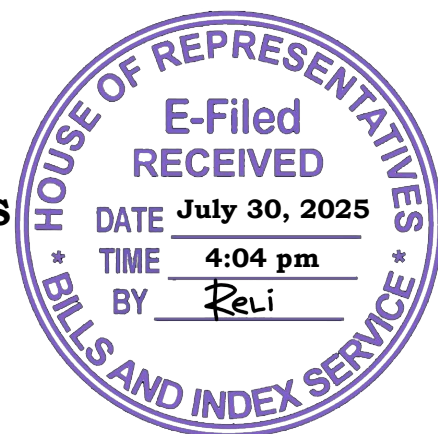


**Republic of the Philippines
HOUSE OF REPRESENTATIVES
CONGRESS OF THE PHILIPPINES**

Quezon City, Metro Manila

**TWENTIETH CONGRESS
First Regular Session**

HOUSE BILL NO. 2677

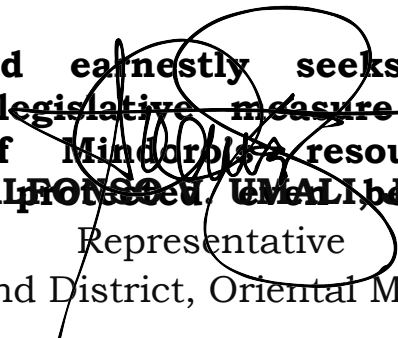


Introduced by HON. ALFONSO V. UMALI, JR.

The Island of Mindoro is unquestionably endowed with bountiful natural resources from which most of the people, especially the Mangyans, depend their lives and livelihood.

For decades, Mindoreños have consistently raised their firm stance against mining. United, we have fought long and hard to protect them. In fact, the Provinces of Oriental and Occidental Mindoro, both sitting in the Island of Mindoro, have already instituted their respective protective measures against mining by declaring a twenty-five (25) year moratorium against mining and have extended the same to another twenty five years. However, with the ruling of the Supreme Court in the case of the mining moratorium in the province of Occidental Mindoro declaring the same as unconstitutional, the Island of Mindoro is at risk of losing its policy safeguards against destructive mining. The said case will definitely serve as a precedent, thus giving mining companies wide option to push for mining activities in the island.

Hence, the undersigned earnestly seeks for the immediate passage of this legislative measure that will ensure that the Island of Mindoro's resources and cultural heritage will be protected and preserved for this generation.


Representative
Second District, Oriental Mindoro

Republic of the Philippines
HOUSE OF REPRESENTATIVES
CONGRESS OF THE PHILIPPINES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 2677

Introduced by HON. ALFONSO V. UMALI, JR.

**AN ACT DECLARING THE ISLAND OF MINDORO AS A
MINING-FREE ZONE, AND PROVIDING PENALTIES FOR
VIOLATION THEREOF**

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

SECTION 1. Title. - This Act shall be known as the “Mindoro
Island Mining-Free Zone Act.”

SECTION 2. Declaration of Policy. - It is hereby declared the
policy of State to protect its natural resources and the right of the
people to balance and healthful ecology.

Likewise, it is the responsibility of the State to promote
rational exploration, development, utilization, and conservation of
the mineral resources of the country in a way the effectively
safeguards the environment and protects the rights of affected
communities.

Therefore, the State shall adopt measures to conserve and
protect the rich resources of the whole Island of Mindoro from
the adverse effect of mining.

SECTION 3. Mining-Free Zone. - The Island of Mindoro comprising the Provinces of Oriental and Occidental Mindoro is hereby declared a mining-free zone. All forms of mining activity, of whatever scale, within the Island of Mindoro are hereby prohibited.

The provisions of Republic Act No. 7942, otherwise known as the "Mining Act of 1995," Republic Act No. 7076, otherwise known as the "People's Small-Scale Mining Act" and other laws, rules and regulations on mining inconsistent with this Act shall have no application within the territorial jurisdiction of the locality.

SECTION 4. Coverage. - This Act covers all mining operations and activities, including quarrying, within the territorial jurisdiction of the Provinces of Oriental and Occidental Mindoro.

As used in this Act, "mining" shall refer to extraction of valuable materials or other geological materials from the earth, and shall include mining activities as exploration, conduct of geological feasibility studies and surveys, development, utilization and processing, including sand mining or large scale seabed dredging, as well as quarry operations involving cement raw materials, marble, granite, rocks, sand and gravel construction aggregates, and other similar activities related to excavating and quarrying minerals and ores.

SECTION 5. Recognition of Existing Mining Contracts, Agreements, and Permits. - All valid and existing mining contracts, exploration permits, licenses, technical and financial agreements, and mineral production sharing agreements, in accordance with Republic Act No. 7942, otherwise known as the "Mining Act of 1995," covering any area within the Island of Mindoro prior to the date of effectivity of this Act, shall be recognised by the Government and shall remain valid until expiration or termination thereof. Thereafter, no extension or renewal of the contract, permit, license, or exploration permit shall be granted. Moreover, the government shall not issue new exploration permits nor enter into new mineral agreements or similar other agreements covering lands within the jurisdiction of the Provinces of Oriental and Occidental Mindoro.

SECTION 6. Prohibition Against Exploration Activities in Areas Covered by Mineral Agreements. - At the date of the effectivity of this Act, no exploration permit to conduct further exploration activities or an application for extension thereof shall be granted even during the lifetime of existing mineral contracts, technical and financial assistance agreements, and mineral production sharing agreements.

SECTION 7. Dormant Exploration Permits and Mineral Agreements. - Exploration activities and mining operations under existing exploration permits, mineral agreements and other similar agreements shall be undertaken immediately by the permittee or contractor. In case of failure to initiate or undertake any exploration activity or mining operation within one (1) year from the effectivity of this Act, the exploration permit or mineral agreement shall be declared dormant by the Department of Environment and Natural Resources (DENR).

Dormant permits and agreements shall ipso facto be cancelled upon declaration of dormancy.

SECTION 8. Cancellation of Small-Scale Mining . All small-scale mining contracts as enunciated in Republic Act No. 7076, or the “People’s Small-Scale Mining Act of 1991” are hereby cancelled upon effectivity of this Act. Affected small-scale mining contractors have one (1) year from the time of the effectivity of this Act to undertake rehabilitation, regeneration, and reforestation of mineralized areas, slope stabilization of mind-out and tailing-covered areas, watershed development, and water preservation.

SECTION 9. Quarry Permits. - The issuance of Quarry Permits in the mining-free zone shall be under the direct supervision of the Department of Environment and Natural Resources (DENR). Existing quarry permits issued by the provincial government prior to this Act shall likewise be recognized. Thereafter, quarry permits issued by the Provincial Governor shall be reviewed and monitored by the DENR.

The maximum area which a qualified person may hold at any one time within the territorial jurisdiction of the Provinces of Oriental and Occidental Mindoro shall be five (5) hectares. The DENR shall impose strict regulations in ensuring that no more than one quarry is granted to the same person, corporation, its affiliates, subsidiary or any entity that has essentially the same legal personality as the applicant or holder of an existing quarry permit in the Island of Mindoro.

A quarry permit shall immediately be cancelled by the provincial governor for areas up to five (5) hectares, when, in the guise of quarrying activities, the holder of a quarry permit engages in activities that are properly authorized by exploration permits, mineral agreements, or mining contracts, upon investigation conducted by the DENR for the purpose.

SECTION 10. Penal Provision. - Any person, natural or juridical, or any public officer, who violates the provisions of this Act, shall suffer the penalty of imprisonment of not less than six (6) years but not more than twelve (12) years, and a fine of not less than One Million Pesos (PhP1,000,000.00) but not more than Ten Million Pesos (PhP10,000,000.00).

In addition, a public officer who violates this Act shall also be dismissed from the service, and shall be perpetually disqualified from holding public office.

If the offender is a juridical entity, the highest ranking official and the members of its board of directors or trustee who authorized the act constituting violations hereof, shall suffer the penalty imposed under this Act.

SECTION 11. Implementing Rules and Regulations. - Within the period of three (3) months from the effectivity of this Act, the DENR shall promulgate the necessary Implementing Rules and Regulations to effectively implement the provisions of the law.

SECTION 12. Separability Clause. - Should any provision herein be declared unconstitutional, the same shall not affect the validity of other provisions of this Act.

SECTION 13. Repealing Clause. – All laws, decrees, orders, rules and regulations, or parts thereof, inconsistent with Act are hereby repealed or amended accordingly.

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

Approved,