



REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT

DANGEROUS DRUGS BOARD

**BOARD REGULATION NO. 11
Series of 2025**

SUBJECT: AMENDING DANGEROUS DRUGS BOARD REGULATION NO. 2, SERIES OF 2020 RE: GUIDELINES IN THE NATIONWIDE IMPLEMENTATION OF DRUG CLEARING PROGRAM IN CONTROLLED FACILITIES FOR PERSONS DEPRIVED OF LIBERTY

WHEREAS, Republic Act No. 9165 also known as the “Comprehensive Dangerous Drugs Act of 2002”, as amended (the “Act”), provides that the Dangerous Drugs Board (the “Board”) is tasked to formulate policies and programs on drug prevention and control, and to develop and adopt a comprehensive, unified, integrated and balanced national drug abuse prevention and control strategy;

WHEREAS, the Board approved Regulation No. 2, Series of 2020 to maintain a unified and integrated approach in sustaining and monitoring drug clearing activities in all controlled facilities of the BJMP, BuCor and Provincial LGUs;

WHEREAS, implementation of the drug clearing program in controlled facilities has been halted temporarily to prevent the spread of COVID-19 through the issuance of a moratorium under Board Regulation No. 2, Series of 2021;

WHEREAS, Proclamation No. 297 (s. 2023) promulgated on July 21, 2023 declared the lifting of the State of Public Health Emergency Throughout the Philippines due to COVID-19, which provides all orders, memoranda, and issuance that are effective only during the State of Public Health Emergency shall be deemed withdrawn, revoked or cancelled and shall no longer be in effect;

WHEREAS, during a series of meetings conducted by Technical Working Group for updating of guidelines in the drug clearing program in controlled facilities, the body agreed to propose amendments to certain sections in said regulation to ensure accurate, up-to-date and efficient implementation of the program that is responsive to drug prevention and control campaign of the government;

NOW, THEREFORE, be it **RESOLVED**, as it hereby **RESOLVED**, that Board Regulation No. 2, Series of 2020 re: Guidelines in the Nationwide Implementation of Drug Clearing Program in Controlled Facilities for Persons Deprived of Liberty be amended as follows:

Section 1. Section 2. Operational Terms - paragraphs “a”, “b”, “c”, “d”, and “e” are hereby amended to read as follows:

- a. Drug-Unaffected Controlled Facility — a facility that has no personnel and persons deprived of liberty (PDL) involved in illegal drug activities and no dangerous drugs, controlled precursors and essential chemicals or drug paraphernalia and unauthorized communication devices seized and/or confiscated during the conduct of at least three (3) Search and Seizure Operations within six (6) months prior to the filing of the application with the Oversight Committee and compliant with the parameters for the declaration as Drug-Free Controlled Facility.

- b. Drug-Affected Controlled Facility — a facility with at least one of the following issues:
 - b.1 presence of personnel or PDL actively involved in illegal drug activities;
 - b.2 PDL, personnel, contractual employees including staff of regular service providers or contractors, NGO and religious group volunteers inside the controlled facility are found positive for drug use; or
 - b.3 During the conduct of search and seizure, the discovery or confiscation of illegal drugs, drug paraphernalia, or Controlled Precursors and Essential Chemicals (CPECs).
 - b.4 The presence of any communication device with drug transaction found inside a controlled facility is a prima facie evidence of illegal drug trade, hence a ground to consider such controlled facility as drug affected.
- c. Drug-Cleared Controlled Facility — a facility previously classified as drug-affected controlled facility and subjected to drug clearing operation and satisfied the parameters for the declaration as drug-cleared status.
- d. Drug-Free Controlled Facility — xxx
- e. Controlled Facilities for PDL — refers to Provincial Jails, Municipal Jails, City Jails, District Jails, and BUCOR prison/penitentiary/penal farms and other detention facilities.

x x x

Section 2. Section 3. Composition of Oversight Committee - composition of the Oversight Committee shall be amended as follows:

Composition	
CHAIRMAN	PDEA Regional Director or Authorized Representative
MEMBERS	DILG Regional Director or Authorized Representative
	PNP Regional Director or Authorized Representative
	DOH Regional Director or Authorized Representative
	DSWD Regional Director or Authorized Representative
SECRETARIAT	PDEA

Section 3. Section 4. Duties and Functions of Oversight Committee - paragraph “c” is hereby amended to read as follows:

x x x

- c. Issue written notice to controlled facilities mandating action regarding new or recurring verified reports of illegal drug activities within fifteen (15) working days from receipt of notice;

x x x

Section 4. Section 7. Conduct of Drug Testing - paragraphs “a” and “g” are hereby amended to read as follows; with paragraph “i” as an additional provision:

- a. The drug test shall only be conducted by any government forensic laboratory, or by any DOH accredited drug testing laboratory

(government or private). Provided further, that the seven (7) working day approval prior to remote collection shall be dispensed with if there is a suspicious belief that personnel or PDL is engaged in illegal drug activities in the controlled facility.

x x x

- g. For PDL and personnel found positive for drug use, screening and assessment shall be conducted by LGU Health personnel, or the Health Officer/personnel of BJMP, or the Health Support Services/unit of BuCor, as the case may be. If needed, Drug Dependency Examination (DDE) to be administered by DOH accredited physician as basis for the recommendation of appropriate intervention.

x x x

- i. The controlled facility population that will undergo random drug testing shall be in accordance with the guidelines of the drug free workplace policy of the controlled facility.

Section 5. *Section 9. Surprise Search and Seizure Operations* - paragraph “d” is hereby amended to read as follows:

x x x

- d. Seizure and confiscation of illegal drugs, drug paraphernalia or CPECs including unauthorized electronic or digital communication devices in the premises of the controlled facility, shall observe the placement of initial markings and conduct of inventory and photograph by seizing officers in the presence of required witnesses pursuant to Section 21 of the Act for the purpose of filing criminal charges. All personnel and PDL found in possession of dangerous drugs, drug paraphernalia or CPECs shall be criminally charged and prosecuted without prejudice to administrative sanctions that may be imposed. The personnel who discovered and seized the subject illegal items shall serve as affiants with controlled facility as the main complainant.

Seized or confiscated electronic or digital communication devices, that will not be used as evidence for criminal prosecution shall be marked, stored, or destroyed subject to the existing policy of the controlled facility.

x x x

Section 6. *Section 15. Requirements for Revocation of Drug-Cleared or Drug-Free Status* - paragraph (2) is hereby amended to read as follows:

x x x

In case there is new report or conduct of validation of illegal drug activities happening in the controlled facility or there is failure to sustain any of the parameters prescribed under Section 13 hereof, the facility is given fifteen (15) working days to immediately act upon receipt of notice in writing signed by Chairperson of the Oversight Committee, or from the date it was reported during the monthly intelligence validation, or the quarterly validation of drug-cleared or drug-free status.

x x x

Section 7. *Section 20. Filing of Criminal and/or Administrative Charges* - paragraph (3) is hereby amended to read as follows:

In the case of failure, refusal or inability of controlled facility to clear its facilities, the head of the concerned agency shall direct their appropriate office or unit to conduct a thorough investigation and determine who shall be held liable. In case such failure is attributable to a specific person, or officer, as certified by the investigating officer, shall give the controlled facility a ground to institute the appropriate legal action against any erring public officer or employee, as provided under existing laws or regulations.

Section 8. Additional provision to read as follows:

Section 21. Miscellaneous Provisions - The PDEA K9 Unit may provide trainings for K9 Units to the controlled facilities.

K9 Units that will be established and trained may be used in searching activities conducted in their respective controlled facilities.

Section 9. Amending and Repealing Clause - Any existing orders, regulations, and implementing rules and regulations inconsistent herewith are modified and repealed accordingly.

Section 10. Separability Clause - If any provision or part hereof is held invalid or unconstitutional, the remaining provisions of this Regulation not otherwise affected shall remain valid and subsisting.

Section 11. Effectivity - This Regulation shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and after registration with the Office of the National Administrative Register (ONAR), UP Law Center, Quezon City.

APPROVED AND ADOPTED this 16th day of July, in the year of Our Lord, 2025, in Quezon City, Philippines.


Secretary OSCAR F. VALENZUELA
Chairman

Attested by:


Undersecretary EARL F. SAAVEDRA, CESO I
Secretary of the Board