

# [ **PRESIDENTIAL DECREE NO. 1251, November 28, 1977** ]

## **IMPOSING A FEE ON OPERATING MINING COMPANIES TO BE KNOWN AS "MINE WASTES AND TAILINGS FEE" TO COMPENSATE FOR DAMAGES TO PRIVATE LANDOWNERS AND FOR OTHER PURPOSES.**

**WHEREAS**, in order to abate pollution and maintain a healthy environment, Presidential Decrees Nos. 463, 984, 1151, 1152 and 1198 were promulgated, and regulations, policies and guidelines therefor approved;

**WHEREAS**, while pollution has to some extent been considerably reduced in view of the implementation of said decrees, regulations, policies and guidelines, the damages caused by pollution on lands, agricultural crops and forest products, marine life and aquatic resources, and the destruction inflicted on infrastructures still remain to be compensated;

**WHEREAS**, there is a need to revegetate and rehabilitate silted farm lands and other areas devoted to agriculture, aquaculture and fishing and to reconstruct infrastructure by placing the same to its original condition as of before such mining operations/activities; and

**WHEREAS**, it is imperative to generate funds by imposing a fee on operating mining companies for the purposes mentioned above;

**NOW, THEREFORE, I, FERDINAND E. MARCOS**, President of the Philippines, by virtue of the powers vested in me by the Constitution, do hereby decree and order the following:

**SECTION 1.** A semi-annual fee to be known as "Mine Wastes and Tailings Fee" is hereby imposed on all operating mining companies at such amount/s to be determined by the Secretary of Natural Resources, upon the recommendation of the Director of Mines.

**SEC. 2.** The Mine Wastes and Tailings Fee shall accrue to a reserve fund to be used exclusively for payment of damages on lands, agricultural crops and forest products, marine life and aquatic resources, the destruction of infrastructures, and the revegetation and rehabilitation of silted farm lands and other areas devoted to agriculture and fishing caused by pollution due to the operation of mining companies.

**SEC. 3.** For the purpose of evaluating the amount of damages mentioned in Section 2 hereof, there is hereby created a committee to be composed of the following:

1. Commissioner, National Pollution Control Commission, Chairman.
2. Director, Bureau of Mines, Vice Chairman.
3. Administrator, National Irrigation Administration, Member.
4. Director, Bureau of Lands, Member.
5. Director, Bureau of Plant Industry, Member.
6. Director, Bureau of Fisheries and Aquatic Resources, Member.
7. Executive Director, National Environmental Protection Council, Member.
8. Director, Bureau of Forest Development, Member.