



HOUSE OF REPRESENTATIVES

H. No. 1064

BY REPRESENTATIVES RODRIGUEZ (R.), RODRIGUEZ (M.) AND MATUGAS

AN ACT DECLARING THE CITY OF CAGAYAN DE ORO A MINING FREE ZONE

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

1 SECTION 1. *Statement of Policy.* – It is the policy of the State to
2 protect and advance the right of the people to a balanced and healthful ecology
3 in accord with the rhythm and harmony of nature. Towards this end, the State
4 shall protect the people and the environment in Cagayan de Oro City from the
5 adverse effects of mining.

6 SEC. 2. *Declaration of Cagayan de Oro City as a Mining Free Zone.* –
7 Cagayan de Oro City is hereby declared a mining free zone and all mining
8 operations in the City of Cagayan de Oro are hereby prohibited.

9 For the purpose of this Act, mining shall refer to the extraction of
10 valuable minerals or other geological materials from the earth and shall
11 include such mining activities as exploration, feasibility, development,
12 utilization and processing and large-scale quarry operations involving cement
13 raw materials, marble, granite, sand and gravel construction aggregates:
14 *Provided, however,* That the quarrying of gravel and sand for projects

1 directly undertaken by agencies of the national government or by the city
2 government for basic services such as, but not limited to, roads and bridges,
3 school buildings, water and energy utilities and similar public works, is
4 exempted from the coverage of this Act, subject, however, to the requirements
5 of existing mining and environment laws.

6 SEC. 3. *Penal Provisions.* – Any person, employee or employment
7 agency who shall violate the provisions of this Act shall be penalized with
8 imprisonment of at least six (6) years but not more than twelve (12) years and a
9 fine of at least One hundred thousand pesos (P100,000.00) but not more than
10 Five hundred thousand pesos (P500,000.00). If the violator is a corporation or
11 association, the president and the manager/s of said corporation or association,
12 or its agent or representative in the Philippines, in case of a foreign corporation
13 or association, shall be held liable.

14 SEC. 4. *Implementing Rules and Regulations.* – Within three (3)
15 months following the effectivity of this Act, the Secretary of the Department of
16 Environment and Natural Resources shall promulgate the necessary rules and
17 regulations for its effective implementation.

18 SEC. 5. *Separability Clause.* – If any portion or provision of this Act is
19 declared unconstitutional, the remainder of this Act or any provision not
20 affected thereby shall remain in force and effect.

21 SEC. 6. *Repealing Clause.* – All laws, orders, issuances, rules and
22 regulations or parts thereof inconsistent with the provisions of this Act are
23 hereby repealed or modified accordingly.

24 SEC. 7. *Effectivity Clause.* – This Act shall take effect fifteen (15) days
25 after its publication in a newspaper of general circulation.

Approved,