

Tasmania

MISUSE OF DRUGS AMENDMENT BILL 2014

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MISUSE OF DRUGS AMENDMENT BILL 2014

(Brought in by Cassandra Stanwell O'Connor)

A BILL FOR

An Act to amend the *Misuse of Drugs Act 2001* to provide for a temporary defence to the use of cannabis for medicinal purposes in Tasmania.

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART 1 – PRELIMINARY

1. Short title

This Act may be cited as the *Misuse of Drugs Amendment Act 2014*

2. Commencement

This Act commences on the day after the day on which it is proclaimed

3. Principal Act

The Principal Act is the *Misuse of Drugs Act 2001**

**(No. 94 of 2001)*

PART 2 – MISUSE OF DRUGS ACT 2001 AMENDED

4. Section 3 amended

3. Interpretation

medicinal use means a controlled plant or controlled plant product used or administered for medicinal purposes for terminal, chronic and condition specific illnesses diagnosed by a medical practitioner.

5. Section 14 (1) inserted (Defence to supplying a controlled plant product to a child)

Division 3 – Trafficking and Supply

14. (1)

It is a defence in any proceeding for an offence against Section 14 of this Act if the person can prove that the controlled plant product is being supplied or administered for medicinal use.

6. Section 23 (1) inserted (Defence to possession, use and administration of a controlled plant)

PART 3 – Minor offences

Division 3 – Possession, use and administration

23. (1)

It is a defence in any proceeding for an offence against Section 23 of this Act if the person can prove that they possessed a utensil, appliance or other thing to administer the controlled plant for medicinal use.

7. Section 25 (1) inserted (Defence to possessing or using controlled plant or its products)

25. (1)

It is a defence in any proceeding for an offence against Section 25 of this Act if the person can prove that they possessed a controlled plant or a controlled plant product for medicinal use.

5. Repeal of Act

This Act is repealed on the day 12 months following its commencement.