



**HOUSE OF REPRESENTATIVES**

**H. No. 8586**

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BY REPRESENTATIVES BARZAGA, CO (E.), SALCEDA, BASCUG, PLAZA, VILLAFUERTE (L.R.), VILLAFUERTE (M.L.), HORIBATA, MACAPAGAL-ARROYO, BARBERS, RODRIGUEZ (R.), RAMA, PRIMICIAS-AGABAS, GATCHALIAN, MANUEL, BROSAS, CASTRO (F.), FARIÑAS, CUA, ATAYDE, MANQUIZ, GARCIA (D.), NAVA, TAMAYO, LEGARDA, ACOPI, LAGON (S.), PADUANO, GARCIA (J.A.), MARAÑON, TULFO (R.W.), BONGALON, YAP (ERIC), TOLENTINO, GATO, SANTOS, AMANTE, BERNOS, ALVAREZ (J.), ARENAS, LIMKAICHONG, HATAMAN, SUAN, OAMINAL, ESPARES, ADIONG, CELESTE, YAP (C.T.), LEE, ACHARON, GOMEZ, SAKALURAN, ONGCHUAN, RIVERA, ZAMORA (M.C.), TAN-TAMBUK, MARIÑO, ROMUALDO, RECTO, CARI, TANJUATCO, ORTEGA, REVILLA (R.J.), VILLARICA, LAZATIN, SUANSING (M.A.), TY, BRIONES, VERGARA, HARESCO, DAGOOC, PALMA, MAGSINO, ARROGANCIA, FLORES, REYES, ACIDRE, CALDERON, BARONDA, BOLILIA, PUMAREN, SUAREZ, HERRERA, QUIMBO, ABANTE, ALONTE, ALVAREZ (M.), BAUTISTA-LIM, CABREDO, CAMPOS, CO (A.N.), CUARESMA, DE VENECIA, DEL MAR, FUENTEBELLA, GO (E.C.), GONZAGA, LACSON, LARA, SALIMBANGON, TIANGCO, UMALI, VARGAS-ALFONSO, VILLARAZA-SUAREZ, VIOLAGO, ZUBIRI, ABALOS, ADVINCULA, ANG, ASISTIO, AUMENTADO, BOSITA, CHATTO, CO-PILAR, COJUANGCO (J.), CRUZ (A.), CRUZ (R.), DIMAPORO (S.A.), EUDELA, FORTES, FRESNEDI, GARCIA (M.A.), GARDIOLA, GUTIERREZ, HERNANDEZ, KHONGHUN, LAGON (D.), MACEDA, MATIBAG, MERCADO, NOGRALES (M.), OUANO-DIZON, PANALIGAN, PANCHO, PLEYTO, RODRIGUEZ (E.), SALI, TALLADO, TULFO (J.), UNABIA, VARGAS, VERZOSA, YAP (C.), AGARAO, BENITEZ, BUHAIN, CORVERA, DALOG, DUTERTE, ECLEO, GUINTU, KHO (R.), MARIANO-HERNANDEZ, MERCADO-REVILLA, ORDANES, REVILLA (B.), ROMULO, SAULOG, SILVERIO, SORIANO, VELOSO-TUAZON, YAP (EDVIC), HAGEDORN, YAMSUAN AND DALIPE

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

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

**CHAPTER I**

**GENERAL PROVISIONS**

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

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

- 6           (a) Regulate the collection, possession, use, and trade of wildlife, wildlife  
7           by-products and derivatives;
- 8           (b) Pursue, with due regard to the national interest, Philippine commitments  
9           to international conventions, treaties, and agreements on the protection of  
10           wildlife and their habitats, and on the fair and equitable sharing of the  
11           benefits from the lawful utilization of wildlife genetic resources;
- 12           (c) Initiate or support scientific studies on the conservation of biological  
13           diversity and sustainable utilization of wildlife resources;
- 14           (d) Promote full awareness and widest dissemination of policies on wildlife  
15           conservation and protection; and
- 16           (e) Strengthen the global effort to eradicate the transnational organized crime  
17           of wildlife trade and trafficking.

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

21           **SEC. 4. Jurisdiction of the Department of Environment and Natural**  
22 **Resources, the Department of Agriculture, and the Palawan Council for**  
23 **Sustainable Development.** – The Department of Environment and Natural  
24 Resources (DENR) shall have jurisdiction over all terrestrial plant and animal  
25 species including turtles and tortoises, wetland species, including crocodiles,  
26 waterbirds and all amphibians, and the *Dugong Dugon* or *Dugong*. The  
27 Department of Agriculture (DA) shall have jurisdiction over all declared aquatic  
28 critical habitats, all aquatic resources including all fishes, aquatic plants,  
29 invertebrates and all marine mammals, except the *Dugong*. The Secretaries of the  
30 DENR and the DA shall review and, by joint administrative order, revise and  
31 regularly update the list of species under their respective jurisdictions and make  
32 the list readily available to all concerned government agencies and local  
33 government units. In the Province of Palawan, the jurisdiction is vested on the

1 Palawan Council for Sustainable Development (PCSD) pursuant to Republic Act  
2 (RA) No. 7611, otherwise known as the “Strategic Environmental Plan (SEP) for  
3 Palawan Act”.

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

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

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

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

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

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

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

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

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

31 (i) *Certificate of Introduction from the Sea* refers to a document issued by  
32 the Bureau of Fisheries and Aquatic Resources for the introduction from

1 the sea of wildlife species taken from marine environments outside the  
2 jurisdiction of any State;

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

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

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

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

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

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

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

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

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

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

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

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

- 1 (v) *Introduction from the sea* refers to the transportation into the country  
2 of specimen of any species which were taken from the marine  
3 environment which is not under the jurisdiction of any State;
- 4 (w) *Invasive alien species* or *IAS* refer to species whose introduction or  
5 proliferation outside their natural past or present distribution threatens  
6 biological diversity;
- 7 (x) *Local transport permit* refers to a permit authorizing a person to bring  
8 wildlife from one place to another within the territorial jurisdiction of  
9 the Philippines;
- 10 (y) *Maltreatment* refers to the commission of torture or any form of cruelty  
11 to any wildlife, or omission or neglect to provide adequate care,  
12 sustenance or shelter to wildlife;
- 13 (z) *Near-threatened species* refer to species or subspecies that are neither  
14 critically endangered, endangered nor vulnerable but are under threat  
15 from adverse factors, such as over collection, throughout their range and  
16 are likely to move to the vulnerable category in the near future;
- 17 (aa) *Other wildlife species* refer to all other wildlife species not classified as  
18 threatened or near-threatened;
- 19 (bb) *Possession* refers to both actual possession or immediate physical  
20 control over wildlife, or wildlife by-products and derivatives, and to  
21 constructive possession or ownership or control over the place or  
22 conveyance where the wildlife, or wildlife by-products and derivatives  
23 are found;
- 24 (cc) *Re-export permit* refers to a permit authorizing a person to bring out of  
25 the country previously imported wildlife, wildlife by-products and  
26 derivatives thereof;
- 27 (dd) *Shipper* refers to a person that sends or transports goods by sea, land,  
28 or air;
- 29 (ee) *Special Local Transport Permit* refers to a permit conferred to a holder  
30 of a Wildlife Special Use Permit (WSUP) authorizing the conveyance  
31 of wildlife, by-products and derivatives from the facility of origin to  
32 one or more places within the Philippines, and back to the facility  
33 of origin;

- 1 (ff) *Threatened species* refer to species or subspecies considered as critically  
2 endangered, endangered, vulnerable, or other accepted categories of  
3 wildlife which is at risk of extinction;
- 4 (gg) *Trade* refers to the act of engaging in the exchange, exportation or  
5 importation, purchase or sale of wildlife, wildlife by-products and  
6 derivatives, locally or internationally;
- 7 (hh) *Traditional use* refers to the utilization of wildlife by indigenous  
8 cultural communities/indigenous peoples (ICCs/IPs) in accordance with  
9 written or unwritten rules, usage, customs, and practices traditionally  
10 observed, accepted, and recognized by them;
- 11 (ii) *Vulnerable species* refer to species or subspecies that are not endangered  
12 but are under threat from adverse factors throughout their range and  
13 are likely to move to the endangered category in the near future;
- 14 (jj) *Wildlife* refers to wild forms and varieties of flora and fauna, in all  
15 developmental stages, including those which are in captivity or are being  
16 bred or propagated. It excludes domesticated species;
- 17 (kk) *Wildlife collector's permit* refers to a permit to take, gather, or harvest  
18 from the wild certain species and quantities of wildlife as parental stocks  
19 for commercial breeding purposes;
- 20 (ll) *Wildlife farm culture permit* refers to a permit to develop, operate, and  
21 maintain a wildlife breeding farm for conservation, trade, or scientific  
22 purposes;
- 23 (mm) *Wildlife local trade permit* refers to a permit authorizing a person to  
24 sell or offer for sale wildlife, wildlife by-products and derivatives;
- 25 (nn) *Wildlife laundering* refers to the process by which wildlife traders  
26 disguise the origin and ownership of illegally acquired wildlife by  
27 making such appear to have been derived from a legitimate source to  
28 circumvent wildlife laws and regulations;
- 29 (oo) *Wildlife rescue center* refers to a government established or designated  
30 repository of confiscated, donated, retrieved, or turned-over wildlife or  
31 an establishment where sick, injured, or confiscated wildlife are  
32 temporarily kept and rehabilitated prior to the release to their natural  
33

1 habitat or implementation of other modes of disposition as may be  
2 authorized by the DENR, DA, or the PCSD;

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

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

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

## 14 CHAPTER II

### 15 CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES

#### 16 ARTICLE I

##### 17 General Provisions

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

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

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

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

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

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

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

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

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



1           *Provided*, That the collection of threatened wildlife shall be governed by  
2           Section 21 of this Act.

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

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

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

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

24          **SEC. 16. *Introduction, Reintroduction or Restocking of Endemic or***  
25          ***Indigenous Wildlife.*** – The introduction, reintroduction, or restocking of  
26          endemic and indigenous wildlife shall be allowed only for population enhancement  
27          or recovery purposes, subject to prior clearance from the Secretary of the DENR  
28          or the DA or their authorized representatives pursuant to Section 6 of this Act.

29          Any proposed introduction shall be subjected to a scientific study which  
30          shall focus on the natural history of the specific wildlife sought to be introduced  
31          and its bio-ecological impact, as well as the conduct of public consultations with  
32          concerned individuals or entities.

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

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

18           Before any permit shall be granted by the Secretaries of the DENR and DA,  
19 the PCSD Chairperson, or their authorized representatives, the proponent shall  
20 secure the free, prior and informed consent of the concerned ICCs/IPs, pursuant  
21 to RA 8371 or “The Indigenous Peoples’ Rights Act of 1997,” and of the Protected  
22 Area Management Board under RA 7586, as amended by RA 11038, or of any  
23 affected local communities or persons. The applicant shall fully disclose the intent  
24 and scope of the bioprospecting activity in a language and process understandable  
25 to the community.

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

32           **SEC. 19. *Scientific Researches on Wildlife.*** – The collection and  
33 utilization of biological resources for scientific research, not for commercial

1 purposes, shall be allowed upon execution of an undertaking or agreement or the  
2 issuance of a gratuitous permit by the Secretaries of the DENR and DA, or their  
3 authorized representative: *Provided*, That clearance from concerned bodies shall  
4 be secured before the issuance of the gratuitous permit: *Provided, further*, That  
5 special conditions may be provided by either the Secretary of the DENR or DA, or  
6 the Chairperson of the PCSD to facilitate the conduct of scientific research by  
7 Filipino students.

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

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

20 **SEC. 21. *Collection of Threatened Wildlife, By-Products and***  
21 ***Derivatives.*** – The collection of threatened wildlife, as determined and listed  
22 pursuant to this Act, including its by-products and derivatives, shall be allowed  
23 only for scientific, or breeding or propagation purposes in accordance with Section  
24 6 of this Act. Only persons accredited by the Secretary of the DENR or DA, or the  
25 PCSD Chairperson shall be allowed to collect wildlife for conservation breeding or  
26 propagation purposes.

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

32 **SEC. 23. *Commercial Breeding or Propagation of Threatened***  
33 ***Species.*** – Commercial breeding or propagation of threatened species may be

1 allowed: *Provided*, That these following minimum requirements are met by the  
2 applicant:

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

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

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

### 10 **ARTICLE III**

#### 11 **Permits, Fees and Charges**

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

- |   |                                 |
|---|---------------------------------|
| 16 (a) Wildlife farm or culture permit          | three (3) to five (5) years;    |
| 17 (b) Wildlife collector’s permit              | one (1) to three (3) years;     |
| 18 (c) Gratuitous permit                        | one (1) to three (3) years;     |
| 19 (d) Local transport permit                   | not more than three (3) months; |
| 20 (e) Special Local Transport Permit           | not more than three (3) months; |
| 21 (f) Wildlife Local Trade Permit              | one (1) year;                   |
| 22 (g) Wildlife Special Use Permit              | one (1) to three (3) years;     |
| 23 (h) Export/Import/Re-export Permit           | one (1) to six (6) months;      |
| 24 (i) Certificate of Introduction from the Sea | one (1) to six (6) months.      |

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

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

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

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

#### 14 **ARTICLE IV**

##### 15 **Protection of Threatened Species**

16 **SEC. 26. *Determination of Threatened Species.*** – The Secretaries of the  
17 DENR and DA, or the PCSD Chairperson shall accordingly determine whether  
18 any wildlife species or subspecies is threatened, and classify the same as critically  
19 endangered, endangered, vulnerable, or under other accepted category based on  
20 the best scientific data and with due regard to internationally-accepted criteria,  
21 including the following conditions:

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

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

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

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

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

15 (b) Wildlife stock purchased or otherwise acquired from legal sources  
16 subject to submission of proof of legal acquisition: *Provided*, That the  
17 sale or disposition of the stock to the applicant was duly reported to the  
18 DENR, DA, or PCSD by the source: *Provided, further*, That the wildlife  
19 sold or disposed are limited to those allowable under Sections 20 and 23  
20 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 Secretaries of the  
29 DENR and DA, and the PCSD Chairperson shall designate critical habitats where  
30 threatened species are found outside protected areas under RA 7586, as amended  
31 by RA 11038 and other existing laws. Such designation shall be made on the basis  
32 of the best scientific data taking into consideration species endemicity or richness,

1 and presence of man-made pressures and threats to the survival of wildlife living  
2 in the area, among others.

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

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

17 **CHAPTER III**  
18 **WILDLIFE CRIMES**  
19 **ARTICLE I**  
20 **Illegal Acts**

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

- 24 (a) Killing or destroying wildlife species, including causing death or destruction  
25 as a result of any violation of this Act, except in the following instances:
- 26 (i) When it is done as part of the religious rituals of established tribal  
27 groups or ICCs/IPs;
  - 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 by  
31 the wildlife;
  - 32 (iv) When it is done to prevent an imminent danger to the life or limb of  
33 a human being;

- 1 (v) When the wildlife is killed or destroyed after it has been used in  
2 authorized research or experiments; and
- 3 (vi) When done for the purpose of wildlife population management or  
4 eradication of invasive alien species, as authorized by the DENR, DA  
5 or PCSD.
- 6 (b) Injuring, crippling, or impairing the reproductive system of wildlife species;
- 7 (c) Committing 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 critical  
11 habitat;
- 12 (iii) Mineral exploration or extraction, treasure-hunting or prospecting;
- 13 (iv) Burning;
- 14 (v) Logging;
- 15 (vi) Quarrying;
- 16 (vii) Land reclamation;
- 17 (viii) Disturbing wildlife through activities that endanger flora, fauna and  
18 their habitats; and
- 19 (ix) Introduction of, whether intentional or not, any substance or  
20 man-made or anthropogenic material, agent, or medium that  
21 endangers the habitat or renders a habitat no longer viable for wildlife;
- 22 (d) Introduction, reintroduction or restocking of wildlife resources;
- 23 (e) Trading or attempting to trade wildlife, wildlife by-products and  
24 derivatives, including advertising, contracting or offering for the purpose of  
25 sale or procurement of wildlife, wildlife by-products and derivatives through  
26 online platform or any other means;
- 27 (f) Collecting, hunting, or possessing wildlife, wildlife by-products and  
28 derivatives;
- 29 (g) Gathering or destroying of active nests, nest trees, host plants and the like;
- 30 (h) Maltreating or inflicting other injuries not covered by the preceding  
31 paragraphs;
- 32 (i) Transporting of wildlife without the appropriate, valid permits, clearances,  
33 agreements or certificates;

1 (j) Wildlife laundering; and

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

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

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

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

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

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

## 29 **ARTICLE II**

### 30 **Penalties**

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

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 and a fine of not less than  
3 Two hundred thousand pesos (₱200,000.00) but not more than Two million  
4 pesos (₱2,000,000.00), or both, if the illegal act involved critically-  
5 endangered species;

6 (b) *Prision mayor* or imprisonment of not less than six (6) years and one (1) day  
7 but not more than twelve (12) years, or a fine of not less than One hundred  
8 thousand pesos (₱100,000.00) but not more than to One million pesos  
9 (₱1,000,000.00), or both, if the illegal act involved endangered species;

10 (c) *Prision correccional* in its medium and maximum period or imprisonment  
11 of not less than two (2) years, four (4) months and one (1) day but not more  
12 than six (6) years, or a fine of not less than Sixty thousand pesos  
13 (₱60,000.00) but not more than Six hundred thousand pesos (₱600,000.00),  
14 or both, if the illegal act involved vulnerable species;

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

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

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

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

32 (b) *Prision correccional* in its medium period or imprisonment of not less than  
33 two (2) years, four (4) months and one (1) day but not more than four (4)

1 years and two (2) months, or a fine of not less than Sixty thousand pesos  
2 (₱60,000.00) but not more than Four hundred thousand pesos (₱400,000.00),  
3 or both, if the illegal act involved endangered species;

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

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

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

18 For illegal acts described under paragraphs (c) and (d) of Sec. 29 of this Act,  
19 the penalty which shall be imposed is *arresto mayor* to *prision mayor* in its  
20 minimum period or imprisonment of not less than one (1) month and one (1) day  
21 but not more than eight (8) years, or a fine of not less than Ten thousand pesos  
22 (₱10,000.00) but not more than Ten million pesos (₱10,000,000.00), or both. If a  
23 critical habitat requires rehabilitation or restoration as a result of the illegal act  
24 as determined by a court, the offender shall be additionally required to restore the  
25 same, whenever practicable, or pay additional compensation for the damage  
26 caused.

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

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

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

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

11 (d) *Arresto mayor* or imprisonment of not less than one (1) month and one (1)  
12 day but not more than six (6) months, or a fine of not less than Ten thousand  
13 pesos (₱10,000.00) but not more than One hundred thousand pesos  
14 (₱100,000.00), or both, if the illegal act involved near threatened species;  
15 and

16 (e) *Arresto menor* in its medium period and maximum period or imprisonment  
17 of not less than eleven (11) to thirty (30) days, or a fine of not less than Five  
18 thousand pesos (₱5,000.00) but not more than Forty thousand pesos  
19 (₱40,000.00), or both, if the illegal act involved other wildlife species.

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

22 (a) *Prision correccional* in its medium period or imprisonment of not less than  
23 two (2) years, four (4) months and one (1) day but not more than four (4)  
24 years and two (2) months, or a fine of not less than Sixty thousand pesos  
25 (₱60,000.00) but not more than Six hundred thousand pesos (₱600,000.00),  
26 or both, if the illegal act involved critically endangered species;

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

32 (c) *Prision correccional* in its minimum period or imprisonment of not less than  
33 six (6) months and one (1) day but not more than two (2) years and four (4)

1 months, or a fine of not less than Twenty thousand pesos (₱20,000.00) but  
2 not more than Two hundred thousand pesos (₱200,000.00), or both, if the  
3 illegal act involved vulnerable species;

4 (d) *Arresto mayor* or imprisonment of not less than one (1) month and one (1)  
5 day but not more than six (6) months, or a fine of not less than Ten thousand  
6 pesos (₱10,000.00) but not more than One hundred thousand pesos  
7 (₱100,000.00), or both, if the illegal act involved near threatened species;  
8 and

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

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

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

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

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

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

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

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

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

17 (b) *Prision correccional* in its medium period or imprisonment of not less than  
18 two (2) years, four (4) months and one (1) day but not more than four (4)  
19 years and two (2) months, or a fine of not less than Thirty thousand pesos  
20 (₱30,000.00) but not more than Four hundred thousand pesos (₱400,000.00),  
21 or both, if the illegal act involved endangered species;

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

27 (d) *Arresto mayor* or imprisonment of not less than one (1) month and one (1)  
28 day but not more than six (6) months, or a fine of not less than Ten thousand  
29 pesos (₱10,000.00) but not more than One hundred thousand pesos  
30 (₱100,000.00), or both, if the illegal act involved near threatened species;  
31 and

32 (e) *Arresto menor* in its medium period and maximum period or imprisonment  
33 of not less than eleven (11) days but not more than thirty (30) days, or a

1 fine of not less than Five thousand pesos (₱5,000.00) but not more than  
2 Forty thousand pesos (₱40,000.00), or both, if the illegal act involved other  
3 wildlife species.

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

6 (a) *Reclusion temporal* or imprisonment of not less than twelve (12) years  
7 and one (1) day but not more than twenty (20) years, or a fine of not  
8 less than Two hundred thousand pesos (₱200,000.00) but not more than  
9 Two million pesos (₱2,000,000.00), or two times the proven market value,  
10 whichever is higher, or both, if the illegal act involved critically endangered  
11 species;

12 (b) *Prision mayor* or imprisonment of not less than six (6) years and one (1)  
13 day but not more than twelve (12) years, or a fine of not less  
14 than One hundred thousand pesos (₱100,000.00) but not more than One  
15 million pesos (₱1,000,000.00), or two times the proven market value,  
16 whichever is higher, or both, if the illegal act involved endangered species;

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

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

29 **SEC. 32. Criminal Liabilities and Disqualification.** – (a) If the  
30 violation is committed by a corporation, cooperative, association, or any other  
31 juridical person, such as airfreight, shipping, trucking or forwarding companies,  
32 the penalty shall be imposed upon the president, director or directors, managers,  
33 managing partner, or other official thereof responsible for such violation:

1 *Provided*, That the fine shall be doubled: *Provided, further*, That the liability  
2 imposed on the juridical person shall be without prejudice to the criminal liability  
3 of the natural person who actually committed the offense.

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

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

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

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

### 20 **ARTICLE III**

#### 21 **Disputable Presumptions and Qualifying Circumstances**

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

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

31 (b) Presence of fresh or dried blood, wildlife by-products and derivatives, with  
32 or without the tools, equipment or paraphernalia derivatives, shall be a  
33

1           disputable presumption of the killing and or destruction of, or inflicting  
2           injury on, the wildlife species involved;

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

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

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

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

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

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

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

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

23          (f) More than twenty (20) wildlife specimens of any classification.

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

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

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

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

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

#### 6 **ARTICLE IV**

##### 7 **Administrative Adjudication**

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

#### 25 **CHAPTER IV**

##### 26 **TRANSNATIONAL WILDLIFE CRIMES**

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

- 32 (a) In more than one State;

- 1 (b) In one State, but a substantial part of its preparation, planning, direction  
2 or control takes place in another State;
- 3 (c) In one State, but involves an organized criminal group that engages in  
4 criminal activities in more than one State; or
- 5 (d) In one State but has substantial effects on another State.

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

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

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

29 **SEC. 43. *Policies and Other Measures to Address Transnational***  
30 ***Wildlife Crime.*** – The PCTC shall work with the DENR, DA, PCSD and the  
31 Office of the Special Envoy for Transnational Crimes, and consult with  
32 international and regional organizations, including INTERPOL, ASEANAPOL,  
33 and the ASEAN Centre for Biodiversity, to develop policies and measures

1 conducive to the optimal implementation of the UNTOC in relation to wildlife  
2 crime, through regional and international cooperation, taking into account the  
3 negative effects of organized crime on society in general, and on sustainable  
4 development in particular.

## 5 CHAPTER V

### 6 WILDLIFE LAW ENFORCEMENT

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

19 **SEC. 45. *Deputation of Wildlife Enforcement Officers.*** – The  
20 Secretaries of the DENR and DA, and the PCSD Chairperson shall deputize  
21 wildlife enforcement officers from non-government organizations, citizens’ groups,  
22 community organizations, LGUs and other volunteers who have undergone  
23 necessary training for this purpose. The Philippine National Police, the National  
24 Bureau of Investigation, the Bureau of Customs and other law enforcement  
25 agencies shall designate wildlife enforcement officers. As such, the wildlife  
26 enforcement officers shall have the full authority to seize illegally traded wildlife  
27 and arrest violators of this Act, subject to existing laws, rules and regulations  
28 on arrest and detention. These agencies may also seek the cooperation of  
29 international and regional organizations in the conduct of their investigation and  
30 enforcement actions.

31 **SEC. 46. *Creation of Wildlife Traffic Monitoring Units.*** – The  
32 Secretaries of the DENR and DA shall create Wildlife Traffic Units (WTMUs) in  
33 strategic air and seaports all over the country to ensure the strict compliance and

1 effective implementation of all existing wildlife laws, rules and regulations,  
2 including pertinent international agreements. For this purpose, the DENR, DA  
3 and PCSD are authorized to provide for in their organizational structure such  
4 number of Wildlife Inspector positions as may be necessary, the appointees of  
5 which shall be assigned to WTMUs, and who shall have the same powers and  
6 duties as Wildlife Enforcement Officers. National government agencies with  
7 mandates related to transportation and local government units shall provide  
8 WTMUs the necessary assistance for the effective implementation of the latter's  
9 duties and functions.

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

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

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

29 **SEC. 49. *Public Participation.*** – The participation of private citizens in  
30 reporting and providing information on illegal wildlife trade shall be encouraged.  
31 Any private person who shall provide any information leading to the  
32 apprehension, prosecution, and conviction of any offender for any violation of this  
33 Act and any rule or regulation promulgated to implement it, or the confiscation of

1 wildlife, its derivatives or by-products, and all paraphernalia, tools and  
2 conveyances used in connection with the violation, may be given a reward in an  
3 amount to be determined through a policy guideline issued by the DENR, DA, or  
4 the PCSD.

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

10 The hearing on the defense of a strategic lawsuit against public  
11 participation shall be summary in nature. The affirmative defense shall be  
12 resolved within thirty (30) days after the summary hearing. If the court dismisses  
13 the action, the court may award damages, attorney’s fees, and costs of suit under  
14 a counterclaim if such has been filed.

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

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

## 23 **CHAPTER VI**

### 24 **MISCELLANEOUS PROVISIONS**

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

32 The Fund shall be derived from administrative and criminal fines imposed,  
33 civil liabilities and damages awarded, proceeds from allowable disposition of

1 wildlife, wildlife by-products and derivatives, fees, charges, donations,  
2 endowments, administrative fees or grants in the form of contributions.  
3 Contributions to the Fund shall be exempt from the payment of the donor's tax  
4 and all other tax charges or fees imposed by the government. The administrative  
5 and criminal fines imposed, civil liabilities and damages awarded shall accrue to  
6 the Wildlife Management Fund of the DA, DENR, or the PCSD, as the case  
7 may be.

8       **SEC. 52. Tax Exemption.** – All grants, bequests, endowments, donations  
9 and contributions which may be made to non-government organizations and  
10 people's organizations engaged in wildlife conservation, protection and law  
11 enforcement duly registered with the Securities and Exchange Commission or the  
12 Cooperative Development Authority, as certified by the local government unit, the  
13 DENR, DA, or PCSD, for the conservation and protection of wildlife resources  
14 and their habitats shall be exempt from donor's tax and the same shall constitute  
15 as allowable deductions from gross income for purposes of computing the taxable  
16 income of the donor in accordance with the provisions of the NIRC of 1997, as  
17 amended.

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

22       These national government agencies may also avail of the tax expenditure  
23 subsidy administered by the Fiscal Incentives Review Board (FIRB), subject to the  
24 provisions of Title XIII (Tax Incentives) of the National Internal Revenue Code of  
25 1997, as amended, Executive Order No. 93, as amended and the General  
26 Appropriations Act.

27       **SEC. 53. Wildlife Rescue Center.** – The Secretaries of the DENR and DA  
28 shall establish or designate wildlife rescue centers which shall take temporary  
29 custody and care of all confiscated, abandoned, or donated wildlife to ensure their  
30 welfare and well-being. All wildlife rescue centers shall be situated in appropriate  
31 facilities that are equipped with the necessary tools and apparatus, and staffed by  
32 regular, qualified and properly-trained personnel to ensure that all rescued

1 wildlife are properly cared for. They shall formulate guidelines for the disposition  
2 of wildlife from these rescue centers.

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

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

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

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

32         **SEC. 58. *Registration of Museum Specimens.*** – Except for the National  
33 Museum, all other museums and similar establishments displaying wildlife



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

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

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

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

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

Approved,