

Serial 206  
Kava Management Amendment Act (No. 2) 1999  
Mr Baldwin

**A BILL  
for  
AN ACT**

to amend the *Kava Management Act*





# NORTHERN TERRITORY OF AUSTRALIA

No. of 1999

## AN ACT

to amend the *Kava Management Act*

[Assented to 1999]

[Second reading 1999]

The Legislative Assembly of the Northern Territory enacts as follows:

**1. Short title**

This Act may be cited as the *Kava Management Amendment Act (No. 2) 1999*.

**2. Principal Act**

The *Kava Management Act* is in this Act referred to as the Principal Act.

**3. Interpretation**

Section 3 of the Principal Act is amended by omitting from subsection (1) the definition of "kava" and substituting the following:

"kava', whether prepared as a drink or in another form –

- (a) means –
  - (i) the plant or a part of the plant *piper methysticum*;
  - (ii) a kava lactone; or

*Kava Management Amendment Act (No. 2) 1999*

- (iii) a substance produced by chemical synthesis that has the same pharmacological effect as a kava lactone; and
- (b) includes any substance that is not kava or is not identifiable as kava that is used or dealt with by a person together with kava as if it were kava;

'kava lactone' means an extract obtainable from the plant *piper methysticum* that is demethoxy-yangonin, dihydrokavain, dihydromethysticin, kavain, methysticin or yangonin;"

**4. Evidentiary**

Section 27 of the Principal Act is amended –

- (a) by omitting "In" and substituting "(1) In"; and
- (b) by adding at the end the following:

"(2) If a sample of a quantity of a substance seized under this Act and alleged to be kava is analysed or examined by an analyst and the results of the analysis or examination establishes the presence of a kava lactone in the sample, for the purpose of establishing whether a person committed an offence against this Act relating to the substance seized, the whole of the quantity of the substance seized is to be taken to be kava."

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