

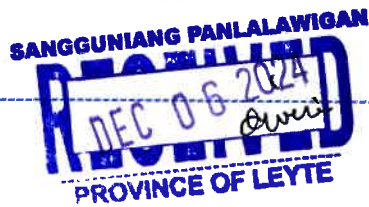
Item No.: 01

Date: 11 2024 DEC

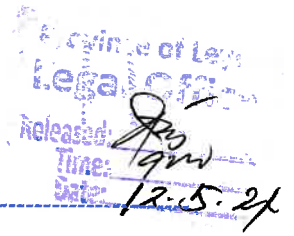


Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-



PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
November 15, 2024

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 479 of the Sangguniang Bayan of Babatngon, Leyte.

Issues/concerns for review/recommendation/legal opinion is/are as follows:

- Ordinance No. 479 entitled: “An Ordinance on the protection and conservation of wildlife in the Municipality of Babatngon, Leyte.”

REVIEW/RECOMMENDATION/LEGAL OPINION:

This office is of the opinion that the subject Ordinance is generally in accordance with its power under Section 447(a)(1)(vi)¹ and Section 447(5)(i)² of the Local Government Code of 1991 (R.A 7160). However, we recommend the inclusion of the following provisions; Sec 3(d) and all other illegal acts as reflected in Sec. 27 of R.A. 9147; Sec 4(c) and all other instances excepted by R.A. no. 9147; Sec. 5 “Nothing in this Ordinance bars prosecution under the provisions of R.A. no 9147”. Hence, this office recommends further review and revision of said Ordinance.

We hope to have assisted you with this request. Please note that the opinion rendered by this Office are based on the facts available and may vary or change when additional facts and documents are presented or changed. This opinion is likewise without prejudice to the opinions rendered by higher and competent authorities and/or the courts.

ATTY. JOSE RAYMUND A. ACOL

Asst. Provincial Legal Officer 

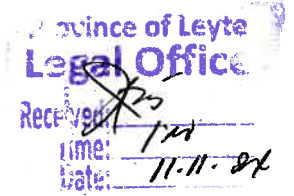
¹ (vi) Protect the environment and impose appropriate penalties for acts which endanger the environment, such as dynamite fishing and other forms of destructive fishing, illegal logging and smuggling of logs, smuggling of natural resources products and of endangered species of flora and fauna, slash and burn farming, and such other activities which result in pollution, acceleration of eutrophication of rivers and lakes, or of ecological imbalance;

² (i) Provide for the establishment, maintenance, protection, and conservation of communal forests and watersheds, tree parks, greenbelts, mangroves, and other similar forest development projects;

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
06 November 2024



The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein **Ordinance No. 479** of the **Municipality of Babatngon, Leyte**, entitled: **An Ordinance on the Protection and Conservation of Wildlife in the Municipality of Babatngon, Leyte.**


ANDRE B. SANICO
Provl Govt. Assf. Dept. Head



OFFICE OF THE SANGGUNIANG BAYAN

05 November 2024

Honorable Leonardo M. Javier, Jr.
Vice Governor and Presiding Officer, and

The Honorable Members
Sangguniang Panlalawigan
Leyte Provincial Government Complex
Palo, Leyte

Dear Honorable Ladies and Gentlemen,


Respectfully endorsed to the Honorable Sangguniang Panlalawigan of the Province of Leyte is Ordinance ORDINANCE NO. 479 ENTITLED: "AN ORDINANCE ON THE PROTECTION AND CONSERVATION OF WILDLIFE IN THE MUNICIPALITY OF BABATNGON, LEYTE." Said Ordinance is being forwarded to that Body for review in compliance with Section 56 (a) of Republic Act 7160.

Enclosed please find the following:

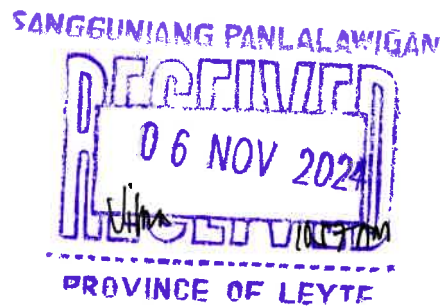
1. Ordinance No. 479, and
2. Certification of Posting

Please find them in order and praying for your favorable action thereof.

Very truly yours,


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

Enclosed:
As stated





RECEIVED
NOV 6 2024

OFFICE OF THE SANGGUNIANG BAYAN

SANGGUNIANG BAYAN
BABATNGON, LEYTE
RELEASED
DATE: Nov. 5, 2024
TIME: 8:30 AM

EXCERPT FROM THE MINUTES OF THE 111th REGULAR SESSION OF THE SANGGUNIANG BAYAN OF BABATNGON, LEYTE HELD ON THE 23rd DAY OF SEPTEMBER 2024 AT THE SB SESSION HALL, LEGISLATIVE BUILDING, BABATNGON, LEYTE.

MAYOR'S OFFICE
BABATNGON, LEYTE

RECEIVED

ORDINANCE NO. 479

BY: *[Signature]*
DATE: 10-29-24
TIME: 8:00 AM

AN ORDINANCE ON THE PROTECTION AND CONSERVATION OF WILDLIFE IN THE MUNICIPALITY OF BABATNGON, LEYTE.

Author: HON. FEDERICO P. ELIZAGA, JR.

Co-Authors: HON. ILDEFONSO B. ODON
HON. EDGARDO Y. MORDEN
HON. JUDE LEMWEL V. VETHIMVAS

WHEREAS, the Municipality of Babatngon recognizes the importance of protecting and conserving its wildlife and their habitats;

WHEREAS, this municipality acknowledges also the need to regulate the hunting, killing, capturing, and trading of wildlife within its jurisdiction;

WHEREAS, the Municipality of Babatngon recognizes the need to promote awareness and education on the importance of wildlife conservation;

NOW, THEREFORE, be it Ordained by the Sangguniang Bayan of the Municipality of Babatngon, Leyte in session assembled, THAT:

SECTION 1. TITLE. This ordinance shall be known as the "Wildlife Protection and Conservation Ordinance of the Municipality of Babatngon, Leyte."

SECTION 2. DEFINITION OF TERMS. For purposes of this ordinance, the following terms shall mean:

(a) Wildlife - refers to all wild animals living in their natural habitat, including but not limited to, mammals, birds, reptiles, amphibians, and invertebrates.

(b) Habitat - refers to the natural environment where wildlife lives, including but not limited to, forests, grasslands, wetlands, and marine areas.

(c) Hunting - refers to the act of pursuing, shooting, killing, or capturing wildlife.

(d) Trading - refers to the act of buying, selling, or exchanging wildlife or their parts.

SECTION 3. PROHIBITED ACTS. The following acts are prohibited within the jurisdiction of the Municipality of Babatngon, Leyte.

[Handwritten signatures and initials on the right margin]



OFFICE OF THE SANGGUNIANG BAYAN

- (a) Hunting, killing, capturing, or trading of wildlife, except as provided in Section 4 of this ordinance.
- (b) Destruction, disturbance, or pollution of wildlife habitats.
- (c) Possession, transport, or sale of wildlife or their parts, except as provided in Section 4 of this ordinance.

SECTION 4. EXCEPTIONS. The following acts are allowed within the jurisdiction of the Municipality of Babatngon, Leyte, subject to the conditions set forth in this section:

- (a) Hunting, killing, capturing, or trading of wildlife, for scientific, educational, or management purposes, and only with the necessary permits and licenses from the appropriate government agencies.
- (b) Possession, transport, or sale of wildlife or their parts, for scientific, educational, or management purposes, and only with the necessary permits and licenses from the appropriate government agencies.

SECTION 5. PENALTY CLAUSE. Any person found to have committed any of the prohibited acts under Section 3 hereof shall be penalized as follows:

- | | | |
|--------------------|---|----------------|
| (a) First Offense | - A fine of One Thousand Five Hundred Pesos | (Php 1,500.00) |
| (b) Second Offense | - A fine of Two Thousand Pesos | (Php 2,000.00) |
| (c) Third Offense | - A fine of Two Thousand Five Hundred Pesos | (Php 2,500.00) |

SECTION 7. REPEALING CLAUSE. All ordinances, rules, regulations, or parts thereof, which are inconsistent with the provisions of this ordinance, are hereby repealed or modified accordingly.

SECTION 8. EFFECTIVITY. This ordinance shall take effect fifteen (15) days following its posting in at least three (3) conspicuous places in the local government unit.

APPROVED and ENACTED this 23rd day of September 2024 at Babatngon, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing ordinance.


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-Designate

ATTESTED BY:


HON. ROSARY PEARL G. CATUDIO
Municipal Vice-Mayor
Presiding Officer


HON. CHRISTIAN C. LAWSIN
Sangguniang Bayan Member


HON. KEMUEL RUE M. CORSIGA
Sangguniang Bayan Member



OFFICE OF THE SANGGUNIANG BAYAN


HON. KARL JOMAR L. EMBANA
Sangguniang Bayan Member


HON. FEDERICO P. ELIZAGA, JR.
Sangguniang Bayan Member


HON. ALEX VELOSO BELLO
Sangguniang Bayan Member

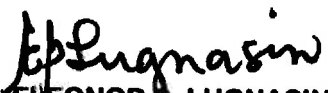

HON. JUDE LEWEL B. VETHIMVAS
President
Pambayang Pederasyon ng
Sangguniang Kabataan

(Mandatory Leave)
HON. ILDEFONSO B. ODON
Sangguniang Bayan Member


HON. HILARION S. MENZON
Sangguniang Bayan Member

(Official Travel)
HON. EDGARDO Y. MORDEN
President
Liga ng mga Barangay

APPROVED:


HON. ELEONOR B. LUGNASIN
Municipal Mayor

Date: 04 Nov. 2024







OFFICE OF THE SANGGUNIANG BAYAN

CERTIFICATION

TO WHOM THIS MAY CONCERN:

This is to certify that POSTING in prominent places in the Municipal Hall and some conspicuous places in the locality was undertaken starting 05 November 2024 and copies of said ordinance shall remain posted for three (3) consecutive weeks, pursuant to Sec. 59 (b) of Republic Act 7160, in relation to hereunder Ordinance, to wit:

1. **ORDINANCE NO. 479 - AN ORDINANCE ON THE PROTECTION AND CONSERVATION OF WILDLIFE IN THE MUNICIPALITY OF BABATNGON, LEYTE.**

Made this 5th day of November 2024 at Babatngon, Leyte.


ALMA A. BALDOMAR
Secretary II
Secretary to the Sanggunian-designate

