



## HOUSE OF REPRESENTATIVES

H. No. 5421

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BY REPRESENTATIVES LAGMAN, MATUGAS, ABAYA, MANDANAS,  
DIMAPORO (F.), AGGABAO AND PADILLA, PER COMMITTEE REPORT  
No. 1491

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AN ACT ESTABLISHING AN "ADOPT-A-WILDLIFE SPECIES  
PROGRAM", PROVIDING INCENTIVES THEREFOR AND FOR  
OTHER PURPOSES

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

1           SECTION 1. *Title.* – This Act shall be known as the "Adopt-a-Wildlife  
2 Species Act of 2011".

3           SEC. 2. *Declaration of Policy.* – The State is mandated under  
4 Section 16, Article II of the Constitution to "protect and advance the right of  
5 the people to a balanced and healthful ecology in accord with the rhythm and  
6 harmony of nature". Towards this end, Republic Act No. 9147, otherwise  
7 known as the "Wildlife Conservation and Protection Act", enumerates the  
8 policy to conserve the country's wildlife resources and their habitats for  
9 sustainability by: (a) conserving and protecting wildlife species and their  
10 habitat to promote ecological balance and enhance biological diversity;  
11 (b) regulating the collection and trade of wildlife; (c) pursuing, with due regard  
12 to the national interest, the Philippine commitment to international conventions

1 on the protection of wildlife and their habitats; and (d) initiating or supporting  
2 scientific studies on the conservation of biological diversity.

3 Consistent with this policy, the State under Republic Act No. 7586 has  
4 established a National Integrated Protected Areas System (NIPAS) covering  
5 habitats of rare, threatened and endangered species of plants and animals along  
6 with biographic zones and related ecosystems.

7 **SEC. 3. *Adopt-a-Wildlife Species Program.*** – Pursuant to the  
8 aforesaid national policy, there is hereby established an “Adopt-a-Wildlife  
9 Species Program” which shall be implemented in all appropriate areas of the  
10 country with the active participation, involvement and assistance of the local  
11 government units (LGUs), nongovernment organizations (NGOs), people’s  
12 organizations (POs), civil society groups and private individuals.

13 The program shall have the following objectives:

14 (a) To conserve and protect biological diversity and promote  
15 ecological sustainable development;

16 (b) To prevent species extinction and promote the protection of  
17 threatened species and their habitats; and

18 (c) To encourage the conservation of threatened species and their  
19 habitats through the active participation of the private sector and all other  
20 sectors of society.

21 **SEC. 4. *Memorandum of Agreement.*** – A memorandum of agreement  
22 (MOA) stipulating the terms and conditions of the adoption shall be executed  
23 by and between the adopting entity or individual and the Secretary of the  
24 Department of Environment and Natural Resources (DENR) or the Secretary  
25 of the Department of Agriculture (DA) or the Chairman of the Palawan  
26 Council for Sustainable Development (PCSD), or their duly authorized  
27 representatives, whichever government agency has jurisdiction over the  
28 selected wildlife species, in accordance with Republic Act No. 9147.

1           The above parties, in preparing the MOA and in deciding the terms and  
2 conditions to be included in it, must consider the following:

3           (a) The most efficient and effective use of available resources for the  
4 conservation and protection of threatened species and/or its habitat;

5           (b) The minimization of any significant adverse social and economic  
6 consequences;

7           (c) The measures by which the public may cooperate in the  
8 conservation of a threatened species and/or its habitat;

9           (d) The special interest or knowledge that indigenous people may have  
10 in the species and habitat concerned; and

11           (e) The acquisition of expert and professional assistance.

12           The MOA shall among others:

13           (1) Identify the threatened species and/or its habitat that will be  
14 covered by the program;

15           (2) Identify any process or processes that threaten the species and/or its  
16 habitat;

17           (3) Specify measures to be undertaken to ensure the conservation and  
18 protection of the threatened species and/or its habitat;

19           (4) Enumerate performance indicators that are to be used in evaluating  
20 the conservation and protection of the threatened species and/or its habitat; and

21           (5) Identify the private organizations or individuals and/or public  
22 authorities who may be involved in the implementation of the measures  
23 included in the MOA.

24           The MOA shall be effective for at least two (2) years, which may be  
25 extended upon mutual agreement of the parties: *Provided*, That such period  
26 may be shortened in the event the adopting entity is dissolved or the adopting  
27 individual dies without any willing and qualified successor before the

1 expiration of the contract period, unless the MOA is earlier terminated in  
2 accordance with Section 6 hereof: *Provided, further,* That if the adopting  
3 entity or individual chooses to assign the implementation of the program to  
4 another qualified entity or individual, such assignment shall be in writing to be  
5 approved by the head of the government agency concerned or the person's duly  
6 authorized representative.

7         **SEC. 5. *National Technical Committee and Regional Monitoring***  
8 ***Committee.*** – The Secretary of the DENR, the Secretary of the DA and the  
9 Chairman of the PCSD shall establish in their respective agencies the following  
10 committees:

11         (a) A National Technical Committee (NTC) composed of ranking  
12 officials and experts in the field of wildlife conservation and management,  
13 including representatives from the private sector who are engaged in  
14 biodiversity conservation, to formulate the design and mechanics of the  
15 implementation of the program. The NTC shall likewise meet once every three  
16 (3) months or as often as necessary to process project proposals submitted by  
17 parties interested in participating in the program, and submit appropriate  
18 recommendations to the concerned government agency head; and

19         (b) A Regional Monitoring Committee (RMC) composed of ranking  
20 regional and PCSD officials down to the provincial and municipal/community  
21 levels, to conduct periodic monitoring, review and evaluation of the  
22 performance of the adopting entity or individual, the results of which shall be  
23 the basis in granting the tax exemption to the adopting entity or individual  
24 under Section 7 hereof, or in the pretermination of the MOA when deemed  
25 appropriate like in cases of abandonment or insolvency of the adopting entity  
26 or individual or its serious violations of the MOA.

1           SEC. 6. *Obligations of the Adopting Entity or Individual.* – The  
2 following shall be the obligations of the adopting entity or individual:

3           (a) Comply strictly with the terms and conditions stipulated in the  
4 MOA referred to in Section 4 hereof; and

5           (b) Perform such other obligations or undertakings as may be required  
6 by the national government agency having jurisdiction over the subject wildlife  
7 species consistent with the conservation policies enunciated in Republic Act  
8 No. 9147.

9           SEC. 7. *Tax Exemption.* – Any donation, contribution, request or  
10 grant which shall be made to the “Adopt-a-Wildlife Species Program” by the  
11 adopting entity or individual shall be exempt from the donor’s tax and the  
12 same shall be considered as allowable deduction from gross income in the  
13 computation of the donor’s income tax, in accordance with the provisions of  
14 the National Internal Revenue Code of 1997, as amended.

15           SEC. 8. *Appropriations.* – The amount necessary for the initial  
16 implementation of this Act shall be charged against the current year’s  
17 appropriations of the DENR, the DA and the PCSD. Thereafter, such amounts  
18 as may be necessary for its continued implementation shall be included in the  
19 annual General Appropriations Act.

20           SEC. 9. *Implementing Rules and Regulations.* – The Secretary of the  
21 DENR, the Secretary of the DA and the Chairman of the PCSD, or their duly  
22 authorized representatives, shall, in consultation with the Department of  
23 Finance, jointly formulate the rules and regulations to implement the relevant  
24 provisions of this Act.

25           SEC. 10. *Separability Clause.* – If any provision of this Act is  
26 declared unconstitutional, the validity of the other provisions shall not be  
27 affected by such declaration.

1           SEC. 11. *Repealing Clause.* – All laws, decrees, orders, rules and  
2 regulations or parts thereof inconsistent with this Act are hereby repealed or  
3 modified accordingly.

4           SEC. 12. *Effectivity.* – This Act shall take effect fifteen (15) days  
5 after its publication in the *Official Gazette* or in two (2) newspapers of general  
6 circulation.

Approved,

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