

# Cannabis

New rules around personal use of cannabis came into effect on 31 January 2020.

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## Need health information or support?

For information about how cannabis impacts your health and for support to stop or change your cannabis use visit [health.act.gov.au/cannabis](https://www.health.act.gov.au/cannabis) (<https://www.health.act.gov.au/cannabis>).

## Know the ACT Cannabis rules

On 31 January 2020, we introduced new rules around personal use of cannabis in the ACT to help people get support and stay out of our justice system. Some rules have changed, and some have stayed the same.

## What are the changes?

If you're aged 18 and over in the ACT, you can now:

- possess up to 50 grams of dried cannabis or up to 150 grams of fresh cannabis
- grow up to two cannabis plants per person, with a maximum of four plants per household
- use cannabis in your home (personal use).

It's now an offence to:

- smoke or use cannabis in a public place
- expose a child or young person to cannabis smoke
- store cannabis where children can reach it
- grow cannabis using hydroponics or artificial cultivation
- grow plants where they can be accessed by the public.

## Where can I get health information and support?

Information about how cannabis can impact your health is available on the [ACT Health website \(https://www.health.act.gov.au/about-our-health-system/population-health/drug-and-alcohol-safety/cannabis-and-your-health\)](https://www.health.act.gov.au/about-our-health-system/population-health/drug-and-alcohol-safety/cannabis-and-your-health).

[Support services \(https://www.health.act.gov.au/services/alcohol-and-drug-services\)](https://www.health.act.gov.au/services/alcohol-and-drug-services) are also available if you need or want to change your cannabis use.

## Some rules are still the same

It's still illegal:

- to sell, share or give cannabis as a gift to another person
- for people aged under 18 to grow, possess, or use cannabis
- to [drive \(http://www.justice.act.gov.au/page/view/3968/title/drug-driving\)](http://www.justice.act.gov.au/page/view/3968/title/drug-driving) with any cannabis in your system.



### Contact us

If you have any concerns with your use or a family member's use of Cannabis please contact the Alcohol and Drug Services on (02) 5124 9977.

\* Please note this is not a general information line.

[\(tel:0251249977\)](tel:0251249977)

## Why did the ACT Government change its cannabis rules?

We know people in the ACT use cannabis. We want to encourage people to get the support they need through our health system and not be forced through the justice system. Our health services are here to support you.

## FAQs

### Q. Is cannabis legal in the ACT?

Cannabis is not legal in the ACT, it has been decriminalised. The ACT has removed penalties for adults who possess or use small amounts of cannabis so they can get support without fear of being put through the justice system.

New rules around personal use of cannabis came into effect on 31 January 2020.

### Q. Under the new rules, is it ok to sell cannabis at my house?

No. It's still illegal to sell cannabis in the ACT regardless of where you intend to sell it.

### Q. Can I sell cannabis or give it to someone now?

No. The laws around giving and selling cannabis are still the same. It's still an offence to sell or share any cannabis, including plants and seeds, with another person.

### Q. Can I drive after smoking cannabis?

No. It's still illegal to drive (<http://www.justice.act.gov.au/page/view/4100>) with cannabis in your system. In the ACT, we have a zero-tolerance approach to drug-driving, just like other Australian states and territories.

Find out more at JACS (<http://www.justice.act.gov.au/page/view/4100>).

### Q. I smoked cannabis a few hours ago, am I ok to drive?

Drug-driving laws have not changed. It's still illegal to drive with any cannabis in your system. Don't risk it.

**Q. I think cannabis is affecting my health, what support is there?**

For information on how cannabis can affect your health and to access support services in the ACT, visit the [ACT Health website \(https://www.health.act.gov.au/cannabis\)](https://www.health.act.gov.au/cannabis).

In a life threatening emergency, always call triple zero (000).

**Q. I live in the ACT, but work in NSW, can I possess cannabis across the border?**

No, the new rules only apply within the ACT. It is an offence to possess cannabis in NSW.

**Q. Can I smoke cannabis in public if no one can see me?**

No, you can not smoke or consume cannabis in a public place.

**Q. Can I vape cannabis in public?**

No. Vaping cannabis is illegal in public.

**Q. Where can I find the legislation?**

View the [Drugs of Dependence \(Personal Cannabis Use\) Amendment Bill 2018 \(https://www.legislation.act.gov.au/b/db\\_59295/\)](https://www.legislation.act.gov.au/b/db_59295/).

**Q. How does the bill interact with Commonwealth law?**

This is the first time an Australian government has progressed this type of reform. As with other significant harm minimisation reforms over the decades, there are elements of the legislation that are new and unfamiliar.

We consider the ACT has the right to legislate on this issue but, there is a possibility that the Commonwealth will try to test the ACT's laws in the courts.

The ACT Government has taken steps to minimise this risk in the way we have structured our amendments. There will still be an offence in ACT legislation, but with an exception for persons 18 years of age and over.

The Government has taken this approach to manage potential issues that may arise regarding consistency with Commonwealth laws.

## **Q. Where can I find the ACT Drug Strategy Action Plan?**

The ACT has a history of progressive drug law reforms and these amendments maintain the Territory Government's commitment to sensible, progressive responses to drug use that minimise harm in our community, as detailed in the [ACT Drug Strategy Action Plan 2018-21](https://www.health.act.gov.au/sites/default/files/2019-03/ACT_Drug_Strategy_Action_Plan_2018-21.pdf) ([https://www.health.act.gov.au/sites/default/files/2019-03/ACT\\_Drug\\_Strategy\\_Action\\_Plan\\_2018-21.pdf](https://www.health.act.gov.au/sites/default/files/2019-03/ACT_Drug_Strategy_Action_Plan_2018-21.pdf)).



### **Acknowledgement of Country**

**(<https://www.communityservices.act.gov.au/atsia/indigenous-protocols>)**

We acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

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