

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Constitution Hills  
Quezon City



EIGHTEENTH CONGRESS  
First Regular Session  
6082  
House Bill No. \_\_\_\_\_

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Introduced by: Rep. Josephine Y. Ramirez-Sato

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EXPLANATORY NOTE

The island of Mindoro is a separate biogeographical region that has social, economic, and ecological importance. There are at least seven (7) Key Biodiversity Areas (KBAs) that are home to many endemic flora and fauna species with national and global significance. This include the Tamaraw (*Bubalus mindorensis*), the largest wildlife mammalian species in the Philippines and one of the globally most critically endangered mammals. Other notable species are *Cynanchum malampayae*, *Murina aenea*, Mindoro bleeding-heart pigeon, Philippine warty pig, Philippine deer, and more. Mindoro Island is also the home to 8 different Mangyan groups. Each has its own language, beliefs, and customs, with culture deeply rooted to nature. This makes Mindoro as one of the cultural centers of our country.

The only remaining intact forests in the island are found along the top of the mountain ridge. While there are secondary growth forests, these are always under threat and frequent disasters (such as flood) makes the whole island to be continuously vulnerable to climate risks and hazards. Both Occidental and Oriental Mindoro have at least 80% of the respective total land area classified as moderately to highly susceptible to floods and landslides. Recent typhoons and floods brought havoc to Mindoro leaving millions of damages in infrastructure and agriculture, and lives lost.

At least 183 thousand hectares of watersheds spanning 9 river basins were identified as priority for irrigation systems in Mindoro Island. It supports more than 50 thousand hectares of cropland areas enabling the provinces to produce at least 1 million metric tons of palay. Thereby helping the country to become rice sufficient and food secure. Therefore, restoration of critical watersheds and maintaining the ecosystem health are on the top of priority list of the Mindoro provinces.

The local governments and Mindoreños are well aware on the need to safeguard environment, people, culture, property, and propel economic development. To realize this, Oriental and Occidental Mindoro's thrust is to conserve and enhance its natural capital. Both provinces are unified to continue its contribution to nation building by ensuring food security and remain to be a food basket in the country. Moreover, be a catalyst for economic growth by sustaining its gains and investment, like ecotourism.

The Mindoro provinces have been unswerving in its efforts to conserve biodiversity and its natural heritage. Its protection measures have been incorporated in the Environmental Code and consistent to the 25-year mining moratorium issued by the two provinces. While the latter will soon expire, this legislative measure will ensure that the two decades of people's efforts to defend our natural resources is institutionalized.

As our provinces are dependent on the island's fragile environment and watersheds to survive, we cannot allow destructive mining to take its place. This bill aims to ensure that our national, cultural, and natural heritage will be pass on to future generations.

The approval of this bill is urgently requested.



HON. JOSEPHINE Y. RAMIREZ-SATO  
Lone District of Occidental Mindoro



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**AN ACT DECLARING THE ISLAND OF MINDORO A MINING FREE-ZONE  
AND PROVIDING PENALTIES THEREFOR**

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

**SECTION 1. *Short Title.*** – This Act shall be known as the “**Mindoro Island Mining Free Zone Act.**”

**SEC. 2. *Statement of Policy.*** – It is the policy of the State to protect and advance the right of the people to a balance and healthful ecology in accord with the rhythm and harmony of nature.

It is likewise the responsibility of the State to promote the rational exploration, development, utilization, and conservation of the mineral resources of the country in a way that effectively safeguards the environment and protects the rights of affected communities.

Towards this end, the State shall institute measures to protect the people and the environment in Mindoro Island from the adverse effect of mining.

**SEC. 3. *Mining-Free Zone*** – The Mindoro Island covering the Provinces of Occidental and Oriental Mindoro is hereby declared a mining-free zone. All forms of mining operations and activity, whether large-scale or small-scale, within its jurisdiction are hereby prohibited. The provisions of Republic Act No. 7942, otherwise known as the “Mining Act of 1995,” Republic Act No. 7076, otherwise known as the “People’s Small-scale Mining Act” and other laws, rules, and regulations on mining

inconsistent with this Act shall have no application within the territorial jurisdiction of the locality.

**SEC. 4. Coverage.** – This Act covers all mining operations and activities, including quarrying, within the territorial jurisdiction of the Provinces of Occidental and Oriental Mindoro.

As used in this Act, “mining” shall refer to the extraction of valuable minerals or other geological materials from the earth and shall include such mining activities as exploration, conduct of geological feasibility studies and surveys, development, utilization and processing, as well as quarry operations involving cement raw materials, marble, granite, sand and gravel construction aggregates, and other similar activities related to excavating and quarrying minerals and ores.

**SEC. 5. Recognition of Existing Mining Contracts, Agreements and Permits.** – All valid and existing mining contracts, exploration permits, licenses, technical and financial agreements and mineral production sharing agreements in accordance with Republic Act. 7942, otherwise known as the “Mining Act of 1995”, covering any area of the Province at the date of effectivity of this Act, shall be recognized by the Government and shall remain valid until exploration or termination thereof. Thereafter, no further extension or renewal of the contract, permit, license or agreement shall be granted. Moreover, the government shall not issue new exploration permits nor enter into new mineral agreements or similar other agreements covering lands within the jurisdiction of the Province.

**SEC. 6. Prohibition Against Exploration Activities in Areas Covered by Mineral Agreements.** – At the date of the effectivity of this Act, no exploration permit to conduct further exploration activities or an application for extension thereof shall be granted even during lifetime of existing mineral contracts, technical and financial assistance agreements and mineral production sharing agreements.

**SEC. 7. Dormant Exploration Permits and Mineral Agreements.** – Exploration activities and mining operations under existing exploration permits, mineral agreements and other similar agreements shall be undertaken immediately by the permittee or contractor. In case of failure to initiate or undertake any exploration activity or mining operation permit or mineral agreements within (1) year from the effectivity of this Act, the exploration permit or mineral agreement shall be declared dormant by the Department of Environment and Natural Resources (DENR).

Dormant permits and agreements shall *ipso facto* be cancelled upon declaration of dormancy.

**SEC. 8. Cancellation of Small-scale Mining Contracts.** – All small-scale mining contracts as enunciated in Republic Act No. 7076, or the “People’s Small-Scale Mining



*Act of 1991*" are hereby cancelled upon the effectivity of this Act. Affected small-scale mining contractors have one (1) year from the time of this law takes effect to undertake rehabilitation, regeneration and reforestation of mineralized areas, slope stabilization of mind-out and tailing-covered areas, watershed development, and water preservation.

**SEC. 9. Quarry Permits.** – Issuance of a quarry permit in the mining-free zone shall be under the direct supervision of the DENR. Existing quarry permits issued by provincial government at the time of the adoption of this Act shall likewise be recognized. Thereafter, quarry permits issued by the provincial governor shall be reviewed and monitored by the DENR.

The maximum area which a qualified person may hold at any one time within the territorial jurisdiction of the province shall be five (5) hectares. The DENR shall impose strict regulations in ensuring that no more than one quarry is granted to the same person, corporation, its affiliates, subsidiary or any entity that has essentially the same legal personality as the applicant or holder of an existing quarry permit in the province.

A quarry permit shall immediately be cancelled by the provincial governor for areas up to five (5) hectares, when, in the guise of quarrying activities, the holder of a quarry permit engages in activities that are properly authorized by exploration permits, mineral agreements or mining contracts, upon investigation conducted by the DENR for the purpose.

**SEC. 10. Penal Provisions.** – Any person, natural or juridical, or any public officer, who violates the provisions of this Act shall suffer the penalty imprisonment of not less than six (6) years but not more than twelve (12) years, and a fine of not less than One million pesos (PhP1,000,000), but not more than Ten million pesos (PhP10,000,000).

In addition, a public officer who violates this Act, shall also be dismissed from service and perpetually disqualified from holding public office.

If the offender is a juridical entity, the highest ranking official and the members of its board of directors or trustee who authorized the violations therein shall suffer the penalty imposed under this Act.

**SEC. 11. Implementing Rules and Regulations.** – Within three (3) months from the passage of this Act, the DENR shall promulgate the necessary rules and regulations for its effective implementation.

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

**SEC. 13. *Repealing Clause.*** – All laws, decrees, executive orders and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby amended or modified accordingly.

**SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved.