



BILL NO. 10

Government Bill

*1st Session, 60th General Assembly
Nova Scotia
55 Elizabeth II, 2006*

An Act to Combat the Production and Use of Illegal Drugs

CHAPTER 5
ACTS OF 2006

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
JULY 14, 2006**

The Honourable Murray K. Scott
Minister of Justice

*Halifax, Nova Scotia
Printed by Authority of the Speaker of the House of Assembly*

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An Act to Combat the Production and Use of Illegal Drugs

Be it enacted by the Governor and Assembly as follows:

- 1** This Act may be cited as the *Protection from Illegal Drugs Act*.
- 2** In this Act, “prescribed” means prescribed by the regulations.
- 3** The Minister of Justice has the general supervision and management of this Act.
- 4** Any person who possesses or works with prescribed ingredients, materials or equipment shall only store, transport, distribute or sell the ingredients, materials or equipment in the prescribed manner.
- 5** Every person who possesses or works with prescribed ingredients, materials or equipment shall notify the prescribed authority when that person becomes aware of the loss or theft of those ingredients, materials or equipment.
- 6** Every person who becomes aware of information that leads that person to believe that the health or safety of any child has been or is at risk from the production, manufacture, growth or use of illegal drugs shall immediately notify the prescribed authority of that information.
- 7**
 - (1)** Every person who fails to comply with this Act or the regulations is guilty of an offence and is liable on summary conviction to
 - (a) in the case of a corporation, a fine not exceeding ten thousand dollars; or
 - (b) in the case of an individual, a fine not exceeding two thousand dollars or to imprisonment for a term of not more than six months, or both.
 - (2)** Where an offence under this Act or the regulations is committed or continued on more than one day, the person who committed the offence is liable to be convicted for a separate offence for each day on which the offence is committed or continued.
 - (3)** Notwithstanding subsection (1), a person who is guilty of a second or subsequent offence, other than by virtue of subsection (2), is liable to
 - (a) in the case of a corporation, a fine of not exceeding fifty thousand dollars; or
 - (b) in the case of an individual, a fine not exceeding ten thousand dollars or to imprisonment for a period of not more than one year, or both.
- 8**
 - (1)** The Governor in Council may make regulations
 - (a) prescribing ingredients, materials and equipment for the purpose of this Act;

(b) respecting the storage, transportation, distribution and sale of ingredients, materials and equipment that may be used in the production, manufacture, growth or use of illegal drugs, including regulations respecting the monitoring and reporting of sales, respecting the recording of the names of purchasers, respecting licensing and limiting or prohibiting storage or sale in specified circumstances;

(c) requiring ingredients and materials that may be used in the production, manufacture or growth of illegal drugs to be treated before being stored, transported, distributed or sold, and prescribing the manner in which they are to be treated, including the use of additives to render the ingredients or materials unusable for drug production or manufacture;

(d) prescribing the circumstances under which notice is to be given pursuant to this Act, the persons who are required to give the notice and the authority to whom notice is to be given;

(e) directing and enabling departments or agencies to implement awareness and education programs to combat the production and use of illegal drugs;

(f) defining any word or expression used but not defined in this Act;

(g) respecting any other matter or thing the Governor in Council considers necessary or advisable to carry out effectively the purpose of this Act.

(2) The exercise by the Governor in Council of the authority set out in subsection (1) is regulations within the meaning of the *Regulations Act*.

9 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
