

1998
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Health and Community Care)

**Drugs of Dependence (Amendment) Bill
1998**

**A BILL
FOR**

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

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

1. Short title

5 This Act may be cited as the *Drugs of Dependence (Amendment) Act 1998*.

2. Commencement

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

3. Principal Act

10 In this Act, "Principal Act" means the *Drugs of Dependence Act 1989*.¹

4. Drugs of dependence

Section 58 of the Principal Act is amended by inserting after subsection (2) the following subsection:

“(2A) A medical practitioner is authorised to prescribe a drug of dependence for a drug dependent person without first obtaining the approval of the Chief Health Officer under subsection (2) if—

- 5 (a) the medical practitioner is satisfied that the person requires the use of the drug in the course of treatment as an in-patient in a hospital; and
- (b) the drug is prescribed for a course of treatment for that person for a period not exceeding 14 days after the date of his or her admission.”

10 **5. Insertion**

After section 59 of the Principal Act the following section is inserted:

“59A. **Morphine**

15 “(1) The Chief Health Officer shall approve an application by a medical practitioner for the prescription of morphine for a person if the Chief Health Officer is satisfied that—

- (a) a specialist has diagnosed the person to be suffering from a terminal illness and estimates the person’s life expectancy to be less than 1 year; and
- 20 (b) the morphine is for use by the person only for therapeutic purposes for the relief of pain.

“(2) In paragraph (1) (a)—

‘specialist’ means a medical practitioner who is recognised as a consultant physician or specialist in accordance with section 61 of the *Health Insurance Act 1973* of the Commonwealth.”

NOTE

Principal Act

1. Reprinted as at 30 November 1996. See also Acts Nos 41, 70, 75, 96 and 127, 1997.