Australian Capital Territory

Supervised Injecting Place Trial Act 1999

A1999-90

Republication No 5

Effective: 26 August 2008 – 13 February 2009

Republication date: 26 August 2008

Last amendment made by A2008-28

Not all amendments are in force: see last endnote

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About this republication

The republished law

This is a republication of the *Supervised Injecting Place Trial Act 1999* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 26 August 2008. It also includes any amendment, repeal or expiry affecting the republished law to 26 August 2008.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

(a) if the person charged is an individual—$100; or

(b) if the person charged is a corporation—$500.

Australian Capital Territory

Supervised Injecting Place Trial Act 1999

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Australian Capital Territory

Supervised Injecting Place Trial Act 1999

U An Act to allow for a trial of a supervised injecting place for drug dependent persons

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Part 1 Introductory

1 Name of Act

This Act is the *Supervised Injecting Place Trial Act 1999.*

U

2 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain terms used in this Act, and includes references (***signpost definitions***) to other terms defined elsewhere.

For example, the signpost definition '***drug of dependence***—see the Drugs of Dependence Act, section 3 (1).' means that the term 'drug of dependence' is defined in that section and the definition applies to this Act.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

3 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

4 Object

The object of this Act is to allow the temporary operation of a supervised injecting place, for the purpose of an independently evaluated scientific trial of—

(a) the public health benefits and risks of such places; and

(b) other matters relating to the operation of a supervised injecting place.

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Part 2 Operation of facility

U 5 Declaration of facility

(1) The Minister may, in writing, declare a place to be the facility for this Act.

(2) The Minister may declare a place to be the facility only if—

(a) the Minister is satisfied the place is a hygienic environment suitable for use—

(i) to give drug dependent persons access to clean equipment to allow such a person to administer a substance to himself or herself at the place; and

(ii) to provide for the safe disposal of the equipment; and

(b) a law enforcement protocol has been approved under section 7 and published as required by section 8; and

(c) an internal management protocol has been approved under section 9; and

(d) approved criteria for the scientific trial have been presented to the Legislative Assembly as required by section 10; and

(e) the place to be declared as the facility is one that has been recommended by the advisory committee.

(3) A declaration is a notifiable instrument.

Note A notifiable instrument must be notified under the *Legislation Act 2001*.

(4) The Minister must also publish a copy of the declaration in a newspaper.

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6 Declaration of operators

(1) The Minister may, after consultation with the advisory committee, in writing, declare a person to be the operator of the facility.

(2) The Minister shall not declare a non-government organisation to be the operator other than in accordance with a recommendation of the advisory committee.

(3) A declaration under this section is a notifiable instrument.

Note A notifiable instrument must be notified under the *Legislation Act 2001*.

7 Law enforcement protocol

(1) The Minister may, after consultation with the advisory committee, by instrument approve a protocol that deals with—

(a) the detection, investigation and prosecution of offences by a person who self-administers a substance at the facility; and

(b) anything else necessary or convenient to be dealt with to give effect to the object of this Act;

as the law enforcement protocol for this Act.

(2) The Minister must ensure that a protocol is approved under this section that will allow the facility to function in accordance with the object of this Act.

(3) The Minister must not approve a protocol that has the effect of exempting a member of the staff of the facility from the operation of a law in relation to the possession, use or dealing in substances.

8 Publication of law enforcement protocol

(1) As soon as practicable after making an instrument under section 7, the Minister must publish in a newspaper notice of the effect of the instrument.

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(2) The notice must state the places where a copy of the law enforcement protocol may be bought or, at any reasonable time, inspected.

(3) The Minister must ensure that—

(a) copies of the law enforcement protocol may be bought at each place stated for that purpose in the notice; and

(b) a copy of the law enforcement protocol is, at any reasonable time, available for inspection at each place stated for that purpose in the notice.

U 9 Approval of internal management protocol

(1) The Minister may, by instrument, approve a protocol relating to the facility as the internal management protocol for this Act.

(2) An operator shall manage the facility in accordance with the internal management protocol.

(3) Before making an instrument under subsection (1), the Minister must be satisfied that the following requirements will be met:

(a) the facility must be under the supervision of a supervisor;

(b) the supervisor must have general oversight of the clinical operations of the facility and responsibility for ensuring that adequate clinical procedures are used in the facility;

(c) each member of staff of the facility who directly supervises injection of substances at the facility must be a doctor or a nurse;

(d) each member of staff of the facility who issues equipment at the facility for use in injection of substances at the facility must hold an approval under the Drugs of Dependence Act, part 7;

(e) the facility must contain, or provide satisfactory access to—

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(i) primary health care services (including medical consultation and medical assessment services); and

(ii) drug and alcohol counselling services; and

(iii) health education services; and

(iv) drug and alcohol detoxification and rehabilitation services; and

(v) services for testing for blood borne diseases;

(f) the health and safety of staff and users of the facility must be protected, having regard to the design of, and services provided by, the facility;

(g) any recommendations of the advisory committee concerning the operation of the facility must be given effect;

(h) any regulations concerning the operation of the facility must be complied with.

U 10 Criteria for assessing facility

(1) The Minister must consult the advisory committee on the appropriate criteria, and must attempt to agree with the committee on a set of criteria.

(2) If a set of criteria is agreed, the Minister must approve them.

(3) If agreement is not possible—

(a) the advisory committee must set out its preferred criteria (alternative criteria); and

(b) the Minister must approve a set of criteria and a statement of the reasons why they are approved instead of the alternative criteria (Minister's reasons).

(4) The Minister must present a copy of the approved criteria, together with any alternative criteria and Minister's reasons, to the Legislative Assembly within 3 sitting days after the approval.

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(5) In this section:

criteria means criteria by which the scientific trial of the effects of giving drug dependent persons a place to self-administer a substance is to be assessed.

11 Exemption of staff and other persons from certain criminal proceedings

(1) This section applies to a person who is or has been—

(a) a Minister or public employee; or

(b) a member of the staff of the facility; or

(c) the owner or occupier of the premises where the facility is situated.

(2) A proceeding for a criminal offence (including an offence against the Criminal Code, section 717 (Accessory after the fact)) does not lie against a person to whom this section applies in relation to an act—

(a) done in good faith by the person in the person's capacity as a person to whom this section applies; and

(b) that consists of participating, or being in any other way concerned, in the establishment of the facility or in its operation as a supervised injecting place; and

(c) done in accordance with the requirements (if any) prescribed under the regulations.

12 Exemption of persons from certain civil proceedings

A civil proceeding does not lie against the Territory or anyone else in relation to the death of, or any loss or injury sustained by, someone (the ***affected person***) caused by, or arising out of—

(a) the self-administration by the affected person of a substance at the facility; or

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(b) anything else done by the affected person, whether or not at the facility, in relation to the self-administration.

U 13 Directions to DPP

(1) The Attorney-General must give such directions to the DPP under the *Director of Public Prosecutions Act 1990*, section 20 (1) as are necessary to ensure that drug dependent persons are not deterred by fear of prosecution for an offence from making use of the facility in accordance with the object of this Act.

(2) The directions for subsection (1) must include, but are not limited to, a direction specifying circumstances in which the DPP is restrained from prosecuting a person who administers a substance to himself or herself at the facility for an offence against the Drugs of Dependence Act, section 169 or 171.

U 14 Things not permitted by Act

This Act does not permit—

(a) the members of the staff of the facility to sell or possess or use a substance in the facility; or

(b) a drug dependent person to sell or supply a substance in the facility; or

(c) a drug dependent person to possess in the facility more than 0.5g of a substance; or

(d) a drug dependent person to possess a substance outside the facility.

15 Provision of injecting equipment at facility

Despite any other provision of this Act or of another Territory law, it is lawful for a member of the staff of the facility to provide, at the facility, sterile equipment to another person for use by the other

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person, at the facility, to self-administer a substance, if the other person—

(a) agrees to return the equipment after use for safe disposal; and

(b) unless the member of the staff knows, or reasonably believes, that the other person has previously administered a substance to himself or herself—the other person has been offered counselling or rehabilitation or medical services at the facility.

16 Provision of information about facility

Despite any other provision of this Act or of another Territory law, it is lawful for a person to give, for this Act, information about the operation of the facility to—

(a) the Legislative Assembly or a committee of the Assembly; or

(b) the Minister or a public employee acting in the course of his or her duties on behalf of a Minister; or

(c) the advisory committee; or

(d) a person appointed in writing by the Minister to review the effectiveness of the facility in meeting the relevant objectives of this Act.

17 Excluding persons from facility

(1) The operator or the person for the time being in charge of the facility may exclude a person from the facility by telling the person orally that he or she is excluded under this Act for a stated period that is not longer than 3 days.

(2) The operator or the person for the time being in charge of the facility may exclude a person from the facility by telling the person in writing that he or she is excluded under this Act for a stated period, giving brief reasons for the exclusion.

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(3) A person who has been told under subsection (1) or (2) that he or she is excluded—

(a) must leave the facility immediately; and

(b) must not enter the facility during the stated period.

Maximum penalty (subsection (3)): 10 penalty units.

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Part 3 Advisory committee

18 Advisory committee

An advisory committee, to be called the Supervised Drug Injection Trial Advisory Committee, is established.

19 Committee's functions

The functions of the advisory committee are—

(a) to make written recommendations to the Minister about the matters mentioned in section 29 (1) (Minister must consult committee); and

(b) to exercise other functions given to the advisory committee by this Act or another Territory law.

Note 1 A provision of a law that gives an entity (including a person) a function also gives the entity powers necessary and convenient to exercise the function (see Legislation Act, s 196 and dict, pt 1, def ***entity***).

Note 2 A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including regulations (see Legislation Act, s 104).

20 Constitution

(1) Subject to subsection (2), the advisory committee consists of members made up as follows:

(a) the chief executive;

(b) 1 person nominated by, and representing, each of the following persons or bodies:

(i) the Australian Federal Police;

(ii) the director of public prosecutions;

(iii) the legal aid office;

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(iv) the ambulance service;

(v) the Australian Institute of Criminology;

(vi) the Australian Medical Association;

(vii) the Canberra City Heart Business Association;

(viii) the Women's Information Resources and Education on Drugs and Dependency (WIREDD);

(ix) an association representing residents of an area where the facility is, or is to be, located;

(x) Assisting Drug Dependents Inc;

(xi) National Centre for Epidemiology and Health;

(xii) Canberra Injectors Network;

(xiii) Australian Intravenous League;

(xiv) Alcohol and other Drugs Council of Australia;

(xv) the Winnunga Nimmityjah Aboriginal Health Service;

(xvi) the Youth Coalition of the ACT.

(2) The regulations may reduce or extend the membership of the advisory committee.

(3) Each member of the advisory committee is appointed by the Minister for a term of not longer than 3 years.

Note 1 For the making of appointments (including acting appointments), see Legislation Act, pt 19.3.

Note 2 A person may be reappointed to a position if the person is eligible to be appointed to the position (see Legislation Act, s 208 and dict, pt 1, def ***appoint***).

(4) A member holds office on the terms (if any) in relation to matters not provided for by this Act that are stated in the instrument of appointment.

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21 Chairperson and deputy chairperson

The Minister must appoint—

(a) a member of the advisory committee to be chairperson of the advisory committee; and

(b) a member of the advisory committee to be deputy chairperson of the advisory committee.

22 Ending of appointments

(1) The Minister may end the appointment of a member for misbehaviour or physical or mental incapacity.

(2) The Minister must end the appointment of a member if the member—

(a) becomes bankrupt, executes a personal insolvency agreement or otherwise applies to take the benefit of any law for the relief of bankrupt or insolvent debtors; or

(b) is absent for 3 consecutive meetings without leave; or

(c) is convicted in Australia or elsewhere of an offence punishable by imprisonment for 1 year or longer.

Note A person's appointment also ends if the person resigns (see Legislation Act, s 210).

24 Convening meetings

(1) The chairperson, or if the chairperson cannot do so, the deputy chairperson, must call such meetings of the advisory committee—

(a) as the chairperson or the deputy chairperson considers necessary for the efficient performance of its functions; or

(b) as the Minister directs, by written notice given to the chairperson or the deputy chairperson.

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(2) The chairperson must call a meeting of the advisory committee if asked by 3 members.

25 Leave of absence

The advisory committee may grant leave of absence (either before, or at the earliest practicable time after, the absence occurs) to a member.

26 Procedure

(1) The chairperson presides at a meeting of the advisory committee when he or she is present.

(2) If the chairperson is not present, the deputy chairperson presides.

(3) If the chairperson and the deputy chairperson are both absent from a meeting, the members present must elect a member present to preside.

(4) The member presiding at a meeting may give directions in relation to the procedure to be followed for the meeting.

(5) The member presiding at a meeting has a deliberative vote and, if there is an equality of votes, a casting vote.

(6) The advisory committee must keep minutes of its proceedings.

(7) A meeting of the advisory committee may be called by telephone, television or any other device which permits instantaneous audio communication, with or without instantaneous visual communication.

27 Quorum

At a meeting of the advisory committee, a majority of the members for the time being of the advisory committee is a quorum.

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28 Administration

The advisory committee may make arrangements with the chief executive for the provision of administrative or secretarial services to the advisory committee.

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Part 4 Consultation with committee

29 Minister must consult committee

(1) The Minister must consult the advisory committee about—

(a) any place to be declared to be the facility; and

(b) the operation of the facility (including the hours of operation); and

(c) the conditions of access to the facility; and

(d) the terms on which people under 18 years old may attend the facility; and

(e) the way in which, and the criteria by which, the effectiveness of the operation of the facility may be evaluated.

(2) If the Minister decides not to give effect to a recommendation of the advisory committee about a matter mentioned in subsection (1), the Minister must—

(a) give a written statement of the reasons to the chairperson within 14 days after making the decision; and

(b) present a copy of the statement to the Legislative Assembly, within 3 sitting days after making the decision.

U 30 Criteria for deciding place for facility

In deciding whether to recommend a place to the Minister as the facility, the advisory committee must have regard to—

(a) the cost of setting up and maintaining the facility at the place; and

(b) the capacity to maintain the place in a hygienic condition; and

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(c) the capacity of the place to meet the objective of giving drug dependent persons using the place access to counselling, medical treatment, detoxification and other health promotion services; and

(d) the means of safe disposal of injecting equipment after use.

31 Review of the operation of scientific trial

(1) The advisory committee must, as soon as practicable after the end of each 6 months following the date of effect of the declaration of the facility, give the Minister a report on—

(a) the operation of the facility during the 6 months; and

(b) the views of the advisory committee about the scientific trial during the 6 months.

(2) The advisory committee must, before the expiry of this Act—

(a) arrange an assessment of the scientific trial against the criteria approved under section 10; and

(b) give to the Minister a report containing the assessment together with a recommendation either that the scientific trial continue for a stated time, or that it cease.

(3) The Minister must present a copy of each report to the Legislative Assembly within 6 sitting days after receiving the report.

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Part 5 Miscellaneous

32 Regulation-making power

The Executive may make regulations for this Act.

Note Regulations must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

33 Expiry of Act

This Act expires 2 years after the day when the first declaration is made under section 5.

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U Dictionary

(see s 2)

Note 1 The Legislation Act contains definitions and other provisions relevant to this Act.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

- ambulance service
- Attorney-General
- DPP
- Executive
- Legislative Assembly
- Minister (see s 162)
- notifiable instrument (see s 10)
- penalty unit (see s 133)
- regulations.

advisory committee means the advisory committee established by section 18.

chairperson means the chairperson of the advisory committee.

deputy chairperson means the deputy chairperson of the advisory committee.

drug dependent person—see the Drugs of Dependence Act, section 3 (1).

drug of dependence—see the Drugs of Dependence Act, section 3 (1).

Drugs of Dependence Act means the *Drugs of Dependence Act 1989*.

facility means the place that is declared under section 5 to be the facility.

internal management protocol means a protocol approved under section 9.

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law enforcement protocol means a protocol approved under section 8.

newspaper means a daily newspaper published and circulating in the ACT.

operator, of the facility, means a person who is declared under section 5 to be the operator of the facility.

prohibited substance—see the Drugs of Dependence Act, section 3 (1).

staff, of the facility, includes the following persons:

(a) the operator of the facility;

(b) a manager of the facility;

(c) a person engaged by the operator or manager of the facility to provide services at the facility, whether under a contract of employment or otherwise;

(d) a person engaged by the operator or manager of the facility to provide voluntary assistance at the facility.

substance means a drug of dependence or a prohibited substance.

supervised injecting place means a place that provides—

(a) a supervised and hygienic environment for the self-administration of substances by drug dependent persons; and

(b) access to clean equipment for such self-administration, and safe facilities for disposing of the equipment; and

(c) an opportunity for users of the facility to be referred to counselling, medical treatment, detoxification and similar services.

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Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

am = amended
amdt = amendment
ch = chapter
cl = clause
def = definition
dict = dictionary
disallowed = disallowed by the Legislative Assembly
div = division
exp = expires/expired
Gaz = Gazette
hdg = heading
IA = Interpretation Act 1967
ins = inserted/added
LA = Legislation Act 2001
LR = legislation register
LRA = Legislation (Republication) Act 1996
mod = modified/modification
o = order
om = omitted/repealed
ord = ordinance
orig = original
par = paragraph/subparagraph
pres = present
prev = previous
(prev...) = previously
pt = part
r = rule/subrule
reg = regulation/subregulation
renum = renumbered
reloc = relocated
R[X] = Republication No
RI = reissue
s = section/subsection
sch = schedule
sdiv = subdivision
sub = substituted
SL = Subordinate Law
underlining = whole or part not commenced or to be expired

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3 Legislation history

Supervised Injecting Place Trial Act 1999 No 90
notified 23 December 1999 (Gaz 1999 No S65)
commenced 23 December 1999 (s 2)
Note Act expires 2 years after the day when the first declaration is made under s 5 (see s 33)

as amended by

Supervised Injecting Place Trial Amendment Act 2000 No 39
notified 12 July 2000 (Gaz 2000 No S36)
commenced 12 July 2000 (s 2)

Legislation (Consequential Amendments) Act 2001 No 44 pt 373
notified 26 July 2001 (Gaz 2001 No 30)
s 1, s 2 commenced 26 July 2001 (IA s 10B)
pt 373 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Statute Law Amendment Act 2003 (No 2) A2003-56 sch 3 pt 3.26
notified LR 5 December 2003
s 1, s 2 commenced 5 December 2003 (LA s 75 (1))
sch 3 pt 3.26 commenced 19 December 2003 (s 2)

Emergencies Act 2004 A2004-28 pt 3.23
notified LR 29 June 2004
s 1, s 2 commenced 29 June 2004 (LA s 75 (1))
pt 3.23 commenced 1 July 2004 (s 2 (1) and CN2004-11)

Medicines, Poisons and Therapeutic Goods Act 2008 A2008-26 sch 2 pt 2.22
notified LR 14 August 2008
s 1, s 2 commenced 14 August 2008 (LA s 75 (1))
sch 2 pt 2.22 awaiting commencement (s 2)
Note default commencement under LA s 79: 14 February 2009

Statute Law Amendment Act 2008 A2008-28 sch 3 pt 3.55
notified LR 12 August 2008
s 1, s 2 commenced 12 August 2008 (LA s 75 (1))
sch 3 pt 3.55 commenced 26 August 2008 (s 2)

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4 Amendment history

Long title
long title — sub A2008-26 amdt 2.152

Dictionary
s 2 — om R1 LRA
ins A2003-56 amdt 3.246
am A2008-26 amdt 2.153

Notes
s 3 — defs reloc to dict A2003-56 amdt 3.245
sub A2003-56 amdt 3.246

Declaration of facility
s 5 — am 2000 No 39 s 4; 2001 No 44 amdts 1.3948-1.3950; A2003-56 amdt 3.247; A2008-26 amdt 2.161

Declaration of operators
s 6 — am 2001 No 44 amdt 1.3951, amdt 1.3952

Approval of internal management protocol
s 9 — am A2008-26 amdt 2.154

Criteria for assessing facility
s 10 — am A2008-26 amdt 2.161

Exemption of staff and other persons from certain criminal proceedings
s 11 — am A2008-28 amdt 3.165

Directions to DPP
s 13 — am A2008-26 amdt 2.155, amdt 2.161

Things not permitted by Act
s 14 — am A2008-26 amdt 2.156

Committee's functions
s 19 — am 2001 No 44 amdt 1.3953, amdt 1.3954
sub A2003-56 amdt 3.248

Constitution
s 20 — am A2003-56 amdts 3.249-3.251

Chairperson and deputy chairperson
s 21 — am A2003-56 amdt 3.252

Ending of appointments
s 22 — sub A2003-56 amdt 3.253
am A2008-28 amdt 3.166

Resignation
s 23 — om A2003-56 amdt 3.253

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Minister must consult committee
s 29 am A2003-56 amdt 3.254

Criteria for deciding place for facility
s 30 am A2008-26 amdt 2.161

Regulation-making power
s 32 am 2001 No 44 amdt 1.3955

Dictionary
dict ins A2003-56 amdt 3.255
am A2004-28 amdt 3.66
def ***advisory committee*** reloc from s 3 A2003-56 amdt 3.245
def ***chairperson*** reloc from s 3 A2003-56 amdt 3.245
def ***deputy chairperson*** reloc from s 3 A2003-56 amdt 3.245
def ***drug dependent person*** reloc from s 3 A2003-56 amdt 3.245
om A2008-26 amdt 2.157
def ***drug-dependent person*** ins A2008-26 amdt 2.157
def ***drug of dependence*** reloc from s 3 A2003-56 amdt 3.245
om A2008-26 amdt 2.158
def ***Drugs of Dependence Act*** reloc from s 3 A2003-56 amdt 3.245
om A2008-26 amdt 2.158
def ***facility*** reloc from s 3 A2003-56 amdt 3.245
def ***internal management protocol*** reloc from s 3 A2003-56 amdt 3.245
def ***law enforcement protocol*** reloc from s 3 A2003-56 amdt 3.245
def ***newspaper*** reloc from s 3 A2003-56 amdt 3.245
def ***operator*** reloc from s 3 A2003-56 amdt 3.245
def ***prohibited substance*** reloc from s 3 A2003-56 amdt 3.245
om A2008-26 amdt 2.159
def ***staff*** reloc from s 3 A2003-56 amdt 3.245
def ***substance*** reloc from s 3 A2003-56 amdt 3.245
sub A2008-26 amdt 2.160
def ***supervised injecting place*** reloc from s 3 A2003-56 amdt 3.245
am A2008-26 amdt 2.161

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5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	Act 2000 No 39	1 September 2000
2	A2001-44	21 January 2002
3	A2003-56	19 December 2003
4	A2004-28	1 July 2004

6 Uncommenced amendments

The following amendments have not been included in this republication because they were uncommenced at the republication date:

Medicines, Poisons and Therapeutic Goods Act 2008 A2008-26 sch 2 pt 2.22

Part 2.22 Supervised Injecting Place Trial Act 1999

[2.152] Long title

substitute

An Act to allow for a trial of a supervised injecting place for drug-dependent people

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[2.153] Section 2, notes

substitute

Note 1 The dictionary at the end of this Act defines certain terms used in this Act.

Note 2 A definition in the dictionary applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

[2.154] Section 9 (3) (d)

omit

Drugs of Dependence Act, part 7

substitute

Public Health Act 1997, part 3A (Supply of syringes)

[2.155] Section 13 (2)

substitute

(2) The directions for subsection (1) must include, but are not limited to, a direction stating circumstances in which the DPP is restrained from prosecuting a person who administers a substance to himself or herself at the facility for an offence against—

(a) the *Drugs of Dependence Act 1989*, section 169 (Possessing drugs of dependence) or section 171 (Possessing prohibited substances); or

(b) the *Medicines, Poisons and Therapeutic Goods Act 2008*, section 36 (Possessing certain declared substances) or section 37 (Administering certain declared substances).

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[2.156] Section 14

omit

drug dependent person

substitute

drug-dependent person

[2.157] Dictionary, definition of *drug dependent person*

substitute

drug-dependent person—see the *Medicines, Poisons and Therapeutic Goods Act 2008*, dictionary.

[2.158] Dictionary, definitions of *drug of dependence* and *Drugs of Dependence Act*

omit

[2.159] Dictionary, definition of *prohibited substance*

omit

[2.160] Dictionary, definition of *substance*

substitute

substance means a controlled medicine, or prohibited substance, within the meaning of the *Medicines, Poisons and Therapeutic Goods Act 2008*.

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[2.161] Further amendments, references to *drug dependent persons*

omit

drug dependent persons

substitute

drug-dependent people

in

- section 5 (2) (a) (i)
- section 10 (5), definition of ***criteria***
- section 13 (1)
- section 30 (c)
- dictionary, definition of ***supervised injecting place***, paragraph (a)

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