

FACT SHEET

Poisons Amendment Bill 2019

The purpose of this Bill is to implement the Government's commitment to ban the sale and display of ice pipes by retailers and wholesalers.

Ice pipes are pipes made of glass or other materials, used for smoking methamphetamine and other drugs such as crack cocaine.

The commitment was to:

- legislate to stop the display and sale of ice pipes and introduce an on-the-spot fine for any retailer or wholesaler found to be selling or displaying ice pipes.
- send a very strong message to Tasmanians that the use of ice is highly addictive, dangerous to health and illegal.

All jurisdictions except Tasmania and Western Australia have specific offences relating to ice pipes being sold or displayed in retail or wholesale settings. These offences do not target private possession of drug paraphernalia, as that is typically captured under general offences.

In Tasmania, possession of drug paraphernalia is prohibited under both the *Poisons Act 1971* and the *Misuse of Drugs Act 2001*. The Government's commitment addresses the issue that these provisions do not target the retail sale and supply of ice pipes.

The proposed amendments specify it is an offence to sell an ice pipe in, or in connection with, a shop. The broad definition of 'sale' in the *Poisons Act 1971* (which includes possessing or exposing for sale) means that the offence includes display and related matters. The amendments provide suitable powers relating to seizure, forfeit and destruction of ice pipes. Associated regulations will provide for proportionate infringement penalties so on-the-spot fines may be issued.

The proposed amendments will close a gap in law enforcement around the sale and display of ice pipes.