

1995

**THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

DRUGS OF DEPENDENCE ACT 1989

DRUGS OF DEPENDENCE REGULATIONS (AMENDMENT)

Subordinate Law No. 29. of 1995

EXPLANATORY MEMORANDUM

**Circulated by authority of Kate Carnell MLA
Minister for Health and Community Care**

DRUGS OF DEPENDENCE ACT 1989

DRUGS OF DEPENDENCE REGULATIONS (AMENDMENT)

EXPLANATORY MEMORANDUM

OUTLINE

The *Drugs of Dependence Act 1989* (the Act) controls the manufacture and sale of drugs of dependence and prohibited substances.

The Drugs of Dependence Regulations list drugs of dependence in Schedule 1, prohibited substances in Schedule 2, and drugs of dependence whose manufacture is controlled by provisions in the Act in Schedule 3.

Schedules 1 and 2 specify for each drug a traffickable quantity and a commercial quantity.

The traffickable quantity is an amount greater than would be expected for personal use only. Traffickable quantities reflect those levels in the *Customs Act 1901* and existing poisons legislations in other States. The commercial quantity in most cases is 1000 times the size of the traffickable quantity for a substance.

The purpose of the Drugs of Dependence Regulations (Amendment) is to transfer dronabinol (delta 9-tetrahydrocannabinol) from the list of prohibited substances to the list of drugs of dependence and to specify the traffickable and commercial quantities for dronabinol.

FINANCIAL CONSIDERATIONS

The Regulations have no revenue or cost implications.

NOTES ON REGULATIONS

DRUGS OF DEPENDENCE ACT 1989

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Formal Regulations

Regulations 1 and 2 are formal requirements. They refer to the commencement of the Regulations, and define Principal Regulations to be the Drugs of Dependence Regulations. The Regulations commence on the day they are notified in the Gazette.

Regulation 3 - Schedule 1

Regulation 3 inserts dronabinol in Schedule 1 and specifies 6.00 grams as the traffickable quantity and 6.00 kilograms as the commercial quantity.

Regulation 4 - Schedule 2

Regulation 4 facilitates the listing of dronabinol as a drug of dependence in Schedule 1.