

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8492



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

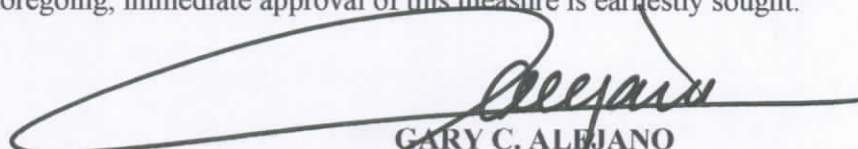
EXPLANATORY NOTE

Article II, Section 16 of the Constitution declares 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. However, common practices in quarrying run counter to this policy of the State. In many cases, the environmental damage brought about by quarrying negates whatever economic gains it aims to pursue.

Long term and excessive quarrying cause an artificial disruption in river beds that is far more destructive than monsoons and rainy seasons. The removal of bed material specially when done in huge quantities materially alters the river slope that triggers upstream erosion. Erosion in this case progressively moves upstream as the river adjusts its bed slope, causing destruction along the way. This erosion continually brings sediments downstream, removing materials both from the banks and riverbeds. This process can cause destruction to man-made structures like bridges, farmlands along the river banks, trigger landslides, and other undesirable occurrences. Moreover, it brings excessive siltation and turbidity to the sea that is harmful to marine life.

The practice of quarrying is indispensable to the mineral extractive industry. However, economic undertakings must be exercised within the framework of ecologically sustainable development. In this light, this measure mandates licensed quarrying contractors to practice safety measures in quarrying sites by requiring them to restore or remake banks of water to the same condition as they were before quarrying. Furthermore, it prescribes stern penalties for violations thereof in order to deter contractors from undermining the adverse ramifications of their activities via-a-vis the environment.

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 PRACTICE
SAFETY MEASURES IN QUARRYING SITES BY REQUIRING FOR THE
RESTORATION OR REMAKING OF BANKS OF WATER TO THE SAME
CONDITION AS THEY WERE BEFORE QUARRYING, PRESCRIBING
PENALTIES FOR VIOLATIONS THEREOF, 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 the exploration, development, utilization, and conservation of all its mineral
3 resources. The State also recognizes the need to protect and advance the right of the people to
4 a balanced ecology and a wholesome and healthy environment.

5
6 **SEC.2. Interference with bank of any river, stream, or watercourse.** – Any licensed
7 contractor who, in the course of sand and granite quarrying operations, interferes in any way
8 with the bank of any river, stream, or watercourse may be required by the Department of
9 Environment and Natural Resources (DENR), by notice in writing, to restore the bank to the
10 same condition as it was before the interference or to remake it in such manner and within
11 such time as may be specified in the notice.

12
13 **SEC.3. Penalties.** – Any licensed contractor who willfully violates the provisions of
14 this Act shall be held liable upon conviction to a fine not less than One million pesos
15 (P1,000,000.00), and in the case of continuing offense, to a fine not less than Fifty thousand
16 pesos (P50,000.00) for every day or part thereof during which the offense continues after
17 conviction.

18 The DENR may, at any time after the expiration of the time specified in such notice
19 and without instituting any proceedings against the licensed contractor, caused the works

1 specified in the notice to be executed and the expenses thereby incurred shall be paid by the
2 licensee in default and may be recovered by the DENR as determined by the Court.

3
4 **SEC. 4. *Implementing Rules and Regulations.*** – The DENR together with the
5 Department of Interior and Local Government as well as the various Local Government Units
6 (LGUs) shall promulgate the rules and regulations for the effective enforcement of the
7 provisions of this Act.

8
9 **SEC.5. *Separability Clause.*** – Should any provision of this Act or any part thereof be
10 declared invalid, the other provisions, so far as they are separable from the invalid ones, shall
11 remain in full force and effect,

12
13 **SEC.6. *Repealing Clause.*** – All laws, orders, issuances, rules, and regulations or
14 parts thereof, inconsistent with this Act are hereby repealed or modified accordingly.

15
16 **SEC.7. *Effectivity.*** - This Act shall take effect after fifteen (15) days from its
17 publication in the Official Gazette or in two (2) newspaper of general circulation.

Approved,