



# Cabinet Legislation Committee

## Minute of Decision

---

*This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.*

---

### Misuse of Drugs (Drug and Substance Checking Service Providers) Regulations 2022

Portfolio                      Health

On 31 March 2022, the Cabinet Legislation Committee:

- 1        **noted** that drug checking is a service that identifies the likely contents of illicit drugs and provides advice to people who use those drugs on how the associated harms can be prevented or reduced;
- 2        **noted** that the Misuse of Drugs Act 1975 (the Act) has been amended to enable a licensing scheme for drug checking service providers, and to allow licensed providers to operate with legal certainty;
- 3        **noted** that on 13 December 2021, Cabinet agreed to a set of regulations to support the licensing scheme for drug checking [CAB-21-MIN-0525.01];
- 4        **agreed** to the following additional regulations to support the licensing scheme:
  - 4.1      a regulation requiring licence holders to inform the Director-General of Health (the Director-General) if there are any changes to responsible people;
  - 4.2      a regulation that licence holders may not store illicit drugs or substances on residential premises;
  - 4.3      exemptions from regulations 23, 25, 38, 47, 51 and 52 of the Misuse of Drugs Regulations 1977, which would be inappropriate to apply to drug checking licence holders or their service users;
- 5        **noted** that the Misuse of Drugs (Drug and Substance Checking Service Providers) Regulations 2022 will give effect to the decisions referred to in paragraphs 3 and 4 above;
- 6        **authorised** the submission to the Executive Council of the Misuse of Drugs (Drug and Substance Checking Service Providers) Regulations 2022 [PCO 24373/4.0];
- 7        **noted** that the Misuse of Drugs (Drug and Substance Checking Service Providers) Regulations 2022 will come into force on 5 May 2022.

Rebecca Davies  
Committee Secretary

---

**Distribution: (see over)**

**Present:**

Hon Andrew Little  
Hon David Parker  
Hon Poto Williams  
Hon Jan Tinetti  
Hon Michael Wood (Chair)  
Hon Dr David Clark  
Hon Phil Twyford  
Keiran McNulty, MP (Senior Government Whip)

**Officials present from:**

Office of the Prime Minister  
Officials Committee for LEG

PROACTIVELY RELEASED