

AN ACT CREATING THE BUREAU OF MINES.

Commonwealth Act No. 136, November 07, 1936

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Be it enacted by the National Assembly of the Philippines:

SECTION 1. For the purpose of carrying into effect the provisions of this Act, there is hereby created under the Department of Agriculture and Commerce an office to be known as the Bureau of Mines.

SEC. 2. The Bureau of Mines shall have one Chief to be known as the Director of Mines who shall be appointed by the President, with the consent of the Commission on Appointments of the National Assembly. There shall be in the said Bureau such experts and other employees to be appointed by the Secretary of Agriculture and Commerce as may be required to carry out the purposes of this Act and of the Mining Act.

Subject to the general supervision and control of the Secretary of Agriculture and Commerce, the Director of Mines shall possess the powers generally conferred upon Bureau Chiefs.

SEC. 3. The Director shall carry out the provisions of this Act and all laws pertaining to the administration and disposition of mines, minerals, and mineral lands, and of the rules and regulations promulgated thereunder, and in general, shall promote the development of the mining industry of the country, as follows:

The Director of Mines shall—

- Make topographic and geological surveys of the Philippines.
- Collect and disseminate information, and conduct pertinent investigations concerning mining administration and operation, the utilization of minerals, and the establishment of mineral industries.
- Conduct studies of mining practices and methods relating to protection of life and property, economy of operation, prevention of waste, and disseminate the results and information in appropriate bulletins or circulars.
- Conduct investigations relative to ore dressing and metallurgical processes with a view to opening new avenues of development and utilization of valuable minerals from their ores.
- Perform work on assaying and smelting and on testing and identification of rocks and minerals.
- Establish and operate a refining plant for the purpose of refining, and purifying, smelting, and treating gold, silver, copper, iron and other products of mines.
- Conduct geologic investigations relative to mine engineering, construction, and planning.
- Have direct supervision and control of the work and the office of mining recorders.
- Keep records of mining locations, leases, patents, and permits, including transfers and assignments thereof, and of all records and archives of existing claims of whatever class or description pertaining to mining grants and concessions granted under the Spanish Mining Laws.
- Furnish or cause to be furnished to any person applying for the same, one or more certified copies of any record

kept in the Bureau of Mines, or in the offices of the mining recorders, upon payment of the following fees:

For each certification, one peso.

For each folio of legal size paper or fraction thereof, fifty centavos.

- Issue revocable permits for the removal or taking of stone, gravel, sand, earth, and other materials, from public and private lands of the Government of the Philippines or from the beds of seas, lakes, rivers, streams, creeks, and other public waters.

- Require of every corporation or association formed for the purpose of mining or conducting mining in the Philippines, to keep in its office a complete set of books showing all receipts and expenditures of such corporation, the sources of such receipts, the object of such expenditures, and also all transfers of stocks or certificates of participation.

- Require semi-annually every corporation or association formed for the purpose of mining or conducting mining in the Philippines to submit to his office a report verified under oath of the president and secretary thereof containing: an itemized account or balance sheet for the previous semester, embracing a full and complete statement of all disbursements, and receipts, showing from what sources such receipts were derived, and to whom and for what object or purpose such disbursements or payments were made; all indebtedness or liabilities incurred or existing at the time, and for what the same were incurred, and the balance of money, if any, on hand; a statement showing the number of men employed, and for what purpose, and the rate of wages paid to each; a full and complete statement of the work done in said mine, the amount of ore extracted, from what part of mine taken, the amount sent to mill for production, its assay value, the amount of bullion received, the amount of bullion shipped, and the amount retained, if any. Copies of such report shall be furnished the stockholders or members of the corporation or association. Every such corporation or association shall likewise keep in its office, subject to inspection of the stockholders or members, a full report, under oath, of all discoveries of ores or mineral-bearing quartz made in said mine, whether by boring, drifting, sinking, or otherwise, together with the assay value thereof. All accounts, reports, and correspondence from the superintendent of operatives must be kept in the office of every such corporation or association, open to the inspection of all stockholders or members, and a copy of all said accounts and reports shall be filed in the office of the Director of Mines.

- Have direct charge of the administration of the mineral lands and minerals, and of the survey, classification, lease or any other form of concession or disposition thereof authorized under the Mining Act.

- Prepare, with the approval of the Secretary of Agriculture and Commerce, forms, instructions, rules and regulations, consistent with law.

- Personally or by his duly authorized representatives, administer oaths and take acknowledgments in matters of official business; issue subpoenas and take testimony in official investigations authorized by law.

SEC. 4. The Division of Mines comprising the Geological and Survey Section, the Mining Technology Section, the Mineral Lands Administration Section, and the Mineral District No. 1 at Baguio of the Bureau of Science, and the supervision of the offices of mining recorders, together with its personnel, appropriations, equipment, implements, materials, properties, records, and other effects, is hereby transferred to the Bureau of Mines. The Director of Mines shall, subject to the approval of the Secretary of Agriculture and Commerce, organize its personnel into such divisions or sections as will insure the simplest organization and maximum efficiency.

The Secretary of Agriculture and Commerce, in the interest of the service or for reasons of economy, or due to lack of funds, may transfer any position or positions, with their respective appropriations, from the administrative,

clerical, or other nontechnical force of any bureau under the Department of Agriculture and Commerce to the Bureau of Mines.

SEC. 5. Subject to the approval of the Secretary of Agriculture and Commerce, the Bureau of Mines may perform any work for private parties, and charge for the service and so rendered. All amounts so collected shall accrue to the general unappropriated funds of the National Government.

SEC. 6. The officers and employees of the Bureau of Mines shall have police authority over mineral lands and minerals, and shall have the power to execute the decisions and orders of the Bureau of Mines relative thereto.

SEC. 7. To defray the expenses of the Bureau of Mines for the year nineteen hundred and thirty-seven, there is hereby appropriated from the funds of the Philippine Treasury, not otherwise appropriated, in lieu of the appropriations for the Division of Mines of the Bureau of Science for the year nineteen hundred and thirty-seven, the sum of one hundred thousand pesos, to be expended for salaries, wages, furniture and equipment, and sundry expenses with the approval of the President.

SEC. 8. This Act shall take effect upon its approval.

Approved, November 7, 1936.

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