

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

EIGHTEENTH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 116

Submitted by the Committee on Natural Resources on DEC 02 2019

Re: House Bill No. 1230

Recommending its approval, without amendment.

Sponsors: Representative Elpidio F. Barzaga, Jr. and Gerardo "Gerryboy" J. Espina, Jr.


Mr. Speaker:

The Committee on Natural Resources, to which was referred House Bill No. 1230, introduced by Representative Gerardo "Gerryboy" J. Espina, Jr., entitled:

AN ACT
DECLARING THE PROVINCE OF BILIRAN A MINING-FREE ZONE AND
PROVIDING PENALTIES THEREFOR

has considered the same and recommends its approval, without amendment, with Representatives Espina 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. 1230*

Introduced by Representatives Gerardo "Gerryboy" J. Espina, Jr. and
Elpidio F. Barzaga, Jr.

AN ACT
DECLARING THE PROVINCE OF BILIRAN A MINING-FREE ZONE
AND PROVIDING PENALTIES THEREFOR

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

ARTICLE I
GENERAL PROVISIONS

1 **SECTION 1. *Mining-Free Zone.*** – The Province of Biliran is hereby
2 declared a mining-free zone. All large-scale mining operations within its
3 jurisdiction are hereby prohibited.

4 **SEC. 2. *Coverage.*** – This Act covers all mining operations and
5 activities, including quarrying, within the territorial jurisdiction of the
6 Province of Biliran: *Provided* That the quarrying of boulders, gravel and
7 sand for projects undertaken by Department of Public Works and Highways
8 or by the provincial government of Biliran for basic services such as roads,
9 bridges, school buildings, water and energy utilities and similar public
10 works shall be allowed.

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

17 **SEC. 3. *Quarry operations.*** – Existing quarry permits issued by the
18 provincial government at the time of the adoption of this Act shall be

1 recognized. The maximum area which a qualified person may hold at any
2 one time within the territorial jurisdiction of the province shall be five (5)
3 hectares. The Department of Environment and Natural Resources (DENR)
4 shall impose strict regulations in ensuring that not more than one quarry
5 permit is granted to the same person, corporation, its affiliates, subsidiary
6 or any entity that has essentially the same legal personality as the
7 applicant or holder of an existing quarry permit in the province.

8 **SEC. 4. *Penal Provisions.*** – Any person, natural or juridical, or any
9 public officer, who violates the provisions of this Act shall suffer the penalty
10 of imprisonment of not less than six (6) years, but not more than twelve (12)
11 years, and a fine of not less than One million pesos (P1,000,000.00), but not
12 more than Ten million pesos (P10,000,000.00).

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

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

18 If the offender is an alien, after service of sentence and payment of
19 fine, the person shall be deported immediately without further proceedings
20 and shall be banned from any subsequent entry into the Philippines.

21 **SEC. 5. *Implementing Rules and Regulations.*** – Within three (3)
22 months following the effectivity of this Act, the Secretary of the DENR, in
23 consultation with the provincial and municipal governments, the business
24 sector and accredited non-government organizations and other interested
25 sectors in the community, shall promulgate the necessary rules and
26 regulations for the effective implementation of this Act.

27 **SEC. 6. *Separability Clause.*** – If any section or provision of this Act
28 is held unconstitutional or invalid, other provisions which are not affected
29 thereby shall continue to be in full force and effect.

30 **SEC. 7. *Repealing Clause.*** – All laws, executive orders, and other
31 issuances inconsistent with the provisions of this Act are hereby repealed
32 or modified accordingly.

1 **SEC. 8. *Effectivity.*** – This Act shall take effect fifteen (15) days after
2 its complete publication in the Official Gazette or in a newspaper of general
3 circulation in the Philippines.
4 Approved,