



Drug Misuse and Trafficking Amendment (Cash Sales of Precursors) Regulation 2002

under the

Drug Misuse and Trafficking Act 1985

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Drug Misuse and Trafficking Act 1985*.

Attorney General

Explanatory note

The object of this Regulation is to prohibit the cash sale of certain drug precursors.

This Regulation is made under the *Drug Misuse and Trafficking Act 1985*, including section 24A (2A) and section 45 (the general regulation-making power).

2002 No 620

Clause 1 Drug Misuse and Trafficking Amendment (Cash Sales of Precursors)
Regulation 2002

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under the

Drug Misuse and Trafficking Act 1985

1 Name of Regulation

This Regulation is the *Drug Misuse and Trafficking Amendment (Cash Sales of Precursors) Regulation 2002*.

2 Commencement

This Regulation commences on 1 September 2002.

3 Amendment of Drug Misuse and Trafficking Regulation 2000

The *Drug Misuse and Trafficking Regulation 2000* is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 3)

[1] Clause 7B

Insert after clause 7A:

7B Cash sales of precursors

- (1) A person must not supply any of the following substances to a person unless the person being supplied has an account with the supplier and payment for the supply is made through the account:
 - (a) a substance listed in Schedule 2 (other than a substance referred to in paragraph (b) or (c)),
 - (b) Ephedrine, Phenylpropanolamine or Pseudoephedrine or a salt of Ephedrine, Phenylpropanolamine or Pseudoephedrine,
 - (c) Phenylacetic acid or a salt or ester of Phenylacetic acid.Maximum penalty: 10 penalty units.
- (2) Subclause (1) does not apply to the supply of a substance referred to in subclause (1) (b) if:
 - (a) the substance is supplied for therapeutic use within the meaning of the relevant therapeutic goods laws, and
 - (b) the substance is packaged and labelled in accordance with the relevant therapeutic goods laws, and
 - (c) the supplier is authorised, by the relevant therapeutic goods laws, to supply the substance.
- (3) In this clause *relevant therapeutic goods laws* means:
 - (a) the *Poisons and Therapeutic Goods Act 1966*, and
 - (b) the regulations under that Act, and
 - (c) the Commonwealth therapeutic goods laws within the meaning of that Act as those laws apply as a law of this State.
- (4) In this clause, a reference to a substance does not include a reference to a preparation, admixture, salt, isomer, ester or ether of a substance listed in Schedule 2 or a salt of such an isomer, ester or ether, unless otherwise specified.

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Schedule 1 Amendments

[2] Schedule 2 Precursors

Omit “Clause 7A”. Insert instead “Clauses 7A and 7B”.

BY AUTHORITY
