



Republic of the Philippines  
Supreme Court  
Office of the Court Administrator  
Manila

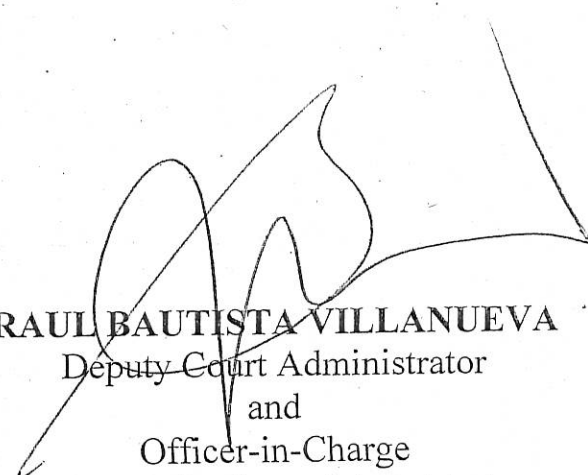
**OCA CIRCULAR NO. 224-2016**

**TO : ALL JUDGES OF THE REGIONAL TRIAL COURT**

**SUBJECT : MEMORANDUM OF AGREEMENT BETWEEN THE  
DANGEROUS DRUGS BOARD AND THE PUBLIC  
ATTORNEY'S OFFICE**

Appended herein as Annex "A", for the information and guidance of all judges of the Regional Trial Court, is a Memorandum of Agreement dated 22 August 2016 between the Dangerous Drugs Board and the Public Attorney's Office in relation to Section 54 (*Voluntary Submission of a Drug Dependent to Confinement, Treatment and Rehabilitation*), article VIII of Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended.

21 October 2016



**RAUL BAUTISTA VILLANUEVA**  
Deputy Court Administrator  
and  
Officer-in-Charge  
Office of the Court Administrator

## MEMORANDUM OF AGREEMENT

KNOW ALL MEN BY THESE PRESENTS:

This Memorandum of Agreement made and entered into this 22<sup>nd</sup> day of August, 2016 at Quezon City, Philippines, by the following parties:

The **DANGEROUS DRUGS BOARD**, a government agency created by virtue of Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002, with principal office address at 3<sup>rd</sup> Floor, DDB – PDEA Building, NIA Road, Diliman, Quezon City, represented herein by its **CHAIRMAN, SECRETARY FELIPE L. ROJAS, JR., CEO VI**, hereinafter referred to as the **DDB**;

and

The **PUBLIC ATTORNEY'S OFFICE**, the principal law office of the Government in extending free legal assistance to indigent persons in criminal, civil, labor, administrative and other quasi – judicial cases, with principal office address at DOJ Agencies Building, NIA Road, Diliman, Quezon City, represented herein by its **CHIEF PUBLIC ATTORNEY, DR. PERSIDA V. RUEDA – ACOSTA**, hereinafter referred to as the **PAO**.

WITNESSETH: THAT –

WHEREAS, pursuant to Sec. 77 of RA No. 9165 or the Comprehensive Dangerous Drugs Act of 2002, as amended, the DDB is the policy – making and strategy – formulating body on drug prevention and control and shall develop and adopt a comprehensive, integrated, unified and balanced national drug abuse prevention and control strategy;

WHEREAS, Sec. 54 of RA No. 9165 states that any drug dependent or relative within the fourth degree of consanguinity or affinity may apply to the Board or its duly – recognized representatives for treatment and rehabilitation;

WHEREAS, Sec. 81 (q) of RA No. 9165 provides that the DDB has the power and duty to issue guidelines for the approval and disapproval of applications for voluntary treatment, rehabilitation and confinement, wherein it shall issue the necessary guidelines, rules and regulations pertaining to the application and enforcement thereof;

WHEREAS, to effectively carry out the implementation of the Voluntary Submission Program pursuant to RA No. 9165, Board Resolution No. 2, Series of 2002 authorized the Executive Director to designate duly authorized Board Representatives to accept applications and file petitions for voluntary submission and compulsory confinement;

WHEREAS, Sec. 3 (a) of Board Regulation No. 3, Series of 2007 states that authorized representatives shall be assisted by the Department of Justice, through the PAO, in the performance of their delegated authority;

WHEREAS, Sec. 14 – A of Chapter V, Title III, Book IV of Executive Order No. 292, otherwise known as the “Administrative Code of 1987” provides that the PAO shall independently discharge its mandate to render, free of charge, legal representation, assistance and counseling to indigent persons in criminal, civil, labor, administrative and other quasi – judicial cases;

WHEREAS, pursuant to the aforementioned law, in the exigency of service, the PAO may be called upon by proper government authorities to render such service to other persons, subject to existing laws, rules and regulations;

WHEREAS, the PAO is willing to assist the DDB relative to the implementation of RA No. 9165 by providing technical and legal assistance to drug dependents who wish to avail of the provisions of Section 54 of said law;

NOW, THEREFORE, for and in consideration of the foregoing, the PARTIES agree as follows:


**A. DUTIES AND RESPONSIBILITIES OF DDB**

1. Coordinate with PAO regarding voluntary submission cases falling under RA No. 9165 for the effective implementation of this AGREEMENT;
2. Provide information to PAO relative to the case status of drug dependents referred to the same office;
3. Involve PAO in relevant DDB trainings and seminars; and,
4. Monitor and evaluate the implementation of this AGREEMENT.

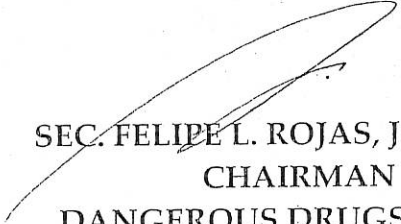
**B. DUTIES AND RESPONSIBILITIES OF PAO**


1. For the Public Attorneys to act as counsel and appear before the courts for drug dependents on petitions for voluntary submission filed by the DDB or its authorized representatives, except when there is conflict of interest and without prejudice to the drug dependent’s right to be represented by a private counsel of his choice;
2. In the exigency of the service, Public Attorneys shall provisionally represent the drug dependent who may appear in court by reason of a Petition for Voluntary Submission but has not yet been able to acquire the services of a counsel; and
3. Recommend measures or strategies to effectively implement this AGREEMENT.

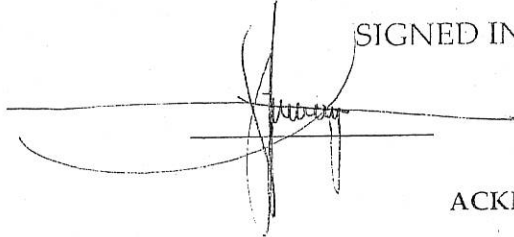
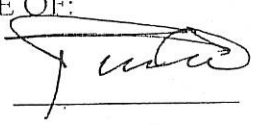
This AGREEMENT shall take effect upon approval of the PARTIES and shall be in effect unless and until modified and / or abrogated by a subsequent AGREEMENT of the parties. In case of non – compliance of the provisions by one party, any aggrieved party may terminate this AGREEMENT by sending a written notice to the other parties at least thirty (30) days prior to the proposed date of termination.



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SEC. FELIPE L. ROJAS, JR., CEO VI  
CHAIRMAN  
DANGEROUS DRUGS BOARD

  
DR. PERSIDA V. RUEDA - ACOSTA  
CHIEF PUBLIC ATTORNEY  
PUBLIC ATTORNEY'S OFFICE  
*Chia*

SIGNED IN THE PRESENCE OF:  
 

ACKNOWLEDGMENT

REPUBLIC OF THE PHILIPPINES )  
QUEZON CITY ) SS.

BEFORE ME, a Notary Public, this August 22, 2016 personally appeared the following persons:

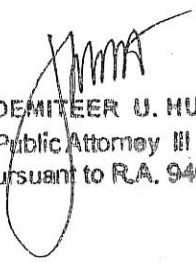
FELIPE L. ROJAS, JR.  
Valid Identification No.: 101  
Issued by: Dangerous Drugs Board  
Issued on: March 4, 2016  
Issued at: Quezon City

PERSIDA V. RUEDA - ACOSTA  
Valid Identification No.: PAO-00001-11  
Issued by: PAO  
Issued on: October 10, 2011  
Issued at: Quezon City

Known to me to be the same persons who executed the foregoing AGREEMENT consisting of three (3) pages, including the page on which this acknowledgment is written, and acknowledged to me that the same is their free act and deed and that of the entities which they represent.

WITNESS MY HAND AND SEAL.

Doc. No.:  
Page No.:  
Book No.:  
Series of 2016

  
ATTY. DEMITEER U. HUERTA  
Public Attorney III  
Pursuant to R.A. 9403