Response to Issues and Key Themes addressed pertaining to The Review of the Discussion Paper: Review of the Narcotic Drugs Act 1967 (4 March 2019)

Key Themes	Response
1. Does the Narcotic Drugs Act 1967 establish a suitable framework for ensuring a sustainable supply of safe medicinal cannabis products for therapeutic purposes?	No comments nor variation proposed for this discussion point
2. Does the Narcotic Drugs Act 1967 establish a suitable framework for ensuring the availability of cannabis products for research purposes?	No comments nor variation proposed for this discussion point
3. Does the Narcotic Drugs Act 1967 establish a suitable framework for preventing the diversion of controlled narcotics to illegal use	No comments nor variation proposed for this discussion point
4. Has the Commonwealth (and in particular the Office of Drug Control) implemented an efficient and effective regulatory scheme for medicinal cannabis? Is an appropriate and proportionate regulatory burden placed on those applying for or holding licenses and permits? As to medicinal cannabis licences, is there duplication in the processes and information required in applying for a licence and a permit?	No comments nor variation proposed for this discussion point
5. Has an appropriate compliance and enforcement regime been implemented, both in the Narcotic Drugs Act 1967 and administratively? Are risks being appropriately managed? Is there excessive risk aversion?	Emerging illegal grows can have a significant impact to this relatively infant industry. Further enhancement on law enforcement is recommended to achieve the fundamental principles on efficacy, quality and safety of therapeutic goods.
6. Does the Act interact suitably with other Commonwealth, State and Territory laws relating to the regulation of cannabis products and narcotic drugs? Are the intersection points clear? Is there evidence of duplication?	No comments nor variation proposed for this discussion point
7. Are key terms appropriately defined in the Narcotic Drugs Act 1967 having regard to Australia's obligation to adhere to the requirements and terms of the Single Convention – noting that among the terms defined in the Act and that are important in the operation of the medicinal cannabis scheme are "cannabis", "cultivate", "handling", "premises", "production" and "supply"?	No comments nor variation proposed for this discussion point
8. The Narcotic Drugs Act 1967 establishes a licensing and permit scheme that rests on three categories – medicinal cannabis licences and permits, cannabis research licences and permits, and manufacture licences and permits. Is that an appropriate structure, having regard to Australia's obligation to adhere to the requirements and terms of the Single Convention? Is there a need to examine options for greater flexibility, for example, as to the activities (such as research) that can be conducted	No comments nor variation proposed for this discussion point

under a licence, or the uses that can be made of cannabis product that is covered by a licence and permit, or the "demonstrated supply arrangement" that must form part of an application for a medicinal cannabis licence? Have the requirements of the Act been appropriately interpreted and applied by the Office of Drug Control?	
9. The Narcotic Drugs Act 1967 does not specify the period for which a licence or permit can be in force. Nor is there a procedure for renewal of an existing licence or permit. Should this be changed?	Yes – an update should be implemented in consideration to the current industry environment to allow for enhanced control.
10. The Narcotic Drugs Act 1967 provides an extensive list of matters that must and can be considered in deciding whether to grant a medicinal cannabis, cannabis research or manufacture licence. The requirement that a licence applicant and business associates meet a "fit and proper" standard is of central importance. Extensive guidance is provided on those matters in the Regulations and by the Office of Drug Control. Does the Narcotic Drugs Act 1967 appropriately frame the list of relevant matters? Is appropriate guidance provided in the Act, the Regulations and by the Office of Drug Control? Have the requirements of the Act and Regulations been applied appropriately by the Office of Drug Control?	No comments nor variation proposed for this discussion point
11. Under s 11K of the Narcotic Drugs Act 1967, a licence to manufacture a drug derived from the cannabis plant can be granted only if the intended use of the drug falls within one of the categories in s 11K impose appropriate restrictions on the grant of manufacture licences?	No comments nor variation proposed for this discussion point
12. An applicant can be required under s 14J of the Narcotic Drugs Act 1967 to provide additional information in support of an application. Is this information gathering mechanism being appropriately managed by the Office of Drug Control? Is the information that applicants are required to provide excessive?	No comments nor variation proposed for this discussion point
13. A licence or permit may be varied either on the application of the licence holder or at the initiative of the Office of Drug Control. Has this power been appropriately managed?	No comments nor variation proposed for this discussion point
14. The Narcotic Drugs Act 1967 lists the standard conditions that apply to all licences, and other conditions that may be imposed on licences and permits. Does the Act provide an appropriate list of relevant conditions? Has the Office of Drug Control appropriately managed these provisions of the Act?	No comments nor variation proposed for this discussion point
15. The Office of Drug Control can exercise a range of compliance and enforcement powers to ensure compliance with the Narcotic Drugs Act 1967 and with licence and permit conditions. Have those powers been appropriately exercised? Do licence holders receive adequate guidance about the security standards they are	No comments nor variation proposed for this discussion point

expected to meet for premises and goods and the level of scrutiny that will be undertaken by the Office of Drug Control?	
16. The Act and Regulations implement a cost recovery scheme, through which fees and charges are imposed on licence applicants and holders. Is the scale of fees and charges appropriate? Should the fee scale apply also to manufacture licences and permits?	Adequate fee scale should also be applied to manufacture licences and permits. Annual licence renewal fee for current licence/permit holder should be reduced appropriately so to ensure additional funds can be reinvested and utilised effectively pertaining to industry's sustainable growth.
17. Are there any concerns about the interaction of the Act with other Commonwealth laws, including in relation to the Therapeutic Goods Act 1989 (Authorised Prescriber and Special Access Schemes)?	No comments nor variation proposed for this agenda