

(Reprint No. 1)

SOUTH AUSTRALIA

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

*These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at **17 December 1998**.*

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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
No. 241 of 1997: *Gaz.* 18 December 1997, p. 1702⁶
No. 216 of 1998: *Gaz.* 17 December 1998, p. 1982⁷

- 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.
⁶ Came into operation 19 December 1997: reg. 2.
⁷ Came into operation 17 December 1998: reg. 2.

NOTE:

- Asterisks indicate repeal or deletion of text.
- For the legislative history of the regulations see Appendix.

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*;

"**hemp seed oil**" means the oil obtained by cold expression from the seeds of cannabis;

"**schedule 8**" means schedule 8 of the Uniform Poisons Standard as incorporated into the *Controlled Substances (Poisons) Regulations 1996*.

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.

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.

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:

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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.

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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.

ALLYLPRODINE

ALPHAMEPRODINE

ALPHAMETHADOL

ALPHA-METHYLFENTANYL

ALPHA-METHYLTHIOFENTANYL

BENZETHIDINE

BETACETYLMETHADOL

BETA-HYDROXYFENTANYL

BETA-HYDROXY-3-METHYLFENTANYL

BETAMEPRODINE

BETAMETHADOL

BETAPRODINE

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

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

BUFOTENINE

CANNABINOIDS except tetrahydrocannabinols

CANNABIS

CANNABIS OIL

CANNABIS RESIN

CATHINONE

CLONITAZENE

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

CODOXIME

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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

DIAMPROMIDE

DIETHYLTHIAMBUTENE

N, N-DIETHYLTRYPTAMINE (DET)

DIMENOXADOL

DIMEPHEPTANOL

2, 5-DIMETHOXYAMPHETAMINE

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

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

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)

DIMETHYLTHIAMBUTENE

N,N-DIMETHYLTRYPTAMINE (DMT)

DIOXAPHETYL BUTYRATE

ECCONINE

ETHYLMETHYLTHIAMBUTENE

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

ETONITAZENE

ETORPHINE

ETOXERIDINE

FENETYLLINE

FURETHIDINE

HARMALINE

HARMINE

HEROIN (Diacetylmorphine)

4-HYDROXY-BUTANOIC ACID

HYDROXPETHIDINE

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ISOMETHADONE

KETOBEMIDONE

LEVOMETHORPHAN

LEVOPHENACYLMORPHAN

LYSERGAMIDE

LYSERGIC ACID

LYSERGIDE (Lysergic acid diethylamide; LSD)

MECLOQUALONE

MESCALINE (3, 4, 5-Trimethoxyphenethylamine)

METAZOCINE

METHAQUALONE

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

4-METHYLAMINOREX

METHYLDESORPHINE

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)

METOPON

MORPHERIDINE

MUSCIMOL

MYROPHINE

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

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

NICOCODINE

NICODICODINE

NICOMORPHINE

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FIRST SCHEDULE

8 **Controlled Substances (Declared Prohibited Substances) Regulations, 1985**

NORACYMETHADOL

NORLEVORPHANOL

NORMORPHINE

NORPIPANONE

OPIUM POPPY (Papaver somniferum L.)

PAPAVER BRACTEATUM (Lindl.)

PARA-FLUOROFENTANYL

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

PARAHEXYL

PARAMETHOXYAMPHETAMINE (PMA)

PHENADOXONE

PHENAMPROMIDE

PHENAZOCINE

PHENCYCLIDINE

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

PHENOMORPHAN

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

PIMINODINE

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

PROHEPTAZINE

PROPERIDINE

PSILOCIN

PSILOCYBIN

RACEMETHORPHAN

RACEMORPHAN

TETRAHYDROCANNABINOLS and their alkyl homologues, except—

- (a) tetrahydrocannabinols included in schedule 8; and
- (b) hemp seed oil—
 - (i) that contains tetrahydrocannabinols at a level not exceeding 50 milligrams per kilogram; and
 - (ii) the packaging of which carries a label indicating that the oil is not for human internal use or consumption; and

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- (c) a product containing hemp seed oil, being a product—
- (i) that contains tetrahydrocannabinols at a level not exceeding 50 milligrams per kilogram; and
 - (ii) that is designed for human external use.

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

THIOFENTANYL

TRIMEPERIDINE

1-(3, 4, 5-TRIMETHOXYPHENYL)-2-AMINO BUTANE

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
ALLYLPRODINE	2.0
ALPHAMEPRODINE	0.2
ALPHAMETHADOL	0.2
ALPHA-METHYLFENTANYL	0.005
ALPHA-METHYLTHIOFENTANYL	0.005
BENZETHIDINE	10.0
BETACETYLMETHADOL	5.0
BETA-HYDROXYFENTANYL	0.005
BETA-HYDROXY-3-METHYLFENTANYL	0.005
BETAMEPRODINE	5.0
BETAMETHADOL	5.0
BETAPRODINE	5.0
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

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CLONITAZENE	5.0
COCA LEAF	800.0
CODOXIME	5.0
CONCENTRATE OF POPPY STRAW	5.0
4-CYANO-2-DIMETHYLAMINO-4-DIPHENYLBUTANE (Methadone intermediate)	2.0
4-CYANO-1-METHYL-4-PHENYLPYPERIDINE (Pethidine intermediate A)	10.0
DESOMORPHINE	2.0
DIAMPROMIDE	5.0
DIETHYLTHIAMBUTENE	5.0
N, N-DIETHYLTRYPTAMINE (DET)	2.0
DIMENOXADOL	10.0
DIMEPHEPTANOL	10.0
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
DIMETHYLTHIAMBUTENE	20.0
N, N-DIMETHYLTRYPTAMINE (DMT)	2.0
DIOXAPHETYL BUTYRATE	2.0
ECGONINE	10.0
ETHYLMETHYLTHIAMBUTENE	10.0
N-ETHYL-1-PHENYLCYCLOHEXYLAMINE (Eticyclidine: PCE)	0.5
ETONITAZENE	5.0
ETORPHINE	2.0
ETOXERIDINE	5.0
FENETYLLINE	2.0
FURETHIDINE	1.0
HARMALINE	0.1
HARMINE	0.1

HEROIN (Diacetylmorphine)	2.0
4-HYDROXY-BUTANOIC ACID	0.5
HYDROXYPETHIDINE	5.0
ISOMETHADONE	4.0
KETOBEMIDONE	2.0
LEVOMETHORPHAN	1.0
LEVOPHENACYLMORPHAN	1.0
LYSERGAMIDE	0.002
LYSERGIC ACID	0.002
LYSERGIDE (Lysergic acid diethylamide: LSD)	0.002
MECLOQUALONE	5.0
MESCALINE (3, 4, 5-Trimethoxyphenethylamine)	7.5
METAZOCINE	7.0
METHAQUALONE	5.0
5-METHOXY-3, 4-METHYLENEDIOXYAMPHETAMINE (MDMA)	0.5 gm
4-METHYLAMINOREX	0.5
METHYLDESORPHINE	2.0
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
1-METHYL-4-PHENYLPIPERIDINE-4-CARBOXYLIC ACID (Pethidine intermediate C)	10.0
METOPON	2.0
MORPHERIDINE	2.0
MUSCIMOL	0.5 gm
MYROPHINE	20.0

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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
NICOCODINE	2.0
NICODICODINE	2.0
NICOMORPHINE	2.0
NORACYMETHADOL	2.0
NORLEVORPHANOL	5.0
NORMORPHINE	20.0
NORPIPANONE	10.0
OPIUM POPPY (Papaver somniferum L.)	100.0
PAPAVER BRACTEATUM (Lindl.)	100.0
PARA-FLUOROFENTANYL	0.005
PHENADOXONE	10.0
PHENAMPROMIDE	10.0
PHENAZOCINE	1.0
PHENOMORPHAN	5.0
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
PIMINODINE	10.0
POPPY STRAW (the straw of Papaver somniferum L. or Papaver bracteatum Lindl.)	100.0
PROHEPTAZINE	1.0
PROPERIDINE	25.0
PSILOCIN	0.1
PSILOCYBIN	0.1
RACEMETHORPHAN	6.0

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SECOND SCHEDULE

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RACEMORPHAN	2.0
TETRAHYDROCANNABINOLS and their alkyl homologues except where separately specified	2.0
1-(1-(2-THIENYL) CYCLOHEXYL) PIPERIDINE (TCP)	0.5
THIOFENTANYL	0.005
TRIMEPERIDINE	10.0
1-(3,4,5-TRIMETHOXYPHENYL)-2-AMINO BUTANE	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

Regulation 3:	definitions of "hemp seed oil" and "schedule 8" inserted by 216, 1998, reg. 3
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; 241, 1997, reg. 3; 216, 1998, reg. 4
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; 241, 1997, reg. 4
Third Schedule:	varied by 233, 1996, reg. 5