



Governor Susan A. Yap

Province of Tarlac
Republic of the Philippines

EXECUTIVE ORDER NO. 3

Series of 2022

AN ORDER DIRECTING ALL PERSONS, WHETHER NATURAL OR JURIDICAL, PRIVATE OR PUBLIC, NATIONAL OR LOCAL, TO CONSULT WITH THE PROVINCIAL GOVERNMENT OF TARLAC, IN ALL ACTIVITIES RELATING TO EXPLORATION, DEVELOPMENT, AND UTILIZATION OF NATURAL RESOURCES WITHIN ITS TERRITORIAL JURISDICTION

WHEREAS, Section 2 of Article 12 of the 1987 Constitution provides that "the exploration, development, utilization of natural resources shall be under the full control of the State;"

WHEREAS, Section 2 (c) of Republic Act No. 7160 or known as the "Local Government Code of 1991" provides that the policy of the State is to require all national agencies and offices to conduct periodic consultations with appropriate local government units, non-governmental and people's organizations, and other concerned sectors of the community before any project or program is implemented in their respective jurisdictions;

WHEREAS, Section 26 of the Local Government Code of 1991 provides that it shall be the duty of every national agency or government-owned or -controlled corporation authorizing or involved in the planning and implementation of any project or program that may cause pollution, climatic change, depletion of non-renewable resources, loss of crop land, rangeland, or forest cover, and extinction of animal or plant species, to consult with the local government units, nongovernmental organizations, and other sectors concerned and explain the goals and objectives of project or program, its impact upon the people and the community in terms of environmental or ecological balance, and the measures that will be undertaken to prevent or minimize the adverse effects thereof;

WHEREAS, Section 27 of the Local Government Code of 1991 provides that no project or program shall be implemented by government authorities unless the consultations mentioned in Sections 2 (c) and 26 hereof are complied with, and prior approval of the Sanggunian concerned is obtained: provided, that occupants in areas where such projects are to be implemented shall not be evicted unless appropriate relocation sites have been provided, in accordance with the provisions of the Constitution;

WHEREAS, Section 138 of the Local Government Code of 1991 provides that "The province may levy and collect not more than ten percent (10%) of 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;





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NOW THEREFORE I, SUSAN A. YAP, Provincial Governor of the Province of Tarlac, by virtue of the powers vested in me by the Constitution and law, do hereby **ORDER** and **MANDATE** the following:

SECTION 1. CONSULTATION. In accordance to Sections 2 (c), 26, 27, and 138 of the Local Government Code, all persons, whether natural or juridical, private or public, national or local, to consult with the Provincial Government of Tarlac (PGT), in all activities relating to exploration, development, utilization of natural resources within its territorial jurisdiction.

SECTION 2. CERTIFICATION. All government agencies, prior to the issuance of the necessary permits, shall secure the certification from the Provincial Governor that Section 1 herein has been complied with.

SECTION 3. GOVERNING PRINCIPLES. In implementing the policy stated in the preceding Section, the Provincial Government of Tarlac shall adhere to the principle of sustainable development which meets the needs of the present without compromising the ability of the future generations to meet their own needs, with the view of improving the total quality of life, both now and in the future.

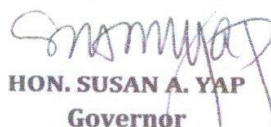
Consistent with The Philippine Mining Act of 1995, The granting of permits in all activities relating to exploration, development, and utilization of natural resources shall harmonize existing activities, policies and programs of the Provincial Government of Tarlac that directly or indirectly promote economic recovery, over-all natural resources development and management, and full control and supervision of the local government unit to minimize environmental impact. Activities, policies and programs that promote community-based, community-oriented and processual development shall be encouraged, consistent with the principles of empowerment and grassroots development. These principles are implemented through the specific provisions of these implementing rules and regulations.

SECTION 4. SEPARABILITY CLAUSE. Should any provisions of this Executive Order be declared by a court of competent authority as invalid or unconstitutional, the remaining provisions not otherwise adversely affected thereby shall remain in full force and effect.

SECTION 5. REPEALING CLAUSE. All other executive orders, ordinances, local rules, and regulations, or resolutions inconsistent with the provisions of this executive order are hereby repealed, modified, or amended accordingly.

SECTION 6. EFFECTIVITY. This order shall take effect immediately and shall remain to be in full force and effect until otherwise revoked, repealed or amended.

Signed this 5th day of June, 2022.


HON. SUSAN A. YAP
Governor

