

1997  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Attorney-General)

**Crimes (Amendment) Bill (No. 6) 1997**

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**A BILL**

FOR

**An Act to amend the *Crimes Act 1900***

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

**Short title**

- 5     1. This Act may be cited as the *Crimes (Amendment) Act (No. 6) 1997*.

**Commencement**

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

**Principal Act**

- 10     3. In this Act, "Principal Act" means the *Crimes Act 1900*.<sup>1</sup>

**Insertion**

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

**“PART XIB—INTOXICATION**

**Interpretation**

“428XA. (1) In this Part, unless the contrary intention appears—

5 ‘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;
- 10 (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
- 15 (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.

20 **Intoxication in relation to offences**

“428XB. 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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**NOTE**

**Principal Act**

1 Reprinted as at 30 November 1996 See also Act No 74, 1996, Nos. 10, 23, 52, #, # and #, 1997