



Western Australia

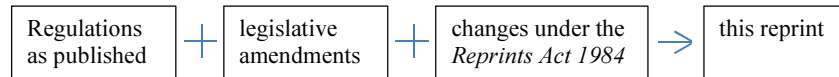
Health (Miscellaneous Provisions) Act 1911

**Health (Notification of  
Stimulant Induced Psychosis)  
Regulations 2010**

**Reprint 1: The regulations as at 29 March 2018**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, modifying or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

## Health (Notification of Stimulant Induced Psychosis) Regulations 2010

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### Defined terms





Western Australia

Reprinted under the  
*Reprints Act 1984* as  
at 29 March 2018

Health (Miscellaneous Provisions) Act 1911

## Health (Notification of Stimulant Induced Psychosis) Regulations 2010

### 1. Citation

These regulations are the *Health (Notification of Stimulant Induced Psychosis) Regulations 2010*<sup>1</sup>.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*<sup>1</sup>;
- (b) the rest of the regulations — on the day that is 3 months after that day.

### 3. Terms used

In these regulations —

***approved*** means approved by the CEO;

***current stimulant clinic*** has the meaning given in the *Medicines and Poisons Regulations 2016* regulation 125;

***current stimulant prescriber*** has the meaning given in the *Medicines and Poisons Regulations 2016* regulation 125;

***notified information*** means the following information —

- (a) information contained in a notification given to the CEO under regulation 5;

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(b) information provided to the CEO under regulation 6;

**psychiatrist** has the meaning given in the *Mental Health Act 2014* section 4;

**register** means the Stimulant Induced Psychosis Register referred to in regulation 7(1);

**stimulant** means —

- (a) amphetamine; or
- (b) cocaine; or
- (c) dexamphetamine; or
- (d) methylphenidate; or
- (e) methylamphetamine; or
- (f) any of the salts of a substance referred to in paragraphs (a) to (e); or
- (g) any preparation or admixture containing a substance referred to in paragraphs (a) to (f);

**stimulant induced psychosis** means a psychotic episode caused by the use of a stimulant, whether or not the person experiencing the psychosis has a pre-existing psychotic disorder.

[Regulation 3 amended in Gazette 29 Dec 2015 p. 5172;  
17 Jan 2017 p. 409-10.]

**4. Stimulant induced psychosis a prescribed condition of health**

Stimulant induced psychosis is prescribed as a condition of health to which Part IXA of the Act applies.

**5. Notification by psychiatrists of stimulant induced psychosis**

- (1) A psychiatrist who makes a diagnosis of stimulant induced psychosis in respect of a patient must notify the CEO within 72 hours of making the diagnosis.

Penalty: a fine of not more than \$1 000 and not less than —

- (a) for a first offence, \$100;
  - (b) for a second offence, \$200;
  - (c) for a third or subsequent offence, \$500.
- (2) The notice must be in an approved form and must include the following information —
- (a) the full name and address of the patient;
  - (b) the sex and date of birth of the patient;
  - (c) full details of the diagnosis including details of the stimulant involved (if known);
  - (d) the full name, address and telephone number of the psychiatrist giving the notification.

**6. CEO may require information**

- (1) If the CEO —
- (a) is notified of a diagnosis of stimulant induced psychosis under regulation 5; and
  - (b) believes, on reasonable grounds, that a person has information that the CEO considers would assist in achieving the objects of Part IXA of the Act with respect to the diagnosis,

the CEO may, in writing, request the person to provide the information.

- (2) A person who receives a request under subregulation (1) must comply with the request within 72 hours after receiving it.

Penalty: a fine of not more than \$1 000 and not less than —

- (a) for a first offence, \$100;
- (b) for a second offence, \$200;
- (c) for a third or subsequent offence, \$500.

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- (3) It is a defence to a prosecution for an offence under subregulation (2) if the person charged proves that the person did not have at the relevant time the information requested.

**7. Stimulant Induced Psychosis Register**

- (1) The CEO is to keep a register to be known as the Stimulant Induced Psychosis Register.
- (2) The register is to contain all notified information in respect of each patient who, at the time the notification is received, has a current stimulant prescriber or a current stimulant clinic.
- (3) The register is to be kept in the manner and form determined by the CEO.

*[Regulation 7 amended in Gazette 17 Jan 2017 p. 410.]*

**8. Offence to disclose information**

A person who, in the course of the person's duty, has access to any notified information from which the identity of the person to whom the information relates is apparent or can reasonably be ascertained must not disclose that information unless the disclosure —

- (a) is made with the written consent of the person to whom the information relates; or
- (b) is to a current stimulant prescriber or the manager of a current stimulant clinic of the person to whom the information relates.

Penalty: a fine of not more than \$1 000 and not less than —

- (a) for a first offence, \$100;
- (b) for a second offence, \$200;
- (c) for a third or subsequent offence, \$500.

*[Regulation 8 amended in Gazette 17 Jan 2017 p. 410.]*





**Notes**

- <sup>1</sup> This reprint is a compilation as at 29 Mar 2018 of the *Health (Notification of Stimulant Induced Psychosis) Regulations 2010* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Health (Notification of Stimulant Induced Psychosis) Regulations 2010</i>	7 Jan 2011 p. 46-9	r. 1 and 2: 7 Jan 2011 (see r. 2(a)); Regulations other than r. 1 and 2: 7 Apr 2011 (see r. 2(b))
<i>Health (Notification of Stimulant Induced Psychosis) Amendment Regulations 2015</i>	29 Dec 2015 p. 5172	r. 1 and 2: 29 Dec 2015 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Dec 2015 (see r. 2(b))
<i>Health Regulations Amendment (Poisons) Regulations 2016 Pt. 2</i>	17 Jan 2017 p. 409-11	30 Jan 2017 (see r. 2(b) and <i>Gazette</i> 17 Jan 2017 p. 403)
<b>Reprint 1: The <i>Health (Notification of Stimulant Induced Psychosis) Regulations 2010</i> as at 29 Mar 2018</b> (includes amendments listed above)		

Defined terms

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**Defined terms**

*[This is a list of terms defined and the provisions where they are defined.*

*The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
approved .....	3
current stimulant clinic .....	3
current stimulant prescriber .....	3
notified information .....	3
psychiatrist .....	3
register .....	3
stimulant .....	3
stimulant induced psychosis .....	3