

MINERAL PROCESSING PERMIT

No. _____

Permit Holder:

Address:

The **Department of Environment and Natural Resources (DENR)** hereby grants to _____, a corporation duly organized and existing under the laws of the Republic of the Philippines, this **Mineral Processing Permit** for its _____ located in _____, in accordance with the provisions of Sections 55 and 56 of Republic Act (R.A.) No. 7942, otherwise known as "The Philippine Mining Act of 1995" (the Act), and Chapter XI of DENR Administrative Order (DAO) No. 96-40, as amended, the Revised Implementing Rules and Regulations of the Act.

The Permit Holder shall have the authority to undertake mineral processing and related activities as provided for in the Act and DAO No. 96-40, as amended, and the obligation to fully comply with the following terms and conditions:

1. That this Mineral Processing Permit shall be for the exclusive use and benefit of the Permit Holder and shall not, in any circumstances, be used for purposes other than ----- . Any transfer or assignment to another qualified person is subject to approval by the DENR Secretary, upon recommendation of the Mines and Geosciences Bureau (MGB) Director;
2. That the term of this Permit shall be for a period of five (5) years, renewable for like periods but not to exceed a total term of twenty five (25) years; *Provided*, That no renewal of Permit shall be allowed unless the Permit Holder has complied with all the terms and conditions thereof and has not been found guilty of violation of any provisions of the Act and its implementing rules and regulations. The effectivity of this Permit reckoned from the date of issuance shall be from _____ to _____;
3. That the Permit Holder shall assume full responsibility and be liable for damages to public property/ies that may be occasioned by its operation under the Permit;
4. That the Permit Holder shall comply with the reporting requirements pursuant to Section 270 of DAO No. 96-40, as amended;
5. That the Permit Holder shall effectively use the best available and appropriate anti-pollution technology and facilities to protect the environment in compliance with the requirements of its Environmental Compliance Certificate (ECC) and Presidential Decree No. 984;

6. That the Permit Holder shall not discriminate on the basis of gender and shall respect the rights of women workers to participate in policy and decision-making processes affecting their rights and benefits;
7. That the Permit Holder shall fully and timely pay all taxes, including excise tax, and fees due, and other fiscal obligations in accordance with existing laws, rules and regulations;
8. That the Permit Holder shall abide by the provisions of its ECC, including statements made later in support thereof which shall be considered as integral part of this Permit;
9. That the Permit Holder shall give preference to goods and services produced and offered in the Philippines, which are of comparative quality and in particular, shall give preference to qualified Filipino construction enterprises, construction materials and skills available in the Philippines, Filipino subcontractors for road construction and transportation and Philippine household equipment, furniture and food;
10. That the Permit Holder shall give preference to Filipinos in all types of employment for which they are qualified and that technology shall be transferred to the same through trainings, symposia, seminars and workshops, among others;
11. That the Permit Holder shall not raise any form of financing from domestic sources, whether in Philippine or foreign currency, in the conduct of its mineral processing activities except for payments for dispositions of its equity, foreign investments in local enterprises which are qualified for repatriation, local supplier's credits and such other generally accepted and permissible financial schemes for raising funds for valid business purposes;
12. That the Permit Holder shall hold the Government free and harmless from all claims and accounts of all kinds, as well as demands and actions arising out of accidents or injuries to persons or properties caused by its operations, and indemnify the Government for any expenses or costs it incurs by reason of any such claims, accounts, demands or actions;
13. That alien employment shall be limited to technologies requiring highly specialized training and experience subject to the required approval under existing laws, rules and regulations;
14. That in every case where foreign technologies are utilized and where alien executives are employed, an effective program of training understudies shall be undertaken;
15. That the Permit Holder shall utilize the best available appropriate and efficient processing technology and that for purposes of value-adding, it is encourage to pursue downstream processing, specially, further _____ processing and smelting;
16. That the DENR Secretary may, at any time, cancel/revoke/terminate this Permit when in his/her opinion, national interest and public welfare so requires or upon failure of the

Permit Holder to comply with any of the terms and conditions hereof or of relevant mining laws, rules and regulations without any responsibility on the part of the Government as to the expenditures that might have been incurred or as to other damages that might have been suffered by the Permit Holder;

17. That the cancellation/revocation/termination of this Permit or withdrawal of the Permit Holder shall not release it from any and all financial, environmental, legal and/or fiscal obligations;
18. That the Permit Holder shall comply with the provisions of the Act and DAO No. 96-40, as amended, and other applicable laws, rules and regulations governing health, safety, sanitation, pollution control, zoning, labor and those pertaining to environmental protection, enhancement and rehabilitation. Violation of any of these applicable laws and rules and regulations shall constitute the ground(s) for cancellation/revocation of this Permit;
19. That the Permit Holder shall allow at any reasonable time the DENR Secretary/MGB Director or her/his duly authorized representative/s to conduct on-site verification or audit of the mineral processing activities and pertinent records;
20. That the Permit Holder shall file and keep books of accounts, reports and correspondences, which shall be opened at all times for verification by the DENR Secretary/MGB Director or her/his duly authorized representative/s; and
21. That the Permit Holder shall abide by any additional terms and conditions which the DENR /MGB may hereafter prescribe.

Quezon City, Philippines, _____

**For the Republic of the Philippines:
(Grantor)**

by:

**Secretary
Department of Environment and Natural Resources**

I hereby accept the terms and conditions of this **Mineral Processing Permit** as above stated:

(Permit Holder)
(TIN _____)

by:

President

Signed in the Presence of:

(Signature over Printed Name)

(Signature over Printed Name)

ACKNOWLEDGEMENT

Republic of the Philippines)
Province of _____) s.s.
City/Municipality Quezon City)

BEFORE ME personally appeared - with Community Tax Certificate No. _____ issued on _____ at _____, in his capacity as the Secretary of Department of Environment and Natural Resources and _____, in his capacity as President of _____ with Community Tax Certificate No. _____ issued on _____ at _____, known to me and to me known to be the same persons who executed the foregoing instrument consisting of _____ (__) pages, including this acknowledgment page, and acknowledged that the same is their voluntary act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and affix my notarial seal this _____ day of _____.

Notary Public

PTR No. _____
Issued on _____
at _____

Doc. No. _____
Page No. _____
Book No. _____
Series of 2005

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