

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Eighteenth Congress
First Regular Session

House Bill No. 1158



Introduced by: Representative Gil “Kabarangay Jr.” A. Acosta

EXPLANATORY NOTE

This bill was filed in the Seventeenth Congress as House Bill No. 5597, and was later on substituted as House Bill No. 6405 and was reconsidered and substituted by House Bill 8816. House Bill 8816 was approved by the House on third and final reading on January 21, 2019 and was then transmitted to the Senate on January 22, 2019.

This bill seeks to declare the Province of Palawan as a mining-free zone.

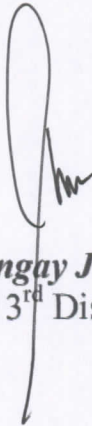
Palawan is the Philippines’ Last Frontier; its richness in biodiversity is beyond comparison amongst other tourist destinations worldwide. It vaunts of a mantel of rainforests, magnificent mountains, prehistoric caves, pristine dive sites and beaches.

Among many others, its virgin forests are rich in minerals such as mercury, copper and nickel, all of which are sought after by miners.

Section 16, Article II of the 1987 Constitution explicitly provides that “The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.” As citizens of the Philippines, we have the intergenerational responsibility to preserve and protect the environment that is capable of sustaining life. The said right carries with it the correlative duty to refrain from impairing the environment.

Mining in Palawan is said to have destroyed forests and caused siltation of water sources. While mining provides job opportunities for some, the degree of damage to the earth, on the livelihood of farmers and Palaweños' general well-being has become exceptionally alarming.

Thus, in order to protect and preserve Palawan's natural environment immediate passage of this bill is earnestly sought.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a series of smaller, connected strokes.

Gil "Kabarangay Jr." A. Acosta
Representative, 3rd District of Palawan

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AN ACT DECLARING THE THIRD DISTRICT OF PALAWAN A MINING-FREE ZONE AND PROVIDING PENALTIES THEREFOR

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

3 **SECTION 1. Statement of Policy.** - It is the policy of the State to protect and
4 advance the right of the people to a balanced and healthful ecology in accord with
5 the rhythm and harmony of nature. Towards this end, the State shall protect the
6 people and the environment of the Third District of Palawan composed of the
7 City of Puerto Princesa and the Municipality of Aborlan against the adverse
8 effects of mining.

9 **SECTION 2. Mining-Free Zone.** – The Third District of Palawan is hereby
10 declared as a mining free zone. All forms of mining operations and activities
11 within its territorial jurisdiction are therefore prohibited.

12 As used in this Act, “mining” shall refer to the extraction of valuable
13 minerals or other geological materials, excluding quarrying of gravel, sand and
14 marble. This shall include large-scale and small-scale mining activities involving
15 exploration, feasibility, development, utilization and processing.

16 **SECTION 3. Penal Provisions.** – Any person, natural or juridical, or any
17 public officer, who violates the provisions of this Act shall suffer the penalty of

18 imprisonment of not less than six (6) years but not more than twelve (12) years
19 and a fine of not less than One million pesos (**P1,000,000.00**) but not more than
20 Ten million pesos (**P10,000,000.00**).

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

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

26 **SECTION 4. Implementing Rules and Regulations.** Within sixty (60)
27 days from the passage of this Act, the Department of Environment and Natural
28 Resources shall formulate the necessary rules and regulations for its effective
29 implementation.

30 **SECTION 5. Separability Clause.** – If any portion or provision of this
31 Act is declared unconstitutional, the remainder of this Act or the provisions not
32 affected thereby shall remain in force and effect.

33 **SECTION 6. Repealing Clause.** - All laws, decrees, orders, rules and
34 regulations or parts thereof inconsistent with the provisions of this Act are hereby
35 repealed or modified accordingly.

36 **SECTION 7. Effectivity.** – This Act shall take effect fifteen (15) days
37 after its publication in the Official Gazette or in a newspaper of general
38 circulation.

39 Approved,
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