

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL  
TERRITORY**

**DRUGS OF DEPENDENCE (AMENDMENT) BILL 1992**

**SUPPLEMENTARY EXPLANATORY MEMORANDUM**

**Amendments to be moved on behalf of the Government**

**Circulated by the authority of the Minister for Health**

**Wayne Berry MLA**

## DRUGS OF DEPENDENCE (AMENDMENT) BILL 1992

### Amendments to be moved on behalf of the Government

#### Explanatory Memorandum

This Explanatory Statement outlines the nature and purpose of proposed amendments to the Drugs of Dependence (Amendment) Bill 1992 ("the Bill") which seeks to amend the *Drugs of Dependence Act 1989* ("the Act") to enable the distribution of methadone from pharmacies.

#### 1. Proposed clause 3A

The first amendment inserts proposed clause 3A after clause 3 of the Bill. Clause 3A proposes the insertion of new subsections (2) and (3) in section 59 of the Act. New subsection 59(2) will enable the Minister to determine a maximum price for the supply and administration of methadone and new subsection 59(3) makes such determination of the maximum price of methadone by the Minister a disallowable instrument. Consequently, a determination will be of no effect if it fails to satisfy the notification and tabling requirements of section 10 of the *Subordinate Laws Act 1989* and it will be subject to scrutiny and disallowance by the Assembly.

#### 2. Proposed clauses 6 and 7

##### Clause 6

The second amendment proposes the insertion of clause 6 after clause 5 of the Bill. Clause 6 amends section 150 of the Act relating to the approval of persons to conduct a treatment centre.

The amendments in proposed subparagraph 150(1)(e) (i) require the Board of Health to be satisfied as to the appropriateness of the location of a proposed treatment centre at which it is proposed to supply or administer methadone having regard to the location of existing treatment centres, the number of persons likely to be referred to or to use the treatment centre and its proximity to residential premises.

It is intended that treatment centres be geographically distributed throughout the Territory to improve accessibility to those who use them but without undue disturbance to residential amenity.

The amendments in proposed subparagraph 150(1)(e)(ii) require the Board of Health to be satisfied that any person who would supply or administer methadone at a proposed treatment centre has satisfactorily completed a course of instruction and is a fit and proper person to administer or supply methadone.

The power in the Act to impose conditions on an approval will be utilised to ensure that methadone is administered only in accordance with the highest standards as decided by the Board.

Proposed paragraph 150(1)(f) enables the charging of a fee determined by the Minister to persons who are granted approval to conduct a treatment centre. It is intended that the fee will recover the cost of inspecting treatment centres, the monitoring of standards in these centres and other associated administrative costs.

#### Clause 7

Clause 7 amends section 158 of the Act dealing with the renewal of an approval to conduct a treatment centre. Subsection 158(2) is amended to require that the application in writing for a renewal which must be lodged by an approval holder must be accompanied by the determined fee. The fee is intended to cover the continuing inspection, monitoring and administrative costs associated with approving pharmacies as treatment centres.