

Secretary

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**DENR Memorandum Order
No. 2000- 01
February 02, 2000**

**SUBJECT : Compliance With The Transitory
Provision Of DMO No. 99-10.**

To insure the full implementation of Department Memorandum Order (DMO) No. 99-10 re: Guidelines in the Determination of Qualified Persons for Mining Applications and Mining Rights, in relation to the compliance with the minimum authorized capital of P10 Million and paid-up capital of P2.5 Million by all mining applicants with pending mining applications for Mineral Agreement (MA), Exploration Permit (EP) and Financial or Technical Assistance Agreement (FTAA), the following guidelines are hereby promulgated for the compliance by all concerned:

Section 1. Rationale

The Transitory Provision of DMO No. 99-10 prescribes that all mining applicants with pending applications for EP, MA and FTAA shall have nine (9) months from the effectivity of the said Order to comply with the provisions thereof and that failure to do so shall cause the denial of the said applications. However, it is recognized that DMO

No. 99-10 has affected a big number of mining applicants who have to go to the Securities and Exchange Commission (SEC) to seek approval of the amendments to their Articles of Incorporation to comply with the prescribed capitalization, It is also recognized that in many cases, this amendment process is taking more time with the SEC, raising the possibility that the concerned mining applicants may not meet the deadline of the nine (9) month period of compliance, i.e., February 6, 2000. Its implication is that legitimate and serious mining applicants may lose their mining applications for reasons that are not within their control. This situation needs to be rectified.

Section 2. Extension of the Nine (9)-Month Period of Compliance

The 06 February 2000 deadline for compliance with the provisions of DMO No. 99-10 by mining applicants with pending applications for EP, MA and FTAA, shall be extended for another three (3) months or up to May 06, 2000. Failure by the mining applicants to comply with this provision shall cause the denial of their mining applications.

Section 3. Repealing Clause

All memorandum orders and circulars or parts thereof inconsistent with or contrary to the provisions of these guidelines are hereby repealed, amended or modified accordingly.

Section 4. Effectivity

This Order shall take effect fifteen (15) days after its publication in a newspaper of general circulation and fifteen (15) days after registration with the Office of the National Administrative Register.

(Sgd.) ANTONIO H. CERILLES
Secretary

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