



# NORTHERN TERRITORY OF AUSTRALIA

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No. 39 of 1993

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## AN ACT

to amend the *Prisons (Correctional Services) Act*

[Assented to 14 September 1993]

**B**E it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Prisons (Correctional Services) Amendment Act 1993*.

2. NEW SECTION

The *Prisons (Correctional Services) Act* is amended by inserting after section 95 the following:

"95A. PRISONER MAY BE TESTED FOR DRUGS, &c.

"(1) The officer in charge of a prison may, for the purposes of the management, good order or security of the prison, direct that tests be carried out under this section to determine whether there is any drug or alcohol present in the bodies of prisoners at the prison.

"(2) Where a direction is given under subsection (1), a prisoner shall submit to the taking of such quantity of the prisoner's blood, breath or urine by a person authorised under subsection (3) as is reasonably necessary for the purpose of determining whether there is present in the prisoner's body any drug or alcohol.

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*Prisons (Correctional Services) Amendment*

"(3) For the purpose of subsection (2), but subject to subsection (4), the Director may authorise a person to take samples of a prisoner's blood, breath or urine for the purpose of determining whether there is present in the prisoner's body any drug or alcohol.

"(4) A person shall not be authorised under subsection (3) to take samples of a prisoner's blood unless the person is a medical practitioner or registered under the *Nursing Act*.

"(5) A person authorised under subsection (3) may, for the purposes of subsection (2), use such force on a prisoner as is reasonably necessary to ensure that the quantity of the prisoner's blood, breath or urine is taken and no action, civil or criminal, shall be commenced or lie against the person in relation to the person's exercise of the power."

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