

[PRESIDENTIAL DECREE NO. 99-A, January 15, 1973]

AMENDING THE PROVISIONS OF COMMONWEALTH ACT NO. 137, OTHERWISE KNOWN AS THE MINING ACT, AS AMENDED.

WHEREAS, development or exploitation of many mining areas has been hampered by
Conflicting mining claims;

WHEREAS, many of these conflicts have arisen from claims of persons whose main objective is to harass the rightful claimants;

WHEREAS, it is now necessary to provide the means to settle such conflicts in order to achieve an orderly and effective discovery, possession, exploitation, development and administration of the country's mineral resources and hasten their development;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree the following amendments to the Mining Law, Commonwealth Act No. 137, as amended.

SECTION 1. Whenever there is any conflict between claim owners over any mining claim, whether mineral or non-mineral, the locator of the claim who first registered his claim with the proper mining registrar, notwithstanding any defect in form or technicality, shall have the exclusive right to possess, exploit, explore, develop and operate such mining claim.

Any person who shall overlap such mining claim knowing that such mining claim is covered by another locator's duly registered claim, shall be guilty of falsification of public document as punishable under the Revised Penal Code.

In the event of any conflict between claimants, the locator of the mining claim who has registered his claim as described in the first paragraph hereof shall be given the right to possess, exploit, explore, develop and operate the mining claim to the exclusion of any other person. Notwithstanding the fact that the question may be brought to the jurisdiction of the courts, the Director of Mines shall issue the order for the original locator's right to possess, exploit, explore, develop and operate such mining claim.

SEC. 2. The decision of the Director of Mines may be appealed within ten days from receipt by the aggrieved party of said decision to the Secretary of Agriculture and Natural Resources, who must render his decision within ten days from receipt of the appeal. The decision of the Secretary of Agriculture and Natural Resources may be appealed to the President of the Philippines within ten days from receipt of such decision. The President shall render his decision within fifteen days from receipt of the appeal.

The decision of the Director of Mines shall be immediately executory, notwithstanding the appeal, unless the Secretary of Agriculture and Natural