



Cabinet Legislation Committee

Minute of Decision

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Misuse of Drugs (Classification and Presumption of Supply) Commencement Order 2022 and Misuse of Drugs (Classification and Presumption of Supply) Amendment Order 2022

Portfolio Health

On 10 November 2022, the Cabinet Legislation Committee:

- 1 **noted** that in May 2021, the Cabinet Social Wellbeing Committee agreed:
 - 1.1 to classify and reclassify 49 substances as controlled drugs under the Misuse of Drugs Act 1975;
 - 1.2 to set quantities for some of those substances at and above which it is presumed they are for supply;
 - 1.3 to amend the Misuse of Drugs Regulations 1977 to ensure legitimate therapeutic access to tramadol and fentanyl is not hampered by their classification and reclassification respectively;

[SWC-21-MIN-0062]
- 2 **noted** that the Misuse of Drugs (Classification and Presumption of Supply) Order 2022 gives effect to the decisions referred to in paragraph 1.1 and 1.2 above;
- 3 **noted** that the Misuse of Drugs (Fentanyl and Tramadol) Amendment Regulations 2022 gives effect to the decisions referred to in paragraph 1.3 above;
- 4 **noted** that the Misuse of Drugs Act 1975 requires a classification order to be approved by affirmative resolution in the House of Representatives;
- 5 **noted** that on 5 May 2022 the House made an affirmative resolution to approve the Misuse of Drugs (Classification and Presumption of Supply) Order 2022;
- 6 **noted** that a drafting error was discovered in the Misuse of Drugs (Classification and Presumption of Supply) Order 2022, and that an amendment order is required to resolve the error;

7 **authorised** the submission to the Executive Council of the:

- 7.1 Misuse of Drugs (Classification and Presumption of Supply) Commencement Order 2022 [PCO 25002/7.0];
- 7.2 Misuse of Drugs (Classification and Presumption of Supply) Amendment Order 2022 [PCO 25012/5.0]

Rebecca Davies
Committee Secretary

Present:

Hon Megan Woods
Hon Chris Hipkins (Chair)
Hon Andrew Little
Hon David Parker
Hon Nanaia Mahuta
Hon Michael Wood
Hon Kiri Allan
Hon Dr David Clark
Hon Priyanca Radhakrishnan
Hon Kieran McAnulty
Dr Duncan Webb, MP

Officials present from:

Office of the Prime Minister
Officials Committee for LEG

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