

NORTHERN TERRITORY OF AUSTRALIA

ALCOHOL MANDATORY TREATMENT REGULATIONS

As in force at 16 March 2016

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NORTHERN TERRITORY OF AUSTRALIA

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ALCOHOL MANDATORY TREATMENT REGULATIONS

Regulations under the *Alcohol Mandatory Treatment Act*

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Alcohol Mandatory Treatment Regulations*.

2 Definitions

In these Regulations:

practitioner means a medical practitioner who is:

- (a) a fellow of the Royal Australian and New Zealand College of Psychiatrists; or
- (b) a fellow of the Royal Australasian College of Physicians.

transport assessment authorisation means a written authorisation for an authorised officer to locate and take to a specified assessment facility a person who has been referred by a practitioner to a senior assessment clinician for an assessment.

Part 2 Referral for assessment

3 Purpose of Part

The purpose of this Part is to prescribe procedures for section 8(1)(d) of the Act.

4 Referral to senior assessment clinician for assessment by practitioner

- (1) A practitioner may refer a person to a senior assessment clinician for an assessment if, after meeting with the person, whether in person or by audiovisual link, the practitioner is satisfied that:

- (a) the person is misusing alcohol; and
 - (b) the person requires treatment; and
 - (c) the person consents to the assessment.
- (2) However, the practitioner must not refer the person if the practitioner reasonably believes the person is a person in relation to whom a mandatory treatment order must not be made under section 9(2) of the Act.
- (3) A referral must be made in writing and sent to a senior assessment clinician.

5 Admission to assessment facility

On receiving a referral under regulation 4, a senior assessment clinician must take reasonable steps to contact the person referred to arrange:

- (a) a time for the person to be admitted to an assessment facility, which should be within 21 days of the date of the referral; and
- (b) transport to the assessment facility.

6 Transport assessment authorisation

- (1) This regulation applies if:
 - (a) a senior assessment clinician has received a referral in relation to a person; and
 - (b) the senior assessment clinician has not been able to contact the person as mentioned in regulation 5; and
 - (c) a period of at least 21 days has elapsed from the date of the referral.
- (2) The senior assessment clinician may request the Tribunal to issue a transport assessment authorisation in relation to the person.
- (3) The Tribunal may issue a transport assessment authorisation to the senior assessment clinician in relation to the person.
- (4) A transport assessment authorisation remains in force for 30 days after it is issued.

7 Locating and taking person to assessment facility under transport assessment authorisation

- (1) This regulation applies if the Tribunal issues a transport assessment authorisation to a senior assessment clinician in relation to a person.
- (2) The senior assessment clinician must ensure an authorised officer takes reasonable steps to locate the person.
- (3) Subject to subregulation (4), if the authorised officer locates the person, the authorised officer must take the person to an assessment facility specified in the transport assessment authorisation.
- (4) If the person withdraws the person's consent to an assessment while the authorised officer is taking the person to the assessment facility, the authorised officer must either take the person or arrange for the person to be taken:
 - (a) to the person's usual place of residence; or
 - (b) to another place that the authorised officer reasonably believes to be safe.

ENDNOTES

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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

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LIST OF LEGISLATION

***Alcohol Mandatory Treatment Regulations 2016* (SL No.4 , 2016)**

Notified	16 March 2016
Commenced	16 March 2016