



AUSTRALIAN CAPITAL TERRITORY

Crimes Amendment Act 2000 (No 3)

No 58 of 2000

An Act to amend the *Crimes Act 1900*

[Notified in ACT Gazette No. 40: 5 October 2000]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Short title

This Act may be cited as the *Crimes Amendment Act 2000 (No 3)*.

2 Commencement

This Act commences on the day on which it is notified in the Gazette.

3 Principal Act

In this Act, “Principal Act” means the *Crimes Act 1900*.¹

4 Insertion

After Part XIA of the Principal Act the following Part is inserted:

“PART XIB—INTOXICATION

“428XA Application

This Part applies to any offence (whether under this Act or otherwise) committed after the commencement of the Part.

“428XB Interpretation

“(1) In this Part, unless the contrary intention appears—

intoxication means intoxication because of the influence of alcohol, a drug or any other substance.

“(2) For the purposes of this Part, intoxication is self-induced unless it came about—

- (a) involuntarily;
- (b) as a result of fraud, sudden or extraordinary emergency, accident, reasonable mistake, duress or force;
- (c) from the administration of a drug for which a prescription is required and that was administered in accordance with the directions of the medical practitioner or dentist who prescribed the drug; or
- (d) from the administration of a drug for which no prescription is required and that was administered—
 - (i) for a purpose recommended by the manufacturer; and
 - (ii) in accordance with the dosage level recommended in the manufacturer’s instructions.

“428XC Intoxication in relation to offences

Evidence of self-induced intoxication cannot be considered in determining whether an act or omission that is an element of an offence was intended or voluntary.”.

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Endnotes

Act amended

- 1 Republished as in force on 10 November 1999 (Republication No 6). See also Acts 1999 Nos 71, 79 and 91; 2000 Nos 3 and 56.

[Presentation speech made in Assembly on 28 May 1998]

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