Item No.: 43

Date: 07 2026 JUL

Republic of the Philippines
PROVINCE OF LEYTE
Provincial Capitol
Tacloban City

-oOo-

PROVINCIAL LEGAL OFFICE

PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED
By:
Date: 6-26-26 Time: 1:

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: JUN 26 2026
By: Jenni

2nd INDORSEMENT
June 3, 2026

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2026-07 of the Sangguniang Bayan of Javier, Leyte.

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

- Ordinance No. 2026-07 entitled: "Javier Philippine Eagle Protection **Ordinance .**"

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] of the Local Government Code of 1991 (R.A 7160). Hence, we recommend for the declaration of its validity.

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
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;*

PROVINCE OF LEYTE
LEGAL OFFICE
RECEIVED
By: _____
Date: 05-28-26 Time: 10:20AM

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte
-o0o-

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
26 May 2026

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **Ordinance No. 2026-07** of the **Municipality of Javier, Leyte,** entitled: **An Ordinance declaring the Municipality of Javier, Leyte as a critical habitat and sanctuary for the Philippine Eagle (Pithecophaga Jefferyi), ensuring the protection of local wildlife resources, and allocating annual appropriations for its management and maintenance.**

FLORINDA JILL S. UYVICO
Secretary to the Sanggunian

original

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JAVIER
-o0o-
Sangguniang Bayan

Sangguniang Panlalawigan
Province of Leyte
RECEIVED
Date: MAY 20 2026
By:

EXCERPT FROM MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF JAVIER, LEYTE HELD AT THE MUNICIPAL SESSION HALL ON MAY 04, 2026

Present:

SB Member Guilbert M. Lanoy , temporary presiding officer
SB Member Emma M. Abueva
SB Member Nora G. Maballo
SB Member Stephen Mark I. Papalid
SB Member Romeo C. Malinao
SB Member Marino C. Merilo
SB Member Michelle O. Moreno
SB Member Schubert A. Riños
SK Fed. President Ericka T. Cabangunay
Liga President Andy L. Dingal

Absent : Mun. Vice-Mayor Christopher T. Javier

ORDINANCE NO. 2026-07

Authored by **: All SB Members**

AN ORDINANCE DECLARING THE MUNICIPALITY OF JAVIER, LEYTE AS A CRITICAL HABITAT AND SANCTUARY FOR THE PHILIPPINE EAGLE (PITHECOPHAGA JEFFERYI), ENSURING THE PROTECTION OF LOCAL WILDLIFE RESOURCES, AND ALLOCATING ANNUAL APPROPRIATIONS FOR ITS MANAGEMENT AND MAINTENANCE.

SECTION 1. TITLE. This Ordinance shall be known as the **"Javier Philippine Eagle Protection Ordinance of 2026."**

SECTION 2. DECLARATION OF POLICY. It is the policy of the Municipality to conserve wildlife resources and their habitats for ecological sustainability. In accordance with Section 35 of RA 9147, the Local Government Unit (LGU) shall initiate conservation measures for endemic species within its territorial jurisdiction.

SECTION 3. DEFINITION OF TERMS.

a) **Critical Habitat:** Areas outside protected areas where threatened species are found.
b) **Philippine Eagle (Pithecophaga jefferyi):** The national bird of the Philippines, classified as a critically endangered species.
c) **Wildlife Enforcement Officers (WEO):** Also known locally as *Guardians of Guindapunan*, these are individuals deputized to enforce wildlife laws.

-over-

SECTION 4. DECLARATION OF THE SANCTUARY. The areas specifically located at the mountains of Brgy. Manarug, Brgy. Binulho, Brgy. Magsaysay, Brgy. Malitbogay, Brgy. Guindapunan, Brgy. Odiong, and Brgy. Caraye, are hereby declared as a Critical Habitat and Sanctuary for the Philippine Eagle and other threatened wildlife.

SECTION 5. MANAGEMENT AND PROTECTION.

1. **Management Plan:** A Critical Habitat Management Plan (CHMP) shall be developed in coordination with the appropriate agencies and entities, respectively, to define zoning (e.g., core zones, strict protection and conservation zones) with the goal of providing solutions for existing problems and developing systematic and innovative programs that would further strengthen the present conservation and protection efforts of the Municipality.

2. **Enforcement:** The LGU shall deputize and mobilize Wildlife Enforcement Officers (WEOs), who have undergone necessary training, to patrol and monitor the sanctuary. The Philippine National Police (PNP) of Javier, Leyte and other law enforcement agencies shall designate wildlife enforcement officers. The wildlife enforcement officers shall have the full authority to seize illegally traded wildlife and to arrest violators of this Ordinance subject to the existing laws, rules and regulations on arrest and detention.

SECTION 6. COLLECTION AND POSSESSION. No person or entity shall be allowed to collect and possess of the species except for purposes of study and research provided that an approval must first be secured from concerned agencies through the execution of an agreement between the MENRO and the person or authorized representative conducting the research/study, provided further that no harm is inflicted to the specimen and that the person or entity performing the act has the technical capability and proper facility to maintain and care for the species during the course of the study/research.

SECTION 7. ESTABLISHMENT OF CRITICAL HABITAT. The MENRO shall designate and determine critical habitats outside the protected areas covered under RA 7586, where threatened species found. Such designation shall be made on the basis on the best scientific data taking into consideration species endemicity and/or richness, presence of man-made pressures/threats to the survival of wildlife living in the area.

All designated critical habitats shall be protected, in coordination with the local government units and other concerned groups, from any form of exploitation or destruction which may be detrimental to the survival of the threatened species dependent therein.

-over-

The Municipal Mayor may acquire, by purchase, donation or expropriation, lands, or interest therein, including the acquisition of usufruct, establishment of easement or other undertakings appropriate in protecting the critical habitat.

SECTION 8. WILDLIFE RESCUE CENTER. The Municipal Mayor shall establish or designate wildlife rescue center to take temporary custody and care of all confiscated, abandoned and/or donated wildlife to ensure their welfare and well-being. He shall formulate guidelines for the disposition of wildlife from the rescue center.

SECTION 9. PROHIBITED ACTS. It shall be unlawful for any person to perform the following acts within the sanctuary:

a) Killing and destroying the Philippine Eagle and/or other species, except in the following instances:
    1) When the Philippine Eagle and/or other species are afflicted with incurable communicable disease;
    2) When the wildlife is killed or destroyed in use of research and studies;
    3) When it is done to prevent an imminent danger to the life or limb of a human being;
b) Inflicting injury which cripples and/or impairs the reproduction of the Philippine Eagle and/or other species;
c) Affecting any of the following acts in the habitats:
    1) Dumping of waste products detrimental to wildlife
    2) Squatting or occupying any portion of declared critical habitat
    3) Mineral exploration and/or extraction
    4) Burning
    5) Logging
    6) Quarrying
d) Trading of species
e) Collecting, hunting, or possessing of Philippine Eagle and/or wildlife, their by-products and derivatives
f) Gathering or destroying of active nests, host plants and the like
g) Maltreating or inflicting other injuries not covered by the preceding paragraph

SECTION 10. APPROPRIATIONS. A regular annual appropriation shall be included in the Annual Budget with the amount of not less than Five Hundred Thousand Pesos (P 500,000.00) for the implementation of this Ordinance.

-over-

SECTION 11. PENALTY CLAUSE. Violations of this Ordinance shall be punished with the following fines:

First Offense - - - - - - - P 2,000.00

Second & Succeeding Commission of the same offense - - - P 2,500.00 or imprisonment of three (3) months or both, at the discretion of the court, without prejudice to higher penalties under RA 9147 for acts involving critically endangered species.

SECTION 12. REPEALING CLAUSE. All ordinances, executive orders, rules and regulations inconsistent or in conflict with the provisions of this Ordinance are hereby repealed, amended or modified accordingly.

SECTION 13. SEPARABILITY CLAUSE. If, for any reason or reasons, any part or provision of this Ordinance shall be declared invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

SECTION 14. EFFECTIVITY. This Ordinance shall take effect fifteen (15) days after its publication in a newspaper of general circulation and posting in at least three (3) conspicuous places.

APPROVED UNANIMOUSLY : **MAY 04, 2026**

CERTIFIED CORRECT :

ERVON DANIEL B. LAJARA
SB Secretary

ATTESTED :

HON. GUILBERT M. LANOY
SB Member
Temporary Presiding Officer

HON. EMMA M. ABUEVA
SB Member

HON. NORA G. MABALLO
SB Member

HON. STEPHEN MARK I. PAPALID
SB Member

HON. ROMEO C. MALINAO
SB Member

HON. MARINO C. MERILO
SB Member

HON. MICHELLE O. MORENO
SB Member

HON. SCHUBERT A. RIÑOS
SB Member

HON. ERICKA T. CABANGUNAY
SK Fed. President

HON. ANDY L. DINGAL
Liga President

APPROVED:

HON. MICHAEL DRAGON T. JAVIER
Municipal Mayor

Republic of the Philippines
Province of Leyte
MUNICIPALITY OF JAVIER
-o0o-

Office of the Sangguniang Bayan

May 18, 2026

CERTIFICATION

TO WHOM IT MAY CONCERN :

THIS IS TO CERTIFY that **ORDINANCE No. 2026-07,** "AN ORDINANCE DECLARING THE MUNICIPALITY OF JAVIER, LEYTE AS A CRITICAL HABITAT ND SANCTUARY FOR THE PHILIPPINE EAGLE (PITHECOPHAGA JEFFERYI), ENSURING THE PROTECTION OF LOCAL WILDLIFE RESOURCES, AND ALLOCATING ANNUAL APPROPRIATIONS FOR ITS MANAGEMENT AND MAINTENANCE", is posted in the entrance of the Municipal Hall and two (2) conspicuous places in the Municipality since May 18,2026 and shall remain posted for three (3) consecutive weeks.

With the authority from the Sangguniang Bayan :

ERVON DANIEL B. LAJARA
SB Secretary