

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



**EIGHTEENTH CONGRESS
First Regular Session**

House Resolution No. 206

Introduced by Hon. **RONNIE L. ONG**

**RESOLUTION INVESTIGATING THE IMPLEMENTATION OF ANIMAL WELFARE
AND RESPONSIBLE PET OWNERSHIP LAWS AND LOCAL ORDINANCES WITH
THE END VIEW OF ENSURING HUMANE AND STANDARDIZED TREATMENT FOR
ALL DOGS AND OTHER STRAY ANIMALS IN ANIMAL POUNDS AND SHELTERS
AND PROTECTING THE HEALTH OF COMMUNITIES NATIONWIDE**

WHEREAS, Section 1 of the Animal Welfare Act (R.A. 8485), as amended by R.A. 10631, defines animal welfare as "the physical and psychological well-being of animals including, but not limited to, the avoidance of abuse, maltreatment, cruelty and exploitation of animals by humans by maintaining appropriate standards of accommodation, feeding and general care, the prevention and treatment of disease and the assurance of freedom from fear, distress, harassment, and unnecessary discomfort and pain, and allowing animals to express normal behavior;"

WHEREAS, to issue the necessary rules implementing the Animal Welfare Act, as amended, including safety and sanitary standards as to be promulgated, a Committee on Animal Welfare attached to the Department of Agriculture (DA) was created composed of representatives from the DILG, DepEd, DA-Bureau of Animal Industry, DENR-Protected Areas and Wildlife Bureau, DA-National Meat Inspection Commission, DA- Agriculture Training Institute, Philippine Veterinary Medical Association, Veterinary Practitioners Association of the Philippines, Philippine Animal Hospital Association of the Philippines, Philippine Animal Welfare Society, Philippine Society for the Prevention of Cruelty to Animals, Philippine Society of Swine Practitioners, Philippine College of Canine Practitioners and Philippine Society of Animal Science;

WHEREAS, Rule 3.1 of the Revised Implementing Rules and Regulations of the Animal Welfare Act provides that the Animal Health & Welfare Division of the Bureau of Animal Industry shall have the power to enforce the rules formulated by the Committee on Animal Welfare, maintain a database surveillance and management information system on animal welfare in the country, deputize personnel from law enforcement agencies to assist in the implementation of this Act and institute a mechanism on the delineation of functions between and among the DA- Regional Animal Welfare Officers, PNP/NBI designated animal welfare enforcement officers, NGOs/POs animal welfare enforcement officers and provincial/city and municipal veterinary officers and/or the local agricultural officers in the absence of local veterinarians.

WHEREAS, to further ensure the humane treatment of animals, Section 6 of the Animal Welfare Act, as amended, declared it unlawful "for any person to torture any animal, to neglect to provide adequate care, subject any dog or horse to dogfights or horsefights, 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”;

WHEREAS, since 1998, a series of administrative orders were promulgated by the Committee on Animal Welfare and approved by DA to address various animal welfare concerns, to wit:

- a) Administrative Order (AO) No. 8, s. 1999, provides the requirements for registration of animal control facility and defines it as one “that accepts and/or seizes animals for the purpose of caring for them, placing them through adoption, or carrying out law enforcement, whether or not the facility is operated for profit.”

AO No. 8 further provides for facility specification requirements, some of which are:

1. Sufficiency of space and size to meet the needs of free movement and exercise of animals;
2. Protection of the animals from exposure to the elements and adverse climatic conditions;
3. Provision for containment, security and safety from any harm or injury;
4. Provision of structural design that will ensure easy removal of the animals especially during emergencies;
5. Adequacy of ventilation, light and water supply and drainage and waste disposal system;
6. Maintenance of cleanliness, sanitation and pathogen and pest control; and
7. Adequacy of quarantine facilities for sick animals.

- b) AO No. 3, s. 2015 mandates the observance of the following Basic Freedoms of Animals in the construction, renovation, establishment, operation and maintenance by LGUs of animal pounds:

1. Freedom from thirst, hunger and malnutrition;
2. Freedom from physical discomfort and pain;
3. Freedom from injury and disease;
4. Freedom to conform to essential behavior patterns; and
5. Freedom from fear and distress;

Moreover, AO No. 3 requires animal pounds of LGUs to provide enough space for each animal to feed, sleep, sit, stand, lie with limbs extended, stretch and move about. There is a specific cage measurement and material per the size and breed of the animal.

The AO also provides that the animals shall be captured, transported and restrained in the most humane manner where dragging, whipping, throwing, unnecessary lifting and pulling by the neck, ears or legs of the animal shall be prohibited.

- c) AO No. 5, s. 2015 is similar in tenor to AO No. 3, only that the former covers public and private animal shelters as opposed to animal pounds of LGUs.

- d) AO No. 13, s. 2010, as amended, prescribes that euthanasia in animal pounds and shelters shall be performed by a duly-licensed veterinarian and shall only be allowed under the following conditions:

1. When the animal is afflicted with an incurable or communicable disease as determined and certified by a duly licensed veterinarian;

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

Moreover, AO 13 provides that "the preferred method of euthanasia shall always be by injection." Firearm may also be used subject to the restriction that only a licensed and deputized sharp-shooter from the Philippine National Police (PNP) or other law enforcement agencies may perform such task -- away from the view of the public and of the other impounded animals.

WHEREAS, the foregoing requirement for the establishment of animal pounds is supported by R.A. 9482 or The Anti-Rabies Act of 2007 which provides that LGUs shall, "[w]ith respect to cities and first class municipalities, establish and maintain a Dog Pound where Impounded Dogs shall be kept;... Provided, other municipalities, shall, on their own, establish a Dog Pound or opt to share the expense of establishing and maintaining a Dog Pound with other adjoining municipalities and/or with private animal shelters and control facilities;"

WHEREAS, Section 7 of R.A. 9482 also provides that LGUs have the responsibility "to strictly enforce Dog Impounding activities and field control to eliminate Stray Dogs" and to enforce the prohibition under the Animal Welfare Act against the torture and killing of animals;

WHEREAS, Section 10 of R.A. 9482 emphasizes the need "to control the dog population and minimize the number of unwanted Stray Dogs." Towards this end, the DA, DOH, DILG, DepEd, LGUs, with the assistance of NGOs and POs, are tasked to undertake an educational and promotional campaign on responsible pet ownership, including the option of spaying or neutering their dogs. LGUs shall also provide an incentive system whereby owners of dogs which have been spayed or neutered will be given a subsidized or discounted pet registration fee;

WHEREAS, despite the enactment of the foregoing laws and the promulgation of the various regulations, there remains public outcry especially from animal welfare and rescue groups on multiple and numerous cases of inhumane treatment towards dogs and other stray animals in pounds, shelters and control facilities all over the country;

WHEREAS, the following are some of the observations of inhumane treatment:

- a) While many LGUs still do not have animal pounds, some pounds and shelters that exist are not following prescribed standards on construction of cages and daily sustenance of sufficient food and water.
- b) Animal-catching practices are often violent or brutal.
- c) Cases of torture of pets or stray animals are still rampant.
- d) Fees collected by animal pounds in cases of adoption and rescue are not uniform, thereby affecting adoption and rescue efforts.
- e) The practice of euthanasia by gunshot is being met with a growing dissent.

WHEREAS, because of the gaps in the implementation of the foregoing laws and regulations, the stray animal population growth is also causing health problems in communities down to the barangay level nationwide such as rabies, animal bites, feces garbage, noise pollution and traffic accidents;

WHEREAS, there is a need for relevant national agencies, LGUs and concerned NGOs and POs to intensify the spay/neuter and adoption programs nationwide if we are to ensure a more humane treatment of animals and a population control mechanism more sustainable than euthanasia;

WHEREAS, stray animals like dogs and cats are helpless but still lovable creatures given to mankind by our Creator, all deserving of care, affection, and a family of humans to adopt, nourish, and love them;

WHEREAS, animals like dogs have proven time and again their being a blessing to Filipinos such as the case of Kabang, the hero dog, who in 2013 saved two children in Zamboanga City from a speeding motorcycle, which led to her losing her upper snout in the process;

WHEREAS, also last July 19, 2019 in Kidapawan City, two Dachshund hounds fought off a cobra that threatened the life of a toddler. One dog died while the other was blinded due to the snake's venom; and

WHEREAS, the House of Representatives has the power to provide a venue where it can oversee the implementation of animal welfare laws and local ordinances, promote the welfare of all living things which include domesticated pet animals such as stray dogs and cats who have been abandoned and neglected, and hear the sentiments of those who make it their life's mission to rescue, care, and adopt or foster the helpless but loving creatures of God.

NOW, BE IT RESOLVED, AS IT IS HEREBY RESOLVED, that the House of Representatives directs the proper Committee to investigate the implementation of animal welfare and responsible pet ownership laws and local ordinances with the end view of ensuring humane and standardized treatment for all dogs and other stray animals in animal pounds and shelters and protecting the health of communities nationwide.

RESOLVED FURTHER, that the Committee on Animal Welfare, DA and DILG are hereby directed to inform the House of Representatives on the current status of the implementation of R.A. 8485 or the Animal Welfare Act, as amended by R.A. 10631, of R.A. 9482 or the Anti-Rabies Act and the subsequent regulations issued therefor, including, but not limited to, the existence and standards of animal pounds nationwide, stray animal adoption status, extent of educational and promotional campaigns, status of deputation of enforcers, the LGU incentive system on spayed and neutered dogs, animal population control methods, and the gaps in the laws that need to be addressed through legislative amendments.

RESOLVED FINALLY, that the concerned agencies shall, notwithstanding existing gaps in the animal welfare laws:

- 1) Immediately list and call out non-compliant LGUs;
- 2) Promote best practices in upgrading and standardizing animal pounds and shelters; and
- 3) Coordinate all efforts to ensure intensified and accessible spay/neuter and adoption programs nationwide.

Approved,


RONNIE LONG
Representative, Ang Probinsyano Party-list