

NORTHERN TERRITORY OF AUSTRALIA

MISUSE OF DRUGS REGULATIONS

As in force at 1 November 1990

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 November 1990

MISUSE OF DRUGS REGULATIONS

Regulations under the *Misuse of Drugs Act*

1 Citation

These Regulations may be cited as the *Misuse of Drugs Regulations*.

2 Commencement

These Regulations shall come into operation on the commencement of the *Misuse of Drugs Act 1990*.

3 Disposal of syringes or needles

For the purposes of section 12(5) of the Act, a hypodermic syringe or needle that has been used in the unlawful administration of a dangerous drug shall be disposed of:

- (a) by depositing it in a rigid walled and puncture resistant container that is sealed or securely closed in such a manner that the contents are incapable of causing injury to any person; and
- (b) by either:
 - (i) placing the container with its contents in a household or other refuse bin; or
 - (ii) handing it or causing it to be handed to a person referred to in section 12(2) of the Act.

4 Notices to be posted in certain licensed premises

- (1) The holder of a licence issued under the *Liquor Act* for the sale and consumption of liquor on or at premises specified in the licence shall cause to be posted and maintained on those premises, in a manner provided for in subregulation (2), a notice in the form described in the Schedule.

Penalty: \$1,000.

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- (2) A notice referred to in subregulation (1) shall:
- (a) be affixed to flat, rigid material;
 - (b) be encased or enclosed behind glass or some other durable transparent material;
 - (c) be not less than 200 mm wide and 300 mm long;
 - (d) bear the words in the Schedule in legible typewritten or printed form;
 - (e) bear no other words; and
 - (f) be so displayed in a public area of the premises as to be capable of being easily read by a person on the premises to whose attention the notice is drawn.

Schedule

regulation 4(1)

Northern Territory of Australia

Misuse of Drugs Act

It is an offence to unlawfully supply, or take part in the supply of, a dangerous drug to another person or to unlawfully possess a dangerous drug.

The commission of such an offence on or in LICENSED PREMISES constitutes an AGGRAVATING CIRCUMSTANCE for which special provision is made under section 37(2) of the *Misuse of Drugs Act*.

LICENSED PREMISES includes all buildings and land (including car parks) used in connection with those premises.

Section 37(2) of the *Misuse of Drugs Act* provides that:

"In sentencing a person for an offence against this Act the court shall, in the case of an offence for which the maximum penalty provided by this Act (with or without a fine) is:

- (a) 7 years imprisonment or more; or
- (b) less than 7 years imprisonment but the offence is accompanied by an aggravating circumstance,

impose a sentence requiring the person to serve a term of actual imprisonment unless, having regard to the particular circumstances of the offence or the offender (including the age of the offender where the offender has not attained the age of 21 years), it is of the opinion that such a penalty should not be imposed."

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
app = appendix
bl = by-law
ch = Chapter
cl = clause
div = Division
exp = expires/expired
f = forms
Gaz = Gazette
hdg = heading
ins = inserted
lt = long title
nc = not commenced

od = order
om = omitted
pt = Part
r = regulation/rule
rem = remainder
renum = renumbered
rep = repealed
s = section
sch = Schedule
sdiv = Subdivision
SL = Subordinate Legislation
sub = substituted

2 LIST OF LEGISLATION

Misuse of Drugs Regulations (SL No. 43, 1990)

Notified	10 October 1990
Commenced	1 November 1990 (r 1, s 2 <i>Misuse of Drugs Act 1990</i> (Act No. 15, 1990) and Gaz G40, 10 October 1990, p 3)