AMENDMENT TO BOARD REGULATION NO. 7, SERIES OF 2003 ENTITLED "GENERAL GUIDELINES FOR THE IMPLEMENTATION OF MANDATORY DRUG TESTING TO OFFICERS AND MEMBERS OF THE MILITARY, POLICE...

Read online (full-text search, related cases, audio case brief): https://batas.org/library/e244125c55db/

WHEREAS, Section 36 of Republic Act No. 9165 or the Comprehensive Dangerous Drugs Act of 2002 specifically provides that "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 drug used, and the confirmatory test which will confirm a positive screening test";

WHEREAS, Section 5 par. 15.3 of Board Regulation Number 2, Series of 2003, or the "Implementing Rules and Regulations Governing Accreditation of Drug Testing Laboratories in the Philippines," adhere to the same two (2) testing method before any laboratory test result can be reported;

WHEREAS, Section 36 (e) of the Act mandates the annual mandatory drug testing for officers and members of the military, police and other law enforcement agencies;

WHEREAS, in support to the aforementioned provision of law, Board Regulation No. 7, Series of 2003 or the "General Guidelines for the Mandatory Drug Testing of Officers and Members of the Military, Police and Other Law Enforcement Agencies" was approved and adopted on August 1, 2003;

WHEREAS, it was noted that a provision of the aforementioned Board Regulation, particularly the granting of the examinee in a mandatory drug testing the right to challenge a positive drug test result on the basis of the initial screening drug test only, runs counter to the Act and other pertinent Board Regulations;

WHEREAS, the intent of Section 36 is that two testing methods should be made relative to the completion of an authorized drug testing and that to allow a military, police or law enforcement personnel to challenge the positive result of an initial screening test will render nugatory the declaration that a confirmatory test is required to confirm a positive screening test.

WHEREAS, international and clinical practice defines a confirmatory test as an analytical test that is more specific which will validate and confirm the result of the screening test.

WHEREFORE, be it RESOLVED, as it is hereby RESOLVED, to amend Board Regulation No. 7, Series of 2003, specifically, the provision on Treatment of Drug Test Results, which shall henceforth read as follows:

> VI. Treatment of Drug Test Results
>
> - In accordance with Section 36 of RA No. 9165, a 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.
>
> - If the personnel tested positive for dangerous drugs after a confirmatory test, such result shall immediately be made known to the Committee or Assessment Chairman or the head of the agency or to any person designated by said agency who requested the test.

- After receipt of the information, the same shall be made known to the personnel who tested positive for dangerous drugs after a confirmatory test, who may challenge such test result within fifteen (15) days from his / her receipt of the information.

- Results of the challenged tests shall not be subject to cut-off concentration levels that were established from the same tested confirmed specimen. Results of the challenge test shall be the basis for the final determination of the drug test result.

- Confirmed positive test results of applicants for entry shall be a ground for disqualification.

- Laboratory reports of positive results of the screening test and/or confirmatory test shall be treated with confidentiality and shall be disclosed in accordance with the internal rules and regulations of the concerned agency.

- If confirmed positive after a confirmatory test, the same shall be “prima facie” evidence that such person has used dangerous drugs, which is without prejudice to the prosecution for other violations of the provisions of RA No. 9165; Provided, that a positive screening test must be confirmed for it to be valid in a court of law.

All other provisions of the said Board Regulation consistent with the above amendment remain in effect.

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.

Approved and Adopted, this 12th day of December, in the Year of Our Lord, 2013, in Quezon City.

(SGD) Secretary ANTONIO A. VILLAR, JR.
Chairman, Dangerous Drugs Board

Attested by:

(SGD) JOSE MARLOWE S. PEDEREGOSA
Undersecretary-Executive Director
Secretary of the Board

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at https://batas.org

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.