

SOUTH AUSTRALIA

**CONTROLLED SUBSTANCES ACT (EXEMPTIONS) REGULATIONS, 1989**

## **SUMMARY OF PROVISIONS**

1. Citation
2. Interpretation
- 2a. Exemption from prohibition of possession of injecting equipment
3. Exemption from aiding and abetting, etc.

## **APPENDIX LEGISLATIVE HISTORY**

**REGULATIONS UNDER THE CONTROLLED SUBSTANCES ACT, 1984**

*Controlled Substances Act (Exemptions) Regulations, 1989*

being

No. 45 of 1989: *Gaz.* 6 April 1989, p. 936

as varied by

No. 199 of 1991: *Gaz.* 19 September 1991, p. 854

No. 86 of 1993: *Gaz.* 13 May 1993, p. 1646<sup>1</sup>

<sup>1</sup> Came into operation 13 September 1993: reg. 2.

**Citation**

1. These regulations may be cited as the *Controlled Substances Act (Exemptions) Regulations, 1989*.

**Interpretation**

2. In these regulations—

"the Act" means the *Controlled Substances Act, 1984*:

"health risk minimization programme" means a programme to prevent or control the spread of a disease or other risk to public health declared by the Health Commission to be a health risk minimization programme for the purposes of this regulation.

**Exemption from prohibition of possession of injecting equipment**

2a. Section 31(1)(c) of the Act does not apply to a person having in his or her possession a syringe or needle for use in connection with the administration of a drug of dependence or a prohibited substance.

Exemption from aiding and abetting, etc.

3. Section 41 of the Act does not prevent—

(a) a medical practitioner or pharmacist from—

- (i) selling or supplying syringes and needles to any person; or
- (ii) giving advice or instruction to any person on the safe use of syringes or needles; or

(b) a nurse from—

- (i) selling or supplying syringes and needles to any person; or
- (ii) giving advice or instruction to any person on the safe use of syringes or needles,

if done in the course of a health risk minimization programme; or

(c) a person licensed under section 31(3)(d) of the Act to be in possession of syringes and needles from—

- (i) selling or supplying syringes and needles to any person; or
- (ii) giving advice or instruction to any person on the safe use of syringes or needles,

if done in the course of a health risk minimization programme and in compliance with the conditions of any such licence.

3.

## **APPENDIX**

### Legislative History

Regulation 2a:

Regulation 3:

inserted by 199, 1991, reg. 2

substituted by 86, 1993, reg. 3.