



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

March 22, 2022

HON. MILAGROS F. FADERANGA

Municipal Mayor
Banton, Romblon

Thru: **HON. LOI JORGE F. FEGALAN**

Municipal Vice Mayor

**Re: CALL FOR THE SUSPENSION OF SOME PROVISIONS IN CONFLICT WITH
THE NATIONAL LAW UNDER MUNICIPAL ORDINANCE NO. 11 S-2018
KNOWN AS AN ORDINANCE TO CONTROL THE POPULATION OF
MONKEYS IN THE MUNICIPALITY OF BANTON"**

Dear Mayor Faderanga:

Greetings in conservation!

This pertains to the email letter received by our Office dated 22 March 2022 from Born to be Wild: Banton Documentation with the following attachments namely the Draft Ordinance; Banton Municipal Ordinance No. 11 S-2018; Field Report on Banton Island, Romblon Long Tailed Macaque Site Assessment with Tables, Figures, Map and Pictures.

We regret to inform your good self that some provisions stipulated in the Municipal Ordinance No. 11 S-2018 otherwise known as "An Ordinance to Control the Population of Monkeys in the Municipality of Banton" found to be in conflict with the Republic Act No. 9147 known as "Wildlife Act of 2001." The Long-tailed macaques found in this island municipality considered as wildlife species.

Pursuant to Section 27 of Wildlife Act of 2001, the act of killing and destroying wildlife species; inflicting injury, which cripples and/or impairs the reproductive system of wildlife species; trading of wildlife; collecting, hunting or possessing wildlife, their by-products or derivatives; transporting of wildlife are some important provisions considered as illegal acts and punishable by the law.

Understandably, the intent of the said municipal ordinance is to control the population of monkeys for the benefit of the farmers. However, some provisions cited like collecting, possessing, hunting of wildlife and even establishing market (trade) in the said municipal ordinance grossly violate the national law on wildlife.

Hence, it is undoubtedly clear that the Municipal LGU of Banton, Romblon under a general grant of power, cannot adopt and implement ordinance which infringe the spirit of a state law or



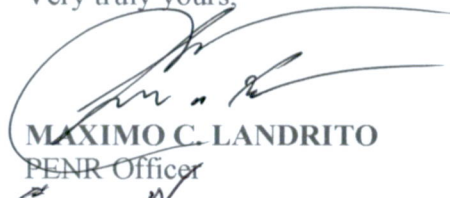
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repugnant to the general policy of the state. In every power to pass ordinance given to a municipality, there is an implied restriction that the ordinance shall be consistent with the general law.

With these, we respectfully ask your good office to suspend the implementation of some conflicting provisions stipulated in the municipal ordinance and take the appropriate action warranted under the circumstances. May we respectfully request that we be advised of the action or actions taken as soon as possible from receipt of this letter.

Thank you very much in anticipation of your kind attention and expeditious action on the matter.

Very truly yours,



MAXIMO C. LANDRITO
DENR Officer

cc:

Office of the Regional Executive Director
DENR MIMAROPA Region
Manila