

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
QUEZON CITY

SIXTEENTH CONGRESS
FIRST REGULAR SESSION

H.B. No. 4037



Introduced by **HON. AL FRANCIS C. BICHARA**

EXPLANATORY NOTE

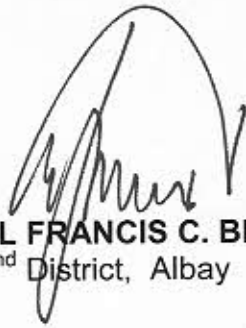
This bill seeks to promote serious investors in the mining industry by facilitating and/or shortening the processing of exploration permits, and providing grounds for the cancellation therefor in order to prevent speculation.

Mining is being touted as one of the pillars of economic development by the present administration. Indeed, our country is rich in mineral resources. With proper regulations to protect the environment and ensure sound mining practices, mining has great potentials to develop and spur the economic growth of our countryside through infrastructure development, job creation and of course, an increase in government revenues, particularly of host local government units.

The industry has already attracted a lot of investors, serious or otherwise, as result of the rise of metal prices in the world market. Together with the influx of investors, however, are the speculators, middlemen, shysters and all other personalities trying to cash in on the booming industry. As a result, there are certain mining claims which are being applied for exploration by individuals and/or corporations who are not serious investors but are mere speculators. On the other hand, there are serious investors who are discouraged to come in due to the delay in the processing of permits.

This bill, therefore, seeks to address these concerns through the following, to wit: a) providing for a mandatory period for the approval of exploration permit; b) providing for automatic approval of exploration permit; and c) grounds for the cancellation of exploration permit. With these measures emplaced, we can now separate the serious investors from mere speculators and at the same time, streamlining and cutting bureaucratic red tape.

In view of the foregoing considerations, approval this measure is urgently recommended.



AL FRANCIS C. BICHARA
2nd District, Albay

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AN ACT AMENDING CHAPTER IV SECTION 20 OF REPUBLIC ACT NO. 7942 OTHERWISE KNOWN AS "PHILIPPINE MINING ACT OF 1995" BY FACILITATING THE APPROVAL AS WELL AS CANCELLATION OF EXPLORATION PERMITS AND FOR OTHER PURPOSES.

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

Section 1. Chapter IV, Section 20 of R.A. 7942, hereby amended to read as follows:

Section 20. An exploration permit grants the right to conduct exploration for all minerals in specified areas. The Bureau shall have the authority to grant an exploration permit to a qualified person. An application for an exploration permit shall be acted upon by the Bureau within sixty (60) days from submission by the applicant of all requirements, provided however, that all requirements are submitted within ninety (90) days from filing with the Bureau of the application permit, provided finally, that should the applicant fail to submit the requirements within ninety (90) days from filing of the application for exploration permit, such application for an exploration permit shall be deemed ipso facto abandoned with finality.

Section 2. Any and all application for exploration permits not acted upon by the Bureau within sixty (60) days from the submission of all requirements shall be deemed approved and the applicant shall enjoy the rights and obligations of a permittee.

Section 3. A holder of an exploration permit who fails to enter, occupy, possess as well as to commence exploration work within sixty (60) days from approval of the exploration permit, or incurs gross delay or deviation from its approved work program or who fails to submit periodic reports to the Bureau shall be summarily be divested of the rights and obligations of a permittee.

Section 4. The Bureau shall submit annually to Congress the names of all holders of exploration permits, the terms, conditions and status of such permit as well as other relevant information.

Section 5.. All other laws, acts, decrees, executive orders, issuances and rules and regulations or part thereof which are inconsistent with any provisions of this Act are hereby repealed, amended, or modified accordingly.

Section 6. This Act shall take effect within fifteen (15) days upon publication in a newspaper of general circulation.

Approved,