



HOUSE OF REPRESENTATIVES

H. No. 45

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

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 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 include
11 such mining activities as exploration, feasibility, development, utilization and
12 processing and large-scale quarry operations involving cement raw materials,
13 marble, granite, sand and gravel construction aggregates: *Provided, however,*
14 That the quarrying of gravel and sand for projects directly undertaken by
15 agencies of the national government or by the city government for basic

1 services such as, but not limited to, roads and bridges, school buildings, water
2 and energy utilities and similar public works, is exempted from the coverage of
3 this Act, subject, however, to the requirements of existing mining and
4 environment laws.

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

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

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

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22 hereby repealed or modified accordingly.

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

Approved,

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