

Serial 266
Misuse of Drugs Amendment Bill 2000
Mr Burke

**A BILL
for
AN ACT**

to amend the *Misuse of Drugs Act*





NORTHERN TERRITORY OF AUSTRALIA

No. of 2000

AN ACT

to amend the *Misuse of Drugs Act*

[Assented to 2000]

[Second reading 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

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- (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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