

**MALACAÑANG  
MANILA**

**EXECUTIVE ORDER NO. 224**

**RATIONALIZING THE EXTRACTION AND DISPOSITION OF SAND AND  
GRAVEL/LAHAR DEPOSITS IN THE PROVINCES OF PAMPANGA,  
TARLAC AND ZAMBALES**

**WHEREAS**, Section 17(3)(iii) of Republic Act (R.A.) No. 7160, otherwise known as the Local Government Code of 1991, provides that a province shall, subject to the supervision, control and review of the Secretary of the Department of Environment and Natural Resources (DENR), enforce small-scale mining law and other laws on the protection of the environment;

**WHEREAS**, Sections 4 and 8 of R.A. No. 7924, otherwise known as the Philippine Mining Act of 1995, provides that the exploration, development, utilization and processing of mineral resources shall be under the full control and supervision of the State, that it may directly undertake such activities or it may enter into mineral agreements with contractors and that the DENR shall be the primary agency responsible for the conservation, management, development and proper use of the State's mineral resources;

**WHEREAS**, Executive Order (E.O.) No. 192 mandates that the DENR shall be the primary government agency responsible for the conservation, management, development and proper use of the country's environment and natural resources as may be provide for by law in order to ensure equitable sharing of the benefits derived therefrom for the welfare of the present and future generations of Filipinos;

**WHEREAS**, Chapter 8 of R.A. 7942 further provides that industrial sand and gravel permit covering an area of more than five (5) hectares shall be issued by the Mines and Geosciences Bureau (MGB);

**WHEREAS**, it is necessary to protect and properly manage the utilization of the sand and gravel/lahar deposits of the provinces of Pampanga, Tarlac and Zambales to improve the water flows of its river systems, ensure the integrity of the various protective dikes and infrastructures, and thereby reduce risks to lives and properties;

**WHEREAS**, it is in the interest of the State that said sand and gravel/lahar deposits be properly utilized for the benefit of both local and the national governments and all concerned, with due regard to the environment.



**NOW, THEREFORE, I, GLORIA MACAPAGAL-ARROYO**, President of the Republic of the Philippines, by virtue of the powers vested in me by law, do hereby order:

**SECTION 1. Processing and Issuance of Mining Permits.** The issuance of permit to extract and dispose of industrial sand and gravel/lahar deposits by the MGB shall be governed by Chapter 8 of R.A. No. 7924.

The acceptance, processing and evaluation of applications for permits to extract industrial sand and gravel/lahar deposits in Pampanga, Tarlac and Zambales shall be undertaken through a Task Force composed of the MGB and the Provincial Governor.

**SEC. 2. Creation of a Task Force.** To ensure compliance by all permit holders with the terms and conditions of their permits, properly monitor the volume of extracted materials, and collect the proper taxes and fees from sand and gravel/lahar operations, a Task Force is hereby created for the purpose to be composed of the following:

- a. The MGB Regional Director, by himself or through his duly authorized representative - *Team Leader*
- b. The Provincial Governor, by himself or his duly authorized representative - *Deputy Team Leader*

**SEC. 3. Functions and Authorities of the Task Force.** The Task Force shall have the following functions:

- a. To accept, process and evaluate applications for permits to extract industrial sand and gravel/lahar deposits;
- b. To immediately monitor all reported illegal mining and quarrying operations and, for this purpose, set up as may be necessary checkpoints and other monitoring stations within the territorial jurisdiction of the province of Pampanga;
- c. To arrest mining/quarrying operators, and their agents and employees who willfully cooperate in the violation of provincial and national mining and environmental laws, and to confiscate and detain as evidence all instruments, objects and products of illegal mining/quarrying operations committed within the territorial jurisdiction of the Province;



- d. To immediately deliver confiscated and detained instruments, objects or products of illegal mining/ quarrying operations to the nearest police station or area designated by the Task Force, which shall be properly receipted and shall not be released unless an instruction in writing to that effect is issued by the Office of the Governor; and
- e. Insofar as may be allowed by law, to assign and deputize a special contingent from the Philippine National Police specifically to assist the Task Force in the fulfillment of its functions.

**SEC. 4. Collection of Taxes, Fees and Charges.** The Task Force shall be responsible for the collection of all applicable local taxes, fees and charges and shall, among others:

- a. Issue the required DR only to legitimate sand and gravel operators/permit holders and upon the issuance of Order of Payment by the PMRB;
- b. Ensure that the necessary taxes and fees due the local government are duly paid for prior to the issuance of any DRs;
- c. Assist in ensuring that the excise tax for mineral products is duly paid for prior to the issuance of such DRs; and
- d. Ensure that the appropriate share of the concerned Provinces, Municipalities and Barangays, as per Section 138 of the Local Government Code of 1991, are duly remitted fully and on time.
- e. Render an accounting to the Secretary of Environment and Natural Resources

Excise tax payments shall likewise be immediately remitted and shared in the accordance with law.

**Sec. 5. Supplemental Orders, Rules and Regulations.** The DENR, if deemed necessary, shall issue supplemental orders, rules and regulations to effectively implement this Order.

**SEC. 6. Repealing Clause.** All orders, issuances, rules and regulations, or parts thereof which are inconsistent with this Executive Order are hereby repealed or modified accordingly.



**SEC. 7. Effectivity.** This Executive order shall take effect immediately.

**DONE**, in the City of Manila this *4TH* of *July*, in the year of Our Lord, Two Thousand and Three.



By the President:



*Alberto G. Romulo*  
**ALBERTO G. ROMULO**  
Executive Secretary

