



Queensland

Drugs Misuse Amendment Act 2008

Act No. 4 of 2008



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An Act to amend the *Drugs Misuse Act 1986*, the *Drugs Misuse Regulation 1987* and the *Judges (Pensions and Long Leave) Act 1957*

[Assented to 20 February 2008]

The Parliament of Queensland enacts—**Part 1 Preliminary****1 Short title**

This Act may be cited as the *Drugs Misuse Amendment Act 2008*.

2 Commencement

Parts 2 and 3 commence on a day to be fixed by proclamation.

Part 2 Amendment of Drugs Misuse Act 1986**3 Act amended in pt 2**

This part amends the *Drugs Misuse Act 1986*.

4 Amendment of s 4 (Definitions)

- (1) Section 4, definitions *authorised health officer* and *prescribed substance*—
omit.
- (2) Section 4, definition *dangerous drug*, paragraph (a), ‘schedule 1, 2 or 2A’—
omit, insert—
‘schedule 1 or 2’.
- (3) Section 4, definition *dangerous drug*—
insert—

‘(c) a thing that has a chemical structure that is substantially similar to the chemical structure of a thing referred to in paragraph (a) or (b) and that has a substantially similar pharmacological effect;’.

(4) Section 4, definition *dangerous drug*, ‘paragraph (a) or (b)’—
omit, insert—

‘paragraph (a), (b) or (c)’.

(5) Section 4, definition *official identity card*, ‘an authorised health officer or’—

omit.

(6) Section 4, definition *prosecution information notice*, paragraph (a)(i), ‘prescribed substance’—

omit, insert—

‘controlled substance’.

5 Amendment of s 4A (Salts, derivatives and stereo-isomers)

Section 4A(a), ‘schedule 1, 2 or 2A’—

omit, insert—

‘schedule 1 or 2’.

6 Replacement of pt 2 hdg (Drug trafficking)

Part 2, heading—

omit, insert—

‘Part 2 Drug offences’.

7 Amendment of s 5 (Trafficking in dangerous drugs)

Section 5, penalty, paragraph (c)—

omit.

8 Amendment of s 6 (Supplying dangerous drugs)

Section 6(1), penalty, paragraph (e)—

omit.

9 Amendment of s 7 (Receiving or possessing property obtained from trafficking or supplying)

(1) Section 7(1), penalty—

omit, insert—

‘Maximum penalty—20 years imprisonment.’.

(2) Section 7(2), penalty—

omit, insert—

‘Maximum penalty—20 years imprisonment.’.

10 Amendment of s 8 (Producing dangerous drugs)

Section 8, penalty, paragraph (f)—

omit.

11 Amendment of s 8A (Publishing or possessing instructions for producing dangerous drugs)

Section 8A(1), penalty, paragraph (c)—

omit.

12 Amendment of s 9 (Possessing dangerous drugs)

Section 9, penalty, paragraph (e)—

omit.

13 Insertion of new ss 9B and 9C

After section 9A—

insert—

‘9B Supplying relevant substances or things

‘A person who unlawfully supplies a relevant substance or thing as defined under section 9A(2) to another, whether or not the other person is in Queensland, for use in connection with the commission of a crime under section 8, commits a crime.

Maximum penalty—15 years imprisonment.

‘9C Producing relevant substances or things

‘A person who unlawfully produces a relevant substance or thing as defined under section 9A(2), for use in connection with the commission of a crime under section 8, commits a crime.

Maximum penalty—15 years imprisonment.’.

14 Amendment of s 10 (Possessing things)

Section 10(1), penalty—

omit, insert—

‘Maximum penalty—15 years imprisonment.’.

15 Amendment of s 11 (Permitting use of place)

Section 11(1), penalty—

omit, insert—

‘Maximum penalty—15 years imprisonment.’.

16 Amendment of s 13 (Certain offences may be dealt with summarily)

Section 13(1), ‘9A, 10(1)’—

omit, insert—

‘9A, 9B, 9C, 10(1)’.

17 Omission of pt 3 (Enforcement powers of authorised health officers)

Part 3—

omit.

18 Replacement of pt 5A hdg (Controlled substances information requirements)

Part 5A, heading—

omit, insert—

‘Part 5A Information requirements for controlled substances and controlled things’.

19 Amendment of s 43A (Definitions)

Section 43A—

insert—

‘controlled thing means a thing specified in the Drugs Misuse Regulation 1987, schedule 8B.’.

20 Amendment of s 43B (Application of part)

Section 43B, after ‘substance’—

insert—

‘, or a controlled thing.’.

21 Amendment of s 43C (What is a relevant transaction)

(1) Section 43C, after ‘controlled substance’—

insert—

‘or a controlled thing’.

(2) Section 43C, after ‘the substance’—

insert—

‘or thing’.

22 Amendment of s 43D (Requirements for supply of controlled substance under relevant transactions)

- (1) Section 43D, heading, after ‘substance’—

insert—

‘or controlled thing’.

- (2) Section 43D(1), after ‘controlled substance’—

insert—

‘, or controlled thing,’.

- (3) Section 43D(1)(a), ‘and the evidence’—

omit, insert—

‘including the evidence’.

- (4) Section 43D(1)—

insert—

‘(d) give, as prescribed by regulation, to the commissioner of the police service the documents mentioned in paragraph (a) or (b) prescribed by regulation.’.

23 Amendment of s 43E (Requirement to report loss or theft of controlled substance)

- (1) Section 43E, after ‘controlled substance’—

insert—

‘or controlled thing’.

- (2) Section 43E(1)(b) and (2), after ‘the substance’—

insert—

‘or thing’.

24 Amendment of s 43F (Employee’s liability)

- (1) Section 43F(1), (2) and (3), ‘controlled substance’—

omit.

- (2) Section 43F(4), after ‘controlled substance’—
insert—
 ‘or controlled thing’.

25 Amendment of s 43G (False name or address)

- Section 43G, after ‘controlled substance’—
insert—
 ‘or controlled thing’.

26 Amendment of s 43I (Environmental health officer may enter person’s premises and inspect register and documents)

- Section 43I(1) and (2), after ‘controlled substance’—
insert—
 ‘or controlled thing’.

27 Insertion of new s 43U

- Part 5A, after section 43T—
insert—

‘43U Confidentiality of information

- ‘(1) A person must not, directly or indirectly, disclose information obtained under section 43D to anyone else.

Maximum penalty—20 penalty units.

- ‘(2) Subsection (1) does not apply to—

- (a) an act done for the purposes of an Act; or

Examples of an act done for the purposes of an Act—

- giving documents to the commissioner of the police service under section 43D(1)(d) of this Act
- producing documents to an environmental health officer under section 43I(2)(a) of this Act

- (b) disclosure of information to a police officer to enable the police officer to perform his or her functions as a police officer; or
- (c) disclosure of information in compliance with lawful process requiring production of documents or giving of evidence before a court or tribunal; or
- (d) disclosure of information in a way that conceals the identity of the recipient of a controlled substance or controlled thing, or if the recipient purports to obtain the substance or thing for another person, the identity of the other person.

‘(3) In this section—

recipient means recipient as defined under section 43D(1).’.

28 **Amendment of s 124 (Defence of supply of lawfully prescribed drug in a small quantity)**

(1) Section 124—

insert—

‘(1A) However, subsection (1) does not apply if—

- (a) the person is charged with an offence mentioned in subsection (1) (the *current charge*); and
- (b) the person relied on the defence mentioned in subsection (1) in relation to a previous charge of an offence mentioned in subsection (1) (the *previous charge*); and
- (c) the prosecution proves that—
 - (i) the drug given under the current charge was the same as the drug given under the previous charge; and
 - (ii) the person to whom the drug was given under the current charge was the same person to whom the drug was given under the previous charge.’.

(2) Section 124—

insert—

‘(2A) However, subsection (2) does not apply if—

- (a) the person is charged with an offence mentioned in subsection (2) (the *current charge*); and
 - (b) the person relied on the defence mentioned in subsection (2) in relation to a previous charge of an offence mentioned in subsection (2) (the *previous charge*); and
 - (c) the prosecution proves that—
 - (i) the drug given under the current charge was the same as the drug given under the previous charge; and
 - (ii) the person who gave the drug under the current charge is the same person who gave the drug under the previous charge.
- ‘(3) For subsections (1A) and (2A), it does not matter whether the alleged offence relating to the current charge happened before or after the alleged offence relating to the previous charge.’.

29 Amendment of s 130 (Evidence of prescribed substance by label)

- (1) Section 130, ‘prescribed substance’—
omit, insert—
‘controlled substance’.
- (2) Section 130(2)(b), ‘, authorised health officer’—
omit.
- (3) Section 130(2)(d)(ii), ‘an authorised health officer or’—
omit.

30 Amendment of s 134 (Regulation-making power)

- (1) Section 134(2)(b)—
omit.
- (2) Section 134(2)(c) to (k)—
renumber as—
section 134(2)(b) to (j).

31 Insertion of new s 134A

Part 6, after section 134—

insert—

‘134A Recommendation of Minister

‘In deciding whether to recommend the prescription of a thing as a dangerous drug for the *Drugs Misuse Regulation 1987*, schedules 1 to 5, the Minister must consider the following—

- (a) the likelihood or evidence of abuse of the drug, including, for example, the prevalence of the drug, consumption levels of the drug, the potential appeal of the drug to vulnerable populations and drug seizure trends;
- (b) the specific effects of the drug, including, for example, the pharmacological, psychoactive and toxicological effects;
- (c) the risks, if any, of the drug to public health and safety;
- (d) the therapeutic value, if any, of the drug;
- (e) the potential for use of the drug to cause death;
- (f) the ability of the drug to create physical or psychological dependence;
- (g) the classification and experience of the drug in other jurisdictions;
- (h) any other matters the Minister considers appropriate.’

32 Insertion of new pt 7, div 5

Part 7—

insert—

‘Division 5 Provisions for Drugs Misuse Amendment Act 2008

‘139 Transitional provision for offences committed before the enactment of Drugs Misuse Amendment Act 2008

- ‘(1) This section applies to the sentencing of a person convicted of an offence committed against section 5, 6(1), 7, 8, 8A(1), 9, 10(1) or 11(1) before the commencement of this section even if the conviction happens after the commencement.
- ‘(2) The Act as in force immediately before the commencement continues to apply to the sentencing.

‘140 Amendment of regulation by Drugs Misuse Amendment Act 2008 does not affect powers of Governor in Council

‘The amendment of the *Drugs Misuse Regulation 1987* by the *Drugs Misuse Amendment Act 2008* does not affect the power of the Governor in Council to further amend the regulation or to repeal it.’.

Part 3 Amendment of Drugs Misuse Regulation 1987

33 Regulation amended in pt 3

This part amends the *Drugs Misuse Regulation 1987*.

34 Amendment of s 4 (Prescribed procedure for disposal of dangerous drugs)

Section 4(a), ‘section 9’—

omit, insert—

‘section 3’.

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

- (1) Section 6, heading, after ‘controlled substance’—
insert—
‘or controlled thing’.
- (2) Section 6(1), after ‘controlled substance’—
insert—
‘or controlled thing’.
- (3) Section 6(2)—
omit, insert—
- ‘(2) The person must, before supplying the substance or thing, obtain from the recipient a document (an *end user declaration*) showing the following information—
 - (a) the recipient’s name and address, and if the recipient purports to obtain the substance or thing for another person, the other person’s name and address;
 - (b) details of the official document produced by the recipient under subsection (3) as evidence of the recipient’s identity;
 - (c) the date and number of the written order for the supply of the substance or thing;
 - (d) the name and quantity of the substance or thing to be supplied;
 - (e) if a thing is supplied—the serial number or unique identifier of the thing;
 - (f) the date on which the substance or thing is to be supplied;
 - (g) the purpose for which the substance or thing is to be supplied.’.
- (4) Section 6(3) and (4), after ‘the substance’—
insert—
‘or thing’.

36 Insertion of new s 6A

After section 6—

insert—

‘6A End user declaration to be given to commissioner of police service—Act, s 43D(1)(d)

- ‘(1) This section applies to a person who supplies a controlled substance or controlled thing under a relevant transaction to anyone else (the *recipient*).
- ‘(2) The person must, as soon as practicable after obtaining from the recipient the end user declaration mentioned in section 6(2), give a copy of the end user declaration to the commissioner of the police service.’.

37 Amendment of s 7 (Details about supply of controlled substance to be recorded in register)

- (1) Section 7, heading, after ‘substance’—

insert—

‘or controlled thing’.

- (2) Section 7(1), after ‘controlled substance’—

insert—

‘or controlled thing’.

- (3) Section 7(1) and (2), after ‘the substance’—

insert—

‘or thing’.

- (4) Section 7(1)(d)(ii), ‘section 12(3)’—

omit, insert—

‘section 6(3)’.

38 Amendment of s 8 (Details about loss or theft of controlled substance to be recorded in register)

- (1) Section 8, after ‘controlled substance’—

insert—

'or controlled thing'.

- (2) Section 8(c), after 'the substance'—

insert—

'or thing'.

39 Amendment of s 9 (Keeping of register, invoice and other documents)

- (1) Section 9(1), 'section 12(4)'—

omit, insert—

'section 6(4)'.

- (2) Section 9(2), after 'controlled substance'—

insert—

'or controlled thing'.

- (3) Section 9(2)(b), after 'the substance'—

insert—

'or thing'.

40 Amendment of sch 1 (Dangerous drugs)

- (1) Schedule 1, authorising section—

omit, insert—

'sections 4, 4A, 5, 6, 7, 8, 8A, 9, 10, 11 and 134 of the Act'.

- (2) Schedule 1—

insert—

'3,4-Methylenedioxyamphetamine (MDMA)

Paramethoxyamphetamine (PMA)'.

41 Replacement of sch 2 (Dangerous drugs)

Schedule 2—

omit, insert—

‘Schedule 2 Dangerous drugs

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

Acetorphine

Acetyl-alpha-methylfentanyl

Acetyldihydrocodeine other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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

Acetylmorphine

Alfentanil

Alkoxyamphetamines and bromo-substituted alkoxyamphetamines other than where separately specified

Alkoxyphenethylamines and alkyl-substituted alkoxyphenethylamines other than where separately specified

Alkylthioamphetamines and substituted alkylthioamphetamines other than where separately specified

Allobarbital

Allylprodine

Alphacetylmethadol

Alphaethyltryptamine

Alphameprodine

Alphamethadol

Alpha-Methylfentanyl

Alpha-Methylthiofentanyl

Alphamethyltryptamine (AMT)

Alphaprodine

Alphenal

Alprazolam

Aminorex

Amobarbital
Androisoxazole
Androstenediol
Anileridine
Aprobarbital
Atamestane
Bambuterol
Barbital
Barbituric acid and any 5,5 disubstituted derivatives of barbituric acid, whether or not further substituted at position 1 of the ring
Benzethidine
Benzphetamine (N-Benzyl-N-alpha-dimethylphenethylamine)
Benzylmorphine
N-Benzylpiperazine (BZP)
Betacetylmethadol
Beta-Hydroxy-3-methylfentanyl
Beta-Hydroxyfentanyl
Betameprodine
Betamethadol
Betaprodine
Bezitramide
Bolandiol
Bolasterone
Bolazine
Boldenone (dehydrotestosterone)
Bolenol
Bolmantalate
Bromazepam
4-Bromo-2,5-dimethoxyamphetamine (DOB, 4-Bromo-DMA)
4-Bromo-2,5-dimethoxyphenethylamine (2C-B)
Brotizolam
Bufotenine (5-Hydroxy-N,N-dimethyltryptamine)
Buprenorphine
Butobarbital

Butalbital
Butallylonal
Butethal
Butorphanol
Calusterone
Camazepam
Cannabinoids other than tetrahydrocannabinols
Cannabis
Carfentanil
Catha edulis (Khat)
Cathine
Cathinone
Chlorandrostenolone
Chlordiazepoxide
4-Chloro-2,5-dimethoxyamphetamine (DOC)
4-Chloromethandienone
Chloroxydienone
Chloroxymesterone (dehydrochloromethyltestosterone)
Chlorphentermine (4-chloro-alpha,alpha-dimethylphenethylamine)
Clenbuterol
Clobazam
Clonazepam
Clonitazene
Clorazepate
Clostebol (4-chlorotestosterone)
Clotiazepam
Cloxazolam
Coca leaf
Codeine other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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-2-dimethylamino-4,4-diphenylbutane

4-Cyano-1-methyl-4-phenylpiperidine

Cyclobarbitol

Cyclopal

Danazol

Dehydroepiandrosterone (DHEA)

Delorazepam

Desomorphine

Dextromoramide

Dextropropoxyphene

Diampromide

Diazepam

Diethylpropion

Diethylthiambutene

N,N-Diethyltryptamine

Difenoxin other than 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 other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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.

Dihydroetorphine

Dihydrolone

Dihydromorphine

Dimenoxadol

Dimepheptanol

Dimethandrostanolone

2,5-Dimethoxyamphetamine (2,5-DMA)

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 (DOM)
2,5-Dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7)
Dimethylamino-1,2-diphenylethane
N,N-Dimethylamphetamine
3-(1,2-Dimethylheptyl)-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6-H-dibenzo(b,d)pyran
N,N-dimethyl-3,4-methylenedioxyamphetamine (MDDM)
Dimethylthiambutene
N,N-Dimethyltryptamine
Dioxaphetyl butyrate
Diphenoxylate other than 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
Drostanolone
Drotebanol
Ecgonine, its esters and derivatives which are convertible to ecgonine and cocaine
Enestebol
Ephedra spp.
Ephedrine
Epitiostanol
Erythropoietin (EPO)
Erythroxyllum coca
Erythroxyllum nova-granatense
Estazolam
Ethchlorvynol
Ethinamate
4-Ethoxyamphetamine
4-Ethoxy-2,5-dimethoxyamphetamine (MEM)
N-Ethylamphetamine
Ethylidienolone
Ethylestrenol
Ethyl Loflazepate

Ethylmethylthiambutene

Ethylmorphine other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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

Etonitazene

Etorphine

Etoxidine

Etryptamine

Fencamfamin

Fenethylamine (Theophylline-ethylamphetamine)

Fenoterol

Fenproporex (N-2-Cyanoethylamphetamine)

Fentanyl

Fludiazepam

Flunitrazepam

Fluoxymesterone

Flurazepam

Formebolone (formylidienolone)

Formoterol other than in metered aerosols for inhalation

Furazabol

Furethidine

Gamma hydroxybutyric acid (GHB)

Glutethimide

Growth Hormone (hGH)

Halazepam

Haloxazolam

Harmaline

Harmalol

Heptabarbital

Hexethal

Hexobarbital
Hydrocodone
Hydromorphinol
Hydromorphone
N-(2-Hydroxyethyl)-alpha-methylbenzeneethanamine
N-Hydroxy-3,4-methylenedioxyamphetamine (N-Hydroxy-MDA)
4-Hydroxy-19-nortestosterone
Hydroxypethidine
Hydroxystenozol
Insulin-like Growth Factor-1 (IGF-1)
4-Iodo-2,5-dimethoxyphenethylamine (2C-I)
Isomethadone
Ketamine
Ketazolam
Ketobemidone
Lefetamine (N,N-Dimethyl-alpha-phenylphenethylamine)
Levomethorphan
Levophenacetylmorphan
Levorphanol
Lophophora (peyote)
Loprazolam
Lorazepam
Lormetazepam
Levomoramide
Lysergamide and N-alkyl derivatives of lysergamide other than lysergide
Lysergic acid
Mazindol
Mebolazine
Mecloqualone (3-(2-Chlorophenyl)-2-methyl-4(3H)-quinazolinone)
Medazepam
Mefenorex (N-(3-Chloropropyl)-alpha-methylphenethylamine)
Mephobarbital
Mepitiostane

Meprobamate
Mesabolone
Mescaline (3,4,5-Trimethoxyphenethylamine)
Mesocarb (3-(Alpha-methylphenethyl)-N-(phenylcarbamoyl)sydnone imine)
Mestanolone (androstalone)
Mesterolone
Metazocine
Methabarbital
Methadone
Methandienone
Methandriol
Methaqualone (2-Methyl-3-(2-methylphenyl)-4(3H)-quinazolinone)
Methcathinone
Methenolone
5-Methoxy alphanethyltryptamine (5-MeO-AMT)
5-Methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT)
5-Methoxy-3,4-methylenedioxyamphetamine (MMDA)
Methyl (2*S*, 4*aR*, 6*aR*, 7*R*, 9*S*, 10*aS*, 10*bR*)-9-Acetoxy-6*a*,10*b*-dimethyl-4,10-dioxo-dodecahydro-2-(3-furyl)-2*H*-naphtho{2,1-*c*}pyran-7-carboxylate (Salvinorin A)
2-Methylamino-1-(3,4-methylenedioxyphenyl) butane (MBDB)
2-Methylamino-1-phenyl-1-propanone
4-Methylaminorex
Methylclostebol
Methyl-desorphine
Methyldihydromorphine
3,4-Methylenedioxyamphetamine (MDA)
3,4-Methylenedioxyethylamphetamine (MDEA)
3-Methylfentanyl
2-Methyl-3-morpholino-1, 1-diphenylpropane carboxylic acid
Methylphenidate
Methylphenobarbital
1-[1-(4-Methylphenyl)cyclohexyl]piperidine
1-Methyl-4-phenylpiperidine-4-carboxylic acid

N-Methyl-3-piperidyl benzilate

Methyltestosterone

4-Methylthioamphetamine (4-MTA)

3-Methylthiofentanyl

Methyltrienolone

Methypylon

Metopon

Metribolone

Mibolerone

Midazolam

Mitragyne speciosa (kratom)

Moramide

Morpheridine

Morphine

Morphine methobromide

Morphine-N-oxide

Myrophine

Nabilone

Nalbuphine

Nalorphine

Nandrolone

Nicocodine other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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 other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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

Nimetazepam

Nitrazepam

Noracymethadol

Norandrostenolone

Norbolethone

Norclostebol

Norcodeine other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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.

Nordazepam

Norethandrolone

Norlevorphanol

Normethadone

Normethandrone

Normorphine

Norpipanone

Opium

Ovandrotone

Oxabolone

Oxandrolone

Oxazepam

Oxazolam

Oxycodone

Oxymesterone

Oxymetholone

Oxymorphone

Papaver bracteatum

Papaver orientale

Papaver somniferum other than the seed thereof which seed has been rendered sterile

Para-Fluorofentanyl

Parahexyl

Pemoline
Pentazocine
Pentobarbital
Pethidine
Phenadoxone
Phenampramide
Phenazocine
Phendimetrazine
Phenmetrazine
Phenobarbital
Phenomorphane
Phenoperidine
Phentermine (alpha, alpha-Dimethylphenethylamine)
1-(1-Phenylcyclohexyl)pyrrolidine (PCPy)
Phenylmethylbarbituric Acid
1-[1-(Phenylmethyl)cyclohexyl]piperidine
4-Phenylpiperidine-4-carboxylic acid ethyl ester
1-Phenyl-N-propylcyclohexanamine
Pholcodine other than where it is compounded with 1 or more other medicaments in such a way that it cannot 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
Pinazepam
Pipradol
Piritramide
Prasterone
Prazepam
Probarbital
Proheptazine
Propallylonal
Properidine
Propetandrol

Propiram
Propylhexedrine (1-cyclohexyl-2-methylaminopropane)
N-Propyl-3,4-methylenedioxyamphetamine (MDPR)
Psilocin (4-Hydroxy-N,N-dimethyltryptamine)
Psilocybin (O-Phosphoryl-4-hydroxy-N,N-dimethyltryptamine)
Pyrovalerone
Quazepam
Quinbolone
Racemethorphan
Racemoramide
Racemorphan
Remifentanil
Reproterol
Salbutamol other than in metered aerosols or dry powder or capsules
of dry powder for inhalation
Salvia divinorum
Secobarbital
Sigmodal
Silandrone
Somatotropin
Stanolone
Stanozolol
Stenbolone
Sufentanil
Talbutal
Temazepam
Terbutaline, other than in metered aerosols for inhalation
Testolactone
Testosterone, other than in implant preparations for growth promotion
in animals
Tetrahydrocannabinols including their alkyl homologues other than
where separately specified; and their corresponding carboxylic acids
Tetrazepam
Thebacon
Thebaine

Thialbarbital
 Thiamylal
 1-(1-(2-Thienyl)cyclohexyl)piperidine (TCP)
 Thiobarbituric Acid
 Thiofentanyl
 Thiomesterone (tiomesterone)
 Thiopental
 Tibolone
 Tilidine
 Trenbolone (trienbolone, trienolone), other than in implant preparations for use in animals
 Trestolone
 Triazolam
 1-(3-Trifluoromethylphenyl) piperazine (TFMPP)
 Trimeperidine
 2,4,5-Trimethoxyamphetamine
 3,4,5-Trimethoxyamphetamine
 Vinbarbital
 Vinylbital
 Zeranol
 Zipeprol (1-(2-Methoxy-2-phenylethyl)-4-(2-hydroxy-3-methoxy-3-phenylpropyl) piperazine
 Zolazepam
 Zolpidem
 Any other anabolic and androgenic steroidal agent'.

42 Omission of sch 2A (Dangerous drugs)

Schedule 2A—

omit.

43 Amendment of sch 3 (Specified quantities for particular dangerous drugs)

Schedule 3, authorising section, after 'sections 4,'—

insert—

‘4A.’.

44 Amendment of sch 4 (Specified quantities for particular dangerous drugs)

Schedule 4, authorising section—

omit, insert—

‘sections 8, 9 and 134 of the Act’.

45 Replacement of sch 5 (Dangerous drugs)

Schedule 5—

omit, insert—

‘Schedule 5 Dangerous drugs

sections 124 and 134 of the Act

Alprazolam

Bromazepam

Brotizolam

Camazepam

Chlordiazepoxide

Clobazam

Clonazepam

Clorazepate

Clotiazepam

Cloxazolam

Delorazepam

Diazepam

Difenoxin other than 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 other than 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 other than 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

Estazolam

Ethyl Loflazepate

Fludiazepam

Flurazepam

Halazepam

Haloxazolam

Ketazolam

Loprazolam

Lorazepam

Lormetazepam

Medazepam

Midazolam

Nimetazepam

Nitrazepam

Nordazepam

Oxazepam

Oxazolam

Pholcodine other than 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

Pinazepam

Prazepam

Quazepam

Temazepam

Tetrazeepam

Triazolam

Zolazepam’.

46 Amendment of sch 8A (Gross weight of relevant substances for s 9A of Act)

- (1) Schedule 8A, heading, ‘s 9A of Act’—

omit, insert—

‘ss 9A, 9B and 9C of Act’.

- (2) Schedule 8A, authorising section—

omit, insert—

‘sections 9A, 9B, 9C and 134 of the Act’.

47 Amendment of sch 8B (Things specified for s 9A of Act)

- (1) Schedule 8B, heading, ‘s 9A of Act’—

omit, insert—

‘ss 9A, 9B and 9C of Act’.

- (2) Schedule 8B, authorising section—

omit, insert—

‘sections 9A, 9B, 9C and 134 of the Act’.

Part 4 **Amendment of Judges
(Pensions and Long Leave) Act
1957**

48 **Act amended in pt 4**

This part amends the *Judges (Pensions and Long Leave) Act 1957*.

49 **Amendment of s 2AA (Length of service if previously a judge in a court of the Commonwealth or another State)**

Section 2AA(1), ‘appointed’—

omit, insert—

‘serving’.