



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH (18th) CONGRESS
First Regular Session

HOUSE BILL NO. 5804

Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

EXPLANATORY NOTE

Article II, Section 15 of the 1987 Constitution provides that "the State shall protect and promote the right to health of the people and instill health consciousness among them." Further, Article XIII, Section 11 provides the mandate of the State to "adopt an integrated and comprehensive approach to health development which shall endeavor to make essential goods, health and other social services available to all the people at affordable cost." It is, therefore, the mandate of the State to ensure that there are functional structures in place to address the growing health concern of drug use among many Filipino individuals and families.

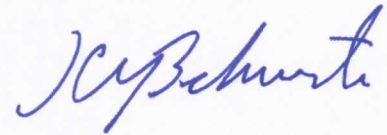
The prevalence of illicit drug use in the Philippines remains a problem of governance due to a lack of structural consistency and comprehensive monitoring and reporting system for anti-drug abuse efforts. For instance, while the Barangay Anti-Drug Abuse Council (BADAC) plays a critical role in the campaign to strengthen anti-drug abuse across different sectors in the community, many localities still face complaints over low or zero functionality of their anti-drug abuse councils.¹

By institutionalizing the Provincial Anti-Drug Abuse Council (PADAC), the City Anti-Drug Abuse Council (CADAC), the Municipal Anti-Drug Abuse Council (MADAC), and the BADAC, this bill aims to ensure the smooth implementation of anti-drug abuse programs and services which are to be readily accessible for all Filipino individuals and families. This bill outlines the composition and the roles and responsibilities of the Anti-Drug Abuse Councils

¹ Buan, L. (2019). "Mayors face admin complaints over lack of anti-drug councils." *Rappler.com*. Retrieved from <https://www.rappler.com/nation/226227-mayors-face-administrative-complaints-lack-anti-drug-councils-march-2019>.

and creates the Anti-Drug Abuse Office that will maintain the institutional set-up necessary for implementing people-centered, evidence and rights-based programs. Delineating the specific roles of the barangays and the Provincial, City, and Municipal Anti-Drug Abuse Councils guarantees that no overlap or discrepancy in any inter-local governmental effort will ensue. This measure also ensures that communities, church-based organizations, and civil society organizations may amplify the scale and scope of the efforts of our government.

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

A handwritten signature in blue ink, appearing to read "Jcy Behnarte". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.



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Introduced by REP. JOSE CHRISTOPHER Y. BELMONTE

**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 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. *The Provincial Anti-Drug Abuse Council (PADAC).* A Provincial Anti-Drug Abuse Council (PADAC) is hereby created in every province.

Sec. 3. *Composition of the PADAC.* The PADAC shall be composed of:

- a) The Governor as chairperson;
- b) PNP Provincial Director as Vice-Chairperson;
- c) DILG Provincial Director;
- d) DepEd Provincial Official;

- e) DOJ Provincial Prosecutor;
- f) Regional Trial Court Executive Judge;
- g) Provincial Health Officer;
- h) Provincial Social Welfare Officer;
- i) Provincial Public Information Officer;
- j) at least two (2) representatives of NGOs;
- k) Inter-Faith Group Representative;
- l) Provincial Probation and Parole Officers; and
- m) all City Anti-Drug Abuse Council (CADAC) and Municipal Anti-Drug Abuse Council (MADAC) Chairpersons.

Sec. 4. *Roles and Responsibilities of the PADAC.* All 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; and,
- h) Provide support for the operationalization of the Community-Based Rehabilitation Program at the Municipality and Component Cities.

Sec. 5. *The City Anti-Drug Abuse Council (CADAC)* – A City Anti-Drug Abuse Council (CADAC) is hereby created in every city.

Sec. 6. *Composition of the CADAC.* The CADAC shall be composed of:

- a) the City Mayor as Chairperson;
- b) the City PNP Director as Vice-Chairperson;
- c) the City LGOO;
- d) DepEd City Division Superintendent;
- e) DOJ City Prosecutor;
- f) Regional Trial Court Judge;
- g) City Social Welfare Officer;

- h) City Health Officer;
- i) City Public Information Officer;
- j) at least two (2) representatives of NGOs;
- k) Religious Sector Representative; and
- l) City Probation and Parole Officers.

Sec. 7. *Roles and Responsibilities of the CADAC.* 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; and
- 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. 8. *The Municipal Anti-Drug Abuse Council (MADAC).* A Municipal Anti-Drug Abuse Council (MADAC) is hereby created in every municipality.

Sec. 9. *Composition of the MADAC.* The MADAC shall be composed of:

- a) The Mayor as Chairperson;
- b) the Municipal Chief of Police as Vice-Chairperson;
- c) the Municipal LGOO;
- d) DepEd District Supervisor;
- e) Municipal Trial Court Judge;
- f) Municipal Social Welfare Officer;
- g) Municipal Health Officer;
- h) Municipal Public Information Officer;
- i) at least two (2) representatives of NGOs;
- j) Religious Sector Representative; and
- k) Municipal Probation and Parole Officers.

Sec. 10. *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 8 of this act.

Sec. 11. *The Anti-Drug Abuse Office (ADAO).* An Anti-Drug Abuse Office (ADAO) is hereby created in every City and Municipality.

Sec. 12. *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. 13. *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; and
- d. Perform other duties that may be assigned.

Sec. 14. *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. 15. *The Barangay Anti-Drug Abuse Council (BADAC).* Every barangay shall create and establish a Barangay Anti-Drug Abuse Council.

Sec. 16. The BADAC shall be composed of:

- a) The Punong Barangay as chairperson;
- b) Sangguniang Barangay Member/Kagawad (Chair of Peace and Order) as Vice-Chairperson;
- c) Sangguniang Barangay Member/Kagawad (Chair of Women and Family);
- d) Sangguniang Kabataan Chair;
- e) School Principal or Representative;
- f) Executive Officer or Chief Tanod;
- g) Representative of a Non-Government Organization (NGO)/Civic Society;
- h) Representative of a Faith-Based Organization;
- i) A Social Worker within the Barangay; and
- j) The Municipal Chief of Police or Representative as adviser.

Sec. 17. *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; and
- s) Create a Barangay Auxiliary Team whose responsibilities and membership shall be included in the Implementing Rules and Regulations of this Act.

Sec. 18. *Implementing Rules and Regulations.* The DILG, in coordination with DSWD, DepEd, PNP, PDEA, and DOH shall issue the Implementing Rules and Regulations within (90) days from the effectivity of this Act.

Sec. 19. *Appropriations.* The implementation of this Act shall be charged against the allocation of the Department of Interior and Local Government (DILG) in the General Appropriations Act.

Sec. 20. *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. 21. *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 inconsistent with the provisions of this Act are hereby repealed, amended or modified accordingly.

Sec. 22. *Effectivity.* This Act shall take effect (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,