



Australian Capital Territory

Drugs of Dependence Regulations

Subordinate Law No. 14 of 1993¹

The Australian Capital Territory Executive, in accordance with section 5 of the *Subordinate Laws Act 1989*, makes the following Regulations under the *Drugs of Dependence Act 1989*.

Dated 26 March 1993.

WAYNE BERRY
Minister

BILL WOOD
Minister

Citation

1. These Regulations may be cited as the Drugs of Dependence Regulations.

Commencement

2. (1) Regulations 1, 2 and 3 commence on the day on which these Regulations are notified in the *Gazette*.

(2) The remaining provisions commence on the day on which section 4 of the *Drugs of Dependence (Amendment) Act (No. 2) 1993* commences.

Interpretation

3. In these Regulations—

“Act” means the *Drugs of Dependence Act 1989*.

Drugs of dependence

4. For the purposes of the definition of “drug of dependence” in section 4 of the Act, the substances specified in Schedule 3 are prescribed.

Commercial quantities

5. For the purposes of the definition of “commercial quantity” in subsection 160 (1) of the Act—

- (a) the prescribed quantity of a drug of dependence specified in column 1 of Schedule 1 is the quantity specified in the appropriate column or columns of Schedule 1 opposite the reference to that drug; and
- (b) the prescribed quantity of a prohibited substance specified in column 1 of Schedule 2 is the quantity specified in the appropriate column or columns of Schedule 2 opposite the reference to that substance.

Traffickable quantities

6. For the purposes of the definition of “traffickable quantity” in subsection 160 (1) of the Act—

- (a) the prescribed quantity of a drug of dependence specified in column 1 of Schedule 1 is the quantity specified in the appropriate column or columns of Schedule 1 opposite the reference to that drug; and
- (b) the prescribed quantity of a prohibited substance specified in column 1 of Schedule 2 is the quantity specified in the appropriate column or columns of Schedule 2 opposite the reference to that substance.

SCHEDULE 1

Regulations 5 and 6

DRUGS OF DEPENDENCE—GENERAL

Column 1 Drug	Column 2 Traffickable quantity (grams)	Column 3 Commercial quantity (kilograms)
Acetyldihydrocodeine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing not more than 100 mg of acetyldihydrocodeine per dosage unit; or		
(b) in undivided preparations with a concentration of not more than 2.5% of acetyldihydrocodeine	2.00	2.00
Acetylmethadol	2.00	2.00
Acetylmorphines	2.00	2.00
Alfentanil	0.005	0.005
Allylprodine	2.00	2.00
Alphacetylmethadol	10.00	10.00
Alphameprodine	0.20	0.20
Alphamethadol	0.20	0.20
Alphaprodine	25.00	25.00
Amphetamine	2.00	2.00
Amylobarbitone, except when packed and labelled for injection	20.00	20.00
Anileridine	25.00	25.00
Benzethidine	10.00	10.00
Benzylmorphine	5.00	5.00
Betacetylmethadol	5.00	5.00
Betameprodine	5.00	5.00
Betamethadol	5.00	5.00
Betaprodine	5.00	5.00
Bezitramide	5.00	5.00
Buprenorphine	0.05	0.05
Butobarbitone	20.00	20.00
Butorphanol	2.00	2.00
Carfentanyl	0.005	0.005
Clonitazene	5.00	5.00
Cocaine	2.00	2.00
Coca Leaf	250.00	80.00
Codeine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing 30 mg or less of codeine per dosage unit; or		
(b) in undivided preparations containing 1% or less of codeine	10.00	10.00
Codeine-N-oxide	10.00	10.00
Codoxime	10.00	10.00
Concentrate of Poppy Straw (the material arising when poppy straw has entered into a process for concentration of its alkaloids)	250.00	250.00

SCHEDULE 1—continued

Column 1 Drug	Column 2 Traffickable quantity (grams)	Column 3 Commercial quantity (kilograms)
4-Cyano-2-dimethylamino-4,4-diphenylbutane (Methadone intermediate).....	2.00	2.00
4-Cyano-1-methyl-4-phenylpiperidine (Pethidine intermediate A).....	10.00	10.00
Cyclobarbitone.....	20.00	20.00
Dexamphetamine.....	2.00	2.00
Dextromoramide.....	2.00	2.00
Dextropropoxyphene, except when—		
(a) in divided preparations containing 135 mg or less of dextropropoxyphene per dosage unit; or		
(b) in liquid preparations containing 2.5% or less of dextropropoxyphene.....	27.00	27.00
Diampromide.....	5.00	5.00
Diethylthiambutene.....	5.00	5.00
Difenoxin, except in preparations containing, per dosage unit, 0.5 mg or less of difenoxin and a quantity of atropine sulphate equivalent to at least 5% of the dose of difenoxin	2.00	2.00
Dihydrocodeine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing not more than 100 mg of dihydrocodeine per dosage unit; or		
(b) in undivided preparations with a concentration of not more than 2.5% of dihydrocodeine.....	10.00	10.00
Dihydromorphine.....	10.00	10.00
Dimenoxadol.....	10.00	10.00
Dimepheptanol.....	10.00	10.00
Dimethylthiambutene.....	20.00	20.00
Dioxaphetyl Butyrate.....	2.00	2.00
Diphenoxylate, except in preparations containing, per dosage unit, 2.5 mg or less of diphenoxylate and a quantity of atropine sulphate equivalent to at least 1% of the dose of diphenoxylate.....	2.00	2.00
Dipipanone.....	10.00	10.00
Drotebanol.....	2.00	2.00
Ecgonine.....	10.00	10.00
Ethylamphetamine.....	2.00	2.00
Ethylmethylthiambutene.....	10.00	10.00
Ethylmorphine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing not more than 100 mg of ethylmorphine per dosage unit; or		
(b) in undivided preparations with a concentration of not more than 2.5% of ethylmorphine.....	2.00	2.00
Etonitazene.....	5.00	5.00
Etoxidine.....	5.00	5.00
Fenetylline.....	2.00	2.00
Fentanyl.....	0.005	0.005
Furethidine.....	1.00	1.00

SCHEDULE 1—continued

Column 1 Drug	Column 2 Traffickable quantity (grams)	Column 3 Commercial quantity (kilograms)
Hydrocodone.....	2.00	2.00
Hydromorphanol.....	2.00	2.00
Hydromorphone.....	2.00	2.00
Hydroxypethidine.....	5.00	5.00
Isomethadone.....	2.00	2.00
Levamphetamine.....	2.00	2.00
Levomethamphetamine.....	2.00	2.00
Levomethorphan.....	2.00	2.00
Levomoramide.....	2.00	2.00
Levophenacymorphan.....	2.00	2.00
Levorphanol.....	1.00	1.00
Mecloqualone.....	60.00	60.00
Metazocine.....	7.00	7.00
Methadone.....	2.00	2.00
Methamphetamine.....	2.00	2.00
Methyldesorphine.....	2.00	2.00
Methyldihydromorphine.....	2.00	2.00
2-Methyl-3-morpholino-1,1-diphenylpropane Carboxylic Acid (Moramide intermediate).....	8.00	8.00
Methylphenidate.....	2.00	2.00
1-Methyl-4-phenylpiperidine-4-carboxylic Acid (Pethidine intermediate C).....	10.00	10.00
Metopon.....	2.00	2.00
Morpheridine.....	2.00	2.00
Morphine.....	2.00	1.50
Morphine Methobromide.....	2.00	1.00
Morphine-N-oxide.....	2.00	2.00
Myrophine.....	20.00	20.00
Nabilone.....	0.40	0.40
Nicocodine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing not more than 100 mg of nicocodine per dosage unit; or		
(b) in undivided preparations with a concentration of not more than 2.5% of nicocodine.....	2.00	2.00
Nicodicodine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing not more than 100 mg of nicodicodine per dosage unit; or		
(b) in undivided preparations with a concentration of not more than 2.5% of nicodicodine.....	2.00	2.00
Nicomorphine.....	2.00	2.00
Noracymethadol.....	2.00	2.00
Norcodeine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing not more than 100 mg of norcodeine per dosage unit; or		

SCHEDULE 1—continued

Column 1 Drug	Column 2 Traffickable quantity (grams)	Column 3 Commercial quantity (kilograms)
(b) in undivided preparations with a concentration of not more than 2.5% of norcodeine	2.00	2.00
Norlevorphanol	2.00	2.00
Normethadone.....	5.00	5.00
Normorphine.....	20.00	20.00
Norpipanone	10.00	10.00
Opium in any form, except the alkaloids noscapine and papaverine.....	20.00	20.00
Oxycodone	5.00	5.00
Oxymorphone	2.00	2.00
Pentazocine	20.00	20.00
Pentobarbitone, except when packed and labelled for injection	20.00	20.00
Pethidine	10.00	10.00
Phenadoxone.....	10.00	10.00
Phenampromide	10.00	10.00
Phenazocine	1.00	1.00
Phendimetrazine.....	5.00	5.00
Phenmetrazine.....	5.00	5.00
Phenomorphan	5.00	5.00
Phenoperidine	1.00	1.00
4-Phenylpiperidine-4-carboxylic Acid Ethyl Ester (Pethidine intermediate B).....	10.00	10.00
Pholcodine, except when compounded with 1 or more other medicaments—		
(a) in divided preparations containing not more than 100 mg of pholcodine per dosage unit; or		
(b) in undivided preparations with a concentration of not more than 2.5% of pholcodine	5.00	5.00
Piminodine	10.00	10.00
Piritramide	1.00	1.00
Proheptazine	1.00	1.00
Properidine.....	25.00	25.00
Propiram	10.00	10.00
Quinalbarbitone	20.00	20.00
Racemethorphan	2.00	2.00
Racemoramide	2.00	2.00
Racemorphan	2.00	2.00
Secbutobarbitone	20.00	20.00
Sufentanil.....	0.005	0.005
Thebacon.....	2.00	2.00
Thebaine	2.00	2.00
Tilidine.....	20.00	20.00
Trimeperidine	10.00	10.00
A substance which is, in relation to a drug of dependence specified elsewhere in this Schedule—		
(a) an active principle of that drug;		
(b) a preparation or admixture of that drug; or		

SCHEDULE 1—continued

Column 1	Column 2	Column 3
Drug	Traffickable quantity (grams)	Commercial quantity (kilograms)
(c) a salt of that drug or active principle; except where the substance is separately specified in this Schedule	The minimum traffickable quantity and the minimum commercial quantity, respectively, of— (a) the drug of dependence in relation to which the substance is specified in this item; or (b) if there is more than 1 such drug—the drug referred to in paragraph (a) in relation to which the minimum traffickable quantity and the minimum commercial quantity are respectively the least.	

SCHEDULE 2

Regulations 5 and 6

PROHIBITED SUBSTANCES

Column 1 Substance	Column 2 Traffickable quantity (grams)	Column 3 Commercial quantity (kilograms)
Acetorphine.....	2.00	2.00
Acetyl- α -methylfentanyl.....	0.005	0.005
Alkoxyamphetamines and bromo-substituted alkoxyamphetamines, except where separately specified in this Schedule	0.50	0.50
Alkoxyphenethylamines and alkyl-substituted alkoxyphenethylamines, except where separately specified in this Schedule	0.50	0.50
2-Amino-1-(2,5-dimethoxy-4-methyl) phenylpropane (STP, DOM).....	0.50	0.50
4-Bromo-3,5-dimethoxyamphetamine	0.50	0.50
4-Bromo-2,5-dimethoxyphenethylamine (BDMPEA)	0.50	0.50
3-Bromo-4-methoxyamphetamine	0.50	0.50
4-Bromo-3-methoxyamphetamine	0.50	0.50
Bufotenine.....	2.00	2.00
Cannabis	100.00	100.00
Cannabis Oil	2.00	2.00
Cannabis Resin	20.00	50.00
Cathinone.....	2.00	2.00
Desomorphine.....	2.00	2.00
N,N-Diethyltryptamine (DET).....	2.00	2.00
2,4-Dimethoxyamphetamine.....	0.50	0.50
3,4-Dimethoxyamphetamine.....	0.50	0.50
2,5-Dimethoxy-4-bromoamphetamine (DOB).....	0.50	0.50
3,4-Dimethoxy-5-ethoxyamphetamine	0.50	0.50
2,5-Dimethoxy-4-ethoxyamphetamine	0.50	0.50
4,5-Dimethoxy-2-ethoxyamphetamine	0.50	0.50
2,5-Dimethoxy-4-ethyl- α -methylphenylethylamine (DOET)	0.50	0.50
2,3-Dimethoxy-4,5-methylenedioxyamphetamine.....	0.50	0.50
2,5-Dimethoxy-3,4-methylenedioxyamphetamine.....	0.50	0.50
2,5-Dimethoxy- α -methylphenylethylamine (DMA).....	0.50	0.50
3,4-Dimethoxyphenylethylamine.....	0.50	0.50
3-(2-Dimethylaminoethyl)-4-hydroxyindole (Psilocine, Psilocin).....	2.00	2.00
3-(1,2-Dimethylheptyl)-1-hydroxy-7,8,9,10-tetrahydro- 6,6,9-trimethyl-6H-dibenzo[b,d]pyran (DMHP)	2.00	2.00
N,N,-Dimethyltryptamine (DMT).....	2.00	2.00
4,5-Ethylenedioxy-3-methoxyamphetamine	0.50	0.50
Eticyclidine (PCE)	2.00	2.00
Etorphine.....	5.00	2.00
Harmaline	2.00	2.00
Harmine	2.00	2.00
Heroin	2.00	1.50

SCHEDULE 2—continued

Column 1 Substance	Column 2 Traffickable quantity (grams)	Column 3 Commercial quantity (kilograms)
3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl- 6H-dibenzo[b,d]pyran (Parahexyl)	2.00	2.00
β -Hydroxyfentanyl.....	0.005	0.005
β -Hydroxy-3-methylfentanyl	0.005	0.005
Ketobemidone.....	2.00	2.00
Lysergic Acid.....	0.002	0.002
Lysergide (LSD, LSD-25).....	0.002	0.002
Mescaline— <i>see</i> 3,4,5-Trimethoxyphenethylamine		
Methaqualone	50.00	50.00
2-Methoxy-3, 4-methylenedioxyamphetamine	50.00	50.00
2-Methoxy-4, 5-methylenedioxyamphetamine	0.50	0.50
4-Methoxy-2, 3-methylenedioxyamphetamine	0.50	0.50
5-Methoxy-3, 4-methylenedioxy- α -methylphenylethylamine (MMDA)	0.50	0.50
2-Methoxy-3, 4-methylenedioxyphenylethylamine	0.50	0.50
3-Methoxy-4, 5-methylenedioxyphenylethylamine	0.50	0.50
4-Methoxy- α -methylphenylethylamine (PMA)	0.50	0.50
4-Methoxyphenylethylamine	0.50	0.50
4-Methylaminorex	2.00	2.00
3, 4-Methylenedioxyamphetamine (MDA).....	0.50	0.50
3, 4-Methylenedioxy-N, α -dimethylphenylethylamine (MDMA)	0.50	0.50
3, 4-Methylenedioxy-N-ethylamphetamine (MDE).....	0.50	0.50
3-Methylfentanyl	0.005	0.005
α -Methylfentanyl	0.005	0.005
1-Methyl-4-phenyl-4-piperidinol propionate (MPPP).....	2.00	2.00
3-Methylthiofentanyl	0.005	0.005
α -Methylthiofentanyl.....	0.005	0.005
Muscimol	2.00	2.00
Para-fluorofentanyl	0.005	0.005
Phencyclidine (PCP)	2.00	2.00
1-Phenylethyl-4-phenyl-4-piperidinol acetate (PEPAP)	2.00	2.00
Psilocine— <i>see</i> 3-(2-Dimethylaminoethyl)-4-hydroxyindole		
Psilocybine.....	2.00	2.00
Psilotsin— <i>see</i> 3-(2-Dimethylaminoethyl)-4-hydroxyindole		
Rolicyclidine (PHP, PCPY)	2.00	2.00
Tenocyclidine (TCP).....	2.00	2.00
Tetrahydrocannabinols (THC) and their alkyl homologues, except where separately specified in this Schedule	2.00	5.00
2, 3, 4, 5-Tetramethoxyamphetamine.....	0.50	0.50
Thiofentanyl.....	0.005	0.005
2, 3, 4-Trimethoxyamphetamine	0.50	0.50
2, 3, 5-Trimethoxyamphetamine	0.50	0.50
2, 3, 6-Trimethoxyamphetamine	0.50	0.50
2, 4, 5-Trimethoxyamphetamine	0.50	0.50
2, 4, 6-Trimethoxyamphetamine	0.50	0.50
3, 4, 5-Trimethoxy- α -methylphenylethylamine (TMA)	0.50	0.50

SCHEDULE 2—continued

Column 1	Column 2	Column 3
Substance	Traffickable quantity (grams)	Commercial quantity (kilograms)
3, 4, 5-Trimethoxyphenethylamine (mescaline) and other substances structurally derived from methoxyphenylethylamine, except—		
(a) methoxyphenamine; or		
(b) where separately specified in this Schedule.....	7.50	7.50
1-(3, 4, 5-Trimethoxyphenyl)-2-aminobutane.....	0.50	0.50
2, 4, 5-Trimethoxyphenylethylamine	0.50	0.50
A substance which is, in relation to a prohibited substance specified elsewhere in this Schedule—		
(a) an active principle of that prohibited substance;		
(b) a preparation or admixture of that prohibited substance; or		
(c) a salt of that prohibited substance or active principle; except where the first-mentioned substance is separately specified in this Schedule.....		
	The minimum traffickable quantity and the minimum commercial quantity, respectively, of—	
	(a) the prohibited substance in relation to which the substance is specified in this item; or	
	(b) if there is more than 1 such prohibited substance—the prohibited substance referred to in paragraph (a) in relation to which the minimum traffickable quantity and the minimum commercial quantity are respectively the least.	
A substance (“drug analogue”) which is, in relation to another substance (being a drug of dependence or a substance specified elsewhere in this Schedule, or a stereoisomer, a structural isomer (with the same constituent groups) or an alkaloid of such a drug or substance)—		
(a) a stereoisomer;		
(b) a structural isomer having the same constituent groups;		
(c) an alkaloid;		
(d) a structural modification notionally obtained in 1 or more of the following ways:		
(i) by the replacement of up to 2 carbocyclic or heterocyclic ring structures with different carbocyclic or heterocyclic ring structures;		
(ii) by the addition of hydrogen atoms to 1 or more unsaturated bonds;		

SCHEDULE 2—continued

Column 1 Substance	Column 2 Traffickable quantity (grams)	Column 3 Commercial quantity (kilograms)
<p>(iii) by the addition of 1 or more of the following groups, namely alkoxy, cyclic diether, acyl, acyloxy, mono-amino and dialkylamino groups with up to 6 carbon atoms in any alkyl residue; alkyl, alkenyl and alkylnyl groups with up to 6 carbon atoms in the group, where the group is attached to oxygen (for example, an ester or an ether group), nitrogen, sulphur or carbon; and halogen, hydroxy, nitro and amino groups;</p> <p>(iv) by the replacement of 1 or more of the groups specified in subparagraph (iii) with another such group or groups;</p> <p>(v) by the conversion of a carboxyl or an ester group into an amide group; or</p> <p>(e) otherwise an homologue, analogue, chemical derivative or substance substantially similar in chemical structure;</p> <p>however manufactured or actually obtained, except where the drug analogue—</p> <p>(f) is a drug of dependence;</p> <p>(g) is separately specified in this Schedule;</p> <p>(h) is specified in a Schedule to the <i>Poisons and Drugs Act 1978</i>; or</p> <p>(i) is specified in the Schedule to the <i>Public Health (Prohibited Drugs) Act 1957</i>.....</p>		
	<p>The minimum traffickable quantity and the minimum commercial quantity, respectively, of—</p> <p>(a) the drug of dependence or prohibited substance in relation to which the substance is a drug analogue; or</p> <p>(b) if there is more than 1 such drug or prohibited substance—the drug or prohibited substance referred to in paragraph (a) in relation to which the minimum traffickable quantity and the minimum commercial quantity are respectively the least.</p>	

SCHEDULE 3

Regulation 4

DRUGS OF DEPENDENCE—MANUFACTURING

Acetylmorphines
Amphetamine
Amylobarbitone
Butobarbitone
Cyclobarbitone
Dexamphetamine
Mecloqualone
Methamphetamine
Methylphenidate
Nabilone
Pentazocine
Pentobarbitone
Phencyclidine
Phenmetrazine
Quinalbarbitone
Secbutobarbitone

A substance which is, in relation to a drug of dependence specified elsewhere in this Schedule—

- (a) an active principle of that drug;
- (b) a preparation or admixture of that drug; or
- (c) a salt of that drug or active principle

NOTE

1. Notified in the ACT Gazette on 31 March 1993.