

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SEVENTEENTH CONGRESS
First Regular Session

House Bill No. 5488



Introduced by REP. CESAR V. SARMIENTO

EXPLANATORY NOTE

This bill seeks to amend Section 138 of Republic Act 7160 also known as the Local Government Code of 1991 by prohibiting the provincial government from refusing or delaying the issuance of quarry permits for national infrastructure projects.

The importance of sand, gravel and other quarry resources in government infrastructure projects cannot be gainsaid. These are the primary materials used in constructing roads and bridges which are among the priority infrastructure projects of the government.

However, implementation and completion of some national infrastructure projects have been plagued by delays due to the refusal or delays of provincial governments in the issuance of quarry permits.

This bill seeks to shield the implementation of needed national infrastructure projects from the local political climate. As a result, programs and projects will not be obstructed and development of the countryside will be ensured.

In view of the foregoing, passage of this bill is earnestly sought.

CESAR V. SARMIENTO

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AN ACT AMENDING SECTION 138 OF REPUBLIC ACT NO. 7160 ALSO KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, BY PROHIBITING PROVINCES FROM REFUSING OR DELAYING THE ISSUANCE OF QUARRY PERMITS FOR NATIONAL INFRASTRUCTURE PROJECTS

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

Section 1. Section 138 of Republic Act No. 7160 is hereby amended to read as follows:

"Section 138. Tax on Sand, Gravel and Other Quarry Resources. - The province may levy and collect not more than ten percent (10%) of the fair market value in the locality per cubic meter of ordinary stones, sand, gravel, earth, and other quarry resources, as defined under the National Internal Revenue Code, as amended, extracted from public lands or from the beds of seas, lakes, rivers, streams, creeks, and other public waters within its territorial jurisdiction.

The permit to extract sand, gravel and other quarry resources shall be issued exclusively by the provincial governor, pursuant to the ordinance of the sangguniang panlalawigan.

THE PROVINCIAL GOVERNMENT SHALL NOT REFUSE OR DELAY THE ISSUANCE OF PERMITS FOR EXTRACTION OF SAND, GRAVEL AND OTHER QUARRY RESOURCES FOR THE IMPLEMENTATION OF ALL NATIONAL INFRASTRUCTURE PROJECTS UNDER THE GENERAL APPROPRIATIONS

ACT AND PRIORITY INFRASTRUCTURE PROJECTS IDENTIFIED BY THE PRESIDENT OR THE DEPARTMENT SECRETARY CONCERNED.

The proceeds of the tax on sand, gravel and other quarry resources shall be distributed as follows:

- (1) Province - Thirty percent (30%);
- (2) Component City or Municipality where the sand, gravel, and other quarry resources are extracted - Thirty percent (30%); and
- (3) Barangay where the sand, gravel, and other quarry resources are extracted -
Forty percent (40%).

Section 2. Repealing Clause. – All laws, executive orders, rules and regulations or parts hereof which may be inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 3. Effectivity Clause. – This Act shall take effect fifteen (15) days after its publication in at least two newspapers of general circulation.

Approved,