



Republic of the Philippines

**HOUSE OF REPRESENTATIVES**

Quezon City, Metro Manila

Seventeenth Congress  
First Regular Session

HOUSE BILL NO. 5301

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**Introduced by Honorable Roger G. Mercado**

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EXPLANATORY NOTE

It is not difficult to argue that mining is destructive to the environment. While some will insist that some important raw materials for human use need to be mined, it is far more harmful to allow mining than to be deprived of what can be produced out of it. Aside from the inherent harmful effects of mining operations that can be seen from the naked eyes, there are unseen and unpredictable consequences of mining. One of which is the unseen caving of mined areas that could cause disasters such as sinkholes and landslides of immediate vicinities.

With these long list of reasons, we therefore, earnestly appeal for the passage of this bill.

**ROGER GAVIOLA MERCADO**



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**AN ACT  
DECLARING THE PROVINCE OF SOUTHERN LEYTE A  
MINING – FREE ZONE**

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

1           **SECTION 1. *Short Title.*** This Act shall be known as the “ **SOUTHERN**  
2 **LEYTE PROVINCE MINING-FREE ZONE ACT.**”  
3

4           **SECTION 2. *Statement of Policy.*** It is the policy of the state to protect and  
5 advance the right of the people to a balanced and healthful ecology in accord with the  
6 rhythm and harmony of nature.

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

11           Toward this end, the state shall protect the people and the environment in the  
12 province of Southern Leyte from the adverse effects of mining.

1           **SECTION 3. *Declaration of Southern Leyte a Mining-Free and Quarrying-***  
2 ***Free Zone.***- The Province of Southern Leyte is hereby declared a mining-free zone,  
3 and all mining operations therein are hereby prohibited.

4           **SECTION 4. *Scope.*** For purpose of this Act, “mining” refers to the  
5 extraction of minerals, ores or other geological materials from the earth. It shall  
6 include mining activities such as exploration, feasibility studies, development,  
7 utilization and processing as well as quarry operations involving cement raw  
8 materials, marble, granite, sand and gravel construction aggregates, whether large-  
9 scale or small-scale operation, and other similar activities related to the excavating  
10 and quarrying of minerals and ores. *Provided,* That the quarrying of gravel and sand  
11 for projects directly undertaken by the agencies of the national or city government for  
12 basic services such as, but not limited to, roads and bridges, school buildings, water  
13 and energy utilities, are exempted from the coverage of this Act.

14           **SECTION 5. *Penal Provisions.*** – Any person found violating any of the  
15 provisions of this Act shall, upon conviction, be punished with imprisonment of not  
16 less than six (6) years and one (1) day, but not more than twelve (12) years, or a fine  
17 of not less than one million (Php 1,000,000.00) pesos, but not more than five million  
18 (Php 5,000,000.00) pesos, or both, at the discretion of the court of proper jurisdiction.

19           If the offender is a corporation, partnership, association or any other juridical  
20 entity, the penalty shall be served upon the president, managing director or chief  
21 operating officer of the offending entity. *Provided,* The license to operate of the  
22 erring organization shall be cancelled and revoked permanently. *Provided, further,*  
23 That the offending corporation or individual shall not be allowed to operate similar  
24 establishments under a different name or in a different location.

25           If the offender is an alien, he shall, after services of sentence or payment of  
26 fine, be subject to deportation, and be permanently barred from entering the country.

27           **SECTION 6. *Transitory Provision.*** – Any person or juridical entity granted  
28 with an exploration permit, contract, or mineral agreement with the government prior

1 to the effectivity of this Act shall be given a period of one (1) year to cease all mining  
2 operations and businesses.

3 Upon the termination of any exploration permit contract, or mineral  
4 agreement, the right granted to the contractor to occupy and use the public land shall  
5 revert to the Philippine Government.

6 **SECTION 7. *Implementing Rules and Regulations.*** – Within ninety (90)  
7 days after the effectivity of this Act, the Department of Environment and Natural  
8 Resources shall promulgate the necessary rules and regulations for the proper  
9 implementation of this Act.

10 **SECTION 8. *Repealing Clause.*** – All laws, decrees, executive orders and  
11 rules and regulations contrary to or inconsistent with the provisions of this Act are  
12 hereby amended accordingly.

13 **SECTION 9. *Separability Clause.*** – If any portion or provision of this Act is  
14 declared unconstitutional, the remainder of this Act or any provision not affected  
15 thereby shall remain in full force and effect.

16 **SECTION 10. *Effectivity.*** – This Act shall take effect fifteen(15) days after  
17 its publication in the official Gazette or in any two (2) newspapers of general  
18 circulation.

19 Approved,