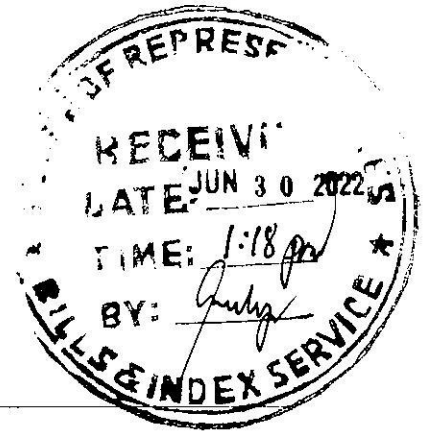


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 93



Introduced by Hon. Robert Ace S. Barbers

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

EXPLANATORY NOTE

Article II, Section 5 of the Constitution provides that the maintenance of peace and order, the protection of life, liberty, and property, and the promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy.

In addition, it is the mandate of the local government units to ensure and support, among other things, the promotion of health and safety, improvement of public morals, preservation of peace and order, and the advancement of the comfort and convenience of the inhabitants within their respective territorial jurisdictions.

Despite the efforts of our law enforcement authorities, drug-related incidents still threaten the peace and order of the community nationwide due to lack of structural consistency and comprehensive monitoring and reporting system.

Thus, this bill seeks to create the Anti-Drug Abuse Councils (ADACs) in all provinces, cities, municipalities, and barangays all over the country as the main implementing organs for the prevention, rehabilitation, and monitoring of drug dependency cases. This is to ensure the smooth implementation of anti-drug abuse programs and services especially at the local level.

It also mandates the concerned local government units to appropriate not less than 2% of their annual budget to fund the creation and operation of the ADACs and implement the provisions of the proposed law.

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

REP. ROBERT ACE S. BARBERS
2nd District, Surigao del Norte

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 93

Introduced by Hon. Robert Ace S. Barbers

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

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

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

Sec. 2. Definition of Terms –

- a. ADAC – Anti Drug Abuse Council – a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities. All local government units; provinces, cities, municipalities, and barangays are mandated to create or organize their respective ADACs.
- b. PADAC – Provincial Anti-Drug Abuse Council – ADAC created by a multi-sector composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in provincial level.
- c. CADAC – City Anti-Drug Abuse Council - ADAC created by a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in highly urbanized cities and independent component cities.

- d. MADAC – Municipal City Anti-Drug Abuse Council – ADAC created by a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in municipal city level.
- e. BADAC – Barangay Anti-Drug Abuse Council - ADAC created by a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in barangay level.
- f. Anti-Drug Abuse Office – office established at the provincial, city, municipality level which shall institutionalized all ADAC activities and serve as the ADAC secretariat in charge of unifying and consolidating all local anti-illegal drug programs, projects and activities.
- g. Person Who Use Drugs (PWUDs) – refer to persons who use any dangerous drugs by injecting intravenously or intramuscularly, of consuming, either by shewing, smoking. Sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body, as defined by RA 9165.
- h. Drug Rehabilitation Program – shall consists of the following:
 - i. Medical Rehabilitation – refers to the process of helping substance/drug addicted individuals stop compulsive/drug seeking and use, which may involve a series of bio-psycho-social interventions provided by health professionals to remove toxins in the body and modify behavior of the substance/drug dependent.
 - ii. Reformatory Rehabilitation – refers to rectifying or modifying negative attitude and behavior to enable the person to be a more productive and acceptable member of the society, which may include facilitating the reintegration of the individual back to his family and eventually to the society.
 - iii. Community-based Drug Rehabilitation Program – is an integrated model for drug users with mild severity of addiction. It provides a continuum of care from outreach and low threshold services through active coordination among a number of health, social and other non-specialist services needed to meet the client's need. It is composed of two core components namely Community-based treatment and Community-based Support Services.

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

- 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 Local Anti-Drug Plan of Action which contains lists of programs, projects, and activities with corresponding budgetary requirements and timeline.
- b) Initiate, coordinate and monitor the implementation of anti-illegal drug programs, projects and activities in their area of jurisdiction.
- c) Recommend to the local sanggunian the adoption of measures for the enactment of appropriate legislation on anti-illegal drug programs.
- d) Conduct a meeting at least once a month, or as often as maybe necessary at the discretion of the ADAC Chairman, and/or upon request of the majority of the members of the council.
- e) Serve as an information-gathering mechanism which will monitor and report to appropriate authorities' suspicious illegal drug personalities, facilities and activities within their jurisdiction.
- f) Monitor the implementation of Anti-Illegal Drug programs and link information to decisions and actions by the concerned central government authorities. BADAC shall submit monthly reports to concerned MADAC/CADAC. CADAC/MADAC shall submit semestral and annual monitoring and evaluation reports to submit to concerned PADAC.
- g) Perform other functions as may be assigned by law and implementing rules and regulations.

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

Chairman: Governor

Vice-Chairman: PNP Provincial Director
 Members: DILG Provincial Director
 DepEd Provincial Official
 DOJ Provincial Prosecutor
 Provincial Social Welfare Officer
 Provincial Health Officer
 Provincial 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
 Member of the Sanggunian who is the Chairperson of the Committee on Peace and Order or Committee on Women
 Sangguniang Kabataan Provincial Federation President

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

- a) Ensure the formulation of PADAC Action plan that contains the PPAs identified in the Municipal and City ADAC Action Plans.
- b) Organize the PADAC Drug Reformation Committee and adopt the Program of Instructions for Drug Reformation Program.
- c) Ensure the functionality of the lower ADACs.
- d) Conduct of regular meetings once a month.
- e) Analyze and review reports submitted by CADAC/MADAC Secretariat.
- f) Submit all collated quarterly reports to the Regional Peace and Order Council (RPOC) Secretariat not later than the 15th day of the ensuring quarter, copy furnished the Provincial Peace and Order Council and the DILG Provincial Office.
- g) Ensure the establishment and operation of the Special Drug Education Center for out of school youth (OSY) and street children.
- 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 (LGOO) who
advocates anti-illegal drugs campaign
One (1) 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:

- a) Attest, through its Chairman, to the certification declaring the "drug-cleared" status of an affected barangay, certified by the Local Chief of Police and validated by the PDEA Regional Director.
- b) Monitor the BADAC's names, address and other significant details.
- c) Receive the consolidated information report from BADAC Chair.
- d) Review the consolidated reports of cluster leaders for final consolidation and submission to PDEA.
- e) Maintain list of endorsement or referral of Barangay Duty Officer as to who are drug dependents for screening using any internationally accepted screening tool.
- f) Establish one-stop-shop facilities where assessment, interview, counselling, referral, and/or processing of applications for petitions for confinement of drug dependents and PWUD who surrendered for treatment and rehabilitation and other allied processes may be undertaken.
- g) Designate a focal person who shall ensure the compliance and enforcement of DDB Regulations on Voluntary Surrender of Drug Users and Dependents and shall coordinate with the appropriate service provider to assure compliance with the prescribed intervention.
- h) Ensure that PWUDs who surrendered shall undergo screening in order to determine the level of risk and and/or co-morbidities and refer them to the appropriate intervention.
- i) Designate certain personnel as the authorized representatives of the DDB who shall cause the processing and filing of petitions for confinement of drug dependents and PWUD who surrendered for treatment and rehabilitation before the Regional Trial Courts pursuant to Sections 54 and 61 of RA 9165.
- 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 RA 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 on barangay drug-clearing operations for evaluation/analysis and continuing enhancement of process and procedures.

- 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 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 Mayor
Vice-Chairman:	Chief of Police
Members:	Municipal LGOO
	DepEd District Supervisor
	Municipal Social Welfare Officer
	Municipal Health Officer
	Municipal Public Information Officer;
	At least two (2) representatives of NGOs – One (1) from a
	churched-based group and one (1) from an NGO, to
	be appointed by the Chairman
	Municipal Probation and Parole Officer
	All BADAC Chairpersons
	One (1) Member of the Municipal Sangguniang Bayan who
	is the Chairperson of the Committee on Peace and
	Order
	Sangguniang Kabataan Municipal Federation President

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

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

Chairman:	Punong Barangay
Vice-Chairman:	Sangguniang Barangay member or Kagawad who is the
	Chairperson of Committee on Peace and Order
Members:	Sanggunian Barangay Member or Kagawad who is the
	Chairperson of the Committee on Women and Family
	Sangguniang Kabataan Chairperson
	Public School Principal or representative
	Executive Officer or Chief of Tanod
	At least two (2) representatives of NGOs – One (1) from a
	churched-based group and one (1) from an NGO, to
	be appointed by the Chairman
	City/Municipal Chief of Police or its representative
	A Barangay Health Worker
	Sangguniang Barangay Member who is the Chairperson of
	the Committee on Health

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

- a) Create a BADAC Plan of Action to be submitted to CADAC/MADAC, and the DILG City/Municipal Field Office.
- b) Set quarterly targets to reduce the level of drug affectation and ultimately achieve drug free status and maintain the status of drug-cleared and unaffected barangays.
- c) Empower through the community in reporting drug related cases through an Award/Commendation System.
- d) Equip Barangay Tanods on their roles and functions in the campaign against street-level illegal drug trade through seminars or trainings.
- e) Identify drug-affected places (i.e. workplace, house clusters, and streets) within their respective barangays where there are violations of RA 9165 and immediately report the same to the PNP or PDEA.
- f) Determine and maintain a record of the names and other pertinent information of residents, and likewise, record, update, and monitor all drug-related incidents/cases reported or filed and its effect on the peace and order situation in the barangay including listings of suspected drug users and peddlers.
- g) The BADAC, through its chairperson, shall consolidate all information gathered from all sources, related to any illegal drug activities within the barangay, to include names of peddlers, marijuana cultivation, clandestine drug laboratories, and submit immediately to the CADAC/MADAC.
- h) Ensure existence and operation of barangay rehabilitation referral system, through the Barangay Rehabilitation and Referral Desk, intended for drug users and dependents who voluntarily surrendered.
- i) Assist PWUD who surrendered to Barangay Rehabilitation and Referral Desk and refer to CADAC/MADAC and other institutions for appropriate action.
- j) Monitor individuals who are undertaking Community-Based Rehabilitation Treatment and Rehabilitation through their attendance and completion of CBRP requirements.
- k) Conduct regular and consultative meetings at least once a month and call for special meetings with organizations in the barangay, such as the Parents Teachers Community Association (PTCA), youth groups, Boy and Girl Scouts, religious organizations, senior citizens, homeowners, and neighborhood associations, puroks, Tricycle Operators and Drivers Association (TODA) and other groups existing in the community to ensure their commitment to assist in curbing the drug menace in the community, whenever necessary.
- l) Formulate prevention education programs and ensure implementation of the same in coordination with various associations stated in paragraph (j), using funds which shall be derived from the Local School Board and other available sources.
- m) Conduct an Information Education Campaign (IEC) on illegal drug demand reduction;
- n) Extend assistance to law enforcement agencies during the conduct of anti-drug operations. The BADAC Chairman or any elected official present

during the anti-drug operations should sign the inventory of seized drugs and paraphernalia as witness.

- o) Submit all monthly reports to CADAC/MADAC and the DILG City/Municipal Field Office.
- 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 (drug clearing operations).
- r) Perform other related functions as prescribed by the rules and regulations.
- s) Create a Barangay Auxiliary Team whose responsibilities and membership shall be included in the Implementing Rules and Regulations of this Act.

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
- 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.

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

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

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

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

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