

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

DRUG LAWS (CONSEQUENTIAL AMENDMENTS) ORDINANCE 1989

No. 14 of 1989

The Drug Laws (Consequential Amendments) Ordinance 1989 (the Ordinance) updates Ordinances which refer to drug legislation which is replaced by the Drugs of Dependence Ordinance 1989 or changed by the Poisons and Drugs (Amendment) Ordinance, 1989 and the Poisons (Amendment) Ordinance 1989. The changes are minor.

Section 1 cites the name of the short title for the Ordinance.

Section 2 provides that the Minister can bring the Ordinance into effect by notice in the Gazette.

Section 3 amends section 3 of the Domestic Violence Ordinance 1986 by altering the definition of 'drug' to refer to drugs scheduled in the Drugs of Dependence Ordinance 1989 rather than the Poisons and Narcotic Drugs Ordinance 1978. The change does not affect the type of drugs covered by the Domestic Violence Ordinance 1986. The word 'drug' is used in that Ordinance in sections 23 and 24 which are concerned with bail. The use of drugs is a factor which is considered by the court when granting bail or imposing bail conditions under that Ordinance.

Section 4 amends section 4 of the Motor Traffic (Alcohol and Drugs) Ordinance 1977 by altering the definition of 'drugs' to refer to drugs scheduled in the Drugs of Dependence Ordinance 1989. The change will not affect the type of drugs covered. The word 'drug' is used in relation to various measures under the Motor Traffic (Alcohol and Drugs) Ordinance 1977 designed to rehabilitate those caught driving whilst intoxicated.

Section 5 amends section 4 of the Optometrists Ordinance 1956 by providing that 'drug' means a substance listed in schedules 1 or 2 of the Drugs of Dependence Ordinance 1989. Subsection 23(3) of the Optometrists Ordinance 1956 provides that the Optometrists Board may cancel the registration of a person addicted to drugs. The types of drugs meant to be covered by that provision are now listed in the Drugs of Dependence Ordinance 1989.