

Republic of the Philippines
House of Representatives
Quezon City

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 3915



Introduced by Representative DEOGRACIAS B. RAMOS, Jr.

EXPLANATORY NOTE

According to the Department of Environment and Natural Resources, Philippines is one of the few countries that is both a mega-diversity country and a biodiversity hotspot and that there is but a 'small window of opportunity in which it is still possible to save this global hotspot from complete devastation and the unique life forms found within from extinction'. This small window is slowly shutting down as the country's forest cover gradually shrinks from 150,000 square kilometers in 1946 to just 8,000 square kilometers five (5) years ago.

It is rather unfortunate that our country has a bad mining experience because of inefficient protection measures and natural hazards. The 1996 Marcopper disaster in Boac, Marinduque and the 2006 Lafayette debacle in Rapu-Rapu Island, Albay not only ruined the lives of tens of thousands of residents in those areas but also caused incalculable damage to the environment.

The Second District of Sorsogon is not immune to the problem of receding forest, and with mining near Bulusan Natural Park to rise in the offing; the degradation of the forest and the damage to the ecosystem grows by the minute.

Not long ago, mining was done in Brgy. Balocawe, Matnog for about two (2) years despite vehement opposition from the LGU, NGOs and POs. After the area was mined out, the enterprise did nothing to rehabilitate the area close to its original condition despite the requirement of the law. It is now a wasteland, a tangible proof of how little concern the miners have for nature.

Without a mining ban, the miners will be back for sure to ravage the pristine forest in the District. The only way to stop this is to have a law against it.

For these reasons, the immediate approval of this bill is earnestly sought.


DEOGRACIAS B. RAMOS, JR.
Second District, Sorsogon

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**AN ACT DECLARING THE SECOND DISTRICT OF SORSOGON A MINING
FREE ZONE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF**

*Be it enacted by the Senate and House of Representatives of the Philippines in
the Congress assembled:*

SECTION 1. Declaration of Policy. - The Second District of Sorsogon is hereby declared a mining free zone and all mining operations therein are hereby prohibited.

SECTION 2. Coverage. - As used in this Act, mining shall refer to the extraction of valuable minerals or other geological materials, excluding gravel and sand. This shall include small scale and large scale mining activities involving exploration, feasibility, development, utilization and processing.

SECTION 3. Penal Provision. - It shall be unlawful for any person to mine or continue to mine or to engage in any mining operation in the Second District of Sorsogon.

Any person found guilty violating the provisions of this Act shall be penalized with imprisonment of at least three (3) years but not more than six (6) years and a fine of at least Two Hundred Fifty Thousand Pesos (P250,000.00) but not more than Five Hundred Thousand Pesos (P500,000.00).

If the offender is a corporation, firm, partnership or association, the penalty shall be imposed upon the officer or officers of the corporation, firm, partnership or association responsible for the violation thereof.

If the offender is an alien, he shall be deported immediately without further proceedings after service of sentence and payment of fine.

SECTION 4. Implementing Rules and Regulations. - Within one (1) month after the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources (DENR) shall promulgate the necessary rules and regulations for its effective implementation.

SECTION 5. *Transitory Provision.* – Upon the approval of this Act, the Provincial Government of Sorsogon, in coordination with the DENR, shall review the contracts, agreements and permits entered into and/or issued to all existing mining operations and determine those to be terminated and those to be allowed to continue until such period that their contracts, agreements or permits may allow.

SECTION 6. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or parts thereof that are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 5. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette and at least two (2) newspapers of general circulation.

Approved,