



HOUSE OF REPRESENTATIVES

H. No. 5262

BY REPRESENTATIVES UNGAB, ILAGAN, DE JESUS, ZARATE AND MATUGAS,
PER COMMITTEE REPORT NO. 506

AN ACT DECLARING THE CITY OF DAVAO A MINING-FREE ZONE

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

1 SECTION 1. The City of Davao is hereby declared a mining-free zone
2 and all mining operations in the area 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, is exempted
12 from the coverage of this Act, subject, however, to the requirements of existing
13 mining and environmental laws: *Provided, further*, That the national
14 government shall maintain the authority to conduct mineral exploration in any
15 part of the province, when national interest so requires, such as when there is a

1 need to determine the presence and availability of strategic raw materials for
2 industries critical to national development or for scientific, cultural or
3 ecological value.

4 SEC. 2. Any person found to have violated any of the provisions of this
5 Act shall, upon conviction, be punished by imprisonment of not less than six
6 (6) years and one (1) day but not more than twelve (12) years or a fine of not
7 less than one hundred thousand pesos (P100,000.00) but not more than five
8 hundred thousand pesos (P500,000.00), or both, at the discretion of the court.

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

16 If the offender is a foreigner, aside from serving the sentence or
17 payment of fine, the penalty shall be deportation and ban from any subsequent
18 entry into the Philippines.

19 SEC. 3. Any contractor who has an existing exploration permit before
20 the effectivity of this Act shall be given a period of two (2) years to conclude
21 its exploration activities. Upon the termination of the exploration permit, the
22 right granted to the contractor to occupy and use the public land shall revert to
23 the Philippine government.

24 SEC. 4. Within ninety (90) days after the effectivity of this Act, the
25 Sangguniang Panlungsod of the City of Davao, with the concurrence of the city
26 mayor, shall promulgate the necessary rules and regulations for the proper
27 implementation of this Act.

1 SEC. 5. All laws, decrees, executive orders, rules and regulations
2 contrary to or inconsistent with the provisions of this Act are hereby amended
3 or modified accordingly.

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

 Approved,

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