

Alcoholics and Drug-dependent Persons (Amendment) Bill

EXPLANATORY MEMORANDUM

The aim of this Bill is to permit the private sector to provide, under contract, services for the purposes of the **Alcoholics and Drug-dependent Persons Act 1968** and otherwise to improve the administration of the Act.

Clause Notes

Clause 1 sets out the purposes of the Bill.

Clause 2 provides that the Bill comes into operation on the day it receives Royal Assent.

Clause 3 amends Section 3 of the **Alcoholics and Drug-dependent Persons Act 1968**. It inserts a definition of the term “assessment centre” which is currently undefined in the Act, adds definitions of the terms “contracted service”, “contracted service provider” and “service” which are used in this Bill and clarifies the definition of “treatment centre”.

Clause 4 substitutes new sections for section 4 of the Act. The intention of the new sections is to give the Chief General Manager power to provide drug and alcohol services.

It also permits the Chief General Manager to enter into a contract with a service provider for the provision of services in the drug and alcohol fields. Section 4A describes the type of conditions which may be included in the contracts and provides that contracts may be for a period not exceeding three years.

The new section 4B also enables an administrator to be appointed with respect to contracted service providers. Notice must be given of the grounds on which it is intended to recommend the appointment of an administrator and the contracted service provider may object and request a hearing on the objection.

The new section 4C deals with funding.

Clause 5 substitutes a new section 5 (1) in the Act and inserts 5 (1A) and 5 (2A) to (2D). Under new sub-section (1), services or facilities may be appointed by the Governor in Council to be assessment, treatment or detention centres. These services or facilities may be provided by the Chief General Manager or a contracted service provider or an alcohol and drug service listed under section 8A of the Act. Appointments may be amended or revoked, notice must be given of an intention to recommend revocation or amendment and a reasonable opportunity afforded to make submissions about the recommendation.

New sub-section (2D) provides that the facilities appointed under section 5 at the time of the commencement of this Bill are deemed to be appointed under section 5 of the Act as amended and the appointment may be amended or revoked accordingly.

Clause 6 repeals section 7 of the Act, which provides for the licensing of private treatment centres.

Clause 7 amends section 8A of the Act to remove the need to list services provided by the Chief General Manager or by a contracted service provider.

Clause 8 makes various consequential amendments to the Act.