

1994

THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health)

**Drugs of Dependence (Amendment)
Bill (No. 2) 1994**

A BILL

FOR

An Act to amend the *Drugs of Dependence Act 1989*

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

Short title

- 5 1. This Act may be cited as the *Drugs of Dependence (Amendment) Act (No. 2) 1994*.

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 *Drugs of Dependence Act 1989*.¹

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Interpretation

4. Section 3 of the Principal Act is amended by inserting in subsection (1) the following definition:

- 5 “‘Director’ means the public servant for the time being performing the functions of Director, Alcohol and Drug Service, Department of Health, by virtue of section 3A;”.

Insertion

5. After section 3 of the Principal Act the following section is inserted in Part I:

10 **Director**

“3A. (1) There shall be a Director, Alcohol and Drug Service, Department of Health.

- 15 “(2) The Chief Executive shall create and maintain an office in the Government Service the duties of which include performing the functions of the Director, Alcohol and Drug Service, Department of Health.

“(3) The Director shall be the public servant for the time being performing the duties of the Government Service office referred to in subsection (2).”.

Assessment orders

- 20 6. Section 122 of the Principal Act is amended by omitting from paragraph (3) (b) “Medical Officer of Health” and substituting “Director”.

Alternative arrangements on cancellation

7. Section 156 of the Principal Act is amended—

- 25 (a) by omitting from subsection (1) “Minister shall” and substituting “Director shall”; and
 (b) by omitting from subsection (2) “Minister” (wherever occurring) and substituting “Director”.

Schedule 4

8. Schedule 4 to the Principal Act is amended—

- 30 (a) by omitting from Form 7 “Minister for Health” and substituting “Director, Alcohol and Drug Service, Department of Health”; and
 (b) by omitting from Form 7 “Minister” (second occurring) and substituting “Director”.

Further amendments

9. The following provisions of the Principal Act are amended by omitting "Minister" (wherever occurring) and substituting "Director":

5 Paragraphs 123 (5) (c) and (7) (b), subsections 124 (6), 129 (1), (3), (4), (5) and (6), 141 (1), (3), (4) and (5) and 142 (1) and (3), paragraph 142 (4) (a), subsections 142 (6) and 143 (1), paragraphs 143 (3) (a) and (c), subsections 143 (5) and 144 (1), paragraphs 144 (1) (d) and (4) (c), subsections 144 (5) and (6), 145 (6) and 146 (2), (3) and (4).

NOTE

1. Reprinted as at 1 July 1993. See also Act No. 45, 1993; Nos. 38 and ..., 1994.