

REPUBLIC OF VANUATU

BILL FOR THE

DANGEROUS DRUGS

(AMENDMENT) ACT NO. OF 2021

Explanatory Note

This Bill amends the Dangerous Drugs Act [CAP 12] (“the Act”) as a consequential amendment of the new Industrial Hemp and Medical Cannabis Act.

Currently, the Act classifies Cannabis as a prohibited substance and material, and it is prohibited to cultivate any plant of the genus Cannabis.

The Government, in the interest of developing new agricultural commodities for processing for the export market, intends to venture in the exportation of Industrial Hemp and Medical Cannabis.

Industrial Hemp and Medical Cannabis are of the same genus Cannabis *Sativa*. Cannabis is the only plant genus that contains the unique cells of molecular compounds called cannabinoids. Two in particular are of significant importance:

- i) THC (Tetrahydrocannabinol) – This is the psychoactive ingredient of Cannabis (the chemical when inhaled causes hallucinations (feeling doped or high)), particularly on humans;
- ii) CBD (Cannabidiol) – This is the anti-psychoactive ingredient of Cannabis.

Medical cannabis is one type of cannabis that is high in the psychoactive cannabinoid THC and low in the anti-psychoactive cannabinoid CBD.

Industrial Hemp is the other type of cannabis high in CBD and low in THC.

In order to allow for the importation and cultivation of Hemp and Cannabis seeds, and for manufacturing and exportation of Industrial Hemp and Medical Cannabis under the new Industrial Hemp and Medical Cannabis Act, this Act must be amended to allow for the cultivation of Cannabis for the purposes of producing Industrial Hemp and Medical Cannabis.

Minister of Health



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BILL FOR THE DANGEROUS DRUGS (AMENDMENT) ACT NO. OF 2021

An Act to amend the Dangerous Drugs Act [CAP 12].

Be it enacted by the President and Parliament as follows-

1 Amendment

The Dangerous Drugs Act [CAP 12] is amended as set out in the Schedule.

2 Commencement

This Act commences on the day on which it is published in the Gazette.

SCHEDULE

AMENDMENTS OF DANGEROUS DRUGS ACT [CAP 12]

1 Section 1

Insert in their correct alphabetical positions:

““Industrial Hemp” means the plant *Cannabis sativa* L. and any part of such plant, whether growing or not, with a delta -9 tetrahydrocannabinol concentration that does not exceed 0.3 percent on a dry weight basis;

“Medical Cannabis” means the use of cannabis including constituents of cannabis, tetrahydrocannabinol and other cannabinoids that are prescribed by physicians for their patients;”

2 Section 4

Repeal the section, substitute

“4. Prohibition of cultivation of Cannabis

- (1) It is prohibited to cultivate Cannabis.
- (2) Despite subsection (1), Cannabis may be cultivated for the purposes of producing Industrial Hemp or Medical Cannabis under the Industrial Hemp and Medical Cannabis Act No. of 2021.”