

# **Criminal Law (Child Exploitation and Dangerous Drugs) Amendment Bill 2012**

## **Amendments agreed to during Consideration**

### **1 After clause 11**

Page 45, after line 10—

*insert—*

## **‘Part 2A Amendment of Crime and Misconduct Act 2001**

### **‘11A Act amended**

‘This part amends the *Crime and Misconduct Act 2001*.

### **‘11B Amendment of s 346A (Protection of particular documents)**

‘Section 346A(2), ‘8 May’—

*omit, insert—*

‘8 November’.’.

### **2 Clause 27 (Insertion of new ch 91)**

Page 52, line 15, ‘section 17’—

*omit, insert—*

‘section 26’.

### **3 Clause 40 (Amendment of s 4 (Definitions))**

Page 87, lines 21 and 22, “and that has”—

*omit, insert—*

‘from ‘that has a chemical structure’.

**4 Clause 40 (Amendment of s 4 (Definitions))**

Page 87, line 24, “or that has’.’—

*omit, insert—*

“that—

- (i) has a chemical structure that is substantially similar to the chemical structure of a thing referred to in paragraph (a) or (b); or
- (ii) has a pharmacological effect that is substantially similar to the pharmacological effect of a thing referred to in paragraph (a) or (b); or
- (iii) is intended to have a pharmacological effect that is substantially similar to the pharmacological effect of a thing referred to in paragraph (a) or (b);’.’.

**5 Clause 40 (Amendment of s 4 (Definitions))**

Page 87, after line 24—

*insert—*

‘(3) Section 4, definition *dangerous drug*—

*insert—*

*Note—*

See also section 4BA for when a thing is intended to have a pharmacological effect that is substantially similar to the pharmacological effect of a thing referred to in paragraph (a) or (b).’.’.

**6 Before clause 41**

Page 88, before line 1—

*insert—*

**‘40A Insertion of new s 4BA**

After section 4B—

*insert—*

**4BA Provision about s 4, definition *dangerous drug*, paragraph (c)(iii)**

- ‘(1) This section applies if, in a proceeding for an offence against this or another Act, it is relevant to prove that a thing is a dangerous drug under section 4, definition *dangerous drug*, paragraph (c)(iii).
- ‘(2) The thing is a dangerous drug if it is intended, by the accused person, to have a pharmacological effect that is substantially similar to the pharmacological effect of a thing referred to in section 4, definition *dangerous drug*, paragraph (a) or (b).’.

**7 Long title**

Long title, ‘the Criminal Code’—

*omit, insert—*

‘the *Crime and Misconduct Act 2001*, the Criminal Code’.

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Authorised by the Parliamentary Counsel