

Legislative Council—No 66

As received from the House of Assembly and read a first time, 13 October 2015

South Australia

**Controlled Substances (Simple Possession
Offences) Amendment Bill 2015**

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

5 This Act may be cited as the *Controlled Substances (Simple Possession Offences) Amendment Act 2015*.

2—Commencement

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

3—Amendment provisions

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

Part 2—Amendment of *Controlled Substances Act 1984*

4—Substitution of section 34

Section 34—delete the section and substitute:

34—Application of Division

15 (1) This Division does not apply in relation to—

- (a) a child who is alleged to have committed a simple possession offence; or
- (b) a person who is alleged to have committed a simple possession offence and is charged with a serious drug offence arising out of the same circumstances.

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(2) In this section—

serious drug offence means an offence against Division 2 (other than Subdivision 4), Division 3, Division 4 (other than sections 33I(2), 33K or 33L) or Division 4A of this Part.

Schedule 1—Transitional provision

Nothing in this Act affects the application of Part 5 Division 6 of the *Controlled Substances Act 1984* to a person referred to an assessment service under that Division before the commencement of this Act.