

Explanatory notes for the Public Health (Medicinal Cannabis Affordability) Amendment Bill 2017

The Bill's short title: The short title of the Bill is the *Public Health (Medicinal Cannabis Affordability) Amendment Act 2017*.

Policy objectives of the Bill and the reasons for them:

The objective of this Bill is to facilitate immediate access to medicinal cannabis for Queenslanders suffering from diseases that do not respond to established medical procedures.

Brief statement of the way the policy objectives will be achieved by the Bill and why this way of achieving the objectives is reasonable and appropriate:

Medicinal cannabis is used as medical therapy to treat a disease or alleviate symptoms, with a growing body of evidence detailing that medicinal cannabis may be effective in treating certain medical conditions.

Legislation to enable the cultivation of cannabis for medicinal and related research purposes in Australia was passed by the Australian Parliament on 29 February 2016, followed by the *Public Health (Medicinal Cannabis) Act 2016*, passed by Queensland Parliament on 12 October 2016.

This means that in Queensland from 1 March 2017, medicinal cannabis use can be approved when conventional treatments available have been tried for a reasonable period of time and these have failed, or if the effects of the conventional treatment prove to be intolerable. However, as there are currently no businesses licensed to manufacture medicinal cannabis in Australia, these products need to be imported.

It will take many months for the Australian Government scheme to become operational and significant time after that for locally-produced product to be available for prescription by local medical professionals. Despite the obvious delays in bringing Australian grown and produced medicinal cannabis, the Queensland Government does not provide an amnesty for those who urgently require access to medicinal cannabis products.

The Queensland Government needs to work with the Commonwealth Government to fast-track a solution so that those suffering Queenslanders can get immediate relief and access to affordable supplies of medicinal cannabis. This can be achieved through providing amnesty to medicinal cannabis users and compassionate producers, and by ensuring affordability of whole plant medicinal cannabis from foreign manufacturers.

The matter is urgent as at present sufferers have no option other than to break the law and seek relief through illegally-sourced medicinal cannabis.

Alternative way of achieving the policy objectives: There is no alternative way of achieving the policy objectives of this Bill.

Administrative cost to government of implementing the Bill: The passage of this Bill would not result in an administrative cost to government.

Consistency of the Bill with fundamental legislative principles: The Bill is consistent with Fundamental Legal Principles.

Consultation was carried out in relation to the Bill: Access to medicinal cannabis is widely supported by the Queensland community, and recent changes to both Australian and Queensland legislation allow for the use of medicinal cannabis under certain circumstances from 1 March 2017.

Consistency with other jurisdictions:

The Australian Government's Department of Health under the *Narcotics Drug Act 1967* and administered by the Department's Office of Drug Control, is establishing a license and permit scheme to regulate the cultivation and production of medicinal cannabis for local use.

Australia currently does not have any legally, locally produced medicinal cannabis and patients must rely on expensive, overseas-produced or illegal, locally-produced product. Unlike other States, Queensland does not have an amnesty or compassionate use scheme in place until a regulated local industry is established.