



HOUSE OF REPRESENTATIVES

H. No. 7901

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BY REPRESENTATIVES TEJADA, MENDOZA, TY AND SY-ALVARADO, PER  
COMMITTEE REPORT NO. 796

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AN ACT DECLARING THE PROVINCE OF NORTH COTABATO  
A MINING-FREE ZONE AND PROVIDING PENALTIES  
FOR THE VIOLATION THEREOF

*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 North  
2 Cotabato 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  
6 of 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 jurisdiction  
12 of the Province of North Cotabato.

1           As used in 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, feasibility,  
4 development, utilization and processing including quarry operations  
5 involving cement raw materials, marble, granite, sand and gravel  
6 construction aggregates, and other quarry resources.

7           SEC. 3. *Quarry Operations.* – The quarrying of sand and  
8 gravel construction aggregates not exceeding the maximum area of  
9 five (5) hectares per qualified person is exempted from the coverage  
10 of this Act.

11           Existing quarry permits issued by the provincial government  
12 at the time of the effectivity of this Act shall be recognized.  
13 Thereafter, quarry permits issued by the provincial governor shall  
14 be regularly reviewed and monitored by the Department of  
15 Environment and Natural Resources (DENR).

16           The DENR shall impose strict regulations in ensuring that no  
17 more than one quarry permit is granted to the same person,  
18 corporation, its affiliates, subsidiary or any entity that has  
19 essentially the same legal personality as the applicant or holder  
20 of an existing quarry permit in the province.

21           A quarry permit shall immediately be cancelled by the  
22 provincial governor upon the recommendation of the DENR, when,  
23 in the guise of quarrying activities, the holder of a quarry permit  
24 engages in activities that require an exploration permit, mineral  
25 agreement, or mining contract.

26           SEC. 4. *Penal Provisions.* – Any person, natural or  
27 juridical, or any public officer who violates the provisions of this

1 Act shall suffer the penalty of imprisonment of not less than six (6)  
2 years but not more than twelve (12) years and a fine of not less than  
3 One million pesos (P1,000,000.00) but not more than Ten million  
4 pesos (P10,000,000.00).

5 Any public officer who violates this Act shall also be dismissed  
6 from the service and perpetually disqualified from holding public  
7 office.

8 If the violator is a juridical entity, the highest ranking official  
9 and the members of its board of directors or trustees who authorized  
10 the violations herein shall suffer the penalty imposed in this Act.

11 *SEC. 5. Implementing Rules and Regulations.* - Within  
12 three (3) months following the effectivity of this Act, the DENR  
13 Secretary shall promulgate the necessary rules and regulations  
14 for its effective implementation.

15 *SEC. 6. Repealing Clause.* - Any law, presidential decree  
16 or issuance, executive order, letter of instruction, administrative  
17 order, rule or regulation contrary to or inconsistent with any  
18 provision of this Act is hereby amended or modified accordingly.

19 *SEC. 7. Effectivity.* - This Act shall take effect fifteen (15)  
20 days following its publication in the *Official Gazette* or in a  
21 newspaper of general circulation.

Approved,

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