Queensland

Drugs Misuse Act 1986

Drugs Misuse Regulation 1987

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Reprint No. 5

This reprint is prepared by
the Office of the Queensland Parliamentary Counsel

Information about this reprint

This regulation is reprinted as at 4 December 2006. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes. Also see list of legislation for any uncommenced amendments.

Minor editorial changes allowed under the provisions of the Reprints Act 1992 mentioned in the following list have also been made to—

- use different spelling consistent with current drafting practice (s 26(2))
- reorder other provisions consistent with current drafting practice (s 30A)
- use aspects of format and printing style consistent with current drafting practice (s 35).

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

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Queensland

Drugs Misuse Regulation 1987

Contents

Drugs Misuse Regulation 1987

[as amended by all amendments that commenced on or before 4 December 2006]

Part 1 Preliminary

1 Short title

This regulation may be cited as the *Drugs Misuse Regulation 1987*.

2 Dictionary

The dictionary in schedule 9 defines particular words used in this regulation.

Part 2 Syringes and dangerous drugs disposal procedures

3 Prescribed procedures for the disposal of hypodermic syringes and needles

For the purposes of section 10(4A) of the Act, the prescribed procedures for the disposal of a hypodermic syringe or needle shall be as follows—

(a) by placing the hypodermic syringe or needle in a rigid wall, puncture resistant container and that container is sealed or securely closed in such a manner that its contents are incapable of causing injury to any person; or

(b) by giving the hypodermic syringe or needle to a person who is a medical practitioner, pharmacist or person or a

member of a class of persons referred to as authorised in section 10(3) of the Act.

4 Prescribed procedure for disposal of dangerous drugs

For the purposes of section 125[1] of the Act, the prescribed procedure for the disposal of a thing shall be as follows—

(a) in the case where the thing is a trace amount of a dangerous drug contained in a hypodermic syringe or needle, by disposing of the hypodermic syringe or needle in accordance with the procedures prescribed in section 9; or

(b) in any other case, at the first reasonable opportunity, by giving—

(i) such thing; and

(ii) where such thing is contained in a hypodermic syringe or needle, such syringe or needle;

to an officer authorised to exercise the powers contained in the *Health Act 1937*, section 132.[2]

Part 3 Controlled substances

5 Other act that is a relevant transaction—Act, s 43C(b)

Any act by which a controlled substance is supplied[3] by a person, in or in connection with the person's business, to anyone else is a relevant transaction for the supply of a controlled substance.

1 Section 125 (Prescribed persons permitted to receive and dispose of dangerous drugs) of the Act

2 Now see part 4A (Monitoring, investigation and enforcement), division 3 (Powers of inspectors) of the *Health Act 1937*.

3 Under section 43A of the Act, *supply* means give, distribute, sell or supply.

Example—

A and B are partners in a chain of pharmacies. They make cold tablets to sell in the pharmacies by compounding ephedrine (a controlled substance) with other substances.

The partners sell some of the left over ephedrine to a pharmaceutical research company and give the rest away.

Both the sale and gift of ephedrine are relevant transactions.

6 Documents and proof of identity required for supply of a controlled substance—Act, s 43D(1)(a)

(1) This section applies to a person who supplies a controlled substance under a relevant transaction to anyone else (a ***recipient***).

(2) The person must, before supplying the substance, obtain from the recipient a written order for the supply of the substance showing the following information—

(a) the recipient's name and address, and if the recipient purports to obtain the substance for another person, the other person's name and address;

(b) the date and number of the order;

(c) the name and quantity of the substance to be supplied;

(d) the purpose for which the substance is to be supplied.

(3) If the recipient is an individual, the person must, before supplying the substance, require the recipient to produce an official document containing the recipient's photograph (for example, a passport or drivers licence) as evidence of the recipient's identity.

(4) The person must, immediately the person supplies the substance under the transaction, make an invoice for the supply of the substance showing the following details—

(a) the recipient's name and address;

(b) the recipient's order number for the supply of the substance;

(c) the date the substance was supplied;

(d) the name and quantity of the substance supplied.

Maximum penalty for subsection (4)—20 penalty units.

7 Details about supply of controlled substance to be recorded in register

(1) The following details about a relevant transaction for the supply of a controlled substance must be recorded in the register[4]—

(a) the name and address of the recipient and, if the recipient purports to obtain the substance for another person, the other person's name and address;

(b) the recipient's order number for the supply of the substance;

(c) the invoice number for the supply of the substance;

(d) if the recipient is—

(i) a company—its Australian Company Number; or

(ii) an individual—the type of official document produced under section 12(3) and the following details about the document—

(A) who issued it;

(B) its serial number or other identifying number or mark;

(e) the name and quantity of the substance supplied;

(f) the date the substance was supplied;

(g) the purpose for which the substance was supplied.

(2) The details must be recorded in the register as soon as practicable, but in no case later than 7 days, after the day the person supplied the substance under the transaction.

(3) Nothing in this section prevents the keeping of a single register for the Act and another Act if—

(a) the keeping of the single register is not contrary to the other Act; and

4 See section 43D(1)(c) of the Act for the requirement to keep the register.

(b) the details recorded under subsection (1) are easily identifiable in the single register.

8 Details about loss or theft of controlled substance to be recorded in register

The following details of the reporting to a police officer of the loss or theft of a controlled substance must be recorded in the register—

(a) the day and place the report was made;

(b) the name and registered number of the officer to whom the report was made;

(c) the name and quantity of the substance lost or stolen.

9 Keeping of register, invoice and other documents

(1) This section applies to the register and other documents mentioned in the Act, section 43D(1)[5] and the invoice required under section 12(4).

(2) A person who supplies a controlled substance under a relevant transaction must keep the register, documents or invoice—

(a) at the principal or only place in Queensland where the person engages in relevant transactions; and

(b) for 2 years from the day the person supplied the substance under the transaction.

5 Section 43D (Requirements for supply of controlled substance under relevant transactions) of the Act

Part 4 Commercial production of industrial cannabis

Division 1 Preliminary

10 Operation of pt 4 and schs 7 and 8

(1) Divisions 3 to 7 state activities stated persons are authorised to perform for the purposes of part 5B of the Act.

(2) Schedule 7 states conditions applying to particular persons who perform activities stated in divisions 4, 5, 6 and 7.

(3) If a word used in this part, schedule 7 or schedule 8 is not defined in the dictionary but is defined for part 5B of the Act, the word has the same meaning as in that part, unless a contrary intention appears.[6]

Division 2 Certified cannabis seed

11 Certifying cannabis seed

(1) The way seed originating in Queensland is to be certified for the definition *certified cannabis seed* in section 46 of the Act is stated in the Industrial Cannabis THC Seed Certification Code of Practice approved by the chief executive by gazette notice.[7]

(2) The way cannabis seed originating in another State or a foreign country (***imported seed***) is certified for the definition *certified cannabis seed* in section 46 of the Act is stated in subsection (3).

(3) The seed must be in a package that—

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6 Part 5B (Commercial production of industrial cannabis) and section 46 (Definitions for pt 5B) of the Act

7 The code is a departmental document and is published by the department. A copy of the code may be obtained or inspected without charge from the department's head office at 80 Ann Street, Brisbane during normal business hours. The department's internet site is at <www.dpi.qld.gov.au> and the code is also available there.

(a) has a document attached to it certifying that the seed—

(i) has been certified in accordance with a recognised quality assurance program; and

(ii) if grown, will produce cannabis plants with a THC concentration in their leaves and flowering heads of not more than 0.5%; and

(b) describes the contents of the package as seed that, if grown, will produce cannabis plants with a THC concentration in their leaves and flowering heads of not more than 0.5%.

Division 3 Carriers

12 Application of div 3

This division applies to a carrier only if the carrier is engaged or employed by any of the following to transport consigned cannabis—

(a) a category 1 or category 2 researcher;

(b) a grower;

(c) a DPI researcher;

(d) an inspector;

(e) a seed supplier.

13 Supply

(1) The carrier is authorised to transport consigned cannabis and give it to the person to whom it is consigned.

(2) The authorisation—

(a) is for the time necessary for the carrier to transport the consigned cannabis and give it to the person to whom it is consigned; and

(b) has effect only while the carrier is acting in accordance with the terms of the carrier's engagement or employment.

14 Possession

(1) The carrier is authorised to possess consigned cannabis for the time necessary for the carrier to transport it to the person to whom it is consigned and give it to the person.

(2) The authorisation has effect only while the carrier is acting in accordance with the terms of the carrier's engagement or employment.

Division 4 DPI researchers

15 Supply

A DPI researcher is authorised—

(a) to supply class A research cannabis plants and seed to another DPI researcher or a category 1 researcher; and

(b) to supply class B research cannabis plants and seed to another DPI researcher or a category 1 or category 2 researcher; and

(c) to supply class A and class B research cannabis seed to a grower for use, under the DPI researcher's supervision, as part of a field trial the DPI researcher is conducting on land owned or leased by the grower; and

(d) to supply industrial cannabis seed to any of the following—

(i) a grower;

(ii) a category 1 or category 2 researcher;

(iii) another DPI researcher;

(iv) the owner or operator of a facility at which industrial cannabis seed may be denatured;

(v) the owner or operator of a facility where processed cannabis is, or is to be, used for manufacturing a manufactured product for sale by wholesale or retail; and

(e) to supply class A or class B research cannabis seed or industrial cannabis seed to a person in another State who

is authorised under the law of that State to possess cannabis seed that, if grown, will produce plants with a THC concentration in their leaves and flowering heads that the person in the other State may possess; and

(f) to supply class A or class B research cannabis plants, industrial cannabis plants or processed cannabis to an analyst; and

(g) to supply processed cannabis to the owner or operator of a facility where processed cannabis is used for manufacturing a manufactured product for sale by wholesale or retail.

16 Production

A DPI researcher is authorised to produce, for use in plant breeding programs for developing new commercial strains of industrial cannabis—

(a) industrial cannabis plants and seed; and

(b) class A and class B research cannabis plants and seed.

17 Possession

A DPI researcher is authorised to possess any of the following for a purpose mentioned in section 15 or 16—

(a) industrial cannabis plants and seed;

(b) class A and class B research cannabis plants and seed;

(c) processed cannabis.

Division 5 Inspectors

18 Supply

An inspector is authorised —

(a) to supply industrial cannabis plants, class A or class B research cannabis plants or processed cannabis to an analyst to analyse the THC concentration in any of them; and

(b) if the inspector is given industrial cannabis plants or seed or class A or class B research cannabis plants or seed for delivery to a particular person who is lawfully entitled to possess the plants or seed—to supply the plants or seed to the person.

19 Possession

An inspector is authorised—

(a) to possess industrial cannabis plants, class A or class B research cannabis plants or processed cannabis given to the inspector for delivery to an analyst to analyse the THC concentration in the plants or processed cannabis; and

(b) to possess industrial cannabis plants or seed or class A or class B research cannabis plants or seed given to the inspector for delivery to a person lawfully entitled to possess the plants or seed.

Division 6 Seed suppliers

20 Supply

A seed supplier is authorised to supply industrial cannabis seed to any of the following—

(a) a category 1 or category 2 researcher;

(b) a grower;

(c) a DPI researcher;

(d) a person in another State who is authorised under the law of that State to possess cannabis seed that, if grown, will produce cannabis plants with a THC concentration in their leaves and flowering heads the person in the other State may possess;

(e) if the seed supplier holds a licence under the *Customs Act 1901* (Cwlth) authorising the seed supplier to export cannabis—a person in a foreign country who is

authorised under the law of the country to possess the seed.

21 Possession

A seed supplier is authorised to possess industrial cannabis seed for the purpose of supplying it to a person mentioned in section 20.

Division 7 Other persons

22 Denaturer

(1) The owner or operator of a facility where industrial cannabis seed may be denatured under an agreement or arrangement with a licensee or another person authorised under this part to produce industrial cannabis seed (***denaturer***), is authorised to possess industrial cannabis seed supplied to the owner or operator, but only for the purpose of denaturing the seed.

(2) A denaturer is authorised to supply denatured seed to a person who is authorised to possess processed cannabis.

23 Manufacturer

The owner or operator of a facility where processed cannabis is used for manufacturing a manufactured product for sale by wholesale or retail is authorised to possess processed cannabis for using it for manufacturing a manufactured product.

24 Analyst

(1) An analyst is authorised to possess—

(a) standard THC material to calibrate an analytical instrument used for analysing a substance to determine its THC concentration; and

(b) if an authorised person engages or employs the analyst to analyse a substance to determine its THC concentration—the substance for the purpose of the analysis.

(2) In this section—

authorised person means any of the following—

(a) a category 1 or category 2 researcher;

(b) a grower;

(c) a DPI researcher;

(d) an inspector.

substance means a substance that an authorised person reasonably believes to be any of the following—

(a) industrial cannabis plants;

(b) class A or class B research cannabis plants;

(c) processed cannabis.

25 Family members

(1) A person who is a member of the immediate family of a licensee is authorised to produce, possess or supply a substance if—

(a) the licensee is authorised to produce, possess or supply the substance under the Act; and

(b) the person's production, possession or supply of the substance is necessary for, or incidental to the licensee's production, possession or supply of the substance.

(2) In this section —

substance means any of the following—

(a) class A research cannabis plants;

(b) class A research cannabis seed;

(c) class B research cannabis plants;

(d) class B research cannabis seed;

(e) industrial cannabis plants;

(f) industrial cannabis seed;

(g) processed cannabis.

26 Employees of authorised persons

(1) An employee of an authorised person is authorised to produce, possess, supply or transport a substance if—

(a) under the Act, the authorised person is authorised to produce, possess, supply or transport the substance; and

(b) the employee's production, possession, supply or transportation of the substance is necessary for, or incidental to, performing the employee's employment or engagement.

(2) In this section—

authorised person means any of the following—

(a) a licensee;

(b) a carrier;

(c) a DPI researcher;

(d) an inspector;

(e) a seed supplier;

(f) a denaturer;

(g) a manufacturer;

(h) an analyst.

employee includes agent.

substance means any of the following—

(a) class A research cannabis plant;

(b) class A research cannabis seed;

(c) class B research cannabis plant;

(d) class B research cannabis seed;

(e) industrial cannabis plant;

(f) industrial cannabis seed;

(g) processed cannabis.

Division 8 Other provisions

27 Recognition as seed supplier

(1) A person may apply in writing to the chief executive for recognition as a seed supplier.

(2) The chief executive must recognise the person as a seed supplier if the chief executive is satisfied the person—

(a) for trade or commerce, sells or otherwise provides seeds to someone else; and

(b) for selling or providing the seed, has a current recognised quality assurance program that conforms to an industry standard or code of practice; and

(c) is a member of the Queensland Seed Industry Association or a similar organisation in another State.

(3) The chief executive must give a person recognised as a seed supplier written notice of the recognition.

(4) The recognition notice must state—

(a) the person's recognition number as a seed supplier; and

(b) the date the recognition ends, which must not be longer than 3 years after the date of the notice.

(5) The recognition is not transferable.

28 Licence fees

(1) The fee payable on application for a licence under the Act, part 5B is $324.60.

(2) The fee payable on application for the renewal of a licence is $129.85.

29 Licence conditions—Act, s 64

(1) The conditions in schedule 8 are prescribed for section 64(3)[8] of the Act.

8 Section 64 (Term and conditions) of the Act

(2) Unless otherwise expressly stated, the conditions apply to all licensees.

Part 5 Transitional provisions

30 Transitional provision for Drugs Misuse Amendment Regulation (No. 2) 2001

(1) To remove doubt, it is declared that this regulation, as in force immediately before the commencement of the *Drugs Misuse Amendment Regulation (No. 2) 2001* (the ***amending regulation***), continues to apply in relation to an offence against the Act committed before the commencement of the amending regulation.

(2) Proceedings for an offence against the Act committed before the commencement of the amending regulation may be continued or started as if the amending regulation had not been made.

31 Transitional provision for Drugs Misuse Amendment Regulation (No. 2) 2002

(1) To remove doubt, it is declared that this regulation, as in force immediately before the commencement of this section, continues to apply in relation to an offence against the Act committed before the commencement of this section.

(2) Proceedings for an offence against the Act committed before the commencement of this section may be continued or started as if the *Drugs Misuse Amendment Regulation (No. 2) 2002* had not been made.

Schedule 1 Dangerous drugs

sections 4, 5, 6, 8, 8A, 9 and 134 of the Act

Amphetamine
Cocaine
Heroin
Lysergide
Methylamphetamine
Phencyclidine

Schedule 2 Dangerous drugs

sections 4, 5, 6, 8, 8A, 9 and 134 of the Act

Acetorphine

Acetyldihydrocodeine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of acetyldihydrocodeine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of acetyldihydrocodeine

Acetylmethadol

Acetylmorphines

Alfentanil

Alkoxyamphetamines and bromo-substituted alkoxyamphetamines except where separately specified

Alkoxyphenethylamines and alkyl-substituted alkoxyphenethylamines except where separately specified

Allylprodine

Alphacetylmethadol

Alphameprodine

Alphamethadol

Alpha-methyltryptamine (AMT)

Alphaprodine

Anileridine

Barbituric acid and any 5,5 disubstituted derivatives of barbituric acid, whether or not further substituted at position 1 of the ring

Benzethidine

Benzylmorphine

Schedule 2 (continued)

N-Benzylpiperazine (BZP)

Betacetylmethadol

Betameprodine

Betamethadol

Betaprodine

Bezitramide

4-Bromo-2,5-dimethoxyamphetamine

4-Bromo-2,5-dimethoxyphenethylamine

Bufotenine

Buprenorphine

Cannabinoids except tetrahydrocannabinols

Cannabis sativa

Clonitazene

Coca leaf

Codeine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 30mg or less of codeine per dosage unit; or

(b) in undivided preparations containing 1% or less of codeine

Codeine-N-oxide

Codoxime

4-Cyano-1-Methyl-4-Phenylpiperidine

4-Cyano-2-Dimethylamino-4,4-Diphenylbutane

Desomorphine

Diampromide

Diethylthiambutene

N,N-Diethyltryptamine

Schedule 2 (continued)

Difenoxin except in preparations containing 0.5mg or less of difenoxin and a quantity of atropine sulphate equivalent to not less than 5% of the dose of difenoxin per dosage unit

Dihydrocodeine except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of dihydrocodeine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of dihydrocodeine

Dihydromorphine

Dimenoxadol

Dimepheptanol

2,5-Dimethoxyamphetamine

2,5-Dimethoxy-4-Ethylamphetamine (DOET)

2,5-Dimethoxy-4-ethylphenethylamine (2C-E)

2,5-Dimethoxy-4-ethylthiophenethylamine (2C-T-2)

2,5-Dimethoxy-4-Methylamphetamine

2,5-Dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7)

Dimethylamino-1,2-Diphenylethane

3-(1,2-Dimethylheptyl)-1-Hydroxy-7,8,9,10-Tetrahydro-6,6,9-Trimethyl-6 H-Dibenzo(b,d)Pyran

Dimethylthiambutene

N,N-Dimethyltryptamine

Dioxaphetyl butyrate

Diphenoxylate except in preparations containing 2.5mg or less of diphenoxylate and a quantity of atropine sulphate equivalent to not less than 1% of the dose of diphenoxylate per dosage unit

Dipipanone

Drotebanol

Schedule 2 (continued)

Ecgonine, its esters and derivatives which are convertible to ecgonine and cocaine

Ethylmethylthiambutene

Ethylmorphine except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of ethylmorphine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of ethylmorphine

N-Ethyl-1-Phencyclohexylamine

Etonitazine

Etorphine

Etoxeridine

Fenethylline

Fentanyl

Furethidine

Gamma hydroxybutyric acid

Hydrocodone

Hydromorphinol

Hydromorphone

Hydroxypethidine

4-Iodo-2,5-dimethoxyphenethylamine (2C-I)

Isomethadone

Ketamine

Ketobemidone

Levophenacylmorphan

Lysergamide and N-alkyl derivatives of lysergamide other than lysergide

Lysergic acid

Schedule 2 (continued)

Mecloqualone

Mescaline (3,4,5-Trimethoxyphenethylamine)

Metazocine

Methadone

Methaqualone

Methcathinone

5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT)

5-Methoxy-3,4-Methylenedioxyamphetamine (MMDA)

2-Methylamino-1-(3,4-methylenedioxyphenyl) butane (MBDB)

4-Methylaminorex

Methyldesorphine

Methyldihydromorphine

3,4-Methylenedioxyamphetamine

3,4-Methylenedioxyethylamphetamine (MDEA)

3,4-Methylenedioxymethamphetamine (MDMA)

2-Methyl-3-Morpholino-1, 1-Diphenylpropane Carboxylic acid

Methylphenidate

1-Methyl-4-Phenylpiperidine-4-Carboxylic acid

4-Methylthioamphetamine (4-MTA)

Metopon

Moramide

Morpheridine

Morphine

Morphine methobromide

Morphine-N-oxide

Myrophine

Schedule 2 (continued)

Nabilone

Nicocodine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of nicocodine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of nicocodine

Nicodicodine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of nicodicodine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of nicodicodine

Nicomorphine

Noracymethadol

Norcodeine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of norcodeine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of norcodeine

Norlevorphanol

Normethadone

Normorphine

Norpipanone

Opium

Oxycodone

Oxymorphone

Schedule 2 (continued)

Papaver orientale

Papaver setigerum

Papaver somniferum L. except the seed thereof which seed has been rendered sterile

Parahexyl

Paramethoxyamphetamine (PMA)

Pentazocine

Pethidine

Phenadoxone

Phenampromide

Phenazocine

Phendimetrazine

Phenmetrazine

Phenomorphan

Phenoperidine

1-(1-Phenylcyclohexyl)pyrrolidine

4-Phenylpiperidine-4-Carboxylic acid ethyl ester

Pholcodine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of pholcodine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of pholcodine

Piminodine

Piritramide

Proheptazine

Properidine

Propiram

Schedule 2 (continued)

Psilocin

Psilocybin

Racemethorphan

Racemoramide

Racemorphan

Salvia Divinorum

Sufentanil

Tetrahydrocannabinols including their alkyl homologues except where separately specified; and their corresponding carboxylic acids

Thebacon

Thebaine

1-(1-(2-thienyl)cyclohexyl)piperidine

Tilidine

1-(3-Trifluoromethylphenyl) piperazine (TFMPP)

Trimeperidine

3, 4, 5-Trimethoxyamphetamine (TMA)

Schedule 2A Dangerous drugs

sections 4, 5, 6, 8, 8A, 9 and 134 of the Act

Androisoxazole
Atamestane
Bambuterol
Bolandiol
Bolasterone
Bolazine
Boldenone (dehydrotestosterone)
Bolenol
Bolmantalate
Calusterone
Chlorandrostenolone
4-Chloromethandienone
Chloroxydienone
Chloroxymesterone (dehydrochloromethyltestosterone)
Clenbuterol
Clostebol (4-chlorotestosterone)
Danazol
Dihydrolone
Dimethandrostanolone
Drostanolone
Enestebol
Ephedrine
Epitiostanol
Ethyldienolone
Ethylestrenol

Schedule 2A (continued)

Fenoterol

Flunitrazepam

Fluoxymesterone

Formebolone (formyldienolone)

Formoterol

Furazabol

Hydroxystenozol

Mebolazine

Mepitiostane

Mesabolone

Mestanolone (androstalone)

Mesterolone

Methandienone

Methandriol

Methenolone

Methylclostebol

Methyltestosterone

Methyltrienolone

Metribolone

Mibolerone

Nandrolone

Norandrostenolone

Norbolethone

Norclostebol

Norethandrolone

Normethandrone

Ovandrotone

Oxabolone

Schedule 2A (continued)

Oxandrolone

Oxymesterone

Oxymethalone

Prasterone

Propetandrol

Quinbolone

Reproterol

Salbutamol, except in metered aerosols or dry powder or capsules of dry powder for inhalation

Silandrone

Somatotropin

Stanazolol

Stanolone

Stenbolone

Terbutaline, except in metered aerosols for inhalation

Testolactone

Testosterone, except in implant preparations for growth promotion in animals

Thiomesterone (tiomesterone)

Trenbolone (trienbolone, trienolone), except in implant preparations for use in animals

Trestolone

Any other anabolic and androgenic steroidal agent

Schedule 3 Specified quantities for particular dangerous drugs

sections 4, 8, 9, 125 and 134 of the Act

Dangerous drug	Quantity of dangerous drug
Amphetamine	2.0g
Barbituric Acid and any 5,5 disubstituted derivatives of barbituric acid whether or not further substituted at position 1 of the ring	50.0g
4-Bromo-2,5-dimethoxyamphetamine	0.5g
4-Bromo-2,5-dimethoxyphenethylamine	2.0g
Cannibis sativa	500.0g or, if the dangerous drug consists of plants the aggregate weight of which is less than 500.0g, 100 plants
Cocaine	2.0g
Codeine	10.0g
N,N-Diethyltryptamine	2.0g
2,5-Dimethoxy-4-Ethylamphetamine (DOET)	2.0g
2,5-Dimethoxy-4-Methylamphetamine	2.0g
N,N-Dimethyltryptamine	2.0g
Fenethylline	2.0g
Fentanyl	0.01g
Gamma hydroxybutyric acid	2.0g
Heroin	2.0g
Hydromorphone	2.0g
Lysergide	0.004g
Methadone	2.0g
Methcathinone	2.0g

Schedule 3 (continued)

Dangerous drug	**Quantity of dangerous drug**
5-Methoxy-3,4-Methylenedioxyamphetamine (MMDA)	2.0g
2-Methylamino-1-(3,4-methylenedioxyphenyl) butane (MBDB)	2.0g
4-Methylaminorex	2.0g
Methylamphetamine	2.0g
3,4-Methylenedioxyethylamphetamine (MDEA)	2.0g
3,4-Methylenedioxymethamphetamine (MDMA)	2.0g
4-Methylthioamphetamine (4-MTA)	2.0g
Moramide	2.0g
Morphine	2.0g
Opium	20.0g
Paramethoxyamphetamine (PMA)	2.0g
Pethidine	10.0g
Phencyclidine	0.5g
Psilocin	0.10g
Psilocybin	0.10g
Tetrahydrocannabinols including their alkyl homologues except where separately specified; and their corresponding carboxylic acids	2.0g
3,4,5-Trimethoxyamphetamine (TMA)	2.0g

Schedule 4 Specified quantities for particular dangerous drugs

sections 4, 8, 9 and 134 of the Act

Dangerous drug	Quantity of dangerous drug
Amphetamine	200.0g
Cocaine	200.0g
Heroin	200.0g
Lysergide	0.4g
Methylamphetamine	200.0g
Phencyclidine	50.0g

Schedule 5 Dangerous drugs

sections 4, 124 and 134 of the Act

Barbituric acid and any 5,5 disubstituted derivatives of barbituric acid, whether or not further substituted at position 1 of the ring

Buprenorphine

Codeine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 30mg or less of codeine per dosage unit; or

(b) in undivided preparations containing 1% or less of codeine

Difenoxin except in preparations containing 0.5mg or less of difenoxin and a quantity of atropine sulphate equivalent to not less than 5% of the dose of difenoxin per dosage unit

Dihydrocodeine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of dihydrocodeine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of dihydrocodeine

Diphenoxylate except in preparations containing 2.5mg or less of diphenoxylate and a quantity of atropine sulphate equivalent to not less than 1% of the dose of diphenoxylate per dosage unit

Ethylmorphine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of ethylmorphine per dosage unit; or

Schedule 5 (continued)

(b) in undivided preparations containing 2.5% or less of ethylmorphine

Hydrocodone

Hydromorphone

Ketamine

Methadone

Methylphenidate

Moramide

Morphine

Nicocodine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of nicocodine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of nicocodine

Nicodicodine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of nicodicodine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of nicodicodine

Norcodeine, except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of norcodeine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of norcodeine

Normethadone

Oxycodone

Schedule 5 (continued)

Pentazocine

Pethidine

Phenazocine

Phendimetrazine

Phenmetrazine

Pholcodine except where it is compounded with 1 or more other medicaments in such a way that it can not be readily extracted and where it is contained—

(a) in divided preparations containing 100mg or less of pholcodine per dosage unit; or

(b) in undivided preparations containing 2.5% or less of pholcodine

Racemethorphan

Racemoramide

Racemorphan

Schedule 6 Controlled substances

sections 4 and 134 of the Act

Substance	Alternative name
Acetic anhydride	
N-Acetylanthranilic acid	2-Acetamidobenzoic acid
Allylbenzene	3-Phenyl-1-propene or 2-propenyl benzene
4-Aminobutanoic acid	Piperidinic acid
Ammonium formate	
Anthranilic acid	2-Aminobenzoic acid
Benzaldehyde	
Benzyl bromide	α-Bromotoluene
Benzyl chloride	α-Chlorotoluene
Benzyl cyanide	
Boron tribromide	
Bromobenzene	Phenylbromide
Bromo safrole	
1,4-Butanediol	Tetramethylene glycol
Calcium metal	
1-Chlorophenyl-2-aminopropane	
Chromic acid	
Chromium trioxide	Chromium (VI) oxide
Ephedrine	
Ergometrine	Ergonovine
Ergotamine	
Ethanamine	Monoethylamine
N-Ethylephedrine	
Ethyl phenylacetate	Benzeneacetic acid, ethyl ester
N-Ethylpseudoephedrine	
Formamide	
Hydriodic acid	Hydrogen iodide solution

Schedule 6 (continued)

Substance	Alternative name
Hydrobromic acid	Hydrogen bromide solution
4-Hydroxybutanal	4-Hydroxybutyraldehyde
4-Hydroxybutanoic acid lactone	Gamma-butyrolactone
4-Hydroxybutanoic acid nitrile	4-Hydroxybutyronitrile
4-Hydroxypentanoic acid lactone	Gamma-valerolactone
2-Hydroxytetrahydrofuran	Tetrahydro-2-furanol
Hypophosphorous acid	Phosphinic acid
Iodine	
Isosafrole	5-(1-Propenyl)-1,3-benzodioxole
Lithium aluminium hydride	
Lithium metal	
Mercuric chloride	Mercury bichloride or Mercury (II) chloride
Methylamine	Aminomethane or Monomethylamine
Methylammonium salts	
3,4-Methylenedioxyphenyl-2-propanone	
N-Methylephedrine	
N-Methylformamide	
Methyl phenylacetate	Benzeneacetic acid, methyl ester
N-Methylpseudoephedrine	
Nitroethane	
Norpseudoephedrine	
Palladium	
Phenylacetamide	
Phenylacetic acid	
Phenylacetonitrile	Benzeneacetonitrile, Benzyl cyanide or Benzyl nitrile
Phenylacetyl chloride	
1-Phenyl-2-chloropropane	
1-Phenyl-2-methylaminopropane	
1-Phenyl-2-nitropropene	

Schedule 6 (continued)

Substance	Alternative name
1-Phenyl-2-propanol	
Phenylpropanolamine	Norephedrine
1-Phenyl-1-propanone	Phenyl ethyl ketone or Propiophenone
1-Phenyl-2-propanone	Benzyl methyl ketone or Phenylacetone
1-Phenyl-2-propanone oxime	
Phosphorous acid	Phosphonic Acid
Phosphorus (red or white)	
Piperidine	
Piperonal	Heliotropine or 3,4-Methylenedioxybenzaldehyde
Potassium metal	
Propionic anhydride	
Pseudoephedrine	
Pyridine	
2-Pyrrolidone	Gamma-butyrolactam
Raney nickel	
Safrole	5-(2-Propenyl)-1,3-benzodioxide
Sassafras oil	
Sodium borohydride	
Sodium metal	
Thionyl chloride	
Thorium	

Schedule 7 Conditions for particular persons authorised under part 4

section 10(2)

1 Denaturer

A denaturer must—

(a) keep industrial cannabis seed that has not been denatured in a securely locked place, other than when removing it to enable it to be denatured; and

(b) keep records of—

(i) the source and quantity of all industrial cannabis seed received for denaturing; and

(ii) when and by whom the industrial cannabis seed was delivered to the denaturer; and

(c) must pay the chief executive's reasonable costs of monitoring the denaturer's activities to the extent to which they relate to the denaturing of industrial cannabis seed and the supply of processed cannabis to a manufacturer.

2 DPI researcher

A DPI researcher must—

(a) keep class A research cannabis plants the researcher is growing securely locked in a glasshouse; and

(b) grow class B research cannabis plants in an area that is fenced to delineate the area under production; and

(c) if the chief executive requires the researcher to erect signs indicating the presence of class B research cannabis at a fenced area, ensure the signs are erected as required by the chief executive; and

(d) keep industrial cannabis seed and class A and class B research cannabis seed in the researcher's possession or

Schedule 7 (continued)

under the researcher's control locked in a secure place when not otherwise required—

(i) for use for planting; or

(ii) to be supplied to another person; and

(e) keep a register that includes the following information—

(i) the varieties or strains of cannabis plants and cannabis seed under the researcher's control;

(ii) the source, quantity and delivery details for cannabis seed and plant varieties the researcher receives;

(iii) how, when and from whom the researcher received cannabis plants and seed delivered to the researcher;

(iv) if a carrier delivered the cannabis plants or seed to the researcher, the name of the person who delivered the plants or seed;

(v) if a researcher engages a carrier to deliver cannabis plants or seed to someone else—

(A) the name of the person to whom the plants or seed were given for delivery; and

(B) the name of the person to whom it is intended the plants or seed be supplied by the researcher.

3 Inspector

An inspector who possesses industrial cannabis plants or seed or class A or class B research cannabis plants or seed for supplying them to someone else under part 4 must keep the plants or seed in a secure place until the inspector supplies them to the person.

Schedule 7 (continued)

4 Seed supplier

A seed supplier must—

(a) keep industrial cannabis seed in the supplier's possession or under the supplier's control locked in a secure place when not otherwise required for use for lawfully supplying the seed to a person mentioned in section 20; and

(b) keep records of the following information—

(i) the source and quantity of all industrial cannabis seed supplied to the supplier;

(ii) how, when and by whom industrial cannabis seed was delivered to the supplier;

(iii) if industrial cannabis seed is delivered to the supplier by a carrier—the name of the person who actually delivered the seed;

(iv) if the supplier supplies industrial cannabis seed to a carrier for delivery to a person—

(A) the name of the person to whom the seed was given for delivery; and

(B) the name of the person to whom it is intended the seed be supplied by the supplier;

(v) the name of each person to whom the supplier supplies industrial cannabis seed; and

(c) ensure all industrial cannabis seed received by the seed supplier is labelled to indicate—

(i) if the seed is cannabis seed harvested from an industrial cannabis plant—that fact; or

(ii) if the seed is certified cannabis seed—that fact; and

(d) ensure that each package of certified cannabis seed supplied by the seed supplier has a label on it, or attached to it, that describes the contents of the package as certified cannabis seed; and

Schedule 7 (continued)

(e) pack all industrial cannabis seed to be delivered to someone else by a carrier in a way that ensures, as far as reasonably practicable, seed can not be lost if the package is damaged.

5 Analyst

(1) This section applies if an analyst is engaged or employed to analyse a substance to determine its THC concentration.

(2) The analyst must analyse the substance in a laboratory whose functions and operations are accredited by NATA for competence to undertake drug analysis.

(3) The analyst must keep standard THC material in a securely locked place other than when the analyst is using the material in analysing the substance to determine its THC concentration.

(4) The analyst must keep the substance in a securely locked place other than when the analyst is analysing the substance.

(5) In this section—

NATA means the National Association of Testing Authorities, Australia ABN 59 004 379 748.

substance means a substance the analyst reasonably believes to be any of the following—

(a) industrial cannabis plants;

(b) class A or class B research cannabis plants;

(c) processed cannabis.

Schedule 8 Licence conditions

section 29(1)

1 A licensee who is authorised to produce class A research cannabis must—

(a) grow the cannabis in a glasshouse that is capable of being securely locked; and

(b) keep the glasshouse securely locked other than when the licensee or a person authorised by the licensee is performing functions directly associated with growing cannabis in the glasshouse.

2 A licensee who is authorised to produce class B research cannabis must—

(a) grow the cannabis in an area that is fenced to delineate the area under production; and

(b) if the chief executive requires the licensee to erect signs indicating the presence of class B research cannabis at a fenced area, ensure the signs are erected as required by the chief executive.

3 A licensee must keep cannabis seed in the licensee's possession in a securely locked place, other than when the licensee uses the seed for a purpose that is authorised under the licensee's licence.

4 A licensee must keep a register of the following—

(a) the strains or varieties of cannabis seed in the licensee's possession;

(b) the strains or varieties of cannabis plants the licensee is growing.

5 A licensee must keep records of the following information—

(a) the source and quantity of all cannabis plants and seed supplied to the licensee;

(b) how, when and by whom plants or seed were delivered to the licensee;

Schedule 8 (continued)

(c) if cannabis plants or seed are delivered to the licensee by a carrier—the name of the person who actually delivered the plants or seed;

(d) if cannabis plants or seed are supplied to a carrier for delivery to a person—

(i) the name of the person to whom the plants or seed were given for delivery; and

(ii) the name of the person to whom it is intended the plants or seed be supplied by the carrier.

6 As soon as reasonably practicable after a licensee receives a package containing cannabis plants or seed that appears to have been tampered with, the licensee must inform an inspector or a police officer that the package appears to have been tampered with.

7 A licensee must pay the chief executive's reasonable costs of monitoring activities performed under the licence, including any costs of an analyst conducting a laboratory analysis necessary to determine the concentration of THC in the leaves and flowering heads of cannabis plants in the licensee's possession.

8 A category 2 researcher must allow an inspector to destroy, or supervise the destruction of, cannabis plants in the possession of the licensee that have been found, by an analyst conducting a laboratory analysis of a random sample of the leaves and flowering heads of the plants, to have a concentration of THC in their leaves and flowering heads of 3% or more.

9 A grower must allow an inspector to destroy, or supervise the destruction of, cannabis plants in the possession of the licensee that have been found, by an analyst conducting a laboratory analysis of a random sample of the leaves and flowering heads of the plants, to have a THC concentration in their leaves and flowering heads of more than 1%.

10 A licensee who proposes to supply industrial cannabis seed for sale by wholesale or retail must ensure—

(a) if the seed is cannabis seed harvested from an industrial cannabis plant—the package containing the seed has a

Schedule 8 (continued)

label on it or attached to it that describes the contents of the package as cannabis seed harvested from an industrial cannabis plant; or

(b) if the seed is certified cannabis seed—the package containing the seed has a label on it, or attached to it, that describes the contents of the package as certified cannabis seed.

11 A category 2 researcher must ensure, as far as practicable, that cannabis seed supplied to the researcher by a person in another State or a foreign country is certified as seed that, if grown, will produce cannabis plants with a THC concentration in their leaves and flowering heads of less than 3%.

12 A grower must ensure, as far as practicable, that cannabis seed supplied to the grower by a person in another State or a foreign country is certified as seed that, if grown, will produce cannabis plants with a THC concentration in their leaves and flowering heads of not more than 0.5%.

Schedule 8A Gross weight of relevant substances for s 9A of Act

sections 9A and 134 of the Act

Part 1 Substances that include their salts, derivatives and stereo-isomers

1 In this part, a reference to a substance includes a reference to—

(a) a salt, derivative or stereo-isomer of the substance; and

(b) a salt of a derivative or stereo-isomer of the substance.

Substance	Alternative name	Gross weight
N-Acetylanthranilic acid	2-Acetamidobenzoic acid	0.1g
Allylbenzene	3-Phenyl-1-propene or 2-propenyl benzene	0.1g
4-Aminobutanoic acid	Piperidinic acid	0.1g
Ammonium formate		0.1g
Anthranilic acid	2-Aminobenzoic acid	0.1g
Benzaldehyde		0.1g
Benzyl bromide	α-Bromotoluene	0.1g

Schedule 8A (continued)

Substance	Alternative name	Gross weight
Benzyl chloride	α-Chlorotoluene	0.1g
Benzyl cyanide		0.1g
Boron tribromide		0.1g
Bromobenzene	Phenylbromide	0.1g
Bromo safrole		0.1g
1,4-Butanediol	Tetramethylene glycol	0.1g
1-Chlorophenyl-2-aminopropane		0.1g
Chromic acid		0.1g
Chromium trioxide	Chromium (VI) oxide	0.1g
Ephedrine		0.1g
Ergometrine	Ergonovine	0.1g
Ergotamine		0.1g
Ethanamine	Monoethylamine	0.1g
N-Ethylephedrine		0.1g
Ethyl phenylacetate	Benzeneacetic acid, ethyl ester	0.1g
N-Ethylpseudoephedrine		0.1g
Formamide		0.1g
4-Hydroxybutanal	4-Hydroxybutyraldehyde	0.1g
4-Hydroxybutanoic acid lactone	Gamma-butyrolactone	0.1g
4-Hydroxybutanoic acid nitrile	4-Hydroxybutyronitrile	0.1g

Schedule 8A (continued)

Substance	Alternative name	Gross weight
4-Hydroxypentanoic acid lactone	Gamma-valerolactone	0.1g
2-Hydroxytetrahydrofuran	Tetrahydro-2-furanol	0.1g
Hypophosphorous acid	Phosphinic acid	0.1g
Isosafrole	5-(1-Propenyl)-1,3-benzodioxole	0.1g
Lithium aluminium hydride		0.1g
Mercuric chloride	Mercury bichloride or Mercury (II) chloride	0.1g
Methylamine	Aminomethane or Monomethylamine	0.1g
Methylammonium salts		0.1g
3,4-Methylenedioxyphenyl-2-propanone		0.1g
N-Methylephedrine		0.1g
N-Methylformamide		0.1g
Methyl phenylacetate	Benzeneacetic acid, methyl ester	0.1g
N-Methylpseudoephedrine		0.1g
Nitroethane		0.1g
Norpseudoephedrine		0.1g
Palladium		0.1g
Phenylacetamide		0.1g
Phenylacetic acid		0.1g
Phenylacetonitrile	Benzeneacetonitrile, Benzyl cyanide or Benzyl nitrile	0.1g

Schedule 8A (continued)

Substance	Alternative name	Gross weight
Phenylacetyl chloride		0.1g
1-Phenyl-2-chloropropane		0.1g
1-Phenyl-2-methylaminopropane		0.1g
1-Phenyl-2-nitropropene		0.1g
1-Phenyl-2-propanol		0.1g
Phenylpropanolamine	Norephedrine	0.1g
1-Phenyl-1-propanone	Phenyl ethyl ketone or Propiophenone	0.1g
1-Phenyl-2-propanone	Benzyl methyl ketone or Phenylacetone	0.1g
1-Phenyl-2-propanone oxime		0.1g
Piperidine		0.1g
Piperonal	Heliotropine or 3,4-Methylenedioxybenzaldehyde	0.1g
Propionic anhydride		0.1g
Pseudoephedrine		50g or 1L
Pyridine		0.1g
2-Pyrrolidone	Gamma-butyrolactam	0.1g
Raney nickel		0.1g
Safrole	5-(2-Propenyl)-1,3-benzodioxide	0.1g
Sassafras oil		0.1g
Sodium borohydride		0.1g

Substance	Alternative name	Gross weight
Thionyl chloride		0.1g
Thorium		0.1g

Part 2 Substances that do not include their salts, derivatives and stereo-isomers

2 In this part, a reference to a substance does not include a reference to—

(a) a salt, derivative or stereo-isomer of the substance; and

(b) a salt of a derivative or stereo-isomer of the substance.

Substance	Alternative name	Gross weight
Acetic anhydride		0.1g
Calcium metal		0.1g
Hydriodic acid	Hydrogen iodide solution	0.1g
Hydrobromic acid	Hydrogen bromide solution	0.1g
Iodine		0.1g
Lithium metal		25g

Schedule 8A (continued)

Substance	Alternative name	Gross weight
Phosphorous acid	Phosphonic Acid	0.1g
Phosphorus (red or white)		0.1g
Potassium metal		0.1g
Sodium metal		0.1g

Schedule 8B Things specified for s 9A of Act

sections 9A and 134 of the Act

1 condenser

2 distillation head

3 heating mantle

4 manual or mechanical pill press, including a pill press under repair, a modification of a pill press and parts for a pill press

5 rotary evaporator

6 reaction vessel, including a reaction vessel under repair or a modification of a reaction vessel

7 splash head, including a splash head under repair or parts for a splash head

Schedule 8C Prohibited combinations of items

sections 10B and 134 of the Act

1 A combination consisting of substances that are or contain—
   (a) pseudoephedrine or its salts; and
   (b) hypophosphorous acid; and
   (c) iodine.

2 A combination consisting of substances that are or contain—
   (a) pseudoephedrine or its salts; and
   (b) hydriodic acid; and
   (c) phosphorous (red or white).

3 A combination consisting of substances that are or contain—
   (a) pseudoephedrine or its salts; and
   (b) lithium metal; and
   (c) ammonia gas.

Schedule 8D Relevant dangerous drugs

sections 131 and 134 of the Act

amphetamine
methylamphetamine

Schedule 9 Dictionary

section 2

analyst means a person who holds an approval under the *Health (Drugs and Poisons) Regulation 1996* to obtain, possess and use standard THC material to calibrate an analytical instrument used for analysing a substance to determine its THC concentration.

carrier means a person who carries on a business of transporting a thing for delivery to the person to whom it is consigned, whether in Queensland or elsewhere, and whether the thing is transported by air, rail, road or sea.

condenser means a cooling device for converting gases or vapours to liquid or solid form.

consigned includes addressed.

consigned cannabis means any of the following—

(a) industrial cannabis plants;

(b) industrial cannabis seed;

(c) class A research cannabis;

(d) class B research cannabis;

(e) processed cannabis.

distillation head means an apparatus that—

(a) fits on top of a reaction vessel or a vessel that serves the same purpose as a reaction vessel; and

(b) connects to a condenser; and

(c) is suitably angled to allow vapour to flow downwards into a collection vessel.

DPI researcher means a public service officer—

(a) who is employed in the department within which the *Agricultural Standards Act 1994* is administered; and

(b) whose duties include plant breeding; and

Schedule 9 (continued)

(c) who is authorised by the chief executive in writing to perform activities stated in part 4, division 4.

heating mantle means a device designed or adapted to heat a reaction vessel or a vessel that serves the same purpose as a reaction vessel.

seed supplier means a person recognised as a seed supplier under section 27.

splash head means an apparatus that fits between a reaction vessel, or a vessel that serves the same purpose as a reaction vessel, and a condenser and stops a heated substance contaminating the distillate.

standard THC material means THC of a known purity.

supply—

(a) for part 3, see section 43A[9] of the Act; or

(b) for part 4, does not include administer.

9 Section 43A (Definitions) of the Act

Endnotes

1 Index to endnotes

2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 4 December 2006. Future amendments of the Drugs Misuse Regulation 1987 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

3 Key

Key to abbreviations in list of legislation and annotations

Key		Explanation	Key		Explanation
AIA	**=**	**Acts Interpretation Act 1954**	**(prev)**	**=**	**previously**
amd	**=**	**amended**	**proc**	**=**	**proclamation**
amdt	**=**	**amendment**	**prov**	**=**	**provision**
ch	**=**	**chapter**	**pt**	**=**	**part**
def	**=**	**definition**	**pubd**	**=**	**published**
div	**=**	**division**	**R[X]**	**=**	**Reprint No.[X]**
exp	**=**	**expires/expired**	**RA**	**=**	**Reprints Act 1992**
gaz	**=**	**gazette**	**reloc**	**=**	**relocated**
hdg	**=**	**heading**	**renum**	**=**	**renumbered**
ins	**=**	**inserted**	**rep**	**=**	**repealed**
lap	**=**	**lapsed**	**(retro)**	**=**	**retrospectively**
notfd	**=**	**notified**	**rv**	**=**	**revised edition**
o in c	**=**	**order in council**	**s**	**=**	**section**
om	**=**	**omitted**	**sch**	**=**	**schedule**
orig	**=**	**original**	**sdiv**	**=**	**subdivision**
p	**=**	**page**	**SIA**	**=**	**Statutory Instruments Act 1992**
para	**=**	**paragraph**	**SIR**	**=**	**Statutory Instruments Regulation 2002**
prec	**=**	**preceding**	**SL**	**=**	**subordinate legislation**
pres	**=**	**present**	**sub**	**=**	**substituted**
prev	**=**	**previous**	**unnum**	**=**	**unnumbered**

4 Table of reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of reprints, see the reprint with the latest effective date.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

Reprint No.	Amendments to	Effective	Reprint date
1	reg pubd gaz 6 May 1989	6 May 1989	23 April 1993
2	1996 SL No. 309	8 November 1996	4 December 1996
2A	1997 SL No. 303	19 September 1997	21 November 1997
2B	1997 SL No. 459	19 December 1997	14 August 1998
3	1998 SL No. 348	18 December 1998	5 February 1999
3A	1999 SL No. 41	26 March 1999	8 April 1999
3B	1999 SL No. 235	22 October 1999	2 December 1999
3C	2000 Act No. 28	27 July 2000	11 August 2000
3D	2000 SL No. 234	8 September 2000	15 September 2000
3E	2001 SL No. 52	25 May 2001	8 June 2001
4	2001 SL No. 174	21 September 2001	5 October 2001
4A	2001 SL No. 249	7 December 2001	14 December 2001

Reprint No.	Amendments included	Effective	Notes
4B	2002 SL No. 255	27 September 2002	
4C	2002 SL No. 368	20 December 2002	
4D	2003 SL No. 374	19 December 2003	
4E	2004 SL No. 231	29 November 2004	
4F	2005 SL No. 7	11 February 2005	
4G	2005 SL No. 268	11 December 2005	
4H	2006 SL No. 71	27 April 2006	
5	2006 SL No. 267	4 December 2006	

5 List of legislation

Drugs Misuse Regulation 1987

made by the Administrator of the Government on 29 October 1987
pubd gaz 31 October 1987 pp 836–47
commenced 31 October 1987 (see s 2)
exempted from application of SIA pt 7 (see SIA sch 2A)

Note—(1) This regulation contains provisions relocated from the Drugs Misuse Act 1986.

(2) A list of legislation for the relocated provisions of the Drugs Misuse Act 1986 appears below.

amending legislation—

regulations published gazette (pre SL series)—

17 December 1988 pp 2214–15
commenced on date of publication

6 May 1989 pp 230–1
commenced 6 May 1989 (see s 2)

Drugs Misuse Amendment Regulation (No. 1) 1996 SL No. 309
notfd gaz 8 November 1996 pp 959–61
ss 1–2 commenced on date of notification
remaining provisions commenced 8 November 1996 (see s 2)

List of legislation to Drugs Misuse Act 1986 No. 36 schs 1–6—before relocation to Drugs Misuse Regulation 1987 as schs 1–6 (see 1996 No. 49 s 21)—

Original relocated Act
Drugs Misuse Act 1986 No. 36 schs 1–6
date of assent 5 September 1986
ss 1–2 commenced on date of assent
remaining provisions commenced 27 October 1986 (proc pubd gaz 25 October 1986 p 1242)

amending legislation—

Drugs Misuse Act Amendment Act 1987 No. 53
date of assent 1 October 1987
ss 1–2 commenced on date of assent
s 10(a)(iii) commenced 6 May 1989 (proc pubd gaz 6 May 1989 p 213)
remaining provisions commenced 31 October 1987 (proc pubd gaz 31 October 1987 p 819)

Drugs Misuse Act Amendment Act 1989 No. 34
date of assent 28 April 1989
ss 1–2 commenced on date of assent
remaining provisions commenced 6 May 1989 (proc pubd gaz 6 May 1989 p 213)

Statute Law (Miscellaneous Provisions) Act 1990 No. 88 s 3 sch
date of assent 6 December 1990
commenced on date of assent

Drugs Misuse Amendment Act 1995 No. 18
date of assent 11 April 1995
ss 1–2 commenced on date of assent
s 6 commenced 8 December 1995 (1995 SL No. 358)
remaining provisions commenced 12 April 1996 (automatic commencement under AIA s 15DA(2))

Drugs Misuse Amendment Act 1996 No. 49 ss 1, 15–21
date of assent 15 November 1996
commenced on date of assent

List of legislation to Drugs Misuse Regulation 1987—after relocation of Drugs Misuse Act 1986 No. 36 schs 1–6

Drugs Misuse Amendment Regulation (No. 1) 1997 SL No. 303
notfd gaz 19 September 1997 pp 262–3
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 2) 1997 SL No. 459
notfd gaz 19 December 1997 pp 1770–7
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 1) 1998 SL No. 348
notfd gaz 18 December 1998 pp 1551–7
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 1) 1999 SL No. 41
notfd gaz 26 March 1999 pp 1450–3
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 2) 1999 SL No. 235
notfd gaz 22 October 1999 pp 710–11
commenced on date of notification

Drugs Misuse Amendment Act 2000 No. 28 pt 1 s 26 sch
date of assent 27 July 2000
commenced on date of assent

Drugs Misuse Amendment Regulation (No. 1) 2000 SL No. 234
notfd gaz 8 September 2000 pp 134–5
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 1) 2001 SL No. 52
notfd gaz 25 May 2001 pp 334–6
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 2) 2001 SL No. 174
notfd gaz 21 September 2001 pp 230–1
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 3) 2001 SL No. 249
notfd gaz 7 December 2001 pp 1270–1
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 1) 2002 SL No. 255
notfd gaz 27 September 2002 pp 340–4
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 2) 2002 SL No. 368
notfd gaz 20 December 2002 pp 1359–63
commenced on date of notification

Drugs Misuse Amendment Regulation (No. 1) 2003 SL No. 374
notfd gaz 19 December 2003 pp 1307–13
commenced on date of notification

Primary Industries Legislation Amendment Regulation (No. 1) 2004 SL No. 231 pts 1, 7
notfd gaz 29 October 2004 pp 734–7
ss 1–2 commenced on date of notification
remaining provisions commenced 29 November 2004 (see s 2)

Drugs Misuse Amendment Regulation (No. 1) 2005 SL No. 7
notfd gaz 11 February 2005 pp 515–16
commenced on date of notification

Primary Industries Legislation Amendment Regulation (No. 1) 2005 SL No. 268 pts 1, 7
notfd gaz 11 November 2005 pp 955–7
ss 1–2 commenced on date of notification
remaining provisions commenced 11 December 2005 (see s 2)

Drugs Misuse Amendment Regulation (No. 1) 2006 SL No. 71
notfd gaz 21 April 2006 pp 1544–5
ss 1–2 commenced on date of notification
remaining provisions commenced 27 April 2006 (see s 2)

Primary Industries Legislation Amendment Regulation (No. 1) 2006 SL No. 267 pts 1, 7
notfd gaz 3 November 2006 pp 1103–4
ss 1–2 commenced on date of notification
remaining provisions commenced 4 December 2006 (see s 2)

6 List of annotations

PART 1—PRELIMINARY
pt hdg ins 1996 SL No. 309 s 4

Dictionary
prov hdg pres s 2 hdg sub 1996 SL No. 309 s 5(1)
s 2 prev s 2 om R2 (see RA s 37)
pres s 2 (prev s 4) sub 1998 SL No. 348 s 3(2)
renum 2002 No. 255 s 3
def **"occupier's notice"** reloc to sch 9 1998 SL No. 348 s 3(1)
def **"record of proceedings"** reloc to sch 9 1998 SL No. 348 s 3(1)
def **"search warrant"** reloc to sch 9 1998 SL No. 348 s 3(1)
def **"supply"** ins 1996 SL No. 309 s 5(3)
om 1998 SL No. 348 s 3(2)
def **"the Act"** sub 1989 reg pubd gaz 6 May 1989 pp 230–1
om 1996 SL No. 309 s 5(2)

PART 2—SYRINGES AND DANGEROUS DRUGS DISPOSAL PROCEDURES
pt hdg prev pt 2 hdg ins 1996 SL No. 309 s 6
om 2002 SL No. 255 s 4
pres pt 2 hdg (prev pt 3 hdg) ins 1996 SL No. 309 s 11
renum 2002 SL No. 255 s 5(1)

Prescribed procedures for the disposal of hypodermic syringes and needles
s 3 prev s 3 om R1 (see RA s 40)
pres s 3 (prev s 9) ins reg pubd gaz 6 May 1989 pp 230–1
renum 2002 SL No. 255 s 5(2)

Prescribed procedure for disposal of dangerous drugs
s 4 (prev s 10) ins reg pubd gaz 6 May 1989 pp 230–1
renum 2002 SL No. 255 s 5(2)
amd 2006 SL No. 71 s 4

PART 3—CONTROLLED SUBSTANCES
pt hdg (prev pt 4 hdg) ins 1996 SL No. 309 s 12
renum 2002 SL No. 255 s 5(1)

Other act that is a relevant transaction—Act, s 43C(b)
s 5 prev s 5 amd 1996 SL No. 309 s 7
om 2002 SL No. 255 s 4
pres s 5 (prev s 11) ins 1996 SL No. 309 s 12
renum 2002 SL No. 255 s 5(2)

Documents and proof of identity required for supply of a controlled substance—Act, s 43D(1)(a)
s 6 prev s 6 amd 1996 SL No. 309 s 8
om 2002 SL No. 255 s 4
pres s 6 (prev s 12) ins 1996 SL No. 309 s 12
renum 2002 SL No. 255 s 5(2)

Details about supply of controlled substance to be recorded in register
s 7 prev s 7 sub reg pubd gaz 17 December 1988 pp 2214–15
amd 1996 SL No. 309 s 9
om 2002 SL No. 255 s 4
pres s 7 (prev s 13) ins 1996 SL No. 309 s 12
renum 2002 SL No. 255 s 5(2)

Details about loss or theft of controlled substance to be recorded in register
s 8 prev s 8 om 1996 SL No. 309 s 10
pres s 8 (prev s 14) ins 1996 SL No. 309 s 12
renum 2002 SL No. 255 s 5(2)

Keeping of register, invoice and other documents
s 9 (prev s 15) ins 1996 SL No. 309 s 12
renum 2002 SL No. 255 s 5(2)

PART 4—COMMERCIAL PRODUCTION OF INDUSTRIAL CANNABIS
pt hdg (prev pt 5 hdg) ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Division 1—Preliminary
div hdg ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Operation of pt 4 and schs 7 and 8
s 10 ins 2002 SL No. 255 s 6

Division 2—Certified cannabis seed
div hdg ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Certifying cannabis seed
s 11 ins 2002 SL No. 255 s 6

Division 3—Carriers
div hdg ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Application of div 3
s 12 ins 2002 SL No. 255 s 6

Supply
s 13 ins 2002 SL No. 255 s 6

Possession
s 14 ins 2002 SL No. 255 s 6

Division 4—DPI researchers
div hdg ins 2002 SL No. 255 s 6

Supply
s 15 ins 2002 SL No. 255 s 6

Production
s 16 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Possession
s 17 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Division 5—Inspectors
div hdg ins 2002 SL No. 255 s 6

Supply
s 18 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Possession
s 19 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Division 6—Seed suppliers
div hdg ins 2002 SL No. 255 s 6

Supply
s 20 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Possession
s 21 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Division 7—Other persons
div hdg ins 2002 SL No. 255 s 6

Denaturer
s 22 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Manufacturer
s 23 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Analyst
s 24 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Family members
s 25 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Employees of authorised persons
s 26 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Division 8—Other provisions
div hdg ins 2002 SL No. 255 s 6

Recognition as seed supplier
s 27 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6

Licence fees
s 28 ins 1998 SL No. 348 s 4
sub 2002 SL No. 255 s 6
amd 2004 SL No. 231 s 14; 2005 SL No. 268 s 14; 2006 SL No. 267 s 14

Licence conditions—Act, s 64
s 29 ins 2001 SL No. 52 s 3
sub 2002 SL No. 255 s 6

PART 5—TRANSITIONAL PROVISIONS
pt hdg (prev pt 6 hdg) ins 2001 SL No. 174 s 3
renum 2002 SL No. 255 s 5(1)
amd 2002 SL No. 368 s 3

Transitional provision for Drugs Misuse Amendment Regulation (No. 2) 2001
s 30 ins 2001 SL No. 174 s 3

Transitional provision for Drugs Misuse Amendment Regulation (No. 2) 2002
s 31 ins 2002 SL No. 368 s 4

SCHEDULE
amd reg pubd gaz 17 December 1988 pp 2214–5
om 1996 SL No. 309 s 13

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sch hdg ins 1997 SL No. 459 s 3(1)
sch 1 (prev 1986 No. 36 sch 1)
amd 1996 No. 49 s 15
reloc 1996 No. 49 s 21
amd 1997 SL No. 459 s 3(2); 2001 SL No. 174 s 4; 2002 SL No. 255 s 7(1)

SCHEDULE 2—DANGEROUS DRUGS
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sch 2 (prev 1986 No. 36 sch 2)
amd 1987 No. 53 s 11; 1989 No. 34 s 22; 1996 No. 49 s 16
reloc 1996 No. 49 s 21
amd 1997 SL No. 303 s 3; 1997 SL No. 459 s 4(2)–(3); 1999 SL No. 41 s 3; 2001 SL No. 174 s 5; 2001 SL No. 249 s 3; 2002 SL No. 255 s 7(1); 2002 SL No. 368 s 5; 2003 SL No. 374 s 3; 2005 SL No. 7 s 3

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amd 2002 SL No. 255 s 7(1); 2002 SL No. 368 s 6

SCHEDULE 3—SPECIFIED QUANTITIES FOR PARTICULAR DANGEROUS DRUGS
sch hdg ins 1997 SL No. 459 s 5(1)
sch 3 (prev 1986 No. 36 sch 3)
amd 1987 No. 53 s 12; 1989 No. 34 s 23
sub 1990 No. 88 s 3 sch
amd 1996 No. 49 s 17
reloc 1996 No. 49 s 21
amd 1997 SL No. 303 s 4; 1997 SL No. 459 s 5(2)–(3); 1999 SL No. 41 s 4; 2001 SL No. 249 s 4; 2002 SL No. 255 s 7(1)–(2); 2002 SL No. 368 s 7

SCHEDULE 4—SPECIFIED QUANTITIES FOR PARTICULAR DANGEROUS DRUGS
sch hdg ins 1997 SL No. 459 s 6(1)
sch 4 (prev 1986 No. 36 sch 4)
amd 1996 No. 49 s 18
reloc 1996 No. 49 s 21
amd 1997 SL No. 459 s 6(2); 2001 SL No. 174 s 6; 2002 SL No. 255 s 7(1)

SCHEDULE 5—DANGEROUS DRUGS
sch hdg ins 1997 SL No. 459 s 7(1)
sch 5 (prev 1986 No. 36 sch 5)
amd 1987 No. 53 s 13; 1996 No. 49 s 19
reloc 1996 No. 49 s 21
amd 1997 SL No. 459 s 7(2); 2002 SL No. 255 s 7(1), (3)

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amd 1997 SL No. 459 s 8; 2002 SL No. 255 s 7(1)
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SCHEDULE 7—CONDITIONS FOR PARTICULAR PERSONS AUTHORISED UNDER PART 4
sch hdg ins 1998 SL No. 348 s 5
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Denaturer
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sub 2002 SL No. 255 s 8

DPI researcher
s 2 ins 1998 SL No. 348 s 5
sub 2002 SL No. 255 s 8

Inspector
s 3 ins 1998 SL No. 348 s 5
sub 2002 SL No. 255 s 8

Seed supplier
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amd 1999 SL No. 235 s 3
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Analyst
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SCHEDULE 8A—GROSS WEIGHT OF RELEVANT SUBSTANCES FOR s 9A OF ACT
ins 2006 SL No. 71 s 6

SCHEDULE 8B—THINGS SPECIFIED FOR s 9A OF ACT
ins 2006 SL No. 71 s 6

SCHEDULE 8C—PROHIBITED COMBINATIONS OF ITEMS
ins 2006 SL No. 71 s 6

SCHEDULE 8D—RELEVANT DANGEROUS DRUGS
ins 2006 SL No. 71 s 6

SCHEDULE 9—DICTIONARY
ins 1998 SL No. 348 s 5
sub 2002 SL No. 255 s 8
def **"condenser"** ins 2006 SL No. 71 s 7
def **"distillation head"** ins 2006 SL No. 71 s 7
def **"heating mantle"** ins 2006 SL No. 71 s 7
def **"occupier's notice"** reloc 1998 SL No. 348 s 3(1)
om 2002 SL No. 255 s 8
def **"record of proceedings"** reloc 1998 SL No. 348 s 3(1)
om 2002 SL No. 255 s 8

def **"search warrant"** reloc 1998 SL No. 348 s 3(1)
om 2002 SL No. 255 s 8
def **"splash head"** ins 2006 SL No. 71 s 7