



HOUSE OF ASSEMBLY

13th APRIL 2017

INDUSTRIAL HEMP BILL

Second Reading

Mr PEDERICK (Hammond) (11:11): I rise to speak to the Industrial Hemp Bill. I am the lead speaker with regard to the bill. I note that the Hon. Tammy Franks first put this bill in the other place and that there were quite a few contributions made there, including from the Hon. David Ridgway.

This bill aims to legalise the cultivation of industrial hemp in South Australia. It seeks to amend the Controlled Substances Act 1984 to authorise and regulate the cultivation of industrial hemp. Currently, South Australia is the only state in which it is illegal to cultivate industrial hemp. Various state legislation has one key difference, being the tetrahydrocannabinol (THC) limit permitted. THC is the psychoactive compound found in hemp and marijuana.

In Victoria and Western Australia, the THC maximum limit is 0.35 per cent in the leaves and flowering heads of a hemp plant. In the ACT, New South Wales, Queensland and Tasmania, there are two THC limits: the leaves and flowering heads of a hemp plant must have less than 1 per cent, while hemp seed may only be used if supplied on the basis that it will not produce hemp plants with THC in its leaves and flowering heads of more than 0.5 per cent. This bill adopts the latter limits prescribed in the respective ACT, New South Wales, Queensland and Tasmania legislative frameworks and adopts the Tasmanian model.

Hemp has a relatively low concentration of THC (under 1 per cent) and, by way of contrast, the average marijuana plant, from what I have been informed, could have between 15 per cent to 20 per cent. The legislative framework in this bill is similar to the opium poppy legislation which was introduced by the Hon. David Ridgway in the other place and which passed last year.

In order to cultivate hemp, a farmer must obtain a licence and approval from the Chief Executive of PIRSA. There are a number of checks and balances in place to screen potential applicants, including powers for the chief executive to require documentation so that a report can be produced and provided to the Commissioner of Police for review. Licences are limited to a maximum five-year period and may be suspended or cancelled by the chief executive if a farmer breaches conditions.

The chief executive also has powers, which mirror those in the opium poppy legislation, to order inspections in which the inspector may seize material and take samples. The state government has provided a number of amendments, which were all passed in the other place. The amendments aim to ensure there are appropriate regulatory and security requirements. The majority of those amendments bring the legislative framework in line with the existing opium poppy legislative framework.

As I indicated, the Liberal Party initiated legalising the cultivation of opium poppies. They are soon to be cultivated in the state's South-East. That does encompass a very strict regulatory framework. It is anticipated that a similarly stringent regulatory framework will be developed and released for consultation following the passage of the bill. I note that poppy cultivation—and I have witnessed where they do it in Tasmania—is very heavily regulated. There are signs on fences around the farmer's land and strict regulatory licence arrangements are made with companies for growing opium poppies, obviously for the legal pharmaceutical drug trade.

Opium poppy growing is very heavily regulated, and so it should be. Obviously, there will be some similar arrangements in the regulatory framework around growing industrial hemp. This bill is limited to the cultivation of hemp, does not seek to amend any other legislation that may affect its uses and does not touch on medical cannabis. Legalising the cultivation of hemp will enable South Australian farmers to access another crop, which is currently being farmed around Australia.

The Hon. David Ridgway represented our party at the government's industrial hemp and medical cannabis round table held this year by the Hon. Kyam Maher. A broad range of stakeholders were in attendance, including various government departments and government representatives, a number of hemp and medical cannabis associations and medical professionals, amongst others. With respect to what we are talking about here today—cultivating industrial hemp—this component had the overwhelming support of the stakeholders at the round table.

The opposition is supporting the bill that has come down from the other place. We are the only state in which it is illegal to cultivate industrial hemp. As I indicated earlier, it will give South Australian farmers more opportunities to access another crop, just like poppies. It is currently being farmed elsewhere around Australia for a range of products that can be made out of industrial hemp.

I want to note that the state Liberal Party will always support initiatives that benefit our regions and primary producers. Farmers are the ones who are going to have to make the decisions, and if they have the right land, the right rainfall, the right conditions, I believe, from conversations I have had, that hemp does not need the same amount of water that poppies may need, so there is probably a broader range of places where it can be cultivated. If farmers decide that it is commercially viable to farm a particular crop, then cultivating industrial hemp could represent a great opportunity for some primary producers to do so.

The legislative framework, as I have indicated, is quite similar to that of the opium poppy legislation the Hon. David Ridgway introduced in the other place. In regard to the THC levels contained in hemp, they are well below the levels found in marijuana. A strict regulatory framework must be in place. We on this side believe that the bill before parliament has adequate safeguards to regulate and prevent the possible improper use of industrial hemp.

I want to identify a couple of people who have been involved in promoting the use of industrial hemp over time, and one is a person who, prior to the mid-nineties, lived not far from me at Coomandook. Caroline Graham was quite a pioneer in her day. I remember her coming to Agricultural Bureau events promoting the growing of industrial hemp. I think she was involved in trials on Yorke Peninsula when she went back to the home properties of the Graham family at Arthurton. Dianah Mieglich has been involved and promoted this use for regional development and for our agricultural sector to take on board.

From a personal point of view, anything that gives our farmers more agricultural options to pursue is a good thing, as long as the regulatory framework is correct, policed properly, regulated properly and the licences are managed properly so that a successful business can operate in this state. With those few words, the Liberal Party supports the legislation and hopes for its speedy progress through the house.