

Version No. 001
Drugs, Poisons and Controlled Substances
(Industrial Hemp) Regulations 2008

S.R. No. 98/2008

Version as at 26 October 2008

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**Drugs, Poisons and Controlled Substances
(Industrial Hemp) Regulations 2008**

S.R. No. 98/2008

Version as at 26 October 2008

1 Objectives

The objectives of these Regulations are—

- (a) to prescribe fees for the application and renewal of an authority to cultivate and process low-THC cannabis; and
- (b) to authorise and require inspectors to impose certain fees and charges.

2 Authorising provision

These Regulations are made under section 69M of the **Drugs, Poisons and Controlled Substances Act 1981**.

3 Commencement

These Regulations come into operation on 26 October 2008.

4 Revocation

The Drugs, Poisons and Controlled Substances (Industrial Hemp) Regulations 1998¹ are **revoked**.

5 Application and renewal fees for an authority to cultivate and process low-THC cannabis

- (1) For the purposes of section 62(2)(b) of the **Drugs, Poisons and Controlled Substances Act 1981**, the prescribed application fee is 30 fee units.
- (2) For the purposes of section 67(1)(b) of the **Drugs, Poisons and Controlled Substances Act 1981**, the prescribed fee is 9.5 fee units.

6 Authorisation and determination of fees and charges imposed by inspectors

- (1) Inspectors are authorised and required to impose fees and charges at the rate of 3.5 fee units for each quarter of an hour or part thereof spent providing the following services—
 - (a) sampling of cannabis plants, crops or products;
 - (b) supervising the harvesting, disposal or destruction of cannabis plants, crops or products;
 - (c) carrying out inspections, supervision or surveillance of cannabis plants, crops or products.
- (2) When calculating the time spent providing a service under subregulation (1), the time spent by an inspector travelling between where the service is provided and the inspector's principal work location must be included.
- (3) Despite subregulation (1), the maximum daily amount which an inspector may impose in respect of each service is 56 fee units.

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Endnotes

ENDNOTES

1. General Information

The Drugs, Poisons and Controlled Substances (Industrial Hemp) Regulations 2008, S.R. No. 98/2008 were made on 26 August 2008 by the Governor in Council under section 69M of the **Drugs, Poisons and Controlled Substances Act 1981**, No. 9719/1981 and came into operation on 26 October 2008: regulation 3.

The Drugs, Poisons and Controlled Substances (Industrial Hemp) Regulations 2008 will sunset 10 years after the day of making on 26 August 2018 (see section 5 of the **Subordinate Legislation Act 1994**).

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Endnotes

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2. Table of Amendments

There are no amendments made to the Drugs, Poisons and Controlled Substances (Industrial Hemp) Regulations 2008 by statutory rules, subordinate instruments and Acts.

3. Explanatory Details

¹ Reg. 4: S.R. No. 129/1998. Subsequently amended by S.R. No. 88/2004.

Fee Units

These Regulations provide for fees by reference to fee units within the meaning of the **Monetary Units Act 2004**.

The amount of the fee is to be calculated, in accordance with section 7 of that Act, by multiplying the number of fee units applicable by the value of a fee unit.

The value of a fee unit for the financial year commencing 1 July 2008 is \$11.35. The amount of the calculated fee may be rounded to the nearest 10 cents.

The value of a fee unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a fee unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.