

Guidance: Completing an application for permission (permit) 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.

Persons must meet certain criteria, outlined in this document, when applying for permission to import. You should not import vaping goods before obtaining permission or the [Australian Border Force](#) may seize the goods. Permits cannot be issued after the goods have arrived in Australia.

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

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 require an import permit

A permit 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](#).

Australian Border Force clearance requirements

Australia has import clearance requirements for all goods. Importers should refer to the [Australian Border Force \(ABF\) Website- external site](#) for information on the declarations that you need to make to clear imported goods from customs control.

Completing the form

To apply for a permit to import vaping goods, use the application titled [Application for permission to import vaping goods](#) and submit the application to the ODC at NCS@health.gov.au. A permit to import each specific type of vaping good is required.

The table below will assist you in identifying the required information for completing the permit application form.

Part of application form	Explanation of required information
Check box for 'Raw material/Parts' or 'Finished Goods'	
Check one box to indicate whether the vaping good you are proposing to import is a raw material/parts (for example a bulk substance for further manufacturing or a part of a vaping good) or a finished good (for example a finished vaping device).	
1. Importer information	
Licence holder's name	Permits to import vaping goods can only be issued to importers who hold a licence to import substances covered by regulation

Part of application form	Explanation of required information
	5A of the Customs (Prohibited Imports) Regulations 1956. State the name of the licence holder.
Import licence number	State your import licence number which can be found on your licence issued by the ODC.
Company name	State your company's name.
Company address	State the physical address to be displayed on the import permit.
Postal address	State the postal address to which you would like the import permit sent. Permits will be sent by standard mail unless an express post envelope accompanies the application.
Express envelope	Please tick the check box if an express envelope has been provided.
2. Exporter Information	
Overseas exporter's full name	State the full name of the overseas exporter.
Overseas exporter's address	State the physical address of the overseas exporter to be displayed on the import permit.
3. Import Details	
Description of Goods	Provide a description of the vaping goods you are proposing to import. This information should be consistent with the sponsor notice provided about the vaping goods.
Trade name	If a finished good, provide the trade name of the good.
Concentration/strength of nicotine (if applicable)	<p>Indicate the concentration/strength of nicotine:</p> <ul style="list-style-type: none"> • Raw material: for assayable substances include the assay amount i.e. 98% • Finished goods: the concentration should be in metric units.
Tick all that apply (type of notification/registration).	<p>Sponsor notice given to the TGA of the intent to import therapeutic vapes.</p> <p>The ARTG No. (Australian Register of Therapeutic Goods) refers to the number allocated to all TGA-approved therapeutic goods. The ARTG number must be provided for all imported</p>

Part of application form	Explanation of required information
	finished goods that have a therapeutic claim. This is not applicable to raw materials. Research – Indicate here if you are proposing to import your vaping goods for medical and/or scientific research.
Notification/Registration or Instrument number	Please provide sponsor notice number, or ARTG Registration number.
4. Declaration and Consent	
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 licence holder or a person that the licence holder has authorised in writing to make applications under the licence.	


Submitting an application

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

ODC endeavours to process applications for permits within 20 business 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 for permits 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.

Failure to comply with any relevant requirements or requests relating to the permit may result in cancellation of import permits or licenses.

Version history

Version	Description	Author	Effective Date
V1.0	Original publication	Office of Drug Control	1 January 2024
V1.1	Minor clarification to text under 'Regulation 5 (importation of drugs) substances'	Office of Drug Control	 XX January 2024