



# The Cannabis Referendum

A dispassionate view.

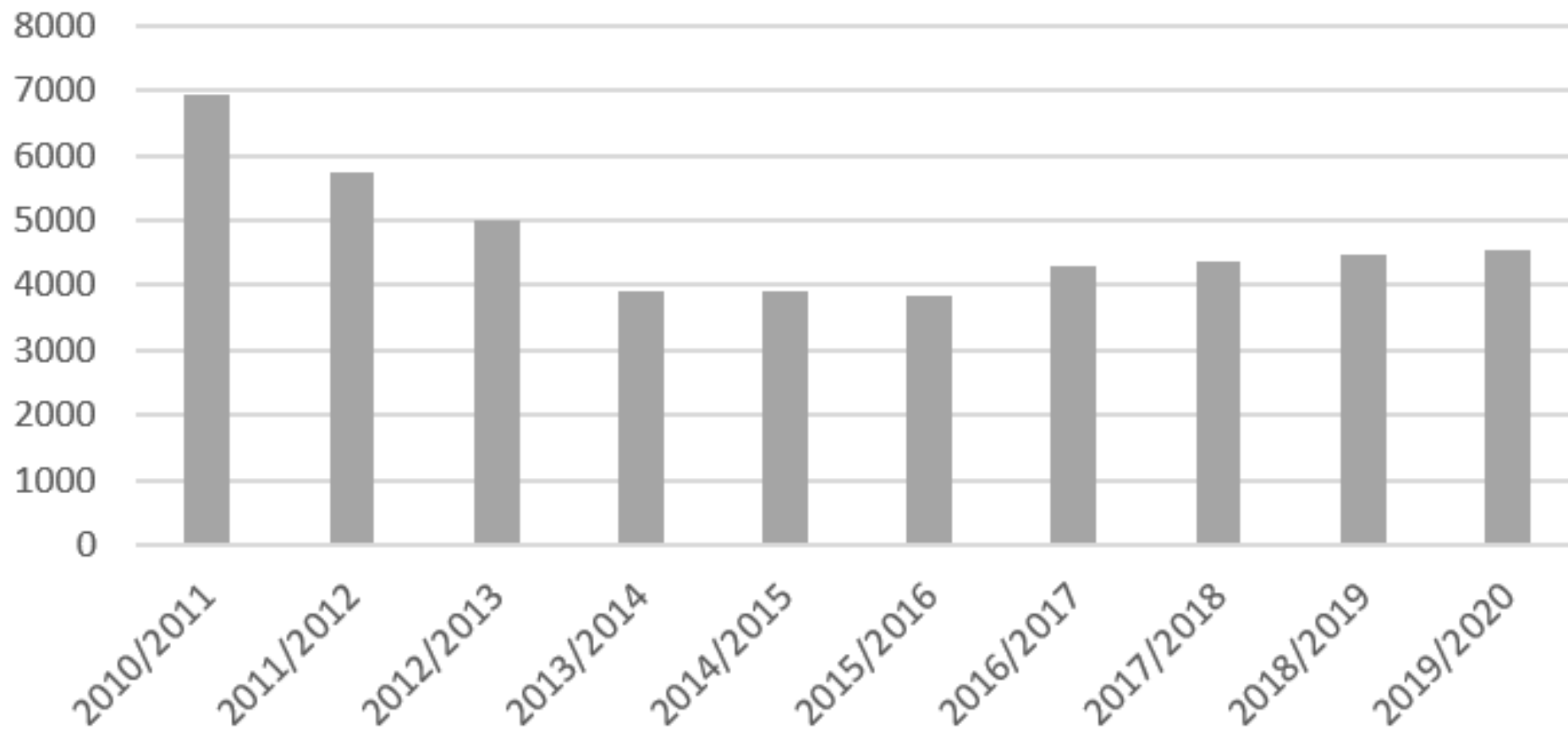
What happens if there is a  
“yes” vote ?

Dr Jo Scott-Jones

# Current Legal Framework

- Legally you can't grow, distribute, sell or use cannabis
- Access to medicinal cannabis since 2018
- 42 - 80% of people have tried cannabis by age 25 (MOH survey/Dunedin Cohort Study )
- Prison population (9469 people) 52% Maori, "43% of these on drug-related charges"
- Legalising estimated 1279 fewer Maori convictions per annum
- August 2019 – cannabis possession soft-decriminalisation "at discretion of police" – need to demonstrate social harm – no impact on number of overall drug possession convictions.

## NZ Number of convictions for drug possession June-July



# The referendum question

## Do you support the proposed Cannabis Legalisation and Control Bill?

You can choose 1 of these 2 answers.

### Yes

I support the proposed Cannabis Legalisation and Control Bill.

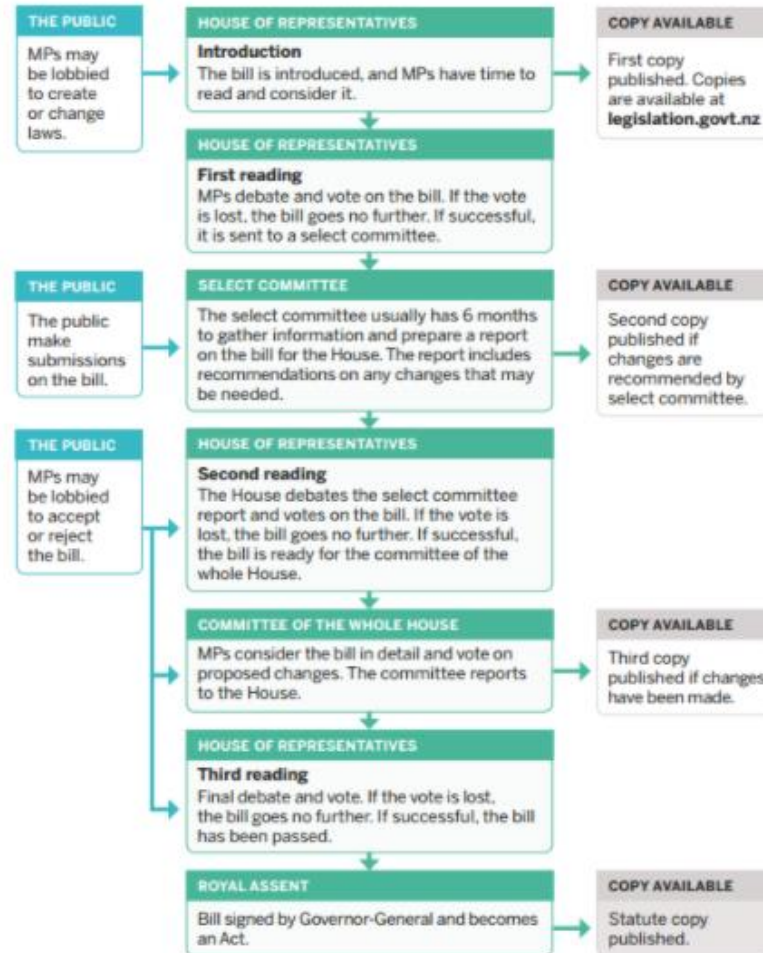
### No

I do not support the proposed Cannabis Legalisation and Control Bill.

- 50% + vote “yes”
- The government MAY introduce the BILL to the house – not binding.
- The Bill will be subject to the select committee process before implementation.
- Public submissions and debate may change the details of the Bill.

# How a bill becomes law

For further information:  
[www.parliament.nz](http://www.parliament.nz) or  
[parinfo@parliament.govt.nz](mailto:parinfo@parliament.govt.nz)



"Legislation for production, possession and use of cannabis for people aged 20 yrs and over, with the aim of harm reduction."

The harm-reduction objective is reflected in measures to—

- raise public awareness of the risks associated with cannabis consumption and improve access to health and other relevant support services; and
- restrict young people's access to cannabis and limit public visibility to cannabis; and
- provide access to a legal and quality-controlled supply of cannabis for adults (aged 20 years and over) who choose to consume cannabis; and
- place controls on the potency and content of licensed cannabis and regulate the whole supply chain to deter the illegal supply of cannabis; and
- provide for the limited home-growing of cannabis for personal use; and
- encourage compliance with the legislation and ensure that responses to breaches are proportionate and incorporate a focus on reducing overall harms.



Cannabis  
Regulatory  
Authority

**"Ensures rules are followed and  
cannabis related harm is reduced "**

**Oversees the market.**

**Promotes health-focused, compliant  
behaviour.**






## “Cannabis Advisory Committee”

### **Advises the Cannabis Regulatory Authority**

#### **Membership :**

- iwi and Māori
  - specific population groups, such as children and young people
  - expertise from the health, justice and social sectors.
- 



A person aged 20 or over would be able to:

Buy	up to 14 grams of dried cannabis (or its equivalent) per day only from licensed outlets ( & possess in public)
Enter	licensed premises where cannabis is sold or consumed
Consume	cannabis on private property or at licensed premises
Grow	up to 2 plants (maximum of 4 plants per household) out of sight & inaccessible to public areas
Share	up to 14 grams of dried cannabis (or its equivalent) with another person aged 20 or over.

# 1 gm – enough to make a joint that can be shared



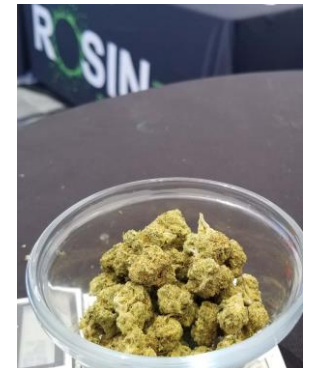
1 gm



3.5 gm



7 gm



14 gm

14 gm per day = 70 grams of fresh cannabis, 14 cannabis seeds, 210 grams of cannabis edibles, 980 grams of liquids, 3.5 grams of concentrates.

## Under 20s

- in possession of cannabis would receive a health-based response such as an education session, social or health service or
- pay a small fee or fine
- No conviction
- cannot enter retail or consumption premises.
- can work in growing and production

# Cannabis can be produced and supplied subject to:

Limiting	total amount of licensed cannabis for sale
Controlling	potency and contents of licensed cannabis and cannabis products
Tax	applying an excise tax when a product is packaged and labelled for sale
Licence	a system under which all cannabis-related businesses must hold a licence
Regulation	location and trading hours for premises where cannabis is sold or consumed, in consultation with local communities
Import restriction	banning people from importing cannabis and allowing only licensed businesses to import cannabis seeds
Retail restriction	separating businesses that grow cannabis and produce cannabis products from businesses that operate premises where cannabis can be sold and consumed.



# Retailers / BYO consumption

## **Selling limits**

- Only able to sell cannabis, cannabis products, and cannabis accessories.

## **Product labelling**


- Display amount of THC (tetrahydrocannabinol) and CBD (cannabidiol)
- Comparison to daily purchase limit

## **Pricing**

- No reduced price, or free offers

## **Advertising, sponsorship etc. banned**

## **Packaging requirements**

- Discourage cannabis consumption
  - Not targeted towards children and young people in any way.
- 



# Retailers / BYO consumption


## **Restrictions on the appearance of premises**

- Include rules against promoting the fact that cannabis is available for purchase inside.
- Banned smoking / vaping inside - outdoor unobserved areas only

## **Trading hours**



- Minimum and maximum trading hours would be set for premises where cannabis is sold or consumed.
- Local authorities would have power to sites, restrict hours, within the minimum and maximum limits – public consultation.

## **Host responsibilities**

- Similar to alcohol licence
  - Banned from making false, misleading, or therapeutic claims, or displaying these claims within consumption premises.
- 


# Potency

- Potency limits and quality standards would be set for cannabis and cannabis products, and businesses would need to comply.
- Cannabis products would have to go through an approval process before being released to the market.
- "Higher risk" products would have to go through a stricter process.
- Products deemed to appeal to children or young people would not be approved.



# Products ..initially dried and fresh cannabis, plants, and seeds

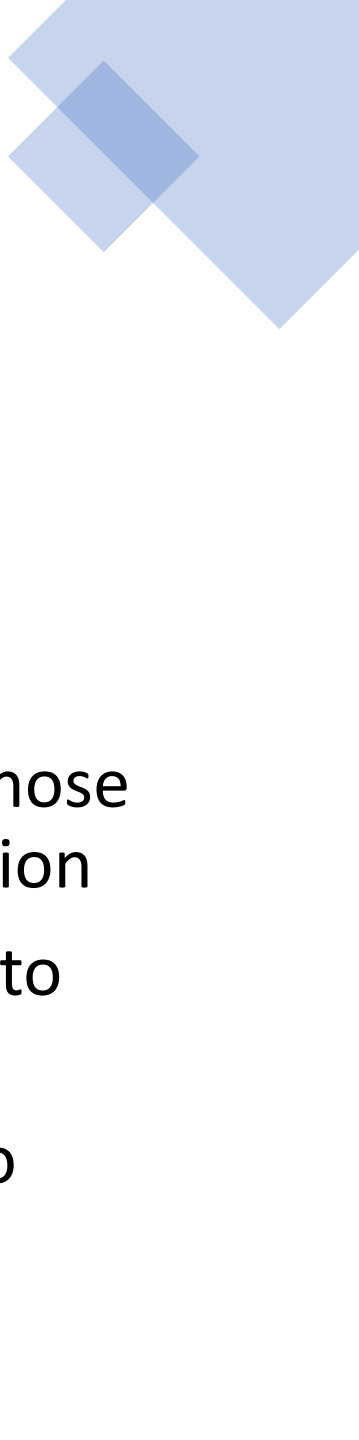
## **Banned**

- Beverages that include cannabis
  - Products containing substances known to be harmful or to have harmful interactions with cannabis (such as alcohol and tobacco)
  - Products designed to increase the psychoactive or addictive effects of cannabis
  - Packaged dried or fresh cannabis containing roots or stems
  - Products that involve ways of consuming cannabis that are higher risk, including injectables, suppositories, and products for the eyes, ears or nose.
- 





# Edibles


- Solid at room temperature.
  - Baked products that do not require refrigeration or heating
  - Produced in separate premises to those used for conventional food production
  - Banned if they are found to appeal to children and young people
  - Prohibited from feeding cannabis to animals.
- 

# What would be illegal?

Public consumption	consuming cannabis in public
Possession	possessing more than 14 grams of cannabis (or its equivalent) in public
Cultivation	growing more cannabis plants at home than the individual or household limit or growing in public
Underage exposure	exposing people under age 20 to cannabis smoke or vape
Underage supply	providing cannabis to people under age 20
Unauthorised sale	selling cannabis without a licence
Overseas supply	importing or exporting cannabis
Mail supply	supplying cannabis by mail order or courier
Licence breach	breaching the conditions of a licence



## Taxes, levies and fees

- An excise tax would apply and be collected when a product is packaged and labelled for retail sale.
  - This tax would be based on weight and potency. A higher rate would apply for more potent cannabis.
  - A levy, similar to that applied to alcohol and gambling, would fund services to reduce cannabis harm, as set out in a public health, drug education and treatment services strategy.
  - A licensing fee would recover the costs associated with administering and monitoring the licensing regime.
- 

# Canada – 12 months in ..

- The regular use of alcohol was considered completely or somewhat socially acceptable by 55% of respondents, compared to 44% for smoking cannabis for non-medical purposes (slightly increasing )
- Twenty-five percent (25%) of people reported having used cannabis in the past 12 months, an increase from 22% in the previous cycle
- past 12-month use of cannabis among people aged 16 to 19 years and those aged 20 to 24 was 44% and 51%, respectively, compared to 21% for people aged 25 years and older, all increases from 2018 (36%, 44%, and 19%, respectively)
- Price of legal cannabis products has remained relatively steady (~\$10/gram) but prices of illegal cannabis products have dropped substantially (to ~\$6/gram) - increasing price advantage for the illicit market
- Three-in-ten exclusively use legal sources for cannabis purchases

# Canada continued..

- showed stability in national rates of ever-used = 6%
- 17% people over 15 report use in previous three months, higher than the 15% reporting use before legalisation), specific age groups and regions, including seniors and people aged 25-44, had an increase in use.
- 40.1% admit to some illegal purchase due to cost and supply issues, but the number of people reporting purchase from legal sources is increasing.

- Uruguay, Canada, various US states various regulatory frameworks since 2010
- General criminalisation of (legal-age) users has been reduced
- Use increases in select age groups and higher-risk use patterns - cannabis use among adolescents/under-age youth remained stable
- Adverse health outcomes (eg hospitalisations or impaired driving) have increased, but not necessarily beyond pre-legalisation trends
- Some USA states intensive commercialisation – illegal cannabis markets, including high-risk products, have remained rather active and resilient in other legalisation systems, and retained substantial market shares with competitive (ie, discounted) prices
- studies of other consumption product industries document, commercialisation facilitates distinctly adverse interests and dynamics counter public health
- Legalisation, including legal production, distribution and use increases, rather than decreases cannabis ‘public visibility’, and overall societal ‘normalisation’ as a consumption commodity.

New Zealand’s *‘Cannabis Legalisation and Regulation Bill’*: an evidence-based assessment and critique of essential regulatory components towards policy outcomes.

Benedikt Fischer, Dimitri Daldegan-Bueno NZMJ 31 July 2020, Vol 133 No 1519



# A Social Experiment

Requires detailed impact evaluation

Are we prepared to reverse gear if the impact is negative ?

# Further reading

## **Spinoff :**

- <https://thespinoff.co.nz/politics/05-08-2020/legalise-cannabis-referendum-questions/>

## **The Bill :**

- <https://www.referendums.govt.nz/materials/Cannabis-Legalisation-and-Control-Bill-Exposure-Draft-for-Referendum.pdf>

## **Referendum information:**

- <https://www.referendums.govt.nz/cannabis/summary.html>

## **Office of the Prime Minister's Chief Science Officer :**

- <https://www.pmcsa.ac.nz/topics/cannabis/>