

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s.16G (CTH) Crimes Act was repealed 16.1.2003 (applies to all sentences imposed after that date)

Section s 233B repealed 6.12.2005

	<u>Case</u> (age if known)	<u>Offence</u>	<u>Amount (pure)</u>	<u>Plea</u>	<u>Sentence</u>	<u>Appeal</u>	<u>Record</u>	<u>Facts</u>
1.	Mohammadi (2006) 175 A Crim R 384 [2006] QCA 530 Co-offender: LABANON	Import	7.314kg methylamphet	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	Sentence	Appeal	Record	Facts
2.	Labanon (39) [2006] QCA 529 Co-Offender: MOHAMMADI	Import	7.314kg methyldamphetamine	VG	6y NPP 3y	Crown AA 8y NPP 4y	nil	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.
3.	To (Si Thanh) (25) (2007) 172 A Crim R 12 [2007] NSWCCA 200	Aid, abet, counsel, procure import	34.8 kg methyldamphetamine	VG	17y NPP 10y 6m	Crown AA 25y NPP 15y	nil	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.
4.	Puan (39) [2009] NSWCCA 194	Import	839.2 g methyldamphetamine	VG	12y NPP 8y	AD	dishonesty	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