

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

**SEVENTEENTH CONGRESS**  
First Regular Session



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**COMMITTEE REPORT NO. 276**

Submitted by the Committee on Natural Resources on MAY 30 2017  
Re: House Bill No. 5790  
Recommending its approval, in substitution of House Bill No. 872.  
Sponsors: Representatives Carlos Isagani T. Zarate and Rogelio J. Espina

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**Mr. Speaker:**

The Committee on Natural Resources, to which was referred House Bill No. 872, introduced by Representative Espina, entitled:

**AN ACT**  
**DECLARING THE PROVINCE OF BILIRAN A MINING-FREE ZONE**

has considered the same and recommends that the attached House Bill No. 5790, entitled:

**AN ACT**  
**DECLARING THE PROVINCE OF BILIRAN A MINING-FREE ZONE**

be approved, in substitution of House Bill No. 872, with Representatives Espina 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

Sixteenth Congress  
Second Regular Session

House Bill No. **5790**  
(In substitution of HB No. 872)

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**Introduced by Representatives Rogelio J. Espina and Carlos Isagani T. Zarate**

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**AN ACT  
DECLARING THE PROVINCE OF BILIRAN A MINING-FREE ZONE**

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

1           **Section 1.** The Province of Biliran is hereby declared a mining-free zone, and all mining  
2 operations therein 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, or any exploration activities for the generation of geothermal energy in the Province of  
11 Biliran, is exempted from the coverage of this Act, subject however, to the requirements of existing  
12 mining and environmental laws: *Provided, further*, That the National Government shall maintain  
13 the authority to conduct mineral exploration in any part of the province, when national interest so  
14 requires, such as when there is a need to determine the presence and availability of strategic raw  
15 materials for industries critical to national development or for scientific, cultural or ecological  
16 value.

1           **Sec. 2.** Any person who shall violate the provisions of this Act shall be penalized with  
2 imprisonment of at least six (6) years but not more than twelve (12) years, and a fine of at least  
3 One hundred thousand pesos (P100,000.00) but not more than Five hundred thousand pesos  
4 (P500,000.00). If the violator is a corporation or association, the President and the Manager of said  
5 corporation or association shall be held liable.

6           **Sec. 3.** Within six (6) months following the effectivity of this Act, the Secretary of the  
7 Department of Environment and Natural Resources (DENR), in consultation with the provincial  
8 and municipal governments, the business sector and accredited non-government organizations, and  
9 other interested sectors in the community, shall promulgate the necessary rules and regulations for  
10 its effective implementation.

11           **Sec. 4.** If any portion or provision of this Act is declared unconstitutional, the remainder  
12 of this Act or any provision not affected thereby shall remain in force and effect.

13           **Sec. 5.** All laws, orders, issuances, rules and regulations or parts thereof inconsistent with  
14 the provisions of this Act are hereby repealed or modified accordingly.

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

17           Approved,