

Western Australia

Misuse of Drugs Amendment Act (No. 2) 2010

As at 24 Nov 2010

No. 50 of 2010

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Misuse of Drugs Amendment Act (No. 2) 2010

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Misuse of Drugs Amendment Act (No. 2) 2010

No. 50 of 2010

An Act to amend the *Misuse of Drugs Act 1981* and to make a consequential amendment to the *Working with Children (Criminal Record Checking) Act 2004*.

[Assented to 24 November 2010]

The Parliament of Western Australia enacts as follows:

Part 1 — Preliminary

1. Short title

This is the *Misuse of Drugs Amendment Act (No. 2) 2010*.

2. Commencement

This Act comes into operation as follows —

- (a) Part 1 — on the day on which this Act receives the Royal Assent;
- (b) the rest of the Act — on the day after that day.

Part 2 — *Misuse of Drugs Act 1981* amended

3. Act amended

This Part amends the *Misuse of Drugs Act 1981*.

4. Section 19B inserted

Before section 19 insert:

19B. Selling ice pipes

(1) In this section —

child means a person who is under 18 years of age;

ice pipe means —

- (a) a device capable of being used for the administration of a prohibited drug by means of the inhaling of the smoke or fumes resulting from the heating or burning of the drug in a crystal, powder, oil or base form; or
- (b) a device that is apparently intended to be such a device but is not capable of being so used because it needs an adjustment, modification or addition,

but does not include a device prescribed, or belonging to a class prescribed, for the purposes of this definition.

(2) A person who sells, or offers to sell, an ice pipe to a child commits a simple offence.

Penalty: a fine of \$24 000 or imprisonment for 2 years or both.

(3) A person —

- (a) who sells, or offers to sell, an ice pipe to a person other than a child; or

s. 4

- (b) who displays an ice pipe, or authorises or allows an ice pipe to be displayed, for sale in a shop or other retail outlet,

commits a simple offence.

Penalty: a fine of \$10 000.

Part 3 — *Working with Children (Criminal Record Checking) Act 2004* amended

5. Act amended

This Part amends the *Working with Children (Criminal Record Checking) Act 2004*.

6. Schedule 2 amended

In Schedule 2 before the heading “*Prostitution Act 2000*” insert:

Misuse of Drugs Act 1981

s. 19B(2)	Selling, or offering to sell, ice pipe to child
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