

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)

16 JUL 19 P2:45

SENATE

RECEIVED BY: 

S. No. 544

Introduced by Senator Antonio "Sonny" F. Trillanes IV

AN ACT
PROHIBITING THE IMPORTATION AND EXPORTATION OF STALACTITES AND
STALAGMITES, AMENDING FOR THIS PURPOSE REPUBLIC ACT NUMBERED
9072, OTHERWISE KNOWN AS THE NATIONAL CAVE RESOURCES
MANAGEMENT AND PROTECTION ACT

EXPLANATORY NOTE

The Philippines is one of the countries known for its rich natural resources. The country's caves specifically set us apart from other places because of its exceptional resources such as the so-called dripstones. A dripstone is a collective term for stalagmites and stalactites - a kind of a precious mineral which takes hundreds of years to form.

Unfortunately, recent news showed that some of these stalagmites and stalactites, which should remain inside the confines of a cave, are now being sold in the country. This immediately called the attention of environmental advocates and the general public who witnessed the alarming scenario.

Republic Act No. 9072, otherwise known as the "National Cave Resources Management and Protection Act", has been put forward in 2001 to protect and conserve these resources. However, this law does not have a provision regarding the importation and exportation of the country's cave resources.

This bill seeks to amend R.A. 9072 by adding a subsection on prohibiting the exportation and/or the importation of stalagmites and stalactites. This bill recognizes the importance of the country's cave resources and deems it important to put the import and/or export of the same into a halt before it turns into a large-scale basis.

In view of the foregoing, the immediate passage of this measure is earnestly sought.


ANTONIO "SONNY" F. TRILLANES
Senator



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

1 **SECTION 1.** Section 3 of Republic Act No. 9072, otherwise known as the "National
2 Cave Resources Management and Protection Act," herein referred to as the Act, is amended to
3 read as follows:

4
5 "SEC. 3. Definition of Terms. - For purposes of this Act, the following terms shall be
6 defined as follows:

7
8 a) "Calcite" refers to:

9
10 i. the most common form of natural calcium carbonate a widely
11 distributed mineral known for the beautiful development and great
12 variety of its crystals; or

13
14 ii. a mineral that dissolves with most forms of acid.

15
16 b) "Cave" means any naturally occurring void, cavity, recess or system of interconnected
17 passages beneath the surface of the earth or within a cliff or ledge, and which is large
18 enough to permit an individual to enter, whether or not the entrance, located either in
19 private or public land, is naturally formed or manmade. It shall include any natural
20 pit, sinkhole or other feature which is an extension of the entrance. The term also
21 includes cave resources therein, but not any vug, mine tunnel, aqueduct or other
22 manmade excavation;

23
24 c) "Cave resources" includes any material or substance occurring naturally in caves,
25 such as animal life, plant life, including paleontological and archaeological deposits,
26 cultural artifacts or products of human activities, sediments, minerals, speleogens
27 and speleothems;

1
2 d) "Dripstone" refers to:
3

4 i. a collective term for stalagmites and stalactites, since they are often found in
5 pairs, the stalagmite being formed as a result of further evaporation and
6 precipitation from solution after the trickle of water falls from the stalactite
7 and stalagmite;

8
9 ii. mineral forms often found in caves; and

10
11 iii. a kind of mineral that takes hundreds of years to be formed.
12

13 e) "Secretary" means the Secretary of the Department of Environment and
14 Natural Resources (DENR);
15

16 f) "Speleogem" means relief features on the walls, ceilings and floor of any cave or lava
17 tube which are part of the surrounding bedrock, including but not limited to
18 anastomoses, scallops, meander niches, petromorphs and rock pendants in solution
19 caves and similar features unique to volcanic caves;
20

21 g) "Speleothem" means any natural mineral formation or deposit occurring in a cave or
22 lava tube, including but not limited to any stalactite, stalagmite, helictite, cave flower,
23 flowstone, concretion, drapery, rimstone or formation of clay or mud;
24

25 h) "Significant Cave" refers to a cave which contains materials or possesses features that
26 have archaeological, cultural, ecological, historical or scientific value as determined
27 by the DENR in coordination with the scientific community and the academe;
28

29 i) "Stalactite" refers to:
30

31 i. an icicle-shaped mass of calcite attached to the roof of a limestone cavern;
32

33 ii. minerals hanging from the ceilings of caverns that commonly exhibit a central
34 tube or the trace of a former tube whose diameter is that of a drop of water
35 hanging by surface tension; and
36

37 iii. in its simplest form, a thin-walled stone straw, and these fragile forms may
38 reach lengths of 0.5 m (20 inches) or more where air currents have not
39 seriously disturbed the growth.
40

41 j) "Stalagmite" refers to:
42

43 i. a cone of calcite rising from the floor of a cavern; and
44

- 1 ii. materials that grow up on the bottom of a cavern from the same drip-water
2 source of that of the stalactites, the mineral from which is deposited after the
3 water droplet falls across the open space in the rock.
4

5 **SEC. 2.** Section 7 of the Act is hereby amended to read as follows:
6

7 "Sec. 7. Prohibited Acts. - The following shall be considered Prohibited Acts:
8

- 9 a) Knowingly destroying, disturbing, defacing, marring, altering, removing, or harming
10 the speleogem or speleothem of any cave or altering the free movement of any animal
11 or plant life into or out of any cave;
12
13 b) Gathering, collecting, possessing, consuming, selling, bartering or exchanging or
14 offering for sale without authority any cave resource;
15
16 c) Counseling, procuring, soliciting or employing any other person to violate any
17 provisions of this Section; and
18
19 d) Importing and/or exporting of stalagmites and stalactites and other minerals that form
20 part of the cave resources of the country."
21

22 **SEC. 3. Separability Clause.** - If any provision of this Act shall at any time be found to
23 be unconstitutional or invalid, the remainder thereof not affected by such declaration shall
24 remain in full force and effect.
25

26 **SEC. 4. Repealing Clause.** - All laws, decrees, rules or regulations inconsistent with the
27 provisions of this Act are hereby repealed or modified accordingly.
28

29 **SEC. 5. Effectivity Clause.** - This Act shall take effect after fifteen (15) days following
30 its complete publication in the official gazette or in two (2) newspapers of general circulation.

Approved,