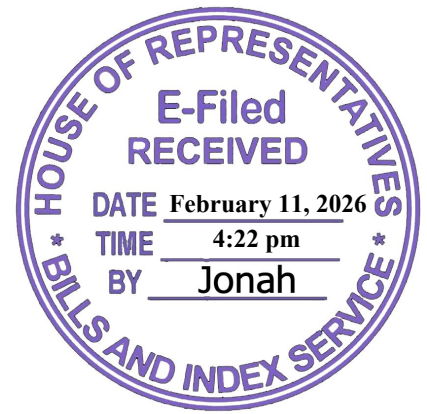


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

House Bill No. 7760



Introduced by Representative ERIC G. YAP

EXPLANATORY NOTE

This proposed measure seeks to declare the Municipality of Kibungan in the Province of Benguet as a mining-free zone, thereby prohibiting all forms of mining operations and activities within its territorial jurisdiction, and providing penalties for violations thereof.

The bill defines a mining-free zone to include all extraction and quarrying activities involving minerals, ores, and related geological materials that could harm the environment and communities. Under current national mining laws which includes Republic Act (RA) No. 7942, otherwise known as the "*Philippine Mining Act of 1995*", and RA No. 7076, otherwise known as the "*People's Small-Scale Mining Act of 1991*", mining operations are permitted subject to regulatory oversight, but these have often resulted in environmental degradation and conflict with local communities. This measure recognizes the policy of the State to protect the right of the people to a balanced and healthy community while ensuring responsible use and conservation of natural resources.

A 2025 study by Amnesty International found that mining operations in the Philippines have caused serious environmental and social harm, including water contamination, ecosystem damage, and risks to community health¹. One example is the Padcal mine in Benguet, where tailings spills released millions of mine waste into river systems, causing long-term ecological damage and affecting downstream water quality. Another study by the Foundation for the Philippine Environment showed that mining activities nationwide are strongly linked to deforestation and water pollution. These environmental impacts pose serious health risks to nearby communities, some of which may be fatal and far-reaching². While the effects are not always immediately visible, heavy metals and chemicals can enter the food chain and cause long-term health problems that may persist for generations.

¹ Amnesty International. (2025, January 9). *Philippines: Nickel mining projects approved despite inadequate consultation and serious risks to communities' health and environment*. <https://www.amnesty.org/en/latest/news/2025/01/philippines-nickel-mining-projects-approved-despite-inadequate-consultation-and-serious-risks-to-communities-health-and-environment>

² Foundation for the Philippine Environment. (2013, March 1). *Biggest Mine Spill Aggravates Health Hazards and Poverty in the Philippines*. <https://fpe.ph/news/biggest-mine-spill-aggravates-health-hazards-and-poverty-in-the-philippines>

Designating Kibungan as a mining-free zone will prevent similar harm, protect local watersheds, preserve biodiversity, safeguard agricultural lands, and uphold the health and livelihoods of residents who depend on a clean and stable environment.

The urgent passage of this vital piece of legislation is necessary because the Municipality of Kibungan possesses significant ecological, cultural, and agricultural value that must be protected for the present and future generations. This also ensures that development does not come at the expense of public health and ecological integrity, which resonates with the aspirations of the people of Kibungan and advocates of environmental justice and sustainable development.

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

A stylized, handwritten signature in black ink, consisting of several overlapping, sweeping strokes that form a cursive-like shape.

HON. ERIC G. YAP

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

TWENTIETH CONGRESS
First Regular Session

House Bill No. **7760**

Introduced by Representative ERIC G. YAP

AN ACT
DECLARING THE MUNICIPALITY OF KIBUNGAN IN THE PROVINCE OF
BENGUET A MINING-FREE ZONE AND PROVIDING PENALTIES FOR
VIOLATIONS THEREOF

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

Section 1. *Short Title.* — This Act shall be known as the “*Kibungan Mining- Free Zone Act*”.

SEC. 2. *Statement of Policy.* — It is hereby declared 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.

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

Towards this end, the State shall institute measures to protect the people and the environment in the Municipality of Kibungan in the Province of Benguet from the adverse effects of mining.

SEC. 3. *Mining-Free Zone.* — The Municipality of Kibungan in the Province of Benguet is hereby declared a mining-free zone. All forms of mining operations and activity, whether large-scale or small-scale, within its jurisdiction are hereby prohibited. The provisions of Republic Act (RA) No. 7942, otherwise known as the “*Philippine Mining Act of 1995*”, RA 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.

SEC. 4. *Coverage.* — This Act covers all mining operations and activities, including quarrying, within the territorial jurisdiction of the Municipality of

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

SEC. 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 RA No. 7942, otherwise known as the "*Philippine Mining Act of 1995*", covering any area within the Municipality of Kibungan in the Province of Benguet at the date of effectivity of this Act, shall be recognized by the Government and shall remain valid until the expiration or termination thereof. Thereafter, no further extension or renewal of the contract, permit, license or agreement 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 Province.

SEC. 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 application for extension thereof shall be granted even during the lifetime of existing mining contracts, technical and financial assistance agreements and mineral production sharing agreements.

SEC. 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 two (2) years 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.

SEC. 8. *Quarry Permits.* — Issuance of a quarry permit in the mining-free zone shall be under the direct supervision of the DENR. Existing quarry permits issued by the provincial government at the time of the approval of 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 for quarrying purposes at any time within the territorial jurisdiction of the province shall be five (5) hectares. The DENR shall impose strict regulations in ensuring that no more than one (1) quarry permit is granted to the same person, corporation or its affiliates or subsidiary, or any entity that has essentially the same legal personality as the applicant or holder of an existing quarry permit in the province.

A quarry permit shall immediately be canceled by the provincial governor or DENR 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.

SEC. 9. *Penal Provisions.* — 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 (P1,000,000.00), but not more than Ten million pesos (P10,000,000.00) .

In addition, a public officer who violates this Act, shall also be dismissed from service and 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 board of trustees who authorized the violations therein shall suffer the penalty imposed under this Act.

SEC. 10. *Implementing Rules and Regulations.* — Within three (3) months from the passage of this Act, the DENR shall promulgate the necessary rules and regulations for its effective implementation.

SEC. 11. *Separability Clause.* — If any portion or provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

SEC. 12. *Repealing Clause.* — All laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby amended or modified accordingly.

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

Approved,