

# Misuse of Drugs (Medicinal Cannabis) 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 (Medicinal Cannabis) Amendment Regulations 2026.

**2 Commencement**

These regulations come into force on 28 May 2026.

**3 Principal regulations**

These regulations amend the Misuse of Drugs (Medicinal Cannabis) Regulations 2019.

**4 Regulation 23 amended (Cultivation activity)**

(1) Replace regulation 23(1)(b) with:

(b) is done for a purpose relating to the cultivation of cannabis for therapeutic use.

(2) Replace regulation 23(2)(b)(ii) with:

(ii) hemp (as defined in section 2(1) of the Misuse of Drugs Regulations 1977):

**5 Consequential amendments**

Amend the principal regulations as set out in the Schedule.

## Schedule

### Consequential amendments to principal regulations

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#### Regulation 28

In the heading to regulation 28, after “**Licences**”, insert “**and permissions**”.

Revoke regulation 28(2)(d).

After regulation 28(2), insert:

(2A) A medicinal cannabis licence is not required for an activity permitted under regulations 14A and 14B of the Misuse of Drugs Regulations 1977.

#### Regulation 32

In regulation 32(3)(f), table, item relating to Cultivation activity, second column, delete “Whether the cannabis to be cultivated is only approved cultivars under the Misuse of Drugs (Industrial Hemp) Regulations 2006.”.

#### Regulation 43

Revoke regulation 43(1)(e).

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 force on 28 May 2026, amend the Misuse of Drugs (Medicinal Cannabis) Regulations 2019 (the **principal regulations**). These regulations clarify that, with one exception, hemp is excluded from the medicinal cannabis licensing regime in *Part 2* of the principal regulations. Hemp is defined in the Misuse of Drugs Regulations 1977 as 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.

The exception relates to cultivation activities that may be permitted by a licence under *regulation 23* of the principal regulations. One such activity is procuring cannabis within New Zealand (*see regulation 23(2)(b)*). These regulations clarify that there is no limit on the amount of hemp a licence holder may procure as part of their cultivation activity.

These regulations also remove references to the Misuse of Drugs (Industrial Hemp) Regulations 2006 in the principal regulations, as those regulations are revoked.

### 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.

PROACTIVELY RELEASED