

AMENDING SECTION 12 OF COMMONWEALTH ACT NO. 137, AS AMENDED, AND DECLARING THE COMMERCIAL TIMBER WITHIN THE SURIGAO MINERAL RESERVATION AS AVAILABLE FOR DISPOSITION AND UTILIZAT...

PRESIDENTIAL DECREE NO. 295, September 18, 1973

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WHEREAS, pursuant to the provisions of Section Eleven of Commonwealth Act Numbered One Hundred and Thirty-Seven, as amended, Proclamation 391, dated March 13, 1939 established as mineral land reservation all mineral deposits and mineral lands in the islands north of Mindanao, in the Province of Surigao, now known as the Surigao Mineral Reservation, the points, corners and boundaries of which are defined in said Proclamation;

WHEREAS, a subsequent Proclamation No. 721, dated July 9, 1970, declared part of said reservation consisting of the island of Surigao and all islets pertaining to it in Surigao del Norte as reverted to the public domain or public forest, thereby authorizing the commercial utilization of the timber found therein;

WHEREAS, the remaining unreverted area also contains valuable commercial timber with a total estimated volume of more than 2 million cubic meters over 270,107 hectares of upland and mangrove forests;

WHEREAS, the economic and social development of Mindanao demands the tapping of all available natural resources in the area, including the commercial timber; and

WHEREAS, Section Twelve of Commonwealth Act One Hundred and Thirty-Seven, as amended, limits the disposition for mining purposes only of a land proclaimed as mineral reserve under Section Eleven thereof;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree that Section Twelve of Commonwealth Act Numbered One Hundred and Thirty-Seven, as amended, otherwise known as the Mining Act, shall be, as hereby it is, amended, in as far as its application to Proclamation No. 391, dated March 13, 1939, as amended by Proclamation No. 721, dated July 9, 1970 is concerned, by declaring all commercial timber within the remaining unreverted area of said mineral reservation as open and available for disposition and utilization, subject to existing rights, if any there be, and to existing policies, laws, rules and regulations pertinent thereto.

The Secretary of Agriculture and Natural Resources shall promulgate guidelines/ regulations for the effective implementation of this Decree, defining therein, among others, the extent of rights or privileges that should be extended to any license holder in relation to the objectives for which the mineral reservation has been established and prescribing measures to safeguard public interest, particularly of communities that may be affected and ecological requirements for good environment.

Done in the City of Manila, this 18th day of September, in the year of Our Lord, nineteen hundred and seventy-three.

(Sgd.) FERDINAND E. MARCOS
President
Republic of the Philippines

By the President:

(Sgd.) RONALDO B. ZAMORA
Assistant Executive Secretary

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