

Department of Health

Reasoned Response to Private Members Bill - The Cannabis for Medicinal Use Regulation Bill 2016, sponsored by Gino Kenny TD and Bríd Smith TD

Background

The Minister for Health is unable to recommend to Government that it issue a money message in respect of the above Bill.

The Bill seeks to establish a Cannabis Regulatory Authority (Authority) and Section 6 of the Bill sets out the main functions of the Authority purpose of the Bill:

6. (1) The principal function of the Authority is the development and maintenance of a regulatory framework for the sale (wholesale and retail), labelling, advertising and marketing of cannabis and cannabis-based products for medicinal use.

(2) In exercising its function, the Authority shall seek to achieve the following objectives—

(a) to regulate the supply and possession of cannabis and cannabis-based products for medicinal use,

(b) to pursue the development of a consumer-oriented licensing system and regulatory code for the users of cannabis and cannabis-based products for medicinal purposes,

(c) to oversee the development of a professional, safe, and well-regulated service for the supply of cannabis for medicinal use,

(d) to have due regard to the needs of users of cannabis and cannabis-based products for medicinal purposes,

(e) to promote measures to facilitate increased understanding and awareness of the use of cannabis and cannabis-based products for medicinal purposes, and

(f) to facilitate the use of cannabis and cannabis-based products for medicinal purposes.

Reasons to Refuse Money Message

The Minister is unable to recommend to Government that it issue a money message in respect of this proposed legislation for the reasons detailed below:

Financial Implications:

The Bill carries potentially significant financial implications as it provides for the establishment of two new State agencies, namely, a Cannabis Regulation Authority and a Cannabis Research Institute.

Existing Regulatory Processes:

The Bill proposes to establish a parallel regulatory process for cannabis and undermines the regulatory frameworks already in place for controlled drugs (Misuse of Drugs Acts), medicines authorisation (Health Products Regulatory Authority) and oversight of retail pharmacies (Pharmaceutical Society of Ireland).

- The Bill proposes to establish two new Agencies, one of which, the Cannabis Regulation Authority, will, to a large extent, duplicate functions already being carried out by other State Agencies, in particular the Health Products Regulatory Authority (HPRA) and the Pharmaceutical Society of Ireland (PSI)