

Drugs Misuse (Dangerous Drugs) Amendment Regulation 2024

Explanatory notes for SL 2024 No. 163

Made under the

Drugs Misuse Act 1986

General Outline

Short title

Drugs Misuse (Dangerous Drugs) Amendment Regulation 2024

Authorising law

Section 134 of the *Drugs Misuse Act 1986*

Policy objectives and the reasons for them

Recently in Australia there has been a rise in attempted imports of powerful synthetic opioids known as nitazenes that have pharmacological effects akin to established illicit drugs such as heroin, morphine and fentanyl.

Nitazenes were first developed in the 1950s as pharmaceutical products. However, the substances were deemed unfeasible for clinical use due to their high potency.

Nitazenes have been linked to a number of deaths and significant health issues in Australia and overseas.

In recognition of the evolving illicit drug market, and substantial risk of harm from their misuse, there is a need to ensure that the unlawful possession, supply, production and trafficking in these substances is prohibited.

Achievement of policy objectives

The policy objectives are achieved by amending the *Drugs Misuse Regulation 1987* to insert ten new nitazenes in Schedule 2 as dangerous drugs.

As a consequence of this scheduling, the offences of unlawful possession, production, supply and trafficking within the *Drugs Misuse Act 1986* (DM Act) will apply to these substances.

Consistency with policy objectives of authorising law

The purpose of the DM Act is to consolidate the law relating to the misuse of drugs and to make further provision for the prevention of the misuse of drugs. The *Drugs Misuse (Dangerous Drugs) Amendment Regulation 2024* (the Regulation) is therefore consistent with the objectives of the DM Act.

Inconsistency with policy objectives of other legislation

The Regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

There are no implementation costs expected for the Regulation.

Consistency with fundamental legislative principles

The Regulation is consistent with fundamental legislative principles set out in the *Legislative Standards Act 1992*.

Consultation

No consultation external to Government has been undertaken.