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ADMINISTRATIVE ORDER

No. 2005 - 15

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SUBJECT: AMENDMENTS TO DEPARTMENT ADMINISTRATIVE ORDER NO. 96-40, AS AMENDED, OR THE "REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 7942, OTHERWISE KNOWN AS THE 'PHILIPPINE MINING ACT OF 1995' " TO PROVIDE FOR THE EXPLORATION PERMIT OR FINANCIAL OR TECHNICAL ASSISTANCE AGREEMENT AS THE INITIAL MODE OF ENTRY IN THE CONDUCT OF MINERAL EXPLORATION AND FOR OTHER PURPOSES

Pursuant to Sections 4 and 8 of Republic Act (RA) No. 7942, otherwise known as the "Philippine Mining Act of 1995" and Section 275 of Department Administrative Order (DAO) No. 96-40 entitled "Revised Implementing Rules and Regulations of RA No. 7942," as amended, and in view of the need to expedite the grant of mining tenements and revitalize the minerals industry, without constraining Government in making decisions on mineral lands management and without compromising the benefits of having thorough mineral exploration as a vital basis in awarding long-term mining contracts, the following Sections of Chapters V, VI, VII and IX of DAO No. 96-40, as amended, are further amended, as follows:

CHAPTER V EXPLORATION PERMIT

Section 1. Section 17. (General Provisions) is hereby amended, to read as follows:

"Section 17. Exploration Permit as the Initial Mode of Entry in Mineral Exploration

Exploration activities may be directly undertaken by the Department or, in the event that the Department can not undertake such exploration activities, by a Qualified Person in specified areas as determined by the Secretary: *Provided*, That the conduct of mineral exploration by a Qualified Person in all areas open to mining shall be initially undertaken through an Exploration Permit, subject to the provisions of Chapter VII on the FTAA.

In case an immediate technical study of an area is necessary, the Department or any of its authorized agencies/instrumentalities and the Exploration Permit applicant may enter into a Memorandum of Agreement to jointly undertake such study."



Section 2. Section 18. (Term/Maximum Areas Allowed under an Exploration Permit) is hereby amended, to read as follows:

"The term of an Exploration Permit shall be for a period of two (2) years from date of issuance thereof, renewable for like periods but not to exceed a total term of four (4) years for nonmetallic mineral exploration or six (6) years for metallic mineral exploration: *Provided*, That no renewal of Permit shall be allowed unless the Permittee has complied with all the terms and conditions thereof, and has not been found guilty of violation of any provision of the Act and these implementing rules and regulations: *Provided, further*, That the conduct of a feasibility study and filing of the declaration of mining project feasibility shall be undertaken during the term of the Exploration Permit, subject to the provisions of Section 30 hereof.

X x x."

Section 3. Section 19. (Application for Exploration Permit/Mandatory Requirements) is hereby amended to read as follows:

"Any Qualified Person may apply for an Exploration Permit (MGB Form No. 5-1) with the Regional Office concerned, through payment of the required fees and submission of five (5) sets of the following mandatory requirements:

- a. Location map/sketch plan of the proposed permit area showing its geographic coordinates/ meridional block(s) and boundaries in relation to major environmental features and other projects using a National Mapping and Resource Information Authority (NAMRIA) topographic map in a scale of 1:50,000 duly prepared, signed and sealed by a deputized Geodetic Engineer;
- b. Two-year Exploration Work Program (MGB Form No. 5-4) duly prepared, signed and sealed by a licensed Mining Engineer or Geologist;
- c. Proof of technical competence, including, among others, curricula vitae and track records in exploration and environmental management of the technical personnel who shall undertake the activities in accordance with the submitted Exploration Work Program;
- d. Proof of financial capability to undertake the Exploration Work Program, such as the following:
 1. For an individual – Copy of income tax return for the preceding year and proof of bank deposit or credit line in the amount of at least Two Million Five Hundred Thousand Pesos (PhP 2,500,000.00) and
 2. For a corporation, partnership, association or cooperative - Latest audited financial statement and, where applicable, Annual Report for the preceding year, credit line(s), bank guarantee(s) and/or similar negotiable instruments;
- e. Photocopy of Articles of Incorporation/Partnership/Association, By-Laws and Certificate of Registration, duly certified by the Securities and Exchange Commission or authorized Government agency(ies) concerned, for a corporation, partnership, association or cooperative, or Certification from the Bureau/Regional Office concerned that said documents are duly registered in that Office; and
- f. Affidavit of Undertaking pursuant to DENR Memorandum Order (DMO) No. 99-10, as amended, for a corporation, partnership, association or cooperative.

The Certificate of Environmental Management and Community Relations Record (CEMCRR)/Certificate of Exemption and Environmental Work Program (MGB Form No. 16-1 or MGB Form No. 16-1A) as provided for in Section 168 hereof shall be required from the Exploration Permit applicant after the acceptance of the application but prior to the issuance of the said Exploration Permit.

X x x."



Section 4. Section 19.i (Other supporting papers as the Bureau/concerned Regional Office may require or the applicant may submit.), Section 19.d of offshore Exploration Permit applications (Other supporting papers as the Bureau may require or the applicant may submit.) and the third to the last paragraph of Section 19 ((If the applicant conducts or has conducted exploration in a foreign country(ies), the Department shall verify the relevant requirements through the Philippine Embassy(ies) or Consulate(s) based in such country(ies).) shall be deleted.

Section 5. Section 22. (Terms and Conditions of an Exploration Permit) is hereby amended, to read as follows:

"X x x

- c. The term of the Permit shall be for a period of two (2) years from date of issuance thereof, renewable for like periods but not to exceed a total term of four (4) years for nonmetallic mineral exploration or six (6) years for metallic mineral exploration: *Provided*, That no renewal of Permit shall be allowed unless the Permittee has complied with the terms and conditions of the Permit and has not been found guilty of violation of any provision of the Act and these implementing rules and regulations: *Provided, further*, That in case of failure to file the declaration of mining project feasibility during the total term of four (4) years of the Exploration Permit for non-metallic minerals or six (6) years of the same Exploration Permit for metallic minerals, the Permittee may apply for further renewal of the Exploration Permit, which may be granted for another term of two (2) years for the very purpose of preparing or completing the feasibility studies, and filing of the declaration of mining project feasibility and the pertinent Mineral Agreement or FTAA application. The complete and final exploration report shall be required in this renewal of the Exploration Permit: *Provided, furthermore*, That in case the Exploration Permit expires prior to the approval of the declaration of mining project feasibility and/or filing of the Mineral Agreement or FTAA application, the said Exploration Permit shall be deemed automatically extended until such time that the Mineral Agreement or FTAA application is approved.

x x x"

Section 6. Section 22.n shall be renumbered as Section 22.o and a new Section 22.n shall read as follows:

- "n. The Permittee in the case of a juridical entity shall annually submit a copy of its Securities and Exchange Commission-received General Information Sheet; and"

Section 7. Section 23. (Registration of Exploration Permit) is hereby amended, to read as follows:

"Upon evaluation that all the terms and conditions and all pertinent requirements are in order and that the subject area has been cleared from any conflict, the Director shall approve and issue the Exploration Permit, and the Permittee shall cause the registration of the same to the Bureau/Regional Office concerned within fifteen (15) working days from receipt of the written notice and upon payment of the required fees: *Provided*, That if all the mandatory and other

requirements have been complied with and the Exploration Permit application is still awaiting approval five (5) months after its date of filing, the said Exploration Permit application, upon submission of an affidavit by the applicant attesting to the full compliance with all the pertinent requirements, shall be deemed approved and the Director shall issue the Exploration Permit within five (5) working days from receipt of said affidavit, for registration and release. This is without prejudice to the Department undertaking the necessary investigation to determine any liability as to the non-issuance of the Exploration Permit within the prescribed period: *Provided, further,* That the Permittee shall comply with the required consultation with the Sanggunian concerned pursuant to the pertinent provisions of RA No. 7160, The Local Government Code of 1991, prior to the implementation of the Exploration Work Program."

Section 8. Section 23-A. (Conversion of Exploration Permit to Mineral Agreement or Financial or Technical Assistance Agreement) shall be entirely deleted.

Section 9. Section 27. (Renewal of Exploration Permit) is hereby amended, to read as follows:

"Prior to the expiration of an Exploration Permit, the Permittee may submit to the Bureau, copy furnished the Regional Office concerned, an application to renew the said Exploration Permit accompanied by five (5) sets of the following mandatory requirements:

- a. Audited financial statements covering the term of the Exploration Permit; and
- b. Two (2)-year Exploration Work Program (MGB Form No. 5-4) duly prepared, signed and sealed by a licensed Mining Engineer or Geologist.

The Secretary, through the Director, may grant the renewal after field verification by the Bureau, which shall be undertaken at the expense of the Permittee, and compliance with all pertinent requirements, including payment of all required fees and reporting requirements: *Provided,* That if all the requirements have been complied with and the Exploration Permit application for renewal is still awaiting approval one (1) month after its date of filing, the said Exploration Permit application for renewal, upon submission of an affidavit by the applicant attesting to the full compliance with all the pertinent requirements, shall be deemed approved and the Director shall issue the renewed Exploration Permit within five (5) working days from receipt of said affidavit, for registration and release. This is without prejudice to the Department undertaking the necessary investigation to determine any liability as to the non-issuance of the renewed Exploration Permit within the prescribed period.

The Environmental Work Program (MGB Form No. 16-1 or MGB Form No. 16-1A) as provided for in Section 168 hereof and the Certification by the Regional Office concerned as to the compliance with the terms and conditions of the Exploration Permit shall be required from the Permittee after the acceptance of the application but prior to the issuance of the renewed Exploration Permit."

Section 10. Section 28. (Cancellation of an Exploration Permit) is hereby amended, to read as follows:

"The Director may cancel the Exploration Permit for violation(s) by the Permittee of the terms and conditions thereof, including the failure to secure the required proof of consultation with/project presentation to the Sanggunian



concerned pursuant to the pertinent provisions of RA No. 7160, The Local Government Code of 1991, within one (1) year from issuance of the Exploration Permit.

Upon issuance of the Order declaring with finality the cancellation of the Permit covering areas within Government Reservations, the said areas shall automatically be reverted back to its original status."

Section 11. Section 30. (Declaration of Mining Project Feasibility) is hereby amended, to read as follows:

"If results of exploration reveal the presence of mineral deposits economically and technically feasible for mining operations, the Permittee shall, within the term of the Exploration Permit, file a declaration of mining project feasibility. The approval of the declaration of mining project feasibility by the Director shall grant the Permittee the exclusive right to a Mineral Agreement or FTAA over the permit area: *Provided*, That failure of the Permittee to apply for Mineral Agreement or FTAA within a period of one (1) year from the date of approval of the declaration of mining project feasibility shall mean automatic cancellation of the said declaration.

In case of failure to file the declaration of mining project feasibility during the total term of four (4) years of the Exploration Permit for non-metallic minerals or six (6) years of the same Exploration Permit for metallic minerals, the Permittee may apply for further renewal of the Exploration Permit, which may be granted for another term of 2 years for the very purpose of preparing or completing the feasibility studies, and filing of the declaration of mining project feasibility and the pertinent Mineral Agreement or FTAA application. The complete and final exploration report shall be required in this renewal of the Exploration Permit. The Bureau shall issue the prescribed form for the Exploration Permit: *Provided*, That in case the Exploration Permit expires prior to the approval of the declaration of mining project feasibility and/or filing of the Mineral Agreement or FTAA application, the said Exploration Permit shall be deemed automatically extended until such time that the Mineral Agreement or FTAA application is approved.

The application for Mineral Agreement or FTAA by a Permittee shall be accompanied by five (5) sets of the mandatory requirements as provided for in Sections 35 and 53, respectively, hereof.

The processing of the application for a Mineral Agreement or FTAA shall be in accordance with Chapters VI and VII, respectively, of these implementing rules and regulations."

**CHAPTER VI
MINERAL AGREEMENTS**

Section 12. Section 32. (Eligibility of Applicant for Mineral Agreement) is hereby amended, to read as follows:

"The following Qualified Person is eligible for a Mineral Agreement:

- a. In case of an individual - must be a Filipino citizen of legal age and with capacity to contract; or
- b. In case of a corporation, partnership, association or cooperative - must be organized or authorized for the purpose of engaging in mining, duly registered

in accordance with law, at least sixty percent (60%) of the capital of which is owned by Filipino citizens.”

Section 13. Section 35. (Mandatory Requirements for Mineral Agreement Application) is hereby amended, to read as follows:

“The applicant shall submit at least five (5) sets of the following mandatory requirements for Mineral Agreement, for development/construction/utilization of mineral resources, including the continuance of exploration works during the conduct of development/construction/utilization activities:

- a. For an individual –
 1. Location map/sketch plan of the proposed contract area showing its geographic coordinates/meridional block(s) and boundaries in relation to major environmental features and other projects using a NAMRIA topographic map in a scale of 1:50,000 duly prepared, signed and sealed by a deputized Geodetic Engineer;
 2. Three-year Development/Utilization Work Program (MGB Form No. 6-2) duly prepared, signed and sealed by a licensed Mining Engineer or Geologist;
 3. Proof of technical competence, including, among others, curricula vitae and track records in mining operations and environmental management of the technical personnel who shall undertake the activities in accordance with the submitted Development/Utilization Work Program;
 4. Proof of financial capability to undertake the activities pursuant to the Development/Utilization Work Program, such as a copy of the income tax return for the preceding year and proof of bank deposit or credit line in the amount of at least Two Million Five Hundred Thousand Pesos (PhP 2,500,000.00);
 5. Mining Project Feasibility Study (MGB Form No. 5-3); and
 6. Complete and final exploration report pertaining to the area.

- b. For a corporation, partnership, association or cooperative -
 1. Duly certified Certificate of Registration, Articles of Incorporation/Partnership/Association and By-Laws issued by the Securities and Exchange Commission or authorized Government agency concerned, or Certification from the Bureau/Regional Office concerned that the said documents are duly registered in that Office;
 2. Location map/sketch plan of the proposed contract area showing its geographic coordinates/meridional block(s) and boundaries in relation to major environmental features and other projects using a NAMRIA topographic map in a scale of 1:50,000 duly prepared, signed and sealed by a deputized Geodetic Engineer;
 3. Three-year Development/Utilization Work Program (MGB Form No. 6-2) duly prepared, signed and sealed by a licensed Mining Engineer or Geologist;
 4. Proof of technical competence, including, among others, curricula vitae and track records in mining operations and environmental management of the technical personnel



- who shall undertake the activities in accordance with the submitted Development/Utilization Work Program;
5. Proof of financial capability to undertake the activities pursuant to the Development/Utilization Work Program, such as latest audited financial statement and, where applicable, Annual Report for the preceding year, credit line(s), bank guarantee(s) and/or similar negotiable instruments;
 6. Affidavit of Undertaking pursuant to DMO No. 99-10, as amended;
 7. Mining Project Feasibility Study (MGB Form No. 5-3); and
 8. Complete and final exploration report pertaining to the area.
- c. For holders of valid and existing mining lease contracts, operating agreements, Quarry Permits/licenses or unperfected mining/quarry claims, the following shall be submitted in addition to the aforesaid requirements, whenever applicable:
1. Certification from the Regional Office concerned that the mining/quarry claims are valid and subsisting;
 2. Appropriate environmental report on the rehabilitation of mined-out and/or mine waste/tailings-covered areas and anti-pollution measures undertaken during the mining operations;
 3. Environmental Compliance Certificate (ECC) for any new phase outside of the originally approved operation under the mining project;
 4. Mining Project Feasibility Study (MGB Form No. 5-3); *Provided*, That a Mineral Agreement applicant with existing mining operation may submit, in lieu of the Mining Project Feasibility Study, a Project Description and a detailed financial statement of its operations incorporating therein the social and environmental expenditures, taxes and fees paid (MGB Form No. 5-3A); and
 5. Approved survey plan of the mining area.

The ECC, Environmental Protection and Enhancement Program (MGB Form No. 16-2) as provided for in Section 169 hereof, CEMCRR and approved survey plan shall be required from the Mineral Agreement applicant after acceptance of the application but prior to its approval."

Section 14. Section 39. (Terms and Conditions of a Mineral Agreement) is hereby amended such that the existing Section 39.ab. shall be renumbered as Section 39.ad. and new Sections 39.ab. and 39.ac. shall be added to read as follows:

- "ab. A stipulation that the Contractor in the case of a juridical entity shall annually submit a copy of its Securities and Exchange Commission-received General Information Sheet;
- ac. A stipulation that the Contractor shall commence development, construction and/or utilization activities after the required endorsement of the project by the Sanggunian concerned is secured pursuant to the pertinent provisions of RA No. 7160, The Local Government Code of 1991; and"



- Section 15. Section 40-A (Conversion of a Mineral Agreement Application into Exploration Permit Application) shall be renumbered as Section 41.**
- Section 16. Section 41 (Evaluation of Mineral Agreement Application) shall be renumbered as Section 42.**
- Section 17. Section 42 (Temporary Exploration Permit) shall be entirely deleted.**

**CHAPTER VII
FINANCIAL OR TECHNICAL ASSISTANCE AGREEMENT**

- Section 18. Section 53. (Filing of FTAA Applications/Mandatory Requirements) is hereby amended to read as follows:**

"X x x.

X x x.

The FTAA application shall be accepted only upon payment of the required fees to be accompanied by eight (8) sets of the FTAA proposal and five (5) sets of the following mandatory requirements:

- a. Upon filing of the application –
1. Duly certified Certificate of Registration, Articles of Incorporation and By-Laws issued by the Securities and Exchange Commission or authorized Government agency(ies) concerned, or Certification from the Bureau/Regional Office concerned that the said documents are duly registered in that Office;
 2. Location map/sketch plan of the proposed contract area showing its geographic coordinates/meridional block(s) and boundaries in relation to major environmental features and other projects using a NAMRIA topographic map in a scale of 1:50,000 duly prepared, signed and sealed by a deputized Geodetic Engineer;
 3. Two-year Exploration Work Program (MGB Form No. 5-4) duly prepared, signed and sealed by a licensed Mining Engineer or Geologist;
 4. Proof of technical competence, including, among others, curricula vitae and track records in mining operations and environmental management of the technical personnel who shall undertake the activities in accordance with the submitted Exploration Work Program;
 5. Proof of financial capability to undertake the activities pursuant to the Exploration Work Program, such as latest audited financial statement and, where applicable, Annual Report for the preceding year, credit line(s), bank guarantee(s) and/or similar negotiable instruments; and
 6. Affidavit of Undertaking pursuant to DMO No. 99-10, as amended, for a corporation, partnership, association or cooperative.



Any application with incomplete mandatory requirements shall not be accepted and that the CEMCRR and Environmental Work Program (MGB Form No. 16-1 or MGB Form No. 16-1A) as provided for in Section 168 hereof shall be required from the FTAA applicant after acceptance of the application but prior to its approval.

The Regional Office shall regularly provide the Bureau with a list, consolidated map and status report of FTAA applications filed in its jurisdiction.

- b. Before the approval of the FTAA - Posting of financial guarantee/performance bond and letter of credit or other forms of negotiable instruments from any Government-accredited bonding company or financial institution, in favor of the Government upon notification by the Secretary, which shall be in any foreign currency negotiable with the Bangko Sentral ng Pilipinas or in Philippine Peso in such amount equivalent to the expenditure obligations of the applicant for any year;
- c. After the approval of the FTAA but prior to registration of the same - An authorized capital of at least Four Million U.S. Dollars (US\$4,000,000.00) or its Philippine Peso equivalent; and
- d. In support of the application for approval of the declaration of mining project feasibility -
 1. Mining Project Feasibility Study;
 2. Three (3)-Year Development/Utilization Work Program;
 3. Proof of technical competence, including, among others, curricula vitae and track records in mining operations and environmental management of the technical personnel who shall undertake the activities in accordance with the submitted Development/Utilization Work Program; and
 4. Proof of financial capability to undertake the activities pursuant to the Development/Utilization Work Program, such as latest audited financial statement and where applicable, Annual Report for the preceding year, credit line(s), bank guarantee(s) and/or similar negotiable instruments.

The approved survey plan, ECC, Environmental Protection and Enhancement Program and Social Development and Management Program shall be required from the FTAA Contractor after acceptance of the application but prior to its approval.”

Section 19. Section 56. (Terms and Conditions of an FTAA) is hereby amended such that the existing Section 56.ae. shall be renumbered as Section 56.ag. and new Sections 56.ae. and 56.af. shall be added to read as follows:

- “ae. A stipulation that the Contractor in the case of a juridical entity shall annually submit a copy of its Securities and Exchange Commission-received General Information Sheet;
- af. A stipulation that the Contractor shall comply with the required consultation/with project presentation to the Sanggunian concerned prior to the implementation of the Exploration Work Program and endorsement of the project by the same Sanggunian prior to the commencement of the development and/or utilization activities pursuant to the pertinent provisions of RA No. 7160, The Local Government Code of 1991; and”



**CHAPTER IX
SMALL-SCALE MINING**

Section 20. Section 103. (General Provisions) is hereby amended, to read as follows:

"Applications (MGB Form No. 9-01) for Small-Scale Mining Permit (SSMP) shall be filed in the Office of the Provincial Governor/City Mayor through the Provincial/City Regulatory Board concerned for areas outside the Mineral Reservations and in the Regional Office concerned for areas within Mineral Reservations.

Applications for SSMP within Mineral Reservations shall be accepted only upon payment of the required fees and accompanied by five (5) sets of the following mandatory requirements:

1. Location map/sketch plan of the proposed permit area showing its geographic coordinates/meridional block(s) and boundaries in relation to major environmental features and other projects using a NAMRIA topographic map in a scale of 1:50,000 duly prepared, signed and sealed by a deputized Geodetic Engineer;
2. Two (2)-Year Utilization Work Program duly prepared, signed and sealed by a licensed Mining Engineer or Geologist;
3. Proof of technical competence, including, among others, curricula vitae and track records in mining operations and environmental management of the technical personnel who shall undertake the activities in accordance with the submitted Utilization Work Program; and
4. Proof of financial capability to undertake the activities pursuant to the Utilization Work Program, such as the following:
 - a. For an individual – Copy of income tax return for the preceding year and proof of bank deposit or credit line in the amount that shall not be less than the proposed budget of the Utilization Work Program; and
 - b. For a corporation, partnership, association or cooperative - Latest audited financial statement and, where applicable, Annual Report for the preceding year, credit line(s), bank guarantee(s) and/or similar negotiable instruments; and
5. Duly certified Certificate of Registration, Articles of Incorporation and By-Laws issued by the Securities and Exchange Commission or authorized Government agency concerned, for a corporation, partnership, association or cooperative.

The ECC, Environmental Protection and Enhancement Program and approved survey plan shall be required from the SSMP applicant after acceptance of the application but prior to its approval.

Upon evaluation that all the terms and conditions and all pertinent requirements are in order and that the subject area has been cleared from any conflict, the Director, for areas within Mineral Reservations, shall approve and issue the SSMP, and the Permittee shall cause the registration of the same in the Bureau within fifteen (15) working days from receipt of the written notice and payment of the required fees: *Provided*, That if all the mandatory and other requirements have been complied with and the SSMP application is still awaiting approval two (2) months after its date of filing, the said SSMP application, upon submission of an affidavit by the applicant attesting to the full compliance with all the pertinent requirements, shall be deemed approved and the Director shall issue the SSMP within five (5) working days from receipt of said affidavit, for registration and release.

In case the Permit Holder opts to renew his/her/its SSMP, he/she/it may file, prior to the expiration of the SSMP, an application to renew the said SSMP in the Bureau, copy furnished the Regional Office concerned, accompanied by five (5) sets of the following mandatory requirements:

- a. Proofs of payment of occupation fee, excise tax and royalty;
- b. Latest income tax return for individuals or audited financial statements covering the term of the SSMP for a corporation, partnership, association or cooperative; and
- c. Two (2)-year Utilization Work Program (MGB Form No. 5-4) duly prepared, signed and sealed by a licensed Mining Engineer or Geologist.

The Director may grant the renewal after compliance by the Permit Holder with all pertinent requirements, including payment of all required fees and reporting requirements: *Provided*, That if all the requirements have been complied with and the SSMP application for renewal is still awaiting approval one (1) month after its date of filing, the said SSMP application for renewal, upon submission of an affidavit by the applicant attesting to the full compliance with all the pertinent requirements, shall be deemed approved and the Director shall issue the renewed SSMP within five (5) working days from receipt of said affidavit, for registration and release.

The Environmental Protection and Enhancement Program, and the Certification by the Regional Office concerned as to the compliance with the terms and conditions of the SSMP shall be required from the Permit Holder after the acceptance of the renewal application but prior to the issuance of the renewed SSMP.


The guidelines and provisions specified in Mines Administrative Order No. MRD-41, Series of 1984, Department Administrative Order No. 28 and MRDB Administrative Order Nos. 3 and 3A, which are the implementing rules and regulations of P.D. No. 1899 and the guidelines and provisions of Department Administrative Order No. 34, Series of 1992, which are the implementing rules and regulations of R.A. No. 7076, in so far as they are not inconsistent with the provisions of these implementing rules and regulations, shall continue to govern small-scale mining operations."

Section 21. Repealing Clause

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

Section 22. Effectivity

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


MICHAEL T. DEFENSOR
Secretary



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August 9, 2005