

House of Representatives
Supplementary Order Paper

Tuesday, 2 July 2013

Psychoactive Substances Bill

Proposed amendments

Iain Lees-Galloway, in Committee, to move the following amendments:

Clause 63

Delete *clause 63* (lines 24 to 32 on page 52).

Clause 64

In *clause 64*, definition of **infringement offence**, delete *paragraph (c)* (lines 9 to 11 on page 53).

Clause 72

Delete *clause 72* (lines 6 to 20 on page 60).

Clause 73

In *clause 73(3)(a)*, replace “**section 46, 48 or 63**” (line 35 on page 60) with “**section 46 or 48**”.

Clause 74

In *clause 74(1)(b)*, replace “**section 71 or 72**” (line 17 on page 61) with “**section 71**”.

Explanatory note

This Supplementary Order Paper supersedes Supplementary Order Paper No 255. This Supplementary Order Paper removes the offence of possessing a non-approved psychoactive substance. The Health Select Committee received advice that enforcing this provision will be difficult due to the length of time required to analyse a substance in order to determine whether or not a substance is an approved one. This does not support the notion that any penalty for breaching the provision should be an on-the-spot fine. Making the possession of an un-

approved substance an offence does nothing to advance the purpose of the Bill, which is to regulate the availability of psychoactive substances and to protect the health of, and minimise harm to, individuals who use psychoactive substances. In addition, this replacement Supplementary Order Paper makes consequential amendments to *clauses 64, 72, 73 and 74*.
