



Media Release
Hon Sarah Game MLC
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One Nation to protect medicinal cannabis patients from Labor's new immediate loss of licence laws

From Monday this week, the SA Labor government has given South Australia Police the power to immediately strip motorists of their licence upon detection of prescribed drugs, including for patients using medicinal cannabis.

Thousands of patients who have been prescribed medicinal cannabis by their General Practitioner are in the firing line, with no consideration given to these South Australians who have been able to access medicinal cannabis medicines since 2016.

To address this, One Nation MLC Sarah Game is introducing the *Statutes Amendment (Medicinal Cannabis Defence) Bill 2023* into the Legislative Council next week.

This bill allows for a complete defence for medicinal cannabis users when THC is detected in the person's fluid or blood when:

- The person has a valid doctor's prescription for the medicine containing THC;
- The person is not involved in dangerous or reckless driving; and
- An officer cannot establish impairment in the person.

The legislation is based on existing laws in Tasmania, which allow for the detection of THC at the roadside for medicinal cannabis patients so long as the motorist is not impaired while driving.

Cannabis is currently the only legally prescribed medication for which motorists can lose their licence when testing positive for presence, with there being no requirement to test for impairment. Unlike with alcohol, there is no known dose of THC that causes impairment.

South Australia does not currently have a restricted list of medical conditions for which medicinal cannabis is prescribed, and it is left to doctors and patients to establish the best treatment options. Medicinal cannabis can be accessed for conditions including paediatric and adult epilepsies, multiple sclerosis, various types of pain, and to treat side effects from chemotherapy and HIV/AIDS therapy.

Prior to Monday, a positive roadside drug test would result in a driver retaining their licence until its suspension by a magistrate.

"Law-abiding medicinal cannabis patients face heightened anxiety when getting behind the wheel this week as the SA government threatens them with immediate loss of licence with no regard as to their capacity to drive", Ms Game said.

"The government needs to support my common-sense bill to ensure patients are not stripped of their licence through no wrongdoing of their own".

Contacts:

Jarryd Thiel

E: jarryd.thiel2@parliament.sa.gov.au

M: 0422 636 885