

TASMANIA

MISUSE OF DRUGS AMENDMENT BILL 2016

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MISUSE OF DRUGS AMENDMENT BILL 2016

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*
10 March 2016

*(Brought in by the Minister for Police and Emergency
Management, the Honourable Marinus Theodoor Hidding)*

A BILL FOR

An Act to amend the *Misuse of Drugs Act 2001*

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

1. Short title

This Act may be cited as the *Misuse of Drugs Amendment Act 2016*.

2. Commencement

This Act commences on the day on which this Act receives the Royal Assent.

3. Principal Act

In this Act, the *Misuse of Drugs Act 2001** is referred to as the Principal Act.

*No. 94 of 2001

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4. Section 38A inserted

Before section 39 of the Principal Act, the following section is inserted in Part 5:

38A. Exemption from Act

- (1) The Commissioner of Police, by instrument in writing, may exempt a specified person from any provision of this Act.
- (2) The exemption may be granted on the Commissioner's own initiative or consequent on an application made by or on behalf of the person.
- (3) The Commissioner may grant the exemption –
 - (a) for such period not exceeding 3 years as he or she thinks fit; and
 - (b) on such conditions, if any, as he or she thinks fit.
- (4) The Commissioner, by instrument in writing, may at any time –
 - (a) vary the conditions, if any, of the exemption; or
 - (b) revoke the exemption.
- (5) The Commissioner is to ensure that each person who has the benefit of the exemption is given adequate advance

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notice of the variation of its conditions or of its revocation.

- (6) The exemption remains in force until the first of the following occurs:
- (a) the period for which the exemption has been granted expires;
 - (b) the exemption is revoked.

5. Expiry of Act

This Act expires on the three hundred and sixty fifth day from the day on which it commences.