

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

HEALTH PORTFOLIO

Additional Estimates 2016 - 2017, 1 March 2017

Ref No: SQ17-000160

OUTCOME: 5 - Regulation, Safety and Protection

Topic: Medicinal Cannabis

Type of Question: Written Question on Notice

Senator: Leyonhjelm, David

Question:

Does the Department have evidence of someone in Australia receiving legal medicinal marijuana by the end of February 2017, a year after the Narcotics Drug Amendment Act 2016 received the Royal Assent? If so, in what circumstances were they able to receive legal medicinal marijuana?

Answer:

The *Narcotic Drugs Amendment Act 2016* came into operation on 30 October 2016. It established a licensing system to allow for the legal cultivation of cannabis to be used for medicinal purposes. It did not 'legalise medicinal cannabis products', rather it provided a route by which safe, quality products could be supplied through existing legal pathways.

The Department of Health's records show that there have been sporadic applications under the Special Access Scheme (SAS) Category B to prescribe medicinal cannabis products since at least 2006. The vast majority of these applications have been for Sativex, a product that is now registered, but not marketed in Australia.

However, the first approval of dried cannabis bud occurred in early 2016, prior to the development of the cultivation legislation.

Prior to 1 November 2016, there were 5 approvals under SAS Cat B for cannabidiol (CBD); 1 for dried cannabis bud; 1 for Tetrahydrocannabidiol (THC); and 25 approvals for Nabiximols (Sativex).

Since 1 November 2016, there have been a further 34 approvals for cannabidiol; 1 approval for cannabis dried bud; 4 approvals for THC/CBD combination product; and 2 approvals for Nabiximols.

It should be noted that the Department has no control over what products are applied for; this is a matter for the professional judgement of the treating doctor.

All products above would have needed to have been imported, as the cultivation scheme is not yet operational and all required approval by a medical practitioner.