

**Drug Dependent Persons Treatment and Rehabilitation Centres
(Licensing) Bill**

Proposed Committee Stage Amendments

Clause 18

At the Bills Committee on the Drug Dependent Persons Treatment and Rehabilitation Centres (Licensing) Bill (the Bill) meeting on 13 February 2001, the Administration proposed a Committee Stage Amendment to delete clauses 18(5) and 18(6) of the Bill so that the Director of Social Welfare would not be required to deliver the information obtained from treatment centres to the Commissioner of Police. After further deliberation at the meeting, it was agreed that rather than just deleting clauses 18(5) and 18(6), the two clauses should be amended so that the Director of Social Welfare will be required to return to the treatment centres the documents obtained within six months if no notice is given under clause 15(1) or no prosecution is instituted against the treatment centres. The proposed amendment to this effect is now at **Annex I**.

Clause 24

2. At the last three meetings, Members discussed at length the power given to the Director of Social Welfare under clause 24(3) to cease the operation of a drug treatment and rehabilitation centre in the light of public interest during the appeal period. It was agreed at the meeting on 2 March 2001 that the Director should state clearly the ground on which the Director's opinion is based in the notice of his decision. The proposed amendment to effect this change is at **Annex II**.

Schedule

3. A "drug dependent person" is defined under section 2 of the Bill to include "a person who is suffering from the psychophysical state in which the usual or increasing doses of a dangerous drug (as defined in the

Dangerous Drugs Ordinance (Cap. 134)) or a specified substance are required to prevent the onset of withdrawal symptoms.” The Schedule to the Bill lists the specified substances which are not included in the Dangerous Drugs Ordinance and are relevant for determining whether a person is a drug dependent person for the purpose of the Bill. As ketamine has recently been included as a dangerous drug under the Dangerous Drugs Ordinance, it was agreed at the meeting on 2 March 2001 to remove ketamine from the list of specified substances in the Schedule. The proposed amendment to this effect is at **Annex III**.

Security Bureau
7 March 2001

DRUG DEPENDENT PERSONS TREATMENT AND REHABILITATION
CENTRES (LICENSING) BILL

COMMITTEE STAGE

Amendments to be moved by the Secretary for Security

Clause

Amendment Proposed

18

By deleting subclauses (5) and (6) and substituting -

"(5) Where any book, document or other article is removed
by the Director or a public officer under -

(a) subsection (1)(d)(i) or (3)(b) and no prosecution
is instituted in respect of the suspected offence
to which they relate within 6 months after the
day of their removal; or

(b) subsection (1)(d)(ii) and no notice is given to
the specified operator under section 15(1)
within 6 months after the day of their removal,

the Director or public officer shall return or arrange for the return of
such book, document or

article to the specified operator or the person from whom they were so removed (as the case may be).".

COMMITTEE STAGE

Amendment to be moved by the Secretary for Security

- 24(3)(b) By deleting "contains a statement to that effect." and substituting -
- "-
- (i) contains a statement to that effect; and
 - (ii) states the ground on which the Director's opinion is based."

COMMITTEE STAGE

Amendment to be moved by the Secretary for Security

Schedule By deleting "2. Ketamine".