

PRESCRIBING THE PROCEDURE FOR MINERAL PROSPECTING AND EXPLOITATION IN GOVERNMENT RESERVATIONS OTHER THAN MINERAL RESERVATIONS

EXECUTIVE ORDER NO. 245, July 10, 1970

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WHEREAS, our economic development programs require the progressive and orderly exploitation of our mineral resources wherever they may be found;

WHEREAS, surveys conducted by the Bureau of Mines and other government and private entities have revealed the existence of promising mineral deposits in various forest, military and national park reservations;

WHEREAS, it may be possible to exploit such mineral wealth in these reservations without detriment to the purpose for which said reservations were originally created;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by law do hereby prescribe the following procedure for prospecting and exploiting of minerals found in Government reservations other than mineral reservations:

(1) Whenever and wherever practicable, the prospecting and exploration of mineral areas in reservations should be undertaken by Government agencies such as the Bureau of Mines. Upon delineation of a commercially exploitable orebody, the area required for mining may be proclaimed a mineral reservation with the concurrence of Congress. Said reservation shall be opened to mining through competitive bidding under specified terms and conditions;

(2) In the event that Government agencies cannot undertake the prospecting and exploration of mineral areas in reservations, qualified persons or corporations may be permitted to undertake prospecting, exploration and exploitation under the following procedures:

(a) Before entering any reservation, a private prospector should obtain a written permit from the Government Agency supervising the reservation under terms and conditions which the agency may deem proper to impose upon the prospector in order to protect the reservation;

(b) Upon the determination of the feasibility of exploiting the mineral deposits and delineating the area required for mining operations, the prospector may request the exclusion of said area from the reservation. The Agency concerned should refer such request to the Director of Mines for his investigation and appropriate recommendation;

(c) The application together with the report and recommendations of the Director of Mines may then be forwarded to the agency Head concerned with his own comments and recommendations to the Secretary of Agriculture and Natural Resources for consideration and favorable recommendation, if warranted, to the President of the Philippines;

(d) The President, if he finds the exclusion meritorious, will promulgate the necessary proclamation excluding the area and imposing thereon whatever terms and conditions he may deem proper and in the public interest and

submit the same to Congress for concurrence.

This Order shall take effect immediately.

Done in the City of Manila, this 10th day of July, in the year of Our Lord, nineteen hundred and seventy.

(SGD.) FERDINAND E. MARCOS

President of the Philippines

By the President:

(SGD.) ALEJANDRO MELCHOR

Executive Secretary

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