



HOUSE OF REPRESENTATIVES

H. No. 7827

BY REPRESENTATIVES ESPINA, TY AND ZARATE, PER COMMITTEE
REPORT NO. 779

AN ACT DECLARING THE PROVINCE OF BILIRAN 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 Biliran is
2 hereby declared a mining-free zone. All large-scale mining
3 operations within its jurisdiction are hereby prohibited.

4 SEC. 2. *Coverage.* – This Act covers all mining operations
5 and activities, including quarrying, within the territorial
6 jurisdiction of the Province of Biliran: *Provided*, That the quarrying
7 of boulders, gravel and sand for projects undertaken by the
8 Department of Public Works and Highways or by the Provincial
9 Government of Biliran for basic services such as roads, bridges,
10 school buildings, water and energy utilities and similar public
11 works shall be allowed.

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

8 SEC. 3. *Quarry Operations.* – Existing quarry permits
9 issued by the provincial government at the time of the effectivity
10 of this Act shall be recognized. The maximum area which a
11 qualified person may hold at any one time within the territorial
12 jurisdiction of the province shall be five (5) hectares. The
13 Department of Environment and Natural Resources (DENR) shall
14 impose strict regulations in ensuring that not more than one quarry
15 permit is granted to the same person, corporation, its affiliates,
16 subsidiary or any entity that has essentially the same legal
17 personality as the applicant or holder of an existing quarry permit
18 in the province.

19 SEC. 4. *Penal Provisions.* – Any person, natural or juridical,
20 or any public officer, who violates the provisions of this Act shall
21 suffer the penalty of imprisonment of not less than six (6) years but
22 not more than twelve (12) years and a fine of not less than One
23 million pesos (P1,000,000.00) but not more than Ten million pesos
24 (P10,000,000.00).

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

1 If the violator is a juridical entity, the highest ranking official
2 and the members of its board of directors or trustees who authorized
3 the violations therein shall suffer the penalty imposed in this Act.

4 SEC. 5. *Implementing Rules and Regulations.* – Within
5 six (6) months following the effectivity of this Act, the DENR, in
6 consultation with the provincial and municipal governments, the
7 business sector and accredited nongovernment organizations, and
8 other interested sectors in the community, shall promulgate the
9 necessary rules and regulations for its effective implementation.

10 SEC. 6. *Separability Clause.* – If any portion or provision of
11 this Act is declared unconstitutional, the remainder of this Act or
12 any provision not affected thereby shall remain in full force and
13 effect.

14 SEC. 7. *Repealing Clause.* – Any law, presidential decree or
15 issuance, executive order, letter of instruction, administrative order,
16 rule or regulation contrary to or inconsistent with any provision of
17 this Act is hereby amended or modified accordingly.

18 SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15)
19 days after its publication in the *Official Gazette* or in any newspaper
20 of general circulation.

Approved,

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