

Schedule 1 Offences¹

1. Treason.
2. Murder.
3. Aggravated home invasion.²
4. Aggravated carjacking.³
5. Any of the following Victorian drug offences:
 - (a) Trafficking in a large commercial quantity;⁴
 - (b) Trafficking in a commercial quantity;⁵
 - (c) Cultivating a large commercial quantity of a narcotic plant;⁶
 - (d) Cultivating a commercial quantity of a narcotic plant;⁷
 - (e) Conspiracy to commit any of the foregoing;⁸
 - (f) Conspiracy to traffick in or cultivate a commercial quantity.⁹
6. Any of the following Commonwealth offences:
 - (a) Trafficking or manufacturing commercial and/or marketable quantities of controlled drugs;¹⁰
 - (b) Cultivating or selling commercial and/or marketable quantities of controlled plants;¹¹
 - (c) Importing and exporting commercial and/or marketable quantities of border controlled drugs or plants;¹²
 - (d) Possessing commercial and/or marketable quantities of unlawfully imported border controlled drugs or plants;¹³
 - (e) Possessing commercial and/or marketable quantities of border controlled drugs or plants reasonably suspected of having been unlawfully imported;¹⁴

¹ This list has been prepared by the Judicial College of Victoria solely as a shorthand identification of the relevant offending. It does not duplicate the structure or substance of the legislative Schedule, which is the definitive authority to be relied upon.

² *Crimes Act 1958* (Vic) s 77B.

³ *Ibid* s 79A.

⁴ *Drugs, Poisons and Controlled Substances Act 1981* (Vic) s 71 (“DPCSA-1”). See also *Drugs, Poisons and Controlled Substances Act 1981* (Vic) s 71(1) (“DPCSA-2”), later amended by *Poisons and Controlled Substances (Amendment) Act 2001* (Vic).

⁵ *DPCSA-1* s 71AA.

⁶ *Ibid* s 72.

⁷ *Ibid* s 72A; *DPSCA-2* s 72(1).

⁸ *DPSCA-1* s 79(1).

⁹ *DPSCA-2* s 79(1).

¹⁰ *Criminal Code Act 1995* (Cth) ss 302.2–302.3, 305.3–305.4.

¹¹ *Ibid* ss 303.4–303.5, 304.1–304.2.

¹² *Ibid* ss 307.1–307.2

¹³ *Ibid* ss 307.5–307.6.

¹⁴ *Ibid* ss 307.8–307.9.

- (f) The assembling of two or more with the intent to import, smuggle, prevent the seizure of, or to rescue after seizure, a commercial quantity of narcotic goods;¹⁵
 - (g) Being the master of a ship or the pilot of an aircraft and intentionally using that vessel, or allowing it to be used, in smuggling, importing or exporting a commercial quantity of narcotic goods;¹⁶
 - (h) Possessing a commercial quantity of narcotic goods on board a ship or aircraft, bringing or importing a commercial quantity of narcotic goods into Australia, possessing or conveying a commercial quantity of narcotic goods that have, or are reasonably suspected of having, been unlawfully imported into Australia, or failing to disclose to an officer on demand any knowledge concerning the importation or intended importation, or bringing or intended bringing, a commercial quantity of narcotic goods into Australia;¹⁷
 - (i) Providing documents or information facilitating terrorist acts;¹⁸
 - (j) Unreasonably obstructing or hindering a police officer exercising a power to stop, search, seize or detain a person, vehicle, premises or thing, or failing to comply with a direction given by a police officer in the exercise of these powers.¹⁹
7. Conspiring to commit, inciting or attempting to commit an offence in this Schedule.

¹⁵ *Customs Act 1901* (Cth) s 231(1) ("*Customs Act*"), later amended by the *Law and Justice Legislation Amendment (Serious Drug Offences and Other Measures) Act 2005* (Cth).

¹⁶ *Customs Act* s 233A.

¹⁷ *Ibid* s 233B(1).

¹⁸ *Terrorism (Community Protection) Act 2003* (Cth) s 4B(1).

¹⁹ *Ibid* s 21W.