

# House of Representatives

# Supplementary Order Paper

Wednesday, 28 November 2018

## Psychoactive Substances (Increasing Penalty for Supply and Distribution) Amendment Bill

### *Proposed amendment*

Dr Deborah Russell, in Committee, to move the following amendment:

#### *Clause 4*

In *clause 4*, insert as *subclause (1)* (page 1, before line 11):

(1) After section 70(1), insert:

(1A) For the purposes of subsection (1)(c), where a person is an individual who frequently uses a psychoactive substance, the court should presume that any psychoactive substances possessed by the person are intended for personal use only.

### **Explanatory note**

This Supplementary Order Paper amends *clause 4* of the Psychoactive Substances (Increasing Penalty for Supply and Distribution) Amendment Bill to add a *new section 70(1A)* to the Psychoactive Substances Act 2013.

This addresses the fact that there is often no clear division between users and dealers in respect of psychoactive substances and that many users will deal in modest amounts to fund their own habits. In such cases, they should not be caught by the extreme penalty that is aimed at commercial suppliers, who are preying on vulnerable people. User-dealers are themselves vulnerable people.

The deaths and harm caused by synthetic drugs are extremely disturbing to the public, and our legislation must reflect this level of concern.

**Proposed amendments to  
Psychoactive Substances (Increasing Penalty for Supply  
and Distribution) Amendment Bill**

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