

REPUBLIC OF THE PHILIPPINES
PROVINCE OF ILOILO
ILOILO CITY

SANGGUNIANG PANLALAWIGAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE 8TH SANGGUNIANG PANLALAWIGAN NG ILOILO, HELD IN THE SESSION HALL OF THE NEW ILOILO PROVINCIAL CAPITOL, BONIFACIO DRIVE, ILOILO CITY ON MAY 22, 2007.

PRESENT:

Hon. Cecilia H. Capadosa,
Acting Presiding Officer

Hon. Rodolfo V. Cabado,	Majority Floor Leader
Hon. Macario N. Napulan,	Member
Hon. Ellery C. Gaje,	Member
Hon. Domingo B. Oso, Jr.,	Member
Hon. Romeo S. Palmares,	Member
Hon. Niel "Junjun" C. Tupas, Jr.,	Member
Hon. Eric V. Barbosa, Sr.,	Member
Hon. Angel B. Briones,	Member (Pres.Liga ng mga Brgy.)
Hon. Lilia Y. Gonzales,	Member (FSBM President)
Hon. Jeneda C. Salcedo,	Member (FSKI President)

ON OFFICIAL BUSINESS:

Hon. Roberto B. Armada Vice Governor

ON SPECIAL LEAVE:

Hon. Bernardo B. Silla, Jr., Member
Hon. Emmanuel R. Gallar, Member

ABSENT: N O N E

PROVINCIAL ORDINANCE NO. 2007-068

**AN ORDINANCE PROTECTING AND PROMOTING ANIMAL WELFARE
PURSUANT TO AND IN LINE WITH THE PROVISIONS OF REPUBLIC ACT 8485 OR
THE ANIMAL WELFARE ACT OF 1998**

Sponsored Jointly by :

HON. DOMINGO B. OSO JR. and HON. LILIA Y. GONZALES

"Presented for consideration of the Body is Joint Committee Report No. 33, Series of 2007 of the Committee on Ordinances, Legal Matters and Inter-Government Relations and the Committee on Agriculture, chaired by the Hon. Domingo B. Oso, Jr. and the Hon. Lilia Y. Gonzales, respectively, relative to the proposed Provincial Ordinance Protecting and Promoting Animal Welfare within the Province of Iloilo pursuant to and in line with the provisions of Republic Act 8485 or the Animal Welfare Act of 1998;

WHEREAS, the Joint Committee to which the above matter was referred has considered the comments and suggestions of the participants during the committee hearing conducted last February 13, 2007 and recommends approval of the said ordinance;

WHEREAS, said ordinance aims to achieve the following: a) to protect and promote animal welfare; b) to conduct sustained information drive about the provisions of RA 8485 as well as the prosecution of those engaged in the illegal trading of animals; and c) to prohibit any form of cruelty to animals as well as the prohibition on the killing of animals other than those allowed under the said law;

WHEREAS, the Philippine Government is one of the signatories to the Universal Declaration on Animal Welfare in San Jose, Costa Rica and recognizes that "animals are living, sentient beings and therefore deserve due considerations and respect;

WHEREAS, the DILG has in the past issued several memorandum circulars particularly MC Nos. 2000-91, 2001-153 and 2005-01, directing all local government units to enact an ordinance aimed at protecting and promoting animal welfare, to conduct sustained information drive about the provisions of RA 8485 as well as the prosecution of those engaged in the illegal trading of animals among others;

WHEREAS, the SANGGUNIANG PANLALAWIGAN NG ILOILO, recognizes the importance of the above cited law and the salient provisions embodied therein that aims the prohibit any form of cruelty to animals as well as the prohibition on the killing of animals other than those allowed under the said law;

WHEREAS, there is a need to enact ordinances to effectively implement the provisions of the above cited law;

NOW THEREFORE, on motion of the Hon. Rodolfo V. Cabado, upon the joint sponsorship of the Hon. Domingo B. Oso, Jr. and Hon. Lilia Y. Gonzales and was duly seconded,

BE IT ORDAINED, as it is hereby Ordained, by the Sangguniang Panlalawigan in session assembled, that:

Section 1. PURPOSE

Pursuant to Article II Section 2 of the 1987 Philippines adopts generally accepted principles on international law as part of the land adheres to the policy of peace, equality, justice, freedom, cooperation, and amity with all nations. Part of its international commitments is respect to the sensitivity of the world community to certain practices unique to the country but are offensive to the accepted norms and conduct of the civilized world.

The Government of the Philippines is one of the signatories to the groundbreaking Universal Declaration on Animal Welfare in San Jose, Costa Rica and recognizes that "animals are living, sentient beings and therefore deserve due considerations and respect". Its principles declare that animal welfare" shall be a common objectives for all nation" and that "all appropriate steps shall be taken by nations to prevent cruelty to animals and to reduce their sufferings".

Section 2. DEFINITIONS - as used in this Ordinance the following terms, words and phrases shall be constrained to man as follows.

- a. **Animal Welfare** - the avoidance of exploitation of animals by man by maintaining appropriate standards of accommodation, feeding and general care, the prevention and treatment of disease and the assurance of freedom from unnecessary discomfort and pain.
- b. **Pound** - an establishment created by the City/Municipal Government where stray dogs are apprehended and confined for 3 days before being redeemed by their owners or if unclaimed disposed of by approved methods. The pound must be accredited by the Animal welfare Division of the BAI, as provided for by the Animal Welfare Law.
- c. **Responsible Pet Owner** - one who takes possession only of the number of pets he/she afford to feed and gives proper care to by giving clean, nutritious and sufficient food and water, bathing, cleaning its sleeping area, chaining or putting the pet in a cage and not allowing it to stray and having it vaccinated against dangerous communicable diseases.

- d. **Food Animal** - all domestic animals slaughtered for human consumption such as but not limited to cattle, carabao, buffaloes, horses, sheep, goats, hogs, deer, rabbits, ostrich and poultry.
- e. **Sentient Beings** - capable of experiencing pain and suffering.
- f. **Pet** - any animal owned and kept by human being in the household or within the owner's private property.

Section 3.1. Coverage - This ordinance is passed to ensure the protection and promotion of the welfare of all animals found within the territorial jurisdiction of Iloilo Province, whether the same be wild or domesticated, which are kept, bred, treated, trained either as objects of trade or as household pets. For purposes of this ordinance, the pet animal shall include birds.

Section 3.2. Requirement for Registration with Bureau of Animal Industry - No person, association, partnership, corporation, cooperative or any government agency or instrumentally including slaughter houses shall establish, maintain and operate any pet shop, kennel, veterinary clinic, veterinary hospital, stockyard, corral, stud farm or stock farm or zoo for the breeding, treatment, sale or trading, or training of animals without first securing from the Bureau of Animal Industry a certificate of registration therefore.

Section 3.3. Responsibility of the owner of the facilities - The owner/operator of the slaughter houses, pet shops, kennels, veterinary clinic, veterinary hospital, stockyard, corral, stud farm, or stock farm or zoo shall ensure that their facility shall continue to be adequate, clean and sanitary and that the same will not be used for, nor cause pain/or suffering to the animals. Failure of the said owner/operator of the aforementioned facilities shall be a ground for the Regional /City Veterinarian or the Regional Animal Welfare Officer to issue an order directing the said owner/operator of the affected facilities to stop its operation and closure of the business after complying with the requirement of due process. The City/Provincial Veterinarian or the Regional Animal Welfare Officer shall likewise recommend the cancellation of the Certificate of Registration issued to the establishment concerned without prejudice to the filing of the necessary action before the proper court or forum for violation of the pertinent provision of this ordinance or the Animal Welfare Act.

Section 4. Certificate of Registration with the Bureau of Animal Industry a pre-requisite before a Business/Mayor's Permit s granted - No animal facilities mentioned above shall be issued a business/mayor's permit unless a certificate of registration with the Bureau of Animal Industry - Animal Welfare Division shall have been obtained and presented. Any cancellation/revocation of such certificate of revocation during its validity period shall likewise be a ground to revoke/cancel the business permit issued to it by the city/provincial government.

Section 5. Supervision and Regulation - The City/Provincial Veterinarian or his duly authorized representative shall supervise and regulate the operation and continued compliance of the owners of the above facilities with the provisions of this ordinance and the animal welfare law in coordination with the Bureau of Animal Industry or its Regional Animal Welfare Division located within the area of its jurisdiction. The City/Provincial Veterinarian shall actively enforce all laws and regulations for the prevention of cruelty to animals and promote their welfare. He shall have the power to inspect the above cited facilities to ensure that its owners/operators continue to comply with the provisions of the Animal Welfare Act and this ordinance.

The City/Provincial Veterinarian He shall make the necessary recommendation to the City/Municipal Mayors or the Provincial Government all actions /programs necessary to promote animal welfare as well as the conduct of sustained information and education campaign.

Section 6. City/Provincial Animal Welfare Division - There is hereby created an Animal Welfare Division under the Office of the City/Provincial Veterinarian. The said Division shall

oversee, regulate and implement the provisions of RA 8485 and of this ordinance and shall coordinate closely with the Bureau of Animal Industry or its Regional Offices to ensure the effective and positive implementation of the Animal Welfare Law. The City/Provincial Veterinarian or its duly authorized representative shall submit a periodic report (quarterly/ semi annually) to the City Mayor /Provincial Governor of the status of and development of its programs for purposes of monitoring.

Section 7. Promotion of Animal Welfare and Respect to the rights of animals - It shall be unlawful for any person to torture any animal, to neglect to provide care, sustenance or shelter, or maltreat any animal or to subject any dog, horse or carabulls fights, kill or cause or procure to be tortured, or deprived of adequate care, sustenance or shelter, or maltreat or use the same in research or experiments not expressly authorized by the Committee on Animal Welfare.

Section 8. Care of animals during transit – It shall be the duty of any owner or operator of any land, air or water public utility transporting pet, wildlife and all other animals to:

1. Provide in all cases adequate, clean and sanitary facilities for the safe conveyance and delivery thereof to their consignee at the place of consignment.
2. Provide sufficient food and water while in transit for more than twelve (12) hours or whenever necessary and while in temporary holding place while awaiting transport.
3. Provide maximum comfort while in transit and minimize if not totally eradicate incidence of sickness and death.
4. Prevent any form of cruelty from being inflicted upon the animals.
5. Ensure no animals are confined under cruel and inhumane condition such as but not limited to placing of animals on trunks or under false bottoms, cages not adequate considering the number and size of animals, insufficiently ventilated cages or spaces during transport and while in transit.
6. Prevent use of cruel restraint such as but not limited to trussing, use of tin cans, wire, plastic straw as well as other similar materials as muzzles.
7. Prevent subjecting/exposing the animals to extreme weather conditions.

Section 9. Care of Animals during trading or while in display, exhibit or sale-The abovementioned duties shall likewise apply to the owner operator of any transport facility or any animal facility when the animals are held or kept temporarily during trading , display, exhibit or sale.

Section 10. Shipping/Transport Permit - No public utility shall transport any animals without a written permit from the Director of the Bureau of Animal Industry or his/her authorized representative. Such transport permit shall be presented to the local police officer or to the City/Provincial Veterinarian or any deputized officer or representative of the Bureau of Animal Industry when so required.

Section 11. Killing of Animals - The killing of any animal other than cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, deer, and crocodiles is likewise hereby declared unlawful. Exceptions:

1. When it is done as part of a religious ritual of an established religion or sect or a ritual required by tribal or ethnic customs of indigenous cultural communities. The tribal leader however, is required to record and report the ritual to their Barangay Captain and the latter will submit a monthly report thereof to the City/Provincial Veterinarian;
2. When the pet animal is afflicted with an incurable communicable disease as determined by a licensed veterinarian;

3. When the killing is deemed necessary to put an end to the misery suffered by the animal and certified by a duly licensed veterinarian;
4. When it is done to prevent an imminent danger to the life and limb of a human being;
5. When done for the purpose of animal population control;
6. When the animal is killed after it has been used in an authorized research of experiments
7. Any other ground analogous to the foregoing as determined by a licensed veterinarian;

In all the above cases including those of cattle, pigs, goats, sheep, poultry, rabbits, carabaos, horses, deer and crocodile, the killing of animals shall be done through humane procedures at all times.

Section 12. Transporting or trafficking of dogs and cats for slaughter and introduction of meats from non food animals into the market or human food chain - It shall be unlawful for any persons, association, partnership or cooperation, cooperative or any government agency or instrumentally **to trade or engage in the trading of dogs and cats as well as other animals not considered or defined as food animal by the National Meat Inspection Service for purposes of slaughter for food** except when done as part of a religious ritual of an established religion or sect or a ritual required by tribal or ethnic customs of indigenous cultural communities as provided above and as provided under Section 6 (1) of RA 8485, when such animals are used as feast offerings. Eating of the meat of the animal offered or used for purposes of religious rituals or celebrations of an indigenous rural community shall however, be limited to those who participated in the said ritual or celebration and shall not in any way be offered for sale.

No meat, carcass or parts thereof, or any by products of animals not considered food animals such as those derived from dogs and cats, either raw or cooked shall be sold or offered for sale as food in any market, restaurant, groceries or any retail stores, clandestinely or openly. Slaughtering of non food animals such as dogs and cats in the city/provincial/municipal abattoir or slaughter houses shall in no case be allowed.

Buying or purchasing dogs/cats for purposes of selling the same to the persons/group identified as engaging in the illegal dog/cat trade slaughter of the said animals for food shall likewise be penalized. A person or group of persons shall be considered as engaged in the illegal dog/cat trade when he fails to show necessary permits or authority to engage in the business of the animal transport or facility as defined under RA 8485 and the object of the buying is to sell/slaughter the said animals for food.

Section 13. Establishment of a City/Municipal Dog Pound - Cities and municipalities shall establish a "Public Dog Pound" which shall be maintained under the supervision of a licensed veterinarian, or any authorized/designated pound officer of the Office of the Municipal Agriculturist or of the Municipal /City Rabies Control Committee. The site of the City or Municipal Dog Pound shall be identified or determined by the Mayor.

Section 14. Responsibilities Pet Ownership - Every pet owner, custodian or caretaker are enjoined to be responsible and to take care of their pets. It shall be the owner's duty to:

1. Register/ License his pet;
2. Immunize pets regularly against dangerous and communicable animal diseases;
3. Leash or cage pets and not allowing them to go astray;
4. Provide pets with adequate food, water, and shelter;
5. Monitor and report any abnormal behavior/ temper and bite incidence;

6. Assume full liability whenever his pet has bitten a victim outside of his enclosed premises or whenever he lost control of his pet;
7. Participate in any activity to eradicate dangerous and communicable animal diseases and control of stray animals.

Section 15. Penalty – Violation of this Ordinance shall be penalized based on the penalty provided under Section 8 of RA 8485, as follows:

Any person who violates any of the provisions of this Act shall, upon conviction by final judgment, be punished by imprisonment of not less than six (6) months nor more than (2) years or a fine of not less than One Thousand Pesos (P1,000.00) nor more than Five Thousand Pesos (P5,000.00) or both at the discretion of the Court. If the violation is committed by a juridical person, the officer responsible thereof shall serve the imprisonment when imposed. If the violation is committed by an alien, he or she shall be immediately deported after service of sentence without any further proceedings.

Section 16. Repealing Clause – Any ordinance or part thereof inconsistent herewith is hereby repealed or modified accordingly.

Section 17. Effectivity – This ordinance shall take effect 30 days after its approval and after publication in a local newspapers and after copies hereof had been posted in at least 3 conspicuous places in the 42 municipalities and 1 component city of the province and furnishing copies to the mayors and their respective barangay captain.

RESOLVED FURTHER, to furnish copies of this resolution, the Governor, Hon. Niel D. Tupas, Sr.; the Provincial Legal Officer, Provincial Veterinarian, Provincial Agriculturist, Provincial Health Officer, Provincial Treasurer; all municipal and component City Mayors; all of the Province of Iloilo, for their information and guidance.

APPROVED."

I HEREBY CERTIFY to the correctness of the above-quoted Ordinance.

LORENZO T. TUBOLA
Secretary to the SP

CONCURRED BY:

ATTESTED BY:

RODOLFO V. CABADO
Majority Floor Leader

CECILIA H. CAPADOSA
Acting Presiding Officer

APPROVED BY:

NIEL D. TUPAS, SR.
Governor