



Queensland

Drugs Misuse Amendment Regulation (No. 2) 2011

Explanatory Notes for SL 2011 No. 222

made under the

Drugs Misuse Act 1986

General outline

Short title

Drugs Misuse Amendment Regulation (No. 2) 2011.

Authorising law

Section 134 of the *Drugs Misuse Act 1986*

Policy objectives and the reasons for them

The primary objective of the regulation is to add 19 new substances to schedule 2 of the *Drugs Misuse Regulation 1987* in order to prohibit the unlawful possession, supply, production and trafficking of those substances.

Consistency with policy objectives of authorising law

The purpose of *Drugs Misuse Act 1986* is to consolidate and amend the law relating to the misuse of drugs and to make further provision for the prevention of the misuse of drugs.

The regulation is consistent with the main objectives of the *Drugs Misuse Act 1986*.

Inconsistency with policy objectives of other legislation

The Regulation is consistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

The regulation inserts new substances into schedule 2 of the *Drugs Misuse Regulation 1987* so as to criminalise the unlawful possession, supply, production and trafficking of those substances. There are no alternative ways in which the objectives could be achieved.

Benefits and costs of implementation

There are negligible costs for Government associated with the implementation of the regulation.

Consistency with Fundamental Legislative Principles

The regulation is consistent with fundamental legislative principles.

Consultation

The Department of the Premier and Cabinet, Queensland Health, Queensland Police Services and Queensland Treasury were consulted.

The Department of the Premier and Cabinet, Queensland Health, Queensland Police Services and Queensland Treasury support the amendment.

Notes on Provisions

PART 1 - Preliminary

Clause 1 establishes the short title of the regulation.

Clause 2 states that the regulation amends the *Drugs Misuse Regulation 1987*.

Clause 3 inserts the following¹⁹ new substances into schedule 2 of the regulation:

- 1-Butyl-3-(1-naphthoyl)indole (JWH-073)
- 1-Cyclohexylethyl-3-(2-methoxyphenylacetyl)indole (RCS-8)
- 5-(1,1-Dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP 47, 497 C8 homologue)
- 1-(5-Fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694)
- 1-(5-Fluoropentyl)-3-(1-naphthoyl)indole (AM-2201)
- 1-Hexyl-3-(1-naphthoyl)indole (JWH-019)
- 2-(4-Methoxyphenyl)-1-(1-pentyl-1H-indol-3-yl)-ethanone (JWH-201)
- 4-Methoxyphenyl-(1-butyl-1H-indol-3-yl)-methanone (RCS-4 (C4))
- 2-(2-Methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone (JWH-250)
- 2-(3-Methoxyphenyl)-1-(1-pentylindol-3-yl)ethanone (JWH-302)
- 1-[2-(4-Morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200)
- 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398)
- 1-Pentyl-3-(2-chlorophenylacetyl)indole (JWH-203)
- 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210)
- 1-Pentyl-3-[(4-methoxy)-benzoyl]indole (RCS-4)
- 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081)
- 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122)
- Pravadoline (WIN 48098)
- 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015)

ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Justice and Attorney-General .