



## **Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2023**

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I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 20 July 2023

David Hurley  
Governor-General

By His Excellency's Command

Ged Kearney  
Assistant Minister for Health and Aged Care  
Parliamentary Secretary to the Minister for Health and Aged Care

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## 1 Name

This instrument is the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2023*.

## 2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	1 August 2023.	1 August 2023

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

## 3 Authority

This instrument is made under the *Narcotic Drugs (Licence Charges) Act 2016*.

## 4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

## Schedule 1—Amendments

### Part 1—Amendments

#### *Narcotic Drugs (Licence Charges) Regulation 2016*

##### 1 Section 4 (after the heading)

Insert:

Note: A number of expressions used in this instrument are defined in the Act, including the following:

- (a) charge;
- (b) licence.

##### 2 Subsection 4(1)

Insert:

*agency of the Commonwealth, a State or a Territory* has the same meaning as in the *Narcotic Drugs Act 1967*.

*authorised inspector* has the same meaning as in the *Narcotic Drugs Act 1967*.

*inspection type 1* means an inspection by an authorised inspector for the purposes of monitoring compliance with the *Narcotic Drugs Act 1967* or any instrument made under that Act by the holder of a licence that is in force.

*inspection type 2* means an inspection by an authorised inspector for the purpose of verifying information in relation to a licence that is in force that is provided by:

- (a) the holder of the licence; or
- (b) any other person, law enforcement agency, or any other agency of the Commonwealth, a State or a Territory;

that relates to any one or more of the following:

- (c) activities engaged in under, or purportedly under, the licence or a permit that relates to the licence;
- (d) conditions of the licence;
- (e) any other matters relating to the licence, or the holder of the licence;
- (f) any other matters relating to one or more permits that relate to the licence.

*law enforcement agency* has the same meaning as in the *Narcotic Drugs Act 1967*.

*medicinal cannabis licence* has the same meaning as in the *Narcotic Drugs Act 1967*.

*permit* has the same meaning as in the *Narcotic Drugs Act 1967*.

##### 3 Section 6

Repeal the section, substitute:

## **6 Amount of charge on a medicinal cannabis licence**

- (1) This section prescribes the amount of charge on a medicinal cannabis licence for the purpose of subsection 8(1) of the Act.

### *Amount for commercial medicinal cannabis licences*

- (2) The amount of charge on a commercial medicinal cannabis licence for a licence year is \$27,520.

### *Amount for non-commercial medicinal cannabis licences*

- (3) The amount of charge on a non-commercial medicinal cannabis licence for the first year that the licence is in force is \$27,520.
- (4) The amount of charge on a non-commercial medicinal cannabis licence for any later licence year is nil.

Note: For the definition of *commercial medicinal cannabis licence*, *non-commercial medicinal cannabis licence* and *licence year*, see section 4.

## **6A Amount of charge for inspections**

- (1) For the purpose of subsections 6(3) and 8(1) of the Act, this section prescribes amounts of charge for an inspection relating to a licence that is in force.
- (2) The amount of charge for an inspection type 1 is \$12,600.
- (3) The amount of charge for an inspection type 2 is \$4,760.
- (4) To avoid doubt, more than one charge under subsection (2) or (3) is payable during a licence year if more than one inspection is carried out during the year.

Note 1: For the meaning of *licence*, *inspection type 1* and *inspection type 2*, see section 4.

Note 2: For the requirements regarding the payment of charge, see section 54B of the *Narcotic Drugs Regulation 2016*.

## Part 2—Application of amendments

### *Narcotic Drugs (Licence Charges) Regulation 2016*

#### 4 In the appropriate position in Part 3

Insert:

#### **11 Application of amendments made by the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2023***

- (1) The amendments of section 6 made by the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2023* apply to licence years that start on or after 1 August 2023.
- (2) The amendments of section 4 made by, and section 6A as inserted by, the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2023* apply to inspections commenced on or after 1 August 2023.