

## ACT NO. 2590

### ***AN ACT FOR THE PROTECTION OF GAME AND FISH.***

By authority of the United States, be it enacted by the Philippine Legislature, that:

**SECTION 1.** Except as in this Act provided, it shall be unlawful for any person in the Philippine Islands to hunt, wound, take, or kill, or have in his or her possession, living or dead, or to purchase, offer, or expose for sale, transport, ship, or export, alive or dead, any protected bird, fish, shellfish, or mammal, or to sell or have in possession for sale any part of either. It shall likewise be unlawful for any person to take or willfully destroy the nest or eggs of any protected bird or to have such nest or eggs in his or her possession.

**SEC. 2.** The term "protected bird" includes insect-eating birds, song birds, and generally all wind birds except those commonly known as eagles, hawks, owls, English sparrows, candangaho or garzas pardas (brown herons), crows, galancian, and mayas; but the game birds contemplated in the next succeeding section shall be deemed to be "protected," within the meaning of this Act, only during the continuance of the respective close seasons established for them.

Fish, shellfish, and mammals shall be deemed to be "protected," within the meaning of this Act, only during the continuance of the respective close seasons established for them.

**SEC. 3.** The Secretary of the Interior, shall have authority, subject to the approval of the Governor-General, to establish a close season for all or any of the game birds mentioned below or any other game bird, or birds, specified by him, to wit, the goose, duck, rail, coot, mud hen, gallinule, shore bird, plover, surf bird, snipe, woodcock, sandpiper, tattler, curlew, wild chicken, pheasant, quail, wild pigeon, pigeon, doves of all classes, hornbill, mound builder, brush turkey.

He may in like manner establish a close season for fish, or shellfish, or for deer, musk deer, tamaraw, squirrel, lemur, or any other mammal, or mammals, specified by him, except the wild pig.

**SEC. 4.** A close season established by the Secretary of the Interior may be so defined as to cover a particular portion or portions of each successive year, or if deemed necessary for the public interest, it may be made to extend over any single period of time of not more than five years duration.

**SEC. 5.** The order creating a close season may be made applicable to the entire Philippine Islands or to any specified province or other territorial division therein, and if relating to fish or shellfish, may be limited to a particular water or stream.

**SEC. 6.** Such order shall be issued at least two months before the date of its taking effect, and if general, it shall be published in the Official Gazette once a week for three consecutive weeks prior to the same date.

An order applying to a province, municipality, or other territorial division, shall be published once a week for three consecutive weeks, in a local newspaper, if any there be, and copies of the order shall be posted at the main entrance of the province and municipal buildings and in said buildings, before it is to take effect.

The Secretary of the Interior shall also adopt in each case such other means of publicity as he shall deem expedient to spread and maintain knowledge of the existence of the order among the people to be affected by it.

**SEC. 7.**A permit may be granted by the Secretary of the Interior to any person of good repute, of the age of fifteen years or upward permitting the holder thereof to collect specimens of protected animal life, or the nests or eggs of protected birds, for scientific purposes only. Such a permit shall remain in force for a period of one year only from the date of issue and shall not be transferable.

Upon proof that the holder of such a permit has taken or killed any protected creature or taken the nest or eggs of any protected bird for other than a scientific purpose, he shall be subject to the same penalty as if he had no permit.

**SEC. 8.**It shall be unlawful for any person to hunt with a firearm or to use a firearm as a weapon against game of any sort without having previously procured an appropriate hunting license, the fee for which shall be, in the case of a resident of the Philippine Islands, of an officer or enlisted man of the Army, Navy, or Marine Corps, Philippine Scouts and Philippine Constabulary, two pesos, and in the case of a nonresident, twenty pesos.

**SEC. 9.**Hunting licenses shall be issued by the Chief of Constabulary subject to such regulations and restrictions as shall be established by him, with the approval of the Secretary of Commerce and Police.

**SEC. 10.**Members of the Philippine Constabulary and members of municipal and township police are hereby made deputy game wardens with full authority to enforce the provisions of this Act and to arrest offenders against it.

**SEC. 11.**The making of any false statement upon the application blank for any hunting license shall subject the offender to the forfeiture both of his license and weapons, in addition to the other penalty hereinafter provided.

**SEC. 12.**It shall be unlawful for any person to lend a hunting license or firearm to another for the purpose of hunting; and it shall likewise be unlawful for any person to procure or have in his possession for the purpose of hunting any hunting license or firearm pertaining to another. Any hunting license or firearm found in the unlawful possession of any other person than its proper owner shall be forfeited: Provided, however, That nothing in this Act contained shall be understood to prohibit any officer or enlisted man of the Army, Navy, or Marine Corps, Philippine Scouts or Philippine Constabulary, serving in the Philippine Islands, to use for hunting purposes, rifles or shotguns belonging to the Governments of the United States or of the Philippine Islands.

**SEC. 13.**Except as provided in this Act, it shall be unlawful to hunt, kill, or capture any "protected" bird or mammal by means of artificial light, swivel gun, or by means of nets in the case of birds and small game.

The possession of a lantern for hunting at night shall be prima facie evidence of having acquired it with the intention of using same to catch, kill, or hunt birds, mammals or game animals protected by this Act, at night.

**SEC. 14.**Wild pig and the birds commonly known as eagles, hawks, garzas pardas (brown herons) known as candañgaho, owls, crows, English sparrows, galancian and mayas (repealed by Act 3730-1930) may be taken or killed in any manner at any season of the year; and nothing in this Act shall be construed to prohibit the keeping of any bird for a domestic pet or to prevent the taking of edible birds' nests under license duly issued.

**SEC. 15.**It shall be unlawful to place, cause to be placed, discharge or deposit, or to pass or place where it can pass into the waters of the Philippine Islands any petroleum, acid, coal or oil tar, lamp-black, aniline, asphalt, bitumen or residuary product of petroleum or carbonaceous material or substance, or any refuse, liquid or solid, from any oil refinery, gas house, tannery, distillery, chemical works, mill or factory of any kind, or any sawdust, slabs or factory refuse or any material substance deleterious to fish or plant life: Provided, That nothing contained in this section shall be construed to prohibit the retting of maguey, sisal sanseviera and its similars in the rivers and on the seashore.

**SEC. 16.**Actual residents of the Department of Mindanao and Sulu, and the Mountain Province, shall be permitted at all times to hunt and take game birds and mammals and to take bird eggs, in order to secure food for themselves and their families; but nothing herein shall be construed to permit the use of artificial lights for hunting game or birds, or to permit the sale during the close seasons of the whole or any portion of the game taken or killed in accordance with this section.

With the approval of the Governor-General, the privilege granted in the preceding paragraph maybe conferred by the Secretary of the Interior upon the residents of any township or territorial subdivision in any province.

**SEC. 17.**Any person violating this Act or any order or regulation deriving force from its provisions shall be punished for each offense by a fine of not more than one hundred pesos.

**SEC. 18.**Act Number Seventeen hundred and ninety eight and its amendments are hereby repealed, without prejudice to the prosecution thereunder of any criminal offense heretofore committed against the provisions of said Act; and orders heretofore promulgated by the Secretary of the Interior pursuant to said Act shall continue to operate with the same effect as if issued under the present Act.

**SEC. 19.**This Act shall take effect upon its passage.

Enacted, February 4, 1916.