

REQUIRING ALL LOCATORS UNDER THE ACT OF CONGRESS OF JULY 1, 1902, AS AMENDED, TO SECURE MINING LEASE CONTRACTS UNDER THE PROVISIONS OF PRESIDENTIAL DECREE NO. 463 INVOLVING THEI...

PRESIDENTIAL DECREE NO. 1214, October 14, 1977

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WHEREAS, there are still many patentable mining claims, lode and placer, which up to now have not been issued mining patents;

WHEREAS, the existence of patentable mining claims gives rise to conflicts between the mining claimant and the surface occupant/s over the ownership of the land covered thereby;

WHEREAS, such conflicts do not only give rise to unnecessary court litigations between the conflicting parties but are deterrents to the development of our mineral resources;

WHEREAS, it is believed that the issuance of mining lease contracts involving patentable mining claims would expedite the immediate exploration, development and exploitation of the minerals of the country in line with the objectives of Presidential Decree No. 463; and

WHEREAS, the issuance of mining lease contracts covering patentable mining claims would bring the said claims squarely within the purview of Presidential Decree No. 463.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree the following:

SECTION 1. Holders of subsisting and valid patentable mining claims, lode or placer, located under the provisions of the Act of Congress of July 1, 1902, as amended, shall file a mining lease application therefor with the Mines Regional Office concerned within a period of one (1) year from the approval of this Decree, and upon the filing thereof, holders of the said claims shall be considered to have waived their rights to the issuance of mining patents therefor: Provided, however, That the non-filing of the application for mining lease by the holders thereof within the period herein prescribed shall cause the forfeiture of all his rights to the claim.

SEC. 2. No mines temporary permit shall be required of a holder of a patentable mining claim, lode or placer, in the extraction and disposal of minerals taken therefrom prior to the filing of the mining lease application therefor; Provided, That upon the filing of the said application, the provisions of Presidential Decree No. 463 shall apply: Provided, further, That patent applications already published shall be exempted from the publication requirements of Presidential Decree No. 463.

SEC. 3. If any section or provision of this Decree is held or declared unconstitutional or invalid by a competent court the other sections or provisions hereof shall continue to be in force as if the sections or provisions so annulled or voided had never been incorporated in this Decree.

SEC. 4. All laws, decrees, rules and regulations or parts thereof in conflict or inconsistent with any of the

provisions of this Decree are hereby repealed or modified accordingly.

SEC. 5. This Decree shall take effect immediately.

DONE in the City of Manila, this 14th day of October, in the year of Our Lord, nineteen hundred and seventy-seven.

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