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SENATE

S. No. 2215

(In substitution of Senate Bill Nos. 1935 and 1952 taking into consideration House Bill No. 7812)

Prepared jointly by the Committees on Public Order and Dangerous Drugs; Local Government; and Finance with Senators Sotto, Dela Rosa, Tolentino, and Angara as authors thereof

**AN ACT
INSTITUTIONALIZING ANTI-DRUG ABUSE COUNCILS IN EVERY LOCAL
GOVERNMENT UNIT, AND FOR OTHER PURPOSES**

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

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

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

4 **SEC. 3. Definition of Terms. – As used in this Act:**

5 (a) "*Anti-Drug Abuse Council*" (*ADAC*) – refers to a multi-sectoral council
6 composed of local officials and representatives of various community
7 organizations tasked to spearhead the planning, implementation, and
8 monitoring of all local anti-drug abuse programs, projects and activities;

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

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

1 **SEC. 4. Duties and Responsibilities of Local Government Units (LGUs).** – In
2 addition to duties and responsibilities under existing laws, each LGU shall exercise
3 the following duties and responsibilities:

- 4 1. Establish, strengthen, and ensure the functionality of its ADAC;
5 2. Formulate and implement a comprehensive and integrated Local Anti-Drug
6 Abuse Plan of Action (LADAPA), in accordance with the recommendations of
7 the ADAC, to eliminate drug affectation with corresponding targets per
8 quarter, as included in the local Peace and Order and Public Safety (POPS)
9 Plan including but not limited to:

- 10 a. Capacity development programs for all stakeholders
11 through prevention education;
12 b. Monitoring of drug clearing operations with the Philippine
13 National Police (PNP), Philippine Drug Enforcement Agency
14 (PDEA) and other law enforcement agencies mandated to
15 the conduct thereof;
16 c. Community-Based Drug Rehabilitation Programs;
17 d. Aftercare and reintegration programs for PWUDs; and
18 e. Advocacy programs on the effects and legal consequences
19 of illegal drugs, role of family and the youth in the fight
20 against illegal drugs, among others.

- 21 3. Appropriate at least two percent (2%) of the annual appropriations to fund
22 anti-illegal drug-related programs, activities, and operations as a mandatory
23 item in their budgets: *Provided*, That the disbursement of the fund shall be
24 made by the LGU concerned;

- 1 4. Coordinate with the Department of Health (DOH), the Department of Social
2 Welfare and Development (DSWD), and the Dangerous Drug Board (DDB) on
3 the establishment and operation of a CBDRP as well as Reintegration
4 Programs; and
- 5 5. Effectively implement Section 52 of Republic Act No. 9165, as amended, and
6 related laws.

7 **SEC. 5. Institutionalization of ADACs** – There shall be established an Anti-
8 Drug Abuse Council (ADAC) in every province, city, municipality and barangay, which
9 shall exercise the following duties and responsibilities:

- 10 1. Formulate ADAC-LADAPA which contains programs, projects and activities
11 with corresponding budgetary requirements and timeline, designed to prevent
12 the proliferation of prohibited drugs;
- 13 2. Initiate, coordinate and monitor the implementation of anti-illegal drug
14 programs, projects and activities within their jurisdiction;
- 15 3. Provide guidelines for the operation and management of Community-Based
16 Drug Rehabilitation Programs;
- 17 4. Recommend to the local *Sanggunian* the adoption of measures for the
18 enactment of appropriate legislation on anti-illegal drug programs;
- 19 5. Conduct a meeting at least once a month, or as often as may be necessary at
20 the discretion of the ADAC Chairperson, and upon request of the majority of
21 the members of the Council;
- 22 6. Serve as an information-gathering mechanism which will monitor and report
23 to appropriate authorities illegal drug facilities and activities within their
24 jurisdiction;

- 1 - A Barangay Health worker;
2 Adviser - City or Municipal Chief of Police or its authorized
3 representative

4 In addition to those mentioned in Section 5, BADAC shall have the duties and
5 responsibilities to:

- 6 1. Determine and maintain record of the names and other pertinent
7 information of residents, and likewise, record, update, and monitor all
8 drug-related incidents/cases reported or filed and its effect on the
9 peace and order situation in the barangay including listings of
10 suspected drug users and peddlers;
11 2. Establish a barangay rehabilitation referral system, through the
12 Barangay Rehabilitation and Referral Desk, which shall be responsible
13 for providing immediate action and assistance for PWUDs who
14 surrender and citizens who intend to report any person/s involved in
15 illegal drugs;
16 3. Monitor individuals who are undertaking Community-Based Drug
17 Rehabilitation Treatment through their attendance and completion of
18 CBRP requirements;
19 4. Submit monthly reports to the concerned Municipal/City Anti-Drug
20 Abuse Council (MADAC/CADAC); and
21 5. Conduct an Information Education Campaign.

22 b) Municipal Anti-Drug Abuse Council (MADAC) – Every municipality shall
23 establish MADAC which shall be composed of the following:

- 24 Chairperson - Mayor

- 1 Vice-Chairpersons - PNP Chief of Police (for law enforcement); and
2 - Department of Education (DepEd) District Supervisor (for
3 control and prevention)
- 4 Members - Municipal Local Government Operations Officer;
5 - Municipal Social Welfare Officer;
6 - Municipal Health Officer;
7 - Municipal Public Information Officer;
8 - Liga ng Barangay President;
9 - SK Federation President;
10 - At least two (2) representatives of NGOs/people's
11 organization to be nominated by majority of its members
12 and appointed by the Chairperson; and
13 - Representative of faith-based organization to be
14 nominated by majority of its members and appointed by
15 the Chairperson.

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

- 18 1. Establish a one-stop-shop facility which shall be responsible for the
19 assessment of PWUDs and the subsequent referral and/or
20 processing of their applications for petitions for confinement,
21 treatment and rehabilitation, including their eventual reintegration
22 to the community;
- 23 2. Submit semestral and annual monitoring and evaluation reports to
24 the concerned Provincial Anti-Drug Abuse Council (PADAC); and

- 1 Chairperson - Governor
- 2 Vice Chairpersons - PNP Provincial Director (for law enforcement); and
- 3 - DepEd Provincial Director (for control and prevention)
- 4 Members - Department of the Interior and Local Government (DILG)
- 5 Provincial Director;
- 6 - DOJ Provincial Prosecutor;
- 7 - Provincial Social Welfare Officer;
- 8 - Provincial Health Officer;
- 9 - Provincial Public Information Officer;
- 10 - SK Federation President;
- 11 - At least two (2) representatives of NGOs/people's
- 12 organization to be nominated by majority of its members
- 13 and appointed by the Chairperson;
- 14 - A representative of faith-based organization to be
- 15 nominated by majority of its members and appointed by
- 16 the Chairperson;
- 17 - Provincial Probation and Parole officers; and
- 18 - All CADAC/MADAC Chairpersons.

19 In addition to those mentioned in Section 5, PADAC shall have the duties and

20 responsibilities to:

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

1 **SEC. 7. *Establishment of the Anti-Drug Abuse Office (ADAO).*** – Every city and
2 municipality shall create an Anti-Drug Abuse Office. Each ADAO shall have at least
3 two (2) staff with *plantilla* positions. The ADAO shall have the following functions:

- 4 1. Serve as Secretariat of the ADAC;
- 5 2. Provide technical and administrative support services to the ADAC; and
- 6 3. Perform other functions as may be prescribed by ADAC.

7 **SEC. 8. *Performance Monitoring.*** – The Department of the Interior and Local
8 Government (DILG) shall monitor and evaluate the proper and effective
9 implementation of the provisions of this Act. The DILG may establish an incentives
10 and awards system for local government units which have effectively implemented
11 the provisions of this Act.

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

16 **SEC. 10. *Repealing Clause.*** – Section 51, Article VII of Republic Act No. 9165
17 is hereby repealed.

18 Any law, presidential decree or issuance, executive order, letter of instruction,
19 rule or regulation inconsistent with the provisions of this Act is hereby repealed, or
20 modified accordingly.

21 **SEC. 11. *Separability Clause.*** - If any portion of this Act is declared
22 unconstitutional or invalid, the remainder of this Act or any provisions not affected
23 thereby shall remain in force and effect.

1 **SEC. 12. Effectivity.** - This Act shall take effect fifteen (15) days following its
2 complete publication in the Official Gazette or a national newspaper of general
3 circulation.

Approved,