

**DENR Memorandum Order  
No. 2000 - 03  
May 03, 2000**

**SUBJECT : Final Extension Of Deadline For Compliance With The Transitory Provision of DENR Memorandum Order No. 99-10 And For Other Related Purposes.**

To insure that the provisions of DENR, Memorandum Order (DMO) No. 99-10 re: Guidelines in the Determination of Qualified Persons for Mining Applications and Mining Rights are fully implemented, especially Section 5 thereof or the Transitory Provision, this Memorandum Order is hereby promulgated for the compliance by all concerned:

**Section 1. Final Extension of Deadline for the Compliance with the Transitory Provision of DMO No. 99-10**

The May 6, 2000 deadline for compliance with the provisions of DMO No. 99-10 by concerned mining applicants shall be extended finally for three (3) months or up to August 7, 2000. Failure by the concerned mining applicants to comply with this provision shall cause the denial of their mining applications.

**Section 2. Considerations in the Processing of Pending Mining Applications**

In the processing or pending applications for Exploration Permit, Mineral Agreement or Financial or Technical Assistance Agreement in relation to the Transitory Provision of DMO No. 99-10, the Mines and

Geosciences Bureau (MGB) shall be guided by the following considerations:

- a. Every concerned mining applicant is required to submit on or before August 7, 2000 the following documents:
  - i. Letter of Intent to comply with DMO No. 99-10;
  - ii. Securities and Exchange Commission (SEC)/Cooperative Development Authority (CDA) - certified copy of approved Articles of Incorporation/Cooperation showing a minimum authorized capital of PbP 10 Million and paid-up capital of PhP 2.5 Million: *Provided*, That in case of a mining applicant who has filed the necessary application for increase in capitalization at the SEC/CDA on or before August 7, 2000 but has not secured the necessary approval on that same date, a certification by the SEC/CDA attesting that such application has been filed on or before August 7, 2000 and that all supporting document have been complied with, shall be accepted as a temporary compliance of this item;
  - iii. Curriculum vitae and track records in mining operations and environmental management of the technical personnel who shall undertake the activities in the submitted Work Program/s; and
  - iv. Affidavit of Undertaking (per Annex A of DMO No. 9-10).
- b. Concerned mining applications wherein the mining applicants have not submitted any of the documents under Items ii, iii and iv above shall be denied by the concerned Regional Office or Central Office of the MGB, as the case may be, thru the issuance of an Order of Denial of Mining Application.

- c. Concerned mining applicants who have complied with the submission of the abovementioned documents on or before August 7, 2000 but determined to have exceeded the maximum areas per Qualified Person pursuant to Sections 3 and 4 of DMO No. 99-10 shall likewise be denied by the concerned Regional Office or Central Office of the MGB, as the case may be, thru the issuance of an Order of Denial of Mining Application.
- d. Concerned mining applications involved in a dispute/case shall have a period of six (6) months after final resolution of said dispute/case to comply with the Transitory Provision or DMO No. 99- 10.

Procedural guidelines may be issued by the MGB Director in the implementation of the foregoing provisions.

### **Section 3. Repealing and Amending Clause**

All existing orders, memoranda, directives or part/s thereof, contrary or inconsistent with the provisions of this Memorandum Order, are hereby repealed, amended and/or modified accordingly.

### **Section 4. Effectivity**

This Memorandum Order shall take effect fifteen (15) days after its complete 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**