



New South Wales

# Drug Misuse and Trafficking Amendment (Appointed Persons) Bill 2023

## Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

## Overview of Bill

The object of this Bill is to amend the *Drug Misuse and Trafficking Act 1985* to—

- (a) provide that certain persons may appoint a person to give certificate evidence relating to the result of a plant or substance analysis, and
- (b) provide that appointments made before the commencement of the proposed Act are taken to be, and always to have been, validly made.

## Outline of provisions

**Clause 1** sets out the name, also called the short title, of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act.

## Schedule 1      Amendment of Drug Misuse and Trafficking Act 1985 No 226

**Schedule 1[1]** allows the Executive Director under the *Royal Botanic Gardens and Domain Trust Act 1980*, and other persons prescribed by the regulations, to appoint a person to give certificates relating to the result of a plant or substance analysis if the Executive Director or prescribed person considers the person to be suitably qualified.

**Schedule 1[6]** inserts a validation provision to provide that an appointment purported to have been made before the commencement of the proposed Act is taken to be, and always to have been, a valid appointment and that an evidentiary certificate given by a person whose appointment is

validated by the provision is taken to be, and always to have been, validly given. **Schedule 1[2]–[5]** make consequential amendments to insert part headings into Schedule 3.