Western Australia

Health (Miscellaneous Provisions) Act 1911

Health (Notification of Stimulant Induced Psychosis) Regulations 2010

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Health (Notification of Stimulant Induced Psychosis) Regulations 2010

Contents

1.	Citation	1
2.	Commencement	1
3.	Terms used	1
4.	Stimulant induced psychosis a prescribed condition of health	2
5.	Notification by psychiatrists of stimulant induced psychosis	2
6.	CEO may require information	3
7.	Stimulant Induced Psychosis Register	4
8.	Offence to disclose information	4
	Notes	
	Compilation table	6
	Defined terms	

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1. Citation

These regulations are the *Health (Notification of Stimulant Induced Psychosis) Regulations 2010*.

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*;

(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;

notified information means the following information —

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

(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: Gazette 29 Dec 2015 p. 5172; 17 Jan 2017 p. 409-10; SL 2024/265 r. 31.]

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.

(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 has been prescribed or supplied a stimulant under the *Medicines and Poisons Regulations 2016* regulation 126 in the previous 6 months.

(3) The register is to be kept in the manner and form determined by the CEO.

[Regulation 7 amended: Gazette 17 Jan 2017 p. 410; SL 2024/265 r. 32.]

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 medical practitioner or authorised health professional who —

(i) is authorised under the *Medicines and Poisons Regulations 2016* regulation 126 to prescribe or supply a stimulant for the treatment of the person to whom the information relates; and

(ii) has prescribed or supplied the stimulant to the person.

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: Gazette 17 Jan 2017 p. 410; SL 2024/265 r. 33.]

Notes

This is a compilation of the *Health (Notification of Stimulant Induced Psychosis) Regulations 2010* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

Compilation table

Citation	Published	Commencement
Health (Notification of Stimulant Induced Psychosis) Regulations 2010	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))
Health (Notification of Stimulant Induced Psychosis) Amendment Regulations 2015	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))
Health Regulations Amendment (Poisons) Regulations 2016 Pt. 2	17 Jan 2017 p. 409-11	30 Jan 2017 (see r. 2(b) and *Gazette* 17 Jan 2017 p. 403)
Reprint 1: The *Health (Notification of Stimulant Induced Psychosis) Regulations 2010* as at 29 Mar 2018 (includes amendments listed above)		
Health Regulations Amendment (Medicines and Poisons) Regulations 2024 Pt. 3	SL 2024/265 11 Dec 2024	12 Dec 2024 (see r. 2(c))

Defined terms

[This is a list of terms defined and the provisions where they are defined. The list is not part of the law.]

Defined term	Provision(s)
approved	3
notified information	3
psychiatrist	3
register	3
stimulant	3
stimulant induced psychosis	3

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