

Import Amphetamines / Methylamphetamines

Commercial Quantity

s.233B(1) (Cth) Customs Act

- s 233B(1)
- (a)(iii) import
 - (a)(iv) possess prohibited import
 - (a)(vi) possess reasonably suspected prohibited import

Commercial Quantity: 750gm

There was no commercial amount for amphetamines / methylamphetamines or MDA until 9.12.2004

Maximum Penalty: Life

s.235(2)(c)(i)

s.16G (CTH) Crimes Act was repealed 16.1.2003 (applies to all sentences imposed after that date)

Section s 233B repealed 6.12.2005

Case (age if known)	Offence	Amount (pure)	Plea	Record	Result	Appeal	Facts
Mohammadi (2006) 175 A Crim R 384 QCA Co-offender: LABANON	Import	7.314kg	VG		14y NPP 7y	AD	Accompanied co-offender Maio to receive package from co-offender L left aboard warship by Maio several months earlier– a principal involved in making arrangements

This table has been prepared by the Public Defenders as a guide. Individual cases should be read if they are to be relied upon.

Case (age if known)	Offence	Amount (pure)	Plea	Record	Result	Appeal	Facts
Labanon (39) [2006] QCA 529 Co-Offender: MOHAMMADI	Import	7.314kg	VG	nil	6y NPP 3y	Crown AA 8y NPP 4y	Jury reached special verdict finding he did not knowingly import drugs but recklessly did so - Imported drugs with 2 co offenders - Serving as petty officer on US warship which docked at Townsville – left ship carrying bag containing drug packages – met with co offender exchanged bag for money – street value between \$3.9M-\$10M Good character – married with three children. Finding of recklessness did warrant a lesser sentence than co offenders but nevertheless inadequate.
Tsay [2006] QCA 423	Knowingly concerned import	616g - Ecstasy 26.2kg - Meth 123.7kg - Meth	PG	14y NPP 10y	AD		Assisted in organised importation of drugs by boat by two co-offenders
To (Si Thanh) (25) (2007) 172 A Crim R 121 NSWCCA	Aiding, abetting, counselling or procuring importation	34.8 kg	VG	nil	17y NPP 10y 6m	Crown AA 25y NPP 15y	POST 16G REPEAL Drugs found by customs officers in container holding speedboat and trailer – with co offender tried to secure release of container from customs – principal role in Australia - wholesale value \$5M.
Puan (39) [2009] NSWCCA 194	Import	839.2 g	VG	dishonesty	12y NPP 8y	AD	POST 16G REPEAL Drugs found in liquor bottles upon arrival at Sydney airport – wholesale value \$230k. Sentence towards top of range.

Last Updated: June 2017

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