

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4117



Introduced by **HONORABLE ALLEN JESSE C. MANGAOANG**

EXPLANATORY NOTE

This bill seeks the classification of a certain parcel of land in Sitio Gaang in Barangay Talalang, Municipality of Balbalan in the Province of Kalinga as a Mineral land in order to be segregated from the Tourism Development Area of the Province of Kalinga.

Balbalan is a municipality located in the upper part of the Province of Kalinga bestowed by nature with beautiful forests, subterranean rivers and caves. The Balbalasang-Talalang Area was in fact declared as a National Park by virtue of Republic Act No. 6463 on June 17, 1972. In the late 1970's however, mineralization for gold was discovered by hunters in Sitio Gaang, Talalang which resulted into a gold rush. In a parallel geological verification, samples taken from the adits indicated the area viable for Minahang Bayan after laboratory analysis. To date, eleven gold veins were discovered and identified. Small scale miners, mostly members of the Banao Bonong Association who are the indigenous people of the Banao Tribe and residents of Barangays Talalang, Balbalasang and Pantikian in the Municipality of Balbalan, mined the area especially during summer months or dry season.

The place however cannot be declared as a mining area or a Minahang Bayan under Republic Act 7076 otherwise known as People's Small-Scale Mining Act of 1991 because the Province of Kalinga in 2013 was declared as a Tourism Development Area by virtue of RA 10561, making Balbalan's subterranean rivers and caves, a no-go mining zone.

It cannot be denied however that the small-scale mining operations have sustained the livelihood of the Banao Tribe in Talalang, Balbalasang and Pantikian and the residents of the eleven privileged barangays in the Municipality of Balbalan. With the influx of small-scale miners in the area, the operations need to be controlled and monitored, and the area delimited to prevent further encroachment to the Banao Protected Landscape nearby.

The classification therefore of the area in Sitio Gaang consisting of Three Hundred Eighty-Nine Hectares, more or less hectares, into a Mineral Land thereby segregating it from the Tourism Development Area must be the government's initiative to sustain the livelihood and economic development of the area and at the same time prevent further degradation and encroachment of the Banao Protected Landscape. Once classified and segregated as proposed, it will provide viable source of livelihood to our marginalized miners, opening up more opportunities for business and economic development. It will further encourage responsible mining in the area.

In view of the foregoing, the early passage of this bill is earnestly sought.


ALLEN JESSE C. MANGAOANG

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“AN ACT RECLASSIFYING AS MINERAL LAND A PARCEL OF LAND LOCATED IN BARANGAY TALALANG, MUNICIPALITY OF BALBALAN, PROVINCE OF KALINGA, OPEN FOR DECLARATION AS A PEOPLE’S SMALL-SCALE MINING AREA, THEREBY EXCLUDING THE SAID LAND FROM THE COVERAGE OF REPUBLIC ACT NO. 10561 OR “AN ACT DECLARING THE PROVINCE OF KALINGA AS TOURISM DEVELOPMENT AREA (TDA)”

Be enacted by the Senate and House of Representatives of the Philippine Congress assembled:

1 **SECTION 1. Declaration as Mineral Land.** – A parcel of land of the public domain located at
2 Barangay Talalang, in the Municipality of Balbalan, Province of Kalinga, is hereby reclassified as
3 mineral land, open for declaration as people’s small-scale mining area pursuant to Republic Act No.
4 7076 or the “Peoples Small-Scale Mining Act of 1991”. The said parcel of land is hereby excluded
5 from the coverage of Republic Act No. 10561, or “An Act Declaring the Province of Kalinga in the
6 Cordillera Region as a Tourism Development Authority (TDA)”.

7 **SECTION 2. Scope and Coverage.** – The parcel of land pertains to the area beginning at a
8 point marked “1” which is S 6°01’35” W, 6,202.983 meters from KAL-3101 PRS92 Control Point,
9 with geographic coordinates of 17°29’47.5291” latitude and 121°10’10.54854” longitude located at
10 Barangay Pantikian, Municipality of Balbalan, Province of Kalinga,

11 thence S16-19-27E 1196.902 meters to corner 2;
12 thence S07-55-33W 1283.197 meters to corner 3;
13 thence S88-13-03W 1244.616 meters to corner 4;
14 thence S11-13-47E 1070.012 meters to corner 5;
15 thence S76-34-23W 421.925 meters to corner 6;
16 thence N02-06-20W 1595.815 meters to corner 7;
17 thence N33-35-21W 781.808 meters to corner 8;
18 thence N33-58-35E 168.591 meters to corner 9;
19 thence N37-32-52E 539.556 meters to corner 10;
20 thence N59-40-52E 1569.31 meters to corner 1,
21 and comprises three hundred eighty-nine and 93/100 (389.93) hectares, more or less.

1 **SECTION 3. *Priority for Small-Scale Mining Contracts.*** – Individuals or members of cultural
2 communities and tribal associations who have been actually, continuously, and presently occupying,
3 cultivating, or mining either by themselves or through their predecessors -in-interests the said land
4 since 1970 shall be given priority in the awarding of people’s small-scale mining contract.

5 **SECTION 4. *Implementing Rules and Regulations.*** – Within ninety (90) days from the
6 effectivity of this Act, the Secretary of the Department of Environment and Natural Resources shall
7 issue the corresponding rules and regulations for the effective implementation of this Act.

8 **SECTION 5. *Separability Clause.*** – If any provision of this Act is declared unconstitutional or
9 invalid, other parts or provisions hereof not affected shall continue to be in full force and effect.

10 **SECTION 6. *Repealing Clause.*** – All laws, presidential decrees, executive orders and
11 regulations or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended
12 or modified accordingly.

13 **SECTION 7. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in
14 the *Official Gazette* or in a newspaper of general circulation.

15 Approved,