

'22 JUL 13 AIO :17

SENATE

S. No. 470

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Introduced by SENATOR JINGGOY EJERCITO ESTRADA

**AN ACT
INSTITUTIONALIZING ANTI-DRUG ABUSE COUNCILS IN EVERY PROVINCE,
CITY, AND MUNICIPALITY, AND FOR OTHER PUPOSES**

EXPLANATORY NOTE

The Philippine Drug Enforcement Agency (PDEA) reported that a total of 24,253 barangays were declared drug-free by the end of 2021¹. PDEA's yearend report for the same year also showed significant accomplishments in the fight against illegal drugs²:

- 55,169 Persons Who Use Drugs (PWUD) and drug offenders were rehabilitated and reintegrated;
- 678 high-impact operations were conducted and 3,807 high-value targets were arrested;
- 50,565 drug suspects were arrested, while 38,590 drug cases were filed;
- 901,436 anti-illegal drug lectures and seminars were conducted; and
- Php2.793 billion worth of dangerous drugs and controlled precursors and essential chemicals were destroyed during 17 destruction activities.

This measure, which was reported out by the Senate Committee on Public Order and Dangerous Drugs during the 18th Congress, seeks to sustain and build on the gains achieved in the previous years through the institutionalization of multi-

¹ "Over 24K barangays now 'drug-cleared': PDEA." February 1, 2022.

<https://www.pna.gov.ph/articles/1166803>

² Philippine Drug Enforcement Agency (PDEA) 2021 Annual Report. <https://pdea.gov.ph/our-accomplishments/annual-reports>

sectoral anti-drug abuse councils (ADAC) in local government units. It aims to put in place a legal framework for the continued operation of ADAC in every province, city and municipality which shall formulate plans, and implement and monitor anti-drug abuse programs and activities at the grassroots.

In recognition of the recent successes through the effective coordination of LGUs and civil society organizations in eradicating the scourge of illegal drugs, the immediate passage of this bill is recommended.



JINGGOY EJERCITO ESTRADA

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



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

1 Section 1. *Short Title.* – This Act shall be known as the “*Anti-Drug Abuse*
2 *Councils (ADAC) Law*”.

3 Sec. 2. *Declaration of Policy.* – It is a declared policy of the State to safeguard
4 the integrity of its territory and the well-being of its citizenry particularly the youth,
5 from the harmful effects of dangerous drugs on their physical and mental well-being.

6 The State shall promote the active and unified involvement of the local
7 government units, communities and civil service organizations to effectively prevent
8 the proliferation of prohibited drugs.

9 Towards this end, the State shall establish mechanism and adequate
10 administrative structural framework to ensure effective implementation of the anti-
11 drug policies and programs.

12 Sec. 3. *Definition of Terms.* – As used in this Act:

13 (a) *Anti-Drug Abuse Council (ADAC)* refers to a multi-sectoral council
14 composed of local officials and representatives of various community
15 organizations tasked to spearhead the planning, implementation, and
16 monitoring of all local anti-drug abuse programs, projects and activities;

1 (b) *Persons Who Use or Abuse Drugs (PWUDs)* refer to persons who use
2 any dangerous drugs and/or controlled precursors and essential
3 chemicals as defined under Republic Act No. 9165 otherwise known as
4 the "Comprehensive Dangerous Drugs Act of 2002", as amended, by
5 injecting intravenously or intramuscularly, by consuming, either by
6 chewing, smoking, sniffing, eating, swallowing, drinking or otherwise
7 introducing into the physiological system of the body;

8 (c) *Community-Based Drug Rehabilitation Program (CBRP)* refers to an
9 integrated model for PWUDs with mild severity of addiction. It provides
10 a continuum of care from outreach and low threshold services through
11 active coordination among a number of health, social and other non-
12 specialist services needed to meet the client's need. It is composed of
13 two core components namely: Community-based Treatment and
14 Community-based Support Services.

15 *Sec. 4. Duties and Responsibilities of Local Government Units (LGUs).* – In
16 addition to duties and responsibilities under existing laws, each LGUs shall exercise
17 the following duties and responsibilities:

- 18 (1) Establish, strengthen, and ensure the functionality of its ADAC;
19 (2) Formulate and implement a comprehensive and integrated Local Anti-
20 Drug Abuse Plan of Action (LADAPA), in accordance with the
21 recommendations of the ADAC, to eliminate drug affectation with
22 corresponding targets per quarter, as included in the local Peace and
23 Order and Public Safety (POPS) Plan including but not limited to:
- 24 (a) Capacity development programs for all stakeholders through
25 prevention education;
 - 26 (b) Monitoring of drug clearing operations within the Philippine
27 National Police (PNP), Philippine Drug Enforcement Agency
28 (PDEA) and other law enforcement agencies mandated to the
29 conduct thereof;
 - 30 (c) Community-Based Drug Rehabilitation Programs;
 - 31 (d) Aftercare and reintegration programs for PWUDS; and,

1 (e) Advocacy programs on the effects and legal consequences of
2 illegal drugs, role of family and the youth in the fight against
3 illegal drugs, among others.

4 (3) Appropriate at least two percent (2%) of the annual appropriations anti-
5 illegal drug-related programs, activities, and operations as a mandatory
6 item in their budgets: Provided, That the disbursement of the fund shall
7 be made by the LGU concerned;

8 (4) Coordinate with the Department of Health (DOH), the Department of
9 Social Welfare and Development (DSWD), and the Dangerous Drugs
10 Board (DDB) on the establishment and operation of a CBDRP as well as
11 Reintegration Programs; and,

12 (5) Effectively implement Section 52 of Republic Act No. 9165, as amended,
13 and related laws.

14 Sec. 5. *Institutionalization of ADACs.* – There shall be established an Anti-Drug
15 Abuse Council (ADAC) in every province, city, and municipality, which shall exercise
16 the following duties and responsibilities:

17 (1) Formulate ADAC-LADAPA which contains programs, projects and
18 activities with corresponding budgetary requirements and timeline,
19 designed to prevent the proliferation of prohibited drugs;

20 (2) Initiate, coordinate and monitor the implementation of anti-illegal drug
21 programs, projects and activities within their jurisdiction;

22 (3) Provide guidelines for the operation and management of Community-
23 Based Drug Rehabilitation Program;

24 (4) Recommend to the local *Sanggunian* the adoption of measures for the
25 enactment of appropriate legislation on anti-illegal drug programs;

26 (5) Conduct a meeting at least once a month, or as often as may be
27 necessary at the discretion of the ADAC Chairperson, and upon request
28 of the majority of the members of the Council;

29 (6) Serve as an information-gathering mechanisms which will monitor and
30 report to appropriate authorities illegal drug facilities and activities within
31 their jurisdiction;

1 (7) Monitor the implementation of anti-illegal drug programs and link
2 information to decisions and actions by concerned central government
3 authorities;

4 (8) Ensure effective and sustainable anti-drug activities;

5 (9) Establish and maintain close coordination and cooperation with anti-drug
6 law enforcement agencies.

7 *Sec. 6. Composition of ADAC. –*

8 (a) Municipal Anti-Drug Abuse Council (MADAC) – Every municipality shall
9 establish MADAC which shall be composed of the following:

10 (1) Chairperson – Mayor

11 (2) Vice-Chairpersons

12 (i) PNP Chief of Police (for law enforcement); and,

13 (ii) Department of Education (DepEd) District Supervisor (for
14 control and prevention)

15 (3) Members:

16 (i) Municipal Local Government Operations Officer;

17 (ii) Municipal Social Welfare Officer;

18 (iii) Municipal Health Officer;

19 (iv) Municipal Public Information Officer;

20 (v) Liga ng Barangay President;

21 (vi) SK Federation President;

22 (vii) At least two (2) representatives of NGOs / people's
23 organization to be nominated by majority of its members
24 and appointed by the Chairperson; and,

25 (viii) Representative of faith-based organization to be
26 nominated by majority of its members and appointed by
27 the Chairperson.

28 In addition to those mentioned in Section 5, MADAC shall have the duties
29 and responsibilities to:

30 (1) Establish a one-stop-shop facility which shall be responsible for
31 the assessment of PWUDs and the subsequent referral and/or
32 processing of their applications for petitions for confinement,

1 treatment and rehabilitation, including their eventual
2 reintegration to the community;

3 (2) Submit semestral and annual monitoring and evaluation reports
4 to the concerned Provincial Anti-Drug Abuse Council (PADAC);
5 and,

6 (3) Conduct advocacy and/or preventive education seminars.

7 (b) City Anti-Drug Abuse Council (CADAC) – Every city shall establish CADAC
8 which shall be composed of the following:

9 (1) Chairperson – Mayor

10 (2) Vice-Chairpersons:

11 (i) PNP Director (for law enforcement); and,

12 (ii) DepEd City Division Superintendent (for control and
13 prevention)

14 (3) Members:

15 (i) Department of Justice (DOJ) City Prosecutor;

16 (ii) City Social Welfare Officer;

17 (iii) City Health Officer;

18 (iv) City Public Information Officer;

19 (v) Liga ng Barangay President;

20 (vi) SK Federation President;

21 (vii) At least two (2) representatives of NGOs / people's
22 organization to be nominated by majority of its members
23 and appointed by the Chairperson; and,

24 (viii) Representative of faith-based organization to be nominated
25 by majority of its members and appointed by the
26 Chairperson.

27 In addition to those mentioned in Section 5, CADAC shall have the same
28 duties and responsibilities with MADAC as provided in paragraph (b) of this
29 Section.

30 (c) Provincial Anti-Drug Abuse Council (PADAC) – Every province shall
31 establish PADAC which shall be composed of the following:

32 (1) Chairperson – Governor

1 (2) Vice-Chairpersons

- 2 (i) PNP Provincial Director (for law enforcement); and,
3 (ii) DepEd Provincial Director (for control and prevention)

4 (3) Members

- 5 (i) Department of the Interior and Local Government (DILG)
6 Provincial Director;
7 (ii) DOJ Provincial Prosecutor;
8 (iii) Provincial Social Welfare Officer;
9 (iv) Provincial Health Officer;
10 (v) Provincial Public Information Officer;
11 (vi) SK Federation President;
12 (vii) At least two (2) representatives of NGOs / people's
13 organization to be nominated by majority of its members
14 and appointed by the Chairperson;
15 (viii) Representative of faith-based organization to be nominated
16 by majority of its members and appointed by the
17 Chairperson;
18 (ix) Provincial Probation and Parole officers; and,
19 (x) All CADAC / MADAC Chairpersons.

20 In addition to those mentioned in Section 5, PADAC shall have the duties
21 and responsibilities to:

- 22 (1) Ensure the functionality of all CADAC / MADAC within their
23 jurisdiction; and,
24 (2) Provide support for the operationalization of the Community-
25 Based Drug Rehabilitation Programs of the LGUs.

26 *Sec. 7. Establishment of the Anti-Drug Abuse Office (ADAO).* – Every province,
27 city, and municipality shall create and Anti-Drug Abuse Office. Each ADAO shall have
28 at least two (2) staff with plantilla positions. The ADAO shall have the following
29 functions:

- 30 (1) Serve as Secretariat of the ADAC;
31 (2) Provide technical and administrative support services to the ADAC; and,
32 (3) Perform other functions as may be prescribed by ADAC.

1 Sec. 8. *Performance Monitoring.* – The DILG shall monitor and evaluate the
2 proper and effective implementation of the provisions of this Act. The DILG may
3 establish an incentives and awards system for local government units which have
4 effectively implemented the provisions of this Act.

5 Sec. 9. *Implementing Rules and Regulations.* – The DILG, in coordination with
6 DSWD, DDB, PDEA, PNP, DepEd, DOH, and other stakeholders, shall within sixty (60)
7 days from the effectivity of this Act, promulgate the necessary rules and regulations
8 for the effective implementation of this Act.

9 Sec. 10. *Repealing Clause.* – Section 51, Article VII of Republic Act No. 9165 is
10 hereby repealed.

11 Any law, presidential decree or issuance, executive order, letter of instruction,
12 administrative order, rule, or regulation contrary to or inconsistent with the provisions
13 of this Act are hereby repealed, modified, or amended accordingly.

14 Sec. 11. *Separability Clause.* – If any provision or part hereof is held invalid or
15 unconstitutional, the remainder of the law or the provision or part not otherwise
16 affected shall remain valid and subsisting.

17 Sec. 12. *Effectivity.* – This Act shall take effect fifteen (15) days after its
18 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,