

South Australia

Controlled Substances (General) Variation Regulations 2009

under the *Controlled Substances Act 1984*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Controlled Substances (General) Regulations 2000*

- 4 Variation of regulation 4—Interpretation
 - 5 Variation of regulation 6—Prescribed quantities of controlled drugs, controlled precursors and controlled plants
 - 6 Insertion of regulations 8AB and 8AC
 - 8AB Prescribed quantity of mixture containing controlled precursors (section 33LB)
 - 8AC Prescribed equipment (sections 33LB and 33J)
 - 7 Variation of regulation 14—Prescribed professional associations
 - 8 Variation of Schedule 1—Controlled drugs
 - 9 Variation of Schedule 2—Controlled precursors
 - 10 Variation of Schedule 3—Controlled plants
-

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Controlled Substances (General) Variation Regulations 2009*.

2—Commencement

These regulations will come into operation on 10 September 2009.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Controlled Substances (General) Regulations 2000*

4—Variation of regulation 4—Interpretation

Regulation 4—after definition of *Act* insert:

DDU means discrete dosage unit;

5—Variation of regulation 6—Prescribed quantities of controlled drugs, controlled precursors and controlled plants

- (1) Regulation 6(1)—delete ", controlled precursor"
- (2) Regulation 6(1)—delete ", precursor"
- (3) Regulation 6(1)(b)—delete paragraph (b)
- (4) Regulation 6(2)—delete "prescribed as a **large commercial quantity** for any mixture containing the controlled drug is the amount (if any) listed in the column headed "Large commercial (mixed)" of the tables in Part 1 or 2 of Schedule 1 opposite the entry listing the controlled drug" and substitute:

or controlled precursor prescribed as a **large commercial quantity** for any mixture containing the drug or precursor is—

 - (a) in the case of a controlled drug—the amount (if any) listed in the column headed "Large commercial (mixed)" of the tables in Part 1 or 2 of Schedule 1 opposite the entry listing the controlled drug; or
 - (b) in the case of a controlled precursor—the amount (if any) listed in the column headed "Large commercial (mixed)" of the table in Schedule 2 opposite the entry listing the controlled precursor.
- (5) Regulation 6—after subregulation (2) insert:
 - (2a) For the purposes of the definition of **large commercial quantity** in section 4(1) of the Act, the number of DDUs of a mixture containing a particular controlled drug prescribed as a **large commercial quantity** for any mixture containing the controlled drug is the number of DDUs (if any) listed in the column headed "Large commercial (mixed)" of the tables in Part 1 or 2 of Schedule 1 opposite the entry listing the controlled drug.
- (6) Regulation 6(3)—delete ", controlled precursor"
- (7) Regulation 6(3)—delete ", precursor"
- (8) Regulation 6(3)(b)—delete paragraph (b)

- (9) Regulation 6(4)—delete "prescribed as a *commercial quantity* for any mixture containing the controlled drug is the amount (if any) listed in the column headed "Commercial (mixed)" of the tables in Part 1 or 2 of Schedule 1 opposite the entry listing the controlled drug" and substitute:
- or controlled precursor prescribed as a *commercial quantity* for any mixture containing the drug or precursor is—
- (a) in the case of a controlled drug—the amount (if any) listed in the column headed "Commercial (mixed)" of the tables in Part 1 or 2 of Schedule 1 opposite the entry listing the controlled drug; or
- (b) in the case of a controlled precursor—the amount (if any) listed in the column headed "Commercial (mixed)" of the table in Schedule 2 opposite the entry listing the controlled precursor.
- (10) Regulation 6—after subregulation (4) insert:
- (4a) For the purposes of the definition of *commercial quantity* in section 4(1) of the Act, the number of DDUs of a mixture containing a particular controlled drug prescribed as a *commercial quantity* for any mixture containing the controlled drug is the number of DDUs (if any) listed in the column headed "Commercial (mixed)" of the tables in Part 1 or 2 of Schedule 1 opposite the entry listing the controlled drug.
- (11) Regulation 6—after subregulation (6) insert:
- (7) For the purposes of the definition of *trafficable quantity* in section 4(1) of the Act, the number of DDUs of a mixture containing a particular controlled drug prescribed as a *trafficable quantity* for any mixture containing the controlled drug is the number of DDUs (if any) listed in the column headed "Trafficable (mixed)" of the tables in Part 1 or 2 of Schedule 1 opposite the entry listing the controlled drug.

6—Insertion of regulations 8AB and 8AC

After regulation 8AA insert:

8AB—Prescribed quantity of mixture containing controlled precursors (section 33LB)

The quantity of a mixture containing a particular controlled precursor prescribed for the purposes of section 33LB for any mixture containing the controlled precursor is the amount (if any) listed in the column headed "Commercial (mixed)" of the table in Schedule 2 opposite the entry listing the controlled precursor.

8AC—Prescribed equipment (sections 33LB and 33J)

- (1) For the purposes of sections 33LB(2)(b) and 33J(2)(b) of the Act—
- (a) the following equipment (being equipment that is, or may at some stage have been, capable of being used in the manufacture of controlled drugs) is prescribed:
- (i) condensers;

- (ii) distillation heads;
 - (iii) heating mantles;
 - (iv) rotary evaporators;
 - (v) heater-stirrers;
 - (vi) mechanical-stirrers;
 - (vii) pressure reaction vessels;
 - (viii) separatory funnels;
 - (ix) buchner flasks;
 - (x) in-line membrane filters;
 - (xi) reaction vessels;
 - (xii) splash heads;
 - (xiii) tube furnaces;
 - (xiv) manual or mechanical tablet presses, including parts for such an item;
 - (xv) manual or mechanical encapsulators, including parts for such an item;
 - (xvi) an item modified to perform the function of a condenser, distillation head, splash head, pressure reaction vessel or tube furnace; and
- (b) a device comprising a hydraulic compression system and a die that is, or may at some stage have been, capable of being used to compress a powdered substance into blocks is prescribed.

- (2) Equipment described in subregulation (1) is prescribed for the purposes of sections 33LB and 33J of the Act regardless of whether the equipment is in working order or has been, or is being, modified in any way.

7—Variation of regulation 14—Prescribed professional associations

- (1) Regulation 14(a)(vi)—delete subparagraph (vi)
- (2) Regulation 14(b)—after paragraph (b)(ii) insert:
- and
- (iii) Friendly Society Medical Association.

8—Variation of Schedule 1—Controlled drugs

- (1) Schedule 1 Part 1, headings to table—delete the headings and substitute:

	Large commercial (pure)	Large commercial (mixed)	Commercial (pure)	Commercial (mixed)	Trafficable (mixed)
	kg	kg/DDUs	kg	kg/DDUs	g/DDUs

- (2) Schedule 1 Part 1—after row related to Alpha-methylthiofentanyl insert:

Alpha-methyltryptamine (α -MT)		1kg or 100 DDU's		0.2kg or 20 DDU's	2g or 10 DDU's
--	--	------------------	--	-------------------	----------------

- (3) Schedule 1 Part 1—after row related to Benzoylcegonine insert:

Benzylpiperazines (not otherwise listed in this Schedule)		1		0.25	3
---	--	---	--	------	---

- (4) Schedule 1 Part 1—after row related to 4-Bromo-2,5-dimethoxyamphetamine insert:

1-(8-Bromobenzo[1,2-b:4,5-b]difuran-4-yl)-2-amino propane (Bromo-Dragonfly)		100 DDU's		20 DDU's	10 DDU's
---	--	-----------	--	----------	----------

- (5) Schedule 1 Part 1, row related to Bufotenine, column 6—delete "50" and substitute:

2

- (6) Schedule 1 Part 1, row related to Cannabinoid, column 1—delete "Cannabinoid - dried" and substitute:

Cannabis -

- (7) Schedule 1 Part 1, row related to Cathinone, column 1—delete "Cathinone" and substitute:

Cathinones (not otherwise listed in this Schedule)

- (8) Schedule 1 Part 1—after row related to Cathinones insert:

4-Chloro-2,5-dimethoxyamphetamine		0.2kg or 100 DDU's		0.05kg or 20 DDU's	5g or 10 DDU's
-----------------------------------	--	--------------------	--	--------------------	----------------

- (9) Schedule 1 Part 1, row related to 4-Cyano-2-dimethyl-amino-4,4-diphenylbutane (methadone intermediate), column 1—delete "4-Cyano-2-dimethyl-amino-4,4-diphenylbutane (methadone intermediate)" and substitute:

4-Cyano-2-dimethylamino-4,4-diphenylbutane (methadone intermediate)

- (10) Schedule 1 Part 1, row related to 4-Cyano-1-methyl-4-phenylpiperidine (pethidine intermediate A)—delete the row

- (11) Schedule 1 Part 1, row related to Delta-9-tetrahydrocannabinol (dronabinol)—delete "(dronabinol)"

- (12) Schedule 1 Part 1—after row related to Desomorphine insert:

N,N-Di-(N)-propyltryptamine (DPT)		1kg or 100 DDU's		0.2kg or 20 DDU's	2g or 10 DDU's
-----------------------------------	--	------------------	--	-------------------	----------------

Controlled Substances (General) Variation Regulations 2009

Part 2—Variation of *Controlled Substances (General) Regulations 2000*

- (13) Schedule 1 Part 1—after row related to Dimepheptanol insert:

N,N-Dimethyl-5-methoxytryptamine (5-MeO-DMT)		1kg or 100 DDU _s		0.2kg or 20 DDU _s	2g or 10 DDU _s
--	--	-----------------------------	--	------------------------------	---------------------------

- (14) Schedule 1 Part 1, row related to N:N-Diethyltryptamine—delete the row and substitute:

N,N-Diethyltryptamine		2kg or 100 DDU _s		0.5kg or 20 DDU _s	3g or 10 DDU _s
-----------------------	--	-----------------------------	--	------------------------------	---------------------------

- (15) Schedule 1 Part 1, row related to N:N-Dimethyltryptamine—delete the row and substitute:

N,N-Dimethyltryptamine		2kg or 100 DDU _s		0.5kg or 20 DDU _s	3g or 10 DDU _s
------------------------	--	-----------------------------	--	------------------------------	---------------------------

- (16) Schedule 1 Part 1—after row related to N:N-Dimethyltryptamine insert:

2,5-Dimethoxy-4-bromophenethylamine		1		0.5	2
2,5-Dimethoxy-4-chlorophenethylamine		1		0.5	2

- (17) Schedule 1 Part 1—after row related to 2,5-Dimethoxy-4-iodophenethylamine insert:

2,5-Dimethoxy-4-methylphenethylamine		1		0.5	2
--------------------------------------	--	---	--	-----	---

- (18) Schedule 1 Part 1—after row related to Fenethylamine insert:

4-Fluoro-N-methylamphetamine		1		0.5	2
------------------------------	--	---	--	-----	---

- (19) Schedule 1 Part 1—after row related to Hydroxypethidine insert:

4-Iodo-2,5-dimethoxyamphetamine		0.2kg or 100 DDU _s		0.05kg or 20 DDU _s	5g or 10 DDU _s
---------------------------------	--	-------------------------------	--	-------------------------------	---------------------------

- (20) Schedule 1 Part 1—after row related to Ketobemidone insert:

Levomethorphan (excluding its stereoisomers)		2		0.5	3
--	--	---	--	-----	---

- (21) Schedule 1 Part 1, row related to Lysergic acid diethylamide (LSD)—delete the row and substitute:

Lysergic		0.015kg or		0.05kg or 20	0.015g or 10
----------	--	------------	--	--------------	--------------

acid diethylamide (LSD)		100 DDU's		DDUs	DDUs
-------------------------	--	-----------	--	------	------

- (22) Schedule 1 Part 1, row related to Methcathinone, column 1—delete "Methcathinone" and substitute:

Methcathinones (not otherwise listed in this Schedule)

- (23) Schedule 1 Part 1, row related to Methorphan—delete the row
- (24) Schedule 1 Part 1, row related to 5-Methoxy- α -methyltryptamine—delete the row and substitute:

5-Methoxy- α -methyltryptamine		0.2kg or 100 DDU's		0.05kg or 20 DDU's	5g or 10 DDU's
---------------------------------------	--	--------------------	--	--------------------	----------------

- (25) Schedule 1 Part 1—after row related to 5-Methoxy- α -methyltryptamine insert:

4-Methyl-2,5-dimethoxyamphetamine		1kg or 100 DDU's		0.5kg or 20 DDU's	2g or 10 DDU's
N-Methyl-1-(1,3-benzodioxol-5-yl)-2-butanamine (MBDB)		0.75		0.1	2

- (26) Schedule 1 Part 1, row related to 1-Methyl-4-phenylpiperidine-4-carboxylic acid (Pethidine intermediate C)—delete the row
- (27) Schedule 1 Part 1, row related to Moramide—delete the row
- (28) Schedule 1 Part 1, row related to Morphan—delete the row
- (29) Schedule 1 Part 1, row related to 2,5-Dimethoxy-4-ethylthiophenethylamine—delete the row and substitute:

2,5-Dimethoxy-4-ethylthiophenethylamine		1		0.5	2
---	--	---	--	-----	---

- (30) Schedule 1 Part 1, row related to 2,5-Dimethoxy-4-iodophenethylamine—delete the row and substitute:

2,5-Dimethoxy-4-iodophenethylamine		1		0.5	2
------------------------------------	--	---	--	-----	---

- (31) Schedule 1 Part 1, row related to 2,5-Dimethoxy-4-(N)-propylthiophenethylamine—delete the row and substitute:

2,5-		1kg or 100		0.5kg or 20	2g or 10
------	--	------------	--	-------------	----------

Controlled Substances (General) Variation Regulations 2009

Part 2—Variation of *Controlled Substances (General) Regulations 2000*

Dimethoxy-4-(N)-propylthiophen ethylamine		DDUs		DDUs	DDUs
---	--	------	--	------	------

- (32) Schedule 1 Part 1—after row related to Phencyclidine insert:

N-Phenethyl-4-piperidone (NPP)					
--------------------------------	--	--	--	--	--

- (33) Schedule 1 Part 1, row related to 4-Phenylpiperidine-4-carboxylic acid ethyl ester—delete the row

- (34) Schedule 1 Part 1—after row related to Piminodine insert:

Piperazines (not otherwise listed in this Schedule)		1		0.5	2
---	--	---	--	-----	---

- (35) Schedule 1 Part 1, row related to Piritramide—delete the row

- (36) Schedule 1 Part 1, row related to Tryptamines (not otherwise listed in this Schedule)—delete the row and substitute:

Tryptamines (not otherwise listed in this Schedule)		1kg or 100 DDU's		0.2kg or 20 DDU's	2g or 10 DDU's
---	--	------------------	--	-------------------	----------------

- (37) Schedule 1 Part 2—after row related to Acetylmethadol insert:

Acetylmorphines (except monoacetyl morphine and heroin (diacetylmorphine/diamorphine))					
--	--	--	--	--	--

- (38) Schedule 1 Part 2—after row related to Amphetamine insert:

Amphetamines (not otherwise listed in this Schedule)		1		0.5	2
--	--	---	--	-----	---

- (39) Schedule 1 Part 2, row related to Codeine (except when included in schedule 2, 3 or 4), column 1—delete "4)" and substitute:

4)

- (40) Schedule 1 Part 2—after row related to Codeine-N-oxide insert:

4-Cyano-1-methyl-4-phenylpiperidine (pethidine intermediate A)		1		0.25	3
--	--	---	--	------	---

- (41) Schedule 1 Part 2, row related to Dextromoramide—delete the row and substitute:

Dextromoramide		1.5		0.6	30
----------------	--	-----	--	-----	----

- (42) Schedule 1 Part 2, row related to #Dronabinol (delta-9-tetrahydrocannabinol) when prepared and packed for therapeutic use—delete "#"

- (43) Schedule 1 Part 2, row related to Levorphanol, column 1—after "Levorphanol" insert:
 (excluding its stereoisomers)

- (44) Schedule 1 Part 2—after row related to Methadone insert:

1-Methyl-4-phenylpiperidine-4-carboxylic acid (pethidine intermediate C)		1		0.25	3
--	--	---	--	------	---

- (45) Schedule 1 Part 2, row related to Moramide—delete the row

- (46) Schedule 1 Part 2, row related to Opium (except the alkaloids noscapine in schedule 2 and papaverine when included in schedule 2 or 4), column 1—delete "(except the alkaloids noscapine in schedule 2 and papaverine when included in schedule 2 or 4)" and substitute:

(except the alkaloids noscapine when included in schedule 2 and papaverine when included in schedule 2 or 4)

- (47) Schedule 1 Part 2—after row related to Phenoperidine insert:

4-Phenylpiperidine-4-carboxylic acid ethyl ester (pethidine intermediate B)		1		0.25	3
---	--	---	--	------	---

- (48) Schedule 1 Part 2, row related to Piritramide—delete the row and substitute:

Piritramide		1		0.25	1.5
-------------	--	---	--	------	-----

- (49) Schedule 1 Part 2—after row related to Piritramide insert:

Concentrate of poppy straw					
----------------------------------	--	--	--	--	--

9—Variation of Schedule 2—Controlled precursors

- (1) Schedule 2, headings to columns 2 and 3—delete "pure" wherever occurring and substitute in each case:

mixed

- (2) Schedule 2—after row related to Ammonium formate insert:

Anethole	0.4L	0.1L
----------	------	------

- (3) Schedule 2, row related to 3,4-Methylenedioxyphenylpropan-2-one (PMK)—delete the row and substitute:

3,4-Methylenedioxyphenylp ropan-2-one (PMK)	1L	0.25L
--	----	-------

- (4) Schedule 2, row related to Methylstyrene, column 1—delete "Methylstyrene" and substitute:

Trans β -Methylstyrene

10—Variation of Schedule 3—Controlled plants

Schedule 3 Part 1, row related to any plant containing DMT including any plant of the species *Piptadenia Peregrina*—delete the row

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 10 September 2009

No 236 of 2009

AGO0088/07CS