

**Reprint
as at 12 May 2014**



**Misuse of Drugs (Prohibition
of Cannabis Utensils and
Methamphetamine Utensils)
Notice 2003**

(SR 2003/398)

Misuse of Drugs (Prohibition of Cannabis Utensils and Methamphetamine Utensils) Notice 2003: revoked, on 12 May 2014, by clause 6 of the Misuse of Drugs (Prohibition of Cannabis Utensils and Methamphetamine Utensils) Notice 2014 (*Gazette* 2014, p 1094).

Pursuant to section 22(1A) of the Misuse of Drugs Act 1975, the Minister of Health gives the following notice.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

This notice is administered by the Ministry of Health.

Notice

1 Title

This notice is the Misuse of Drugs (Prohibition of Cannabis Utensils and Methamphetamine Utensils) Notice 2003.

2 Commencement

This notice comes into force on 15 January 2004.

3 Interpretation

In this notice, unless the context otherwise requires,—

Act means the Misuse of Drugs Act 1975

cannabis means any of the following:

- (a) a cannabis preparation as described in clause 1 of Part 1 of Schedule 2 of the Act:
- (b) a cannabis fruit, cannabis plant, or cannabis seed as described in Part 1 of Schedule 3 of the Act

cannabis utensil means any of the following utensils that may be used for administering cannabis, and that has 1 or more prohibited features:

- (a) a bong:
- (b) a hash pipe:
- (c) a head pipe:
- (d) a hubble-bubble:
- (e) a hookah:
- (f) a roach clip with a pincer or tweezer action:
- (g) a water pipe

methamphetamine means any of the following:

- (a) the substance methamphetamine as described in clause 1 of Schedule 1 of the Act:
- (b) the isomers of the substance mentioned in paragraph (a) whenever the existence of isomers of that kind is possible within the specific chemical designation:
- (c) the esters and ethers of the substance mentioned in paragraph (a) and the esters and ethers of the isomers mentioned in paragraph (b) whenever the existence of esters or ethers of that kind is possible:

- (d) the salts of the substance mentioned in paragraph (a) and the salts of the isomers, esters, and ethers mentioned in paragraph (b) or (c):
- (e) substances containing any proportion of a substance mentioned in paragraphs (a) to (d)

methamphetamine utensil—

- (a) means a pipe that may be used for administering methamphetamine (common names for which include crystal meth, glass, ice, P, or pure), and that has the following features:
 - (i) a bowl all of which or the base of which is made of glass, metal, ceramic, or another flameproof and heat-conducting material; and
 - (ii) a stem leading directly off the bowl and ending with a mouthpiece; and
 - (iii) no insertion (of gauze, wire mesh screen, or of another material that is not designed or intended to be burnt or dissolved) between the bowl and stem; and
 - (iv) a hole either at the top of the bowl or on the stem; but
- (b) does not include a pipe manufactured for use as a pipe to smoke tobacco

prohibited feature means,—

- (a) in the case of a utensil mentioned in the definition of cannabis utensil (other than a roach clip with a pincer or tweezer action), any of the following features:
 - (i) more than 2 holes:
 - (ii) more than 1 inhalation hose (breathing port):
 - (iii) provision for cooling smoke by drawing the smoke through water:
 - (iv) a metal or ceramic bowl:
 - (v) an insertion placed in a bowl, which is an insertion that is a gauze, a wire mesh screen, or an insertion made of material that is not designed or intended to be burnt or dissolved in the bowl:
- (b) in the case of a roach clip with a pincer or tweezer action, a depiction of cannabis fruit, cannabis seed, or any part of the cannabis plant, or a depiction that could rea-

sonably be taken to be a depiction of cannabis fruit, cannabis seed, or any part of the cannabis plant

prohibited goods power, function, or duty means a power, function, or duty conferred or imposed by the Customs and Excise Act 1996 and that may be exercised or performed in respect of prohibited goods, for example,—

- (a) the power under section 233(1)(c) of that Act to grant relief in respect of seized goods; and
- (b) the power under section 236(2) of that Act to order restoration of goods forfeited to the person from whom the goods were seized

supply, in relation to utensils that are prohibited goods because of section 54(1)(a) and Schedule 1 of the Customs and Excise Act 1996, does not include the actual or purported exercise or performance, in respect of those utensils, of a prohibited goods power, function, or duty.

Clause 3 **prohibited goods power, function, or duty** paragraph (a): substituted, on 24 September 2009, by section 21 of the Customs and Excise Amendment Act (No 3) 2008 (2008 No 68).

4 Importation and supply of cannabis utensils prohibited

No person may—

- (a) import a cannabis utensil; or
- (b) supply a cannabis utensil.

5 Importation and supply of methamphetamine utensils prohibited

No person may—

- (a) import a methamphetamine utensil; or
- (b) supply a methamphetamine utensil.

6 Revocation

The Misuse of Drugs (Prohibition of Cannabis Utensils) Notice 1999 (SR 1999/215) is revoked.

Dated at Wellington this 16th day of December 2003.

Reprinted as at
12 May 2014

**Misuse of Drugs (Prohibition of Cannabis
Utensils and Methamphetamine
Utensils) Notice 2003**

Jim Anderton,
for Minister of Health.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 18 December 2003.

Reprints notes

1 *General*

This is a reprint of the Misuse of Drugs (Prohibition of Cannabis Utensils and Methamphetamine Utensils) Notice 2003 that incorporates all the amendments to that notice as at the date of the last amendment to it.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Misuse of Drugs (Prohibition of Cannabis Utensils and Methamphetamine Utensils) Notice 2014 (*Gazette* 2014, p 1094): clause 6
Customs and Excise Amendment Act (No 3) 2008 (2008 No 68): section 21
