

Joint DA-DENR-DILG Administrative Order

No. __, Series of 2012

**SUBJECT: GUIDELINES FOR THE HARMONIZED
IMPLEMENTATION OF REGULATIONS ON DOMESTIC
TRADE OF WILDLIFE UNDER THE JURISDICTION OF
THE DEPARTMENT OF ENVIRONMENT AND NATURAL
RESOURCES**

Pursuant to the provisions of Republic Act (RA) No. 9147 ("Wildlife Resources Conservation and Protection Act of 2001"), RA 8485 ("Animal Welfare Act of 1998"), and RA 7160 ("Local Government Code of 1991"), the following guidelines are hereby promulgated:

Section 1. Basic Principles and Policies.

- a. It is the policy of the State to conserve the country's wildlife resources and their habitats for sustainability.
- b. It is also the policy of the State to protect and promote the welfare of all animals in the Philippines by supervising and regulating the establishment and operations of all facilities utilized for breeding, maintaining, keeping, treating or training of all animals either as objects of trade or as household pets.
- c. It is the policy of the State as well to provide for a more responsive and accountable local government structure instituted through a system of decentralization. An operative principle of decentralization is that Local Government Units (LGU) shall share with the national government the responsibility in the management and maintenance of ecological balance within their territorial jurisdiction, subject to the laws and national policies.

Section 2. Objectives. - In furtherance of the above policies, the Department of Agriculture (DA) and the Department of Environment and Natural Resources (DENR) shall coordinate and harmonize their implementation of the laws, rules and regulations relevant to domestic trade of wild terrestrial faunal species in order to better prevent illegal wildlife trade.

The Department of Interior and Local Government (DILG) shall help ensure that local government units (LGUs) play an active role in the fight against illegal wildlife trade.

This Joint Administrative Order has the following specific objectives:

- a. To harmonize the agency procedures in the regulation of wildlife trade, particularly in the issuance of required permits, and to facilitate compliance thereto by legitimate wildlife traders;

- b. To provide guidelines for enhanced interagency coordination in the issuance of wildlife-related permits;
- c. To ensure proper and timely assistance from LGU in the enforcement of laws, rules and regulations on wildlife trade; and
- d. To provide a mechanism for interagency monitoring of compliance by legitimate wildlife permit holders as well as of illegal activities involving wildlife.

Section 3. *Scope and Coverage.* - This Joint Administrative Order shall apply to all terrestrial wild animal species, all turtles and tortoises and wetland species, including but not limited to crocodiles, waterbirds and all amphibians and dugong.

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

- a. *Animal Welfare* - the health and safety of the animals;
- b. *BAI* - Bureau of Animal Industry of DA;
- c. *BLGS* - Bureau of Local Government Supervision of the DILG;
- d. *Certificate of Wildlife Registration* - a document issued by the DENR;
- e. *Collection or collecting* - the act of gathering or harvesting wildlife, its by-products or derivatives;
- f. *Illegal trading of wildlife* - engaging in the exchange, exportation or importation, purchase or sale of wildlife without the proper DENR wildlife permits;
- g. *Illegal transporting of wildlife* - carrying or conveying wildlife or wildlife products from one place to another without the proper DENR wildlife permits;
- f. *Local Transport Permit* - the permit issued by the DENR authorizing an individual or entity to bring, carry or ship wildlife, by-products or derivatives acquired from legal sources from the point of origin to the final destination within the country;
- g. *PAWB* - Protected Areas and Wildlife Bureau of the DENR;
- h. *Pet Shop* - an establishment that offers for sale, either wholesale or retail, various pet animals;

- i. *Quarantine/Vetererinary Certificate* - a document issued by the BAI for animals certifying that these are free from evidence of dangerous communicable animal diseases or exposure thereto;
- j. *Trade* - the act of engaging in the exchange, exportation or importation, purchase or sale of wildlife, their derivatives or by-products, locally or internationally;
- k. *Wildlife* - wild forms and varieties of fauna, in all developmental stages, including those which are in captivity or are being bred or propagated, under the jurisdiction of the DENR, specifically all terrestrial plant and animal species, all turtles and tortoises and wetland species, including but not limited to crocodiles, waterbirds and all amphibians and dugong;
- l. *Wildlife by-products* - Any part taken from wildlife species such as meat, hides, antlers, feathers, leather, fur, internal organs, bones, roots, trunks, barks, petioles, leaf fibers, branches, leaves, stems, flowers, scales, scutes, shells, coral parts, carapace and the like, or whole dead body of wildlife in its preserved/stuffed state, including compounds indirectly produced in a bio-chemical process or cycle;
- m. *Wildlife derivatives* - A substance/material extracted or taken from wildlife such as but not limited to blood, saliva, oils, resins, genes, gums, honey, cocoon, fur, tannin, urine, serum, spores, pollen and the like; a compound directly or indirectly produced from wildlife and/or products produced from wildlife and wildlife products;
- n. *Wildlife Farm Permit* - a permit issued by the DENR to develop, operate and maintain a wildlife breeding farm for conservation, trade and/or scientific purposes.

Section 5. *Roles and Responsibilities of the DA.* - The DA, through the BAI, shall:

- a. Provide training and materials to LGUs on animal welfare regulation and the role of LGUs;
- b. Provide information, education and communication materials on animal welfare laws, rules and regulations;
- c. Check whether the wildlife or wildlife products are properly marked in accordance with DENR guidelines and require compliance thereto;
- d. Require the prior presentation by permit applicants of the proper DENR wildlife permits for trading and transporting of wildlife, or in the alternative, incorporate in each local shipping permit a statement that such local shipping

permit to transport wildlife is not valid without the necessary clearance/permit obtained from the concerned DENR Regional Office;

- e. Assist the DENR in raising awareness on laws on wildlife resources, particularly the legal requirements for possession, trade and transport of wildlife and wildlife by-products;
- f. Regularly provide DENR with relevant information on illegal wildlife trade and transport obtained from its sector; and
- g. Ensure that there is a separate category for "wildlife trade" in all checklists for industry type or kind/line of business in certification or transport permit application forms.

Section 6. *Roles and Responsibilities of the DENR.* - The DENR, through its regional offices and/or the PAWB, shall:

- a. Provide training and materials to LGUs on wildlife trade regulation in order to enhance LGU capacity and role in combating illegal wildlife trade;
- b. Provide information, education and communication materials to raise awareness on conservation and protection of wildlife species and on the prohibition and criminal liabilities for illegal wildlife trade and other violations of the Wildlife Act;
- c. Coordinate with LGUs in the apprehension and prosecution of those engaged in illegal trading of animals;
- d. Provide technical assistance to LGUs in the drafting of local ordinances to support and supplement national regulations on the protection of wildlife and local trade thereof;
- e. Train appropriate LGU officers and employees as Wildlife Enforcement Officers (WEOs); and
- f. Strengthen public participation in detection and reporting of illegal wildlife trade activities.

Section 7. *Roles and Responsibilities of the DILG.* - The DILG shall:

- a. Enjoin all local chief executives and presiding officers of concerned Sanggunians and other concerned to support the implementation of the Wildlife Act and the Animal Welfare Act as well as their respective implementing rules and regulations and pertinent national policies related thereto;

- b. Reiterate to LGUs, through an appropriate issuance, the requirement of proper DENR wildlife permit and/or clearance for persons and entities engaged in the trade of wildlife and the cancellation of the business permits of persons and entities involved in illegal trading of wildlife;
- c. Cause the widest dissemination of this Joint Administrative Order to all LGUs;
- d. Through the BLGS, assist the DENR and the DA in monitoring LGU compliance;
- e. Encourage the designation by LGUs of their respective Environment and Natural Resources Officer;
- f. Encourage LGUs to enact local ordinances to support and supplement national regulations on local wildlife in their respective territorial jurisdictions;
- g. Assist LGUs in enacting local ordinances to support and supplement national regulations on local wildlife in their respective territorial jurisdictions;
- h. Assist the DENR in raising awareness on laws on wildlife resources, particularly the legal requirements for possession, trade and transport of wildlife and wildlife by-products;
- i. Require LGUs to report and provide information on illegal wildlife trade and transport to the DENR for monitoring and law enforcement purposes; and
- j. Ensure that there is a separate category for "wildlife trade" in all checklists for industry type or kind/line of business in business permit and other application forms.

Section 8. *Public Participation.* - The participation of the citizens in compliance monitoring of wildlife permit holders as well as in providing information on illegal wildlife trade shall be encouraged.

Section 9. *Funding.* - All necessary expenses for the implementation of these guidelines and compliance monitoring of permit holders shall be chargeable to the regular budgets of the respective agencies, or from the Wildlife Monitoring Fund consistent with relevant laws, rules and regulations.

Section 10. *Separability.* - If any provision of this Joint Administrative Order is declared unconstitutional, the remaining provisions shall not be affected and shall remain in full force and effect.

Section 11. *Repealing Clause.* - All previous orders, rules and regulations inconsistent with the provisions of this Joint Administrative Order are hereby repealed or modified accordingly.

Section 12. *Effectivity Clause.* - This Order shall take effect immediately.

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