

**1995**

**LEGISLATIVE ASSEMBLY OF THE AUSTRALIAN CAPITAL TERRITORY**

***DRUGS OF DEPENDENCE (AMENDMENT) BILL 1995***

**EXPLANATORY MEMORANDUM**

**Circulated by the authority of Kate Carnell MLA  
Minister for Health and Community Care**

## ***Drugs of Dependence (Amendment) Bill 1995***

### **Summary**

The *Drugs of Dependence (Amendment) Bill 1995* provides a clear legal basis for the provision, by methadone treatment centres, of methadone in the form of takeaway doses for self-administration elsewhere. It also ensures that the *Drugs of Dependence Act 1989* as it currently stands could not have been interpreted to make the past provision of takeaway doses of methadone illegal.

### **Financial Implications**

None

***Drugs of Dependence (Amendment) Bill 1995***

**1. Short title**

Clause 1: the Act may be known as the *Drugs of Dependence (Amendment) Act 1995*.

**2. Commencement**

Clause 2: the Act commences on the date of notification in the *Gazette*.

**3. Principal Act**

Clause 3: the Principal Act refers to the *Drugs of Dependence Act 1989*.

**4. Saving - previous supply of takeaway methadone**

Clause 4: provides that nothing in the Principal Act as it was in force any time before the commencement of this Act will render the supply of methadone to a person for self-administration elsewhere unlawful, if it is lawful under the Principal Act as it is amended by this Act.

**5 & 6. Interpretation**

Clause 5 provides an amended definition for treatment as it relates to the treatment of a person for drug dependency, which includes a specific provision for the supply of methadone to a person for self-administration at the centre or elsewhere. This provides for the person to take the dose from the clinic for self-administration some time later, in the prescribed manner.

Clause 6: removes the definition of treatment from section 121 of the Principal Act, which currently defines treatment for approved methadone treatment centres. The revised definition provided in section 3 of the Principal Act will apply to this section.

**7. Approval - application**

Clause 7: inserts the words "or supply" in the section 149 (2)(b)(vii) of the Principal Act which relates to the application for approval to conduct a methadone treatment centre and explicitly extends this application to cover the supply of methadone.

**8. Approval - grant**

Clause 8: inserts the words "or supply" in the section 150 (2)(e) of the Principal Act which relates to the grant of approval to conduct a methadone treatment centre and explicitly extends this approval to cover the supply of methadone.

**9. Approval - conditions**

Clause 9: inserts the words "or supply" in the section 151 (a) of the Principal Act which relates to the conditions on approval to conduct a methadone treatment centre and explicitly extends this to include conditions on the supply of methadone.

**10. Sale or supply**

Clause 10: provides for a nurse, at a methadone treatment centre conducted by the Territory, to supply methadone.

**11. Inspection - premises of approved treatment centres**

Clause 11: provides that an approved treatment centre has the meaning given in section 121 and for treatment the revised definition provided in the this amending Act as it amends section 3 of the Principal Act.