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Department of Environment and Natural Resources
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MAY 02 2022

ADMINISTRATIVE ORDER
No. 2022 - 08

SUBJECT: MORATORIUM IN THE ACCEPTANCE OF NEW APPLICATIONS FOR SPECIAL EXPLORATION PERMIT/GOVERNMENT SEABED QUARRY PERMIT

WHEREAS, the Department of Environment and Natural Resources (DENR) shall be the primary agency responsible for the conservation, management, development, and proper use of the State's mineral resources, including those in reservations, watershed areas and lands of the public domain, and that the DENR Secretary shall have the authority to promulgate such rules and regulations as may be necessary to implement the intent and provisions of the Republic Act No. 7942¹;

WHEREAS, the Mines and Geosciences Bureau (MGB) shall be a line bureau primarily responsible for the implementation of the Act and shall have the direct charge in the administration of mineral lands and mineral resources both inland and offshore, and shall undertake geological and exploration surveys;

WHEREAS, Presidential Decree No. 1084 dated February 4, 1977, created the Philippine Reclamation Authority (PRA) then known as Philippine Estate Authority and vested it with the responsibility for integrating, directing and coordinating all reclamation projects and to reclaim lands, including foreshore and submerged areas, by dredging, filling or other means. PRA was also vested by a Presidential Directive, dated 2 April 1997, to undertake exploratory surveys and hydrographic studies nationwide and identify suitable areas and sources of dredgefill materials for reclamation projects;

WHEREAS, as a result of overlapping functions of DENR-MGB and PRA, Executive Order No. 153 was promulgated to properly delineate the functions and responsibilities of the government agencies to conform with RA No. 7942. Now, PRA shall be responsible for the approval of bids or awards for contracts of work for Government Reclamation Projects and shall also be responsible for the identification of Borrow Areas as sources of Dredgefill Materials for all Government Reclamation Projects. All related mining operations in borrow areas of PRA and Qualified Persons shall be subject to monitoring by the DENR, for compliance with RA No. 7942, Presidential Decree (PD) No. 1152², PD No. 1586³, RA No. 7586⁴, United Nations Convention on the Law of Sea and all their implementing rules and regulations;

WHEREAS, Presidential Directive No. 2022-016 entitled "*Deferring Acceptance of New Applications for Reclamation Projects*" received by this Office;

¹ An Act Instituting a New System of Mineral Resources Exploration, Development, Utilization and Conservation
² Philippine Environmental Code
³ Establishing an Environmental Impact Statement System, Including Other Environmental Management Related Measures and for Other Purposes
⁴ An Act Providing for the Establishment and management of National Integrated Protected Areas System, Defining its Scope and Coverage, and for Other Purposes

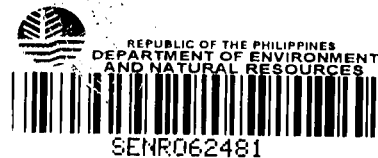
WHEREAS, the said directive states that *“the President directed the DENR and PRA to put on hold the acceptance of all new applications for reclamation projects in the country; and ensure that the pending applications strictly comply with all legal requirements;”*

WHEREFORE, the foregoing premises considered and pursuant to the Presidential Directive No. 2022-016, a **MORATORIUM** on the acceptance of all new applications for Special Exploration Permit/Government Seabed Quarry Permit shall be in effect and *shall remain valid until superseded by a subsequent Presidential directive or an intervening event which renders compliance therewith implausible. Likewise, the directive automatically ceases upon full compliance by the appropriate government agencies.*

All orders and other policy issuances or directives that are contrary or inconsistent with this Administrative Order are hereby superseded or modified accordingly.

This Administrative Order shall take effect fifteen (15) days after publication in a newspaper of general circulation and upon acknowledgement of receipt of a copy by the Office of the National Administrative Register.

JIM O SAMPULNA
Acting Secretary



Publication: The Manila Times
May 30, 2022

Acknowledgement: ONAR, U. P. Law Center
June 09, 2022