorized to carry their agency's badge and government firearms in the conduct
3 of their duties, subject to the existing rules on firearms and after proper training
4 from any government facility.

5 **SEC. 45. *Deputation of Wildlife Enforcement Officers.*** – The DENR and
6 DA Secretaries, and the PCSD shall deputize wildlife enforcement officers from
7 non-government organizations, citizens' groups, community organizations, local
8 government units and other volunteers who have undergone necessary training
9 for this purpose. The Philippine National Police (PNP), the National Bureau of
10 Investigation (NBI), the Bureau of Customs and other law enforcement agencies
11 shall designate wildlife enforcement officers. As such, the wildlife enforcement
12 officers shall have the full authority to seize illegally traded wildlife and to arrest
13 violators of this Act, subject to existing laws, rules and regulations on arrest and
14 detention. These agencies may also seek the cooperation of International and
15 Regional Organizations in the conduct of its investigation and enforcement
16 actions.

17 **SEC. 46. *Creation of Wildlife Traffic Monitoring Units.*** – The DENR and
18 DA Secretaries shall create Wildlife Traffic Units (WTMUs) in strategic air and
19 seaports all over the country to ensure the strict compliance and effective
20 implementation of all existing wildlife laws, rules and regulations, including
21 pertinent international agreements. For this purpose, the DENR, DA or PCSD are
22 authorized to add in their staffing pattern such number of Wildlife Inspector
23 positions as may be necessary, the appointees of which shall be assigned to
24 WTMUs, and who shall have the same powers and duties as Wildlife Enforcement
25 Officers. National government agencies with mandates on transportation and
26 local government units shall provide necessary assistance to such WTMUs.

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

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

7 **SEC. 48. *Role of Local Government Units.*** – Local government units shall
8 support the DENR, DA and PCSD in the implementation of this Act. Local
9 government units shall require the presentation of the appropriate and duly
10 issued wildlife permits or clearances by persons engaged in business activities
11 involving wildlife as a pre-requisite for the issuance or renewal of business permits
12 and other applicable local government permits and clearances to such persons.

13 **SEC. 49. *Public Participation.*** - The participation of private citizens in
14 reporting and providing information on illegal wildlife trade shall be encouraged.
15 Any private person who shall provide any information leading to the
16 apprehension, prosecution and conviction of any offender for any violation of this
17 Act and its implementing rules and regulations, or confiscation of wildlife, its
18 derivatives or by-products, and all paraphernalia, tools and conveyances used in
19 connection with the violation, may be given a reward in an amount to be
20 determined through a policy guideline issued by the DENR. DA or the PCSD.

21 **SEC. 50. *Strategic Lawsuit Against Public Participation in the***
22 ***Enforcement of this Act.*** – A legal action filed to harass, vex, exert undue pressure,
23 or stifle any legal recourse that any person, institution, or the government has
24 taken or may take in the enforcement of this Act shall be treated as a strategic
25 lawsuit against public participation.

26 The hearing on the defense of a strategic lawsuit against public
27 participation shall be summary in nature. The affirmative defense shall be
28 resolved within thirty (30) days after the summary hearing. If the court dismisses
29 the action, the court may award damages, attorney's fees, and costs of suit under
30 a counterclaim if such has been filed. The dismissal shall be with prejudice.

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

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

5 CHAPTER VI

6 MISCELLANEOUS PROVISIONS

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

14 The Fund shall be derived from administrative and criminal fines imposed,
15 civil liabilities and damages awarded, proceeds from allowable disposition of
16 wildlife, wildlife by-products and derivatives, fees, charges, donations,
17 endowments, administrative fees or grants in the form of contributions.
18 Contributions to the Fund shall be exempt from donor's tax and all other tax
19 charges or fees imposed by the government. The administrative and criminal fines
20 imposed, civil liabilities and damages awarded shall accrue to the Wildlife
21 Management Fund of the DA, DENR or the PCSD, as the case may be.

22 **SEC. 52. *Tax Exemption.*** – All grants, bequests, endowments, donations
23 and contributions which may be made to the DENR, DA, PCSD and to NGOs and
24 people's organizations engaged in wildlife conservation, protection and law
25 enforcement duly registered with the Securities and Exchange Commission or the
26 Cooperative Development Authority, as certified by the local government unit, the
27 DENR, DA or PCSD, for the conservation and protection of wildlife resources and
28 their habitats shall be exempt from donor's tax and the same shall constitute as
29 allowable deductions from gross income for purposes of computing the taxable
30 income of the donor in accordance with the provisions of the National Internal
31 Revenue Code of 1997, as amended.

32 **SEC. 53. *Wildlife Rescue Center.*** – The DENR and DA Secretaries shall
33 establish or designate wildlife rescue centers which shall take temporary custody
34 and care of all confiscated, abandoned or donated wildlife to ensure their welfare

1 and well-being. Such wildlife rescue centers shall be staffed by permanent
2 qualified personnel and shall also have the necessary tools, machines, equipment
3 and facilities consistent with the requirements of animal health and welfare. The
4 DENR and DA Secretaries shall formulate guidelines for the disposition of wildlife
5 from these rescue centers.

6 **SEC. 54. *Establishment of National Wildlife Research Centers.*** – The
7 DENR and DA Secretaries and PCSD shall establish national and local wildlife
8 research centers for terrestrial and aquatic species that shall lead in the conduct
9 of scientific researches on the proper strategies for the conservation and protection
10 of wildlife, including captive breeding or propagation. Such research centers shall
11 be staffed by permanent qualified personnel and shall have the necessary tools,
12 machines, equipment and facilities to conduct forensic analyses and other related
13 capabilities for wildlife law enforcement. To further enrich scientific studies and
14 explorations in the area of wildlife protection and conservation, the DENR, DA,
15 and PCSD shall establish partnerships with experts from academic and research
16 institutions and the legitimate wildlife trade industry.

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

25 **SEC. 56. *Heritage Trees.*** – In coordination with and assistance from the
26 DENR or PCSD, local government units shall declare or designate as heritage
27 trees certain qualified endemic or indigenous tree species within their territorial
28 jurisdiction. The DENR or DA Secretary or PCSD or their authorized
29 representatives may provide guidelines on the selection of heritage trees.

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

34 **SEC. 58. *Registration of Museum Specimens.*** – Except for the National

1 Museum, all other museums and similar establishments displaying wildlife by-
2 products and derivatives for public viewing shall register said specimens with the
3 DENR, DA or PCSD, as the case may be.

4 **SEC. 59. *Communication, Education, Public Awareness, and Information***
5 ***Sharing.*** – The DENR, DA, PCSD and the Office of Special Envoy for
6 Transnational Crimes shall undertake wildlife information awareness and wildlife
7 crime prevention activities with the assistance of other national agencies and local
8 government units. These agencies shall facilitate information sharing with other
9 national agencies and pertinent agencies of the ASEAN and ASEAN member
10 countries to further aid enforcement of wildlife protection laws and address and
11 deter wildlife trafficking and illegal wildlife trade.

12 CHAPTER VII

13 FINAL PROVISIONS

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

18 **SEC. 61. *Implementing Rules and Regulations.*** – Within twelve (12) months
19 following the effectivity of this Act, the DENR and DA Secretaries shall jointly
20 promulgate the rules and regulations to implement this Act. Whenever
21 appropriate, coordination in the preparation and implementation of rules and
22 regulations on joint and inseparable issues shall be done by the DENR, DA and
23 PCSD. The commitments of the State to international agreements and protocols
24 shall likewise be a consideration in the implementation of this Act.

25 **SEC. 62. *Report to Congress.*** – The DENR and DA Secretaries and PCSD
26 shall report to Congress, not later than March 30 of every year following the
27 approval of this Act, the progress of efforts to conserve and protect Philippine
28 wildlife resources and make the necessary recommendations in areas where there
29 is need for legislative action.

30 **SEC. 63. *Joint Congressional Oversight Committee.*** – There is hereby
31 created a Joint Congressional Oversight Committee to monitor and oversee the
32 implementation of the provisions of this Act. The Committee shall be composed of
33 six (6) members from the Senate and six (6) members from the House of
34 Representatives with the Chairpersons of the Committees on Environment of the

1 Senate and the Committee on Natural Resources of the House of Representatives,
2 respectively, as co-chairpersons of the Joint Committee. The five (5) other
3 members from each Chamber are to be designated by the Senate President and
4 the Speaker of the House of Representatives, respectively. The minority party or
5 bloc shall be entitled to *pro rata* representation but shall have at least two (2)
6 representatives from each Chamber.

7 **SEC. 64. *Mandatory Review.*** – The Congressional Oversight Committee
8 shall undertake the mandatory review of this Act at least once every five (5) years
9 after the effectivity of this Act, or as the need arises,

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

13 **SEC. 66. *Repealing Clause.*** – Republic Act No. 9147 is hereby repealed. All
14 other laws, ordinances, orders, rules, regulations and other issuances or parts
15 thereof which are inconsistent with this Act are hereby repealed, amended or
16 modified accordingly.

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

19 *Approved,*



Republic of the Philippines
House of Representatives
COMMITTEE ON APPROPRIATIONS
Quezon City, Metro Manila

February 1, 2023

HON. MARIA ANTONIA YULO LOYZAGA

Secretary
Department of Environment and Natural Resources
Visayas Ave., Diliman
Quezon City

Dear **Secretary Loyzaga**:

The Committee on Appropriations will hold a meeting via the Zoom Video Conference on Wednesday, February 8, 2023 at 9:00 A.M. to deliberate on several measures including the following:

1. Substitute Bill to House Bills Numbered 16, 1091, 1714, 2256, 2542, 2773, 2826, 2940, 2995, 3047, 3466, 3498, 3774, 3778, 4145, 4233, 4381, 4685, 5109, 5152, 5158, 5185, 5211, 5758, 5856, 5906, and 6019, titled: **“AN ACT ESTABLISHING EVACUATION CENTERS IN EVERY CITY AND MUNICIPALITY, AND APPROPRIATING FUNDS THEREFOR”**, introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Jude Acidre, et al.; and
2. Substitute Bill to House Bills Numbered 154, 306,309, 485, 1534, 2595, and 2769, titled: **“AN ACT PROVIDING STRONGER MEASURES FOR THE CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES AND THEIR HABITATS, REPEALING FOR THIS PURPOSE REPUBLIC ACT NO. 9147 OR THE “WILDLIFE RESOURCES CONSERVATION AND PROTECTION ACT AND APPROPRIATING FUNDS THEREFOR”**, introduced by Representatives Alfelito "Alfel M." Bascug, Eddiebong G. Plaza, Luis Raymund "LRay" F. Villafuerte Jr., et al.

In this regard, may we respectfully request your participation, as a resource person, in the said meeting. Should you have any clarification and for confirmation of your attendance, please contact the Committee Secretariat at +63 (939) 831.5386.

The Zoom Meeting ID and Passcode are as follows:

Meeting ID: 965 3926 8565

Passcode: APPRO23

Attached are the electronic copies of the Substitute Bills for your reference.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to be 'Elizabeth S. Co', written over the printed name.

REP. ELIZABETH S. CO
Chairperson

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. _____

(In substitution of House Bills Numbered 16, 1091, 1714, 2256, 2542, 2773, 2826, 2940, 2995, 3047, 3466, 3498, 3774, 3778, 4145, 4233, 4381, 4685, 5109, 5152, 5158, 5185, 5211, 5758, 5856, 5906 & 6019)

Introduced by Representatives Introduced by Representatives Ferdinand Martin G. Romualdez, Yedda Marie K. Romualdez, Jude Acidre, Alan 1 B Ecleo, Zia Alonto Adiong, Wilter Palma, Noel Rivera, Harris Christopher Ongchuan, Maria Carmen Zamora, Shernee Tan-Tambut, Ambrosio Cruz, Jr., Princess Rihan Sakaluran, Alfredo Marañon III, Ralph Recto, Carl Nicolas Cari, Ramon Jolo Revilla III, Bai Dimple Mastura, Linabelle Ruth Villarica, Carmelo Lazatin, Antonio Albano, John Tracy Cagas, Edwin Olivarez, Divina Grace Yu, Luis Raymund "LRAY" F. Villafuerte, Jr., Miguel Luis R. Villafuerte, Tsuyoshi Anthony G. Horibata, Nicolas Enciso VIII, Anthony Rolando T. Golez Jr., Franz S. Pumaren, Keith Micah "Atty. Mike" D.L. Tan, Alfred Delos Santos, Joseph "Jojo" L. Lara, Ivan Howard A. Guintu, Paolo Z. Duterte, Eric G. Yap, Lianda B. Bolilia, Patrick Michael D.Vargas, Reynante U. Arrogancia, Richard I. Gomez, Michael Romero, Gus S. Tambunting, Virgilio S. Lacson, France L. Castro, Arlene D. Brosas, Raoul Danniell A. Manuel, Teodorico "Nonong" T. Haresco, Jr., Ernesto "Ernix" M. Dionisio, Jr., Joseph Gilbert F. Violago, Gerville Luistro, Jose "Bong" Teves, Jr., Rex Gatchalian, Samuel S. Verzosa Jr., Francisco Jose "Bingo" Matugas II, Dale B. Corvera, Eleanor C. Bulut-Begtang, Eleandro Jesus F. Madrona, Joey Sarte Salceda, Julianne "Jam" Baronda, Edsel A. Galeos, Dante S. Garcia, Olga "Ara" T. Kho, Mohamad P. Paglas, Celso G. Regencia, Bryan B. Revilla, Loreto S. Amante, Michael M. Morden, Ma. Cynthia K. Chan, Maria Vanessa C. Aumentado, Yasser Alonto Balindong, Emmarie "Lolypop" M. Ouano-Dizon, Jurdin Jesus M. Romualdo, and Gabriel H. Bordado Jr.

AN ACT
ESTABLISHING EVACUATION CENTERS IN EVERY CITY AND MUNICIPALITY,
AND APPROPRIATING FUNDS THEREFOR

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

SEC. 1. Declaration of Policy. – It shall be the policy of the State to uphold the constitutional right of the people for the protection of their life and property and the promotion of the general welfare. Towards this end, the State, shall establish and

maintain a safe, fully-equipped and fully-operational evacuation center, responsive to environmental or climatic events, in recognition of the vulnerability of the Philippines to climate change, and hazards such as the occurrence of severe floods, typhoons, and other natural or human-induced disasters, illnesses, diseases and other factors that affect the environment.

It shall be the continuing policy of the State to ensure the structural capacity of evacuation centers and to provide the necessary and appropriate support facilities.

SEC. 2. *Establishment of Evacuation Centers.* – There shall be established an evacuation center in every city and municipality in the country which shall provide immediate and temporary accommodation for people who have been evacuated or displaced from their homes due to disasters, calamities or other emergency events such as typhoons, floods, storm surges, drought and other severe climate disturbances, as well as fire, and the outbreak of illnesses and diseases that present imminent danger to life and property.

Existing structures that would meet the minimum requirements or could be upgraded to effectively serve as evacuation centers could be designated as such in compliance with the local government unit concerned.

SEC. 3. *Priority in the Establishment of Evacuation Centers.* – The National Disaster Risk Reduction and Management Council (NDRRMC) shall, in coordination with local executives of provinces, cities, and municipalities, identify areas to be given the highest priority in the establishment of new evacuation centers.

Upon determination by the NDRRMC and the chief executives of LGUs, the NDRRMC shall make a priority list of LGUs needing evacuation centers. The

frequency of occurrence of calamities, whether natural or human-induced, and the number of displaced persons in the LGU during said calamities in the past three years may be considered in coming up with the priority list.

SEC. 4. Improvement of Schools or Structures used as Evacuation Centers. – When an LGU is included in the priority list of LGUs which need an evacuation center pursuant to section 6 of this Act and there is no available site where the government can construct a new evacuation center, the NDRRMC may instead consider the improvement of facilities in schools or other structures already being used as evacuation center by the LGU to make it comply with the provisions of section 6 (requirements) of this Act, particularly on the requirement on location and structural capacity.

SEC. 5. Operation and Management. - The LGUs concerned shall be primarily responsible for the operation, supervision, and management of evacuation centers established under this Act. They are also hereby authorized to issue rules and regulations on their proper use and maintenance. The DPWH shall be tasked with the maintenance of evacuation centers that will be constructed under this Act.

The local *sanggunian* shall promulgate guidelines and procedures for the use and operation of the evacuation center under its jurisdiction. The guidelines shall prescribe rules on the utilization of the evacuation center when it is not used as such: *Provided*, That the evacuation center may only be used for such other activities or purposes that involve the use of collapsible amenities and those that shall not in any way compromise the serviceability of the evacuation center or impede the use thereof when a disaster occurs: *Provided further*, That the LGU shall impose such

penalties as may be deemed proper on the organizers of authorized activities when the evacuation center suffers any damage, defacement, or loss during or as a result of such activities.

The Department of Education (DEPED) shall be in charge with the maintenance, repair and upgrading of the additional facilities of schools which will be constructed in accordance with section 4 of this Act.

The mandatory audit of infrastructures used as evacuation centers shall be conducted by the City or Municipality at least once every year and immediately after the occurrence of a hazard or disaster.

SEC. 6. Requirements. – The following shall be the minimum requirements for every evacuation center that will be established under this Act:

a.) Location Designation- Each location for every evacuation center shall be determined by the Department of Environment and Natural Resources (DENR), in close coordination with the LGUs concerned. The evacuation center shall not be at risk of isolation. It shall be located at a safe distance from danger areas or hazards. The Local Disaster Risk Reduction and Management Council (LDRRMC) of the Local Government Unit (LGU) concerned shall coordinate with the Department of Environment and Natural Resources (DENR) to utilize determining the appropriate location of the evacuation center.

The location shall be determined based on the following criteria:

The following shall be considered in identifying an ideal site for an evacuation center:

1. It must be centrally located in the community;
2. It must be of a safe distance from large trees, structures where hazardous materials are used and stored, or high-voltage power lines;
3. It must be near a health facility;
4. It must be located on geotechnically stable land to avoid risk of landslides or exposure to potential landslide of adjacent lands;
5. It must not be located near military base camps, camps of insurgent groups, power plants, factories, and other areas where the occurrence of human-induced disasters are very high.
6. Availability of the following in the immediate vicinity:
 - I) Parking areas for emergency and other vehicles;
 - II) Allocated area for additional portable toilets;
 - III) Storage tanks for potable and non-potable water; and
 - IV) Safe shelter for livestock

b.) Structural and Building Capacity – The evacuation centers shall be constructed and designed to withstand super typhoons or wind speeds of at least three hundred kilometers per hour (300 kph) and seismic activity of at least 8.0 magnitude. The structure must be calamity-resilient, built with sturdy materials, and in accordance with the specifications of Republic Act No. 6541, otherwise known as the ‘National Building Code of the Philippines’ or shall be at par with the standards set by the International Building Code.

The Department of Public Works and Highways (DPWH) shall be in charge of the construction of evacuation centers, including the formulation of building specifications and shall ensure that the same are based on standards, issuances, and other guidelines set by the DPWH, and are compliant with the provisions of Republic Act No. 6541, otherwise known as the "National Building Code of The Philippines." The DPWH shall also ensure that the construction of such evacuation centers is in accordance with the abovementioned requirements during its construction phase.

The specifications of the evacuation centers shall be periodically reviewed and, if necessary, revised by the DPWH every three (3) years.

The evacuation center must at least meet the following parameters:

1. The structure must be elevated, in such a manner that is safely above the reach of a high tide storm surge level of at least ten (10) meters;
2. The structure must be a minimum of one (1) meter above the average flood level in the area where the same shall be built; and
3. The structure shall not be less than nine (9) meters in height and shall be designed in accordance with earthquake load standards.

c). ***Suitability and capacity of premises*** – if the building is not primarily built as a shelter or permanent site for use as an evacuation center, considerations should be made on its impact to normal business if its operation as an evacuation center is prolonged or its normal function is taken off for an extended period of time.

The number and diversity of evacuees as well as public health and safety concerns shall be considered in the suitability of the premises.

It must likewise be able to provide electricity, backup power supply, water, sewerage system, solid waste management, and physical mobility for people with mobility aids.

d.) Amenities and Accessibility. – The evacuation centers shall be well-ventilated and shall have the capacity to accommodate a large number of evacuees. The evacuation center shall have the following minimum amenities:

1. Sleeping quarters for the evacuees;
2. Separate shower and toilet facilities designated for males and females, with one (1) facility for every twenty (20) persons;
3. Amenities to enable access thereto by persons with disabilities;
4. Emergency exit doors;
5. Eating, kitchen or food preparation areas with adequate ventilation;
6. Trash and waste segregation and collection areas;
7. Health care areas which shall include an isolation or quarantine area for potentially infectious persons;
8. Child, women-friendly spaces;
9. Prayer rooms;
10. Rainwater harvesting and collection facilities;
11. LAUNDRY AREA;
12. RECREATION AREA;
13. Area for management of livestock and domestic animals owned by evacuees and
14. Other facilities as may be prescribed by the appropriate authorities.

e) **Food safety** – kitchen and dining facilities shall be able to cater for the number of people in the evacuation. food preparation and storage facilities shall comply with satisfactory standards of the department of health on cleanliness to minimize the potential for contamination and invasion of insects and pests.

SEC. 7. Role of the National Disaster Risk Reduction and Management Council (NDRRMC). – The National Disaster Risk Reduction and Management Council (NDRRMC) shall be the lead implementing agency of this Act. It shall give utmost priority to those areas of the country that (a) are identified as disaster prone; (b) are financially incapable to establish their own evacuation centers; and (c) do not have existing evacuation centers of their own.

It shall enter into memoranda of agreement (MOA) with the concerned LGUs for the maintenance, operation, and management of a permanent evacuation center in their respective areas of jurisdiction. It shall provide technical assistance and support services to these LGUs in the management of the facility.

Local chief executives concerned shall evaluate and provide suitable sites for evacuation centers to determine their geographical stability, and public accessibility in times of disasters. They shall provide for the maintenance, operation, and management of the facility taking into consideration the goal of life preservation and meeting the basic subsistence needs of affected population based on acceptable standards during or immediately after a disaster.

The NDRRMC shall ensure the monitoring, inspection, and evaluation of identified and constructed evacuation centers in coordination with the LGUs and relevant agencies. The monitoring, inspection and validation shall cover structural

integrity, safety against risks and hazards, suitability for use as evacuation centers/camps, floor area, and availability of camp facilities.

SEC. 8. *Coordination Among Agencies.* – The NDRRMC shall coordinate with the DPWH and the Department of Science and Technology (DOST) with regard to the design specifications, cost estimates, and construction details of the evacuation centers that will be constructed pursuant to this Act.

Concerned government agencies and instrumentalities, when necessary, shall provide assistance to the NDRRMC to ensure the effective and efficient implementation of this Act.

SEC. 9. *Implementing Rules and Regulations.* – Within sixty (60) days from the effectivity of this Act, the NDRRMC shall, in consultation with the DPWH, DOST, League of Cities of the Philippines, League of Municipalities of the Philippines, and other concerned government and private agencies, promulgate the necessary rules and regulations to carry out the provisions of this Act.

SEC. 10. *Appropriations.* – The amount necessary for the initial implementation to fund the construction and maintenance of evacuation centers shall be charged against the budget provided for this purpose under the DPWH. Thereafter, such amounts necessary for the construction of evacuation centers shall be included in the annual General Appropriations Act. The LGU concerned shall provide the continued maintenance, operation and management of the facility.

The construction and maintenance of additional facilities for schools already used as evacuation centers shall be charged to the appropriations for the DEPED. Thereafter, such amount needed by the concerned department for the continued

implementation of this act shall be included in the Annual General Appropriations Act.

SEC. 11. *Separability Clause.* – If any provision or part thereof, is held invalid or unconstitutional, the remainder of the law or the provisions not otherwise affected shall remain valid and subsisting.

SEC. 12. *Repealing Clause.* – Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is hereby repealed or amended accordingly.

SEC. 13. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved