

Legislative Council—No 83

As received from the House of Assembly and read a first time, 13 November 2007

South Australia

**Controlled Substances (Possession of Prescribed
Equipment) Amendment Bill 2007**

A BILL FOR

An Act to amend the *Controlled Substances Act 1984*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Controlled Substances (Possession of Prescribed Equipment) Amendment Act 2007*.

5 2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

10 Part 2—Amendment of *Controlled Substances Act 1984*

4—Insertion of section 33LA

After section 33L insert:

33LA—Possession of prescribed equipment

- 15 (1) A person who, without reasonable excuse (proof of which lies on the person), has possession of any prescribed equipment is guilty of an offence.

Maximum penalty: \$10 000 or imprisonment for 2 years, or both.

- (2) In this section—

prescribed equipment means—

- 20 (a) a document containing instructions for the manufacture of a controlled drug or the cultivation of a controlled plant; or
(b) equipment of a kind prescribed by regulation.

5—Amendment of section 63—Regulations

Section 63(2)— after "this Act" insert:

(other than a regulation proposed to be made under section 33LA)