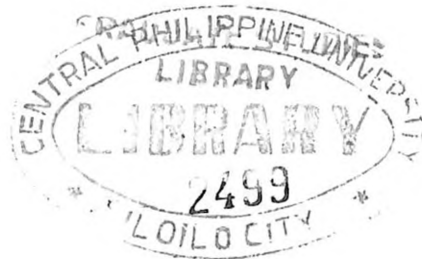


A CASE LAW APPROACH ON THE PROPOSED AMENDMENTS
TO REPUBLIC ACT 9165 OR THE COMPREHENSIVE
DANGEROUS DRUGS ACT OF 2002

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By
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ABSTRACT

This case law study is focused on the proposed amendments of Republic Act 9165 or the Comprehensive Dangerous Drugs Act of 2002, enumerating herein the common problems in the provisions of the law, likewise, presenting the benefits of said amendments if given effect, as well as the primacy of the society as beneficiary of the change. The research called for an investigation of previous dismissed cases on apprehensions of drugs offenders due to technicalities of the law that presented ambiguity and inconvenience in its enforcement. The researcher used the non-experimental method, particularly content analysis. Through interviews by the use of a list of questions, with follow-up questions as the case may demand, pertinent and needed answers were solicited from the different drug enforcement agency officers, backed-up with press releases, newspaper reports and decided cases of the Supreme Court.

The sampling technique used was accidental sampling. For the data collection and processing, the researcher used the frequency method to identify the greatest concerns of potential interest. Based on the answers solicited from the interviewees through the interview guide, some provisions of the Republic Act 9165 or the Comprehensive Dangerous Drugs Act must be amended particularly: (1) Section 21 which provided for the Custody and Disposition of Confiscated, Seized, and/or Surrendered Dangerous Drugs, Plant Sources of Dangerous Drugs, Controlled Precursors and Essential Chemicals, Instruments/Paraphernalia and/or Laboratory Equipment; and (2) To allow and include the accused's right to enter into a Plea-Bargaining Agreement.