

## POLICE.

2° Elizabeth II., No. XXVIII.

No. 28 of 1953.

AN ACT to amend the Police Act, 1892-1952.

[Assented to 18th December, 1953.]

**B**E it enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Police Act Amendment Act, 1953*. Short title and citation.

(2) In this Act the Police Act, 1892-1952, Act II Victoriæ No. 27, 1892, as reprinted with amendments to and including Act No. 15 of 1952 incorporated pursuant to the provisions of the Amendments Incorporation Act, 1938, is referred to as the principal Act.

(3) The principal Act as amended by this Act may be cited as the Police Act, 1892-1953.

2. This Act shall come into operation on a day to be fixed by proclamation. Commencement.

3. Section three of the principal Act is amended by adding after line twenty-one the following:— S. 3 amended.

PART VIB.—Prohibition of the manufacture, use, sale, acquisition, possession, distribution, and supply of diamorphine, commonly known as heroin, ss. 94F-94H.

4. Paragraph (a) of subsection (2) of section ninety-four A is amended— S. 94A amended.

(a) by deleting the word, "diamorphine (commonly known as heroin) and" in line three;

- (b) by adding before the word, "cocaine" in line eight the word, "or"; and  
 (c) by deleting the words, ", or diamorphine" in line eight.

S. 94C  
 amended.  
 Cf. No. 30 of  
 1918, s. 36 as  
 amended.

5. Subsection (2) of section ninety-four C of the principal Act is repealed.

Part VIB  
 added.

6. The principal Act is amended by adding after section ninety-four E the following heading and sections:—

PART VIB.—Prohibition of the manufacture, use, sale, acquisition, possession, distribution, and supply of diamorphine, commonly known as heroin.

Interpreta-  
 tion.

94F. In this Part unless the context requires otherwise—

"drug" means diamorphine, commonly known as heroin, and includes its salts and any preparation, admixture, extract, or other substance containing it;

"to possess" includes to have control or dominion over, and to have the disposition of, and inflexions and derivatives of the verb, "to possess" have correlative meanings;

"to sell" means to sell by wholesale or retail and includes barter, supply for profit, offer for sale, receive for sale, have in possession for sale, expose for sale, send forward or deliver for sale, cause or suffer to be sold, and inflexions and derivatives of the verb "to sell" have correlative meanings.

Prohibition

94G. It is an offence to manufacture, use, sell, acquire, possess, distribute, or supply the drug.

Penalties.  
 Cf. s. 94E.

94H. The provisions of subsections (1), (3), (4), (5), (6) and (7) of section 94E of this Act, apply as if repeated at length in this section, and for the purposes of giving effect in this section to the provisions of subsection (7) of that section, the Governor may make regulations providing for the analysing of any drug or substance by an analyst appointed under the Health Act, 1911.