

# THE NORTHERN TERRITORY OF AUSTRALIA

No. 71 of 1978

## AN ORDINANCE

To amend the Dangerous Drugs Ordinance

[Assented to 26 July 1978]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the Dangerous Drugs Ordinance 1978.

Short  
title

2. The Dangerous Drugs Ordinance is in this Ordinance referred to as the Principal Ordinance.

Principal  
Ordinance

3. Section 23(4) of the Principal Ordinance is amended by omitting "or a copy thereof as soon as practicable after its issue" and substituting ", within 7 days of its issue,".

Search  
warrant

4. Section 24(a)(iii) of the Principal Ordinance is amended by omitting "and" (last occurring) and substituting "or".

Power of po-  
lice to stop,  
search and  
detain  
Seizure of  
drugs,  
&c.

5. Section 28(1) of the Principal Ordinance is amended by omitting paragraph (b) and substituting the following paragraphs:

"(b) any money, valuable security or other thing -

(i) found in the possession of a person or at his disposal; or

(ii) found as the result of a search,

being money, a security or thing that that member has reason to suspect was received or acquired by a person directly or indirectly as or from the proceeds or part of the proceeds of the sale of a dangerous drug, opium or a psychotropic substance;

"(ba) any acknowledgement, note or other thing -

(i) found in the possession of a person or at his disposal; or

(ii) found as the result of a search,

Dangerous Drugs

being an acknowledgement, note or thing that that member has reason to suspect -

(iii) entitles a person to receive; or

(iv) is evidence that a person is entitled to receive,

any money or money's worth that is the proceeds or part of the proceeds of the sale of a dangerous drug, opium or psychotropic substance;

"(bb) anything found -

(i) in the possession of a person; or

(ii) as the result of a search,

being a thing that that member has reason to believe affords evidence of the commission of an offence; or".

6. Section 29 of the Principal Ordinance is repealed and the following section substituted:

**Forfeiture**

"29.(1) Upon conviction of a person for an offence any dangerous drug, opium or psychotropic substance in respect of which the conviction is made is forfeited to the Crown.

"(2) Where a person is convicted of an offence, the court may order that any money, money's worth, security, acknowledgement, note or other thing that relates to that offence be forfeited to the Crown.

"(3) Where moneys that are forfeited under sub-section (2) are in the possession or control of, or held at the direction of, a person other than the convicted person, that other person shall, upon production to him of a copy of the order made under that sub-section, pay the moneys forthwith to the Crown.

Penalty: 500 dollars or imprisonment for 6 months, or both.

"(4) Upon payment being made in accordance with sub-section (3), the liability to the convicted person or to any other person of the person making the payment is, to the extent of that payment, discharged.

"(5) Anything forfeited to the Crown under this section shall be dealt with in such manner as the Administrator directs.

"(6) Where a Judge or a Justice makes an order under sub-section (2), the Judge or Justice shall make and sign a minute or memorandum of the order.

"(7) A minute or memorandum referred to in sub-section (6) may be registered in a court of competent jurisdiction.

"(8) Upon registration under sub-section (7), the minute or memorandum becomes a record of the court with the same

force and effect as a judgment of that court and the like proceedings (including proceedings in bankruptcy) may be taken upon the minute or memorandum as if the order had been a judgment of the court in favour of the Crown as plaintiff and the owner of the forfeited money, money's worth, security, acknowledgement, note or other thing as defendant.

"(9) For the purposes of this section, any money, money's worth, security, acknowledgement, note or other thing shall be taken to relate to an offence -

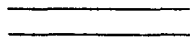
- (a) if it is an article seized pursuant to section 28(1)(c);
- (b) if it was used in the commission of the offence;
- (c) if it was received or acquired directly or indirectly as or from the proceeds or part of the proceeds of the sale of a dangerous drug, opium or a psychotropic substance; or
- (d) if it entitles any person or is evidence that any person is entitled to receive any money or money's worth as the proceeds or part of the proceeds of the sale of a dangerous drug,

whether or not the money, money's worth, security, acknowledgement, note or other thing is or was at any time owned by or in the possession or control of the convicted person."

7. Section 31 of the Principal Ordinance is amended -

- (a) by omitting from sub-section (1) "and 30" and substituting ", 29(3) and 34"; and
- (b) by omitting sub-section (4).

Types of offences and application



MINISTÈRE DE LA SANTÉ  
ALCOHOL 30

ALCOHOL 30

ALCOHOL 30

ALCOHOL 30

ALCOHOL 30