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c2025-071A  
LCP--Legalise Cannabis Party

**LEGISLATIVE COUNCIL**

**Road Transport Legislation Amendment (Post-Crash Drug and Alcohol Testing) Bill 2025**

**First print**

**Proposed amendments**

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No. 1      **Defences for medicinal cannabis**

Page 4, Schedule 1. Insert after line 14—

**[16A]    Section 111(1A)**

Insert after section 111(1)—

- (1A) It is a defence to a prosecution for an offence against subsection (1) if the defendant proves that, when the defendant engaged in the conduct alleged to have contravened the subsection—
- (a) the only prescribed illicit drug present in the defendant's oral fluid, blood or urine was delta-9-tetrahydrocannabinol, also known as THC, and
  - (b) the delta-9-tetrahydrocannabinol was obtained and administered in accordance with the *Poisons and Therapeutic Goods Act 1966* or a corresponding Act of another State or Territory.

No. 2      **Defences for medicinal cannabis**

Page 14, Schedule 1[89]. Insert after line 28—

**Application of amendment relating to presence of THC in person's oral fluid, blood or urine**

Section 111(1A), as inserted by the amending Act, applies to the presence of delta-9-tetrahydrocannabinol, also known as THC, in a person's oral fluid, blood or urine before the commencement of the subsection.