



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF PREPARATION OF REGULATORY IMPACT STATEMENT

Drugs, Poisons and Controlled Substances (Precursor Supply) Regulations 2010

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Drugs, Poisons and Controlled Substances (Precursor Supply) Regulations 2010.

The proposed Regulations are required to support the operation of a new regulatory regime under the **Drugs, Poisons and Controlled Substances Act 1981** ('the DPCS Act') that aims to prevent the diversion of precursor chemicals and scientific equipment from legitimate industry uses to the manufacture of illicit Amphetamine Type Stimulants (ATS), such as 'speed' and 'ice', in clandestine laboratories.

The new regime requires industry suppliers of precursor goods to adopt specified sales and storage procedures, including restricting sales of higher-risk chemicals to account customers and obtaining end-user declarations at the point of sale. The regime will apply to the supply of specified precursor chemicals (in their raw, unmixed form) and scientific equipment to industry by manufacturers, wholesalers and distributors. It will not apply to retail sales of chemical products or scientific apparatus.

The proposed Regulations will support the operation of the new regulatory regime by:

- prescribing the precursor chemicals and apparatus to be subject to the controls under the DPCS Act; and
- prescribing the content to be included in an end-user declaration, such as the name and address of the purchaser and the intended use of the item.

The precursor chemicals and apparatus in the proposed Regulations are categorised according to their assessed level of risk of diversion to illicit ATS production. The listed items and their categorisations are based on those in the voluntary industry code (the Code of Practice for Supply Diversion into Illicit Drug Manufacture) issued by the Plastics and Chemicals Industries Association (PACIA) and Science Industry Australia (SIA).

The RIS examines the costs and benefits of the proposed Regulations and assesses alternatives to the proposed Regulations. The RIS concludes that the benefits of the proposed Regulations outweigh their costs, and that none of the alternatives provides a practicable means of achieving the proposed Regulations' objectives.

Copies of the RIS and the proposed Regulations may be obtained from:

- the Justice Policy Branch, Department of Justice, by phoning (03) 8684 1029 (between 9.00 am and 5.00 pm), or
- the internet at <http://www.justice.vic.gov.au/>

Public comments and submissions are invited on the RIS and proposed Regulations. All submissions will be treated as public documents. Written comments and submissions should be forwarded to Justice Policy, Department of Justice, GPO Box 4356, Melbourne, Vic. 3001, or emailed to JPEnquiries@justice.vic.gov.au by no later than 5.00 pm, Saturday 3 July 2010.

Dated 4 June 2010

HON DANIEL ANDREWS MP
Minister for Health

HON BOB CAMERON MP
Minister for Police and Emergency Services

SPECIAL

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