



HOUSE OF REPRESENTATIVES

H. No. 5846

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BY REPRESENTATIVES REYES, YAP (S.), CAMINERO, RAMIREZ-SATO,  
ATIENZA, MATUGAS, ZARATE, COLMENARES AND BATOCABE, PER  
COMMITTEE REPORT NO. 765

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

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

1           SECTION 1. It is the policy of the State to protect and promote the  
2 right of the people to a balanced and healthful ecology in accord with the  
3 rhythm and harmony of nature. Towards this end, the State shall protect the  
4 people and the environment in the entire Province of Marinduque from the  
5 adverse effects of mining.

6           SEC. 2. The Province of Marinduque is hereby declared a mining-free  
7 zone and that all mining operations, as defined under Republic Act No. 7942,  
8 otherwise known as the "Philippine Mining Act of 1995", are hereby  
9 prohibited in the entire Province of Marinduque: *Provided*, That mine  
10 rehabilitation, remediation and other clean-up activities on mine spills and  
11 abandoned mines, including the utilization and processing of abandoned ores,  
12 mine wastes or tailings taken from the same, are likewise exempt from the  
13 coverage of this Act: *Provided, further*, That the quarrying of sand, gravel,  
14 and other quarry resources, as defined under the same law, is likewise exempt  
15 from the coverage of this Act.

1           SEC. 3. Any person found to have violated any of the provisions of  
2 this Act shall, upon conviction, be punished by imprisonment of not less than  
3 ten (10) years and one (1) day but not more than twelve (12) years or a fine of  
4 not less than five hundred thousand pesos (P500,000.00) but not more  
5 than one million pesos (P1,000,000.00), or both, at the discretion of the  
6 court.

7           If the offense is committed by a corporation, partnership, association or  
8 any other juridical entity, the penalty shall be imposed on the president,  
9 managing director, partner or chief operating officer. The license to operate of  
10 the erring corporation, partnership, association or any other juridical entity  
11 shall be cancelled and revoked permanently. The operator or owner thereof  
12 shall not be allowed to undertake mining activities or operate similar  
13 establishments in a different name or in a different location.

14           If the offender is a foreigner, the foreigner shall be summarily  
15 deported after service of sentence and payment of fines. In addition, the  
16 foreigner offender shall be perpetually banned from entry into Philippine  
17 territory.

18           SEC. 4. Within three (3) months following the effectivity of this Act,  
19 the Department of Environment and Natural Resources (DENR) shall  
20 promulgate the necessary rules and regulations for its effective  
21 implementation.

22           SEC. 5. If any portion or provision of this Act is declared  
23 unconstitutional, the remainder of this Act or any provision not affected  
24 thereby shall remain in-force and effect.

25           SEC. 6. All laws, presidential decrees, executive orders, rules and  
26 regulations or parts thereof which are inconsistent with any of the provisions  
27 of this Act shall be deemed repealed or modified accordingly.

1            SEC. 7. This Act shall take effect fifteen (15) days after its publication  
2    in the *Official Gazette* or in a newspaper of general circulation.

Approved,

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