

# CLAUSE NOTES

## *Poisons Amendment Bill 2013*

- Clause 1**            **Short Title**
- Clause 1 provides the Bill will be cited as the *Poisons Amendment Act 2013*.
- Clause 2**            **Commencement**
- Clause 2 provides for the Act to commence on Royal Assent.
- Clause 3**            **Principal Act**
- Clause 3 provides that the *Poisons Act 1971* is referred to as the Principal Act in the Bill.
- Clause 4**            **Section 3 amended (interpretation)**
- Clause 3 substitutes a new definition of ‘prohibited substance’ and inserts a new subsection providing that the new definition has effect on and from 1 July 2012.
- The new definition provides that prohibited substance means a substance or prohibited plant (other than Indian hemp) that is, for the time being, specified in Schedule 9 to the Poisons List.
- The definition of ‘prohibited substance’ was previously amended on 1 July 2012 with the intention that prohibited substances are substances, including plants, in Schedule 9 to the Poisons List, and do not include ‘prohibited plants’ that are licensed for commercial use (opium poppy and Indian hemp).
- The new definition clarifies that intention. It specifically excludes Indian hemp because Schedule 9 to the Poisons List includes ‘cannabis’ in some forms. Opium poppy is not specified in Schedule 9 to the Poisons List and therefore does not need specific exclusion in the new definition.
- Clause 5**            **Repeal of Act**
- Clause 5 is a standard clause repealing the amending Bill 365 days after it commences, as the amendment will have been incorporated into the Principal Act