

SOUTH AUSTRALIA

**CONTROLLED SUBSTANCES (DECLARED PROHIBITED SUBSTANCES)
REGULATIONS, 1985**

REGULATIONS UNDER THE CONTROLLED SUBSTANCES ACT, 1984

Controlled Substances (Declared Prohibited Substances) Regulations, 1985

being

No. 74 of 1985: *Gaz.* 9 May 1985, p. 1493¹

as varied by

No. 72 of 1986: *Gaz.* 8 May 1986, p. 1187

No. 80 of 1987: *Gaz.* 14 May 1987, p. 1271²

No. 55 of 1988: *Gaz.* 7 April 1988, p. 889

No. 56 of 1988: *Gaz.* 7 April 1988, p. 890

No. 19 of 1990: *Gaz.* 8 February 1990, p. 325

No. 208 of 1991: *Gaz.* 26 September 1991, p. 960

No. 45 of 1992: *Gaz.* 7 May 1992, p. 1329

No. 187 of 1992: *Gaz.* 17 September 1992, p. 1115³

No. 169 of 1994: *Gaz.* 13 October 1994, p. 976⁴

No. 233 of 1996: *Gaz.* 17 October 1996, p. 1407⁵

¹ Came into operation 9 May 1985: reg. 2.

² Came into operation 9 October 1987: reg. 2.

³ Came into operation 17 September 1992: reg. 2.

⁴ Came into operation 13 October 1994: reg. 2.

⁵ Came into operation 17 October 1996: reg. 2.

2.

Title

1. These regulations may be cited as the *Controlled Substances (Declared Prohibited Substances) Regulations, 1985*.

Commencement

2. These regulations shall take effect from 9 May 1985.

Interpretation

3. In these regulations the "Act" means the *Controlled Substances Act, 1984*.

Substances Declared to be Prohibited Substances

4. The following substances are declared to be prohibited substances pursuant to section 12(4) of the Act:

- (a) the natural or synthetic form of a substance listed in the First Schedule;
- (b) any salt, any active principle, any alkaloid, any chemical derivative, any stereoisomer, any ester or any ether of the natural or synthetic form of a substance listed in the First Schedule; and
- (c) any of the substances referred to in paragraphs (a) or (b) of this regulation whether existing alone or existing in any preparation, admixture, solution or natural substance.

*Prescribed Amounts for the Purposes of Section 32(3)
of the Act*

5. For the purposes of section 32(3) of the Act, each amount, listed in the second column of the Second Schedule, with respect to each class of prohibited substance respectively listed alongside such amount in the first column of the Second Schedule, is the prescribed amount of each prohibited substance belonging to each such class of prohibited substance.

*Prescribed Amounts of Prohibited Substances (other than
Cannabis and Cannabis Resin) for the purposes of Section 32(5)
of the Act (Penalties)*

6. For the purposes of section 32(5) of the Act, an amount appearing in the second column of the Third Schedule is the amount prescribed in respect of the prohibited substance appearing in the first column against which the amount is listed.

*Prescribed Amount of Cannabis Plants for the purposes
of Section 32(6) of the Act (Personal Consumption)*

7. For the purposes of section 32(6) of the Act, the prescribed amount of cannabis plants is ten plants.

3.

*Prescribed Place for the purposes of Section 44 of the Act
(Fixing Penalties)*

8. For the purposes of Section 44(*da*) and (*db*) of the Act, the following are prescribed places:

- (a) a licensed place of public entertainment under the *Places of Public Entertainment Act 1913*;
- (b) an oval or sportsground exempted under the *Places of Public Entertainment Act 1913* from the requirement to hold a licence under that Act;
- (c) premises in which a club or organization established principally for the recreation of children carries on its activities.

Taking of cannabis samples

8A. (1) For the purposes of section 52A(3) of the Act, where samples of cannabis are to be taken, they must be taken as follows:

- (a) in the case of a crop of growing or newly harvested plants consisting of—
 - (i) 10 or less plants—at least one sample must be taken;
 - (ii) 11 to 20 plants—at least 5 samples must be taken;
 - (iii) 21 to 100 plants—at least 10 samples must be taken;
 - (iv) more than 100 plants—at least 20 samples must be taken;
 - (b) in the case of dried and packaged cannabis—a sample of at least 10 grams must be taken from each package.
- (2) Each sample must be separately packaged and identified.
- (3) For the purposes of this regulation, "samples" in relation to plants means—
- (a) if the plants are immature (that is to say, they do not have any fully developed leaves)—the plants themselves;
 - (b) if the plants are mature—a fully developed leaf or flowerhead (taken from separate plants if more than one sample is required).

Manner of Initiation of Analysis

9. Pursuant to section 53(3) of the Act a person shall initiate an analysis by notice in writing, addressed to a person appointed as an analyst or botanist under the Act, describing the substance to be analysed and signed by the person initiating the analysis.

Prescribed Fee for Analysis

10. The prescribed fee shall be \$150.00 per substance analysed.

4.

Form of Certificate of Analyst or Botanist

11. Pursuant to section 53(4) of the Act the prescribed form shall be a certificate in the following form:

*Controlled Substances Act, 1984
Certificate of Analysis*

Pursuant to section 53 of the *Controlled Substances Act, 1984* I¹, an Analyst/Botanist² appointed under the Act hereby certify that³.....

Signed⁴

(An Analyst/Botanist² appointed under the Act)

Dated⁵ 19.....

Instructions for Filling Out This Form

¹Full name of analyst or botanist to be inserted here.

²Delete whichever is inapplicable.

³Results of the analysis to be inserted here.

⁴Usual signature of analyst or botanist to be inserted here.

⁵Date of certificate to be inserted here.

Research Permits

12. An application for a research permit under section 56(1) of the Act shall be made in writing to the Health Commission and be signed by the applicant.

The First Schedule

ACETORPHINE

ACETYL-ALPHA-METHYLFENTANYL

ACETYLMORPHINES

ALKOXYAMPHETAMINE and bromo-substituted alkoxyamphetamines except where separately specified.

ALKOXYPHENETHYLAMINES and alkyl-substituted alkoxyphenethylamines except where separately specified.

ALPHA-METHYLFENTANYL

ALPHA-METHYLTHIOFENTANYL

BETA-HYDROXYFENTANYL

BETA-HYDROXY-3-METHYLFENTANYL

4-BROMO-2, 5-DIMETHOXYPHENETHYLAMINE (BDMPEA)

4-BROMO-2, 5-DIMETHOXYAMPHETAMINE (DOB)

BUFOTENINE

CANNABINOIDS except tetrahydrocannabinols

CANNABIS

CANNABIS OIL

CANNABIS RESIN

CATHINONE

COCA LEAF: (Leaves of any plant of the genus *Erythroxylon* from which cocaine can be extracted either directly or by chemical transformation)

CONCENTRATE OF POPPY STRAW (the material arising when poppy straw has entered into a process for concentration of its alkaloids)

4-CYANO-2-DIMETHYLAMINO-4, 4-DIPHENYLBUTANE (Methadone intermediate)

4-CYANO-1-METHYL-4-PHENYLPYPERIDINE (Pethidine intermediate A)

DESOMORPHINE

N, N-DIETHYLTRYPTAMINE (DET)

2, 5-DIMETHOXYAMPHETAMINE

2, 5-DIMETHOXY-4-ETHYLAMPHETAMINE (DOET)

2, 5-DIMETHOXY-4-METHYLAMPHETAMINE (STP: DOM)

6.

DIMETHYLAMINO-1, 2-DIPHENYLETHANE (SPA)

3-(1, 2-DIMETHYLHEPTYL)-1-HYDROXY-7, 8, 9, 10-TETRAHYDRO-6, 6, 9-TRIMETHYL-6H-DIBENZO
(b, d) PYRAN (DMHP)

N,N-DIMETHYLTRYPTAMINE (DMT)

ECGONINE

N-ETHYL-1-PHENYLCYCLOHEXYLAMINE (Eticyclidine: PCE)

ETORPHINE

HARMALINE

HARMINE

HEROIN (Diacetylmorphine)

4-HYDROXY-BUTANOIC ACID

KETOBEMIDONE

LYSERGAMIDE

LYSERGIC ACID

LYSERGIDE (Lysergic acid diethylamide; LSD)

MESCALINE (3, 4, 5-Trimethoxyphenethylamine)

METHAQUALONE

5-METHOXY-3, 4-METHYLENEDIOXYAMPHETAMINE (MMDA)

4-METHYLAMINOEX

3, 4-METHYLENEDIOXYAMPHETAMINE (MDA)

3, 4-METHYLENEDIOXYMETHAMPHETAMINE (MDMA)

2-METHYL-3-MORPHOLINO-1, 1-DIPHENYLPROPANE CARBOXYLIC ACID (Moramide intermediate)

METHYLFENTANYL

3-METHYLFENTANYL

3-METHYLTHIOFENTANYL

1-METHYL-4-PHENYL-4-PROPIONOXYPIPERIDINE (MPPP)

1-METHYL-4-PHENYLPIPERIDINE-4-CARBOXYLIC ACID (Pethidine intermediate C)

MUSCIMOL

N-ETHYL-ALPHA-METHYL-3, 4-(METHYLENEDIOXY) PHENETHYLAMINE (N-ethyl MDA)

7.

N-[ALPHA-METHYL-3, 4-(METHYLENEDIOXY)PHENETHYL] HYDROXYLAMINE (N-hydroxy MDA)

OPIUM POPPY (Papaver somniferum L.)

PAPAVER BRACTEATUM (Lindl.)

PARA-FLUOROFENTANYL

1-(2-PHENYLETHYL)-4-PHENYL-4-ACETYLOXYPIPERIDINE (PEPAP)

PARAHEXYL

PARAMETHOXYAMPHETAMINE (PMA)

PHENCYCLIDINE

1-(1-PHENYLCYCLOHEXYL) PYRROLIDINE (Rolicyclidine PHP: PCPY)

4-PHENYLPYPERIDINE-4-CARBOXYLIC ACID ETHYL ESTER (Pethidine intermediate B)

POPPY STRAW (the straw of Papaver somniferum L. or Papaver bracteatum Lindl.)

PSILOCIN

PSILOCYBIN

TETRAHYDROCANNABINOLS and their alkyl homologues except where separately specified.

1-(1-(2-THIENYL) CYCLOHEXYL) PIPERIDINE (Tenocyclodine: TCP)

THIOFENTANYL

1-(3, 4, 5-TRIMETHOXYPHENYL)-2-AMINOBTANE

3, 4, 5-TRIMETHOXYAMPHETAMINE (TMA)

The Second Schedule

Class of Prohibited Substance	Prescribed Amounts (Grams)
ACETORPHINE	2.0
ACETYL-ALPHA-METHYLFENTANYL	0.005
ACETYLMORPHINES	2.0
ALKOXYAMPHETAMINES and bromo-substituted alkoxyamphetamines except where separately specified	0.5
ALKOXYPHENETHYLAMINES and alkyl-substituted alkoxyphenethylamines except where separately specified	0.5
ALPHA-METHYLFENTANYL	0.005
ALPHA-METHYLTHIOFENTANYL	0.005
BETA-HYDROXYFENTANYL	0.005
BETA-HYDROXY-3-METHYLFENTANYL	0.005
4-BROMO-2, 5-DIMETHOXYPHENETHYLAMINE (BDMPEA)	0.5
4-BROMO-2, 5-DIMETHOXYAMPHETAMINE (DOB)	0.5
BUFOTENINE	2.0
CANNABINOIDS except tetrahydrocannabinols	2.0
CANNABIS	100.0
CANNABIS OIL	2.0
CANNABIS RESIN	20.0
CATHINONE	0.5 gm
COCA LEAF	800.0
CONCENTRATE OF POPPY STRAW	5.0
4-CYANO-2-DIMETHYLAMINO-4-DIPHENYLBUTANE (Methadone intermediate)	2.0
4-CYANO-1-METHYL-4-PHENYLPIPERIDINE (Pethidine intermediate A)	10.0
DESOMORPHINE	2.0
N, N-DIETHYLTRYPTAMINE (DET)	2.0

2, 5-DIMETHOXYAMPHETAMINE	0.5
2, 5-DIMETHOXY-4-ETHYLAMPHETAMINE (DOET)	0.5 gm
2, 5-DIMETHOXY-4-METHYLAMPHETAMINE (STP: DOM)	0.5
3, 4-DIMETHOXYPHENYLETHYLAMINE	0.5
3-(1, 2-DIMETHYLHEPTYL)-1-HYDROXY-7, 8, 9, 10-TETRAHYDRO-6, 6, 9-TRIMETHYL-6H-DIBENZO (b, d) PYRAN (DMHP)	2.0
N, N-DIMETHYLTRYPTAMINE (DMT)	2.0
ECGONINE	10.0
N-ETHYL-1-PHENYLCYCLOHEXYLAMINE (Eticyclidine: PCE)	0.5
ETORPHINE	2.0
HARMALINE	0.1
HARMINE	0.1
HEROIN (Diacetylmorphine)	2.0
4-HYDROXY-BUTANOIC ACID	0.5
KETOBEMIDONE	2.0
LYSERGAMIDE	0.002
LYSERGIC ACID	0.002
LYSERGIDE (Lysergic acid diethylamide: LSD)	0.002
MESCALINE (3, 4, 5-Trimethoxyphenethylamine)	7.5
METHAQUALONE	5.0
5-METHOXY-3, 4-METHYLENEDIOXYAMPHETAMINE (MMDA)	0.5 gm
4-METHYLAMINOREX	0.5
3, 4-METHYLENEDIOXYAMPHETAMINE (MDA)	0.5
3, 4-METHYLENEDIOXYMETHAMPHETAMINE (MDMA)	0.5 gm
2-METHYL-3-MORPHOLINO-1, 1-DIPHENYLPROPANE CARBOXYLIC ACID (Moramide intermediate)	5.0
METHYLFENTANYL	0.005
3-METHYLFENTANYL	0.005
3-METHYLTHIOFENTANYL	0.005
1-METHYL-4-PHENYL-4-PROPIONOXYPIPERIDINE (MPPP)	0.5

10.

1-METHYL-4-PHENYLPYPERIDINE-4-CARBOXYLIC ACID (Pethidine intermediate C)	10.0
MUSCIMOL	0.5 gm
N-ETHYL-ALPHA-METHYL-3, 4-(METHYLENEDIOXY) PHENETHYLAMINE (N-ethyl MDA)	0.5
N-[ALPHA-METHYL-3,4-(METHYLENEDIOXY) PHENETHYL] HYDROXYLAMINE (N-hydroxy MDA)	0.5
OPIUM POPPY (Papaver somniferum L.)	100.0
PAPAVER BRACTEATUM (Lindl.)	100.0
PARA-FLUOROFENTANYL	0.005
1-(2-PHENYLETHYL)-4-PHENYL-4-ACETYLOXYPIPERIDINE (PEPAP)	0.5
PARAHEXYL	0.1
PARAMETHOXYAMPHETAMINE (PMA)	0.5 gm
PHENCYCLIDINE	2.0
1-(1-PHENYLCYCLOHEXYL) PYRROLIDINE (PHP: PCPY)	0.5
4-PHENYLPYPERIDINE-4-CARBOXYLIC ACID ETHYL ESTER (Pethidine intermediate B)	10.0
POPPY STRAW (the straw of Papaver somniferum L. or Papaver bracteatum Lindl.)	100.0
PSILOCIN	0.1
PSILOCYBIN	0.1
TETRAHYDROCANNABINOLS and their alkyl homologues except where separately specified	2.0
1-(1-(2-THIENYL) CYCLOHEXYL) PIPERIDINE (TCP)	0.5
THIOFENTANYL	0.005
1-(3,4,5-TRIMETHOXYPHENYL)-2-AMINOBTANE	0.5
3, 4, 5-TRIMETHOXYAMPHETAMINE (TMA)	0.5 gm

The Third Schedule

Class of Prohibited Substance	Prescribed Amounts (Kilograms)
CANNABINOIDS except tetrahydrocannabinols	0.3
CANNABIS OIL	0.3
COCA LEAF	80.0
HEROIN (Diacetylmorphine)	0.3
4-HYDROXY-BUTANOIC ACID	0.005
LYSERGAMIDE	0.004
LYSERGIC ACID	0.004
LYSERGIDE (Lysergic acid diethylamide; LSD)	0.0004
METHYLFENTANYL	0.0008
OPIUM POPPY (Papaver somniferum L.)	10.0
PAPAVER BRACTEATUM (Lindl.)	10.0
TETRAHYDROCANNABINOLS and their alkyl homologues	0.3

APPENDIX**LEGISLATIVE HISTORY**

Regulations 6 - 8:	substituted by 208, 1991, reg. 2
Regulation 8A:	inserted by 208, 1991, reg. 2; revoked by 187, 1992, reg. 3; inserted by 169, 1994, reg. 3
First Schedule:	varied by 72, 1986, reg. 2; 80, 1987, reg. 3; 55, 1988, reg. 2; 56, 1988, reg. 2; 19, 1990, reg. 2; 45, 1992, reg. 2; 233, 1996, reg. 3
Second Schedule:	varied by 72, 1986, reg. 3; 80, 1987, reg. 4; 55, 1988, reg. 3; 56, 1988, reg. 3; 19, 1990, reg. 3; 45, 1992, reg. 3; 233, 1996, reg. 4
Third Schedule:	varied by 233, 1996, reg. 5