



## HOUSE OF REPRESENTATIVES

H. No. 9019

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BY REPRESENTATIVES VELASCO, VELASCO-CATERA, ABELLANOSA,  
SY-ALVARADO AND NIETO, PER COMMITTEE REPORT NO. 1188

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AN ACT DECLARING THE PROVINCE OF MARINDUQUE A  
MINING-FREE ZONE AND PROVIDING PENALTIES  
THEREFOR

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

1           SECTION 1. *Mining-Free Zone.* – The Province of Marinduque  
2 is hereby declared a mining-free zone. All forms of mining  
3 operations and activity, whether large-scale or small-scale, within  
4 its jurisdiction are hereby prohibited. The provisions of Republic  
5 Act No. 7942, otherwise known as the “Philippine Mining Act of  
6 1995”; Republic Act No. 7076, otherwise known as the “People’s  
7 Small-scale Mining Act of 1991” and other laws, rules and  
8 regulations on mining inconsistent with this Act shall have no  
9 application within the territorial jurisdiction of the locality.

10           SEC. 2. *Coverage.* – This Act covers all mining operations  
11 and activities, including quarrying, within the territorial  
12 jurisdiction of the Province of Marinduque.

1 For the purpose of this Act, "mining" refers to the extraction of  
2 valuable minerals or other geological materials from the earth and  
3 shall include such mining activities as exploration, conduct of  
4 geological feasibility studies, development, utilization and  
5 processing, as well as quarry operations involving cement raw  
6 materials, marble, granite, sand and gravel construction aggregates,  
7 and other resources.

8 SEC. 3. *Recognition of Existing Mining Contracts, Agreements*  
9 *and Permits.* – All valid and existing contracts, exploration  
10 permits, licenses, technical agreements and mineral production  
11 sharing agreements in accordance with Republic Act No. 7942,  
12 otherwise known as the "Philippine Mining Act of 1995" covering  
13 any area of the province at the date of effectivity of this Act shall be  
14 recognized by the government and shall remain valid until the  
15 expiration or termination thereof. Thereafter, no further extension  
16 or renewal shall be granted. Moreover, the government shall not  
17 issue new exploration permits nor enter into new mineral  
18 agreements or similar other agreements covering lands within the  
19 jurisdiction of the province.

20 SEC. 4. *Stipulation in Mineral Agreements Against Further*  
21 *Exploration Activities.* – At the date of the effectivity of this Act, no  
22 exploration permit to conduct further exploration activities or an  
23 application for extension thereof shall be granted even during the  
24 lifetime of existing mining contracts, technical and financial  
25 assistance agreements and mineral production sharing agreements.

26 SEC. 5. *Dormant Exploration Permits and Mineral*  
27 *Agreements.* – Exploration activities and mining operations under

1 existing exploration permits, mineral agreements and other similar  
2 agreements shall be undertaken immediately by the permittee or  
3 contractor. In case of failure to initiate or undertake any  
4 exploration activity or mining operation within two (2) years from  
5 the effectivity of this Act, the exploration permit or mineral  
6 agreement shall be declared dormant by the Department of  
7 Environment and Natural Resources (DENR).

8 Dormant permits or agreements shall *ipso facto* be cancelled  
9 upon declaration of dormancy.

10 SEC. 6. *Cancellation of Small-scale Mining Contracts.* – All  
11 small-scale mining contracts as enunciated in Republic Act  
12 No. 7076, otherwise known as the “People’s Small-scale Mining Act  
13 of 1991” in the province are hereby cancelled upon the effectivity of  
14 this Act. Affected small-scale mining contractors have one (1) year  
15 from the time this Act takes effect to undertake the rehabilitation,  
16 regeneration and reforestation of mineralized areas, slope  
17 stabilization of mined-out and tailings-covered areas, watershed  
18 development and water preservation.

19 SEC. 7. *Quarry Permits.* – Existing quarry permits issued by  
20 the provincial government at the time of the effectivity of this Act  
21 shall be recognized. Thereafter, quarry permits issued by the  
22 provincial governor shall be regularly reviewed and monitored by  
23 the DENR. The maximum area which a qualified person may hold  
24 at any one time within the territorial jurisdiction of the province  
25 shall be five (5) hectares. The DENR shall impose strict regulations  
26 to ensure that not more than one quarry permit is granted to the  
27 same person, corporation or its affiliates, subsidiary or any entity

1 that has essentially the same legal personality as the applicant or  
2 holder of an existing quarry permit in the province.

3 A quarry permit shall immediately be cancelled by the  
4 provincial governor upon the recommendation of the DENR, when,  
5 in the guise of quarrying activities, the holder of a quarry permit  
6 engages in activities that require an exploration permit, a mineral  
7 agreement or a mining contract.

8 SEC. 8. *Penal Provisions.* – Any person, natural or juridical,  
9 or any public officer who violates the provisions of this Act shall  
10 suffer the penalty of imprisonment of not less than six (6) years but  
11 not more than twelve (12) years and a fine of not less than One  
12 million pesos (P1,000,000.00) but not more than Ten million pesos  
13 (P10,000,000.00).

14 Any public officer who violates this Act shall also be dismissed  
15 from service and perpetually disqualified from holding public office.

16 If the offender is a juridical entity, the highest ranking official  
17 and the members of its board of directors or trustees who authorized  
18 the violations shall suffer the penalty imposed under this Act. The  
19 operator or owner thereof shall not be allowed to undertake mining  
20 activities or operate similar establishments in a different name or in  
21 a different location.

22 SEC. 9. *Implementing Rules and Regulations.* – Within three  
23 (3) months from the passage of this Act, the DENR shall promulgate  
24 the necessary rules and regulations for its effective implementation.

25 SEC. 10. *Repealing Clause.* – Any law, presidential decree or  
26 issuance, executive order, letter of instruction, administrative order,

1 rule or regulation contrary to or inconsistent with any provision of  
2 this Act is hereby amended or modified accordingly.

3       SEC. 11. *Effectivity.* – This Act shall take effect fifteen (15)  
4 days after its publication in the *Official Gazette* or in a newspaper  
5 of general circulation.

Approved,

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