



An Bille um Mí-Úsáid Drugaí (Rialáil Cannabais), 2022
Misuse of Drugs (Cannabis Regulation) Bill 2022

Meabhrán Miniúcháin
Explanatory Memorandum



**AN BILLE UM MÍ-ÚSÁID DRUGAÍ (RIALÁIL
CANNABAIS), 2022
MISUSE OF DRUGS (CANNABIS REGULATION) BILL 2022**

EXPLANATORY MEMORANDUM

Purpose of the Bill

The purpose of this Bill is to amend the Misuse of Drugs Act 1977 to make it legally permissible for a person to possess up to the stated amount of cannabis/resin for adult personal use.

The process of amending the current legislation began over a year ago. In lengthy deliberation and current legislative change across other jurisdictions, there is no legal impediment to amend the existing legislation.

Provisions of the Bill

Section 1 is a standard form provision and defines the Misuse of Drugs Act 1977 as “Act of 1977” for the purposes of the Bill.

Section 2 amends section 3 of the Act of 1977 by providing that a person, who is at least 18 years of age, may have in their possession, for personal use, a specified amount not greater than a certain weight of either or both cannabis and cannabis resin, respectively.

Section 3 amends section 22 of the Act of 1977 by providing that in any proceedings for an offence relating to certain specified amounts of cannabis or cannabis resin, where the defendant claims that the cannabis or cannabis resin was for personal use, the onus of proving any claim by a defendant regarding personal use will be on that defendant.

Section 4 is a standard form provision and provides for the short title, collective citation and commencement of the proposed Act.

*Gino Ó Cionnaith, TD,
Samhain, 2022.*

