

1995—No. 639

**DRUG MISUSE AND TRAFFICKING ACT 1985—
REGULATION**

(Amending the Schedule of prohibited plants and prohibited drugs)

NEW SOUTH WALES



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HIS Excellency the Lieutenant-Governor, with the advice of the Executive Council, and in pursuance of the Drug Misuse and Trafficking Act 1985, has been pleased to make the Regulation set forth hereunder.

J. W. SHAW,
Attorney General.

Commencement

1. This Regulation commences on 1 November 1995.

Amendments

2. Schedule 1 to the Drug Misuse and Trafficking Act 1985 is amended:

(a) by inserting at the end of the column titled "Prohibited plant or prohibited drug" the following matter:

Any substance that is an analogue of a drug prescribed in this Schedule, being a substance that has psychotropic properties, is not separately specified in this Schedule and is, in relation to the drug, any of the following:

- (a) a structural isomer having the same constituent groups as the drug;
- (b) a structural modification obtained in one or more of the following ways:
 - (i) the replacement of up to 2 carbocyclic or heterocyclic ring structures with different carbocyclic or heterocyclic ring structures;

- (ii) the addition of hydrogen atoms to 1 or more unsaturated bonds;
 - (iii) the addition of 1 or more of the following groups having up to 6 carbon atoms in any alkyl residue, namely, alkoxy, cyclic diether, acyl, acyloxy, monoalkylamino and dialkylamino groups;
 - (iv) the addition of 1 or more of the following groups having up to 6 carbon atoms in the group and being attached to oxygen, namely, alkyl, alkenyl and alkynyl groups (for example, ester groups and ether groups);
 - (v) the addition of 1 or more of the following groups having up to 6 carbon atoms in the group and being attached to nitrogen, sulphur or carbon, namely, alkyl, alkenyl and alkynyl groups;
 - (vi) the addition of 1 or more of the following groups, namely, halogen, hydroxy, nitro and amino groups;
 - (vii) the replacement of 1 or more of the groups specified in subparagraphs (iii)—(vi) with 1 or more other groups so specified;
 - (viii) the conversion of a carboxyl or an ester group into an amide group.
- (b) by inserting opposite the matter to be inserted by paragraph (a) the following matter in each of columns 1–6:
- The quantity specified above (if any) of the drug to which the analogous substance is related (or, if there is more than one such drug, the largest among the quantities specified above (if any) of those drugs).

EXPLANATORY NOTE

The object of this Regulation is to amend Schedule 1 to the Drug Misuse and Trafficking Act 1985:

- (a) to add to the list of prohibited drugs a general term referring to the analogues of the drugs already listed in that Schedule; and
- (b) to specify the various significant quantities of those analogues.

The Regulation is made under the Drug Misuse and Trafficking Act 1985 and in particular sections 44 (Amendment of Schedule 1) and 45 (the general regulation-making power).
