



ANNO VICESIMO SEXTO

ELIZABETHAE II REGINAE

A.D. 1977

No. 31 of 1977

An Act to amend the Narcotic and Psychotropic Drugs Act, 1934-1977, and the Justices Act, 1921-1976.

[Assented to 11th August, 1977]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

PART I

PART I

PRELIMINARY

1. This Act may be cited as the "Statutes Amendment (Narcotic and Psychotropic Drugs and Justices) Act, 1977". Short title.

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

PART II

PART II

AMENDMENT OF THE NARCOTIC AND PSYCHOTROPIC DRUGS ACT, 1934-1977

3. (1) The Narcotic and Psychotropic Drugs Act, 1934-1977, is in this Part referred to as "the principal Act". Short titles.

(2) The principal Act, as amended by this Part, may be cited as the "Narcotic and Psychotropic Drugs Act, 1934-1977".

4. Section 5 of the principal Act is amended by striking out from subsection (1) the passage "an offence against this Act" and inserting in lieu thereof the passage "a minor indictable offence". Amendment of principal Act, s. 5—
Prohibition of manufacture, administration, etc., of drugs.

5. Sections 6 and 6a of the principal Act are repealed. Repeal of ss. 6 and 6a of principal Act.

PART II

Amendment of
principal Act,
s. 8—
Offences
against
regulations.

6. Section 8 of the principal Act is amended by striking out the passage “an offence against this Act” and inserting in lieu thereof the passage “a minor indictable offence”.

Amendment of
principal Act,
s. 9—
Forging
prescriptions,
etc.

7. Section 9 of the principal Act is amended by striking out from subsection (2) the passage “an offence against this Act” and inserting in lieu thereof the passage “a minor indictable offence”.

Amendment of
principal Act,
s. 10—
Obtaining
drugs by false
representation.

8. Section 10 of the principal Act is amended by striking out the passage “an offence against this Act” and inserting in lieu thereof the passage “a minor indictable offence”.

Amendment of
principal Act,
s. 13—
Penalties for
obstructing
police, etc.

9. Section 13 of the principal Act is amended by striking out the passage “an offence against this Act” and inserting in lieu thereof the passage “a minor indictable offence”.

Amendment of
principal Act,
s. 14—
Proceedings,
etc.

10. Section 14 of the principal Act is amended—

(a) by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) A person who is guilty of a minor indictable offence against this Act shall be liable, notwithstanding the provisions of section 129 of the Justices Act, 1921-1976, to a penalty not exceeding two thousand dollars, or imprisonment for two years, or both.;

(b) by striking out from subsection (3) the passage “be liable on summary conviction to the same punishment and forfeiture as if he had committed an offence under this Act” and inserting in lieu thereof the passage “be guilty of a minor indictable offence”;

and

(c) by striking out subsection (8).

Amendment of
principal Act,
s. 14a—
Prohibition of
certain
advertisements.

11. Section 14a of the principal Act (being the section so designated and introduced into the principal Act by Act No. 112 of 1974) is amended by striking out from subsection (2) the passage “an offence against this Act” and inserting in lieu thereof the passage “a minor indictable offence”.

Amendment of
principal Act,
s. 14a—
Restriction
upon prosecu-
tion where
evidence of
offence given
before Royal
Commission.

12. Section 14a of the principal Act (being the section so designated and introduced into the principal Act by Act No. 20 of 1977) is re-designated as section 14b.

PART III

PART III

AMENDMENT OF THE JUSTICES ACT, 1921-1976

Short titles.

13. (1) The Justices Act, 1921-1976, is in this Part referred to as “the principal Act”.

(2) The principal Act, as amended by this Part, may be cited as the “Justices Act, 1921-1977”.

14. Section 120 of the principal Act is amended by inserting after paragraph (b) of subsection (2) the following paragraph:—

- (c) any charge for an offence that is, by or in pursuance of any other Act, declared to be, or designated or described as, a minor indictable offence.

Amendment of
principal Act,
s. 120—
Minor
indictable
offences.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

W. R. CROCKER, Lieutenant-Governor