



**GROUP OF MEMBERS OF PARLIAMENT  
(First signed by Sara Žibrat and Nataša Sukič)**

**Date: 15. 7. 2025**

**NATIONAL ASSEMBLY OF THE REPUBLIC OF SLOVENIA  
Mag. Urška Klakočar Zupančič, President**

Pursuant to Article 88 of the Constitution of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, Nos 33/91-I, 42/97 – UZS68, 66/00 – UZ80, 24/03 – UZ3a, 47, 68, 69/04 – UZ14, 69/04 – UZ43, 69/04 – UZ50, 68/06 – UZ121, 140, 143, 47/13 – UZ148, 47/13 – UZ90, 97, 99, 75/16 – UZ70a and 92/21 – UZ62a), Article 19 of the Members of Parliament Act (Official Gazette of the Republic of Slovenia, Nos 112/05 – official consolidated text, 109/08, 39/11, 48/12, 17/22 and 95/24) and Article 114 of the Rules of Procedure of the National Assembly of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, Nos 92/07 – official consolidated text, 105/10, 80/13, 38/17, 46/20, 105/21 – odl. US, 111/21, 58/23 and 35/24) we, the undersigned members of parliament, are tabling the

**BILL  
ON CANNABIS FOR LIMITED PERSONAL USE**

We hereby submit it to you for consideration on the basis of Articles 114 and 115 of the Rules of Procedure of the National Assembly.

We propose that the National Assembly examines the Bill on Cannabis for Limited Personal Use under the ordinary procedure.

Sara Žibrat and Nataša Sukič will participate in the consideration of the Bill at the session of the National Assembly of the Republic of Slovenia and in the work of its working bodies on behalf of the proposer.

Annexes:

- Bill on Cannabis for Limited Personal Use
- Signatures of Members

**BILL**  
**ON CANNABIS FOR LIMITED PERSONAL USE**

## **I. INTRODUCTION**

The field of illicit drugs is regulated in international law by the United Nations (hereinafter: UN) conventions, namely the Single Convention on Narcotic Drugs of 1961 and the Additional Protocol of 1972 (hereinafter: Single Convention on Narcotic Drugs), the 1971 Convention on Psychotropic Substances and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, which the Republic of Slovenia transposed into Slovenian law and committed itself to implement by the Act on the Notification of Succession to UN Conventions and Conventions adopted by the International Atomic Energy Agency (Official Gazette of the Republic of Slovenia – International Treaties, Nos 9/92, 9/93, 5/99, 13/11, 5/17).

The States signatories to the Single Convention on Narcotic Drugs have undertaken, in accordance with the provisions of Article 28, paragraph 3, of the Single Convention, to take the necessary measures to prevent the abuse of, or illicit trafficking in, the inflorescence of the cannabis plant. With regard to the above, attention should be drawn to the provisions of the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Article 3(1) of which provides that “Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally: (i) the production, manufacture, extraction, preparation, offering, offering for sale, distribution, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation or exportation of any narcotic drug or any psychotropic substance contrary to the provisions of the Single Convention; (ii) the cultivation of opium poppy, coca bush or cannabis plant for the purpose of the production of narcotic drugs contrary to the provisions of the Single Convention.” That being said, Article 3(2) provides that a signatory State shall, in accordance with its constitutional principles and the basic concepts of its legal system, take such measures as are necessary to establish offences under its national law where the acts are committed intentionally and the possession, trafficking or cultivation of narcotic drugs or psychoactive substances for personal use is contrary to the provisions of the Single Convention on Narcotic Drugs or the 1971 Convention on Psychotropic Substances. Article 3(2) of the Convention thus allows signatory States to introduce measures for the personal use of cannabis that do not involve criminal sanctions, provided that this does not undermine the basic objectives of the Convention. Article 14(2) of the Convention provides that “Each Party shall take appropriate measures to prevent illicit cultivation of and to eradicate plants containing narcotic or psychotropic substances, such as opium poppy, coca bush and cannabis plants, cultivated illicitly in its territory”.

In accordance with the above-mentioned provisions of the UN Conventions and respecting the provisions of the second paragraph of Article 153 of the Constitution of the Republic of Slovenia, which provides that laws must be in accordance with generally applicable principles of international law and with applicable international treaties ratified by the National Assembly, the National Assembly, by means of the Production of and Trafficking in Illicit Drugs Act

/ZPPPD/ (Official Gazette of the Republic of Slovenia Nos 108/99, 44/00, 2/04 – ZZdrI-A and 47/04 – ZdZPZ), determined the conditions under which the production of and trafficking in illicit drugs and possession of illicit drugs are permitted (Article 1 ZPPPD). According to the provisions of Article 2 of the said Act, illicit drugs are plants or substances of natural or synthetic origin which have psychotropic effects and are capable of affecting physical or mental health or endangering the proper social condition of human beings and are defined in the list of groups of illicit drugs annexed to the Regulation on the classification of illicit drugs (Official Gazette of the Republic of Slovenia, Nos 69/19, 157/20, 162/21, 8/23 and 113/23).

On the basis of the provisions of Article 3 of the Production of and Trafficking in Illicit Drugs Act, illicit drugs are classified into one of three groups according to the severity of the danger to human health that may result from their abuse and according to their potential value for medical use. Group I thus covers plants and substances which are very dangerous to human health as a result of serious consequences which may be caused by their abuse and which are not used in medicine; group II covers plants and substances which are very dangerous as a result of serious consequences which may be caused by their abuse and which may be used in medicine; and group III defines plants and substances which are moderately dangerous as a result of the consequences which may be caused by their abuse and which may be used in medicine. On the basis of the above, the Government of the Republic of Slovenia has included in the list of groups of illicit drugs in Group II, under order number 107, the illicit drug TETRAHYDROCANNABINOL (THC), isomers: D6a(10a), D6a(7), D7, D8, D10, D9(11) and its stereochemical variants, chemical formula  $C_{21}H_{30}O_2$ , which is the cannabinoid of the cannabis plant (*Cannabis sativa* L.), and under order number 112 Cannabis (extracts, plant, resin), chemical name: *Cannabis sativa* L. (*extracta, herba, resina*).

In compliance with the aforementioned conventions, the National Assembly laid down in the Criminal Code (KZ-1) the criminal offences of unlawful production of and trafficking in illicit drugs, illicit substances and processes in sports and precursors for the manufacture of drugs (Article 186 KZ-1), and the facilitation of the consumption or use of illicit drugs or illicit substances or processes in sports (Article 187 KZ-1), as well as laid down sanctions for them.

## **1. SITUATION ASSESSMENT AND REASONS FOR ADOPTING THE BILL**

Current data on illicit drug use show that cannabis use is increasing despite existing prohibitions, especially among young people. According to the Resolution on the National Programme on Illicit Drugs 2023-2030 (ReNPPD23-30), based on a 2018 survey, approximately 83 700 adults (6.2%) aged 15-64 in Slovenia have used an illicit drug in the last 12 months, whereas one in five students aged 15-16 reported having used cannabis. Cannabis is the most commonly used illicit drug, which is prevalent mainly among the school population and young adults. In 2018, 5.9% of the population aged 15-64 used it (7.8% men and 3.6 % women). The prevalence of cannabis is particularly high among young adults aged 15-34, of whom 33.1% (36.5% men and 29.4% women) reported having used cannabis in

their lifetime and 12.3% (15.2% men and 9.1% women) reported having used it in the last year. The average age at first use is 14.9 years (ReNPPD23-30).

In recent years, there has been a growing trend in Slovenia, as in the rest of the world, toward the widespread promotion of cannabis as a medicinal plant, which has generated a high level of interest in its use in medicine and has contributed to an increasing demand for cannabis among different groups of the population. Cannabis has also attracted the attention of politicians, as several legislative initiatives or proposals for regulating the area of cannabis production for medical purposes and the legalisation of cannabis for limited personal use have been submitted to the National Assembly of the Republic of Slovenia in the last decade. The increase in demand has contributed to the expansion of the black market and the cultivation of cannabis for personal use. The use of illegal cannabis preparations has increased mainly among chronic patients with diseases for which there are scientifically justified moderate positive effects of cannabinoids to relieve symptoms and negative effects of treatment. However, in the absence of adequate evidence of their safety, quality and efficacy, the use of black market preparations is particularly risky for patients. The use of cannabis obtained on the black market poses an increased health risk, since the tetrahydrocannabinol (THC) content is unknown and cannabis may contain toxic admixtures, contaminants and synthetic cannabinoids, the strength of which cannot be estimated by users. Between 2011 and 2020, cannabis was the most common illicit drug detected in treated adults at the University Medical Centre Ljubljana, with the exception of 2018, when cocaine poisoning was the most common treatment (ReNPPD23-30).

Human health is one of the most important constitutional values. Access to cannabis for limited personal use by informed adults, in particular for the purpose of relieving pain or alleviating symptoms, is an individual right that derives not only from the right to health as a protected legal good, but also from Article 35 of the Constitution, which guarantees the inviolability of a person's bodily integrity and privacy, and thus a general freedom of action for individuals, as long as their conduct does not interfere with the rights and inviolability of others. Instead of criminalising adult users, which leads to their recourse to more harmful untested products on the black market, it is necessary to establish a clear regulatory framework for self-sufficiency in cannabis for limited personal use, and to inform users about the risks of drug use.

Current developments show that cannabis use is increasing despite prohibitions. Maintaining the current legal regime would not effectively limit the illicit trade in cannabis and would not improve the protection of the health of individuals, children and adolescents. In order to assess the social interest in the future use of cannabis, a consultative referendum was held on 9 June 2024, in which a total of 1 692 379 voters were entitled to vote. A total of 701 079 voters or 41.43% of all voters who had the right to vote voted. To the referendum question: "Should the Republic of Slovenia permit the cultivation and possession of cannabis on its territory for limited personal use?", 356 944 voters or 51.57% of voters who submitted a valid ballot paper voted "FOR", while 335 183 voters or 48.43% of voters who submitted a valid ballot paper voted "AGAINST" (Minutes on the establishment of the outcome of the consultative referendum on the cultivation and processing of cannabis for personal use, which was held on 9 June 2024, Official Gazette of the Republic of Slovenia, No 53/24).

In line with the expressed general social interest and in order to supplement the legal regime of the Bill on Cannabis for Medical and Scientific Purposes (regulating the production and marketing of cannabis (*Cannabis sativa* L.) for medical and scientific purposes, procedures for obtaining authorisations in connection with the production and marketing of cannabis for medical and scientific purposes, possession of cannabis for medical purposes, control mechanisms and competent authorities and their tasks and responsibilities), the Bill on Cannabis for Limited Personal Use (ZKOOU) regulates the cultivation and possession of cannabis (*Cannabis sativa* L.) for limited personal use produced by an individual in limited authorised quantities for personal use, control mechanisms and authorities responsible for the implementation of legal provisions, as well as preventive measures regarding the use of cannabis with a tetrahydrocannabinol (THC) content of more than 1 percent.

Both the Bill on Cannabis for Medical and Scientific Purposes and the Bill on Cannabis for Limited Personal Use contribute to improving health protection, strengthening information, education and public awareness, and aim to reduce illicit cannabis trade and to strengthen the protection of patients and adolescents from the consumption of illegally obtained cannabis containing toxic impurities, contaminants and synthetic cannabinoids, which are harmful to health. The Bill on Cannabis for Limited Personal Use enables users to handle cannabis responsibly, while placing the responsibility on them to protect young people and prevent their access to cannabis.

Pursuant to Article 153 of the Constitution of the Republic of Slovenia and the second paragraph of Article 3 of the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the Cannabis for Limited Personal Use Act will enable the private cultivation of up to four cannabis plants, the possession of up to 7 grams of dried cannabis inflorescences in public areas and up to 150 grams of dried cannabis inflorescences at home (at the address of permanent or temporary residence), and up to 5 grams or millilitres of resin, extracts and other preparations from the cannabis plant in public areas and up to 50 grams or millilitres of resin, extracts and other preparations from the cannabis plant at home (at the address of permanent or temporary residence). The quantitative limit is established primarily to control the cultivation and use of the inflorescence of those varieties of the cannabis plant with a THC content of more than 1 percent. Within these limits, it will also be allowed to grow and possess cannabis with a lower THC content (so-called industrial hemp with CBD content), which will eliminate the existing legal vacuum in the field of possession of cannabis, which does not contain psychotropic substances and is unjustifiably prosecuted as possession of illicit drugs.

The cultivation and possession of cannabis for limited personal use, contrary to the provisions of this Act, will continue to be prohibited. This will continue to ensure criminal liability in the case of the committing the criminal offence of unlawful production of and trafficking in illicit drugs, illicit substances and processes in sports and precursors for the manufacture of illicit drugs (Article 186 of the Criminal Code /KZ-1/) and in the case of the criminal offence of facilitating the consumption or use of illicit drugs or illicit substances or processes in sports (Article 187 of the Criminal Code /KZ-1/).



## 2. THE OBJECTIVES, PRINCIPLES AND MAIN SOLUTIONS OF THE BILL

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### 2.1 Objectives

The aim of the Act is to ensure that the inhabitants of the Republic of Slovenia have access to cannabis for limited personal use, thereby reducing the illegal production of and trafficking in cannabis of untested quality, which may contain toxic adulterants, contaminants and synthetic cannabinoids that are harmful to health.

### 2.2 Principles

In accordance with the principle of integrity, the Bill regulates the cultivation and possession of cannabis (*Cannabis sativa* L.) for limited personal use, produced by an individual in limited permitted quantities for personal use, the control mechanisms and competent authorities, as well as preventive measures related to the use of cannabis with a THC content above 1 percent.

### 2.3 Main solutions

The Bill regulates the conditions for the cultivation and possession of cannabis (*Cannabis sativa* L.) for limited personal use, ensuring the controlled production and use of cannabis for limited personal use, thereby introducing the measures necessary to prevent the misuse of the inflorescence of the cannabis plant or the illicit trade in it, in accordance with the provisions of Article 28(3) of the Single Convention on Narcotic Drugs.

According to the bBill, an adult natural person residing in the Republic of Slovenia will be able to grow up to four cannabis plants for personal use and possess up to 7 grams of dried inflorescences of the cannabis plant in public areas and up to 150 grams of dried inflorescences of the cannabis plant for limited personal use at the address of residence, and up to 5 grams or millilitres of resin, extracts and other preparations from the cannabis plant in public areas and up to 50 grams or millilitres of resin, extracts and other preparations from the cannabis plant for limited personal use at the address of residence. In addition, the person will also have to ensure that measures are in place to prevent access to cannabis for limited personal use and to prevent its use by persons under 18 years of age.

The Act lays down preventive measures aimed at reducing the potential negative health effects of cannabis use and preventing cannabis dependence. The National Institute of Public Health (NIJZ) will be responsible for the implementation and coordination of preventive measures and the collection of data on the use of cannabis for limited personal use.

The Bill also establishes the supervisory and prosecuting authorities in relation to smoking cannabis, and the illegal production of and trafficking in cannabis for limited personal use, as well as defines new offences and fines for non-compliance with the new regime. In order to protect the user's rights, the Act prohibits the verification of the content of THC in the organism as part of regular

health checks of employees, and also establishes a limit on tolerance when driving under the influence of THC, which, according to research and regulations in comparable European countries, still ensures road safety.

### **3. ESTIMATE OF FINANCIAL CONSEQUENCES OF THE BILL FOR THE STATE BUDGET AND OTHER PUBLIC FUNDS**

The Bill will have no financial implications for the state budget or for other public financial resources.

### **4. INDICATION THAT FUNDS FOR THE IMPLEMENTATION OF THE ACT SHALL BE PROVIDED IN THE STATE BUDGET IF THE BILL PROVIDES FOR THE SPENDING OF APPROPRIATIONS DURING A PERIOD FOR WHICH THE STATE BUDGET HAS ALREADY BEEN ADOPTED**

The Bill does not provide for the use of funds from the state budget.

### **5. PRESENTATION OF ARRANGEMENTS IN OTHER LEGAL SYSTEMS AND ADAPTATION OF THE PROPOSED ARRANGEMENT TO EUROPEAN UNION LAW**

#### **5.1 Presentation of the arrangement in other legal systems**

In the last 20 years, several European countries and other countries around the world have decriminalised the consumption and possession of cannabis for personal use.

#### **Malta:**

Malta became the first European country to officially legalise the so-called recreational use of cannabis in 2021 with the entry into force of the Act on the Responsible Use of Cannabis No LXVI (*Att dwar l-użu responsabbli tal-Kannabis*). The legal framework regulates the production, possession and use of cannabis for personal purposes. Under the current legal regime, individuals are allowed to cultivate up to four cannabis plants at home and the cannabis produced must be stored in a way that is not accessible to the public. In addition, persons over the age of 18 may legally possess up to 7 grams of cannabis for personal use, while possession of between 7 and 28 grams may result in an administrative penalty but no criminal record. Cannabis smoking is only allowed in private premises and is forbidden both in the public and in front of children.

The legal regime of the Act allows for the establishment of non-profit cannabis associations that can cultivate and distribute cannabis to their members. An association, which may have up to 500 members, may distribute a maximum of 50 grams of cannabis per member per month, provided that individuals may not receive more than 7 grams of cannabis per day.

The Act lays down offences for the possession of larger quantities of cannabis as well as offences such as the smoking of cannabis in the public or in front of children. The latter is punishable by a fine of between EUR 300 and EUR 500.

**Germany:**

With the entry into force of the Controlled Use of Cannabis Act (*Cannabisgesetz*) in 2024, Germany facilitated the cultivation, possession and use of cannabis for personal use. Under the applicable legal regime, individuals are allowed to cultivate up to three cannabis plants for personal use, provided that the plants are protected from access by children and third parties. In addition, persons over the age of 18 may possess up to 25 grams of dry cannabis in public places and up to 50 grams at home.

Personal and recreational use of cannabis is permitted, but sales for commercial purposes are not yet regulated; instead, the Act allows the establishment of non-commercial “cannabis clubs” for collective cultivation and distribution of cannabis to club members in limited quantities. However, the use of cannabis on the location of the clubs or in their vicinity is not permitted.

In addition to the general prohibition on the sale and distribution of cannabis to minors, smoking cannabis in public is prohibited near schools, playgrounds, and other areas where minors are present, as well as in pedestrian zones between 7 a.m. and 8 p.m. In addition, the Act lays down preventive measures for the protection of minors and prescribes offences and criminal offences for the abuse of or illegal trafficking in cannabis. At the latest 18 months after the entry into force of the Act, Germany will carry out, among other things, a first assessment of its impact on young people.

The Act was also supported by the German Ministry of Health, among others, as the current situation is unacceptable due to the growing number of users and the spread of the black market. The Ministry also adds that education and awareness in this area will help to limit consumption and abuse.

**Netherlands:**

In the Netherlands, the sale of cannabis is permitted only in specialised coffee shops, which are licensed by municipalities. About a third of municipalities allow the operation of these specialized coffee shops. Cannabis in quantities of up to five grams can only be purchased by adult residents of the country. In traffic, the tolerance limit for driving under the influence of THC is set at 3 ng/ml THC in the blood.

**United States:**

In the United States, the following states have legalized cannabis: Colorado, Washington, Alaska, Oregon, California, Nevada, Maine, Massachusetts and Vermont. These states allow the sale of cannabis, but have different cultivation regimes.

**Spain:**

Legislation in Spain tolerates the cultivation of cannabis for personal purposes, but any consumption or trade in cannabis is prohibited.



**Portugal:**

In Portugal, possession of up to 25 grams of cannabis is only a minor offence, punishable by a fine. In traffic, the tolerance limit for driving under the influence of THC is set at 3 ng/ml THC in the blood.

**Switzerland:**

In Switzerland, possession of less than 10 grams of cannabis is only an offence.

**Austria:**

In Austria, cannabis is authorised for medical purposes, and personal use is also decriminalised.

**Czech Republic:**

In the Czech Republic, as of 1 January 2026, natural persons over the age of 21 will be allowed to cultivate 3 cannabis plants and possess up to 100 grams of dried cannabis inflorescence.

## **5.2 Adaptation of the proposed arrangement to European Union law**

The content of the Act is not subject to regulation and coordination at the level of the European Union. The Bill does not transpose the provisions of EU directives nor is it adopted for the purpose of alignment with the EU acquis.

## **6. INDICATION OF REPRESENTATIVES OF THE PROPOSER WHO WILL PARTICIPATE IN THE WORK OF THE NATIONAL ASSEMBLY AND ITS WORKING GROUPS**

The following will participate in the work of the National Assembly of the Republic of Slovenia and its working bodies:

- Sara Žibrat, Member;
- Nataša Sukič, Member.

## II. TEXT OF THE ARTICLES

### BILL ON CANNABIS FOR LIMITED PERSONAL USE

#### I. General obligations

##### Article 1 (Content)

This Act regulates the cultivation and possession of cannabis (*Cannabis sativa* L.) for limited personal use, cultivated by an individual in limited permitted quantities for personal use, the control mechanisms and competent authorities, and the preventive measures relating to the use of cannabis containing tetrahydrocannabinol (hereinafter referred to as: THC) above 1 percent.

##### Article 2 (Cannabis for limited personal use)

Cannabis for limited personal use means the plant, inflorescence and other parts of the cannabis plant (*Cannabis sativa* L.), resin, extracts and other preparations from the cannabis plant with a THC content of more than 1 percent, which is cultivated and possessed for limited personal use in accordance with the provisions of this Act.

##### Article 3 (Exceptions to the application of this Act)

(1) The provisions of this Act shall not apply to the plant, flowers and other parts of the cannabis plant (*Cannabis sativa* L.) which are included in the Common Catalogue of Varieties of Agricultural Plant Species, drawn up by the European Commission on the basis of the official lists of varieties of the Member States of the European Union and published on its website, and which are cultivated, in accordance with the Act governing agriculture, for the purpose of the production of seed and planting material for further propagation or for food and industrial purposes.

(2) The provisions of this Act shall not apply to the production, circulation and possession of cannabis for medical and scientific purposes.

(3) The provisions of this Act shall not apply to the possession of synthetically derived cannabinoids.

## **Article 4 (Purpose of the Act)**

This Act allows residents of the Republic of Slovenia of legal age to cultivate and possess cannabis for responsible, limited personal use, with the aim of reducing the scale of illicit production of and trafficking in cannabis and the potential negative health effects of its use.

## **II. Cultivation and possession of cannabis for limited personal use**

### **Article 5 (Cultivation of cannabis for limited personal use)**

(1) An adult natural person who is a resident of the Republic of Slovenia (hereinafter: resident) may cultivate up to four plants of cannabis for limited personal use at the address of permanent or temporary residence.

(2) Regardless of the number of adult members of the household, up to six cannabis plants may be cultivated in each housing unit for limited personal use.

### **Article 6 (Possession of cannabis for limited personal use)**

(1) A natural person referred to in Article 5 may possess up to 7 grams of dried inflorescences of the cannabis plant in public areas and up to 150 grams of dried inflorescences of the cannabis plant for limited personal use at the address of permanent or temporary residence and up to 5 grams or millilitres of resin, extracts and other preparations from the cannabis plant in public areas and up to 50 grams or millilitres of resin, extracts and other preparations from the cannabis plant for limited personal use at the address of permanent or temporary residence.

(2) Regardless of the number of adult members of the household, up to 300 grams of dried inflorescences of the cannabis plant for limited personal use and up to 100 grams or millilitres of resins, extracts and other preparations from the cannabis plant for limited personal use may be possessed in a single housing unit.

(3) The quantitative limits referred to in paragraphs 1 and 2 of this Article shall not apply to the possession of products and foodstuffs derived from cannabis which may be cultivated for food and industrial purposes in accordance with the Act regulating the production of and trafficking in narcotic drugs. The quantitative limits referred to in the paragraphs 1 and 2 of this Article shall also not apply to cannabis for medicinal purposes obtained on the basis of a medical or veterinary prescription.

(4) A natural person referred to in Article 5 who cultivates and possesses cannabis for limited personal use must ensure measures to disable and prevent access to and use of cultivated plants of cannabis or the inflorescences of the

cannabis plant, resin, extracts and other preparations of the cannabis plant by persons under the age of 18.

**Article 7**  
**(Cultivation and possession of cannabis with lower THC content)**

An adult natural person who is a resident of the Republic of Slovenia may, in accordance with the provisions of Articles 5 and 6, cultivate and possess for personal use at their permanent or temporary address plants, inflorescences, and other parts of the cannabis plant (*Cannabis sativa* L.), resin, extracts, and other preparations from the cannabis plant with a THC content of less than 1 percent.

**III. Corrective and preventive actions**

**Article 8**  
**(Prohibitions)**

(1) The cultivation and possession of cannabis for limited personal use, which is contrary to the provisions of this Act, is prohibited.

(2) Traffic in cannabis for limited personal use is prohibited and is considered to be trafficking in illicit drugs under the Act governing the production of and trafficking in illicit drugs.

(3) Notwithstanding the preceding paragraph, a natural person of legal age may hand over cannabis for limited personal use free of charge to another natural person of legal age for their personal use, but only in the quantities applicable under this Act for possession in public areas.

**Article 9**  
**(Driving a vehicle in road traffic under the influence of THC)**

(1) Driving a vehicle in road traffic under the influence of THC is prohibited and shall be considered to be driving under the influence of illicit drugs in accordance with the Act governing road traffic rules.

(2) Notwithstanding the provisions of the Act governing road traffic rules, drivers of a motor vehicle may have up to and including 3 ng/ml of THC in their blood, provided that they do not show signs of impaired behaviour that may result in unreliable road traffic behaviour.

(3) Notwithstanding the preceding paragraph, in road traffic, THC shall not be present in the body of:

- a driver of a motor vehicle or group of vehicles in categories C1, C, D1, D, BE, C1E, CE, D1E, DE;
- a driver of a vehicle used for the public transport of passengers or goods or the transport of persons for own account,
- a driver of the vehicle carrying the dangerous goods,

- a professional driver of a motor vehicle when exercising that profession,
- a driver testing an automated vehicle or automated driving system,
- a driving teacher during the training of the candidate driver in driving a motor vehicle,
- a driver candidate during training in driving a motor vehicle,
- a companion,
- novice driver,
- a driver of a motor vehicle who does not have a driving licence,
- a driver of a motor vehicle who does not have the category of motor vehicle he is driving entered in his driving license,
- a driver of a motor vehicle who is subject to a driving ban or whose driving license has been withdrawn,
- a driver transporting a group of children.

(4) A driver who acts in contravention of the paragraph 2 of this Article shall be punished for a misdemeanor with a fine:

- EUR 300 if they have up to and including 3 ng/ml of THC in their blood and shows signs of impaired behaviour that may result in unreliable road traffic behaviour. The driver of the motor vehicle shall also be given 4 penalty points;
- EUR 600 with more than 3 ng/ml up to and including 5 ng/ml of THC in their blood. The driver of the motor vehicle shall also be given 8 penalty points;
- at least EUR 1 200 if they have more than 5 ng/ml of THC in their blood. The driver of the motor vehicle shall also be given 18 penalty points.

## **Article 10**

### **(Smoking and inhalation of cannabis vapour for limited personal use)**

(1) It is prohibited to smoke or inhale cannabis vapour for limited personal use in all enclosed public and work spaces as defined in the Act governing the restriction of the use of tobacco and related products, as well as in all vehicles in the presence of persons under the age of 18.

(2) Smoking or inhalation of cannabis vapours for limited personal use shall also be prohibited in premises which, under the Act governing restrictions on the use of tobacco and related products, are not regarded as enclosed spaces if they form part of the functional land of the buildings in which the education or training activity is carried out.

(3) Notwithstanding the paragraphs 1 and 2 of this Article, smoking or inhalation of cannabis vapours for limited personal use shall be permitted:

- in designated smoking areas in accommodation establishments and at other accommodation providers;
- in nursing homes and prisons, in rooms not intended for shared use, where only smokers are accommodated;
- in designated smoking rooms in psychiatric hospitals and in designated smoking rooms at other healthcare providers for people with mental disorders.

(4) Compliance with the prohibition on smoking or inhaling cannabis for limited personal use shall be ensured by the owner, lessee or manager of the premises where smoking is prohibited.

(5) The provisions of the Act regulating the restriction of the use of tobacco and related products shall apply mutatis mutandis to all unresolved issues relating to the ban on smoking or inhalation of cannabis vapours for limited personal use.

### **Article 11 (Preventative measures)**

(1) In order to reduce the possible negative health impacts of cannabis use and prevent cannabis dependence, the following preventive measures shall be implemented:

- monitoring the use of cannabis for limited personal use and the extent of the health effects of its use,
- information, education and awareness-raising among the public and individual population groups on the potential negative impacts of cannabis use,
- coordinating activities for inclusion in cannabis phase-out programmes,
- coordinating, monitoring and evaluating of prevention programmes in connection with the limited personal use of cannabis for specific population groups,
- providing expert advice and support to institutions, associations, non-governmental organisations, local communities and individuals in the implementation of prevention programmes in the area of restrictions on the use of cannabis and aid for cannabis dependence.

(2) The implementation of the preventive measures referred to in the preceding paragraph shall be authorised by the National Institute of Public Health (hereinafter: NIJZ) together with regional healthcare institutions which, in accordance with this Article and the National Health Care Programme of the Republic of Slovenia, directly or through selected providers of programmes and projects, perform tasks related to the aforementioned measures.

## **IV. (Supervision)**

### **Article 12 (Supervision at the workplace)**

(1) The presence of THC in the body may be established in the case of establishing a violation of the prohibition of work under the influence of alcohol, drugs or other prohibited substances in accordance with the law governing health and safety at work.

(2) The presence of THC in the body may not be established during the regular health checks of workers verifying health and safety risks at work carried out on the basis of the Act governing occupational safety and health.

**Article 13**  
**(Competence of the Labour Inspectorate)**

The Labour Inspectorate of the Republic of Slovenia shall supervise the prohibition of smoking cannabis for limited personal use in the work premises referred to in Article 10(1).

**Article 14**  
**(Competence of the Health Inspectorate)**

The Health Inspectorate of the Republic of Slovenia shall supervise the prohibition of smoking cannabis for limited personal use in closed public spaces referred to in Article 10(1).

**Article 15**  
**(Powers of the police)**

(1) The police shall supervise the prohibition of smoking cannabis for limited personal use in the premises referred to in Article 10(2) and in the presence of persons under the age of 18.

(2) The police shall supervise the prohibition on driving under the influence of THC referred to in Article 9.

**Article 16**  
**(Infringements)**

(1) A natural person shall be liable to a fine of between EUR 50 and EUR 1 000 if he or she possesses a quantity of dried inflorescences of the cannabis plant and of resins, extracts and other preparations from the cannabis plant for limited personal use in excess of the quantity laid down in Article 6(1).

(2) A fine of EUR 200 to 2 000 shall be imposed on a natural person which:

- cultivates a greater amount of cannabis plants for limited personal use than the quantity laid down in Article 5(1),
- fails to take measures to prevent and discourage access to cannabis for limited personal use and its use by persons under the age of 18, in accordance with Article 6(3).

(3) A fine of between EUR 200 and EUR 2 000 shall be imposed on the owner or tenant of a residential unit who has their registered place of permanent or temporary residence at the address of the residential unit of which they are the owner or tenant if:

- he/she possesses in the residential unit a quantity of dried inflorescences of the cannabis plant and of resins, extracts and other preparations of the cannabis plant for limited personal use or of the cannabis plant referred to in Article 7 in excess of the quantity specified in Article 6(2),

- cultivates in a residential unit a greater number of cannabis plants for limited personal use or of cannabis plants referred to in Article 7 than the quantity laid down in Article 5(2).

(4) For the offences referred to in the preceding paragraphs, in addition to the main sanction, the confiscation of cannabis for limited personal use and the confiscation of objects with which the offence was committed shall be imposed. A secondary sanction shall also be imposed if the cannabis for limited personal use or the objects with which the offence was committed are not in the possession or under the control of the offender.

## **V. Transitional and final provision**

### **Article 17 (Subordinate Act of the minister responsible for health)**

The minister responsible for health, in agreement with the minister responsible for labor, shall harmonize the subordinate Act prescribing the types, manner, scope, and deadlines for performing preventive health examinations of workers with the Article 12(2) within three months of the entry into force of this Act.

### **Article 18 (Impact evaluation)**

Within two years of the entry into force of this Act, the Ministry responsible for health shall prepare an evaluation of the effects of limited personal use of cannabis based on public health data obtained from the NIJZ and data on the illegal production, trafficking, and possession of cannabis obtained from the Ministry responsible for internal affairs.

### **Article 19 (Entry into force)**

This Act shall enter into force on the 15th day of its publication in the Official Gazette of the Republic of Slovenia.

## **III. EXPLANATION OF THE ARTICLES**

### **Re Article 1:**

The text of the Act is drafted in compliance with the provisions of the second paragraph of Article 153 of the Constitution of the Republic of Slovenia, which provides that laws must be in accordance with generally applicable principles of international law and with applicable international treaties ratified by the National Assembly. Accordingly, the text of the Act is formulated in accordance with the provisions of the Single Convention on Narcotic Drugs of 1961 and the Additional Protocol of 1972 (hereinafter: Single Convention on Narcotic Drugs), the

Convention on Psychotropic Substances of 1971 and the Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, which, in 1992, the Republic of Slovenia, by the Succession Notification Act concerning United Nations Conventions and Conventions adopted by the International Atomic Energy Agency (Official Gazette of the Republic of Slovenia – International Treaties, Nos 9/92, 9/93, 5/99, 13/11, 5/17), transposed into the legal order of the Republic of Slovenia and undertook to implement them.

The signatory States to the Single Convention on Narcotic Drugs have undertaken, in accordance with the provisions of Article 28(3) of the Single Convention, to take the necessary measures to prevent the abuse of, or illicit trafficking in, the inflorescence of the cannabis plant. In addition, the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Article 3(1) of which provides that “Each Party shall adopt such measures as may be necessary to establish as criminal offences under its domestic law, when committed intentionally: (i) the production, manufacture, extraction; preparation, offering, offering for sale, distribution, sale, delivery on any terms whatsoever, brokerage, dispatch, dispatch in transit, transport, importation or exportation of any narcotic drug or any psychotropic substance contrary to the provisions of the Single Convention; (ii) the cultivation of opium poppy, coca bush or cannabis plant for the purpose of the production of narcotic drugs contrary to the provisions of the Single Convention.” That being said,, Article 3(2) provides that a signatory State shall, in accordance with its constitutional principles and the basic concepts of its legal system, take such measures as are necessary to establish offences under its national law where the acts are committed intentionally and the possession, trafficking or cultivation of narcotic drugs or psychoactive substances for personal use is contrary to the provisions of the Single Convention on Narcotic Drugs of 1961 and the Additional Protocol of 1972 of Convention on Psychotropic Substances of 1972. Article 3(2) of the Convention thus allows signatory States to introduce measures for the personal use of cannabis that do not involve criminal sanctions, provided that this does not undermine the basic objectives of the Convention.

The first article defines the content of the Act, namely the Act establishes the conditions for the limited personal use of cannabis (*Cannabis sativa* L.), which an individual is permitted to cultivate and possess for personal use in limited permitted quantities, the control mechanisms and competent authorities, as well as preventive measures relating to the use of cannabis with a tetrahydrocannabinol (THC) content exceeding 1 percent.

## **Re Article 2:**

The text of the Article defines the meaning of the phrase *cannabis for limited personal use*, which is used in the Bill. Cannabis for limited personal use means a cannabis plant (*Cannabis sativa* L.) of any variety, including inflorescences and other parts of the cannabis plant, resin, extracts and other preparations of cannabis with a THC content of more than 1 percent, which is cultivated and possessed for limited personal use in accordance with the provisions of this Act. The definition sets a limit on the THC content at which smoking cannabis inflorescences or consuming extracts can have a psychotropic effect on the user.

A similar THC limit of 1 percent for cannabis as a narcotic drug is known in Switzerland. This definition defines the cannabis for limited personal use as cannabis with a higher THC content, which may have potential negative health effects.

The proposer wishes to point out at this point that the purpose of establishing conditions for the cultivation of cannabis for limited personal use is to ensure the control and regulation of the production of those varieties of the cannabis plant whose use of the inflorescence has a narcotic effect. From that point of view and within the limits laid down by law for the cultivation and possession of cannabis for limited personal use, the users are not prohibited from growing and using the so-called industrial varieties of cannabis which do not achieve higher levels of cannabinoids with psychotropic effects.

### **Re Article 3:**

The text of the article provides for exceptions in which the Bill does not apply. The first paragraph provides that this Act does not regulate the cultivation, production and marketing of cannabis (*Cannabis sativa* L.) for food and industrial purposes, or that the provisions of this Act do not apply to the plant, flowers and other parts of the cannabis plant which are in the Common Catalogue of Varieties of Agricultural Plant Species of the European Commission and which, in accordance with the Act governing agriculture, are grown for the purpose of producing seed and planting material for further propagation or for food and industrial purposes. Since the provisions of this Act do not regulate the production and marketing of products containing CBD, the Act does not restrict the possession by individuals of cannabis produced for food purposes or products containing CBD.

Paragraph 2 stipulates that this Act does not regulate the production, trafficking and possession of cannabis for medical and scientific purposes, which means that the provisions do not restrict individuals from possessing cannabis issued on veterinary or medical prescription, or cannabis obtained by individuals in clinical trials or in the context of other research or educational projects with the appropriate permits.

Paragraph 3 provides that the Act does not apply to the possession of synthetically derived cannabinoids, since it only allows limited possession of the inflorescences of the cannabis plant and extracts of plant origin. In the case of possession of synthetically obtained cannabinoids, the provisions of the Act governing the production and circulation of narcotic drugs therefore apply.

### **Re Article 4:**

The Bill fulfills the public interest in regulating the cultivation and possession of cannabis for limited personal use, as confirmed by the results of a consultative referendum held on 9 June 2024. A total of 1 692 379 voters were eligible to vote in the consultative referendum. A total of 701 079 voters or 41.43% of all voters who had the right to vote voted. To the referendum question: "Should the Republic of Slovenia permit the cultivation and possession of cannabis on its territory for

limited personal use?”, 356 944 voters or 51.57% of voters who submitted a valid ballot paper voted “FOR”, while 335 183 voters or 48.43% of voters who submitted a valid ballot paper voted “AGAINST” (Minutes on the establishment of the outcome of the consultative referendum on the cultivation and processing of cannabis for personal use, which was held on 9 June 2024, Official Gazette of the Republic of Slovenia No 53/24).

In addition to implementing the will of the voters, the Bill aims to reduce the illicit production of and trafficking in cannabis and the potential negative health effects of its use, as defined in the text of Article 4. The purpose is based on the introductory provisions of the Single Convention on Narcotic Drugs, which was ratified by the signatory States in recognition of the need to ensure access to illicit drugs for the purpose of pain relief, and on the provisions of Article 28(3) of the Single Convention on Narcotic Drugs, by which the signatory States undertook to take such measures as may be necessary to prevent the abuse of or illicit trade in cannabis inflorescence.

Human health is one of the most important constitutional values and is a protected legal asset. Access to cannabis for limited personal use by informed adults for the purpose of relieving pain or alleviating symptoms is an individual right that derives not only from the right to health as a protected legal asset, but also from Article 35 of the Constitution, which guarantees the inviolability of human physical integrity and privacy, including the general freedom of action of people. General freedom of action gives the individual the right to dispose of one’s body as one wishes, to choose one’s own lifestyle, to develop one’s own personality. Instead of criminalising adult users, which leads to their recourse to more harmful untested products on the black market, it is necessary to establish a clear regulatory framework for self-sufficiency in cannabis for limited personal use, and to inform users about the risks of drug use. On the other hand, the 2018 survey shows that one in five students in Slovenia aged between 15 and 16 has already used cannabis, so it is necessary to lay down preventive measures by law to prevent the abuse of cannabis and reduce the negative effects of its use on health, especially in order to protect the health of young people under the age of 18.

#### **Re Article 5:**

The text of the Article lays down rules on the cultivation of cannabis for limited personal use. The first paragraph provides that an adult natural person residing in the Republic of Slovenia may cultivate up to four cannabis plants for limited personal use at the address of permanent or temporary residence. In paragraph 2, the number of cannabis plants that may be cultivated in a single housing unit, regardless of the number of adult members of the household, is limited to six cannabis plants for limited personal use, thereby facilitating the authorities' control of illegal production and trafficking in cannabis.

#### **Re Article 6:**

The text of the Article in paragraph 1 determines the permitted quantities of dried inflorescences of the plant in grams and the quantities of resin, extracts and other preparations from the cannabis plant in grams or millilitres that a natural person

referred to in Article 5 may possess in public areas and at the address of permanent or temporary residence.

Paragraph 2 further limits the quantity of dried inflorescences of the plant in grams and the quantities of resins, extracts and other preparations of the cannabis plant in grams or millilitres within each housing unit, regardless of the number of adult members of the household residing therein. This makes it easier for the authorities to control the illegal production of and trafficking in cannabis. According to the data of the Statistical Office of the Republic of Slovenia, the average household numbered 2.41 members in 2021, which is why the proposer estimates that the additional limitation of possession in an individual housing unit to the quantity corresponding to the self-sufficiency of two adult household members is appropriate.

Paragraph 3 provides for an exception to the quantitative limits referred to in paragraph 1, namely that the limits do not apply to the possession of products and foodstuffs made from cannabis which may be cultivated for food and industrial purposes under the Act regulating the production of and trafficking in narcotic drugs, which, under the existing regime, provides for cultivators to be granted licences by the Ministry responsible for agriculture. The quantitative limits referred to in paragraph 1 shall also not apply to cannabis for medicinal purposes obtained on the basis of a medical or veterinary prescription.

Paragraph 4 establishes an obligation for a natural person who cultivates and possesses cannabis for limited personal use with a THC content of more than 1 percent to ensure that measures are taken to prevent minors from having access to cultivated cannabis plants and inflorescences of the cannabis plant and to prevent their use of resins, extracts and other preparations made from the cannabis plant.

### **Re Article 7:**

The purpose of the Act is primarily to ensure the control and regulation of the self-sufficient production and use of those varieties of cannabis plants whose inflorescences have a narcotic effect. From this perspective, while respecting the constitutional right to the inviolability of the physical and mental integrity of the human body and privacy, it is reasonable to also provide users with the possibility, within the quantities specified by this Act for the cultivation and possession of cannabis for limited personal use, to cultivate and use the so-called industrial varieties of cannabis that do not reach higher levels of cannabinoids with psychotropic effects and may be cultivated under existing legislation as part of agricultural activities with the permission of the Ministry responsible for agriculture.

The text of Article 7 thus allows natural persons of legal age residing in the Republic of Slovenia to cultivate, in accordance with the provisions of Articles 5 and 6, up to four plants of varieties of cannabis whose inflorescence does not exceed a THC content of 1 percent at the address of their permanent or temporary residence, and to possess, within the limits of the quantities laid down, inflorescences, resin, extracts and other preparations from cultivated cannabis plants with a THC content of less than 1 percent which they have grown or produced for their own personal use.



**Re Article 8:**

The text of the Article sets out the prohibitions under this Act. The cultivation and possession of cannabis for limited personal use contrary to the provisions of this Act is prohibited, with new fines being defined in the offence provision in respect of infringements of the limit on the number of plants cultivated and the possession of quantities of cannabis produced for limited personal use. Paragraph 2 also explicitly prohibits trafficking in cannabis for limited personal use, which is considered trafficking in narcotic drugs under the Act regulating the production of and trafficking in narcotic drugs. Those provisions follow the provision of Article 28(3) of the Single Convention on Narcotic Drugs, whereby the State Parties undertake to take measures to prevent abuse of and illegal trade in the inflorescence of cannabis plants. It should be noted that criminal liability will continue to be ensured in the case of committing the criminal offence of illicit production of and trafficking in narcotic drugs, illicit substances and processes in sports and precursors for the manufacture of narcotic drugs (Article 186 of the Criminal Code /KZ-1/) and the criminal offence of facilitating the consumption or use of illicit drugs or illicit substances or processes in sports (Article 187 of the Criminal Code /KZ-1/), since the illegal production of and trafficking in cannabis, which is not intended for limited personal use or there are reasonable grounds to believe that it was produced for the purpose of illegal sale, will be dealt with under the Act governing the production and trafficking of illicit drugs.

Paragraph 3 allows natural persons of legal age to exchange cannabis free of charge for limited personal use in quantities that are considered as possession in public areas under this Act. The aim of the provision is to prevent the illegal sale of cannabis for limited personal use among natural persons who would choose to cultivate cannabis for their own use. Any illegal sale of cannabis will therefore be prosecuted under the Act regulating the production and trafficking of illicit drugs.

**Re Article 9:**

The wording of the Article expressly prohibits driving a vehicle in road traffic under the influence of THC, which will continue to be considered as driving under the influence of narcotic drugs under the Act governing road traffic rules.

Paragraph 2 provides an exception to the absolute prohibition on driving under the influence of THC, which applies under the Road Traffic Regulation Act. Drivers of a motor vehicle are permitted to have up to and including 3 ng/ml of THC in their blood during traffic controls, provided that they do not show signs of impaired behaviour that may result in unreliable road traffic behaviour. In this case, users of cannabis for limited personal use will not be sanctioned with the most severe penalty, which, under the existing regulation, includes the imposition of a fine of EUR 1 200 and 18 penalty points, which, under the Act governing offences, means the termination of the validity of a driver's license for all categories of motor vehicles.

Paragraph 3 specifies the types of road transport drivers who, notwithstanding the exception in paragraph 2, are subject to an absolute prohibition of THC content in the body, similar to the absolute prohibition on alcohol in the organism under road traffic legislation. These include, for example, public passenger transport drivers, driving instructors, professional drivers, novice drivers, etc.

Paragraph 4 defines three ranges of THC content in the blood, which, depending on the extent of possible impaired behaviour, are evaluated as offences with a different level of fine and a different number of penalty points. This regulates driving under the influence of THC in a similar way to driving under the influence of alcohol, whereby the intention of the legislator is not to encourage driving under the influence of illicit drugs, but to establish an acceptable tolerance limit which, according to research and arrangements in comparable European countries, has no significant impact on road safety. This ensures legal certainty for citizens whose rights would be unduly infringed by the withdrawal of their driving licence on the grounds of zero tolerance. THC is a psychoactive substance that can remain in the urine for several weeks after cannabis use, so a positive urine test will only lead to a temporary suspension of the driving licence and no fine or other sanction. If THC is detected in the blood, the user loses their driving license in addition to the fine, even though the test can be positive for up to 10 hours, meaning that someone who used cannabis the night before could still test positive the next morning, even though their mental and physical state is already back to normal.

Research on driving under the influence of THC shows that a blood THC level of 3.7 ng/ml is equivalent to 0.5 promille of alcohol in terms of signs of impaired behaviour. In Australia and a number of European Union countries, the THC limit for the definition of the offence of driving under the influence of THC is set at between 1 and 2 ng/ml of THC in the blood. Experts in the field have set the threshold levels that can cause road risks at 5 ng/ml or 7 ng/ml of THC in the blood. However, the arrangements in the countries indicate that the permitted limits for THC in blood for the definition of traffic offences are set lower than recommended by expert committees. A limit of 2 ng/ml of THC in blood has been introduced in the United Kingdom and the Czech Republic, while in the Netherlands and Portugal the limit of tolerance is set at 3 ng/ml of THC in blood. In the Netherlands and Norway, the penalties also increase with higher THC content in blood. (European Monitoring Centre for Drugs and Drug Addiction: *Cannabis and driving*, 2018).

The proposer stresses here that ensuring road safety is the driver's responsibility and therefore strongly advises against driving the same day after cannabis use.

### **Re Article 10:**

The text of the Article provides for a prohibition on smoking or inhaling cannabis vapour for limited personal use in enclosed public and work spaces, in vehicles in the presence of persons under 18 years of age, and in areas forming part of the associated functional grounds of buildings in which educational or training activities are carried out. In the application of the provisions, the provisions of the Act governing restrictions on the use of tobacco and related products shall apply *mutatis mutandis*.

Article 10(3) provides for an exception, namely smoking or inhaling cannabis vapours is allowed in smoking rooms of accommodation establishments and at other providers of overnight accommodation, nursing homes, prisons, psychiatric hospitals and other providers of medical treatment for persons with mental disorders.

#### **Re Article 11:**

The text of the Article defines preventive measures aimed at reducing the potential negative health effects of cannabis use and preventing cannabis dependence. These include, inter alia, monitoring the use of cannabis for limited personal use and the extent of its effects on public health, information on possible negative impacts of cannabis use, inclusion in programmes for phasing-out cannabis use and evaluation of prevention programmes.

The National Institute of Public Health (hereinafter: NIJZ) will be responsible for implementing preventive measures in accordance with the National Health Care Programme of the Republic of Slovenia, together with regional healthcare institutions, directly or through selected programme and project implementers.

#### **Re Article 12:**

Article 12(1) allows for the testing of the presence of THC in the body of an employee when determining violations of the prohibition of working under the influence of alcohol, drugs, or other prohibited substances under the Act governing health and safety at work.

Paragraph 2 prohibits the determination of the consumption of cannabis containing THC in the context of regular health checks to which employers refer workers on the basis of the Occupational Health and Safety Act (Official Gazette of the Republic of Slovenia, No. 43/11). As part of these checks, some employers also check for traces of illegal drugs in the blood and urine of workers. This is an inadmissible encroachment on the body and privacy of workers, which may lead to termination of the employment relationship on unjustified grounds. THC can remain in the urine for several weeks after the last intake of cannabis, unlike other opiates, which are excreted from the body within a few days of the last intake. Testing for the presence of THC in the body during regular health checks of workers would, in practice, defeat the purpose of the Bill, which allows all adult residents to use cannabis responsibly, limitedly, without being subject to criminal prosecution or other sanctions, such as loss of employment.

The Article therefore allows all workers to consume cannabis for limited personal use, while maintaining the prohibition on workers being under the influence of THC in the workplace itself, which is also implied by Article 51 of the Occupational Health and Safety Act.

**Re Article 13:**

The text of the Article stipulates that supervision of the ban on smoking cannabis for limited personal use in work premises is carried out by the Labour Inspectorate of the Republic of Slovenia.

**Re Article 14:**

The text of the Article stipulates that supervision of the ban on smoking cannabis for limited personal use in closed public spaces is carried out by the Health Inspectorate of the Republic of Slovenia.

**Re Article 15:**

The text of the Article stipulates that the prohibition of smoking cannabis for limited personal use in public places forming part of the functional grounds of buildings where educational or training activities are carried out, the prohibition of smoking cannabis for limited personal use in the presence of persons under 18 years of age and the prohibition of driving under the influence of THC shall be supervised by the Police.

**Re Article 16:**

Article 16 identifies new offences under this Act in the event of violations of the limit on quantities laid down for the cultivation and possession of cannabis for limited personal use, or when a natural person fails to provide measures to disable and prevent access to and use of cannabis for limited personal use by persons under the age of 18.

**Re Article 17:**

Article 17 defines in the transitional provision the period within which the minister responsible for health, in agreement with the minister responsible for labour, must harmonise the regulatory act with the prohibition on establishing the presence of THC in the bodies of workers during the regular health checks of workers referred to in Article 12(2) of this Act.

**Re Article 18:**

The transitional provision in Article 18 obliges the Ministry responsible for health to prepare an evaluation of the effects of limited personal use of cannabis within two years of the entry into force of the Act. The evaluation is carried out on the basis of data from the National Institute of Public Health (NIJZ) concerning public health and data from the Ministry responsible for internal affairs concerning the illegal production, trafficking and use of cannabis.

**Re Article 19:**

The proposer proposes that this Act shall enter into force on the fifteenth day following its publication in the Official Gazette of the Republic of Slovenia.

**IV. ANNEX**

**SIGNATURES OF MEMBERS OF PARLIAMENT**