



Australian Capital Territory

# Drugs of Dependence Regulation 2009

SL2009-5

made under the

**Drugs of Dependence Act 1989**

**Republication No 3**

**Effective: 28 October 2023**

Republication date: 28 October 2023

Last amendment made by [A2022-20](#)

## About this republication

### The republished law

This is a republication of the *Drugs of Dependence Regulation 2009*, made under the *Drugs of Dependence Act 1989* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 28 October 2023. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 28 October 2023.

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](http://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, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### 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 the [Legislation Act 2001](#), section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 for a corporation (see [Legislation Act 2001](#), s 133).



Australian Capital Territory

# Drugs of Dependence Regulation 2009

made under the

**Drugs of Dependence Act 1989**

## Contents

---

	Page
1 Name of regulation	2
3 Notes	2
3A Offence notice penalty—Act, s 171A (3) (c) (i)	2
4 Drugs of dependence—Act, dict, def <i>drug of dependence</i>	2
5 Prohibited substances—Act, dict, def <i>prohibited substance</i>	2
6 Small quantity—Act, dict, def <i>small quantity</i>	3

## Endnotes

1 About the endnotes	6
2 Abbreviation key	6

---

R3	Drugs of Dependence Regulation 2009	contents 1
28/10/23	Effective: 28/10/23	

## Contents

---

		Page
3	Legislation history	7
4	Amendment history	7
5	Earlier republications	8



Australian Capital Territory

# Drugs of Dependence Regulation 2009

---

made under the

**Drugs of Dependence Act 1989**

---

**1 Name of regulation**

This regulation is the *Drugs of Dependence Regulation 2009*.

**3 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.

**3A Offence notice penalty—Act, s 171A (3) (c) (i)**

The prescribed penalty is \$100.

**4 Drugs of dependence—Act, dict, def *drug of dependence***

Each of the following substances is a *drug of dependence* for the [Act](#):

- (a) a substance mentioned in the [Criminal Code Regulation 2005](#), schedule 1 (Controlled drugs), part 1.1 (Controlled medicines);
- (b) a related drug (within the meaning of that regulation, section 5 (2)) of a substance mentioned in that part.

**5 Prohibited substances—Act, dict, def *prohibited substance***

Each of the following substances is a *prohibited substance* for the [Act](#):

- (a) a substance mentioned in the [Criminal Code Regulation 2005](#), schedule 1 (Controlled drugs), part 1.2 (Prohibited substances);
- (b) a related drug (within the meaning of that regulation, section 5 (2)) of a substance mentioned in that part.

## 6 Small quantity—Act, dict, def *small quantity*

- (1) For the Act—
- (a) the small quantity mentioned in table 6.1, column 3 for a drug of dependence mentioned in column 2, whether in pure form or a mixture containing the drug, is prescribed; and
  - (b) the small quantity mentioned in table 6.2, column 3 for a prohibited substance mentioned in column 2, other than items 5 and 6, whether in pure form or a mixture containing the substance, is prescribed; and
  - (c) the small quantity mentioned in table 6.2, column 3 for a prohibited substance mentioned in column 2, items 5 and 6, in a pure form of the substance, is prescribed.

**Table 6.1 Small quantity—drugs of dependence**

column 1 item	column 2 drug of dependence	column 3 small quantity	column 4 discrete dosage unit (DDU)
1	amphetamine	1.5g	
2	cocaine	1.5g	
3	methylamphetamine	1.5g	

**Table 6.2 Small quantity—prohibited substances**

column 1 item	column 2 prohibited substance	column 3 small quantity	column 4 discrete dosage unit (DDU)
1	3,4-Methylenedioxymethylamphetamine (MDMA)	5 DDU or 1.5g	0.3g
2	cannabis (dried cannabis)	50g	
3	cannabis (harvested cannabis)	150g	

column 1 item	column 2 prohibited substance	column 3 small quantity	column 4 discrete dosage unit (DDU)
4	heroin	1g	
5	lysergic acid	5 DDU or 0.001g	0.0002g
6	lysergide (LSD, LSD-25)	5 DDU or 0.001g	0.0002g
7	psilocybine	1.5g	

(2) In this section:

*discrete dosage unit* (or *DDU*), for a drug of dependence or a prohibited substance, means the drug or substance in a form—

- (a) prepared, or apparently prepared, to be administered as a single dose; and
- (b) containing not more than—
  - (i) for a drug of dependence—the quantity mentioned in table 6.1, column 4 for a drug mentioned in column 2, whether in pure form or a mixture containing the drug; and
  - (ii) for a prohibited substance—the quantity mentioned in table 6.2, column 4 for a substance mentioned in column 2, other than items 5 and 6, whether in pure form or a mixture containing the substance; and
  - (iii) for a prohibited substance—the quantity mentioned in table 6.2, column 4 for a substance mentioned in column 2, items 5 and 6, in a pure form of the substance.

**Examples—par (a)**

tablet, capsule

*dried cannabis* means cannabis that has been subjected to a drying process.



***harvested cannabis*** means cannabis that has been harvested and—

- (a) is not dried cannabis; or
- (b) is a mixture of dried cannabis and cannabis that is not dried cannabis.

## 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 are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

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

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

### 3 Legislation history

**Drugs of Dependence Regulation 2009 SL2009-5**

notified LR 26 February 2009

s 1, s 2 commenced 26 February 2009 (LA s 75 (1))

remainder commenced 27 February 2009 (s 2)

as amended by

**Criminal Code (Controlled Drugs) Legislation Amendment Regulation 2014 (No 1) SL2014-6 pt 3**

notified LR 10 April 2014

s 1, s 2 commenced 10 April 2014 (LA s 75 (1))

pt 3 commenced 17 April 2014 (s 2)

**Drugs of Dependence (Personal Use) Amendment Act 2022 A2022-20 pt 3**

notified LR 28 October 2022

s 1, s 2 commenced 28 October 2022 (LA s 75 (1))

pt 3 commenced 28 October 2023 (s 2)

### 4 Amendment history

**Commencement**

s 2 om LA s 89 (4)

**Offence notice penalty—Act, s 171A (3) (c) (i)**

s 3A ins A2022-20 s 13

**Drugs of dependence—Act, dict, def *drug of dependence***

s 4 am SL2014-6 s 8, s 9

**Prohibited substances—Act, dict, def *prohibited substance***

s 5 am SL2014-6 s 10, s 11

**Small quantity—Act, dict, def *small quantity***

s 6 om LA s 89 (3)

ins A2022-20 s 14

## 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.

<b>Republication No and date</b>	<b>Effective</b>	<b>Last amendment made by</b>	<b>Republication for</b>
R1 27 Feb 2009	27 Feb 2009– 16 Apr 2014	not amended	new regulation
R2 17 Apr 2014	17 Apr 2014– 27 Oct 2023	<a href="#">SL2014-6</a>	amendments by <a href="#">SL2014-6</a>

© Australian Capital Territory 2023