



HOUSE OF REPRESENTATIVES

H. No. 5261

BY REPRESENTATIVES ESPINA AND MATUGAS, PER COMMITTEE REPORT
No. 505

AN ACT DECLARING THE PROVINCE OF BILIRAN A MINING-FREE ZONE

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

1 SECTION 1. The Province of Biliran is hereby declared a mining-free
2 zone, and all mining operations therein shall be prohibited.

3 For the purpose of this Act, mining shall refer to the extraction of
4 valuable minerals or other geological materials from the earth and shall include
5 such mining activities as exploration, feasibility, development, utilization and
6 processing as well as quarry operations involving cement raw materials,
7 marble, granite, sand and gravel construction aggregates, whether large-scale
8 or small-scale operation: *Provided*, That the quarrying of gravel and sand for
9 projects directly undertaken by agencies of the national government or by the
10 provincial government for basic services such as roads and bridges, school
11 buildings, water and energy utilities and similar public works, or any
12 exploration activities for the generation of geothermal energy in the Province
13 of Biliran, is exempted from the coverage of this Act, subject, however, to the
14 requirements of existing mining and environmental laws: *Provided, further*,

1 That the national government shall maintain the authority to conduct mineral
2 exploration in any part of the province when national interest so requires, such
3 as when there is a need to determine the presence and availability of strategic
4 raw materials for industries critical to national development or for scientific,
5 cultural or ecological value.

6 SEC. 2. Any person, employee or employment agency who shall violate
7 the provisions of this Act shall be penalized with imprisonment of at least six
8 (6) years but not more than twelve (12) years and a fine of at least one hundred
9 thousand pesos (P100,000.00) but not more than five hundred thousand pesos
10 (P500,000.00). If the violator is a corporation or association, the president and
11 the manager of said corporation or association shall be held liable.

12 SEC. 3. Within six (6) months following the effectivity of this Act, the
13 Secretary of the Department of Environment and Natural Resources (DENR),
14 in consultation with the provincial and municipal governments, the religious
15 sector, the business sector and accredited nongovernment organizations, shall
16 promulgate the necessary rules and regulations for its effective implementation.

17 SEC. 4. If any portion or provision of this Act is declared
18 unconstitutional, the remainder of this Act or any provision not affected
19 thereby shall remain in force and effect.

20 SEC. 5. All laws, orders, issuances, rules and regulations or parts
21 thereof inconsistent with the provisions of this Act are hereby repealed or
22 modified accordingly.

23 SEC. 6. This Act shall take effect fifteen (15) days after its publication
24 in the *Official Gazette* or in a newspaper of general circulation.

Approved,

O