

**[ REPUBLIC ACT NO. 9147, July 30, 2001 ]**

**AN ACT PROVIDING FOR THE CONSERVATION AND PROTECTION  
OF WILDLIFE RESOURCES AND THEIR HABITATS,  
APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES**

*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 "Wildlife Resources Conservation and Protection Act."

SEC. 2. *Declaration of Policy.* — It shall be the policy of the State to conserve the country's wildlife resources and their habitats for sustainability. In the pursuit of this policy, this Act shall have the following objectives:

- a. to conserve and protect wildlife species and their habitats to promote ecological balance and enhance biological diversity;
- b. to regulate the collection and trade of wildlife;
- c. to pursue, with due regard to the national interest, the Philippine commitment to international conventions, protection of wildlife and their habitats; and
- d. to initiate or support scientific studies on the conservation of biological diversity.

SEC. 3. *Scope of Application.* — The provisions of this Act shall be enforceable for all wildlife species found in all areas of the country, including protected areas under Republic Act No. 7586, otherwise known as the National Integrated Protected Areas System (NIPAS) Act, and critical habitats. This Act shall also apply to exotic species which are subject to trade, are cultured, maintained and/or bred in captivity or propagated in the country.

SEC. 4. *Jurisdiction of the Department of Environment and Natural Resources and the Department of Agriculture.* — The Department of Environment and Natural Resources (DENR) shall have jurisdiction over all terrestrial plant and animal species, all turtles and tortoises and wetland species, including but not limited to crocodiles, waterbirds and all amphibians and dugong. The Department of Agriculture (DA) shall have jurisdiction over all declared aquatic critical habitats, all aquatic resources, including but not limited to all fishes, aquatic plants, invertebrates and all marine mammals, except dugong. The secretaries of the DENR and the DA shall review, and, by joint administrative order, revise and regularly update the list of species under their respective jurisdiction. In the Province of Palawan, jurisdiction herein conferred is vested to the Palawan Council for

## CHAPTER II

### DEFINITION OF TERMS

SEC. 5. *Definition of Terms.* — As used in this Act, the term:

- a. "Bioprospecting" means the research, collection and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes;
- b. "By-product or derivatives" mean any part taken or substance extracted from wildlife, in raw or in processed form. This includes stuffed animals and herbarium specimens;
- c. "Captive-breeding/culture or propagation" means the process of producing individuals under controlled conditions or with human interventions;
- d. "Collection or collecting" means the act of gathering or harvesting wildlife, its by-products or derivatives;
- e. "Conservation" means preservation and sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat;
- f. "Critically endangered species" refers to a species or subspecies that is facing extremely high risk of extinction in the wild in the immediate future;
- g. "Economically important species" means species which have actual or potential value in trade or utilization for commercial purpose;
- h. "Endangered species" refers to species or subspecies that is not critically endangered but whose survival in the wild is unlikely if the causal factors continue operating;
- i. "Endemic species" means species or subspecies which is naturally occurring and found only within specific areas in the country;
- j. "Exotic species" mean species or subspecies which do not naturally occur in the country;
- k. "Export permit" refers to a permit authorizing an individual to bring out wildlife from the Philippines to any other country;
- l. "Gratuitous permit" means permit issued to any individual or entity engaged in noncommercial scientific or educational undertaking to collect wildlife;
- m. "Habitat" means a place or environment where a species or subspecies naturally occur or has naturally established its population;
- n. "Import permit" refers to a permit authorizing an individual to bring in wildlife from another country;
- o. "Indigenous wildlife" means species or subspecies of wildlife naturally occurring or has naturally established population in the country;
- p. "Introduction" means bringing species into the wild that is outside its natural habitat;
- q. "Reexport permit" refers to a permit authorizing an individual to bring out of the country a previously imported wildlife;
- r. "Secretary" means either or both the Secretary of the Department of Environment and Natural Resources and the Secretary of the Department of Agriculture;
- s. "Threatened species" a general term to denote species or subspecies considered as critically endangered, endangered, vulnerable or other accepted categories of wildlife whose population is at risk of extinction;

- t. "Trade" means the act of engaging in the exchange, exportation or importation, purchase or sale of wildlife, their derivatives or by-products, locally or internationally;
- u. "Traditional use" means utilization of wildlife by indigenous people in accordance with written or unwritten rules, usage, customs and practices traditionally observed, accepted and recognized by them;
- v. "Transport permit" means a permit issued authorizing an individual to bring wildlife from one place to another within the territorial jurisdiction of the Philippines;
- w. "Vulnerable species" refers to species or subspecies that is not critically endangered nor endangered but is under threat from adverse factors throughout their range and is likely to move to the endangered category in the near future;
- x. "Wildlife" means wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred or propagated;
- y. "Wildlife collector's permit" means a permit to take or collect from the wild certain species and quantities of wildlife for commercial purpose; and
- z. "Wildlife farm/culture permit" means a permit to develop, operate and maintain a wildlife breeding farm for conservation, trade and/or scientific purposes.

### **CHAPTER III**

## **CONSERVATION AND PROTECTION OF WILDLIFE RESOURCES**

### **ARTICLE ONE**

#### General Provision

SEC. 6. *Wildlife Information.* — All activities, as subsequently manifested under this Chapter, shall be authorized by the Secretary upon proper evaluation of best available information or scientific data showing that the activity is, or for a purpose, not detrimental to the survival of the species or subspecies involved and/or their habitat. For this purpose, the Secretary shall regularly update wildlife information through research.

SEC. 7. *Collection of Wildlife.* — Collection of wildlife may be allowed in accordance with Section 6 of this Act: *Provided*, That in the collection of wildlife, appropriate and acceptable wildlife collection techniques with least or no detrimental effects to the existing wildlife populations and their habitats shall, likewise, be required: *Provided, further*, That collection of wildlife by indigenous people may be allowed for traditional use and not primarily for trade: *Provided*, furthermore, That collection and utilization for said purpose shall not cover threatened species: *Provided, finally*, That Section 23 of this Act shall govern the collection of threatened species.

SEC. 8. *Possession of Wildlife.* — No person or entity shall be allowed possession of wildlife unless such person or entity can prove financial and technical capability and facility to maintain said wildlife: *Provided*, That the source was not obtained in violation of this Act.

SEC. 9. *Collection and/or Possession of By-Products and Derivatives.* — By- products

and derivatives maybe collected and/or possessed: Provided, That the source was not obtained in violation of this Act.

SEC. 10. *Local Transport of Wildlife, By-Products and Derivatives.* — Local transport of wildlife, by-products and derivatives collected or possessed through any other means shall be authorized unless the same is prejudicial to the wildlife and public health.

SEC. 11. *Exportation and/or Importation of Wildlife.* — Wildlife species may be exported to or imported from another country as may be authorized by the Secretary or the designated representative, subject to strict compliance with the provisions of this Act and rules and regulations promulgated pursuant thereto: *Provided*, That the recipient of the wildlife is technically and financially capable to maintain it.

SEC. 12. *Introduction, Reintroduction or Restocking of Endemic or Indigenous Wildlife.* — The introduction, reintroduction or restocking of endemic and indigenous wildlife shall be allowed only for population enhancement or recovery purposes subject to prior clearance from the Secretary or the authorized representative pursuant to Section 6 of this Act. Any proposed introduction shall be subject to a scientific study which shall focus on the bioecology. The proponent shall also conduct public consultations with concerned individuals or entities.

SEC. 13. *Introduction of Exotic Wildlife.* — No exotic species shall be introduced into the country, unless a clearance from the Secretary or the authorized representative is first obtained. In no case shall exotic species be introduced into protected areas covered by Republic Act No. 7586 and to critical habitats under Section 25 hereof. In cases where introduction is allowed, it shall be subject to environmental impact study which shall focus on the bioecology, socioeconomic and related aspects of the area where the species will be introduced. The proponent shall also be required to secure the prior informed consent from the local stakeholders.

SEC. 14. *Bioprospecting.* — Bioprospecting shall be allowed upon execution of an undertaking by any proponent, stipulating therein its compliance with and commitment(s) to reasonable terms and conditions that may be imposed by the Secretary which are necessary to protect biological diversity.

The Secretary or the authorized representative, in consultation with the concerned agencies, before granting the necessary permit, shall require that prior informed consent be obtained by the applicant from the concerned indigenous cultural communities, local communities, management board under Republic Act No. 7586 or private individual or entity. The applicant shall disclose fully the intent and scope of the bioprospecting activity in a language and process understandable to the community. The prior informed consent from the indigenous peoples shall be obtained in accordance with existing laws. The action on the bioprospecting proposal by concerned bodies shall be made within a reasonable period.

Upon submission of the complete requirements, the Secretary shall act on the research proposal within a reasonable period.

If the applicant is a foreign entity or individual, a local institution should be actively involved in the research, collection and, whenever applicable and appropriate, in the

technological development of the products derived from the biological and genetic resources.

SEC. 15. *Scientific Researches on Wildlife.* — Collection and utilization of biological resources for scientific research and not for commercial purposes shall be allowed upon execution of an undertaking/agreement with and issuance of a gratuitous permit by the Secretary or the authorized representative: *Provided*, That prior clearance from concerned bodies shall be secured before the issuance of the gratuitous permit: *Provided, further*, That the last paragraph of Section 14 shall likewise apply.

SEC. 16. *Biosafety.* — All activities dealing on genetic engineering and pathogenic organisms in the Philippines, as well as activities requiring the importation, introduction, field release and breeding of organisms that are potentially harmful to man and the environment shall be reviewed in accordance with the biosafety guidelines ensuring public welfare and the protection and conservation of wildlife and their habitats.

SEC. 17. *Commercial Breeding or Propagation of Wildlife Resources.* — Breeding or propagation of wildlife for commercial purposes shall be allowed by the Secretary or the authorized representative pursuant to Section 6 through the issuance of wildlife farm/culture permit: *Provided*, That only progenies of wildlife raised, as well as unproductive parent stock shall be utilized for trade: *Provided, further*, That commercial breeding operations for wildlife, whenever appropriate, shall be subject to an environmental impact study.

SEC. 18. *Economically Important Species.* — The Secretary, within one (1) year after the effectivity of this Act, shall establish a list of economically-important species. A population assessment of such species shall be conducted within a reasonable period and shall be regularly reviewed and updated by the Secretary.

The collection of certain species shall only be allowed when the results of the assessment show that, despite certain extent of collection, the population of such species can still remain viable and capable of recovering its numbers. For this purpose, the Secretary shall establish a schedule and volume of allowable harvests. Whenever an economically important species become threatened, any form of collection shall be prohibited except for scientific, educational or breeding/propagation purposes, pursuant to the provisions of this Act.

SEC. 19. *Designation of Management and Scientific Authorities for International Trade in Endangered Species of Wild Fauna and Flora.* — For the implementation of international agreement on international trade in endangered species of wild fauna and flora, the management authorities for terrestrial and aquatic resources shall be the Protected Areas and Wildlife Bureau (PAWB) of the DENR and the Bureau of Fisheries and Aquatic Resources (BFAR) of the DA, respectively and that in the Province of Palawan the implementation hereof is vested to the Palawan Council for Sustainable Development pursuant to Republic Act No. 7611.

To provide advice to the management authorities, there shall be designated scientific authorities for terrestrial and aquatic/marine species. For the terrestrial species, the scientific authorities shall be the Ecosystems Research and Development Bureau (ERDB) of the DENR, the U.P. Institute of Biological Sciences