



# **Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020**

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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 15 October 2020

David Hurley  
Governor-General

By His Excellency's Command

Greg Hunt  
Minister for Health

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## 1 Name

This instrument is the *Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020*.

## 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 November 2020. | 1 November 2020 |

Note: This table relates only to the provisions of this instrument as originally made.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Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.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

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

#### **1 Subsection 4(1)**

Insert:

*cannabis-related manufacture licence* has the same meaning as in the *Narcotic Drugs Regulation 2016*.

*commercial cannabis-related manufacture licence* has the meaning given by subsections 54AA(2) and 54AB(2) of the *Narcotic Drugs Regulation 2016*.

*non-commercial cannabis-related manufacture licence* has the meaning given by subsections 54AA(3) and 54AB(3) of the *Narcotic Drugs Regulation 2016*.

#### **2 At the end of subsection 5(1)**

Add:

- ; (d) commercial cannabis-related manufacture licences;
- (e) non-commercial cannabis-related manufacture licences.

#### **3 At the end of subsection 6(1)**

Add:

- ; (d) commercial cannabis-related manufacture licences;
- (e) non-commercial cannabis-related manufacture licences.

#### **4 Subparagraph 6(4)(c)(ii)**

Omit “licence;”, substitute “licence; or”.

#### **5 At the end of paragraph 6(4)(c)**

Add:

- (iii) in the exercise of power under section 24 of the *Narcotic Drugs Act 1967* in relation to a licence;

#### **6 Subsections 6(5) and (6)**

Repeal the subsections, substitute:

*Limit on charge on non-commercial licences*

- (5) Paragraph (2)(a) applies to charge on a licence of one of the following kinds only for the licence year starting on the day the licence comes into force:
  - (a) a non-commercial cannabis research licence;
  - (b) a non-commercial cannabis-related manufacture licence.
- (6) Paragraph (2)(b) applies to charge on a licence of one of the following kinds only for the first licence year during which one or more permits granted to the holder of the licence and relating to an activity that is authorised by the licence are in force:
  - (a) a non-commercial cannabis research licence;
  - (b) a non-commercial cannabis-related manufacture licence.

**7 At the end of the instrument**

Add:

**9 Application provision relating to the *Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020***

- (1) This section provides for the application of this instrument as amended by the *Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020*.

Note: The *Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020* commenced on 1 November 2020.

- (2) Subsection 5(2) applies in relation to a cannabis-related manufacture licence that came or comes into force before, on or after 1 November 2020.
- (3) Paragraph 6(2)(a) applies to charge on a cannabis-related manufacture licence for licence years that start on or after 1 November 2020.
- (4) Paragraph 6(2)(a) also applies to charge on a cannabis-related manufacture licence for a licence year that starts before 1 November 2020 and ends on or after 1 November 2020 as if the reference in that paragraph to \$11,570 were a reference to the amount worked out using the formula:

$$\$11,570 \times \frac{\text{Number of days in the licence year after 31 October 2020}}{\text{Number of days in the licence year}}$$

- (5) Paragraph 6(2)(b) applies to charge on a cannabis-related manufacture licence for licence years that start on or after 1 November 2020.
- (6) Paragraph 6(2)(b) also applies to charge on a cannabis-related manufacture licence for a licence year that starts before 1 November 2020 and ends on or after 1 November 2020 as if the amount worked out under that paragraph were instead the amount worked out under whichever of the following paragraphs applies:
- (a) if any of the permits was in force on 1 November 2020—the amount worked out using the formula:

$$\$19,160 \times \frac{\text{Number of days in the licence year after 31 October 2020}}{\text{Number of days in the licence year}}$$

- (b) if all of the permits come into force after 1 November 2020—the amount worked out using the formula:

$$\$19,160 \times \frac{\text{Number of days in the part of the licence year starting on the earliest day any of the permits comes into force and ending at the end of the licence year}}{\text{Number of days in the licence year}}$$

- (7) Paragraph 6(2)(c) applies to charge on a cannabis-related manufacture licence for licence years that end on or after 1 November 2020 but does not apply to the carrying out of an activity in relation to the licence before 1 November 2020.