

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



Senate  
Office of the Secretary

'16 AUG 25 A11 :28

SENATE

Senate Bill No. 1101

RECEIVED BY: *J.*

---

Introduced by SENATOR JOSEPH VICTOR G. EJERCITO

---

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

EXPLANATORY NOTE

The 1987 Philippine Constitution, Article II, Section 16 provides:

*"The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."*

With a total land area of 53,601 hectares (132,450 acres), Biliran is considered as the fourth smallest province in the Philippines. The province is composed of two major volcanic islands. Biliran's topography is enough evidence that mining will be destructive to the province.

According to *Greenpeace International*, mining impacts includes destruction of landscapes, forests and wildlife habitats at the site of the mine when trees, plants and topsoil are cleared from the mining area. This in turn leads to soil erosion and destruction of agricultural land. Sediments pollute waterways, which can cause disfiguration of river channels and streams which leads to flooding. There is also an increased risk of chemical contamination of ground water. Furthermore, mining produces greenhouse gas emissions.

Apart from the widespread damage of mining to the environment, humans are also affected. There are many diseases that can come from the pollutants that are released into the air and water during the mining process.

It is for this reason that the State must preserve the pristine beauty and rich natural resources and protect the people from the harsh effect of mining. Hence this bill, which seeks to declare the Province of Biliran as a mining-free zone.

In view thereof, the passage of the bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'JOSEPH VICTOR G. EJERCITO', with a stylized flourish at the end.

**JOSEPH VICTOR G. EJERCITO**

**Senator**

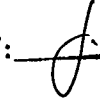
SENATE OF THE PHILIPPINES )  
SEVENTEENTH CONGRESS )  
First Regular Session )



Senate  
Office of the Secretary

'16 AUG 25 A11 :28

SENATE

Senate Bill No. 1101 BY: 

---

Introduced by SENATOR JOSEPH VICTOR G. EJERCITO

---

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

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

1           Section 1. The Province of Biliran is hereby declared a mining-free  
2 zone, and all mining operations therein shall be prohibited.

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

21  
22           Section 2. Any person, employee or employment agency who shall  
23 violate the provisions of this Act shall be penalized with imprisonment of at  
24 least six (6) years but not more than twelve (12) years and a fine of at least  
25 One hundred thousand pesos (P100,000.00) but not more than Five hundred  
26 thousand pesos (P500,000.00). if the violator is a corporation or association,

27 the president and the manager of said corporation or association shall be held  
28 liable.

29

30 **Section 3.** Within six (6) months following the effectivity of this Act,  
31 the Secretary of the Department of Environment and Natural Resources  
32 (DENR), in consultation with the provincial and municipal governments, the  
33 religious sector, the business sector and accredited non- government  
34 organizations, shall promulgate the necessary rules and regulations for its  
35 effective implementation.

36

37 **Section 4.** If any portion or provision of this Act is declared  
38 unconstitutional, the remainder of this Act or any provision not affected  
39 thereby shall remain in force and effect.

40

41 **Section 5.** All laws, orders, issuances, rules and regulations or parts  
42 thereof inconsistent  
43 with the provisions of this Act are hereby repealed or modified  
44 accordingly.

45

46 **Section 6.** This Act shall take effect fifteen (15) days after its  
47 publications in the Official Gazette or in a newspaper of general circulation.

Approved,