

Passed by both Houses



New South Wales

# Anti-Discrimination Amendment (Drug Addiction) Bill 2002

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*I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.*

*Clerk of the Legislative Assembly.  
Legislative Assembly,  
Sydney, , 2002*



New South Wales

## **Anti-Discrimination Amendment (Drug Addiction) Bill 2002**

Act No , 2002

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An Act to amend the *Anti-Discrimination Act 1977* with respect to its application to persons addicted to prohibited drugs.

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*I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.*

*Chairman of Committees of the Legislative Assembly.*

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Anti-Discrimination Amendment (Drug Addiction) Act 2002*.

**2 Commencement**

This Act commences on the date of assent.

**3 Amendment of Anti-Discrimination Act 1977 No 48**

The *Anti-Discrimination Act 1977* is amended as set out in Schedule 1.

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## Schedule 1 Amendment

(Section 3)

### Section 49PA

Insert after section 49P:

#### 49PA Persons addicted to prohibited drugs

- (1) This section applies to the provisions of Division 2 (Discrimination in work), other than sections 49H, 49I and 49J.
- (2) Nothing in those provisions renders unlawful discrimination against a person on the ground of disability if:
  - (a) the disability relates to the person's addiction to a prohibited drug, and
  - (b) the person is actually addicted to a prohibited drug at the time of the discrimination.
- (3) However, nothing in this section makes it lawful to discriminate against a person on the ground of the person having hepatitis C, HIV infection or any medical condition other than addiction to a prohibited drug.
- (4) In this section:

***prohibited drug*** means a prohibited drug within the meaning of the *Drug Misuse and Trafficking Act 1985*, but does not include:

  - (a) methadone or buprenorphine, or
  - (b) any other drug that is declared by the regulations not to be a prohibited drug for the purposes of this section.