

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS

Second Regular Session

House Bill No. **6336**

Introduced by Representative Lord Allan Jay Q. Velasco



EXPLANATORY NOTE

This bill seeks to declare the Province of Marinduque as a mining-free zone.

The Lone District of Marinduque is rich in forest resources which include timber and minerals among them gold, copper and silver.

Section 16, Article II of the 1987 Constitution explicitly provides that, "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature". As citizens of the Philippines, we have the intergenerational responsibility to preserve and protect the environment that is capable of sustaining life. The said right carries with it the correlative duty to refrain from impairing the environment.

The Marcopper Mining Disaster has caused irreparable damage to the people and the province. The effects of the incident were so devastating that a United Nations assessment mission declared it to be a major environmental disaster.

Thus, in order to protect and preserve the natural environment of Marinduque after the said incident, immediate passage of this bill is earnestly sought.

LORD ALLAN JAY Q. VELASCO

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**AN ACT DECLARING THE PROVINCE OF MARINDUQUE A MINING-FREE
ZONE**

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

SECTION 1. Statement of Policy.- It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. Toward this end, the State shall ensure the protection of the environment and the residents of Marinduque from the adverse effects of mining.

SEC. 2. Declaration of Marinduque as a Mining-Free Zone.- Marinduque is hereby declared a mining-free zone and all forms of mining operations in the province of Marinduque are hereby prohibited.

As used in this Act, mining shall refer to the extraction of valuable minerals or geological materials from the earth and shall include such mining activities as exploration, feasibility, development, utilization and processing. Provided, however, That the quarrying of gravel and sand for projects directly undertaken by the agencies of the national government or by the local government for basic services, such as but not limited to, roads and bridges, school buildings, water and energy utilities, and similar public works such as the cleaning of mine wastes and tailings are exempted from the coverage of this Act, subject however, to the requirements of existing mining and environment laws.

SEC. 3. Mineral Resource Development.- The national government may pursue mineral resource development in any part of the province when the national interest so requires, such as in the case of strategic raw minerals for industries critical to national development for scientific, ecological and cultural values.

SEC. 4. Penal Provisions.- Any person, employee, or employment agency, who shall violate the provisions of this Act shall be penalized with imprisonment of at least six (6) years but not

more than twelve (12) years and a fine of at least One Hundred Thousand Pesos (P100,000.00) but not more than Five Hundred Thousand Pesos (500,000.00). If the violator is a corporation or association, the president or the manager/s of said corporation or association or its agent or representative in the Philippines, in case of a foreign corporation or association shall be held liable.

SEC. 5. Implementing Rules and Regulations.- Within three (3) months following the effectivity of this Act, the Secretary of Environment and Natural Resources, shall promulgate the necessary rules and regulations for its effective implementation.

SEC. 6. Separability Clause.- If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or other provisions not affected thereby, shall remain in force and effect.

SEC. 7. Repealing Clause.- All laws, orders, issuances, rules and regulations or parts thereof inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

SEC. 8. Effectivity Clause.- This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in a newspaper of general circulation.

Approved.

A handwritten signature in black ink, appearing to be a stylized name, possibly "J. Duterte", written over a horizontal line.