

**House of Assembly—No 39**

As laid on the table and read a first time, 27 October 2004

South Australia

**Controlled Substances (Prohibition of Sale of  
Water Pipes) Amendment Bill 2004**

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 (Prohibition of Sale of Water Pipes) Amendment Act 2004*.

### 5 2—Commencement

This Act will come into operation 3 months after assent.

### 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 31A

After section 31 insert:

#### 31A—Prohibition of sale of water pipes

- (1) A person must not sell a water pipe.  
Maximum penalty: \$2 000 or imprisonment for 2 years.

- (2) In this section—

*water pipe* means—

- (a) a device capable of being used for the administration of a drug of dependence or a prohibited substance by means of the drawing of smoke or fumes (resulting from the heating or burning of the drug) through water or another liquid; or
- (b) a device that is apparently intended to be such a device but that is not capable of being so used because it needs an adjustment, modification or addition,

and includes a device known as a bong, but does not include a device of a class or description prescribed by the regulations as not being a water pipe for the purposes of this definition.