



Republic of the Philippines  
Department of Environment and Natural Resources  
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SEP 09 2003

**MEMORANDUM ORDER**

No. 2003- 08

**FOR :** The Undersecretaries and Assistant Secretaries  
All Heads of Office, DENR Central Office  
All Bureau Directors  
All Heads of Attached Agencies  
All Regional Executive Directors and Regional Directors  
All Mining Applicants and Others concerned

**FROM :** The Secretary  
Department of Environment and Natural Resources

**SUBJECT :** SIMPLIFICATION OF PROCEDURES IN THE ISSUANCE OF  
MINING CONTRACTS AND PERMITS

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Pursuant to the continuing effort of the Department of Environment and Natural Resources (DENR) to revitalize the minerals industry through the simplification of procedures in the issuance of mining contracts and permits, specially by decentralizing authorities and reducing the processing time of mining applications, the following measures are hereby promulgated for the guidance and compliance of all concerned:

**Section 1. Immediate Processing of Mining Applications**

Within fifteen (15) working days from the receipt of a mining application, the Mines and Geosciences Bureau (MGB) Regional Office (RO) concerned shall determine whether or not the applied area is open to mining applications and forward the cleared mining application to the One-Stop Shop Committee for Area Status and Clearance, consistent with the provisions of Section 2 hereof. Within the same period, a mining application filed entirely in closed areas pursuant to the pertinent provisions of Section 15 of DENR Administrative Order (DAO) No. 96-40, the revised implementing rules and regulations of Republic Act (RA) No. 7942 or the Philippine Mining Act of 1995, shall be formally denied. In the case of a mining application filed partly in closed areas, the mining applicant shall be formally advised within the same fifteen (15)-working day period from receipt of the said mining application to excise the closed areas and resubmit the rectified documents within thirty (30) working days upon receipt of the pertinent letter-notice.

**Section 2. Creation of a One-Stop Shop Committee for the Issuance of Area Status and Clearance for Mining Applications**

In support of the Mining Investment Assistance Center, all MGB ROs, in coordination with the DENR ROs, shall establish the "One-Stop Shop Committee" (OSSC) representing the DENR Sectors in the region, to facilitate the issuance of

Area Status and Clearance for mining applications and consequently reduce their processing time. All DENR Regional Executive Directors (REDs) and MGB Regional Directors (RDs) shall provide the necessary support to the OSSC by assigning qualified personnel on a part-time basis and by periodically providing updated land classification/land use maps. The Forest Management Bureau and Protected Areas and Wildlife Bureau shall likewise assist in providing such information. Within fifteen (15) days from the effectivity of this Memorandum Order, the RED and RD concerned in every region shall submit to the DENR Secretary for approval the special order to constitute and operationalize the OSSC. The RD of the MGB shall be the Chairman of the OSSC.

Within fifteen (15) days from the approval of the special order, the OSSC shall hold office, compile all the information on land classification/use/status, including the pertinent maps within their areas of jurisdiction, and immediately initiate the preparation of a master map of the region showing the various land classifications/uses/status in overlays. The OSSC Chairman, upon the recommendation of the OSSC members, shall be authorized to issue the Area Status and Clearance for mining applications following the applicable provisions of DENR Memorandum Order (DMO) No. 98-03 re: *Guidelines in the Issuance of Area Status and Clearance or Consent for Mining Applications*.

The RED shall oversee the operations of the OSSC and assist in this undertaking by providing the necessary resources.

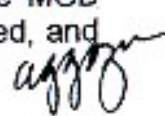
### **Section 3. Approval of Memorandum of Agreement/Option Agreement/Operating Agreement and other Similar Forms of Agreement**

Memorandum of Agreement/Option Agreement/Operating Agreement and other similar forms of Agreement, except involving transfer/assignment of mining rights, entered into involving an approved EP, MA, FTAA, or any other mining permit under RA No. 7942, shall be registered with the MGB Central Office/RO concerned and shall be subject to the approval of the MGB Director upon evaluation and recommendation by the RO concerned. Each of the MGB Central Office and RO concerned shall have thirty (30) working days upon receipt of all pertinent requirements to act with finality on the Agreement.

Memorandum of Agreement/Option Agreement/Operating Agreement and other similar forms of Agreement entered into involving an application for EP, MA, FTAA, or any other mining permit application, shall be registered with the MGB Central Office/RO concerned and shall form part of the supporting documents of a mining application, subject to the evaluation of the MGB Central Office/RO concerned. Such agreement shall be deemed approved upon approval of the pertinent mining application.

### **Section 4. Issuance of Industrial Sand and Gravel Permit**

The RDs of the MGB shall exercise the delegated authority to issue an Industrial Sand and Gravel Permit (ISGP) without prior clearance from the MGB Director pursuant to the applicable provisions of DAO No. 96-40, as amended, and



all other applicable mining and environmental laws rules and regulations. However, they shall submit to the MGB Director a copy each of every ISGP issued, to include all mandatory and other requirements, within seven (7) working days after the date of issuance.

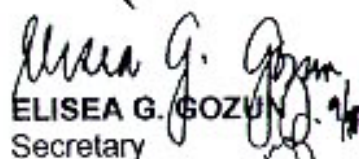
The RD concerned shall have forty five (45) working days upon receipt of all pertinent requirements to act with finality on the ISGP application.

#### **Section 5. Repealing Clause**

DMO Nos. 98-03 and 99-27, other memorandum orders and circulars and special orders inconsistent with or contrary to the provisions of this Memorandum Order are hereby repealed or modified accordingly.

#### **Section 6. 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.

  
ELISEA G. GOZUN  
Secretary

PUBLISHED : SEPTEMBER 12, 2003  
MALAYA