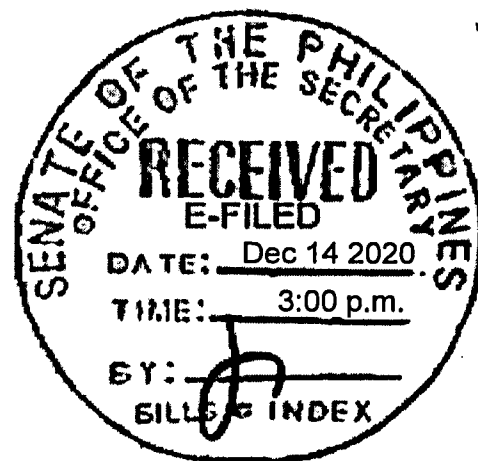


EIGHTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



SENATE
Senate Bill No. 1952

INTRODUCED BY SENATOR RONALD "BATO" DELA ROSA

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

EXPLANATORY NOTE

The Philippine Drug Enforcement Agency (PDEA) has started a countdown to clear the remaining fifteen thousand three hundred eighty-eight (15,388) drug affected barangays by June 2022. PDEA Director General Wilkins M. Villanueva said that these barangays represent 36.6% of the forty-two thousand forty-five (42,045) barangays in the country that are still plagued by illegal drugs. A total of eighteen thousand five hundred eighty-two (18,582) barangays have been declared cleared from illegal drugs from 01 July 2016 to 31 May 2020.¹

In view of continuous effort of the Duterte administration, active and unified involvement of various government and non-government agencies is necessary to sustain and ensure that all local government units will be free from illegal drug activities, one of the major problems of the country.

The proposed measure seeks to institutionalize the Anti-Drug Abuse Council (ADAC). The Council will act as the main implementing organs for the prevention, rehabilitation and monitoring of drug dependency cases. This was effectively

¹<https://pdea.gov.ph/2-uncategorised/1595-pdea-begins-countdown-to-clear-remaining-drug-affected-barangays-by-2022>

implemented in the City of Davao during the mayoralty of President Rodrigo Duterte. Similarly, Senate President Sotto also founded the Quezon City Anti-Drug Abuse Advisory Council when he was still the Vice Mayor of Quezon City.

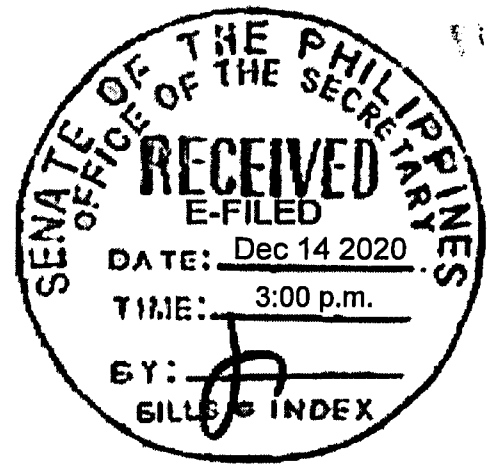
The experiences of Davao City and Quezon City showed that having a dedicated council which gives priority to anti-illegal drugs program is an effective tool to prevent proliferation of illegal drugs. This will also aid the government in attaining drug-free Philippines by 2022.

In view of the foregoing, the passage of the bill is urgently sought.

A handwritten signature in black ink, consisting of a stylized, cursive 'R' followed by a horizontal line extending to the right.

RONALD "BATO" DELA ROSA

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Be it enacted by the Senate and the 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

4 **Section 2. Declaration of Policy.** - (a) It is hereby declared the policy of the
5 State to serve and defend the people. The maintenance of peace and order, the
6 protection of life, liberty, and property, and promotion of the general welfare are
7 essential for the enjoyment by all the people of the blessings of democracy. The State
8 shall promote a just and dynamic social order that will ensure the prosperity and
9 independence of the nation and free the people from poverty through policies that
10 provide adequate social services, promote full employment, a rising standard of living,
11 and an improved quality of life for all. The State values the dignity of every human
12 person and guarantees full respect for human rights. The State shall ensure the
13 autonomy of local governments.
14

15 (b) The proliferation of prohibited drugs and their precursors is a serious
16 national concern, encompassing social, psychological and economic interests, which

1 necessitates the active and unified involvement of various government and non-
2 government agencies.

3
4 (c) The State shall ensure the establishment of the adequate administrative
5 structural framework in the bureaucracy that would ensure the effective
6 implementation of the anti-drug policies and programs to demonstrate the country's
7 resolve in confronting the problem on illegal drugs.

8
9 **Section 3. Definition of Terms. –**

10 (a) "Persons Who Use or Abuse Drugs" refer to persons who use any dangerous
11 drugs by injecting intravenously or intramuscularly, of consuming, either by
12 chewing, smoking, sniffing, eating, swallowing, drinking or otherwise
13 introducing into the physiological system of the body, as defined in Republic
14 Act No. 9165 otherwise known as the "Comprehensive Dangerous Drugs Act of
15 2002."

16
17 (b) "Drug Rehabilitation Program" refer to any of the following:

- 18 a. "Medical Rehabilitation" refers to the process of helping substance/drug
19 addicted individuals stop compulsive/drug seeking and use, which may
20 involve a series of bio-psycho-social interventions provided by health
21 professionals to remove toxins in the body and modify behavior of the
22 substance/drug dependent.
- 23 b. "Reformatory Rehabilitation" refers to rectifying or modifying negative
24 attitude and behavior to enable the person to be more productive and
25 acceptable to society, which may include facilitating the reintegration of
26 the individual back to his family and society.
- 27 c. "Community-based Drug Rehabilitation Program" is an integrated model
28 for drug users with mild severity of addiction. It provides a continuum
29 of care from outreach and low threshold services through active
30 coordination among a number of health, social, and other non-specialist
31 services needed to meet the client's need. It is composed of two core

1 components namely Community-based Treatment and Community-
2 based Support Services.

3
4 **Section 4. *Duties and Responsibilities of LGUs.*** – Each Local Government Unit
5 (LGU) shall have the following duties and responsibilities:

- 6 1. Activate, strengthen, and ensure the functionality of its ADAC;
- 7 2. Review, approve, and implement a comprehensive Local Anti-Drug Abuse Plan
8 of Action (LADAPA), as recommended by the ADAC, to eliminate drug
9 affectation with corresponding targets per quarter, as included in the local
10 Peace and Order and Public Safety (POPS) Plan such as, but not limited to:
 - 11 a. capacity development programs for all stakeholders through
12 prevention education;
 - 13 b. drug clearing operations;
 - 14 c. drug rehabilitation programs;
 - 15 d. after care and reintegration programs; and
 - 16 e. advocacy programs on the effects and legal consequences
17 of illegal drugs, role of family and the youth in the fight
18 against illegal drugs, among others.
- 19 3. Appropriate a substantial amount of funds not lower than two percent (2%) of
20 the annual appropriations for anti-illegal drug-related programs, activities, and
21 operations as a mandatory item in their budgets; and
- 22 4. Perform and accomplish all or any other tasks delegated upon it by law or by
23 appropriate issuances related to its core functions.

24
25 **Section 5. *Institutionalization of ADACS.*** – There shall be an Anti-Drug Abuse
26 Council (ADAC) in all LGUs - a multi-sectoral council composed of local officials and
27 representatives of various community organizations tasked to spearhead the planning
28 and implementation, and monitoring of all local anti-drug abuse programs, projects
29 and activities, which shall have the following duties and responsibilities, among others:

- 1 1. Formulate ADAC Local Anti- Drug Plan of Action which contains lists of
- 2 programs, projects and activities with corresponding budgetary requirements
- 3 and timeline;
- 4 2. Initiate, coordinate and monitor the implementation of anti-illegal drug
- 5 programs, projects and activities in their area of jurisdiction;
- 6 3. Recommend to the local Sanggunian the adoption of measures for the
- 7 enactment appropriate legislation on anti-illegal drug programs;
- 8 4. Conduct a meeting at least once a month, or as often as may be necessary at
- 9 the discretion of the ADAC Chairperson, and/or upon request of the majority of
- 10 the members of the Council;
- 11 5. Serve as an information-gathering mechanism which will monitor and report to
- 12 appropriate authorities suspicious illegal drug personalities, facilities and
- 13 activities within their jurisdiction;
- 14 6. Monitor the implementation of anti-illegal drug programs and link information
- 15 to decisions and actions by concerned central government authorities. The
- 16 Barangay Anti-Drug Abuse Council (BADAC) shall submit monthly reports to the
- 17 concerned Municipal/City Anti-Drug Abuse Council (MADAC/CADAC).
- 18 CADAC/MADAC shall submit semestral and annual monitoring and evaluation
- 19 reports to the concerned Provincial Anti-Drug Abuse Council (PADAC);
- 20 7. Ensure effective and sustainable anti-drug activities and policies; and
- 21 8. Perform other functions as may be assigned by law and implementing rules and
- 22 regulations.

23

24 **Section 6. Composition of ADAC at the local Level. –**

25

26 a) Barangay Anti-Drug Abuse Council (BADAC) – The ADAC in the barangay,

27 which shall be known as BADAC, shall be composed of the following:

- | | | |
|---------------------|---|---|
| 28 Chairperson | - | Punong Barangay |
| 29 Vice-Chairperson | - | Chairperson of the Sangguniang Barangay Peace and |
| 30 | | Order Committee |
| 31 Members | - | Chairperson of Women and Family Committee; |
| 32 | - | Sangguniang Kabataan (SK) Chairperson; |

- 1 - Public School Principal/Head teacher or its authorized
- 2 representative;
- 3 - Chief Tanod/Executive Officer;
- 4 - A representative from any NGOs/civil society/people's
- 5 organization to be nominated by majority of its members
- 6 and appointed by the Chairperson;
- 7 - A representative of faith-based organization to be
- 8 nominated by majority of its members and appointed by
- 9 the Chairperson;
- 10 Adviser - City/Municipal Chief of Police or its authorized
- 11 representative
- 12

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

- 15 Chairperson - Mayor
- 16 Vice Chairpersons - PNP Chief of Police (for law enforcement); and
- 17 - DepEd District Supervisor (for control and prevention)
- 18 Members - Municipal Local Government Operations Officer;
- 19 - Municipal Social Welfare Officer;
- 20 - Municipal Health Officer;
- 21 - Municipal Public Information Officer;
- 22 - Liga ng Barangay President;
- 23 - SK Federation President;
- 24 - At least two (2) representatives of NGOs/people's
- 25 organization to be nominated by majority of its members
- 26 and appointed by the Chairperson; and
- 27 - Representative of faith-based organization to be
- 28 nominated by majority of its members and appointed by
- 29 the Chairperson.
- 30

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

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- Chairperson - Mayor
- Vice Chairpersons - PNP Director (for law enforcement); and
- DepEd City Division Superintendent (for control and prevention)
- Members - Department of Justice (DOJ) City Prosecutor;
- City Social Welfare Officer;
- City Health Officer;
- City Public Information Officer;
- Liga ng Barangay President;
- SK Federation President;
- At least two (2) representatives of NGOs/people's organization to be nominated by majority of its members and appointed by the Chairperson; and
- A representative of faith-based organization to be nominated by majority of its members and appointed by the Chairperson.

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

- Chairperson - Governor
- Vice Chairpersons - PNP Provincial Director (for law enforcement; and
- DepEd Provincial Director (for control and prevention)
- Members - DILG Provincial Director;
- DOJ Provincial Prosecutor;
- Provincial Social Welfare Officer;
- Provincial Health Officer;
- Provincial Public Information Officer;
- SK Federation President;
- At least two (2) representatives of NGOs/people's organization to be nominated by majority of its members and appointed by the Chairperson;

- 1 - A representative of faith-based organization to be
- 2 nominated by majority of its members and appointed by
- 3 the Chairperson;
- 4 - Provincial Probation and Parole officers; and
- 5 - All CADAC/MADAC Chairpersons.

6
7 **Section 7. Establishment of the Anti-Drug Abuse Office (ADAO).** – All local
8 government units, except barangays, shall create an Anti-Drug Abuse Office with
9 *plantilla* positions, with the following functions:

- 10 1. Serve as Secretariat of the Anti-Drug Abuse Councils;
- 11 2. Provide technical and administrative support services to the ADAC; and
- 12 3. Perform other functions as may be prescribed by ADAC.

13
14 **Section 8. Penal Provision.** The following shall be the penalties for violations
15 of this Act:

- 16 (a) Failure of the responsible local officials to comply with the creation of ADAC
17 under this Act shall be penalized with imprisonment of six (6) months and
18 one (1) day to six (6) years with the accessory penalty of perpetual absolute
19 disqualification to hold public office.
- 20 (b) Failure of the responsible local officials to accomplish the level of progressive
21 ideal functionality of the ADAC despite notice from the DILG shall be
22 penalized with imprisonment of four (4) months and one (1) day to six (6)
23 years with the accessory penalty of temporary disqualification to hold public
24 office for a period of nine (9) years.
- 25 (c) The DILG shall impose administrative sanctions to non- functional and low-
26 functional ADACs subject to existing Civil Service laws.

27
28 **Section 9. Institutional Arrangements** - All agencies, instrumentalities, and
29 entities of the government are hereby directed to provide the necessary support to
30 the ADACs.

1 **Section 10. *National ADAC Audit Team*** - The National Audit Team, chaired by
2 DILG, and composed of Dangerous Drugs Board (DDB), Philippine National Police
3 (PNP), Philippine Drug Enforcement Agency (PDEA), National Youth Commission
4 (NYC), Department of Health (DOH), Department of Social Welfare and Development
5 (DSWD), and Civil Society Organization (CSO) shall promulgate the necessary
6 guidelines for the effective standard level of functionality of ADACs. This shall be the
7 basis for the awards and imposition of penalties for LGUs with non-compliance and
8 low functionalities. The DILG Secretary shall chair the drafting committee to be issued
9 within one hundred twenty (120) days after the effectivity of this Act.

10
11 **Section 11. *Congressional Oversight***. – A congressional oversight committee
12 composed of the Senate and House Committees on Local Government and Public
13 Order and Safety, and Dangerous Drugs shall review and monitor the implementation
14 of this Act.

15
16 **Section 12. *Appropriation Clause*** - The funding requirement for the
17 institutionalization of ADACs shall be included in the Annual Budget of the LGUs
18 pursuant to section 4 (3) of this Act.

19
20 **Section 13. *Implementing Rules and Regulations***. – Within sixty (60) days
21 from the effectivity of this Act, the DILG, DDB, PDEA and the DOH shall jointly
22 promulgate the Implementing Rules and Regulations for the effective implementation
23 of the provisions of this Act.

24
25 **Section 14. *Repealing Clause***. – All laws, decrees, executive orders, rules and
26 regulations, which are inconsistent with the provisions of this Act are hereby repealed,
27 amended or modified accordingly.

28
29 **Section 15. *Separability Clause***. - If for any reason or reasons, any portion of
30 this Act shall be held unconstitutional or invalid, all other parts or provisions not
31 affected shall thereby continue to remain in full force and effect.

32

1 **Section 16. Effectivity.** - This act shall take effect fifteen (15) days after its
2 publication in the official gazette or at least two (2) national newspapers of general
3 circulation.

4

5 *Approved,*