

Drugs, Poisons and Controlled Substances (Amendment) Bill

EXPLANATORY MEMORANDUM

Outline

The aim of this Bill is to establish a mechanism for the admission of certificates of analysis issued by analysts and botanists in other States and Territories as evidence in proceedings under the **Drugs, Poisons and Controlled Substances Act 1981**.

It will give effect to a recommendation arising from the 1992 Australasian Crime Conference and Seminar.

Clause Notes

Clause 1 sets out the purpose of the Act.

Clause 2 provides for commencement of the Act on Royal Assent.

Clause 3 amends the definitions of “analyst” and “botanist” in section 120 (6) of the **Drugs, Poisons and Controlled Substances Act 1981**.

The amendments will extend the definitions to encompass persons of a prescribed class employed or approved under a prescribed law of another State or Territory as well as Victorian analysts and botanists.

The effect of the change is that certificates of analysis from such persons can be admitted as evidence without requiring the actual attendance of the analyst or botanist concerned unless the defendant requires that he or she be called.

