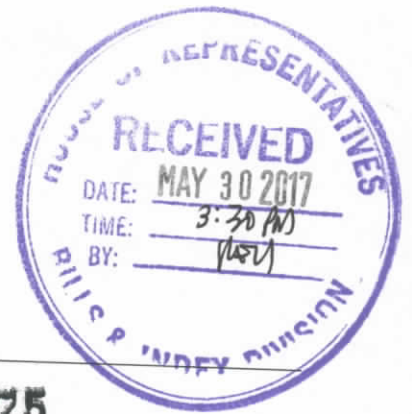


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session



COMMITTEE REPORT NO. 275

Submitted by the Committee on Natural Resources on MAY 30 2017
Re: House Bill No. 5789
Recommending its approval, in substitution of House Bill No. 3166
Sponsors: Representatives Carlos Isagani T. Zarate and Alberto T. Ungab

Mr. Speaker:

The Committee on Natural Resources, to which was referred House Bill No. 3166, introduced by Representative Ungab, entitled:

**AN ACT
DECLARING THE CITY OF DAVAO AS A MINING-FREE ZONE**

has considered the same and recommends that the attached House Bill No. 5789,
entitled:

**AN ACT
DECLARING THE CITY OF DAVAO AS A MINING-FREE ZONE**

be approved in substitution of House Bill No. 3166, with Representatives Ungab and Zarate as authors thereof.

Respectfully submitted,


HON. CARLOS ISAGANI T. ZARATE
Chairman
Committee on Natural Resources

THE HONORABLE SPEAKER
House of Representatives
Quezon City

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

Seventeenth Congress
First Regular Session

House Bill No. **5789**
(in substitution of HB No. 3166)

Introduced by Representatives Alberto T. Ungab and Carlos Isagani T. Zarate

AN ACT
DECLARING THE CITY OF DAVAO AS A MINING-FREE ZONE

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

1 **SECTION 1.** The City of Davao is hereby declared a mining-free zone and all mining
2 operations in the area shall be prohibited.

3 For the purpose of this Act, mining shall refer to the extraction of valuable minerals or
4 other geological materials from the earth and shall include such mining activities as exploration,
5 feasibility, development, utilization and processing as well as quarry operations involving cement
6 raw materials, marble, granite, sand and gravel construction aggregates, whether large-scale or
7 small-scale operation: *Provided*, That the quarrying of gravel and sand for projects directly
8 undertaken by agencies of the national government or by the provincial government for basic
9 services such as roads and bridges, school buildings, water and energy utilities, and similar public
10 works, is exempted from the coverage of this Act, subject, however, to the requirements of existing
11 mining and environmental laws: *Provided, further*, That the National Government shall maintain
12 the authority to conduct mineral exploration in any part of the province, when national interest so
13 requires, such as when there is a need to determine the presence and availability of strategic raw
14 materials for industries critical to national development or for scientific, cultural, or ecological
15 value.

1 **SEC. 2.** Any person found to have violated any of the provisions of this Act shall, upon
2 conviction, be punished by imprisonment of not less than six (6) years and one (1) day but not
3 more than twelve (12) years or a fine of not less than One hundred thousand pesos (P100,000.00)
4 but not more than Five hundred thousand pesos (P500,000.00), or both, at the discretion of the
5 court.

6 If the offense is committed by a corporation, partnership, association or any other juridical
7 entity, the penalty shall be imposed on the president, managing director, partner or chief operating
8 officer. The license to operate of the erring corporation, partnership, association or any other
9 juridical entity shall be cancelled and revoked permanently. The operator or owner thereof shall
10 not be allowed to undertake mining activities or operate similar establishments in a different name
11 or in a different location.

12 An alien who violates any provision of this Act shall, in addition to the penalty of
13 imprisonment or payment of a fine, be deported and banned from entry into the country.

14 **SEC. 3.** Any contractor who has an existing exploration permit before the effectivity of
15 this Act shall be given a period of two (2) years to conclude its exploration activities. Upon the
16 termination of the exploration permit, the right granted to the contractor to occupy and use the
17 public land shall revert to the Philippine Government.

18 **SEC. 4.** Within ninety (90) days after the effectivity of this Act, the Sangguniang
19 Panlungsod of the City of Davao, with the concurrence of the City Mayor, shall promulgate the
20 necessary rules and regulations for the proper implementation of this Act.

21 **SEC. 5.** All laws, decrees, executive orders, and rules and regulations contrary to or
22 inconsistent with the provisions of this Act are hereby amended or modified accordingly.

23 **SEC. 6.** This Act shall take effect fifteen (15) days after its publication in the Official
24 Gazette or in a newspaper of general circulation.

25 Approved,