

Cannabis Laws

Possession of all drugs, unless prescribed by a medical practitioner, is illegal.

Cannabis

It is illegal to:

1. Be in possession of any amount of cannabis, no matter how small. You can be said to be in "possession" even if you are minding a friend's cannabis or are holding a joint for someone but not going to smoke it yourself.
2. Cultivate (grow) a cannabis plant (s.7(2) Misuse of Drugs Act 1981(MDA)).
3. Have in your possession a smoking implement used in connection with the smoking of cannabis (s.5(1)(d) MDA).
4. Sell or supply (give) someone cannabis (s.7(1)(b) MDA).
5. Be the owner or occupier of a house and permit the smoking, cultivation, sale or supply of cannabis (s.5(1)(a)&(b) MDA).
6. Sell or supply any equipment knowing it will be used in the hydroponic cultivation of cannabis (s.7A MDA).

The Police may issue a Cannabis Infringement Notice (a fine) to anyone over the age of 18 who is found in possession of less than 30 grams of cannabis (s.6(2) Cannabis Control Act 2003 (CCA)).

The Police may also issue a Cannabis Infringement Notice to someone who is found growing no more than two plants. The plants must not be hydroponically cultivated, they must be at your home and there must be no other cannabis plants being grown there by anyone else (s.7(2) CCA).

A Cannabis Infringement Notice cannot be issued to someone under the age of 18. If you are under the age of 18, you may receive an official Police Caution, be referred to the Juvenile Justice Team, or alternatively charged and have to attend the Children's Court.

If you are found in possession of:

- a) 100 grams or more of cannabis, or
- b) 80 cannabis cigarettes (joints), or
- c) 20 grams or more of cannabis resin (hash), or
- d) 10 or more cannabis plants,

you may be charged with Selling or Supplying Cannabis, which is a more serious offence. You can be charged with this even if the cannabis was intended for your own personal use (s.11(a) MDA & Schedule V MDA).

If the Police suspect that you have been or are using a drug, you and your car, can be searched without a warrant.

© Youth Legal Service Inc. 2009

Important: This general information is not the same as legal advice. You should speak with a lawyer about your situation.



For assistance contact:

Kids Helpline

1800 551 800

Crisis Care

9223 1111 or 1800 199 008

For help with this and other issues contact:

Youth Legal Service Inc (WA)

(08) 9202 1688 (Perth Metro)

1800 199 006 (Country WA)

www.youthlegalserviceinc.com.au