

Republic of the Philippines
Congress of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila



18th CONGRESS

First Regular Session

HOUSE BILL NO. **5405**

Introduced by Hon. Julianne "Jam" Baronda

EXPLANATORY NOTE

The State, under the doctrine of *parens patriae*, has the mandate to step in and serve as guardian for children, the mentally ill, the incompetent, the elderly, or disabled persons who are unable to care for themselves. Through this, the State has the declared policy to safeguard the well-being of its citizenry particularly the youth, from the harmful effects of dangerous drugs on their physical and mental well-being, and to defend the same against acts or omissions detrimental to their development and preservation.

In view of the foregoing, this bill seeks to institutionalize the Anti-Drug Abuse Councils in Provinces, Cities, Municipalities, and Barangays. They will serve as the agency that will spearhead the planning and implementation of all local anti-drug abuse programs, projects and activities in their respective political units.

The Anti-Drug Abuse Council will employ drug clearing operations, start drug rehabilitation programs, after care and reintegration programs, promote advocacy programs on the effects and legal consequences of illegal drugs.

This move is an effort to help our President in his fight against drugs. The entire community, not only the government, should take part in this fight in order to completely eradicate the drug problem in our country.

The approval of this bill is earnestly sought.


Hon. Julianne "Jam" L. Baronda

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Introduced by Hon. Julianne “Jam” L. Baronda
Representative, Lone District of Iloilo City

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

*BE IT ENACTED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE
PHILIPPINES IN CONGRESS ASSEMBLED:*

SECTION 1. SHORT TITLE – This Act shall be known as the “Anti-Drug Abuse Councils Law (ADAC) of 2019.”

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

(b) The proliferation of prohibited drugs and their precursors is a serious national concern, encompassing social, psychological and economic interests, which necessitates the active and unified involvement of various government and non-government agencies.

(c) The State shall ensure the functionality of the Anti-Drug Abuse councils to demonstrate the country’s resolve in controlling the problem on illegal drugs.

Section 3. Definition of Terms-

1. ADAC- Anti-Drug Abuse Council – a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities. All local government units: provinces, cities, municipalities, and barangays are mandated to create or organize their respective ADACs.
 - a. PADAC- Provincial Anti-Drug Abuse Council - ADAC created by a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in provincial level.
 - b. CADAC – City Anti-Drug Abuse Council – ADAC created by a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in highly urbanized cities and independent component cities.
 - c. MADAC – Municipal City Anti-Drug Abuse Council – ADAC created by a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in municipal city level.
 - d. BADAC- Barangay Anti-Drug Abuse Council - ADAC created by a multi-sector council composed of local officials and representatives of various community organizations tasked to spearhead the planning and implementation, and monitoring of all local anti-drug abuse programs, projects and activities in barangay level.
2. Anti-Drug Abuse Office - office established at the provincial, city, municipality level which shall institutionalized all ADAC activities and serve as the ADAC secretariat in-charge of unifying and consolidating all local anti-illegal drug programs, projects and activities.
3. Persons Who Use Drugs (PWUDs) – refer to persons who use any dangerous drugs by injecting intravenously or intramuscularly, of consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body, as defined by RA 9165.
4. Drug Rehabilitation Program –
 - a. Medical Rehabilitation – refers to the process of helping substance/drug addicted individuals stop compulsive/drug seeking and use, which may involve a series of

bio-psycho-social interventions provided by health professionals to remove toxins in the body and modify behavior of the substance/drug dependent.

- b. Reformatory Rehabilitation – refers to rectifying or modifying negative attitude and behavior to enable the person to be more a more productive and acceptable member of the society, which may include facilitating the reintegration of the individual back to his family and eventually to the society.
- c. Community-based Drug Rehabilitation Program - is an integrated model for drug users with mild severity of addiction. It provides a continuum of care from outreach and low threshold services through active coordination among a number of health, social, and other non-specialist services needed to meet the client's need. It is composed of two core components namely Community-based treatment and Community-based Support Services.

Section 4. Duties and responsibilities of LGUs - Each LGU shall have the following duties and responsibilities:

- 1. Activate, strengthen and ensure the functionality of its ADAC;
- 2. Approve a comprehensive Local Anti-Drug Plan of Action (LAPDA) to eliminate drug affection with corresponding targets per quarter, as included in the local POPS plan such as, but not limited to:
 - a. Capacity development programs for all stakeholders through prevention education,
 - b. Drug clearing operations,
 - c. After care and reintegration programs,
 - d. Advocacy programs on the effects and legal consequences of illegal drugs, role of family and the youth in the fight against illegal drugs, among others.
- 3. Appropriate s substantial amount of funds not lower than two percent (2%) of the annual appropriations for anti-illegal drug-related programs, activities, and operations as mandatory item in their budgets.
- 4. All local government units, except barangays, shall create an Anti-Drug Abuse Office with plantilla positions; and
- 5. Perform and accomplish all or any other tasks delegated upon it by law or by appropriate issuance which are related to its core functions.

Section 5. Institutionalization of ADAC's - The institutionalization of Anti-Drug Abuse Council (ADAC) shall apply to all local government units (LGUs) as defined in RA 7160,

otherwise known as the Local Government Code of 1991, namely: provinces, cities, municipalities, and barangays.

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

a) Barangay Anti-Drug Abuse Council (BADAC)

Composition:

Chairperson	-	Punong Barangay
Vice-Chairperson	-	Sangguniang Barangay member/Kagawad (Chairman of Peace and Order)
Members	-	Sanggunian Barangay Member/Kagawad (Chairman of Women and Family)
	-	SK Chairperson
	-	Public School Principal or representative
	-	Executive Officer/Chief Tanod
	-	At least two (2) representatives of NGOs/Civil Society to be nominated by majority of the members and appointed by the Chairman
	-	Representative of Faith-Based Organization to be nominated by majority of the members and appointed by the Chairman
Adviser	-	City/Municipal Chief of Police or its representative

b) Municipal Anti-Drug Abuse Council (MADAC)

Composition:

Chairman	-	Municipal Mayor
Vice-Chairman	-	PNP Chief of Police
Members	-	Municipal LGOO
	-	DepEd District Supervisor
	-	Municipal Social Welfare Officer
	-	Municipal Health Officer
	-	Municipal Public Information Officer
	-	At least two (2) representatives of NGOs
	-	Religious Sector Representative
	-	Municipal Probation and Parole Officer

c) City Anti-Drug Abuse Council (CADAC)

Composition:

Chairman	-	City Mayor
Vice-Chairman	-	City PNP Chief of Director
Members	-	DepEd City Division Superintendent

- DOJ City Prosecutor
- City Social Welfare Officer
- City Health Officer
- City Public Information Officer
- At least two (2) representatives of NGOs to be nominated by majority of the members and appointed by the Chairman
- Religious Sector Representative to be nominated by majority of the members and appointed by the Chairman
- City Probation and Parole Officer

d) Provincial Anti-Drug Abuse Council (PADAC)

Composition:

- Chairman - Governor
- Vice-Chairman- PNP Provincial Director
- Members - DILG Provincial Director
- DepEd Provincial Director
- DOJ Provincial Prosecutor
- Provincial Social Welfare Officer
- Provincial Health Officer
- Provincial Public Information Officer
- At least two (2) representatives of NGOs to be nominated by majority of the members and appointed by the Chairman
- Religious Sector Representative to be nominated by majority of the members and appointed by the Chairman
- City Probation and Parole Officer
- ALL CADAC/MADAC Chairpersons

Section 7. Roles and Responsibilities of ADACs:

- a) Formulate ADAC Local Anti-Drug Plan of Action which contains lists of programs, projects, and activities with corresponding budgetary requirements and timeline;
- b) Initiate, coordinate and monitor the implementation of anti-illegal drug programs, projects and activities in their area of jurisdiction;
- c) Recommend to the local sanggunian the adoption of measures for the enactment of appropriate legislation on anti-illegal drug programs;
- d) Conduct a meeting at least once a month, or as often as may be necessary at the discretion of the ADAC Chairman, and/or as often as may be necessary at the discretion of the ADAC Chairman, and/or upon request of the majority of the members of the council;
- e) Serve as an information-gathering mechanism which will monitor and report to appropriate authorities suspicious illegal drug personalities, facilities and activities within their jurisdiction;
- f) Monitor the implementation of anti-illegal drug programs and link information to decisions and actions by concerned central government authorities. BADAC shall submit monthly reports to concerned MADAC/CADAC. CADAC/MADAC shall submit semestral and annual monitoring and evaluation reports to submit to concerned PADAC.

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

Section 8. Establishment of the Anti-Drug Abuse Office (ADAO). – There is hereby established a Provincial, City, or Municipal Anti-Drug Abuse Office (ADAO) in every LGU, with the following functions:

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

Section 9. Funding of ADACs - The funding requirement of the institutionalization of ADACs shall be included in the Annual Budget of the LGUs pursuant to Section 4(3) of this Act.

Section 10. Penal Provision – The following shall be penalties for violations of this Act:

- (a) Failure of the responsible Local Chief Executive to comply with the creation of the ADAC under this Act shall be penalized with imprisonment of six (6) months and one (1) day to six (6) years with the accessory penalty of perpetual absolute disqualification to hold public office.

Section 18. Effectivity. – This act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.