

**In Confidence**

Office of the Associate Minister of Health  
Chair, Cabinet Legislation Committee

**Misuse of Drugs Amendment Regulations 2026**

**Proposal**

- 1 This paper seeks authorisation for submission to the Executive Council of the:
  - 1.1 Misuse of Drugs (Medicinal Cannabis) Amendment Regulations 2026;
  - 1.2 Misuse of Drugs (Industrial Hemp) Regulations Revocation Order 2026, and;
  - 1.3 Misuse of Drugs Amendment Regulations 2026.

**Policy**

- 2 On 04 November 2025, Cabinet agreed to revoke and replace the licencing requirement for activities related to hemp [EXP-25-MIN-0099 refers].
- 3 The new regulations will enable all hemp activities which required a licence under the current licencing programme to be done without a licence, subject to the following conditions:
  - 3.1 growers notifying Police and the Ministry for Primary Industries (MPI) of their intention to cultivate hemp in the 12 months prior to beginning any cultivation activity.
  - 3.2 the THC content (the psychoactive component) of the hemp plants being cultivated is less than 1% of the dry weight of the plant.
- 4 The regulations which limit the supply and quantity of hemp plant material and seeds to medicinal cannabis licence holders will be amended to remove these restrictions.
- 5 The rules for import and export licences for hemp remain unchanged. Exports and imports will be subject to Medsafe processes, including a criminal record check.

**Timing and 28-day rule**

- 6 The regulations will come into force 28 days after they have been notified in the New Zealand Gazette.

### Compliance

- 7 The amendment regulations comply with:
- 8 the principles of the Treaty of Waitangi;
- 9 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 or the Human Rights Act 1993;
- 10 the principles and guidelines set out in the Privacy Act 2020;
- 11 relevant international standards and obligations;
- 12 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.

### Regulations Review Committee

- 13 The Parliamentary Counsel Office does not consider that there are grounds for the Regulations Review Committee to draw the amendment regulations to the attention of the House of Representatives under Standing Order 327.

### Certification by Parliamentary Counsel

- 14 The draft regulations have been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

### Impact Analysis

- 15 An Impact Statement was prepared by the Ministry for Regulation and submitted to Cabinet with the paper seeking approval of the policy implemented by these regulations.

### Publicity

- 16 I will make a public announcement in the lead up to the new regulations coming into effect. The Ministry of Health will inform the industry organisations and growers affected by these regulation changes.

### Proactive release

- 17 I intend to proactively release these papers, with any redactions as appropriate under the Official Information Act 1982, once the amendments come into force.

### Consultation

- 18 The following agencies were consulted in developing the regulations: New Zealand Police, the Ministry for Primary Industries, the Ministry for Regulation, the Department of Prime Minister and Cabinet, and New Zealand Customs Service.

**Recommendations**

I recommend that the Cabinet Legislation Committee:

- 1 **note** that on 04 November 2025, Cabinet agreed that all activities related to hemp which currently require a licence will be allowed without the need for a licence, subject to conditions [EXP-25-MIN-0099 refers];
- 2 **note** that these conditions are that persons intending to cultivate hemp notify Police and MPI within the 12 months prior to beginning any cultivation activity and that this notification has occurred within the last 12 months, and that the THC content of the hemp plants being cultivated is less than 1% of the dry weight of the plant;
- 3 **note** that existing regulations which limit the supply and quantity of hemp plant material and seeds to medicinal cannabis licence holders will be revoked;
- 4 **note** that the issuing of import and export licences for hemp and hemp products remains unchanged, subject to Medsafe processes and a criminal record check;
- 5 **note** that the Misuse of Drugs (Medicinal Cannabis) Amendment Regulations 2026, the Misuse of Drugs (Industrial Hemp) Regulations Revocation Order 2026, and the Misuse of Drugs Amendment Regulations 2026 will give effect to the decision referred to in paragraph 1 above;
- 6 **authorise** the submission to the Executive Council of the Misuse of Drugs (Medicinal Cannabis) Amendment Regulations 2026, the Misuse of Drugs (Industrial Hemp) Regulations Revocation Order 2026, and the Misuse of Drugs Amendment Regulations 2026;

Authorised for lodgement

Hon David Seymour

Associate Minister of Health