

Misuse of Drugs Amendment Act 1998

Public Act 1998 No 14
Date of assent 11 May 1998

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An Act to amend the Misuse of Drugs Act 1975

BE IT ENACTED by the Parliament of New Zealand as follows:

1 Short Title and commencement

- (1) This Act may be cited as the Misuse of Drugs Amendment Act 1998, and is part of the Misuse of Drugs Act 1975 (“the principal Act”).
- (2) Except as provided in subsection (3), this Act comes into force on the day after the day on which it receives the Royal assent.
- (3) Sections 9 and 10 come into force on a date to be appointed by the Governor-General by Order in Council.

2 Interpretation

This section inserted the definitions of the terms **Precursor substance** and **Vienna Convention** in s 2(1) of the principal Act.

3 Amendment of Schedules 1, 2, and 3, and of Schedule 4 *[Repealed]*

Section 3, which inserted section 4(4) of the principal Act, was repealed, as from 15 November 2000, by section 11(b) Misuse of Drugs Amendment Act 2000 (2000 No 47).

4 Aiding offences against corresponding law of another country

This section amended s 10(4) of the principal Act.

5 New sections inserted

This section inserted s 12A of the principal Act.

- 6 Consent of Attorney-General required in proceedings under section 12C**
This section inserted s 28A of the principal Act.
 - 7 Mistake as to nature of controlled drug or precursor substance**
This section amended s 29 of the principal Act.
 - 8 Evidence of analysis**
This section amended s 31(2) of the principal Act.
 - 9 Crimes deemed to be included in extradition treaties**
[Repealed]
Section 9 was repealed, as from 1 September 1999, by section 111 Extradition Act 1999 (1999 No 55).
 - 10 New sections inserted**
This section inserted ss 35A to 35D of the principal Act.
 - 11 Application of Customs and Excise Act 1996**
This section amended s 36 of the principal Act.
 - 12 New Schedule 4 added**
This section inserted Schedule 4 of the principal Act.
 - 13 Consequential amendments to other enactments**
Schedule 2 of this Act inserted clause 12C to Part B of Part 2 of Schedule 1A of the District Courts Act 1947, inserted clauses 12A and 12B to Part 2 of Schedule 1 of the Summary Proceedings Act 1957, by amending s 344AA Crimes Act 1961, by inserting clauses 12A to 12C of Part 2 of Schedule 1 of the Extradition Act 1965, by substituting the definition of the clause **Drug dealing offence** in s 10(1) Misuse of Drugs Amendment Act 1978, and by inserting ss 30 and 30A Misuse of Drugs Amendment Act 1978.
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Schedule 1

Section 12

**New Schedule 4 added to Misuse of Drugs
Act 1975**

Schedule 2

Section 13

Consequential amendments

Schedule 2 was amended, as from 1 September 1999, by section 111 Extradition Act 1999 (1999 No 55) by omitting an item relating to the Extradition Act 1965.

Schedule 2 was amended, as from 1 January 2001, by section 74(2) Bail Act 2000 (2000 No 38) by repealing so much as relates to sections 30 and 30A of the Misuse of Drugs Amendment Act 1978. *See* section 75 of that Act as to the savings provisions.