

CLAUSE NOTES

Alcohol and Drug Dependency Repeal Bill 2019

- Clause 1 **Short Title**
Sets out the name of the proposed Act.
- Clause 2 **Commencement**
Provides for the Act to commence on a day to be proclaimed.
- Clause 3 **Principal Act**
Defines 'Principal Act' as the *Community Protection (Offender Reporting) Act 2005* for the purposes of Part 2 only.
- Clause 4 **Section 10A amended (Magistrate may make community protection order on application from Commissioner)**
Replaces the reference to 'alcohol' (as defined in the *Alcohol and Drug Dependency Act 1968*) with the undefined phrase 'intoxicating liquor'.
- Clause 5 **Principal Act**
Defines 'Principal Act' as the *Poisons Act 1971* for the purposes of Part 3 only.
- Clause 6 **Section 3 amended (Interpretation)**
Replaces the definition of 'treatment centre' (as defined in the *Alcohol and Drug Dependency Act 1968*) with a place approved by the Secretary under s59BA.
- Clause 7 **Section 59BA inserted**
Sub-clauses (1) and (2) enable the Secretary to approve or revoke a place as a 'treatment centre' under the *Poisons Act 1971*

Under the *Poisons Act 1971*, medical treatment at a hospital or 'treatment centre' may be exempt from a restricted and narcotic substances notification requirement (under s59B) and from the offence of making available drugs of dependence (s59C).

Sub-clause (3) is a transitional provision which allows for existing 'treatment centres' under the *Alcohol and Drug Dependency Act 1968* to automatically be taken to be a 'treatment centre' approved under the new sub-clause (1).

Sub-clause (4) clarifies that an instrument under this clause is neither a statutory rule nor subordinate legislation.

- Clause 8** **Principal Act**
Defines 'Principal Act' as the *Road Safety (Alcohol and Drugs) Act 1970* for the purposes of Part 4 only.
- Clause 9** **Section 19 amended (Special hardship orders)**
Replaces the definition of 'alcohol dependency' with a contemporary definition.
- Clause 10** **Legislation repealed**
Repeals the legislation (Acts) listed at Schedule 1.
- Clause 11** **Legislation rescinded**
Rescinds the legislation (Regulations) listed at Schedule 2.
- Clause 12** **Legislation revoked**
Revokes the legislation (Orders) listed at Schedule 3.
- Clause 13** **Repeal of Act**
A mechanism to repeal this Act a year after its commencement date.
- Schedule 1** **Legislation Repealed**
Lists the legislation to be repealed under clause 11.
- Schedule 2** **Legislation Rescinded**
Lists the legislation to be rescinded under clause 12.
- Schedule 3** **Legislation Revoked**
Lists the legislation to be revoked under clause 13.