

## FACT SHEET

### *Poisons Amendment (Poppy Industry Reform) Bill 2016*

The purpose of this Bill is to streamline regulation of the poppy industry.

The poppy industry is a pillar of the Tasmanian agricultural sector. Tasmania supplies around fifty per cent of the world's licit raw narcotic material. It also has a global reputation for best-practice.

This has required ongoing compliance with Australia's international obligations under the *Single Convention on Narcotic Drugs, 1961*. Legislative control and coordination of both drug manufacture and poppy cultivation is needed to ensure that excessive stockpiles of narcotic products are not generated – which in turn supports effective law enforcement and safeguards public health.

Within this environment, Tasmania's poppy industry requires a contemporary regulatory system that is efficient, promotes industry development and competitiveness, and builds on Tasmania's global reputation for best practice.

The *Poisons Act 1971* regulates the Tasmanian poppy industry along the whole supply chain from cultivation through to manufacture and sale - overseen by the Poppy Advisory and Control Board (the "Board") and the Minister for Health.

The reforms support the continued role of the Board and modernise regulation. The key reforms are:

1. The Board will be aligned with industry expertise by transferring it to the Primary Industries and Water Portfolio
2. The role of the Board will be strengthened by independent membership
3. The Board will retain its name and advisory functions to build on its international reputation
4. The Board will be directly empowered to regulate commercial poppy growers
5. Enforcement of manufacturing and wholesale chemist licences will be strengthened to prevent diversion and modernise the Act.

The legislation will directly empower the Board to issue grower licences, which is currently the responsibility of the Minister for Health.

The regulation of narcotic drug manufacture, research and imports will remain the responsibility of the Minister for Health.

Directly empowering the Board to issue grower licences reduces the number of regulators involved. Placing responsibility for the Board in the primary industry portfolio will align poppy cultivation with the Agency responsible for other commercial crops and industry expertise.

The amendments do not introduce any significant requirements on industry. Rather, they clarify existing statutory obligations.

This will provide certainty for industry and reinforce Tasmania's reputation for best practice.

The Board will issue the poppy grower's licence. The Bill extends the term of the licence from one to five years. This will cut red tape for industry and provide security for growers.

The Bill modernises the existing regulation of manufacturing and wholesale chemists by increasing penalties for bodies corporate to reflect the current operating environment and ensure that penalties are a sufficient deterrent for illicit activity.

The Bill also broadens the responsibilities and offence provisions for the "responsible officer" appointed in respect of a manufacturing or wholesale chemist from the workplace. This includes any conduct which is prohibited under licence or the Act and corresponding regulations. These provisions will now apply to all licences issued under the Act to provide a clear contact point in relation to licences held by bodies corporate.

This Bill provides a modern regulatory environment for the poppy industry to continue to be a world leader.