

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



23 APR 11 P1:03

SENATE
Senate Bill No. 2060

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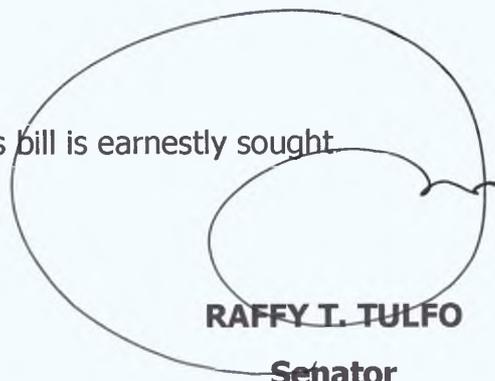
Introduced by: **Senator Raffy T. Tulfo**

AN ACT CREATING ANTI-DRUG ABUSE COUNCIL IN ALL PROVINCES, CITIES, MUNICIPALITIES, AND BARANGAYS THROUGHOUT THE COUNTRY AND PROVIDING FUNDS THEREFOR

EXPLANATORY NOTE

According to the Local Government Code, the local government units are mandated to ensure and support the health and safety of the general public and preserve the peace and order of their constituents. The proposed measure seeks to establish an Anti-Drug Abuse Council in each Province, City, Municipality and Barangay to effectively implement an anti-drug abuse program beginning at the grassroots level. The proposed bill also seeks to source the program by mandating the concerned local government units to allocate at least two percent (2%) of their annual budget to fund the creation and operation of this proposed measure.

In view of the foregoing, the immediate approval of this bill is earnestly sought



RAFFY T. TULFO

Senator

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**AN ACT CREATING ANTI-DRUG ABUSE COUNCIL IN ALL PROVINCES, CITIES,
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PROVIDING FUNDS THEREFOR**

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

1 **Section 1. Declaration of Policy.** Section 15, Article II of the 1987 Constitution
2 mandates the State to "protect and promote the right to health of the people and instill
3 health consciousness among them." In order to fulfill this mandate, there is a need to
4 create mechanisms where a health-based approach on drug addiction can be
5 implemented in the grassroots level. In line with this, it is hereby declared the policy of
6 the State to establish Anti-Drug Abuse Councils in all provinces, cities, municipalities, and
7 barangays all over the country as the main implementation organs for prevention,
8 rehabilitation, and monitoring drug dependency cases.

9

10 **Sec. 2. Definition of Terms –**

1 a. ADAC - Anti Drug Abuse Council – refers to a multi-sector council composed of local
2 officials and representatives of various community organizations tasked to spearhead
3 the planning and implementation, and monitoring of all local anti-drug abuse programs,
4 projects and activities. All local government units – provinces, cities, municipalities, and
5 barangays are mandated to create or organize their respective ADACs.

6

7 b. PADAC - Provincial Anti-Drug Abuse Council – refers to an ADAC created by a multi-
8 sector council composed of local officials and representatives of various community
9 organizations tasked to spearhead the planning and implementation, and monitoring of
10 all local anti-drug abuse programs, projects and activities in provincial level.

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12 c. CADAC - City Anti-Drug Abuse Council – refers to an ADAC created by a multi-sector
13 council composed of local officials and representatives of various community
14 organizations tasked to spearhead the planning and implementation, and monitoring of
15 all local anti-drug abuse programs, projects and activities in highly urbanized cities and
16 independent component cities.

17

18 d. MADAC - Municipal City Anti-Drug Abuse Council – refers to an ADAC created by a
19 multi-sector council composed of local officials and representatives of various community
20 organizations tasked to spearhead the planning and implementation, and monitoring of
21 all local anti-drug abuse programs, projects and activities in municipal city level.

22

23 e. BADAC - Barangay Anti-Drug Abuse Council – refers to an ADAC created by a multi-
24 sector council composed of local officials and representatives of various community
25 organizations tasked to spearhead the planning and implementation, and monitoring of
26 all local anti-drug abuse programs, projects and activities in barangay level.

27

28 f. Anti-Drug Abuse Office – refers to an office established at the provincial, city, and
29 municipality level which shall institutionalize all ADAC activities and serve as the ADAC

1 secretariat in charge of unifying and consolidating all local anti- illegal drug programs,
2 projects and activities.

3 g. Person Who Uses Drugs (PWUDs) - refers to a person who uses any dangerous drugs
4 by injecting intravenously or intramuscularly, or who consumes any dangerous drugs,
5 either by shewing, smoking, sniffing, eating, swallowing, drinking or otherwise
6 introducing into the physiological system of the body, as defined by Republic Act No.
7 9165.

8

9 h. Drug Rehabilitation Program- shall consists of the following:

10

11 I. Medical Rehabilitation - refers to the process of helping substance/drug addicted
12 individuals to stop compulsive/drug seeking and use, which may involve a series
13 of bio-psycho-social interventions provided by health professionals to remove
14 toxins in the body and modify behavior of the substance/drug dependent.

15

16 II. Reformatory Rehabilitation - refers to rectifying or modifying negative attitude
17 and behavior to enable the person to be a more productive and acceptable
18 member of the society, which may include facilitating the reintegration of the
19 individual back to his/her family and eventually to the society.

20

21 III. Community-based Drug Rehabilitation Program – refers to an integrated model
22 for drug users with mild severity of addiction. It provides a continuum of care from
23 outreach and low threshold services through active coordination among a number
24 of health, social and other non-specialist services needed to meet the client's need.
25 It is composed of two core components namely Community-based Treatment and
26 Community- based Support Services.

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28 **Sec. 3. Duties and Responsibilities of LGUs.** Each LGU shall have the following duties
29 and responsibilities:

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1. Activate, strengthen, and ensure functionality of its ADAC;

2. Approve a comprehensive Local Anti-Drug Plan of Action (LAPDA) to eliminate drug affection with corresponding targets per quarter, as included in the local POPS plan such as, but not limited to:
 - a. Capacity development programs for all stakeholders through prevention education;
 - b. Drug clearing operation;
 - c. After care and reintegration programs; and
 - d. Advocacy programs on the effects and legal consequences of illegal drugs, role of family and the youth in the fight against illegal drugs, among others.

3. Appropriate substantial amount of funds not lower than two percent (2%) of the annual appropriations for anti-illegal drug-related programs, activities, and operations as mandatory item in their budgets;

4. All local government units, except barangays, shall create an Anti-Drug Abuse Office with plantilla position; and

5. Perform and accomplish all any other tasks delegated upon it by law or by appropriate issuance which are related to its core functions.

Sec. 4. Role and Responsibilities of ADACs:

- a) Formulate ADAC LAPDA which contains lists of programs, projects, and activities with corresponding budgetary requirements and timeline;

- 1 b) Initiate, coordinate and monitor the implementation of anti-illegal drug programs,
2 projects and activities in their area of jurisdiction;
- 3 c) Recommend to the local sanggunian the adoption of measures for the enactment of
4 appropriate legislations on anti-illegal drug programs;
5
- 6 d) Conduct a meeting at least once a month, or as often as maybe necessary at the
7 discretion of the ADAC Chairman, and/or upon request of the majority of the members
8 of the council;
9
- 10 e) Serve as an information-gathering mechanism which will monitor and report to
11 appropriate authorities suspicious illegal drug personalities, facilities and activities within
12 their jurisdiction;
13
- 14 f) Monitor the implementation of Anti-Illegal Drug programs and link information to
15 decisions and actions by the concerned central government authorities. In this regard,
16 BADAC shall submit monthly reports to concerned MADAC/CADAC. CADAC/MADAC shall
17 submit semestral and annual monitoring and evaluation reports to the concerned PADAC;
18 and
19
- 20 g) Perform other functions as may be assigned by law and implementing rules and
21 regulations.
22

23 **Sec. 5. *The Provincial Anti-Drug Abuse Council (PADAC).*** A Provincial Anti- Drug
24 Abuse Council (PADAC) is hereby created in every province. The PADAC shall be
25 composed of:
26

- 27 Chairman: Governor
28 Vice-Chairman: PNP Provincial Director
29 Members:
30 DILG Provincial Director,

1 DepEd Provincial Official,
2 DOJ Provincial Prosecutor,
3 Provincial Social Welfare Officer,
4 Provincial Health Officer,
5 Provincial Public Information Officer,
6 At least two (2) representatives from non-government organizations (NGOs) –
7 One (1) from a church-based group and one (1) from an NGO, to be
8 appointed by the Chairman,
9 Member of the Sanggunian who is the Chairperson of the Committee on Peace
10 and Order or Committee on Women, and
11 Sangguniang Kabataan Provincial Federation President.

12
13 **Sec. 6. Roles and Responsibilities of the PADAC.** In addition to the responsibilities
14 provided in this Act, the PADAC shall have the following roles and responsibilities:

- 15
16 a) Ensure the formulation of PADAC Action plan that contains the plans and actions
17 identified in the Municipal and City ADAC Action Plans;
18
19 b) Organize the PADAC Drug Reformation Committee and adopt the Program of
20 Instructions for Drug Reformation Program;
21
22 c) Ensure the functionality of the lower ADACs;
23
24 d) Conduct regular meetings at least once a month;
25
26 e) Analyze and review reports submitted by CADAC/MADAC Secretariat;
27
28 f) Submit all collated quarterly reports to the Regional Peace and Order Council (RPOC)
29 Secretariat not later than the fifteenth (15th) day of the ensuring quarter, copy furnished
30 the Provincial Peace and Order Council and the DILG Provincial Office;

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- g) Ensure the establishment and operation of the Special Drug Education Center for out of school youth (OSY) and street children; and
- h) Provide support for the operationalization of the Community-Based Rehabilitation Program at the Municipality and Component Cities.

Sec. 7. The City Anti-Drug Abuse Council (CADAC). A City Anti-Drug Abuse Council (CADAC) is hereby created in every city.

Sec. 8. Composition of the CADAC. The CADAC shall be composed of:

- Chairman: City Mayor
- Vice-Chairman: District Director/City Director/Chief of Police
- Members:
 - DepEd City Division Superintendent,
 - DOJ City Prosecutor,
 - City Social Welfare Officer,
 - City Health Officer,
 - City Public Information Officer,
 - At least two (2) representatives of NGOs - One (1) from a church-based group and one (1) from an NGO, to be appointed by the Chairman,
 - City Probation and Parole Officer,
 - One (1) from the Local Operations Officer (GOO) who advocates anti-Illegal drugs campaign, and
 - Sangguniang Kabataan City Federation President.

Sec. 9. Roles and Responsibilities of the CADAC. In addition to the responsibilities mentioned in this Act, CADACs shall have the following roles and responsibilities:

- 1 a) Attest, through its Chairman, to the certification declaring the "drug-cleared" status of
2 an affected barangay, certified by the Local Chief of Police and validated by the Philippine
3 Drug Enforcement Agency (PDEA) Regional Director;
- 4 b) Monitor the BADAC's names, addresses, and other significant details;
5
- 6 c) Receive the consolidated information report from the BADAC Chair;
7
- 8 d) Review the consolidated reports of cluster leaders for final consolidation and
9 submission to PDEA;
10
- 11 e) Maintain a list of endorsement or referral of Barangay Duty Officer as to who are drug
12 dependents for screening using any internationally accepted screening tool;
13
- 14 f) Establish one-stop-shop facilities where assessment, interview, counselling, referral,
15 and/or processing of applications for petitions for confinement of drug dependents and
16 PWUDs who surrendered for treatment and rehabilitation and other allied processes may
17 be undertaken;
18
- 19 g) Designate a focal person who shall ensure the compliance and enforcement of
20 Dangerous Drugs Board (DDB) Regulations on Voluntary Surrender of Drug Users and
21 Dependents and shall coordinate with the appropriate service provider to assure
22 compliance with the prescribed intervention;
23
- 24 h) Ensure that PWUDs who surrendered shall undergo screening in order to determine
25 the level of risk and and/or co-morbidities and refer them to the appropriate intervention;
26
- 27 i) Designate certain personnel as the authorized representatives of the DDB who shall
28 cause the processing and filing of petitions for confinement of drug dependents and
29 PWUD who surrendered for treatment and rehabilitation before the Regional Trial Courts
30 pursuant to Sections 54 and 61 of R.A. No. 9165;

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j) Organize the CADAC Drug Reformation Committee and adopt the Program of Instructions for Drug Reformation Program;

k) Provide for the Community-Based Rehabilitation Program;

l) Conduct advocacy and/or preventive education seminars, giving emphasis to the role of parents and children in the anti-drug campaign, ill-effects of drugs, and consequences of drug abuse. This includes the conduct of lectures on the proper procedures on rehabilitation of drug dependents and PWUD who surrendered pursuant to R.A. No. 9165 and pertinent DDB Regulations counseling program for families with drug dependents and PWUD who surrendered to cope up with the trauma;

m) Designate a CADAC Secretariat, who will collate all reports and maintain periodic statistics barangay drug-clearing operations for evaluation/analysis and continuing enhancement of process and procedures; and

n) The CADAC Secretariat shall submit all quarterly reports to the PADAC, the local Peace and Order Council, and DILG Field Office, not later than the tenth (10th) day of the ensuing quarter.

Sec. 10. ***The Municipal Anti-Drug Abuse Council (MADAC).*** A Municipal Anti-Drug Abuse Council (MADAC) is hereby created in every municipality. The MADAC shall be composed of:

- Chairman: Municipal Mavor
- Vice-Chairman: Chief of Police
- Members:
 - Municipal LGOO,
 - DepEd District Supervisor,

1 Municipal Social Welfare Officer,
2 Municipal Health Officer,
3 Municipal Public Information Officer,
4 At least two (2) representatives of NGOs - One (1) from a church-based group
5 and one (1) from an NGO, to be appointed by the Chairman,
6 Municipal Probation and Parole Officer,
7 All BADAC Chairpersons,
8 One (1) Member of the Municipal Sangguniang Bayan who is the Chairperson of
9 the Committee on Peace and Order, and
10 Sangguniang Kabataan Municipal Federation President.

11
12 **Sec. 11. Roles and Responsibilities of the MADAC.** The roles and responsibilities of
13 all MADACs shall be the same as those enumerated for all CADACs found in Section 9 of
14 this Act.

15
16 **Sec. 12. The Barangay Anti-Drug Abuse Council (BADAC).** Every barangay shall
17 create and establish a Barangay Anti-Drug Abuse Council. The BADAC shall be composed
18 of:

19
20 Chairman: Punong Barangay

21 Vice-Chairman: Sangguniang Barangay Member or Kagawad who is the
22 Chairperson of Committee on Peace and Order

23 Members:

24 Sanggunian Barangay Member or Kagawad who is the Chairperson of the
25 Committee on Women and Family,

26 Sangguniang Barangay Member who is the Chairperson of the Committee on
27 Health,

28 Sangguniang Kabataan Chairperson,

29 Public School Principal or representative,

30 Executive Officer or Chief of Tanod,

1 At least two (2) representatives of NGOs - One (1) from a church-based group
2 and one (1) from an NGO, to be appointed by the Chairman,
3 City/Municipal Chief of Police or its representative, and
4 A Barangay Health Worker.

5
6 **Sec. 13. Roles and Responsibilities of the BADAC.** All BADACs shall have the
7 following roles and responsibilities:

8 a) Create a BADAC Plan of Action to be submitted to CADAC/MADAC, and the DILG City
9 /Municipal Field Office;

10
11 b) Set quarterly targets to reduce the level of drug affectation and ultimately achieve
12 drug-free status and maintain the status of drug-cleared and unaffected barangays;

13
14 c) Empower through the community in reporting drug related cases through an
15 Award/Commendation System;

16
17 d) Equip Barangay Tanods on their roles and functions in the campaign against street-
18 level illegal drug trade through seminars or trainings;

19
20 e) Identify drug-affected places (i.e. workplace, house clusters, and streets) within their
21 respective barangays where there are violations of R.A. No. 9165 and immediately report
22 the same to the PNP or PDEA;

23
24 f) Determine and maintain a record of the names and other pertinent information of
25 residents, and likewise, record, update, and monitor all drug- related incidents/cases
26 reported or filed and its effect on the peace and order situation in the barangay including
27 listings of suspected drug users and peddlers;

28
29 g) The BADAC, through its chairperson, shall consolidate all information gathered from
30 all sources, related to any illegal drug activities within the barangay, to include names of

- 1 peddlers, marijuana cultivation, clandestine drug laboratories, and submit immediately to
2 the CADAC/MADAC;
3
- 4 h) Ensure existence and operation of barangay rehabilitation referral system, through the
5 Barangay Rehabilitation and Referral Desk, intended for drug users and dependents who
6 voluntarily surrendered;
- 7 i) Assist PWUDs who surrendered to Barangay Rehabilitation and Referral Desk and refer
8 to CADAC/MADAC and other institutions for appropriate action;
9
- 10 j) Monitor individuals who are undertaking Community-Based Rehabilitation Treatment
11 and Rehabilitation through their attendance and completion of CBRP requirements;
12
- 13 k) Conduct regular and consultative meetings at least once a month and call for special
14 meetings with organizations in the barangay, such as the Parents Teachers Community
15 Association (PTCA), youth groups, Boy and Girl Scouts, religious organizations, senior
16 citizens, homeowners, and neighborhood associations, puroks, Tricycle Operators and
17 Drivers Association (TODA) and other groups existing in the community to ensure their
18 commitment to assist in curbing the drug menace in the community, whenever necessary;
19
- 20 I) Formulate prevention education programs and ensure implementation of the same in
21 coordination with various associations stated in paragraph 13 (k) herein using funds
22 which shall be derived from the Local School Board and other available sources;
23
- 24 m) Conduct an Information Education Campaign (IC) on illegal drug demand reduction;
25
- 26 n) Extend assistance to law enforcement agencies during the conduct of anti- drug
27 operations. The BADAC Chairman or any elected official present during the anti-drug
28 operations should sign the inventory of seized drugs and paraphernalia as witness;
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- 30 o) Submit all monthly reports to CADAC/MADAC and the DILG City/Municipal Field Office;

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p) Submit annual Accomplishment Report and Fund Utilization Report to the CADAC/MADAC, the higher Peace and Order Council and the DILG Field Office;

q) Submit reports on the implementation of BADAC Plan of Action on drug clearing operations;

r) Create a Barangay Auxiliary Team whose responsibilities and membership shall be included in the Implementing Rules and Regulations of this Act; and

s) Perform other related functions as prescribed by the rules and regulations.

Sec. 14. *The Anti-Drug Abuse Office (ADAO).* An Anti-Drug Abuse Office (ADAO) is hereby created in every City and Municipality.

Sec. 15. *ADAO Executive Director.* The ADAO shall be headed by an Executive Director who shall be designated by the Chairperson of the Anti-Drug Abuse Council (ADAC).

Sec. 16. *Functions of the Executive Director:*

- a. Act as the Head Secretariat of the Anti-Drug Abuse Council (ADAC);
- b. Oversee and supervise the overall operation of the ADAO;
- c. Ensure the prompt submission of the reports to the ADAC Chairperson and other partner agencies; and
- d. Perform other duties that may be assigned.

Sec. 17. *Staff Support for the ADAOs.* Each ADAO shall have at least two (2) support staff in order to help fulfill its duties and responsibilities.

1 **Sec. 18. *Penal Provisions.*** Failure of the responsible Local Chief Executive to comply
2 with the creation of the ADAC and the implementation of this Act shall be penalized with
3 imprisonment ranging from six (6) months and one (1) day to six (6) years with the
4 accessory penalty of perpetual absolute disqualification to hold public office.

5 **Sec. 19. *Implementing Rules and Regulations.*** The DILG, in coordination with
6 DSWD, DepEd, PNP, PDEA, DDB, and DOH shall issue the Implementing Rules and
7 Regulations within ninety (90) days from the effectivity of this Act.

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9 **Sec. 20. *Appropriations.*** The implementation of this Act shall be through an
10 appropriation by Congress to the Department of Interior and Local Government (DILG)
11 in the General Appropriations Act.

12
13 **Sec. 21. *Separability Clause.*** If any provision or part hereof is held invalid or
14 unconstitutional, the remainder of the provisions not otherwise affected shall remain valid
15 and subsisting.

16
17 **Sec. 22. *Repealing Clause.*** The funding provision under RA 9165, Art VII, Sec. 51 is
18 hereby repealed and all laws, decrees, rules and regulations, or parts thereof.

19
20 **Sec. 23. *Effectivity.*** This Act shall take effect fifteen (15) days after its publication in
21 the Official Gazette or in a newspaper of general circulation.

Approved,