



Republic of the Philippines  
**CITY COUNCIL**  
Quezon City  
15<sup>th</sup> City Council  
65th Regular Session

PO2002-273

ORDINANCE NO. SP-**1264**, S-2003

✓ AN ORDINANCE ADOPTING A COMPREHENSIVE ANTI-DRUG ABUSE AND REHABILITATION PROGRAM, PROVIDING PENALTIES FOR VIOLATION THEREOF AND FOR OTHER PURPOSES.

✓ Introduced by Councilors ALMA F. MONTILLA, VICTOR V. FERRER, JR., JESUS MANUEL C. SUNTAY, JULIAN M. L. COSETENG, ELIZABETH A. DELARMENTE, ROMMEL R. ABESAMIS, VOLTAIRE GODOFREDO L. LIBAN III, RAMON P. MEDALLA, ALLAN BUTCH T. FRANCISCO, ERIC Z. MEDINA, JORGE L. BANAL, WENCEROM BENEDICT C. LAGUMBAY, DIORELLA MARIA SOTTO-DE LEON, DANTE M. DE GUZMAN, ANTONIO E. INTON, JR., JANET M. MALAYA, RICARDO R. DEL ROSARIO, RESTITUTO B. MALAÑGEN, XYRUS L. LANOT and JUNIE MARIE L. CASTELO.

✓ WHEREAS, it is the policy of the State to promote and protect the welfare and well-being of the youth against the deleterious effects of dangerous drugs which poses a serious and imminent threat against the total and wholistic development of the country;

✓ WHEREAS, the City government is mandated by law to actively participate in waging an unrelenting war against narcotics, other prohibited drugs and consider the same as public nuisances;

✓ WHEREAS, the imperative of adopting and implementing an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs and activities is beyond cavil in order to strike a balance between the national and local drug control campaign;

✓ WHEREAS, the effective implementation of a comprehensive anti-drug abuse and rehabilitation program ensures the positive re-integration of drug dependents as productive elements of Philippine society through sustainable programs of treatment and rehabilitation;

✓ WHEREAS, the Quezon City government perceives the drug problem as primarily a health and social service concern rather than police enforcement and prosecution.

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✓ NOW, THEREFORE,

✓ BE IT ORDAINED BY THE CITY COUNCIL OF QUEZON CITY  
IN SESSION ASSEMBLED:

✓ SECTION 1. SHORT TITLE. - This Ordinance shall be known  
as the "Comprehensive Anti-Drug Abuse and Rehabilitation  
Program Ordinance."

✓ SECTION 2. DECLARATION OF POLICY. - It is the policy of  
the State to promote and protect the welfare and well-being of the  
youth against the deleterious effects of dangerous drugs which  
poses a serious and imminent threat against the total and wholistic  
development of the country. The City government, cognizant of its  
mandate to promote the general welfare, must provide mechanisms  
and infrastructures to ensure a faithful and strict implementation  
of all drugs-related laws, rules and regulations.

✓ To achieve this goal, the City government shall adopt and  
pursue a comprehensive, unified and unrelenting campaign against  
drug trafficking and use of prohibited drugs through an integrated  
system of policy direction, implementation and enforcement of anti-  
drug policies, programs and activities.

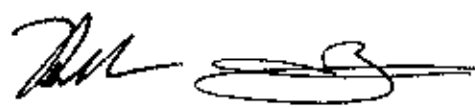
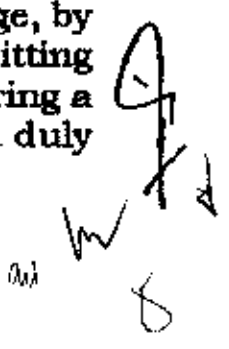
✓ It is a declared policy of the City government to provide an  
effective and professionalized system of implementing the program  
of positive social reintegration for drug dependents through  
rehabilitative and therapeutic treatment, coupled with skills and  
capability-building programs.

✓ The policy of the City government against drug dependence  
and abuse shall, at all times, be consistent with existing laws and  
policies.

✓ **ARTICLE I**  
**DEFINITION OF TERMS**

✓ SECTION 3. DEFINITION OF TERMS. - Consistent with  
Republic Act 9165, and unless otherwise defined, the following  
terms shall be construed and mean as follows:

✓ 3.1. Administer - Any act of introducing any dangerous drug  
into the body of any person, with or without his/her knowledge, by  
injection, inhalation, ingestion or other means, or of committing  
any act of indispensable assistance to a person in administering a  
dangerous drug to himself/herself unless administered by a duly  
licensed practitioner for purposes of medication.

✓ 3.2. Rehabilitation Center - Refers to the treatment and rehabilitation center for drug dependents referred to under Sec. 18 hereof, and shall otherwise be known as the "Quezon City Drug Treatment and Rehabilitation Center (Tahanan)."

✓ 3.3. Clandestine Laboratory - Any facility used for the illegal manufacture of any dangerous drug and/or controlled precursor and essential chemical.

✓ 3.4. Confirmatory Test - Any analytical test using a device, tool or equipment with a different chemical or physical principle that is more specific which will validate and confirm the result of the screening test.

✓ 3.5. Cultivate or Culture - Any act of knowingly planting, growing, raising, or permitting the planting, growing or raising any plant which is the source of a dangerous drug.

✓ 3.6. Dangerous Drugs - Include those listed in the schedules annexed to the 1988 United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances, the 1961 United Nations Single Convention on Narcotic Drugs as amended by the 1972 Protocol, and in the schedules annexed to the 1971 United Nations Single Convention on psychotropic substance.

✓ 3.7. Deliver - Any act of knowingly passing a dangerous drug to another, personally or otherwise, and by any means, with or without consideration.

✓ 3.8. Den - A place where any dangerous drug and/or controlled precursor and essential chemical is administered, delivered, stored for illegal purposes, distributed, sold or used in any form.

✓ 3.9. Dispense - Any act of giving away, selling or distributing medicine or any dangerous drug with or without the use of prescription.

✓ 3.10. Drug Dependence - As based on the World Health Organization definition, it is a cluster of psychological, behavioral and cognitive phenomena of variable intensity, in which the use of psychoactive drug takes on a high priority thereby involving, among others, a strong desire or a sense of compulsion to take the substance and the difficulties in controlling substance-taking behavior in terms of its onset, termination or levels of use.

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✓ 3.11. Drug Syndicate - Any organized group of two (2) or more persons, forming or joining together, with the intention of committing any offense prescribed by Republic Act 9165 and other anti-drug related laws, rules and regulations.

✓ 3.12. Employees of Den - Caretakers, helpers, watchmen, look-outs, and other persons working in the den, dive or resort, employed by the maintainer, owner and/or operator where any dangerous drug and/or controlled precursor and essential chemical is administered, delivered, distributed, sold or used, with or without compensation, in connection with the operation thereof.

✓ 3.13. Financier - Any person who pays for, raises or supplies money for, or underwrites any of the illegal activities prescribed under this Act.

✓ 3.14. Illegal Trafficking - The illegal cultivation, culture, delivery, administration, dispensation, manufacture, sale, trading, transportation, distribution, importation, exportation and possession of any dangerous drug and/or controlled precursor and essential chemical.

✓ 3.15. Instrument - Any thing that is used in or intended to be used, in any manner, in the commission of illegal drug trafficking and/or related offenses.

✓ 3.16. Laboratory Equipment - The paraphernalia, apparatus, materials or appliances when used, intended for use or designed for use in the manufacture of any dangerous drug and/or controlled precursor and essential chemical, such as reaction vessel, preparative/purifying equipment, fermentors, separatory funnel, flask, heating mantle, gas generator, or their substitute.

✓ 3.17. Manufacture - The production, preparation, compounding or processing of any dangerous drug and/or controlled precursor and essential chemical, either directly or indirectly or by extraction from substances of natural origin, or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, and shall include any packaging repackaging of such substances, design or configuration of its form, or labeling or re-labeling of its container, except that such terms do not include the preparation, compounding, packaging or labeling of a drug or other substances by a duly authorized practitioner as an incident to his/her administration or dispensation of such drug or substance in the course of his/her professional practice including research, teaching and chemical analysis of dangerous drugs or such substances that are not intended for sale or for any other purpose.

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✓ 3.18. Cannabis or commonly known as "Marijuana" or "Indian Hemp" or by its any other name - Embraces every kind, class genus, or specie of the plant cannabis sativa L. including, but not limited to, cannabis americana, hashish, bhang, guaza, churrus and ganjab, and embraces every kind, class and character of marijuana, whether dried or fresh and flowering, flowering or fruiting tops, or any part or portion of the plant and seeds thereof, and all its geographic varieties, whether as a reefer, resin, extract, tincture or in any form whatsoever.

✓ 3.19. Methylenedioxymethamshetaumine (MDMA) or commonly known as "Ecstasy", or by its any other name such as but not limited to paper acid - Refers to the drug having such chemical composition, including any of its isomers or derivatives in any form whatsoever.

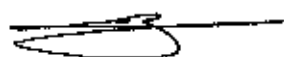
✓ 3.20. Benzoylmethy ecognize or commonly known as "cocaine", "crystal", "snow" or "crack" which refers to a white crystalline alkaloid found in the leaves of the coca bush (Erythroxylon Coca), including its salt compound or derivative and any salt, compound, isomer, derivative or preparation which acts as a stimulant on the central nervous system.

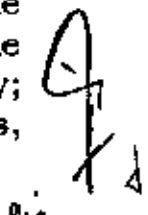
✓ 3.21. Narcotic drug means any of the following, whether produced directly by extraction from substances of vegetable origin, independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, such as, but not limited to: opium and opiates; morphine; heroine; or other dangerous drug like methylenedioxymethamphetamine (MDMA), paramethoxyamphetamine (PMA) trimethoxyamphetamine (TMA), lysergic acid diethylamine (LSD), gamma hydroxybutyrate (GHB), and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic or medicinal value;

✓ 3.22. Methamphetamine Hydrochloride or commonly known as "Shabu", "Ice", "Meth", or by its any other name. - Refers to the drug having such chemical composition, including any of its isomers or derivatives in any form.

✓ 3.23. Opium - Refers to the coagulated juice of the opium poppy (papaver somniferum L.) and embraces every kind, class and character of opium, whether crude or prepared; the ashes or refuse of the same; narcotic preparations thereof or therefrom; morphine or any alkaloid of opium; preparations in which opium, morphine or any alkaloid of opium enters as an ingredient; opium poppy; opium poppy straw; and leaves or wrappings of opium leaves, whether prepared for use or not.











✓ 3.24. Opium Poppy - Refers to any part of the plant of the species *papaver somniferum* L., *papaver setigerum* DC, *papaver orientale*, *papaver bracteatum* and *papaver rhoeas*, which includes the seeds, straws, branches, leaves or any part thereof, or substances derived therefrom, even for floral, decorative and culinary purposes.

✓ 3.25. Philippine Drug Enforcement Agency - Refers to the implementing arm of the Dangerous Drugs Board, the government's policy-making and strategy formulating body in the planning and formulation of policies and programs on drug prevention and control.

✓ 3.26. Person - Any entity, natural or juridical, including among others, a corporation, partnership, trust or estate, joint stock company, association, syndicate, joint venture or other unincorporated organization or group capable of acquiring rights or entering into obligations.

✓ 3.27. Planting of Evidence - The willful act by any person of maliciously and surreptitiously inserting, placing, adding or attaching directly or indirectly, through any overt or covert act, whatever quantity of any dangerous drug and/or controlled precursor and essential chemical in the person, house, effects or in the immediate vicinity of an innocent individual for the purpose of implicating, incriminating or imputing the commission of any violation of this Ordinance.

✓ 3.28. Protector/Coddler - Any person who knowingly and willfully consents to the unlawful acts provided for in this Ordinance and RA 9165 and uses his/her influence, power or position in shielding, harboring, screening or facilitating the escape of any person he/she knows, or has reasonable grounds to believe on or suspects, has violated the provisions of this Ordinance in order to prevent the arrest, prosecution and conviction of the violator.

✓ 3.29. Pusher - Any person who sells, trades, administers, dispenses, delivers or gives away to another, on any terms whatsoever, or distributes, dispatches in transit or transports dangerous drugs or who acts as a broker in any such transactions, in violation of this Ordinance.

✓ 3.30. Sell - Any act of giving away any dangerous drug and/or controlled precursor and essential chemical whether for money or any other consideration.

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✓ 3.31. Trading - Transactions involving the illegal trafficking of dangerous drugs and/or controlled precursors and essential chemicals using electronic devices such as, but not limited to, text messages, e-mail, mobile or landlines, two-way radios, internet, instant messengers and chat rooms or acting as a broker in any of such transactions whether for money or any other consideration in violation of this Ordinance.

✓ 3.32. Use - Any act of injecting, intravenously or intramuscularly, of consuming, either by chewing, smoking, sniffing, eating, swallowing, drinking or otherwise introducing into the physiological system of the body, any of the dangerous drugs.

## ARTICLE II UNLAWFUL ACTS AND PENALTIES

✓ SECTION 4. UNLAWFUL ACTS AND PENALTIES. - The following shall constitute and qualify as unlawful acts in violation of anti-drug related laws:

✓ 4.1. Sale, trading, administration, dispensation, delivery distribution and transportation of dangerous drugs and/or controlled precursors and essential chemicals;

✓ 4.2. Maintenance and operation of a den for the purpose of production, processing, selling or administration of dangerous drugs;

✓ 4.3. Permission to employ or suffer any person to work in a den;

✓ 4.4. Manufacture of dangerous drugs and/or controlled precursors and essential chemicals;

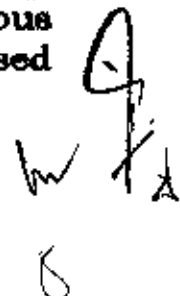
✓ 4.5. Sale, procurement, manufacture or delivery of equipment, instrument, apparatus and other paraphernalia for dangerous drugs and /or controlled precursors and essential chemicals;

✓ 4.6. Possession of dangerous drugs, including equipment, apparatus, and other paraphernalia for smoking, consuming, administering, injecting, ingesting, or introducing any dangerous drug into a person's body, except; those possessed by duly licensed medical practitioners and responsible professionals;









✓ 4.7. Possession and use of dangerous drugs during parties, social gatherings, public meetings and such assemblies, including equipment, apparatus and other paraphernalia for smoking, consuming, administering, injecting, ingesting or introducing any dangerous drugs into a person's body during parties, social gatherings, public meetings and such assemblies;

✓ 4.8. Cultivation, planting, sowing, harvesting or culture of plants classified as dangerous drugs or sources thereof, except; those cultivated or planted for medical experiments and research purposes;

✓ 4.9. Failure to maintain and keep original records of transactions of dangerous drugs and/or controlled precursors and essential chemicals by any pharmacist, owner of a drugstore, pharmacy or chemical establishment, physician, dentist, veterinarian, manufacturer, wholesaler, importer, distributor, dealer or retailer; subject to the policies and guidelines which may be issued by the Dangerous Drugs Board (DDB) and the Philippine Drug Enforcement Agency (PDEA);

✓ 4.10. Unlawful prescription of dangerous drugs by any physician, dentist, veterinarian, pharmacist or related practitioners;

✓ 4.11. Such other unlawful activities and practices in violation of existing anti-drug and narcotics laws, rules and regulations.

✓ Any person, whether natural or juridical, found in violation of these unlawful acts shall be recommended for criminal prosecution under the penalties imposed by the provisions of Republic Act 9165.

✓ SECTION 5. CONFISCATION AND FORFEITURE OF PROCEEDS OR INSTRUMENTS. - The confiscation, custody and forfeiture of proceeds or instruments of any unlawful act committed under the provisions of this Ordinance shall be the responsibility of the Philippine National Police or any law enforcement agency, notwithstanding regulations which may hereinafter be promulgated by the Philippine Drug Enforcement Agency or the Dangerous Drugs Board.

✓ Forfeiture shall be in favor of the City government. All the proceeds and properties derived from the preceding paragraph shall be destroyed, upon a judicial order secured for the purpose.

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✓ During the pendency of any criminal action before any judicial or quasi-judicial body or tribunal, no property, or income derived therefrom, which may be confiscated and forfeited, shall be disposed, alienated, transferred, encumbered or subject to any charge or lien and the same shall be considered in *custodia legis*. No bond shall be admitted for the release of the same.

✓ Proceeds of any sale or disposition of any property confiscated or forfeited under this section shall be used to pay all proper expenses incurred in the proceedings for the confiscation, forfeiture, custody and maintenance of the property pending disposition, as well as the costs of the suit. The proceeds in excess of the above expenses shall accrue to the Quezon City Anti-Drug Abuse Advisory Council (QCADAAC) to be used in its anti-drug abuse campaign and programs.

✓ SECTION 6. CRIMINAL LIABILITY OF PUBLIC OFFICERS, LAW ENFORCERS, GOVERNMENT OFFICIALS AND EMPLOYEES. - Any public officer, law enforcement officer, government official or employee shall be recommended for criminal prosecution, who misappropriates or fails to render an account for confiscated, seized or surrendered dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, instruments/paraphernalia, and/or laboratory equipment including the proceeds or properties obtained from the unlawful acts as provided by this ordinance, shall be recommended for prosecution by the QCADAAC, subject to the penalties imposed by Republic Act 9165.

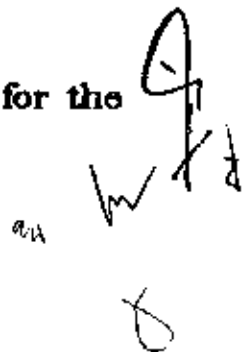
✓ SECTION 7. CRIMINAL LIABILITY OF JURIDICAL PERSONS. - In case any violation of this ordinance is committed by a partnership, corporation, association or any juridical entity, the partner, president, director, manager, trustee, estate administrator or officer who consents to, knowingly tolerates or abets such violation shall be recommended for criminal prosecution pursuant to the provisions of Republic Act 9165.

✓ SECTION 8. WITNESSES AND INFORMANTS. - The Philippine National Police - Central Police District Command, the City Prosecutor and other law enforcement agencies shall ensure that witnesses and informants are reasonably provided with security and protection, Section 17, Rule 119 of the Rules of Court and Republic Act 6981, notwithstanding: Provided, the following conditions concur:

✓ 8.1. The information and testimony are necessary for the conviction of the persons described above;







✓ 8.2. Such information and testimony are not yet in the possession of the prosecution service;

✓ 8.3. Such information and testimony can be corroborated on its material points;

✓ 8.4. The witness or informant has not been previously convicted of a crime involving moral turpitude, except when there is no other direct evidence available for the government other than the information and testimony of said informant or witness;

✓ 8.5. The witness or informant shall strictly and faithfully comply without delay, any condition or undertaking, reduced into writing, lawfully imposed by the government as further consideration for the grant of immunity from prosecution and punishment.

### **ARTICLE III QUEZON CITY ANTI DRUG ABUSE COUNCIL**

✓ SECTION 9. THE QUEZON CITY ANTI DRUG ABUSE ORGANIZATION. - To implement the provision of this ordinance, the Quezon City Anti-Drug Abuse Council (QCADAC) shall be composed of the Quezon City Anti-Drug Abuse Advisory Council (QCADAAC) and the Secretariat are hereby constituted.

✓ SECTION 10. COMPOSITION. - The Quezon City Anti Drug Abuse Board shall be composed of the Mayor as Chairman, the Vice Mayor and the Quezon City Council Chairperson of Committee on Health and Social Services as Members.

✓ On the other hand, the QCADAAC shall be composed of twenty-one (21) members as follows:

- ✓ 10.1. City Vice Mayor - Chairperson
- 10.2. City Administrator - Vice Chairperson
- 10.3. Members:

- 10.3.1. City Planning and Development Officer
- 10.3.2. Division of City Schools Superintendent
- 10.3.3. Social Services and Development Department Head
- 10.3.4. City Health Officer
- 10.3.5. Executive Judge, Regional Trial Court
- 10.3.6. City Prosecutor
- 10.3.7. District Director, Central Police District Command (CPDC)
- ✓ 10.3.8. District Drug Enforcement Unit (DDEU) Officer, CPDC



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- ✓ 10.3.9. Community Relations Officer
- 10.3.10. Chief Barangay Operations Center
- 10.3.11. President, Liga ng mga Barangay, Quezon City Chapter
- 10.3.12. President, SK Federation, Quezon City Chapter
- 10.3.13. Parole and Probation Board Officer
- 10.3.14. Public Assistance and Information Service Officer
- 10.3.15. Quezon City Drug Treatment and Rehabilitation Center (Tahanan) Administrator
- 10.3.16. One (1) duly accredited civil society organization representative

✓ The City Mayor shall sit as the Council's Honorary Chairperson.

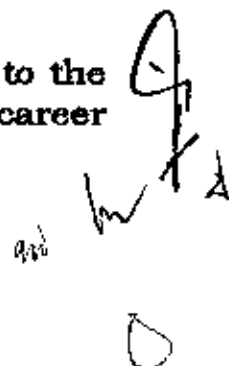
✓ The Chairperson of the Dangerous Drugs Board and the Director General of the Philippine Drug Enforcement Agency shall be invited to sit as ex-officio members of the Council.

✓ All Members of the Council shall receive per diem for every meeting actually attended subject to existing budgeting, accounting and auditing laws, rules and regulations on compensation, honoraria and allowances: Provided, that where the representative attends a meeting, such representative shall be entitled to receive per diem.

✓ SECTION 11. MEETINGS OF THE COUNCIL. - The Council shall meet once a month or as often as necessary at the discretion of the Chairperson or at the call of a majority of the members of the Council. The presence of a majority of the members of the Council shall constitute a quorum.

✓ SECTION 12. COUNCIL SECRETARIAT. - The Secretariat shall be headed by an Executive Director, to be appointed by the Chairperson with the concurrence of a majority of the members of the Council, with the rank of an Assistant Department Head, who shall be the Secretary of the Council and Administrative Officer of its secretariat, and shall perform other duties that may be assigned to him/her. He/she must possess adequate knowledge, training and experience in the field of dangerous drugs and in any of the following fields: law enforcement, law, medicine, criminology, psychology or social work.

✓ The salary of the Executive Director shall be subject to the provisions of the Salary Standardization Law as a non-career service officer.



SECTION 13. STAFFING PATTERN, COMPENSATION AND QUALIFICATION STANDARDS. - To effectively discharge its mandate, the Quezon City Anti-Drug Abuse Council shall be composed of the following organizational components and staffing pattern in accordance with the rules and regulations promulgated by Civil Service Commission:

POSITION	SALARY GRADE	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
Executive Director	26	Bachelor's Degree	Three (3) years supervisory experience	None	Non-Career Service
<b>Technical, Research and Legal Services Unit</b>					
(1) Social Welfare Officer V	24	Masteral Degree	4 yrs. in positions involving mgmt & supervision	24 hours of trng. in mgnt. & supervision	Career Service (Professional)
(2) Training Assistant	8	Completion of 2 yrs. in college	1 yr. of relevant experience	4 hrs. of relevant training	Career Service (Sub-Professional)
(2) Clerk II	4	Completion of 2 yrs. studies in college	None required	None required	Career Service (Sub-professional)
(1) Legal Officer II	17	Bachelor of Laws	None required	None required	RA 1080, Rule 138, Rules of Court
(1) Legal Assistant II	12	Bachelor's Degree	None required	None required	Career Service (Professional)
(1) Records Officer II	14	Bachelor's Degree	1 yr. Of relevant experience	4 hrs. of relevant training	Career Service (Professional)
<b>Social Welfare, In-take and Evaluation Unit</b>					
(1) Social Welfare Officer V	24	Masteral Degree	4 yrs. in positions involving management & supervision	24 hrs. of trng. in mgnt. & super-vision	Career Service (Professional)

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(1) Psychologist I	11	Bachelor's Degree in Psychology	None required	None required	Career Service (Professional)
(1) Clerk II	4	Completion of 2 yrs. studies in college	None required	None required	Career Service (Sub-Prof.)
<b>Administrative Services Unit</b>					
(1) Administrative Officer V	24	Masteral Degree	4 yrs. in positions involving mgnt. & supervision	24 hrs. of trng. in mgnt. & trng.	Career Service (Professional)
(1) Admin. Assistant	8	Completion of 2 yrs. studies in college	1 yr. of relevant experience	4 hours of relevant training	Career Service (None Required)
(2) Clerk III	6	Completion of 2 yrs. studies in college	None required	None required	Career Service (Sub-Professional)
(2) Driver II	4	Elementary school graduate	None required	None required	Driver's license
(2) Utility Worker II	3	Must be able to read and write	None required	None required	None required

✓ SECTION 14. POWERS AND FUNCTIONS.

✓ 14.1. THE QUEZON CITY ANTI DRUG ABUSE BOARD (QCADAB) shall exercise the following functions:

✓ 14.1.1. Act as the policy-making body and strategy formulating body in the planning and formulation of policies and programs on drug prevention, control, treatment and rehabilitation. It shall develop a comprehensive, integrated, unified and balanced drug abuse prevention program and control strategy.

✓ 14.1.2. Ensure full compliance, participation and support to the provisions of Republic Act 9165 and see to it that the decisions of the Council are faithfully carried out and implemented.

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✓ 14.1.3. Received in trust, legacies, gifts and donations of real and personal properties of all kinds, to administer and dispose the same when necessary for the benefit of the Quezon City Drug Treatment and Rehabilitation Center, subject to limitations provided for by such donation: Provided, further, that not more than twenty-five percent (25%) of such donation shall be allocated for administrative purpose: Provided, finally, the deductibility of such donation shall be subject to the provisions of Republic Act 8424, as amended.

✓ 14.2. THE QUEZON CITY ANTI DRUG ABUSE ADVISORY COUNCIL (QCADAAC) shall have the following functions:

✓ 14.2.1. Prepare plans and programs to minimize, if not, eradicate drug-abuse and also a comprehensive drug rehabilitation program;

✓ 14.2.2. Serve as advisory and regulatory body to the various units and agencies of the city government involved with the anti-drug abuse program;

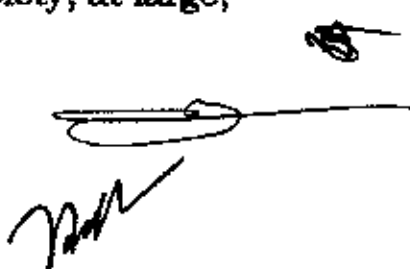
✓ 14.2.3. Conduct policy studies, program monitoring and evaluations and other researches on drug prevention, control and enforcement;

✓ 14.2.4. Conduct continuing seminars, conferences or fora, and consultations with, and provide information materials on current developments and programs of the Council pertinent to its campaign against dangerous drugs and scientific researches on dangerous drugs, its prevention and control measures;

✓ 14.2.5. Design, develop and conduct training, and seminar Programs to improve:

✓ 14.2.5.1. Knowledge and know-how in dangerous drugs;

✓ 14.2.5.2. Treatment and rehabilitation programs for drug dependents including aftercare and community service program for recovering drug dependents, drug abuse prevention programs in the workplace, in-school and society, at large;



✓ 14.2.6. Receive, gather, collect and evaluate all information on activities involving illegal and dangerous drugs, any and all information received shall be considered privileged communication and shall enjoy confidential treatment;

✓ 14.2.7. Recommend to the prosecution service, the prosecution of persons, whether natural or juridical, for violation of anti-drug related laws, ordinances, rules and regulations;

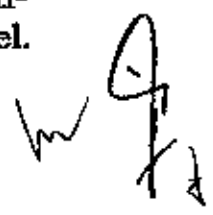
✓ 14.2.8. Establish, develop and maintain linkages with national and international drug control agencies and organizations;

✓ 14.2.9. Prepare and submit an annual financial and budgetary work plan or program to finance its operations and implementation of the anti-drug abuse campaign and related activities, and;

✓ 14.2.10. Submit an annual report to the City Mayor and the City Council, on the implementation of the provisions of this ordinance, and perform other functions as may be authorized or required under this ordinance.

✓ SECTION 15. OVERSIGHT FUNCTION. - The QCADAC shall exercise oversight function over the implementation of all drug-related ordinances, in aid of legislation. In addition thereto, it shall direct the operation and management of the QCDTRC, as provided under Article IV hereof.

✓ In addition, the QCADAC shall exercise general supervision and control over the establishment, creation, operation and implementation of the programs and activities of the Barangay Anti-Drug Abuse Council (BADAC) and ensure the adoption and implementation of a unified and comprehensive standard operating procedure or rules of engagement in the implementation of anti-drug abuse related programs and activities at the community-level.



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✓ SECTION 16. CREATION OF ACTION GROUPS. - The Council is authorized to create and constitute action groups to assist the former in the discharge of its functions, including but not limited to: preventive education, information dissemination and training; in-take and referrals, intervention, follow-up and aftercare; treatment and rehabilitation; community outreach, service and volunteer services; law enforcement, surveillance and intelligence, and; research, evaluation and documentation.

✓ SECTION 17. DEPUTATION: CENTRAL POLICE DISTRICT OFFICE. - The Central Police District Office shall be the lead agency in the enforcement of laws against dangerous drugs, and unlawful acts in pursuit thereof, arrest and detention of violators of dangerous drugs laws, seize, confiscate and take into custody the proceeds or instruments used in violation of Article II hereof.




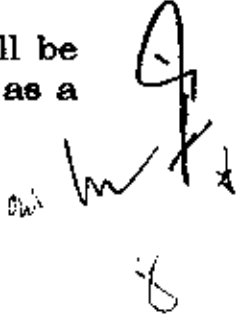
✓ **ARTICLE IV**  
**QUEZON CITY DRUG TREATMENT**  
**AND REHABILITATION CENTER (TAHANAN)**

✓ SECTION 18. QUEZON CITY DRUG TREATMENT AND REHABILITATION CENTER (QCDTRC). - Treatment and rehabilitation of drug dependents, whether on voluntary or compulsory confinement, shall be conducted at the Quezon City Drug Treatment and Rehabilitation Center (Tahanan), located at Diamond Hills Subdivision, Barangay Payatas and such other centers which may hereinafter be established and operated by the city government.

✓ SECTION 19. ADMINISTRATOR. - The QCDTRC (Tahanan) shall be managed by an Administrator, to be appointed by the Chairperson of the QCADAC with the concurrence of a majority of the members of the Council. He shall be the chief administrative officer of the QCDTRC, and shall perform such other functions as the QCADAC Chairperson or the Council may assign to him/her.

✓ The administrator must possess adequate knowledge, training and experience, including managerial skills and Three (3) years supervisory experience, in the field of dangerous drugs and in any of the following fields: law enforcement, law, medicine, criminology, psychology, social work or business management and administration.

✓ The salary (Salary Grade 27) of the administrator shall be subject to the provisions of the Salary Standardization Law as a non-career service employee.



**SECTION 20. STAFFING PATTERN, COMPENSATION AND QUALIFICATION STANDARDS.** - To effectively discharge its mandate, the QCDTRC shall be composed of the following organizational components and staffing pattern in accordance with the rules and regulations promulgated by Civil Service Commission:

POSITION	SALARY GRADE	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
Administrator	27	Bachelor's Degree	Three (3) years supervisory experience	None	Non-Career Service
Deputy Administrator	26	Bachelor's Degree	Three (3) years supervisory experience	None	Non-Career Service

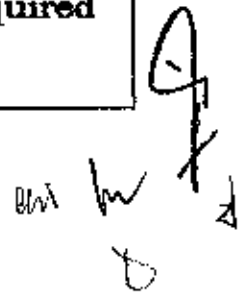
**Administrative Services Division**

(1) Admin. Officer V	24	Masteral Degree	4 yrs. in positions involving mgnt. & supervision	24 hours of training in mgnt. & training	Career Service (Prof.)
(1) Admin. Assistant	8	Completion of 2 yrs. studies in college	1 yr. of relevant experience	4 hours of relevant training	Career Service None Required

POSITION	SALARY GRADE	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
(2) Clerk III	6	Completion of 2 yrs. studies in college	None required	None required	Career Service (Sub-Professional)
(2) Clerk II	4	Completion of 2 yrs. studies in college	None required	None required	Career Service (Sub-Professional)
(2) Driver II	4	Elementary school graduate	None required	None required	Driver's license
(5) Utility Worker II	3	Must be able to read and write	None required	None required	None required





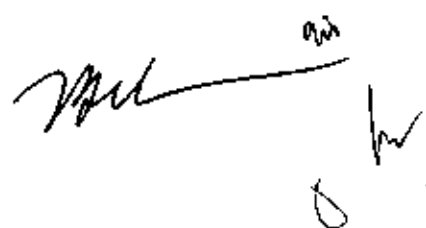


Technical, Research and Training Division					
(1) Social Welfare Officer V	24	Masteral Degree	4 years in positions involving management and supervision	24 hours of training in mgnt. & supervision	Career Service (Professional)
(1) Manpower Dev'pt. Officer II	15	Bachelor's Degree	1 year of relevant experience	4 hours of relevant training	Career Service (Professional)
(2) Training Assistant	8	Completion of 2 yrs. in college	1 year of relevant experience	4 hrs. of relevant training	Career Service (Sub-Professional)

POSITION	SALARY GRADE	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
(1) Labor & Employment Officer II	13	Bachelor's Degree	None required	None required	Career Service (Professional)
(1) Clerk II	4	Completion of 2 yrs. studies in college	None required	None required	Career Service (Sub-Professional)
Residential and Rehabilitation Division					
(1) Social Welfare Officer V	24	Masteral Degree	4 yrs. in positions involving management & supervision	24 hours of training in mgnt. & supervision	Career Service (Professional)
(1) Social Welfare Officer IV	22	Bachelor's degree relevant to the job	3 yrs. of relevant experience	16 hrs. of relevant training	Career Service (Professional)
(1) Clerk II	4	Completion of 2 yrs. studies in college	None required	None required	Career Service (Sub-Professional)
(1) Medical Officer I	14	Doctor of Medicine	None required	None required	RA 1080







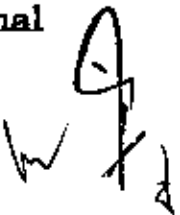
POSITION	SALARY GRADE	EDUCATION	EXPERIENCE	TRAINING	ELIGIBILITY
(1) Nutrition Officer II	14	Bachelor's Degree relevant to the job	1 yr. of relevant experience	4 hours of relevant training	Career Service (Professional)
(1) Psychologist I	11	Bachelor's Degree in Psychology	None required	None required	Career Service (Professional)
(1) Nurse I	10	Bachelor of Science in Nursing	None required	None required	RA 1080
(4) House-parent II	6	High School Graduate	None required	None required	None Required (MC 11, S. 96-Cat. III)
(2) Cook II	5	Elementary School Graduate	None required	None required	None required
(4) Security Guard II	5	High School Graduate	None required	None required	Security Guard Licensed (MC 11, - Cat. II)
(2) Utility Worker II	3	Must be able to read and write	None required	None required	None required

Should any employee of the QCDTRC be permitted to work or suffered for work more than the eight hour working day on account of local disaster or emergency, as may be declared by competent authority, they shall be entitled to overtime pay and night shift differential pay of not more than ten percent (10%) of his/her regular wage for each hour of work performed between ten o'clock in the evening and six o'clock in the morning.

SECTION 21. ACCREDITATION REQUIREMENT. - The QCDTRC shall be submitted by the QCADAC for accreditation with the Department of Health, the Dangerous Drugs Board, the Philippine Drug Enforcement Agency, and other international agencies or bodies.









**SECTION 22. BUDGET PREPARATION.** - The QCDTRC Administrator shall prepare and submit to the QCADAC, for consolidation under item 14.12, Sec. 14 hereof, an annual financial and budgetary work plan or program to finance the operations and implementation of rehabilitation and treatment programs. The funds and accounts of the QCDTRC shall be kept separate and distinct from the QCADAC.

Appropriations for the operation and maintenance of the QCDTRC shall be included in the annual executive budget of the City Government: Provided, any increase in the budget of the QCDTRC shall in no case be less than two percent per annum.

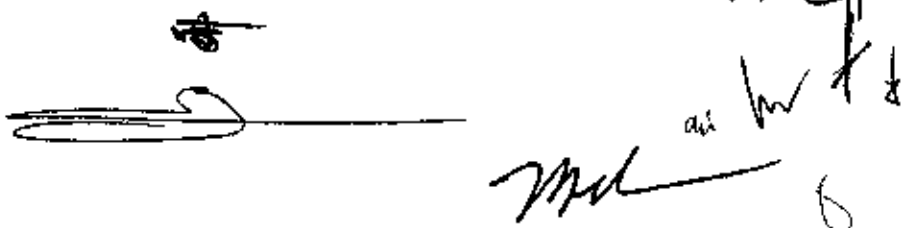
The management of funds and disbursement thereof must be with the approval of the QCADAC Chairperson.

**SECTION 23. REPORTING SYSTEM.** - The QCDTRC Administrator shall prepare and submit a regular quarterly report to the QCADAC on the status of its operations, state of health and progress of confined drug dependents, financial reports and such other relevant matters that must be brought to the attention and action of the QCADAC.

In addition, it shall submit an annual report to the City Mayor, the QCADAC and the City Council, on its operations, achievements and other relevant matters, in aid of its policy-making and recommendation functions.

**ARTICLE V  
TREATMENT, REHABILITATION AND  
CONFINEMENT OF DRUG DEPENDENTS**

**SECTION 24. VOLUNTARY CONFINEMENT.** - A drug dependent may, by himself/herself or through his/her parent, spouse, guardian or relative within the fourth degree of consanguinity or affinity, apply to the QCADAC or its duly authorized representative, for treatment and rehabilitation of the drug dependency. Upon such application, the QCADAC shall elevate the matter to a Court of competent jurisdiction, which shall order the applicant to be examined for drug dependency. If the examination by a DOH - accredited physician results in the issuance of a certification that the applicant is a drug dependent, he/she shall be ordered by the Court to undergo treatment and rehabilitation in the QCDTRC for a period of not less than six (6) months.



✓ Confinement in a center for treatment and rehabilitation shall not exceed one (1) year, after which time the court, as well as the QCADAC, shall be apprised by the QCDTRC Administrator on the status of said drug dependent and determine whether further confinement will be for the welfare of the drug dependent and his/her family and the community.

✓ SECTION 25. REQUISITES FOR CONFINEMENT AND REHABILITATION. - To qualify for voluntary confinement, the following certified or verified documents are necessary:

✓ 25.1 Sworn statement of drug dependency, except those found *in flagrante* to be drug dependents who shall be subject to compulsory confinement and rehabilitation;

✓ 25.2 Certificate of admission issued by the QCADAC or its duly authorized representative;

✓ 25.3 Signed waiver and submission to the QCADAC/QCDTRC (Tahanan) program of treatment and rehabilitation;

✓ 25.4 Certification of residency to be issued by the Barangay Captain of which he/she is a resident;

✓ 25.5 Certificate of drug dependency to be issued by a DOH-accredited physician;


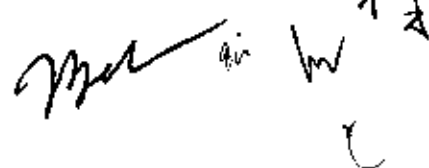
✓ 25.6 Order of Confinement duly issued by a judge of competent jurisdiction, and;

✓ 25.7 Payment of reasonable admission fees, to be determined by the QCADAC, and prescribed court fees.

✓ SECTION 26. CONFIDENTIALITY OF RECORDS. - The records of a drug dependent who has undergone treatment and rehabilitation and discharged from the QCDTRC, shall be confidential and shall not be used against him for any purpose, except to determine how many times, by himself/herself or through his/her parent, spouse, guardian or relative within the fourth degree of consanguinity or affinity, he/she has voluntarily submitted himself/herself for confinement, treatment and rehabilitation and has been committed to the QCDTRC or other rehabilitation and treatment centers under its rehabilitation and treatment program.

#### ARTICLE VI APPROPRIATIONS

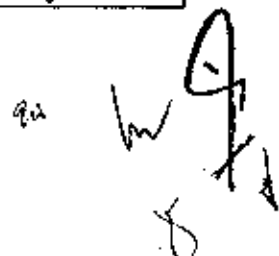
SECTION 27. APPROPRIATIONS. - The amount of Thirteen Million Five Hundred and Fifty Eight Thousand Two Hundred and Eighty Seven Pesos, is hereby appropriated for the payment of salaries, wages and benefits of the staff provided for under Sections

13 and 20 of this Ordinance, including the procurement of supplies, materials and equipment, including their minor repairs and preventive maintenance from further deterioration, to ensure unhampered daily operations, classified as follows:

Account Title	Account Code	Budget (Php)	Total
<b>PERSONAL SERVICES:</b>			
Salaries and Wages - Regular Pay	801	6,196,668.00	
Salaries and Wages - Casual/Contractual	803	830,688.00	
Personnel Eco. Relief Allowance	804	300,000.00	
Add'l. Compensation (ADCOM)	805	300,000.00	
Representation Allowance (RA)	806	303,600.00	
Transportation Allowance (TA)	807	303,600.00	
Clothing Allowance	808	200,000.00	
Hazard Pay	810	90,000.00	
Christmas Bonus	813	640,649.00	
Cash Gift	814	300,000.00	
Productivity Incentive Benefits	815	100,000.00	
Life/Retirement Ins. Contributions	817	160,650.00	
Pag-Ibig Contributions	818	2,044,677.00	
Philhealth Cont.	819	58,575.00	
ECC Contributions	820	60,000.00	
Terminal Leave Benefits	822	37,469.00	
Subsistence & Quarters Allowance	824	600,000.00	
Longevity Pay	825		
Other Personnel Benefits (Monetization of Leave Credits)	830	1,031,711.00	
<b>TOTAL:</b>			<b>13,558,287.00</b>
Maintenance and Other Operating Expenses		5,000,000.00	5,000,000.00
<b>GRAND TOTAL:</b>			<b>18,558,287.00</b>





✓ Appropriations for the operation and maintenance of the QCDTRC shall be included in the annual executive budget of the City Government.

✓ **SECTION 28. AUTHORITY TO RECEIVE DONATIONS.** - Any amount or monies received by the QCADAC or QCDTRC (Tahanan) in trust, legacy, gift and donation of real and personal properties of all kinds, shall accrue to their exclusive benefit, subject to limitations provided for by such donation: Provided, further that not more than 25% of such donation shall be allocated for administrative purposes: Provided, finally, the deductibility of such donation shall be subject to the provisions of Republic Act 8424, as amended.

✓ **SECTION 29. AUDITING.** - All accounts and expenses of the Quezon City Anti-Drug Abuse Council and the Quezon City Drug Treatment and Rehabilitation Center (Tahanan) shall be audited by the Commission on Audit (COA) or its duly authorized representative.

#### **ARTICLE VII IMPLEMENTING RULES AND REGULATIONS**

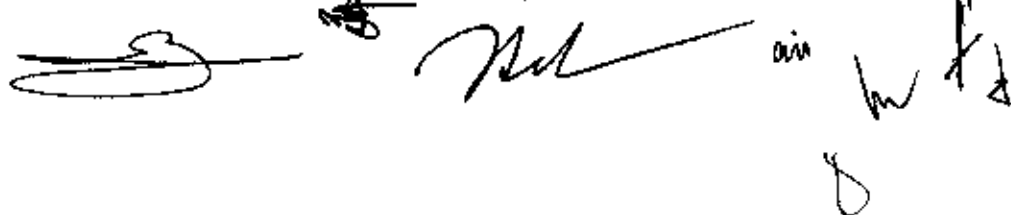
✓ **SECTION 30. IMPLEMENTING RULES AND REGULATIONS.** - The QCADAC shall promulgate within a non-extendible period of Sixty (60) days, the Implementing Rules and Regulations necessary for the implementation of this Ordinance.

#### **ARTICLE VIII FINAL PROVISIONS**

✓ **SECTION 31. EXPROPRIATION.** - That parcel of land, with an aggregate land area of Five (5) hectares, more or less, located at Diamond Hills Subdivision, Barangay Payatas, is hereby expropriated to serve as the permanent site of the QCDTRC.

✓ Should the property be found in default of payment of appropriate real property taxes, interests and charges, the City Treasurer is hereby directed and authorized to initiate foreclosure proceedings.

✓ **SECTION 32. INFORMER'S REWARD.** - It is hereby established that a cash reward, in the amount of Ten Thousand Pesos (Php10,000.00), shall be granted to any person who shall provide information leading to the arrest, prosecution and conviction of any person, natural or juridical, committing any of the unlawful acts defined under Article II hereof.



✓ The reward shall not be applicable to those defined under Section 8, Article II and Article V hereof, who shall cause the arrest and voluntary confinement of any person for the purpose of voluntary confinement, treatment and rehabilitation.

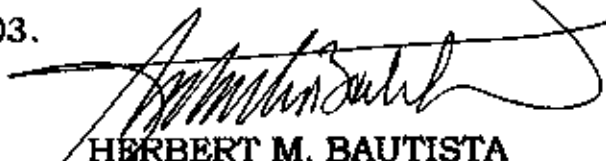
✓ The QCADAC, in consultation with the City Prosecutor and City Treasurer, shall prescribe the guidelines for this purpose.

✓ SECTION 33. SEPARABILITY CLAUSE. - If for any reason or reasons, any part of or provision of this Ordinance shall be declared unconstitutional or invalid, other parts or provisions thereof not affected thereby shall continue to be in full force and effect.


SECTION 34. REPEALING CLAUSE. - Ordinance Nos. NC-146, S-1990, NC-175, S-1990, Resolution No. NC-442, S-1990, SP-1026, S-1998, SP-1553, S-2001 and all other ordinances, resolutions, executive orders and issuances or parts thereof which are inconsistent herewith are hereby repealed or modified accordingly.

SECTION 35. EFFECTIVITY CLAUSE. - This Ordinance shall take effect immediately upon its approval.

ENACTED: May 13, 2003.

  
HERBERT M. BAUTISTA  
Vice Mayor  
Presiding Officer

ATTESTED:

  
EUGENIO V. JURILLA  
City Council Secretary

APPROVED:  July 10, 2003

  
FELICIANO R. BELMONTE, JR.  
City Mayor

✓ CERTIFICATION

This is to certify that this Ordinance which was APPROVED on Second Reading on May 13, 2003, was finally PASSED on Third Reading by the City Council on June 3, 2003.

  
EUGENIO V. JURILLA  
City Council Secretary