



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

made under the

*Narcotic Drugs (Licence Charges) Act 2016*

## **Compilation No. 8**

**Compilation date:** 1 July 2025

**Includes amendments:** F2025L00416

Prepared by the Office of Parliamentary Counsel, Canberra

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## About this compilation

### This compilation

This is a compilation of the *Narcotic Drugs (Licence Charges) Regulation 2016* that shows the text of the law as amended and in force on 1 July 2025 (the **compilation date**).

The notes at the end of this compilation (the **endnotes**) include information about amending laws and the amendment history of provisions of the compiled law.

### Uncommenced amendments

The effect of uncommenced amendments is not shown in the text of the compiled law. Any uncommenced amendments affecting the law are accessible on the Register ([www.legislation.gov.au](http://www.legislation.gov.au)). The details of amendments made up to, but not commenced at, the compilation date are underlined in the endnotes. For more information on any uncommenced amendments, see the Register for the compiled law.

### Application, saving and transitional provisions for provisions and amendments

If the operation of a provision or amendment of the compiled law is affected by an application, saving or transitional provision that is not included in this compilation, details are included in the endnotes.

### Editorial changes

For more information about any editorial changes made in this compilation, see the endnotes.

### Modifications

If the compiled law is modified by another law, the compiled law operates as modified but the modification does not amend the text of the law. Accordingly, this compilation does not show the text of the compiled law as modified. For more information on any modifications, see the Register for the compiled law.

### Self-repealing provisions

If a provision of the compiled law has been repealed in accordance with a provision of the law, details are included in the endnotes.

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## Part 1—Preliminary

### 1 Name

This is the *Narcotic Drugs (Licence Charges) Regulation 2016*.

### 3 Authority

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

### 4 Definitions

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

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

(1) In this instrument:

*Act* means the *Narcotic Drugs (Licence Charges) Act 2016*.

*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*.

*commercial medicinal cannabis licence* has the same meaning as in the *Narcotic Drugs Regulation 2016*.

*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*.

Section 4

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**licence year** has the meaning given by subsection 5(2).

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

**non-commercial medicinal cannabis licence** has the same meaning as in the *Narcotic Drugs Regulation 2016*.

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

**Regulatory Powers Act** means the *Regulatory Powers (Standard Provisions) Act 2014*.

Note: Subsection (2) deals with references to provisions of the Regulatory Powers Act.

- (2) In this instrument, a reference to a provision of the Regulatory Powers Act is a reference to that provision as it applies because of Chapter 4 of the *Narcotic Drugs Act 1967*.

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## Part 2—Matters relating to imposition of charge and amount of charge

### 5 Periods for imposition of charge on licences

- (1) This section prescribes periods for the purposes of paragraph 6(1)(b) of the Act (which imposes charge on licences in force at a time in a prescribed period) for licences of the following classes:
  - (a) commercial medicinal cannabis licence;
  - (b) non-commercial medicinal cannabis licence.
- (2) The period (the **licence year**) for a licence is:
  - (a) if the licence was preserved by item 2 of Schedule 2 to the *Narcotic Drugs Amendment (Medicinal Cannabis) Act 2021*—12 months starting on:
    - (i) the day the licence came into force; or
    - (ii) a later anniversary of the day mentioned in subparagraph (i) of this paragraph; or
  - (b) if the licence was converted from multiple licences (the **original licences**) into a single licence by item 3 of Schedule 2 to the *Narcotic Drugs Amendment (Medicinal Cannabis) Act 2021*:
    - (i) 12 months ending immediately before the earliest anniversary day for one of the original licences to occur after the commencement of the *Narcotic Drugs (Licence Charges) Amendment (Medicinal Cannabis Licences) Regulations 2021*; or
    - (ii) 12 months starting on a later anniversary of the day mentioned in subparagraph (i) of this paragraph; or
  - (c) otherwise—12 months starting on:
    - (i) the day the licence comes into force; or
    - (ii) a later anniversary of the day mentioned in subparagraph (i).
- (3) For the purposes of subparagraph (2)(b)(i), the **anniversary day** for an original licence means the day immediately after the last day of a licence year for that licence, had:
  - (a) the licence year been determined under subsection 5(2) of this instrument as in force before the commencement of the *Narcotic Drugs (Licence Charges) Amendment (Medicinal Cannabis Licences) Regulations 2021*; and
  - (b) the licence not been converted under item 3 of Schedule 2 to the *Narcotic Drugs Amendment (Medicinal Cannabis) Act 2021*.

### 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.

## Section 6A

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### *Amount for commercial medicinal cannabis licences*

- (2) The amount of charge on a commercial medicinal cannabis licence for a licence year is \$28,310.

### *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 \$28,310.
- (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 \$12,950.
- (3) The amount of charge for an inspection type 2 is \$4,920.
- (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*.

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## **Part 3—Application, saving and transitional provisions**

### **7 Application provision relating to the *Narcotic Drugs (Licence Charges) Amendment (Cannabis) Regulations 2018***

The amendment of section 6 made by the *Narcotic Drugs (Licence Charges) Amendment (Cannabis) Regulations 2018* applies in relation to licences granted under the *Narcotic Drugs Act 1967* on or after the commencement of this section.

### **8 Application provision relating to the *Narcotic Drugs (Licence Charges) Amendment (2020 Measures No. 1) Regulations 2020***

- (1) This section provides for the application of provisions of this instrument as amended by the *Narcotic Drugs (Licence Charges) Amendment (2020 Measures No. 1) Regulations 2020*.

Note: The *Narcotic Drugs (Licence Charges) Amendment (2020 Measures No. 1) Regulations 2020* commenced on 15 July 2020.

- (2) Subsection 5(2) applies in relation to a licence that came or comes into force before, on or after 15 July 2020.
- (3) Paragraphs 6(2)(a) and (b) apply to charge for licence years that start on or after 15 July 2020.
- (4) Paragraph 6(2)(c) applies to charge for licence years that end on or after 15 July 2020 but does not apply to the carrying out of an activity before 15 July 2020.
- (5) This section does not affect the operation of section 7 of the *Acts Interpretation Act 1901* in relation to liability for charge that was incurred before the commencement of the *Narcotic Drugs (Licence Charges) Amendment (2020 Measures No. 1) Regulations 2020*.

Note: Section 7 of the *Acts Interpretation Act 1901* preserves the liability despite the amendments made by the *Narcotic Drugs (Licence Charges) Amendment (2020 Measures No. 1) Regulations 2020*. That section applies in relation to regulations because of section 13 of the *Legislation Act 2003*.

### **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.

## Section 10

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- (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.

### **10 Application provisions relating to the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts and Other Measures) Regulations 2021***

- (1) The amendments of paragraphs 6(2)(a) and (b) made by the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts and Other Measures) Regulations 2021* apply to charge on a licence for licence years that start on or after 1 July 2021.
- (2) The amendment of subparagraph 6(2)(c)(i) made by the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts and Other Measures) Regulations 2021* applies to charge on a licence for licence years that end on or after 1 July 2021 but does not apply to the carrying out of an activity before 1 July 2021.

**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.

**12 Application of amendments made by the *Narcotic Drugs (Licence Charges) Amendment Regulations 2024***

- (1) The amendments of section 6 made by the *Narcotic Drugs (Licence Charges) Amendment Regulations 2024* apply to licence years that start on or after 1 July 2024.
- (2) The amendments of section 6A made by the *Narcotic Drugs (Licence Charges) Amendment Regulations 2024* apply to inspections commenced on or after 1 July 2024.

**13 Application of amendments made by the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2025***

- (1) The amendments of section 6 made by the *Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2025* (the **amending regulations**) apply to licence years that start on or after 1 July 2025.
- (2) The amendments of section 6A made by the amending regulations apply to inspections commenced on or after 1 July 2025.

## Endnotes

Endnote 1—About the endnotes

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## Endnotes

### Endnote 1—About the endnotes

The endnotes provide information about this compilation and the compiled law.

The following endnotes are included in every compilation:

Endnote 1—About the endnotes

Endnote 2—Abbreviation key

Endnote 3—Legislation history

Endnote 4—Amendment history

### Abbreviation key—Endnote 2

The abbreviation key sets out abbreviations that may be used in the endnotes.

### Legislation history and amendment history—Endnotes 3 and 4

Amending laws are annotated in the legislation history and amendment history.

The legislation history in endnote 3 provides information about each law that has amended (or will amend) the compiled law. The information includes commencement details for amending laws and details of any application, saving or transitional provisions that are not included in this compilation.

The amendment history in endnote 4 provides information about amendments at the provision (generally section or equivalent) level. It also includes information about any provision of the compiled law that has been repealed in accordance with a provision of the law.

### Editorial changes

The *Legislation Act 2003* authorises First Parliamentary Counsel to make editorial and presentational changes to a compiled law in preparing a compilation of the law for registration. The changes must not change the effect of the law. Editorial changes take effect from the compilation registration date.

If the compilation includes editorial changes, the endnotes include a brief outline of the changes in general terms. Full details of any changes can be obtained from the Office of Parliamentary Counsel.

### Misdescribed amendments

A misdescribed amendment is an amendment that does not accurately describe how an amendment is to be made. If, despite the misdescription, the amendment can be given effect as intended, then the misdescribed amendment can be incorporated through an editorial change made under section 15V of the *Legislation Act 2003*.

If a misdescribed amendment cannot be given effect as intended, the amendment is not incorporated and “(md not incorp)” is added to the amendment history.

**Endnote 2—Abbreviation key**

ad = added or inserted	o = order(s)
am = amended	Ord = Ordinance
amdt = amendment	orig = original
c = clause(s)	par = paragraph(s)/subparagraph(s) /sub-subparagraph(s)
C[x] = Compilation No. x	pres = present
Ch = Chapter(s)	prev = previous
def = definition(s)	(prev...) = previously
Dict = Dictionary	Pt = Part(s)
disallowed = disallowed by Parliament	r = regulation(s)/rule(s)
Div = Division(s)	reloc = relocated
ed = editorial change	renum = renumbered
exp = expires/expired or ceases/ceased to have effect	rep = repealed
F = Federal Register of Legislation	rs = repealed and substituted
gaz = gazette	s = section(s)/subsection(s)
LA = <i>Legislation Act 2003</i>	Sch = Schedule(s)
LIA = <i>Legislative Instruments Act 2003</i>	Sdiv = Subdivision(s)
(md) = misdescribed amendment can be given effect	SLI = Select Legislative Instrument
(md not incorp) = misdescribed amendment cannot be given effect	SR = Statutory Rules
mod = modified/modification	Sub-Ch = Sub-Chapter(s)
No. = Number(s)	SubPt = Subpart(s)
	<u>underlining</u> = whole or part not commenced or to be commenced

## Endnotes

### Endnote 3—Legislation history

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### Endnote 3—Legislation history

Name	Registration	Commencement	Application, saving and transitional provisions
Narcotic Drugs (Licence Charges) Regulation 2016	9 Dec 2016 (F2016L01893)	10 Dec 2016 (s 2(1) item 1)	
Narcotic Drugs (Licence Charges) Amendment (Cannabis) Regulations 2018	20 Mar 2018 (F2018L00318)	21 Mar 2018 (s 2(1) item 1)	—
Narcotic Drugs (Licence Charges) Amendment (2020 Measures No. 1) Regulations 2020	10 July 2020 (F2020L00901)	15 July 2020 (s 2(1) item 1)	—
Narcotic Drugs (Licence Charges) Amendment (Cannabis-Related Manufacture Licences) Regulations 2020	20 Oct 2020 (F2020L01327)	1 Nov 2020 (s 2(1) item 1)	—
Narcotic Drugs (Licence Charges) Amendment (Charge Amounts and Other Measures) Regulations 2021	15 June 2021 (F2021L00752)	1 July 2021 (s 2(1) item 1)	—
Narcotic Drugs (Licence Charges) Amendment (Medicinal Cannabis Licences) Regulations 2021	10 Dec 2021 (F2021L01752)	24 Dec 2021 (s 2(1) item 1)	—
Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2023	24 July 2023 (F2023L01029)	1 Aug 2023 (s 2(1) item 1)	—
Narcotic Drugs (Licence Charges) Amendment Regulations 2024	6 June 2024 (F2024L00644)	1 July 2024 (s 2(1) item 1)	—
Narcotic Drugs (Licence Charges) Amendment (Charge Amounts) Regulations 2025	24 Mar 2025 (F2025L00416)	1 July 2025 (s 2(1) item 1)	—

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**Endnote 4—Amendment history**

<b>Provision affected</b>	<b>How affected</b>
<b>Part 1</b>	
Part 1 heading .....	ad F2021L00752
s 2.....	rep LA s 48D
s 4.....	am F2020L00901; F2020L01327; F2021L01752; F2023L01029
<b>Part 2</b>	
Part 2 heading .....	ad F2021L00752
s 5.....	rs F2020L00901 am F2020L01327; F2021L01752
s 6.....	am F2018L00318 rs F2020L00901 am F2020L01327; F2021L00752; F2021L01752 rs F2023L01029 am F2024L00644; F2025L00416
s 6A.....	ad F2023L01029 am F2024L00644; F2025L00416
<b>Part 3</b>	
Part 3 heading .....	ad F2021L00752
s 7.....	ad F2018L00318
s 8.....	ad F2020L00901
s 9.....	ad F2020L01327
s 10.....	ad F2021L00752
s 11.....	ad F2023L01029
s 12.....	ad F2024L00644
s 13.....	ad F2025L00416