

EIGHTEENTH CONGRESS )  
REPUBLIC OF THE PHILIPPINES )  
First Regular Session )

HOUSE OF REPRESENTATIVES



*Introduced by Representative Rufus B. Rodriguez*

House Bill No. **3746**

EXPLANATORY NOTE

In the report "Mining in the Philippines-Concerns and Conflicts: Report of a Fact-Finding Trip to the Philippines" based on the visit of a team led by Clare Short MP, the former UK Secretary of State for Overseas Development to the Philippines mining areas, it was stated that, "mining in the Philippines has an extremely poor reputation. It has left over 800 abandoned mines littered throughout the countryside, caused massive environmental damage..." Further, the report stated that, "mining in the Philippines is being developed at a speed and scale and in a manner likely to cause massive long-term environmental damage and social problems. Current mining plans will undermine the Government's own strategy for sustainable development by destroying or severely damaging critical eco-systems, including watersheds, rivers, marine eco-systems and important agricultural production areas.

This just goes to show that majority of the mining firms operating in the Philippines do not think about the environment and the negative effects that their operations bring about.

It is high time that the government address these negative effects and undertake more measures to address ecosystem destruction and losses because a healthy forest ecosystem is crucial in mitigating the effects of climate change.

This bill, if approve would be a step in the right direction as this bill would require mining companies to reforest the mine sites that they used and have denuded.

In view of the foregoing, immediate approval of this bill is earnestly requested.

  
RUFUS B. RODRIGUEZ

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AN ACT

REQUIRING MINING FIRMS TO REFOREST LANDS THAT THEY HAVE EXCAVATED AND FORESTS THAT THEY HAVE DENUDED, PROVIDING PENALTIES FOR VIOLATIONS THEREOF

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

**SECTION 1. Declaration of Policy.** – It is the policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

**SEC. 2.** Mining firms are hereby mandated to reforest 10 hectares of land for every one hectare of land they have excavated in the course of their mining operations.

**SEC. 3.** Mining firms are also mandated to immediately restore and replant areas that they have already finished excavating as they move on to other development sites: Provided, however, that if mining firms cannot do the reforestation in their immediate area they could do the reforestation in other areas provided they comply with the 10:1 hectare ratio.

**SEC. 4. Penal Provisions** – Any mining firm found to have violated or have not complied with the foregoing mandatory provisions shall be held liable with the penalty of revocation of their mining permits and payment of a fine of not less than One Million Pesos (P1,000,000).

The owners, officers and management employees of said mining firms shall also be held liable and be subject to imprisonment of not less than one (1) year nor more than three (3) years.

**SEC. 5. Repealing Clause.** - All other laws, decrees, orders, issuances, rules and regulations which are inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

**SEC. 6. Separability Clause.** - If, for any reason, any provision of this Act, or any part thereof, is declared invalid or unconstitutional, all others sections or provisions not affected thereby shall remain in force and effect.

**SEC. 7. Effectivity.** - This Act shall take effect fifteen (15) days after publication in two (2) newspapers of national circulation.

Approved,