

**1968/211**

**THE ALCOHOLISM AND DRUG ADDICTION (FORMS)  
REGULATIONS 1968**

—  
ARTHUR PORRITT, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington this 4th day of November 1968

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Alcoholism and Drug Addiction Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

—  
**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Alcoholism and Drug Addiction (Forms) Regulations 1968.

(2) These regulations shall come into force on the commencement of the Alcoholism and Drug Addiction Act 1966.

**2. Interpretation**—In these regulations,—

“The Act” means the Alcoholism and Drug Addiction Act 1966:

“Drug addict” means a person to whom the Act applies by virtue of section 3 thereof.

**3. Forms**—(1) An application under subsections (1) and (2) of section 8 of the Act shall be in form 1 in the Schedule to these regulations.

(2) An order under subsection (4) of section 8 of the Act shall be in form 2 in the Schedule to these regulations.

(3) An application under subsection (1) of section 9 of the Act shall be in form 3 in the Schedule to these regulations.

(4) A summons under subsection (1) of section 9 of the Act may be in form 4 in the Schedule to these regulations.

(5) A warrant under subsection (4) of section 9 of the Act may be in form 5 in the Schedule to these regulations.

(6) A certificate under subsection (6) of section 9 of the Act shall be in form 6 in the Schedule to these regulations.

(7) An order under subsection (7) of section 9 of the Act may be in form 7 in the Schedule to these regulations.

## SCHEDULE

## Form 1

Reg. 3 (1)

## VOLUNTARY APPLICATION FOR DETENTION IN AN INSTITUTION

*Section 8, Alcoholism and Drug Addiction Act 1966*

To a Magistrate at

I, [*Name, Occupation, and Address of Applicant*] hereby make application for an order under section 8 of the Alcoholism and Drug Addiction Act 1966. I desire to be received into the institution situated at and known as [*Name of Institution*] and I undertake to remain in that institution for treatment for alcoholism \*(or addiction to drugs) until I am released or discharged under that Act.

Dated at                    this                    day of                    19 .

.....  
Signature of Applicant.

Signed by the above-named applicant in the presence of .....  
.....  
Magistrate or (Deputy) Registrar of Magistrate's Court.

\*Strike out words which do not apply.

## Form 2

Reg. 3 (2)

## ORDER FOR DETENTION UPON VOLUNTARY APPLICATION

*Section 8, Alcoholism and Drug Addiction Act 1966*

WHEREAS [*Name, Occupation, and Address of Applicant*] has made application under section 8 of the Alcoholism and Drug Addiction Act 1966 for an order under that section; and has specified the institution situated at                    and known as [*Name of Institution*], as the institution into which he desires to be received:

And Whereas the said [*Name of Applicant*] has appeared before me and I am satisfied that the said [*Name of Applicant*] is an alcoholic \*(or drug addict) and that he fully understands the nature and effect of his application and that the managers \*(or superintendent) of that institution \*are (is) willing to receive the said [*Name of Applicant*] into that institution:

Now, therefore, I do order that the said [*Name of Applicant*] be detained, for treatment for alcoholism \*(or addiction to drugs), in the institution situated at                    and known as [*Name of Institution*].

Given under my hand at                    this                    day of                    19 .

.....  
Magistrate.

\*Strike out words which do not apply.

SCHEDULE—continued

Form 3

Reg. 3 (3)

APPLICATION BY RELATIVE OR OTHER REPUTABLE PERSON FOR COMMITTAL ORDER

Section 9, Alcoholism and Drug Addiction Act 1966

To a Magistrate at

I, [Name, Occupation, and Address of Applicant] hereby make application pursuant to section 9 of the Alcoholism and Drug Addiction Act 1966 in respect of [Name, Occupation, and Address of person to whom the Application relates], hereinafter in this application referred to as the said person; on the grounds that the said person is an alcoholic \*(or drug addict).

I believe that the said person is an alcoholic \*(or drug addict) because [set out full reasons for applicant's belief]:

I am [Insert degree of relationship, if any or words "not related"] to the said person.

[To be completed only if the applicant is not a relative† of the said person]: This application is made by me instead of by a relative because [state reason]:

Dated at this day of 19 .

Signature of Applicant.

STATUTORY DECLARATION

[To be completed unless Magistrate otherwise permits]

Under section 9 (3) of the Alcoholism and Drug Addiction Act 1966 I, [Insert Name, place of abode, and occupation of Applicant or Other Person making Declaration] solemnly and sincerely declare that the statements contained in the foregoing application under section 9 of the Alcoholism and Drug Addiction Act 1966 are true (add "to the best of my knowledge and belief" if declaration is made by person other than applicant). And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at this day of 19 Signature.

Before me

Justice of the Peace, Solicitor, or other person authorised to take a statutory declaration.

\*Strike out words which do not apply.

†Relative for the purposes of section 9 of the Act means spouse, parent, grandparent, stepfather, stepmother, brother, sister, half-brother, half-sister, son, daughter, grandson, granddaughter, stepson, or stepdaughter.

SCHEDULE—*continued*

Reg. 3 (4)

Form 4

## SUMMONS

*Section 9, Alcoholism and Drug Addiction Act 1966*

To [Full name] of [Address and occupation]

[Full name] of [Address and occupation] has stated that you the said [Full name] are an alcoholic\* (or drug addict).

You are summoned to appear on \_\_\_\_\_ day of \_\_\_\_\_ day of 19 \_\_\_\_\_ at \_\_\_\_\_ a.m. (p.m.) before a Magistrate at the Magistrate's Court at \_\_\_\_\_ to show cause why an order should not be made requiring you to be detained for treatment for alcoholism\* (or drug addiction) in an institution.

Dated at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ .

.....

Magistrate

(Deputy) Registrar of Magistrate's Court.

NOTE—Section 35 (1) of the Alcoholism and Drug Addiction Act 1966 provides that every application under that Act shall be heard and determined in private.

\*Delete whichever is inapplicable.

Reg. 3 (5)

Form 5

## WARRANT TO ARREST

*Section 9, Alcoholism and Drug Addiction Act 1966*

To Every Constable:

In an application dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_ and made under section 9 of the Alcoholism and Drug Addiction Act 1966 it has been stated that [Full name] of [Address and occupation] is an alcoholic\* (or drug addict).

†I am satisfied, by evidence on oath, that a warrant is necessary to compel the attendance of the said [Full name] to show cause why an order should not be made requiring him to be detained for treatment for alcoholism\* (or drug addiction) in an institution:

†or I am satisfied, by evidence on oath, that circumstances exist that render the issue of a warrant expedient;

†or I am satisfied that the said [Full name] has refused to undergo examination by two medical practitioners for the purposes of the Alcoholism and Drug Addiction Act 1966;

†or I am satisfied that the said [Full name] has wilfully failed to attend for a medical examination required for the purposes of the Alcoholism and Drug Addiction Act 1966:

AND I DIRECT YOU to arrest the said [Full name] and bring him before a Magistrate as soon as possible, to be dealt with in accordance with the Alcoholism and Drug Addiction Act 1966;

SCHEDULE—continued

†AND I FURTHER DIRECT that the said [Full name] shall, after his arrest, undergo medical examination by and being two medical practitioners.

Dated at this day of 19 .

Magistrate.

\*Delete whichever is inapplicable.

†Delete if inapplicable. (Not printed)

Form 6

Reg. 3 (6)

MEDICAL CERTIFICATE

Section 9, Alcoholism and Drug Addiction Act 1966

I, [Name and Address of Medical Practitioner], being a medical practitioner registered in New Zealand, do hereby certify that I believe [Name, Occupation, and Address of Person to whom the certificate relates] is an alcoholic within the meaning of the Alcoholism and Drug Addiction Act 1966 \*(or a drug addict within the meaning of the Alcoholism and Drug Addiction (Forms) Regulations 1968) and that the making of an order for his detention and treatment as such is expedient in his own interest \*(or in the interest of his relatives).

The following are the reasons for my said belief [set out reasons in full]:

I hereby declare that I am not prohibited by section 32 of the Alcoholism and Drug Addiction Act 1966 from signing this certificate.

Dated at this day of 19 .

Signature of Medical Practitioner.

\*Strike out words which do not apply.

Form 7

Reg. 3 (7)

COMMITTAL ORDER ON APPLICATION BY RELATIVE OR OTHER REPUTABLE PERSON

Section 9 (7), Alcoholism and Drug Addiction Act 1966

WHEREAS [Name, Occupation, and Address of Applicant] (being a relative of [Name of Person to whom the Application relates])† has made an application dated the day of 19 pursuant to section 9 of the Alcoholism and Drug Addiction Act 1966 in respect of [Name, Occupation, and Address] on the grounds that the said [Name] is an alcoholic \*(or drug addict):

And Whereas [Name and Address of Medical Practitioner] and [Name and Address of Medical Practitioner] have given evidence \*(or certificates in the prescribed form) to the effect that they believe the said [Name] to be an alcoholic \*(or drug addict) and that his detention and treatment as such is expedient in his own interest \*(or in the interest of his relatives):

SCHEDULE—*continued*

And whereas the said [Name] has appeared before me and I am satisfied that the said [Name] is an alcoholic \*(or drug addict) and that the managers \*(or superintendent) of the institution situated at and known as [Name of Institution] are \*(is) willing to receive the said [Name] into that institution:

Now, therefore, I do order that the said [Name] be detained for treatment for alcoholism \*(or addiction to drugs) in the institution situated at and known as

Given under my hand at                      this                      day of                      19 .

.....  
Magistrate.

\*Strike out words which do not apply.

†Delete if inapplicable.

P. J. BROOKS,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations prescribe forms for the purposes of the Alcoholism and Drug Addiction Act 1966.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 7 November 1968.

These regulations are administered in the Department of Health.