Commonwealth Coat of Arms

Customs Legislation Amendment Regulation 2013 (No. 1)

Select Legislative Instrument No. 41, 2013

I, Quentin Bryce, Governor‑General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulation under the *Customs Act 1901*.

Dated 28 March 2013

Quentin Bryce

Governor‑General

By Her Excellency’s Command

Jason Clare

Minister for Home Affairs

Contents

1 Name of regulation 1

2 Commencement 1

3 Authority 1

4 Schedule(s) 1

Schedule 1—Amendments 2

Customs (Prohibited Exports) Regulations 1958 2

Customs (Prohibited Imports) Regulations 1956 2

1 Name of regulation

This regulation is the *Customs Legislation Amendment Regulation 2013 (No. 1)*.

2 Commencement

This regulation commences on the day after it is registered.

3 Authority

This regulation is made under the *Customs Act 1901*.

4 Schedule(s)

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

Customs (Prohibited Exports) Regulations 1958

1 Part 1 of Schedule 8 (table item 88)

Omit “1 of the the”, substitute “one of the”.

Customs (Prohibited Imports) Regulations 1956

2 Schedule 4 (table items 5A, 5B and 5C)

Repeal the items, substitute:

|  |  |
| --- | --- |
| 5A | Alkoxyamphetamines |
| 5B | Alkoxyphenylethylamines |
| 5C | Alkylthioamphetamines |

3 Schedule 4 (after table item 17)

Insert:

|  |  |
| --- | --- |
| 17A | Anthranilic acid |

4 Schedule 4 (after table item 32A)

Insert:

|  |  |
| --- | --- |
| 32B | Butylone |

5 Schedule 4 (after table item 49)

Insert:

|  |  |
| --- | --- |
| 49A | Compounds structurally derived from 3‑(1‑naphthoyl)indole or 1H‑indol‑3‑yl‑(1‑naphthyl)methane by substitution at the nitrogen atom of the indole ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2‑(4‑morpholinyl)ethyl, whether or not there is any further substitution in the indole ring or the naphthyl ring |
| 49B | Compounds structurally derived from 3‑(1‑naphthoyl)pyrrole by substitution at the nitrogen atom or pyrrole ring by alkyl, alkenyl, cycloalkymethyl, cycloalkylethyl or 2‑(4‑morphonlinyl)ethyl, whether or not there is any further substitution in the pyrrole ring or naphthyl ring |
| 49C | Compounds structurally derived from 1‑(1‑naphthylmethyl)indene by substitution at the 3 position of the indene ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2‑(4‑morphonlinyl)ethyl, whether or not there is any further substitution in the indene ring or naphthyl ring |
| 49D | Compounds structurally derived from 3‑phenylacetylindole by substitution at the nitrogen atom of the indole ring with alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2‑(4‑morphonlinyl)ethyl, whether or not there is any further substitution in the indole ring or phenyl ring |
| 49E | Compounds structurally derived from 2‑(3‑hydroxycyclohexyl)phenol by substitution at the 5‑position of the phenolic ring by alkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl or 2‑(4‑morpholinyl)ethyl whether or not there is a further substitution is in the cyclohexyl ring |

6 Schedule 4 (after table item 61)

Insert:

|  |  |
| --- | --- |
| 61A | Dihydroetorphine |
| 61B | (2,3‑dihydro‑5‑methyl‑3‑((4‑morpholinyl)methyl)pyrrolo‑(1,2,3‑de)‑1,4‑benzoxanzin‑6‑yl)(1‑naphthalenyl)methanone monomethanesulfonate (otherwise known as WIN‑55,212‑2) |

7 Schedule 4 (after table item 66)

Insert:

|  |  |
| --- | --- |
| 66AA | 2,5‑dimethoxy‑4‑ethylphenethylamine (otherwise known as 2C‑E) |

8 Schedule 4 (after table item 67)

Insert:

|  |  |
| --- | --- |
| 67AA | 2,5‑dimethoxy‑4‑(n)‑propylphenethylamine (otherwise known as 2C‑P) |

9 Schedule 4 (after table item 97)

Insert:

|  |  |
| --- | --- |
| 97A | 4‑fluoro‑N‑methylamphetamine |
| 97B | 1‑(5‑fluoropentyl)‑3‑(2‑iodobenzoyl)indole (otherwise known as AM‑694) |

10 Schedule 4 (after table item 108A)

Insert:

|  |  |
| --- | --- |
| 108B | 2‑[(1R,3S)‑3‑hydroxycyclohexyl]‑5‑(2‑methylnonan‑2‑yl)phenol (otherwise known as CP 47, 497‑C8) |
| 108C | 2‑[(1R,3S)‑3‑hydroxycyclohexyl]‑5‑(2‑methyloctan‑2‑yl)phenol (otherwise known as CP 47, 497) |

11 Schedule 4 (after table item 112A)

Insert:

|  |  |
| --- | --- |
| 112AB | JWH‑018 (otherwise known as 1‑pentyl‑3‑(1‑naphthoyl)indole or AM‑678) |
| 112AC | JWH‑073 (otherwise known as 1‑butyl‑3‑(1‑naphthoyl)indole) |
| 112AD | JWH‑122 (otherwise known as 1‑pentyl‑3‑(4‑methyl‑1‑naphthoyl)indole) |
| 112AE | JWH‑200 (otherwise known as 1‑[2‑(4‑morpholinyl)ethyl]‑3‑(1‑naphthoyl)indole or WIN55,225) |
| 112AF | JWH‑250 (otherwise known as 1‑pentyl‑3‑(2‑methoxyphenylacetyl)indole) |

12 Schedule 4 (table item 117)

Repeal the item, substitute:

|  |  |
| --- | --- |
| 117 | Levomethorphan but not including dextromethorphan |

13 Schedule 4 (after table item 118)

Insert:

|  |  |
| --- | --- |
| 118A | Levonantradol (otherwise known as CP 50, 5561) |

14 Schedule 4 (after table item 139)

Insert:

|  |  |
| --- | --- |
| 139AA | Methoxetamine |

15 Schedule 4 (after table item 146A)

Insert:

|  |  |
| --- | --- |
| 146B | 3,4‑methylenedioxypyrovalerone (otherwise known as MDPV) |

16 Schedule 4 (after table item 147B)

Insert:

|  |  |
| --- | --- |
| 147C | Methylone |

17 Schedule 4 (after table item 153)

Insert:

|  |  |
| --- | --- |
| 153A | Mitragynine |

18 Schedule 4 (after table item 159)

Insert:

|  |  |
| --- | --- |
| 159A | Muscimol |

19 Schedule 4 (after table item 160)

Insert:

|  |  |
| --- | --- |
| 160A | Naphyrone |

20 Schedule 4 (after table item 178)

Insert:

|  |  |
| --- | --- |
| 178A | Parahexyl (otherwise known as 3‑hexyl‑7,8,9,10‑tetrahydro‑6,6,9‑trimethyl‑6H‑dibenzo(b,d)pyran‑1‑ol) |

21 Schedule 4 (after table item 191)

Insert:

|  |  |
| --- | --- |
| 191A | N‑phenethyl‑4‑piperidone (otherwise known as NPP) |

22 Schedule 4 (table item 204)

Repeal the item, substitute:

|  |  |
| --- | --- |
| 204 | Plants and parts of plants of the following genus or species:  (a) Argyreia nervosa;  (b) Ephedra sinica;  (c) Ipomoea hederacea;  (d) Ipomoea tricolor;  (e) Ipomoea violacea;  (f) Lophophora;  (g) Mitragyna speciosa;  (h) Papaver bracteatum;  (i) Piptadenia peregrina (Anadenanthera peregrina);  (j) Rivea corymbosa;  (k) Salvia divinorum |

23 Schedule 4 (after table item 218A)

Insert:

|  |  |
| --- | --- |
| 218B | Salvinorin A |

24 Schedule 4 (after table item 220)

Insert:

|  |  |
| --- | --- |
| 220A | Tapentadol |

25 Schedule 4 (after table item 230)

Insert:

|  |  |
| --- | --- |
| 230A | 1‑(3,4,5‑trimethoxyphenyl)‑2‑aminobutane |