

NORTHERN TERRITORY OF AUSTRALIA

ALCOHOL MANDATORY TREATMENT REGULATIONS

Subordinate Legislation No. 4 of 2016

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 4 of 2016*

Alcohol Mandatory Treatment Regulations

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Alcohol Mandatory Treatment Act*.

Dated 9 March 2016

J. L. HARDY
Administrator

By His Honour's Command

P. D. STYLES
Minister for Business
acting for
Minister for Health

* Notified in the *Northern Territory Government Gazette* on 16 March 2016.

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Alcohol Mandatory Treatment Regulations*.

2 Definitions

In these Regulations:

practitioner means a medical practitioner who is:

- (a) a fellow of the Royal Australian and New Zealand College of Psychiatrists; or
- (b) a fellow of the Royal Australasian College of Physicians.

transport assessment authorisation means a written authorisation for an authorised officer to locate and take to a specified assessment facility a person who has been referred by a practitioner to a senior assessment clinician for an assessment.

Part 2 Referral for assessment

3 Purpose of Part

The purpose of this Part is to prescribe procedures for section 8(1)(d) of the Act.

4 Referral to senior assessment clinician for assessment by practitioner

- (1) A practitioner may refer a person to a senior assessment clinician for an assessment if, after meeting with the person, whether in person or by audiovisual link, the practitioner is satisfied that:
 - (a) the person is misusing alcohol; and
 - (b) the person requires treatment; and
 - (c) the person consents to the assessment.
- (2) However, the practitioner must not refer the person if the practitioner reasonably believes the person is a person in relation to whom a mandatory treatment order must not be made under section 9(2) of the Act.

- (3) A referral must be made in writing and sent to a senior assessment clinician.

5 Admission to assessment facility

On receiving a referral under regulation 4, a senior assessment clinician must take reasonable steps to contact the person referred to arrange:

- (a) a time for the person to be admitted to an assessment facility, which should be within 21 days of the date of the referral; and
- (b) transport to the assessment facility.

6 Transport assessment authorisation

- (1) This regulation applies if:
 - (a) a senior assessment clinician has received a referral in relation to a person; and
 - (b) the senior assessment clinician has not been able to contact the person as mentioned in regulation 5; and
 - (c) a period of at least 21 days has elapsed from the date of the referral.
- (2) The senior assessment clinician may request the Tribunal to issue a transport assessment authorisation in relation to the person.
- (3) The Tribunal may issue a transport assessment authorisation to the senior assessment clinician in relation to the person.
- (4) A transport assessment authorisation remains in force for 30 days after it is issued.

7 Locating and taking person to assessment facility under transport assessment authorisation

- (1) This regulation applies if the Tribunal issues a transport assessment authorisation to a senior assessment clinician in relation to a person.
- (2) The senior assessment clinician must ensure an authorised officer takes reasonable steps to locate the person.
- (3) Subject to subregulation (4), if the authorised officer locates the person, the authorised officer must take the person to an assessment facility specified in the transport assessment authorisation.

- (4) If the person withdraws the person's consent to an assessment while the authorised officer is taking the person to the assessment facility, the authorised officer must either take the person or arrange for the person to be taken:
- (a) to the person's usual place of residence; or
 - (b) to another place that the authorised officer reasonably believes to be safe.