

# Misuse of Drugs Amendment Regulations 2026

## Order in Council

At Wellington this                      day of                      2026

Present:  
in Council

These regulations are made under section 37 of the Misuse of Drugs Act 1975 on the advice and with the consent of the Executive Council.

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## Regulations

### 1 Title

These regulations are the Misuse of Drugs Amendment Regulations 2026.

### 2 Commencement

These regulations come into force on 28 May 2026.

### 3 Principal regulations

These regulations amend the Misuse of Drugs Regulations 1977.

### 4 Section 2 amended (Interpretation)

- (1) In regulation 2(1), revoke the definition of **industrial hemp**.
- (2) In regulation 2(1), insert in their appropriate alphabetical order:

**hemp** means cannabis plant or fruit with a THC content of not more than 1% of the dry weight of the plant, or seeds harvested from plants of that kind

**hemp product** means—

- (a) a product derived wholly or partly from the stalk or seed of hemp; and
- (b) a hemp seed food product

**hemp seed food product** means a hemp seed food product declared to be food by regulations made under the Food Act 2014

### 5 Regulation 3B revoked (Application to industrial hemp)

Revoke regulation 3B.

### 6 Regulation 7 amended (Import and export licences)

After regulation 7(9), insert:

- (10) An application for a licence to import, or a licence to export, hemp must be accompanied by—
  - (a) the name, address and contact details of the applicant; and
  - (b) the results of a criminal record check that complies with subclause (11) conducted in respect of the applicant; and
  - (c) if the applicant is applying on behalf of a body corporate or partnership, a declaration that—
    - (i) they are authorised to make the application; and
    - (ii) they agree to be responsible for activities undertaken pursuant to the licence.
- (11) The results of a criminal record check required by subclause (10)(b) must be a record obtained from the Ministry of Justice dated no earlier than 6 months before the date of the application.

**7 New regulations 14A and 14B inserted**

After regulation 14, insert:

**14A Permissions relating to hemp**

- (1) Any person may cultivate, possess, process, procure, sell, or supply hemp for any of the following purposes:
  - (a) breeding new cultivars and varieties of hemp:
  - (b) conducting research into the suitability of cultivars and varieties of hemp for the production or manufacture of hemp products:
  - (c) producing or manufacturing hemp products:
  - (d) selling or supplying hemp to a person permitted to possess hemp under these regulations or any other enactment.
- (2) However,—
  - (a) any person who imports or exports hemp must obtain a licence in accordance with regulation 7; and
  - (b) any person who cultivates, or intends to cultivate, hemp must comply with regulations 22A and 22B.

**14B Permissions relating to hemp products, etc**

- (1) Any person may possess, use, and trade in—
  - (a) hemp products; and
  - (b) hulled hemp seeds; and
  - (c) stalks of hemp, as long as those stalks are without leaves or fruit.
- (2) Any person may import into and export from New Zealand—
  - (a) hemp products; and
  - (b) hulled hemp seeds; and
  - (c) stalks of hemp, as long as those stalks are without leaves or fruit.
- (3) This regulation does not affect any other restrictions imposed by law.

**8 New regulations 22A and 22B inserted**

After regulation 22, insert:

**22A Conditions of cultivating hemp**

- (1) No person may cultivate hemp unless—
  - (a) they notify the New Zealand Police in accordance with subclause (2) of their intention to cultivate hemp; and
  - (b) they undertake the cultivation as notified under paragraph (a); and
  - (c) the notification remains valid in accordance with subclause (3).
- (2) The notification must include the following:

- (a) identifying details of the person:
  - (b) the address and contact details of the person:
  - (c) the following information about the location or locations to be used for cultivating hemp:
    - (i) the address:
    - (ii) a plan or map, if the location is not easily identifiable using an address:
  - (d) a description of the intended nature and scale of the cultivation.
- (3) A notification made under this regulation is valid for the purposes of subclause (1)(c) for a period of 1 year from the date that the notification was made.
- (4) This regulation does not apply to any person who cultivates hemp pursuant to a licence under the Misuse of Drugs (Medicinal Cannabis) Regulations 2019.

#### **22B Notification of hemp cultivation to Ministry for Primary Industries**

- (1) A person who intends to cultivate hemp must notify the Ministry for Primary Industries of the matters in regulation 22A(2)(a) and (b).
- (2) The notification must be made—
- (a) before the cultivation begins; and
  - (b) no earlier than 1 year before the date on which the cultivation begins.
- (3) This regulation does not apply to any person who cultivates hemp pursuant to a licence under the Misuse of Drugs (Medicinal Cannabis) Regulations 2019.

#### **9 Schedule 1AAA amended**

In Schedule 1AAA,—

- (a) insert the Part set out in the Schedule of these regulations as the last Part;  
and
- (b) make all necessary consequential amendments.

**Schedule**  
**New Part 2 inserted into Schedule 1AAA**

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**Part 2**  
**Transitional provisions relating to Misuse of Drugs Amendment Regulations 2026**

**1 Transitional arrangement for industrial hemp licence holders**

- (1) This Part applies in relation to a licence issued under regulation 21 of the Misuse of Drugs (Industrial Hemp) Regulations 2006 that is current immediately before the commencement date of the Misuse of Drugs Amendment Regulations 2026 (an **industrial hemp licence**).
- (2) All industrial hemp licences are revoked on the commencement date of the Misuse of Drugs Amendment Regulations 2026.

**2 When notification required to be made by industrial hemp licence holder**

An industrial hemp licence holder who intends to continue cultivating industrial hemp must make the notifications required by regulations 22A and 22B before the date the licence would have expired (had the licensing regime not been revoked by clause 1(2)).

Clerk of the Executive Council.

**Explanatory note**

*This note is not part of the regulations but is intended to indicate their general effect.*

These regulations, which come into effect on 28 May 2026, amend the Misuse of Drugs Regulations 1977 (the **principal regulations**). These regulations, together with the Misuse of Drugs (Industrial Hemp) Regulations Revocation Order 2026 and the Misuse of Drugs (Medicinal Cannabis) Amendment Regulations 2026, implement changes to the hemp regulatory scheme.

These regulations permit the cultivation, possession, processing, procurement, sale, and supply of hemp for certain purposes without a licence. Those activities previously required a licence under the Misuse of Drugs (Industrial Hemp) Regulations 2006 (the **revoked regulations**). These regulations also ensure that possessing, using, and trading in hemp products (as well as hulled hemp seeds and hemp stalks) continues to be permitted under the principal regulations. Those activities were previously permitted by the revoked regulations.

These regulations impose a notification requirement for the cultivation of hemp. Any person who intends to cultivate hemp must notify the New Zealand Police and the Ministry for Primary Industries and provide details about their intended cultivation. Notification is not required for the other permitted activities.

A licence is still required to import or export hemp under the principal regulations. These regulations impose conditions for obtaining that licence. Applicants must provide their name, contact details, and the results of a recent criminal record check.

These regulations include a transitional arrangement (*new Part 2 of Schedule 1AAA*) for any person continuing an activity previously licensed under the revoked regulations and now governed by the notification requirements. The transitional arrangement requires them to notify the New Zealand Police and the Ministry for Primary Industries and provide details about their cultivation before their licence would have ended.

#### **Regulatory impact statement**

The Ministry for Regulation produced a regulatory impact statement on 29 October 2025 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at <https://www.regulation.govt.nz/our-work/regulatory-impact-statements/regulatory-impact-statement-review-the-misuse-of-drugs-industrial-hemp-regulations-2006/>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

These regulations are administered by the Ministry of Health.