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

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*Mar a tionscnaíodh*

*As initiated*

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

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*Mar a tionscnaíodh*

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CONTENTS

Section

1. Definition
2. Amendment of section 3 of Act of 1977 (restriction on possession of controlled drugs)
3. Amendment of section 22 of Act of 1977 (onus of proof)
4. Short title, collective citation and commencement

ACTS REFERRED TO

Misuse of Drugs Act 1977 (No. 12)

Misuse of Drugs Acts 1977 to 2017



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

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# Bill

*entitled*

An Act to amend the Misuse of Drugs Act 1977 to enable a person who is at least 18 years of age to have possession, for the person’s personal use, of either or both cannabis and cannabis resin that in each case does not exceed a specified amount and to provide for related matters. 5

**Be it enacted by the Oireachtas as follows:**

**Definition**

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1. In this Act, “Act of 1977” means the Misuse of Drugs Act 1977.

**Amendment of section 3 of Act of 1977 (restriction on possession of controlled drugs)**

2. Section 3 of the Act of 1977 is amended—

(a) in subsection (1), by substituting “Subject to subsections (2A) and (3)” for “Subject to subsection (3)”, 15

(b) in subsection (2), by substituting “Subject to subsection (2A), a person who has a controlled drug” for “A person who has a controlled drug”, and

(c) by the insertion of the following subsection after subsection (2):

“(2A) Without prejudice to anything to the contrary contained in any other law, including the prohibition on the import into or export from the State of cannabis or cannabis resin, where— 20

(a) a person who is at least 18 years of age has possession of—

(i) up to 7 grams of cannabis,

(ii) up to 2.5 grams of cannabis resin, or

(iii) both quantities as provided for in subparagraphs (i) and (ii), 25

and

(b) the circumstances are such as give rise to a reasonable inference that the cannabis or cannabis resin, or both, are for the personal use of the person concerned,

then, it shall be lawful for that person to have such possession of such 30

amount of the substance as set out in paragraph (a).”.

**Amendment of section 22 of Act of 1977 (onus of proof)**

3. Section 22 of the Act of 1977 is amended by the insertion of the following subsection after subsection (2):

“(3) In any proceedings for an offence under this Act where— 5

(a) the relevant controlled drug is—

(i) up to 7 grams of cannabis, or

(ii) up to 2.5 grams of cannabis resin,

and

(b) the defendant claims that the cannabis or cannabis resin was for the 10  
personal use of the defendant,

then, the onus of proving that it was for such personal use shall be on  
the defendant.”.

**Short title, collective citation and commencement**

4. (1) This Act may be cited as Misuse of Drugs (Cannabis Regulation) Act 2022. 15
- (2) The Misuse of Drugs Acts 1977 to 2017 and this Act may be cited together as the Misuse of Drugs Acts 1977 to 2022.
- (3) This Act comes into operation 6 months after the date of its passing or on such earlier date than the said 6 months as the Minister for Justice may by order appoint.



An Bille um Mí-Úsáid Drugaí (Rialáil  
Cannabais), 2022

# BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta um Mí-Úsáid Drugaí, 1977 chun a chumasú do dhuine, atá 18 mbliana d'aois ar a laghad, cannabis nó roisín cannabais, nó cannabis agus roisín cannabais, nach mó a mhéid nó a méid i ngach cás ná méid sonraithe, a shealbhú le haghaidh úsáid phearsanta an duine, agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Teachtaí Gino Ó Cionnaith, Pól Ó Murchú,  
Risteard Buíd Bairéid, Brid Nic Gabhann agus  
Michéal de Barra a thug isteach,

24 Samhain, 2022

Misuse of Drugs (Cannabis Regulation) Bill  
2022

# BILL

(as initiated)

entitled

An Act to amend the Misuse of Drugs Act 1977 to enable a person who is at least 18 years of age to have possession, for the person's personal use, of either or both cannabis and cannabis resin that in each case does not exceed a specified amount and to provide for related matters.

Introduced by Deputies Gino Kenny, Paul Murphy,  
Richard Boyd Barrett, Brid Smith and Mick Barry,

24th November, 2022

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó

FOILSEACHÁIN RIALTAIS,  
BÓTHAR BHAILE UÍ BHEOLÁIN, CILL MHAIGHNEANN,  
BAILE ÁTHA CLIATH 8, D08 XAO6.

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