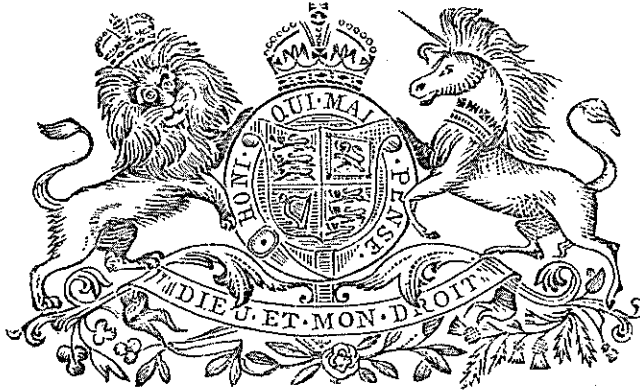


WESTERN AUSTRALIA.



ANNO QUARTO

GEORGI QUINTI REGIS,

XXXI.

No. 31 of 1913.

AN ACT to prohibit the Smoking of Opium.
and for other purposes.

[Assented to 30th December, 1913.]

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

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| 1. This Act may be cited as the <i>Opium Smoking Prohibition Act</i> , 1913. | Short title.
V. 1905, No. 2003,
s. 1. |
| 2. No person shall smoke opium. | Opium smoking
prohibited.
<i>Ibid.</i> s. 2. |
| 3. No person shall sell or deal or traffic in opium in any form suitable for smoking. | Opium sale
prohibited.
<i>Ibid.</i> s. 3. |
| 4. No person shall prepare or manufacture opium in any form suitable for smoking. | Opium preparation
for smoking
prohibited.
<i>Ibid.</i> , s. 4. |
| 5. No person shall have in his possession, order, or disposition opium in any form suitable for smoking. | Possession of
opium prohibited.
<i>Ibid.</i> , s. 5. |
| 6. Without restricting the meaning of the word "possession," opium shall be deemed to be in the possession of any person so long as it remains or is upon any land or premises occupied by him, or | Meaning of
possession.
<i>Ibid.</i> , s. 8. |

is

is used, enjoyed, or controlled by him in any place whatever, unless it be shown that he had no knowledge thereof.

Provided that it shall be a defence to any proceeding for an offence against this section to prove that the opium was kept solely for the medical treatment of man or animal.

Search for opium.
See *ibid.*, s. 9.

7. If any member of the police force or officer of customs has reasonable cause to suspect that there is in or on any house, premises, or place, any opium in contravention of this Act, or that opium is being smoked therein or thereon, he may, if expressly authorised in that behalf by a warrant of a justice of the peace, or collector of customs, by virtue of such warrant, enter at any time, and if needs be by force, any such house, premises, or place, and every part thereof, and examine and search the same, and seize and carry away any such opium, and arrest all persons therein found offending against this Act.

A justice of the peace may, in his discretion, upon information made and reasonable cause for suspicion assigned upon oath by any such member of the police force, or officer of customs, grant and issue the said warrant to him.

All opium seized under this section shall, on conviction of the person in whose possession the same was found, be forfeited to His Majesty, and shall be forthwith destroyed.

Saving.

8. Nothing contained in Sections six and seven of this Act shall apply to a pharmaceutical chemist registered in Western Australia in connection with the compounding and dispensing of medicines in the ordinary course of his business

Penalty.
Ibid., s. 10.

9. Any person who offends or aids, abets, or is privy to offending, against any of the provisions of this Act shall be liable, on conviction, to a penalty of not less than ten pounds nor more than two hundred pounds, or to be imprisoned with hard labour for any term of not less than one month nor more than twelve months, or to both such penalty and imprisonment.

Offences to be dealt with summarily.

10. All informations for offences against this Act, and all penalties imposed by this Act, shall be heard, determined, and recovered in a summary way by and before any two or more justices of the peace in the mode prescribed by the Justices Act, 1902.