

Passed by both Houses



New South Wales

# Drug Summit Legislative Response Amendment (Trial Period Extension) Bill 2007

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*I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2007*



New South Wales

## **Drug Summit Legislative Response Amendment (Trial Period Extension) Bill 2007**

Act No , 2007

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An Act to amend the *Drug Misuse and Trafficking Act 1985* so as to extend the trial period established under Part 2A of that Act for the operation and use of the injecting centre licensed under that Part; and for other purposes.

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*I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.*

*Assistant Speaker of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Drug Summit Legislative Response Amendment (Trial Period Extension) Act 2007*.

**2 Commencement**

This Act commences on the date of assent to this Act.

**3 Amendment of Drug Misuse and Trafficking Act 1985 No 226**

The *Drug Misuse and Trafficking Act 1985* is amended as set out in Schedule 1.

**4 Amendment of Drug Misuse and Trafficking Regulation 2006**

The *Drug Misuse and Trafficking Regulation 2006* is amended as set out in Schedule 2.

**5 Repeal of Act**

- (1) This Act is repealed on the day following the day on which this Act commences.
- (2) The repeal of this Act does not, because of operation of section 30 of the *Interpretation Act 1987*, affect any amendment made by this Act.

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## Schedule 1      Amendment of Drug Misuse and                          Trafficking Act 1985

(Section 3)

**[1] Section 36A Limited operation of Part 2A**

Omit “31 October 2007” from section 36A (1).

Insert instead “31 October 2011”.

**[2] Section 36B Review during trial period**

Omit section 36B (2). Insert instead:

- (2) The review is to commence as soon as practicable after the date of assent to the *Drug Summit Legislative Response Amendment (Trial Period Extension) Act 2007* and is to be completed by 1 May 2011.

**[3] Section 36K**

Omit the section. Insert instead:

**36K      Reviews of licence**

- (1) The responsible authorities may arrange for the ongoing or periodical review of any licensed injecting centre.
- (2) The responsible authorities must arrange for the review of the economic viability of a licensed injecting centre if they are satisfied that the service activity level of the centre has dropped below 75 per cent of the service activity level prescribed by the regulations.
- (3) Regulations referred to in subsection (2) may express the level of service activity as a specified number of client visits in any period or may express that level in any other manner.
- (4) The responsible authorities may revoke a licence if, after considering the results of a review under subsection (2), they are of the opinion that the licensed injecting centre has ceased to be economically viable.

**[4] Section 36T Effect of extension of trial period**

Omit “*Drug Summit Legislative Response Amendment (Trial Period Extension) Act 2003*” from section 36T (1).

Insert instead “*Drug Summit Legislative Response Amendment (Trial Period Extension) Act 2007*”.

## **Schedule 2 Amendment of Drug Misuse and Trafficking Regulation 2006**

(Section 4)

### **Clause 19A**

Insert before clause 20:

#### **19A Prescribed service activity level for licensed injecting centre**

- (1) For the purposes of section 36K (2) of the Act, the prescribed service activity level for the licensed injecting centre is an average of at least 208 client visits per day in each month.
- (2) Subclause (1) applies only in relation to a month beginning after the commencement of this clause.