



CONTROLLED SUBSTANCES (DESTRUCTION OF CANNABIS) AMENDMENT ACT 1994

No. 27 of 1994

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ELIZABETHAE II REGINAE

A.D. 1994

No. 27 of 1994

An Act to amend the Controlled Substances Act 1984.

[Assented to 26 May 1994]

The Parliament of South Australia enacts as follows:

Short title

1. (1) This Act may be cited as the *Controlled Substances (Destruction of Cannabis) Amendment Act 1994*.

(2) The *Controlled Substances Act 1984* is referred to in this Act as "the principal Act".

Commencement

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

Insertion of s. 52A

3. The following section is inserted after section 52 of the principal Act:

Power to destroy cannabis

52A. (1) Where cannabis is seized by a member of the police force under this Act or any other Act or law, the Commissioner of Police may cause the cannabis to be destroyed, whether or not any person has been or is to be charged with an offence relating to it.

(2) Cannabis may be destroyed at the place at which it is seized or at any other suitable place.

(3) Before cannabis is destroyed, samples of it must be taken and kept for evidentiary purposes in accordance with the regulations.

(4) If a charge is laid, or is to be laid, for an offence in relation to cannabis of which samples have been taken under this section, the defendant must be given written notice of his or her right to have part of the sample analysed by an analyst (*see section 53*).

(5) Possession of all samples taken under this section must remain at all times within the control of the Commissioner of Police or his or her nominee.

Amendment of s. 53—Analysis

4. Section 53 of the principal Act is amended by inserting in subsection (2) "or for any other evidentiary purpose," after "therapeutic substance,".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

ROMA MITCHELL Governor