

2005

**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**JUSTICE AND COMMUNITY SAFETY LEGISLATION AMENDMENT
BILL 2004 (NO.2)**

**SUPPLEMENTARY
EXPLANATORY STATEMENT**

Circulated by authority of the
Mr Jon Stanhope MLA
Attorney General

This explanatory statement supplements the explanatory statement to the Justice and Community Safety Legislation Amendment Bill 2004 (No 2) as introduced into the Legislative Assembly on 9 December 2004.

Overview of amendments

Government amendments 1, 3, 4 and 5 are consequential amendments, complementing the amendment to the *Drugs of Dependence Act 1989* (part 6 of the Bill). These amendments were identified during the development of regulations for the *Criminal Code (Serious Drug Offences) Amendment Act 2004* as needing to be made. Amendments 3, 4 and 5 amend references to the Drugs of Dependence Regulation 1993 in the *Periodic Detention Act 1995*, *Road Transport (Alcohol and Drugs) Act 1977*, *Smoke-Free Areas (Enclosed Public Places) Act 1994* and the *Tobacco Act 1927* to now refer to a controlled drug in the Criminal Code. Amendment 1 provides that the amendments in parts 6, 8A, 8B, 10A and 12 commence on the day the *Criminal Code (Serious Drug Offences) Amendment Act 2004* is commenced.

Amendment 2 amends Clause 10 of the Bill dealing with section 51 of the *Civil Law (Wrongs) Act 2002* and sets out the time period for a claimant to give a respondent a written notice of claim. The use of the word ‘consults’ in the current clause 10 was unintentional and should instead read ‘instructs’. This amendment corrects this oversight to ensure that the clause reflects the original intention of the provision.