

Reprint
as at 21 February 2018



Alcoholism and Drug Addiction (Forms) Regulations 1968

(SR 1968/211)

Alcoholism and Drug Addiction (Forms) Regulations 1968: revoked, on 21 February 2018, by section 122(2) of the Substance Addiction (Compulsory Assessment and Treatment) Act 2017 (2017 No 4).

Arthur Porritt, Governor-General

Order in Council

At the Government House at Wellington this 4th day of November 1968

Present:

His Excellency the Governor-General in Council

Pursuant to the Alcoholism and Drug Addiction Act 1966, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry of Health.

Regulations

1 Title and commencement

- (1) These regulations may be cited as the Alcoholism and Drug Addiction (Forms) Regulations 1968.
- (2) These regulations shall come into force on the commencement of the Alcoholism and Drug Addiction Act 1966.

2 Interpretation

In these regulations,—

the Act means the Alcoholism and Drug Addiction Act 1966

drug addict means a person to whom the Act applies by virtue of section 3 thereof.

3 Forms

- (1) An application under subsections (1) and (2) of section 8 of the Act shall be in form 1 of the Schedule of these regulations.
- (2) An order under subsection (4) of section 8 of the Act shall be in form 2 of the Schedule of these regulations.
- (3) An application under subsection (1) of section 9 of the Act shall be in form 3 of the Schedule of these regulations.
- (4) A summons under subsection (1) of section 9 of the Act may be in form 4 of the Schedule of these regulations.
- (5) A warrant under subsection (4) of section 9 of the Act may be in form 5 of the Schedule of these regulations.
- (6) A certificate under subsection (6) of section 9 of the Act shall be in form 6 of the Schedule of these regulations.
- (7) An order under subsection (7) of section 9 of the Act may be in form 7 of the Schedule of these regulations.

Schedule

Form 1

Voluntary application for detention in an institution

r 3(1)

Section 8, Alcoholism and Drug Addiction Act 1966

To a District Court Judge at [*specify*]

I, [*name, occupation, and address of applicant*] hereby make application for an order under section 8 of the Alcoholism and Drug Addiction Act 1966. I desire to be received into the institution situated at [*specify*] and known as [*name of institution*] and

I undertake to remain in that institution for treatment for alcoholism *(*or* addiction to drugs) until I am released or discharged under that Act.

Dated at: [*place, date*]

Signature of applicant:

Signed by the above-named applicant in the presence of [*name*]

District Court Judge or (Deputy) Registrar of District Court

*Strike out words which do not apply.

Schedule form 1: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

Form 2
Order for detention upon voluntary application

r 3(2)

Section 8, Alcoholism and Drug Addiction Act 1966

Whereas [*name, occupation, and address of applicant*] has made application under section 8 of the Alcoholism and Drug Addiction Act 1966 for an order under that section; and has specified the institution situated at [*specify*] and known as [*name of institution*], as the institution into which he desires to be received:

And whereas the said [*name of applicant*] has appeared before me and I am satisfied that the said [*name of applicant*] is an alcoholic *(or drug addict) and that he fully understands the nature and effect of his application and that the managers *(or superintendent) of that institution *are (is) willing to receive the said [*name of applicant*] into that institution:

Now, therefore, I do order that the said [*name of applicant*] be detained, for treatment for alcoholism *(or addiction to drugs), in the institution situated at [*specify*] and known as [*name of institution*].

Given under my hand at [*place, date*].

District Court Judge:

*Strike out words which do not apply.

Schedule form 2: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

Form 3

Application by relative or other reputable person for committal order

r 3(3)

Section 9, Alcoholism and Drug Addiction Act 1966

To a District Court Judge at [*specify*]

I, [*name, occupation, and address of applicant*] hereby make application pursuant to section 9 of the Alcoholism and Drug Addiction Act 1966 in respect of [*name, occupation, and address of person to whom the application relates*], hereinafter in this application referred to as the said person; on the grounds that the said person is an alcoholic *(*or drug addict*).

I believe that the said person is an alcoholic *(*or drug addict*) because [*set out full reasons for applicant's belief*]:

I am [*insert degree of relationship, if any or words "not related"*] to the said person.

[*To be completed only if the applicant is not a relative† of the said person*]: This application is made by me instead of by a relative because [*state reason*]:

Dated at: [*place, date*]

Signature of applicant:

Statutory declaration

[To be completed unless District Court Judge otherwise permits]

Under section 9(3) of the Alcoholism and Drug Addiction Act 1966 I, [*insert name, place of abode, and occupation of applicant or other person making declaration*] solemnly and sincerely declare that the statements contained in the foregoing application under section 9 of the Alcoholism and Drug Addiction Act 1966 are true (*add "to the best of my knowledge and belief" if declaration is made by person other than applicant*). And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957.

Declared at: [*place, date*]

Signature:

Before me:

Justice of the Peace, Solicitor, or other person authorised to take a statutory declaration.

*Strike out words which do not apply.

†**Relative**, for the purposes of section 9 of the Act, means in relation to a person—

- (a) a person's spouse, civil union partner, or de facto partner:
- (b) the person's parent, grandparent, sibling, half-sibling, child, grandchild, or step-child:
- (c) the person's step-parent; but if the person is under the age of 18 years, only if the step-parent shares responsibility for the day-to-day care of the person with a parent of the person:

Schedule form 3: amended, on 26 April 2005, by section 12 of the Relationships (Statutory References) Act 2005 (2005 No 3).

Schedule form 3: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

Form 4
Summons

r 3(4)

Section 9, Alcoholism and Drug Addiction Act 1966

To [full name] of [address and occupation]

[Full name] of [address and occupation] has stated that you the said [full name] are an alcoholic* (or drug addict).

You are summoned to appear on [date] at [time] am (pm) before a District Court Judge at the District Court at [specify] to show cause why an order should not be made requiring you to be detained for treatment for alcoholism* (or drug addiction) in an institution.

Dated at: [place, date]

.....
District Court Judge

(Deputy) Registrar of District Court

Note: Section 35(1) of the Alcoholism and Drug Addiction Act 1966 provides that every application under that Act shall be heard and determined in private.

*Delete whichever is inapplicable.

Schedule form 4: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

Form 5
Warrant to arrest

r 3(5)

*Section 9, Alcoholism and Drug Addiction Act 1966***To** every constable:

In an application dated [*date*] and made under section 9 of the Alcoholism and Drug Addiction Act 1966 it has been stated that [*full name*] of [*address and occupation*] is an alcoholic* (*or* drug addict).

†I am satisfied, by evidence on oath, that a warrant is necessary to compel the attendance of the said [*full name*] to show cause why an order should not be made requiring him to be detained for treatment for alcoholism* (*or* drug addiction) in an institution:

†*or* I am satisfied, by evidence on oath, that circumstances exist that render the issue of a warrant expedient;

†*or* I am satisfied that the said [*full name*] has refused to undergo examination by 2 medical practitioners for the purposes of the Alcoholism and Drug Addiction Act 1966;

†*or* I am satisfied that the said [*full name*] has wilfully failed to attend for a medical examination required for the purposes of the Alcoholism and Drug Addiction Act 1966:

And I direct you to arrest the said [*full name*] and bring him before a District Court Judge as soon as possible, to be dealt with in accordance with the Alcoholism and Drug Addiction Act 1966;

†**And I further direct** that the said [*full name*] shall, after his arrest, undergo medical examination by [*specify*] and [*specify*] being 2 medical practitioners.

Dated at: [*place, date*]

District Court Judge:

*Delete whichever is inapplicable.

†Delete if inapplicable.

(Not printed)

Schedule form 5: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

Form 6
Medical certificate

r 3(6)

Section 9, Alcoholism and Drug Addiction Act 1966

I, [*name and address of medical practitioner*], being a medical practitioner registered in New Zealand, do hereby certify that I believe [*name, occupation, and address of person to whom the certificate relates*] is an alcoholic within the meaning of the Alcoholism and Drug Addiction Act 1966 **(or a drug addict within the meaning of the Alcoholism and Drug Addiction (Forms) Regulations 1968)* and that the making of an order for his detention and treatment as such is expedient in his own interest **(or in the interest of his relatives)*.

The following are the reasons for my said belief [*set out reasons in full*]:

I hereby declare that I am not prohibited by section 32 of the Alcoholism and Drug Addiction Act 1966 from signing this certificate.

Dated at: [*place, date*]

Signature of medical practitioner:

*Strike out words which do not apply.

Form 7

Committal order on application by relative or other reputable person

r 3(7)

Section 9(7), Alcoholism and Drug Addiction Act 1966

Whereas [*name, occupation, and address of applicant*] (being a relative of [*name of person to whom the application relates*])† has made an application dated [*date*] pursuant to section 9 of the Alcoholism and Drug Addiction Act 1966 in respect of [*name, occupation, and address*] on the grounds that the said [*name*] is an alcoholic *(or drug addict):

And whereas [*name and address of medical practitioner*] and [*name and address of medical practitioner*] have given evidence *(or certificates in the prescribed form) to the effect that they believe the said [*name*] to be an alcoholic *(or drug addict) and that his detention and treatment as such is expedient in his own interest *(or in the interest of his relatives):

And whereas the said [*name*] has appeared before me and I am satisfied that the said [*name*] is an alcoholic *(or drug addict) and that the managers *(or superintendent) of the institution situated at [*specify*] and known as [*name of institution*] are *(is) willing to receive the said [*name*] into that institution:

Now, therefore, I do order that the said [*name*] be detained for treatment of alcoholism *(or addiction to drugs) in the institution situated at [*specify*] and known as [*specify*]

Given under my hand at [*place, date*].

District Court Judge:

*Strike out words which do not apply.

†Delete if inapplicable.

Schedule form 7: amended, on 1 April 1980, pursuant to section 18(2) of the District Courts Amendment Act 1979 (1979 No 125).

P J Brooks,
Clerk of the Executive Council.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 7 November 1968.

Reprints notes

1 *General*

This is a reprint of the Alcoholism and Drug Addiction (Forms) Regulations 1968 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Substance Addiction (Compulsory Assessment and Treatment) Act 2017 (2017 No 4): section 122(2)
Relationships (Statutory References) Act 2005 (2005 No 3): section 12
District Courts Amendment Act 1979 (1979 No 125): section 18(2)