

# FACT SHEET

## *Industrial Hemp Bill 2015*

Industrial hemp production is currently regulated under the *Poisons Act 1971* even though industrial hemp has no value as a drug. The current regulation is a barrier to industry growth.

The *House of Assembly Inquiry into the Tasmanian Industrial Hemp Industry Report No.1 of 2013* identified the need for special purpose legislation to remove regulatory impediments to growth and recognise industrial hemp as an agricultural crop.

The objective of the Bill is to cut red tape for industry, without any compromise to drug law enforcement.

Industrial hemp is defined in the Bill as cannabis that has a concentration of delta-9-tetrahydrocannabinol (THC) of no more than 1%. A plant with a THC content of 1% has no psychoactive effects and could not be used as a recreational drug.

The Bill will establish a robust and simple application process that will also incorporate the core elements of the current licensing framework to ensure ongoing protection of public safety:-

- o Licence applications will be made to the Secretary of the Department of Primary Industries, Parks, Water and Environment;
- o Licences will be issued to grow industrial hemp for various purposes, including: commercial and manufacturing uses; or for scientific and research purposes;
- o The Bill also introduces a special research licence to enable research into cannabis that exceeds the 1% THC threshold to encourage research;
- o The Secretary must be satisfied that the applicant is a suitable person to cultivate or supply industrial hemp;
- o A licence must not be granted if the applicant has been found guilty of a drug related offence or is determined not to be a fit and proper person;
- o The Secretary may also refuse to grant a licence on certain other grounds, such as inability to show a genuine purpose;
- o A person who is aggrieved by the Secretary's decision can appeal to the Minister;
- o If a licence is issued, it continues in force for five years;
- o The Secretary may impose conditions on a licence;
- o It will be an offence to cultivate or supply industrial hemp other than in accordance with a licence; and
- o The Bill provides for the continued sharing of compliance activities between the Poppy Advisory and Control Board and Tasmania Police through the establishment of an inspectorate

The purpose of the licensing regime is not to restrict the number of participants in the industry. Rather, it is to enable industrial hemp crops to be easily differentiated from illicit cannabis varieties. While industrial hemp approved for growing under the provisions of this Act has no value as a drug, it is visually indistinguishable from illicit varieties of cannabis. Appropriate regulatory controls must be in place to ensure that the expansion of the industrial hemp industry does not compromise Tasmania Police's ability to enforce illicit cannabis use.