MAPÚA UNIVERSITY

NATIONAL SERVICE TRAINING PROGRAM
[MAPÚA-NSTP]

PROGRAM MODULE

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### REFERENCES
- Republic Act 9163: The National Service Training Program Law
- Republic Act 8491: Flag Heraldic Code of the Philippines
- Republic Act 9418: Volunteer Act of 2007
- Republic Act 10121: Disaster Risk and Reduction Management
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MAPÚA VISION

Mapúa shall be among the best universities in the world.

MAPÚA MISSION

- The University shall provide a learning environment in order for its students to acquire the attributes that will make them globally competitive.
- The University shall engage in economically viable research, development and innovation.
- The University shall provide state-of-the-art solutions to problems of industries and communities.

MAPÚA CORE VALUES

Mapúa University aims at the empowerment of the youth by providing education grounded on academic excellence and strength of character. Students are expected to develop the passion for mental knowledge and meritorious performance as well as the recognition of moral values as essential to growth of character. The integration of humanities and the social sciences into the technical curriculum has paved the way to the achievement of this goal.

Mapúa upholds the reinforcement of time honored values learned in school and at home directed towards the development in the student of a strong moral fiber that will contribute to his/her personal well-being as well as that of other members of society.

MAPÚA emphasizes the importance of the following core values:

- DISCIPLINE
- EXCELLENCE
- COMMITMENT
- INTEGRITY
- RELEVANCE

By ensuring that these core values are learned in the classroom and outside, MAPÚA shall have done its share in producing men and women who live fulfilled and meaningful lives.

EDUCATIONAL PHILOSOPHY

The Mapúa University offers its students professional and advanced scientific and engineering education with a healthy dose of the arts, letters, philosophy and social sciences to form men and women who shall possess not only technological expertise but also the human values and perspective that promote moral development.

Mapúa upholds academic excellence and social responsibility as core values.

Mapúa provides quality academic curricula that are current in content and state-of-the-art in delivery.

Mapúa provides a learning environment that encourages the exercise of creativity and the experience of discovery.

Mapúa captures the full synergy among instruction, research and extension work to heighten the learning experience of its students.
Mapúa builds linkages with industry and government in order to maintain the relevance of its academic programs and to engage in collaborative research.

General Objectives

The University seeks to become an international center of excellence in integrated engineering, architecture and IT education. It seeks to develop young Filipinos into highly competent engineers, architects and IT professionals in order to meet local and global human resource requirements. It seeks to generate new knowledge to heighten the nation’s competitiveness in today’s knowledge-based and global economy. It seeks to apply knowledge in order to make the world a better place for Filipinos and humankind.

Special Objectives

Aside from the objectives stated above, the University declares the following for itself:

1. Develop in the student quality values and attitudes needed to produce moral and ethical professionals.
2. Provide opportunities to develop critical thinking and sound judgment essential in the practice of one’s profession.
3. Foster strong ties among the faculty, students and alumni.
4. Develop workable technologies that could tap the potentials of the country’s resources.
Introduction to NSTP

CHAPTER 1

THE NSTP LAW
1. **What is the legal basis of the National Service Training Program (NSTP)?**

The National Service Training Program (NSTP) Law or RA 9163 also known as “An Act Establishing the National Service Training Program (NSTP) for tertiary level students, amending for the purpose Republic Act No. 7077 and Presidential Decree No. 1706, and for other purposes.” was enacted last January 2002 to amend the Expanded ROTC. This program aimed to enhance civic consciousness and defense preparedness in the youth by developing the ethics of service and patriotism while undergoing training in any of its three (3) program components, specifically designed to enhance the youth’s active contribution to the general welfare.

2. **What are the components of the NSTP?**

   a. **Reserve Officer’s Training Corps [ROTC]** - refers to the program component, institutionalized under Section 38 and 39 of Republic Act No. 7077, designed to provide military training to motivate, train organize and mobilize them for national defense preparedness.

   b. **Civic Welfare Training Service [CWTS]** - refers to the program component or activities contributory to the general welfare and the betterment of life for the members of the community or the enhancement of its facilities, especially those devoted to improving health, education, environment, entrepreneurship, safety, recreation and moral of the citizenry and other social welfare services.

   c. **Literacy Training Service [LTS]** - refers to the program component designed to train the students to teach literacy and numeracy skills to school children, out-of-school youth and other segments of society in need of their services.

**Who are covered by the NSTP Law?**

A. All incoming freshmen students, male, female, starting school year (SY) 2002-2003, enrolled in any baccalaureate and in at least two (2) year technical-vocational or associate courses, are required to complete one (1) NSTP component of their choice, as a graduation requirement;

B. All higher and technical-vocational education institutions must at least offer one (1) of the NSTP components.

C. State universities and colleges (SUC’s), shall offer the ROTC component and at least one (1) other NSTP component.

D. The Philippine Military Academy (PMA), Philippine Merchant Marine Academy (PMMA), Philippine National Police Academy (PNPA), and other SUC’s of similar nature, in view of the special character of these institutions, are exempted from the NSTP.

E. Private higher education and technical-vocational education institutions with at least 350 student cadets may offer the ROTC component and consequently establish / maintain a Department Of Military Science and Tactics (DMST), subject to the existing rules and regulations of the Armed Forces of the Philippines (AFP).
3. What is the duration and equivalent course unit of each of the NSTP Component?

Each of the NSTP components shall be undertaken for an academic period of two (2) semesters for 54 to 90 training hours per semester. It shall be credited for three (3) units per semester.

4. What fees shall be charged to students taking any of the NSTP components?

No other fees shall be collected except basic tuition fees, which should not be more than 50% of the charges of the school per academic unit.

5. Who are covered by the suspension of the ROTC requirement?

The completion of ROTC training as a requisite for graduation is set aside for students who have completed all their academic requirements for their respective courses as certified by the school on or before the effectivity of the NSTP Act of 2001, which is March 23, 2002. The concerned students may apply for graduation in their respective schools.

6. What happens to male students who are currently enrolled and have not taken nor completed the ROTC requirements for graduation?

   a. Male students who are not covered by Section 12 of this Rule and are currently enrolled but have not taken any of the Military Service (MS), Civic Welfare Service (CWS) or Law Enforcement Service (LES) shall be covered by the NSTP Law.

   b. Male students who have completed two semesters of the Expanded ROTC (E-ROTC) / National Service Program (NSP) are deemed to have complied with the NSTP requirement.

   c. Male students who are not covered by Section 12 of these Rules and have taken only one (1) semester of Basic ROTC or E-ROTC/NSP shall take any of the NSTP components to qualify for graduation.

   d. Students who want to qualify for enlistment in the Reserve Force or attend the advance ROTC program shall undertake a special program for this purpose.

7. How are Clustering and Cross-Enrollment done?

   a. Clustering of students from different education institutions during semestral or summer periods may be done for any of the NSTP component, taking into account logistics, branch of service and geographical locations. The host school shall be responsible in managing the Program.

   b. Schools that do not meet the required number of students to maintain the optional ROTC and any of the NSTP components, or do not offer the component chosen by the student shall allow their students to cross-enroll in other schools irrespective of whether such school is under CHED or TESDA; and in the case the students taking the ROTC component irrespective of whether the two semesters shall be taken from different schools whose ROTC is managed by different branches of service of the Armed forces of the Philippines (AFP).

8. What is NSTP-One Summer Program (NSTP-OSP)?

NSTP-OSP is created under RA 9163 or the NSTP Act of 2001, especially Section 6 and jointly devised, formulated and adopted by DND, CHED and TESDA.
NSTP-OSP is established for the three (3) components: ROTC, CWTS and LTS. This is intended for graduating students in baccalaureate or at least two-year technical-vocational or associate courses, who have yet to comply with the NSTP as a requirement for graduation, as well as for students, thus allow them to concentrate on the academic subjects and other co-curricular concerns.

9. **What is the National Service Reserve Corps (NSRC)?**

NSRC is created under Section 11 of RA 9163 or the NSTP Act of 2001, composed of graduates of the non-ROTC components: the CWTS and LTS. Members of this Corps maybe tapped by the State for literacy and civic welfare activities, through the joint efforts of DND, CHED, and TESDA.

**REPUBLIC ACT 8491 – FLAG HERALDIC CODE OF THE PHILIPPINES**

For the implementation of the Flag Heraldic Code of the Philippines, the NSTP should be guided with the following provisions:

Sec.2 states that it is the policy of the state to prescribe the Code of the National Flag, Anthem, Motto, Coat-of-Arms and other Heraldic Items and Devices of the Philippines, ensure the promotion and implementation of its corresponding rules and regulations, and adopt effective administrative, regulatory, coordinative and supervisory programs and activities, where appropriate, in conformity with national government policies.

Sec. 4 the Flag Heraldic Code of the Philippines will promote or sustain reverence and respect for the flag, the anthem and other national symbols, and those which symbolizes the national ideals and traditions.

**Definition of Terms**

These are the terminologies used in these rules:

**Military** – means all the branches of the Armed Forces of the Philippines including the Philippine National Police, the Bureau of Jail Management and Penology, and the Bureau of Fire Protection

**Festoon** – to hang in a curved shape between two points as a decoration

**National Flag** – is the National Flag and Ensign of the Philippines, use on land and sea by public, private and the military and shall refer to the flag or any other design that resembles it as likely to cause any person to believe that it is the flag or design stated

**Fly** – is the part of the flag outside the hoist or length

**Symbol** – any conventional sign that shows man’s achievement and heroism, identification, authority and a sign of dignity

**Half-mast** – is the lowering of the flag to the middle of the pole

**Halyard** – the long rope used for raising and lowering the flag

**Inclement Weather** – when there is a typhoon signal raised in a locality

**National Anthem** – the “Lupang Hinirang”, Philippine National Anthem

**Official Residences** – is Malacanang and other government-owned structures where the President lives, and other structures occupied by the Philippine Consulate or Embassies abroad
Places of Frivolity – places of hilarity marked by or providing boisterous merriment or recreation

Advertisement or Infomercial – these are any information material, printed or through radio, television and electronic media which seeks to promote individuals, products or services, political purposes or information campaigns

Heraldic Items and Devices – are coat-of-arms, seals, logos, insignia, badges, flashes, patches, orders and decorations, medals, stars, citations, lapel pins, trophies, dry, wax or wet seals, and imprints on letterheads, envelopes and cards

Government Entities – all branches of government, its bureaus and attached agencies, constitutional offices, government owned and/or controlled corporations, government financial institutions, state universities and colleges, Armed Forces of the Philippines and its basic units

Vexillary Items – national, local house flags or administrative and corporate organization’s banner

**Half-Mast**

Sec. 27 The National Flag should be at half-mast as a sign of mourning on all the buildings and places where it is displayed on the official day of announcement of the death of the following officials:

a. The President or former President (10 days);

b. The Vice-President, the Chief Justice of the Supreme Court, the President of the Senate and the Speaker of the House of Representatives (7 days);

c. Cabinet Secretaries, Associate Justice of the Supreme Court, Members of the Senate and House of Representatives, the Chief of Staff of the Armed Forces of the Philippines and the Director-General of the Philippine National Police (5 days);

d. Head of National Government Agencies, including Government Owned and Control Corporations and Government Financial Institutions (3 days)

e. The Commanding Generals of the Philippine Air Force and the Philippine Army and the Flag Officer in Command of the Philippine Navy (3 days)

f. Governors, Vice-Governors, city and municipal Mayor, city and municipal Vice-Mayors (3 days)
g. Members of the Sangguniang Panlalawigan, Sangguniang Panlungsod and Sangguniang Bayan (on the day of interment)

h. Barangay Chairmen and Barangay Councilmen on the day of interment

i. Former National or Local Government Officials, appointive or elective

j. Regional Directors, Superintendents, Supervisors, Principals, Teachers and other school officials

During calamities and disasters, National Flag shall also be flown at half-mast.

**Casket**

Sec. 28 The National Flag may be used to cover the caskets of the dead honored men (military, veterans of previous wars, National Artists and other civilians) who rendered noble service to our nation. It should not touch the ground but must be folded solemnly and handed it to the heirs of the deceased. No object must be placed on top of it except for the religious objects that symbolizes “God above the country”.

**Pledge to the National Flag**

Sec. 29 The following shall be the Pledge of Allegiance to the National Flag:

*Panunumpa ng Katapatan sa Watawat ng Pilipinas*

_Ako ay Pilipino_
_Buong Katapatang nanunumpa_
_Sa watawat ng Pilipinas_
_At sa bansang kanyang sinusagisag_
_Na may dangal, Katarungan at Kalayaan_
_Na pinakikilos ng sambayanang_
_Maka-Dyos_
_Maka-Tao_
_Makakalikasan at_
_Makabansa._

This pledge should be recited right after singing the National Anthem with right palm open and shoulder raised high.

**Prohibited Acts**

Sec. 39 it is prohibited:

a. To mutilate, deface, defile, trample on, cast contempt, or commit any act or omission casting dishonor or ridicule upon the National Flag or over its surface;

b. To dip the National Flag to any person or object by way of compliment or salute;

c. To use National Flag
   1. As drapery, festoon, tablecloth;
   2. As covering for ceilings, walls, statues or other objects;
3. As a pennant in the hood, side, back and top of motor vehicles;
4. As a staff or whip;
5. For unveiling monuments or statues; and
6. As trademarks, or for industrial, commercial or agricultural labels or designs.

d. To display the National Flag:
   1. Under any painting or picture;
   2. Horizontally. It shall always be hoisted aloft and be allowed to fall freely;
   3. Below any platform; or
   4. In discotheques, cockpits, night and day clubs, casinos, gambling joints and places of vice or where frivolity prevails.

e. To wear the National Flag in whole or in part as a costume or uniform;

f. To add any word, figure, mark, picture, design, drawings, advertisement, or imprint of any nature on the National Flag;

g. To print, paint or attach representation of the National Flag on handkerchiefs, napkins, cushions, and articles of merchandise;

h. To display in public any foreign flag, except in embassies and other diplomatic establishments, and in offices of international organizations;

i. To use or display or be part of any advertisement or infomercial; and

j. To display the National Flag in front of buildings or offices occupied by aliens.

The National Anthem

Sec. 40 It is entitled Lupang Hinirang

Sec. 41 The lyrics of the National Anthem:

Bayang Magiliw
Perlas ng Silanganan,
   Alab ng puso
Sa Dibdib mo’y buhay.
   Lupang Hinirang
   Duyan ka ng magiting,
   Sa manlulupig.
   Di ka pasiil.
   Sa dagat at bundok,
   Sa simoy at sa langit mong bughaw,
   May dilag ang tula
   At awit sa paglayang minamahal.
   Ang kislap ng watawat mo’y
   Tagumpay na nagniningning
   Ang bituin at araw niya,
   Kailan pa may di magdidilim.
   Lupa ng araw, ng luwalhati’t pagsinta,
   Buhay ay langit sa piling mo,
   Aming ligaya na pag may mang-aapi,
   Ang mamatay ng dahil sa lyo.
The National Anthem should be interpreted in accordance with the musical arrangement and composition of Julian Felipe with its original lyrics and tempo.

**The National Motto**

Sec. 45 The Philippine National Motto is “MAKA-DIYOS, MAKA-TAO, MAKAKALIKASAN AT MAKABANSA.”

**National Coat-of-Arms (Sagisag ng Pilipinas)**

Sec. 46 The National Coat-of-Arms shall have:
Paleways of two (2) pieces, azure and gules; a chief argent studded with three (3) mullets equidistant from each other; and, in point of honor, ovoid argent over all the sun rayonnant with eight minor and lesser rays. Beneath shall be the scroll with the words “REPUBLICA NG PILIPINAS,” inscribed thereon.

The eight-rayed sun symbolizes the eight provinces (Batangas, Bulacan, Cavite, Manila, Laguna, Nueva Ecija, Pampanga and Tarlac) which were placed under martial law by Governor-General Ramón Blanco during the Philippine Revolution, and the three five-pointed stars representing the three primary geographic regions of Luzon, Visayas, and Mindanao.

**The Great Seal**

The Great Seal should be in circular form with the same descriptions with the National Coat-of-Arms but without the scroll and the inscription “Republika ng Pilipinas”. It should be surrounded by a double marginal circle which “Republika ng Pilipinas” should appear. The Great Seal should also bear the National Motto.

**Penalties**

Failure or refusal to adhere to the provisions of this act, and/or any violations of these Rules shall be penalized as stipulated in R.A. 8491.

**REPUBLIC ACT 9418 – VOLUNTEER ACT OF 2007**

It should be the policy of the state to promote the participation of the different sectors of the society, international and foreign volunteer organizations in public and civic affairs, and adopt and strengthen the practice of volunteerism as an approach in order to reach national development and international understanding. Every Filipino should be educated of volunteerism to foster social justice, solidarity and sustainable development.
Goals

To achieve attainment, here are the goals and objectives of the policy:

a. To provide the policy framework that shall underscore the fundamental principles necessary to harmonize the broad and diverse efforts of the voluntary sector,

b. To provide a conducive and enabling environment for the mobilization and nurturance of volunteers and volunteer organizations,

c. To strengthen the Philippine National Volunteer Service Coordinating Agency (PNVSCA) as an effective institution to support volunteerism in the country.

Definition of Terms

Volunteerism

- act that involves different activities which includes traditional form of mutual aid and interventions to provide an enabling and empowering both on the part of the beneficiary and the volunteer,

- a powerful means for bringing more people into the fold. It strengthens civic engagement, safeguards social inclusion, deepens solidarity and solidifies ownership of development results. It simply is not possible to attain the SDGs without a wide range of people engaged at all stages, at all levels, at all times.

Volunteer

- an individual or group who contribute time, service and resources whether on full-time or part-time basis to a just and essential social development cause, mission or endeavor in the belief that their activity is mutually meaningful and beneficial to public interest as well as to themselves

Volunteer Service Organization

- a local or foreign group that recruits, trains, deploys and supports volunteer workers to programs and projects implemented by them or by other organizations or any group that provides services and resources, information, capability building, advocacy and networking for the attainment of the common good

Voluntary Sector

- those sectors of Philippine society that organizes themselves into volunteers to take advocacy and action primarily for local and national development as well as international cooperation and understanding

Roles and Modalities of Volunteerism in Private Sector

a. Volunteerism in academe encourage academic institutions to continuously devise ways to effectively teach and practice the value of volunteerism. Such integration provides students with the volunteering arena by which they can channel their idealism and vigor into something worthwhile.

b. In corporate sector, volunteerism serves as an expression of corporate social responsibility and citizenship, which refers to the activities recognized by the company, where give their time, skills and resources in the service of the company’s internal and/or external communities

The Philippine National Volunteer Service Coordinating Agency (PNVSCA)

PNVSCA was created under the Executive Order No. 134 to review and provide policies and guidelines regarding the national volunteer service program. It establishes and maintains a national network of volunteer organizations and serves as liaison between and among local.
Recognizing the important contributions of volunteerism in nation-building, the Philippine National Volunteer Service Coordinating Agency (PNVSCA) leads the promotion and coordination volunteer programs and services in the Philippines, to maximize the benefits that may be derived from volunteer assistance and properly gauge the contributions of volunteers to national development and international cooperation.

**MultiSectoral Advisory Body (MSAB)**

It was created under the Executive Order No. 365 to assist the PNVSCA. It composed of different government agencies (NEDA, DepED, DFA, DOJ, DILG, DSWD, CHED and PMS) and representative from the corporate sector, private academe sector and from the not-for-profit sector.

MSAB functions to provide advice in the formulation of policies and guidelines for the national volunteer service program, provide consultative and technical advisory services on volunteer matters, and serves as forum to enhance and strengthen linkages between and among volunteer groups and communities.

**REPUBLIC ACT 7722 – HIGHER EDUCATION ACT OF 1994**

Republic Act 7722 is the act creating the Commission on Higher Education which covers both the public and private institutions of higher education as well as degree-granting programs in all post-secondary educational institutions, be it public or private.

One of the powers and functions of this act which is in line with the goal of National Service Training Program [NSTP] is to identify, support and develop potential centers of excellence in program areas needed for the development of world-class scholarship, nation building and national development.
Introduction to NSTP

CHAPTER 2

THE NSTP-MAPÚA OFFICE
The National Service Training Program of the Mapúa University Office also known as NSTP-MAPÚA Office supervises the implementation of the Civic Welfare Training Service [CWTS] and the Reserve Officer Training Corps [ROTC]. Its implementation is governed by R.A. 9163 of 2001.

The MAPÚA-CWTS Office

Shall serve as the coordinating body composed of MAPÚA-CWTS Program Coordinator, Staff and Facilitators.

HISTORY OF MAPÚA-CWTS

Mapúa University, under a semestral term, initiated the National Service Training Program in the second semester of the school year 2001-2002. Students were given the option to choose between ROTC and CWTS as their NSTP Program.

A Workbook for CWTS was developed by Engr. Edward Ted Aguinaldo, the NSTP Director, Marvin Dunmas and Dr. Reynaldo A. Padilla. The workbook tackles concepts and principles regarding service, the human person, community service, nationalism and environmental protection. Subjects of the workbook were anchored to the NSTP-CWTS STET curriculum. Student activities centered on socio-civic efforts such as clean-up drive, bloodletting and Alay Lakad. Training on safety like firedrill and basic life support seminar were also participated by the students. Mini Olympics, play viewing, and orchidarium visits were conducted for cultural and recreational purposes.

For the academic year 2003-2004, MAPÚA-CWTS introduced community organizing and project development to the students and started community-based projects. Partner communities included selected barangays in Singgalong, Sampaloc, Pandacan, San Andres, Paco, Sta. Ana and Malate. It also received the Silver Flame of Virtue for the Kabalikat Awards 2003. This is a nationwide search for the outstanding STET-VIP NSTP community project. A mural in Asamba, Project 8, Quezon City was the Institute’s entry.

In the succeeding academic year, MAPÚA-CWTS underwent a curriculum innovation. With the new NSTP Director, Engr. Joyrence Mervin Agas, the Office and selected CWTS Facilitators, a new CWTS module was created. It established the SERVICE Components as direction of community initiatives and the three (3) Support and Delivery System (SDS) as its implementing arm. Facilitators were designated according to their expertise. Technical programs such as structural survey and health-related projects like weighing were added to the students’ community service. Even though the LTS component is not offered as a program, its concept is incorporated in the CWTS program through the literacy program called ALEAP-LSDS.

With the Manila City government, a Memorandum of Agreement was signed stating that the Institute is adopting communities from Manila as its program site. It was decided that efforts will focus on the Pandacan area. To better serve the community, a community survey was done.

In 2005, a Community Profile of selected barangays in Pandacan was produced. This became the primary basis for all CWTS endeavor. Also, EHSDS programs expanded in offering a computer literacy program called Computer Fundaments Short Term Course (CFSTC) and the Water Potability Assessment Program.

To organize and to formalize the documentation of student activities, the CWTS Office developed report templates and assessment and evaluation instruments. Online report submission and transactions were also established for a more efficient document processing.

Relevant societal concerns were discussed in class for the 2006-2007 academic year to create awareness
and civic consciousness. Classroom debates were done to test the students’ understanding in explaining the current issues besetting the country. Tools for issue analysis like cause and effect wheel and SWOT analysis were also used to assess community needs and concerns.

During the 2007-2008 academic year, the project proposal presentation was executed to uplift the quality of project being carried out in the community. This paved the way for a dialogue between students and the CWTS Office in improving the activities conducted in the adopted barangays.

On the second term of the 2009-2010 academic year, the SERVICE Workbook was developed. It contains situationer and community cases to better understand the SERVICE components and to enhance student’s skill in case analysis.

Currently, the MAPÚA-CWTS continues to enhance their curriculum in training the students to become responsible citizens who could greatly contribute to the general welfare of the country. It utilizes the students’ talents and technical expertise in assisting the community’s development. The program is constantly changing and adjusting to the needs of the students and the community.

**VISION**

In line with the Mapúa University’s vision, the MAPÚA-CWTS shall be the center of excellence in values education through the promotion of civic consciousness, civic responsibility and holistic development of individuals to become productive members of the society.

**MISSION**

The MAPÚA-CWTS thrusts are:

- To motivate, train and organize students as catalysts of change in the community;
- To harness and maximize the technical expertise and interests of different schools and department and students’ courses to benefit the underprivileged and economically poor sectors of the society and;
- To develop each student to possess a high level of social awareness.

**COURSE DESCRIPTION**

<table>
<thead>
<tr>
<th>Subject Code</th>
<th>Description</th>
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<tbody>
<tr>
<td><strong>NSTP100</strong></td>
<td>A classroom-based discussion that encompasses the common module phase for all National Service Training Program students. Topics include the orientation on the NSTP Law, discussion on the Human Person, The Filipino Value System, Groups, Leadership, Decision-Making, Disaster Preparedness, Awareness and Management and Substance Abuse Education.</td>
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<tr>
<td><strong>CWTS101</strong></td>
<td>Classroom-based discussions concerning the introduction to MAPÚA-CWTS and lectures that introduces and promotes the MAPÚA-CWTS Dimensions of Development, relevant societal concerns, the fundamentals of working with the community and project development.</td>
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<tr>
<td><strong>CWTS102</strong></td>
<td>A two-part program that re-introduces the NSTP-SERVICE components of the NSTP-CWTS Dimensions of Development and</td>
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the hands-on application that involves project preparation, planning and implementation at the assigned adopted communities.

**CWTS103**

Part 2 of the hands-on application of the acquired skills and knowledge that involves project preparation, planning and implementation at the assigned adopted communities.

**CWTS STUDENT ATTENDANCE**

- Students are required to attend their classes on time.
- A student who has incurred more than twenty percent (20%) absences (more than two absences) shall no longer be allowed to continue the course and will be given a final grade of five (5.00).
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</tr>
<tr>
<td>Student’s Participation/Community Involvement</td>
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</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100%</strong></td>
</tr>
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</table>

**STUDENT ACTIVITIES**

Students’ initiatives are directed by connecting expertise to the community’s needs. The students are trained to be the leading experts in their chosen career while acknowledging their social obligation. The students are brought up to strive for the best in their field in the aim that their skills and talents would contribute to the upliftment of the society’s condition. The students’ empowerment will serve as a tool in the progress of their lives as well as those of others.
MAPUA-CWTS SUPPORT AND DELIVERY SYSTEM (SDS) COMPONENTS

The MAPUA-CWTS has defined three Support and Delivery Systems that harness MAPUA’s expertise which can be offered to the community.

In line with the community service rendered by the MAPUA-CWTS, students come third and fourth terms will be classified according to the following:

THE ENGINEERING AND HEALTH SUPPORT AND DELIVERY SYSTEM [EHSDS]

This SDS involves students in community work in terms of engineering expertise and health services. Students will plan and implement simple projects related to their fields that are beneficial to the partner communities. These simple projects to be implemented will have duration of two terms. Students pursuing this SDS will serve all the partner communities handled by MAPUA-CWTS. EHSDS includes the following:

- ESDS CHE-CHM, BT
- ESDS ME
- ESDS CE-AR
- ESDS IT
- ESDS EE-ECE-COE
- HSDS NURSING

Other EHSDS will be implemented according to community needs. Each EHSDS will render services on alternate schedules to accommodate all partner communities.

Separate Manuals of Instructions is provided for specific EHSDS.

THE LEARNING SUPPORT AND DELIVERY SYSTEM [LSDS]

This SDS involves students in community work in terms of literacy programs. MAPUA-CWTS offers Alternative Learning Equivalency and Accreditation Program [ALEAP] for out of school youths (OSY) and adults. Students pursuing this SDS will help Instructional Managers (IMs) facilitate learning process of the OSY and adults. Students will be mentoring recipients of the program using modular method.

THE SOCIO-CIVIC SUPPORT AND DELIVERY SYSTEM [SCSDS]

This SDS involves students in community work in terms of socio-civic programs. Some of the programs include:

- community surveying;
- awareness programs or info dissemination on health, environment, safety and security and other relevant issues;
- recreational activities for the youth and support group for the EHSDS and LSDS

Students pursuing this SDS will serve one partner community. They act as ambassadors of the MAPUA-CWTS. Building rapport and strengthening relationships between MIT and the communities.

MAPUA-ROTC OFFICE

The MAPUA-ROTC Office, composed of the NSTP-ROTC Director, ROTC Commandant, Tactical Officers, Chief Clerk, Tactical NCO, Corps Commander and Officers, is the implementing arm of the ROTC Program.
HISTORY OF MAPÚA-ROTC

Mapúa Institute of Technology MIT Civil Military Training CMT Unit was activated on July 1940, Pursuant to Executive Order No. 207 dated June 1939 with 1500 Basic Cadets. Before World War II broke out, there were 33 colleges and universities including MITROTCU, throughout the country that maintained ROTC units. The war set back ROTC training with the closure of all units. Records show that products of the ROTC called to the colors in 1941, 1942 and during the occupation proved their worth in the battlefield.

In 1946, following the end of the Second World War, after liberation, ROTC units were re-established. MIT ROTC Unit was activated under General Orders No. 526, GHQ dated 13 September 1946. ROTC units in the Manila and Suburban area were placed under the Superintendent of Manila ROTC and PMT Units.

The first post-war Superintendent, MROTC was COLONEL MANUEL T FLORES. He assumed command on July 1946 and was relieved on June 1948. On 13 July 1948, LT COLONEL JOSE F GONZALES was designated as the Superintendent MROTC. He held the position until 22 June 1949. Administration and control of the units were still under the leadership of the Superintendent who had his office in Manila. The coverage of instruction of ROTC includes lessons in infantry, field artillery, general courses on other branches of services such as finance, signal and especially engineering. ROTC units for the Air Force and the Navy had been authorized in June 1949.

With the reorganization of the Armed Forces of the Philippines AFP in 1950, MITROTC Unit was established as per General orders Number 213, GHQ, AFP dated 27 July 1950 in which the ROTC program became compulsion with a two (2) year course and prerequisite for college curriculum. Enclosed with the activation of the Metropolitan Citizen Military Training Command MCMTC on 1 April 1976 the MITROTCU was absorbed by the MCMTC.

ROTC units under the technical supervision of MCMTC was absorbed by the Reserved Command Philippine Army, now Army Reserve Command ARESOM, and further assigned under the National Capital Region Regional Community Defense Unit NCR RCDU later NCR Regional Community Reference Group NCR RCDG.

NCR RCDG was tasked to organized and train personnel for the Reserved Component of the AFP and administers the ROTC training in the different Colleges and Universities within Metro Manila.

THE CITIZEN ARMED FORCE

The Citizen Armed Force, alternately referred to as the Reserve Force provides the base for the expansion of the armed forces of the Philippines in the event of war, invasion or rebellion. It gives assistance in relief and rescue during disasters or calamities. Moreover, it aids in the socio-economic development and in the operation and maintenance of essential government or private utilities in the furtherance of overall mission.

The missions of the Citizen Armed Force are:

- To uphold the sovereignty, support the constitution and defend the territory of the republic of the Philippines against all enemies, both foreign and domestic.

- To advance the national aims, interests and policies.

- To effectively plan for the organization, maintenance, development and employment of its active and reserve forces for national security.

- To perform such other duties as the president may direct.
The Reserve Officers’ Training Corps (ROTC) is the primary source of reservist officers and enlisted reservists of the reserve force AFP. It is one of the primary sources of Officer Corps of the Armed Forces of the Philippines which accounts for sixty four percent (64%) while the remaining thirty six percent (36%) comes from other sources.

**ROTC Objectives**

The ROTC is designed to provide military training to tertiary level students in order to motivate, train, organize and mobilize them for national defense preparedness. It seeks:

- To indoctrinate, train, and provide the ROTC cadets with the basic knowledge on military subjects and practical exercises that will enable them to acquire skills and capabilities to lead, move, survive, shoot & communicate.
- To prepare college students for possible service in the defense establishment in the event of emergency.
- To train and develop the ROTC cadets as future enlisted reservists for the reserve component of the armed forces of the Philippines.
- To inculcate in the youth the spirit of patriotism and nationalism.
- To prepare the youth for the vital role in nation-building.
- To develop and promote the physical, moral, spiritual, intellectual, and social well-being of the youth.
- To train the youth as potential community leaders.
- To develop the civic consciousness and good citizenship among the youth.

**Course Description**

<table>
<thead>
<tr>
<th>Subject Code</th>
<th>Description</th>
</tr>
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<tbody>
<tr>
<td>NSTP101</td>
<td>A classroom-based discussion that encompasses the common module phase for all National Service Training Program students. Topics include the orientation on the NSTP Law, discussion on the Human Person, The Filipino Value System, Groups, Leadership, Decision-Making, Disaster Preparedness, Awareness and Management and Substance Abuse Education.</td>
</tr>
<tr>
<td>ROTC101</td>
<td>Fundamentals and principles of military service, skills to move, shoot and communicate, the right attitude of a military professional and ground drills.</td>
</tr>
<tr>
<td>ROTC102</td>
<td>Part 1 of preparing the cadets for incorporation as infantryman in the Army Reserve Force. Cadets are taught with basic knowledge and attitudes on general military subjects, small unit tactics, crew, served weapons and individual unit training as Army Reservist and ground drills.</td>
</tr>
<tr>
<td>ROTC103</td>
<td>Part 2 of preparing the cadets for incorporation as infantryman in the Army Reserve Force. Cadets are taught with basic knowledge and attitudes on general military subjects, small unit tactics, crew- served weapons and individual unit training as Army Reservist and ground drills.</td>
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</table>
ROT C STUDENT ATTENDANCE

The same guidelines in the CWTS student attendance shall be followed for the ROTC students. During field trips and exercises outside the campus, cadets are required to report in the Institute.

No cadet will be allowed to follow or to report to the activity venue.

GRADING SYSTEM

ROTC shall follow the grading system prescribed by the Institute. This is as reflected in the grading system implemented in the CWTS.

The following shall be the basis of student’s evaluation:

<table>
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<tbody>
<tr>
<td>Attendance</td>
<td>50</td>
</tr>
<tr>
<td>Aptitude</td>
<td>20</td>
</tr>
<tr>
<td>Subject Proficiency</td>
<td>30</td>
</tr>
<tr>
<td>Total</td>
<td>100</td>
</tr>
</tbody>
</table>

STUDENT ACTIVITIES

ROTC cadets shall undergo orientations and field trainings. Classroom lectures will be held to discuss the military concepts and principles. For the practical application, field drills shall be conducted to fully train the cadets. The following are the activities:

- **Combat Training of the Individual Soldier (CTIS)** – involves training in basic intelligence, map reading and land navigation, basic signal communication, unit formations, basic weapons training and pre-marksmanship training.

- **Public Information** – deals with topics such as threat to National Security and the peace process.

- **Small Unit Tactics** – the conduct of drills such as patrolling, raids, ambushes and rifle squad tactics

- **Individual/Unit Training** – refers to the training in visual tracking, military mountaineering and jungle base operations.

- **Crew-Served Weapons Training** – familiarization of cadets with selected military artillery.

Cadets may also partake in extracurricular activities such as:

- **Civil Military Operations** - participation in activities such as the Foundation Day of the Institute, Intramuros Day, Blood Letting Activity, Tree Planting Program and Alay-Lakad.

- **Military Values Education (MILVED)** – the conduct of routine flag raising and retreat activities, weekly conferences, critique or after action review, orientation among the parents about the program.

- **Military Livelihood Enhancement (MILE)** – activities related to livelihood and economic development.

- **Community Relations (COMREL)** – attendance to the selected events, ceremonies and celebrations.
• Psychological Operations (PSYOPS) - organization of dialogues with parents and guardians of the cadets and curettes regarding ROTC program and conduct of officers training course.

• Recreational Activities – involvement to the Annual Regional ROTC Basketball and Volleyball Competition

**LITERACY TRAINING SERVICE (LTS)**

It refers to the service component of the National Service Training program which is designed to train students to impart literacy and numeracy skills to school children, out-of-school youths and other segments of society who are in need of their services.

**COURSE DESCRIPTION**

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<td>LTS101</td>
<td>Classroom-based discussions concerning the introduction to MAPUA-LTS and lectures that introduces and promotes the MAPUA-LTS Dimensions of Development, relevant societal concerns, the fundamentals of working with the community and project development. It also provides students with sufficient knowledge of the various principles and methods relevant to the teaching and learning process. It aims to strengthen the knowledge, skills and values of the youth to make them more responsive in the pursuit of peace and development.</td>
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<tr>
<td>LTS102</td>
<td>A two-part program that re-introduces the NSTP-SERVICE components of the NSTP-LTS Dimensions of Development and the hands-on application that involves project preparation, planning and implementation such as, actual educational and tutorial services together with other non-formal education related activities of MAPUA University – NSTP at the assigned adopted communities.</td>
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<tr>
<td>LTS103</td>
<td>Part 2 of the hands-on application of the acquired skills and knowledge that involves project preparation, planning and implementation at the assigned adopted communities.</td>
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**LTS STUDENT ATTENDANCE**

• Students are required to attend their classes on time
• A student who has incurred more than twenty percent (20%) absences (more than two absences) shall no longer be allowed to continue the course and will be given a final grade of five (5.00)
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Defining Man

CHAPTER 3

THE HUMAN PERSON
THE HUMAN PERSON: OVERVIEW

What is a human person? What is the nature of a human person? How does a person attain his highest potential that can create a positive result towards society?

Even during ancient times, these questions had been consistently raised and evaluated. Brilliant psychologists, philosophers, theologians, and even natural scientists had written and made in-depth analyses on the topic of human nature using wide range of theories and observations.

It is essentially difficult to define man. This perspective aims to revisit and challenge, in all humility, our perception of human nature; and the possibility of achieving a productive society through the actualization of a person’s highest potential.

THE HUMAN PERSON: REVISITED

When we talk about the human person, it is obviously everything that pertains to man - physical, spiritual, emotional and intellectual attributes. There are several definitions of a human person based on different perspectives:

Aristotle and Boethius described man as a rational being. As rational being, a person is able to know, reason out and apply what he knows.

Theologians describe a human person as a substance of physical and spiritual. Spiritual in nature because man has a soul and is created by a Superior Being with a divine purpose. Physical in nature, because a person is created with body and faculty that correspond to his relationship with society.

Dictionaries define a human person as a living, self-conscious animal or a thing.

WHO AM I?

To fully understand the meaning of a person, let us re-evaluate and understand the characteristics of a person:

Characteristics of a Person

Eddie Babor discussed in his book “The Human Person, Not Real But Existing” that the human person have several characteristics, among which are the following:

1. Rational - Every person is a rational being. This is what distinguishes a person from all other creatures in the world. As a rational being, a person is free to think and has the capacity to reason. He can distinguish what is right and what is wrong because he has intellect.

2. Free - All human beings are born free. A person has the freedom to do or not to do a specific action. However, every person must be responsible for his own action. In other words, a person can do whatever he pleases but not to the extent of doing harm to his co-creatures.

3. Unique - Every person is unique. Every person has his own identity such that no two persons are the same. Generally speaking, human beings have the same characteristics and physical features and but no two persons are the same because every person has its own perception, has different sets of values and priorities in life.

4. Social being - Every person is intrinsically a social being. He cannot detach his “being” from others and all other creatures in the universe. Human nature is characterized by his togetherness and
relationship towards other creatures; be it a thing, object or his fellowman.

5. Sexual - All created living things are sexual in nature but the uniqueness of expression of a person’s sexuality makes it all different. The expression of a person’s emotions, attitudes, feelings, actions and thoughts in sexual activity best exemplifies his uniqueness from animals.

Considering the characteristics, and their definitions, given above, it can be deduced that a human person is the ultimate expression of the Supreme Being that has the freedom, capacity and ability to reason, reflect and relate to his co-existence.

### CORE AND RELATED VALUES

<table>
<thead>
<tr>
<th>DIMENSION AS SELF</th>
<th>HUMAN PERSON IN COMMUNITY</th>
<th>POLITICAL</th>
<th>ECONOMIC</th>
<th>INTELLECTUAL</th>
<th>MORAL</th>
<th>SPIRITUAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>PHYSICAL HEALTH</td>
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<td>FAMILY</td>
<td>SOCIAL RESPONSIBILITY</td>
<td>TRUTH</td>
<td>LOVE</td>
<td>SPIRITUAL</td>
</tr>
<tr>
<td></td>
<td>Physical Fitness, cleanliness, harmony with the material universe, beauty and art</td>
<td>Mutual Love/ respect, fidelity, responsible parenthood, concern for others/common good, freedom/equality, social justice/ respect for human rights, peace/ active non-violence, popular participation</td>
<td>Faith in God</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Society</td>
<td>ECONOMIC EFFICIENCY</td>
<td>Knowledge, creative and critical thinking</td>
<td>Integrity/honesty, self-worth/self-esteem, personal discipline</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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**Source:** Values Integration and Promotion: A Civic Welfare Service Core and Related Values
THE ESSENCE OF A PERSON

By understanding the character and the definition of a person, the next question would be “how are we going to maximize these characteristics to be able to create a positive result?”

There are several guiding principles in realizing a person’s competence and ability. The totality of the person is best explored in the field of humanistic psychology. This study theorized that a person’s behavior and relationship with others is shaped by his inner feelings and self-image.

One of the foundations of humanistic psychology is Abraham Maslow and his theory on the hierarchy of needs as illustrated below:

![Maslow's Hierarchy of Needs Diagram](image)

The hierarchy of needs has five levels, namely:

1. **Physiological Level** - these are biological needs such as food, water, and clothing. They are the strongest needs because when a person is deprived of these, the person will ultimately find ways to fulfill its satisfaction.

2. **Safety** - when physiological needs are met, the person transcends in finding security and protection from physical and emotional harm.

3. **Social and Belongingness** - when the needs for physiological and safety had been satisfied, the desire for affection, belonging, friendship can become active. Maslow states that people seek to overcome feeling of loneliness and alienation.

4. **Esteem** - there are two esteem needs: The self-esteem that include achievement, mastery, confidence and the esteem the person gets from others. These include recognition, respect, attention etc. When these needs are satisfied, the person feels self-confident and valuable as a person in the world. However, when these needs are not met, the person may feel inferior, weak, helpless and worthless.

5. **Self-Actualization** - it is the highest form of motivation. Maslow describes this need as reaching the person’s peak potential.

As discussed above, Maslow’s theory pointed out that a person must satisfy first the other lower needs before he can actually realize his self-worth and potential. Accordingly, when lower needs are unmet, the person cannot fully devote himself to fulfilling his potentials (Boeree; 1988). He theorized that self-actualization is the driving force of human personality. Thus, a person cannot appreciate intellectual and aesthetic learning when the person is hungry and his safety is difficult to obtain. “Artistic and scientific endeavors do not flourish in a society where people must struggle for food, shelter and safety. The highest motive - self-actualization - can only be fulfilled after all other needs are fulfilled” (Intro to Psych 10th ed by...
Atkinson, Smith, Bem, p. 525).

Following Maslow's theory, Carl Rogers (1902-1987) in his person-centered therapy theory, believed that every person has within him an inherent desire towards a positive transformation and development of his capacity. Furthermore, he came to believe that man is basically good and inherently possesses a seed of goodness no matter how imprudent his actions are.

The theory of person-centered therapy of Carl Rogers explained that persons are the only ones able to change the direction of their lives and which path to take. The therapist's role is to act as a "sounding board" while the person himself explores and analyzes his problem (Intro to Psych 10th ed by Atkinson, Smith, Bem, p 523).

In accordance with the view of Roger's theory, the writer of this article personally believes that the therapist being referred to should not be restricted to psychologists only, but must also be identified with the person's environment and the people surrounding him. In other words, the role of our society should be a "sounding board" of our reflections in life to be able for the individual to realize his problem and create his own solutions for it. It is the individual who will eventually direct his own life and not the people around him.

**THE EIGHT STAGES OF DEVELOPMENT**

**ERIK H. ERIKSON**

<table>
<thead>
<tr>
<th>STAGE</th>
<th>BASIC TRUST VS. MISTRUST</th>
<th>HOPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infancy (0-12m)</td>
<td>• Child is helpless dependent on adults.</td>
<td>• Emerges as an enduring belief in the attainability of fervent wishes (fervent children are more future-oriented).</td>
</tr>
<tr>
<td></td>
<td>• Caring is the satisfying needs of the child.</td>
<td>• Children lacking enough trust cannot hope because they must worry constantly about whether their needs will be satisfied and therefore are tied to the present.</td>
</tr>
<tr>
<td></td>
<td>• If parents are rejecting and the satisfying needs of the child is inconsistent, it develops feelings of mistrust</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Early Childhood (Ages 1 - 3)</td>
<td>• Child develops rapidly varied skills.</td>
<td>• Will</td>
</tr>
<tr>
<td></td>
<td>• Learns how to hold on and let go – feces and urine.</td>
<td>• Defined as the unbroken determination to exercise free choice as well as self-restraint.</td>
</tr>
<tr>
<td></td>
<td>• Child can willfully decide to do something or to do it.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Effects of parental discipline and control over the development of child’s own self-control.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• From a sense of self-control without loss of self-esteem comes lasting sense of good will and pride</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• From a sense of self-control comes a lasting propensity for doubt and shame</td>
<td></td>
</tr>
<tr>
<td>School Age</td>
<td>Initiative VS. Guilt</td>
<td>Purpose</td>
</tr>
<tr>
<td>------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| (Ages 4 – 5)     | - Initiative – the general ability to initiate ideas and actions and to plan future events.  
- The child begins to explore what kind of person he can become limits are tested to find out what is permissible and what is not.  
- Guilt develops if parents ridicule the child’s self-initiated behaviors and fantasies. | - The courage to envisage (predict or visualize) and pursue goals by defeat of infantile fantasies, by guilt and by foiling fear of punishment. |

<table>
<thead>
<tr>
<th>School Age</th>
<th>Industry VS. Inferiority</th>
<th>Competence</th>
</tr>
</thead>
</table>
| (Ages 6 – 11)    | - Industry – the sense of enjoyment from work and from sustained attention.          
- Child learns skills necessary for economic survival the technological skills that will allow him to become productive member of his culture.  
- School is the place where child is trained for future employment.  
- Inferiority causes the child to lose confidence in his ability to become contributing member of society. | - It is the free exercise of dexterity and intelligence in the completion of tasks, unimpaired by infantile inferiority. |

| School Age       | Identity VS. Role Confusion                                                        | Fidelity                                                                 |
|------------------|-------------------------------------------------------------------------------------|                                                                          |
| (Ages 12 – 19)   | - Identity - means essentially how a person sees themselves in relation to their world. It’s a sense of self or individuality in the context of life and what lies ahead.  
- Role Confusion - the negative perspective - an absence of identity - meaning that the person cannot see clearly or at all who they are and how they can relate positively with their environment. | - self-confidence and self-esteem necessary to freely associate with people and ideas based on merit, loyalty, social and interpersonal integrity, discretion, personal standards and dignity, pride and personal identity, seeing useful personal role(s) and purpose(s) in life |

| School Age       | Intimacy VS. Isolation                                                              | Love                                                                     |
|------------------|-------------------------------------------------------------------------------------|                                                                          |
| (Ages 20 – 30)   | - Intimacy – the ability to merge one’s identity with that of another person.       
- Isolation – the inability to share one’s identity with that of another person. | - Defined as the mutuality of devotion forever subduing the antagonism inherent in dividend functions  
- Development of a greater sense of intimacy. |

| School Age       | Generativity VS. Stagnation                                                         | Care                                                                     |
|------------------|-------------------------------------------------------------------------------------|                                                                          |
| (Ages 35 – 65)   | - Generativity – the impulse to help members of the next generation.                
- Stagnation – interpersonal impoverishment – the lack of concern about the next generation. | - The widening concern for what has been generated by love, necessity; it overcomes the ambivalence adhering to irresistible obligation. |

| School Age       | Ego Integrity VS. Despair                                                           | Wisdom                                                                   |
|------------------|-------------------------------------------------------------------------------------|                                                                          |
| (Ages 65 – death) | - Ego Integrity – the satisfaction with life and the lack of fear of death.        
- Despair – the lack of satisfaction with life | - The person has more ego integrity than despair  
- Defined as detached concern with life. |
The stages of development are patterned sequence encompassing appropriate physical, emotional and cognitive tasks that the individual must muster in a struggle to adjust to the demands of the social environment.

Each stage should be viewed as a psychosocial crisis or conflict – and whether the conflict of a particular stage is successfully resolved or not, the individual is pushed by both biological maturation and social demands into the next stage. The conflict in each stage involves bipolar tasks such as trust vs. mistrust.

**IN A NUTSHELL**

The definition and characteristics of a person, the presumptions of Carl Rogers, Abraham Maslow and Erik Erikson that had been analyzed are simply guiding principles and motivations to better understand ourselves and examine our potentials. As JFT Bugental pointed out, “man’s life has greater possibilities but not realized”. In other words, there are many opportunities await each person and he is blind enough not to notice those opportunities.

As discussed previously, the person himself is the best qualified in changing and directing his life. He has always been given an alternative whether to do or not to do an act but this action should be accompanied by responsibility.

Being human, our dealings may not always be positive but that does not negate our value as a person. Self-actualized persons allow their innate positive values to transform further and realize that by understanding his self-first is the best way that he can effectively relate to others.

Furthermore, every person must be guided by the understanding that he exists in this world achieving his temporary assignments. Each person should start now by utilizing his gifts and talents in obtaining his goals to positively transform and help others realize their worth as person themselves. He must make use of it and fulfill the greatest challenge that the Supreme Being has bestowed upon him.
Defining Man

CHAPTER 4

FILIPINO CHARACTERISTICS
THE FILIPINO VALUE SYSTEM

What are values?

Before delving into the discussion of values – Filipino values, in particular – it is worth analyzing the word itself. The word “value” has its root in the Latin word “valere” which means to be strong and vigorous. This proceeds from the premise that a human person has to have strength or valor in every endeavor. It is the basis on which his strength in facing the challenges of life should be directed.

Dr. Tomas Q. D. Andres (1986) would define values as “things, persons, ideas or goals which are important to life; anything which enables life to be understood, evaluated, and directed.”

On the other hand, Edgar Sheffield Brightman defines value as “whatever is liked, prized, esteemed, desired approved, or enjoyed by anyone at any time. It is the actual experience of enjoying a desired object or activity. Hence, value is an existing realization of desire.”

Collectively, the values of a society would be the standards or principles for which an act is judged to be what is right or wrong, correct or incorrect. As such, it is the goal set for every member of the community to attain what is desirable. In other words, values in a society give meaning and direction to every individual’s life and influence his human behavior.

Based on these definitions, we can say that values are those which are considered by the society as desirable and important and have attained the status as moral impetus behind every action of each member geared towards the desired end or goal.

What are Filipino Values?

Significantly, Filipino values would be the standards or principles set forth by the Filipino society as basis for what is right or wrong, the principles on which every member of the Filipino society should persevere to attain in order to reach the ultimate realization of his life, regarding his person and in relation to his family and society in general.

Significance of Studying Filipino Values

Several studies have been made on Filipino Values. They have always been interested in examining Filipino values because it influences a Filipino’s behavior in particular, and shaping the Philippine Society in general. How Filipinos feel and motivated to do a specific task is directed and evaluated by his set of values. In order to understand the Filipino culture and the development of the Filipino individual, one has to understand the underlying values on which every Filipino acts. Thus, a study on the Filipino values would provide us a deeper understanding of the Filipino culture.

The shaping of the Philippine society into a successful and progressive nation would depend on understanding and appreciating the positive side of Filipino values and how they are applied to attain such goal. Thus, it is imperative that a full understanding and appreciation of the positive side of our very own principles be made and used for our personal and national success.

The purpose of this chapter, therefore, is to help us understand our Filipino values to enable us to put the positive side of Filipino values in use and to disregard the negative ones. Thus, in the end, through the development and use of positive Filipino values, we may bring out the best in the Filipino society in general and the individual in particular.
Understanding Filipino Values and Culture

The Filipino society is composed of a mixture of different races and cultures, many of which influenced the lifestyle and values being practiced in the Philippine community. Among those who influenced the Filipino culture and values are our ancestors – the Malays and Indons, our colonists – the Spaniards and the Americans, and nationals of other countries who have dealt with the Philippine society through trade – the Chinese and the Indians. The resulting blend of this mixture of influences, which are sometimes conflicting, is uniquely Filipino in character.

Most of the prominent Filipino values are the result of a blend of the rich Christian values of Europe, the pragmatic and democratic values of America, and the spiritual values of Asia.

The basic social unit in the Philippine society is the family. It is here where values and principles are nurtured and imbibed in each and every member of the family. The tradition of close family ties has long been practiced and considered as the foundation of the Philippine society. So much is the effect of this tradition that the members of the constitutional commission of the 1987 Philippine Constitution deemed it proper to include it as a State Policy and a chapter of the fundamental law of the land. Thus, Article XV, Section 1 of the said constitution provides that “The State recognizes the Filipino family as the foundation of the nation.”

It is in the family that the Filipino individual is introduced to the concept of structure and hierarchy of power. He is always reminded to submit to the authoritarian familial set-up, where roles are prescribed especially for younger members of the family. The Filipino family is structured in a way that autocratic leadership rests on the elder members, where the young submit themselves to the decision of family elders. He is indoctrinated of the tradition of primacy of the extended family over that of the individual and that the only source of emotional, economic, and moral support is the family.

The Filipino individual identifies himself with his family. Right from childhood he is made to believe that he belongs to the family. The Filipino individual is always encouraged to get advice from his parents and submit to his parents’ direction, counsel and advice. He is admonished to be good because any disgrace that he commits is a disgrace to the family. In times of misfortune, he is assured of his family’s support, sympathy and love.

Thus, Filipino society, in contrast with Western societies, prefers a rather "structured" way of life, and not where he can be assertive of his own individuality.

However, modern era is catching up with the Filipino society. Changes must occur if the Filipino society is to survive in a changing world. The Filipino society will have to keep up with the changes brought about by modernization. The society must prepare itself for a serious reevaluation of its values. In most instances, it will have to break away from its past and adjust itself towards the future.

FILIPINO CHARACTERISTICS

The characteristic that makes a Filipino vary from different society is his uniquely blended culture and values from different influences. Filipino values, for reason of several influences that shaped its identity, are bipolar like a coin that has two sides. They may either be positive or negative in polarity. Let us take for example the value of utang na loob, or debt of gratitude. The value of utang na loob, the altruistic drawing of interior goodness of a person by returning a debt of gratitude, is by itself positive. However, when one is coerced to honor a debt of gratitude and return the favor, then it becomes negative.

Due to this ambivalence of Filipino values, they have the potential of being used for good or evil. They may either help or hinder personal and national development, depending on how they are understood or practiced or lived.
In order to shape the Filipino society into a successful and progressive nation, there is a need to reevaluate the different values that influence every Filipino individual's action to a set of circumstances. We need to identify the positive side of every Filipino value and develop them in order to yield a more successful and developed society.

Let us then try to discuss some of the values in the Filipino society and re-evaluate them to develop a more positive value for the Filipino individual.

**Utang na Loob**

There is no specific translation that can approximate the meaning of this Filipino value of utang na loob. Debt of gratitude is a lean excuse of a translation because it does not even approximate the fertile concept of the Filipino loob.

Utang na loob is a situation where an individual is required to return a favor or service received. However, the return of such service or favor cannot be translated into monetary equivalent, and may reciprocated in a month of service or even a lifetime.

For example, a congressman proudly gives a town a new chapel, a bridge, or a waiting shed (no matter whether the money came from his pocket or from the government), this makes the people indebted to him. And when elections come, he recites the litany of his projects and people “ought” to repay these through their votes. Not to repay this form of debt means that those who were benefited are walang utang na loob. After having been elected, the people would approach this congressman for return of the favor by seeking employment for them. Thus, this would end into a vicious cycle, where the person na pinagkakautangan ng loob becomes the giver and the giver becomes the person na may utang na loob.

However, utang na loob may be interpreted in a positive outlook. If it is used with the concept of justice, truth and human dignity, it would reflect the beautiful aspect of the Filipino character. Thus, this altruistic feeling must voluntarily come from within the person himself, kusang loob; and should not be demanded by coercing the person who has utang na loob, so as blind his sense of judgment.

Furthermore, this value should be used discriminately. The pagtatanaw ng utang na loob should emerge from within the self of an individual with sense of justice so as to repay the person for the favor or services rendered.

We should always remember that in demanding for the return of indebtedness, the golden rule “Do unto other as you would want them to do unto you.” By demanding the return of the favor, would you wish to become indebted in return? And when indebted, would you want that person to act the same way when they are demanding the return of the favor?

**Bahala na**

Filipinos, by nature, are a religious group of people. They firmly believe in the supernatural and in all kinds of spirit dwelling in individual persons, places or things. They believe in a Supreme Being who will take care of things for them. The Filipino is very religious who has a saint to pray to each day of the week.

The term bahala na comes from the words Bathala na. It reflects the Filipino’s dependence on the supernatural being and on fate. This tends to move toward the commonly conceived procrastination character of the Filipino.
### OTHER STRENGTHS OF THE FILIPINO CHARACTER

<table>
<thead>
<tr>
<th>Strengths of the Filipino Character</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Pakikipagkapwa–Tao</td>
<td>• Camaraderie and feeling of closeness to one another; foundation for</td>
</tr>
<tr>
<td></td>
<td>unity as well as sense of social justice.</td>
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<tr>
<td>2. Family Oriented</td>
<td>• Feeling of belongingness and rootedness and a basic sense of</td>
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<tr>
<td></td>
<td>security.</td>
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<tr>
<td>3. Joy and Humor</td>
<td>• Emotional balance, optimism, a healthy disrespect for power and</td>
</tr>
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<td></td>
<td>office and the capacity to survive.</td>
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<tr>
<td>4. Flexibility and Adaptability</td>
<td>• Productivity, innovation, entrepreneurship, equanimity and</td>
</tr>
<tr>
<td></td>
<td>survival.</td>
</tr>
<tr>
<td>5. Hardwork and Industry</td>
<td>• Productivity and entrepreneurship for some and survival despite</td>
</tr>
<tr>
<td></td>
<td>poverty for others.</td>
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<tr>
<td>6. Faith and Religiosity</td>
<td>• Courage, daring, optimism, inner peace, as well as the capacity to</td>
</tr>
<tr>
<td></td>
<td>genuinely accept tragedy and death.</td>
</tr>
<tr>
<td>7. Ability to Survive</td>
<td>• Bravely live through the harshest economic and social circumstances.</td>
</tr>
</tbody>
</table>

### OTHER WEAKNESSES OF THE FILIPINO CHARACTER

<table>
<thead>
<tr>
<th>Weaknesses of the Filipino Character</th>
<th>Results</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Extreme Personalism</td>
<td>• Leads to graft and corruption.</td>
</tr>
<tr>
<td>2. Extreme Family Centeredness</td>
<td>• Lack of concern for the common good and acts as the block to</td>
</tr>
<tr>
<td></td>
<td>national consciousness.</td>
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<tr>
<td>3. Lack of Discipline</td>
<td>• Inefficient and wasteful work systems, violation of rules leading to</td>
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<tr>
<td></td>
<td>more serious transgressions and a casual work ethics leading to</td>
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<td></td>
<td>carelessness and lack of follow-through.</td>
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<tr>
<td>4. Passivity and Lack of Initiative</td>
<td>• Easily resigned to one’s fate and thus easily oppressed and exploited.</td>
</tr>
<tr>
<td>5. Colonial Mentality</td>
<td>• Basic feeling of national inferiority that makes it difficult for them</td>
</tr>
<tr>
<td></td>
<td>to relate as equal to Westerners.</td>
</tr>
<tr>
<td>6. Kanya-kanya Syndrome</td>
<td>• Dampening of cooperative and community spirit and in the trampling</td>
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<tr>
<td></td>
<td>upon of the rights of others.</td>
</tr>
<tr>
<td>7. Lack of Self-Analysis and Self-</td>
<td>• Emphasis on form more than substance.</td>
</tr>
<tr>
<td>Reflection</td>
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</tr>
</tbody>
</table>
National Issues and Concerns

CHAPTER 5

SUBSTANCE ABUSE EDUCATION
SUBSTANCE ABUSE EDUCATION

DRUGS

Drugs are chemicals that affect a person in such a way as to bring about physiological, emotional, or behavioral change. 'Dangerous drugs' are those that have high tendency for abuse and dependency, these substances may be organic or synthetic, and pose harm to those who use them.

WHAT IS DRUG ABUSE?

Drug abuse is the continuous misuse of any substance, licit, illicit which results to changes in an individual's physical, mental or behavioral condition.

Drug abuse exists when a person continually uses a drug other than its intended purpose. This continued use can lead to drug dependence, a state of physical and psychological dependence or both on a dangerous drug.

WHY DO PEOPLE TURN TO DRUGS?

- Peer pressure
- Curiosity
- Adventure
- Feel good
- Escape from reality
- Easy access to drugs

WHAT IS DRUG DEPENDENCY?

This is the state of physical and psychological dependence, or both, on a dangerous drug, or drugs, experienced by a person following the use of that substance on a periodic or continuous basis. A person dependent on drugs will experience withdrawal reactions (also known as “cold turkey”, symptoms that occur after long-term use of a drug is reduced or stopped abruptly) after abstaining from drugs.

WHAT IS ADDICTION?

Drug addiction is a complex, and often chronic, brain disease. It is characterized by excessive drug craving, seeking, and use. Addiction is caused by brain changes caused by constant drug use.

Drug Abuse: By the Numbers
Estimated Drug Users in the Philippines: **1.3 Million**
Mean Age: **20-29 years old**
Ratio of Male is to Female Users: **10:1**

Commonly Abused Substances:
(1) Methamphetamine Hydrochloride (Shabu)
(2) Cannabis (Marijuana)
(3) Inhalants (Contact Cement)
MOST COMMONLY ABUSED DRUGS AND THEIR EFFECTS

**Methamphetamine Hydrochloride (Shabu)**

Methamphetamine hydrochloride is found to have harmful effects to the brain. It changes how the brain functions. Studies have shown that methamphetamine abusers have reduced motor skills and impaired verbal learning as a result of alterations in the activity of the dopamine, a neurotransmitter involved in reward, motivation, experience of pleasure and motor function.

Street names: shabs, ice, meth, crystal, kristal, basura, tawas

Other adverse effects of methamphetamine:
- Extreme weight loss
- Severe dental problems (“meth mouth”)
- Anxiety
- Confusion
- Insomnia
- Mood disturbances
- Violent behavior

**Cannabis Sativa (Marijuana)**

Marijuana use impairs a person's ability to form new memories and to shift focus. Its active component, tetrahydrocannabinol (THC) also disrupts coordination and balance, posture, and reaction time (experience commonly referred to as “spacing out”). Thus, chronic marijuana use significantly reduces a person's capacity to learn, carry-out complicated tasks, participate in sports, driving and operating other machineries. Studies also show that marijuana use can lead to lung cancer and other problems in the respiratory and immune systems.

Street names: weed, jutes, pot, grass, damo, chongke

Health problems that come with the use of marijuana include:
- Problems with memory and learning
- Distorted perception (sights, sounds, time, touch)
- Trouble with thinking and problem solving
- Loss of motor coordination
- Increased heart rate and palpitations

**Inhalants**

The effects of inhalants are similar to that of alcohol, including slurred speech, lack of coordination, euphoria and dizziness. Inhalant abusers may also experience lightheadedness, hallucinations, and delusions.

Harmful irreversible effects of inhalants include:
- Hearing loss
- Limb spasms
- Central nervous system or brain damage
- Bone marrow damage
HOW CAN YOU TELL IF A PERSON IS ON DRUGS?

Changes in...
1. Appearance
2. Mood
3. Behavior
4. Interest

These are several effects of drugs:

A. MENTAL HEALTH/PSYCHOLOGICAL EFFECTS

   a. Disturbance in Perception – auditory and visual hallucination
   
   b. Disturbance in Orientation – paranoia, psychosis
   c. Disturbance in Memory
   d. Disturbance in Judgment – depression that may lead to suicide

B. PHYSICAL HEALTH/PHYSIOLOGICAL EFFECTS

   a. Systemic
      1. Cardiac (HEART) Pathology – irregularity of heart beat, elevated or lowered blood pressure, chest pain, convulsions or death from cardiac arrest
      2. Pulmonary (LUNG) Illnesses
      3. Hepatic (LIVER) Problems
      4. Renal (KIDNEY) Diseases

COMMON SIGNS OF DRUG ABUSE

The profile of a drug dependent or a substance abuser is as follows:

- Changes in attendance in school or work
- Changes in the normal capabilities in school/work
- Abrupt changes in overall attitude
- Generally lazy, irritable, discourteous, aggressive
- Usually untrustworthy and lacks self-confidence
- Manipulative
- Have a distorted view of reality
- Low frustration tolerance
- Con-game player
- Lacks interest in his studies/work (withdrawal from responsibilities)
- Blames everybody but himself (blame tosser) No respect for the rights of others
- Prefers to stay with peers (barkada)
- May frequently go to odd places (to take drugs)
- Poor physical appearance (unconcerned with grooming and hygiene)
- Wearing of sunglasses at inappropriate times
- Unusual effort to cover arms to hide needle marks (long-sleeved garments)
- Stealing items which can be readily sold
- Unusual borrowing of money from relatives and friends
- Association with known drug abusers
CLASSIFICATION OF DRUG ABUSERS

Substance abusers can be classified according to the frequency of their substance use.

1. **Experimenters** – people who abuse the drug(s) for experimental basis.

2. **Occasional Users** – abuse the drug occasionally/whenever there are special occasions. They abuse the drug once every two (2) weeks to two (2) times a week.

3. **Regular Users** – abuse the drug on a regular basis approximately three (3) to four (4) times a week or every other day.

4. **Drug Dependents** – people who tend to abuse the drug(s) everyday (almost everyday) or about five (5) to seven (7) times a week.

5. **Mentally Ill Chemical Abuser/Substance Induced Psychosis** – drug abusers who manifest signs and symptom of psychotic disorders caused by the effects of drugs (hallucinations, disorientation, delusions, etc.)

SUBSTANCE DEPENDENCY AND KEEPING DRUG-FREE

WHAT ARE THE CRITERIA FOR DRUG DEPENDENCY?

- Withdrawal symptoms
- Need to take drugs to overcome withdrawal symptoms
- Compulsion
- Tolerance
- Relapse
- Reduced social/occupational act

HOW CAN YOU STAY AWAY FROM DRUGS?

- Devote yourself to your studies and other productive activities at home or in school
- Stay away from people, places and events that promote drug use
- Learn to manage feelings and cope with stress without using drugs
- Develop a strong moral and spiritual foundation
- Educate yourself about the effects of drug abuse
- Always say NO

WHAT ARE THE COUNTER-MEASURES FOR SUBSTANCE ABUSE?

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<td>Drug Dependent</td>
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<tr>
<td>Mentally Ill Chemical Abuser (Substance Induced Psychosis)</td>
<td>Drug Rehabilitation</td>
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<td>Psychiatric Treatment</td>
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UNLAWFUL ACTS AND PENALTIES OF COMPREHENSIVE DANGEROUS DRUG ACT OF 2002

Importation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals

- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall import or bring into the Philippines any dangerous drug, regardless of the quantity and purity involved, including any and all species of opium poppy or any part thereof or substances derived therefrom even for floral, decorative and culinary purposes.

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who, unless authorized by law, shall import any controlled precursor and essential chemical.

- The maximum penalty provided for under this Section shall be imposed upon any person, who, unless authorized under the Act, shall import or bring into the Philippines any dangerous drug and/or controlled precursor and essential chemical through the use of a diplomatic passport, diplomatic facilities or any other means involving his/her official status intended to facilitate the unlawful entry of the same. In addition, the diplomatic passport shall be confiscated and canceled.

- The maximum penalty provided for under this Section shall be imposed upon any person, who organizes, manages, or acts as a “financier” of any of the illegal activities prescribed in this Section.

- The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a “protector/coddler” of any violator of the provisions under this Section.

Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals

- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport any dangerous drug, including any and all species of opium poppy regardless of the quantity and purity involved, or shall act as a broker in any of such transactions.

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute, dispatch in transit or transport any controlled precursor and essential chemical, or shall act as a broker in such transactions.

- For drug pushers who use minors or mentally incapacitated individuals as runners, couriers and messengers, or in any other capacity directly connected to the dangerous drugs and/or controlled precursors and essential chemicals trade, the maximum penalty shall be imposed in every case.

- If the victim of the offense is a minor or a mentally incapacitated individual, or should a dangerous drug and/or a controlled precursor and essential chemical involved in any offense herein provided be the proximate cause of death of a victim thereof, the maximum penalty provided for under this
The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a "protector/coddler" of any violator of the provisions under this Section.

**Maintenance of a Den, Dive or Resort**

- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person or group of persons who shall maintain a den, dive or resort where any dangerous drug is used or sold in any form.

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person or group of persons who shall maintain a den, dive, or resort where any controlled precursor and essential chemical is used or sold in any form.

- Should any dangerous drug be the proximate cause of the death of a person using the same in such den, dive or resort, the penalty of death and a fine ranging from One million (P1,000,000.00) to Fifteen million pesos (P15,000,000.00) shall be imposed on the maintainer, owner and/or operator.

- If such den, dive or resort is owned by a third person, the same shall be confiscated and escheated in favor of the government: Provided, that the criminal complaint shall specifically allege that such place is intentionally used in the furtherance of the crime; Provided, further, that the prosecution shall prove such intent on the part of the owner to use the property for such purpose; Provided, finally, that the owner shall be included as an accused in the criminal complaint.

- The maximum penalty provided for under this Section shall be imposed upon any person who organizes, manages or acts as a “financier” of any of the illegal activities prescribed in this Section.

- The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a “protector/coddler” of any violator of the provisions under this Section.

**Employees and Visitors of a Den, Dive or Resort**

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon:

  (a) Any employee of den, dive or resort, who is aware of the nature of the place as such; and

  (b) Any person who, not being included in the provisions of the next preceding paragraph, is aware of the nature of the place as such and shall knowingly visit the same.
Manufacture of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals

- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who unless authorized by law, shall engage in the manufacture of any dangerous drug.

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who unless authorized by law, shall manufacture any controlled precursor and essential chemical.

- The presence of any controlled precursor and essential chemical or laboratory equipment in the clandestine laboratory is a prima facie proof of manufacture of any dangerous drug. It shall be considered an aggravating circumstance if the clandestine laboratory is undertaken or established under the following circumstances:
  
  (a) Any phase of the manufacturing process was conducted in the presence or with the help of minor/s;
  
  (b) Any phase or manufacturing process was established or undertaken within one hundred (100) meters of a residential, business, church or school premises;
  
  (c) Any clandestine laboratory was secured or protected with booby traps;
  
  (d) Any clandestine laboratory was concealed with legitimate business operations; or
  
  (e) Any employment of a practitioner, chemical engineer, public official or foreigner.

- The maximum penalty provided for under this Section shall be imposed upon any person, who organizes, manages or acts as a “financier” of any of the illegal activities prescribed in this Section.

- The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a “protector/coddler” of any violator of the provisions under this Section.

Illegal Chemical Diversion of Controlled Precursors and Essential Chemicals

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who unless authorized by law, shall illegally divert any controlled precursor and essential chemical.

Manufacture or Delivery of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs and/or Controlled Precursors and Essential Chemicals

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person who shall deliver, possess with intent to deliver, or manufacture with intent to deliver equipment, instrument, apparatus and
other paraphernalia for dangerous drugs, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal any dangerous drug and/or controlled precursor and essential chemical in violation of the Act.

- The penalty of imprisonment ranging from six (6) months and one (1) day to four (4) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be imposed if it will be used to inject, ingest, inhale or otherwise introduce into the human body a dangerous drug in violation of the Act.

- The maximum penalty provided for under this Section shall be imposed upon any person, who uses a minor or a mentally incapacitated individual to deliver such equipment, instrument, apparatus and other paraphernalia for dangerous drugs.

**Possession of Dangerous Drugs**

- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall possess any dangerous drug in the following quantities, regardless of the degree of purity thereof:
  
  (a) 10 grams or more of opium;
  
  (b) 10 grams or more of morphine;
  
  (c) 10 grams or more of heroin;
  
  (d) 10 grams or more of cocaine or cocaine hydrochloride;
  
  (e) 50 grams or more of methamphetamine hydrochloride or “shabu”;
  
  (f) 10 grams or more of marijuana resin or marijuana resin oil;
  
  (g) 500 grams or more of marijuana; and
  
  (h) 10 grams or more of other dangerous drugs such as, but not limited to, methylenedioxymethamphetamine (MDMA) or “ecstasy”, 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 value or if the quantity possessed is far beyond therapeutic requirements, as determined and promulgated by the Board in accordance with Section 93, Article XI of the Act.

- Otherwise, if the quantity involved is less than the foregoing quantities, the penalties shall be graduated as follows:
  
  (1) Life imprisonment and a fine ranging from Four hundred thousand pesos (P400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantity of methamphetamine hydrochloride or “shabu” is ten (10) grams or more but less than fifty (50) grams;
  
  (2) Imprisonment of twenty (20) years and one (1) day to life imprisonment and a fine ranging
from Four hundred thousand pesos (P400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantities of dangerous drugs are five (5) grams or more but less than ten (10) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride, marijuana resin or marijuana resin oil, methamphetamine hydrochloride or “shabu”, or other dangerous drugs such as, but not limited to, MDMA or “ecstasy”, PMA, TMA, LSD, GHB, and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements; or three hundred (300) grams or more but less than five hundred (500) grams of marijuana; and

(3) Imprisonment of twelve (12) years and one (1) day to twenty (20) years and a fine ranging from Three hundred thousand pesos (P300,000.00) to Four hundred thousand pesos (P400,000.00), if the quantities of dangerous drugs are less than five (5) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride, marijuana resin or marijuana resin oil, methamphetamine hydrochloride or “shabu”, or other dangerous drugs such as, but not limited to, MDMA or “ecstasy”, PMA, TMA, LSD, GHB, and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements; or less than three hundred (300) grams of marijuana.

Possession of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs

- The penalty of imprisonment ranging from six (6) months and one (1) day to four (4) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be imposed upon any person, who, unless authorized by law, shall possess or have under his/her control any equipment, instrument, apparatus and other paraphernalia fit or intended for smoking, consuming, administering, injecting, ingesting, or introducing any dangerous drug into the body: Provided, that in the case of medical practitioners and various professionals who are required to carry such equipment, instrument, apparatus and other paraphernalia in the practice of their profession, the Board shall prescribe the necessary implementing guidelines thereof.

- The possession of such equipment, instrument, apparatus and other paraphernalia fit or intended for any of the purposes enumerated in the preceding paragraph shall be prima facie evidence that the possessor has smoked, consumed, administered to himself/herself, injected, ingested or used a dangerous drug and shall be presumed to have violated Section 15 of the Act.

Possession of Dangerous Drugs during Parties, Social Gatherings or Meetings

- Any person found possessing any dangerous drug during a party, or at a social gathering or meeting, or in the proximate company of at least two (2) persons, shall suffer the maximum penalties provided for in Section 11 of the Act, regardless of the quantity and purity of such dangerous drugs.

- The phrase "company of at least two (2) persons" shall mean the accused or suspect plus at least two (2) others, who may or may not be in possession of any dangerous drug.

Possession of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs during Parties, Social Gatherings or Meetings

- The maximum penalty provided for in Section 12 of the Act shall be imposed upon any person, who shall possess or have under his/her control any equipment, instrument, apparatus and other
paraphernalia fit or intended for smoking, consuming, administering, injecting, ingesting, or introducing any dangerous drug into the body, during parties, social gatherings or meetings, or in the proximate company of at least two (2) persons.

- The phrase "company of at least two (2) persons" shall mean the accused or suspect plus at least two (2) others, who may or may not be in possession of any equipment, instrument, apparatus and other paraphernalia for dangerous drugs.

**Use of Dangerous Drugs**

- A person apprehended or arrested, who is found to be positive for use of any dangerous drug, after a confirmatory test, shall be imposed a penalty of a minimum of six (6) months rehabilitation in a government center for the first offense, subject to the provision of Article VIII of the Act. If apprehended using any dangerous drug for the second time, he/she shall suffer the penalty of imprisonment ranging from six (6) years and one (1) day to twelve (12) years and a fine ranging from Fifty thousand pesos (P50,000.00) to Two hundred thousand pesos (P200,000.00): Provided, that this Section shall not be applicable where the person tested is also found to have in his/her possession such quantity of any dangerous drug provided for under Section 11 of the Act, in which case the provisions stated therein shall apply.

**Cultivation or Culture of Plants Classified as Dangerous Drugs or are Sources Thereof**

- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who shall plant, cultivate or culture marijuana, opium poppy or any other plant regardless of quantity, which is or may hereafter be classified as a dangerous drug or as a source from which any dangerous drug may be manufactured or derived: Provided, that in the case of medical laboratories and medical research centers which cultivate or culture marijuana, opium poppy and other plants, or materials of such dangerous drugs for medical experiments and research purposes, or for the creation of new types of medicine, the Board shall prescribe the necessary implementing guidelines for the proper cultivation, culture, handling, experimentation and disposal of such plants and materials.

- The land or portions thereof and/or greenhouses on which any of said plant is cultivated or cultured shall be confiscated and escheated in favor of the State, unless the owner thereof can prove lack of knowledge of such cultivation or culture despite the exercise of due diligence on his/her part. If the land involved is part of the public domain, the maximum penalty provided for under this Section shall be imposed upon the offender.

- The maximum penalty provided for under this Section shall be imposed upon any person, who organizes, manages or acts as a “financier” of any of the illegal activities prescribed in this Section.

- The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a “protector/coddler” of any violator of the provisions under this Section.

**Maintenance and Keeping of Original Records of Transactions on Dangerous Drugs and/or Controlled Precursors and Essential Chemicals**

- The penalty of imprisonment ranging from one (1) year and one (1) day to six (6) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be
imposed upon any practitioner, manufacturer, wholesaler, importer, distributor, dealer or retailer who violates or fails to comply with the maintenance and keeping of the original records of transactions on any dangerous drug and/or controlled precursor and essential chemical in accordance with Section 40 of the Act.

- An additional penalty shall be imposed through the revocation of the license to practice his/her profession, in case of a practitioner, or of the business, in case of a manufacturer, seller, importer, distributor, dealer or retailer.

**Unnecessary Prescription of Dangerous Drugs**

- The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) and the additional penalty of the revocation of his/her license to practice shall be imposed upon the practitioner, who shall prescribe any dangerous drug to any person whose physical or physiological condition does not require its use or in the dosage prescribed therein, as determined by the Board in consultation with recognized competent experts who are authorized representatives of professional organizations of practitioners, particularly those who are involved in the care of persons with severe pain.

**Unlawful Prescription of Dangerous Drugs**

- The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall make or issue a prescription or any other writing purporting to be a prescription for any dangerous drug.
National Issues and Concerns

CHAPTER 6

DISASTER AWARENESS, PREPAREDNESS AND MANAGEMENT
DISASTER AWARENESS, PREPAREDNESS, AND MANAGEMENT

In implementation of Disaster Risk Reduction and Management, the NSTP shall be guided with reference from:

Republic Act 9163

Section 11. The creation of the National Service Reserve Corps – There is hereby created a National Service Reserve Corps, to be composed of the graduates of the non-ROTC components. Members of this corps may be tapped by the state for literacy and civic welfare activities through the joint effort of the DND, CHED, and TESDA.

Republic Act 10121

Section 13. Accreditation, Mobilization and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector. – The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction program and activities. The agencies, CSOs, private sector and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the lists of volunteers to the OCD, through the LDRRMOs for accreditation and conclusion in the database of community disaster volunteers.

A national roster of ACDVs, National Service Reserve Corps, CSOs and the private sector shall be maintained by the OCD through the LDRRMOs. Accreditation shall be done at the municipal level.

Mobilization of volunteers shall be in accordance with the guidelines to be formulated by the NDRRMC consistent with the provisions of this Act. Any volunteer who incurs death or injury while engaged in any of the activities defined under this Act shall be entitled to compensatory benefits and individual personnel accident insurance as may be defined under the guidelines.

Introduction to Disaster Awareness, Preparedness and Management

The Philippines is located in the circumpacific belt of fire and typhoon. This being so, the country has always been subjected to natural disaster and calamities anytime of the year, in whatever part of the country, we have been experiencing yearly natural calamities – floods, typhoons, tornadoes, earthquakes, drought, tsunamis and volcanic eruptions which have brought incessant miseries to our people, loss of lives properties.

In the mid-seventies and eighties, strong typhoons and torrential rains brought devastation to Manila and large areas of central Luzon. The 1990 killer earthquake that hit several Luzon provinces as well as Metro Manila and the effects of the 1991 Mt. Pinatubo eruption had put the National Disaster Coordinating Council (NDCC) in the forefront.

To enhance the people’s preparedness and ensure precision and spontaneity in responding to emergencies or catastrophes, the NDCC, together with the concerned agencies conduct regular mobilization exercises and drills at all levels with the participation of the private agencies concerned and the non-government organization.
DEFINITION OF TERMS

Here are the terminologies often used in disaster response and rescue operations:

- **CALAMITY** – refers to a situation that is associated with catastrophic events where a number of persons are plunged with hardship and suffering that are caused by problems like shortage of food, clothing, medical care and other basic necessities.

- **DISASTERS** – are progressive or sudden events brought about by natural or human-induced hazards that cause losses and sufferings to consequence of which results to people and communities undertaking extraordinary measures to cope with their impacts.

- **DISASTER CONTROL** – refers to the act of limiting the effect of disaster through the introduction of measures designed to prepare the inhabitants before, during and after a disaster.

- **DISASTER MANAGEMENT** – the efficient and effective utilization of resources and the application of measure that will mitigate the impact of unfortunate events and facilitate return to normalcy and redevelopment.

- **FLOOD** – a state or condition when water overflows from natural waterways caused by heavy rainfall resulting in the water accumulation in low lying areas.

- **HAZARDS** – are natural or man-induced phenomena or activities, the presence of which poses a threat to people’s lives, limbs, properties and socio-economic conditions.

- **NATIONAL DISASTER COORDINATING COUNCIL** – the highest government body responsible in advising the President of the country on the status of disaster preparedness program and disaster relief and rehabilitation effort at the national level.

- **POLLUTION** – refers to any discharge of liquid, solid substance or gases into land, soil, waters, atmosphere, air or space which will create or render such environmental elements and atmospheric air harmful or detrimental or injurious to human beings, animals, plants and the nature’s environment and ecological balance.

- **RADIOACTIVE FALL-OUT** – dust particles of Earth and debris, together with the radioactive materials that cling to them and are drawn up into mushroom clouds resulting from detonation of a nuclear weapon or devise and which are carried by the wind and sent back to earth.

- **REHABILITATION** – refers to the restoration of a person’s economic dependency to a stable living either physically, economically, socially or emotionally.

- **RELIEF** – refers to anything that is done to alleviate the condition of those who are suffering from the effects of a calamity/disaster and who at that particular time are completely helpless.

- **RISKS** – refers to the degree or chance and frequency that such hazards will affect or impact people and communities.

- **SPACE DEBRIS** – these are remains of artificial satellites and other components as well as their means of carriage aloft which fall back to earth.

- **STATE OF CALAMITY** – it is a condition that is declared by the President of the country in the event of a widespread destruction to property and lives due to destructive forces of nature and emergencies.
• **VOLCANIC ERUPTION** – an occurrence characterized by an ejection of volcanic materials such as molten lava, rock fragments, ashes, lahar flow, steam and other gases through the fissure brought about the tremendous pressure which forces open the rock formation or steam reservoirs beneath the Earth’s crust.

• **VULNERABILITY** – the level of susceptibility or resiliency of the people and communities against the impact of the prevailing hazards based on the state of physical, social, and economic conditions in a given area.

**THE DISASTER EQUATION AND THE DISASTER MANAGEMENT CYCLE**

Disaster is characterized by several elements namely hazards, risk, people or community and vulnerability.

Hazards

(H) or the physical impact of the disturbance, either man-made or natural, is heightened by the amount of risk (R) to the people and the community. Moreover, the degree of the vulnerability (V) of all the involved further fuels the magnitude of a disaster. This is presented in the Disaster Equations as shown below:

\[ H \times R + V = \text{DISASTERS} \]

The concept of disaster risk management accepts that some hazard events may occur but tries to lessen the impact by improving the community’s ability to absorb the impact with minimum damage or destruction. The Disaster Management Cycle is a traditional approach to disaster management wherein disaster measure is regarded as a number of phased sequences of action or a continuum. It aims to reduce the vulnerabilities in the community. In addition, when sustained over long term, it reduces unacceptable risk to acceptable levels and makes a community become disaster resistant or resilient. This is represented as a cycle. This is illustrated below:

a. **Pre-Disaster Risk Reduction Phase**
   - Preparedness
   - Development
   - Mitigation

b. **Post-Disaster Recovery Phase**
   - Response
   - Rehabilitation
   - Recovery
The comprehensive risk management process has the potential to break the cycle of damage and reconstruction when a community is subjected to repeated natural hazards. It refers to a range of policies, legislative mandates, professional practices, social, structural and non-structural adjustments and risk transfer mechanisms to prevent, reduce or minimize the effects of hazards on a community. To be effective, a strategy must be in place and ready for immediate implementation when necessary. This can only be done through advance preparation and planning.

The following are risk management measures:

a. Engineering measures (keep hazard away from people).
b. Land use planning and management measures (Keep people away from hazard).
c. Control and protection works (modifying the hazard).
d. Early warning (predicting hazard)
e. Preparedness planning (prepare in anticipation of a hazard event).
f. Reconstruction planning after a disaster with the aim of reducing the vulnerability.
g. Mainstreaming risk management in development practice and institutionalization.

INTRODUCTION OF MORSE CODE AND DIFFERENT WAYS TO SIGNAL SOS

It is a method of transmitting information of a series of on-off tones, or clicks that can be directly understood by a skilled listener or observer without special equipment. It is named for Samuel F. B. Morse, an inventor of the telegraph. The International Morse code encodes the ISO basic Latin alphabet, some extra Latin letters, the Arabic numerals and a small set of punctuation and procedural signals (prosigns) as standardized sequences of short and long signals called “dots” and “dashes”, or “dits”, as in amateur radio practice. Because many non-English natural languages use more than 26 Roman letters, extensions to the Morse alphabet exist for those languages.

Each Morse code symbol represents either a text character (letter or numeral) or a prosign and is represent by a unique sequence of dots and dashes. The duration of a dash is three times the duration of a dot. Each dot or dash is followed by as short silence, equal to the dot duration. The letters of a word are separated by a space equal to three dots (one dash), and the words are separated by a space equal to seven dots. The dot duration is the basic unit of time measurement in code transmission. To increase the speed of the communication, the code was designed so that the length of each character in Morse varies approximately inversely to its frequency of occurrence in English. Thus the most common letter in English, the letter “E”, has the shortest code, a single dot.

In an emergency, Morse code can be sent by improvised methods that can be easily “keyed” on an off, making it one of the simplest and most useful methods of telecommunication. The most distress signal is Save Our Soul (SOS) or three dots, three dashes and three dots, internationally recognized by treaty.

DIFFERENT WAYS TO SIGNAL SOS

a. Fire – Build three first in a triangle or in a straight line, with about 100 feet between them. Three fires are an internationally recognized distress signal.
b. Whistle – The International Whistle Code for helps is much easier. All you have to do to signal SOS is to blow the whistle three times. Two blasts of the whistle is a call-back signal which means “Come here”. One blast can mean “Where are you?” or it can be a call-back signal if you hear anything that sound like a code.

c. Flashlight or Mobile Phone – If you have a target you are attempting to signal, flash out SOS in Morse (three short flashes, three long flashes, three short flashes) in its direction. If you don’t have a flashlight use your mobile phone. That of course, assuming that you don’t have signal to make calls.

d. Torch – Built a fire you can signal SOS at night using torch. Find something to cover the light of the torch from the angle of the targeted plane, ship or helicopter. Move the objects that covers the light to signal SOS.

e. Parts of your body – Wave your arms and hands sideways and down to attract attention. If the potential rescue vehicle is close, simply stand with your hands and arms in the air.
FIRST AID

In Encyclopedia Britannica states First Aid as “measures to be taken immediately after accident not with an idea to cure but in order to prevent further harm being done”. It uses the available human and material resources at the site of accident to provide initial care to the victim of injury or sudden illness until more advance care is provided.

A simple way to remember the aims of first aid is to think of the “Three P’s” (Preserve, Prevent, and Promote).

a. **Preserve Life** – your first aim is to preserve life by carrying out emergency first aid procedures. For example, opening a casualty’s airway or performing cardiopulmonary resuscitation (CPR).

Preserving life should always be the overall aim of all first aiders. Remember though, this includes your own life. You should never put yourself or others in danger.

b. **Prevent Deterioration** – the second aim of first aid is to prevent the casualty’s condition from deteriorating any further. For example, asking a casualty with a broken limb to stay still and padding around the injury will prevent the fracture from moving and causing further injury or pain.

In addition, this aim includes preventing further injuries. You should attempt to make the area as safe as possible and removing any dangers.

If removing danger is not possible, you should attempt to remove the patients from the patient from the danger or call for specialist for help.

c. **Promote Recovery** – finally, you can promote recovery by arranging prompt emergency medical help. In addition, simple first aid can significantly affect the long-term recovery of an injury. For example, quacking cooling a burn will reduce the risk of long-term scarring and will encourage early healing.

CHARACTERISTICS OF A GOOD FIRST AIDER

a. **Gentle** – should not cause pain.
b. **Resourceful** – should make the best use of things at hand.
c. **Observant** – should notice all signs.
d. **Tactful** – should not alarm the victim.
e. **Emphatic** – should be comforting.
f. **Respectable** – should maintain a professional and caring attitude.

Hindrances in Giving First Aid

a. **Unfavorable Surroundings**
   - Night Time
   - Crowded city lights; churches; shopping malls
   - Busy Highways
   - Cold and Rainy weather
   - Lack of necessary materials or helps.

b. **The Presence of Crowds**
   - Crowds curiously watch, sometimes heckle, and sometimes offer incorrect advice.
   - They may demand haste in transportation or attempt other improper procedures.
   - A good examination if difficult while a crowd looks on.
c. Pressure from Victim or Relatives
   • The victim usually welcomes help, but if he is drunk, he is often hard to examine and handle, and is often misleading in his responses.
   • The hysteria of relatives or the victim, the evidence of pain, blood and possible early death, exert great pressure on the first aider.
   • The first aider may fail to examine carefully and may be persuaded to do what he would know in calm moments to be wrong.

HOW TO DEAL WITH INJURIES

Treatment of Wounds – a wound is usually treated by bandaging.

Locate wound position – wound in different locations demand different treatment, therefore it is most important when a victim is still conscious not to move a lot and to remain in a seating or standing position (position of head should be the highest).

Pay attention to the human body’s anatomical shape – during the treatment of a wound, the body’s anatomy has to be noticed, because it will affect the bandaging method.

Identify size of the wound (extent and intensity of blood outflow)

The size of a wound determines the treatment method, even though it follows the same principles. Cover wound and stop the bleeding. There are four methods to stop bleeding: applying pressure, bandaging, bandaging and applying pressure (tourniquet) and total bandaging.

When trying to stop bleeding, do not bind too loose as blood will not stop but also do not bind too tight, as this will stop blood from flowing to the wounded area. Therefore it is necessary to ask a victim, whether the bandage is too loose or too tight. When no response can be obtained from the victim, the bandage tightness is done in such a way that the pulse can still be felt beneath the bandage.

OBJECTIVE OF FIRST AID

Participants will be able to simulate the treatment and bandaging techniques of bleeding wounds.

The principle of treating bleeding wounds is to as quickly as possible stop blood outflow, because it can be fatal if blood outflow exceeds 20% of the total blood in the body.

The next principle is to as quickly as possible cover the wound, because open skin presents an entrance for bacteria and other germs to the body. A sterile cloth should be used when applying a bandage to prevent the wound from catching an infection, or one should apply disinfectant to the wound if available.

Another important point is that the bandage applied to a wound should not too tight, because this might obstruct other parts, or too loose, because otherwise the bleeding will not stop. If the victim is conscious please ask him/her about the bandage tightness, but if the victim is unconscious one should check for pulse signs around the wound area.

Bleeding wound treatment on round body part

   • Determine if the wound needs a pressing tool or not, if considered necessary apply a pressing tool.
   • Prepare an already folded bandage.
• Start binding starting from the wound
• Bind around the head in circles, upon arriving opposite of the wound area, cross the bandage.

![Image 1](image1.png)

• After crossing, tie bandage in shape of a parcel (not in the direction of first binding) until arriving at the position of the wound. When reaching the same position as the wound, tie with a slipknot.

![Image 2](image2.png)

• If a wound exists on the chin or upper forehead, a triangular cloth is needed to prevent the bandage from coming loose.

![Image 3](image3.png)

• After the wound is pressed, tie a pair of strings from bottom to behind the head, going above the ears. Then tie with a slipknot.

![Image 4](image4.png)
• Tie another pair of strings to the direction of behind the head via below the ears. Make sure binding is not too loose and not too tight.

Broken Bone refers to a wound which occurs on a bone, in the form of cracking, breaking or sticking out of the body. Broken bones are injuries most common during earthquakes. The cause of a broken bone is for instance being struck by building debris, trampled on, getting squeezed.

3 Types of broken bone wounds

1. Fractured bone: a bone experiences trauma/impact it may cause the bone to crack, but not break apart.
2. Closed broken bone: a bone breaks, but is still inside the body.
3. Open broken bone: a bone breaks and sticks out through the skin.

Symptoms of broken bone wounds

Several symptoms easily recognizable are among others:

• Black and blue
• Swollen
• Very painful when touched or moved
• Change in form
• Broken neck bone can be noticed when there are wounds on both head and neck
• Broken backbone can be noticed when there is a difference in the length of the legs
• Broken rib-bone is followed by breathing difficulties

The first aid principles to address a broken bone wound is through fixation to rest/minimize activity of the two joints that flank the broken bone. This is necessary to prevent friction of the broken bone. Friction of a broken bone can aggravate the wound.

Treatment of Broken wounds

Treatment of a broken bone wound (fixation) is known as splint bandaging. Fixation is done by applying two splints comprising of wood lined with thin cloth/spoon. The splints, each two centimeter in length are meant to flank the fracture location, which are then bound with a rope, and tightened to support the broken body part and prevent it from suspending.

Treating a broken neck is by propping up the neck to prevent any movement, whether left and right, to and fro, as well as turning around.
A broken back does not need first aid, but needs special aid from competent persons. What should be exercised is to make victim remain in a lying down position, and to make use of a flat and hard palanquin when transferring the victim to a different location.

When treating a victim with a broken collarbone, no splints are needed, only a shoulder binder to retain its position and prevent the victim from stooping.

In the case of an open broken bone, first step is to cover the wound, and thereafter conduct a fixation against the broken bone.

**Keep in mind:**

*In treating broken bone wounds, do not try to restore the bone to its original position, by pressing, pulling or reinserting the stuck out bone.*

*If no splints are available, part of the victim’s body can be utilized as a splint. For instance in the case of a broken lower arm, fixation can be done by binding the broken arm to the victim’s body.*

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**BASIC LIFE SUPPORT (BLS)**

Basic life support (BLS) is a level of medical care which is used to victims of life-threatening illnesses or injuries until they can be given full medical care at a hospital. It can be provided by trained medical personnel, including emergency medical technicians, paramedics, and by qualified bystanders.

**BACKGROUND**

- Approximately 700,000 cardiac arrests per year in Europe.
- Survival to hospital discharge presently approximately 5-10%.
- Bystander CPR vital intervention before arrival of emergency services – double or triple survival from SCA (sudden cardiac arrest).
- Early resuscitation and prompt defibrillation (within 1-2 minutes) can be result in >60% survival.
(CAB)

A  irway
B  reathing
C  irculation

CHAIN OF SURVIVAL

SEQUENCES OF PROCEDURES PERFORMED TO RESTORE THE CIRCULATION OF OXYGENATED BLOOD AFTER A SUDDEN PULMONARY AND/OR CARDIAC ARREST.

CHEST COMPRESSIONS AND PULMONARY VENTILATION PERFORMED BY ANYONE WHO KNOWS HOW TO DO IT, ANYWHERE, IMMEDIATELY, WITHOUT ANY OTHER EQUIPMENT.

PROTECTIVE DEVICES

- APPROACH SAFELY
- CHECK RESPONSE
- SHOUT FOR HELP
- OPEN AIRWAY
- CHECK BREATHING
- CALL 9-1-1

a. APPROACH SAFELY

- Scene
- Rescuer
- Victim
- Bystanders

b. CHECK RESPONSE

Shake shoulders gently ask “Are you all right?”

If he responds

- Leave as you find him.
- Find out what is wrong.
- Reassess regularly

c. SHOUT FOR HELP
d. **OPEN AIRWAY**
   - Head tilt and chin lift
   - Lay rescuers.
   - Non-healthcare rescuers.
   - No need for finger sweep
   - Unless solid material can be seen in the airway.

   ![Head tilt, chin lift + jaw thrust](image)

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**AGONAL BREATHING**
- Occurs shortly after the heart stops in up to 40% of cardiac arrests.
- Described as barely, heavy, noisy or gasping breathing.
- Recognize as a sign of cardiac arrest (Erroneous information can result in withholding CPR from cardiac arrest victim)

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**POTENTIALLY REVERSIBLE CAUSES (5 H's & 5 T's)**

<table>
<thead>
<tr>
<th>Hypoxia</th>
<th>Tension pneumothorax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hypovolemia</td>
<td>Tamponade</td>
</tr>
<tr>
<td>Hypothermia</td>
<td>Toxic/therap disturbances</td>
</tr>
<tr>
<td>Hyper/hypoK</td>
<td>Thrombosis coronary</td>
</tr>
<tr>
<td>+and metabolic disorders</td>
<td>Thrombosis pulmonary</td>
</tr>
<tr>
<td>H+ ions (acidosis)</td>
<td></td>
</tr>
</tbody>
</table>

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f. **CALL 9-1-1**

![Image of a person calling 9-1-1]

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**g. CHEST COMPRESSIONS**

- Place the heel of one hand in the center of the chest.
- Place other hand on top.
- Interlock fingers.
- Compress the chest.
  - Rate 100 min-1
  - Depth 4-5 cm
  - Equal compression : relaxation
- When possible change CPR operator every 2 min.

---

**h. RESCUE BREATHS**

- Pinch the nose.
- Take a normal breath.
- Place lips over mouth.
- Blow until the chest rises.
- Take about 1 second.
- Allow chest to fall.
- Repeat.

---

**Breathing: Mouth to Nose (When to use)**

- Can't open mouth.
- Can't make a good seal.

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**When can I stop CPR?**

- Victim revives
- Trained help arrives
- Too exhausted to continue
- Unsafe scene
- Physician directed (do not resuscitate orders)
- Cardiac arrest of longer than 30 minutes

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**Why CPR may fail**

- Delay in starting.
- Improper procedures (ex. Forget to pinch nose)
- No ACLS follow-up and delay in defibrillation
  - Only 15% who receive CPR live to go home.
  - Improper techniques.
- Terminal disease or unmanageable disease (massive heart attack).
Injuries related to CPR

- Rib fractures
- Laceration related to the tip of the sternum
  - Liver
  - Lung
  - Spleen

Complicated of CPR

- Vomiting
- Aspiration
- Place victim on left side
- Wipe vomit from mouth with fingers wrapped in a cloth.
- Reposition and resume CPR.

**BANDING**

It is used to hold a dressing in place over a wound, to create pressure over a bleeding wound for control of hemorrhage, to secure a splint to an injured part of the body, and to provide support to an injured part.

**Definition**

Any clean cloth or material used to hold the dressing in place.

- To control bleeding.
- It secures a splint.
- To immobilize and support body parts.

**Four (4) Methods of Triangular Bandage**

- Open Phase
- Broad Cravat Phase
- Semi-Broad Cravat Phase
- Narrow Cravat Phase

**PARTS OF TRIANGULAR BANDAGE**

Application

a. Must be proper, neat, and correct.

b. Apply neatly not too loose, not too tight.

c. Always check for tightness may cause later swelling.

d. Tie ends with a square knot.
Two (2) Types of Square Knot

How to tie a Square Knot

Rules in tying square knot: left end over right end then right end over left end and (vice versa).

   a. Pass the left end (dark) over and under the right.
   b. Bring both ends up again.
   c. Pass the right end (dark) over and under the left.
   d. Pull the ends firmly to tighten; tuck ends.

![Square Knot Diagram](image)

How to untie a Square Knot

   a. Pull one end and one piece of bandage apart.
   b. Hold the knot; pull the end through it and out.

![Square Knot Untie Diagram](image)

Five (5) Different techniques on bandaging

1. Triangle of Forehead or Scalp - The triangle of forehead or scalp (fronto - occipital) is used to hold dressing on the forehead or scalp.

   a. Place middle of base of triangle so that edge is just above the eyebrows and bring apex back, allowing it to drop over back of head (occiput). Bring ends of triangle backward above ears.
   b. Cross ends over apex at occiput, carry ends around forehead, and tie them in a square knot.
   c. Turn up apex of bandage toward top of head. Pin with safety pin or tuck in behind crossed part of bandage.
2. **Triangular Arm Sling** - A triangular arm sling (brachio-cervical triangle) is used for the support of fractures or injuries of hand, wrist, and forearm.

**Two version of this sling are discussed below:**

a. In this method of applying the sling, the forearm is supported from both shoulders by the sling.
   - Bent arm at elbow so that little finger is about a hand-breadth above level of elbow.
   - Place one end of triangle over shoulder on injured side and let bandage hang down over chest with based forward hand and apex toward below elbow.
   - Slip bandage between body and arm.
   - Carry low end up over shoulder on uninjured side.
   - Tie and two ends, by square knot, at the neck, not in the middle where it could cause discomfort when patients is lying on back.
   - Draw apex of bandage toward elbow until snug, bring it around to front, and fasten with safety pin or adhesive tape.

b. If it is desirable to support the forearm without pressure on the collarbone or should of the injured side, the following steps are taken.
   - Bend arm at elbow so that the little finger is about a hand-breadth above level of elbow.
   - Drape upper end of triangle over uninjured shoulder
   - Slip bandage between body and arm.
   - Carry lower and up over flexed forearm (ends of fingers should extend slightly beyond base of triangle)
   - Slide lower end of bandage under injured shoulder between arm and body and secure the two ends with square knot.
   - Draw apex toward elbow until snug, and secure with safety pin or adhesive tape.

3. **Triangle of Chest or Back** - This bandage is used to hold dressing on burns or wounds of chest or back.
   a. Drop apex of triangle over shoulder on injured side. Bring bandage down over chest (or back) to cover dressing, so that middle of base of bandage is directly below injury. Turn up a cuff a base.
   b. Carry ends around and tie in a square knot, leaving one end longer than the other.
   c. Bring apex down and tie to long end of first knot.

4. **Cravat of Head or Ear** - The purpose of this bandage is too apply pressure to control hemorrhage from wounds of scalp, or to hold...
dressings on wounds of ear or lower scalp.

   a. Place middle cravat over dressing
   b. Pass each end completely around head.
   c. Tie in square knot.

5. **Cravat to Jaw** - The Cravat of Jaw (mento-vertico-occipital cravat) is used to dressings on the chin, cheeks, and scalp ends upward with one end longer than the other.
   a. After making a triangular bandage into a cravat of proper width, place it under the chin carry ends upward with one end longer than the other.
   b. Bring longer end over top of head. Cross both ends on side of head. (Ends should now be of equal length).
   c. Pass ends around head in opposite directions and tie with square knot on other side of head on primary turn of cravat.

**RAPPELLING**

Rappelling, also referred to as rapping or the European “abseiling” (from the German word abseilen, meaning “to rope down”), is the controlled descent down a steep terrain using a fixed rope. The original body rappel, known as the “Dulfersitz”, ran the rope around the rappeller’s body for friction. Modern rappelling techniques employ some type of descender or friction device. This permits a rescuer to quickly access an injured or stranded subject in technical terrain.

It is important to understand that rappelling is dangerous. Rappelling accidents resulting in injury or death are frighteningly common.

The following are important safety considerations relating to rappelling;

- Verify the rope reaches the target.
- Double check your harness, carabiners, and all rigging prior to going over the edge.
- Check the carabiners are locked and not cross loaded.
- Use a buddy check system to have your rigging inspected by other rescuers.
- Employ a secondary conditional self- belay (autoblock, VT Prusik, etc.) as a backup.
• Keep the brake hand below the descending device – NEVER LET GO!
• Keep hair and clothing away from the descending device.
• Carry a cutting tool and a backup Prusik for emergencies.
• Remember that a rope under tension cuts extremely easily.
• Avoid dislodging rocks with the rope.
• Do not bounce during a rappel – dangerously shocks the rappel anchor
• Descend slowly and avoid excessive heat buildup
• Use well-fitting gloves when rappelling – otherwise they become a safety hazard.

Prior to rappelling, you should check every aspect of your system. The rappelling safety acronyms B.R.A.K.E.S., developed by Cyril Shokoples 10 years ago and now widely used by climbing schools, can easily be employed as a pre-rappel checklist. It’s a good idea to go through this list out loud by stating each letter and touching the part of the system you’re checking. Confirm with your partner when possible that each component of the system has been set up appropriately and is going to be applied correctly.

**B – Buckles:** Check the buckles on your harness. Make sure they are snug and that all appropriate straps are doubled-back.

**R – Rappel Device/Ropes:** Check that the carabiner at attached to your device is locked, both strands of the rope have been loaded correctly in the device, and the rope is properly threaded through the rappel anchor.

**A – Anchor:** Confirm that the anchor is strong. If it’s a tree, make sure it’s alive, large enough to hold your weight, and that is has a good root base. If it’s a boulder, ensure that it is not going to move. If rappelling off bolts or gear, confirm that they are suitably strong enough. Double-check that any webbing or cord isn’t damaged or too faded.

**K – Knots:** Check all the knots in the system. Make sure that knots adjoining two ropes in a double-rope rappel are correctly tied with enough tail.

**E – Ends:** Confirm that the ends of your ropes are on the ground or that they reach the next anchor. Confirm that your system is closed with knots at the end of your rappel lines.

**S – Safety Backup/Sharp Edges:** Use an auto block back-up and check to make sure that you aren’t going to rappel over any sharp edges.

*Note:* All the students of NSTP, CWTS, and ROTC including the Facilitators shall be invited for the Rappelling Activity
National Issues and Concerns

CHAPTER 7

ENVIRONMENTAL AWARENESS
CLIMATE CHANGE

Climate change is a change in the statistical distribution of weather over periods of time that range from decades to millions of years. It can be a change in the average weather or a change in the distribution of weather events around an average (for example, greater or fewer extreme weather events). Climate change may be limited to a specific region, or may occur across the whole Earth.

WHAT MAKES THE CLIMATE CHANGE?

The Earth's climate is influenced by many factors, mainly by the amount of energy coming from the sun, but also by factors such as the amount of greenhouse gases and aerosols in the atmosphere, and the properties of the Earth's surface, which determine how much of this solar energy is retained or reflected back to space.

CAUSES OF CLIMATE CHANGE

A. Natural causes

1. Continental drift - The continents that we are familiar with today were formed when the landmass began gradually drifting apart, millions of years back. This drift also had an impact on the climate because it changed the physical features of the landmass, their position and the position of water bodies. The separation of the landmasses changed the flow of ocean currents and winds, which affected the climate.

2. Volcanoes - When a volcano erupts, it throws out large volumes of sulfur dioxide, water vapor, dust, and ash into the atmosphere. Although the volcanic activity may last only a few days, yet the large volumes of gases and ash can influence climatic patterns for years. Millions of tons of sulfur dioxide gas can reach the upper levels of the atmosphere (called the stratosphere) from a major eruption. The gases and dust particles partially block the incoming rays of the sun, leading to cooling. Sulphur dioxide combines with water to form tiny droplets of sulfuric acid. These droplets are so small that many of them can stay aloft for several years. They are efficient reflectors of sunlight, and screen the ground from some of the energy that it would ordinarily receive from the sun. Winds in the upper levels of the atmosphere, called the stratosphere, carry the aerosols rapidly around the globe in either an easterly or westerly direction. Movement of aerosols north and south is always much slower.

3. The earth's tilt - Changes in the tilt of the earth can affect the severity of the seasons - more tilt means warmer summers and colder winters; less tilt means cooler summers and milder winters.

4. Ocean currents - The oceans are a major component of the climate system. They cover about 71% of the Earth and absorb about twice as much of the sun's radiation as the atmosphere or the land surface. Ocean currents move vast amounts of heat across the planet - roughly the same amount as the atmosphere does. But the oceans are surrounded by land masses, so heat transport through the water is through channels. Winds push horizontally against the sea surface and drive ocean current patterns. Certain parts of the world are influenced by ocean currents more than others. Ocean currents have been known to change direction or slow down. Much of the heat that escapes from the oceans is in the form of water vapour, the most abundant greenhouse gas on Earth. Yet, water vapor also contributes to the formation of clouds, which shade the surface and have a net cooling effect.
B. Human causes

Greenhouse gases and their sources

a. **Carbon dioxide** - the most important greenhouse gas in the atmosphere. Changes in land use pattern, deforestation, land clearing, agriculture, and other activities have all led to a rise in the emission of carbon dioxide.

b. **Methane** - about ¼ of all methane emissions are said to come from domesticated animals such as dairy cows, goats, pigs, and horses. These animals produce methane during the cud-chewing process. Methane is also released from rice or paddy fields that are flooded during the sowing and maturing periods. When soil is covered with water it becomes anaerobic or lacking in oxygen. Under such conditions, methane-producing bacteria and other organisms decompose organic matter in the soil to form methane. Methane is also emitted from landfills and other waste dumps. If the waste is put into an incinerator or burnt in the open, carbon dioxide is emitted. Methane is also emitted during the process of oil drilling, coal mining and also from leaking gas pipelines (due to accidents and poor maintenance of sites).

c. **Nitrous oxide** - a large amount of nitrous oxide emission has been attributed to fertilizer application. This in turn depends on the type of fertilizer that is used, how and when it is used and the methods of tilling that are followed.

d. **Nitrogen** - contributions are also made by leguminous plants, such as beans and pulses that add nitrogen to the soil.

**HUMAN CONTRIBUTION TO CLIMATE CHANGE**

All of us in our daily lives contribute our bit to this change in the climate. Give these points a good, serious thought:

- Electricity is the main source of power in urban areas. All our gadgets run on electricity generated mainly from thermal power plants. These thermal power plants are run on fossil fuels (mostly coal) and are responsible for the emission of huge amounts of greenhouse gases and other pollutants.

- Cars, buses, and trucks are the principal ways by which goods and people are transported in most of our cities. These are run mainly on petrol or diesel, both fossil fuels.

- We generate large quantities of waste in the form of plastics that remain in the environment for many years and cause damage.

- We use a huge quantity of paper in our work at schools and in offices.

- Timber is used in large quantities for construction of houses, which means that large areas of forest have to be cut down.

A growing population has meant more and more mouths to feed. Because the land area available for agriculture is limited (and in fact, is actually shrinking as a result of ecological degradation!), high-yielding varieties of crop are being grown to increase the agricultural output from a given area of land. However, such high-yielding varieties of crops require large quantities of fertilizers; and more fertilizer means more emissions of nitrous oxide, both from the field into which it is put and the fertilizer industry that makes it. Pollution also results from the run-off of fertilizer into water bodies.
WHAT IMPACTS OF CLIMATE CHANGE HAVE ALREADY BEEN OBSERVED?

Regional climate change is already affecting many natural systems. For instance, it is increasingly being observed that snow and ice are melting and frozen ground is thawing, hydrological and biological systems are changing and in some cases being disrupted, migrations are starting earlier, and species' geographic ranges are shifting towards the poles.

Despite remaining gaps in knowledge, it is likely that these effects are linked to human influence on climate. At the regional level, however, responses to natural variability are difficult to separate from the effects of climate change.

Some previously unanticipated impacts of regional climate change are just starting to become apparent. For instance, melting glaciers can threaten mountain settlements and water resources, and damage associated with coastal flooding are increasing.

HOW DO PEOPLE ADAPT TO CLIMATE CHANGE?

• Humans need to adapt to the impacts of climate change, for instance through technological solutions such as coastal defenses and changes in consumption habits.

• Vulnerability of human populations to climate change and its consequences can be affected by other factors, such as pollution, conflicts, or epidemics such as AIDS. An emphasis on sustainable development can help human societies reduce their vulnerability to climate change.

• Mitigation measures that aim to reduce greenhouse gases emissions can help avoid, reduce or delay impacts, and should be implemented in order to ensure that adaptation capacity is not exceeded.

POSSIBLE SOLUTIONS TO CLIMATE CHANGE

A. House & Garden

1. Grow your own food. Planting things like garden vegetables and herbs will help you eat locally and organic.

2. Redecorate with Eco-products. If you need to repaint your house, use latex paint rather than oil-based. Latex paint releases significantly fewer harmful fumes while drying and smells a lot better - it's healthier for you, too.

3. Buy energy-efficient appliances. These will require less energy to do their job, meaning lower bills and less fossil fuels being burned.

   If you can't do this, use your existing appliances efficiently; make sure the dishwasher and washing machine are full before running them to save energy and money.

   Hang-dry your laundry rather than putting it in the dryer and put them outside on a clothesline on dry days. Hang-drying will also make your clothes last much longer.

4. Reduce your electricity use.

   Unplug your cell phone charger, TV and other electronics from the wall when you are not using them, because they use energy when plugged in and on standby. The process can be made easier if you have everything plugged into a surge protector with its own switch.

   Turn off lights and other energy-sucking devices when they aren't being used.
Replace older light bulbs with energy-saving fluorescent bulbs. Fluorescent light bulbs are a little more expensive, but much more efficient - they use about a seventh of the power and last about 12 times longer.

Replace fluorescent light bulbs with Ultra Compact LEDs (UCLEDs). These use less energy and last longer than fluorescent light bulbs. Additionally UCLEDs do not contain any dangerous mercury. Even though LED light bulbs are currently more expensive, remember that your money is spent for a good cause: it will pay for the development of cheaper and more effective generation of LEDs.

If you’re leaving your computer for a while, put it on stand-by. You’ll be able to restart it quickly, and it’ll take less energy than shutting it down and then restarting it.

5. Reduce the usage of refrigerants and air-conditioners.
6. Pack your refrigerator more tightly to reduce cooled air.

B. Water Conservation

1. Take short showers and share bathwater. Showers use much less water. The other choice is to fill a bucket with water and take a can or a jug, and keep filling it with water from the bucket and pouring it over your head - if you have some extra water save it for some other person to use. You can lather yourself up with the water turned off in the middle of the shower.
2. Pollute less. When washing dishes, wash greasy pans last to keep the water clean.
3. Turn off taps properly. Especially when brushing your teeth - every little bit helps.
4. Fix dripping taps. The constant drip wastes water, energy and money, so repair them as soon as possible. You can also save by installing an inexpensive "flow control" device in shower heads and faucets.
5. Use appliances efficiently. Running the clothes washer with a full load and using cold water (30 degrees Celsius) whenever possible can lead to big energy savings. Use detergents that clean clothes effectively in colder water.

C. Transportation

1. Use a bike. With gas prices so high, it will pay for itself. Ride it to work or school, for short distances, to run errands, or to have fun. Everyone benefits when you ride a bike. You help conserve our limited oil resources, you are not polluting, and you are exercising.
2. Walk short distances rather than drive. It may be convenient to drive, but let's face it, it probably takes longer than walking would, and emits pollutants to boot.
3. Use public transportation or carpool for long trips. These options may take a little longer, but you can read, listen to headphones, or talk to people instead of having to stare straight ahead for the length of your commute.
4. Consolidate your trips. If you must drive to do grocery, shopping, etc., plan to do all weekly errands on one day. You can get everything you need in one trip, saving you money and time. It's also more fuel efficient to start a car if it's already warmed up.
5. Research biodiesel. This is a diesel made from a percentage of plant and animal fat (in some cases reused fat). This is not suitable for all diesel engines.
6. Research energy efficient, electric, hybrid and diesel engines when buying a new car, motorbike or scooter.

D. Shopping

1. Buy only post-consumer recycled paper products, including toilet paper and tissues. The paper industry is the third greatest contributor to global warming emissions. Buying recycled is as important as recycling - it's called "closed loop" recycling.

2. Avoid using plastic bags from grocery stores. Bring canvas bags to carry your grocery items. Use re-useable bags and boxes. If you need a plastic one, make sure you use it again and again!

E. Community

1. Knowledge is power. Learn everything you can about global warming. What is it? How does global warming work? Why is it happening? What are the causes? What are the critics saying?

2. E-mail relevant articles to your friends and family to get them up to speed about global warming.

3. Write to your local council to ask for environmentally minded services such as recycling collection.

4. Educate yourself, you family, your friends, and everyone you meet. Our culture is just waking up to issues that have existed for years. The more people are aware of the issues the more likely they are to make decisions that will be constructive!
National Issues and Concerns

CHAPTER 8

NATIONAL SECURITY
HUMAN SECURITY AND NATIONAL SECURITY

Since time immemorial, man has an awareness and knowledge about security. In ancient era, man has devised means to protect himself from ferocious animals and harsh conditions. As the society advanced, they learned to create tools and weapons to safeguard their lives and their properties. In our country, heroes were born because they strive to save our people from conquerors. Currently, every country has its own way of defending and maintaining its human and national security.

In the 1994 United Nations Development Programme (UNDP) Report, human security was referred to as having two aspects:

"...first safety from such chronic threats as hunger, disease and repression...second, it means protection from sudden and hurtful disruptions in the patterns of daily life – whether in homes, in jobs, or in communities. Such threats can exist at all levels of national income and development."

This was supplemented by an explanation from the former UN Secretary-General Kofi Annan which states that:

"Human security, in its broadest sense, embraces far more than the absence of violent conflict. It encompasses human rights, good governance, access to education and health care and ensuring that each individual has opportunities and choices to fulfill his or her potential... Every step in this direction is also a step towards reducing poverty, achieving economic growth and preventing conflict. Freedom from want, freedom from fear, and the freedom of future generations to inherit a healthy natural environment – these are the interrelated building blocks of human – and therefore national – security."

Thus, according to the United Nations (UN) Commission, Human Security:

- seeks to “protect the vital core of all human lives in ways that enhance human freedoms and human fulfillment”
- requires “protecting people from critical and pervasive threats” and “empowering them to take charge of their own lives”
- “protection and empowerment are mutually reinforcing and cannot succeed in isolation”

Commission puts emphasis on the “need for comprehensive, integrated and people-centered solutions that together can help people develop the building blocks of survival, livelihood and dignity”

National Security is defined as the state or condition wherein the values which a nation treasures such as territorial integrity, sovereignty, people’s way of life and well-being are protected and enhanced. It is the requirement to maintain the survival of the nation-state through the use of economic military and political power and the exercise of diplomacy. The measures taken to ensure national security include:

- Using diplomacy to rally allies and isolate threats;
- Maintaining effective armed forces;
- Implementing civil defense and emergency preparedness measures (including anti-terrorism legislation);
- Ensuring the resilience and security of critical infrastructure; and
- Using intelligence services to detect and defeat or avoid threats and espionage, and to protect classified information.

In the Philippine context as indicated by the NSC Permanent Secretariat, National Security is described as a condition or state of being where the Filipino people’s values, way of life, institutions, welfare, and well-
being, sovereignty and strategic relations are protected and enhanced. The elements of National Security are the following:

- Moral-spiritual consensus Cultural cohesiveness
- Economic solidarity
- Socio-political stability Ecological balance
- Territorial integrity
- International harmony

**NATIONAL SECURITY AND THE NSTP PROGRAM**

The 1987 Philippine Constitution enshrined in its Declaration of Principles that the Filipinos are duty-bound to protect the country and, as such, they may be subjected to undergo service training programs (Art. II, Sec. 14, The Philippine Constitution).

The Government may call upon the people to defend the state, and in fulfillment thereof, all citizens may be required, under conditions provided by law, to render personal, military or civil service.

The NSTP is a program aimed at enhancing civic consciousness and defense preparedness in the youth by developing the ethics of service and patriotism while undergoing training in any of its three (3) program components, specifically designed to enhance the youth’s active contribution to the general welfare.

**MANPOWER RESERVOIR FOR NATIONAL SECURITY**

1. Graduates of CWTS and LTS shall belong to the National Service Reserve Corps (NSRC) which could be tapped by the State for literacy and civic welfare activities such as assisting in disaster preparedness, mitigation, response and rehabilitation programs.

2. Graduates of the ROTC component shall form part of the AFP Citizen Armed Forces and AFP Reserve Force, subject to DND requirements.

**THREATS TO NATIONAL SECURITY**

**A. Man Made Threats**

a. Terrorism
b. Explosion/Bomb Threats
c. Campus Violence/Frat and Gang War
d. Kidnapping/Hostage Taking
e. Drug Addiction
f. Armed Robberies/Hold Ups
g. Snatching
h. Sabotage
i. Fire
j. Technological Threats such as gambling through number games, internet hold ups and cyber-crimes (computer hacking, computer pilferage, ATM stealing and cyber prostitution)

**B. Natural Threats**

a. Earthquakes
b. Typhoons
c. Floods
d. Volcanic Eruptions
e. Tsunamis
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APPENDICES
REVISED IMPLEMENTING RULES AND REGULATIONS OF THE NATIONAL SERVICE TRAINING PROGRAM (NSTP)

Pursuant to Section 12 of Republic Act No. 9163 otherwise known as the National Service Training Program (NSTP) Act of 2001, the Commission on Higher Education (CHED), Technical Education and Skills Development Authority (TESDA), and Department of National Defense (DND), in consultation with concerned government agencies, the Philippine Association of State Universities and Colleges (PASUC), Coordinating Council of Private Educational Associations of the Philippines (COCOPEA), Non-Government Organizations (NGOs) and recognized student organizations, hereby jointly issue, adapt and promulgate the following implementing rules and regulations in implement the provisions of the Act.

Rule I GUIDING PRINCIPLES

Section 1. Guiding Principle. While it is the prime duty of the government to serve and protect its citizens, in turn it shall be the responsibility of all citizens to defend the security and promote the general welfare of the State, and in fulfillment thereof, the government may require each citizen to render personal military or civil service.

Section 2. Role of the Youth

a. In recognition of the vital role of the youth in nation building, the State shall promote civic consciousness among them and shall develop their physical, moral, spiritual, intellectual and social well-being. It shall inculcate the ideals of patriotism, nationalism, and advance their involvement in public and civic affairs.

b. As the most valuable resource of the nation, they shall be motivated, trained, organized and involved in military, literacy, civic welfare programs and other similar endeavors in the service of the nation.

Rule II DEFINITION OF TERMS

Section 3. As used in this Implementing Rules and Regulations (IRR), the following terms shall mean:

a. “National Service Training Program” (NSTP) – refers to the program aimed at enhancing civic consciousness and defense preparedness in the youth, by developing the ethics of service and patriotism while undergoing training in any of the three (3) Program components, specifically designed to enhance the youth’s active contribution to the general welfare;

b. “Reserve Officers’ Training Corps” (ROTC) – refers to the Program component, institutionalized under Sections 38 and 39 of Republic Act No. 7077, designed to provide military training to tertiary level students in order to motivate, train, organize and mobilize them for national defense preparedness;

c. “Literacy Training Service” (LTS) – refers to the Program component designed to train the students to teach literacy and numeracy skills to school children, out-of-school youths and other segments of society in need of their services;

d. “Civic Welfare Training Service” (CWTS) – refers to the Program component or activities contributory to the general welfare and the betterment of life for the members of the community or the enhancement of its facilities, especially those devoted to improving health, education, environment, entrepreneurship, safety, recreation and moral of the citizenry and other social welfare services;
e. “Program Component” – refers to the service components of NSTP as defined herein;

f. “Clustering” – refers to the grouping of students enrolled to different schools and taking up the same NSTP component into one (1) group under the management and supervision of a designated school;

g. “Cross Enrollment” – refers to a system of enrollment were a student is officially enrolled in an academic program of an origin school but is allowed to enroll in the NSTP component of another accepting school; and

h. “Non-Government Organization” (NGO) – refers to any private organization duly accredited by CHED or recognized by TESDA.

Rule III
PROGRAM IMPLEMENTATION

Section 4. Coverage

a. All incoming first year students, male and female, starting School Year (SY) 2002-2003, enrolled in any baccalaureate and in at least two (2) year technical-vocational or associate courses, are required to complete one (1) NSTP component of their choice, as a graduation requirement.

The above provision, however, does not cover the following:
a.1 Students who finished or graduated from a baccalaureate degree or two year technical-vocational or associate course and pursuing or enrolled in another or additional baccalaureate degree or two-year technical-vocational or associate course in SY 2003-2004, and;
a.2 Students who completed any of the three NSTP components but considered freshmen to the course where they transferred or shifted.
a.3 Foreign students or aliens

b. All higher and technical-vocational education institutions must offer at least one (1) of the NSTP components.

c. State Universities and Colleges (SUCs), shall offer the ROTC component and at least one (1) other NSTP component.

d. The Philippine Military Academy (PMA), Philippine Merchant Marine Academy (PMMA), and Philippine National Police Academy (PNPA) are exempted from the NSTP in view of the special character of these institutions. Other State Universities and Colleges of similar nature will be exempted subject to approval of the Department of National Defense.

e. Private higher and technical-vocational education institutions with at least 350 student cadets, may offer the ROTC component and consequently establish/maintain a Department of Military Science and Tactics (DMST), subject to the existing rules and regulations of the Armed Forces of the Philippines (AFP).

Section 5. Program Components

a. The NSTP shall have the following components which the students can choose from as defined in Rule II, Section 3 hereof: The Reserve Officers Training Corps, Literacy Training Service (LTS), and Civic Welfare Training Service (CWTS).
b. All program components, the ROTC in particular, shall give emphasis on citizenship training and shall instill patriotism, moral virtues, respect for the rights of civilians and adherence to the Constitution.

c. The CHED, TESDA in consultation with the DND, and PASUC, COCOPEA and other concerned government agencies, may design and implement such other non-military training components as may be necessary in consonance with the provisions of R.A. 9163.

d. Within thirty (30) days from the approval of this revised IRR, the CHED, TESDA, and the DND shall jointly issue the minimum standards for the three (3) NSTP components which shall form part of these guidelines.

Section 6. Duration and Equivalent Course Unit

a. Each of the aforementioned NSTP components shall be undertaken for an academic period of two (2) semesters. It shall be credited for three (3) units per semester, for fifty-four (54) to ninety (90) training hours per semester.

b. A One (1) Summer Program (OSP) in lieu of the two (2) semester program may be designed, formulated and adopted by the DND, CHED and TESDA, subject to the capability of the school and the AFP to handle the same.

c. Earned NSTP units shall not be included in the computation of Grade Point Average (GPA) grades of college graduating students.

Section 7. Clustering and Cross-Enrolment

a. Clustering of students from different education institutions during semestral or summer periods may be done for any of the NSTP component, taking into account logistics, branch of service and geographical locations. The host school shall be responsible in managing the Program.

b. Schools that do not meet the required number of students to maintain the optional ROTC and any of the NSTP components, or do not offer the component chosen by the students, shall allow their students to cross-enroll to other schools, irrespective or whether such school is under CHED or TESDA; and in the case of students taking the ROTC component, irrespective of whether the two semesters shall be taken from different schools whose ROTC are administered/managed by different branches of service of the AFP.

c. Students intending to cross-enroll shall be subject to the existing rules and regulations of the school of origin and the accepting school.

Section 8. Monitoring and Evaluation

A. Management

1. The school authorities shall exercise academic and administrative supervision over the design, formulation, adoption and implementation of the different NSTP components in their respective schools.

2. There should be an NSTP Office in each school or college/university headed by an NSTP Director or its equivalent position responsible for the implementation of the Program. Each of the NSTP components is considered a distinct and/or separate unit under the NSTP office, and the head of the unit shall report directly to the NSTP Director or its equivalent position.
3. A functional chart of the NSTP Office shall be structured based on the capability of the institution to sustain the component program being offered based on the number of enrollees.

4. In the case of ROTC, the school authorities and DND, subject to the policies, regulations and programs of DND on the military component of the training, shall exercise joint supervision over its implementation.

5. Schools which have contracted CHED-accredited or TESDA-recognized NGOs to formulate and administer training modules for any of the NSTP components shall jointly exercise such academic and administrative supervision with those NGOs. Within forty-five (45) days from approval and issuance of this IRR, the CHED, TESDA and DND shall issue the necessary guidelines for the accreditation of non-government organizations (NGOs) and training modules to be utilized by these NGOs.

**B. Monitoring**

1. CHED Regional Offices, TESDA Provincial/District Offices and DNDAFP (through the Major Service Reserve Commands), shall oversee and monitor the implementation of the NSTP under their respective jurisdiction, to determine if the trainings conducted are in consonance with the Act. These Sub Offices shall submit periodic reports to the Central Offices of CHED, TESDA and DND.

2. CHED deputized officials shall coordinate and conduct spot visits to actual NSTP activities.

3. At the end of every school year the Higher Education Institution shall submit an Annual Report to the CHED Regional Office copy furnished the Office of Student Services in electronic template, indicating the following:
   3.1 names who finished under each NSTP component,
   3.2 the programs, projects and activities undertaken with pictorials and documentation as much as possible, and
   3.3 financial statements on the funds collected, allocated and utilized.

The annual report on NSTP by the university or college shall be made available to faculty, students and the general public in the NSTP Office.

   In regions with universities and colleges having two or more campuses, the university concerned shall consolidate the report before submission to CHED Regional Offices.

4. In cases of violations of guidelines, warnings and/or sanctions may be imposed to schools and accredited NGOs that disregarded or grossly violated the provisions of this implementing rules and regulations.

**Rule IV FEES AND INCENTIVES**

**Section 9. Fees.**

a. No fees shall be collected for any of the NSTP components except basic tuition which should not be more than fifty (50%) percent of the charges of the school per academic unit. NSTP tuition collected shall constitute a Trust Fund, which shall be exclusively used for the operation of the Program.

b. NSTP funds derived from NSTP-related operations shall serve as augmentation to sustain unprogrammed activities of NSTP.
c. The unexpended fund balance shall be carried over to the next semester; provided, however, NSTP funds shall not be converted into savings at the expense of the proper implementation of the program.

d. Subsidies from the government, any legal agency or institution appropriated for NSTP shall be included in the preparation of the program of expenditure and report on the utilization of funds.

e. Expenditures/disbursements shall be subjected to periodic audits by the proper school authorities and concerned NSTP officers;

f. The NSTP Director or its equivalent shall submit a comprehensive report on the utilization of the NSTP Funds by program component to the school head, two weeks after the end of every semester.

g. Rental space of school and other similar expenses shall not be charged to NSTP.

Section 10. Incentive, Insurance and Protection

A. Incentives

1. A program of assistance/incentives for ROTC students shall be provided and administered by DND, in accordance with existing laws and regulations and subject to the availability of funds.

2. A Special Scholarship Program and other forms of assistance and incentives for qualified NSTP students shall be administered by CHED and TESDA, with funds for the purpose to be included in the annual regular appropriations of the two agencies, subject to the availability of funds.

3. The college or university may provide scholarship and other forms of assistance and incentives to qualified and deserving NSTP students, the funding of which shall come from available NSTP funds of the school.

4. Personnel involved in the NSTP shall be provided honorarium and other incentives based on the standard policy set forth by the HEIs.

B. Insurance and Protection

1. School authorities concerned, CHED and TESDA shall ensure that health and accident group insurances are provided for students enrolled in any of the NSTP components.

2. Schools that already provide health and accident group insurance and collect the necessary fees for the purpose from their students as of the effectivity of this Rules, are deemed to have complied with this requirement.

Rule V ORGANIZATION OF NSTP GRADUATES

Section 11. Organization of NSTP Graduates

a. Graduates of the non-ROTC components of the NSTP shall belong to the National Service Reserve Corps (NSPC) and could be tapped by the State for literacy and civic welfare activities, especially in times of calamities through the joint efforts of DND, CHED and TESDA, in coordination with DILG, DSWD and other concerned agencies/associations.
b. The CHED, TESDA and DND, in consultation with other concerned government and non-government agencies, shall issue the necessary guidelines for the establishment, organization, maintenance and utilization of the National Service Reserve Corps.

c. Graduates of the ROTC program shall form part of the Citizen Armed Force pursuant to RA 7077, subject to the requirements of DND.

**Rule VI MISCELLANEOUS PROVISIONS**

Section 12. **Certificate of Completion.** Certificate of Completion with corresponding serial number issued by CHED, TESDA or DND, shall be awarded to students who have successfully complied with the program requirements.

Section 13. **Information Dissemination.** The CHED, TESDA and DND shall provide information on these Act and IRR to all concerned publics through different modes of disseminating information.

Section 14. **Amendatory Clause**

a. Section 35 of Commonwealth act No.1, Executive Order No. 207 of 1939, Section 2 and 3 of presidential Decree No. 1706, and Sections 38 and 39 of Republic Act No. 7077, as well as all laws, decrees, orders, rules and regulations and other issuances inconsistent with the provisions of the Act are hereby deemed amended and modified accordingly.

b. This Rules may be amended, modified, or replaced jointly by CHED, TESDA and DND, in consultation with PASUC, COCOPEA, NGOs and recognized student organizations.

Section 15. **Separability Clause.** If any section or provisions of this IRR shall be declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

Section 16. **Effectivity.** This rules shall take effect 15 days after publication in a newspaper of general circulation and shall remain in force and effect until revoked or amended.

Adopted and Issued on day of 2006.

AVELINO CRUZ, JR. CARLITO S. PUNO, DPA Sec.
Secretary, DND Chairman, CHED AGUSTO “BOBOY” SYJUCO
Director General, TESDA
Implementing Rules and Regulations of Republic Act No. 8491
January 30, 2002

REPUBLIC OF THE PHILIPPINES
NATIONAL HISTORICAL INSTITUTE


RULE 1
GENERAL PROVISIONS

SECTION 1. Title. — These rules shall be known, cited and referred to as the "RULES AND REGULATIONS IMPLEMENTING REPUBLIC ACT NO. 8491, SERIES OF 1998, THE CODE OF THE NATIONAL FLAG, ANTHEM, MOTTO, COAT-OF-ARMS AND OTHER HERALDIC ITEMS AND DEVICES OF THE PHILIPPINES", hereinafter called the "Rules".

SEC. 2. Declaration of Policy and Objectives. — It is the policy of the state to herein prescribe the Code of the National Flag, Anthem, Motto, Coat-of-Arms and other Heraldic Items and Devices of the Philippines, ensure the promotion and implementation of its corresponding rules and regulations, and adopt effective administrative, regulatory, coordinative and supervisory programs and activities, where appropriate, in conformity with national government policies. Further, reverence and respect shall at all times be accorded to the flag, anthem, and other national symbols which embody the national ideals and traditions and which express the principles of sovereignty and national solidarity.

SEC. 3. Scope of Application. — These Rules shall apply to individuals, public and private entities, military and police agencies, and other branches and/or instrumentalities of the national and local government including government-owned and/or controlled corporations, and shall also be observed in and within the entire territory of the Philippines as such is defined in the Constitution and laws of the Republic of the Philippines.

SEC. 4. Interpretation. — In the interpretation of the provisions of Republic Act No. 8491, Series of 1998, The Flag and Heraldic Code of the Philippines, hereinafter called R.A. No. 8491, and of these Rules, that interpretation which will promote or sustain reverence and respect for the flag, the anthem, and other national symbols, all of which embody national ideals and traditions, shall be given paramount consideration.

RULE 2
THE IMPLEMENTING AGENCY

SEC. 5. The Implementing Agency. — the National Historical Institute, hereinafter referred to as the Institute, shall be the agency tasked to implement these Rules.

SEC. 6. Scope of Powers and Functions. — The Institute shall perform planning, monitoring, coordinating, implementing, and policy-formulating functions, wherever and whenever appropriate, and, in the process, exercise administrative, regulatory, and supervisory authority over the implementation of the provisions of R.A. No. 8491 within the Philippine territorial limits, and in conformity with national government policies. Such powers and functions shall include the following:

a. Formulate, coordinate and regulate the implementation of the Code of the National Flag, Anthem, Motto, Coat-of-Arms and other Heraldic Items and Devices of the Philippines, consistent with the purposes and
objectives of R.A. No. 8491;
b. Plan, prepare and coordinate effective educational and information dissemination strategies which shall increase the level of national awareness of these Rules and other implementing details that may subsequently be formulated;
c. Coordinate and monitor the implementation of these Rules and ensure the compliance of all the provisions stipulated under R.A. No. 8491; and deputize, assign and/or designate government agencies, non-government organizations, major branches and units of the Armed Forces of the Philippines and the Philippine National Police,

and other groups or individuals for the purpose of implementing, monitoring and coordinating tasks;
d. Set policies and procedures concerning the concept and design/visual interpretation of the national motto, coat-of-arms, seals of various local government units (town/city/province), and other government instrumentalities, medallions, awards and other forms and devices of national recognition, and strict enforcement thereof;
e. Formulate and devise appropriate legal procedures, assistance and coordinating systems for cases arising from the violations of R.A. No. 8491, including appropriate integration of this law into the Shariya Courts; and
f. Perform other related functions required to achieve the objectives of R.A. No. 8491 and these Rules.

SEC. 7. Definition of Terms. — Whenever used in these Rules, the term:

a. “Military” shall mean all branches of the Armed Forces of the Philippines including the Philippine National Police, the Bureau of Jail Management and Penology, and the Bureau of Fire Protection;
b. “Festoon” shall mean to hang in a curved shape between two points as a decoration;
c. “National Flag” shall mean the National Flag and Ensign of the Philippines, unless stated otherwise, used on land and sea by public, private and the military and shall refer to the flag or any other design that so resembles it as likely to cause any person to believe that it is the flag or design stated, expressed or provided in the Constitution of the Philippines, R.A. No. 8491 and these Rules;
d. “Fly” shall mean the part of the flag outside the hoist or length;
e. “Hoist” shall mean the sleeve or heading; part of the flag nearest the staff or the canvass to which the halyard is attached;
f. “Symbol” shall mean any conventional sign which reveals man’s achievement and heroism (for orders and decorations), identification, authority and a sign of dignity (for coat-of-arms, logo and insignia);
g. “Half-mast” shall mean lowering the flag to one-half the distance between the top and bottom of the pole;
h. “Halyard” shall mean the long rope where the flag fastens and which runs up the length of the flag pole;
i. “Inclement Weather” shall mean that a typhoon signal is raised in the locality;
j. “National Anthem” shall mean the “Lupang Hinirang”, the Philippine National Anthem;
k. “Official Residences” shall mean Malacañang, and other government-owned and/or controlled corporations, government financial institutions, state universities and colleges, Armed Forces of the Philippines including its basic component units; and
l. “Vexillary Items” shall mean national, local, house flags, or administrative, institutional, corporate, unit and other organization’s banners.
RULE 3
CHAPTER I
The National Flag

A. Design of the National Flag

SEC. 8. The National Flag shall be blue, white and red with an eight rayed golden yellow sun and three stars that are five-pointed, as consecrated and honored by the people.

B. Hoisting and Display of the National Flag

SEC. 9. The National Flag shall be displayed in all public buildings, official residences, public plazas, and institutions of learning everyday throughout the year.

SEC. 10. The National Flag shall be permanently hoisted, day and night, throughout the year, in front of the following: at Malacañang Palace; Congress of the Philippines building; Supreme Court building; Rizal Monument in Luneta, Manila; Bonifacio Monument in Kalookan City; Emilio Aguinaldo Shrine in Kawit, Cavite; Barasoain Church Historical Landmark in Malolos, Bulacan; Marcela Agoncillo Historical Landmark in Taal, Batangas; Tomb of the Unknown Soldier, Libingan ng mga Bayani, Makati City, Mausoleo de los Veteranos de la Revolucion, North Cemetery, Manila; all International Ports of Entry and all other places as may be designated by the Institute. The National Flag of these sites shall be properly illuminated at night.

SEC. 11. The National Flag shall also be displayed in private buildings and residences or raised in the open flag-staffs in front of said buildings every April 9 (Araw ng Kagitingan); May 1 (Labor Day) (National Flag Days) from May 28 to June 12 (Independence Day); last Sunday of August (National Heroes Day); November 30 (Bonifacio Day); and December 30 (Rizal Day); and on such other days as may be declared or approved by the President and/or local chief executives. The National Flag may also be raised and displayed at sunrise and lowered at sunset and throughout the year in the open flagstaff in front of private buildings: Provided, that proper flag ceremonies be observed in accordance with these Rules.

SEC. 12. All Government Entities should observe flag days with appropriate ceremonies. Socio-civic groups, non-government organizations and the private sector are enjoined to observe and cooperate in making the celebration a success.

SEC. 13. The National Flag shall be flown on all naval vessels and on merchant ships of Philippine registry, of more than one thousand (1,000) gross tons.

Military, civil or state vessels should fly the National Flag. Pleasure, merchant, fishing boats or yachts are also encouraged to fly the National Flag.

On board vessels of Philippine registry, the National Flag shall be displayed on the flagstaff at the stern when the vessel is at anchor. The National Flag shall be hoisted to the gaff at the aftermast when the vessel is at sea.

SEC. 14. On all aircraft of Philippine registry, the National Flag shall be prominently displayed horizontally on its fuselage at the head portion with the hoist side pointing the forward direction.

SEC. 15. 'The National Flag, if flown from a flagpole, shall have its blue field on top in time of peace and the red field on top in time of war; if in a hanging position, the blue field shall be to the left (observer’s point of
view) in time of peace, and the red field to the left (observer’s point of view) in time of war. The National Flag could be knotted to signal that assistance is badly needed.

SEC. 16. If planted on the ground, the flagpole shall be at a prominent place and shall be of such height as would give the National Flag commanding position in relation to the buildings in the vicinity. The flagpole must not be of equal height or higher than the Independence Flagpole at the Rizal Park, Manila.

The flagpole that is planted on the ground must be straight and slightly tapering at the top. The minimum length of the National Flag is one fourth (¼) the height of the flagpole, while maximum length of the National Flag is one-third (1/3) the height of the flagpole.

SEC. 17. When the National Flag is flown with flag or flags of other countries, the flags must be of equal size and on separate staffs of the same height. The National Flag shall be hoisted first and lowered last. When displayed in a semi-circle of flags with other countries or house flags, the National Flag should be at the center.

When displayed in a circle of flags with other countries or house flags, the National Flag should be flown on the flagpole facing the main read (point of reference - KM 0 Rizal Park, Manila); or in front of a monument; or the main entrance of the building. The flags of other countries or house flags should be arranged counter clockwise in alphabetical order, by precedence or by protocol.

SEC. 18. When displayed in a row or in a parade with flags of other countries, the National Flag shall be on the left (observer’s point of view) of the other flags. The flags of other countries should be arranged in alphabetical order from left to right.

When displayed in a row of house flags, the National Flag shall be in front of the center of the line or on the left (observer’s point of view) of the row. The house flags should be arranged in alphabetical order, by precedence or by protocol order from left to right (the observer’s point of view).

When in a parade with house flags, the National Flag shall be in front of the center of the first line. The house flags should be arranged in alphabetical order, by precedence or by protocol order from left to right (the observer’s point of view).

During special occasions, if there is only one flagpole, the house flag may be flown at the same halyard with the National Flag but below the latter and it cannot be bigger than the National Flag.

SEC. 19. A worn-out National Flag should not be thrown away. It should be solemnly burned to avoid misuse or desecration. The National Flag shall be replaced immediately when it begins to show signs of wear and tear.

SEC. 20. The National Flag shall be raised at sunrise and lowered at sunset. It shall be on the mast at the start of official school and office hours and shall remain flying throughout the day.

The National Flag shall not be raised when the weather is inclement. If already raised, the National Flag shall not be lowered for the whole day.

SEC. 21. The National Flag may be displayed:

a. Inside and/or outside a building, on stationary or movable flagpole. If the National Flag is displayed indoors on a flagpole, it shall be placed at the left of the observer as one enters the room;

b. From the top of a flagpole, which shall be at a prominent place or a commanding position in relation to the surrounding buildings;
c. From a staff projecting upward from the window sill, roof, canopy, balcony or facade of a building;
d. In a suspended position from a rope extending from a building to a pole erected away from the building;
e. Flat against the wall vertically with the sun and stars on top;
f. Hanging vertically in the middle of the two-way traffic road, the blue field should be pointing east, if the road is heading south or north and if the road is heading east or west the blue field should be pointing north; and
g. Hanging vertically at the sides or middle of the one-way traffic road, the blue field should be at the left of the observer.

SEC. 22. The National Flag shall be hoisted to the top briskly and lowered ceremoniously.
The National Flag must be properly folded before hanging for the start of the ceremony. It shall not be left hanging at the base of the flagpole while waiting for the flag ceremony.
The National Flag shall never touch anything beneath it, such as the base of the pole, ground or other object.
After being lowered, the National Flag shall be handled and folded solemnly as part of the ceremony.

C. Conduct of Flag Raising and Lowering Ceremonies

SEC. 23. All government offices, including national or local government units and institutions, shall henceforth observe the flag raising ceremony every Monday morning and the flag lowering ceremony every Friday afternoon.
These include private establishments who fly the National Flag on the flagpole in their compound.
Primary and secondary schools and other institutions of learning shall observe the flag ceremony as ordered by the Department of Education, Culture and Sports and/or the Commission on Higher Education.

SEC. 24. The observance of the flag ceremony shall be simple and dignified.

SEC. 25. During the flag raising ceremony, the assembly shall stand in formation facing the National Flag. At the moment the first note of the National Anthem is heard, everyone in the premises shall come to attention; moving vehicles shall stop. All persons present shall place their palms over their chest, those with hats shall uncover, while those in military, scouting, security guard, and citizens military training uniforms shall give the salute prescribed by their regulations, which salute shall be completed upon the last note of the anthem.

The same procedure shall be observed when the National Flag is passing in review or in parade.

SEC. 26. During the flag lowering, the National Flag shall be lowered solemnly and slowly so that the flag shall be down the mast at the sound of the last note of the National Anthem. Those in the assembly shall observe the same deportment or shall observe the same behavior as for the flag raising ceremony.

D. Half-Mast

SECTION 27. The National Flag shall be flown at half-mast as a sign of mourning on all the buildings and places where it is displayed, as provided, on the day of the official announcement of the death of any of the following officials:

a. The President or a former President, for ten (10) days;
b. The Vice-President, the Chief Justice of the Supreme Court, the President of the Senate and the Speaker of the House of Representatives, for seven (7) days;
c. Cabinet Secretaries, Associate Justices of the Supreme Court, Members of the Senate and House of Representatives, the Chief of Staff of the Armed Forces of the Philippines and the Director-General of the Philippine National Police, for five (5) days;
d. Heads of National Government Agencies, including Government Owned and Control Corporations and Government Financial Institutions, for three (3) days;

e. The Commanding Generals of the Philippine Air Force and the Philippine Army and the Flag Officer in Command of the Philippine Navy, for three (3) days;

f. Governors, Vice-Governors, city and municipal Mayors, city and municipal Vice-Mayors, for three (3) days;

g. Members of the Sangguniang Panlalawigan, Sangguniang Panlungsod and Sangguniang Bayan, on the day of interment;

h. Barangay Chairmen and the Barangay Councilmen on the day of interment;

i. Former National or Local Government Officials, appointive or elective, other than those specified above, on the day of interment, within their former respective territorial jurisdictions and by resolution of their respective Sanggunians;

j. Regional Directors, Superintendents, Supervisors, Principals, Teachers and other school officials, on the day of interment and by order of the proper school authorities concerned;

k. Recipients of national orders and decorations, on the day of interment and by order of the President or the Congress; and

l. Other persons to be determined by the Institute, for a period of less than seven (7) days.

In cases “c” to “e” the National Flag shall be flown at half-mast in front of the building where the deceased official is holding office and in cases “f” to “h” through Sanggunian Resolution or by order of the Local Chief Executive.

The National Flag, when flown at half-mast, shall be first hoisted to the peak for a moment then lowered to the half-mast position. The National Flag shall again be raised to the peak before it is lowered for the day.

The National Flag shall also be flown at half-mast during calamities/tragedies of national or international significance as ordered by the Office of the President.

The National Flag shall be permanently hoisted at half-mast day and night throughout the year at the Tomb of the Unknown Soldier, Lbingan ng mga Bayani, Fort Bonifacio, Makati City; Mausoleo de los Veteranos de la Revolucion, North Cemetery, Manila; and in all memorial cemeteries dedicated to war veterans. The National Flag of these declared sites shall be properly illuminated at night.

E. Casket

SEC. 28. The National Flag may be used to cover the caskets of the honored dead of the military, veterans of previous wars, National Artists, and of civilians who have rendered distinguished service to the nation, as may be determined by the local government unit concerned. In such cases, the National Flag shall be placed such that the white triangle shall be at the head and the blue portion shall cover the right side of the casket. The National Flag shall not be lowered to the grave or allowed to touch the ground, but shall be folded solemnly and handed over to

the heirs of the deceased or next of kin.

No object must be put on top of the National Flag, except for religious objects that symbolize “God above Country”.

F. Pledge to the National Flag

SEC. 29. The following shall be the Pledge of Allegiance to the National Flag:

Ako ay Pilipino
Buong katapatang nanunumpa
Sa watawat ng Pilipinas
At sa bansang kanyang sinasagisag
Na may dangal, Katarungan at Kalayaan
Na pinakikilos ng sambayanan
Maka-Diyos
Maka-tao
Makakalikasan at
Makabansa.

Such pledge shall be recited right after the singing of the National Anthem, the throng standing with the right palm open, raised shoulder high. Individuals whose faith or religious beliefs prohibit them from making such pledge must nonetheless show full respect by standing at attention.

G. National Flag Days

SEC. 30. The period from May 28 to June 12 of each year is declared as National Flag Days, during which period all offices, agencies and instrumentalities of the government, business establishments, institutions of learning, private buildings and homes are enjoined to display the National Flag.

SEC. 31. The government offices and local government units concerned shall display the National Flag on main thoroughfares, parks, plazas, and other public places.

H. Specifications of the National Flag

SEC. 32. The National Flag shall have the following proportions: The width of the National Flag, 1, and the length, 2. All the sides of the white triangle, 1.

SEC. 33. The technical specifications shall be as follows:
The blue color shall bear Cable No. 80173; the white color, Cable No. 80001; the red color, Cable No. 80108; and the golden-yellow, Cable No. 80068.
The assigned cable numbers are listed in the Tenth Edition of the Standard Color Reference of America, created and issued by the Color Association of the United States, No. 343 Lexington Avenue, New York, New York, 10016, Series, 1981.

SEC. 34. In order to establish uniform criteria in the making of our National Flag and to guarantee its durability by the use of quality materials, the following standards and procedures shall be observed:
a. All requisitions for the purchase of the National Flag must be based on strict compliance with the design, color, craftsmanship and material requirements of the Government;
b. The manufacturer shall send annually one meter for each color (blue, red, white and golden-yellow including canvas) of textile material to the Industrial Technology Development Institute (ITDI) or the Philippine Textile Research Institute (PTRI) of the Department of Science and Technology (DOST) for evaluation. The PTRI/ITDI shall evaluate the quality and serviceability of the said textile material;
c. Flag manufacturers shall apply for annual accreditation at the Institute. Together with their application, they will submit the PTRI/ITDI laboratory test results, copy of business license, permit, company profile and other pertinent documents; and
d. All submitted sample/s of the National Flag by accredited suppliers offered for purchase for government use shall be evaluated as to design, color, materials and craftsmanship specifications by the Institute, through its Heraldry and Display Section, which shall stamp its approval or disapproval on the canvas reinforcement of the National Flag sample submitted. The National Flag sample/s shall be sent to the Institute by the requisitioning office and not by the flag supplier.

SEC. 35. All deliveries of the National Flags requisitioned by government entities shall be inspected by the requisitioning office’s internal inspector and by the Commission on Audit (COA) using the National Flag stamped “APPROVED” by the Institute as reference.

The internal inspector of the requisitioning office and the COA, in case of confusion, may send another
sample of the National Flag picked at random from the delivered flags for re-evaluation by the Institute.

SEC. 36. For effective information dissemination, all accredited manufacturers are required to inform all flag consumers of the provisions of these Rules.

SEC. 37. All government entities shall ensure that the requirements under the R.A. No.8491 and these Rules, with respect to the standard requisitions and deliveries of the National Flags are strictly complied with.

SEC. 38. All departments, agencies, offices, and instrumentalities of the government, government-owned or controlled corporations, local government units, including barangays, shall include in their annual budgets the necessary outlay for the purchase of the National Flag.

I. Prohibited Acts

SEC. 39: It shall be prohibited:

a. To mutilate, deface, defile, trample on, cast contempt, or commit any act or omission casting dishonor or ridicule upon the National Flag or over its surface;

b. To dip the National Flag to any person or object by way of compliment or salute;

c. To use National Flag
   1. As drapery, festoon, tablecloth;
   2. As covering for ceilings, walls, statues or other objects;
   3. As a pennant in the hood, side, back and top of motor vehicles;
   4. As a staff or whip;
   5. For unveiling monuments or statues; and
   6. As trademarks, or for industrial, commercial or agricultural labels or designs.

d. To display the National Flag:
   1. Under any painting or picture;
   2. Horizontally. It shall always be hoisted aloft and be allowed to fall freely;
   3. Below any platform; or
   4. In discotheques, cockpits, night and day clubs, casinos, gambling joints and places office or where frivolity prevails.

e. To wear the National Flag in whole or in part as a costume or uniform;

f. To add any word, figure, mark, picture, design, drawings, advertisement, or imprint of any nature on the National Flag;

g. To print, paint or attach representation of the National Flag on handkerchiefs, napkins, cushions, and articles of merchandise;

h. To display in public any foreign flag, except in embassies and other diplomatic establishments, and in offices of international organizations;

i. To use or display or be part of any advertisement or infomercial; and

j. To display the National Flag in front of buildings or offices occupied by aliens.

RULE 4

CHAPTER II
THE NATIONAL ANTHEM

SEC. 40. The National Anthem is entitled Lupang Hinirang.

SEC. 41. The National Anthem shall always be sung in the national language within or outside the country. The following shall be the lyrics of the National Anthem:

Bayang Magiliw
Perlas ng Silanganan,
SEC. 42. The rendition of the National Anthem, whether played or sung, shall be in accordance with the musical arrangement and composition of Julian Felipe and in accordance with its original Filipino lyrics and march tempo that was adopted under Department Order No. 5 dated May 26, 1956 covered by Circular No. 21 dated June 22, 1956 and Executive Order No. 60 dated December 19, 1963.

B. Conduct in Relation to the National Anthem

SEC. 43. When the National Anthem is played at a public gathering, whether by a band or by singing or both, or reproduced by any means, the attending public shall sing the anthem. The singing must be done with fervor. As a sign of respect, all persons shall stand at attention and face the National Flag, if there is one displayed, and if there is none, they shall face the band or the conductor. At the first note, all persons shall execute a salute by placing their right palms over their chests. Those in military, scouting, citizen's military training and security guard uniforms shall give the salute prescribed by their regulations. The salute shall be completed upon the last note of the National Anthem.

When the National Anthem is to be played or sung with the Anthem of any other country, the National Anthem shall be sung first.

The National Anthem shall not be played or sung for mere recreation, amusement or entertainment purposes except on the following occasions:

a. International competitions where the Philippines is the host or has a representative;
b. National or local competitions;
c. During the "signing of" and "signing on" of radio broadcasting and television stations;
d. Before the initial and last screening of films or before the opening of theater performances;
e. Civic activities, cultural shows or presentations; and
f. Other occasions as may be allowed by the Institute.

SEC. 44. All officials and employees of the national and local governments, and any agencies or instrumentalities thereof, including government-owned or controlled corporations, institutions of learning, and privately-owned entities or offices displaying the National Flag are hereby directed to comply strictly with the rules prescribed for the rendition of the National Anthem.
RULE 5
CHAPTER III
THE NATIONAL MOTTO

SEC. 45. The National Motto shall be "MAKA-DIYOS, MAKA-TAO, MAKAKALIKASAN AT MAKABANSA."

RULE 6
CHAPTER IV
NATIONAL COAT-OF-ARMS

SEC. 46. The National Coat-of-Arms shall have:
Paleways of two (2) pieces, azure and gules; a chief argent studded with three (3) mullets equidistant from each other; and, in point of honor, ovoid argent over all the sun rayonnant with eight minor and lesser rays. Beneath shall be the scroll with the words "REPUBLICA NG PILIPINAS," inscribed thereon.

RULE 7
CHAPTER V
THE GREAT SEAL

SEC. 47. The Great Seal shall be circular in form, with the arms as described in the preceding section, but without the scroll and the inscription "Republika ng Pilipinas" thereon. Surrounding the whole shall be a double marginal circle within which shall appear the words "Republika ng Pilipinas." The Great Seal shall bear the National Motto.

SEC. 48. The Great Seal shall be affixed to or placed upon all commissions signed by the President and upon such other official documents and papers of the Republic of the Philippines as may be provided by law, or as may be required by custom and usage. The President shall have custody of the Great Seal.

RULE 8
CHAPTER VI
OFFICIAL SEALS AND OTHER HERALDIC ITEMS AND DEVICES

SEC. 49. Any branch of the government, whether national or local, government-owned or controlled corporations, state colleges and universities, including the military, may adopt appropriate coat-of-arms, seal, logo, insignia, badge, patches, banners and initiate awards, trophies, citations, orders or decorations, as may be authorized by the Office of the President or by Congress.

SEC. 50. These heraldic devices and items shall be filed with the Institute for recording and evaluation as to precedence, design, customs and traditions.

The application for approval of design and specification of the proposed heraldic items and devices shall be supported with the following documents:

a. Orders, or any forms of grants, laws of authority or creations;
b. Brief historical background, symbolism, and significance of every design component; and c. Photographs of existing structures, objects, spots, etc. to be incorporated in the design.

The Institute shall recommend such heraldic design together with the needed documents to the Office of the President or Congress for final approval.

The approved design shall be returned to the Institute for proper recording in the National Registry of Heraldic Items and Devices and for transmittal to the requesting government entity.
SEC. 51. To conform to the basic heraldic traditions, the following shall be observed in the design, creation, modification, revision and approval of heraldic items and devices:

a. It may feature either abstract or natural emblems/visuals, representing significant aspects, or events representative or related to its history, mandates, duties, functions and visions;
b. Components of heraldic designs must feature indigenous Filipino culture, values, history, traditions and sense of nationalism;
c. Every component must be recognizable as if it is rendered or reduced to its normal required sizes;
d. No personal heraldic devices shall be allowed except the Seal of the President and the Vice-President;
e. Symbols, names, initials, logos, pictures, silhouettes or images of living persons shall not be featured in the design;
f. The name of the government entity or title of heraldic items and devices must be in prominent position;
g. All heraldic items and devices, including ribbons or sashes, must be unique from each other;
h. The National Coat-of-Arms, which may or may not include the scroll, when used as the main part or as a component of the seal, must occupy the place of honor. It shall be used only by the major branches of the government;
i. In using the National Coat-of-Arms or the Great Seal for numismatic purposes, wet or dry seals and painted or printed in monochrome, tincture representations shall be used;
j. The use of the National Flag is prohibited except where the flag has become part of its history;
k. The motto, title or phrase to be incorporated in the heraldic items and devices may be in the national language or in any local dialect; and
l. These heraldic items and devices shall not be revised or changed more than once every ten (10) years.

SEC. 52. All government entities including the military are hereby ordered to purchase all Heraldic Items and Devices from manufacturers accredited and authorized by the Institute.

SEC. 53. Engravers or manufacturers shall apply for annual accreditation at the Institute. Together with their application, they will also submit copies of business license, permit, company profile with list of Heraldic Items and Devices they made for the year and other pertinent documents.

Such items and devices shall be subject to inspection by the purchasing agency’s internal inspector and the COA representative using the design and specifications approved by the Office of the President or by Congress, through the Institute.

Any violation of R.A. No. 8491 or these Rules shall be a ground for suspension, revocation or non-renewal of accreditation.

SEC. 54. No government official or employee shall accept any orders or decorations from any foreign government without the consent of Congress, and without the prior evaluation and documentation of such order or decoration by the Institute.

SEC. 55. Heraldic and Vexillary designs and/or items, including the National Motto, National Anthem and Pledge of Allegiance to the National Flag shall not be used or employed for numismatic, philatelic, advertisement and/or any informative purposes unless duly approved in writing by the Institute, through its Heraldry and Display Section.

RULE 9
CHAPTER VII
PENALTIES

SEC. 56. Failure or refusal to observe the provisions of R.A. No. 8491, and/or any violation of these Rules shall, after proper notice and hearing, be penalized as stipulated in R.A. No. 8491
RULE 10
CHAPTER VIII
EFFECTIVITY

SEC. 57. Effectivity. — These Rules shall be effective fifteen (15) days after the approval of the Office of the President and filing with Congress of the Philippines and the University of the Philippines Law Center.

RULE 11
CHAPTER IX
AMENDMENT OF RULES

SEC. 58. Amendments. — The Chairman and Executive Director shall have the authority to amend, revise, repeal, or otherwise modify these RULES or any provision thereof, as may be deemed necessary to achieve the objectives of the R.A. No. 8491 and these Rules.

ISSUED this 30th day of January, Two Thousand and Two, in the City of Manila, the Philippines.

Recommending Approval:

(Sgd.) PABLO S. TRILLANA III
Chairman and Executive Director
OFFICE OF THE PRESIDENT

Approved by Authority of the President
(Sd.) ALBERTO G. ROMULO
Executive Secretary
REPUBLIC ACT NO. 9418

AN ACT INSTITUTIONALIZING A STRATEGY FOR RURAL DEVELOPMENT, STRENGTHENING VOLUNTEERISM AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled.

SECTION 1 Title. - This Act shall be known and cited as the "Volunteer Act of 2007".

SEC. 2. Declaration of Policy. - It shall be the policy of the State to promote the participation of the various sectors of the Filipino society, and as necessary, international and foreign volunteer organizations in public and civic affairs, and adopt and strengthen the practice of volunteerism as a strategy in order to attain national development and international understanding. The inculcation of volunteerism as a way of life shall rekindle in every Filipino the time-honored tradition of bayanihan to foster social justice, solidarity and sustainable development.

SEC. 3. Statement of Goals and Objectives. - To carry out the foregoing policy, the government shall pursue the attainment of the following goals and objectives:

(a) To provide a policy framework on volunteerism that shall underscore the fundamental principles necessary to harness and harmonize the broad and diverse efforts of the voluntary sector in the country into an integrative and effective partnership for local and national development as well as international cooperation and understanding;

(b) To provide a conducive and enabling environment for volunteers and volunteer service organizations by setting mechanisms to protect volunteers' rights and privileges and give due recognition to highlight their roles and contributions to society; and

(c) To provide an effective institutional mechanism to strengthen the role of the Philippine National Volunteer Service Coordinating Agency (PNVSCA) to perform its mandates and to oversee the implementation of this Act.

SEC. 4. Definition of Terms. For purposes of this Act, the following shall mean:

(a) "Volunteerism" refers to an act involving a wide range of activities, including traditional forms of mutual aid and developmental interventions that provides an enabling and empowering environment both on the part of the beneficiary receiving and the volunteer rendering the act, undertaken for reasons arising from socio-developmental, business or corporate orientation, commitment or conviction for the attainment of the public good and where monetary and other incentives or reward are not the primary motivating factors.

(b) "Volunteer" refers to an individual or group who for reasons arising from their socio-developmental, business and corporate orientation, commitment or conviction, contribute time, service and resources whether on full-time or part-time basis to a just and essential social development cause, mission or endeavor in the belief that their activity is mutually meaningful and beneficial to public interest as well as to themselves.

(c) "Volunteer Service Organization" refers to a local or foreign group that recruits, trains, deploys and supports volunteer workers to programs and projects implemented by them or by other organizations or any group that provides services and resources, including but not limited to, information, capability building, advocacy and networking for the attainment of the common good.

(d) "Voluntary sector" refers to those sectors of Philippine society that organizes themselves into volunteers.
to take advocacy and action primarily for local and national development as well as international cooperation and understanding.

**SEC. 5. Role and Modalities of Volunteerism in the Private Sector.**

(a) Volunteerism in the academe includes, but is not limited to, provision of technical assistance and sharing of technology within the academic circle, target communities and other clienteles and the upgrading of the quality of education and curriculum methodologies while providing career enhancement and exposure to the volunteers;

(b) Volunteerism in the corporate sector as an expression of corporate social responsibility and citizenship, refers to activities recognized by the company, where employees give their time, skills and resources in the service of the company's internal and/or external communities. These volunteering activities include, but are not limited to, employee giving of material resources to specific causes; employee-led fund-raising; one-time outreach activities; environmental campaign; medical and health-related advocacies; knowledge and change management; scholarship programs; and sharing of expertise, particularly of business and developmental skills through mentoring, tutoring, training, business, consulting/advising and rendering of pro bono services on a case-to-case basis; and

(c) Volunteerism by not-for-profit organizations includes, but is not limited to, provision of complementary service delivery and human resource development in underserved communities as well as advocacy and articulation of the cause of the disadvantaged and vulnerable groups.

**SEC. 6. Role and Modalities of Volunteerism by Foreign Volunteer Organizations.** Volunteerism by foreign volunteer organizations includes, but is not limited to, provision of technical assistance not locally accessible in priority development areas within the framework of technical cooperation and sociocultural exchange.

**SEC. 7. Role of the Government.** - The government shall coordinate, facilitate and encourage the participation of the voluntary sector in the promotion, utilization and recognition of volunteerism in national development and international cooperation. This shall be achieved through the provision of enabling and conducive environment for volunteer work.

**SEC. 8. The Philippine National Volunteer Service Coordinating Agency (PNVSCA).** - The PNVSCA created by Executive Order No. 134, as amended, shall undertake the implementation and execution of the provisions of this Act.

**SEC. 9. Mandates of the PNVSCA.** - The PNVSCA shall have the following functions:

(a) Review and formulate policies and guidelines concerning the national volunteer service program consistent with national development priorities;

(b) Coordinate, monitor and evaluate the national volunteer service program in order that volunteer assistance may fit into the total national development goals;

(c) Act as clearing house for matters pertaining to international volunteer services;

(d) Develop and implement prototypes and models of volunteering for adoption by institutions and communities;

(e) Provide technical services and support for capability building of volunteers and volunteer organizations;
(f) Undertake advocacy for the promotion and recognition of volunteerism as a tool for development;

(g) Establish and maintain a national network of volunteer organizations and serve as liaison between and among local and foreign governmental private voluntary organizations including the United Nations Volunteers (UNV); and

(h) Administer all the PNVSCA funds from all sources including foreign aid in accordance with accounting and auditing requirements.

For this purpose, the executive director of the PNVSCA shall submit an organizational plan upon advice of the MultiSectoral Advisory Body to the Department of Budget and Management.

**SEC. 10. The MultiSectoral Advisory Body (MSAB).** To assist the PNVSCA, the Body created under Executive Order No. 635 shall be reconstituted with the following members:

(a) The National Economic and Development Authority (NEDA);

(b) The Department of Education (DepED);

(c) The Department of Foreign Affairs (DFA);

(d) The Department of Justice (DOJ);

(e) The Department of the Interior and Local Government (DILG);

(f) The Department of Social Welfare and Development (DSWD);

(g) The Commission on Higher Education (CHED);

(h) The Presidential Management Staff (PMS), Office of the President;

(i) The Representative/s from the corporate sector;

(k) The Representative/s from the not-for-profit sector

secretary while the private sector agencies shall be represented at least by their highest executive officers. The government agencies shall be permanent members while the representatives from the private sector shall serve for a two-year term. The chair of the MSAB shall be elected from among the members of the body. The PNVSCA executive director, being an ex officio member, shall serve as the permanent vice chair.

The MSAB may call on representatives of other government agencies and/or the private sector to serve as resource person/s on volunteerism as the need arises.

**SEC. 11. Functions of the MSAB.** -The MSAB shall have the following functions:

(a) Provide advice in the formulation of policies and guidelines for the national volunteer service program;

(b) Provide consultative and technical advisory services on volunteer matters; and
(c) Serve as a forum to enhance and strengthen linkages between and among volunteer groups and communities.

SEC. 12. Special Provisions. -

(a) Establishment of a National Volunteer Infrastructure and Forum. - The PNVSCA shall develop and establish a system of national registration and networking to improve coordination of volunteers and volunteer service organizations to widen horizon for sharing and complementing information, experiences and resources.

(b) Integration of Volunteerism in the Basic and Higher Education Curriculum. - The DepEd and the CHED shall integrate volunteerism as part of the curriculum in basic and higher education to raise the consciousness of the youth and develop the culture of volunteerism among the citizenry.

(c) Establishment of Volunteer Program in National Government Agencies and Local Government Units (LGUs). - National government agencies and LGUs shall establish volunteer programs in their respective offices to promote and encourage volunteering in government programs and projects as well as enjoin government employees to render volunteer service in social, economic and humanitarian development undertakings in the community.

(d) Recognition and Incentives to Volunteers. - Government agencies and nongovernment organizations (NGOs) implementing volunteer programs are encouraged to develop and provide volunteers recognition and incentive package which may include, but not limited to allowance, insurance, training and the grant of privileges and status to Filipino overseas volunteers at par with Filipino overseas workers.

(e) Visa Privileges for Foreign Volunteers. - Foreign volunteers approved for assignment by the PNVSCA as well as their legal dependents may be entitled to 47 (a) (2) visa with multiple entry privileges and corresponding exemption from visa and immigration fees and other related processing/application fees or charges. Foreign nationals already in the Philippines who have been approved for volunteer assignment by the PNVSCA may avail of the above visa category and privileges upon endorsement by the PNVSCA to the DOJ.

SEC. 13. Institutional Mechanism for Research, Documentation, Recognition and Modeling of Best Volunteer Practices. - To carry out the purposes of this Act, an institutional mechanism shall be established, to be spearheaded and administered by the PNVSCA, for continuing research, documentation, recognition and modeling of best volunteer practices as an important component of implementing development programs and projects and undertaking humanitarian activities. For this purpose, the PNVSCA in consultation with any and all relevant government agencies, NGOs, private institutions and persons shall effect the setting up of the mechanism as well as; determine all requirements and, or necessary acts to ensure its effective implementation.

SEC. 14. Implementing Rules and Regulations. - The PNVSCA, with advice from the MSAB, shall promulgate the rule.; and regulations to effectively implement the provisions of this Act.

SEC. 15. Repealing Clause, - All laws, decrees, executive; orders and rules and regulations or parts thereof contrary to inconsistent with the provisions of this Act, including Section 12 of Executive Order No. 635 are hereby deemed repealed or modified accordingly.

SEC. 16. Effectivity. - This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or in at least two newspapers of general circulation. Originated in the House of Representatives was finally passed by the House of Representatives and the Senate on April 5, 2006 and February 5, 2007, respectively.
Secretary of the Senate

Approved: APR 10 2007
Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Second Regular Session

Begun and held in Metro Manila, on Monday, the twenty-sixth day of July, nineteen hundred and ninety-three.

REPUBLIC ACT No. 7722

AN ACT CREATING THE COMMISSION ON HIGHER EDUCATION, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Title. – This Act shall be known as the "Higher Education Act of 1994".

Section 2. Declaration of Policy. - The State shall protect, foster and promote the right of all citizens to affordable quality education at all levels and shall take appropriate steps to ensure that education shall be accessible to all. The State shall likewise ensure and protect academic freedom and shall promote its exercise and observance for the continuing intellectual growth, the advancement of learning and research, the development of responsible and effective leadership, the education of high-level and middle-level professionals, and the enrichment of our historical and cultural heritage.

State-supported institutions of higher learning shall gear their programs to national, regional or local development plans. Finally, all institutions of higher learning shall exemplify through their physical and natural surroundings the dignity and beauty of, as well as their pride in, the intellectual and scholarly life.

Section 3. Creation of the Commission on Higher Education. - In pursuance of the above mentioned policies, the Commission on Higher Education is hereby created, hereinafter referred to as the Commission.

The Commission shall be independent and separate from the Department of Education, Culture and Sports (DECS), and attached to the Office of the President for administrative purposes only. Its coverage shall be both public and private institutions of higher education as well as degree-granting programs in all post-secondary educational institutions, public and private.

Section 4. Composition of the Commission. - The Commission shall be composed of five (5) full-time members. During the transition period which begins upon approval of this Act, the President may appoint the Secretary of Education, Culture and Sports as ex officio chairman of the Commission for a maximum period of one (1) year. Thereafter, the President shall appoint a Chairman of the Commission and four (4) commissioners, who shall be holders of earned doctorate(s), who have been actively engaged in higher education for at least ten (10) years, and must not have been candidates for elective positions in the elections immediately preceding their appointment. They shall be academicians known for their high degree of professionalism and integrity who have distinguished themselves as authorities in their chosen fields of learning. The members of the Commission shall belong to different academic specializations.

In no case shall any and all of the Commissioners appoint representatives to act on their behalf.

Section 5. Term of Office. - The President shall appoint the full-time chairman and the commissioners for a term of four (4) years, without prejudice to one reappointment. The terms of the initial appointees shall be on a staggered basis: the full-time chairman shall hold office for a term of four (4) years, the next two (2) commissioners for three (3) years, and the last two (2) commissioners for two (2) years.
The commissioners shall hold office until their successors shall have been appointed and qualified. Should a member of the Commission fail to complete his term, his successor shall be appointed by the President of the Philippines but only for the unexpired portion of the term.

Section 6. Rank and Emoluments. - The chairman and the commissioners shall have the rank of a Department Secretary and Undersecretary, respectively. They shall receive the compensation and other emoluments corresponding to those of a Department Secretary and Undersecretary, respectively, and shall be subject to the same disqualifications.

Section 7. Board of Advisers. - There shall be constituted a Board of Advisers which shall meet with the Commission at least once a year to assist it in aligning its policies and plans with the cultural, political and socioeconomic development needs of the nation and with the demands of world-class scholarship.

The Board of Advisers shall be composed of the following:

a. the Secretary of Education, Culture and Sports, as chairman;

b. the Director-General of the National Economic and Development Authority, as co-chairman;

c. the Secretary of Science and Technology;

d. the Secretary of Trade and Industry;

e. the Secretary of Labor and Employment;

f. the President of the Federation of Accrediting Associations of the Philippines (FAAP); and

g. the President of the Fund for Assistance to Private Education (FAPE).

Two (2) additional members of the Board of Advisers may be appointed by the President upon recommendation of the Commission.

Section 8. Powers and Functions of the Commission. - The Commission shall have the following powers and functions:

a. formulate and recommend development plans, policies, priorities, and programs on higher education and research;

b. formulate and recommend development plans, policies, priorities and programs on research;

c. recommend to the executive and legislative branches, priorities and grants on higher education and research;

d. set minimum standards for programs and institutions of higher learning recommended by panels of experts in the field and subject to public hearing, and enforce the same;

e. monitor and evaluate the performance of programs and institutions of higher learning for appropriate incentives as well as the imposition of sanctions such as, but not limited to, diminution or withdrawal of subsidy, recommendation on the downgrading or withdrawal of accreditation, program termination or school closure;

f. identify, support and develop potential centers of excellence in program areas needed for the
development of world-class scholarship, nation building and national development;

g. recommend to the Department of Budget and Management the budgets of public institutions of higher
learning as well as general guidelines for the use of their income;

h. rationalize programs and institutions of higher learning and set standards, policies and guidelines for the
creation of new ones as well as the conversion or elevation of schools to institutions of higher learning,
subject to budgetary limitations and the number of institutions of higher learning in the province or region
where creation, conversion or elevation is sought to be made;

i. develop criteria for allocating additional resources such as research and program development grants,
scholarships, and other similar programs: Provided, That these shall not detract from the fiscal autonomy
already enjoyed by colleges and universities;

j. direct or redirect purposive research by institutions of higher learning to meet the needs of agro-
industrialization and development;

k. devise and implement resource development schemes;

l. administer the Higher Education Development Fund, as described in Section 10 hereunder, which will
promote the purposes of higher education;

m. review the charters of institutions of higher learning and state universities and colleges including the
chairmanship and membership of their governing bodies and recommend appropriate measures as basis for
necessary action;

n. promulgate such rules and regulations and exercise such other powers and functions as may be
necessary to carry out effectively the purpose and objectives of this Act; and

o. perform such other functions as may be necessary for its effective operations and for the continued
enhancement, growth or development of higher education.

Section 9. The Secretariat. - The Commission shall organize a secretariat which shall be headed by an
executive officer, subject to the national compensation and position classification plan. It shall fix the
secretariat’s staffing pattern, determine the duties, qualifications, responsibilities and functions, as well as
the compensation scheme for the positions to be created upon the recommendation of the executive officer.
It shall also prepare and approve its budget.

The Commission shall appoint the members of the staff upon the recommendation of the executive officer.

Section 10. The Higher Education Development Fund. - A Higher Education Development Fund,
hereinafter referred to as the Fund, is hereby established exclusively for the strengthening of higher
education in the entire country.

a. The Government’s contribution to the Fund shall be the following:

1. the amount of Five hundred million pesos (P500,000,000) as seed capital;

2. the amount of Fifty million pesos (P50,000,000) for the initial operation of the Commission;

3. the equivalent of forty percent (40%) annual share on the total gross collections of the travel tax;

4. the equivalent of thirty percent (30%) share of the collections from the Professional Registration Fee;
and

5. the equivalent of one percent (1%) of the gross sales of the lotto operation of the Philippine Charity Sweepstakes Office (PCSO).

b. Starting Fiscal Year 1995 and every year thereafter, government financing institutions identified and requested by the Commission may contribute to the Fund an amount equivalent to not less than three percent (3%) but not more than five percent (5%) of their unimpaired surplus realized during the immediately preceding year.

c. The Fund shall have a private portion to be raised from donations, gifts, and other conveyances including materials, equipment, properties and services by gratuitous title.

Section 11. Management and Administration of the Higher Education Development Fund. - The Fund shall be administered by the Commission. For sound and judicious management of the Fund, the Commission shall appoint a reputable government financial institution as portfolio manager of the Fund, subject to the following conditions.

As administrator of the Fund, the Commission shall prepare the necessary guidelines for its use, subject to the following conditions:

a. No part of the seed capital of the Fund, including earnings thereof, shall be used to underwrite overhead expenses for administration;

b. Unless otherwise stipulated by the private donor, only earnings of private contributions shall be used for administrative expenses;

c. The Commission shall appoint and organize a separate staff, independent administratively and budgetarily separate from the Commission Secretariat; and

d. The Fund shall be utilized equitably according to regions and programs.

Section 12. The Technical Panels. - The Commission shall reconstitute and/or organize technical panels for different disciplines/program areas. They shall assist the Commission in setting standards and in program and institution monitoring and evaluation. The technical panels shall be composed of senior specialists or academicians to be appointed by the Commission.

Section 13. Guarantee of Academic Freedom. - Nothing in this Act shall be construed as limiting the academic freedom of universities and colleges. In particular, no abridgment of curricular freedom of the individual educational institutions by the Commission shall be made except for: (a) minimum unit requirements for specific academic programs; (b) general education distribution requirements as may be determined by the Commission; and (c) specific professional subjects as may be stipulated by the various licensing entities. No academic or curricular restriction shall be made upon private educational institutions which are not required for chartered state colleges and universities.

Section 14. Accreditation. - The Commission shall provide incentives to institutions of higher learning, public and private, whose programs are accredited or whose needs are for accreditation purposes.

Section 15. Tax Exemptions. - Any donation, contribution, bequest, and grant which may be made to the Commission shall constitute as allowable deduction from the income of the donor for income tax purposes and shall be exempt from donor’s tax, subject to such conditions as provided under the National Internal Revenue Code, as amended.
**Section 16. Authority.** - The Commission shall exercise such authority as may be deemed necessary within its premises or areas of operation to effectively carry out its powers and functions and to attain its objectives: Provided, That the Commission may seek the assistance of other government agencies for the proper implementation of this Act.

**Section 17. Appropriation.** - The amount of Five hundred million pesos (P500,000,000) is hereby authorized to be appropriated for the seed capital of the Fund. The additional amount of Fifty million pesos (P50,000,000) is hereby authorized to be appropriated out of the funds in the National Treasury not otherwise appropriated or out of the Philippine Amusement and Gaming Corporation (PAGCOR) funds for the initial operation of the Commission.

The sum equivalent to the appropriations for the current year for the Bureau of Higher Education and the degree-granting-programs of the Bureau of Technical-Vocational Education, including those for higher and tertiary education and degree granting vocational and technical programs of the Bureau of Technical-Vocational Education in the regional offices, as well as parts of the budgetary items under the DECS budget that are concerned with higher and tertiary education and degree-granting vocational and technical programs such as those for personal services, maintenance and other operating expenses and capital outlay, shall be transferred to the Commission.

Thereafter, the funds necessary shall be included in the General Appropriations Act.

**Section 18. Transitory Provisions.** - Such personnel, properties, assets and liabilities, functions and responsibilities of the Bureau of Higher Education, including those for higher and tertiary education and degree-granting vocational and technical programs in the regional offices, under the Department of Education, Culture and Sports, and other government entities having functions similar to those of the Commission are hereby transferred to the Commission.

The Commission shall have the authority to appoint its own personnel.

All regular or permanent employees transferred to the Commission shall not suffer any loss of seniority or rank or decrease in emoluments. Personnel of the Bureau of Higher Education not otherwise transferred to the Commission shall be reassigned by the DECS in any of its offices and bureaus: Provided, however, That, any employee who cannot be accommodated shall be given all the benefits as may be provided under existing laws, rules and regulations.

Jurisdiction over DECS-supervised or chartered state-supported post-secondary degree-granting vocational and technical programs and tertiary institutions shall be transferred to the Commission.

A transitory body is hereby created which shall be composed of the Secretary of Education, Culture and Sports (DECS), Chair of the Senate Committee on Education, Arts and Culture, Chair of the House Committee on Education and Culture, a representative each of the Association of Christian Schools and Colleges (ACSC), the Catholic Educational Association of the Philippines (CEAP), the Philippine Association of Colleges and Universities (PACU), the Philippine Association of Private Schools, Colleges and Universities (PAPSCU), the Philippine Association of State Universities and Colleges (PASUC), and the Philippine Association of Private Technical Institutions (PAPTI).

The transitory body shall facilitate the complete and full operation of the Commission which shall not be later than three (3) months after the effectivity of this Act. It shall likewise, promulgate the rules and regulations necessary to effectively implement the smooth and orderly transfer to the Commission. The transition period not exceeding three (3) months shall commence from the approval of this Act.

**Section 19. Repealing Clause.** - All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are inconsistent with the provisions of this Act are hereby repealed or modified.
accordingly.

**Section 20. Separability Clause.** - If any part or provision of this Act shall be held unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

**Section 21. Effectivity.** - This Act shall take effect upon its approval.

Approved,

(Sgd.) EDGARDO J. ANGARA  
President of the Senate  (Sgd.) JOSE DE VENECIA, JR.  
Speaker of the House of Representatives  
This Act, which is a consolidation of Senate Bill No. 1453 and the House Bill No. 12200, was finally passed by the Senate and the House of Representatives on May 4, 1994 and May 17, 1994, respectively.

(Sgd.) EDGARDO E. TUMANGAN  
Secretary of Senate

(Sgd.) CAMILO L. SABIO  
Secretary General  
House of Representatives

Approved: 18 May 1994

(Sgd.) FIDEL V. RAMOS  
President of the Philippines
Republic Act No. 10121
May 27, 2010

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

Fourteenth Congress
Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand nine.

REPUBLIC ACT No. 10121

AN ACT STRENGTHENING THE PHILIPPINE DISASTER RISK REDUCTION AND MANAGEMENT SYSTEM, PROVIDING FOR THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT FRAMEWORK AND INSTITUTIONALIZING THE NATIONAL DISASTER RISK REDUCTION AND MANAGEMENT PLAN, APPROPRIATING FUNDS THEREFOR AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

Section 1. Title. – This Act shall be known as the “Philippine Disaster Risk Reduction and Management Act of 2010”.

Section 2. Declaration of Policy. – It shall be the policy of the State to:

(a) Uphold the people’s constitutional rights to life and property by addressing the root causes of vulnerabilities to disasters, strengthening the country’s institutional capacity for disaster risk reduction and management and building the resilience of local communities to disasters including climate change impacts;

(b) Adhere to and adopt the universal norms, principles and standards of humanitarian assistance and the global effort on risk reduction as concrete expression of the country’s commitment to overcome human sufferings due to recurring disasters;

(c) Incorporate internationally accepted principles of disaster risk management in the creation and implementation of national, regional and local sustainable development and poverty reduction strategies, policies, plans and budgets;

(d) Adopt a disaster risk reduction and management approach that is holistic, comprehensive, integrated, and proactive in lessening the socioeconomic and environmental impacts of disasters including climate change, and promote the involvement and participation of all sectors and all stakeholders concerned, at all levels, especially the local community;

(e) Develop, promote, and implement a comprehensive National Disaster Risk Reduction and Management Plan (NDRRMP) that aims to strengthen the capacity of the national government and the local government units (LGUs), together with partner stakeholders, to build the disaster resilience of communities, and institutionalize arrangements and measures for reducing disaster risks, including projected climate risks, and enhancing disaster preparedness and response capabilities at all levels;

(f) Adopt and implement a coherent, comprehensive, integrated, efficient and responsive disaster risk reduction program incorporated in the development plan at various levels of government adhering to the principles of good governance such as transparency and accountability within the context of poverty alleviation and environmental protection;
(g) Mainstream disaster risk reduction and climate change in development processes such as policy formulation, socioeconomic development planning, budgeting, and governance, particularly in the areas of environment, agriculture, water, energy, health, education, poverty reduction, land-use and urban planning, and public infrastructure and housing, among others;

(h) Institutionalize the policies, structures, coordination mechanisms and programs with continuing budget appropriation on disaster risk reduction from national down to local levels towards building a disaster-resilient nation and communities;

(i) Mainstream disaster risk reduction into the peace process and conflict resolution approaches in order to minimize loss of lives and damage to property, and ensure that communities in conflict zones can immediately go back to their normal lives during periods of intermittent conflicts;

(j) Ensure that disaster risk reduction and climate change measures are gender responsive, sensitive to indigenous knowledge systems, and respectful of human rights;

(k) Recognize the local risk patterns across the country and strengthen the capacity of LGUs for disaster risk reduction and management through decentralized powers, responsibilities, and resources at the regional and local levels;

(l) Recognize and strengthen the capacities of LGUs and communities in mitigating and preparing for, responding to, and recovering from the impact of disasters;

(m) Engage the participation of civil society organizations (CSOs), the private sector and volunteers in the government's disaster risk reduction programs towards complementation of resources and effective delivery of services to the Citizenry;

(n) Develop and strengthen the capacities of vulnerable and marginalized groups to mitigate, prepare for, respond to, and recover from the effects of disasters;

(o) Enhance and implement a program where humanitarian aid workers, communities, health professionals, government aid agencies, donors, and the media are educated and trained on how they can actively support breastfeeding before and during a disaster and/or an emergency; and

(p) Provide maximum care, assistance and services to individuals and families affected by disaster, implement emergency rehabilitation projects to lessen the impact of disaster, and facilitate resumption of normal social and economic activities.

Section 3. Definition of Terms. – For purposes of this Act, the following shall refer to:

(a) “Adaptation” – the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.

(b) “Capacity” – a combination of all strengths and resources available within a community, society or organization that can reduce the level of risk, or effects of a disaster. Capacity may include infrastructure and physical means, institutions, societal coping abilities, as well as human knowledge, skills and collective attributes such as social relationships, leadership and management. Capacity may also be described as capability.

(c) “Civil Society Organizations“ Or “CSOs” – non-state actors whose aims are neither to generate profits nor to seek governing power. CSOs unite people to advance shared goals and interests. They have a presence in public life, expressing the interests and values of their members or others, and are based on
ethical, cultural, scientific, religious or philanthropic considerations. CSOs include nongovernment organizations (NGOs), professional associations, foundations, independent research institutes, community-based organizations (CBOs), faith-based organizations, people’s organizations, social movements, and labor unions.

(d) “Climate Change” – a change in climate that cannot be identified by changes in the mean and/or variability of its properties and that persists for an extended period typically decades or longer, whether due to natural variability or as a result of human activity.

(e) “Community-Based Disaster Risk Reduction and Management” or “CBDRRM” – a process of disaster risk reduction and management in which at risk communities are actively engaged in the identification, analysis, treatment, monitoring and evaluation of disaster risks in order to reduce their vulnerabilities and enhance their capacities, and where the people are at the heart of decision-making and implementation of disaster risk reduction and management activities.

(f) “Complex Emergency” – a form of human-induced emergency in which the cause of the emergency as well as the assistance to the afflicted is complicated by intense level of political considerations.

(g) “Contingency Planning” – a management process that analyzes specific potential events or emerging situations that might threaten society or the environment and establishes arrangements in advance to enable timely, effective and appropriate responses to such events and situations.

(h) “Disaster” – a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources. Disasters are often described as a result of the combination of: the exposure to a hazard; the conditions of vulnerability that are present; and insufficient capacity or measures to reduce or cope with the potential negative consequences. Disaster impacts may include loss of life, injury, disease and other negative effects on human, physical, mental and social well-being, together with damage to property, destruction of assets, loss of services, Social and economic disruption and environmental degradation.

(i) “Disaster Mitigation” – the lessening or limitation of the adverse impacts of hazards and related disasters. Mitigation measures encompass engineering techniques and hazard-resistant construction as well as improved environmental policies and public awareness.

(j) “Disaster Preparedness” – the knowledge and capacities developed by governments, professional response and recovery organizations, communities and individuals to effectively anticipate, respond to, and recover from, the Impacts of likely, imminent or current hazard events or conditions. Preparedness action is carried out within the context of disaster risk reduction and management and aims to build the capacities needed to efficiently manage all types of emergencies and achieve orderly transitions from response to sustained recovery. Preparedness is based on a sound analysis of disaster risk and good linkages with early warning systems, and includes such activities as contingency planning, stockpiling of equipment and supplies, the development of arrangements for coordination, evacuation and public information, and associated training and field exercises. These must be supported by formal institutional, legal and budgetary capacities.

(k) “Disaster Prevention” – the outright avoidance of adverse impacts of hazards and related disasters. It expresses the concept and intention to completely avoid potential adverse impacts through action taken in advance such as construction of dams or embankments that eliminate flood risks, land-use regulations that do not permit any settlement in high-risk zones, and seismic engineering designs that ensure the survival and function of a critical building in any likely earthquake.

(l) “Disaster Response” – the provision of emergency services and public assistance during or immediately
after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected. Disaster response is predominantly focused on immediate and short-term needs and is sometimes called “disaster relief”.

(m) “Disaster Risk” – the potential disaster losses in lives, health status, livelihood, assets and services, which could occur to a particular community or a Society over some specified future time period.

(n) “Disaster Risk Reduction” – the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposures to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.

(o) “Disaster Risk Reduction and Management” – the systematic process of using administrative directives, organizations, and operational skills and capacities to implement strategies, policies and improved coping capacities in order to lessen the adverse impacts of hazards and the possibility of disaster. Prospective disaster risk reduction and management refers to risk reduction and management activities that address and seek to avoid the development of new or increased disaster risks, especially if risk reduction policies are not put in place.

(p) “Disaster Risk Reduction and Management Information System” – a specialized database which contains, among others, information on disasters and their human material, economic and environmental impact, risk assessment and mapping and vulnerable groups.

(q) “Early Warning System” – the set of capacities needed to generate and disseminate timely and meaningful warning information to enable individuals, communities and organizations threatened by a hazard to prepare and to act appropriately and in sufficient time to reduce the possibility of harm or loss. A people-centered early warning system necessarily comprises four (4) key elements: knowledge of the risks; monitoring, analysis and forecasting of the hazards; communication or dissemination of alerts and warnings; and local capabilities to respond to the warnings received. The expression “end-to-end warning system” is also used to emphasize that warning systems need to span all steps from hazard detection to community response.

(r) “Emergency” – unforeseen or sudden occurrence, especially danger, demanding immediate action.

(s) “Emergency Management” – the organization and management of resources and responsibilities for addressing all aspects of emergencies, in particular preparedness, response and initial recovery steps.

(t) “Exposure” – the degree to which the elements at risk are likely to experience hazard events of different magnitudes.

(u) “Geographic Information System” – a database which contains, among others, geo-hazard assessments, information on climate change, and climate risk reduction and management.

(v) “Hazard” – a dangerous phenomenon, substance, human activity or condition that may cause loss of life, injury or other health impacts, property damage, loss of livelihood and services, social and economic disruption, or environmental damage.

(w) “Land-Use Planning” – the process undertaken by public authorities to identify, evaluate and decide on different options for the use of land, including consideration of long-term economic, social and environmental objectives and the implications for different communities and interest groups, and the subsequent formulation and promulgation of plans that describe the permitted or acceptable uses.

(x) “Mitigation” – structural and non-structural measures undertaken to limit the adverse impact of natural
hazards, environmental degradation, and technological hazards and to ensure the ability of at-risk communities to address vulnerabilities aimed at minimizing the impact of disasters. Such measures include, but are not limited to, hazard-resistant construction and engineering works, the formulation and implementation of plans, programs, projects and activities, awareness raising, knowledge management, policies on land-use and resource management, as well as the enforcement of comprehensive land-use planning, building and safety standards, and legislation.

(y) “National Disaster Risk Reduction and Management Framework” or “NDRRMF” – provides for comprehensive, all hazards, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management.

(z) “National Disaster Risk Reduction and Management Plan” or “NDRRMP” – the document to be formulated and implemented by the Office of Civil Defense (OCD) that sets out goals and specific objectives for reducing disaster risks together with related actions to accomplish these objectives.

The NDRRMP shall provide for the identification of hazards, vulnerabilities and risks to be managed at the national level; disaster risk reduction and management approaches and strategies to be applied in managing said hazards and risks; agency roles, responsibilities and lines of authority at all government levels; and vertical and horizontal coordination of disaster risk reduction and management in the pre-disaster and post-disaster phases. It shall be in conformity with the NDRRMF.

(aa) “Post-Disaster Recovery” – the restoration and improvement where appropriate, of facilities, livelihood and living conditions of disaster-affected communities, including efforts to reduce disaster risk factors, in accordance with the principles of “build back better”.

(bb) “Preparedness” – pre-disaster actions and measures being undertaken within the context of disaster risk reduction and management and are based on sound risk analysis as well as pre-disaster activities to avert or minimize loss of life and property such as, but not limited to, community organizing, training, planning, equipping, stockpiling, hazard mapping, insuring of assets, and public information and education initiatives. This also includes the development/enhancement of an overall preparedness strategy, policy, institutional structure, warning and forecasting capabilities, and plans that define measures geared to help at-risk communities safeguard their lives and assets by being alert to hazards and taking appropriate action in the face of an imminent threat or an actual disaster.

(cc) “Private Sector” – the key actor in the realm of the economy where the central social concern and process are the mutually beneficial production and distribution of goods and services to meet the physical needs of human beings. The private sector comprises private corporations, households and nonprofit institutions serving households.

(dd) “Public Sector Employees” – all persons in the civil service.

(ee) “Rehabilitation” – measures that ensure the ability of affected communities/areas to restore their normal level of functioning by rebuilding livelihood and damaged infrastructures and increasing the communities’ organizational capacity.

(ff) “Resilience” – the ability of a system, community or society exposed to hazards to resist, absorb, accommodate and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions.

(gg) “Response” – any concerted effort by two (2) or more agencies, public or private, to provide assistance or intervention during or immediately after a disaster to meet the life preservation and basic subsistence
needs of those people affected and in the restoration of essential public activities and facilities.

(hh) “Risk” – the combination of the probability of an event and its negative consequences.

(ii) “Risk Assessment” – a methodology to determine the nature and extent of risk by analyzing potential hazards and evaluating existing conditions of vulnerability that together could potentially harm exposed people, property, services, livelihood and the environment on which they depend. Risk assessments with associated risk mapping include: a review of the technical characteristics of hazards such as their location, intensity, frequency and probability; the analysis of exposure and vulnerability including the physical, social, health, economic and environmental dimensions; and the evaluation of the effectiveness of prevailing and alternative coping capacities in respect to likely risk scenarios.

(jj) “Risk Management” – the systematic approach and practice of managing uncertainty to minimize potential harm and loss. It comprises risk assessment and analysis, and the implementation of strategies and specific actions to control, reduce and transfer risks. It is widely practiced by organizations to minimize risk in investment decisions and to address operational risks such as those of business disruption, production failure, environmental damage, social impacts and damage from fire and natural hazards.

(kk) “Risk Transfer” – the process of formally or informally shifting the financial consequences of particular risks from one party to another whereby a household, community, enterprise or state authority will obtain resources from the other party after a disaster occurs, in exchange for ongoing or compensatory social or financial benefits provided to that other party.

(II) “State of Calamity” – a condition involving mass casualty and/or major damages to property, disruption of means of livelihoods, roads and normal way of life of people in the affected areas as a result of the occurrence of natural or human-induced hazard.

(mm) “Sustainable Development” – development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It contains within it two (2) key concepts: (1) the concept of “needs”, in particular, the essential needs of the world’s poor, to which overriding priority should be given; and (2) the idea of limitations imposed by the state of technology and social organizations on the environment’s ability to meet present and future needs. It is the harmonious integration of a sound and viable economy, responsible governance, social cohesion and harmony, and ecological integrity to ensure that human development now and through future generations is a life-enhancing process.

(nn) “Vulnerability” – the characteristics and circumstances of a community, system or asset that make it susceptible to the damaging effects of a hazard. Vulnerability may arise from various physical, social, economic, and environmental factors such as poor design and construction of buildings, inadequate protection of assets, lack of public information and awareness, limited official recognition of risks and preparedness measures, and disregard for wise environmental management.

(oo) “Vulnerable and Marginalized Groups” – those that face higher exposure to disaster risk and poverty including, but not limited to, women, children, elderly, differently-abled people, and ethnic minorities.

Section 4. Scope. – This Act provides for the development of policies and plans and the implementation of actions and measures pertaining to all aspects of disaster risk reduction and management, including good governance, risk assessment and early warning, knowledge building and awareness raising, reducing underlying risk factors, and preparedness for effective response and early recovery.

Section 5. National Disaster Risk Reduction and Management Council. – The present National Disaster Coordinating Council or NDCC shall henceforth be known as the National Disaster Risk Reduction and Management Council, hereinafter referred to as the NDRRMC or the National Council.
The National Council shall be headed by the Secretary of the Department of National Defense (DND) as Chairperson with the Secretary of the Department of the Interior and Local Government (DILG) as Vice Chairperson for Disaster Preparedness, the Secretary of the Department of Social Welfare and Development (DSWD) as Vice Chairperson for Disaster Response, the Secretary of the Department of Science and Technology (DOST) as Vice Chairperson for Disaster Prevention and Mitigation, and the Director-General of the National Economic and Development Authority (NEDA) as Vice Chairperson for Disaster Rehabilitation and Recovery.

The National Council’s members shall be the following:

(a) Secretary of the Department of Health (DOH);
(b) Secretary of the Department of Environment and Natural Resources (DENR);
(c) Secretary of the Department of Agriculture (DA);
(d) Secretary of the Department of Education (DepED);
(e) Secretary of the Department of Energy (DOE);
(f) Secretary of the Department of Finance (DOF);
(g) Secretary of the Department of Trade and Industry (DTI);
(h) Secretary of the Department of Transportation and Communications (DOTC);
(i) Secretary of the Department of Budget and Management (DBM);
(j) Secretary of the Department of Public Works and Highways (DPWH);
(k) Secretary of the Department of Foreign Affairs (DFA);
(l) Secretary of the Department of Justice (DOJ);
(m) Secretary of the Department of Labor and Employment (DOLE);
(n) Secretary of the Department of Tourism (DOT);
(o) The Executive Secretary;
(p) Secretary of the Office of the Presidential Adviser on the Peace Process (OPAPP);
(q) Chairman, Commission on Higher Education (CHED);
(r) Chief of Staff, Armed Forces of the Philippines (AFP);
(s) Chief, Philippine National Police (PNP);
(t) The Press Secretary;
(u) Secretary General of the Philippine National Red Cross (PNRC);
Section 6. Powers and Functions of the NDRRMC. – The National Council, being empowered with policy-making, coordination, integration, supervision, monitoring and evaluation functions, shall have the following responsibilities:

(a) Develop a NDRRMF which shall provide for a comprehensive, all-hazards, multi-sectoral, inter-agency and community-based approach to disaster risk reduction and management. The Framework shall serve as the principal guide to disaster risk reduction and management efforts in the country and shall be reviewed on a five(5)-year interval, or as may be deemed necessary, in order to ensure its relevance to the times;

(b) Ensure that the NDRRMP is consistent with the NDRRMF;

(c) Advise the President on the status of disaster preparedness, prevention, mitigation, response and rehabilitation operations being undertaken by the government, CSOs, private sector, and volunteers; recommend to the President the declaration of a state of calamity in areas extensively damaged; and submit proposals to restore normalcy in the affected areas, to include calamity fund allocation;

(d) Ensure a multi-stakeholder participation in the development, updating, and sharing of a Disaster Risk Reduction and Management Information System and Geographic Information System-based national risk
map as policy, planning and decision-making tools;

(e) Establish a national early warning and emergency alert system to provide accurate and timely advice to national or local emergency response organizations and to the general public through diverse mass media to include digital and analog broadcast, cable, satellite television and radio, wireless communications, and landline communications;

(f) Develop appropriate risk transfer mechanisms that shall guarantee social and economic protection and increase resiliency in the face of disaster;

(g) Monitor the development and enforcement by agencies and organizations of the various laws, guidelines, codes or technical standards required by this Act;

(h) Manage and mobilize resources for disaster risk reduction and management including the National Disaster Risk Reduction and Management Fund;

(i) Monitor and provide the necessary guidelines and procedures. on the Local Disaster Risk Reduction and Management Fund (LDRRMF) releases as well as utilization, accounting and auditing thereof;

(j) Develop assessment tools on the existing and potential hazards and risks brought about by climate change to vulnerable areas and ecosystems in coordination with the Climate Change Commission;

(k) Develop vertical and horizontal coordination mechanisms for a more coherent implementation of disaster risk reduction and management policies and programs by sectoral agencies and LGUs;

(l) Formulate a national institutional capability building program for disaster risk reduction and management to address the specific weaknesses of various government agencies and LGUs, based on the results of a biennial baseline assessment and studies;

(m) Formulate, harmonize, and translate into policies a national agenda for research and technology development on disaster risk reduction and management;

(n) In coordination with the Climate Change Commission, formulate and implement a framework for climate change adaptation and disaster risk reduction and management from which all policies, programs, and projects shall be based;

(o) Constitute a technical management group composed of representatives of the abovementioned departments, offices, and organizations that shall coordinate and meet as often as necessary to effectively manage and sustain national efforts on disaster risk reduction and management;

(p) Task the OCD to conduct periodic assessment and performance monitoring of the member-agencies of the NDRRMC, and the Regional Disaster Risk Reduction and Management Councils (RDRRMCs), as defined in the NDRRMP; and

(q) Coordinate or oversee the Implementation of the country’s obligations with disaster management treaties to which it IS a party and see to It that the country's disaster management treaty obligations be incorporated in its disaster risk reduction and management frameworks, policies, plans, programs and projects.

Section 7. Authority of the NDRRMC Chairperson. – The Chairperson of the NDRRMC may call upon other instrumentalities or entities of the government and nongovernment and civic organizations for assistance in terms of the use of their facilities and resources for the protection and preservation of life and properties in the whole range of disaster risk reduction and management. This authority includes the power to call on the
reserve force as defined in Republic Act No. 7077 to assist in relief and rescue during disasters or calamities.

Section 8. The Office of Civil Defense. – The Office of Civil Defense (OCD) shall have the primary mission of administering a comprehensive national civil defense and disaster risk reduction and management program by providing leadership in the continuous development of strategic and systematic approaches as well as measures to reduce the vulnerabilities and risks to hazards and manage the consequences of disasters.

The Administrator of the OCD shall also serve as Executive Director of the National Council and, as such, shall have the same duties and privileges of a department undersecretary. All appointees shall be universally acknowledged experts in the field of disaster preparedness and management and of proven honesty and integrity. The National Council shall utilize the services and facilities of the OCD as the secretariat of the National Council.

Section 9. Powers and Functions of the OCD. – The OCD shall have the following powers and functions:

(a) Advise the National Council on matters relating to disaster risk reduction and management consistent with the policies and scope as defined in this Act;

(b) Formulate and implement the NDRRMP and ensure that the physical framework, social, economic and environmental plans of communities, cities, municipalities and provinces are consistent with such plan. The National Council shall approve the NDRRMP;

(c) Identify, assess and prioritize hazards and risks in consultation with key stakeholders;

(d) Develop and ensure the implementation of national standards in carrying out disaster risk reduction programs including preparedness, mitigation, prevention, response and rehabilitation works, from data collection and analysis, planning, implementation, monitoring and evaluation;

(e) Review and evaluate the Local Disaster risk Reduction and Management Plans (LDRRMPs) to facilitate the integration of disaster risk reduction measures into the local Comprehensive Development Plan (CDP) and Comprehensive Land-Use Plan (CL UP);

(f) Ensure that the LGUs, through the Local Disaster Risk Reduction and Management Offices (LDRRMOs) are properly informed and adhere to the national standards and programs;

(g) Formulate standard operating procedures for the deployment of rapid assessment teams, information sharing among different government agencies, and coordination before and after disasters at all levels;

(h) Establish standard operating procedures on the communication system among provincial, city, municipal, and barangay disaster risk reduction and management councils, for purposes of warning and alerting them and for gathering information on disaster areas before, during and after disasters;

(i) Establish Disaster Risk Reduction and Management Training Institutes in such suitable location as may be deemed appropriate to train public and private individuals, both local and national, in such subject as disaster risk reduction and management among others. The Institute shall consolidate and prepare training materials and publications of disaster risk reduction and management books and manuals to assist disaster risk reduction and management workers in the planning and implementation of this program and projects. The Institute shall conduct research programs to upgrade knowledge and skills and document best practices on disaster risk reduction and management. The Institute is also mandated to conduct periodic awareness and education programs to accommodate new elective officials and members of the LDRRMCs;
(j) Ensure that all disaster risk reduction programs, projects and activities requiring regional and international support shall be in accordance with duly established national policies and aligned with international agreements;

(k) Ensure that government agencies and LGUs give top priority and take adequate and appropriate measures in disaster risk reduction and management;

(l) Create an enabling environment for substantial and sustainable participation of CSOs, private groups, volunteers and communities, and recognize their contributions in the government’s disaster risk reduction efforts;

(m) Conduct early recovery and post-disaster needs assessment institutionalizing gender analysis as part of it;

(n) Establish an operating facility to be known as the National Disaster Risk Reduction and Management Operations Center (NDRRMOC) that shall be operated and staffed on a twenty-four (24) hour basis;

(o) Prepare the criteria and procedure for the enlistment of accredited community disaster volunteers (ACDVs). It shall include a manual of operations for the volunteers which shall be developed by the OCD in consultation with various stakeholders;

(p) Provide advice and technical assistance and assist in mobilizing necessary resources to increase the overall capacity of LGUs, specifically the low income and in high-risk areas;

(q) Create the necessary offices to perform its mandate as provided under this Act; and

(r) Perform such other functions as may be necessary for effective operations and implementation of this Act.

Section 10. Disaster Risk Reduction and Management Organization at the Regional Level. – The current Regional Disaster Coordinating Councils shall henceforth be known as the Regional Disaster Risk Reduction and Management Councils (RDRRMCs) which shall coordinate, integrate, supervise, and evaluate the activities of the LDRRMCs. The RDRRMC shall be responsible in ensuring disaster sensitive regional development plans, and in case of emergencies shall convene the different regional line agencies and concerned institutions and authorities.

The RDRRMCs shall establish an operating facility to be known as the Regional Disaster Risk Reduction and Management Operations Center (RDRRMOC) whenever necessary.

The civil defense officers of the OCD who are or may be designated as Regional Directors of the OCD shall serve as chairpersons of the RDRRMCs. Its Vice Chairpersons shall be the Regional Directors of the DSWD, the DILG, the DOST, and the NEDA. In the case of the Autonomous Region in Muslim Mindanao (ARMM), the Regional Governor shall be the RDRRMC Chairperson. The existing regional offices of the OCD shall serve as secretariat of the RDRRMCs. The RDRRMCs shall be composed of the executives of regional offices and field stations at the regional level of the government agencies.

Section 11. Organization at the Local Government Level. – The existing Provincial, City, and Municipal Disaster Coordinating Councils shall henceforth be known as the Provincial, City, and Municipal Disaster Risk Reduction and Management Councils. The Barangay Disaster Coordinating Councils shall cease to exist and its powers and functions shall henceforth be assumed by the existing Barangay Development Councils (BDCs) which shall serve as the LDRRMCs in every barangay.

(a) Composition: The LDRRMC shall be composed of, but not limited to, the following:
(1) The Local Chief Executives, Chairperson;
(2) The Local Planning and Development Officer, member;
(3) The Head of the LDRRMO, member;
(4) The Head of the Local Social Welfare and Development Office, member;
(5) The Head of the Local Health Office, member;
(6) The Head of the Local Agriculture Office, member;
(7) The Head of the Gender and Development Office, member;
(8) The Head of the Local Engineering Office, member;
(9) The Head of the Local Veterinary Office, member;
(10) The Head of the Local Budget Office, member;
(11) The Division Head/Superintendent of Schools of the DepED, member;
(12) The highest-ranking officer of the Armed Forces of the Philippines (AFP) assigned in the area, member;
(13) The Provincial Director/City/Municipal Chief of the Philippine National Police (PNP), member;
(14) The Provincial Director/City/Municipal Fire Marshall of the Bureau of Fire Protection (BFP), member;
(15) The President of the Association of Barangay Captains (ABC), member;
(16) The Philippine National Red Cross (PNRC), member;
(17) Four (4) accredited CSOs, members; and
(18) One (1) private sector representative, member.

(b) The LDRRMCs shall have the following functions:

(1) Approve, monitor and evaluate the implementation of the LDRRMPs and regularly review and test the plan consistent with other national and local planning programs;
(2) Ensure the integration of disaster risk reduction and climate change adaptation into local development plans, programs and budgets as a strategy in sustainable development and poverty reduction;
(3) Recommend the implementation of forced or preemptive evacuation of local residents, if necessary; and
(4) Convene the local council once every three (3) months or as necessary.

Section 12. Local Disaster Risk Reduction and Management Office (LDRRMO). – (a) There shall be established an LDRRMO in every province, city and municipality, and a Barangay Disaster Risk Reduction and Management Committee (BDRRMC) in every barangay which shall be responsible for setting the direction, development, implementation and coordination of disaster risk management programs within their
territorial jurisdiction.

(b) The LDRRMO shall be under the office of the governor, city or municipal mayor, and the punong barangay in case of the BDRRMC. The LDRRMOs shall be initially organized and composed of a DRRMO to be assisted by three (3) staff responsible for: (1) administration and training; (2) research and planning; and (3) operations and warning. The LDRRMOs and the BDRRMCs shall organize, train and directly supervise the local emergency response teams and the ACDVs.

(c) The provincial, city and municipal DRRMOs or BDRRMCs shall perform the following functions with impartiality given the emerging challenges brought by disasters of our times:

1. Design, program, and coordinate disaster risk reduction and management activities consistent with the National Council’s standards and guidelines;

2. Facilitate and support risk assessments and contingency planning activities at the local level;

3. Consolidate local disaster risk information which includes natural hazards, vulnerabilities, and climate change risks, and maintain a local risk map;

4. Organize and conduct training, orientation, and knowledge management activities on disaster risk reduction and management at the local level;

5. Operate a multi-hazard early warning system, linked to disaster risk reduction to provide accurate and timely advice to national or local emergency response organizations and to the general public, through diverse mass media, particularly radio, landline communications, and technologies for communication within rural communities;

6. Formulate and implement a comprehensive and - integrated LDRRMP in accordance with the national, regional and provincial framework, and policies on disaster risk reduction in close coordination with the local development councils (LDCs);

7. Prepare and submit to the local sanggunian through the LDRRMC and the LDC the annual LDRRMO Plan and budget, the proposed programming of the LDRRMF, other dedicated disaster risk reduction and management resources, and other regular funding source/s and budgetary support of the LDRRMO/BDRRMC;

8. Conduct continuous disaster monitoring and mobilize instrumentalities and entities of the LGUs, CSOs, private groups and organized volunteers, to utilize their facilities and resources for the protection and preservation of life and properties during emergencies in accordance with existing policies and procedures;

9. Identify, assess and manage the hazards vulnerabilities and risks that may occur in their locality;

10. Disseminate information and raise public awareness about those hazards. vulnerabilities and risks, their nature, effects, early warning signs and counter-measures;

11. Identify and implement cost-effective risk reduction measures стратегий;

12. Maintain a database of human resource, equipment, directories, and location of critical infrastructures and their capacities such as hospitals and evacuation centers;

13. Develop, strengthen and operationalize mechanisms for partnership or networking with the private
sector, CSOs, and volunteer groups;

(14) Take all necessary steps on a continuing basis to maintain, provide, or arrange the provision of, or to otherwise make available, suitably-trained and competent personnel for effective civil defense and disaster risk reduction and management in its area;

(15) Organize, train, equip and supervise the local emergency response teams and the ACDVs, ensuring that humanitarian aid workers are equipped with basic skills to assist mothers to breastfeed;

(16) Respond to and manage the adverse effects of emergencies and carry out recovery activities in the affected area, ensuring that there is an efficient mechanism for immediate delivery of food, shelter and medical supplies for women and children, endeavor to create a special place where internally-displaced mothers can find help with breastfeeding, feed and care for their babies and give support to each other;

(17) Within its area, promote and raise public awareness of and compliance with this Act and legislative provisions relevant to the purpose of this Act;

(18) Serve as the secretariat and executive arm of the LDRRMC;

(19) Coordinate other disaster risk reduction and management activities;

(20) Establish linkage/network with other LGUs for disaster risk reduction and emergency response purposes;

(21) Recommend through the LDRRMC the enactment of local ordinances consistent with the requirements of this Act;

(22) Implement policies, approved plans and programs of the LDRRMC consistent with the policies and guidelines laid down in this Act;

(23) Establish a Provincial/City/Municipal/ Barangay Disaster Risk Reduction and Management Operations Center;

(24) Prepare and submit, through the LDRRMC and the LDC, the report on the utilization of the LDRRMF and other dedicated disaster risk reduction and management resources to the local Commission on Audit (COA), copy furnished the regional director of the OCD and the Local Government Operations Officer of the DILG; and

(25) Act on other matters that may be authorized by the LDRRMC.

(d) The BDRRMC shall be a regular committee of the existing BDC and shall be subject thereto. The punong barangay shall facilitate and ensure the participation of at least two (2) CSO representatives from existing and active community-based people’s organizations representing the most vulnerable and marginalized groups in the barangay.

Section 13. Accreditation, Mobilization, and Protection of Disaster Volunteers and National Service Reserve Corps, CSOs and the Private Sector. – The government agencies, CSOs, private sector and LGUs may mobilize individuals or organized volunteers to augment their respective personnel complement and logistical requirements in the delivery of disaster risk reduction programs and activities. The agencies, CSOs, private sector, and LGUs concerned shall take full responsibility for the enhancement, welfare and protection of volunteers, and shall submit the list of volunteers to the OCD, through the LDRRMOs, for
accreditation and inclusion in the database of community disaster volunteers.

A national roster of ACDVs, National Service Reserve Corps, CSOs and the private sector shall be maintained by the OCD through the LDRRMOs. Accreditation shall be done at the municipal or city level.

Mobilization of volunteers shall be in accordance with the guidelines to be formulated by the NDRRMC consistent with the provisions of this Act. Any volunteer who incurs death or injury while engaged in any of the activities defined under this Act shall be entitled to compensatory benefits and individual personnel accident insurance as may be defined under the guidelines.

Section 14. Integration of Disaster Risk Reduction Education into the School Curricula and Sangguniang Kabataan (SK) Program and Mandatory Training for the Public Sector Employees. – The DepED, the CHED, the Technical Education and Skills Development Authority (TESDA), in coordination with the OCD, the National Youth Commission (NYC), the DOST, the DENR, the DILG-BFP, the DOH, the DSWD and other relevant agencies, shall integrate disaster risk reduction and management education in the school curricula of secondary and tertiary level of education, including the National Service Training Program (NSTP), whether private or public, including formal and non-formal, technical-vocational, indigenous learning, and out-of-school youth courses and programs.

The NDRRMC, the RDRRMCs, the LDRRMCs, the LDRRMOs, the BDRRMCs and the SK councils shall encourage community, specifically the youth, participation in disaster risk reduction and management activities, such as organizing quick response groups, particularly in identified disaster-prone areas, as well as the inclusion of disaster risk reduction and management programs as part of the SK programs and projects.

The public sector employees shall be trained in emergency response and preparedness. The training is mandatory for such employees to comply with the provisions of this Act.

Section 15. Coordination During Emergencies. – The LDRRMCs shall take the lead in preparing for, responding to, and recovering from the effects of any disaster based on the following criteria:

(a) The BDC, if a barangay is affected;
(b) The city/municipal DRRMCs, if two (2) or more barangays are affected;
(c) The provincial DRRMC, if two (2) or more cities/municipalities are affected;
(d) The regional DRRMC, if two (2) or more provinces are affected; and
(e) The NDRRMC, if two (2) or more regions are affected.

The NDRRMC and intermediary LDRRMCs shall always act as support to LGUs which have the primary responsibility as first disaster responders. Private sector and civil society groups shall work in accordance with the coordination mechanism and policies set by the NDRRMC and concerned LDRRMCs.

Section 16. Declaration of State of Calamity. – The National Council shall recommend to the President of the Philippines the declaration of a cluster of barangays, municipalities, cities, provinces, and regions under a state of calamity, and the lifting thereof, based on the criteria set by the National Council. The President’s declaration may warrant international humanitarian assistance as deemed necessary.

The declaration and lifting of the state of calamity may also be issued by the local sanggunian, upon the recommendation of the LDRRMC, based on the results of the damage assessment and needs analysis.
Section 17. Remedial Measures. – The declaration of a state of calamity shall make mandatory the immediate undertaking of the following remedial measures by the member-agencies concerned as defined in this Act:

(a) Imposition of price ceiling on basic necessities and prime commodities by the President upon the recommendation of the implementing agency as provided for under Republic Act No. 7581, otherwise known as the "Price Act", or the National Price Coordinating Council;

(b) Monitoring, prevention and control by the Local Price Coordination Council of overpricing/profiteering and hoarding of prime commodities, medicines and petroleum products;

(c) Programming/reprogramming of funds for the repair and safety upgrading of public infrastructures and facilities; and

(d) Granting of no-interest loans by government financing or lending institutions to the most affected section of the population through their cooperatives or people’s organizations.

Section 18. Mechanism for International Humanitarian Assistance. – (a) The importation and donation of food, clothing, medicine and equipment for relief and recovery and other disaster management and recovery-related supplies is hereby authorized in accordance with Section 105 of the Tariff and Customs Code of the Philippines, as amended, and the prevailing provisions of the General Appropriations Act covering national internal revenue taxes and import duties of national and local government agencies; and

(b) Importations and donations under this section shall be considered as importation by and/or donation to the NDRRMC, subject to the approval of the Office of the President.

Section 19. Prohibited Acts. – Any person, group or corporation who commits any of the following prohibited acts shall be held liable and be subjected to the penalties as prescribed in Section 20 of this Act:

(a) Dereliction of duties which leads to destruction, loss of lives, critical damage of facilities and misuse of funds;

(b) Preventing the entry and distribution of relief goods in disaster-stricken areas, including appropriate technology, tools, equipment, accessories, disaster teams/experts;

(c) Buying, for consumption or resale, from disaster relief agencies any relief goods, equipment or other and commodities which are intended for distribution to disaster affected communities;

(d) Buying, for consumption or resale, from the recipient disaster affected persons any relief goods, equipment or other aid commodities received by them;

(e) Selling of relief goods, equipment or other aid commodities which are intended for distribution to disaster victims;

(f) Forcibly seizing relief goods, equipment or other aid commodities intended for or consigned to a specific group of victims or relief agency;

(g) Diverting or misdelivery of relief goods, equipment or other aid commodities to persons other than the rightful recipient or consignee;

(h) Accepting, possessing, using or disposing relief goods, equipment or other aid commodities not intended
for nor consigned to him/her;

(i) Misrepresenting the source of relief goods, equipment or other aid commodities by:

(1) Either covering, replacing or defacing the labels of the containers to make it appear that the goods, equipment or other aid commodities came from another agency or persons;

(2) Repacking the goods, equipment or other aid commodities into containers with different markings to make it appear that the goods came from another agency or persons or was released upon the instance of a particular agency or persons;

(3) Making false verbal claim that the goods, equipment or other and commodity in its untampered original containers actually came from another agency or persons or was released upon the instance of a particular agency or persons;

(j) Substituting or replacing relief goods, equipment or other aid commodities with the same items or inferior/cheaper quality;

(k) Illegal solicitations by persons or organizations representing others as defined in the standards and guidelines set by the NDRRMC;

(l) Deliberate use of false at inflated data in support of the request for funding, relief goods, equipment or other aid commodities for emergency assistance or livelihood projects; and

(m) Tampering with or stealing hazard monitoring and disaster preparedness equipment and paraphernalia.

Section 20. Penal Clause. – Any individual, corporation, partnership, association, or other juridical entity that commits any of the prohibited acts provided for in Section 19 of this Act shall be prosecuted and upon conviction shall suffer a fine of not less than Fifty thousand pesos (Php50,000.00) or any amount not to exceed Five hundred thousand pesos (php500,000.00) or imprisonment of not less than six (6) years and one (1) day or more than twelve (12) years, or both, at the discretion of the court, including perpetual disqualification from public office if the offender is a public officer, and confiscation or forfeiture in favor of the government of the objects and the instrumentalities used in committing any of herein prohibited acts.

If the offender is a corporation, partnership or association, or other juridical entity, the penalty shall be imposed upon the officer or officers of the corporation, partnership, association or entity responsible for the violation without prejudice to the cancellation or revocation of these entities license or accreditation issued to them by any licensing or accredited body of the government. If such offender is an alien, he or she shall, in addition to the penalties prescribed in this Act, be deported without further proceedings after service of the sentence.

However, the prosecution for offenses set forth in Section 19 of this Act shall be without prejudice to any liability for violation of Republic Act No. 3185, as amended, otherwise known as the Revised Penal Code, and other civil liabilities.

Section 21. Local Disaster Risk Reduction and Management Fund (LDRRMF). – The present Local Calamity Fund shall henceforth be known as the Local Disaster Risk Reduction and Management Fund (LDRRMF). Not less than five percent (5%) of the estimated revenue from regular sources shall be set aside as the LDRRMF to support disaster risk management activities such as, but not limited to, pre-disaster preparedness programs including training, purchasing life-saving rescue equipment, supplies and medicines, for post-disaster activities, and for the payment of premiums on calamity insurance. The LDRRMC shall monitor and evaluate the use and disbursement of the LDRRMF based on the LDRRMP as incorporated in the local development plans and annual work and financial plan. Upon the recommendation of the LDRRMO
and approval of the sanggunian concerned, the LDRRMC may transfer the said fund to support disaster risk reduction work of other LDRRMCs which are declared under state of calamity.

Of the amount appropriated for LDRRMF, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for relief and recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, calamities, epidemics, or complex emergencies, may be normalized as quickly as possible.

Unexpended LDRRMF shall accrue to a special trust fund solely for the purpose of supporting disaster risk reduction and management activities of the LDRRMCs within the next five (5) years. Any such amount still not fully utilized after five (5) years shall revert back to the general fund and will be available for other social services to be identified by the local sanggunian.

Section 22. National Disaster Risk Reduction and Management Fund. – (a) The present Calamity Fund appropriated under the annual General Appropriations Act shall henceforth be known as the National Disaster Risk Reduction and Management Fund (NDRRM Fund) and it shall be used for disaster risk reduction or mitigation, prevention and preparedness activities such as but not limited to training of personnel, procurement of equipment, and capital expenditures. It can also be utilized for relief, recovery, reconstruction and other work or services in connection with natural or human induced calamities which may occur during the budget year or those that occurred in the past two (2) years from the budget year.

(b) The specific amount of the NDRRM Fund and the appropriate recipient agencies and/or LGUs shall be determined upon approval of the President of the Philippines in accordance with the favorable recommendation of the NDRRMC.

(c) Of the amount appropriated for the NDRRM Fund, thirty percent (30%) shall be allocated as Quick Response Fund (QRF) or stand-by fund for relief and recovery programs in order that situation and living conditions of people in communities or areas stricken by disasters, calamities, epidemics, or complex emergencies, may be normalized as quickly as possible.

(d) All departments/agencies and LGUs that are allocated with DRRM fund shall submit to the NDRRMC their monthly statements on the utilization of DRRM funds and make an accounting thereof in accordance with existing accounting and auditing rules.

(e) All departments, bureaus, offices and agencies of the government are hereby authorized to use a portion of their appropriations to implement projects designed to address DRRM activities in accordance with the guidelines to be issued by the NDRRMC in coordination with the DBM.

Section 23. Funding of the OCD. – As lead agency to carry out the provisions of this Act, the OCD shall be allocated a budget of One billion pesos (Php1,000,000,000.00) revolving fund starting from the effectivity of this Act.

Section 24. Annual Report. – The National Council, through the OCD, shall submit to the Office of the President, the Senate and the House of Representatives, within the first quarter of the succeeding year, an annual report relating to the progress of the implementation of the NDRRMP.

Section 25. Implementing Rules and Regulations. – The NDRRMC, through its Chairperson, shall issue the necessary rules and regulations for the effective implementation of this Act within ninety (90) days after approval of this Act. The OCD, in consultation with key stakeholders, shall take the lead in the preparation of the implementing rules and regulations with the active involvement of the technical management group of the NDRRMC.
**Section 26.** Congressional Oversight Committee. – There is hereby created a Congressional Oversight Committee to monitor and oversee the implementation of the provisions of this Act. The Committee shall be composed of six (6) members from the Senate and six (6) members from the House of Representatives with the Chairpersons of the Committees on National Defense and Security of both the Senate and the House of Representatives as joint Chairpersons of this Committee. The five (5) other members from each Chamber are to be designated by the Senate President and the Speaker of the House of Representatives, respectively. The minority shall be entitled to pro rata representation but shall have at least two (2) representatives from each Chamber.

**Section 27.** Sunset Review. – Within five (5) years after the effectivity of this Act, or as the need arises, the Congressional Oversight Committee shall conduct a sunset review. For purposes of this Act, the term “sunset review” shall mean a systematic evaluation by the Congressional Oversight Committee of the accomplishments and impact of this Act, as well as the performance and organizational structure of its implementing agencies, for purposes of determining remedial legislation.

**Section 28.** Repealing Clause. – Presidential Decree No. 1566 and all other laws, decrees, executive orders, proclamations and other executive issuance’s which are inconsistent with or contrary to the provisions of this Act are hereby amended or repealed accordingly.

**Section 29.** Separability Clause. – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

**Section 30.** Effectivity Clause. – This Act shall take effect fifteen (15) days following its complete publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,
(Sgd.) PROSPERO C. NOGRALES
Speaker of the House of Representatives

(Sgd.) JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 3086 and House Bill No. 6985 was finally passed by the Senate and the House of Representatives on February 1, 2010.
(Sgd.) MARILYN B. BARUA-YAP
Secretary General
House of Representatives

(Sgd.) EMMA LIRIO-REYES
Secretary of Senate

Approved: May 27, 2010
(Sgd.) GLORIA MACAPAGAL-ARROYO
President of the Philippines
REPUBLIC ACT NO. 9165
June 7, 2002

AN ACT INSTITUTING THE COMPREHENSIVE DANGEROUS DRUGS ACT OF 2002, REPEALING REPUBLIC ACT NO. 6425, OTHERWISE KNOWN AS THE DANGEROUS DRUGS ACT OF 1972, AS AMENDED, PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress

Section 1. Short Title. – This Act shall be known and cited as the "Comprehensive Dangerous Drugs Act of 2002".

Section 2. Declaration of Policy. – It is the policy of the State to safeguard the integrity of its territory and 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, the State needs to enhance further the efficacy of the law against dangerous drugs, it being one of today's more serious social ills.

Toward this end, the government shall pursue an intensive and unrelenting campaign against the trafficking and use of dangerous drugs and other similar substances through an integrated system of planning, implementation and enforcement of anti-drug abuse policies, programs, and projects. The government shall however aim to achieve a balance in the national drug control program so that people with legitimate medical needs are not prevented from being treated with adequate amounts of appropriate medications, which include the use of dangerous drugs.

It is further declared the policy of the State to provide effective mechanisms or measures to re-integrate into society individuals who have fallen victims to drug abuse or dangerous drug dependence through sustainable programs of treatment and rehabilitation.

ARTICLE I

Definition of terms

Section 3. Definitions. As used in this Act, the following terms shall mean:

(a) 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.

(b) Board. – Refers to the Dangerous Drugs Board under Section 77, Article IX of this Act.

(c) Centers. – Any of the treatment and rehabilitation centers for drug dependents referred to in Section 34, Article VIII of this Act.

(d) Chemical Diversion. – The sale, distribution, supply or transport of legitimately imported, in-transit, manufactured or procured controlled precursors and essential chemicals, in diluted, mixtures or in concentrated form, to any person or entity engaged in the manufacture of any dangerous drug, and shall include packaging, repackaging, labeling, relabeling or concealment of such transaction through fraud, destruction of documents, fraudulent use of permits, misdeclaration, use of front companies or mail fraud.

(e) Clandestine Laboratory. – Any facility used for the illegal manufacture of any dangerous drug and/or
controlled precursor and essential chemical.

(f) Confirmatory Test. – An 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.

(g) Controlled Delivery. – The investigative technique of allowing an unlawful or suspect consignment of any dangerous drug and/or controlled precursor and essential chemical, equipment or paraphernalia, or property believed to be derived directly or indirectly from any offense, to pass into, through or out of the country under the supervision of an authorized officer, with a view to gathering evidence to identify any person involved in any dangerous drugs related offense, or to facilitate prosecution of that offense.

(h) Controlled Precursors and Essential Chemicals. – Include those listed in Tables I and II of the 1988 UN Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances as enumerated in the attached annex, which is an integral part of this Act.

(i) Cultivate or Culture. – Any act of knowingly planting, growing, raising, or permitting the planting, growing or raising of any plant which is the source of a dangerous drug.

(j) Dangerous Drugs. – Include those listed in the Schedules annexed to the 1961 Single Convention on Narcotic Drugs, as amended by the 1972 Protocol, and in the Schedules annexed to the 1971 Single Convention on Psychotropic Substances as enumerated in the attached annex which is an integral part of this Act.

(k) Deliver. – Any act of knowingly passing a dangerous drug to another, personally or otherwise, and by any means, with or without consideration.

(l) Den, Dive or Resort. – 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.

(m) Dispense. – Any act of giving away, selling or distributing medicine or any dangerous drug with or without the use of prescription.

(n) Drug Dependence. – As based on the World Health Organization definition, it is a cluster of physiological, 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.

(o) Drug Syndicate. – Any organized group of two (2) or more persons forming or joining together with the intention of committing any offense prescribed under this Act.

(p) Employee of Den, Dive or Resort. – The caretaker, helper, watchman, lookout, 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.

(q) Financier. – Any person who pays for, raises or supplies money for, or underwrites any of the illegal activities prescribed under this Act.

(r) 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.
(s) Instrument. – Any thing that is used in or intended to be used in any manner in the commission of illegal drug trafficking or related offenses.

(t) 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.

(u) 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 or repackaging of such substances, design or configuration of its form, or labeling or relabeling 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.

(v) 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.

(w) Methyleneoxymethamphetamine (MDMA) or commonly known as "Ecstasy", or by its any other name. – Refers to the drug having such chemical composition, including any of its isomers or derivatives in any form.

(x) 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.

(y) 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.

(z) 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.

(aa) PDEA. – Refers to the Philippine Drug Enforcement Agency under Section 82, Article IX of this Act.

(bb) 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.
(cc) 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 Act.

(dd) Practitioner. – Any person who is a licensed physician, dentist, chemist, medical technologist, nurse, midwife, veterinarian or pharmacist in the Philippines.

(ee) Protector/Coddler. – Any person who knowingly and willfully consents to the unlawful acts provided for in this Act 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 Act in order to prevent the arrest, prosecution and conviction of the violator.

(ff) 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 of such transactions, in violation of this Act.

(gg) School. – Any educational institution, private or public, undertaking educational operation for pupils/students pursuing certain studies at defined levels, receiving instructions from teachers, usually located in a building or a group of buildings in a particular physical or cyber site.

(hh) Screening Test. – A rapid test performed to establish potential/presumptive positive result.

(ii) Sell. – Any act of giving away any dangerous drug and/or controlled precursor and essential chemical whether for money or any other consideration.

(jj) 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, email, 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 Act.

(kk) 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, and of the dangerous drugs.

ARTICLE II

Unlawful Acts and Penalties

Section 4. Importation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals.- The penalty of life imprisonment to death and a ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall import or bring into the Philippines any dangerous drug, regardless of the quantity and purity involved, including any and all species of opium poppy or any part thereof or substances derived therefrom even for floral, decorative and culinary purposes.

The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who, unless authorized by law, shall import any controlled precursor and essential chemical.

The maximum penalty provided for under this Section shall be imposed upon any person, who, unless
authorized under this Act, shall import or bring into the Philippines any dangerous drug and/or controlled precursor and essential chemical through the use of a diplomatic passport, diplomatic facilities or any other means involving his/her official status intended to facilitate the unlawful entry of the same. In addition, the diplomatic passport shall be confiscated and canceled.

The maximum penalty provided for under this Section shall be imposed upon any person, who organizes, manages or acts as a "financier" of any of the illegal activities prescribed in this Section.

The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a "protector/coddler" of any violator of the provisions under this Section.

Section 5. Sale, Trading, Administration, Dispensation, Delivery, Distribution and Transportation of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals. - The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute dispatch in transit or transport any dangerous drug, including any and all species of opium poppy regardless of the quantity and purity involved, or shall act as a broker in any of such transactions.

The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who, unless authorized by law, shall sell, trade, administer, dispense, deliver, give away to another, distribute dispatch in transit or transport any controlled precursor and essential chemical, or shall act as a broker in such transactions.

If the sale, trading, administration, dispensation, delivery, distribution or transportation of any dangerous drug and/or controlled precursor and essential chemical transpires within one hundred (100) meters from the school, the maximum penalty shall be imposed in every case.

For drug pushers who use minors or mentally incapacitated individuals as runners, couriers and messengers, or in any other capacity directly connected to the dangerous drugs and/or controlled precursors and essential chemical trade, the maximum penalty shall be imposed in every case.

If the victim of the offense is a minor or a mentally incapacitated individual, or should a dangerous drug and/or a controlled precursor and essential chemical involved in any offense herein provided be the proximate cause of death of a victim thereof, the maximum penalty provided for under this Section shall be imposed.

The maximum penalty provided for under this Section shall be imposed upon any person who organizes, manages or acts as a "financier" of any of the illegal activities prescribed in this Section.

The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a "protector/coddler" of any violator of the provisions under this Section.

Section 6. Maintenance of a Den, Dive or Resort. - The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person or group of persons who shall maintain a den, dive or resort where any dangerous drug is used or sold in any form.
The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person or group of persons who shall maintain a den, dive, or resort where any controlled precursor and essential chemical is used or sold in any form.

The maximum penalty provided for under this Section shall be imposed in every case where any dangerous drug is administered, delivered or sold to a minor who is allowed to use the same in such a place.

Should any dangerous drug be the proximate cause of the death of a person using the same in such den, dive or resort, the penalty of death and a fine ranging from One million (P1,000,000.00) to Fifteen million pesos (P500,000.00) shall be imposed on the maintainer, owner and/or operator.

If such den, dive or resort is owned by a third person, the same shall be confiscated and escheated in favor of the government: Provided, That the criminal complaint shall specifically allege that such place is intentionally used in the furtherance of the crime: Provided, further, That the prosecution shall prove such intent on the part of the owner to use the property for such purpose: Provided, finally, That the owner shall be included as an accused in the criminal complaint.

The maximum penalty provided for under this Section shall be imposed upon any person who organizes, manages or acts as a "financier" of any of the illegal activities prescribed in this Section.

The penalty twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a "protector/coddler" of any violator of the provisions under this Section.

Section 7. Employees and Visitors of a Den, Dive or Resort. - The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon:

(a) Any employee of a den, dive or resort, who is aware of the nature of the place as such; and

(b) Any person who, not being included in the provisions of the next preceding, paragraph, is aware of the nature of the place as such and shall knowingly visit the same

Section 8. Manufacture of Dangerous Drugs and/or Controlled Precursors and Essential Chemicals. - The penalty of life imprisonment to death and a fine ranging Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall engage in the manufacture of any dangerous drug.

The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who, unless authorized by law, shall manufacture any controlled precursor and essential chemical.

The presence of any controlled precursor and essential chemical or laboratory equipment in the clandestine laboratory is a prima facie proof of manufacture of any dangerous drug. It shall be considered an aggravating circumstance if the clandestine laboratory is undertaken or established under the following circumstances:

(a) Any phase of the manufacturing process was conducted in the presence or with the help of minor/s:
(b) Any phase or manufacturing process was established or undertaken within one hundred (100) meters of a residential, business, church or school premises;

(c) Any clandestine laboratory was secured or protected with booby traps;

(d) Any clandestine laboratory was concealed with legitimate business operations; or

(e) Any employment of a practitioner, chemical engineer, public official or foreigner.

The maximum penalty provided for under this Section shall be imposed upon any person, who organizes, manages or acts as a "financier" of any of the illegal activities prescribed in this Section.

The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a "protector/coddler" of any violator of the provisions under this Section.

Section 9. Illegal Chemical Diversion of Controlled Precursors and Essential Chemicals. - The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who, unless authorized by law, shall illegally divert any controlled precursor and essential chemical.

Section 10. Manufacture or Delivery of Equipment, Instrument, Apparatus, and Other Paraphernalia for Dangerous Drugs and/or Controlled Precursors and Essential Chemicals. - The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person who shall deliver, possess with intent to deliver, or manufacture with intent to deliver equipment, instrument, apparatus and other paraphernalia for dangerous drugs, knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal any dangerous drug and/or controlled precursor and essential chemical in violation of this Act.

The penalty of imprisonment ranging from six (6) months and one (1) day to four (4) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be imposed if it will be used to inject, ingest, inhale or otherwise introduce into the human body a dangerous drug in violation of this Act.

The maximum penalty provided for under this Section shall be imposed upon any person, who uses a minor or a mentally incapacitated individual to deliver such equipment, instrument, apparatus and other paraphernalia for dangerous drugs.

Section 11. Possession of Dangerous Drugs. - The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall possess any dangerous drug in the following quantities, regardless of the degree of purity thereof:

(1) 10 grams or more of opium;

(2) 10 grams or more of morphine;

(3) 10 grams or more of heroin;
(4) 10 grams or more of cocaine or cocaine hydrochloride;
(5) 50 grams or more of methamphetamine hydrochloride or "shabu";
(6) 10 grams or more of marijuana resin or marijuana resin oil;
(7) 500 grams or more of marijuana; and
(8) 10 grams or more of other dangerous drugs such as, but not limited to, methylenedioxymethamphetamine (MDA) or "ecstasy", paramethoxymphetamine (PMA), trimethoxyamphetamine (TMA), lysergic acid diethylamine (LSD), gamma hydroxyamphetamine (GHB), and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements, as determined and promulgated by the Board in accordance to Section 93, Article XI of this Act.

Otherwise, if the quantity involved is less than the foregoing quantities, the penalties shall be graduated as follows:

(1) Life imprisonment and a fine ranging from Four hundred thousand pesos (P400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantity of methamphetamine hydrochloride or "shabu" is ten (10) grams or more but less than fifty (50) grams;
(2) Imprisonment of twenty (20) years and one (1) day to life imprisonment and a fine ranging from Four hundred thousand pesos (P400,000.00) to Five hundred thousand pesos (P500,000.00), if the quantities of dangerous drugs are five (5) grams or more but less than ten (10) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride, marijuana resin or marijuana resin oil, methamphetamine hydrochloride or "shabu", or other dangerous drugs such as, but not limited to, MDMA or "ecstasy", PMA, TMA, LSD, GHB, and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements; or three hundred (300) grams or more but less than five (hundred) 500) grams of marijuana; and
(3) Imprisonment of twelve (12) years and one (1) day to twenty (20) years and a fine ranging from Three hundred thousand pesos (P300,000.00) to Four hundred thousand pesos (P400,000.00), if the quantities of dangerous drugs are less than five (5) grams of opium, morphine, heroin, cocaine or cocaine hydrochloride, marijuana resin or marijuana resin oil, methamphetamine hydrochloride or "shabu", or other dangerous drugs such as, but not limited to, MDMA or "ecstasy", PMA, TMA, LSD, GHB, and those similarly designed or newly introduced drugs and their derivatives, without having any therapeutic value or if the quantity possessed is far beyond therapeutic requirements; or less than three hundred (300) grams of marijuana.

Section 12. Possession of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs. - The penalty of imprisonment ranging from six (6) months and one (1) day to four (4) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be imposed upon any person, who, unless authorized by law, shall possess or have under his/her control any equipment, instrument, apparatus and other paraphernalia fit or intended for smoking, consuming, administering, injecting, ingesting, or introducing any dangerous drug into the body: Provided, That in the case of medical practitioners and various professionals who are required to carry such equipment, instrument, apparatus and other paraphernalia in the practice of their profession, the Board shall prescribe the necessary implementing guidelines thereof.

The possession of such equipment, instrument, apparatus and other paraphernalia fit or intended for any of the purposes enumerated in the preceding paragraph shall be prima facie evidence that the possessor has smoked, consumed, administered to himself/herself, injected, ingested or used a dangerous drug and shall
be presumed to have violated Section 15 of this Act.

Section 13. Possession of Dangerous Drugs During Parties, Social Gatherings or Meetings. – Any person found possessing any dangerous drug during a party, or at a social gathering or meeting, or in the proximate company of at least two (2) persons, shall suffer the maximum penalties provided for in Section 11 of this Act, regardless of the quantity and purity of such dangerous drugs.

Section 14. Possession of Equipment, Instrument, Apparatus and Other Paraphernalia for Dangerous Drugs During Parties, Social Gatherings or Meetings. – The maximum penalty provided for in Section 12 of this Act shall be imposed upon any person, who shall possess or have under his/her control any equipment, instrument, apparatus and other paraphernalia fit or intended for smoking, consuming, administering, injecting, ingesting, or introducing any dangerous drug into the body, during parties, social gatherings or meetings, or in the proximate company of at least two (2) persons.

Section 15. Use of Dangerous Drugs. – A person apprehended or arrested, who is found to be positive for use of any dangerous drug, after a confirmatory test, shall be imposed a penalty of a minimum of six (6) months rehabilitation in a government center for the first offense, subject to the provisions of Article VIII of this Act. If apprehended using any dangerous drug for the second time, he/she shall suffer the penalty of imprisonment ranging from six (6) years and one (1) day to twelve (12) years and a fine ranging from Fifty thousand pesos (P50,000.00) to Two hundred thousand pesos (P200,000.00): Provided, That this Section shall not be applicable where the person tested is also found to have in his/her possession such quantity of any dangerous drug provided for under Section 11 of this Act, in which case the provisions stated therein shall apply.

Section 16. Cultivation or Culture of Plants Classified as Dangerous Drugs or are Sources Thereof. – The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who shall plant, cultivate or culture marijuana, opium poppy or any other plant regardless of quantity, which is or may hereafter be classified as a dangerous drug or as a source from which any dangerous drug may be manufactured or derived: Provided, That in the case of medical laboratories and medical research centers which cultivate or culture marijuana, opium poppy and other plants, or materials of such dangerous drugs for medical experiments and research purposes, or for the creation of new types of medicine, the Board shall prescribe the necessary implementing guidelines for the proper cultivation, culture, handling, experimentation and disposal of such plants and materials.

The land or portions thereof and/or greenhouses on which any of said plants is cultivated or cultured shall be confiscated and escheated in favor of the State, unless the owner thereof can prove lack of knowledge of such cultivation or culture despite the exercise of due diligence on his/her part. If the land involved is part of the public domain, the maximum penalty provided for under this Section shall be imposed upon the offender.

The maximum penalty provided for under this Section shall be imposed upon any person, who organizes, manages or acts as a “financier” of any of the illegal activities prescribed in this Section.

The penalty of twelve (12) years and one (1) day to twenty (20) years of imprisonment and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) shall be imposed upon any person, who acts as a “protector/coddler” of any violator of the provisions under this Section.

Section 17. Maintenance and Keeping of Original Records of Transactions on Dangerous Drugs and/or Controlled Precursors and Essential Chemicals. – The penalty of imprisonment ranging from one (1) year and one (1) day to six (6) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be imposed upon any practitioner, manufacturer, wholesaler, importer, distributor,
dealer or retailer who violates or fails to comply with the maintenance and keeping of the original records of transactions on any dangerous drug and/or controlled precursor and essential chemical in accordance with Section 40 of this Act.

An additional penalty shall be imposed through the revocation of the license to practice his/her profession, in case of a practitioner, or of the business, in case of a manufacturer, seller, importer, distributor, dealer or retailer.

**Section 18.** Unnecessary Prescription of Dangerous Drugs. – The penalty of imprisonment ranging from twelve (12) years and one (1) day to twenty (20) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00) and the additional penalty of the revocation of his/her license to practice shall be imposed upon the practitioner, who shall prescribe any dangerous drug to any person whose physical or physiological condition does not require the use or in the dosage prescribed therein, as determined by the Board in consultation with recognized competent experts who are authorized representatives of professional organizations of practitioners, particularly those who are involved in the care of persons with severe pain.

**Section 19.** Unlawful Prescription of Dangerous Drugs. – The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00) shall be imposed upon any person, who, unless authorized by law, shall make or issue a prescription or any other writing purporting to be a prescription for any dangerous drug.

**Section 20.** Confiscation and Forfeiture of the Proceeds or Instruments of the Unlawful Act, Including the Properties or Proceeds Derived from the Illegal Trafficking of Dangerous Drugs and/or Precursors and Essential Chemicals. – Every penalty imposed for the unlawful importation, sale, trading, administration, dispensation, delivery, distribution, transportation or manufacture of any dangerous drug and/or controlled precursor and essential chemical, the cultivation or culture of plants which are sources of dangerous drugs, and the possession of any equipment, instrument, apparatus and other paraphernalia for dangerous drugs including other laboratory equipment, shall carry with it the confiscation and forfeiture, in favor of the government, of all the proceeds and properties derived from the unlawful act, including, but not limited to, money and other assets obtained thereby, and the instruments or tools with which the particular unlawful act was committed, unless they are the property of a third person not liable for the unlawful act, but those which are not of lawful commerce shall be ordered destroyed without delay pursuant to the provisions of Section 21 of this Act.

After conviction in the Regional Trial Court in the appropriate criminal case filed, the Court shall immediately schedule a hearing for the confiscation and forfeiture of all the proceeds of the offense and all the assets and properties of the accused either owned or held by him or in the name of some other persons if the same shall be found to be manifestly out of proportion to his/her lawful income: Provided, however, That if the forfeited property is a vehicle, the same shall be auctioned off not later than five (5) days upon order of confiscation or forfeiture.

During the pendency of the case in the Regional Trial Court, no property, or income derived therefrom, which may be confiscated and forfeited, shall be disposed, alienated or transferred and the same shall be in custodia legis and no bond shall be admitted for the release of the same.

The 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 expenses for publication and court costs. The proceeds in excess of the above expenses shall accrue to the Board to be used in its campaign against illegal drugs.

**Section 21.** Custody and Disposition of Confiscated, Seized, and/or Surrendered Dangerous Drugs, Plant
Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment. – The PDEA shall take charge and have custody of all dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment so confiscated, seized and/or surrendered, for proper disposition in the following manner:

(1) The apprehending team having initial custody and control of the drugs shall, immediately after seizure and confiscation, physically inventory and photograph the same in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the Department of Justice (DOJ), and any elected public official who shall be required to sign the copies of the inventory and be given a copy thereof;

(2) Within twenty-four (24) hours upon confiscation/seizure of dangerous drugs, plant sources of dangerous drugs, controlled precursors and essential chemicals, as well as instruments/paraphernalia and/or laboratory equipment, the same shall be submitted to the PDEA Forensic Laboratory for a qualitative and quantitative examination;

(3) A certification of the forensic laboratory examination results, which shall be done under oath by the forensic laboratory examiner, shall be issued within twenty-four (24) hours after the receipt of the subject item/s: Provided, That when the volume of the dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals does not allow the completion of testing within the time frame, a partial laboratory examination report shall be provisionally issued stating therein the quantities of dangerous drugs still to be examined by the forensic laboratory: Provided, however, That a final certification shall be issued on the completed forensic laboratory examination on the same within the next twenty-four (24) hours;

(4) After the filing of the criminal case, the Court shall, within seventy-two (72) hours, conduct an ocular inspection of the confiscated, seized and/or surrendered dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals, including the instruments/paraphernalia and/or laboratory equipment, and through the PDEA shall within twenty-four (24) hours thereafter proceed with the destruction or burning of the same, in the presence of the accused or the person/s from whom such items were confiscated and/or seized, or his/her representative or counsel, a representative from the media and the DOJ, civil society groups and any elected public official. The Board shall draw up the guidelines on the manner of proper disposition and destruction of such item/s which shall be borne by the offender: Provided, That those item/s of lawful commerce, as determined by the Board, shall be donated, used or recycled for legitimate purposes: Provided, further, That a representative sample, duly weighed and recorded is retained;

(5) The Board shall then issue a sworn certification as to the fact of destruction or burning of the subject item/s which, together with the representative sample/s in the custody of the PDEA, shall be submitted to the court having jurisdiction over the case. In all instances, the representative sample/s shall be kept to a minimum quantity as determined by the Board;

(6) The alleged offender or his/her representative or counsel shall be allowed to personally observe all of the above proceedings and his/her presence shall not constitute an admission of guilt. In case the said offender or accused refuses or fails to appoint a representative after due notice in writing to the accused or his/her counsel within seventy-two (72) hours before the actual burning or destruction of the evidence in question, the Secretary of Justice shall appoint a member of the public attorney's office to represent the former;

(7) After the promulgation and judgment in the criminal case wherein the representative sample/s was presented as evidence in court, the trial prosecutor shall inform the Board of the final termination of the case and, in turn, shall request the court for leave to turn over the said representative sample/s to the
PDEA for proper disposition and destruction within twenty-four (24) hours from receipt of the same; and

(8) Transitory Provision: a) Within twenty-four (24) hours from the effectivity of this Act, dangerous drugs defined herein which are presently in possession of law enforcement agencies shall, with leave of court, be burned or destroyed, in the presence of representatives of the Court, DOJ, Department of Health (DOH) and the accused/and or his/her counsel, and, b) Pending the organization of the PDEA, the custody, disposition, and burning or destruction of seized/surrendered dangerous drugs provided under this Section shall be implemented by the DOH.

Section 22. Grant of Compensation, Reward and Award. — The Board shall recommend to the concerned government agency the grant of compensation, reward and award to any person providing information and to law enforcers participating in the operation, which results in the successful confiscation, seizure or surrender of dangerous drugs, plant sources of dangerous drugs, and controlled precursors and essential chemicals.

Section 23. Plea-Bargaining Provision. — Any person charged under any provision of this Act regardless of the imposable penalty shall not be allowed to avail of the provision on plea-bargaining.

Section 24. Non-Applicability of the Probation Law for Drug Traffickers and Pushers. — Any person convicted for drug trafficking or pushing under this Act, regardless of the penalty imposed by the Court, cannot avail of the privilege granted by the Probation Law or Presidential Decree No. 968, as amended.

Section 25. Qualifying Aggravating Circumstances in the Commission of a Crime by an Offender Under the Influence of Dangerous Drugs. — Notwithstanding the provisions of any law to the contrary, a positive finding for the use of dangerous drugs shall be a qualifying aggravating circumstance in the commission of a crime by an offender, and the application of the penalty provided for in the Revised Penal Code shall be applicable.

Section 26. Attempt or Conspiracy. — Any attempt or conspiracy to commit the following unlawful acts shall be penalized by the same penalty prescribed for the commission of the same as provided under this Act:

(a) Importation of any dangerous drug and/or controlled precursor and essential chemical;

(b) Sale, trading, administration, dispensation, delivery, distribution and transportation of any dangerous drug and/or controlled precursor and essential chemical;

(c) Maintenance of a den, dive or resort where any dangerous drug is used in any form;

(d) Manufacture of any dangerous drug and/or controlled precursor and essential chemical; and

(e) Cultivation or culture of plants which are sources of dangerous drugs.

Section 27. Criminal Liability of a Public Officer or Employee for Misappropriation, Misapplication or Failure to Account for the Confiscated, Seized and/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 Act Committed. — The penalty of life imprisonment to death and a fine ranging from Five hundred thousand pesos (P500,000.00) to Ten million pesos (P10,000,000.00), in addition to absolute perpetual disqualification from any public office, shall be imposed upon any public officer or employee who misappropriates, misapplies or fails to 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 for in this Act.

Any elective local or national official found to have benefited from the proceeds of the trafficking of dangerous drugs as prescribed in this Act, or have received any financial or material contributions or donations from natural or juridical persons found guilty of trafficking dangerous drugs as prescribed in this Act, shall be removed from office and perpetually disqualified from holding any elective or appointive positions in the government, its divisions, subdivisions, and intermediaries, including government-owned or controlled corporations.

Section 28. Criminal Liability of Government Officials and Employees. – The maximum penalties of the unlawful acts provided for in this Act shall be imposed, in addition to absolute perpetual disqualification from any public office, if those found guilty of such unlawful acts are government officials and employees.

Section 29. Criminal Liability for Planting of Evidence. – Any person who is found guilty of "planting" any dangerous drug and/or controlled precursor and essential chemical, regardless of quantity and purity, shall suffer the penalty of death.

Section 30. Criminal Liability of Officers of Partnerships, Corporations, Associations or Other Juridical Entities. – In case any violation of this Act is committed by a partnership, corporation, association or any juridical entity, the partner, president, director, manager, trustee, estate administrator, or officer who consents to or knowingly tolerates such violation shall be held criminally liable as a co-principal.

The penalty provided for the offense under this Act shall be imposed upon the partner, president, director, manager, trustee, estate administrator, or officer who knowingly authorizes, tolerates or consents to the use of a vehicle, vessel, aircraft, equipment or other facility, as an instrument in the importation, sale, trading, administration, dispensation, delivery, distribution, transportation or manufacture of dangerous drugs, or chemical diversion, if such vehicle, vessel, aircraft, equipment or other instrument is owned by or under the control or supervision of the partnership, corporation, association or juridical entity to which they are affiliated.

Section 31. Additional Penalty if Offender is an Alien. – In addition to the penalties prescribed in the unlawful act committed, any alien who violates such provisions of this Act shall, after service of sentence, be deported immediately without further proceedings, unless the penalty is death.

Section 32. Liability to a Person Violating Any Regulation Issued by the Board. – The penalty of imprisonment ranging from six (6) months and one (1) day to four (4) years and a fine ranging from Ten thousand pesos (P10,000.00) to Fifty thousand pesos (P50,000.00) shall be imposed upon any person found violating any regulation duly issued by the Board pursuant to this Act, in addition to the administrative sanctions imposed by the Board.

Section 33. Immunity from Prosecution and Punishment. – Notwithstanding the provisions of Section 17, Rule 119 of the Revised Rules of Criminal Procedure and the provisions of Republic Act No. 6981 or the Witness Protection, Security and Benefit Act of 1991, any person who has violated Sections 7, 11, 12, 14, 15, and 19, Article II of this Act, who voluntarily gives information about any violation of Sections 4, 5, 6, 8, 10, 13, and 16, Article II of this Act as well as any violation of the offenses mentioned if committed by a drug syndicate, or any information leading to the whereabouts, identities and arrest of all or any of the members thereof; and who willingly testifies against such persons as described above, shall be exempted from prosecution or punishment for the offense with reference to which his/her information of testimony were given, and may plead or prove the giving of such information and testimony in bar of such prosecution: Provided, That the following conditions concur:
(1) The information and testimony are necessary for the conviction of the persons described above;

(2) Such information and testimony are not yet in the possession of the State;

(3) Such information and testimony can be corroborated on its material points;

(4) the informant or witness has not been previously convicted of a crime involving moral turpitude, except when there is no other direct evidence available for the State other than the information and testimony of said informant or witness; and

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

Provided, further, That this immunity may be enjoyed by such informant or witness who does not appear to be most guilty for the offense with reference to which his/her information or testimony were given: Provided, finally, That there is no direct evidence available for the State except for the information and testimony of the said informant or witness.

Section 34. Termination of the Grant of Immunity. – The immunity granted to the informant or witness, as prescribed in Section 33 of this Act, shall not attach should it turn out subsequently that the information and/or testimony is false, malicious or made only for the purpose of harassing, molesting or in any way prejudicing the persons described in the preceding Section against whom such information or testimony is directed against. In such case, the informant or witness shall be subject to prosecution and the enjoyment of all rights and benefits previously accorded him under this Act or any other law, decree or order shall be deemed terminated.

In case an informant or witness under this Act fails or refuses to testify without just cause, and when lawfully obliged to do so, or should he/she violate any condition accompanying such immunity as provided above, his/her immunity shall be removed and he/she shall likewise be subject to contempt and/or criminal prosecution, as the case may be, and the enjoyment of all rights and benefits previously accorded him under this Act or in any other law, decree or order shall be deemed terminated.

In case the informant or witness referred to under this Act falls under the applicability of this Section hereof, such individual cannot avail of the provisions under Article VIII of this Act.

Section 35. Accessory Penalties. – A person convicted under this Act shall be disqualified to exercise his/her civil rights such as but not limited to, the rights of parental authority or guardianship, either as to the person or property of any ward, the rights to dispose of such property by any act or any conveyance inter vivos, and political rights such as but not limited to, the right to vote and be voted for. Such rights shall also be suspended during the pendency of an appeal from such conviction.

ARTICLE III

Dangerous Drugs Test and Record Requirements

Section 36. Authorized Drug Testing. – Authorized drug testing shall be done by any government forensic laboratories or by any of the drug testing laboratories accredited and monitored by the DOH to safeguard the quality of test results. The DOH shall take steps in setting the price of the drug test with DOH accredited drug testing centers to further reduce the cost of such drug test. The drug testing shall employ, among others, two (2) testing methods, the screening test which will determine the positive result as well
as the type of the drug used and the confirmatory test which will confirm a positive screening test. Drug test certificates issued by accredited drug testing centers shall be valid for a one-year period from the date of issue which may be used for other purposes. The following shall be subjected to undergo drug testing:

(a) Applicants for driver's license. – No driver's license shall be issued or renewed to any person unless he/she presents a certification that he/she has undergone a mandatory drug test and indicating thereon that he/she is free from the use of dangerous drugs;

(b) Applicants for firearm's license and for permit to carry firearms outside of residence. – All applicants for firearm's license and permit to carry firearms outside of residence shall undergo a mandatory drug test to ensure that they are free from the use of dangerous drugs: Provided, That all persons who by the nature of their profession carry firearms shall undergo drug testing;

(c) Students of secondary and tertiary schools. – Students of secondary and tertiary schools shall, pursuant to the related rules and regulations as contained in the school's student handbook and with notice to the parents, undergo a random drug testing: Provided, That all drug testing expenses whether in public or private schools under this Section will be borne by the government;

(d) Officers and employees of public and private offices. – Officers and employees of public and private offices, whether domestic or overseas, shall be subjected to undergo a random drug test as contained in the company's work rules and regulations, which shall be borne by the employer, for purposes of reducing the risk in the workplace. Any officer or employee found positive for use of dangerous drugs shall be dealt with administratively which shall be a ground for suspension or termination, subject to the provisions of Article 282 of the Labor Code and pertinent provisions of the Civil Service Law;

(e) Officers and members of the military, police and other law enforcement agencies. – Officers and members of the military, police and other law enforcement agencies shall undergo an annual mandatory drug test;

(f) All persons charged before the prosecutor's office with a criminal offense having an imposable penalty of imprisonment of not less than six (6) years and one (1) day shall have to undergo a mandatory drug test; and

(g) All candidates for public office whether appointed or elected both in the national or local government shall undergo a mandatory drug test.

In addition to the above stated penalties in this Section, those found to be positive for dangerous drugs use shall be subject to the provisions of Section 15 of this Act.

Section 37. Issuance of False or Fraudulent Drug Test Results. – Any person authorized, licensed or accredited under this Act and its implementing rules to conduct drug examination or test, who issues false or fraudulent drug test results knowingly, willfully or through gross negligence, shall suffer the penalty of imprisonment ranging from six (6) years and one (1) day to twelve (12) years and a fine ranging from One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00).

An additional penalty shall be imposed through the revocation of the license to practice his/her profession in case of a practitioner, and the closure of the drug testing center.

Section 38. Laboratory Examination or Test on Apprehended/Arrested Offenders. – Subject to Section 15 of this Act, any person apprehended or arrested for violating the provisions of this Act shall be subjected to screening laboratory examination or test within twenty-four (24) hours, if the apprehending or arresting officer has reasonable ground to believe that the person apprehended or arrested, on account of physical signs or symptoms or other visible or outward manifestation, is under the influence of dangerous drugs. If
found to be positive, the results of the screening laboratory examination or test shall be challenged within fifteen (15) days after receipt of the result through a confirmatory test conducted in any accredited analytical laboratory equipment with a gas chromatograph/mass spectrometry equipment or some such modern and accepted method, if confirmed the same shall be prima facie evidence that such person has used dangerous drugs, which is without prejudice for the prosecution for other violations of the provisions of this Act: Provided, That a positive screening laboratory test must be confirmed for it to be valid in a court of law.

Section 39. Accreditation of Drug Testing Centers and Physicians. – The DOH shall be tasked to license and accredit drug testing centers in each province and city in order to assure their capacity, competence, integrity and stability to conduct the laboratory examinations and tests provided in this Article, and appoint such technical and other personnel as may be necessary for the effective implementation of this provision. The DOH shall also accredit physicians who shall conduct the drug dependency examination of a drug dependent as well as the after-care and follow-up program for the said drug dependent. There shall be a control regulations, licensing and accreditation division under the supervision of the DOH for this purpose.

For this purpose, the DOH shall establish, operate and maintain drug testing centers in government hospitals, which must be provided at least with basic technologically advanced equipment and materials, in order to conduct the laboratory examination and tests herein provided, and appoint such qualified and duly trained technical and other personnel as may be necessary for the effective implementation of this provision.

Section 40. Records Required for Transactions on Dangerous Drug and Precursors and Essential Chemicals. –

a) Every pharmacist dealing in dangerous drugs and/or controlled precursors and essential chemicals shall maintain and keep an original record of sales, purchases, acquisitions and deliveries of dangerous drugs, indicating therein the following information:

(1) License number and address of the pharmacist;

(2) Name, address and license of the manufacturer, importer or wholesaler from whom the dangerous drugs have been purchased;

(3) Quantity and name of the dangerous drugs purchased or acquired;

(4) Date of acquisition or purchase;

(5) Name, address and community tax certificate number of the buyer;

(6) Serial number of the prescription and the name of the physician, dentist, veterinarian or practitioner issuing the same;

(7) Quantity and name of the dangerous drugs sold or delivered; and

(8) Date of sale or delivery.

A certified true copy of such record covering a period of six (6) months, duly signed by the pharmacist or the owner of the drugstore, pharmacy or chemical establishment, shall be forwarded to the Board within fifteen (15) days following the last day of June and December of each year, with a copy thereof furnished the city or municipal health officer concerned.
(b) A physician, dentist, veterinarian or practitioner authorized to prescribe any dangerous drug shall issue the prescription therefor in one (1) original and two (2) duplicate copies. The original, after the prescription has been filled, shall be retained by the pharmacist for a period of one (1) year from the date of sale or delivery of such drug. One (1) copy shall be retained by the buyer or by the person to whom the drug is delivered until such drug is consumed, while the second copy shall be retained by the person issuing the prescription.

For purposes of this Act, all prescriptions issued by physicians, dentists, veterinarians or practitioners shall be written on forms exclusively issued by and obtainable from the DOH. Such forms shall be made of a special kind of paper and shall be distributed in such quantities and contain such information and other data as the DOH may, by rules and regulations, require. Such forms shall only be issued by the DOH through its authorized employees to licensed physicians, dentists, veterinarians and practitioners in such quantities as the Board may authorize. In emergency cases, however, as the Board may specify in the public interest, a prescription need not be accomplished on such forms. The prescribing physician, dentist, veterinarian or practitioner shall, within three (3) days after issuing such prescription, inform the DOH of the same in writing. No prescription once served by the drugstore or pharmacy be reused nor any prescription once issued be refilled.

(c) All manufacturers, wholesalers, distributors, importers, dealers and retailers of dangerous drugs and/or controlled precursors and essential chemicals shall keep a record of all inventories, sales, purchases, acquisitions and deliveries of the same as well as the names, addresses and licenses of the persons from whom such items were purchased or acquired or to whom such items were sold or delivered, the name and quantity of the same and the date of the transactions. Such records may be subjected anytime for review by the Board.

ARTICLE IV

Participation of the Family, Students, Teachers and School Authorities in the Enforcement of this Act

Section 41. Involvement of the Family. – The family being the basic unit of the Filipino society shall be primarily responsible for the education and awareness of the members of the family on the ill effects of dangerous drugs and close monitoring of family members who may be susceptible to drug abuse.

Section 42. Student Councils and Campus Organizations. – All elementary, secondary and tertiary schools' student councils and campus organizations shall include in their activities a program for the prevention of and deterrence in the use of dangerous drugs, and referral for treatment and rehabilitation of students for drug dependence.

Section 43. School Curricula. – Instruction on drug abuse prevention and control shall be integrated in the elementary, secondary and tertiary curricula of all public and private schools, whether general, technical, vocational or agro-industrial as well as in non-formal, informal and indigenous learning systems. Such instructions shall include:

(1) Adverse effects of the abuse and misuse of dangerous drugs on the person, the family, the school and the community;

(2) Preventive measures against drug abuse;

(3) Health, socio-cultural, psychological, legal and economic dimensions and implications of the drug problem;
(4) Steps to take when intervention on behalf of a drug dependent is needed, as well as the services available for the treatment and rehabilitation of drug dependents; and

(5) Misconceptions about the use of dangerous drugs such as, but not limited to, the importance and safety of dangerous drugs for medical and therapeutic use as well as the differentiation between medical patients and drug dependents in order to avoid confusion and accidental stigmatization in the consciousness of the students.

**Section 44.** Heads, Supervisors, and Teachers of Schools. – For the purpose of enforcing the provisions of Article II of this Act, all school heads, supervisors and teachers shall be deemed persons in authority and, as such, are hereby empowered to apprehend, arrest or cause the apprehension or arrest of any person who shall violate any of the said provisions, pursuant to Section 5, Rule 113 of the Rules of Court. They shall be deemed persons in authority if they are in the school or within its immediate vicinity, or even beyond such immediate vicinity if they are in attendance at any school or class function in their official capacity as school heads, supervisors, and teachers.

Any teacher or school employee, who discovers or finds that any person in the school or within its immediate vicinity is liable for violating any of said provisions, shall have the duty to report the same to the school head or immediate superior who shall, in turn, report the matter to the proper authorities.

Failure to do so in either case, within a reasonable period from the time of discovery of the violation shall, after due hearing, constitute sufficient cause for disciplinary action by the school authorities.

**Section 45.** Publication and Distribution of Materials on Dangerous Drugs. – With the assistance of the Board, the Secretary of the Department of Education (DepEd), the Chairman of the Commission on Higher Education (CHED) and the Director-General of the Technical Education and Skills Development Authority (TESDA) shall cause the development, publication and distribution of information and support educational materials on dangerous drugs to the students, the faculty, the parents, and the community.

**Section 46.** Special Drug Education Center. – With the assistance of the Board, the Department of the Interior and Local Government (DILG), the National Youth Commission (NYC), and the Department of Social Welfare and Development (DSWD) shall establish in each of its provincial office a special education drug center for out-of-school youth and street children. Such Center which shall be headed by the Provincial Social Welfare Development Officer shall sponsor drug prevention programs and activities and information campaigns with the end in view of educating the out-of-school youth and street children regarding the pernicious effects of drug abuse. The programs initiated by the Center shall likewise be adopted in all public and private orphanage and existing special centers for street children.

**ARTICLE V**

Promotion of a National Drug-Free Workplace Program With the Participation of Private and Labor Sectors and the Department of Labor and Employment

**Section 47.** Drug-Free Workplace. – It is deemed a policy of the State to promote drug-free workplaces using a tripartite approach. With the assistance of the Board, the Department of Labor and Employment (DOLE) shall develop, promote and implement a national drug abuse prevention program in the workplace to be adopted by private companies with ten (10) or more employees. Such program shall include the mandatory drafting and adoption of company policies against drug use in the workplace in close consultation and coordination with the DOLE, labor and employer organizations, human resource development managers and other such private sector organizations.

**Section 48.** Guidelines for the National Drug-Free Workplace Program. – The Board and the DOLE shall
formulate the necessary guidelines for the implementation of the national drug-free workplace program. The amount necessary for the implementation of which shall be included in the annual General Appropriations Act.

ARTICLE VI

Participation of the Private and Labor Sectors in the Enforcement of this Act

Section 49. Labor Organizations and the Private Sector. – All labor unions, federations, associations, or organizations in cooperation with the respective private sector partners shall include in their collective bargaining or any similar agreements, joint continuing programs and information campaigns for the laborers similar to the programs provided under Section 47 of this Act with the end in view of achieving a drug free workplace.

Section 50. Government Assistance. – The labor sector and the respective partners may, in pursuit of the programs mentioned in the preceding Section, secure the technical assistance, such as but not limited to, seminars and information dissemination campaigns of the appropriate government and law enforcement agencies.

ARTICLE VII

Participation of Local Government Units

Section 51. Local Government Units' Assistance. – Local government units shall appropriate a substantial portion of their respective annual budgets to assist in or enhance the enforcement of this Act giving priority to preventive or educational programs and the rehabilitation or treatment of drug dependents.

Section 52. Abatement of Drug Related Public Nuisances. – Any place or premises which have been used on two or more occasions as the site of the unlawful sale or delivery of dangerous drugs may be declared to be a public nuisance, and such nuisance may be abated, pursuant to the following procedures:

(1) Any city or municipality may, by ordinance, create an administrative board to hear complaints regarding the nuisances;

(2) any employee, officer, or resident of the city or municipality may bring a complaint before the Board after giving not less than three (3) days written notice of such complaint to the owner of the place or premises at his/her last known address; and

(3) After hearing in which the Board may consider any evidence, including evidence of the general reputation of the place or premises, and at which the owner of the premises shall have an opportunity to present evidence in his/her defense, the Board may declare the place or premises to be a public nuisance.

Section 53. Effect of Board Declaration. – If the Board declares a place or premises to be a public nuisance, it may declare an order immediately prohibiting the conduct, operation, or maintenance of any business or activity on the premises which is conducive to such nuisance.

An order entered under this Section shall expire after one (1) year or at such earlier time as stated in the order. The Board may bring a complaint seeking a permanent injunction against any nuisance described under this Section.

This Article does not restrict the right of any person to proceed under the Civil Code against any public nuisance.
ARTICLE VIII

Program for Treatment and Rehabilitation of Drug Dependents

Section 54. Voluntary Submission of a Drug Dependent to Confinement, Treatment and Rehabilitation. – A drug dependent or any person who violates Section 15 of this Act may, by himself/herself or through his/her parent, spouse, guardian or relative within the fourth degree of consanguinity or affinity, apply to the Board or its duly recognized representative, for treatment and rehabilitation of the drug dependency. Upon such application, the Board shall bring forth the matter to the Court which shall order that the applicant 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 a Center designated by the Board for a period of not less than six (6) months: Provided, That a drug dependent may be placed under the care of a DOH-accredited physician where there is no Center near or accessible to the residence of the drug dependent or where said drug dependent is below eighteen (18) years of age and is a first-time offender and non-confinement in a Center will not pose a serious danger to his/her family or the community.

Confinement in a Center for treatment and rehabilitation shall not exceed one (1) year, after which time the Court, as well as the Board, shall be apprised by the head of the treatment and rehabilitation center of the status of said drug dependent and determine whether further confinement will be for the welfare of the drug dependent and his/her family or the community.

Section 55. Exemption from the Criminal Liability Under the Voluntary Submission Program. A drug dependent under the voluntary submission program, who is finally discharged from confinement, shall be exempt from the criminal liability under Section 15 of this act subject to the following conditions:

(1) He/she has complied with the rules and regulations of the center, the applicable rules and regulations of the Board, including the after-care and follow-up program for at least eighteen (18) months following temporary discharge from confinement in the Center or, in the case of a dependent placed under the care of the DOH-accredited physician, the after-care program and follow-up schedule formulated by the DSWD and approved by the Board: Provided, That capability-building of local government social workers shall be undertaken by the DSWD;

(2) He/she has never been charged or convicted of any offense punishable under this Act, the Dangerous Drugs Act of 1972 or Republic Act No. 6425, as amended; the Revised Penal Code, as amended; or any special penal laws;

(3) He/she has no record of escape from a Center: Provided, That had he/she escaped, he/she surrendered by himself/herself or through his/her parent, spouse, guardian or relative within the fourth degree of consanguinity or affinity, within one (1) week from the date of the said escape; and

(4) He/she poses no serious danger to himself/herself, his/her family or the community by his/her exemption from criminal liability.

Section 56. Temporary Release From the Center; After-Care and Follow-Up Treatment Under the Voluntary Submission Program. – Upon certification of the Center that the drug dependent within the voluntary submission program may be temporarily released, the Court shall order his/her release on condition that said drug dependent shall report to the DOH for after-care and follow-up treatment, including urine testing, for a period not exceeding eighteen (18) months under such terms and conditions that the Court may impose.
If during the period of after-care and follow-up, the drug dependent is certified to be rehabilitated, he/she may be discharged by the Court, subject to the provisions of Section 55 of this Act, without prejudice to the outcome of any pending case filed in court.

However, should the DOH find that during the initial after-care and follow-up program of eighteen (18) months, the drug dependent requires further treatment and rehabilitation in the Center, he/she shall be recommitted to the Center for confinement. Thereafter, he/she may again be certified for temporary release and ordered released for another after-care and follow-up program pursuant to this Section.

Section 57. Probation and Community Service Under the Voluntary Submission Program. – A drug dependent who is discharged as rehabilitated by the DOH-accredited Center through the voluntary submission program, but does not qualify for exemption from criminal liability under Section 55 of this Act, may be charged under the provisions of this Act, but shall be placed on probation and undergo a community service in lieu of imprisonment and/or fine in the discretion of the court, without prejudice to the outcome of any pending case filed in court.

Such drug dependent shall undergo community service as part of his/her after-care and follow-up program, which may be done in coordination with nongovernmental civil organizations accredited by the DSWD, with the recommendation of the Board.

Section 58. Filing of Charges Against a Drug Dependent Who is Not Rehabilitated Under the Voluntary Submission Program. – A drug dependent, who is not rehabilitated after the second commitment to the Center under the voluntary submission program, shall, upon recommendation of the Board, be charged for violation of Section 15 of this Act and prosecuted like any other offender. If convicted, he/she shall be credited for the period of confinement and rehabilitation in the Center in the service of his/her sentence.

Section 59. Escape and Recommitment for Confinement and Rehabilitation Under the Voluntary Submission Program. – Should a drug dependent under the voluntary submission program escape from the Center, he/she may submit himself/herself for recommitment within one (1) week therefrom, or his/her parent, spouse, guardian or relative within the fourth degree of consanguinity or affinity may, within said period, surrender him for recommitment, in which case the corresponding order shall be issued by the Board.

Should the escapee fail to submit himself/herself or be surrendered after one (1) week, the Board shall apply to the court for a recommitment order upon proof of previous commitment or his/her voluntary submission by the Board, the court may issue an order for recommitment within one (1) week.

If, subsequent to a recommitment, the dependent once again escapes from confinement, he/she shall be charged for violation of Section 15 of this Act and he subjected under section 61 of this Act, either upon order of the Board or upon order of the court, as the case may be.

Section 60. Confidentiality of Records Under the Voluntary Submission Program. – Judicial and medical records of drug dependents under the voluntary submission program 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 voluntarily submitted himself/herself for confinement, treatment and rehabilitation or has been committed to a Center under this program.

Section 61. Compulsory Confinement of a Drug Dependent Who Refuses to Apply Under the Voluntary Submission Program. – Notwithstanding any law, rule and regulation to the contrary, any person determined and found to be dependent on dangerous drugs shall, upon petition by the Board or any of its authorized representative, be confined for treatment and rehabilitation in any Center duly designated or
A petition for the confinement of a person alleged to be dependent on dangerous drugs to a Center may be filed by any person authorized by the Board with the Regional Trial Court of the province or city where such person is found.

After the petition is filed, the court, by an order, shall immediately fix a date for the hearing, and a copy of such order shall be served on the person alleged to be dependent on dangerous drugs, and to the one having charge of him.

If after such hearing and the facts so warrant, the court shall order the drug dependent to be examined by two (2) physicians accredited by the Board. If both physicians conclude that the respondent is not a drug dependent, the court shall order his/her discharge. If either physician finds him to be a dependent, the court shall conduct a hearing and consider all relevant evidence which may be offered. If the court finds him a drug dependent, it shall issue an order for his/her commitment to a treatment and rehabilitation center under the supervision of the DOH. In any event, the order of discharge or order of confinement or commitment shall be issued not later than fifteen (15) days from the filing of the appropriate petition.

Section 62. Compulsory Submission of a Drug Dependent Charged with an Offense to Treatment and Rehabilitation. – If a person charged with an offense where the imposable penalty is imprisonment of less than six (6) years and one (1) day, and is found by the prosecutor or by the court, at any stage of the proceedings, to be a drug dependent, the prosecutor or the court as the case may be, shall suspend all further proceedings and transmit copies of the record of the case to the Board.

In the event he Board determines, after medical examination, that public interest requires that such drug dependent be committed to a center for treatment and rehabilitation, it shall file a petition for his/her commitment with the regional trial court of the province or city where he/she is being investigated or tried: Provided, That where a criminal case is pending in court, such petition shall be filed in the said court. The court shall take judicial notice of the prior proceedings in the case and shall proceed to hear the petition. If the court finds him to be a drug dependent, it shall order his/her commitment to a Center for treatment and rehabilitation. The head of said Center shall submit to the court every four (4) months, or as often as the court may require, a written report on

the progress of the treatment. If the dependent is rehabilitated, as certified by the center and the Board, he/she shall be returned to the court, which committed him, for his/her discharge therefrom.

Thereafter, his/her prosecution for any offense punishable by law shall be instituted or shall continue, as the case may be. In case of conviction, the judgment shall, if the accused is certified by the treatment and rehabilitation center to have maintained good behavior, indicate that he/she shall be given full credit for the period he/she was confined in the Center: Provided, however, That when the offense is for violation of Section 15 of this Act and the accused is not a recidivist, the penalty thereof shall be deemed to have been served in the Center upon his/her release therefrom after certification by the Center and the Board that he/she is rehabilitated.

Section 63. Prescription of the Offense Charged Against a Drug Dependent Under the Compulsory Submission Program. – The period of prescription of the offense charged against a drug dependent under the compulsory submission program shall not run during the time that the drug dependent is under confinement in a Center or otherwise under the treatment and rehabilitation program approved by the Board.

Upon certification of the Center that he/she may temporarily be discharged from the said Center, the court shall order his/her release on condition that he/she shall report to the Board through the DOH for after-care and follow-up treatment for a period not exceeding eighteen (18) months under such terms and conditions
as may be imposed by the Board.

If at anytime during the after-care and follow-up period, the Board certifies to his/her complete rehabilitation, the court shall order his/her final discharge from confinement and order for the immediate resumption of the trial of the case for which he/she is originally charged. Should the Board through the DOH find at anytime during the after-care and follow-up period that he/she requires further treatment and rehabilitation, it shall report to the court, which shall order his/her recommitment to the Center.

Should the drug dependent, having been committed to a Center upon petition by the Board escape therefrom, he/she may resubmit himself/herself for confinement within one (1) week from the date of his/her escape; or his/her parent, spouse, guardian or relative within the fourth degree of consanguinity or affinity may, within the same period, surrender him for recommitment. If, however, the drug dependent does not resubmit himself/herself for confinement or he/she is not surrendered for recommitment, the Board may apply with the court for the issuance of the recommitment order. Upon proof of previous commitment, the court shall issue an order for recommitment. If, subsequent to such recommitment, he/she should escape again, he/she shall no longer be exempt from criminal liability for use of any dangerous drug.

A drug dependent committed under this particular Section who is finally discharged from confinement shall be exempt from criminal liability under Section 15 of this Act, without prejudice to the outcome of any pending case filed in court. On the other hand, a drug dependent who is not rehabilitated after a second commitment to the Center shall, upon conviction by the appropriate court, suffer the same penalties provided for under Section 15 of this Act again without prejudice to the outcome of any pending case filed in court.

Section 64. Confidentiality of Records Under the Compulsory Submission Program. – The records of a drug dependent who was rehabilitated and discharged from the Center under the compulsory submission program, or who was charged for violation of Section 15 of this Act, shall be covered by Section 60 of this Act. However, the records of a drug dependent who was not rehabilitated, or who escaped but did not surrender himself/herself within the prescribed period, shall be forwarded to the court and their use shall be determined by the court, taking into consideration public interest and the welfare of the drug dependent.

Section 65. Duty of the Prosecutor in the Proceedings. – It shall be the duty of the provincial or the city prosecutor or their assistants or state prosecutors to prepare the appropriate petition in all proceedings arising from this Act.

Section 66. Suspension of Sentence of a First-Time Minor Offender. – An accused who is over fifteen (15) years of age at the time of the commission of the offense mentioned in Section 11 of this Act, but not more than eighteen (18) years of age at the time when judgment should have been promulgated after having been found guilty of said offense, may be given the benefits of a suspended sentence, subject to the following conditions:

(a) He/she has not been previously convicted of violating any provision of this Act, or of the Dangerous Drugs Act of 1972, as amended; or of the Revised Penal Code; or of any special penal laws;

(b) He/she has not been previously committed to a Center or to the care of a DOH-accredited physician; and

(c) The Board favorably recommends that his/her sentence be suspended.

While under suspended sentence, he/she shall be under the supervision and rehabilitative surveillance of the Board, under such conditions that the court may impose for a period ranging from six (6) months to eighteen (18) months.
Upon recommendation of the Board, the court may commit the accused under suspended sentence to a Center, or to the care of a DOH-accredited physician for at least six (6) months, with after-care and follow-up program for not more than eighteen (18) months.

In the case of minors under fifteen (15) years of age at the time of the commission of any offense penalized under this Act, Article 192 of Presidential Decree No. 603, otherwise known as the Child and Youth Welfare Code, as amended by Presidential Decree No. 1179 shall apply, without prejudice to the application of the provisions of this Section.

Section 67. Discharge After Compliance with Conditions of Suspended Sentence of a First-Time Minor Offender. – If the accused first time minor offender under suspended sentence complies with the applicable rules and regulations of the Board, including confinement in a Center, the court, upon a favorable recommendation of the Board for the final discharge of the accused, shall discharge the accused and dismiss all proceedings.

Upon the dismissal of the proceedings against the accused, the court shall enter an order to expunge all official records, other than the confidential record to be retained by the DOJ relating to the case. Such an order, which shall be kept confidential, shall restore the accused to his/her status prior to the case. He/she shall not be held thereafter to be guilty of perjury or of concealment or misrepresentation by reason of his/her failure to acknowledge the case or recite any fact related thereto in response to any inquiry made of him for any purpose.

Section 68. Privilege of Suspended Sentence to be Availed of Only Once by a First-Time Minor Offender. – The privilege of suspended sentence shall be availed of only once by an accused drug dependent who is a first-time offender over fifteen (15) years of age at the time of the commission of the violation of Section 15 of this Act but not more than eighteen (18) years of age at the time when judgment should have been promulgated.

Section 69. Promulgation of Sentence for First-Time Minor Offender. – If the accused first-time minor offender violates any of the conditions of his/her suspended sentence, the applicable rules and regulations of the Board exercising supervision and rehabilitative surveillance over him, including the rules and regulations of the Center should confinement be required, the court shall pronounce judgment of conviction and he/she shall serve sentence as any other convicted person.

Section 70. Probation or Community Service for a First-Time Minor Offender in Lieu of Imprisonment. – Upon promulgation of the sentence, the court may, in its discretion, place the accused under probation, even if the sentence provided under this Act is higher than that provided under existing law on probation, or impose community service in lieu of imprisonment. In case of probation, the supervision and rehabilitative surveillance shall be undertaken by the Board through the DOH in coordination with the Board of Pardons and Parole and the Probation Administration. Upon compliance with the conditions of the probation, the Board shall submit a written report to the court recommending termination of probation and a final discharge of the probationer, whereupon the court shall issue such an order.

The community service shall be complied with under conditions, time and place as may be determined by the court in its discretion and upon the recommendation of the Board and shall apply only to violators of Section 15 of this Act. The completion of the community service shall be under the supervision and rehabilitative surveillance of the Board during the period required by the court. Thereafter, the Board shall render a report on the manner of compliance of said community service. The court in its discretion may require extension of the community service or order a final discharge.
In both cases, the judicial records shall be covered by the provisions of Sections 60 and 64 of this Act.

If the sentence promulgated by the court requires imprisonment, the period spent in the Center by the accused during the suspended sentence period shall be deducted from the sentence to be served.

Section 71. Records to be kept by the Department of Justice. – The DOJ shall keep a confidential record of the proceedings on suspension of sentence and shall not be used for any purpose other than to determine whether or not a person accused under this Act is a first-time minor offender.

Section 72. Liability of a Person Who Violates the Confidentiality of Records. – The penalty of imprisonment ranging from six (6) months and one (1) day to six (6) years and a fine ranging from One thousand pesos (P1,000.00) to Six thousand pesos (P6,000.00), shall be imposed upon any person who, having official custody of or access to the confidential records of any drug dependent under voluntary submission programs, or anyone who, having gained possession of said records, whether lawfully or not, reveals their content to any person other than those charged with the prosecution of the offenses under this Act and its implementation. The maximum penalty shall be imposed, in addition to absolute perpetual disqualification from any public office, when the offender is a government official or employee. Should the records be used for unlawful purposes, such as blackmail of the drug dependent or the members of his/her family, the penalty imposed for the crime of violation of confidentiality shall be in addition to whatever crime he/she may be convicted of.

Section 73. Liability of a Parent, Spouse or Guardian Who Refuses to Cooperate with the Board or any Concerned Agency. – Any parent, spouse or guardian who, without valid reason, refuses to cooperate with the Board or any concerned agency in the treatment and rehabilitation of a drug dependent who is a minor, or in any manner, prevents or delays the after-care, follow-up or other programs for the welfare of the accused drug dependent, whether under voluntary submission program or compulsory submission program, may be cited for contempt by the court.

Section 74. Cost-Sharing in the Treatment and Rehabilitation of a Drug Dependent. – The parent, spouse, guardian or any relative within the fourth degree of consanguinity of any person who is confined under the voluntary submission program or compulsory submission program shall be charged a certain percentage of the cost of his/her treatment and rehabilitation, the guidelines of which shall be formulated by the DSWD taking into consideration the economic status of the family of the person confined. The guidelines therein formulated shall be implemented by a social worker of the local government unit.

Section 75. Treatment and Rehabilitation Centers. – The existing treatment and rehabilitation centers for drug dependents operated and maintained by the NBI and the PNP shall be operated, maintained and managed by the DOH in coordination with other concerned agencies. For the purpose of enlarging the network of centers, the Board through the DOH shall encourage, promote or whenever feasible, assist or support in the establishment, operations and maintenance of private centers which shall be eligible to receive grants, donations or subsidy from either government or private sources. It shall also support the establishment of government-operated regional treatment and rehabilitation centers depending upon the availability of funds. The national government, through its appropriate agencies shall give priority funding for the increase of subsidy to existing government drug rehabilitation centers, and shall establish at least one (1) drug rehabilitation center in each province, depending on the availability of funds.

Section 76. The Duties and Responsibilities of the Department of health (DOH) Under this Act. – The DOH shall:

(1) Oversee the monitor the integration, coordination and supervision of all drug rehabilitation, intervention, after-care and follow-up programs, projects and activities as well as the establishment, operations, maintenance and management of privately-owned drug treatment rehabilitation centers and drug testing networks and laboratories throughout the country in coordination with the DSWD and other agencies;
(2) License, accredit, establish and maintain drug test network and laboratory, initiate, conduct and support scientific research on drugs and drug control;

(3) Encourage, assist and accredit private centers, promulgate rules and regulations setting minimum standards for their accreditation to assure their competence, integrity and stability;

(4) Prescribe and promulgate rules and regulations governing the establishment of such Centers as it may deem necessary after conducting a feasibility study thereof;

(5) The DOH shall, without prejudice to the criminal prosecution of those found guilty of violating this Act, order the closure of a Center for treatment and rehabilitation of drug dependency when, after investigation it is found guilty of violating the provisions of this Act or regulations issued by the Board; and

(6) Charge reasonable fees for drug dependency examinations, other medical and legal services provided to the public, which shall accrue to the Board. All income derived from these sources shall be part of the funds constituted as special funds for the implementation of this Act under Section 87.

ARTICLE IX

Dangerous Drugs Board and Philippine Drug Enforcement Agency

Section 77. The Dangerous Drugs Board. – The Board shall be the policy-making and strategy-formulating body in the planning and formulation of policies and programs on drug prevention and control. It shall develop and adopt a comprehensive, integrated, unified and balanced national drug abuse prevention and control strategy. It shall be under the Office of the President.

Section 78. Composition of the Board. – The Board shall be composed of seventeen (17) members wherein three (3) of which are permanent members, the other twelve (12) members shall be in an ex officio capacity and the two (2) shall be regular members.

The three (3) permanent members, who shall possess at least seven-year training and experience in the field of dangerous drugs and in any of the following fields: in law, medicine, criminology, psychology or social work, shall be appointed by the President of the Philippines. The President shall designate a Chairman, who shall have the rank of a secretary from among the three (3) permanent members who shall serve for six (6) years. Of the two (2) other members, who shall both have the rank of undersecretary, one (1) shall serve for four (4) years and the other for two (2) years. Thereafter, the persons appointed to succeed such members shall hold office for a term of six (6) years and until their successors shall have been duly appointed and qualified.

The other twelve (12) members who shall be ex officio members of the Board are the following:

(1) Secretary of the Department of Justice or his/her representative;

(2) Secretary of the Department of Health or his/her representative;

(3) Secretary of the Department of National Defense or his/her representative;

(4) Secretary of the Department of Finance or his/her representative;

(5) Secretary of the Department of Labor and Employment or his/her representative;

(6) Secretary of the Department of the Interior and Local Government or his/her representative;
(7) Secretary of the Department of Social Welfare and Development or his/her representative;

(8) Secretary of the Department of Foreign Affairs or his/her representative;

(9) Secretary of the Department of Education or his/her representative;

(10) Chairman of the Commission on Higher Education or his/her representative;

(11) Chairman of the National Youth Commission;

(12) Director General of the Philippine Drug Enforcement Agency.

Cabinet secretaries who are members of the Board may designate their duly authorized and permanent representatives whose ranks shall in no case be lower than undersecretary.

The two (2) regular members shall be as follows:

(a) The president of the Integrated Bar of the Philippines; and

(b) The chairman or president of a non-government organization involved in dangerous drug campaign to be appointed by the President of the Philippines.

The Director of the NBI and the Chief of the PNP shall be the permanent consultants of the Board, and shall attend all the meetings of the Board.

All members of the Board as well as its permanent consultants shall receive a per diem for every meeting actually attended subject to the pertinent budgetary laws, rules and regulations on compensation, honoraria and allowances: Provided, That where the representative of an ex officio member or of the permanent consultant of the Board attends a meeting in behalf of the latter, such representative shall be entitled to receive the per diem.

Section 79. Meetings of the Board. – The Board shall meet once a week or as often as necessary at the discretion of the Chairman or at the call of any four (4) other members. The presence of nine (9) members shall constitute a quorum.

Section 80. Secretariat of the Board. – The Board shall recommend to the President of the Philippines the appointment of an Executive Director, with the rank of an undersecretary, who shall be the Secretary of the Board and administrative officer of its secretariat, and shall perform such 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.

Two deputies executive director, for administration and operations, with the ranks of assistant secretary, shall be appointed by the President upon recommendation of the Board. They shall possess the same qualifications as those of the executive director. They shall receive a salary corresponding to their position as prescribed by the Salary Standardization Law as a Career Service Officer.

The existing secretariat of the Board shall be under the administrative control and supervision of the Executive Director. It shall be composed of the following divisions, namely: Policy Studies, Research and Statistics; Preventive Education, Training and Information; Legal Affairs; and the Administrative and Financial Management.
Section 81. Powers and Duties of the Board. — The Board shall:

(a) Formulate, develop and establish a comprehensive, integrated, unified and balanced national drug use prevention and control strategy;

(b) Promulgate such rules and regulations as may be necessary to carry out the purposes of this Act, including the manner of safekeeping, disposition, burning or condemnation of any dangerous drug and/or controlled precursor and essential chemical under its charge and custody, and prescribe administrative remedies or sanctions for the violations of such rules and regulations;

(c) Conduct policy studies, program monitoring and evaluations and other researches on drug prevention, control and enforcement;

(d) Initiate, conduct and support scientific, clinical, social, psychological, physical and biological researches on dangerous drugs and dangerous drugs prevention and control measures;

(e) Develop an educational program and information drive on the hazards and prevention of illegal use of any dangerous drug and/or controlled precursor and essential chemical based on factual data, and disseminate the same to the general public, for which purpose the Board shall endeavor to make the general public aware of the hazards of any dangerous drugs and/or controlled precursor and essential chemical by providing among others, literature, films, displays or advertisements and by coordinating with all institutions of learning as well as with all national and local enforcement agencies in planning and conducting its educational campaign programs to be implemented by the appropriate government agencies;

(f) Conduct continuing seminars for, and consultations with, and provide information materials to judges and prosecutors in coordination with the Office of the Court Administrator, in the case of judges, and the DOJ, in the case of prosecutors, which aim to provide them with the current developments and programs of the Board pertinent to its campaign against dangerous drugs and its scientific researches on dangerous drugs, its prevention and control measures;

(g) Design special trainings in order to provide law enforcement officers, members of the judiciary, and prosecutors, school authorities and personnel of centers with knowledge and know-how in dangerous drugs and/or controlled precursors and essential chemicals control in coordination with the Supreme Court to meet the objectives of the national drug control programs;

(h) Design and develop, in consultation and coordination with the DOH, DSWD and other agencies involved in drugs control, treatment and rehabilitation, both public and private, a national treatment and rehabilitation program for drug dependents including a standard aftercare and community service program for recovering drug dependents;

(i) Design and develop, jointly with the DOLE and in consultation with labor and employer groups as well as nongovernment organizations a drug abuse prevention program in the workplace that would include a provision for employee assistance programs for emotionally-stressed employees;

(j) Initiate and authorize closure proceedings against non-accredited and/or substandard rehabilitation centers based on verified reports of human rights violations, subhuman conditions, inadequate medical training and assistance and excessive fees for implementation by the PDEA;

(k) Prescribe and promulgate rules and regulations governing the establishment of such centers, networks and laboratories as deemed necessary after conducting a feasibility study in coordination with the DOH and other government agencies;

(l) Receive, gather, collect and evaluate all information on the importation, exportation, production,
manufacture, sale, stocks, seizures of and the estimated need for any dangerous drug and/or controlled precursor and essential chemical, for which purpose the Board may require from any official, instrumentality or agency of the government or any private person or enterprise dealing in, or engaged in activities having to do with any dangerous drug and/or controlled precursors and essential chemicals such data or information as it may need to implement this Act;

(m) Gather and prepare detailed statistics on the importation, exportation, manufacture, stocks, seizures of and estimates need for any dangerous drug and/or controlled precursors and essential chemicals and such other statistical data on said drugs as may be periodically required by the United Nations Narcotics Drug Commission, the World Health Organization and other international organizations in consonance with the country’s international commitments;

(n) Develop and maintain international networking coordination with international drug control agencies and organizations, and implement the provisions of international conventions and agreements thereon which have been adopted and approved by the Congress of the Philippines;

(o) Require all government and private hospitals, clinics, doctors, dentists and other practitioners to submit a report to it, in coordination with the PDEA, about all dangerous drugs and/or controlled precursors and essential chemicals-related cases to which they have attended for statistics and research purposes;

(p) Receive 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 government and private rehabilitation centers subject to limitations, directions and instructions from the donors, if any;

(q) Issue guidelines as to the approval or disapproval of applications for voluntary treatment, rehabilitation or confinement, wherein it shall issue the necessary guidelines, rules and regulations pertaining to the application and its enforcement;

(r) Formulate guidelines, in coordination with other government agencies, the importation, distribution, production, manufacture, compounding, prescription, dispensing and sale of, and other lawful acts in connection with any dangerous drug, controlled precursors and essential chemicals and other similar or analogous substances of such kind and in such quantity as it may deem necessary according to the medical and research needs or requirements of the country including diet pills containing ephedrine and other addictive chemicals and determine the quantity and/or quality of dangerous drugs and controlled precursors and essential chemicals to be imported, manufactured and held in stock at any given time by authorized importer, manufacturer or distributor of such drugs;

(s) Develop the utilization of a controlled delivery scheme in addressing the transshipment of dangerous drugs into and out of the country to neutralize transnational crime syndicates involved in illegal trafficking of any dangerous drugs and/or controlled precursors and essential chemicals;

(t) Recommend the revocation of the professional license of any practitioner who is an owner, co-owner, lessee, or in the employ of the drug establishment, or manager of a partnership, corporation, association, or any juridical entity owning and/or controlling such drug establishment, and who knowingly participates in, or consents to, tolerates, or abets the commission of the act of violations as indicated in the preceding paragraph, all without prejudice to the criminal prosecution of the person responsible for the said violation;

(u) Appoint such technical, administrative and other personnel as may be necessary for the effective implementation of this Act, subject to the Civil Service Law and its rules and regulations;

(v) Establish a regular and continuing consultation with concerned government agencies and medical professional organizations to determine if balance exists in policies, procedures, rules and regulations on dangerous drugs and to provide recommendations on how the lawful use of dangerous drugs can be
improved and facilitated; and

(w) Submit an annual and periodic reports to the President, the Congress of the Philippines and the Senate and House of Representatives committees concerned as may be required from time to time, and perform such other functions as may be authorized or required under existing laws and as directed by the President himself/herself or as recommended by the congressional committees concerned.

Section 82. Creation of the Philippine Drug Enforcement Agency (PDEA). – To carry out the provisions of this Act, the PDEA, which serves as the implementing arm of the Board, and shall be responsible for the efficient and effective law enforcement of all the provisions on any dangerous drug and/or controlled precursor and essential chemical as provided in this Act.

The PDEA shall be headed by a Director General with the rank of Undersecretary, who shall be responsible for the general administration and management of the Agency. The Director General of the PDEA shall be appointed by the President of the Philippines and shall perform such 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 Director General of the PDEA shall be assisted in the performance of his/her duties and responsibilities by two (2) deputies director general with the rank of Assistant Secretary; one for Operations and the other one for Administration. The two (2) deputies director general shall likewise be appointed by the President of the Philippines upon recommendation of the Board. The two (2) deputies director general shall possess the same qualifications as those of the Director General of the PDEA. The Director General and the two (2) deputies director general shall receive the compensation and salaries as prescribed by law.

Section 83. Organization of the PDEA. – The present Secretariat of the National Drug Law Enforcement and Prevention Coordinating Center as created by Executive Order No. 61 shall be accordingly modified and absorbed by the PDEA.

The Director General of the PDEA shall be responsible for the necessary changes in the organizational set-up which shall be submitted to the Board for approval.

For purposes of carrying out its duties and powers as provided for in the succeeding Section of this Act, the PDEA shall have the following Services, namely: Intelligence and Investigation; International Cooperation and Foreign Affairs; Preventive Education and Community Involvement; Plans and Operations; Compliance; Legal and Prosecution; Administrative and Human Resource; Financial Management; Logistics Management; and Internal Affairs.

The PDEA shall establish and maintain regional offices in the different regions of the country which shall be responsible for the implementation of this Act and the policies, programs, and projects of said agency in their respective regions.

Section 84. Powers and Duties of the PDEA. – The PDEA shall:

(a) Implement or cause the efficient and effective implementation of the national drug control strategy formulated by the Board thereby carrying out a national drug campaign program which shall include drug law enforcement, control and prevention campaign with the assistance of concerned government agencies;

(b) Undertake the enforcement of the provisions of Article II of this Act relative to the unlawful acts and penalties involving any dangerous drug and/or controlled precursor and essential chemical and investigate all violators and other matters involved in the commission of any crime relative to the use, abuse or
trafficking of any dangerous drug and/or controlled precursor and essential chemical as provided for in this Act and the provisions of Presidential Decree No. 1619;

(c) Administer oath, issue subpoena and subpoena duces tecum relative to the conduct of investigation involving the violations of this Act;

(d) Arrest and apprehend as well as search all violators and seize or confiscate, the effects or proceeds of the crimes as provided by law and take custody thereof, for this purpose the prosecutors and enforcement agents are authorized to possess firearms, in accordance with existing laws;

(e) Take charge and have custody of all dangerous drugs and/or controlled precursors and essential chemicals seized, confiscated or surrendered to any national, provincial or local law enforcement agency, if no longer needed for purposes of evidence in court;

(f) Establish forensic laboratories in each PNP office in every province and city in order to facilitate action on seize or confiscated drugs, thereby hastening its destruction without delay;

(g) Recommend to the DOJ the forfeiture of properties and other assets of persons and/or corporations found to be violating the provisions of this Act and in accordance with the pertinent provisions of the Anti-Money-Laundering Act of 2001;

(h) Prepare for prosecution or cause the filing of appropriate criminal and civil cases for violation of all laws on dangerous drugs, controlled precursors and essential chemicals, and other similar controlled substances, and assist, support and coordinate with other government agencies for the proper and effective prosecution of the same;

(i) Monitor and if warranted by circumstances, in coordination with the Philippine Postal Office and the Bureau of Customs, inspect all air cargo packages, parcels and mails in the central post office, which appear from the package and address itself to be a possible importation of dangerous drugs and/or controlled precursors and essential chemicals, through on-line or cyber shops via the internet or cyberspace;

(j) Conduct eradication programs to destroy wild or illegal growth of plants from which dangerous drugs may be extracted;

(k) Initiate and undertake the formation of a nationwide organization which shall coordinate and supervise all activities against drug abuse in every province, city, municipality and barangay with the active and direct participation of all such local government units and nongovernmental organizations, including the citizenry, subject to the provisions of previously formulated programs of action against dangerous drugs;

(l) Establish and maintain a national drug intelligence system in cooperation with law enforcement agencies, other government agencies/offices and local government units that will assist in its apprehension of big-time drug lords;

(m) Establish and maintain close coordination, cooperation and linkages with international drug control and administration agencies and organizations, and implement the applicable provisions of international conventions and agreements related to dangerous drugs to which the Philippines is a signatory;

(n) Create and maintain an efficient special enforcement unit to conduct an investigation, file charges and transmit evidence to the proper court, wherein members of the said unit shall possess suitable and adequate firearms for their protection in connection with the performance of their duties: Provided, That no previous special permit for such possession shall be required;

(o) Require all government and private hospitals, clinics, doctors, dentists and other practitioners to submit
a report to it, in coordination with the Board, about all dangerous drugs and/or controlled precursors and essential chemicals which they have attended to for data and information purposes;

(p) Coordinate with the Board for the facilitation of the issuance of necessary guidelines, rules and regulations for the proper implementation of this Act;

(q) Initiate and undertake a national campaign for drug prevention and drug control programs, where it may enlist the assistance of any department, bureau, office, agency or instrumentality of the government, including government-owned and or –controlled corporations, in the anti-illegal drugs drive, which may include the use of their respective personnel, facilities, and resources for a more resolute detection and investigation of drug-related crimes and prosecution of the drug traffickers; and

(r) Submit an annual and periodic reports to the Board as may be required from time to time, and perform such other functions as may be authorized or required under existing laws and as directed by the President himself/herself or as recommended by the congressional committees concerned.

Section 85. The PDEA Academy. – Upon the approval of the Board, the PDEA Academy shall be established either in Baguio or Tagaytay City, and in such other places as may be necessary. The PDEA Academy shall be responsible in the recruitment and training of all PDEA agents and personnel. The Board shall provide for the qualifications and requirements of its recruits who must be at least twenty-one (21) years old, of proven integrity and honesty and a Baccalaureate degree holder.

The graduates of the Academy shall later comprise the operating units of the PDEA after the termination of the transition period of five (5) years during which all the intelligence network and standard operating procedures of the PDEA has been set up and operationalized.

The Academy shall be headed by a Superintendent, with the rank of Director. He/she shall be appointed by the PDEA Director General.

Section 86. Transfer, Absorption, and Integration of All Operating Units on Illegal Drugs into the PDEA and Transitory Provisions. – The Narcotics Group of the PNP, the Narcotics Division of the NBI and the Customs Narcotics Interdiction Unit are hereby abolished; however they shall continue with the performance of their task as detail service with the PDEA, subject to screening, until such time that the organizational structure of the Agency is fully operational and the number of graduates of the PDEA Academy is sufficient to do the task themselves: Provided, That such personnel who are affected shall have the option of either being integrated into the PDEA or remain with their original mother agencies and shall, thereafter, be immediately reassigned to other units therein by the head of such agencies. Such personnel who are transferred, absorbed and integrated in the PDEA shall be extended appointments to positions similar in rank, salary, and other emoluments and privileges granted to their respective positions in their original mother agencies.

The transfer, absorption and integration of the different offices and units provided for in this Section shall take effect within eighteen (18) months from the effectivity of this Act: Provided, That personnel absorbed and on detail service shall be given until five (5) years to finally decide to join the PDEA.

Nothing in this Act shall mean a diminution of the investigative powers of the NBI and the PNP on all other crimes as provided for in their respective organic laws: Provided, however, That when the investigation being conducted by the NBI, PNP or any ad hoc anti-drug task force is found to be a violation of any of the provisions of this Act, the PDEA shall be the lead agency. The NBI, PNP or any of the task force shall immediately transfer the same to the PDEA: Provided, further, That the NBI, PNP and the Bureau of Customs shall maintain close coordination with the PDEA on all drug related matters.
ARTICLE X

Appropriations, Management of Funds and Annual Report

Section 87. Appropriations. – The amount necessary for the operation of the Board and the PDEA shall be charged against the current year’s appropriations of the Board, the National Drug Law Enforcement and Prevention Coordinating Center, the Narcotics Group of the PNP, the Narcotics Division of the NBI and other drug abuse units of the different law enforcement agencies integrated into the PDEA in order to carry out the provisions of this Act. Thereafter, such sums as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

All receipts derived from fines, fees and other income authorized and imposed in this Act, including ten percent (10%) of all unclaimed and forfeited sweepstakes and lotto prizes but not less than twelve million pesos (P12,000,000.00) per year from the Philippine Charity Sweepstakes Office (PCSO), are hereby constituted as a special account in the general fund for the implementation of this Act: Provided, That no amount shall be disbursed to cover the operating expenses of the Board and other concerned agencies: Provided, further, That at least fifty percent (50%) of all the funds shall be reserved for assistance to government-owned and/or operated rehabilitation centers.

The fines shall be remitted to the Board by the court imposing such fines within thirty (30) days from the finality of its decisions or orders. The unclaimed and forfeited prizes shall be turned over to the Board by the PCSO within thirty (30) days after these are collected and declared forfeited.

A portion of the funds generated by the Philippine Amusement and Gaming Corporation (PAGCOR) in the amount of Five million pesos (P5,000,000.00) a month shall be set aside for the purpose of establishing adequate drug rehabilitation centers in the country and also for the maintenance and operations of such centers: Provided, That the said amount shall be taken from the fifty percent (50%) share of the National Government in the income of PAGCOR: Provided, further, That the said amount shall automatically be remitted by PAGCOR to the Board. The amount shall, in turn, be disbursed by the Dangerous Drugs Board, subject to the rules and regulations of the Commission on Audit (COA).

The fund may be augmented by grants, donations, and endowment from various sources, domestic or foreign, for purposes related to their functions, subject to the existing guidelines set by the government.

Section 88. Management of Funds Under this Act; Annual Report by the Board and the PDEA. – The Board shall manage the funds as it may deem proper for the attainment of the objectives of this Act. In addition to the periodic reports as may be required under this Act, the Chairman of the Board shall submit to the President of the Philippines and to the presiding officers of both houses of Congress, within fifteen (15) days from the opening of the regular session, an annual report on the dangerous drugs situation in the country which shall include detailed account of the programs and projects undertaken, statistics on crimes related to dangerous drugs, expenses incurred pursuant to the provisions of this Act, recommended remedial legislation, if needed, and such other relevant facts as it may deem proper to cite.

Section 89. Auditing the Accounts and Expenses of the Board and the PDEA. – All accounts and expenses of the Board and the PDEA shall be audited by the COA or its duly authorized representative.

ARTICLE XI

Jurisdiction Over Dangerous Drugs Cases

Section 90. Jurisdiction. – The Supreme Court shall designate special courts from among the existing
Regional Trial Courts in each judicial region to exclusively try and hear cases involving violations of this Act. The number of courts designated in each judicial region shall be based on the population and the number of cases pending in their respective jurisdiction.

The DOJ shall designate special prosecutors to exclusively handle cases involving violations of this Act.

The preliminary investigation of cases filed under this Act shall be terminated within a period of thirty (30) days from the date of their filing.

When the preliminary investigation is conducted by a public prosecutor and a probable cause is established, the corresponding information shall be filed in court within twenty-four (24) hours from the termination of the investigation. If the preliminary investigation is conducted by a judge and a probable cause is found to exist, the corresponding information shall be filed by the proper prosecutor within forty-eight (48) hours from the date of receipt of the records of the case.

Trial of the case under this Section shall be finished by the court not later than sixty (60) days from the date of the filing of the information. Decision on said cases shall be rendered within a period of fifteen (15) days from the date of submission of the case for resolution.

Section 91. Responsibility and Liability of Law Enforcement Agencies and other Government Officials and Employees in Testifying as Prosecution Witnesses in Dangerous Drugs Cases. – Any member of law enforcement agencies or any other government official and employee who, after due notice, fails or refuses intentionally or negligently, to appear as a witness for the prosecution in any proceedings involving violations of this Act, without any valid reason, shall be punished with imprisonment of not less than twelve (12) years and one (1) day to twenty (20) years and a fine of not less than Five hundred thousand pesos (P500,000.00), in addition to the administrative liability he/she may be meted out by his/her immediate superior and/or appropriate body.

The immediate superior of the member of the law enforcement agency or any other government employee mentioned in the preceding paragraph shall be penalized with imprisonment of not less than two (2) months and one (1) day but not more than six (6) years and a fine of not less than Ten thousand pesos (P10,000.00) but not more than Fifty thousand pesos (P50,000.00) and in addition, perpetual absolute disqualification from public office if despite due notice to them and to the witness concerned, the former does not exert reasonable effort to present the latter to the court.

The member of the law enforcement agency or any other government employee mentioned in the preceding paragraphs shall not be transferred or re-assigned to any other government office located in another territorial jurisdiction during the pendency of the case in court. However, the concerned member of the law enforcement agency or government employee may be transferred or re-assigned for compelling reasons: Provided, That his/her immediate superior shall notify the court where the case is pending of the order to transfer or re-assign, within twenty-four (24) hours from its approval; Provided, further, That his/her immediate superior shall be penalized with imprisonment of not less than two (2) months and one (1) day but not more than six (6) years and a fine of not less than Ten thousand pesos (P10,000.00) but not more than Fifty thousand pesos (P50,000.00) and in addition, perpetual absolute disqualification from public office, should he/she fail to notify the court of such order to transfer or re-assign.

Prosecution and punishment under this Section shall be without prejudice to any liability for violation of any existing law.

Section 92. Delay and Bungling in the Prosecution of Drug Cases. – Any government officer or employee tasked with the prosecution of drug-related cases under this act, who, through patent laxity, inexcusable neglect, unreasonable delay or deliberately causes the unsuccessful prosecution and/or dismissal of the said
Section 93. Reclassification, Addition or Removal of Any Drug from the List of Dangerous Drugs. – The Board shall have the power to reclassify, add to or remove from the list of dangerous drugs. Proceedings to reclassify, add, or remove a drug or other substance may be initiated by the PDEA, the DOH, or by petition from any interested party, including the manufacturer of a drug, a medical society or association, a pharmacy association, a public interest group concerned with drug abuse, a national or local government agency, or an individual citizen. When a petition is received by the Board, it shall immediately begin its own investigation of the drug. The PDEA also may begin an investigation of a drug at any time based upon the information received from law enforcement laboratories, national and local law enforcement and regulatory agencies, or other sources of information.

The Board after notice and hearing shall consider the following factors with respect to each substance proposed to be reclassified, added or removed from control:

(a) Its actual or relative potential for abuse;

(b) Scientific evidence of its pharmacological effect if known;

(c) The state of current scientific knowledge regarding the drug or other substance;

(d) Its history and current pattern of abuse;

(e) The scope, duration, and significance of abuse;

(f) Risk to public health; and

(g) Whether the substance is an immediate precursor of a substance already controlled under this Act.

The Board shall also take into accord the obligations and commitments to international treaties, conventions and agreements to which the Philippines is a signatory.

The Dangerous Drugs Board shall give notice to the general public of the public hearing of the reclassification, addition to or removal from the list of any drug by publishing such notice in any newspaper of general circulation once a week for two (2) weeks.

The effect of such reclassification, addition or removal shall be as follows:

(a) In case a dangerous drug is reclassified as precursors and essential chemicals, the penalties for the violations of this Act involving the two latter categories of drugs shall, in case of conviction, be imposed in all pending criminal prosecutions;

(b) In case a precursors and essential chemicals is reclassified as dangerous drug, the penalties for violations of the Act involving precursors and essential chemicals shall, in case of conviction, be imposed in all pending criminal prosecutions;

(c) In case of the addition of a new drug to the list of dangerous drugs and precursors and essential chemicals, no criminal liability involving the same under this Act shall arise until after the lapse of fifteen (15) days from the last publication of such notice;
(d) In case of removal of a drug from the list of dangerous drugs and precursors and essential chemicals, all persons convicted and/or detained for the use and/or possession of such a drug shall be automatically released and all pending criminal prosecution involving such a drug under this Act shall forthwith be dismissed; and

(e) The Board shall, within five (5) days from the date of its promulgation submit to Congress a detailed reclassification, addition, or removal of any drug from the list of dangerous drugs.

ARTICLE XII

Implementing Rules and Regulations

Section 94. Implementing Rules and Regulations. – The present Board in consultation with the DOH, DILG, DOJ, DepEd, DSWD, DOLE, PNP, NBI, PAGCOR and the PCSO and all other concerned government agencies shall promulgate within sixty (60) days the Implementing Rules and Regulations that shall be necessary to implement the provisions of this Act.

ARTICLE XIII

Final Provisions

Section 95. Congressional Oversight Committee. – There is hereby created a Congressional Oversight Committee composed of seven (7) Members from the Senate and seven (7) Members from the House of Representatives. The Members from the Senate shall be appointed by the Senate President based on the proportional representation of the parties or coalitions therein with at least two (2) Senators representing the Minority. The Members from the House of Representatives shall be appointed by the Speaker, also based on proportional representation of the parties or coalitions therein with at least two (2) Members representing the Minority.

The Committee shall be headed by the respective Chairpersons of the Senate Committee on Public Order and Illegal Drugs and the House of Representatives Committee on Dangerous Drugs.

Section 96. Powers and Functions of the Oversight Committee. – The Oversight Committee on Dangerous Drugs shall, in aid of legislation, perform the following functions, among others:

(a) To set the guidelines and overall framework to monitor and ensure the proper implementation of this Act;

(b) To ensure transparency and require the submission of reports from government agencies concerned on the conduct of programs, projects and policies relating to the implementation of this act;

(c) To approve the budget for the programs of the Oversight Committee on Dangerous Drugs and all disbursements therefrom, including compensation of all personnel;

(d) To submit periodic reports to the President of the Philippines and Congress on the implementation of the provisions of this Act;

(e) To determine inherent weaknesses in the law and recommend the necessary remedial legislation or executive measures; and

(f) To perform such other duties, functions and responsibilities as may be necessary to effectively attain the objectives of this Act.
Section 97. Adoption of Committee Rules and Regulations, and Funding. – The Oversight Committee on Dangerous Drugs shall adopt its internal rules of procedure, conduct hearings and receive testimonies, reports, and technical advice, invite or summon by subpoena ad testificandum any public official, private citizen, or any other person to testify before it, or require any person by subpoena duces tecum documents or other materials as it may require consistent with the provisions of this Act.

The Oversight Committee on Dangerous Drugs shall be assisted by a secretariat to be composed by personnel who may be seconded from the Senate and the House of Representatives and may retain consultants.

To carry out the powers and functions of the Oversight Committee on Dangerous Drugs, the initial sum of Twenty-five million pesos (P25,000,000.00) shall be charged against the current appropriations of the Senate. Thereafter, such amount necessary for its continued operations shall be included in the annual General Appropriations Act.

The Oversight Committee on Dangerous Drugs shall exist for a period of ten (10) years from the effectivity of this Act and may be extended by a joint concurrent resolution.

Section 98. Limited Applicability of the Revised Penal Code. – Notwithstanding any law, rule or regulation to the contrary, the provisions of the Revised Penal Code (Act No. 3814), as amended, shall not apply to the provisions of this Act, except in the case of minor offenders. Where the offender is a minor, the penalty for acts punishable by life imprisonment to death provided herein shall be reclusion perpetua to death.

Section 99. Separability Clause. – If for any reason any section or provision of this Act, or any portion thereof, or the application of such section, provision or portion thereof to any person, group or circumstance is declared invalid or unconstitutional, the remainder of this Act shall not be affected by such declaration and shall remain in force and effect.

Section 100. Repealing Clause. – Republic Act No. 6425, as amended, is hereby repealed and all other laws, administrative orders, rules and regulations, or parts thereof inconsistent with the provisions of this Act, are hereby repealed or modified accordingly.

Section 101. Amending Clause. – Republic Act No. 7659 is hereby amended accordingly.

Section 102. Effectivity. – This Act shall take effect fifteen (15) days upon its publication in at least two (2) national newspapers of general circulation.

Approved,

(Sgd)

(Sgd)

FRANKLIN M. DRILON
President of the Senate

JOSE DE VENECIA, JR.
Speaker of the House of Representatives

This Act which is a consolidation of Senate Bill No. 1858 and House Bill No. 4433 was finally passed by the Senate and the House of Representatives on May 30, 2002 and May 29, 2002, respectively.

(Sgd)

(Sgd)

OSCAR G. YABES
Secretary of the Senate

ROBERTO P. NAZARENO
Secretary General
House of Representatives

Approved: January 23, 2002

(Sgd)

GLORIA MACAPAGAL-ARROYO
President of the Philippines
1988 UNITED NATIONS CONVENTION AGAINST ILLICIT TRAFFIC IN NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES

LIST OF SUBSTANCES IN TABLE I

1. ACETIC ANHYDRIDE
2. N-ACETYLANTHRANILIC ACID
3. EPHEDRINE
4. ERGOMETRINE
5. ERGOTAMINE
6. ISOSAFROLE
7. LYSERGIC ACID
8. 3, 4-METHYLENEDIOXYPHENYL-2 PROPANONE
9. NOREPHEDRINE
10. 1-PHENYL-2-PROPANONE
11. PIPERONAL
12. POTASSIUM PERMANGANATE
13. PSEUDOEPHEDRINE
14. SAFROLE

THE SALTS OF THE SUBSTANCES LISTED IN THIS TABLE WHENEVER THE EXISTENCE OF SUCH SALTS IS POSSIBLE.

LIST OF SUBSTANCES IN TABLE II

1. ACETONE
2. ANTHRANILIC ACID
3. ETHYL ETHER
4. HYDROCHLORIC ACID
5. METHYL ETHYL KETONE
6. PHENYLACETIC ACID
7. PIPERIDINE
8. SULPHURIC ACID
9. TOLUENE

THE SALTS OF THE SUBSTANCES LISTED IN THIS TABLE WHENEVER THE EXISTENCE OF SUCH SALTS IS POSSIBLE (THE SALTS OF HYDROCHLORIC ACID AND SULPHURIC ACID ARE SPECIFICALLY EXCLUDED)

1961 UNITED NATIONS SINGLE CONVENTION ON NARCOTIC DRUGS AS AMENDED BY THE 1972 PROTOCOL

LIST OF DRUGS INCLUDED IN SCHEDULE I

1. Acetorphine
2. Acetyl-alpha-methylfentanyl
3. Acetylmethadol
4. Alfentanil
5. Allylprodine
6. Alphacetylmethadol
7. Alphameprodine
8. Alphamethadol
9. Alpha-methylfentanyl
10. Alpha-methylthiofentanyl
11. Alphaprodine
12. Anileridine
13. Benzethidine
14. Benzylmorphine

15. Betacetylmethadol
16. Beta-hydroxyfentanyl
17. Beta-hydroxy-3-methylfentanyl
18. Betameprodine
19. Betamethadol
20. Betaprodine
21. Bezitramide
22. Cannabis and Cannabis resin and extracts and tinctures of cannabis
23. Clonitazene
24. Coca leaf
25. Cocaine
26. Codoxime
27. Concentrate of poppy straw
28. Desomorphine
29. Dextromoramide
30. Diampromide
31. Diethylthiambutene
32. Difenoxin
33. Dihydroetorphine
34. Dihydromorphine
35. Dihydromorphine*
36. Dimenoxadol
37. Dimepheptanol
38. Dimethylthiambutene
39. Dioxaphetyl butyrate
40. Diphenoxylate
41. Dipipanone
42. Drotebanol
43. Ecgonine
44. Ethylmethylthiambutene
45. Etonitazene
46. Etorphine
47. Etoxeridine
48. Fentanyl
49. Furethidine
50. Heroin
51. Hydrocodone
52. Hydromorphinol
53. Hydromorphone
54. Hydroxypethidine
55. Isomethadone
56. Ketobemidone
57. Levomethorphan
58. Levomoramide
59. Levophenacylmorphan
60. Levorphanol
61. Metazocine
62. Methadone
63. Methadone Intermediate
64. Methyldesorphine
65. Methylidihydromorphine
66. 3-methylfentanyl
67. 3-methylthiofentanyl
68. Metopon
69. Moramide intermediate
70. Morpheridine
71. Morphine
72. Morphine methobromide
73. Morphine-N-oxide
74. MPPP
75. Myrophine
76. Nicomorphine
77. Noracymethadol
78. Norlevorphanol
79. Normethadone
80. Normorphine
81. Norpipanone
82. Opium
83. Oxycodone
84. Oxymorphone
85. Para-fluorofentanyl
86. PEPAP
87. Pethidine
88. Pethidine intermediate A
89. Pethidine intermediate B
90. Pethidine intermediate C
91. Phenadoxone
92. Phenampromide
93. Phenazocine
94. Phenomorphan
95. Phenoperidine
96. Piminodine
97. Piritramide
98. Proheptazine
99. Properidine
100. Racemethorphan
101. Racemoramide
102. Racemorphan
103. Remifentanil
104. Sufentanil
105. Thebacon
106. Thebaine
107. Thiofentanyl
108. Tilidine
109. Trimeperidine

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* Dextromethorphan (+)-3-methoxy-N-methylmorphinan and dextrorphan (+)-3-hydroxy-N-
methylmorphinan are isomers specifically excluded from this Schedule.

AND the isomers, unless specifically excepted, of the drugs in this Schedule whenever the existence of such isomers is possible within the specific chemical designation;

The esters and ethers, unless appearing in another Schedule, of the drugs in this Schedule whenever the existence of such esters or ethers is possible;

The salts of the drugs listed in this Schedule, including the salts of esters, ethers and isomers as provided above whenever the existence of such salts is possible.

**LIST OF DRUGS INCLUDED IN SCHEDULE II**

1. Acetyldihydrocodeine
2. Codeine
3. Dextropropoxyphene
4. Dihydrocodeine
5. Ethylmorphine
6. Nicocodine
7. Nicodicodine
8. Norcodeine
9. Pholcodine
10. Propiram

And the isomers, unless specifically excepted, of the drugs in this Schedule whenever the existence of such isomers is possible within the specific chemical designation.

The salts of the drugs listed in this Schedule, including the salts of the isomers as provided above whenever the existence of such salts is possible.

**LIST OF DRUGS INCLUDED IN SCHEDULE III**

1. Preparations of :
   
   Acetyldihydrocodeine,
   Codeine,
   Dihydrocodeine,
   Ethylmorphine,
   Nicocodine,
   Nicodicodine,
   Norcodeine and
   Pholcodine

   When compounded with one or more other ingredients and containing not more than milligrams of the drug per dosage unit and with a concentration of not more than 2.5 per cent in undivided preparations.

2. Preparations of :

   Propiram containing not more than 100 milligrams of propiram per dosage unit and compounded with at least the same amount of Methylcellulose.
3. Preparations of:

Dextropropoxyphene for oral use containing not more than 135 milligrams of dextropropoxyphene base per dosage unit or with a concentration of not more than 2.5 per cent in undivided preparations, provided that such preparations do not contain any substance controlled under the Convention on Psychotropic Substances of 1971.

4. Preparations of:

Preparations of:

Cocaine containing not more than 0.1 per cent of cocaine calculated as cocaine base; and

Opium or morphine containing not more than 0.2 per cent of morphine calculated as anhydrous morphine base and compounded with one or more other ingredients and in such a way that the drug cannot be recovered by readily applicable means or in a yield that would constitute a risk to public health.

5. Preparations of:

Difenoxin containing, per dosage unit, not more than 0.5 milligrams of difenoxin and a quantity of atropine sulfate equivalent to at least 5 per cent of the dose of difenoxin.

6. Preparations of:

Diphenoxylate containing per dosage unit, not more than 2.5 milligrams diphenoxylate calculated as base and a quantity of atropine sulfate equivalent to at least 1 per cent of the dose of diphenoxylate.

7. Preparations of:

Pulvis ipecacuanhae et opii compositus

10 per cent opium in powder
10 per cent ipecacuanha root, in powder well mixed with
80 per cent of any other powdered ingredient containing no drug.

8. Preparations conforming to any of the formulas listed in this Schedule and mixtures such preparations with any material which contains no drug.

**LIST OF DRUGS INCLUDED IN SCHEDULE IV**

1. Acetorphine
2. Acetyl-alpha-methylfentanyl
3. Alpha-methylfentanyl
4. Alpha-methylthiofentanyl
5. Beta-hydroxy-3-methylfentanyl
6. Beta-hydroxyfentanyl
7. Cannabis and Cannabis resin
8. Desomorphine
9. Etorphine
10. Heroin
11. Ketobemidone
12. 3-methylfentanyl
13. 3-methylthiofentanyl
14. MPPP
15. Para-fluorofentanyl
16. PEPAP
17. Thiofentanyl

AND the salts of the drugs listed in this Schedule whenever the formation of such salts is possible.

1971 UNITED NATIONS SINGLE CONVENTION ON PSYCHOTROPIC SUBSTANCES

LIST OF SUBSTANCES IN SCHEDULE I

BROLAMFETAMINE (DOB)

(±)-4-Bromo-2,5-dimethoxy-a-methylphenethylamine
Dimethoxybromoamphetamine

CATHINONE

(-)-(S)-2-Aminopropiophenone

DET

3-[(2-(Diethylamino)ethyl)indole]

DMA

(±)-2,5-DIMETHOXY-a-methylphenethylamine
2,5 Dimethoxyamphetamine

DMPH

3-[(1,2-Dimethylhepty)-7,8,9,-10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran-1-ol

DMT

3-[(2-(Dimethylamino)ethyl)indole

DOET

(±)-4-Ethyl-2,5-dimethoxy-a-phorethylamine
2,5-Dimethoxy-4-ethylamphetamine
ETICYCLIDINE (PCE)

N-Ethyl-1-phenylcyclohexylamine

ETRYPAMINE

3-(2-Aminobutyl)indole

(+) -LYSERGIDE (LSD, LSD-25)

9,10-Didehydro-N,N-diethyl-6-methylergoline-8b-carboxamide

MDA

(+) -N, a-Dimethyl-3,4-(methylene-dioxy)phenethylamine

3,4-Methylenedioxymethamphetamine

MESCALINE

3,4,5-Trimethoxyphenethylamine

METHCATHINONE

2-(Methylamino)-1-phenylpropan-1-one

4-METHYLAMINOREX

(+) -cis-2-Amino-4-methyl-5-phenyl-2-oxazoline

MMDA

2-Methoxy-a-methyl-4,5-(methyleneoxy)phenethylamine

5-Methoxy-3,4-methylenedioxyamphetamine

N-ETHYL MDA

(+) -N-Ethyl-a-methyl-3,4(methyleneoxy)phenethylamine

3-4-Methylenedioxy-N-ethylamphetamine

N-HYDROXY MDA
(+)-N-[a-Methyl-3,4-(methyleneoxy)phenethyl]-hydroxylamine
PARAHEXYL

3-Hexyl-7,8,9,10-tetrahydro-6,6,-9-trimethyl-6H-dibenzo[b,d]pyran-1-ol
PMA

p-Methoxy-a-methylphenethylamine
Paramethoxyamphetamine
PSILOCINE, PSILOTSIN

3-[2-(Dimethylamino)ethyl]indol-4-ol
PSILOCYBINE

3-[2-(Dimethylamino)ethyl]indol-4-yl
dihydrogen phosphate
ROLICYCLIDINE (PHP, PCPY)

1-(1-Phenylcyclohexyl)pyrrolidine
STP, DOM

2,5-Dimethoxy-a,4-dimethylphenethylamine
TENAMFETAMINE (MDA)

a-Methyl-3,4-(methyleneoxy)phenethylamine
Methylenedioxyamphetamine
TENOCYCLIDINE (TCP)

1-[1-(2-Thienyl)cyclohexyl]piperridine
TETRAHYDROCANNABINOL

- the following isomers and their stereochemical variants:
7,8,9,10-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol

(9R,10aR)-8,9,10,10a-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol

(6aR,9R,10aR)-6a,9,10,10a-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol

(6aR,10aR)-6a,7,10,10a-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo[b,d]pyran-1-ol

(6a,7,8,9-Tetrahydro-6,6,9-trimethyl-3-pentyl-6H-Dibenzo[b,d]pyran-1-ol

TMA

(±)-3,4,5-Trimethoxy-a – methylphenethylamine

3,4,5-Trimethoxynamphetamine

4-MIA-(a-methyl-4-methylthiophenethylamine)

The stereoisomers, unless specifically excepted, of substances in this Schedule, whenever the existence of such stereoisomers is possible within the specific chemical designation.

**LIST OF SUBSTANCES IN SCHEDULE II**

1. AMFETAMINE (AMPHETAMINE)
2. DEXAMFETAMINE (DEXAMPHETAMINE)
3. FENETYLLINE
4. LEVAMFETAMINE (LEVAMPHETAMINE)
5. LEVOMETHAMPHETAMINE
6. MECLOQUALONE
7. METAMFETAMINE (METHAMPHETAMINE)
8. METHAMPHETAMINE RACEMATE
9. METHAQUALONE
10. METHYLPHENIDATE
11. PHENCYCLIDINE (PCP)
12. PHENMETRAZINE
13. SECobarbital
14. DRONABINOL (delta-9-tetrahydro-cannabinol and its stereochemical variants)
15. ZIPEPROL
16. 2C-B(4-bromo-2,5-dimethoxyphenethylamine)

**LIST OF SUBSTANCES IN SCHEDULE III**

1. AMOBARBITAL
2. BUPRENORPHINE
3. BUTALBITAL
4. CATHINE (+)-norpseudo-ephedrine
5. CYCLOBARBITAL
6. FLUNITRAZEPAM
7. GLUTETHIMIDE
8. PENTAZOCINE
9. PENTOBARBITAL

**Substances in Schedule IV**
1. ALLOBARBITAL
2. ALPRAZOLAM
3. AMFEPRAMONE
4. AMINOREX
5. BARBITAL
6. BENZEFETAMINE (benzphetamine)
7. BROMAZEPAM
8. Butobarbital
9. BROTIZOLAM
10. CAMAZEPAM
11. CHLORDIAZEPOXIDE
12. CLOBAZAM
13. CLONAZEPAM
14. CLORAZEPATE
15. CLOTIAZEPAM
16. CLOXAZOLAM
17. DELORAZEPAM
18. DIAZEPAM
19. ESTAZOLAM
20. ETHCHLORVYNOL
21. ETHINAMATE
22. ETHYL LOFLAZEPATE
23. ETILAMFETAMINE (N-ethylamphetamine)
24. FENCAMFAMIN
25. FENPROPOREX
26. FLUDIAZEPAM
27. FLURAZEPAM
28. HALAZEPAM
29. HALOXAZOLAM
30. KETAZOLAM
31. LEFETAMINE (SPA)
32. LOPRAZOLAM
33. LORAZEPAM
34. LORMETAZEPAM
35. MAZINDOL
36. MEDAZEPAM
37. MEFENOREX
38. MEPROBAMATE
39. MESOCARB
40. METHYLPHENOBARBITAL
41. METHYPRYLON
42. MIDAZOLAM
43. NIMETAZEPAM
44. NITRAZEPAM
45. NORDAZEPAM
46. OXAZEPAM
47. OXAZOLAM
48. PEMOLINE
49. PHENDIMETRAZINE
50. PHENOBARBITAL
51. PHENTERMINE
52. PINAZEPAM
53. PIPRADROL
54. PRAZEPAM
55. PYROVALERONE
56. SECButABARBITAL
57. TEMAZEPAM
58. TETRAZEPAM
59. TRIAZOLAM
60. VINYLBITAL GHB (Gamma-Hydroxyburic acid)
61. Zolpidem

R.A. 9729: THE CLIMATE CHANGE ACT OF 2009

Fourteenth Congress Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-seventh day of July, two thousand nine.

REPUBLIC ACT NO. 9729

AN ACT MAINSTREAMING CLIMATE CHANGE INTO GOVERNMENT POLICY FORMULATIONS, ESTABLISHING THE FRAMEWORK STRATEGY AND PROGRAM ON CLIMATE CHANGE, CREATING FOR THIS PURPOSE THE CLIMATE CHANGE COMMISSION, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Title. – This Act shall be known as the —Climate Change Act of 2009‖.

SECTION 2. Declaration of Policy. – It is the policy of the State to afford full protection and the advancement of the right of the people to a healthful ecology in accord with the rhythm and harmony of nature. In this light, the State has adopted the Philippine Agenda 21 framework which espouses sustainable development, to fulfill human needs while maintaining the quality of the natural environment for current and future generations.

Towards this end, the State adopts the principle of protecting the climate system for the benefit of humankind, on the basis of climate justice or common but differentiated responsibilities and the Precautionary Principle to guide decision-making in climate risk management. As a party to the United Nations Framework Convention on Climate Change, the State adopts the ultimate objective of the Convention which is the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system which should be achieved within a time frame sufficient to allow ecosystems to adapt naturally to climate change, to ensure that food production is not threatened and to enable economic development to proceed in a sustainable manner. As a party to the Hyogo Framework for Action, the State likewise adopts the strategic goals in order to build national and local resilience to climate change-related disasters.

Recognizing the vulnerability of the Philippine archipelago and its local communities, particularly the poor, women, and children, to potential dangerous consequences of climate change such as rising seas, changing landscapes, increasing frequency and/or severity of droughts, fires, floods and storms, climate-related illnesses and diseases, damage to ecosystems, biodiversity loss that affect the country's environment,
culture, and economy, the State shall cooperate with the global community in the resolution of climate change issues, including disaster risk reduction. It shall be the policy of the State to enjoin the participation of national and local governments, businesses, nongovernment organizations, local communities and the public to prevent and reduce the adverse impacts of climate change and, at the same time, maximize the benefits of climate change. It shall also be the policy of the State to incorporate a gender-sensitive, pro-children and pro-poor perspective in all climate change and renewable energy efforts, plans and programs. In view thereof, the State shall strengthen, integrate, consolidate and institutionalize government initiatives to achieve coordination in the implementation of plans and programs to address climate change in the context of sustainable development.

Further recognizing that climate change and disaster risk reduction are closely interrelated and effective disaster risk reduction will enhance climate change adaptive capacity, the State shall integrate disaster risk reduction into climate change programs and initiatives.

Cognizant of the need to ensure that national and subnational government policies, plans, programs and projects are founded upon sound environmental considerations and the principle of sustainable development, it is hereby declared the policy of the State to systematically integrate the concept of climate change in various phases of policy formulation, development plans, poverty reduction strategies and other development tools and techniques by all agencies and instrumentalities of the government.

SECTION. 3. Definition of Terms. – For purposes of this Act, the following shall have the corresponding meanings:

(a) —Adaptation‖ refers to the adjustment in natural or human systems in response to actual or expected climatic stimuli or their effects, which moderates harm or exploits beneficial opportunities.

(b) —Adaptive capacity‖ refers to the ability of ecological, social or economic systems to adjust to climate change including climate variability and extremes, to moderate or offset potential damages and to take advantage of associated opportunities with changes in climate or to cope with the consequences thereof.

(c) —Anthropogenic causes‖ refer to causes resulting from human activities or produced by human beings.

(d) —Climate Change‖ refers to a change in climate that can be identified by changes in the mean and/or variability of its properties and that persists for an extended period typically decades or longer, whether due to natural variability or as a result of human activity.

(e) —Climate Variability‖ refers to the variations in the average state and in other statistics of the climate on all temporal and spatial scales beyond that of individual weather events.

(f) —Climate Risk‖ refers to the product of climate and related hazards working over the vulnerability of human and natural ecosystems.

(g) —Disaster‖ refers to a serious disruption of the functioning of a community or a society involving widespread human, material, economic or environmental losses and impacts which exceed the ability of the affected community or society to cope using its own resources.

(h) —Disaster risk reduction‖ refers to the concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.
(i) —Gender mainstreaming‖ refers to the strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies and programs in all political, economic, and societal spheres so that women and men benefit equally and inequality is not perpetuated. It is the process of assessing the implications for women and men of any planned action, including legislation, policies, or programs in all areas and at all levels.

(j) —Global Warming‖ refers to the increase in the average temperature of the Earth's near-surface air and oceans that is associated with the increased concentration of greenhouse gases in the atmosphere.

(k) —Greenhouse effect‖ refers to the process by which the absorption of infrared radiation by the atmosphere warms the Earth.

(l) —Greenhouse gases (GHG)‖ refers to constituents of the atmosphere that contribute to the greenhouse effect including, but not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride.

(m) —Mainstreaming‖ refers to the integration of policies and measures that address climate change into development planning and sectoral decision-making.

(n) —Mitigation‖ in the context of climate change, refers to human intervention to address anthropogenic emissions by sources and removals by sinks of all GHG, including ozone-depleting substances and their substitutes.

(o) —Mitigation potential‖ shall refer to the scale of GHG reductions that could be made, relative to emission baselines, for a given level of carbon price (expressed in cost per unit of carbon dioxide equivalent emissions avoided or reduced).

(p) —Sea level rise‖ refers to an increase in sea level which may be influenced by factors like global warming through expansion of sea water as the oceans warm and melting of ice over land and local factors such as land subsidence.

(q) —Vulnerability‖ refers to the degree to which a system is susceptible to, or unable to cope with, adverse effects of climate change, including climate variability and extremes. Vulnerability is a function of the character, magnitude, and rate of climate change and variation to which a system is exposed, its sensitivity, and its adaptive capacity.

SECTION 4. Creation of the Climate Change Commission. – There is hereby established a Climate Change Commission, hereinafter referred to as the Commission.

The Commission shall be an independent and autonomous body and shall have the same status as that of a national government agency. It shall be attached to the Office of the President.

The Commission shall be the sole policy-making body of the government which shall be tasked to coordinate, monitor and evaluate the programs and action plans of the government relating to climate change pursuant to the provisions of this Act.

The Commission shall be organized within sixty (60) days from the effectivity of this Act.

SECTION 5. Composition of the Commission. – The Commission shall be composed of the President of the Republic of the Philippines who shall serve as the Chairperson, and three (3) Commissioners to be appointed by the President, one of whom shall serve as the Vice Chairperson of the Commission.

The Commission shall have an advisory board composed of the following:
(a) Secretary of the Department of Agriculture;
(b) Secretary of the Department of Energy;
(c) Secretary of the Department of Environment and Natural Resources;
(d) Secretary of the Department of Education;
(e) Secretary of the Department of Foreign Affairs;
(f) Secretary of the Department of Health;
(g) Secretary of the Department of the Interior and Local Government;
(h) Secretary of the Department of National Defense, in his capacity as Chair of the National Disaster Coordinating Council;
(i) Secretary of the Department of Public Works and Highways;
(j) Secretary of the Department of Science and Technology;
(k) Secretary of the Department of Social Welfare and Development;
(l) Secretary of the Department of Trade and Industry;
(m) Secretary of the Department of Transportation and Communications;
(n) Director-General of the National Economic and Development Authority, in his capacity as Chair of the Philippine Council for Sustainable Development;
(o) Director-General of the National Security Council;
(p) Chairperson of the National Commission on the Role of Filipino Women;
(q) President of the League of Provinces;
(r) President of the League of Cities;
(s) President of the League of Municipalities;
(t) President of the Liga ng mga Barangay;
(u) Representative from the academe;
(v) Representative from the business sector; and
(w) Representative from nongovernmental organizations.

At least one (1) of the sectoral representatives shall come from the disaster risk reduction community.

The representatives shall be appointed by the President from a list of nominees submitted by their respective groups. They shall serve for a term of six (6) years without reappointment unless their
representation is withdrawn by the sector they represent. Appointment to any vacancy shall be only for the unexpired term of the predecessor.

Only the ex officio members of the advisory board shall appoint a qualified representative who shall hold a rank of no less than an Undersecretary.

SECTION 6. Meetings of the Commission. – The Commission shall meet once every three (3) months, or as often as may be deemed necessary by the Chairperson. The Chairperson may likewise call upon other government agencies for the proper implementation of this Act.

SECTION 7. Qualifications, Tenure, Compensation of Commissioners. – The Commissioners must be Filipino citizens, residents of the Philippines, at least thirty (30) years of age at the time of appointment, with at least ten (10) years of experience on climate change and of proven honesty and integrity. The Commissioners shall be experts in climate change by virtue of their educational background, training and experience: Provided, that at least one (1) Commissioner shall be female: Provided, further, that in no case shall the Commissioners come from the same sector: Provided, finally, that in no case shall any of the Commissioners appoint representatives to act on their behalf.

The Commissioners shall hold office for a period of six (6) years, and may be subjected to reappointment: Provided, That no person shall serve for more than two (2) consecutive terms: Provided, further, That in case of a vacancy, the new appointee shall fully meet the qualifications of a Commissioner and shall hold office for the unexpired portion of the term only: Provided, finally, That in no case shall a Commissioner be designated in a temporary or acting capacity.

The Vice Chairperson and the Commissioners shall have the rank and privileges of a Department Secretary and Undersecretary, respectively. They shall be entitled to corresponding compensation and other emoluments and shall be subject to the same disqualifications.

SECTION. 8. Climate Change Office. – There is hereby created a Climate Change Office that shall assist the Commission. It shall be headed by a Vice Chairperson of the Commission who shall act as the Executive Director of the Office. The Commission shall have the authority to determine the number of staff and create corresponding positions necessary to facilitate the proper implementation of this Act, subject to civil service laws, rules and regulations. The officers and employees of the Commission shall be appointed by the Executive Director.

SECTION. 9. Powers and Functions of the Commission. – The Commission shall have the following powers and functions:

(a) Ensure the mainstreaming of climate change, in synergy with disaster risk reduction, into the national, sectoral and local development plans and programs;

(b) Coordinate and synchronize climate change programs of national government agencies;

(c) Formulate a Framework Strategy on Climate Change to serve as the basis for a program for climate change planning, research and development, extension, and monitoring of activities on climate change;

(d) Exercise policy coordination to ensure the attainment of goals set in the framework strategy and program on climate change;

(e) Recommend legislation, policies, strategies, programs on and appropriations for climate change adaptation and mitigation and other related activities;

(f) Recommend key development investments in climate-sensitive sectors such as water resources,
agriculture, forestry, coastal and marine resources, health, and infrastructure to ensure the achievement of national sustainable development goals;

(g) Create an enabling environment for the design of relevant and appropriate risk-sharing and risk-transfer instruments;

(h) Create an enabling environment that shall promote broader multi-stakeholder participation and integrate climate change mitigation and adaptation;

(i) Formulate strategies on mitigating GHG and other anthropogenic causes of climate change;

(j) Coordinate and establish a close partnership with the National Disaster Coordinating Council in order to increase efficiency and effectiveness in reducing the people's vulnerability to climate-related disasters;

(k) In coordination with the Department of Foreign Affairs, represent the Philippines in the climate change negotiations;

(l) Formulate and update guidelines for determining vulnerability to climate change impacts and adaptation assessments and facilitate the provision of technical assistance for their implementation and monitoring;

(m) Coordinate with local government units (LGUs) and private entities to address vulnerability to climate change impacts of regions, provinces, cities and municipalities;

(n) Facilitate capacity building for local adaptation planning, implementation and monitoring of climate change initiatives in vulnerable communities and areas;

(o) Promote and provide technical and financial support to local research and development programs and projects in vulnerable communities and areas; and

(p) Oversee the dissemination of information on climate change, local vulnerabilities and risks, relevant laws and protocols and adaptation and mitigation measures.

SECTION 10. Panel of Technical Experts. – The Commission shall constitute a national panel of technical experts consisting of practitioners in disciplines that are related to climate change, including disaster risk reduction.

The Panel shall provide technical advice to the Commission in climate science, technologies, and best practices for risk assessment and enhancement of adaptive capacity of vulnerable human settlements to potential impacts of climate change.

The Commission shall set the qualifications and compensation for the technical experts. It shall provide resources for the operations and activities of the Panel.

SECTION 11. Framework Strategy and Program on Climate Change.

– The Commission shall, within six (6) months from the effectivity of this Act, formulate a Framework Strategy on Climate Change. The Framework shall serve as the basis for a program for climate change planning, research and development, extension, and monitoring of activities to protect vulnerable communities from the adverse effects of climate change.
The Framework shall be formulated based on climate change vulnerabilities, specific adaptation needs, and mitigation potential, and in accordance with the international agreements.

The Framework shall be reviewed every three (3) years, or as may be deemed necessary.

SECTION 12. Components of the Framework Strategy and Program on Climate Change. – The Framework shall include, but not limited to, the following components:

(a) National priorities;
(b) Impact, vulnerability and adaptation assessments;
(c) Policy formulation;
(d) Compliance with international commitments;
(e) Research and development;
(f) Database development and management;
(g) Academic programs, capability building and mainstreaming;
(h) Advocacy and information dissemination;
(i) Monitoring and evaluation; and
(j) Gender mainstreaming.

SECTION 13. National Climate Change Action Plan. – The Commission shall formulate a National Climate Change Action Plan in accordance with the Framework within one (1) year after the formulation of the latter.

The National Climate Change Action Plan shall include, but not limited to, the following components:

(a) Assessment of the national impact of climate change;
(b) The identification of the most vulnerable communities/areas, including ecosystems to the impacts of climate change, variability and extremes;
(c) The identification of differential impacts of climate change on men, women and children;
(d) The assessment and management of risk and vulnerability;
(e) The identification of GHG mitigation potentials; and
(f) The identification of options, prioritization of appropriate adaptation measures for joint projects of national and local governments.

SECTION 14. Local Climate Change Action Plan. – The LGUs shall be the frontline agencies in the formulation, planning and implementation of climate change action plans in their respective areas, consistent with the provisions of the Local Government Code, the Framework, and the National Climate Change Action Plan.

 Barangays shall be directly involved with municipal and city governments in prioritizing climate change issues and in identifying and implementing best practices and other solutions. Municipal and city governments shall consider climate change adaptation, as one of their regular functions. Provincial governments shall provide technical assistance, enforcement and information management in support of municipal and city climate change action plans. Inter-local government unit collaboration shall be maximized in the conduct of climate-related activities.

LGUs shall regularly update their respective action plans to reflect changing social, economic, and environmental conditions and emerging issues. The LGUs shall furnish the Commission with copies of their
action plans and all subsequent amendments, modifications and revisions thereof, within one (1) month from their adoption. The LGUs shall mobilize and allocate necessary personnel, resources and logistics to effectively implement their respective action plans.

The local chief executive shall appoint the person responsible for the formulation and implementation of the local action plan.

It shall be the responsibility of the national government to extend technical and financial assistance to LGUs for the accomplishment of their Local Climate Change Action Plans.

The LGU is hereby expressly authorized to appropriate and use the amount from its Internal Revenue Allotment necessary to implement said local plan effectively, any provision in the Local Government Code to the contrary notwithstanding.

SECTION 15. Role of Government Agencies. – To ensure the effective implementation of the framework strategy and program on climate change, concerned agencies shall perform the following functions:

(a) The Department of Education (DepED) shall integrate climate change into the primary and secondary education curricula and/or subjects, such as, but not limited to, science, biology, sibika history, including textbooks, primers and other educational materials, basic climate change principles and concepts;

(b) The Department of the Interior and Local Government (DILG) and Local Government Academy shall facilitate the development and provision of a training program for LGUs in climate change. The training program shall include socioeconomic, geophysical, policy, and other content necessary to address the prevailing and forecasted conditions and risks of particular LGUs. It shall likewise focus on women and children, especially in the rural areas, since they are the most vulnerable;

(c) The Department of Environment and Natural Resources (DENR) shall oversee the establishment and maintenance of a climate change information management system and network, including on climate change risks, activities and investments, in collaboration with other concerned national government agencies, institutions and LGUs;

(d) The Department of Foreign Affairs (DFA) shall review international agreements related to climate change and make the necessary recommendation for ratification and compliance by the government on matters pertaining thereto;

(e) The Philippine Information Agency (PIA) shall disseminate information on climate change, local vulnerabilities and risk, relevant laws and protocols and adaptation and mitigation measures; and

(f) Government financial institutions, shall, any provision in their respective charters to the contrary notwithstanding, provide preferential financial packages for climate change-related projects. In consultation with the Bangko Sentral ng Pilipinas (BSP), they shall, within thirty (30) days from the effectivity of this Act, issue and promulgate the implementing guidelines therefor. The Commission shall evaluate, recommend the approval of loans and monitor the use of said funds of LGUs.

SECTION 16. Coordination with Various Sectors. – In the development and implementation of the National Climate Change Action Plan, and the local action plans, the Commission shall coordinate with the nongovernment organizations (NGOs), civic organizations, academe, people’s organizations, the private and corporate sectors and other concerned stakeholder groups.

SECTION 17. Authority to Receive Donations and/or Grants. – The Commission is hereby authorized to
accept grants, contributions, donations, endowments, bequests, or gifts in cash, or in kind from local and foreign sources in support of the development and implementation of climate change programs and plans: Provided, That in case of donations from foreign governments, acceptance thereof shall be subject to prior clearance and approval of the President of the Philippines upon recommendation of the Secretary of Foreign Affairs: Provided, further, That such donations shall not be used to fund personal services expenditures and other operating expenses of the Commission.

The proceeds shall be used to finance:

(a) Research, development, demonstration and promotion of technologies;

(b) Conduct of assessment of vulnerabilities to climate change impacts, resource inventory, and adaptation capability building;

(c) Advocacy, networking and communication activities in the conduct of information campaign; and

(d) Conduct of such other activities reasonably necessary to carry out the objectives of this Act, as may be defined by the Commission.

SECTION 18. Funding Allocation for Climate Change. – All relevant government agencies and LGUs shall allocate from their annual appropriations adequate funds for the formulation, development and implementation, including training, capacity building and direct intervention, of their respective climate change programs and plans. It shall also include public awareness campaigns on the effects of climate change and energy-saving solutions to mitigate these effects, and initiatives, through educational and training programs and micro-credit schemes, especially for women in rural areas. In subsequent budget proposals, the concerned offices and units shall appropriate funds for program/project development and implementation including continuing training and education in climate change.

SECTION 19. Joint Congressional Oversight Committee. – There is hereby created a Joint Congressional Oversight Committee to monitor the implementation of this Act. The Oversight Committee shall be composed of five (5) Senators and five (5) Representatives to be appointed by the Senate President and the Speaker of the House of Representatives, respectively. The Oversight Committee shall be co-chaired by a Senator and a Representative to be designated by the Senate President and the Speaker of the House of Representatives, respectively. Its funding requirement shall be charged against the appropriations of Congress.

SECTION 20. Annual Report. – The Commission shall submit to the President and to both Houses of Congress, not later than March 30 of every year following the effectivity of this Act, or upon the request of the Congressional Oversight Committee, a report giving a detailed account of the status of the implementation of this Act, a progress report on the implementation of the National Climate Change Action Plan and recommend legislation, where applicable and necessary. LGUs shall submit annual progress reports on the implementation of their respective local action plan to the Commission within the first quarter of the following year.

SECTION 21. Appropriations. – The sum of Fifty million pesos (Php50,000,000.00) is hereby appropriated as initial operating fund in addition to the unutilized fund of the Presidential Task Force on Climate Change and the Office of the Presidential Adviser on Global Warming and Climate Change. The sum shall be sourced from the President's contingent fund.

Thereafter, the amount necessary to effectively carry out the provisions of this Act shall be included in the annual General Appropriations Act.

SECTION 22. Implementing Rules and Regulations. – Within ninety (90) days after the approval of this Act,
the Commission shall, upon consultation with government agencies, LGUs, private sector, NGOs and civil society, promulgate the implementing rules and regulations of this Act: Provided, That failure to issue rules and regulations shall not in any manner affect the executory nature of the provisions of this Act.

SECTION 23. Transitory Provisions. – Upon the organization of the Commission, the Presidential Task Force on Climate Change created under Administrative Order No. 171 and the Inter-Agency Committee on Climate Change created by virtue of Administrative Order No. 220, shall be abolished: Provided, further, That the officers and employees thereof shall continue in a holdover capacity until such time as the new officers and employees of the Commission shall have been duly appointed pursuant to the provisions of this Act. All qualified regular or permanent employees who may be transferred to the Commission shall not suffer any loss in seniority or rank or decrease in emoluments. Any employee who cannot be absorbed by the Commission shall be entitled to a separation pay under existing retirement laws.

SECTION 24. Separability Clause. – If for any reason any section or provision of this Act is declared as unconstitutional or invalid, the other sections or provisions hereof shall not be affected thereby.

SECTION 25. Repealing Clause. – All laws, ordinances, rules and regulations, and other issuances or parts thereof which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 26. Effectivity. – This Act shall take effect fifteen (15) days after the completion of its publication in the Official Gazette or in at least two (2) national newspapers of general circulation.

Approved,

PROSPERO C. NOGRALES
Speaker of the House of Representatives

JUAN PONCE ENRILE
President of the Senate

This Act which is a consolidation of Senate Bill No. 2583 and House Bill No. 5982 was finally passed by the Senate and the House of Representatives on August 25, 2009 and September 2, 2009, respectively.

Marilyn B. Barua - Yap
Secretary General House of Representatives

EMMA LIRIO - R EYES
Secretary of the Senate

Approved:

GLORIA MACAPAGAL-ARROYO
President of the Philippines
CASE ANALYSIS: NATURE RESERVE INSTITUTE AND BARANGAY BAYALSE

The Nature Reserve Institute is a Non-Government Organization (NGO) that caters to different barangays in attending to their environmental issues. They provide their expertise in aiding the community for planning their environmental preservation efforts.

Recently, the Institute receives a new project. For the span of six (6) months to a year, the group will help Brgy. Bayalse in their environmental concerns. Here is their profile sheet:

<table>
<thead>
<tr>
<th>COMMUNITY PROFILE SHEET</th>
</tr>
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<tbody>
<tr>
<td>BARANGAY NAME:</td>
</tr>
<tr>
<td>BAYALSE</td>
</tr>
<tr>
<td>CAUSE DIAGNOSIS:</td>
</tr>
<tr>
<td>The area is currently hit by extensive and sporadic effects of global warming or climate change.</td>
</tr>
<tr>
<td>CURRENT SITUATION:</td>
</tr>
<tr>
<td>Excessive heat has been the customised situation of the barangay over a long period of time. The residents regard it as normal condition of the area and take it as a gift from God that there are no incidents of deaths and/or destruction of properties. However, for the past couple of months, their condition is getting alarming. The rain fall is unpredictable, it gave no sign when it will start and when it will stop. Oftentimes, it lasts for 2-3 days continuously.</td>
</tr>
<tr>
<td>PHYSICAL EFFECT/S:</td>
</tr>
<tr>
<td>1. FLOODING: Many residents have left the community and a large number are evacuated in other areas. Many have lost their valuable properties damaged during the unexpected midnight flooding. Some of the homes have already disappeared below the muddy water.</td>
</tr>
<tr>
<td>2. LANDSLIDES: Due to the soil structure that does not permeate water easily, whenever it rains, it causes landslides. This resulted to loss of properties, lives and causes road accidents.</td>
</tr>
<tr>
<td>3. DROUGHT: Months of dry weather results to</td>
</tr>
<tr>
<td>ECONOMIC EFFECT/S:</td>
</tr>
<tr>
<td>1. LIVELIHOOD ACTIVITIES DISRUPTION: The crop farming activities which is regarded as their major means of livelihood is constantly being disrupted by the unpredictable weather. Their alternative source of income which is fishing is also hindered by the constant flood.</td>
</tr>
<tr>
<td>2. UNDELIVERABLE COMMODITIES AND SUPPLIES: The community is unreachable during and after a</td>
</tr>
<tr>
<td>PSYCHO-SOCIAL EFFECT/S:</td>
</tr>
<tr>
<td>1. FEARS/ANXIETY OF THE PEOPLE: There is a constant fear in the people every time they hear about a bad weather. They fear the possibility of lives and property loss.</td>
</tr>
<tr>
<td>2. HELPLESSNESS: The residents feel hopeless and wait for God’s mercy.</td>
</tr>
<tr>
<td>3. CONFUSION: They are at a loss to what is happening in their area and what proper action to take to remedy the current situation.</td>
</tr>
</tbody>
</table>

EXERCISE QUESTIONS

1. What are the different problems have you identified upon reading the community situationer on Brgy. Bayalse?

1. What steps can you propose in response to the concerns you have enumerated?