



TASMANIA

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**ALCOHOL AND DRUG DEPENDENCY REPEAL  
ACT 2021**

**No. 30 of 2021**

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**ALCOHOL AND DRUG DEPENDENCY REPEAL  
ACT 2021**

**No. 30 of 2021**

**An Act to repeal the *Alcohol and Drug Dependency Act 1968* and to amend certain Acts, and rescind or revoke certain legislative instruments, consequent on that repeal**

**[Royal Assent 16 December 2021]**

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

**PART 1 – PRELIMINARY**

**1. Short title**

This Act may be cited as the *Alcohol and Drug Dependency Repeal Act 2021*.

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

s. 2

Part 1 – Preliminary

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**2. Commencement**

This Act commences on a day to be proclaimed.

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

Part 2 – Community Protection (Offender Reporting) Act 2005 Amended

s. 3

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**PART 2 – COMMUNITY PROTECTION (OFFENDER  
REPORTING) ACT 2005 AMENDED**

**3. Principal Act**

In this Part, the *Community Protection (Offender Reporting) Act 2005\** is referred to as the Principal Act.

**4. Section 10A amended (Magistrate may make community protection order on application from Commissioner)**

Section 10A(3)(d) of the Principal Act is amended by omitting “alcohol as defined in the *Alcohol and Drug Dependency Act 1968*” and substituting “intoxicating liquor”.

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\*No. 61 of 2005

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

s. 5

Part 3 – Poisons Act 1971 Amended

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**PART 3 – POISONS ACT 1971 AMENDED**

**5. Principal Act**

In this Part, the *Poisons Act 1971*\* is referred to as the Principal Act.

**6. Section 3 amended (Interpretation)**

Section 3(1) of the Principal Act is amended by omitting the definition of *treatment centre* and substituting the following definition:

*treatment centre* means a place that is approved under section 59AB as a treatment centre;

**7. Section 59AB inserted**

After section 59A of the Principal Act, the following section is inserted in Part VA:

**59AB. Treatment centres**

- (1) The Secretary may, in writing, approve a place as a treatment centre.
- (2) The Secretary may, in writing, revoke the approval of a place as a treatment centre.
- (3) A place that was, immediately before the commencement of this section, a treatment centre, within the meaning of the *Alcohol and Drug Dependency Act*

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\*No. 81 of 1971

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

Part 3 – Poisons Act 1971 Amended

s. 7

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1968 as then in force, is taken to be a treatment centre approved under subsection (1) until revoked under subsection (2), if at all.

- (4) An instrument in writing under this section –
- (a) is not a statutory rule for the purposes of the *Rules Publication Act 1953*; and
  - (b) is not subordinate legislation for the purposes of the *Subordinate Legislation Act 1992*.

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

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Part 4 – Road Safety (Alcohol and Drugs) Act 1970 Amended

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**PART 4 – ROAD SAFETY (ALCOHOL AND DRUGS)  
ACT 1970 AMENDED**

**8. Principal Act**

In this Part, the *Road Safety (Alcohol and Drugs) Act 1970\** is referred to as the Principal Act.

**9. Section 19 amended (Special hardship orders)**

Section 19(2) of the Principal Act is amended by omitting “within the meaning of the *Alcohol and Drug Dependency Act 1968*”.

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\*No. 77 of 1970

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

Part 5 – Legislation Repealed and Revoked

s. 10

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**PART 5 – LEGISLATION REPEALED AND REVOKED**

**10. Legislation repealed**

The legislation specified in Schedule 1 is repealed.

**11. Legislation revoked**

The legislation specified in Schedule 2 is revoked.

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

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Part 6 – Concluding Provision

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**PART 6 – CONCLUDING PROVISION**

**12. Repeal of Act**

This Act is repealed on the first anniversary of the day on which it commenced.

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

**sch. 1**

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**SCHEDULE 1 – LEGISLATION REPEALED**

Section 10

*Alcohol and Drug Dependency Act 1968* (No. 61 of 1968)

*Alcohol and Drug Dependency Repeal Act 2021*  
*Act No. 30 of 2021*

sch. 2

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Section 11

*Alcohol and Drug Dependency Order 1969* (No. 195 of 1969)

*Alcohol and Drug Dependency Amendment Order 1971* (No. 129 of 1971)

*Alcohol and Drug Dependency Amendment Order 1972* (No. 159 of 1972)

*Alcohol and Drug Dependency Amendment Order 1978* (No. 193 of 1978)

*Alcohol and Drug Dependency Amendment Order (No. 2) 1978* (No. 298 of 1978)

*Alcohol and Drug Dependency Amendment Order 2001* (No. 45 of 2001)

*Alcohol and Drug Dependency (Treatment Centres) Order 2007* (No. 2 of 2007)

*[Second reading presentation speech made in:–  
House of Assembly on 12 October 2021  
Legislative Council on 28 October 2021]*