



RIS Ref: DAF920-1018

File Ref: DOC18/2108

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Pat Coyne  
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Dear Mr Coyne

### **Consultation Regulatory Impact Statement – Amendment of the Industrial cannabis legislation**

Thank you for your enquiry of 4 March 2019 seeking advice on the adequacy of the consultation regulatory impact statement—Amendment of Industrial cannabis legislation (consultation RIS).

#### **Background**

The *Drugs Misuse Act 1986* (the Act) provides the licensing framework for industrial cannabis and allows for commercial production and research into the commercial production of industrial cannabis fibre and seed. Growing cannabis outside of this licensing framework would generally be illegal under the Act.

The Act is supported by the *Drugs Misuse Regulation 1987*.

#### **Proposed consultation regulatory impact statement**

The Department of Agriculture and Fisheries (the department) has proposed a consultation RIS to consider options to facilitate the commercial production of industrial cannabis fibre and seed in Queensland. It canvases options for licensing fees, enabling other types of research and analysis on industrial cannabis, and information sharing for law enforcement and regulatory efficiency purposes:

- Fees and charges to achieve full cost-recovery for licencing, research and monitoring activities
  - Option 1: status quo (fees provided on a non-cost recovery basis)
  - Option 2: revise and restructure fees to achieve full cost recovery
- Better enabling research activities through broadening of the types of analysis that can be undertaken on industrial cannabis
  - Option 1: maintain the status quo
  - Option 2: amend the legislation to allow specified types of analysis
  - Option 3: amend the legislation to enable the chief executive to authorise entities to undertake other types of analysis
- Information sharing for law enforcement and regulatory efficiency purposes to support compliance monitoring of off-farm movement of industrial cannabis products
  - Option 1: maintain the status quo
  - Option 2: amend the legislation to provide for information sharing.



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This consultation RIS is unrelated to the growing of cannabis for medicinal purposes.

### Assessment

In assessing the adequacy of the consultation RIS, the Queensland Productivity Commission (the Commission) notes the department appears to have presented an objective, balanced document for consultation which includes:

- identification of the problem, policy objectives and options to facilitate the commercial production of industrial cannabis fibre and seed
- a discussion of impacts including an analysis of current and proposed fees, and a qualitative assessment of each option
- consultation to date and planned, and proposed implementation timeframes.

Give these points, the Commission considers the consultation RIS is adequate for the purposes of public consultation.

Consistent with the Queensland Government Guide to Better Regulation (the guidelines), the final consultation RIS and this letter of adequacy will be published on the Commission's website once the consultation RIS is approved for release. After consultation has concluded, a decision RIS, incorporating the consideration of public comments, should be provided to the Commission for assessment of adequacy before the matter is finally referred to Cabinet for decision.

Please contact Amanda Rohan, Senior Analyst on (07) 3015 5123 if you require any additional information or guidance in relation to the above comments or the guidelines in general.

Yours sincerely



**Christine Tozer**  
Team Leader