

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s.16G (CTH) Crimes Act was repealed 16.1.2003 (applies to all sentences imposed after that date)

**Section s 233B repealed 6.12.2005**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.	<b>Mohammadi</b> (2006) 175 A Crim R 384 <a href="#">[2006] QCA 530</a>  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.

	<b>Case (age if known)</b>	<b>Offence</b>	<b>Amount (pure)</b>	<b>Plea</b>	<b>Sentence</b>	<b>Appeal</b>	<b>Record</b>	<b>Facts</b>
2.	<b>Labanon</b> (39) <a href="#">[2006] QCA 529</a>  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.	<b>To (Si Thanh)</b> (25) (2007) 172 A Crim R 12 <a href="#">[2007] NSWCCA 200</a>	Aid, abet, counsel, procure import	34.8 kg methyldamphetamine	VG	17y NPP 10y 6m	Crown AA 25y NPP 15y	nil	<b>POST 16G REPEAL</b> 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.	<b>Puan</b> (39) <a href="#">[2009] NSWCCA 194</a>	Import	839.2 g methyldamphetamine	VG	12y NPP 8y	AD	dishonesty	<b>POST 16G REPEAL</b> Drugs found in liquor bottles upon arrival at Sydney airport – wholesale value \$230k. Sentence towards top of range.

Last Updated: June 2017