

Version No. 071
Alcoholics and Drug-dependent Persons Act
1968

No. 7772 of 1968

Version incorporating amendments as at 1 December 2008

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Version No. 071

**Alcoholics and Drug-dependent Persons Act
1968**

No. 7772 of 1968

Version incorporating amendments as at 1 December 2008

An Act to repeal the **Inebriates Act 1958**, to make further Provision for the Treatment and Rehabilitation of Alcoholics and Drug-dependent Persons and for Purposes connected therewith.

BE IT ENACTED by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):

1 Short title and commencement

- (1) This Act may be cited as the **Alcoholics and Drug-dependent Persons Act 1968**.
- (2) The several provisions of this Act shall come into operation on the day or the respective days to be fixed by proclamation or successive proclamations of the Governor in Council published in the Government Gazette.

2 Repeal

The **Inebriates Act 1958** is hereby **repealed**.

3 Definitions

- (1) In this Act unless inconsistent with the context or subject-matter—

alcoholic means a person who habitually uses intoxicating liquor to such an extent that he has lost the power of self-control with

**S. 3
amended by
No. 46/1998
s. 7(Sch. 1)
(ILA s. 39B(1)).**

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s. 3

respect to the use of intoxicating liquor or to such an extent as to endanger the health safety or welfare of himself or other persons;

S. 3(1) def. of *assessment centre* inserted by No. 26/1994 s. 3(a).

assessment centre means a service appointed under section 5(1)(a);

S. 3(1) def. of *Chief General Manager* inserted by No. 10262 s. 4, repealed by No. 46/1998 s. 7(Sch. 1).

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S. 3(1) def. of *Commission* inserted by No. 9023 s. 40(Sch. 1 Pt A item 2(a)), repealed by No. 10262 s. 4.

* * * * *

S. 3(1) def. of *contracted service* inserted by No. 26/1994 s. 3(b).

contracted service means a service provided by a contracted service provider under a contract under section 4A;

S. 3(1) def. of *contracted service provider* inserted by No. 26/1994 s. 3(b).

contracted service provider in relation to a service means a person with whom there is a contract in force under section 4A;

S. 3(1) def. of *detention centre* amended by No. 60/1989 s. 22(a).

detention centre means any prison or part of a prison appointed under this Act to be a detention centre for the detention, safe custody and treatment of persons convicted for offences in respect of which drunkenness or drug addiction is a necessary part or condition or contributed to the commission of the offence;

domestic partner of a person means—

- (a) a person who is in a registered relationship with the person; or
- (b) an adult person to whom the person is not married but with whom the person is in a relationship as a couple where one or each of them provides personal or financial commitment and support of a domestic nature for the material benefit of the other, irrespective of their genders and whether or not they are living under the same roof, but does not include a person who provides domestic support and personal care to the person—
 - (i) for fee or reward; or
 - (ii) on behalf of another person or an organisation (including a government or government agency, a body corporate or a charitable or benevolent organisation);

S. 3(1) def. of *domestic partner* inserted by No. 27/2001 s. 6(Sch. 4 item 1.1), substituted by No. 12/2008 s. 73(1)(Sch. 1 item 3.1).

drug of addiction means any drug of dependence within the meaning of the **Drugs Poisons and Controlled Substances Act 1981**;

S. 3(1) def. of *drug of addiction* substituted by No. 9656 s. 2.

drug-dependent person means a person who habitually uses drugs of addiction to such an extent that he has lost the power of self-control with respect to the use of drugs of addiction;

Inspector means Inspector of Treatment Centres appointed under section 19;

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S. 3(1) def. of
Justice plan
inserted by
No. 60/1989
s. 22(b),
repealed by
No. 49/1991
s. 119(7)
(Sch. 4
item 1.1).

* * * * *

S. 3(1) def. of
*registered
medical
practitioner*
inserted by
No. 23/1994
s. 118(Sch. 1
item 3.1),
amended by
No. 97/2005
s. 182(Sch. 4
item 3).

registered medical practitioner means a medical
practitioner registered under the **Health
Professions Registration Act 2005**;

S. 3(1) def. of
Secretary
inserted by
No. 46/1998
s. 7(Sch. 1).

Secretary means the Secretary to the Department
of Human Services;

S. 3(1) def. of
service
inserted by
No. 26/1994
s. 3(c).

service includes premises or facility;

S. 3(1) def. of
spouse
inserted by
No. 27/2001
s. 6(Sch. 4
item 1.1).

spouse of a person means a person to whom the
person is married;

S. 3(1) def. of
*treatment
centre*
substituted by
No. 26/1994
s. 3(c).

treatment centre means a service appointed under
section 5(1)(b) or (c);

welfare officer means a welfare officer appointed by the Governor in Council pursuant to the provisions of section 6.

- (2) If under the **Public Administration Act 2004** the name of the Department of Human Services is changed, a reference in the definition of *Secretary* in subsection (1) to that Department must, from the date when the name is changed, be treated as a reference to the Department by its new name.
- (3) For the purposes of the definition of *domestic partner* in subsection (1)—
- (a) *registered relationship* has the same meaning as in the **Relationships Act 2008**; and
- (b) in determining whether persons who are not in a registered relationship are domestic partners of each other, all the circumstances of their relationship are to be taken into account, including any one or more of the matters referred to in section 35(2) of the **Relationships Act 2008** as may be relevant in a particular case; and
- (c) a person is not a domestic partner of another person only because they are co-tenants.

S. 3(2)
inserted by
No. 46/1998
s. 7(Sch. 1),
amended by
No. 108/2004
s. 117(1)
(Sch. 3
item 9).

S. 3(3)
inserted by
No. 27/2001
s. 6(Sch. 4
item 1.2),
substituted by
No. 12/2008
s. 73(1)(Sch. 1
item 3.2).

Treatment Services

4 Provision of services by Secretary

The Secretary may provide any services that the Secretary considers appropriate for the care, treatment or rehabilitation of persons who are or are likely to become alcoholics or drug-dependent persons.

S. 4
amended by
Nos 9023
s. 40(Sch. 1
Pt A item 2(b)
(i)(ii)), 10262
s. 4,
substituted by
No. 26/1994
s. 4,
amended by
No. 46/1998
s. 7(Sch. 1).

s. 4A

4A Provision of services under contract

S. 4A
inserted by
No. 26/1994
s. 4.

S. 4A(1)
amended by
No. 46/1998
s. 7(Sch. 1).

(1) The Secretary may enter into a contract with a person for the provision by that person of services for the care, treatment or rehabilitation of persons who are or are likely to become alcoholics or drug-dependent persons.

(2) A contract under this section—

(a) may relate to a particular service or type of services specified in the contract; and

(b) remains in force for the period (not exceeding 3 years) specified in the contract; and

S. 4A(2)(c)
amended by
No. 46/1998
s. 7(Sch. 1).

(c) may provide for termination of the contract by the Secretary if the Secretary is of the opinion that—

(i) any performance standards specified in the contract in relation to the provision of the service are not being met by the contracted service provider; or

(ii) the provision of the service is being inefficiently or incompetently managed; or

(iii) because of its financial position, the contracted service provider is unable to continue to provide effective services under the contract; or

(iv) after considering any report of the inspector, and complying with section 19(3B), and considering any objections made under section 19, termination of the contract is justified; or

-
- (v) the contracted service provider otherwise fails to comply with the contract; and
- (d) may provide for the termination of the contract by the Secretary if an administrator appointed under section 4B so recommends, and section 4B(9) is complied with, and the Secretary is of the opinion that termination of the contract is justified; and
- (e) may provide for the variation of the contract; and
- (f) may require accounts and financial statements kept in relation to the contracted service to be audited by the Auditor-General; and
- (g) may contain any other provisions not inconsistent with this Act that may, under section 26(4) of the **Health Services Act 1988**, be contained in a health service agreement; and
- (h) may contain any other provisions that are not inconsistent with this Act.
- (3) If a contract under this section contains a provision referred to in subsection (2)(f), sections 9, 10, 11 and 12 of the **Audit Act 1994** apply to the audit of the accounts and financial statements in relation to the contracted service as if references to an authority in those sections were references to the contracted service provider.

S. 4A(2)(d)
amended by
No. 46/1998
s. 7(Sch. 1).

S. 4A(2)(f)
amended by
Nos 93/1997
s. 28(Sch.
item 1),
53/1999
s. 26(Sch.
item 1).

S. 4A(3)
substituted by
No. 75/1994
s. 10.

S. 4B
inserted by
No. 26/1994
s. 4.

4B Appointment of administrator

- (1) If in the Minister's opinion—
 - (a) the provision of a contracted service is inefficiently or incompetently managed; or
 - (b) a contracted service provider has failed to provide an effective contracted service; or
 - (c) a contracted service provider has failed to comply with a contract under section 4A—

the Minister may recommend to the Governor in Council that an administrator be appointed for that contracted service.
- (2) The Minister must not make a recommendation under subsection (1) unless he or she—
 - (a) has given notice to the contracted service provider specifying—
 - (i) the ground on which it is intended to make the recommendation; and
 - (ii) that the contracted service provider may object in writing within 14 days of service of the notice and may request to be represented at a hearing of the objection; and
 - (b) has considered any objection made in accordance with paragraph (a).
- (3) A contracted service provider may request the Minister to recommend to the Governor in Council that an administrator be appointed for a contracted service of that provider.
- (4) On the Minister's recommendation under subsection (1) or (3) the Governor in Council, by order published in the Government Gazette, may appoint a fit and proper person as administrator to take over the functions of the contracted service

provider in relation to a contracted service specified in the order.

- (5) An administrator appointed under this section—
- (a) is deemed to be the committee of management or other governing body of the contracted service provider in relation to the contracted service specified in the order of appointment; and
 - (b) has all the functions, powers and duties of that governing body in relation to that service.
- (6) If an administrator is appointed under this section for a contracted service and the contracted service provider has no other functions but the provision of that service, then on the day on which that appointment takes effect the members of the committee of management or other governing body of the contracted service provider cease to hold office.
- (7) If an administrator is appointed under this section for a contracted service the Governor in Council may at any time, by order published in the Government Gazette, declare that on a day specified in that order—
- (a) if the committee of management or other governing body of the contracted service provider has, under this section, ceased to hold office, that the governing body is to be re-established by appointment or election as the case may be; and
 - (b) the administrator ceases to be the administrator of the contracted service.
- (8) Without limiting the administrator's other powers, the administrator may recommend to the Secretary that the contract under section 4A relating to the contracted service should be terminated.

S. 4B(8)
amended by
No. 46/1998
s. 7(Sch. 1).

s. 4C

S. 4B(9)
amended by
No. 46/1998
s. 7(Sch. 1).

(9) On receiving a recommendation under subsection (8) the Secretary must—

(a) without delay give notice of the recommendation to the contracted service provider, specifying—

(i) the ground for the recommendation; and

S. 4B(9)(a)(ii)
amended by
No. 46/1998
s. 7(Sch. 1).

(ii) that the contracted service provider may object in writing to the Secretary within 14 days after service of the notice and may request to be represented at a hearing of the objection; and

(b) consider any objection made in accordance with paragraph (a) before terminating the contract.

S. 4B(10)
amended by
No. 46/1998
s. 7(Sch. 1).

(10) If an administrator is appointed under this section the administrator's salary and any expenses necessarily incurred in the administration may be paid by the Secretary out of funds administered by the Secretary and available for that purpose.

S. 4C
inserted by
No. 26/1994
s. 4,
amended by
Nos 46/1998
s. 7(Sch. 1),
74/2000
s. 3(Sch. 1
item 7).

4C Provision of funds to contracted service providers

With the Minister's approval, the Secretary may, out of funds administered by the Secretary and available for the provision of services for the care, treatment or rehabilitation of persons who are or are likely to become alcoholics or drug-dependent persons, provide funds to contracted service providers for any purpose and subject to any conditions that the Secretary considers appropriate.

5 Institutions

- (1) For the purposes of this Act the Governor in Council, by notice published in the Government Gazette, may appoint a service to be all or any of the following—
- (a) an assessment centre for the reception and classification of alcoholics and drug-dependent persons;
 - (b) a residential centre for the care or treatment of alcoholics and drug-dependent persons;
 - (c) a residential centre for the rehabilitation of alcoholics and drug-dependent persons;
 - (d) a detention centre for the detention, safe custody and treatment of persons convicted of offences in which drunkenness or drug addiction is a necessary part or condition or contributed to the commission of the offence.
- (1A) Subsection (1) applies to a service provided by the Secretary or a contracted service or an alcohol or drug service listed under section 8A.
- (2) The whole or any specified part of any prison within the meaning of the **Corrections Act 1986** may, with the approval of the Minister administering the **Corrections Act 1986**, be appointed to be a detention centre for the purposes of this Act but shall not thereby cease to be a prison and shall remain under the control and supervision of the Secretary to the Department of Justice in accordance with the provisions of the **Corrections Act 1986** and the regulations made thereunder.
- (2A) The Governor in Council, by notice published in the Government Gazette, may amend or revoke an appointment under subsection (1).

S. 5(1)
substituted by
No. 26/1994
s. 5(1).

S. 5(1A)
inserted by
No. 26/1994
s. 5(1),
amended by
No. 46/1998
s. 7(Sch. 1).

S. 5(2)
amended by
Nos 9427
s. 6(1)(Sch. 5
item 1), 9902
s. 2(1)(Sch.
item 1(a)(b)),
10262 s. 4,
16/1987
s. 12(Sch. 2
item 2),
60/1989
s. 23(a)-(c),
45/1996
s. 18(Sch. 2
item 1.1(a)(b)).

S. 5(2A)
inserted by
No. 26/1994
s. 5(2).

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S. 5(2B)
inserted by
No. 26/1994
s. 5(2).

(2B) A notice under subsection (1) or (2A) must be made on the Minister's recommendation.

S. 5(2C)
inserted by
No. 26/1994
s. 5(2).

(2C) The Minister must not recommend the revocation or amendment of the appointment of an assessment centre, a treatment centre or detention centre provided by an alcohol or drug service listed under section 8A or by a contracted service provider unless he or she has first—

- (a) given notice of the intention to make the recommendation to the body or organisation providing the service; and
- (b) given that body or organisation a reasonable opportunity to make submissions about the proposed recommendation; and
- (c) considered any submissions so made.

S. 5(2D)
inserted by
No. 26/1994
s. 5(2).

(2D) A place, establishment or institution in respect of which a notice under section 5(1) is in force immediately before the commencement of the **Alcoholics and Drug-dependent Persons (Amendment) Act 1994** is deemed to have been appointed under this section as amended by that Act, and that appointment may be amended or revoked accordingly.

S. 5(3)
amended by
No. 23/1994
s. 118(Sch. 1
item 3.2).

(3) The medical officer in charge of an assessment centre shall be a registered medical practitioner experienced in psychiatry.

(4) The Governor in Council may by proclamation published in the Government Gazette exempt from the operation of all or any of the provisions of this Act or the regulations any specified part of any place establishment or institution appointed to be a centre for the purposes of this Act.

6 Staff

- (1) With the approval of the Minister the services of any medical officer or of any other officer or employee of the Department who is qualified to assist in the treatment or rehabilitation of alcoholics or drug-dependent persons may be used in such treatment or rehabilitation.
- (2) Any welfare officers and employees that are necessary for carrying this Act into effect may be employed under Part 3 of the **Public Administration Act 2004**.

S. 6(1)
amended by
Nos 9023
s. 40(Sch. 1
Pt A item 2(c)),
10262 s. 4,
46/1998
s. 7(Sch. 1).

S. 6(2)
amended by
No. 9427
s. 3(Sch. 2
item 1),
substituted by
No. 46/1998
s. 7(Sch. 1),
amended by
No. 108/2004
s. 117(1)
(Sch. 3
item 9).

* * * * *

S. 7
amended by
Nos 9023,
s. 40(Sch. 1
Pt A
item 2(d)(e)),
10262 s. 4,
repealed by
No. 26/1994
s. 6.

8 Official visitors

- (1) The Governor in Council may appoint fit and proper persons (not being employees in the public service or medical officers of the Department) to be official visitors to any treatment centre and may remove any person so appointed.
- (2) An official visitor shall hold office for a period of five years from the date of his appointment and may as often as he thinks fit but not less than once in any month visit any treatment centre without

S. 8(1)
amended by
Nos 9023
s. 40(Sch. 1
Pt A item 2(f)),
10262 s. 4,
26/1994
s. 8(1)(a),
46/1998
s. 7(Sch. 1).

S. 8(2)
amended by
No. 26/1994
s. 8(1)(b).

s. 8A

any previous notice and shall make special visits when so directed by the Minister.

- (3) When visiting a treatment centre an official visitor may inspect any part of the centre and any building within the curtilage of the centre and may make such inquiries as he thinks fit from any person (whether employed or detained therein or otherwise) concerning the detention of any person in the centre.
- (4) Official visitors shall report to the Minister—
- (a) with respect to special visits—within such time and in such manner as the Minister directs; and
 - (b) with respect to other visits—in writing as occasion requires but at least once in every period of six months—

and shall be entitled to receive such fees and allowances as are prescribed.

Heading preceding s. 8A inserted by No. 9656 s. 3.

Alcohol or Drug Services

S. 8A inserted by No. 9656 s. 3.

8A Listing of alcohol or drug services

- (1) In this section—

alcohol or drug service means any service or facility established or maintained primarily for the care, treatment or rehabilitation of alcoholics or drug-dependent persons whether conducted independently or in conjunction with any other service or facility but does not include a service or facility provided by the Secretary or a contracted service.

S. 8A(1) def. of *alcohol or drug service* amended by Nos 26/1994 s. 7(1), 46/1998 s. 7(Sch. 1).

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- (2) Any organization or body whether corporate or unincorporate which conducts or proposes to conduct an alcohol or drug service shall apply for the listing of the service by the Secretary. **S. 8A(2) amended by Nos 10262 s. 4, 46/1998 s. 7(Sch. 1).**
- (3) An application for listing under this section shall be in writing and may be made by the organization or body or any person authorized for the purpose by the organization or body.
- (4) Where an alcohol or drug service was established before the commencement of this section, application for listing shall be made not later than 60 days after the date of commencement of this section.
- (5) An application for listing under this section shall contain a statement as to—
- (a) the aims of the alcohol or drug service;
 - (b) the premises or place at which the alcohol or drug service is or is to be conducted; and
 - (c) the kind of care, treatment or rehabilitation which is or is to be offered or provided by the alcohol or drug service.
- (6) The Secretary shall maintain a register of alcohol or drug services in which shall be listed all alcohol and drug services in respect of which application for listing has been made under subsection (2). **S. 8A(6) amended by Nos 10262 s. 4, 46/1998 s. 7(Sch. 1).**
- (7) An organization or body which conducts an alcohol or drug service listed under this section shall forthwith notify the Secretary in writing of any change in the particulars referred to in subsection (5) and the Secretary shall amend the list accordingly. **S. 8A(7) amended by Nos 10262 s. 4, 46/1998 s. 7(Sch. 1).**

(8) For the purpose of this section, the Governor in Council may make regulations for or with respect to—

- (a) returns in regard to the number of persons cared for, treated or rehabilitated at an alcohol or drug service, and the kinds of care or treatment offered or provided;
- (b) the period within which such returns shall be made;
- (c) prescribing penalties not exceeding \$200 for breach of any of the regulations under this subsection.

(9) Any organization or body—

- (a) which conducts an alcohol or drug service unless application has been made under this section for the listing of this service; or
- (b) which contravenes any of the provisions of this section—

shall be guilty of an offence and liable to a penalty of not more than \$2000.

(10) If an alcohol or drug service becomes a contracted service, the Secretary must without delay remove from the register any reference to that service.

S. 8A(10)
inserted by
No. 26/1994
s. 7(2),
amended by
No. 46/1998
s. 7(Sch. 1).

(11) If a contract under section 4A under which a service is provided is terminated and this section then applies to that service, the organisation or body providing that service must, within 14 days after the date of termination of the contract, apply for the listing of the service under this section.

S. 8A(11)
inserted by
No. 26/1994
s. 7(2).

- (12) An organisation or body providing a service referred to in subsection (11) is not guilty of an offence under subsection (9) for the period beginning on the day on which the contract under section 4A is terminated and ending 14 days after that date or on the date when it makes application for the listing of the service (whichever first happens).

S. 8A(12)
inserted by
No. 26/1994
s. 7(2).

Voluntary Admission to a Centre

9 Voluntary admission to assessment centre

A person voluntarily seeking treatment for alcoholism or drug addiction may apply at an assessment centre for admission to the centre and if admitted may be held until not more than two clear days after he submits application in writing to the medical officer in charge of the assessment centre for his release or, in the absence of any such application, until the medical officer in charge of the assessment centre thinks he should be discharged.

10 Voluntary admission to treatment centre

A person may voluntarily seek admission to a treatment centre but every person who is so admitted shall undertake to stay in the treatment centre and may be held in the centre for a period of three calendar months after his admission thereto.

S. 10
amended by
No. 26/1994
s. 8(1)(c).

Private Admission to a Centre

11 Order to attend assessment centre

S. 11(1)
amended by
Nos 16/1986
s. 30, 110/1986
s. 140(2),
19/1989
s. 16(Sch.
item 3.1(a)(b)),
57/1989
s. 3(Sch. item
8.2(a)(b)) (as
amended by
No. 34/1990
s. 5(Sch. 4
items 5, 6)),
23/1994
s. 118(Sch. 1
item 3.3).

(1) Upon complaint made to the Supreme Court, to the County Court or the Magistrates' Court that a person is an alcoholic or a drug-dependent person and upon evidence (including at least one certificate in the prescribed form from a registered medical practitioner who has examined such person within forty-eight hours prior to such complaint) making it appear to the court that such person is an alcoholic or a drug-dependent person the court may make an order directing that the person complained against do attend at and be admitted to an assessment centre and there remain for a period of seven days and, if the medical officer in charge of the assessment centre so directs, for a further period of seven days after such first-mentioned period.

(2) A complaint under subsection (1) may be made only—

S. 11(2)(a)
amended by
No. 27/2001
s. 6(Sch. 4
item 1.3).

- (a) by the spouse or domestic partner of the person complained of or by one of his parents;
 - (b) by a partner in business;
 - (c) by a brother sister son or daughter of full age;
 - (d) by a member of the police force of or above the rank of senior constable or for the time being in charge of a police station; or
 - (e) by a welfare officer.
-

- (3) Where it appears to a court as aforesaid that any person who has been directed to attend at an assessment centre for examination in pursuance of the provisions of subsection (1) has failed without reasonable excuse to attend the assessment centre within the time specified in the order the court may issue a warrant commanding a member of the police force to take and convey such person to an assessment centre named in the warrant and deliver him to the officer in charge thereof for the purposes of such an examination and for so doing a warrant issued under this subsection shall be sufficient authority.
- (4) A member of the police force executing a warrant issued under subsection (3) shall not in any way be liable for anything necessarily done by him in the course of executing the warrant and the officer in charge of the assessment centre may detain such person for the purpose of making an examination as to whether or not he is an alcoholic or a drug-dependent person.
- (5) At the end of the period or periods referred to in subsection (1) (as the case may be) a person admitted to an assessment centre in pursuance of an order under subsection (1) shall be discharged unless sooner committed to a treatment centre as provided for in section 12 or ordered by the court constituted by the court that made the order under subsection (1) to be retained in the assessment centre for treatment.

S. 11(3) amended by Nos 110/1986 s. 140(2), 19/1989 s. 16(Sch. item 3.2), 57/1989 s. 3(Sch. item 8.3) (as amended by No. 34/1990 s. 5(Sch. 4 item 7)).

S. 11(5) amended by Nos 19/1989 s. 16(Sch. item 3.3), 57/1989 s. 3(Sch. item 8.4).

12 Committal to treatment centre

- (1) Where two registered medical practitioners have certified by certificates in writing in the prescribed form that any person admitted to an assessment centre under section 11 is an alcoholic or a drug-dependent person and the medical officer in charge of the centre is of the same opinion the

S. 12(1) amended by No. 23/1994 s. 118(Sch. 1 item 3.4).

medical officer in charge may if he is satisfied that such person is suitable for treatment in a treatment centre by order in writing commit him to a treatment centre for treatment.

- (2) For the purposes of this section *medical officer in charge of an assessment centre* includes any medical officer engaged or employed at the centre who is authorized in writing by the medical officer in charge of the centre to make examinations for the purposes of this section and to commit persons to treatment centres for treatment.
- (3) A person committed to a treatment centre under subsection (1) of this section for treatment as an alcoholic or a drug-dependent person shall be entitled to appeal against the order for his commitment in all respects as if the order of the medical officer committing such person to a treatment centre were an order made by the court that directed such person under subsection (1) of section 11 to attend the assessment centre from which he was so committed.

S. 12(3)
amended by
Nos 7876
s. 2(3),
110/1986
s. 140(2),
19/1989
s. 16(Sch.
item 3.4),
57/1989
s. 3(Sch. item
8.5(a)(b)) (as
amended by
No. 34/1990
s. 5(Sch. 4
item 8)).

S. 13
amended by
Nos 7876
s. 2(3), 9427
s. 6(1)(Sch. 5
items 2, 3),
9656 s. 4(1)(a)
(b), 25/1989
s. 35, 57/1989
s. 3(Sch.
items 8.6–
8.10), 60/1989
s. 24,
repealed by
No. 49/1991
s. 119(7)
(Sch. 4
item 1.2).

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Ss 13A, 13B
inserted by
No. 60/1989
s. 25,
repealed by
No. 49/1991
s. 119(7)
(Sch. 4
items 1.3, 1.4).

Committal to Detention Centres

14 Committal to detention centres

- (1) Where a person—
- (a) is convicted by the Magistrates' Court for any offence in respect of which drunkenness is a necessary part or condition or contributed to the commission of the offence and it appears to the court that the person convicted has thrice within the preceding twelve months been convicted of such offences;
 - (b) is convicted by the Magistrates' Court for any offence in respect of which drug-addiction is a necessary part or condition or contributed to the commission of the offence and it appears to the court that the person convicted has thrice within the preceding twelve months been convicted of such offences; or
 - (c) is convicted on indictment for any offence in respect of which drunkenness or drug-addiction is a necessary part or condition or contributed to the commission of the offence—

S. 14(1)
amended by
Nos 7876
s. 2(3),
57/1989
s. 3(Sch.
item 8.11).

and the court is satisfied by evidence on oath that the person is an alcoholic or drug-dependent person the court may, in lieu of any sentence of imprisonment it would impose but for the

provisions of this section or in addition to any such sentence, commit the person convicted to a detention centre for such period not less than six months nor more than three years as the court thinks fit and fixes by the order.

- (2) A court shall not make an order under this section committing a person to a detention centre without first considering a report by a medical officer of an assessment centre as to the mental and physical condition of the person convicted and his suitability for treatment in a detention centre and for the purpose of obtaining such a report may direct that the person convicted be admitted to an assessment centre for such period as the court thinks fit and commit him to gaol from the expiration of that period until the submission of the report or may release him upon his entering into a recognizance for a reasonable amount and with or without sureties conditioned for his appearing at the court when called upon so to do.
- (3) For the purpose of Division 4 of Part 4 of the **Magistrates' Court Act 1989** with respect to appeals a person committed to a detention centre under this section in lieu of a sentence of imprisonment shall be deemed to have been sentenced to imprisonment.
- (4) For the purposes of the **Corrections Act 1986** any person committed to a detention centre under this section in lieu of or in addition to a sentence of imprisonment shall whilst he is undergoing in the detention centre the period of committal fixed by the order be deemed to be serving a sentence of imprisonment in a prison.

S. 14(3)
amended by
Nos 9427
s. 6(1)(Sch. 5
item 4),
57/1989
s. 3(Sch.
item 8.12).

S. 14(4)
amended by
Nos 9427
s. 6(1)(Sch. 5
item 1),
16/1987
s. 4(3)(Sch. 1
item 2),
48/2006
s. 42(Sch.
item 2).

Special Magistrates

15 Functions of special magistrates

- (1) The Governor in Council may from time to time appoint any magistrate to be a special magistrate for the purposes of this Act and may revoke any such appointment.
- (2) A person who has been resident in a treatment centre for a period of not less than six months and who has not made request under this section within the previous twenty-eight days may request the medical officer in charge of the treatment centre to send a certificate as to his mental and physical state to a special magistrate and thereupon the medical officer shall within forty-eight hours after receiving such a request send a certificate in the prescribed form with respect to such person to the special magistrate together with the request of such person or a copy thereof.
- (3) Any special magistrate who receives such a request shall without delay inquire into the case of the person concerned and for that purpose may visit the treatment centre, may call for and examine certificates and papers concerning the person under treatment, may interview the person or require the official visitors to do so and report to him and may ask the medical officer in charge thereof to show cause why the person concerned should not be discharged therefrom.
- (4) A special magistrate may, after discussing the case of any such person with the Inspector, order the discharge of such person and he shall be discharged accordingly.

S. 15(1)
amended by
No. 60/1989
s. 26.

General

16 Medical certificate supporting committal

S. 16(1)
amended by
No. 23/1994
s. 118(Sch. 1
item 3.5(a)).

- (1) A registered medical practitioner who signs a medical certificate supporting any complaint or committal to be made under this Act or for any other purpose provided in this Act shall specify therein the facts upon which he has formed his opinion that the person to whom the certificate relates is an alcoholic or a drug-dependent person (as the case requires) and shall distinguish in the certificate facts observed by himself from facts communicated to him by others and no order shall be made under this Act upon a certificate which purports to be founded only upon facts communicated by others.

S. 16(2)
amended by
No. 23/1994
s. 118(Sch. 1
item 3.5(b)).

- (2) Except as otherwise provided in this Act a certificate or other authority supporting the admission of a person to an assessment centre or treatment centre shall not be valid if it is signed by a registered medical practitioner who is—

- (a) a relative or guardian of that person;
- (b) the person by whom complaint is made under this Act;

S. 16(2)(c)
amended by
No. 23/1994
s. 118(Sch. 1
item 3.5(b)).

- (c) in the case of admission to a private treatment centre the licensee, resident registered medical practitioner of, or a registered medical practitioner regularly visiting, the centre;

- (d) a partner, principal, assistant, or relative, of the licensee of a private treatment centre;

S. 16(2)(e)
amended by
No. 23/1994
s. 118(Sch. 1
item 3.5(b)).

- (e) a partner, principal, assistant, or relative, of any other registered medical practitioner signing the certificate or other authority or request to admit.

- (3) Every registered medical practitioner who falsely states or certifies anything in any certificate or other authority under this Act, and any person who signs any certificate or other authority under this Act in which he describes himself as a medical practitioner, he not then being a registered medical practitioner, shall be guilty of an indictable offence.
- S. 16(3) amended by Nos 9576 s. 11(1), 23/1994 s. 118(Sch. 1 item 3.5(c)(i)(ii)).
- (4) A registered medical practitioner who signs a medical certificate in contravention of the provisions of subsection (2) shall be guilty of an offence against this section.
- S. 16(4) amended by Nos 9554 s. 2(2)(Sch. 2 item 4), 23/1994 s. 118(Sch. 1 item 3.5(d)).
- Penalty: 25 penalty units or imprisonment for six months.
- (5) The provisions of section 28 of the **Evidence Act 1958** prohibiting a physician or surgeon who has attended a person from divulging without the consent of that person any information acquired in attending the person shall not apply with respect to any proceedings under this Act.

17 Objections

- (1) A person against whom a complaint is made under this Act shall be served a reasonable time in the circumstances before the hearing with a copy of the complaint and a copy of every medical certificate proposed to be relied upon in support of the complaint, shall be afforded an opportunity of being heard in relation to the complaint and shall be entitled to examine witnesses and to adduce evidence in answer to the complaint.
- (2) For the purpose of affording a person an opportunity of being heard in relation to a complaint a court shall direct that the person complained against be brought before it.
- S. 17(2) amended by Nos 110/1986 s. 140(2), 57/1989 s. 3(Sch. item 8.14(a)(b)).

18 Escape

- (1) Any person detained in an assessment centre or a treatment centre under the provisions of this Act who escapes from the centre or from any attendant or member of the police force in whose custody or under whose control he is for the time being may without further or other authority than this Act be apprehended by any member of the police force or any officer appointed under this Act to the treatment service and returned to his place of detention or his former custody or control.
- (2) Any person employed in an assessment centre or treatment centre who through wilful neglect or connivance permits any person detained in the centre under the provisions of this Act to quit or escape from such centre or to be at large without authority under this Act or who secretes or abets or connives at the escape of any such person shall be guilty of an offence against this section.

Penalty: 15 penalty units or imprisonment for three months.

19 Inspector of Treatment Centres

- (1) For the purposes of this Act the Governor in Council may appoint a registered medical practitioner to be Inspector of Treatment Centres with such powers and duties as are conferred or imposed upon him by this Act or by the regulations made under this Act.
- (2) The Governor in Council may at any time revoke the appointment of any person as Inspector and, subject to the provisions of subsection (1), may appoint another person to be Inspector in his stead.

S. 18(2)
amended by
No. 9554
s. 2(2)(Sch. 2
item 5).

S. 19(1)
amended by
Nos 9023
s. 40(Sch. 1
Pt A item
2(g)), 23/1994
s. 118(Sch. 1
item 3.6).

- (3) For the purpose of examining whether the provisions of this Act and the regulations made under this Act are being complied with the Inspector may enter any assessment centre or treatment centre or, in the case of a contracted service provider, premises used for providing the contracted service or, upon receiving a complaint with regard to an alcohol or drug service listed under section 8A, the premises at which the alcohol or drug service is conducted at all reasonable times for making any examination or of investigating the complaint (as the case may be) and may bring with him such assistants as he considers necessary in the circumstances.
- (3A) If under subsection (3) the Inspector enters premises of a contracted service provider and makes an examination he or she must without delay report the results of the examination to the Secretary.
- (3B) If after considering the report the Secretary is of the opinion that termination of a contract under section 4A with the contracted service provider is justified, the Secretary must, before terminating the contract—
- (a) give a copy of the Inspector's report to the contracted service provider; and
 - (b) give notice to the contracted service provider of the intention to terminate the contract, specifying—
 - (i) the grounds for termination; and
 - (ii) that the contracted service provider may object in writing to the Secretary within 14 days after service of the notice and may request to be represented at a hearing of the objection; and

S. 19(3)
amended by
Nos 9656
s. 5(1)(a)(b),
26/1994
s. 8(1)(d).

S. 19(3A)
inserted by
No. 26/1994
s. 8(2),
amended by
No. 46/1998
s. 7(Sch. 1).

S. 19(3B)
inserted by
No. 26/1994
s. 8(2),
amended by
No. 46/1998
s. 7(Sch. 1).

S. 19(3B)(b)(ii)
amended by
No. 46/1998
s. 7(Sch. 1).

s. 19

(c) consider any objections made in accordance with paragraph (b).

S. 19(4)
inserted by
No. 9656
s. 5(2),
amended by
Nos 10262
s. 4, 46/1998
s. 7(Sch. 1).

(4) Where pursuant to subsection (3) the Inspector enters the premises of an alcohol or drug service listed under section 8A and investigates a complaint he shall forthwith after completing the investigation report the results of the investigation to the Secretary.

S. 19(5)
inserted by
No. 9656
s. 5(2),
amended by
Nos 10262
s. 4, 46/1998
s. 7(Sch. 1).

(5) Where the Inspector reports to the Secretary the results of the investigation of a complaint with regard to an alcohol or drug service, the Secretary after considering the report and after affording the organization or body which conducts the service or a person authorized for that purpose by the organization or body a reasonable opportunity to make submissions to the Secretary in relation to the matter (either orally or in writing) may if the Secretary thinks that the complaint is justified remove the service from the list pursuant to section 8A and amend the register accordingly.

S. 19(6)
inserted by
No. 9656
s. 5(2),
amended by
Nos 10262
s. 4, 46/1998
s. 7(Sch. 1).

(6) Where pursuant to subsection (5) an alcohol or drug service is removed from the list kept pursuant to section 8A, the Secretary shall forthwith give notice of the removal to the organization or body which conducts the service.

S. 19(7)
inserted by
No. 9656
s. 5(2).

(7) An organization or body which conducts an alcohol or drug service removed pursuant to subsection (5) from the list kept under section 8A may within 30 days after receiving notification of the removal appeal against the removal to the Minister.

S. 19(8)
inserted by
No. 9656
s. 5(2).

(8) The Minister shall hear and determine an appeal made under subsection (7) and, except as is provided by the **Administrative Law Act 1978**, his decision on the appeal shall be final.

20 Discharge

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|--|--|
| (1) Except where otherwise ordered by the Inspector under subsection (4) the medical officer in charge of a treatment centre may order the discharge of any alcoholic or drug-dependent person detained therein or allowed to be absent therefrom upon trial leave or parole or boarded out from such centre. | S. 20(1)
amended by
Nos 49/1991
s. 119(7)
(Sch. 4
item 1.5(a)),
48/1997
s. 67(1). |
| (2) The Inspector may order the discharge from a treatment centre of any person he thinks fit to be discharged. | S. 20(2)
amended by
Nos 49/1991
s. 119(7)
(Sch. 4
item 1.5(b)),
48/1997
s. 67(2). |
| (3) Despite any provision to the contrary in this or any other Act the Secretary on the recommendation of a registered medical practitioner who is authorized by the Secretary to make recommendations under this subsection may order the discharge of any person from a treatment centre where the Secretary is satisfied that the person does not require further treatment and he shall be discharged accordingly. | S. 20(3)
amended by
Nos 9023
s. 50(Sch. 1
Pt C item 1),
10262 s. 4,
49/1991
s. 119(7)
(Sch. 4
item 1.5(c)),
23/1994
s. 118(Sch. 1
item 3.7),
48/1997
s. 67(3),
46/1998
s. 7(Sch. 1). |
| (4) Subject to subsection (3) the Inspector may order the further treatment and detention of any person proposed to be discharged under subsection (1) before the expiration of the period for which he might be detained under this Act. | |

21 Supply of liquor etc.

S. 21(1)
amended by
No. 9554
s. 2(2)(Sch. 2
item 6).

- (1) Any person who without the authority of the medical officer in charge of the treatment of an alcoholic or drug-dependent person in an assessment centre or a treatment centre supplies or attempts to supply that person with intoxicating liquor or a drug of addiction shall be guilty of an offence.

Penalty: 50 penalty units or imprisonment for twelve months.

S. 21(2)
amended by
No. 9554
s. 2(2)(Sch. 2
item 7).

- (2) Any person who knowingly supplies or attempts to supply any person on trial leave from a treatment centre with intoxicating liquor or a drug of addiction shall be guilty of an offence.

Penalty: 25 penalty units or imprisonment for six months.

22 Unauthorized publication of proceedings

S. 22(1)
amended by
Nos 9554
s. 2(2)(Sch. 2
item 8),
57/1989
s. 3(Sch.
item 8.15).

- (1) Any person who without the permission of the court (the burden of proof whereof shall be on such person) publishes a report of any proceedings under this Act shall be guilty of an offence.

Penalty: 15 penalty units or imprisonment for three months.

- (2) A report published in contravention of subsection (1) shall not in any action for defamation be taken to be privileged.

23 Striking person under treatment in centre

S. 23
amended by
No. 9576
s. 11(1).

Any person employed in an assessment centre or treatment centre who without reasonable cause strikes wounds ill-treats or wilfully neglects any person detained therein shall be guilty of an indictable offence and shall be liable to imprisonment for a term of not more than three years.

24 Trial leave

- (1) The medical officer in charge of a treatment centre may permit any person being treated therein to be absent on trial leave or on his own parole for such periods not exceeding seven days as the medical officer in charge thinks fit or, with the approval of the Inspector, for a longer period and may from time to time without the return of such person review such trial leave or parole or discharge such person.
- (2) Any trial leave or parole granted may be made subject to such conditions limitations and restrictions as the medical officer in charge of the centre or the Inspector (as the case may be) thinks fit.

25 Boarding out

- (1) An alcoholic or a drug-dependent person resident in a treatment centre may by order of the Inspector be committed to the care of a person named in such order to reside and board with such person.
- (2) An alcoholic or a drug-dependent person so boarded out shall be subject to this Act to the same extent as if he were still resident in a treatment centre.

26 Transfer of persons under treatment to similar centre

- (1) The Inspector may by duplicate order in writing under his hand addressed to and left with the medical officer in charge of any treatment centre direct the transfer of any alcoholic or drug-dependent person from one treatment centre to another similar centre.
- (2) Such order shall be a sufficient authority for the transfer of an alcoholic or a drug-dependent person and for his admission into the centre to which he is ordered to be transferred.

S. 26(1)
amended by
No. 26/1994
s. 8(1)(e)(f).

(3) In every such case the alcoholic or drug-dependent person shall be placed under the control of an officer belonging to one of the centres concerned and shall remain under such control until his transfer is duly effected.

(4) In no case shall a person under the powers conferred by this section be transferred—

S. 26(4)(a)
substituted by
No. 26/1994
s. 8(1)(g).

(a) from a centre wholly maintained by the State or provided by a contracted service provider to an alcohol or drug service listed under section 8A; or

S. 26(4)(b)
amended by
No. 26/1994
s. 8(1)(h).

(b) from an alcohol or drug service listed under section 8A to any other treatment centre—

except upon a request in writing addressed to the Inspector and—

(i) signed by the person who signed the request on which the person was in the first instance admitted into a centre established under this Act; or

S. 26(4)(b)(ii)
amended by
Nos 46/1987
s. 6(Sch.),
27/2001
s. 6(Sch. 4
item 1.3).

(ii) in the case of the death or incapacity of such person—signed by the spouse or domestic partner of the alcoholic or drug-dependent person, or the father or mother if there is no husband or wife, or any of the next of kin if there is no mother and no father:

Provided that if there is no person capable and willing under this section to sign such request the Inspector may make the order for transfer without such request.

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- (5) No alcoholic or drug-dependent person shall be received into a centre from another centre until the request statement medical approvals recommendations and other documents on which the person was held prior to his transfer and any other records as prescribed by the regulations to be sent with an alcoholic or drug-dependent person or transfer have been received.

27 Transfer to appropriate service

- (1) Where the mental condition of any person admitted to a centre established under this Act becomes or is found to be such that he is suitable for admission to a psychiatric service within the meaning of the **Mental Health Act 1986** the Inspector shall cause such steps to be taken as are necessary for the admission of the alcoholic or drug-dependent person into a psychiatric service and any medical officer in the treatment service under this Act may for that purpose sign any recommendation that is required.

S. 27(1)
amended by
No. 59/1986
s. 143(2).

- (2) Where a person admitted to an assessment centre or treatment centre under this Act is provided with a statement from the Secretary that the person has an intellectual disability within the meaning of the **Disability Act 2006** the Inspector shall cause such steps to be taken as are necessary for the admission of such person to such a service and any medical officer in the treatment service under this Act may for that purpose sign any approval that is required.

S. 27(2)
amended by
Nos 59/1986
s. 143(2),
23/2006 s. 232.

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S. 28
amended by
Nos 9023
s. 40(Sch. 1
Pt A
item 2(h)),
10262 s. 4,
repealed by
No. 10257
s. 76.

s. 30

S. 29
amended by
No. 55/1987
s. 57(3)(Sch. 5
item 10),
repealed by
No. 45/1994
s. 42(Sch.
item 1).

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30 Indemnity

No action shall lie against any person for anything necessarily done by him in the course of carrying out his duties under this Act or in reliance on any recommendation order or other document apparently given or made in accordance with the requirements of this Act.

S. 31
amended by
No. 26/1994
s. 8(1)(i).

31 Regulations

The Governor in Council may make regulations for the conduct management and control of assessment centres and treatment centres and of alcoholics and drug-dependent persons and in particular without in any way limiting the generality of the foregoing for or with respect to—

- (a) regulating the form and mode of proceedings under this Act;
- (b) prescribing forms for the purposes of this Act;
- (c) prescribing the powers duties and functions of the Inspector and other officers appointed under this Act and the fees and allowances to be paid to official visitors;
- (d) fixing the fees or maximum fees (if any) to be paid by alcoholics and drug-dependent persons for services rendered under this Act;

S. 31(d)
amended by
Nos 9023
s. 54(Sch. 2
item 1),
26/1994
s. 8(1)(j).

Alcoholics and Drug-dependent Persons Act 1968
No. 7772 of 1968

s. 32

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- (e) the control and discipline of alcoholics and drug-dependent persons their release on trial leave and the control and discipline of officers and attendants in alcohol or drug services listed under section 8A; **S. 31(e) amended by No. 26/1994 s. 8(1)(k).**
- (f) prescribing penalties not exceeding 5 penalty units for any contravention of or failure to comply with the regulations; and **S. 31(f) amended by No. 9554 s. 2(2)(Sch. 2 item 9).**
- (g) generally for prescribing any matter or thing authorized or required or necessary to be prescribed for carrying this Act into effect.

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S. 32 repealed by No. 9863 s. 2.

Alcoholics and Drug-dependent Persons Act 1968
No. 7772 of 1968

Sch.

SCHEDULE

Sch.
repealed by
No. 9863 s. 2.

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ENDNOTES

1. General Information

The **Alcoholics and Drug-dependent Persons Act 1968** was assented to on 18 December 1968 and came into operation on 6 November 1974: Government Gazette 6 November 1974 page 3923.

Alcoholics and Drug-dependent Persons Act 1968
No. 7772 of 1968

Endnotes

2. Table of Amendments

This Version incorporates amendments made to the **Alcoholics and Drug-dependent Persons Act 1968** by Acts and subordinate instruments.

Justices (Amendment) Act 1969, No. 7876/1969

Assent Date: 25.11.69
Commencement Date: All of Act (except ss 3, 5, 6, 7(k)(m)–(o)) on 1.4.70;
ss 3, 5, 6, 7(k)(m)–(o) on 1.7.70: Government Gazette
25.2.70 p. 463
Current State: All of Act in operation

Health Commission Act 1977, No. 9023/1977

Assent Date: 24.5.77
Commencement Date: Ss 40(Sch. 1 Pt A item 1), 54(Sch. 2 item 1) on
6.12.78; s. 50(Sch. 1 Pt C item 1) on 8.12.78:
Government Gazette 6.12.78 p. 3759
Current State: This information relates only to the provision/s
amending the **Alcoholics and Drug-dependent
Persons Act 1968**

Statute Law Revision Act 1980, No. 9427/1980

Assent Date: 27.5.80
Commencement Date: 27.5.80: subject to s. 6(2)
Current State: All of Act in operation

Penalties and Sentences Act 1981, No. 9554/1981

Assent Date: 19.5.81
Commencement Date: S. 44 on 26.9.80: s. 1(3); ss 1, 36–46 on 3.6.81:
Government Gazette 3.6.81 p. 1778; rest of Act on
1.9.81: Government Gazette 26.8.81 p. 2799
Current State: All of Act in operation

Crimes (Classification of Offences) Act 1981, No. 9576/1981

Assent Date: 26.5.81
Commencement Date: 1.9.81: Government Gazette 26.8.81 p. 2799
Current State: All of Act in operation

Alcoholics and Drug-dependent Persons (Amendment) Act 1981, No. 9656/1981 (as amended by No. 10002)

Assent Date: 16.12.81
Commencement Date: Ss 1, 4 on 15.12.81: s. 1(5); ss 3, 5 on 1.2.83:
Government Gazette 24.11.82 p. 3816; s. 2 on
18.12.83: s. 1(3)
Current State: All of Act in operation

Statute Law Revision (Repeals) Act 1983, No. 9863/1983

Assent Date: 5.1.83
Commencement Date: 5.1.83
Current State: All of Act in operation

Alcoholics and Drug-dependent Persons Act 1968
No. 7772 of 1968

Endnotes

Statute Law Revision Act 1983, No. 9902/1983

Assent Date: 15.6.83
Commencement Date: 15.6.83: subject to s. 2(2)
Current State: All of Act in operation

Coroners Act 1985, No. 10257/1985

Assent Date: 10.12.85
Commencement Date: Ss 1–3, Pt 9 (ss 64–74) on 12.2.86: Government Gazette 12.2.86 p. 382; rest of Act on 1.6.86: Government Gazette 30.4.86 p. 1115
Current State: All of Act in operation

Health (Amendment) Act 1985, No. 10262/1985

Assent Date: 10.12.85
Commencement Date: S. 4 on 1.3.86: Government Gazette 26.2.86 p. 451
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Courts Amendment Act 1986, No. 16/1986

Assent Date: 22.4.86
Commencement Date: Ss 1–11, 13–27, 29–34 on 1.7.86: Government Gazette 25.6.86 p. 2180; s. 28 on 1.9.86: Government Gazette 27.8.86 p. 3201; s. 12 on 1.1.88: Government Gazette 7.10.87 p. 2701
Current State: All of Act in operation

Mental Health Act 1986, No. 59/1986

Assent Date: 3.6.86
Commencement Date: Ss 1–3, 21, 23, Sch. 1 on 19.6.87: Government Gazette 17.6.87 p. 1538; rest of Act on 1.10.87: Government Gazette 30.9.87 p. 2585
Current State: All of Act in operation

Supreme Court Act 1986, No. 110/1986

Assent Date: 16.12.86
Commencement Date: 1.1.87: s. 2
Current State: All of Act in operation

Community Services Act 1987, No. 16/1987

Assent Date: 12.5.87
Commencement Date: Ss 1–6, 9–13, Sch. 1 on 22.2.89: Government Gazette 22.2.89 p. 386; Sch. 2 items 1–13 on 15.3.89: Government Gazette 15.3.89 p. 587; rest of Act on 25.6.92: Government Gazette 24.6.92 p. 1532
Current State: All of Act in operation

Equal Opportunity Act 1987, No. 46/1987

Assent Date: 25.8.87
Commencement Date: 1.12.87: Government Gazette 21.10.87 p. 2777
Current State: All of Act in operation

Alcoholics and Drug-dependent Persons Act 1968
No. 7772 of 1968

Endnotes

State Trust Corporation of Victoria Act 1987, No. 55/1987

Assent Date: 20.10.87
Commencement Date: 2.11.87: Government Gazette 28.10.87 p. 2925
Current State: All of Act in operation

County Court (Amendment) Act 1989, No. 19/1989

Assent Date: 16.5.89
Commencement Date: 1.8.89: Government Gazette 26.7.89 p. 1858
Current State: All of Act in operation

Crimes Legislation (Miscellaneous Amendments) Act 1989, No. 25/1989

Assent Date: 6.6.89
Commencement Date: S. 35 on 25.6.89: Special Gazette (No. 34) 20.6.89 p. 1
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Magistrates' Court (Consequential Amendments) Act 1989, No. 57/1989

(as amended by No. 34/1990)

Assent Date: 14.6.89
Commencement Date: S. 4(1)(a)–(e)(2) on 1.9.89: Government Gazette 30.8.89 p. 2210; rest of Act on 1.9.90: Government Gazette 25.7.90 p. 2217
Current State: All of Act in operation

Intellectually Disabled Persons' Services (Amendment) Act 1989, No. 60/1989

Assent Date: 12.9.89
Commencement Date: S. 20 on 10.12.85: s. 2(2); rest of Act on 1.11.89: Government Gazette 1.11.89 p. 2799
Current State: All of Act in operation

Sentencing Act 1991, No. 49/1991

Assent Date: 25.6.91
Commencement Date: 22.4.92: Government Gazette 15.4.92 p. 898
Current State: All of Act in operation

Medical Practice Act 1994, No. 23/1994

Assent Date: 17.5.94
Commencement Date: Ss 1, 2 on 17.5.94: s. 2(1); rest of Act on 1.7.94: Government Gazette 23.6.94 p. 1672
Current State: All of Act in operation

Alcoholics and Drug-dependent Persons (Amendment) Act 1994, No. 26/1994

Assent Date: 24.5.94
Commencement Date: 24.5.94
Current State: All of Act in operation

State Trustees (State Owned Company) Act 1994, No. 45/1994

Assent Date: 7.6.94
Commencement Date: Pt 1 (ss 1–3), s. 27 on 7.6.94: s. 2 (1); rest of Act on 1.7.94: Special Gazette (No. 36) 23.6.94 p. 1
Current State: All of Act in operation

Alcoholics and Drug-dependent Persons Act 1968
No. 7772 of 1968

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Financial Management (Amendment) Act 1994, No. 75/1994

Assent Date: 22.11.94
Commencement Date: S. 7(6) on 10.5.94: s. 2(1); rest of Act on 1.1.95: s. 2(2)
Current State: All of Act in operation

Corrections (Amendment) Act 1996, No. 45/1996

Assent Date: 26.11.96
Commencement Date: S. 18(Sch. 2 item 1) on 6.2.97: Government Gazette 6.2.97 p. 257
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Sentencing and Other Acts (Amendment) Act 1997, No. 48/1997

Assent Date: 11.6.97
Commencement Date: S. 67 on 20.11.97: Government Gazette 20.11.97 p. 3169
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Audit (Amendment) Act 1997, No. 93/1997

Assent Date: 16.12.97
Commencement Date: S. 28(Sch. item 1) on 1.7.98: s. 2(2)
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Public Sector Reform (Miscellaneous Amendments) Act 1998, No. 46/1998

Assent Date: 26.5.98
Commencement Date: S. 7(Sch. 1) on 1.7.98: s. 2(2)
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Audit (Amendment) Act 1999, No. 53/1999

Assent Date: 14.12.99
Commencement Date: S. 26(Sch. item 1) on 1.1.2000: Government Gazette 23.12.99 p. 2764
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Statute Law Revision Act 2000, No. 74/2000

Assent Date: 21.11.00
Commencement Date: S. 3(Sch. 1 item 7) on 22.11.00: s. 2(1)
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

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Statute Law Amendment (Relationships) Act 2001, No. 27/2001

Assent Date: 12.6.01
Commencement Date: S. 6(Sch. 4 item 1) on 28.6.01: Government Gazette 28.6.01 p. 1428
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Public Administration Act 2004, No. 108/2004

Assent Date: 21.12.04
Commencement Date: S. 117(1)(Sch. 3 item 9) on 5.4.05: Government Gazette 31.3.05 p. 602
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Health Professions Registration Act 2005, No. 97/2005

Assent Date: 7.12.05
Commencement Date: S. 182(Sch. 4 item 3) on 1.7.07: s. 2(3)
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Disability Act 2006, No. 23/2006

Assent Date: 16.5.06
Commencement Date: S. 232 on 1.7.07: s. 2(3)
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Children, Youth and Families (Consequential and Other Amendments) Act 2006, No. 48/2006

Assent Date: 15.8.06
Commencement Date: S. 42(Sch. item 2) on 23.4.07: s. 2(3)
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

Relationships Act 2008, No. 12/2008

Assent Date: 15.4.08
Commencement Date: S. 73(1)(Sch. 1 item 3) on 1.12.08: s. 2(2)
Current State: This information relates only to the provision/s amending the **Alcoholics and Drug-dependent Persons Act 1968**

3. Explanatory Details

No entries at date of publication.