



HOUSE OF REPRESENTATIVES

H. No. 4495

BY REPRESENTATIVES ALEJANO, ACEDILLO, MATUGAS, CO AND BATOCABE,
PER COMMITTEE REPORT NO. 261

AN ACT PROHIBITING THE IMPORTATION AND EXPORTATION OF
STALACTITES AND STALAGMITES, AMENDING FOR THIS
PURPOSE REPUBLIC ACT NO. 9072, OTHERWISE KNOWN AS
THE "NATIONAL CAVES AND CAVE RESOURCES
MANAGEMENT AND PROTECTION ACT"

*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
2 the "National Caves and Cave Resources Management and Protection Act", is
3 hereby amended to read as follows:

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

6 "(A) 'CALCITE' REFERS TO THE MOST COMMON FORM OF
7 NATURAL CALCIUM CARBONATE MINERAL THAT FORMS INTO
8 GREAT VARIETY OF CRYSTALS AND WHICH CAN BE FOUND IN
9 DIFFERENT GEOLOGICAL ENVIRONMENTS.

10 "[(a)](B) 'Cave' means any naturally occurring void, cavity,
11 recess or system of interconnected passages beneath the surface of
12 the earth or within a cliff or ledge and which is large enough to

1 permit an individual to enter, whether or not the entrance, located
2 either in private or public land, is naturally formed or man-made.
3 It shall include any natural pit, sinkhole or other feature which is
4 an extension of the entrance. The term also includes cave
5 resources therein, but not any vug, mine tunnel, aqueduct or other
6 man-made excavation.

7 “[(b)](c) ‘Cave resources’ include any material or substance
8 occurring naturally in caves, such as animal life, plant life,
9 including paleontological and archaeological deposits, cultural
10 artifacts or products of human activities, sediments, minerals,
11 speleogems and speleothems.

12 “(D) ‘DRIPSTONE’ REFERS TO ROCK DEPOSITED BY
13 PRECIPITATION FROM DRIPPING WATER THAT EVENTUALLY
14 FORMS INTO STALACTITES AND STALAGMITES.

15 “[(c)](E) ‘Secretary’ means the Secretary of the Department
16 of Environment and Natural Resources (DENR).

17 “[(d)](F) ‘Speleogem’ means relief features on the walls,
18 ceilings and floor of any cave or lava tube which are part of the
19 surrounding bedrock, including but not limited to anastomoses,
20 scallops, meander niches, petromorphs and rock pendants in
21 solution caves and similar features unique to volcanic caves.

22 “[(e)](G) ‘Speleochem’ means any natural mineral formation
23 or deposit occurring in a cave or lava tube, including but not
24 limited to any stalactite, stalagmite, helictite, cave flower,
25 flowstone, concretion, drapery, rimstone or formation of clay or
26 mud.

1 **"[(f)](H) 'Significant cave' refers to a cave which contains**
2 **materials or possesses features that have archaeological, cultural,**
3 **ecological, historical or scientific value as determined by the**
4 **DENR in coordination with the scientific community and the**
5 **academe.**

6 **"(I) 'STALACTITE' REFERS TO AN ICICLE-SHAPED MASS OF**
7 **CALCITE THAT FORMS AND HANGS FROM THE CEILING OF**
8 **CAVES.**

9 **"(J) 'STALAGMITE' REFERS TO A ROCK FORMATION**
10 **THAT RISES FROM THE FLOOR OF A CAVE DUE TO THE**
11 **ACCUMULATION OF CALCITE THAT DRIPS FROM THE CEILING**
12 **OF A CAVE."**

13 **SEC. 2. Section 7 of Republic Act No. 9072 is hereby amended to read**
14 **as follows:**

15 **"SEC. 7. *Prohibited Acts.* – The following shall be**
16 **considered prohibited acts:**

17 **"(a) Knowingly destroying, disturbing, defacing, marring,**
18 **altering, removing or harming the speleogem or speleothem of any**
19 **cave or altering the free movement of any animal or plant life into**
20 **or out of any cave;**

21 **"(b) Gathering, collecting, possessing, consuming, selling,**
22 **bartering or exchanging or offering for sale without authority any**
23 **cave resource; [and]**

24 **"(c) Counselling, procuring, soliciting or employing any**
25 **other person to violate any provision of this Section[.]; AND**

1 “(D) IMPORTING AND/OR EXPORTING OF STALACTITES AND
2 STALAGMITES AND OTHER MINERALS THAT FORM PART OF THE
3 CAVE RESOURCES OF THE COUNTRY, WITHOUT PRIOR
4 CLEARANCE FROM THE DENR.”

5 SEC. 3. If any provision of this Act shall at any time be declared invalid
6 or unconstitutional, the remaining parts or provisions not affected shall remain
7 in full force and effect.

8 SEC. 4. All laws, decrees, rules or regulations inconsistent with the
9 provisions of this Act are hereby repealed or modified accordingly.

10 SEC. 5. This Act shall take effect fifteen (15) days after its publication
11 in the *Official Gazette* or in any newspaper of general circulation.

 Approved,

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