



Republic of the Philippines  
Province of Palawan  
Municipality of Brooke's Point



**OFFICE OF THE SANGGUNANG BAYAN**

**RESOLUTION NO. 2022-103**

*Authored by: Hon. Jonathan Z. Lagrada*

*Chairman: Committee on Agriculture, Foods Security and Cooperative*

**A RESOLUTION URGING HIS EXCELLENCY PRESIDENT FERDINAND R. MARCOS, JR. THRU DENR SECRETARY MA. ANTONIA YULO-LOYZAGA TO INVESTIGATE WHY IPILAN NICKEL CORPORATION (INC) IS ALLOWED TO OPERATE DESPITE THE ABSENCE OF MANDATORY REQUIREMENTS FROM OTHER GOVERNMENT AGENCIES NAMELY: WITHOUT CP, WITHOUT PAMB CLEARANCE AND HOW ITS MPSA WAS RENEWED OR EXTENDED WITHOUT THE ENDORSEMENT OF THE LOCAL GOVERNMENT UNIT OF THIS MUNICIPALITY**

**WHEREAS**, his Excellency President Ferdinand R. Marcos, Jr. on his first SONA emphatically declared,

"Companies who exploit our natural resources must follow the law. We all have the responsibility to preserve this Earth, for we are but custodians, and we will pass on this great treasure to future generation.

There is no question that the preservation of the environment is the preservation of life.

If we cannot mitigate climate change, all our plans for the economy, all our plans for our future will be for naught."

**WHEREAS**, Ipilan Nickel Corporation has been operating in Barangay Maasin, Brooke's Point, Palawan without compliance with some mandatory requirements; namely: Certificate Precondition from NCIP, Clearance from Protected Area Management Board (PAMB) of the Mt. Mantalingahan Protected Landscape (MMPL) and the mandatory public consultation and social acceptability as provided for in the Local Government Code;

**WHEREAS**, during the hearing of the Sangguniang Bayan by the Committee of the Whole, it was admitted by the National Commission of Indigenous People (NCIP) that INC as of this date has no Certificate Precondition on its ongoing operations;

**WHEREAS**, a large portion of upland areas of Barangay Maasin is within Mt. Mantalingahan Protected Landscape and there is a portion that overlaps with the mining claims of INC, hence, a PAMB Clearance must be secured first before INC can operate, however, up to this date the INC has already excavated thousands of tons of minerals from our mountains, there was no PAMB clearance issued to it nor was there any indication that INC has applied to secure a clearance from the PAMB;

**WHEREAS**, Section 26 and Section 27 of the Republic Act 7160 state that the Duty of National Government Agencies in the Maintenance of Ecological Balance- 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<sup>26</sup>. Prior Consultation-No project shall be implemented by the government authorities unless the consultation 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**, no public consultation conducted nor a Sangguniang Bayan Endorsement concerning the current operation of INC whose MPSA has expired in September 2018 according to the Mines and Geosciences Bureau;

**WHEREAS**, the Local Government Unit of Brooke's Point, was not consulted when the Mineral Production Sharing Agreement (MPSA) of INC was renewed or extended by the DENR in 2020, this is an affront to LGU's autonomy to decide what industries or projects shall be accepted in her territorial jurisdiction.

**WHEREFORE**, be it resolved as it is hereby resolved urging His Excellency President Ferdinand R. Marcos, Jr. thru Denr Secretary Ma. Antonia Yulo-Loyzaga to investigate why Ipilan Nickel Corporation (INC) is allowed to operate despite the absence of mandatory requirements from other government agencies namely: without CP, Without PAMB Clearance and how its MPSA was renewed or extended without the endorsement of the Local Government Unit of this municipality.

**NOW THEREFORE**, on motion of Councilor Jonathan Z. Lagrada, duly seconded by Coun. Sarah Jane C. Abon, Be it;

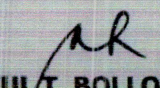
**RESOLVED**, as it is hereby resolved to urge His Excellency President Ferdinand R. Marcos, Jr. thru Denr Secretary Ma. Antonia Yulo-Loyzaga to investigate why Ipilan Nickel Corporation (INC) is allowed to operate despite the absence of mandatory requirements from other government agencies namely: without CP, Without PAMB Clearance and how its MPSA was renewed or extended without the endorsement of the Local Government Unit of this municipality.

**RESOLVED FINALLY**, to furnish copies of this Resolution to all concerned agencies or offices for their information and ready reference.

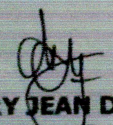
**UNANIMOUSLY CARRIED.**

**ADOPTED** during the 128<sup>th</sup> Regular Session held on September 12, 2022 Legislative Building, Sangguniang Bayan Session Hall, Brooke's Point, Palawan at with the **AFFIRMATIVE VOTES** of Coun. Sarah Jane C. Abon; Coun. Richard R. Balean; Coun. Ezekiel E. Rodriguez; Coun. Nathan Sam O. Lacanilao; Coun. Jonathan Z. Lagrada; Coun. Arturo B. Ferraris; Coun. Victoriano B. Colili; Coun. Hayati B. Dugasan; Coun. Jimart M. Naingue and Coun. Nerelia P. Pacaldo

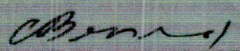
**I HEREBY CERTIFY** to the approval of the foregoing resolution.

  
**RAZUL T. BOLLOSO**  
Secretary to the Sanggunian

Attested by:

  
**ATTY. MARY JEAN D. FELICIANO**  
Municipal Vice Mayor/Presiding Officer

Approved by:

  
**CESAREO R. BENEDITO, JR.**  
Municipal Mayor