



# NORTHERN TERRITORY OF AUSTRALIA

No. 74 of 2000

## AN ACT

to amend the *Misuse of Drugs Act*

[Assented to 14 December 2000]

[Second reading 17 October 2000]

**The Legislative Assembly of the Northern Territory enacts as follows:**

**1. Short title**

This Act may be cited as the *Misuse of Drugs Amendment Act 2000*.

**2. Penalty guidelines**

Section 37 of the *Misuse of Drugs Act* is amended –

- (a) by inserting after the definition of "aggravating circumstances" in subsection (1) the following:

" 'commercial gain', in relation to supplying dangerous drugs, means to supply the dangerous drugs for fee, reward or consideration or in expectation of a fee, reward or consideration;" and

- (b) by adding at the end the following:

"(6) In sentencing a person for an offence against section 7, 8 or 9, the court is to presume that –

- (a) if the amount of the dangerous drugs to which the offence relates is a traffickable quantity – the person intended to supply the dangerous drugs; and

*Misuse of Drugs Amendment Act 2000*

- (b) if the amount of the dangerous drugs to which the offence relates is a commercial quantity – the person intended to supply the dangerous drugs for commercial gain.

"(7) Subsection (6) applies unless the contrary is proved."

**3. Schedule 2**

Schedule 2 to the *Misuse of Drugs Act* is amended –

- (a) by inserting after the reference to "Hydroxypethidine" the following:

"4-Hydroxybutanoic acid	2.00g	100.00g";
and		

- (b) by inserting before the reference to "Ketobemidone" the following:

"Ketamine	0.002g	0.10g".
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