

1994

LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL TERRITORY

**INTOXICATED PERSONS
(CONSEQUENTIAL AMENDMENTS)
BILL 1994**

EXPLANATORY MEMORANDUM

**Circulated by the authority of Terry Connolly MLA
Minister for Health**

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

Intoxicated Persons (Consequential Amendments) Bill 1994

Summary

This Bill makes provision for a death of a client at a licensed place to be treated as a death in custody under the *Coroners Act 1956*. It also repeals section 351 of the *Crimes Act 1900*. The latter provides powers for police to take into custody intoxicated persons found in a public place. This power has been included within the *Intoxicated Person's (Care and Protection) Bill 1994*.

The Bill commences when section 3 of the *Intoxicated Person's (Care and Protection) Bill 1994* commences.

Financial Implications

None.

Intoxicated Persons (Consequential Amendments) Bill 1994**1. Short title**

Clause 1: provides for the Act to be cited as the *Intoxicated Persons (Consequential Amendments) Act 1994*.

2. Commencement

Clause 2(1): provides for section 1 and this section to commence when the Act is notified in the *Gazette*.

Clause 2(2): provides for commencement of the remaining provisions on the day section 3 of the *Intoxicated Person's (Care and Protection) Bill 1994* commences.

3. Coroners Act 1956

Clause 3 (a) - (g): provides for any death of a client in a licensed place to be treated as a "death in custody". Such deaths must be the subject of an inquest.

4. Crimes Act 1900

Clause 4: provides for section 351 of the *Crimes Act 1900* to be withdrawn as these provisions are now included within the *Intoxicated Person's (Care and Protection) Bill 1994*.