



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON HEALTH, AGEING AND COMMUNITY SERVICES
BEC CODY MLA (CHAIR), VICKI DUNNE MLA (DEPUTY CHAIR), CAROLINE LE COUTEUR MLA

Inquiry into Drugs of Dependence (Personal Cannabis Use) Amendment Bill 2018
ANSWER TO QUESTION ON NOTICE #1

Asked by Caroline Le Couteur MLA -

In relation to:

1. How can ACT residents legally access cannabis plants or seeds to start growing their own plants under this Bill?
2. Does the Government support models such as cannabis social clubs or seed dispensaries so that people don't have to use the black market to obtain cannabis seeds for cultivation?
 - a. Would these kind of models count as a supply offence based on the legal advice you have received?
3. Why is the government proposing a 2 plant per person limit and 4 plants "per premises"?
4. How will the premises members be determined and will this mean that renters do not have the same rights as other residents of the ACT?
5. Why will the legislation not allow ACT residents to pool their resources and as a group cultivate plants at one location? The plants could be individually owned by ACT residents.

The answer to the Member's question is as follows:—

1. There is no mechanism for the legal supply of cannabis plants or seeds provided for in the Private Member's Bill or the Government's proposed amendments. ACT residents that wish to legally cultivate their own cannabis plants would need to do so using plants or seeds they already possess.
2. The Government is not considering amendments that would legalise the supply of cannabis, whether through clubs, dispensaries or other channels.
 - a. Yes. Supply offences apply regardless of whether the exchange involves financial consideration.
3. For individuals, a limit of two plants is consistent with the current threshold used in the Simple Cannabis Offence Notice scheme. The Government considers this to be a reasonable limit for an individual. The Government is proposing an additional restriction of no more than four plants per household to prevent the possibility of legal 'grow houses' being formed.
4. Under the Government's proposed amendments, cannabis plants could only be legally cultivated at premises where the person lives, including renters.

5. This is not a feature of the Private Member's Bill and the Government is not considering adding amendments to this effect. The Government considers it important that, as much as practicable, access to a cannabis plant is restricted for persons under 18 years of age, limited to the legal owner, who is also responsible for ensuring compliance with any conditions placed on ownership of a cannabis plant.

Approved for circulation to the Standing Committee on Health, Ageing and Community Services

Signature: *Andrew Barr*

Date: 20.5.2019

By the Chief Minister, Andrew Barr MLA