

LEGISLATIVE ASSEMBLY

**DRUGS, POISONS AND CONTROLLED SUBSTANCES (VOLATILE
SUBSTANCES) (EXTENSION OF PROVISIONS) BILL**

(Amendments and New Clause to be moved by Mrs. Shardey)

1. Clause 1, line 5, after "that Act" insert "and to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for an offence to sell aerosol spray cans containing paint or any prescribed volatile substance to minors".

2. Insert the following New Clause to follow clause 3—

"A. New section 60AB inserted

After section 60A of the **Drugs, Poisons and Controlled Substances Act 1981** insert—

'60AB. Sale of aerosol spray can containing paint or prescribed volatile substance to person under 18 years

- (1) A person must not sell an aerosol spray can containing paint or any prescribed volatile substance to a person under the age of 18 years.

Penalty: In the case of a natural person, 60 penalty units.

In the case of a body corporate, 300 penalty units.

- (2) It is a defence to a charge under this section for the accused person to prove that that person—

- (a) had reasonable cause to believe that the person purchasing the aerosol spray can was not under the age of 18 years; or

- (b) had taken all precautions that were reasonably required to ensure that the aerosol spray can was not sold to a person under the age of 18 years; or

- (c) at the time of the alleged offence, had seen an evidence of age document of the person to whom the aerosol spray can was sold, indicating that the person is of or over the age of 18 years.

- (3) In this section, "**evidence of age document**" has the same meaning as it has in the **Tobacco Act 1987**."

AMENDMENT OF LONG TITLE

3. Long title, after "that Act" insert ", to amend the **Drugs, Poisons and Controlled Substances Act 1981** to provide for an offence to sell aerosol spray cans containing paint or any prescribed volatile substances to minors".