



Australian Capital Territory

Criminal Code Regulation 2005

SL2005-2

made under the

Criminal Code 2002

Republication No 3

Effective: 4 May 2007 – 5 September 2007

Republication date: 4 May 2007

Last amendment made by SL2007-7

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Criminal Code Regulation 2005*, made under the *Criminal Code 2002* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 4 May 2007. It also includes any amendment, repeal or expiry affecting the republished law to 4 May 2007.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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R3
04/05/07

Criminal Code Regulation 2005
Effective: 04/05/07-05/09/07

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Australian Capital Territory

Criminal Code Regulation 2005

made under the

Criminal Code 2002

Part 1 Preliminary

1 Name of regulation

This regulation is the *Criminal Code Regulation 2005*.

3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation.

For example, the signpost definition '*associated drug*—see section 5 (2).' means that the term 'associated drug' is defined in that section and the definition applies to this regulation.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see Legislation Act, s 155 and s 156 (1)).

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the Legislation Act, s 127 (1), (4) and (5) for the legal status of notes.

4A Definitions—Code, s 10 (1), def *default application date*

The prescribed date is 1 July 2009.

Part 2 Serious drugs offences

5 **Controlled drugs—Code, s 600, def *controlled drug***

- (1) Each of the following substances is a *controlled drug*:
 - (a) a substance mentioned in schedule 1;
 - (b) an associated drug;
 - (c) a related drug.
- (2) An *associated drug* is any of the following:
 - (a) an active principle of a substance mentioned in schedule 1;
 - (b) a preparation or admixture of a substance mentioned in schedule 1;
 - (c) a salt of—
 - (i) a substance mentioned in schedule 1; or
 - (ii) an active principle of a substance mentioned in schedule 1.
- (3) A *related drug* is any of the following:
 - (a) a stereoisomer of a substance mentioned in schedule 1;
 - (b) a positional isomer of a substance mentioned in schedule 1 or paragraph (a);
 - (c) an ether of a substance mentioned in schedule 1 or paragraph (a) or (b);
 - (d) an ester of a substance mentioned in schedule 1 or paragraph (a), (b) or (c);

- (e) a structural modification of a substance mentioned in schedule 1 or paragraph (a), (b), (c) or (d) obtained in any of the following ways:
- (i) by the replacement of 1 or 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;
 - (iii) by the conversion of a carboxyl or an ester group into an amide group;
 - (iv) by the addition of, or the replacement of a hydrogen atom with, 1 or more of the following defined functional groups:
 - an alkoxy, cyclic diether, acyl, acyloxy, mono-alkyl amino or dialkyl amino group with 6 or less carbon atoms in any alkyl residue;
 - an alkyl, alkenyl or alkynyl group with 6 or less carbon atoms in the group and if the group is attached to oxygen (for example, forming an ester or an ether group), nitrogen, sulphur or carbon;
 - a halogen, hydroxy, nitro or amino group.

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

6 Controlled plants—Code, s 600, def *controlled plant*

A growing plant mentioned in schedule 2 is a *controlled plant*.

7 Controlled precursors—Code, s 600, def *controlled precursor*

A substance mentioned in schedule 3 is a *controlled precursor*.

**8 Quantities of controlled drugs, plants and precursors—
Code, s 601 (1)**

- (1) For a controlled drug mentioned in schedule 1—
- (a) a *trafficable quantity* of the drug is the quantity mentioned in the schedule, column 3 for the drug; and
 - (b) a *commercial quantity* of the drug is the quantity mentioned in the schedule, column 4 for the drug; and
 - (c) a *large commercial quantity* of the drug is the quantity mentioned in the schedule, column 5 for the drug.
- (2) For an associated drug or related drug—
- (a) a *trafficable quantity* of the drug is—
 - (i) the quantity mentioned in schedule 1, column 3 for the drug for which it is an associated or related drug; or
 - (ii) if it is associated with or related to more than 1 drug—the quantity mentioned in schedule 1, column 3 for the drug for which the quantity is the least; and
 - (b) a *commercial quantity* of the drug is—
 - (i) the quantity mentioned in schedule 1, column 4 for the drug for which it is an associated or related drug; or
 - (ii) if it is associated with or related to more than 1 drug—the quantity mentioned in schedule 1, column 3 for the drug for which the quantity is the least; and
 - (c) a *large commercial quantity* of the drug is—
 - (i) the quantity mentioned in schedule 1, column 5 for the drug for which it is an associated or related drug; or
 - (ii) if it is associated with or related to more than 1 drug—the quantity mentioned in schedule 1, column 3 for the drug for which the quantity is the least.

- (3) For a controlled plant—
 - (a) a *trafficable quantity* of the plant is the quantity mentioned in schedule 2, column 3 for the plant; and
 - (b) a *commercial quantity* of the plant is the quantity mentioned in schedule 2, column 4 for the plant; and
 - (c) a *large commercial quantity* of the plant is the quantity mentioned in schedule 2, column 5 for the plant.
- (4) For a controlled precursor—
 - (a) a *commercial quantity* of the precursor is the quantity mentioned in schedule 3, column 3 for the precursor; and
 - (b) a *large commercial quantity* of the precursor is the quantity mentioned in schedule 3, column 4 for the precursor.

9 Quantities of controlled drugs in mixtures—Code, s 601 (2)

For the Code, section 601 (2) (a), and to remove any doubt—

- (a) the quantity mentioned in schedule 1, column 3 for a drug is a *trafficable quantity* of the pure form of the drug (or an associated drug or related drug); and
- (b) the quantity mentioned in schedule 1, column 4 for a drug is a *commercial quantity* of the pure form of the drug (or an associated drug or related drug); and
- (c) the quantity mentioned in schedule 1, column 5 for a drug is a *large commercial quantity* of the pure form of the drug (or an associated drug or related drug).

Schedule 1 Controlled drugs

(see s 5, s 8 (1) and (2), s 9)

Note This schedule is divided into part 1.1 (Drugs of dependence) and part 1.2 (Prohibited substances). These terms are not relevant for the Criminal Code but are terms used in the *Drugs of Dependence Act 1989*. The substances mentioned in this schedule are prescribed for that Act by reference to this schedule (see *Drugs of Dependence Regulation 2005*, s 4 and s 5).

Part 1.1 Drugs of dependence

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|------------------|---|--|---|--|
| 1 | Acetyldihydrocodeine | 2.00 | 1.00 | 2.00 |
| 2 | Acetylmethadol | 2.00 | 1.00 | 2.00 |
| 3 | Acetylmorphines | 2.00 | 1.00 | 2.00 |
| 4 | Alfentanil | 0.005 | 0.0025 | 0.005 |
| 5 | Alphacetylmethadol | 10.00 | 5.00 | 10.00 |
| 6 | Alphaprodine | 25.00 | 12.50 | 25.00 |
| 7 | Amphetamine | 2.00 | 1.00 | 2.00 |
| 8 | Amylobarbitone, except if packed and labelled for injection | 20.00 | 10.00 | 20.00 |
| 9 | Anileridine | 25.00 | 12.50 | 25.00 |
| 10 | Benzylmorphine | 5.00 | 2.50 | 5.00 |
| 11 | Bezitramide | 5.00 | 2.50 | 5.00 |
| 12 | Buprenorphine | 0.05 | 0.025 | 0.05 |
| 13 | Butobarbitone | 20.00 | 10.00 | 20.00 |
| 14 | Butorphanol | 2.00 | 1.00 | 2.00 |

Schedule 1
Part 1.1

Controlled drugs
Drugs of dependence

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|--------------------------|---|--|---|---|
| 15 | Carfentanyl | 0.005 | 0.0025 | 0.005 |
| 16 | Cocaine | 2.00 | 1.00 | 2.00 |
| 17 | Codeine, except if compounded with 1 or more other medicaments— (a) in divided preparations containing 30mg or less of codeine per dosage unit; or (b) in undivided preparations containing 1% or less of codeine | 10.00 | 5.00 | 10.00 |
| 18 | Codeine-N-oxide | 10.00 | 5.00 | 10.00 |
| 19 | Concentrate of poppy straw, that is the material arising when poppy straw has entered into a process for concentration of its alkaloids | 250.00 | 125.00 | 250.00 |
| 20 | 4-Cyano-1-methyl-4-phenylpiperidine (Pethidine intermediate A) | 10.00 | 5.00 | 10.00 |
| 21 | Cyclobarbitone | 20.00 | 10.00 | 20.00 |
| 22 | Dexamphetamine | 2.00 | 1.00 | 2.00 |
| 23 | Dextromoramide | 2.00 | 1.00 | 2.00 |
| 24 | Dextropropoxyphene, except— (a) in divided preparations containing 135mg or less of dextropropoxyphene per dosage unit; or (b) in liquid preparations containing 2.5% or less of dextropropoxyphene | 27.00 | 13.50 | 27.00 |
| 25 | Difenoxin, except in preparations containing, per dosage unit, 0.5mg or less of difenoxin and a quantity of atropine sulphate equivalent to at least 5% of the dose of difenoxin | 2.00 | 1.00 | 2.00 |

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|------------------|--|--|---|--|
| 26 | Dihydrocodeine, except if compounded with 1 or more other medicaments— (a) in divided preparations containing not more than 100mg of dihydrocodeine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of dihydrocodeine | 10.00 | 5.00 | 10.00 |
| 27 | Dihydromorphine | 10.00 | 5.00 | 10.00 |
| 28 | Diphenoxylate, except in preparations containing, per dosage unit, 2.5mg or less of diphenoxylate and a quantity of atropine sulphate equivalent to at least 1% of the dose of diphenoxylate | 2.00 | 1.00 | 2.00 |
| 29 | Dipipanone | 10.00 | 5.00 | 10.00 |
| 30 | Dronabinol | 6.00 | 3.00 | 6.00 |
| 31 | Drotebanol | 2.00 | 1.00 | 2.00 |
| 32 | Ethylamphetamine | 2.00 | 1.00 | 2.00 |
| 33 | Ethylmorphine, except if compounded with 1 or more other medicaments— (a) in divided preparations containing not more than 100mg of ethylmorphine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of ethylmorphine | 2.00 | 1.00 | 2.00 |
| 34 | Fentanyl | 0.005 | 0.0025 | 0.005 |
| 35 | Flunitrazepam | 0.40 | 0.20 | 0.40 |
| 36 | Hydrocodone | 2.00 | 1.00 | 2.00 |
| 37 | Hydromorphanol | 2.00 | 1.00 | 2.00 |

Schedule 1
Part 1.1

Controlled drugs
Drugs of dependence

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|--------------------------|--|--|---|---|
| 38 | Hydromorphone | 2.00 | 1.00 | 2.00 |
| 39 | Ketamine | 20.00 | 2.00 | 4.00 |
| 40 | Levamphetamine | 2.00 | 1.00 | 2.00 |
| 41 | Levomethamphetamine | 2.00 | 1.00 | 2.00 |
| 42 | Levomoramide | 2.00 | 1.00 | 2.00 |
| 43 | Levorphanol | 1.00 | 0.50 | 1.00 |
| 44 | Methadone | 2.00 | 1.00 | 2.00 |
| 45 | Methylamphetamine | 2.00 | 1.00 | 2.00 |
| 46 | Methyldihydromorphine | 2.00 | 1.00 | 2.00 |
| 47 | Methylphenidate | 2.00 | 1.00 | 2.00 |
| 48 | 1-Methyl-4-phenylpiperidine-4-carboxylic Acid (Pethidine intermediate C) | 10.00 | 5.00 | 10.00 |
| 49 | Morphine | 2.00 | 0.75 | 1.50 |
| 50 | Morphine Methobromide | 2.00 | 0.50 | 1.00 |
| 51 | Morphine-N-oxide | 2.00 | 1.00 | 2.00 |
| 52 | Nabilone | 0.40 | 0.20 | 0.40 |
| 53 | Norcodeine | 2.00 | 1.00 | 2.00 |
| 54 | Normethadone | 5.00 | 2.50 | 5.00 |
| 55 | Opium in any form, except the alkaloids noscapine and papaverine | 20.00 | 10.00 | 20.00 |
| 56 | Oxycodone | 5.00 | 2.50 | 5.00 |
| 57 | Oxymorphone | 2.00 | 1.00 | 2.00 |
| 58 | Pentazocine | 20.00 | 10.00 | 20.00 |
| 59 | Pentobarbitone, except if packed and labelled for injection | 20.00 | 10.00 | 20.00 |
| 60 | Pethidine | 10.00 | 5.00 | 10.00 |
| 61 | Phendimetrazine | 5.00 | 2.50 | 5.00 |
| 62 | Phenmetrazine | 5.00 | 2.50 | 5.00 |

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|------------------|--|--|---|--|
| 63 | Phenoperidine | 1.00 | 0.50 | 1.00 |
| 64 | 4-Phenylpiperidine-4-carboxylic Acid Ethyl Ester (Pethidine intermediate B) | 10.00 | 5.00 | 10.00 |
| 65 | Pholcodine, except if compounded with 1 or more other medicaments— (a) in divided preparations containing not more than 100mg of pholcodine per dosage unit; or (b) in undivided preparations with a concentration of not more than 2.5% of pholcodine | 5.00 | 2.50 | 5.00 |
| 66 | Piritramide | 1.00 | 0.50 | 1.00 |
| 67 | Propiram | 10.00 | 5.00 | 10.00 |
| 68 | Quinalbarbitone | 20.00 | 10.00 | 20.00 |
| 69 | Racemoramide | 2.00 | 1.00 | 2.00 |
| 70 | Remifentanil | 1.00 | 0.50 | 1.00 |
| 71 | Secbutobarbitone | 20.00 | 10.00 | 20.00 |
| 72 | Sufentanil | 0.005 | 0.0025 | 0.005 |
| 73 | Thebacon | 2.00 | 1.00 | 2.00 |
| 74 | Thebaine | 2.00 | 1.00 | 2.00 |
| 75 | Tilidine | 20.00 | 10.00 | 20.00 |

Part 1.2 Prohibited substances

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|------------------|--|--|---|--|
| 1 | Acetorphine | 2.00 | 1.00 | 2.00 |
| 2 | Acetyl- α -methylfentanyl | 0.005 | 0.0025 | 0.005 |
| 3 | Alkoxyamphetamines and bromo-substituted alkoxyamphetamines, except if separately mentioned in this part | 0.50 | 0.25 | 0.50 |
| 4 | Alkoxyamphetamines and substituted alkoxyamphetamines, except if separately mentioned in this part | 0.50 | 0.25 | 0.50 |
| 5 | Alkoxyphenethylamines and alkyl-substituted alkoxyphenethylamines, except if separately mentioned in this part | 0.50 | 0.25 | 0.50 |
| 6 | Alkoxyphenethylamines and substituted alkoxyphenethylamines, except if separately mentioned in this part | 0.50 | 0.25 | 0.50 |
| 7 | Alkoxythioamphetamines and substituted alkoxythioamphetamines, except if separately mentioned in this part | 0.50 | 0.25 | 0.50 |
| 8 | Allylprodine | 2.00 | 1.00 | 2.00 |
| 9 | Alphameprodine | 0.20 | 0.10 | 0.20 |
| 10 | Alpha-methylfentanyl | 0.005 | 0.025 | 0.005 |
| 11 | Alpha-methylthiofentanyl | 0.005 | 0.025 | 0.005 |
| 12 | Alphamethadol | 0.20 | 0.10 | 0.20 |
| 13 | 2-Amino-1-(2,5-dimethoxy-4-methyl)phenylpropane (STP, DOM) | 0.50 | 0.25 | 0.50 |
| 14 | Benzethidine | 10.00 | 5.00 | 10.00 |
| 15 | Betacetylmethadol | 5.00 | 2.50 | 5.00 |

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|------------------|---|--|---|--|
| 16 | Beta-hydroxyfentanyl | 0.005 | 0.025 | 0.005 |
| 17 | Beta-hydroxy-3-methylfentanyl | 0.005 | 0.025 | 0.005 |
| 18 | Betameprodine | 5.00 | 2.50 | 5.00 |
| 19 | Betamethadol | 5.00 | 2.50 | 5.00 |
| 20 | Betaprodine | 5.00 | 2.50 | 5.00 |
| 21 | 4-Bromo-3,5-dimethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 22 | 4-Bromo-2,5-dimethoxyphenethylamine (BDMPEA) | 0.50 | 0.25 | 0.50 |
| 23 | 3-Bromo-4-methoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 24 | 4-Bromo-3-methoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 25 | Bufotenine | 2.00 | 1.00 | 2.00 |
| 26 | Cannabis | 300.00 | 25.00 | 125.00 |
| 27 | Cannabis oil | 2.00 | 1.00 | 2.00 |
| 28 | Cannabis resin | 20.00 | 25.00 | 50.00 |
| 29 | Cathinone | 2.00 | 1.00 | 2.00 |
| 30 | Clonitazene | 5.00 | 2.50 | 5.00 |
| 31 | Coca leaf | 250.00 | 40.00 | 80.00 |
| 32 | Codoxime | 10.00 | 5.00 | 10.00 |
| 33 | 4-Cyano-2-dimethylamino-4,4-diphenylbutane (Methadone intermediate) | 2.00 | 1.00 | 2.00 |
| 34 | Desomorphine | 2.00 | 1.00 | 2.00 |
| 35 | Diampromide | 5.00 | 2.50 | 5.00 |
| 36 | Diethylthiambutene | 5.00 | 2.50 | 5.00 |
| 37 | N,N-Diethyltryptamine (DET) | 2.00 | 1.00 | 2.00 |
| 38 | Dimenoxadol | 10.00 | 5.00 | 10.00 |
| 39 | Dimepheptanol | 10.00 | 5.00 | 10.00 |

**Schedule 1
Part 1.2**

Controlled drugs
Prohibited substances

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|--------------------------|--|--|---|---|
| 40 | 2,4-Dimethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 41 | 2,5-Dimethoxyamphetamine (DMA) | 0.50 | 0.25 | 0.50 |
| 42 | 3,4-Dimethoxyamphetamine | 0.50 | 0.50 | 0.50 |
| 43 | 2,5-Dimethoxy-4-bromoamphetamine (DOB) | 0.50 | 0.25 | 0.50 |
| 44 | 3,4-Dimethoxy-5-ethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 45 | 2,5-Dimethoxy-4-ethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 46 | 4,5-Dimethoxy-2-ethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 47 | 2,5-Dimethoxy-4-ethyl- α -methylphenylethylamine (DOET) | 0.50 | 0.25 | 0.50 |
| 48 | 2,3-Dimethoxy-4,5-methylenedioxyamphetamine | 0.50 | 0.25 | 0.50 |
| 49 | 2,5-Dimethoxy-3,4-methylenedioxyamphetamine | 0.50 | 0.25 | 0.50 |
| 50 | 3,4-Dimethoxyphenylethylamine | 0.50 | 0.25 | 0.50 |
| 51 | 3-(2-Dimethylaminoethyl)-4-hydroxyindole (Psilocine, Psilocin) | 2.00 | 1.00 | 2.00 |
| 52 | 3-(1,2-Dimethylheptyl)-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran (DMHP) | 2.00 | 1.00 | 2.00 |
| 53 | Dimethylthiambutene | 2.00 | 1.00 | 2.00 |
| 54 | N,N,-Dimethyltryptamine (DMT) | 2.00 | 1.00 | 2.00 |
| 55 | Dioxaphetyl Butyrate | 2.00 | 1.00 | 2.00 |
| 56 | Ecgonine | 10.00 | 5.00 | 10.00 |
| 57 | 4,5-Ethylenedioxy-3-methoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 58 | N-ethyl- α -methyl-3,4-(methylenedioxy)phenethylamine (N-ethyl MDA) | 0.50 | 0.25 | 0.50 |

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|------------------|---|--|---|--|
| 59 | Ethylmethylthiambutene | 10.00 | 5.00 | 10.00 |
| 60 | Eticyclidine (PCE) | 2.00 | 1.00 | 2.00 |
| 61 | Etonitazene | 5.00 | 2.50 | 5.00 |
| 62 | Etorphine | 5.00 | 2.50 | 5.00 |
| 63 | Etoxidine | 5.00 | 2.50 | 5.00 |
| 64 | Fenetylline | 2.00 | 1.00 | 2.00 |
| 65 | Furethidine | 1.00 | 0.50 | 1.00 |
| 66 | Harmaline | 2.00 | 1.00 | 2.00 |
| 67 | Harmine | 2.00 | 1.00 | 2.00 |
| 68 | Heroin | 2.00 | 0.80 | 1.50 |
| 69 | 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6H-dibenzo[b,d]pyran (Parahexy) | 2.00 | 1.00 | 2.00 |
| 70 | 4-Hydroxy-butanoic acid | 0.50 | 0.25 | 0.50 |
| 71 | Hydroxypethidine | 5.00 | 2.50 | 5.00 |
| 72 | Isomethadone | 2.00 | 1.00 | 2.00 |
| 73 | Ketobemidone | 2.00 | 1.00 | 2.00 |
| 74 | Levomethorphan | 2.00 | 1.00 | 2.00 |
| 75 | Levophenacymorphan | 2.00 | 1.00 | 2.00 |
| 76 | Lysergic Acid | 0.002 | 0.001 | 0.002 |
| 77 | Lysergide (LSD, LSD-25) | 0.002 | 0.001 | 0.002 |
| 78 | Mecloqualone | 60.00 | 30.00 | 60.00 |
| 79 | Mescaline-see 3,4,5-Trimethoxyphenethylamine | | | |
| 80 | Metazocine | 7.00 | 3.50 | 7.00 |
| 81 | Methaqualone | 50.00 | 25.00 | 50.00 |
| 82 | 2-Methoxy-3, 4-methylenedioxyamphetamine | 50.00 | 25.00 | 50.00 |

**Schedule 1
Part 1.2**

Controlled drugs
Prohibited substances

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|--------------------------|--|--|---|---|
| 83 | 2-Methoxy-4, 5-methylenedioxyamphetamine | 0.50 | 0.25 | 0.50 |
| 84 | 4-Methoxy-2, 3-methylenedioxyamphetamine | 0.50 | 0.25 | 0.50 |
| 85 | 5-Methoxy-3, 4-methylenedioxy- α -methylphenylethylamine (MMDA) | 0.50 | 0.25 | 0.50 |
| 86 | 2-Methoxy-3, 4-methylenedioxyphenylethylamine | 0.50 | 0.25 | 0.50 |
| 87 | 3-Methoxy-4, 5-methylenedioxyphenylethylamine | 0.50 | 0.25 | 0.50 |
| 88 | 4-Methoxy- α -methylphenylethylamine (PMA) | 0.50 | 0.25 | 0.50 |
| 89 | Methyl (2 <i>S</i> , 4 <i>aR</i> , 6 <i>aR</i> , 7 <i>R</i> , 9 <i>S</i> , 10 <i>aS</i> , 10 <i>bR</i>)-9-acetoxy-6 <i>a</i> , 10 <i>b</i> -dimethyl-4,10-dioxo-dodecahydro-2-(3-furyl)-2 <i>H</i> -naphtho[2,1- <i>c</i>]pyran-7-carboxylate (Salvinorin A) | | | |
| 90 | 4-Methoxyphenylethylamine | 0.50 | 0.25 | 0.50 |
| 91 | 4-Methylaminorex | 2.00 | 1.00 | 2.00 |
| 92 | Methyldesorphine | 2.00 | 1.00 | 2.00 |
| 93 | 3, 4-Methylenedioxyamphetamine (MDA) | 0.50 | 0.25 | 0.50 |
| 94 | N, α -Dimethyl-3,4-(Methylenedioxy)phenylethylamine (MDMA) | 0.50 | 0.25 | 0.50 |
| 95 | 3, 4-Methylenedioxy-N-ethylamphetamine (MDE) | 0.50 | 0.25 | 0.50 |
| 96 | 3-Methylfentanyl | 0.005 | 0.005 | 0.005 |
| 97 | N-[α -Methyl-3,4-(Methylenedioxy)Phenethyl]Hydroxylamine (N-Hydroxy MDA) | 0.50 | 0.25 | 0.50 |
| 98 | N-Methyl-1-(3,4-Methylenedioxyphenyl)-2-Butanamine (MBDB) | 0.50 | 0.25 | 0.50 |

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|------------------|---|--|---|--|
| 99 | 2-Methyl-3-morpholino-1,1-diphenylpropane Carboxylic Acid (Moramide intermediate) | 8.00 | 4.00 | 8.00 |
| 100 | 1-Methyl-4-phenyl-4-piperidinol propionate (MPPP) | 2.00 | 1.00 | 2.00 |
| 101 | 4-Methylthioamphetamine | 0.50 | 0.25 | 0.50 |
| 102 | 3-Methylthiofentanyl | 0.005 | 0.0025 | 0.005 |
| 103 | Metopon | 2.00 | 1.00 | 2.00 |
| 104 | Mitragynine | | | |
| 105 | Morpheridine | 2.00 | 1.00 | 2.00 |
| 106 | Muscimol | 2.00 | 1.00 | 2.00 |
| 107 | Myrophine | 20.00 | 10.00 | 20.00 |
| 108 | Nicocodine | 2.00 | 1.00 | 2.00 |
| 109 | Nicodicodine | 2.00 | 1.00 | 2.00 |
| 110 | Nicomorphine | 2.00 | 1.00 | 2.00 |
| 111 | Noracymethadol | 2.00 | 1.00 | 2.00 |
| 112 | Norlevorphanol | 2.00 | 1.00 | 2.00 |
| 113 | Normorphine | 20.00 | 10.00 | 20.00 |
| 114 | Norpipanone | 10.00 | 5.00 | 10.00 |
| 115 | Para-fluorofentanyl | 0.005 | 0.0025 | 0.005 |
| 116 | Phenadoxone | 10.00 | 5.00 | 10.00 |
| 117 | Phenampromide | 10.00 | 5.00 | 10.00 |
| 118 | Phenazocine | 1.00 | 0.50 | 1.00 |
| 119 | Phencyclidine (PCP) | 2.00 | 1.00 | 2.00 |
| 120 | Phenomorphin | 5.00 | 2.50 | 5.00 |
| 121 | 1-Phenylethyl-4-phenyl-4-piperidinol acetate (PEPAP) | 2.00 | 1.00 | 2.00 |
| 122 | Piminodine | 10.00 | 5.00 | 10.00 |
| 123 | Proheptazine | 1.00 | 0.50 | 1.00 |

Schedule 1
Part 1.2

Controlled drugs
Prohibited substances

| column 1 item | column 2 substance | column 3 trafficable quantity (grams) | column 4 commercial quantity (kilograms) | column 5 large commercial quantity (kilograms) |
|--------------------------|--|--|---|---|
| 124 | Properidine | 25.00 | 12.50 | 25.00 |
| 125 | Psilocybine | 2.00 | 1.00 | 2.00 |
| 126 | Racemethorphan | 2.00 | 1.00 | 2.00 |
| 127 | Racemorphan | 2.00 | 1.00 | 2.00 |
| 128 | Rolicyclidine (PHP, PCPY) | 2.00 | 1.00 | 2.00 |
| 129 | Tenocyclidine (TCP) | 2.00 | 1.00 | 2.00 |
| 130 | Tetrahydrocannabinols (THC) and their alkyl homologues, except if separately mentioned in this schedule | 2.00 | 1.00 | 5.00 |
| 131 | 2, 3, 4, 5-Tetramethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 132 | Thiofentanyl | 0.005 | 0.0025 | 0.005 |
| 133 | Trimeperidine | 10.00 | 5.00 | 10.00 |
| 134 | 2, 3, 4-Trimethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 135 | 2, 3, 5-Trimethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 136 | 2, 3, 6-Trimethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 137 | 2, 4, 5-Trimethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 138 | 2, 4, 6-Trimethoxyamphetamine | 0.50 | 0.25 | 0.50 |
| 139 | 3, 4, 5-Trimethoxy- α -methylphenylethylamine (TMA) | 0.50 | 0.25 | 0.50 |
| 140 | 3, 4, 5-Trimethoxyphenethylamine (mescaline) and other substances structurally derived from methoxyphenylethylamine, except— (a) methoxyphenamine; or (b) if separately mentioned in this part | 7.50 | 3.75 | 7.50 |
| 141 | 1-(3, 4, 5-Trimethoxyphenyl)-2-aminobutane | 0.50 | 0.25 | 0.50 |
| 142 | 2, 4, 5-Trimethoxyphenylethylamine | 0.50 | 0.25 | 0.50 |

Schedule 2 Controlled plants

(see s 6, s 8 (3))

| column 1 item | column 2 controlled plant | column 3 trafficable quantity | column 4 commercial quantity | column 5 large commercial quantity |
|------------------|---|-------------------------------------|------------------------------------|---|
| 1 | <i>Amanita cothurnata</i> | | | |
| 2 | <i>Amanita gemmata</i> | | | |
| 3 | <i>Amanita muscaria</i> | | | |
| 4 | <i>Amanita pantherina</i> | | | |
| 5 | other plants of species <i>Amanita</i> | | | |
| 6 | <i>Banisteria caapi</i> | | | |
| 7 | <i>Banisteriopsis inebrians</i> | | | |
| 8 | <i>Cannabis</i> | 10 plants | 100 plants | 1 000 plants |
| 9 | <i>Catha edulis</i> | | | |
| 10 | any plant of species <i>Conocybe</i> | | | |
| 11 | any plant of species <i>Erythroxyton</i> | | | |
| 12 | any plant of species <i>Gymnopilus</i> | | | |
| 13 | <i>Haemadictyon amazonicum</i> | | | |
| 14 | <i>Lophophora williamsii</i> | | | |
| 15 | <i>Mitragyna speciosa</i> | | | |
| 16 | <i>Peganum harmala</i> | | | |
| 17 | <i>Papaver oriental</i> (<i>Papaver bracteatum</i>) | | 500 plants | |
| 18 | <i>Papaver somniferum</i> | | 500 plants | |
| 19 | <i>Piptadenia peregrina</i> | | | |
| 20 | <i>Piptadenia macrocarpa</i> | | | |
| 21 | <i>Prestonia amazonica</i> | | | |
| 22 | any plant of species <i>Psilocybe</i> | | | |
| 23 | <i>Salvia divinorum</i> | | | |

Schedule 2 Controlled plants

| column 1 item | column 2 controlled plant | column 3 trafficable quantity | column 4 commercial quantity | column 5 large commercial quantity |
|--------------------------|--------------------------------------|--|---|---|
| 24 | Stropharia cubensis | | | |

Schedule 3 Controlled precursors

(see s 7, s 8 (4))

| column 1 item | column 2 controlled precursor | column 3 commercial quantity | column 4 large commercial quantity |
|------------------|---|------------------------------------|---|
| 1 | Acetic anhydride | 0.75 | 1.50 |
| 2 | Bromobenzene | 1.05 | 2.10 |
| 3 | Bromo safrole | 0.30 | 0.60 |
| 4 | Boron tribromide | | |
| 5 | 1-Chlorophenyl-2-aminopropane | 1.25 | 2.50 |
| 6 | L-Ephedrine | 1.10 | 2.20 |
| 7 | Ethyl phenyl acetate | 0.15 | 0.30 |
| 8 | Ergometrine | 0.0001 | 0.0002 |
| 9 | Ergotamine | 0.0002 | 0.0004 |
| 10 | Gamma butyrolactone | 0.20 | 0.40 |
| 11 | Hydriodic acid | 0.65 | 1.70 |
| 12 | 4-Hydroxy-butanoic acid lactone | 0.25 | 0.50 |
| 13 | 4-Hydroxy-butanoic acid nitrile | 0.20 | 0.40 |
| 14 | 4-Hydroxy pentanoic acid | | |
| 15 | Hypophosphorous acid | 0.45 | 0.90 |
| 16 | Isosafrole | 0.30 | 0.60 |
| 17 | 3, 4-Methylenedioxyphenylpropan-2-one (also known as 3, 4-Methylenedioxy-phenyl-2-propanone) | 0.25 | 0.50 |
| 18 | N-Methyl ephedrine | 1.20 | 2.40 |
| 19 | Methyl phenylacetate | 1.00 | 2.00 |
| 20 | N-Methylpseudoephedrine | 1.20 | 2.40 |
| 21 | Norpseudoephedrine | 2.15 | 4.30 |
| 22 | Phenylacetamide | | |

Schedule 3 Controlled precursors

| column 1 item | column 2 controlled precursor | column 3 commercial quantity | column 4 large commercial quantity |
|--------------------------|--|---|---|
| 23 | Phenylacetic acid, salts and esters | 1.00 | 2.00 |
| 24 | Phenylacetonitrile | 1.45 | 2.90 |
| 25 | Phenylacetyl chloride | 1.05 | 2.10 |
| 26 | 1-Phenyl-2-chloropropane | 1.15 | 2.30 |
| 27 | 1-Phenyl-2-nitropropene | 1.20 | 2.40 |
| 28 | Phenylpropanolamine | 2.15 | 4.30 |
| 29 | 1-Phenyl-2-propanone | 1.00 | 2.00 |
| 30 | 1-Phenyl-2-propanone oxime | 1.00 | 2.00 |
| 31 | 1-Phenyl-2-propanol | 0.90 | 1.80 |
| 32 | Phosphorus (red or white) | | |
| 33 | Phosphorus acid | 1.10 | 2.20 |
| 34 | Propiophenone | | |
| 35 | Piperidine | 0.35 | 0.70 |
| 36 | Piperonal | 0.30 | 0.60 |
| 37 | Pseudoephedrine and its salts | 1.10 | 2.20 |
| 38 | Pyridine | | |
| 39 | Safrole | 0.30 | 0.60 |

Dictionary

(see s 3)

Note 1 The Legislation Act contains definitions and other provisions relevant to this regulation.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following term:

- for.

Note 3 Terms used in this regulation have the same meaning that they have in the Criminal Code (see Legislation Act, s 148). For example, the following term is defined in the Criminal Code, dict:

- cannabis (see s 600).

associated drug—see section 5 (2).

Code means the Criminal Code.

related drug—see section 5 (3).

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

| | |
|--|--|
| am = amended | ord = ordinance |
| amdt = amendment | orig = original |
| ch = chapter | par = paragraph/subparagraph |
| def = definition | pres = present |
| dict = dictionary | prev = previous |
| disallowed = disallowed by the Legislative Assembly | (prev...) = previously |
| div = division | pt = part |
| exp = expires/expired | r = rule/subrule |
| Gaz = gazette | renum = renumbered |
| hdg = heading | reloc = relocated |
| IA = Interpretation Act 1967 | R[X] = Republication No |
| ins = inserted/added | RI = reissue |
| LA = Legislation Act 2001 | s = section/subsection |
| LR = legislation register | sch = schedule |
| LRA = Legislation (Republication) Act 1996 | sdiv = subdivision |
| mod = modified/modification | sub = substituted |
| o = order | SL = Subordinate Law |
| om = omitted/repealed | <u>underlining</u> = whole or part not commenced or to be expired |

3 Legislation history

Criminal Code Regulation 2005 SL2005-2

notified LR 4 March 2005

s 1, s 2 commenced 4 March 2005 (LA s 75 (1))

sch 1 pt 1.1 item 39 commenced 1 May 2005 (s 2 (2))

remainder commenced 6 March 2005 (s 2 (1) and see Criminal Code (Serious Drug Offences) Amendment Act 2004 A2004-56 s 2 and LA s 79)

as amended by

Criminal Code Amendment Regulation 2007 (No 1) SL2007-7

notified LR 3 May 2007

s 1, s 2 commenced 3 May 2007 (LA s 75 (1))

remainder commenced 4 May 2007 (s 2)

4 Amendment history

Commencement

s 2 om LA s 89 (4)

Definitions—Code, s 10 (1), def *default application date*

s 4A ins SL2007-7 s 4

Endnotes

5 Earlier republications

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

| Republication No and date | Effective | Last amendment made by | Republication for |
|--------------------------------------|----------------------------|---------------------------------------|------------------------------|
| R1 6 Mar 2005 | 6 Mar 2005– 30 Apr 2005 | not amended | new regulation |
| R2 1 May 2005 | 1 May 2005– 3 May 2007 | not amended | commenced provision |

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