



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

ORDINANCE NO. 03-094

AN ORDINANCE AMENDING ORDINANCE NO. 02-067 OTHERWISE KNOWN AS THE MUNTINLUPA DRUG ABUSE PREVENTION AND CONTROL OFFICE (DAPCO), AND CREATING AN ADDITIONAL DIVISION TO BE KNOWN AS THE DRUG ENFORCEMENT DIVISION (DED), DEFINING ITS FUNCTIONS AND COMPOSITION.

Sponsored by:

Hon. Atty. Icasiano M. Dela Rea
Hon. Elmer S. Espeleta
Hon. Lucio B. Constantino
Hon. Francis Ian T. Bagatsing
Hon. Christian Glenn D. Lorica
Hon. Atty. Patricio L. Boncayao, Jr.
Hon. Melchor R. Teves
Hon. Dr. Nicanor L. Echavez
Hon. Allan Rey A. Camilon
Hon. Atty. Raul R. Corro
Hon. Rene Carl S. Cayetano
Hon. Mario E. Bulay, Jr.
Hon. Mamerto T. Sevilla, Jr.
Hon. Rufino B. Joaquin
Hon. Santiago V. Carlos, Jr.
Hon. Artemio A. Simundac

WHEREAS, on October 17, 2002, the Drug Abuse Prevention and Control Office (DAPCO) was created by virtue of Ordinance No. 02 – 067 by the Sangguniang Panlungsod of Muntinlupa, and is in charge of all drug-related activities within the City;

WHEREAS, Section 82 of Republic Act 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, provides that “the Philippine Drug Enforcement Agency (PDEA), serving as the implementing arm of the Dangerous Drugs Board, shall be responsible for the efficient and effective law enforcement of all the provisions on any dangerous drugs and/or controlled precursor and essential chemical as provided in RA 9165”;

WHEREAS, Section 86 (a) of the same Law provides that “the Philippine Drug Enforcement Agency (PDEA) shall be the lead agency in the enforcement of RA 9165, while the Philippine National Police (PNP), the National Bureau of Investigation (NBI) and other law enforcement agencies shall continue to conduct anti-drug operations in support of the PDEA. Provided, that the said agencies shall, as far as practicable, coordinate with the PDEA prior to anti-drug operations. Provided further, that, in any case, said agencies shall inform the PDEA of their anti-drug operations within twenty-four (24) hours from the time of the actual custody of the suspects or seizure of said drugs and substances, as well as paraphernalia and transport equipment used in illegal activities involving such drugs and/or substances, and shall regularly update the PDEA on the status of the cases involving the said anti-drug operations



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 2
Ordinance No. 03-094

WHEREAS, there is a need to create an **enforcement division** for the **Drug Abuse Prevention and Control Office (DAPCO)** in order to carry out its objective of a drug free city;

NOW, THEREFORE, BE IT ORDAINED, AS IT IS HEREBY ORDAINED by the Members of the Sangguniang Panglungsod duly assembled the following:

Section 1. Ordinance No. 02-067 otherwise known as the **Muntinlupa Drug Abuse Prevention and Control Office (DAPCO)** is hereby amended by creating an additional division to be known as the **Drug Enforcement Division (DED)**, defining its functions and composition thereof.

Section 2. Function and Powers of the Division. The Drug Enforcement Division shall have the following functions:

1. Establish and maintain a local drug intelligence system in cooperation with other law enforcement and government agencies;
2. Receive and gather all informations thru intelligence, phone calls and text messages, relative to the use, abuse or trafficking of any dangerous drug and/or controlled precursor and essential chemical as provided for in Republic Act 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002 and other related laws;
3. Conduct monitoring and surveillance activities, in coordination with other government agencies and in the different barangays of the City relative to all information received and gathered by the local intelligence system;
4. Arrest, apprehend and search, in coordination with the Philippine Drug Enforcement Agency (PDEA) and other law enforcement agencies, all violators and seize or confiscate and take into custody the effects or proceeds of the crimes as provided by law;
5. Prepare and submit reports to the Head of DAPCO of all anti-drug operations and activities;
6. 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, testify, assist, support and coordinate with other government agencies and offices for the proper and effective prosecution of the suspect/accused.

Section 3. Composition. The Drug Enforcement Division shall have the following composition:



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 3
Ordinance No. 03-094

- a. **DIVISION HEAD** – The Division Head must be a Bachelor's degree (relevant to the job) holder and Civil Service Eligible (Professional). He/she must be an officer or a former officer of the Philippine National Police. He/she also must have at least 5 years experience and training in the field of dangerous drugs or in law, medicine, criminology, psychology or social work. He shall receive a salary equivalent to salary grade 18.

To be appointed by the Local Chief Executive upon the recommendation of the City Vice Mayor and Department Head of the Drug Abuse Prevention and Control Office (DAPCO).

- b. **OFFICERS AND MEMBERS OF THE PHILIPPINE NATIONAL POLICE (PNP)** – to be appointed by the Local Chief Executive.

- c. **SURVEILLANCE/MONITORING OPERATIVES** – must at least be a bachelor's degree holder (relevant to the job), he/she must have at least 1 to 2 years experience and training in the field of dangerous drugs or in law, psychology, criminology and social work.. To be appointed by the Local Chief Executive.

Section 4. Repealing Clause. Any other ordinances, resolutions or parts thereof, which are inconsistent herewith, are hereby repealed or modified accordingly.

Section 5. Separability Clause. If for any reason or reasons, any section or provision of this ordinance shall be held unconstitutional or invalid, no other section or provision thereof shall be affected thereby.

Section 6. Effectivity. This ordinance shall immediately take effect upon approval.

APPROVED by the *Sangguniang Panlungsod of Muntinlupa* this 24th day of April 2003, on its 71th Regular Session.

CONCURRED:

DR. NICANOR L. ECHAVEZ
Councilor

ATTY. PATRICIO L. BONCAYAO, JR.
Councilor

ALLAN REY A. CAMILON
Councilor

ELMER S. ESPELETA
Councilor

FRANCIS IAN T. BAGATSING
Councilor

RENE CARL S. CAYETANO
Councilor



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 4
Ordinance No. 03-094



ATTY. RAUL R. CORRO
Councilor

LUCIO B. CONSTANTINO
Councilor


MELCHOR R. TEVES
Councilor



MARIO E. BULAY, JR.
Councilor



ATTY. ICASIANO M. DELA REA
Councilor


MAMERTO T. SEVILLA, JR.
Councilor


RUFINO B. JOAQUIN
Councilor


SANTIAGO V. CARLOS, JR.
Councilor


CHRISTIAN GLENN D. LORICA
Sectoral Representative
President
Federation of Sangguniang Kabataan

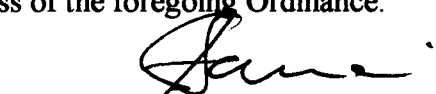

ARTEMIO A. SIMUNDAC
Sectoral Representative
President
Association of Barangay Captains

ABSENT:

ALDRIN L. SAN PEDRO
Councilor

BAL NIEFES
Councilor

I HEREBY CERTIFY, as to the correctness of the foregoing Ordinance.


ATTY. ISIDORO L. SORIANO, JR.
Secretary
SANGGUNIAN PANLUNGSOD

ATTESTED:


ATTY. JO JASON T. ALCARAZ
City Vice Mayor/Presiding Officer



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panglungsod

Page 5
Ordinance No. 03-094

APPROVED:

ATTY. JAIME R. FRESNEDI
City Mayor

Date: _____

Remolito/Jeffrey
02/04/2003