



Republic of the Philippines
Office of the President
DANGEROUS DRUGS BOARD

3/F, DDB – PDEA Building, NIA Road, National Government Center, East Triangle, Diliman, Quezon City, Philippines
P.O Box No. 3682 Manila, Tel. No. 929-1753, Telefax 929-1546, Website: <http://www.ddb-ph.com>, E-mail: Info@ddb-ph.com

BOARD REGULATION No. 6
Series of 2006

SUBJECT: PRESCRIBING THE PROCEDURES FOR APPEAL REGARDING THE IMPLEMENTATION OF BOARD REGULATION NO. 3, SERIES OF 2003

Pursuant to the powers vested in the Dangerous Drugs Board under Section 81(b), Article IX of Republic Act No. 9165, otherwise known as the “Comprehensive Dangerous Drugs Act of 2002” and incidental to its rule-making powers, the procedures to be followed in making an appeal regarding the implementation of Board Regulation No. 3, Series of 2003, are hereby prescribed, as follows:

SECTION 1. DEFINITION OF TERMS

- a. Appeal – a legal proceeding by which a case is brought from an implementing office or agency to the Dangerous Drugs Board (DDB) for consideration.
- b. Board – refers to the Dangerous Drugs Board (DDB) under Section 77, Article IX of RA 9165.
- c. Board Regulation – refers to Board Regulation No. 3, Series of 2003.
- d. License – a written permission or authorization.
- e. PDEA – refers to the Philippine Drug Enforcement Agency (PDEA) created pursuant to Section 82, Article IX of RA 9165.
- f. Permit – refers to the permit issued by the PDEA and mentioned in Article III of Board Regulation No. 3, Series of 2003.
- g. Permit and/or License Holder – refers to the person duly issued a permit and/or license by the PDEA.
- h. Person – refers to a natural or juridical person.

SECTION 2. WHO IS ENTITLED TO APPEAL. Any person, aggrieved either by the denial of a permit / license applied for or by the implementation of any of the provisions of Board Regulation No. 3, Series of 2003, may appeal.

SECTION 3. TIME WITHIN WHICH TO MAKE THE APPEAL. Within seven (7) days from the denial of a permit or license or from knowledge of the person that he had been aggrieved either by an action or inaction of the PDEA or any government office

or agency authorized to enforce RA 9165 or any of the provisions of Board Regulation No. 3, Series of 2003, may by himself or counsel or through a duly authorized representative file the appeal.

SECTION 4. WHERE SHALL THE APPEAL BE FILED. The appeal shall be filed directly with the Board within the period herein prescribed.

SECTION 5. FORM AND CONTENTS OF THE APPEAL. The appeal shall be in any form but must be verified, stating therein the name of the appellant, the name of the company, address, the facts and circumstances, reasons or acts subject of the complaint that led to the filing of the appeal, and the relief prayed for.

The appeal shall be accompanied with the written copy of the action, order or decision given by the PDEA or by the concerned government office or agency that affected or aggrieved the appellant.

SECTION 6. ACTION OF THE BOARD. Upon receipt of the appeal, the Board may, if the facts and circumstances surrounding the case subject of the appeal so warrant, either deny the appeal outright or refer the same to the appropriate Committee of the Board for investigation and/or hearing. The proceedings before the Committee shall be summary in nature and the Rules of Court shall not apply except in a suppletory character.

In the conduct of a hearing, due process shall be substantially observed and the hearing should not last for more than fifteen (15) days reckoned from the date of referral. The Committee shall, within three (3) days from the termination of the hearing, submit to the Board its findings and recommendations.

SECTION 7. FINALITY OF DECISION. The action of the Board to affirm / adopt the findings of the Committee shall be final. In case of reversal, the Board may refer the case back to the same Committee which shall act on the case within the same period as mentioned in Section 6 hereof.

SECTION 8. EFFECTIVITY. This Regulation shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation and after its registration with the Office of the National Administrative Register (ONAR), UP Law Center, Quezon City.

ADOPTED and APPROVED this 6th day of December, in the year of Our Lord, 2006 in Quezon City.



Secretary ANSELMO S. AVENIDO, JR.
Chairman, Dangerous Drugs Board

Attested:



Undersecretary EDGAR C. GALVANTE
Secretary of the Board