



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

EIGHTEENTH CONGRESS
First Regular Session

COMMITTEE REPORT NO. 144

Submitted by the Committee on Natural Resources on **DEC 17 2019**
Re: House Bill No. 3119
Recommending its approval, without amendment.
Sponsors: Representatives Elpidio F. Barzaga, Jr. and Jose "Pingping" I. Tejada

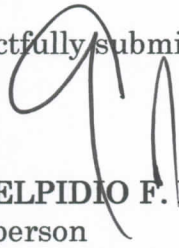
Mr. Speaker:

The Committee on Natural Resources, to which was referred House Bill No. 3119, introduced by Representative Jose "Pingping" I. Tejada, entitled:

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

has considered the same and recommends its approval without amendment, with Representatives Tejada and Barzaga, as authors thereof.

Respectfully submitted,


REP. ELPIDIO F. BARZAGA, JR.
Chairperson
Committee on Natural Resources

THE HONORABLE SPEAKER
House of Representatives
Quezon City

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HOUSE BILL NO. 3119 *

Introduced by Representatives Jose "Pingping" I. Tejada and Elpidio F.
Barzaga, Jr.

AN ACT
DECLARING THE PROVINCE OF 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 Cotabato is hereby
2 declared a mining-free zone. All forms of mining operations and activity,
3 whether large-scale or small-scale, within its jurisdiction are hereby
4 prohibited. The provisions of Republic Act No. 7942, otherwise known as
5 the Philippine Mining Act of 1995; Republic Act No. 7076, otherwise known
6 as the "People's Small-scale Mining Act of 1991"; and other laws, rules and
7 regulations on mining inconsistent with this Act shall have no application
8 within the territorial jurisdiction of the locality.

9 **SEC. 2. *Coverage.*** – This Act covers all mining operations and
10 activities including quarrying within the territorial jurisdiction of the
11 Province of Cotabato.

12 As used in this Act, "mining" refers to the extraction of valuable
13 minerals or other geological materials from the earth and shall include
14 mining activities such as exploration, feasibility, development, utilization
15 and processing including quarry operations involving cement raw
16 materials, marble, granite, sand and gravel construction aggregates, and
17 other quarry resources.

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

4 Existing quarry permits issued by the provincial government at the
5 time of the effectivity of this Act shall be recognized. Thereafter, quarry
6 permits issued by the Provincial Governor shall be regularly reviewed and
7 monitored by the Department of Environment and Natural Resources
8 (DENR).

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

14 A quarry permit shall immediately be cancelled by the Provincial
15 Governor upon the recommendation of the DENR, when, in the guise of
16 quarrying activities, the holder of a quarry permit engages in activities that
17 require an exploration permit, mineral agreement, or mining contract.

18 **Section 4. *Penal Provision.*** – Any person, natural or juridical, or any
19 public officer who violates the provisions of this Act shall suffer the penalty
20 of imprisonment of not less than six (6) years, but not more than twelve (12)
21 years, and a fine of not less than One million pesos (1,000,000.00), but not
22 more than Ten million pesos (10,000,000.00).

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

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

28 **SEC. 5. *Implementing Rules and Regulations.*** –Within three (3)
29 months following the effectivity of this Act, the DENR Secretary shall
30 promulgate the necessary rules and regulations for its effective
31 implementation.

32 **SEC. 6. *Repealing Clause.*** – Any law, presidential decree or issuance,
33 executive order, letter of instruction, administrative order, rule or

1 regulation contrary to or inconsistent with any provision of this Act is
2 hereby amended or modified accordingly.

3 **SEC. 7. *Effectivity.*** – This Act shall take effect fifteen (15) days after
4 its complete publication in the Official Gazette or in a newspaper of general
5 circulation.

6 Approved,