



New South Wales

Anti-Discrimination Amendment (Drug Addiction) Act 2002 No 6

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Anti-Discrimination Amendment (Drug Addiction) Act 2002 No 6

Act No 6, 2002

An Act to amend the *Anti-Discrimination Act 1977* with respect to its application to persons addicted to prohibited drugs. [Assented to 15 April 2002]

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.

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.

[Second reading speech made in—
Legislative Assembly on 28 November 2001
Legislative Council on 19 March 2002]

BY AUTHORITY
