

MARK O. GO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Eighteenth Congress
First Regular Session

HOUSE BILL NO. 5619

Introduced by Honorable Mark O. Go

AN ACT
DECLARING THE CITY OF BAGUIO AS A MINING-FREE ZONE
AND PROVIDING PENALTIES THEREFOR

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

SECTION 1. *Mining-Free Zone.* – The City of Baguio is hereby declared a mining-free zone. All forms of mining operations and activities, whether large-scale or small-scale, within its jurisdiction are hereby prohibited. The application of 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. 2. *Coverage.* – This Act covers all mining operations and activities, including quarrying, within the territorial jurisdiction of the City of Baguio.

For purposes of this Act, mining refer to the extraction of valuable minerals or other geological materials from the earth and shall include mining activities such as exploration, feasibility, development, utilization, and processing as well as quarry operations involving cement raw materials, marble, granite, sand and gravel construction aggregates, and other quarry resources.

SEC. 3. *Cancellation of Exploration Permits and Licenses, and Small-scale Mining Contracts.* – All exploration permits and licenses issued in accordance with Republic Act No. 7942 and small-scale mining contracts, as provided under Republic Act No. 7076, are hereby cancelled and revoked. Existing small-scale mining shall have one (1) year, upon the effectivity of this Act, to close its operations and undertake the necessary rehabilitation, regeneration and reforestation of affected areas.

SEC. 4. *Penal Provisions.* – Any person, natural or juridical, or any public officer, who violates the provisions of this Act shall suffer the penalty of imprisonment of not less than one (1) year but not more than six (6) years and a fine of not less than five hundred thousand pesos (P500,000.00) but not more than five million pesos (P5,000,000.00).

Any public officer who violates the provisions of 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 members of its Board of Directors or Trustees who authorized the act of violation shall suffer the penalties imposed under the first paragraph of this section.

SEC. 5. *Implementing Rules and Regulations.* – The Department of Environment and Natural Resources, and the Mines and Geoscience Bureau in consultation with the City Government of Baguio shall promulgate the necessary implementing rules and regulations within ninety (90) days from the effectivity of this Act.

SEC. 6. *Separability Clause.* – Should any provision of this Act be declared unconstitutional, the remainder thereof not otherwise affected shall remain in full force and effect.

SEC. 7. *Repealing Clause.* – All laws, presidential decrees, executive orders, proclamations or administrative regulations that are inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

Proclamation No. 414, s.1957 and Proclamation No. 572, s.1959 identifying and declaring the barangays of Gibraltar, Minesview, Pucsuan, Lucnab, Happy Hollow, Loakan Apugan, Atok Trail and Kias, in the City of Baguio, as mineral lands and open to disposition are hereby repealed.

SEC. 8. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,