



## HOUSE OF REPRESENTATIVES

H. No. 4660

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BY REPRESENTATIVES BELMONTE (V.), FERRER (J.), BARZAGA, YAP (S.),  
CASTELO, OCAMPOS, TUPAS, GARBIN, SALVACION, ARNAIZ,  
SALIMBANGON, RODRIGUEZ (R.), MAGSAYSAY (M.), COLLANTES AND  
BATAOIL

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AN ACT TO FURTHER STRENGTHEN THE ANTI-DRUG CAMPAIGN  
OF THE GOVERNMENT, AMENDING FOR THE PURPOSE  
SECTION 21 OF REPUBLIC ACT NO. 9165, OTHERWISE  
KNOWN AS THE "COMPREHENSIVE DANGEROUS DRUGS ACT  
OF 2002"

*Be it enacted by the Senate and House of Representatives of the Philippines in  
Congress assembled:*

1           SECTION 1. Section 21 of Republic Act No. 9165, otherwise known as  
2 the "Comprehensive Dangerous Drugs Act of 2002", is hereby amended to  
3 read as follows:

4                   "SEC. 21. *Custody and Disposition of Confiscated,*  
5                   *Seized, and/or Surrendered Dangerous Drugs, Plant Sources of*  
6                   *Dangerous Drugs, Controlled Precursors and Essential*  
7                   *Chemicals, Instruments/Paraphernalia and/or Laboratory*  
8                   *Equipment. – The PDEA shall take charge and have custody of*  
9                   all dangerous drugs, plant sources of dangerous drugs, controlled  
10                   precursors and essential chemicals, as well as  
11                   instruments/paraphernalia and/or laboratory equipment so  
12                   confiscated, seized and/or surrendered, for proper disposition in  
13                   the following manner:

1           “(1) The apprehending team having initial custody and  
2 control of the DANGEROUS drugs, CONTROLLED PRECURSORS  
3 AND ESSENTIAL CHEMICALS, INSTRUMENTS OR  
4 PARAPHERNALIA AND LABORATORY EQUIPMENT shall,  
5 immediately after seizure and confiscation, physically inventory  
6 and photograph the same in the presence of the accused or the  
7 person/s from whom such items were confiscated and/or seized,  
8 or his/her representative or counsel, WITH AN ELECTED PUBLIC  
9 OFFICIAL OR A REPRESENTATIVE OF THE DEPARTMENT OF  
10 JUSTICE OR THE MEDIA [a representative from the media and  
11 the Department of Justice (DOJ), and any elected public official]  
12 who shall be required to sign the copies of the inventory and be  
13 given a copy thereof[;]: **PROVIDED, THAT FAILURE ON THE**  
14 **PART OF THE INVITED REPRESENTATIVES TO ATTEND THE**  
15 **INVENTORY WOULD MERIT ADMINISTRATIVE CHARGES:**  
16 **PROVIDED, FURTHER, THAT THE PHYSICAL INVENTORY AND**  
17 **PHOTOGRAPH SHALL BE CONDUCTED AT THE PLACE WHERE**  
18 **THE SEARCH WARRANT IS SERVED; OR AT THE NEAREST**  
19 **POLICE STATION OR AT THE NEAREST OFFICE OF THE**  
20 **APPREHENDING OFFICER/TEAM, WHICHEVER IS PRACTICABLE,**  
21 **IN CASE OF WARRANTLESS SEIZURES: PROVIDED, FINALLY,**  
22 **THAT NONCOMPLIANCE OF THESE REQUIREMENTS UNDER**  
23 **JUSTIFIABLE GROUNDS, AS LONG AS THE INTEGRITY AND THE**  
24 **EVIDENTIARY VALUE OF THE SEIZED ITEMS ARE PROPERLY**  
25 **PRESERVED BY THE APPREHENDING OFFICER/TEAM, SHALL**  
26 **NOT RENDER VOID AND INVALID SUCH SEIZURES AND CUSTODY**  
27 **OVER SAID ITEMS;**

28           “x x x

1           “(3) A certification of the forensic laboratory  
2 examination results, which shall be done [under oath] by the  
3 forensic laboratory examiner, shall be issued [within twenty-four  
4 (24) hours] IMMEDIATELY [after] UPON the receipt of the  
5 subject item/s: *Provided*, That when the volume of the  
6 dangerous drugs, plant sources of dangerous drugs, and  
7 controlled precursors and essential chemicals does not allow the  
8 completion of testing within the time frame, a partial laboratory  
9 examination report shall be provisionally issued stating therein  
10 the quantities of dangerous drugs still to be examined by the  
11 forensic laboratory: *Provided, however*, That a final certification  
12 shall be issued [on the completed forensic laboratory  
13 examination on the same within the next twenty-four (24) hours;]  
14 IMMEDIATELY UPON COMPLETION OF THE SAID EXAMINATION  
15 AND CERTIFICATION;

16           “x x x.”

17           SEC. 2. *Separability Clause.* – If any provision or part hereof is held  
18 invalid or unconstitutional, the remainder of this Act or the provisions not  
19 otherwise affected shall remain valid and subsisting.

20           SEC. 3. *Repealing Clause.* – All laws, presidential decrees or  
21 issuances, executive orders, letters of instruction, administrative orders, rules  
22 and regulations contrary to or inconsistent with the provisions of this Act are  
23 hereby repealed, modified or amended accordingly.

24           SEC. 4. *Effectivity.* – This Act shall take effect fifteen (15) days after  
25 its complete publication in at least two (2) newspapers of general circulation.

Approved,