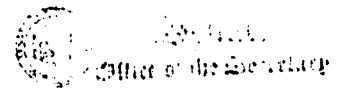


**EIGHTEENTH CONGRESS OF THE }
REPUBLIC OF THE PHILIPPINES }
Second Regular Session }**



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SENATE
S.B. No. 1935

RECEIVED

INTRODUCED BY **SENATOR VICENTE C. SOTTO III**

AN ACT
INSTITUTIONALIZING ANTI-DRUG ABUSE COUNCILS IN PROVINCES,
CITIES, MUNICIPALITIES, AND BARANGAYS, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

EXPLANATORY NOTE

To attain a drug-resistant Philippines, the war against illegal drugs must have a holistic approach wherein prevention programs, supply reduction and effective rehabilitation must be institutionalized. In this fight, the Local Government Units (LGUs), as the one mandated by law to ensure peace and order within communities, are in the forefront. And in order to achieve this goal, it is not sufficient that the LGUs shall appropriate a substantial portion of their annual budget as mandated in Article 51 of Republic Act 9165 or the Comprehensive Dangerous Drugs Act of 2002.

All LGUs should have an effective council that will focus on its anti-illegal drugs program such as the Quezon City Anti-Drug Abuse Advisory Council (QCADAAC), which I founded when I was still Vice Mayor of Quezon City. Last year, the Department of the Interior and Local Government has named QCADAAC as the most effective anti-drug abuse advisory group in the country.

Thus, the objective of this bill is to create the Anti-Drug Abuse Councils (ACADS) 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.

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



VICENTE C. SOTTO III

1 1. Persons Who Use or Abuse Drugs refer to persons who use any
2 dangerous drugs by injecting, intravenously or intramuscularly, of
3 consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking
4 or otherwise introducing into the physiological system of the body, any of the
5 dangerous drugs as defined in Republic Act 9165 or the Comprehensive
6 Dangerous Drugs Act of 2002.

7 2. Drug Rehabilitation Program

8 a. Medical Rehabilitation refers to the process of helping substance or
9 drug addicted individuals to stop using dangerous drugs or their drug
10 dependence, which may involve a series of bio-psycho-social interventions
11 provided by health professionals to remove toxins in the body and to modify
12 the behavior of the drug user or drug dependent individual.

13 b. Reformatory Rehabilitation refers to rectifying or modifying the
14 negative attitude and behavior of the substance or drug to enable the person
15 to be more productive and acceptable to society, which may include
16 facilitating the reintegration of the individual back to his family and society.

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

24 **Section 4. Duties and Responsibilities of LGUs.** – Each LGU shall have
25 the following duties and responsibilities:

- 26 1. Activate, strengthen, and ensure the functionality of its ADAC;
- 27 2. Review, approve, and implement a comprehensive local anti-drug abuse
28 plan of action (LADAPA) as recommended by the ADACS, to eliminate drug-
29 affectation with corresponding targets per quarter, as included in the local
30 peace and order and public safety (POPS) Plan such as, but not limited to:
- 31 (a) Capacity development programs for all stakeholders
32 through prevention education;
- 33 (b) Drug clearing operations;
- 34 (c) Drug rehabilitation programs;
- 35 (d) After care and reintegration programs; and
- 36 (e) Advocacy programs on the effects and legal consequences of illegal
37 drugs, role of family and the youth in the fight against illegal drugs,
38 among others.

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

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

6 **Section 5. Institutionalization of ADACS.** – There shall be an Anti-Drug
7 Abuse Council (ADAC) in all local government units – ADAC is a multi-sectoral
8 council composed of local officials and representatives of various community
9 organizations tasked to spearhead the planning, implementation, and
10 monitoring of all local anti-drug abuse programs, projects and activities.

11 *Mandate and Responsibilities of ADACs:*

12 a.) Formulate a ADAC Local Anti- Drug Plan of Action which contains lists of
13 programs, projects and activities with corresponding budgetary requirements
14 and timeline;

15 b.) Initiate, coordinate and monitor the implementation of all anti-illegal drug
16 programs, projects and activities within their jurisdiction;

17 c.) Recommend to the local Sanggunian the adoption of measures for the
18 enactment of appropriate legislations on anti-illegal drug programs;

19 d.) Conduct a meeting at least once a month, or as often as may be necessary
20 at the discretion of the ADAC Chairman, and/or upon request of the majority
21 of the members of the Council;

22 e) Serve as an information-gathering mechanism which will monitor and
23 report to appropriate authorities suspicious illegal drug personalities,
24 facilities and activities within their jurisdiction;

25 f) Monitor the implementation of anti-illegal drug programs and link
26 information to decisions and actions by concerned central government
27 authorities. Barangay Anti-Drug Abuse Council (BADAC) shall submit
28 monthly reports to the concerned Municipal/City Anti-Drug Abuse Council
29 (MADAC/CADAC). MADAC/CADAC shall submit every six (6) months a
30 monitoring and evaluation report to the concerned PADAC;

31 g) Perform other functions as may be assigned by law and implementing rules
32 and regulations.

33 **Section 6. Composition of ADAC at the Local Level.** –

34 a) Barangay Anti-Drug Abuse Council (BADAC) – The ADAC in the
35 barangay which shall be known as BADAC shall be composed of the following:

36 Chairperson - Punong Barangay

- 1 Vice-Chairperson - Chairperson of the Sangguniang Barangay
2 Peace and Order Committee
- 3 Members - Chairperson of Women and Family Committee;
4 - SK chairperson;
5 - Public School Principal / Head teacher or their
6 designated representative
7 - Chief Tanod/Executive Officer;
8 - A representative from any NGOs/civil
9 society/people's organization to be nominated by
10 majority of its members and appointed by the
11 chairperson;
12 - Representative of faith-based organization to be
13 nominated by majority of its members and appointed
14 by the chairperson;
- 15 Adviser - City or Municipal Chief of Police or
16 its authorize representative

17 b) Municipal Anti-Drug Abuse Council (MADAC) – The ADAC in the
18 municipality which shall be known as MADAC shall be composed of the
19 following:

- 20 Chairperson - Mayor
- 21 Vice Chairpersons- PNP Chief of Police (for law enforcement)
22 - DEPED district supervisor (for control and
23 prevention)
- 24 Members - Municipal Local Government Operations Officer;
25 - Municipal Social Welfare Officer;
26 - Municipal Health Officer ;
27 - Municipal Public information Officer;
28 - Liga ng Barangay President;
29 - SK Federation President;
30 - At least two (2) representatives of NGOs/people's
31 organization to be nominated by majority of its
32 members and appointed by the chairperson;
33 - Representative of faith-based organization to be
34 nominated by majority of its members and appointed
35 by the chairperson;

36 c) City Anti-Drug Abuse Council (CADAC) – the ADAC in the city which
37 shall be known as CADAC shall be composed of the following:

- 38 Chairpersons - Mayor
- 39 Vice Chairpersons - PNP Director (for law enforcement)

1 - DEPED City Division Superintendent (for control and
2 prevention)

- 3 Members - DOJ City Prosecutor;
4 - City Social Welfare Office;
5 - City Health Officer;
6 - City Public Information Officer;
7 - Liga ng Barangay President;
8 - SK Federation President;
9 - At least two (2) representatives
10 of NGOs or people's organization to be nominated by
11 majority of its members and appointed by the
12 chairperson;
13 - Representative of faith-based organization to be
14 nominated by majority of its members and appointed
15 by the chairperson

16 d) Provincial Anti-Drug Abuse Council (PADAC) – the ADAC in the
17 province which shall be known as PADAC shall be composed of the following:

18 Chairpersons - Governor

- 19 Vice Chairpersons - PNP Provincial Director (for law enforcement);
20 - DEPED provincial director (for control and
21 prevention)

- 22 Members - DILG Provincial Director;
23 - DOJ Provincial Prosecutor;
24 - Provincial Social Welfare Office;
25 - Provincial Health Officer;
26 - Provincial Public Information Officer;
27 - SK Federation President;
28 - At least two (2) representatives of NGOs or people's
29 organization to be nominated by majority of the its
30 members and appointed by the chairperson;
31 - Representative of faith-based organization to be nominated
32 by majority of its members and appointed by the
33 chairperson;
34 - Provincial Probation and Parole officers;
35 - ALL CADAC/MADAC Chairpersons

36 **Section 7. Establishment of the Anti-Drug Abuse Office (ADAO)- all local**
37 **government units, except barangays, shall create an anti-drug abuse office**
38 **with plantilla positions with the following functions:**

- 39 a) Serve as Secretariat of the Anti-Drug Abuse Councils;
40 b) Provide technical and administrative support services to the ADAC;
41 and
42 c) Perform other functions as may be prescribed by ADAC.

1 **Section 8. Penal Provision.** The following shall be the penalties for
2 violations of this Act:

3 (a) Failure of the responsible local officials to comply with the creation
4 of ADAC under this Act shall be penalized with imprisonment of six
5 (6) months and one (1) day to six (6) years with the accessory penalty
6 of Perpetual absolute disqualification to hold public office.

7 (b) Failure of the responsible local officials to accomplish the level of
8 progressive ideal functionality of the ADAC despite notice from the
9 DILG shall be penalized with imprisonment of four (4) months and
10 one (1) day to six (6) years with the accessory penalty of temporary
11 disqualification to hold public office for a period of nine (9) years.

12 (c) The DILG shall impose administrative sanctions to non- functional
13 and low-functional ADACs subject to existing Civil Service laws.

14 **Section 9. Institutional Arrangements** - All agencies, instrumentalities,
15 and entities of the government are hereby directed to provide the necessary
16 support to the ADACs to be stipulated by the Implementing Rules and
17 Regulations.

18 **Section 10. Suppletory Application of the Local Government Code.** - In
19 all matters not regulated by this Act, the Local Government Code shall apply
20 suppletorily.

21 **Section 11. National ADAC Audit Team** - the national audit team,
22 chaired by DILG, and composed of Dangerous Drugs Board (DDB), Philippine
23 National Police (PNP), Philippine Drug Enforcement Agency (PDEA), National
24 Youth Commission (NYC), Department of Health (DOH), Department of Social
25 Welfare and Development (DSWD), and Civil Society Organizations (CSO) shall
26 promulgate the necessary guidelines for the effective standard level of
27 functionality of ADACs. This shall be the basis for the awards and imposition
28 of penalties for LGUs with non-compliance and low functionalities. The DILG
29 Secretary shall chair the drafting committee to be issued within one hundred
30 twenty (120) days after the effectivity of this Act.

31 **Section 12. Congressional Oversight.** - a congressional oversight
32 committee composed of the senate and house committees on local government
33 and public order and safety, and dangerous drugs shall review and monitor
34 the implementation of this Act.

35 **Section 13. Appropriation Clause.** - The funding requirement for the
36 institutionalization of ADACs shall be included in the Annual Budget of the
37 LGUs pursuant to section 4 (3) of this Act.

38 **Section 14. Implementing Rules and Regulations.** - within sixty (60)
39 days from the effectivity of this act, the Department of the Interior and Local

1 Government, Dangerous Drugs Board, and the Department of Health shall
2 jointly promulgate the implementing rules and regulations for the effective
3 implementation of the provisions of this act.

4 **Section 15. *Repealing Clause.*** - All laws, decrees, executive orders,
5 rules and regulations, which are inconsistent with the provisions of this Act
6 are hereby repealed, amended or modified accordingly.

7 **Section 16. *Separability Clause.*** - If for any reason or reasons, any
8 portion of this Act shall be held unconstitutional or invalid, all other parts or
9 provisions not affected shall thereby continue to remain in full force and
10 effect.

11 **Section 17. *Effectivity.*** - This act shall take effect fifteen (15) days after
12 its publication in the official gazette or at least two (2) national newspapers of
13 general circulation.

Approved,