

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8467



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

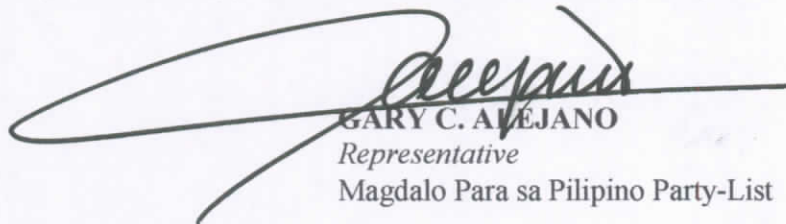
In 1995, Congress enacted Republic Act No. 7942 otherwise known as the Philippine Mining Act of 1995 which governs the exploration, development, utilization, and processing of all mineral resources in the country. This Act opened all mineral resources in public and private lands, including timber or forest lands, to mineral agreements or financial or technical assistance agreement applications.

However, in implementing the provisions of the said law, the State should take cognizance of its Constitutional responsibility to protect, promote, and advance people's right to health, and to balanced and healthful ecology. The State should take in consideration the promotion of the health and safety as well as the comfort and convenience of the public with regard to mineral exploration and utilization.

Quarrying sites contain an excavation that may present danger to the public by falling into these open excavations. Most, if not all, quarrying sites lack signs and warnings as well as fences which afford easy access to the public. Some abandoned quarries, on the other hand, pose danger to children who go to these abandoned sites to swim or play. In quarries, the depth comes suddenly and too drastically compared to ponds or rivers where one can sense the change in depth.

This bill seeks to protect the welfare of the public by mandating quarrying contractors to securely fence their sites.

In view of the foregoing, immediate approval of this measure is earnestly sought.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT

**MANDATING LICENSED QUARRYING CONTRACTORS TO ERECT FENCES
AROUND QUARRYING SITES AND FOR OTHER PURPOSES**

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

1 **SEC. 1. Declaration of Policy.** – It shall be the policy of the State to responsibly
2 promote exploration, development, utilization, and conservation of all its mineral resources.
3 The State also recognizes the need to protect its people from the possible damages or injuries
4 that may be brought about by the utilization of our mineral resources.

5
6 **SEC.2. Erecting of Fences and Other Safety Measures.** – Any licensed sand or
7 granite quarry contractor shall:

- 8 a) In the case of a sand quarry in which any open pit exists, erect and thereafter
9 maintain such fencing and take such other precautions as may be necessary in the
10 opinion of the Department of Environment and Natural Resources to prevent the
11 occurrence of any danger or damage to life or property; and,
12 b) In the case of a granite quarry –
13 i. Provide such number of guards, watchmen, warning lamps and red flags at
14 such places and times as the DENR thinks fit;
15 ii. Do not permit any deposit, material, machinery or any other object or thing
16 to be scattered, dumped, placed or stationed at any place so as to hinder or
17 obstruct access to and egress from the land adjoining or abutting any such
18 quarry; and
19 iii. Maintain the roads leading to any such quarry and crusher plant up to a
20 standard approved by the DENR.

21
22 The DENR may give a licensed contractor such directions as he thinks fit as to the
23 method of quarrying and the suspension or prohibition of granite quarrying operations
24 including blasting to ensure safety to persons or property.

25
26 **SEC.3. Fencing of Disused Sand and Granite Quarries.** – Where any disused sand
27 or granite quarry is dangerous to the public, it shall be kept reasonably fenced for the
28 prevention of accidents, and if it is not so kept, the licensed contractor of the sand or granite
29 quarry or if there is no such licensed contractor, the owner of the land in which the sand or
30 granite quarry lies, shall be guilty of violating this Act.

1 **SEC. 4. Penalties.** – Any licensed contractor who willfully violates the provisions of
2 this Act shall be held liable on conviction to a fine not less than One million pesos (Php
3 1,000,000.00) and in the case of continuing offense to a fine not less than Fifty thousand
4 pesos (Php 50,000.00) for every day or part thereof during which the offense continues after
5 conviction.
6

7 **SEC.5. Implementing Rules and Regulations.** – The DENR together with the
8 Department of Interior and Local Government as well as the various Local Government Units
9 (LGUs) shall promulgate the rules and regulations for the effective enforcement of the
10 provisions of this Act.
11

12 **SEC.6. Separability Clause.** – Should any provision of this Act or any part thereof be
13 declared invalid, the other provisions, so far as they are separable from the invalid ones, shall
14 remain in full force and effect,
15

16 **SEC.7. Repealing Clause.** – All laws, orders, issuances, rules, and regulations or
17 parts thereof, inconsistent with this Act are hereby repealed or modified accordingly.
18

19 **SEC.8. Effectivity.** - This Act shall take effect after fifteen (15) days from its
20 publication in the Official Gazette or in two (2) newspaper of general circulation.

Approved,