



HOUSE OF REPRESENTATIVES

H. No. 3780

BY REPRESENTATIVES EVARDONE AND MATUGAS, PER COMMITTEE
REPORT NO. 42

AN ACT DECLARING THE PROVINCE OF EASTERN SAMAR A MINING-FREE ZONE AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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

1 SECTION 1. *Declaration of Policy.* — The Province of Eastern Samar
2 is hereby declared a mining-free zone and all mining operations in the
3 province are hereby prohibited.

4 As used in this Act, mining shall refer to the extraction of valuable
5 minerals or other geological materials from the earth and shall include such
6 mining activities as exploration, feasibility, development, utilization and
7 processing and shall apply whether the same is conducted in a small scale or
8 otherwise: *Provided, however,* That this Act shall not operate against
9 legitimate quarrying and/or sand and gravel activities in the Province of
10 Eastern Samar.

11 SEC. 2. *Prohibition.* — It shall be unlawful for any person to conduct
12 mining operations in the Province of Eastern Samar. Any person found guilty

1 violating the provisions of this Act shall be penalized with imprisonment of at
2 least six (6) years but not more than twelve (12) years and a fine of at least
3 Two hundred thousand pesos (P200,000.00) but not more than Five hundred
4 thousand pesos (P500,000.00).

5 If the offender is a corporation, firm, partnership or association, the
6 penalty shall be imposed upon the officer or officers of the corporation,
7 firm, partnership or association responsible for the violation hereof.

8 If the offender is an alien, after service of sentence and payment of fine,
9 he will be deported immediately without further proceedings.

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

14 SEC. 4. *Existing Rights.* – All property and private rights vested prior
15 to the effectivity of this Act shall continue to be recognized and respected in
16 accordance with laws, rules and regulations.

17 SEC. 5. *Repealing Clause.* – All laws, presidential decrees or
18 issuances, executive orders, letters of instruction, administrative orders, rules
19 or regulations contrary to or inconsistent with the provisions of this Act are
20 hereby repealed.

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

Approved,

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