



**Excerpts Minutes of the 178<sup>th</sup> PCSD Regular Meeting**  
**PSDTI Training Hall, RVMCSD**  
**Barangay Irawan, Puerto Princesa City**  
**29 July 2011**

**Present:**

- |   |                   |
|---|-------------------|
| 1. Gov. Abraham Kahlil B. Mitra, Provincial Governor      | -Chairperson      |
| 2. Hon. David A. Ponce de Leon, Co-author of R.A. 7611    | -Vice Chairperson |
| 3. Hon. Alfredo E. Abueg, Jr., Past PCSD Chairperson      | -Member           |
| 4. Hon. Vicente A. Sandoval, Past PCSD Chairperson        | -Member           |
| 5. Dir. Romeo B. Dorado, OIC – Executive Director, PCSDS  | -Member           |
| 6. Usec. Manuel D. Gerochi, DENR                          | -Member           |
| 7. Mr. Rey M. Rafols, Private Sector Representative       | -Member           |
| 8. P/S Supt Reynaldo B Jagmis, PNP                        | -Member           |
| 9. COMMO Joseph Rostum O Peña, NAVFORWEST                 | -Member           |
| 10. Comm. Dionesia O. Banua, NCIP                         | -Member           |
| 11. Hon. Ramon A. Zabala, President, Liga ng mga Barangay | -Member           |
| 12. Hon. Edilberto M. De Luna, DA                         | -Member           |
| 13. Atty. Nesario G. Awat, NGO Representative             | -Member           |

**Duly Represented:**

- |  |         |
|--|---------|
| 14. Hon. Mario T. Reyes, President, League of Municipalities<br>Represented by Mayor Evelyn V. Rodriguez | -Member |
| 15. Vice Gov. Clara E. Reyes, Sangguniang Panlalawigan<br>Represented by Hon. Frederick F. Abueg         | -Member |
| 16. Hon. Edward S. Hagedorn, Mayor City of Puerto Princesa<br>Represented by Mr. Rogelio C. Daquer       | -Member |
| 17. MGEN Juancho M Sabban AFP, Commander, WesCom<br>Represented by Capt Rosauro M Sarmiento, Jr. PN      | -Member |

**Absent**

- |   |         |
|---|---------|
| 18. Sec. Cayetano W. Paderangga, NEDA                         | -Member |
| 19. Pros. Alen Ross B. Rodriguez, Office of Prov'l Prosecutor | -Member |

---

**PCSD Resolution No. 11-423**

---

**“APPROVING PCSD ADMINISTRATIVE ORDER NO. 12, OTHERWISE KNOWN AS THE DETAILED GUIDELINES IN THE IMPLEMENTATION OF REPUBLIC ACT NO. 9147 AND JOINT DENR-DA-PCSD ADMINISTRATIVE ORDER NO. 01 AS MAY BE MADE APPLICABLE IN THE PROVINCE OF PALAWAN”**

*“PCSDS: Working together towards sustaining the future.”*

**Head Office :**

PCSD Building Sports Complex Road  
Sta. Monica Heights, Puerto Princesa City, Palawan  
P.O. Box 45 PPC 5300 Palawan, Philippines  
☎ (048) 434-4235 • Telefax: 434-4243  
Email: oed@pcsd.ph • Website: pcsd.ph

**Metro Manila Liaison Office**

Units 403 / 404 The One Executive Office Bldg.,  
5 West Ave. cor Col. Martinez St., Quezon City  
☎ 376-2060 / 2061

WHEREAS, R.A. 7611, otherwise known as the Strategic Environmental Plan (SEP) for Palawan, took effect on 19 June 1992, Section 6 of which provides that the SEP shall serve as the framework to guide the government agencies concerned in the formulation of plans, programs and projects affecting the environment and natural resources of Palawan;

WHEREAS, Section 2 thereof declares the policy of the State to protect, develop and conserve its natural resources towards which, it shall assist and support the implementation of plans, programs and projects formulated to preserve and enhance the environment, and at the same time pursue the socioeconomic development goals of the country; that it shall support and promote the sustainable development goals for the provinces through proper conservation, utilization and development of natural resources to provide optimum yields on a continuing basis;

WHEREAS, this same law provides that the SEP shall have, as its general philosophy, the sustainable development of Palawan, which is the improvement in the quality of life of its people in the present and future generations through the use of complementary activities of development and conservation that protect life-support ecosystems and rehabilitate exploited areas to allow upcoming generations to sustain development growth;

WHEREAS, Section 7 of the same provides that the SEP shall establish, as its main strategy, a graded system of protection and development control over the whole of Palawan, including its tribal lands, forests, mines, agricultural areas, settlement areas, small islands, mangroves, coral reefs, seagrass beds and the surrounding sea, known as the Environmentally Critical Areas Network (ECAN), and which shall ensure the following: **forest conservation and protection; protection of watersheds; preservation of biological diversity;** protection of tribal people and the preservation of their culture; **maintenance of maximum sustainable yield; protection of the rare and endangered species and their habitat; provision of areas for environmental and ecological research, education and training;** and provision of areas for tourist and recreation;

WHEREAS, Section 16 thereof provides that the governance, implementation and policy direction of the SEP shall be exercised by the Palawan Council for Sustainable Development (PCSD);

WHEREAS, on July 30, 2001, Republic Act No. 9147, otherwise known as the Wildlife Resources Conservation and Protection Act, was passed into law to carry out the declared policy of the State to "conserve the country's wildlife resources and their habitats for sustainability";

WHEREAS, Section 4 of the same law provides that the Council shall be the lead implementing agency in the Province of Palawan pursuant to Republic Act No. 7611 or the Strategic Environmental Plan for Palawan;

WHEREAS, the Joint DENR-DA-PCSD Administrative Order No. 01, otherwise known as the Implementing Rules and Regulations (IRR) of Republic Act 9147 was promulgated to prescribe the procedures and guidelines for the implementation of the Wildlife Resources Conservation and Protection Act, which administrative order is made applicable in the whole of the Philippine territory;

WHEREAS, most of the provisions of said administrative order require the implementation of Wildlife Act in the Province of Palawan as may be detailed by this Council;

WHEREFORE, for and in consideration of the above premises, upon motion, duly seconded, be it RESOLVED, as it is hereby resolved, TO APPROVE , as it is hereby APPROVED, PCSD ADMINISTRATIVE ORDER NO. 12, otherwise known as the

DETAILED GUIDELINES IN THE IMPLEMENTATION OF REPUBLIC ACT NO. 9147 AND JOINT DENR-DA-PCSD ADMINISTRATIVE ORDER NO. 01, which Administrative Order is marked as Annex "A" hereunto attached as integral part of this resolution.

**RESOLVED FURTHER**, that copies of this Resolution and the herein attached Administrative Order No. 12 be distributed to all concerned agencies of the government for information and appropriate action on provisions related to or complementary to the exercise of their respective mandates.

**RESOLVED FINALLY**, that copies of this Resolution and the herein attached Administrative Order No. 12 be published in newspaper of general circulation and furnished to the Office of the National Administrative Registrar (ONAR) at UP Law Center, Diliman, Quezon City as required under existing laws;

-----

We hereby certify that the above-quoted Resolution has been duly approved and adopted by the PCSD on the 29<sup>th</sup> day of July 2011 at Puerto Princesa City.

  
**ROMEO B. DORADO**  
Secretary

**APPROVED FOR THE COUNCIL:**

  
**ABRAHAM KAHLIL B. MITRA**  
Chairman

DETAILED GUIDELINES IN THE IMPLEMENTATION OF REPUBLIC ACT NO. 9147 AND JOINT DENR-DA-PCSD ADMINISTRATIVE ORDER NO. 01, which Administrative Order is marked as Annex "A" hereunto attached as integral part of this resolution.

**RESOLVED FURTHER**, that copies of this Resolution and the herein attached Administrative Order No. 12 be distributed to all concerned agencies of the government for information and appropriate action on provisions related to or complementary to the exercise of their respective mandates.

**RESOLVED FINALLY**, that copies of this Resolution and the herein attached Administrative Order No. 12 be published in newspaper of general circulation and furnished to the Office of the National Administrative Registrar (ONAR) at UP Law Center, Diliman, Quezon City as required under existing laws;

-----

We hereby certify that the above-quoted Resolution has been duly approved and adopted by the PCSD on the 29<sup>th</sup> day of July 2011 at Puerto Princesa City.

  
**ROMEO B. DORADO**  
Secretary

**APPROVED FOR THE COUNCIL:**

**ABRAHAM KAHLIL B. MITRA**  
Chairman



Republic of the Philippines  
**OFFICE OF THE PRESIDENT**  
**PALAWAN COUNCIL FOR SUSTAINABLE DEVELOPMENT**

Annex "A"  
PCSD Resolution No. 11-423

**PCSD ADMINISTRATIVE ORDER NO. 12**  
**Series of 2011**



**SUBJECT: DETAILED GUIDELINES IN THE IMPLEMENTATION OF  
REPUBLIC ACT NO. 9147 AND JOINT DENR-DA-PCSD  
ADMINISTRATIVE ORDER NO. 01 AS MAY BE MADE  
APPLICABLE IN THE PROVINCE OF PALAWAN**

**CHAPTER I**  
**PRELIMINARY PROVISIONS**

**Section 1. Jurisdiction.** The Palawan Council for Sustainable Development (PCSD), pursuant to RA No. 7611 (Strategic Environmental Plan for Palawan Act), Section 4 of RA 9147 and Section 4.2 of DENR-DA-PCSD Administrative Order No. 01, shall exercise jurisdiction over all terrestrial and aquatic wildlife species found in the Province of Palawan.

All existing DENR wildlife conservation projects of national concern/ significance located in Palawan, such as but not limited to the Palawan Wildlife Rescue and Conservation Center (PWRCC, formerly Crocodile Farming Institute) and the Philippine Cockatoo Conservation Program (PCCP) shall continue to be under the management and jurisdiction of the DENR.

Mangrove areas in Palawan released for fishpond purposes prior to the issuance of Presidential Proclamation No. 2152, covered by Fishpond Lease Agreements and already fully developed into fishponds shall continue to be under the management and jurisdiction of the Bureau of Fisheries and Aquatic Resources.

The management of wildlife resources found within protected areas shall be governed by RA 7586 (NIPAS Act). Their utilization, however, of whatever nature contemplated under the provisions hereof shall be governed by this Order.

The utilization of wildlife resources found within ancestral domains/ancestral lands shall be subject to the issuance of a Free and Prior Informed Consent pursuant to the RA 8371 (Indigenous Peoples Rights Act of 1997 or IPRA).

**Section 2. Scope of Application.** The provisions of this Order shall apply to all terrestrial and aquatic wildlife species found in the Province of Palawan.

This Order shall be supplementary to the provisions of R.A. 9072 (National Caves and Cave Resources Management and Protection Act) and PCSD Administrative Order No. 08. Specifically, all wildlife resources found inside the caves shall be governed by this Order. In case of conflict, the provisions of this Order and subsequent issuances pursuant to R.A. 9147 shall prevail.

All activities/undertakings which are governed by this Order and issued their corresponding permits/clearances hereunder shall no longer require the prior issuance of SEP Clearance by the PCSD, except as may hereinafter provided by the PCSD.

***"PCSDS: Working together towards sustaining the future."***

**Head Office:**

PCSD Building Sports Complex Road  
Sta. Monica Heights, Puerto Princesa City, Palawan  
P.O. Box 45 PPC 5300 Palawan, Philippines  
☎ (048) 434-4235 • Telefax: 434-4234  
Email: oed@pcsd.ph • Website: pcsd.ph

**Metro Manila Liaison Office**

Units 403 / 404 The One Executive Office Bldg.,  
West Ave. cor Col. Martinez St., Quezon City  
☎ 376-2060 / 2061  
Email: pcsdsfsd@compass.com.ph

## **CHAPTER II**

### **DEFINITION OF TERMS**

**Section 3. Definition of Terms.** For purposes of this Administrative Order, the following terms shall have the following meaning:

- a. *Bio-ecology* - refers to the study of the relationships between organisms and their environment;
- b. *Biological resources* - refers to genetic resources, organisms or parts thereof, populations or any other biotic component of ecosystems with actual or potential use or value for humanity, including but not limited to, all biological specimens such as plants, seeds, tissues and other propagation materials, animals, live or preserved, whether whole or in part;
- c. *Bioprospecting* - means the research, collection and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes;
- d. *Botanical garden* - refers to an establishment where a collection of wild flora is maintained for recreational, educational, research, conservation or scientific purposes;
- e. *Burning* - refers to any act of igniting or causing to ignite any material, deliberately or otherwise, inside a critical habitat, if such fire has or may potentially cause any damage to the factors and elements of the critical habitat upon which the survival of the threatened species depend based on the assessment establishing the habitat as critical;
- f. *By-products* - refers to 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;
- g. *Captive-breeding/culture or propagation* - is the process of producing individuals under controlled conditions or with human interventions;
- h. *Certificate of Wildlife Registration* – refers to the document issued by the PCSD to any person granting the latter authority maintain wildlife species;
- i. *CITES* - refers to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, a treaty regulating international trade of fauna and flora listed in its Appendices;
- j. *CITES Export Permit* –permit authorizing an individual to bring, send or transport wildlife listed under the Appendices of the Convention on the International Trade in Endangered Species of Wild Fauna and Flora (CITES), including its by-products or derivatives, from the Philippines to other countries, in cases where such export is allowed;

- k. *CITES Import Permit* – permit authorizing an individual to bring into the Philippines wildlife listed under CITES Appendices, including its by-products or derivatives, from other countries;
- l. *CITES Re-export Permit* – permit authorizing an individual to bring out of the country wildlife listed under the CITES Appendices, including its by-products or derivatives, which were previously imported;
- m. *CITES Management Authorities* - refers to the agencies responsible for the interpretation and enforcement of the provisions of the CITES, issuance of permits and certificates, and monitoring the trade of wildlife from and into the country;
- n. *CITES Scientific Authorities* - refers to the agencies or institutions that provide advice to the Management Authority on whether or not the exportation or importation of wildlife is detrimental to the survival of the species in the wild;
- o. *Collection or collecting* - is the act of gathering or harvesting wildlife, its by-products or derivatives;
- p. *Commercial purposes* – activities undertaken to obtain economic benefit, including profit (whether in cash or in kind) and is directed toward resale, exchange, provision of a service or other form of economic use or benefit;
- q. *Commercial Research Agreement* - refers to the agreement or undertaking entered into by the PCSD and a private or public person or entity allowing the latter to conduct prospecting of biological and genetic resources;
- r. *Conservation* - means preservation and sustainable utilization of wildlife, and or maintenance, restoration and enhancement of the habitat;
- s. *Conservation breeding* – the process of producing aquatic wildlife under controlled condition or with human intervention for possible release to the wild or other conservation or scientific purposes;
- t. *Council* - refers to the Palawan Council for Sustainable Development (PCSD), acting as a collegial body;
- u. *Critical habitats* - refers to areas, aside from those protected areas under Republic Act 7586, that are known habitats of threatened species and designated as such based on scientific data taking into consideration species endemism and/or richness, presence of man-made pressures/threats to the survival of wildlife living in the area, among others;
- v. *Critically endangered species* - refers to a species or subspecies that is facing extremely high risk of extinction in the wild in the immediate future;
- w. *Derivative* - refers to 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;
- x. *Domesticated species* - refers to animals that have been in association with mankind for a long time, bred for a special purpose and have no genetically similar form in the wild;

- y. *Dumping* - refers to the act of depositing any material inside the critical habitat without any intention of retrieval or future use which may potentially cause any damage to the factors and elements of the critical habitat upon which the survival of the threatened species depend, based on the assessment establishing the habitat as critical;
- z. *Economically important species* - means species which have actual or potential value in trade or utilization for commercial purpose;
- aa. *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;
- bb. *Endemic species* - means species or subspecies which is naturally occurring and found only within specific areas in the country;
- cc. *Exotic species* - means species or subspecies which do not naturally occur in the country;
- dd. *Exportation* – the act of bringing aquatic wildlife, its by-products or derivatives out of the country;
- ee. *Export permit* - refers to a permit authorizing an individual to bring out wildlife from the Philippines to any other country;
- ff. *Gratuitous permit* - means a privileged permit issued to any individual, academic, research institution or organization to capture/harvest and transport wildlife species from the natural habitat for noncommercial scientific or educational undertaking;
- gg. *Habitat* - means a place or environment where a species or subspecies naturally occur or has naturally established its population;
- hh. *Hunting* - refers to collection of wild fauna for food and/or recreational purposes with the use of weapons such as guns, bow and arrow, spear and the like;
- ii. *Importation* – the act of bringing wildlife, by-products or derivatives into the country;
- jj. *Import permit* - refers to a permit authorizing an individual to bring in wildlife from another country;
- kk. *Indigenous Cultural Communities (ICC) or Indigenous Peoples (IPs)* - refers to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from majority of Filipinos.

ICCs/IPs shall likewise include people who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains;



- ll. *Indigenous wildlife* - means species or subspecies of wildlife naturally occurring or has naturally established population in the country;
- mm. *Introduction* - means bringing species into the wild that is outside its natural habitat;
- nn. *Large-scale farming* – commercial breeding of wildlife species with capital of more than one million and five hundred thousand pesos (P1,500,000.00);
- oo. *Local Transport Permit* - refers to the permit 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;
- pp. *Logging* - refers to any felling of tree within a designated critical habitat;
- qq. *Medium-scale farming* - commercial breeding of wildlife with capital of more than five hundred thousand (P500,000.00) to one million five hundred thousand pesos (P1,500,000.00);
- rr. *Mineral* - refers to any naturally occurring inorganic substance in solid, liquid, gas or any intermediate state excluding energy materials such as coal, petroleum, natural gas, radioactive materials and geothermal energy;
- ss. *NGOs* - refers to non-government organizations; a nonstock, non-profit voluntary organization that is committed to the task of socio-economic and sustainable development and is established primarily for service;
- tt. *Non-CITES Export Permit* – permit authorizing an individual to bring, send or transport non-CITES wildlife, including its by-products or derivatives, from the Philippines to other countries, in cases where such export is allowed;
- uu. *Non-CITES Import Permit* – permit authorizing an individual to bring into the Philippines non-CITES wildlife, including its by-products or derivatives, from other countries;
- vv. *Non-CITES Re-export Permit* – permit authorizing an individual to bring out of the country non-CITES wildlife, including its by-products or derivatives, which were previously imported;
- ww. *Other threatened species* - refers to species or subspecies that is not critically endangered, endangered nor vulnerable but is under threat from adverse factors, such as over collection, throughout their range and is likely to move to the vulnerable category in the near future;
- xx. *Other wildlife species* - as used under Section 28 of the Act, refers to non-threatened species that have the tendency to become threatened due to predation and destruction of habitat or other similar causes as may be listed by the Secretary upon the recommendation of the National Wildlife Management Committee;
- yy. *PAMB* - refers to the Protected Area Management Board, a decision making body created by RA 7586 which exercises jurisdiction over a protected area within its area of responsibility;
- zz. *PCSDS* - refers to the Palawan Council for Sustainable Development Staff under Section 20 of Republic Act No. 7611;

- aaa. *POs* - refers to peoples' organizations; a group of people, which may be an association, cooperative, federation, or other legal entity, established by the community to undertake collective action to address community concerns and need and mutually share the benefits from the endeavor;
- bbb. *Prior Informed Consent* - refers to the consent obtained by the applicant from the Local Community, Indigenous Peoples, or Private Land Owner concerned, after disclosing fully the intent and scope of the bio-prospecting activity, in a language and process understandable to the community, and before any wildlife collection activity is undertaken;
- ccc. *Propagated species* - refers to plants which have been cultured by man or produced through human intervention;
- ddd. *Re-export permit* - refers to a permit authorizing an individual to bring out of the country a previously imported wildlife;
- eee. *Re-introduction* - refers to the attempt of re-establishing the population of a species or subspecies of wildlife in a location where it has historically occurred but is now extinct;
- fff. *Restocking* - refers to the process of replenishing an existing population of wildlife with additional individuals of the same species or subspecies within its range;
- ggg. *Small-scale Farming* – commercial breeding of wildlife with a capital of five hundred thousand pesos (P500,000.00) or less.
- hhh. *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;
- iii. *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;
- jjj. *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;
- kkk. *Transport permit* - means a permit issued authorizing an individual to bring wildlife from one place to another within the territorial jurisdiction of the Philippines;
- lll. *Vulnerable species* - refers to species or subspecies that is critically neither 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;
- mmm. *Wildlife* - refers to wild forms and varieties/strains of flora and fauna, in all developmental stages, such as but not limited to eggs, pupae, seedlings including those which are in captivity or are being bred or propagated; flora and fauna or those not covered by any legally accepted document stating that the same is a product of registered captive-breeding/ propagation shall be presumed to be in wild form;
- nnn. *Wildlife Rescue Center* - refers to a repository of confiscated, donated, retrieved, turned-over or abandoned wildlife species; an establishment where sick, injured, confiscated wildlife are temporarily kept and rehabilitated prior to their release to their natural

habitat or implementation of other modes of disposition as may be authorized under existing guidelines;

ooo. *Wildlife collector's permit* - means a permit to take or collect from the wild certain species and quantities of wildlife for commercial purposes;

ppp. *Wildlife farm/culture permit* - means a permit to develop, operate and maintain a wildlife breeding farm for conservation, trade and/or scientific purposes;

qqq. *Wildlife Special Use Permit* – permit authorizing qualified persons to collect non-threatened economically important species for direct trade or other commercial purposes;

rrr. *Zoo/zoological park* - refers to the establishment where a collection of wild fauna is maintained for recreational, educational, research, conservation or scientific purposes.

### **CHAPTER III** **STRUCTURAL MECHANISMS**

**Section 4. Creation of Palawan Wildlife Management Committee.** In order to assist the PCSD in the implementation of this Order, the Palawan Wildlife Management Committee (PWMC) is hereby created to provide technical and scientific advice to the former. Pursuant to PCSD Resolution 08-361, the PWMC shall, for purposes of supervision, be considered as a sub-committee of the PCSD ENR Committee.

**Section 4.1. Composition.** The PWMC shall be composed of expert representatives from the following:

- 4.1.1. PCSD Staff (Co-Chair)
- 4.1.2. DENR-PAWB (Co-Chair for terrestrial wildlife)
- 4.1.3. DA-BFAR (Co-Chair for aquatic wildlife)
- 4.1.4. Academic Institutions: Palawan State University (PSU), Western Philippines University (WPU), Holy Trinity University (HTU)
- 4.1.5. DENR-PENRO
- 4.1.6. Provincial Environment and Natural Resources Office (Provincial ENRO)
- 4.1.7. Palawan NGO Network, Inc. (PNNI)
- 4.1.8. League of Municipal Mayors
- 4.1.9. Philippine National Police (PNP)
- 4.1.10. Philippine Ports Authority (PPA)
- 4.1.11. Civil Aeronautics Administration of the Philippines (CAAP)

**Section 4.2. Functions.** The PWMC shall have the following functions:

- 4.2.1. Recommend to the PCSD the introduction, re-introduction and re-stocking of endemic and indigenous wildlife species only for purposes of population enhancement and recovery;
- 4.2.2. Submit recommendations to PCSD regarding applications for the collection or use of wildlife species for trade, bioprospecting, conservation breeding of threatened wildlife, scientific researches, special uses or other purposes as maybe allowed under this Order and subsequent regulations;

- 4.2.3. Submit recommendations to PCSD on applications for the introduction of exotic species;
- 4.2.4. Recommend a list of economically important wildlife species including the schedule, volume of allowable harvest and areas of collection in consultation with concerned scientific institutions, conservation groups, stakeholders and the industry and regularly review and update such list;
- 4.2.5. Recommend to the PCSD a list of domesticated or propagated species, such as but not limited to, livestock, poultry and common ornamental plants for exclusion from the coverage of this Order;
- 4.2.6. Coordinate with the National Wildlife Management Committee (NWMC) and Regional Wildlife Management Committee (RWMC) of both the DENR and BFAR on matters affecting the wildlife species found in the Province of Palawan;
- 4.2.7. Assist in the proper implementation of RA 9147, its implementing rules and this Administrative Order.

**Section 5. Wildlife Enforcement Officers.** Individuals from different sectors of the society, such as the local government units (LGUs), non-government organizations (NGOs), citizens groups, community organizations, etc., shall be deputized by the PCSD as Wildlife Enforcement Officers (WEOs) in accordance with and for purposes of the succeeding subsections.

Also, personnel from the Philippine National Police, Armed Forces of the Philippines, National Bureau of Investigation, Philippine Coast Guard and other law enforcement agencies shall be designated by their concerned heads of office for the purpose.

In both cases, the necessary Deputation/Designation Order shall be issued as hereinafter provided.

For purposes of supervision and control, all Wildlife Enforcement Officers shall closely work with the PCSDS and shall be under the direct supervision of the PCSDS Executive Director.

This Section shall be without prejudice to Section 1, Rule 11 of the Rules of Procedure for Environmental Cases and to other existing rules on citizen's arrest.

**Section 5.1. Duties and Responsibilities of Wildlife Enforcement Officers.** The Wildlife Enforcement Officers shall perform the following functions:

- 5.1.1 Seize illegally collected, possessed and/or traded wildlife, or parts, by-products and/or derivatives thereof;
- 5.1.2. Effect valid warrantless arrest upon any person who has committed, is committing, or is about to commit in his presence any of the offenses provided under Wildlife Act and other relevant laws, rules and regulations;
- 5.1.3. Assist in the conduct of surveillance and monitoring of wildlife-related activities;
- 5.1.4. Deliver the arrested offender within reasonable time to the nearest police station and assist in filing the proper complaint with the appropriate official designated by law to conduct preliminary investigation;

- 5.1.5. Deliver within reasonable time to the concerned PCSDS Office for custody all confiscated wildlife, their by-products and/or derivatives, as well as tools, equipment and conveyances used in the commission of a crime, including corresponding reports;
- 5.1.6. Act as witness in court for the speedy prosecution of criminal complaints against wildlife violators;
- 5.1.7. Prosecute cases before Municipal Trial Courts in areas where there are no prosecutors;
- 5.1.8. Prosecute administrative cases before the PCSD Adjudication Board (PAB) for violations falling under the penal provisions of this Order;
- 5.1.9. Submit monthly accomplishment reports to the concerned field offices with jurisdiction over their area of operations;
- 5.1.10. Coordinate with other law enforcement agencies for security reasons, if necessary; and
- 5.1.11. Perform such other duties as may be assigned by the PCSD, PCSDS Executive Director or their duly authorized representative/s from time to time.

**Section 5.2. Qualifications.** For deputation purposes, potential WEOs must possess the following qualifications:

- 5.2.1. Must be a resident of, or assigned to, the area specified in the deputation/designation order;
- 5.2.2. Must be able to read and write;
- 5.2.3. Must be at least 18 years old and not more than 60 years old;
- 5.2.4. Must be physically fit and mentally sound;
- 5.2.5. Must be of good moral character; and
- 5.2.6. Must be willing to perform and undertake the functions and duties of a wildlife enforcement officer.

Exemption as to the maximum age limit may be granted to retirees from the police or military service upon request by the latter, provided that they possess all the other above-enumerated eligibility requirements.

**Section 5.3. Requirements.** For deputation purposes, the following requirements must be submitted:

- 5.3.1. Biodata;
- 5.3.2. Endorsement of office/organization/cooperative to which the prospective WEO belongs, duly signed by the concerned head/president;
- 5.3.3. Police Clearance/Judge Clearance;

5.3.4. Recent passport size photo ID;

5.3.5. Recent Medical Certificate;

5.3.6. Certificate of good moral character issued by the Chairman of the barangay where the prospective WEO resides; and

5.3.7. Sworn Statement executed by the prospective WEO to the effect that he/she is willing to undertake the duties and responsibilities enumerated above.

**Section 5.4. WEO Training.** Prospective WEOs, prior to deputation, must undergo the mandatory orientation and training in order to acquire the necessary knowledge on the following topics:

5.4.1. Wildlife laws, rules and regulations;

5.4.2. PCSD policies and guidelines related to the implementation of the Wildlife Act, including this Administrative Order;

5.4.3. CITES provisions;

5.4.4. Wildlife Identification;

5.4.5. Illegal Wildlife Trade;

5.4.6. Preparation of reports, affidavits, sworn statements, seizure receipts, turn-over receipts, inventory reports and complaints for filing in court;

5.4.7. Inspection procedures;

5.4.8. Valid procedure in effecting Arrest, Search and Seizures;

5.4.9. Conduct of Surveillance activities;

5.4.10 Evidence gathering, custody and preservation

5.4.11. Smuggling Techniques;

5.4.12. Methods of concealment;

5.4.13. Detection of falsified or invalid documents;

5.4.14. Animal handling; and

5.4.15. Prosecution of wildlife cases.

All trainees shall undergo the written examinations, which shall include case analysis on the above-mentioned topics. Only trainees who satisfactorily obtain the passing mark shall be recommended for deputation. However, a trainee who fails to obtain a passing mark may be recommended for further training or review and may still be deputized after satisfactorily passing the same examination.

Members of the bar may be exempted from attendance in the mandatory training provided he/she passes the written examination.

The orientation and training herein required shall be conducted by the PCSDS or by any training institutions duly accredited/recognized by the PCSD for the purpose.

**Section 5.5. Processing of Applications for Deputation.** All applications, including requests from LGUs and other agencies, may be submitted to PCSDS for verification and/or evaluation of the submitted requirements herein prescribed. All those who have satisfactorily complied with such requirements shall be recommended by the PCSDS Executive Director to the PCSD for deputation.

**Section 5.6. Deputation Order; Authenticity; Validity Period.** After the PCSD's final approval and oath taking, as may be deemed appropriate by the latter, a Deputation Order shall be issued, together with the corresponding Identification Card, to the Wildlife Enforcement Officers.

Said Order shall be deemed valid only if it bears the original signature of the PCSD Chairman or his duly authorized representative and the official seal of the PCSD.

The Deputation Order shall be valid for a period of two (2) years from the date of issue, renewable for the same period after submission of a duly accomplished evaluation form and upon favorable recommendation of the appropriate office of the PCSDS.

**Section 5.7. Designation Order; Period of Validity.** The list of personnel duly designated by the Philippine National Police, Armed Forces of the Philippines, National Bureau of Investigation, Philippine Coast Guard and other law enforcement agencies as prospective WEOs shall be respectively submitted by said agencies to the PCSD for issuance of a Designation Order. However, only after compliance with the training requirement as mentioned above shall said Order be issued without necessarily passing the written examination.

The Designation Order shall be valid until the designated person ceases his service from his agency unless said Order is sooner revoked or terminated either by the PCSD or by the concerned agency involved on valid grounds.

**Section 5.8. Revocation/Termination of Deputation and Designation Order.** The Deputation or Designation Order of Wildlife Enforcement Officers may be revoked or terminated by the PCSD on any of the following grounds:

- 5.8.1. The WEO is administratively found to be in violation of his duties and responsibilities;
- 5.8.2. The WEO is administratively and/or criminally found to be in violation of any of the provisions of Wildlife Act and other pertinent rules and regulations, including this Administrative Order;
- 5.8.3. The WEO is found to be in connivance with any individual/entity in violating Wildlife Act and other pertinent rules and regulations, including this Administrative Order;
- 5.8.4. The WEO is administratively found to be ineffective in the implementation of wildlife laws, rules and regulations including the implementation of CITES provisions based on the performance evaluation as herein provided;
- 5.8.5. The WEO is administratively found to be liable to have committed any act or acts in violation of the regulatory functions of the PCSD without prejudice to the filing of criminal charges;

- 5.8.6. Failure to attend subsequent skills training as hereinafter called by the PCSD/PCSDS unless with valid reasons;
- 5.8.7. Termination of employment for government employees; and
- 5.8.8. Loss of any of the qualifications prescribed for WEOs as provided above.

A notice of termination/revocation shall be sent to the concerned WEO. Any action questioning the said termination/revocation may be submitted to the PCSD Adjudication Board for proper administrative process.

**Section 5.9. Performance Evaluation.** A regular performance evaluation of all existing WEOs shall be undertaken by the Office of the Executive Director based upon the submitted monthly accomplishment reports. The result of said evaluation shall be made the basis of any action for revocation/termination and renewal of the Deputation Order.

**Section 6. CITES Management Authority.** Pursuant to Section 19 of R.A. 9147 and Sections 19.1 to 19.4 of the Joint DENR-DA-PCSD Administrative Order No. 01, which sections designated PCSD as the CITES Management Authority as far as wildlife species in the province of Palawan are concerned, the Palawan Wildlife Management Committee, as created under this Order, is hereby designated as the Secretariat of the PCSD in the performance of its functions as CITES Management Authority.

**Section 6.1. Functions of PCSD as CITES Management Authority.** With close and full assistance of the Palawan Wildlife Management Committee, the PCSD shall perform the following functions:

- 6.1.1. Issue and accept permits and certificates for Palawan species listed under CITES;
- 6.1.2. Monitor the trade of wildlife from and into the country through the ports of Palawan;
- 6.1.3. Prepare and circulate official information on CITES;
- 6.1.4. Coordinate with the CITES Secretariat and prepare annual and biennial reports for submission thereto;
- 6.1.5. Coordinate with law enforcement agencies, customs and other government agencies, and NGOs for the implementation of the Convention;
- 6.1.6. Prepare proposals and formulate country position on other country proposals, whenever necessary or contribute thereto whenever requested by other management authorities of DENR and DA;
- 6.1.7. Implement and enforce provisions of the Convention, CoP resolutions, and amendments to the Appendices of the CITES as far as practicable in the province of Palawan;
- 6.1.8. Receive inputs from and coordinate with the Scientific Authorities. The Management Authority has the option to seek the advice of any of the Scientific Authorities or can meet all the Scientific Authorities for their collegial recommendation or advice;
- 6.1.9. Represent the country in the CITES Conference of Parties (CoP);



The PWMC, as the designated secretariat, shall make all the necessary coordination and ground works related to the performance of the above-enumerated functions. It shall also coordinate with other CITES Management Authorities for purposes of convening whenever necessary on matters, issues and concerns arising from the implementation of CITES.

**Section 6.2. Coordination with the Scientific Authorities.** The PCSD, through the PWMC, shall coordinate with the Scientific Authorities for terrestrial and aquatic wildlife as designated under Section 19 of R.A. 9147 on matters concerning the following and whenever applicable in the province of Palawan:

- 6.2.1. Whether or not the export of species listed under Appendices II and III is detrimental to the survival of the species in the wild;
- 6.2.2. Whether or not the export or import of species listed under Appendix I for scientific/conservation breeding purposes will not be detrimental to the survival of the species in the wild;
- 6.2.3. Recommended suitable remedial measures that would limit the export of specimens in order to maintain species listed in Appendix II throughout its range at a level consistent with its role in the ecosystem and well above the level at which the species might become eligible for inclusion in Appendix I;
- 6.2.4. Suitability of the recipient to house and care for live specimens of Appendix I species being imported;
- 6.2.5. Whether or not scientific institutions seeking registration for the purpose of being issued labels for scientific exchange meet the criteria established by the CITES Resolutions and other standards of any stricter national requirements;
- 6.2.6. Information on biological and conservation status of species affected by trade to assist in the preparation of proposals necessary to amend the Appendices;
- 6.2.7. Proposals to amend the Appendices submitted by other Parties; and
- 6.2.8. Other important matters.

**Section 7. Wildlife Research Center.** The PCSD shall designate as Wildlife Research Center/s any existing research institution, academic organization, private or non-government research and conservation organization that operates/functions within the Province of Palawan. Such research center/s shall conduct scientific researches related to the conservation and protection of wildlife species. For this purpose, the research center/s, shall be integrated with the Research System that may hereinafter be created/established by the PCSD pursuant to Section 14 of R.A. 7611. This is, however, without prejudice to compliance with the provisions of this Order on research activities.

**Section 8. Wildlife Rescue Center.** The PCSD shall establish wildlife rescue centers in Palawan based on a set of criteria that may hereinafter be promulgated with the assistance of Palawan Wildlife Management Committee. The centers shall be under the direct supervision of the PCSD Staff, which shall provide the necessary responsible technical staff and animal/nursery caretaker(s) to efficiently manage the centers.

The PCSD may, however, enter into a Memorandum of Agreement with local government units or any other private institutions for the establishment of rescue centers whereby the latter shall provide for the staffing and management of the same and the former

shall provide for technical assistance. Rescue centers created under this paragraph shall be recognized as holding facilities of all wildlife species held pursuant to the implementation of this Order and R.A. 9147.

The PCSDS hereby authorized to dispose animals/plants maintained or those that will temporarily be maintained at Wildlife Rescue Centers established pursuant to this Order. This may be done in accordance with the pertinent provisions of this Order on disposition. Confiscated wildlife which is/are subject of judicial proceedings shall not be disposed of unless authority is obtained from the proper court/prosecutor's office.

**Section 9. Wildlife Traffic Monitoring Units.** The Wildlife Traffic Monitoring Units (WTMUs) shall be created by the PCSD at strategic air and seaports, transshipment and hotspot areas to ensure strict compliance and effective implementation of existing wildlife laws, rules and regulations, including CITES. The Team shall undergo the necessary training for this purpose.

**Section. 9.1. Composition.** The PCSD shall designate/hire PCSD Staff to man the WTMUs. Existing quarantine units in air and seaports of DA-BFAR, designated as WTMUs under the Joint DENR-DA-PCSD Administrative Order No. 01, DENR personnel assigned in air and sea ports, and designated personnel from Aviation Security Group and Port Police shall form part of the units. For this purpose, the heads of these agencies shall make the necessary memorandum order and direction. Existing WEOs may also be tapped by the PCSD to become members of the units. The operations of WTMUs shall be under the supervision of PCSDS.

**Section 9.2. Duties and Functions.** The WTMUs shall have the following duties and functions:

- 9.2.1. Enforce existing wildlife laws, rules and regulations and such other orders or regulations promulgated thereunder for the protection of wild fauna and flora;
- 9.2.2. Inspect and verify shipments of wildlife, its by-products and derivatives for export, re-export, import and local transport;
- 9.2.3. Seize and confiscate illegally collected, possessed and traded wildlife, by-products and derivatives in favor of the government or refuse clearance when there are reasonable grounds to believe that existing wildlife laws, rules and regulations, or the CITES have been violated;
- 9.2.4. Arrest even without warrant any person who has committed, is committing, or is about to commit in his presence any of the offenses provided under the Wildlife Act and other relevant laws, rules and regulations;
- 9.2.5. Coordinate with the customs officers and/or other government authorities at the air or seaports in the performance of their duties and responsibilities;
- 9.2.6. Conduct investigation and receive evidence regarding the commission of any of the offenses defined under RA 9147 or this Order within their area of assignment, whether or not the offense was committed in their presence;
- 9.2.7. Turn-over confiscated wildlife, by-products or derivatives to designated Wildlife Rescue Centers nearest their post or station; and
- 9.2.8. Promote and disseminate information on the conservation and protection of wildlife.

Customs officers and/or other authorized government representatives assigned at air or seaports who may have intercepted wildlife commodities in the discharge of their official functions shall turn them over to the wildlife traffic monitoring units assigned in the area.

## **CHAPTER IV** **PROTECTION AND UTILIZATION OF WILDLIFE RESOURCES**

### **ARTICLE I – THREATENED SPECIES**

**Section 10. Determination of Threatened Species.** The PCSD, through the PWMC, shall determine whether any wildlife species or subspecies is threatened, and classify the same as critically endangered, endangered, vulnerable or other accepted categories based on the best scientific data and with due regard to internationally accepted criteria, including but not limited to the following:

- 10.1. Present or threatened destruction, modification or curtailment of its habitat or range;
- 10.2. Over-utilization for commercial, recreational, scientific or educational purposes;
- 10.3. Inadequacy of existing regulatory mechanisms; and
- 10.4. Other natural or man-made factors affecting the existence of wildlife.

For this purpose, the PCSD shall publish, and thereafter review and revise, a list of categorized threatened wildlife species. Provided that due consideration shall be given to the best scientific and commercial data available and internationally accepted criteria applicable. Species listed as threatened shall not be removed therefrom within three (3) years following their initial listing.

**Section 11. Collection of Threatened Wildlife, By-Products and Derivatives.** The collection of threatened wildlife, as determined and listed pursuant to this Order, including its by-products and derivatives, shall be allowed only for scientific, breeding or propagation purposes in accordance with Section 6 of RA 9147, which requires proper evaluation of best available information or scientific data showing that these activities are not detrimental to the survival of the species or subspecies involved and/or their habitat.

Provided, that only the accredited entities shall be allowed to collect for conservation breeding or propagation purposes. Individuals or entities desiring to collect threatened species for scientific or breeding or propagation purposes shall be issued a corresponding **Certificate** upon compliance with the requirements and criteria provided in Section 12 hereof and as may hereinafter be provided by the PCSD.

Collection by indigenous people for traditional purposes and not primarily for trade shall not include threatened species.

**Section 12. Conservation/Commercial Breeding or Propagation of Threatened Species.** Conservation/Commercial breeding or propagation of threatened species may be allowed provided that the following minimum requirements/criteria are met by the applicant, to wit:

- 12.1.1. Proven effective breeding and captive management techniques of the species;
- 12.1.2. Commitment to undertake commercial breeding in accordance with Section 17 of this Order, simultaneous with conservation breeding; and
- 12.1.3. Implementation plan/program/measure for the rehabilitation and/or protection of the habitat where the captive-bred or propagated species shall be released, reintroduced or stocked.

The list mentioned in Section 10 of this Administrative Order shall include identified threatened species for commercial breeding.

The collection of threatened species under this subsection shall be subject to the issuance by the PCSD of **Wildlife Farm Permit (WFP)** and/or **Wildlife Collector's Permit (WCP)**, whatever is appropriate or both as may be deemed necessary, the procedure and requirements of which shall be in accordance with Sections 17 and 18 of this Order.

**Section 13. Scientific Researches involving Threatened Species.** Collection of threatened species for scientific research shall be subject to the issuance of a **Gratuitous Permit (GP)** upon compliance with the same requirements provided for under Section 16 of this Order.

**Section 14. Possession of Threatened Species of Wild Fauna.** The possession by any person of threatened species of wild fauna shall be subject to the issuance of a **Certificate of Wildlife Registration** after compliance with the requirements and subject to the conditions set forth under Article IV, Chapter IV of this Order.

## ARTICLE II – NON-THREATENED SPECIES

**Section 15. Possession of Non-threatened Species of Wild Fauna.** The possession by any person of non-threatened species of wild fauna shall be subject to the issuance of a **Certificate of Wildlife Registration** after compliance with the requirements and subject to the conditions set forth under Article IV, Chapter IV of this Order.

**Section 16. Non-commercial Scientific Researches and Collection of Non-threatened Wildlife for the purpose.** A **Gratuitous Permit (GP)** shall be issued for the collection and utilization (even without collection) of non-threatened wildlife, their by-products and derivatives for non-commercial scientific research, subject to the following requirements and procedures:

### **Section 16.1. Requirements.**

15.1.1. For Filipino researchers without foreign affiliation:

- a. Letter of Intent/Application;
- b. Payment of non-refundable application fee under Section 37 of this Order;
- c. Personal Profile/Resumé;
- d. Research/Project proposal;
- e. Endorsement letter of the head of institution where the applicant is affiliated or for an individual researcher, endorsement from a recognized expert of a research or academic institution or conservation organization;
- f. In case collection of wildlife is necessary, Free and Prior Informed Consent (FPIC) of Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the

Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned, and/or clearance form other relevant agencies or institutions where the collection shall be made; and,

g. Affidavit of Undertaking by an individual proponent or a Memorandum of Agreement between the PCSD and a proponent-institution containing the following minimum terms or to the following effect:

- i. Spin-off technology shall not be developed out of the results of the scientific study, research, thesis or dissertation;
- ii. Intellectual property rights over the results shall not be applied for without the prior approval of the PCSD;
- iii. The proponent shall submit to the PCSD at the conclusion of the research, the results and the recommended plan of action, whenever applicable; and,
- iv. The Animal Welfare Protocol shall be observed.

16.1.2. For a foreign person/entity with/without foreign affiliation or a Filipino citizen affiliated with a foreign institution:

- a. Letter of Intent/Application;
- b. Payment of non-refundable application fee under Section 37 of this Order;
- c. Personal and/or Institution's Profile/Resumé;
- d. Research/Project proposal;
- e. Endorsement letter of the head of institution where the applicant is affiliated or for an individual researcher, endorsement from a recognized expert of a research or academic institution or conservation organization;
- f. In case collection of wildlife is necessary, Free and Prior Informed Consent (FPIC) of Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned, and/or clearance form other relevant agencies or institutions where the collection shall be made;
- g. Letter of Consent of the Head of local institution identified as the research collaborator/counterpart;
- h. Affidavit of Undertaking/Memorandum of Agreement between the PCSD, the individual proponent or institution and the identified local collaborator containing the following minimum terms:

- i. Spin-off technology shall not be developed out of the results of the scientific study, research, thesis or dissertation;
- ii. Intellectual property rights over the results shall not be applied for without the prior approval of the PCSD;
- iii. The proponent shall submit to the PCSD at the conclusion of the research, the results and the recommended plan of action, whenever applicable; and
- iv. The Animal Welfare Protocol shall be observed.

16.1.3. For scientific researches involving conservation breeding or propagation activities and other wildlife conservation projects initiated by non-government institutions:

- a. Letter of Intent/Application;
- b. Payment of non-refundable application fee under Section 37 of this Order;
- c. Personal and/or Institution's Profile/Resumé;

- d. Research/Project proposal;
- e. Endorsement letter of the head of institution where the applicant is affiliated or for an individual researcher, endorsement from a recognized expert of a research or academic institution or conservation organization;
- f. In case collection of wildlife is necessary, Free and Prior Informed Consent (FPIC) of Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned, and/or clearance form other relevant agencies or institutions where the collection shall be made;
- g. For a foreign person/entity or a Filipino citizen affiliated with a foreign institution, Letter of Consent of the Head of local institution identified as the research collaborator/counterpart;
- h. For conservation projects, Habitat Rehabilitation, Protection and Management Plan for reintroduction and restocking of captive/propagated individuals;
- i. Affidavit of Undertaking/Memorandum of Agreement between the PCSD, the individual proponent or institution and the identified local collaborator containing the following minimum terms:
  - i. Spin-off technology shall not be developed out of the results of the scientific study, research, thesis or dissertation;
  - ii. Intellectual property rights over the results shall not be applied for without the prior approval of the PCSD;
  - iii. The proponent shall submit to the PCSD at the conclusion of the research, the results and the recommended plan of action, whenever applicable; and
  - iv. The Animal Welfare Protocol shall be observed.

16.1.4. For purposes of thesis and dissertation of students affiliated with local academic institutions:

- a. Letter of Application;
- b. Certified true copy of the approved thesis proposal;
- c. Endorsement letter from the concerned Dean and thesis adviser;
- d. In case collection of wildlife is necessary, Free and Prior Informed Consent (FPIC) of Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned, and/or clearance form other relevant agencies or institutions where the collection shall be made;
- e. Payment of a non-refundable application fee for graduate students;
- f. Affidavit of Undertaking/Memorandum of Agreement to the effect that:
  - i. Spin-off technology shall not be developed out of the results of the scientific study, research, thesis or dissertation;
  - ii. Intellectual property rights over the results shall not be applied for without the prior approval of the PCSD;
  - iii. The proponent shall submit to the PCSD at the conclusion of the research, the results and the recommended plan of action, whenever applicable; and
  - iv. The Animal Welfare Protocol shall be observed.

16.1.5. Collection of specimens/samples by any person necessary to address urgent concerns such as but not limited to red tide, Ebola or Ebola like virus, malaria

occurrences and the like as certified by the concerned agency/office shall be exempted from these rules on scientific researches. The PCSD shall be informed, however, of the results of the research conducted and recommended plan of action.

- 16.1.6. For other government initiated or implemented research or scientific projects, regardless of funding:
- a. Letter of Intent/Application;
  - b. Submission of an approved work and financial plan;
  - c. Research Proposal;
  - d. In case collection of wildlife is necessary, Free and Prior Informed Consent (FPIC) of Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned, and/or clearance from other relevant agencies or institutions where the collection shall be made;
  - e. Grant or other agreement covering the funding for the research; and,
  - f. Memorandum of Agreement as may be deemed necessary by the PCSD.

#### **Section 16.2. Procedure.**

- 16.2.1 All applications, together with the corresponding requirements, except the Affidavit of Undertaking or Memorandum of Agreement whenever required under this Section, shall be submitted to the PCSDS;
- 16.2.2. The PCSDS concerned division/unit shall, immediately upon receipt, evaluate the submitted documents. If the requirements are not complete, the application shall be returned immediately informing the applicant of the deficiencies. If the requirements are complete, the PCSDS shall conduct the technical evaluation within fifteen (10) days from receipt of the application and shall process the execution of the corresponding Affidavit of Undertaking or the drafting of the Memorandum of Agreement, as the case may be;
- 16.2.3. The Recommendation of the PCSDS on the proposed research project, together with copies of the application, requirements and Affidavit of Undertaking under oath or draft Memorandum of Agreement, shall then be submitted to the PCSDS Executive Director for approval;
- 16.2.4. The PCSD Executive Director shall then approve the proposed research project, sign the Memorandum of Agreement (if required), and issue the corresponding Gratuitous Permit (GP).

**Section 16.3. Validity period of GP.** The Gratuitous Permit shall be valid for a period equivalent to the duration of the research unless extended by mutual agreement.

**Section 16.4. Bioprospecting.** Commercial scientific researches shall continue to be governed by the provisions of DENR-DA-PCSD-NCIP Administrative Order No. 01.

**Section 16.5. Promulgation of Research System and integration thereof.** The requirements and procedures under this Section shall be subject to the provisions of the subsequent guidelines that the PCSD may hereinafter promulgate on research.

**Section 17. Commercial Breeding/Propagation.** Commercial breeding/propagation of non-threatened wildlife shall be allowed through the issuance of **Wildlife Farm Permit** (WFP). The list mentioned in Section 10 of this Order shall also include non-threatened and economically important wildlife identified for commercial breeding. A **Wildlife Collector's Permit** (WCP) must first be secured in case of collection in the wild for breeding/propagation purposes, which permit shall not, therefore, be required for stocks obtained through importation or acquired from an accredited or registered breeding facility.

**Section 17.1. Persons Qualified to Breed/Propagate Wildlife.** Only Filipino citizen or corporation, partnership, association, cooperative, at least 60% of the capital of which is owned by Filipino citizens, are allowed to **collect** wildlife for commercial breeding or propagation purposes without prejudice to technical guidance of foreign experts subject to existing rules on the matter. For non-Filipino citizens, corporations, partnerships, or associations, a Wildlife Farm Permit shall only be issued if the parental stocks are either captive-bred or obtained through importation.

**Section 17.2. Requirements:**

17.2.1. Duly accomplished application form with two (2) recent 2" x 2" photo of applicant;

17.2.2. In case of corporation, partnership, association or cooperative, certified true copies of the Certificate of Registration from the Cooperative Development Authority (CDA), Securities and Exchange Commission (SEC), Department of Trade and Industry (DTI), etc., as the case may be, and its articles of incorporation and by-laws, whenever appropriate, or any other similar instruments;

17.2.3. Certified true copy of BIR registration and Tax Identification Number;

17.2.4. Proof of scientific expertise (list and qualifications of human resources) and photocopy of any valid ID with photo and signature of the Sole Proprietor or the President/Manager of the cooperative or small and medium enterprise;

17.2.5. Financial Plan showing financial capability to go into breeding;

17.2.6. Management and Breeding Plan, which must include the means to distinguish progenies from parental stock unless the PCSD has adopted a system of marking, genetic characterization or tagging for identification of the parent stock and its offspring;

17.2.7. Proposed facility design;

17.2.8. Certified copy of Land Title or Lease Contract for the facility;

17.2.9. Clearances from the affected communities: Free and Prior Informed Consent (FPIC) of the Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or



associations with valid tenurial or other private rights to the area concerned, and/or clearance form other relevant agencies or institutions;

17.2.10. Submission of an environmental study and/or bioecology study of the proposed commercial breeding operations; and,

17.2.11. Payment of fees.

**Section 17.3. Scale.** Commercial breeding with capital of Php 500,000.00 and below shall be deemed as Small Scale Farming while those with more than Php 500,000.00 to Php 1,500,000.00 shall be deemed as Medium Scale Farming and those with more than PhP 1,500,000.00 shall be deemed Large Scale Farming. This distinction is deemed relevant only for purposes of the rate of fees under Section 38 of this Order and for determination of fines whenever necessary.

**Section 17.4. Procedure.**

17.4.1. All applications for commercial breeding, together with their corresponding requirements under this Section, shall be submitted to the PCSDS;

17.4.2. The concerned PCSDS personnel shall, immediately upon receipt, evaluate the submitted documents. If the requirements are not complete, the application shall be returned immediately informing the applicant of the deficiencies. If the requirements are complete, the application shall, within fifteen (15) working days, be technically evaluated;

17.4.3. If the PCSDS finds the proposed commercial breeding project in order, it shall submit its evaluation report recommending for the approval of the same by the PCSD. Otherwise, the PCSDS shall immediately communicate with the applicant as to the latter's deficiencies;

17.4.5. The Recommendation of the PCSDS, together with copies of the application and submitted requirements shall then be submitted to the PCSD, through the PCSD ENR Committee, for approval;

17.4.6. The PCSD, upon deliberation, shall then approve the proposed commercial breeding project and issue the corresponding Wildlife Farm Permit (WFP); and

17.4.7. The permittee shall subsequently secure a Wildlife Collector's Permit (WCP) under Section 18 of this Order prior to collection of breeding stock from the wild. For stocks obtained through importation or acquired from an accredited or registered breeding facility or any other similar sources, the permittee shall, prior to actual operation, must submit to the PCSD, through the PWMC, relevant documents showing proof to that effect (import permit, sales invoice, etc.).

**Section 17.5. Limitation.** Only progenies of wildlife raised in wildlife farms, as well as unproductive parent/founder stock shall be utilized for trade, except in case of economically important species, which may be traded upon compliance with requirements under Section 18 of this Order. This limitation shall be enshrined as one of the terms and conditions of the WFP.

**Section 17.6. Validity Period of WFP.** The WFP shall be valid for a period of five (5) years, renewable for the same period subject to evaluation of the permittee's compliance with the terms and conditions of the WFP.

**Section 18. Collection of Non-threatened Wildlife. A Wildlife Collector's Permit (WCP)** shall be required for collection of non-threatened wildlife for all purposes, except in cases covered by Gratuitous Permit under Sections 13 and 16 of this Order and by a Wildlife Special Use Permit under Section 19.

**Section 18.1. Quota.** The quantity of individuals per species to be collected shall not exceed the quota as may be provided for under subsequent regulations/issuances that may be promulgated/issued by the PCSD.

**Section 18.2. Requirements.**

- 18.2.1. Duly accomplished application form with two (2) recent 2" x 2" photo of applicant;
- 18.2.2. List of species to be collected indicating the quantity for each and methods of collection to be used, which must be with least or no detrimental effects to existing wildlife population and their habitats;
- 18.2.3. For aquatic wildlife, in case of incidental catches that can no longer be returned to the wild, an affidavit of undertaking that the applicant shall submit an inventory of incidental catches within fifteen (15) days after collection;
- 18.2.4. Clearances from the affected communities: Free and Prior Informed Consent (FPIC) of the Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned;
- 18.2.5. Names, addresses and photocopies of any valid ID with photo and signature of authorized collectors/trappers; and,
- 18.2.6. Payment of fees.

**Section 18.3. Procedure.**

- 18.3.1. All applications for Wildlife Collector's Permit, together with their corresponding requirements under this Section, shall be submitted to the PCSDS;
- 18.3.2. The concerned PCSDS personnel shall, immediately upon receipt, evaluate the submitted documents. If the requirements are not complete, the application shall be returned immediately informing the applicant of the deficiencies. If the requirements are complete, the application shall, within fifteen (15) working days, be technically evaluated;
- 18.3.3. If the PCSDS finds the same in order, it shall submit its evaluation report recommending for the approval of the same by the PCSDS Executive Director. Otherwise, the PCSDS shall immediately communicate with the applicant as to the latter's deficiencies; and,
- 18.3.4. The PCSDS Executive Director shall then approve to grant the application and issue the corresponding Wildlife Collector's Permit (WCP).

**Section 18.4. Validity and Revocation.** The WCP shall be valid for five (5) years from date of issuance and shall automatically expire upon the lapse of said period. The collection shall be subject to the limit as may be provided under the terms and conditions of the WCP. The permittee shall submit to the PCSDS a quarterly report of collections made. Failure to submit a single quarterly report shall be a ground for revocation of the WCP.

**Section 18.5. Collection by Indigenous People.** Collection of wildlife by indigenous peoples shall be allowed for traditional use and not primarily for trade without necessarily applying for a Wildlife Collector's Permit. However, collection of threatened species shall be governed by Article I, Chapter IV of this Order and shall be subject to the requirements set forth therein. Also, in case the collection of non-threatened species is for breeding/propagation or for commercial purposes, they shall secure the necessary permit required under this Order.

**Section 19. Collection of Economically Important Species for Direct Trade/Commercial Purposes.** The list mentioned in Section 10 of this Order shall also include economically important species with, as far as practicable, their schedule, volume of allowable harvest, geographical distribution and areas of collection. The collection of these species shall only be allowed when the results of population assessment show that, despite certain extent of collection, the population of such species can still remain viable and capable of recovering its numbers. The collection shall be allowed through the issuance of **Wildlife Special Use Permit (WSUP)**. In case non-threatened economically important species shall be used for commercial breeding/propagation or bioprospecting, the provisions of this Order on the latter shall apply.

Provided, that the accreditation, regulation and monitoring of the catching, culture, trading and transport of live reef food fishes shall, temporarily, continue to be governed by the provisions of PCSD Administrative Order No. 05, as amended. Provided further, that the PCSD Accreditation issued thereunder shall be considered as the equivalent of Wildlife Special Use Permit.

**Section 19.1. Qualification.** Only Filipino citizens, or corporations, partnerships, cooperatives or associations 60% of the capital of which is owned by Filipinos, shall be allowed to collect non-threatened economically important species for direct trade purposes.

**Section 19.2. Requirements.**

- 19.2.1. Duly accomplished application form with two (2) recent 2" x 2" photo of applicant;
- 19.2.2. List of species to be collected indicating the quantity for each and methods of collection to be used, which must be with least or no detrimental effects to existing wildlife population and their habitats;
- 19.2.3. For aquatic wildlife, in case of incidental catches that can no longer be returned to the wild, an affidavit of undertaking that the applicant shall submit an inventory of incidental catches within fifteen (15) days after collection;
- 19.2.4. Clearances from the affected communities: Free and Prior Informed Consent (FPIC) of the Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU), and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned;
- 19.2.5. Names, addresses and photocopies of any valid ID with photo and signature of authorized collectors/trappers; and,
- 19.2.6. Payment of fees.

**Section 19.3. Procedure.**

- 19.3.1. All applications for SWUP, together with their corresponding requirements under this Section, shall be submitted to the PCSDS;
- 19.3.2. The concerned PCSDS personnel shall, immediately upon receipt, evaluate the submitted documents. If the requirements are not complete, the application shall be returned immediately informing the applicant of the deficiencies. If the

requirements are complete, the application shall, within fifteen (15) working days, be technically evaluated;

19.3.3. If the PCSDS finds the same in order, it shall submit its evaluation report recommending for the approval of the same by the PCSDS Executive Director. Otherwise, the PCSDS shall immediately communicate with the applicant as to the latter's deficiencies; and,

19.3.4. The PCSDS Executive Director shall then approve to grant the application and issue the corresponding Wildlife Special Use Permit (WSUP).

**Section 19.4. Validity and Revocation.** The WSUP shall be valid for one (1) year from date of issuance and shall automatically expire upon the lapse of said period. The permittee shall submit to the PCSD through the PWMC a quarterly report of collections made. Failure to submit a single quarterly report shall be a ground for revocation of the WSUP.

**Section 20. By-products and Derivatives.** Collection of wildlife by-products and derivatives must also be covered by the necessary permit as provided for in this Chapter depending on the purpose thereof.

### ARTICLE III – PROVISIONS APPLICABLE TO THREATENED AND NON-THREATENED SPECIES

**Section 21. Local Transport of All Wildlife Species, their By-products and Derivatives.** A **Local Transport Permit (LTP)** shall be required in case of local transport of wildlife, their by-products and/or derivatives.

**Section. 21.1. Validity Period.** The Local Transport Permit shall be valid for a period of three (3) months for a single batch/shipment. The same shall automatically lapse after said period whether or not said permit was utilized.

#### **Section 21.2. Requirements.**

21.2.1. Duly accomplished application form;

21.2.2. Inspection/verification of wildlife by the concerned PCSDS personnel using the Inspection Report Form;

21.2.3. Documents supporting the legal possession or acquisition of wildlife involved;

21.2.4. For terrestrial wildlife, Phytosanitary Certificate (for plants) or Veterinary Quarantine Certificate (for animals) from concerned DA office; For aquatic wildlife, Health/Veterinary certificate issued by the Fish Health Section; and,

21.2.5. Payment of fees.

#### **Section 21.3. Procedure.**

21.3.1. All applications for LTP, together with their corresponding requirements under this Section, shall be submitted to the PCSDS;

21.3.2. The PCSDS shall immediately inspect or verify the wildlife subject of the application using the Inspection Report Form; and

21.3.3. The LTP shall be issued by the PCSDS Executive Director upon evaluation of the Inspection Report Form and other documents forwarded by the concerned PCSDS personnel.

**Section 22. Exportation of All Wildlife Species, their By-products and Derivatives.** Exportation of wildlife, their by-products and derivatives shall require the prior issuance of **CITES/Non-CITES Export Permit** from the PCSD for species coming from Palawan even if the port of exit is outside therein.

**Section 22.1. Limitation.** Only those wildlife which are legally collected pursuant to this Order and not prohibited by other relevant laws, rules and regulations may be exported.

**Section 22.2. Requirements for CITES/Non-CITES Export Permit.**

- 22.2.1. Duly accomplished application form;
- 22.2.2. Inspection by the concerned PCSDS personnel using the Inspection Report Form;
- 22.2.3. Documents supporting legal possession or acquisition of wildlife intended to be exported;
- 22.2.4. Bank export declaration, if for commercial purposes;
- 22.2.5. Local Transport Permit, where applicable;
- 22.2.6. For terrestrial wildlife, Phytosanitary Certificate (for plants) or Veterinary Quarantine Certificate (for animals) from concerned DA office; For aquatic wildlife, Health/Veterinary certificate issued by the Fish Health Section; and,
- 22.2.7. Payment of Fees.

**Section 22.3. Requirements for CITES Re-Export Permit.**

- 22.3.1. Duly accomplished application form;
- 22.3.2. Inspection by the concerned PCSDS personnel using the Inspection Report Form;
- 22.3.3. CITES/Non-CITES Import Permit and other Documents supporting legal possession or acquisition of wildlife intended to be re-exported;
- 22.3.4. Export Permit issued by the country of origin;
- 22.3.5. Bank export declaration, if for commercial purposes;
- 22.3.6. Local Transport Permit, where applicable;
- 22.3.7. For terrestrial wildlife, Phytosanitary Certificate (for plants) or Veterinary Quarantine Certificate (for animals) from concerned DA office; For aquatic wildlife, Health/Veterinary certificate issued by the Fish Health Section; and,
- 22.3.8. Payment of Fees.

**Section 22.4. Procedure.**

- 22.4.1. All applications under this Section, together with their corresponding requirements, shall be submitted to the PCSDS;
- 22.4.2. The PCSDS shall immediately inspect or verify the wildlife subject of the application using the Inspection Report Form; and
- 22.4.3. The CITES/Non-CITES Export/Re-Export Permit shall be issued by the PCSDS Executive Director upon evaluation of the recommendation of the technical staff.

**Section 22.5. Validity Period of Permit.** Export and Re-Export Permits shall be valid for a single shipment only and must be utilized within three (3) months from the date of issuance. These permits shall automatically expire upon the lapse of such period.

**Section 23. Importation of All Wildlife Species, their By-products and Derivatives.** If the importation of wildlife, their by-products and derivatives, is intended to have Palawan as its point of destination, there shall be required **CITES/Non-CITES Import Permit** from the PCSD.

**Section 23.1. Requirements.**

- 23.1.1. Duly accomplished application form;
- 23.1.2. CITES/Non-CITES Export Permit/Certification of Origin from exporting country;
- 23.1.3. For terrestrial wildlife, Phytosanitary Certificate (for plants) or Veterinary Quarantine Certificate (for animals) from concerned government office of the country of origin; For aquatic wildlife, Health/Veterinary certificate issued by the competent government agency of the country of origin; and,
- 23.1.4. Payment of Fees.

**Section 23.2. Procedure.**

- 23.2.1. All applications under this Section, together with their corresponding requirements, shall be submitted to the PCSDS;
- 23.2.2. The PCSDS shall immediately inspect or verify the wildlife subject of the application using all available documents that contain their descriptions; and
- 23.2.3. The CITES/Non-CITES Import Permit shall be issued by the PCSDS Executive Director upon evaluation of the recommendation of the technical staff.

**Section 24. Introduction, Reintroduction or Restocking of Endemic or Indigenous Wildlife.** The introduction, reintroduction or restocking of endemic or indigenous wildlife shall require the prior issuance by the PCSD of a **Wildlife Clearance**, the validity period of which shall be determined on a case-to-case basis.

**Section 24.1. Requirements.**

- 24.1.1. Letter of Application, which must show that the purpose of the project is for population enhancement and recovery of species;
- 24.1.2. Feasibility study and background research that shall focus on bio-ecology, conservation status of the species to be released/planted, natural history of the species in the wild, status and suitability of the proposed release/planting site, studies on previous re-introductions, if any, risk analysis and management, and other relevant data as may be necessary;
- 24.1.3. Management plan to include among others, habitat and species, protection, etc.; scheme for release/plantation; and, subsequent monitoring of the released/planted species; and,
- 24.1.4. Public consultation with concerned individuals or entities such as the LGU, IPs, NGOs, POs, members of the academe and other stakeholders. Proof(s) of public consultation conducted, such as notice(s), minutes of the meeting, resolutions, endorsements, attendance, publication etc., shall be submitted in support hereof.

**Section 24.2. Procedure.**

- 24.2.1. All applications hereunder, together with their corresponding requirements under this Section, shall be submitted to the PCSDS;
- 24.2.2. The concerned PCSDS personnel shall, immediately upon receipt, evaluate the submitted documents. If the requirements are not complete, the application shall

be returned immediately informing the applicant of the deficiencies. If the requirements are complete, the application shall, within fifteen (15) working days, be technically evaluated;

24.2.3. If the PCSDS finds the same in order, it shall submit its evaluation report recommending for the approval of the same by the PCSDS Executive Director. Otherwise, the PCSDS shall immediately communicate with the applicant as to the latter's deficiencies; and,

24.2.4. The PCSDS Executive Director shall then approve to grant the application and issue the corresponding Wildlife Clearance for the purpose.

**Section 25. Introduction of Exotic Wildlife.** No exotic species shall be introduced in the Province of Palawan, unless a Wildlife Clearance from the PCSD is first obtained.

**Section 25.1. Limitation.** In no case shall species be introduced into protected areas covered by Republic Act 7586 and to existing critical habitats declared as such in accordance with law.

**Section 25.2. Requirements.**

25.2.1. Environmental impact study focusing on the bio-ecology, socioeconomic and related aspects of the area where the species will be introduced and status and suitability of the proposed area where the exotic species shall be introduced;

25.2.2. Scientific study and background research that shall include but not limited to taxonomic status and other relevant data as may be necessary, and risk assessment of the exotic species to be introduced;

25.2.3. Management plan to include, among others, preparatory activities such as conditioning of species, protection; scheme for the introduction; and, subsequent monitoring of the introduced species;

25.2.4. Prior Informed Consent from the local stakeholders. Proof(s) of public consultation conducted, such as notice(s), minutes of the meeting, resolutions, endorsements, attendance, publication etc., shall be submitted in support hereof; and,

25.2.5. Submission of an affidavit of undertaking, stating that the proponent shall establish a Monitoring and Research Fund to be utilized for the monitoring, study or research purposes of the introduced exotic species and, that in case of unforeseen harmful effects to the environment and to endemic species, control and/or eradicate the introduced species in the area at his own expense. For this purpose, the proponent shall post a bond, the amount of which shall be determined by the PCSD.

**Section 25.3. Procedure.**

25.3.1. All applications hereunder, together with their corresponding requirements under this Section, shall be submitted to the PCSDS;

25.3.2. The concerned PCSDS personnel shall, immediately upon receipt, evaluate the submitted documents. If the requirements are not complete, the application shall be returned immediately informing the applicant of the deficiencies. If the requirements are complete, the application shall, within fifteen (15) working days, be technically evaluated;

25.3.3. If the PCSDS finds the same in order, it shall submit its evaluation report recommending for the approval of the same by the PCSDS Executive Director. Otherwise, the PCSDS shall immediately communicate with the applicant as to the latter's deficiencies; and,

25.3.4. The PCSDS Executive Director shall then approve to grant the application and issue the corresponding Wildlife Clearance for the purpose.

**Section 25.4.** Exotic wildlife that have already been introduced in one area and are proposed to be introduced to another area shall likewise be governed by this Section.

**Section 26. Other Uses of Wildlife.** Utilization of wildlife for show or exhibition, educational, or documentation for commercial purposes may be allowed by the PCSD and shall require the prior issuance of **Wildlife Special Use Permit (WSUP)**. Provided, that the collection and utilization under this Section shall not be in violation of and must be after compliance with any of the provisions of this Order. Provided further, that as against the WSUP issued for Economically Important Species, the WSUP contemplated under this section shall not include collection of wildlife.

**Section 26.1. Requirements for Shows/Exhibitions.**

- 26.1.1. Duly accomplished application form with recent 2x2 photo of the applicant;
- 26.1.2. Copy of SEC/CDA/DTI Registration, BIR Registration, TIN and Mayor's Permit;
- 26.1.3. In case of animal shows using wildlife fauna, clearance from or registration with the Animal Welfare Division of the Bureau of Animal Industry pursuant to Republic Act 8485 (Animal Welfare Act);
- 26.1.4. In case of imported animals, deposit of a cash bond with the PCSD in an amount equal to the transport cost of the animals back to the country of origin;
- 26.1.5. Import/ Re-export Permit under this Order shall be secured prior to and after the show/exhibition; and,
- 26.1.6. Payment of fee.

**Section 26.2. Requirements for Educational Purposes (Other than Scientific Research such as trainings and conventions).**

- 26.2.1. Letter of intent by the applicant with a photocopy of any valid ID, with his photograph and specimen signature;
- 26.2.2. Copy of the invitation from local or international organizers;
- 26.2.3. Inventory of specimens to be used;
- 26.2.4. Affidavit of Undertaking that the applicant shall submit the specimens for inspection by the Fisheries Quarantine Officer upon arrival from the foreign country;
- 26.2.5. E-ticket of plane fare and itinerary, for international conference/workshop;
- 26.2.6. Import/ Re-export Permit under this Order shall be secured prior to and after the activity; and,
- 26.2.7. Payment of fees.

**Section 26.3. Requirements for Documentation for Commercial Purposes.**

- 26.3.1. Duly accomplished application form with recent 2x2 photo of the applicant;
- 26.3.2. Copy of SEC/CDA/DTI Registration, BIR Registration, TIN and Mayor's Permit;
- 26.3.3. List of the species, quantity and areas of collection or area subject of documentation, as the case may be;



- 26.3.4. Clearances from the affected communities: Free and Prior Informed Consent (FPIC) of the Indigenous Peoples (IP), and/or prior clearance of the concerned Local Government Units (LGU) and in the case of protected areas, clearance from the Protected Area Management Board (PAMB), consent of individuals or associations with valid tenurial or other private rights to the area concerned;
- 26.3.5. Import/ Re-export Permit under this Order shall be secured prior to and after the show/exhibition; and,
- 26.3.6. Payment of fees.

#### **Section 26.4. Procedure.**

- 26.4.1. All applications hereunder, together with their corresponding requirements under this Section, shall be submitted to the PCSDS;
- 26.4.2. The PCSDS concerned shall, immediately upon receipt, evaluate the submitted documents. If the requirements are not complete, the application shall be returned immediately informing the applicant of the deficiencies. If the requirements are complete, the application shall, within fifteen (15) working days, be technically evaluated;
- 26.4.3. If the PCSDS finds the same in order, it shall submit its evaluation report recommending for the approval of the same by the PCSDS Executive Director. Otherwise, the PCSDS shall immediately communicate with the applicant as to the latter's deficiencies; and,
- 26.4.4. The PCSDS Executive Director shall then approve to grant the application and issue the corresponding Wildlife Special Use Permit for the purpose.

### **ARTICLE IV– REGISTRATION OF THREATENED, NON-THREATENED AND EXOTIC SPECIES OF WILD FAUNA**

**Section 27. Covered Species.** All wildlife resources, including their by-products and/or derivatives, as provided in the succeeding subsections shall require the issuance of a **Certificate of Wildlife Registration (CWR)**, to wit:

- 27.1. All threatened, non-threatened and exotic terrestrial and aquatic fauna species in the possession of private individuals. Aquatic fauna shall include the aquarium and tropical fishes collected from the wild and are now being kept in pet shops;
- 27.2. All threatened, endemic and/or economically important flora species, including threatened exotic plants that are maintained in nurseries/gardens/plant stalls for commercial purposes;
- 27.3. Threatened, non-threatened and exotic species of wild fauna (terrestrial and aquatic) being maintained in facilities, such as but not limited to zoos, parks, aviaries, rescue and biodiversity centers and aquaria of government agencies or institutions;
- 27.4. Threatened, non-threatened and/or economically important species of wild flora (terrestrial and aquatic) being maintained in garden or similar facilities of private and government agencies/institutions. For museums and herbaria, submission of a list of specimens being kept in said institutions shall be sufficient. For other

government and private agencies/institutions, submission of a list of species being kept including their corresponding number shall be enough; and,

27.5. Wildlife acquired from legal sources as determined by the PCSDS.

**Section 28. General Qualification of Applicants.** Any person who applies for a Certificate of Wildlife Registration must be *financially and technically capable* and *has the facility to maintain* the wildlife in his/her possession.

**Section 29. Requirements.** The following must be submitted by the applicant:

- 29.1. Duly accomplished application form (to be secured from the nearest District Management Office of the PCSDS);
- 29.2. List and Photograph / picture of Wildlife intended to be registered; and,
- 29.3. If there is a need for an enclosure, the size and design of the enclosure, which must allow the wildlife involved to exercise basic behavior such as flying (for birds), climbing (for bearcats and monkeys), swimming (for dungeons or duyons and turtles), etc. If there is no need for an enclosure and the wildlife is tied, description or picture of materials used to tie the same, which must not be harmful to the wildlife.

**Section 30. Procedure.**

- 30.1. All applications for registration, together with their corresponding requirements under the preceding Section, shall be submitted to the PCSDS;
- 30.2. The PCSDS division/unit concerned shall immediately evaluate the submitted documents as to completeness as respectively enumerated above. If the requirements are not complete, the application shall be returned immediately informing the applicant of the deficiencies.
- 30.3. If the requirements are complete, the PCSDS Division/Unit concerned shall conduct an on-site validation or inspection of the wildlife intended to be registered and the facilities for captivity;
- 30.4. The result of the validation, with the corresponding recommendation for approval or denial or recommendation for improvement as a condition in the approval, shall be submitted to the PCSDS Executive Director; and,
- 30.5. If the PCSDS Executive Director finds everything in order, he shall issue the corresponding Certificate of Wildlife Registration (CWR) with the terms and conditions set forth therein as may be appropriate and necessary.

**Section 31. Responsibilities of CWR Holders.** The following shall be the responsibilities of the CWR Holders:

- 31.1. Allow authorized PCSDS personnel access to the wildlife and facilities for monitoring and inspection purposes;
- 31.2. Agree to the recommendations made by the PCSDS on the proper management of wildlife in their possession;

31.3. Acquire additional stocks only in accordance with the existing laws, rules and regulations and only from facilities with permits from the PCSD/S;

31.4. Submission of the following:

31.4.1. Annual inventory report and other reports as may be required by the Executive Director;

31.4.2. Acquisition reports within 15 days from acquisition of new or additional stocks. Provided that, new or additional stocks shall only be acquired pursuant to the provisions specified herein;

31.4.3. Production report within 30 days from the birth/hatching or production of captive-bred fauna individual or propagation/production of flora species; and,

31.4.4. Mortality report within 5 days from the death of wildlife.

**Section 32. Privileges of CWR Holder.** A CWR holder shall be entitled to the following privileges:

32.1. Utilize the registered wildlife as an income generating resource through recreation and educational activities;

32.2. Engage in the captive breeding of registered wildlife subject to pertinent provisions of this Order on commercial trade/use of wildlife and to the following:

32.2.1. Only the progenies of registered wildlife fauna and flora shall be used for commercial purposes;

32.2.2. A Wildlife Farm Permit must be secured from the PCSD;

32.2.3. All progenies produced shall be marked/tagged, where appropriate for terrestrial fauna species, following the procedures prescribed by the PCSDS; and

32.2.4. Exportation of progenies shall be subject to issuance of necessary export documents from the PCSD;

32.3. Engage in the exchange with and/or donation of owned progenies to other CWR holder. Provided, that it shall be accompanied with a proof of donation or other similar documents;

32.4. Avail of technical assistance from the PCSDS on matters pertaining to management of wild fauna and flora species in their possession; and,

32.5. Transfer of registered wildlife to immediate member of the family or relative within the 3<sup>rd</sup> degree of affinity or consanguinity upon notice to the PCSDS and subsequent issuance of new CWR to the transferee.

**Section 33. Limitations.** The CWR does not confer the holder the privilege to collect wildlife resources from the wild or to purchase, exchange or to receive any wild faunal species including its by-products from illegal sources. Further, the CWR does not confer the Holder the

privilege to loan or make the animals as collateral for any transaction or financial obligation. Also, the conduct of any activity using the registered wildlife shall be undertaken in accordance with the pertinent provisions provided under this Order.

**Section 34. Local Transport.** The local transport of registered wildlife species shall be allowed only if accompanied by Local Transport Permit as provided under this Order.

**Section 35. Revocation/Cancellation of CWR.** Deliberate disregard of the provisions of these guidelines shall result to the automatic cancellation of the CWR and shall cause the confiscation of all existing animals in favor of the PCSD, without prejudice to the application of other measures as provided for by existing laws, rules and regulations.

**Section 36. Control System.** The systems on Control Number of CWR, Tagging/Marking of wildlife approved for registration and Coding of Tags shall continue to be in accordance with the provisions of PCSD Memorandum Circular No. 05-02.

**Section 37. Period of Registration; Amnesty Clause.** All existing CWR issued by the PCSD prior to the effectivity of this Order shall continue to be in effect. For those wildlife which are newly listed as threatened in every update made by the PCSD on its List, a period of registration shall also be set. Wildlife bought/acquired from legal sources, such as those with Wildlife Farm Permits, must be registered within three (3) months from such acquisition.

Within thirty (30) days from the effectivity of this Order, all those private individuals who are in possession of any wildlife and who failed to avail of the previous registration period must file their application for registration before the PCSDS for issuance of CWR.

## **CHAPTER V** **FEES AND CHARGES**

**Section 38. Schedule of Fees and Charges.** The following rates of fees and charges shall be collected:

**FEES:**

Permit	Application Fees	Inspection Fees	Permit Fees
1. Gratuitous Permit (GP)			
a. For Filipino researchers without foreign affiliation	100.00	-	-
b. For a foreign person/entity or a Filipino citizen affiliated with a foreign institution	100.00	-	-
c. For scientific researches involving conservation breeding or propagation activities and other wildlife conservation projects initiated by non-government institutions	100.00	-	-
d. For purposes of thesis and dissertation of students affiliated with local academic institutions	Undergrad- None; graduate- 100.00	-	-
e. For other government initiated or	None	-	-

implemented research or scientific projects			
2. Wildlife Farm Permit (WFP)			
a. Small Scale Farming	500.00	540.00	1,200.00
b. Medium Scale Farming	500.00	1,680.00	2,000.00
c. Large Scale Farming	500.00	2,400.00	2,500.00
3. Wildlife Collector's Permit (WCP) for Terrestrial Wildlife	500.00	-	-
4. Wildlife Collector's Permit (WCP) for Aquatic Wildlife	500.00	-	-
5. Wildlife Special Use Permit (WSUP)			
a. For Economically Important Species for Direct Trade	500.00	-	500.00
b. For all wildlife for Shows/Exhibitions	300.00	-	-
c. For all wildlife for Educational Purposes (Other than Scientific Research such as trainings and conventions)	50.00	-	-
d. For all wildlife for Documentation for Commercial Purposes	300.00	-	-
6. Local Transport Permit (LTP)			
a. Commercial	-	200.00	<u>Edible Birds nest</u> – 1% of the commercial value of the product
b. Non-commercial	-	100.00	<u>Farm Bred fauna</u> – 200.00
			<u>Other wildlife derivatives</u> – 300.00
			<u>Other wildlife by-products</u> – 10.00/pc for the 1 <sup>st</sup> 10 pcs; 5.00/pc for each additional pc or 50.00 for 1kg or less and additional 5.00 for each additional 500gms
c. Reissuance fee	50.00 for 1 <sup>st</sup> copy, 10.00 for succeeding		
d. Re-issuance for unused/expired LTP	100.00		
7. CITES/Non-CITES Export and Re-Export Permit			
a. Commercial			
i. Fauna, its by products and derivatives	-	300.00	3% of export value

ii. Flora (propagated)	-	300.00	300.00 for 1 <sup>st</sup> 50 pcs plus 2.00 for each additional pc.
b. Non-commercial			
i. CITES species	-	150.00	250.00
ii. Non-CITES species	-	150.00	150.00
c. Reissuance fee for CITES Permit		250.00/permit	
d. Reissuance fee for Non-CITES Permit		150.00/permit	
8. CITES/Non-CITES Import Permit	-	-	350.00
a. Re-issuance fee for CITES Permit		250.00/permit	
b. Re-issuance fee for Non-CITES Permit		150.00/permit	

### CHARGES:

For collections under Wildlife Collector's Permit, Wildlife Special Use Permit, Ranching and/or Hatchery facilities and Academic Researches Permits.

a. Mammals	500.00/head; 1,500.00/indv of threatened species
b. Reptiles	400.00/head; 1,200.00/indv of threatened species
c. Birds	20.00/head; 1,000.00/indv of threatened species
d. Amphibian	20.00/head; 1,000.00/indv of threatened species
e. Insects	
i. Butterfly	70.00/head
ii. Beetles	200.00/head
iii. Other insects	50.00/head
f. Orchids	50.00/pc for common; 200.00/pc for threatened
g. Wildlings	50.00/pc; 100.00/pc of threatened species
h. Plant parts and all other derivatives	25.00/pc/plant/sample; 100.00 for threatened species; or 25.00/50kgs or 1 liter
i. Fauna parts and derivatives not limited to blood and serum samples	25.00/pc/plant/sample; 100.00 for threatened species; or 25.00/50kgs or 1 liter

Clearance/Registration	Clearance/Registration Fees
9. Wildlife Clearance for Introduction, Reintroduction or Restocking of Endemic or Indigenous Wildlife	300.00
10. Wildlife Clearance for Introduction of Exotic Wildlife	300.00
11. Certificate of Wildlife Registration (CWR)	
a. For threatened terrestrial and aquatic fauna	350.00/head
b. For threatened flora species	150.00/specie

a. For exotic fauna which are kept in houses/by private individuals	200.00/head
b. For exotic flora and fauna which are used for educational purposes and/or commercial-related activities e.g display in restaurants, etc.	350.00/head of fauna; 150.00/species of flora

**CHAPTER VI**  
**PROHIBITED ACTS AND ADMINISTRATIVE PENALTIES**

**Section 39. Prohibited Acts and Fines.** The following acts, done in/with/in relation to/against wildlife, their by-products and derivatives, are prohibited and shall be fined accordingly:

- 39.1. Any person who conducts research without the required Gratuitous Permit shall be fined in the amount of 5,000.00 to 50,000.00;
- 39.2. Any person who engages in wildlife farming without Wildlife Farm Permit shall be fined in the amount of 50,000.00 to 500,000.00 in case of small scale farming and in the amount of 100,000.00 to 1,000,000.00 in case of medium to large scale farming;
- 39.3. Any person who collects wildlife without Wildlife Collector's Permit shall be fined in the amount of 5,000 to 20,000.00 per head/piece of wildlife collected;
- 39.4. Any person who trades threatened wildlife species, except progenies and parental stock covered by a Wildlife Farm Permit, shall be fined in the amount of 10,000.00 to 30,000.00 per head/piece of wildlife traded. Any person, natural or juridical, who is found in his possession warehouse of wildlife, whether or not owned by him as long as under his control and supervision, such as but not limited to aquarium facilities, aerator, storage boxes and storage area, purposely to keep wildlife shall be presumed as Trader;
- 39.5. Any person who trades economically important species without Wildlife Special Use Permit shall be fined in the amount of 5,000.00 to 15,000.00 per head/species of wildlife traded. Any person, natural or juridical, who is found in his possession warehouse of wildlife, whether or not owned by him as long as under his control and supervision, such as but not limited to aquarium facilities, aerator, storage boxes and storage area, purposely to keep wildlife shall be presumed as Trader;
- 39.6. Any person who engages in shows/exhibitions of wildlife without Wildlife Special Use Permit shall be fined in the amount of 5,000.00 to 50,000.00;
- 39.7. Any person who engages wildlife for Educational Purposes (Other than Scientific Research such as trainings and conventions) without Wildlife Special Use Permit shall be fined in the amount of 1,000.00 to 20,000.00;
- 39.8. Any person who engages in documentation of wildlife for commercial purposes without Wildlife Special Use Permit shall be fined in the amount of 5,000.00 to 50,000.00;
- 39.9. Any person who transports wildlife without Local Transport Permit shall be fined in the amount of 10,000.00 to 1,000,000.00;

- 39.10. Any person who exports/re-exports wildlife without CITES/Non-CITES Export Permit or Re-Export Permit for commercial purposes shall be fined in the amount of 50,000.00 to 1,000,000.00;
- 39.11. Any person who exports/re-exports wildlife without CITES/Non-CITES Export Permit or Re-Export Permit for non-commercial purposes shall be fined in the amount of 30,000.00 to 300,000.00;
- 39.12. Any person who imports wildlife without CITES/Non-CITES Import Permit shall be fined in the amount of 50,000.00 to 500,000.00
- 39.13. Any person who introduces, reintroduces or restocks endemic or indigenous wildlife without Wildlife Clearance shall be fined in the amount of 10,000.00 to 100,000.00;
- 39.14. Any person who introduces exotic wildlife without Wildlife Clearance shall be fined in the amount of 10,000.00 to 100,000.00;
- 39.15. Any person who possesses wildlife without a Certificate of Wildlife Registration, except when covered by other permits under this Order, shall be fined in the amount of 10,000.00 to 50,000.00 per head/piece of wildlife possessed;
- 39.16 Any person who kills and destroys wildlife species shall be fined in the amount of 50,000.00 to 100,000.00 per head/piece of wildlife killed/destroyed, except in the following instances;
- (i) when it is done as part of the religious rituals of established tribal groups or indigenous cultural communities;
  - (ii) when the wildlife is afflicted with an incurable communicable disease;
  - (iii) when it is deemed necessary to put an end to the misery suffered by the wildlife;
  - (iv) when it is done to prevent an imminent danger to the life or limb of a human being; and
  - (v) when the wildlife is killed or destroyed after it has been used in authorized research or experiments.
- 39.17. Any person who inflicts injury which cripples and/or impairs the reproductive system of wildlife species shall be fined in the amount of 30,000.00 to 300,000.00;
- 39.18. Any person who effects any of the acts below in critical habitat(s) shall be fined in the amount of 5,000.00 to 500,000.00;
- (i) dumping of waste products detrimental to wildlife;
  - (ii) squatting or otherwise occupying any portion of the critical habitat;
  - (iii) mineral exploration and/or extraction;



(iv) burning;

(v) logging; and

(vi) quarrying

39.19. Any person who gathers or destroys active nests, nest trees, host plants and the like shall be fined in the amount of 30,000.00 to 300,000.00;

39.20. Any person who maltreats and/or inflicts other injuries on wildlife in a manner not covered by the preceding paragraph shall be fined in the amount of 20,000.00 to 200,000.00;

39.21. Any permittee who violates any of the terms and conditions set forth in the Permit/Clearance issued by the PCSD under this Order shall be fined in the amount of 10,000.00 to 100,000.00; and

39.22. Any permittee or any of his/her officers, employees, agents or other persons acting in his/her behalf, who hinders/prevents the conduct of inspections by the PCSD/S in the performance of the latter's regulatory functions shall be fined in the amount of 10,000.00 to 100,000.00.

**Section 40. Aggravating and Mitigating Circumstances.** In fixing the FINES in accordance with and within the range prescribed in the immediately preceding Section, the following shall be considered as either aggravating or mitigating circumstances:

40.1. Prior violation (s) of this Administrative Order or other related laws, rules and regulations;

40.2. Use of noxious or prohibited substances in the conduct of allowed activities/business, particularly but not limited to aquatic wildlife;

40.3. When the violation is committed on the occasion of, pursuant to or as a means of committing another or a separate offense or violation of any law, ordinance or decree;

40.4. Dealing in, transporting or trading wildlife known or could have been reasonably known to as having been acquired/caught in violation of this Order and other related laws, ordinances or decrees;

40.5. Nature and gravity of the violation taking into consideration the number, category/conservation status of the wildlife involved; and

40.6. Whether or not the collection is perpetuated through inappropriate techniques and devices.

**Section 41. Confiscation and Forfeiture.** Conveyances, wildlife species and other objects/items used or possessed in violation of this Order shall be confiscated and forfeited in favor of the government, subject to this Order's provisions on Administrative Adjudication.

**Section 42. Additional Penalties.** Without prejudice to the imposition of fine for every violation under this Order, violators shall be subject to the following additional penalties as may be deemed appropriate:

- 42.1. Suspension of Permit/Clearance for the first offense;
- 42.2. Cancellation of Permit/Clearance for the second offense; and,
- 42.3. Closure of any establishment/warehouse or demolition of structures for operating without the necessary permit/clearance under this Order.

**Section 43. Violation of other laws, rules and regulations.** Any violation of the Provincial /Municipal/City ordinance and other related laws, rules and regulations shall be a ground for the cancellation of Permit/Clearance issued under this Order at the instance of the appropriate government agency or LGU concerned.

**CHAPTER VII**  
**APPREHENSION, SEIZURE, ADMINISTRATIVE ADJUDICATION**  
**AND DISPOSITION OF CONFISCATED, DONATED OR TURNED OVER WILDLIFE**

**Section 44. Apprehension.** Any person caught to be in violation of this Order or of the provisions of Wildlife Act itself may be apprehended.

**Section 44.1. Apprehending Authority/Seizure Officers.** The following persons are authorized to apprehend/seize under this Order:

- 44.1.1. PCSD Staff/Enforcement Team;
- 44.1.2. Deputized/Designated Wildlife Enforcement Officers;
- 44.1.3. ECAN Board Apprehension Team;
- 44.1.4. Members of Multipartite Quick Response Team (MPQRT) created pursuant to Memorandum entered into by and among the PCSD/S and other enforcement agencies;
- 44.1.5. Local enforcement groups such as KSK, Local Bantay Dagat, MFARMCs/BFARMCs, etc.;
- 44.1.6. Members of law enforcement agencies and other government agencies involved in environmental protection (such as DENR), and

Nothing herein shall be construed so as to prevent regular police officers or other law enforcers to apprehend persons in violation of the provisions of this Order.

**Section 44.2. On-Site Inspection and Immediate Release.** Upon encountering a possible violation of this Order, the apprehending officer shall, after announcing the commencement of verification procedure, verify the existence of substantial ground for apprehension through on-site inspection and determination. The inspection shall include the wildlife involved and the necessary permits/clearances issued under this Order. When found to be in order and there is no substantial ground for apprehension, the release of all items apprehended must be effected immediately. Specifically, the following shall be done:

- 44.2.1. Determine the act and identify the wildlife species and their category/status;
- 44.2.2. Introduce himself (show of Official ID) and inform the suspect of the authority to conduct a verification procedure;
- 44.2.3. Verify the existence of the required documents/permits/licenses depending on the surrounding circumstances; and
- 44.2.4. If upon verification the documents are in order and no violation is determined, release the person and the wildlife specimen involved.

**Section 44.3. On-Site Recording and Preservation of Data and Evidence.** Should inspection indicate a violation of this Order and there is substantial ground to apprehend, the apprehending officer shall immediately perform the following:

- 44.3.1. Inform the person(s) apprehended of his findings and state the cause of his apprehension in accordance with these Rules;
- 44.3.2. Record the names, addresses and other available data of all persons found involved in the offense;
- 44.3.3. Record their specific mailing addresses or name of local public officer to whom any legal processes in connection with the offense may be served and their contact numbers;
- 44.3.4. Itemize/list all wildlife species involved, conveyances and other tools/implements or articles used in the commission of or otherwise connected with any offense under these rules;
- 44.3.5. Take the photograph of all items to be seized, preferably including the person under whose possession such items have been recovered. The person who has taken the photograph must indicate the specifications of the camera and authenticate the same by affixing his/her signature at the back thereof;
- 44.3.6. Make the necessary markings on all items/objects intended to be seized;
- 44.3.7. Make the inventory and/or seizure receipt which should be done in the presence of the apprehended person/s and/or at least two witnesses, and must be signed by the apprehending officer/PCSD Staff and the witnesses;
- 44.3.8. Issue the corresponding Seizure Receipt, one copy for the apprehended person/s, one for the witness and one for the apprehending team, which shall contain the following:
  - a. Place of seizure, which must specifically indicate the sitio, barangay and the municipality where the apprehension was conducted ;
  - b. Date of seizure (day, month, year and time);
  - c. Person/s from whom the items are confiscated;
  - d. Findings or the alleged violation which is the reason for seizure;
  - e. Particular items seized;
  - f. Name and signature of at least two witnesses; and
  - g. Name and signature of the lead apprehending officer

The apprehended person/s may be asked to sign the receiving copy **only for the purpose of evidencing receipt of his copy of the seizure receipt and not as evidence of ownership of the items indicated therein.** Where the apprehended person refuses to affix his signature in the receiving copy, the apprehending officer shall indicate the fact that a copy has been furnished to him and that he refused to sign or to acknowledge receipt thereof. When the apprehended person refuses to accept a copy of the receipt, leave a copy just the same and indicate such fact in the apprehending officer's copy.

- 44.3.9. Bring the person arrested to the nearest police station for assistance and/or custody of the person. When, for any valid reason, the PCSD Staff concerned decides not to effect an arrest, he shall release the person, however, he must seize the wildlife specimen and issue a seizure receipt in accordance with the immediately succeeding section.

**Section 45. Issuance of Certification as to the Conservation Status of the wildlife specimen seized.** The apprehending officer shall immediately coordinate with the PCSDS for the issuance of the certification of the conservation status of the wildlife seized. The PCSDS authorized staff shall determine the conservation status of the wildlife specimen and issue a

corresponding certification based on CITES/IUCN and PCSD List. Such certification shall be attached to the administrative/criminal complaint that may subsequently be filed.

**Section. 46. Custody or Release Back into the Wild.** The apprehending officer shall then turn-over the custody of all wildlife, whether dead or alive, to the nearest rescue center. The apprehending officer shall ensure that the concerned officer of the rescue center receiving the wildlife shall issue a turn-over receipt.

Should the apprehending officer finds it necessary to immediately release the wildlife back into the wild, the same shall be done in accordance with Section 48 of this Order and shall be fully documented, with witnesses preferably from the barangay where the wildlife specimen were recovered. Such documentation shall be made part of the records of the case

The conveyances and other articles used in connection with the offense or fruits thereof shall be turned over to the PCSDS as temporary custodian pending the documentation for the filing of appropriate case. For this purpose, a custody receipt shall be issued by the PCSDS as custodian.

If a criminal complaint is subsequently filed, the seized articles shall be turned over to the Prosecution Office for safekeeping or for the determination of the rightful custodian during the pendency of the criminal case.

**Section 47. Administrative Proceedings.** The apprehending Officers may file an administrative complaint for violation of this Order before the PCSD Adjudication Board (PAB) in accordance with the existing rules/procedures of the latter.

When the pieces of evidence are not substantial enough to sustain an administrative decision against the respondent, a ruling shall be issued dismissing the case, with order that the seized items be immediately returned. However, when the evidence so warrants, a ruling shall be issued declaring the seized items to be confiscated in favor of the Government, without prejudice to the imposition of fines against respondents. In the absence of any appeal and the decision final and executory, the confiscated items shall become permanent property of the Government, which shall be disposed of in accordance with law.

This administrative proceeding shall proceed without prejudice to the filing of an appropriate criminal charge in court.

**Section 48. Disposition of Wildlife.** The disposition of wildlife confiscated, donated or turned over pursuant to the implementation of R.A. 9147 and this Order shall be done by the concerned PCSDS. For other agencies involved in the confiscation, the PCSDS concerned must be notified.

**Section 48.1. Manner of Disposition.** The following must be the manner of disposition, whichever is appropriate:

48.1.1. For Live Wild Fauna:

48.1.1.1. Wildlife in-heat, pregnant, supporting/feeding a young, still reliant on their parents for survival, or recovering from sickness, injuries or diseases must be immediately brought to the nearest rescue center;

48.1.1.2. Wildlife in distress must also be brought immediately to the nearest rescue center; and

48.1.1.3. Wildlife recently caught may be released immediately to the capture site upon certification by the authorized wildlife expert/biologist/zoologist/veterinarian that the same is in good health.

48.1.2. For Dead Wild Fauna:

Dead wild fauna shall be preserved or buried in accordance with the succeeding subsections. Preserved fauna shall be deposited in the PCSDS.

48.1.3. For Wild Flora:

Wild flora may be transplanted in suitable habitat within its historical range/area of distribution, subject to monitoring by the PCSDS on survival. If to be preserved in accordance with the succeeding subsection, the same must be kept at the PCSDS.

**Section 48.2. Documentation and Record-Keeping.** Disposition under this Order shall require prior compliance with the following information:

- 48.2.1. Scientific and common name of wildlife;
- 48.2.2. Age (categorized as young, juvenile or adult) and Sex;
- 48.2.3. Site where wildlife was captured;
- 48.2.4. Date of acquisition, if applicable;
- 48.2.5. Mode of acquisition;
- 48.2.6. Place and Date of seizure, if applicable;
- 48.2.7. Names and addresses of persons from whom wildlife was seized, if applicable;
- 48.2.8. Persons involved in the disposition; and
- 48.2.9. Such other important information.

A photo documentation of the subject wildlife and the disposition activity should also be done.

**Section 48.3. Preservation of Wild Flora and Fauna.** If preservation of wild fauna is required for all legal intents and purposes, the same shall be done through the use of formalin solution with 10% concentration OR by using a 70% alcohol solution. In either case, the container to be used must be large enough to fully submerge the specimen.

In case of wild flora, preservation may be done through “dry method” (sun drying) where the specimen is directly exposed to sunlight until it is completely dried OR through “wet method”. The latter case requires the use of 70% alcohol diluted with 30% water in an amount enough to completely soak/penetrate the specimen.

**Section 48.4. Burying of Dead Wild Fauna.** Whenever needed, dead wild fauna must be buried. For retrieval purposes, the exact location and date of burying must be recorded.

## **CHAPTER VIII** **MISCELLANEOUS PROVISIONS**

**Section 49. Wildlife Management Fund.** Pursuant to Section 29 of R.A. 9147, the Wildlife Management Fund, created as a special account in the National Treasury, is hereby activated for PCSD, which shall be derived from donations, contributions, endowments, fines imposed for violations of RA 9147, its implementing rules, and this Order, damages awarded,

fees, charges, and such other revenues generated from wildlife-related activities such as but not limited to permits and charges of all kinds.

The Fund shall finance rehabilitation or restoration of habitats, support scientific research/population assessments, enforcement and monitoring activities as well as enhancement of capabilities of relevant agencies.

Donations and contributions to the fund shall be exempted from donor taxes and all other taxes, fees or charges imposed by the government subject to existing regulations.

**Section 50. Transitory Provision.** The designation of critical habitats in the Province of Palawan pursuant to the Wildlife Act shall be governed by subsequent regulation promulgated for the purpose.

Pending the PCSD's determination of quota for each species in Palawan, the national quota on wildlife as implemented by DENR and DA-BFAR are hereby adopted for purposes of this Order.

**Section 51. Separability Clause.** The provisions of this Order are hereby declared to be separable and, in the event one or more provisions are declared unconstitutional, the validity of the other provisions shall not be affected thereby.

**Section 52. Repealing Clause.** All orders, circulars, memoranda and other issuances inconsistent herewith are hereby repealed and/or amended accordingly.

**Section 53. Effectivity.** This Order shall take effect fifteen (15) days after publication in a newspaper of general circulation and upon deposit to the Office of the National Administrative Registry (ONAR) at the UP Law Center, Diliman, Quezon City.

**SO ORDERED.**

Puerto Princesa City, this 29<sup>th</sup> day of July 2011.

**APPROVED FOR THE COUNCIL:**

  
**ABRAHAM KAHLIL B. MITRA**  
Chairman