

NORTHERN TERRITORY OF AUSTRALIA

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Regulations 1990, No. 43\*

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Regulations under the *Misuse of Drugs Act*

I, JAMES HENRY MUIRHEAD, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Misuse of Drugs Act*.

Dated 1 October 1990.

J.H. MUIRHEAD  
Administrator

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MISUSE OF DRUGS REGULATIONS

1. CITATION

These Regulations may be cited as the *Misuse of Drugs Regulations*.

2. COMMENCEMENT

These Regulations shall come into operation on the commencement of the *Misuse of Drugs Act 1990*.

3. DISPOSAL OF SYRINGES AND NEEDLES

For the purposes of section 12(5) of the Act, a hypodermic syringe or needle that has been used in the unlawful administration of a dangerous drug shall be disposed of -

- (a) by depositing it in a rigid walled and puncture resistant container that is sealed or securely closed in such a manner that the contents are incapable of causing injury to any person; and
- (b) by either -
  - (i) placing the container with its contents in a household or other refuse bin; or
  - (ii) handing it or causing it to be handed to a person referred to in section 12(2) of the Act.

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\* Notified in the *Northern Territory Government Gazette* on 10 October 1990.

*Misuse of Drugs Regulations*

4. NOTICES TO BE POSTED IN CERTAIN LICENSED PREMISES

(1) The holder of a licence issued under the *Liquor Act* for the sale and consumption of liquor on or at premises specified in the licence shall cause to be posted and maintained on those premises, in a manner provided for in subregulation (2), a notice in the form described in the Schedule.

Penalty: \$1,000.

(2) A notice referred to in subregulation (1) shall -

- (a) be affixed to flat, rigid material;
- (b) be encased or enclosed behind glass or some other durable transparent material;
- (c) be not less than 200 mm wide and 300 mm long;
- (d) bear the words in the Schedule in legible type-written or printed form;
- (e) bear no other words; and
- (f) be so displayed in a public area of the premises as to be capable of being easily read by a person on the premises to whose attention the notice is drawn.

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SCHEDULE

Regulation 4(1)

Northern Territory of Australia

*Misuse of Drugs Act*

It is an offence to unlawfully supply, or take part in the supply of, a dangerous drug to another person or to unlawfully possess a dangerous drug.

The commission of such an offence on or in LICENSED PREMISES constitutes an AGGRAVATING CIRCUMSTANCE for which special provision is made under section 37(2) of the *Misuse of Drugs Act*.

LICENSED PREMISES includes all buildings and land (including car parks) used in connection with those premises.

*Misuse of Drugs Regulations*

Section 37(2) of the *Misuse of Drugs Act* provides that -

"In sentencing a person for an offence against this Act the court shall, in the case of an offence for which the maximum penalty provided by this Act (with or without a fine) is -

- (a) 7 years imprisonment or more; or
- (b) less than 7 years imprisonment but the offence is accompanied by an aggravating circumstance,

impose a sentence requiring the person to serve a term of actual imprisonment unless, having regard to the particular circumstances of the offence or the offender (including the age of the offender where the offender has not attained the age of 21 years), it is of the opinion that such a penalty should not be imposed."

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