

Guidance: Completing an application for a licence to import vaping goods

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Office of Drug Control

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Introduction

The importation of vaping goods is subject to Regulation 5A of the [Customs \(Prohibited Imports\) Regulations 1956](#) (PI Regulations).

- From 1 January 2024, the import of disposable vapes is prohibited unless the importer holds a licence and permit issued by the Office of Drug Control (ODC) under the PI Regulations.
- From 1 March 2024, the import of other vaping goods, including devices, accessories, and substances, will require a licence and permit issued by the ODC.

Licences are not granted to individuals for the purpose of obtaining vaping goods for personal use.

A licence in itself does not authorise the importation of vaping goods. A permit to import each specific type of vaping good is required. Permits will only be granted to licence holders under certain conditions. Information on applying for permits is available on the [ODC](#) website.

To apply for a licence to import vaping goods the application form titled [Application for a licence to vaping goods](#) must be submitted to the ODC at NCS@health.gov.au. The guidance provided here will assist you in completing and submitting the application form.

Before an import permit can be granted under a vaping good import licence, the vaping good must either be included in the Australian Register of Therapeutic Goods (ARTG), or a notice must be given to the Therapeutic Goods Administration (TGA) which complies with applicable requirements under the *Therapeutic Goods Act 1989*.

For therapeutic cannabis vaping goods, the goods must either be included in the ARTG, or the notice to the TGA must state that the goods comply with applicable requirements under the *Therapeutic Goods Act 1989*.

For more information on the notification process, visit the [Vaping hub | Therapeutic Goods Administration \(TGA\)](#), or contact the Therapeutic Goods Administration (TGA).

Vaping goods that will require an import licence

A licence will be required before importing vape devices, vaping accessories, and vaping substances.



A **vape** is a device (whether or not filled with a vape substance) that generates or releases using a heating element and by electronic means, an aerosol, vapour or mist for direct inhalation by its user.

A **vape accessory** is a cartridge, capsule, pod, vial, dropper bottle, drip bottle or other vessel that contains, or designed to contain, a vaping substance.

A **vaping substance** is a liquid or other substance intended for use in a vape, or nicotine in solution in any concentration, including in salt or base form.

Mouth sprays and inhalers that are nicotine in a solution will require a licence and permit for import.

Regulation 5 (importation of drugs) substances

Some vaping goods that contain controlled substances, such as medicinal cannabis or other drugs under the PI regulations, will require separate licences and permits to import both the substance and the vaping goods.

If you are intending to import a Regulation 5 substance (drug) such as cannabis oil which is contained within a disposable vape or a vape accessory, and you already hold a licence to import this

substance, you will not require an additional licence to import the vaping good or the vape accessory containing the Regulation 5 substance. If you do not hold a licence to import the regulation 5 substance, you will need to [apply for a licence to import narcotic or psychotropic substances](#).

In addition to the licence to import narcotic, psychotropic and precursor substances, you will also require a [permit to import narcotic or psychotropic substances](#) under the PI regulations. An import permit for each shipment is required for controlled drugs under the PI Regulations.

You will not need a separate licence or permit for the disposable vape or a vape accessory which contains a regulation 5 substance under the PI Regulations.

If you are intending to import a regulation 5 substance alongside (in the same consignment, whether or not the substance is contained in a vape accessory), or within a **reusable** vape, you will need to hold [a licence to import narcotic or psychotropic substances](#), a [permit to import the controlled substance](#), and have a [licence](#) and [permit](#) to import vaping goods.

Additional detail on the vaping goods covered by the PI regulations is available in [Australian Customs Notice No. 2023/51](#). You can also contact NCS@health.gov.au if you require further advice regarding the import of vaping goods.

Further information on the regulation of vaping goods can be found on the [Therapeutic Goods Administration Vaping Hub](#).

Applicant pre-requisites

1. The importer must hold any relevant licence or approval under State and Territory laws for supplying vaping goods, e.g. any licence or approval relating to vaping goods, vape accessories, vaping substances (including nicotine), or other controlled items or substances.
2. The importer's business must be registered for the Goods and Services Tax (GST).
3. The importer's business must have an Australian Business Number (ABN).

You should note that a licence to import disposable vapes can only be granted if the vapes are for the purposes of medical or scientific research.

Completing the form

The table below will assist you in identifying the required information for completing the licence application form. Please complete ALL fields, indicating 'nil' if required.

Part of application form	Explanation of required information
1. Application type	
Type of application	Select the type of licence you are applying for. If you are proposing to import your vaping goods for more than one purpose, select all that apply.
2. Applicant details - Primary Licence Holder	
Applicant's name	State the name of the person making the application.

Part of application form	Explanation of required information
Position held in company	Describe the position held by the applicant in the company/business you work for.
Mobile number, direct phone number, contact email	Provide full contact details of the applicant.
3. Corporate information	
Name of company/organisation	Provide the full name of the company/business name that will be the licence holder.
ABN/ACN	State the Australian Business or Company Number
GST Registered	Please indicate whether the company or organisation is GST registered.
Primary email address	Provide the email address for all critical correspondence from ODC – ideally a mailbox that can be accessed by all authorised contacts.
Street address	This should be the physical address of the company/business that the licence holder is employed by.
Postal address	The address to which correspondence in relation to this licence should be sent.
Reason for import	State the purpose(s) for which you are importing the vaping goods for example: manufacture of finished products, sale of material to other manufacturing companies, for scientific or medical research, for commercial sale etc.
4. Australian shipping agents or customs agents	
State the name, address and the service provided by those companies acting as customs or shipping agents. Under 'service provided' you should state whether the agent prepares paperwork, collects goods from the Australian Border Force or does both.	
5. State/territory licence(s) held	
Attach a scanned copy of the relevant licences issued to the licence holder under state or territory drugs and poisons regulations and (if required) evidence that the licence has been renewed or renewal is in process. Typically, these will be licenses to possess, use or distribute nicotine from Schedule 4 of the <i>Poisons Standard</i> in accordance with State/Territory legislation. Show the full name of each such licence, the licence number and the period of its validity.	

Part of application form	Explanation of required information
6. Storage and security	<p>Provide details of the premises where the goods will be stored, used at, or supplied from. The security of the premises must be suitable for the goods and the quantities that the applicant will be importing.</p> <p>If you are a commercial importer, you should indicate the date of the last inspection of security by officers of your state/territory health department.</p> <p>Provide details of the transport security measures for each vaping good and indicate who will be undertaking the transportation of the goods.</p> <p>Provide details of all losses and/or thefts of goods from any company premises (including nil response where applicable). Please include:</p> <ul style="list-style-type: none"> • a description of the good/s; • the amount lost or stolen; • the storage address where the loss or theft occurred; and • the date on which the loss or theft occurred. <p>If the loss or theft was investigated, please indicate the outcome and any resulting modifications to security procedures.</p>
7. Proposed authorised contacts	<p>The licence holder may nominate person(s) to submit and discuss import permit applications on their behalf. The licence holder should state the full name and position held for each person to act as an authorised contact.</p> <p>Each person nominated in this section must complete and sign Schedule 2: Personal details of proposed authorised contact.</p>
8. Declaration and Consent	<p>Make sure you read and understand the declaration and consent. Sign the application form. Complete the contact details of the person signing the form. The form must be signed by the proposed licence holder.</p>
Schedule 1 - Personal details of the applicant	<p>The applicant is required to complete and sign Schedule 1.</p> <p>A digital/scanned copy of a National Police Certificate (NPC) must be included for the primary licence holder and all authorised contacts. The NPC must be less than 12 months old. ODC accepts NPCs from third party providers.</p>
Schedule 2 - Personal details of proposed authorised contact	<p>Each person nominated as a proposed authorised person must complete and sign Schedule 2.</p>

Part of application form	Explanation of required information
	A digital/scanned copy of a National Police Certificate (NPC) must be included for the primary licence holder and all authorised contacts. The NPC must be less than 12 months old. ODC is now accepting NPCs from third party providers.
Schedule 3 - Proposed import activity	
	This Schedule should only be completed if you are applying for a licence to import vaping goods for medical or scientific research. Please provide a description of the research activity you are intending to conduct with the proposed imported goods. A licence to import disposable vapes as vaping goods will only be granted for the purposes of supply or use for medical or scientific research.
Checklist (applicant to complete)	
	Complete the checklist to confirm that you have completed all relevant parts of the form.

Submitting an application

You should submit your application via email to NCS@health.gov.au.

ODC endeavours to process applications for licences within 30 working days from the date of receipt of a correctly completed application and requisite supporting documentation. While a very high proportion of applications are processed within this target timeframe, there will be times where high demand may result in slightly longer processing times. Application forms that contain incomplete or incorrect information will be returned to you for amendment, resulting in delays in processing.

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Related links

- [Application form: permission to import vaping goods](#) (permit)
- [Importing vaping goods into Australia](#)

Version history

Version	Description of change	Author	Effective date
V1.0	Original publication	Office of Drug Control	1 January 2024

Version	Description of change	Author	Effective date
V1.1	Minor clarification to text under 'Regulation 5 (importation of drugs) substances' Insertion of Reason for import	Office of Drug Control	XX January 2024 