



HOUSE OF REPRESENTATIVES

H. No. 5957

BY REPRESENTATIVES COSALAN AND MATUGAS, PER COMMITTEE REPORT
No. 808

AN ACT DECLARING THE MUNICIPALITY OF KIBUNGAN,
PROVINCE OF BENGUET 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. The Municipality of Kibungan, Province of Benguet is
2 hereby declared a mining-free zone and all small-scale and large-scale mining
3 operations are hereby prohibited.

4 SEC. 2. As used in this Act, mining shall refer to the extraction of
5 valuable minerals or other geological materials excluding gravel, sand and
6 marble using mechanized tools and equipment, requiring considerable capital
7 and having large-scale environmental, social, cultural and economic impacts
8 with regard to resource use and/or consumption. These shall include mining
9 activities involving exploration, feasibility, development, utilization and
10 processing.

11 SEC. 3. It shall be unlawful for any person to engage in any mining
12 operation in the Municipality of Kibungan, Province of Benguet.

1 Any person found guilty of violating the provisions of this Act shall be
2 penalized with an imprisonment of at least six (6) years but not more than
3 twelve (12) years and a fine of at least one hundred thousand pesos
4 (P100,000.00) but not more than five hundred 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, firm,
7 partnership or association responsible for the violation thereof.

8 If the offender is an alien, the person shall be deported immediately
9 after the service of sentence and payment of fine.

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

13 SEC. 5. Upon approval of this Act, the local government of the
14 Municipality of Kibungan, Province of Benguet, in coordination with the
15 DENR, shall review the contracts and agreements entered into by all existing
16 small-scale and large-scale mining operations, those to be terminated and those
17 to be allowed to continue until such period that their contracts or agreements
18 may allow.

19 SEC. 6. All laws, decrees, orders, rules and regulations or parts thereof
20 inconsistent with the provisions of this Act are hereby repealed or modified
21 accordingly.

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

Approved,