

**DRUG MISUSE AND TRAFFICKING (AMENDMENT) BILL
1988**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Drug Misuse and Trafficking Act 1985 so as—

- (a) to redefine the term “cannabis resin” for the purposes of that Act by restricting it to separated resin; and
- (b) to increase penalties for indictable offences under that Act when they are dealt with by Local Courts; and
- (c) to provide graded penalties for offences involving commercial quantities of prohibited plants or drugs; and
- (d) to permit suitably qualified persons to give certificate evidence of the identity and quantity of cannabis plants and cannabis leaf; and
- (e) to vary the quantities of prohibited plants and drugs in different categories, the result generally being to increase the “traffickable”, “small” and “indictable” quantities and to reduce the “commercial” quantities of those plants and drugs for the purposes of that Act; and
- (f) to establish an additional category of “large commercial quantity” for prohibited plants and drugs for the purpose of the graded penalties referred to above.

The proposed “commercial quantity” of a prohibited plant or drug will be a considerably smaller amount than that presently fixed. The present “commercial quantity” will become the new “large commercial quantity”.

The Bill also makes minor amendments for the purpose of statute law revision.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act is to commence on a day or days to be appointed by proclamation.

Clause 3 defines the term “Principal Act”.

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Clause 4 is a formal provision giving effect to the Schedule of amendments.

Clause 5 declares that amendments to be made by the proposed Act do not apply to offences alleged to have been committed before the amendments commence. The only exception will allow certificate evidence to be given under amended provisions for the purpose of identifying substances or plants concerned in offences.

SCHEDULE 1—AMENDMENTS

“Cannabis resin” redefined

The Bill restricts the meaning of “cannabis resin” in the Principal Act to separated resin obtained from cannabis leaf by substituting the definition of that term in section 3 (Definitions) of that Act. The effect of the amendment is to exclude plants and parts of plants which contain more than 3% of tetrahydrocannabinol from being cannabis resin. They will continue to be cannabis plant or cannabis leaf for the purposes of that Act. (Schedule 1 (1) (a)).

Increased penalties for indictable offences when dealt with by Local Courts

The Bill amends section 30 (Indictable offences punishable summarily without consent of accused) and section 31 (Indictable offences punishable summarily with consent of accused) of the Principal Act so as to increase the maximum fine that may be imposed for those offences when dealt with by Local Courts from \$2,000 to \$5,000 and from \$5,000 to \$10,000 respectively. The increased penalties are expressed in penalty units, each of which is equivalent to \$100. (Schedule 1 (3) and (4)).

Graded penalties for offences related to commercial quantities

The Bill replaces section 33 of the Principal Act (Penalties for offences involving commercial quantities).

The penalties for an offence under that Act involving the proposed new commercial quantity of a prohibited drug or prohibited plant will be respectively a fine of up to \$350,000 or imprisonment for up to 20 years, or both, and (where cannabis is involved) a fine of up to that amount or imprisonment for up to 15 years, or both. (Because of changes to be made to that Act by Schedule 1 (9), the new commercial quantities will be considerably lower than the present commercial quantities.)

The penalties for an offence under that Act involving what is referred to in the proposed section as the “large commercial quantity” of a prohibited drug or prohibited plant will be respectively a fine of up to \$500,000 or imprisonment for life, or both, and (where cannabis is involved) a fine of up to \$500,000 or imprisonment for 20 years, or both. (These penalties apply to offences involving the present commercial quantities which will be equivalent to the proposed large commercial quantities.) (Schedule 1 (6)). The proposed monetary penalties are each expressed in penalty units.

Evidence of cannabis plant and cannabis leaf

The Bill amends section 43 (Certificate evidence) of the Principal Act so that analysts, who may now give certificate evidence of the identification of substances, will be able to give certificate evidence of the identification of plants.

The Bill will also amend that section so as to provide for the appointment (by the Director-General of the Department of Agriculture and Fisheries) of suitably qualified persons who will be able to give certificates which may be used as evidence of the identification of cannabis plant or cannabis leaf (Schedule 1 (8)).

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Variation of quantities of plants and drugs in different categories

The Bill substitutes Schedule 1 to the Principal Act in which are set out the quantities of a prohibited plant or drug treated for the purposes of that Act as the "traffickable", "small", "indictable" and "commercial" quantities. The most important effects of the proposed Schedule 1 to that Act will be to increase traffickable, small and indictable quantities and to reduce commercial quantities (Schedule 1 (9)).

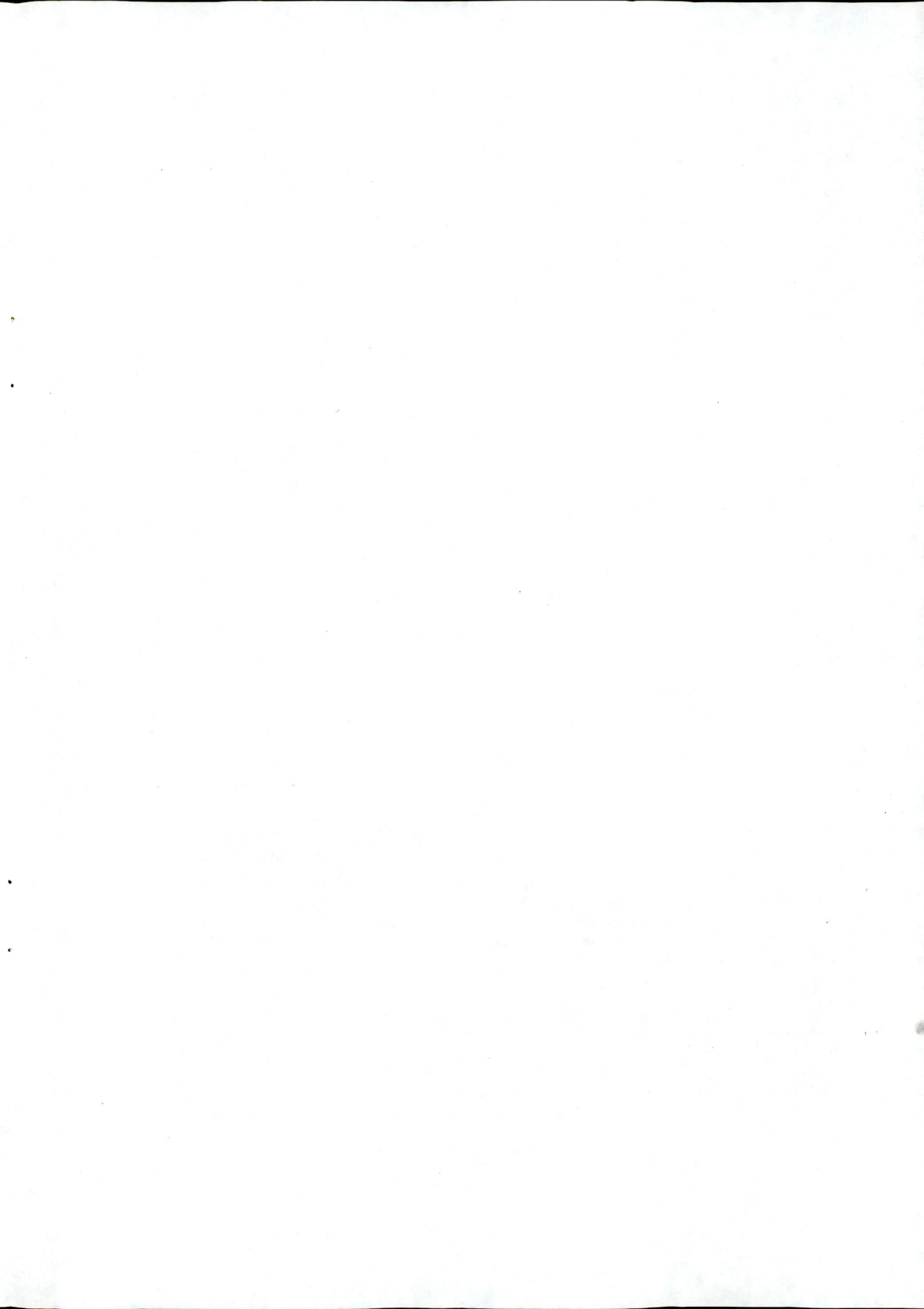
Large commercial quantities

The proposed Schedule 1 to the Principal Act introduces a new category of "large commercial quantity" as Column 5 of that Schedule. That category is essentially the same as the present "commercial quantity" category and is required so that courts can establish which penalty is applicable in sentencing for an offence involving prohibited plants or drugs in excess of the proposed new commercial quantities (Schedule 1 (9)).

Because of the consequential re-numbering of Column 6 of Schedule 1 to the Principal Act, a minor change is made to the definition of "discrete dosage unit" in section 3 (1) of that Act (Schedule 1 (1) (b)).

Minor statute law revision

The Bill updates the reference to the Director-General of Agriculture in section 38 of the Principal Act (Schedule 1 (7)) and changes into penalty units the penalties expressed in sections 21 and 32 of the Principal Act as amounts of money. (A penalty unit is the equivalent of \$100.) (Schedule 1 (2) and (5)).



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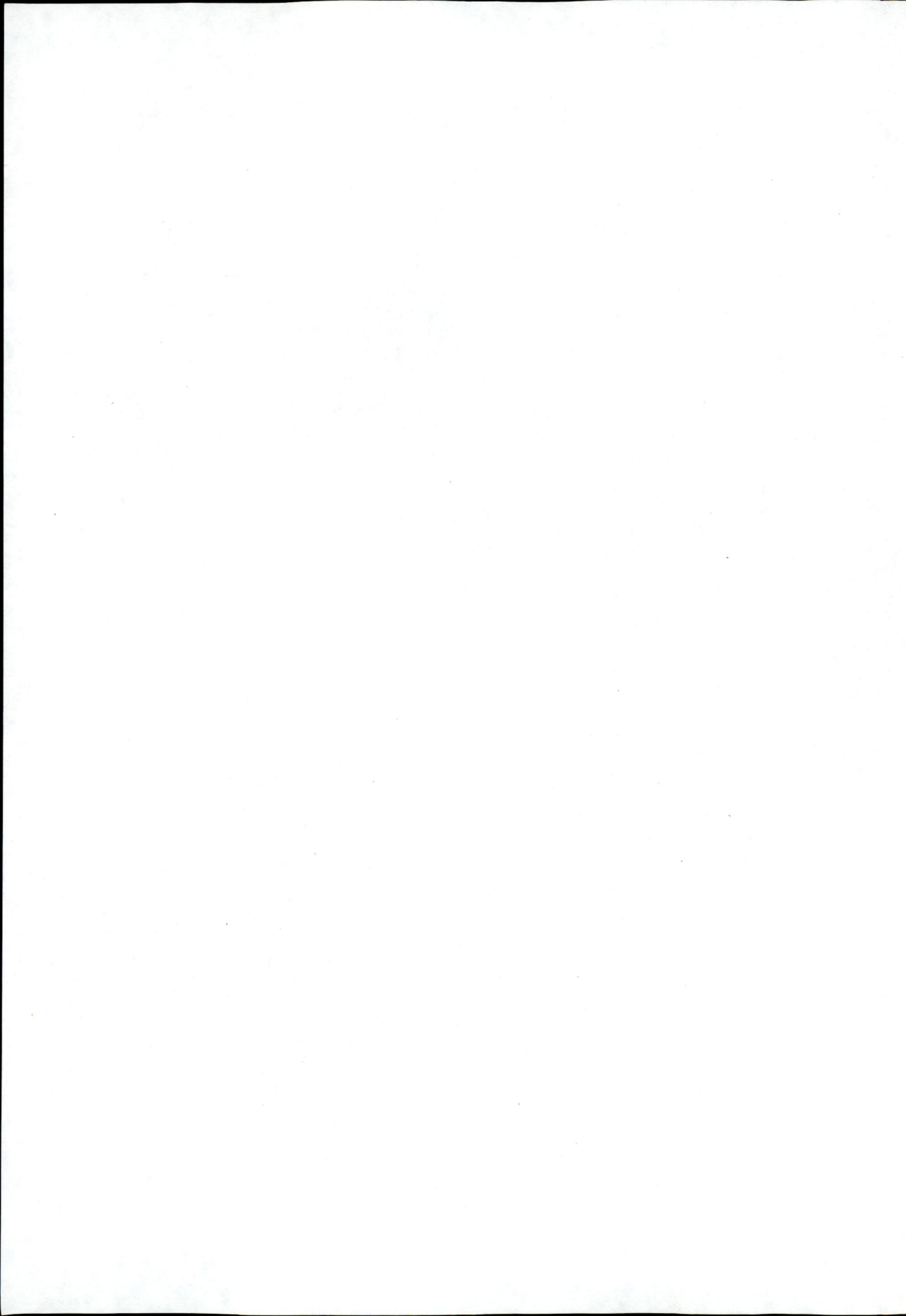
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SCHEDULE 1—AMENDMENTS



**DRUG MISUSE AND TRAFFICKING (AMENDMENT) BILL
1988**

NEW SOUTH WALES



No. , 1988

A BILL FOR

An Act to amend the Drug Misuse and Trafficking Act 1985 with respect to the categories of prohibited plants and drugs under that Act, to increase penalties for certain offences and for other purposes.

Drug Misuse and Trafficking (Amendment) 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Drug Misuse and Trafficking (Amendment) Act 1988.

5 Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Meaning of "Principal Act"

3. The Drug Misuse and Trafficking Act 1985 is referred to in this Act as the Principal Act.

Amendment of Drug Misuse and Trafficking Act 1985 No. 226

4. The Principal Act is amended as set out in Schedule 1.

Operation of amendments

5. (1) An amendment made to the Principal Act by this Act does not apply to an offence alleged to have been committed before the commencement of the amendment, except as provided by subsection (2).

(2) Section 43 (Certificate evidence) of the Principal Act, as amended by this Act, applies to the production of a certificate under that section after the commencement of Schedule 1 (8) whether the offence to which the certificate relates is alleged to have been committed before or after that commencement.

SCHEDULE 1—AMENDMENTS

(Sec. 4)

25 (1) Section 3 (**Definitions**)—

(a) Section 3 (1), definition of "cannabis resin"—

Omit the definition, insert instead:

"cannabis resin" means the separated resin (whether crude or purified) obtained from cannabis leaf, but does not include cannabis oil;

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*Drug Misuse and Trafficking (Amendment) 1988*SCHEDULE 1—AMENDMENTS—*continued*

(b) Section 3 (1), definition of “discrete dosage unit”—

Omit “Column 5”, insert instead “Column 6”.

(2) Section 21 (**Penalties**)—

Omit “\$2,000”, insert instead “20 penalty units”.

5 (3) Section 30 (**Indictable offences punishable summarily without consent of accused**)—

Section 30 (3)—

Omit the subsection, insert instead:

10 (3) The penalty for an offence dealt with under this section is a fine of 50 penalty units or imprisonment for 2 years, or both.

(4) Section 31 (**Indictable offences punishable summarily with consent of accused**)—

Section 31 (3)—

Omit the subsection, insert instead:

15 (3) The penalty for an offence dealt with under this section is a fine of 100 penalty units or imprisonment for 2 years, or both.

(5) Section 32 (**Penalty for offences dealt with on indictment not involving commercial quantities**)—

Section 32 (g), (h)—

20 Omit “\$200,000” wherever occurring, insert instead “2,000 penalty units”.

(6) Section 33—

Omit the section, insert instead:

Penalties for offences involving commercial quantities

25 33. (1) This section applies to the following offences:

(a) an offence under section 23 (2), 24 (2) or 25 (2);

(b) an offence under section 26 of conspiring to commit an offence referred to in paragraph (a);

30 (c) an offence under section 27 of aiding, abetting, counselling, procuring, soliciting or inciting the commission of an offence referred to in paragraph (a);

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(d) an offence under section 28 of conspiring to commit, or of aiding, abetting, counselling or procuring the commission of, an offence under a law in force outside New South Wales which corresponds to section 23 (2), 24 (2) or 25 (2).

(2) The penalty for an offence is—

(a) except as provided by paragraph (b), a fine of 3,500 penalty units or imprisonment for 20 years, or both; or

(b) where the offence relates to cannabis plant or cannabis leaf, a fine of 3,500 penalty units or imprisonment for 15 years, or both.

(3) Despite subsection (2), if the court is satisfied that the offence involved not less than the large commercial quantity of the prohibited plant or prohibited drug concerned, the penalty for the offence is—

(a) except as provided by paragraph (b), a fine of 5,000 penalty units or imprisonment for life, or both; or

(b) where the offence relates to cannabis plant or cannabis leaf, a fine of 5,000 penalty units or imprisonment for 20 years, or both.

(4) In this section—

“large commercial quantity”, in relation to a prohibited plant or prohibited drug, means the number or amount, if any, specified opposite the plant or drug in Column 5 of Schedule 1.

(7) Section 38 (**Destruction of prohibited plants by Director-General**)—

Section 38 (1), definition of “Director-General”—

Omit the definition, insert instead:

“Director-General” means the Director-General of the Department of Agriculture and Fisheries.

(8) Section 43 (**Certificate evidence**)—

(a) Section 43 (1), (2)—

Before “substance” wherever occurring, insert “plant or”.

(b) Section 43 (3)–(6)—

Omit section 43 (3), insert instead:

(3) Any appointed person analysing any plant submitted to the person may give a certificate of the result of the analysis.

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SCHEDULE 1—AMENDMENTS—*continued*

(4) In any legal proceedings under this Act, the production of a certificate, purporting to be signed by an appointed person, is prima facie evidence of—

(a) the identity of the plant analysed; and

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(b) the quantity or mass of that plant,

without proof of the signature or appointment of the person appearing to have signed the certificate, but only if the plant identified is cannabis plant or cannabis leaf.

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(5) The Director-General of the Department of Agriculture and Fisheries may appoint a person to give certificates for the purposes of this section if the Director-General considers the person to be suitably qualified.

(6) In this section—

“analyst” means—

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(a) any person employed by the Government of New South Wales as an analyst; and

(b) any person who is an analyst within the meaning of the Therapeutic Goods and Cosmetics Act 1972;

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“appointed person” means a person appointed under subsection (5);

“plant” includes any part of a plant, and the achene and seed of a plant.

(9) Schedule 1—

Omit the Schedule, insert instead:

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SCHEDULE 1

(Secs. 3 (1), 33 (4), 44)

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Acetorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Acetyl-alpha-methylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Acetyldihydrocodeine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Acetylmethadol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Allylprodine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Alphacetylmethadol	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Alphameprodine	0.3g	0.1g	0.5g	0.05kg	0.2kg	—
Alphamethadol	0.3g	0.1g	0.5g	0.05kg	0.2kg	—
Alphamethylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Alpha-methylthiofentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Alphaprodine	37.5g	12.5g	62.5g	6.25kg	25.0kg	—
Amphetamine	3.0g	1.0g	5.0g	250.0g	1.0kg	—
Benzethidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Benzylmorphine (3-benzylmorphine)	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Betacetylmethadol	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Beta-hydroxyfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Beta-hydroxy-3-methylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Betameprodine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Betamethadol	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Betaprodine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Bezitramide	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
4-Bromo-2,5-dimethoxyamphetamine	15 DDU or	4 DDU or	25 DDU or	0.0125kg	0.05kg	0.005g
4-Bromo-3,5-dimethoxyamphetamine	0.075g 15 DDU or	0.02g 4 DDU or	0.125g 25 DDU or	0.0125kg	0.05kg	0.005g
	0.075g	0.02g	0.125g	0.0125kg	0.05kg	0.005g

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
3-Bromo-4-methoxyamphetamine	15 DDU or 0.075g	4 DDU or 0.02g	25 DDU or 0.125g	0.0125kg	0.05kg	0.005g
Bufotenine and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 3.0g 300.0g 5.0g	4 DDU or 0.8g 30.0g 2.0g 5	25 DDU or 5.0g 1000.0g 10.0g 50	500.0g	2.0kg	0.2g
Cannabis leaf	30.0g	5.0g	90.0g	2.5kg	10.0kg	—
Cannabis oil	30.0g	30.0g	1000.0g	25.0kg	100.0kg	—
Cannabis plant	5.0g	2.0g	10.0g	500.0g	2.0kg	—
Cannabis resin	—	5	50	250	1000	—
Cathinone	30.0g	5.0g	90.0g	2.5kg	10.0kg	—
Clonitazene	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Cocaine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Codeine except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	250.0g	1.0kg	—
Codeine-N-oxide	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Codoxime	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Desomorphine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Dextromoramide	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Diamorphine—see heroin	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Diampromide	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Diethylthambutene	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
N:N-Diethyltryptamine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Difenoxin except where Schedule Four of the Poisons List applies	0.6g	0.2g	1.0g	0.1kg	0.4kg	—

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Dihydrocodeine except where Schedule Two or Four of the Poisons List applies	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Dihydromorphine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Dimenoxadol	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Dimephtanol	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
2,4-Dimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5 kg	2.0kg	0.2g
3,4-Dimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3,4-Dimethoxy-5-ethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxy-4-ethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4,5-Dimethoxy-2-ethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxy-4-ethylamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
2,5-Dimethoxy-4-methylamphetamine and other substances structurally derived from methoxyphenylethylamine being those substances having hallucinogenic properties	15 DDU or 3.0g 30.0g	4 DDU or 0.8g 10.0g	25 DDU or 5.0g 50.0g	0.5kg	2.0kg	0.2g —
Dimethylthiambutene	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,3-Dimethoxy-4,5- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxy-3,4- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3,4-Dimethoxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3-(1,2-Dimethylheptyl)-1-hydroxy-7,8,9,10- tetrahydro-6,6,9-trimethyl-6H-dibenzo (b,d)pyran	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
N,N-Dimethyltryptamine and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
Dioxaphetyl butyrate	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Diphenoxylate except where Schedule Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Dipipanone	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Ecgonine, its esters and derivatives which are convertible to ecgonine and cocaine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
4,5-Ethylenedioxy-3-methoxyamphetamine	15 DDU or	4 DDU or	25 DDU or	0.5kg	2.0kg	0.2g
	3.0g	0.8g	5.0g			
	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Ethylmethythiambutene	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Ethylmorphine except where Schedule Two or Four of the Poisons List applies	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Etonitazene	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Etorphine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Etoperidine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Fentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Furethidine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Heroin	3.0g	1.0g	5.0g	250.0g	1.0kg	—
3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro- 6,6,9-trimethyl-6H-dibenzo (b,d)pyran	15 DDU or	4 DDU or	25 DDU or	0.5kg	2.0kg	0.2g
	3.0g	0.8g	5.0g			
	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Hydrocodone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Hydromorphenol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Hydromorphone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Hydroxypethidine	7.5g	5.0g	12.5g	1.25kg	5.0kg	—
Ketobemidone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
Levorphanol	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Lysergic acid and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.003g	4 DDU or 0.0008g	25 DDU or 0.005g	0.0005kg	0.002kg	0.0002g
Lysergide and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.003g	4 DDU or 0.0008g	25 DDU or 0.005g	0.0005kg	0.002kg	0.0002g
Mescaline and other substances structurally derived from methoxyphenylethylamine having hallucinogenic properties	15 DDU or 11.25g	4 DDU or 3.0g	50 DDU or 18.75g	1.875kg	7.5kg	0.75g
Metazocine	10.5g	3.5g	17.5g	1.75kg	7.0kg	—
Methadone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
4-Methoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4-Methoxymethylamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2-Methoxy-3,4- methylenedioxamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
2-Methoxy-4,5- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3-Methoxy-4,5- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4-Methoxy-2,3- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2-Methoxy-3,4- methylenedioxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3-Methoxy-4,5- methylenedioxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4-Methoxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
Methylamphetamine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Methyldesorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Methyldihydromorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
3, 4-Methylenedioxyamphetamine	0.75g	0.25g	1.25g	0.125kg	0.5kg	—
3, 4-Methylenedioxyethylamphetamine	0.75g	0.25g	1.25g	0.125kg	0.5kg	—
3-Methylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Methylphenidate	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
1-Methyl-4-phenyl-4-propionoxypiperidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
3-Methylthiofentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Metopon	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Monoacetylmorphine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
6-Monoacetylmorphine and other acetylated derivatives of morphine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Morpheridine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Morphine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Morphine-N-oxide	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Myrophine	30.0g	10.0g	50.0g	5.0kg	20.0kg	—
Nicocodine except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Nicodocodine except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Nicomorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Noracetylmethadol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Norcocodeine except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Norlevorphanol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Normethadone	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Normorphine	30.0g	10.0g	50.0g	5.0kg	20.0kg	—
Norpananone	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Opium	30.0g	10.0g	50.0g	1.0kg	4.0kg	—
Opium, prepared	30.0g	10.0g	50.0g	1.0kg	4.0kg	—
Oxycodone	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Oxymorphone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Paraflurofentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—

Drug Misuse and Trafficking (Amendment) 1988

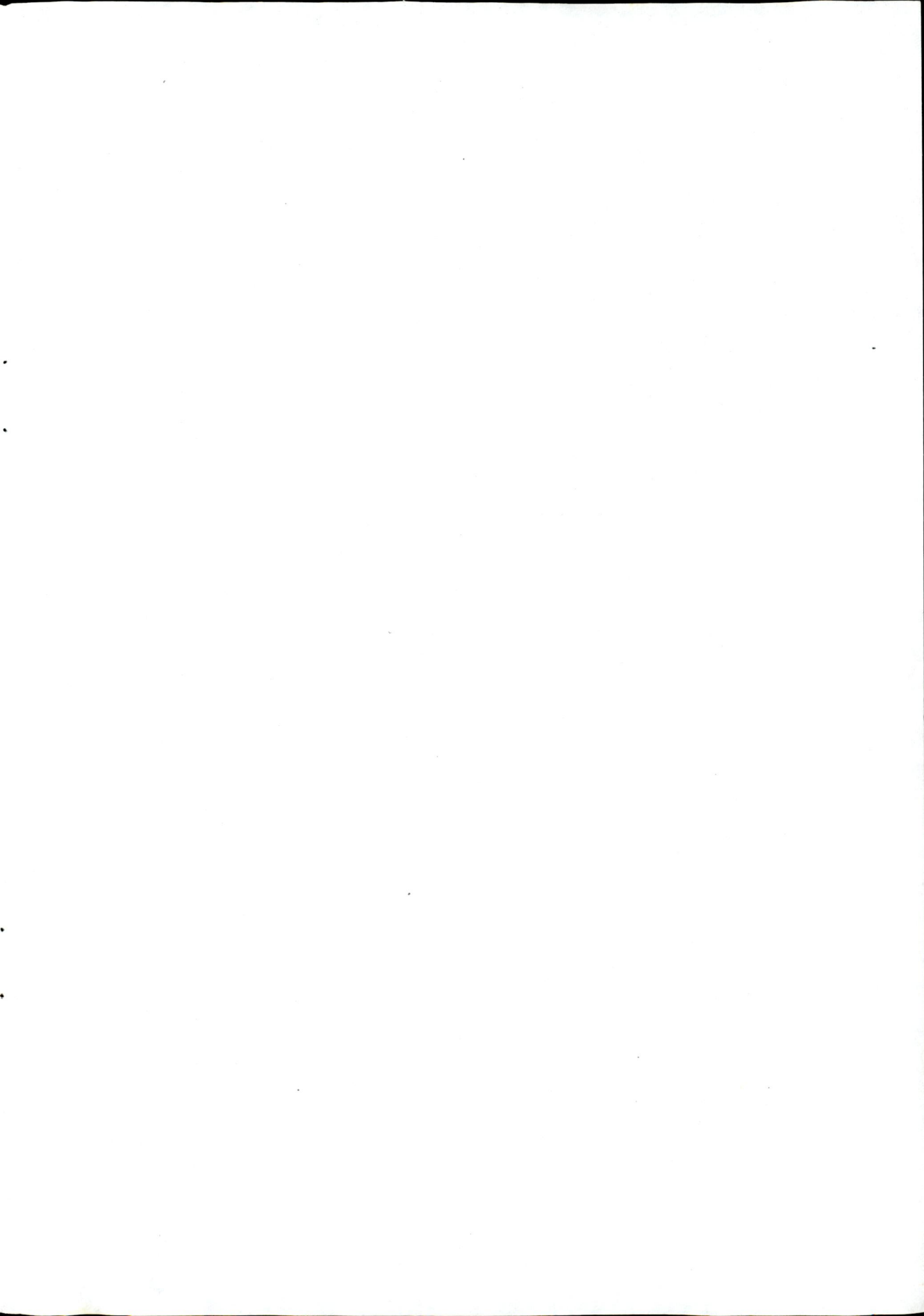
SCHEDULE 1—continued

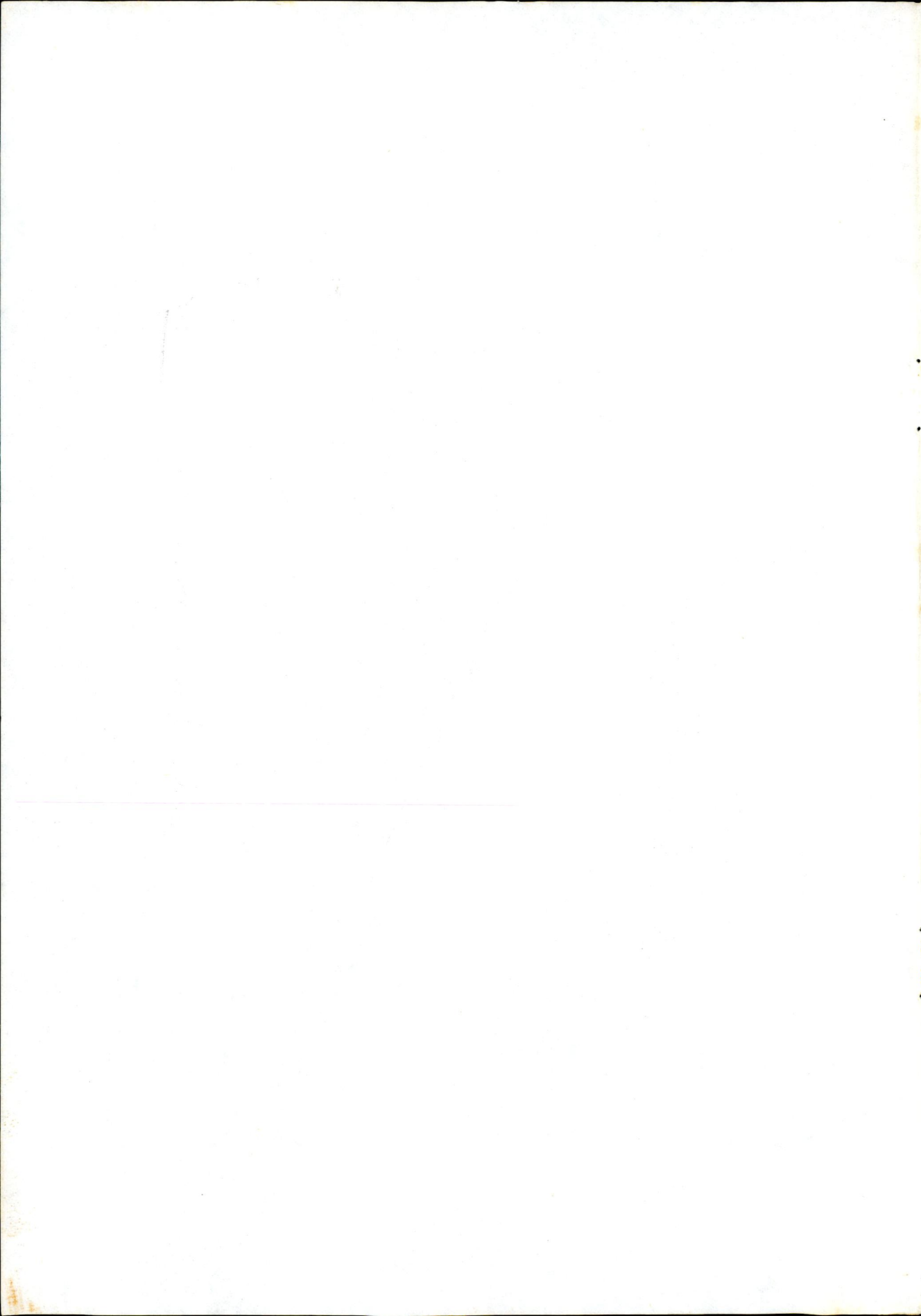
Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Pethidine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Phenadoxone	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Phenampramide	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Phenazocine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Phencyclidine	3.0g	1.0g	5.0g	250.0g	1.0kg	—
Phendimetrazine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Phenmetrazine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Phenomorphan	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Phenoperidine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
1-Phenylethyl-4-acetoxypiperidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Pholcodine except where Schedule Two or Four of the Poisons List applies	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Piminoindine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Piritramide	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Proheptazine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Prohibited plant, other than cannabis plant	—	5	50	250	1000	—
Propofidine	37.5g	12.5g	62.5g	6.25kg	25.0kg	—
Psilocin and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.075g	4 DDU or 0.04g	25 DDU or 0.25g	25.0g	100.0g	0.01g
Psilocybin and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.15g 3.0g	4 DDU or 0.04g 1.0g	25 DDU or 0.25g 5.0g	25.0g	100.0g	0.01g
Tetrahydrocannabinol	—	—	—	0.5kg	2.0kg	—

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
2,3,4,5-Tetramethoxyamphetamine	15 DDU or 3.0g	4 DDU	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
Thebacon	3.0g	0.8g 1.0g	5.0g	0.5kg	2.0kg	—
Thebaine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Thiofantanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Trimeperidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
2,3,4-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,3,5-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,3,6-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,4,5-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,4,6-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3,4,5-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
1-(3,4,5-Trimethoxyphenyl)-2-aminobutane	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,4,5-Trimethoxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g





**DRUG MISUSE AND TRAFFICKING (AMENDMENT) ACT
1988 No. 17**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Meaning of "Principal Act"
4. Amendment of Drug Misuse and Trafficking Act 1985 No. 226
5. Operation of amendments

SCHEDULE 1—AMENDMENTS



1987-1988
LIT. DIVISION OF THE UNIVERSITY OF CALIFORNIA

DRUG MISUSE AND TRAFFICKING (AMENDMENT) ACT 1988
No. 17

NEW SOUTH WALES



Act No. 17, 1988

An Act to amend the Drug Misuse and Trafficking Act 1985 with respect to the categories of prohibited plants and drugs under that Act, to increase penalties for certain offences and for other purposes. [Assented to 21 June 1988]

Drug Misuse and Trafficking (Amendment) 1988

The Legislature of New South Wales enacts:

Short title

1. This Act may be cited as the Drug Misuse and Trafficking (Amendment) Act 1988.

Commencement

2. This Act commences on a day or days to be appointed by proclamation.

Meaning of "Principal Act"

3. The Drug Misuse and Trafficking Act 1985 is referred to in this Act as the Principal Act.

Amendment of Drug Misuse and Trafficking Act 1985 No. 226

4. The Principal Act is amended as set out in Schedule 1.

Operation of amendments

5. (1) An amendment made to the Principal Act by this Act does not apply to an offence alleged to have been committed before the commencement of the amendment, except as provided by subsection (2).

(2) Section 43 (Certificate evidence) of the Principal Act, as amended by this Act, applies to the production of a certificate under that section after the commencement of Schedule 1 (8) whether the offence to which the certificate relates is alleged to have been committed before or after that commencement.

SCHEDULE 1—AMENDMENTS

(Sec. 4)

(1) Section 3 (**Definitions**)—

(a) Section 3 (1), definition of "cannabis resin"—

Omit the definition, insert instead:

"cannabis resin" means the separated resin (whether crude or purified) obtained from cannabis leaf, but does not include cannabis oil;

*Drug Misuse and Trafficking (Amendment) 1988*SCHEDULE 1—AMENDMENTS—*continued*

- (b) Section 3 (1), definition of “discrete dosage unit”—
Omit “Column 5”, insert instead “Column 6”.
- (2) Section 21 (**Penalties**)—
Omit “\$2,000”, insert instead “20 penalty units”.
- (3) Section 30 (**Indictable offences punishable summarily without consent of accused**)—
Section 30 (3)—
Omit the subsection, insert instead:
(3) The penalty for an offence dealt with under this section is a fine of 50 penalty units or imprisonment for 2 years, or both.
- (4) Section 31 (**Indictable offences punishable summarily with consent of accused**)—
Section 31 (3)—
Omit the subsection, insert instead:
(3) The penalty for an offence dealt with under this section is a fine of 100 penalty units or imprisonment for 2 years, or both.
- (5) Section 32 (**Penalty for offences dealt with on indictment not involving commercial quantities**)—
Section 32 (g), (h)—
Omit “\$200,000” wherever occurring, insert instead “2,000 penalty units”.
- (6) Section 33—
Omit the section, insert instead:
Penalties for offences involving commercial quantities
33. (1) This section applies to the following offences:
(a) an offence under section 23 (2), 24 (2) or 25 (2);
(b) an offence under section 26 of conspiring to commit an offence referred to in paragraph (a);
(c) an offence under section 27 of aiding, abetting, counselling, procuring, soliciting or inciting the commission of an offence referred to in paragraph (a);

*Drug Misuse and Trafficking (Amendment) 1988*SCHEDULE 1—AMENDMENTS—*continued*

- (d) an offence under section 28 of conspiring to commit, or of aiding, abetting, counselling or procuring the commission of, an offence under a law in force outside New South Wales which corresponds to section 23 (2), 24 (2) or 25 (2).
- (2) The penalty for an offence is—
- (a) except as provided by paragraph (b), a fine of 3,500 penalty units or imprisonment for 20 years, or both; or
- (b) where the offence relates to cannabis plant or cannabis leaf, a fine of 3,500 penalty units or imprisonment for 15 years, or both.
- (3) Despite subsection (2), if the court is satisfied that the offence involved not less than the large commercial quantity of the prohibited plant or prohibited drug concerned, the penalty for the offence is—
- (a) except as provided by paragraph (b), a fine of 5,000 penalty units or imprisonment for life, or both; or
- (b) where the offence relates to cannabis plant or cannabis leaf, a fine of 5,000 penalty units or imprisonment for 20 years, or both.
- (4) In this section—
- “large commercial quantity”, in relation to a prohibited plant or prohibited drug, means the number or amount, if any, specified opposite the plant or drug in Column 5 of Schedule 1.
- (7) Section 38 (**Destruction of prohibited plants by Director-General**)—
- Section 38 (1), definition of “Director-General”—
- Omit the definition, insert instead:
- “Director-General” means the Director-General of the Department of Agriculture and Fisheries.
- (8) Section 43 (**Certificate evidence**)—
- (a) Section 43 (1), (2)—
- Before “substance” wherever occurring, insert “plant or”.
- (b) Section 43 (3)–(6)—
- Omit section 43 (3), insert instead:
- (3) Any appointed person analysing any plant submitted to the person may give a certificate of the result of the analysis.

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—AMENDMENTS—*continued*

(4) In any legal proceedings under this Act, the production of a certificate, purporting to be signed by an appointed person, is prima facie evidence of—

- (a) the identity of the plant analysed; and
- (b) the quantity or mass of that plant,

without proof of the signature or appointment of the person appearing to have signed the certificate, but only if the plant identified is cannabis plant or cannabis leaf.

(5) The Director-General of the Department of Agriculture and Fisheries may appoint a person to give certificates for the purposes of this section if the Director-General considers the person to be suitably qualified.

(6) In this section—

“analyst” means—

- (a) any person employed by the Government of New South Wales as an analyst; and
- (b) any person who is an analyst within the meaning of the Therapeutic Goods and Cosmetics Act 1972;

“appointed person” means a person appointed under subsection (5);

“plant” includes any part of a plant, and the achene and seed of a plant.

(9) Schedule 1—

Omit the Schedule, insert instead:

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1

(Secs. 3 (1), 33 (4), 44)

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
Acetorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Acetyl-alpha-methylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Acetylidihydrocodeine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Acetylmethadol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Allylprodine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Alphacetylmethadol	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Alphameprodine	0.3g	0.1g	0.5g	0.05kg	0.2kg	—
Alphamethadol	0.3g	0.1g	0.5g	0.05kg	0.2kg	—
Alphamethylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Alpha-methylthiofentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Alphaprodine	37.5g	12.5g	62.5g	6.25kg	25.0kg	—
Amphetamine	3.0g	1.0g	5.0g	250.0g	1.0kg	—
Benzethidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Benzylmorphine (3-benzylmorphine)	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Betacetylmethadol	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Beta-hydroxyfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Beta-hydroxy-3-methylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Betameprodine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Betamethadol	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Betaprodine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Bezitramide	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
4-Bromo-2,5-dimethoxyamphetamine	15 DDU or	4 DDU or	25 DDU or	0.0125kg	0.05kg	0.005g
4-Bromo-3,5-dimethoxyamphetamine	0.075g 15 DDU or	0.02g 4 DDU or	0.125g 25 DDU or	0.0125kg	0.05kg	0.005g
	0.075g	0.02g	0.125g			

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
3-Bromo-4-methoxyamphetamine	15 DDU or 0.075g	4 DDU or 0.02g	25 DDU or 0.125g	0.0125kg	0.05kg	0.005g
Bufotenine and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	500.0g	2.0kg	0.2g
Cannabis leaf	300.0g	30.0g	1000.0g	25.0kg	100.0kg	—
Cannabis oil	5.0g	2.0g	10.0g	500.0g	2.0kg	—
Cannabis plant	—	5	50	250	1000	—
Cannabis resin	30.0g	5.0g	90.0g	2.5kg	10.0kg	—
Cathinone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Clonitazene	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Cocaine	3.0g	1.0g	5.0g	250.0g	1.0kg	—
Codeine except where Schedule Two or Four of the Poisons List applies	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Codeine-N-oxide	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Codoxime	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Desomorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Dextromoramide	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Diamorphine—see heroin						
Diampromide	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Diethylthiambutene	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
N:N-Diethyltryptamine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Difenoxin except where Schedule Four of the Poisons List applies	0.6g	0.2g	1.0g	0.1kg	0.4kg	—

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Dihydrocodeine except where Schedule Two or Four of the Poisons List applies	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Dihydromorphine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Dimenoxadol	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Dimephtanol	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
2,4-Dimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5 kg	2.0kg	0.2g
3,4-Dimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3,4-Dimethoxy-5-ethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxy-4-ethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4,5-Dimethoxy-2-ethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxy-4-ethylamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
2,5-Dimethoxy-4-methylamphetamine and other substances structurally derived from methoxyphenylethylamine being those substances having hallucinogenic properties	15 DDU or 3.0g 30.0g	4 DDU or 0.8g 10.0g	25 DDU or 5.0g 50.0g	0.5kg	2.0kg	0.2g —
Dimethylthiambutene						
2,3-Dimethoxy-4,5- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,5-Dimethoxy-3,4- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3,4-Dimethoxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3-(1,2-Dimethylheptyl)-1-hydroxy-7,8,9,10- tetrahydro-6,9-trimethyl-6H-dibenzo (b,d)pyran	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
N,N-Dimethyltryptamine and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g

Drug Misuse and Trafficking (Amendment) 1988

SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
Dioxaphetyl butyrate	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Diphenoxylate except where Schedule Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Dipipanone	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Ecgonine, its esters and derivatives which are convertible to ecgonine and cocaine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
4,5-Ethylenedioxy-3-methoxyamphetamine	15 DDU	4 DDU	25 DDU	0.5kg	2.0kg	0.2g
	or	or	or			
	3.0g	0.8g	5.0g			
	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Ethylmethylthiambutene						
Ethylmorphine except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Etonitazene	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Etorphine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Etoxadine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Fenetylline	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Fentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Furethidine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Heroin	3.0g	1.0g	5.0g	250.0g	1.0kg	—
3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro- 6,6,9-trimethyl-6H-dibenzo (b,d)pyran	15 DDU	4 DDU	25 DDU	0.5kg	2.0kg	0.2g
	or	or	or			
	3.0g	0.8g	5.0g			
Hydrocodone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Hydromorphinol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Hydromorphone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Hydroxypethidine	7.5g	5.0g	12.5g	1.25kg	5.0kg	—
Ketobemidone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Levorphanol	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Lysergic acid and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.003g	4 DDU or 0.0008g	25 DDU or 0.005g	0.0005kg	0.002kg	0.0002g
Lysergide and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.003g	4 DDU or 0.0008g	25 DDU or 0.005g	0.0005kg	0.002kg	0.0002g
Mescaline and other substances structurally derived from methoxyphenylethylamine having hallucinogenic properties	15 DDU or 11.25g	4 DDU or 3.0g	50 DDU or 18.75g	1.875kg	7.5kg	0.75g
Metazocine	10.5g	3.5g	17.5g	1.75kg	7.0kg	—
Methadone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
4-Methoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4-Methoxymethylamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2-Methoxy-3,4- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
2-Methoxy-4,5- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3-Methoxy-4,5- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4-Methoxy-2,3- methylenedioxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2-Methoxy-3,4- methylenedioxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3-Methoxy-4,5- methylenedioxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
4-Methoxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
Methylamphetamine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Methyldesorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Methyldihydromorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
3, 4-Methylenedioxyamphetamine	0.75g	0.25g	1.25g	0.125kg	0.5kg	—
3, 4-Methylenedioxyethylamphetamine	0.75g	0.25g	1.25g	0.125kg	0.5kg	—
3-Methylfentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Trackable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Methylphenidate	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
1-Methyl-4-phenyl-4-propionoxypiperidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
3-Methylthiofentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Metopon	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Monoacetylmorphine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
6-Monoacetylmorphine and other acetylated derivatives of morphine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Morpheridine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Morphine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Morphine-N-oxide	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Myrophine	30.0g	10.0g	50.0g	5.0kg	20.0kg	—
Nicodine except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Nicodine except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Nicomorphine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Noracetylmethadol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Norcodone except where Schedule Two or Four of the Poisons List applies	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Norlevorphanol	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Normethadone	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Normorphine	30.0g	10.0g	50.0g	5.0kg	20.0kg	—
Norpanone	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Opium	30.0g	10.0g	50.0g	1.0kg	4.0kg	—
Opium, prepared	30.0g	10.0g	50.0g	1.0kg	4.0kg	—
Oxycodone	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Oxymorphone	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Parafentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
	Traffickable quantity	Small quantity	Indictable quantity	Commercial quantity	Large commercial quantity	Discrete dosage unit (DDU)
Pethidine	3.0g	1.0g	5.0g	0.25kg	1.0kg	—
Phenadoxone	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Phenampromide	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Phenazocine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Phencyclidine	3.0g	1.0g	5.0g	250.0g	1.0kg	—
Phendimetrazine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Phenmetrazine	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Phenomorphan	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Phenoperidine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
1-Phenylethyl-4-acetoxypiperidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Pholcodine except where Schedule Two or Four of the Poisons List applies	7.5g	2.5g	12.5g	1.25kg	5.0kg	—
Piminodine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
Piritramide	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Proheptazine	1.5g	0.5g	2.5g	0.25kg	1.0kg	—
Prohibited plant, other than cannabis plant	—	5	50	250	1000	—
Propertidine	37.5g	12.5g	62.5g	6.25kg	25.0kg	—
Psilocin and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.075g	4 DDU or 0.04g	25 DDU or 0.25g	25.0g	100.0g	0.01g
Psilocybin and its derivatives being those derivatives having hallucinogenic properties	15 DDU or 0.15g 3.0g	4 DDU or 0.04g 1.0g	25 DDU or 0.25g 5.0g	25.0g	100.0g	0.01g
Tetrahydrocannabinol	—	—	—	0.5kg	2.0kg	—

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SCHEDULE 1—continued

Prohibited plant or prohibited drug	Column 1 Traffickable quantity	Column 2 Small quantity	Column 3 Indictable quantity	Column 4 Commercial quantity	Column 5 Large commercial quantity	Column 6 Discrete dosage unit (DDU)
2,3,4,5-Tetramethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
Thebacon	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Thebaine	3.0g	1.0g	5.0g	0.5kg	2.0kg	—
Thiofentanyl	0.0075g	0.0025g	0.0125g	0.00125kg	0.005kg	—
Trimeperidine	15.0g	5.0g	25.0g	2.5kg	10.0kg	—
2,3,4-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,3,5-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,3,6-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,4,5-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,4,6-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
3,4,5-Trimethoxyamphetamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
1-(3,4,5-Trimethoxyphenyl)-2-aminobutane	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g
2,4,5-Trimethoxyphenylethylamine	15 DDU or 3.0g	4 DDU or 0.8g	25 DDU or 5.0g	0.5kg	2.0kg	0.2g

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