

CLAUSE NOTES
Alcohol and Drug Dependency Repeal Bill 2021

- Clause 1** **Short Title**
This clause provides that, once passed, the Bill will be cited as the *Alcohol and Drug Dependency Repeal Act 2021*.
- Clause 2** **Commencement**
This clause provides for the Act to commence on a day to be proclaimed.
- Clause 3** **Principal Act**
This clause identifies the *Community Protection (Offender Reporting) Act 2005* as the Principal Act for the purposes of Part 2 of the Act.
- Clause 4** **Section 10A amended (Magistrate may make community protection order on application from Commissioner)**
This clause amends section 10A(3)(d) of the Principal Act by replacing the phrase 'alcohol as defined in the *Alcohol and Drug Dependency Act 1968*' with the phrase 'intoxicating liquor'.
- Clause 5** **Principal Act**
This clause defines the *Poisons Act 1971* as the Principal Act for the purposes of Part 3 of the Act.
- Clause 6** **Section 3 amended (Interpretation)**
This clause amends section 3(1) of the Principal Act by replacing the definition of 'treatment centre' with a new definition that refers to a place that is approved under section 59AB of the Principal Act as a treatment centre.
- Clause 7** **Section 59AB inserted**
This clause inserts a new section 59AB to the Principal Act.
Subsection 59AB(1) enables the Secretary to approve a place, in writing, as a treatment centre for the Principal Act.
Subsection 59AB(2) enables the Secretary to revoke, in writing, the approval of a place as a treatment centre for the Principal Act.
Subsection 59AB(3) is a transitional provision which provides that a place that was a treatment centre under the *Alcohol and Drug Dependency Act 1968* is taken to be a treatment centre approved by the Secretary under subsection 59AB(1) of the Principal Act.
Subsection 59AB(4) provides that an instrument in writing under subsection 59AB(1) and 59AB(2) is neither a statutory rule for the purposes of the *Rules Publication Act 1953* nor subordinate legislation for the purposes of the *Subordinate Legislation Act 1992*.

- Clause 8** **Principal Act**
This clause defines the *Road Safety (Alcohol and Drugs) Act 1970* as the Principal Act for the purposes of Part 4 of the Act.
- Clause 9** **Section 19 amended (Special hardship orders)**
This clause amends subsection 19(2) of the Principal Act by removing references to the *Alcohol and Drug Dependency Act 1968* and inserting a new subsection 19(2A) which clarifies what a reference to a person who is suffering from alcohol dependency means, for the purposes of section 19 of the Principal Act.
- Clause 10** **Legislation repealed**
This clause provides for the repeal of the legislation specified in Schedule 1.
- Clause 11** **Legislation revoked**
This clause provides for the revocation of the legislation specified in Schedule 3.
- Clause 12** **Repeal of Act**
This clause provides for the Act's repeal on the first anniversary of the day on which the Act commenced.
- Schedule 1** **Legislation Repealed**
This Schedule specifies the *Alcohol and Drug Dependency Act 1968* as legislation to be repealed.
- Schedule 2** **Legislation Revoked**
This Schedule specifies the following legislation as the legislation to be revoked:
- *Alcohol and Drug Dependency Order 1969*
 - *Alcohol and Drug Dependency Amendment Order 1971*
 - *Alcohol and Drug Dependency Amendment Order 1972*
 - *Alcohol and Drug Dependency Amendment Order 1978*
 - *Alcohol and Drug Dependency Amendment Order (No.2) 1978*
 - *Alcohol and Drug Dependency Amendment Order 2001*
 - *Alcohol and Drug Dependency (Treatment Centres) Order 2007.*