



# GUIDANCE ON THE ACTIVITIES, PRODUCTS, AND SERVICES RELATED TO CANNABIS IN SOUTH AFRICA<sup>1,2</sup>

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<sup>1</sup> Legal Disclaimer: The information contained in this document is for general guidance. While we have made every attempt to ensure that the information contained in this document is accurate and up-to-date, Biosafety South Africa is not responsible for any errors or omissions, or for the results obtained from the use of this information. All information in this document is provided "as is", with no guarantee of completeness, accuracy, timeliness or of the results obtained from the use of this information, and without warranty of any kind, express or implied. In no event will Biosafety South Africa, its related partnerships or corporations, or the partners, or employees thereof be liable for any decision made or action taken in reliance on the information in this document or for any consequential, special, or similar damages.

<sup>2</sup> Cannabis regulation in South Africa is currently uncertain and in flux. Although every attempt has been made to ensure the accuracy and comprehensiveness of the information contained in this guideline, it is highly likely to change and evolve over the foreseeable future. You should therefore confirm the accuracy and relevance of all information before committing to any actions.

This document was subjected to independent, external peer review, including Cannabis Task Team members.

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## DEFINITIONS<sup>3</sup>

**Adult person** means a person who is 18 years or older.

**Cannabis**<sup>4</sup> means the plants in the genus Cannabis, which includes various species and sub-species, including *C. sativa*, *C. indica*, and *C. ruderalis*.

*Note: In the context of the Cannabis for Private Purposes Act, 2020, the definition of “cannabis plant” excludes hemp and it defines “an immature cannabis plant” and “a flowering cannabis plant” as classes of a cannabis plant.*

**Cannabis concentrate** means cannabis that has undergone a process to concentrate the THC content, and cannabis solid concentrates and cannabis liquid concentrates are classes of cannabis concentrate.

**Cannabis product** means anything that is intended for human or animal consumption which contains THC or any other Phytocannabinoid found in a cannabis plant.

**CBD (Cannabidiol)** is, like THC, one of many cannabinoids present in cannabis. However, unlike THC, CBD does not produce psychoactive effects and is used for its potential therapeutic benefits.

**Consumption** means to eat, drink, or otherwise consume (i.e., medicine, recreational use, smoking etc.) cannabis.

**Cultivation** includes the planting, propagation, nurturing, tending, growing, and/or harvesting of a cannabis plant.

**Hemp** means a plant of the genus Cannabis which has a concentration of THC in the leaves and flowering heads that does not exceed the percentage as may be prescribed by regulation (currently 0.2% in South Africa<sup>5</sup>).

**THC (Tetrahydrocannabinol)** means (-)-trans-delta-9-tetrahydrocannabinol, a cannabinoid and principal psychoactive constituent of cannabis.

## GENERAL VALUE OF CANNABIS

Cannabis legalisation continues to evolve rapidly around the world, with governments recognising the possible economic, social, and health advantages related to the various cannabis species. South Africa is well-positioned to become a leading role

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<sup>3</sup> Definitions obtained from the Cannabis for Private Purposes Act, 2020.

<sup>4</sup> In general reference, cannabis is written with a lower case “c”, while a capital should be used for the genus name “Cannabis”.

<sup>5</sup> The Plant Improvement Act, 1976 (Act no 53 of 1976); Guidelines for hemp (low THC cannabis) for cultivation for agricultural and industrial purposes (DALRRD, 2023).

player in the global cannabis industry and facilitate growth and development across the African continent.

As a result of the increasing decriminalisation of these plants globally, significant focus has been placed on research and development to facilitate the safe, sustainable, and productive commercialisation of the cannabis crop and its products. The importance and use of cannabis is recognised across various sectors, including research and development, agriculture, medicine, food, industry, and recreation (Table 1).

**Table 1:** Current cannabis focus areas and priorities across various sectors.

Sector	Production system priorities and focus areas
Research and Development	<ul style="list-style-type: none"> <li>• Significant scope for research and development, policy development, indigenous knowledge, environmental sustainability, socio-economic-, and socio-political impacts.</li> <li>• Research gaps exist because of the historical legal status and stigma associated with the crop.</li> </ul>
Agriculture	<p>Hemp Cultivation:</p> <ul style="list-style-type: none"> <li>• The ARC conducted breeding and agronomic research over more than 20 years, resulting in two cultivars, SA Hemp 1, and SA Hemp 2.</li> <li>• Commercial trials showed that hemp production is feasible but costly for smallholder farmers.</li> <li>• Economic feasibility studies by the NAMC (National Agricultural Marketing Council), demonstrated the potential for a viable hemp industry in SA.</li> </ul> <p>Cannabis Cultivation:</p> <ul style="list-style-type: none"> <li>• Primarily grown in the Eastern Cape, KwaZulu-Natal, and other provinces (source of income for many households, despite being illegal).</li> <li>• The Constitutional Court's 2018 ruling decriminalised private use, possession, and cultivation of cannabis but left the buying and selling of cannabis, cannabis oil, and seeds illegal.</li> <li>• The introduction of the Cannabis for Private Purposes Bill aimed to address these concerns.</li> <li>• Indigenous cannabis growers and sellers are concerned about the impact on their income as individuals can now cultivate their own.</li> <li>• The Department of Health is piloting medicinal cannabis use, with licenses issued for this purpose and a focus on obtaining off-take agreements for export markets. Importation of seeds is necessary due to local trade restrictions.</li> </ul>
Medicine	<ul style="list-style-type: none"> <li>• The critical active ingredients are CBD and THC.</li> <li>• Diseases and ailments for which CBD/THC treatment has shown positive results include arthritis, appetite stimulation, asthma and TB, cancer, chronic pain, epilepsy, and glaucoma.</li> </ul>

	<ul style="list-style-type: none"> <li>Plants and products are produced for either high CBD or THC depending on the purpose.</li> </ul>
Food	<ul style="list-style-type: none"> <li>Currently the fastest and largest growing sector.</li> <li>Both seeds and leaves are used for food and beverage production, including, sweets, baked goods, energy drinks, alcoholic beverages, etc.</li> <li>Plants and products are mainly considered for their CBD content.</li> </ul>
Industry	<ul style="list-style-type: none"> <li>Primarily focuses on hemp, a low THC variant of cannabis.</li> <li>The whole plant is used in industrial applications: stalks, seeds, and leaves.</li> <li>Products are made from the plant or by-products thereof: For use in building materials and textiles.</li> <li>Plants are grown and bred for increased biomass.</li> </ul>
Recreation	<ul style="list-style-type: none"> <li>The critical active ingredient is the THC in leaves and flower buds.</li> <li>Plants are produced/sourced for the highest THC content; the higher the THC content the bigger the psychoactive effect.</li> </ul>

Unlocking the potential cannabis market within South Africa has the potential to stimulate research and development, create new business- and job opportunities across multiple sectors, and, in doing so, significantly contribute towards national growth and development.<sup>6</sup> To facilitate such growth it is essential to create an enabling environment for sustainable innovation within the sector. While specific local cannabis varieties in South Africa can vary across regions, some notable examples include:

- **Durban Poison:** Originating from the Durban region, this sativa landrace is renowned for its energetic and uplifting effects. It has gained popularity for its sweet and spicy aroma.
- **Swazi Gold:** Hailing from the Kingdom of Eswatini (formerly Swaziland), Swazi Gold is a Sativa strain known for its resilience and distinctive sweet, fruity flavour profile.
- **Transkei Green:** Named after the Transkei region, this landrace strain is recognised for its potent sativa effects and earthy, citrusy flavours. It is often associated with the Xhosa people.

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<sup>6</sup> *Cannabis use trends in South Africa*. (n.d.). Retrieved April 3, 2019, from <https://www.ajol.info/index.php/sajpsyc/article/viewFile/34421/156095>

- **Malawi Gold:** Originating from the Northern region of Malawi, this sativa strain is celebrated for its tall stature, long flowering time, and uplifting effects. It is characterised by its sweet and spicy flavour.
- **Lesotho Highland:** Cultivated in the mountainous regions of Lesotho, this landrace strain is adapted to high altitudes. It is valued for its potent effects and earthy, herbal taste.
- **Cape Town Afghani:** A locally adapted version of the classic Afghani strain, this Indica-dominant variety is known for its relaxing and sedative properties, making it a favourite among those seeking relief from pain and insomnia.

These varieties have not only adapted to the specific climatic conditions of their respective regions but also carry cultural significance for the communities that have cultivated them for generations. Quality seed, representing the genetic integrity of these plants, is a cornerstone for the growth of the sector. Preserving and promoting these local strains not only contributes to biodiversity but also ensures that the economic benefits of the cannabis industry are shared within the communities that have been the stewards of these varieties for years. By prioritising the cultivation of quality seeds from local and landrace cannabis, South Africa can pave the way for a sustainable and socially responsible cannabis sector.

## **CANNABINOIDS AND CANNABIS CLASSIFICATION**

Cannabinoids are a diverse group of chemical compounds found in the cannabis plant. They interact with the endocannabinoid system in humans and other animals, influencing a wide range of physiological processes. Among the numerous cannabinoids, tetrahydrocannabinol (THC) and cannabidiol (CBD) have garnered significant attention.

THC is the primary psychoactive compound in cannabis, responsible for the euphoric feelings experienced by users. It binds to the CB1 cannabinoid receptors in the brain, leading to altered perception, mood, and cognition. THC's potency can vary widely among different cannabis strains, impacting its psychoactive effects.

On the other hand, CBD is non-psychoactive and does not produce the same intoxicating effects as THC. It interacts with both the CB1 and CB2 cannabinoid receptors, which are found throughout the body and are part of the endocannabinoid

system. CBD is associated with potential therapeutic benefits, including anti-inflammatory, analgesic, anxiolytic, and antipsychotic effects. Interest in its use has increased among wellness and medical practitioners.

Three cannabis species, *Cannabis sativa*, *Cannabis indica*, and *Cannabis ruderalis* have been classified, based on their physical characteristics, growth patterns, and geographical origins. Generally, *C. indica* has a higher relative CBD content, while *C. sativa* has a relatively higher THC content. *C. ruderalis* has the lowest THC content and is significantly smaller in stature than the other species and is therefore rarely cultivated.

Legally speaking, the amount of THC contained in cannabis varieties determines whether it may be classified as hemp or not. Hemp is defined as, “low THC plants or parts of plants of *Cannabis sativa L.* cultivated for agricultural or industrial purposes, of which the leaves and flowering heads do not contain more than 0.2% THC.”<sup>7</sup> However, exposure to high light and heat conditions can significantly increase the THC content within hemp plants to exceed 0.2%. Hemp for industrial use is suitable for open-field production while medicinal cannabis (high CBD and/or THC content) must be grown in confined facilities.

## **RELEVANT LEGISLATION & REGULATIONS**

It is critically important to carefully consider the evolving governance framework before initiating any cannabis-related work. High levels of uncertainty remain regarding the use and activities involving cannabis and hemp in South Africa at this stage (Nov 2023). However, the implementation of the Cannabis National Master Plan (discussed in more detail below) aims to resolve these uncertainties and establish an enabling framework for cannabis-related innovation, production, and use.

The national and international regulations that must be considered before working with cannabis are –

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<sup>7</sup> Guidelines for hemp (low THC cannabis) for cultivation for agricultural and industrial purposes (DALRRD 2023).

**a. Drugs and Drug Trafficking Act, 1992 (Act Nr 140 of 1992)**

Administered by the Department of Justice and Correctional Services (DJCS) which is enforced by the South African Police Services. The purpose of the Drugs and Drug Trafficking Act is to provide for the prohibition of the use or possession of, or the dealing in, drugs and of certain acts relating to the manufacture or supply of certain substances or the acquisition or conversion of the proceeds or certain crimes; for the obligation to report certain information to the police; for the exercise of the powers of entry, search and seizure; and matters connected herewith. The current regulations also forbid anyone with a criminal record or any form of drug-related offence from applying for a permit to work with cannabis, which further restricts the number of small-scale growers.<sup>8</sup>

In a decision issued in September 2018, the South African Constitutional Court upheld and extended the Western Cape High Court's ruling that the criminalisation of adult cannabis use and cultivation at home, as outlined in the Drugs Act of 1992 and the Medicines Act of 1965, was unconstitutional.<sup>9</sup> The quantity of cannabis an adult person can possess will need to be regulated by parliament but using or having it in their possession in a private setting would not constitute a crime, according to Deputy Chief Justice Zondo. The prescribed quantities of cannabis plants, cannabis concentrate, and other forms vary and are defined per individual schedule (1-7) within the Cannabis for Private Purposes Bill

**b. Medicine and Related Substances Act, 1965 (Act Nr 101 of 1965)**

Administered by the Department of Health (DoH). The purpose of the Medicine and Related Substances Act (the Medicines Act) is to provide for the registration of medicines, related substances, and medical devices intended for human use. The act regulates all medicinal use of cannabis and cannabis-derived products.

Entrepreneurs seeking to develop, manufacture, or distribute cannabis-based medicines or products must comply with stringent requirements and obtain the

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<sup>8</sup> Mogoro, B. M., & Odeku, K. O. (2020). Paradigm shift from criminalisation to constitutional legal protection for the use of cannabis in South Africa: Issues and perspectives. In *African Renaissance* (Vol. 17, Issue 3).

<sup>9</sup> Lubaale, E. C., & Mavundla, S. D. (2019). Decriminalisation of cannabis for personal use in South Africa. *African Human Rights Law Journal*, 19(2).

necessary approvals. This includes adhering to good manufacturing practices, conducting clinical trials, and registering the product as a medicine with the South African Health Products Regulatory Authority (SAHPRA). Researchers focusing on the medicinal properties of cannabis also need to follow the regulatory framework established by the Medicines Act. Including, obtaining the necessary approvals and permits from SAHPRA to do research studies, gather scientific data, and conduct clinical trials on cannabis-based medicines.

Section 22A of the Medicines Act provides for a graduated system of control over the sale and supply of scheduled substances. Ranging from minimal control to the complete prohibition of certain addictive substances. On 22 May 2020, the amendments to the Schedules of the Medicines Act were published to comply with the Constitutional Court's order.

In these amended Schedules CBD is listed as a Schedule 0 substance (generally considered to be safe, may be used without prior medical advice, and may be sold in open shops) when –

- In complementary medicines containing no more than 600mg CBD per sales pack, providing a maximum daily dose of 20mg of CBD, and making a general health enhancement, health maintenance or relief of minor symptoms (low risk) claim; or
- In processed products made from cannabis raw plant material intended for ingestion, containing 0.0075% or less of CBD, where only the naturally occurring quantity of cannabinoids found in the source material are contained in the product.

CBD is still listed as a Schedule 4 substance (must be registered by SAHPRA, may only be used under prescription by an authorised prescriber, and sold by pharmacists and qualified medical practitioners) if it does not adhere to these exception criteria.

Previously, both cannabis and THC were regulated as Schedule 7 substances (use considered unjustifiable and undesirable - in effect unlawful). Now, the cannabis plant has been removed from the Schedules and THC has been listed as a Schedule 6 substance (Schedule 4 requirements, plus treatment may not be



repeated unless a new prescription has been issued), bar the following exceptions, when it is NOT subject to the Medicines Act -

- In raw plant material and processed products manufactured from such material, intended for industrial purposes and not for human or animal ingestion, containing 0,2% or less of THC;
- In processed products [that may be ingested] made from cannabis containing 0,001% or less of THC; or
- When raw plant material is cultivated, possessed, and consumed by an adult, in private for personal consumption.

**c. Agricultural Products Standards Act (Act Nr 119 of 1990)**

The Agricultural Goods Standards Statute, overseen by the Department of Agriculture, Land Reform and Rural Development (DALRRD) establishes guidelines and rules for the production, processing, and distribution of agricultural goods. This statute compels producers of cannabis to guarantee the quality, security, and integrity of their goods. Compliance with these standards is crucial to ensure market access and customer confidence. Researchers investigating cannabis production systems, including agronomy, crop improvement, postharvest management, and processing should take the Act's requirements into account to ensure compliance and sustainability.

**d. Plant Improvement Act (Act Nr 53 of 1976)**

The DALRRD published amendments to the regulations of the Act in the Government Gazette of 8 October 2021, which designated hemp<sup>10</sup> as an agricultural product and established a permitting system for it. In accordance with this amendment, hemp may be imported, exported, cultivated, and sold to any person with a valid hemp permit.<sup>11</sup> Hemp, a variety of the Cannabis sativa plant, must meet specific criteria to be legally recognised as such in South Africa. This includes having THC content below 0.2%<sup>12</sup>, ensuring that it is non-psychoactive. For more detailed information on this classification, you can refer to the National Cannabis Master Plan.

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<sup>10</sup> The use of the term “hemp” may soon be phased out in favour of the consistent use of “cannabis”.

<sup>11</sup> The legality of these permits is questioned by some observers.

<sup>12</sup> Rumoured to be reduced even further in future.

**e. Agricultural Pests Act, 1983 (Act 36 of 1983)**

The Agricultural Pests Act provides measures by which agricultural pests can be prevented or combated. To prevent the unintended introduction of agricultural pests and diseases the Act, amongst others, restricts the importation of plants and plant products, including seeds. If products are not exempted from an import permit, a permit application must be submitted to the National Plant Protection Organisation of South Africa (NPPOZA). All imported plant materials, including those exempted from a permit application, must comply with the phytosanitary measures of the Act/NPPOZA.

**f. Plant Breeders Rights Act (Act Nr 15 of 1976)**

Plant breeders' rights are overseen by the DALRRD and provides a system whereunder rights relating to new varieties of certain kinds of plants may be granted and registered; for the protection of such rights; and the grant of licences in respect of the exercise thereof; and provide for incidental matters. In accordance with the South African Plant Breeders' Rights Act, a "new variety" refers to a distinct, uniform, and stable plant variety. Upon registering a new variety, a breeder gains exclusive rights, including the sole authority to produce, sell, and distribute the variety for a specified period. Unauthorised propagation is prohibited, but the breeder can grant licenses for use. The timing for registration is contingent on meeting the distinctiveness, uniformity, and stability criteria, as evidenced through testing. Compliance with the Act's specific requirements and procedures is necessary to secure these rights for a new variety. The Declaration now permits hemp cultivars to be protected in a manner like that of other plant varieties, with a twenty-year protection window offered to rights holders.

It should be noted that landraces are NOT subject to these provisions.

**THE CANNABIS MASTER PLAN<sup>13</sup>**

In 2011 The South African government established the Inter-Ministerial Committee (IMC) on Combating Alcohol and Substance Abuse. Members of the IMC represent the DoH, DJCS, DALRRD, Department of Small Business Development, Department of Science and Innovation, Department of Trade, Industry and Competition, the Presidency, and the South African Police Service. The IMC also include representation

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<sup>13</sup> Draft National Cannabis Master Plan for South Africa (DALRRD, 2021) – available here <http://rb.gy/e8puhf>.

from other relevant institutions and state-owned organisations including SAHPRA, the Agricultural Research Council, and the Council for Scientific and Industrial Research. The South African Cannabis Master Plan, first published in 2021, represents a significant step in the country's approach to cannabis cultivation and regulation. The Cannabis Master Plan has thereafter been amended with the latest draft (Version 5) publicly available. It aims to provide a comprehensive framework for fostering the growth of the country's cannabis industry, with the overarching goal of contributing to economic development, job creation, rural development, and poverty reduction. This purpose is underpinned by several key objectives, including the establishment of an inclusive, globally competitive cannabis sector, the expansion of product diversity for local and international markets, enhancing the capacity of South African farmers for cannabis cultivation, promoting small and medium-sized enterprises throughout the cannabis value chain, boosting investments in research and technology development, expanding manufacturing capabilities, and aligning cannabis and hemp products with local content regulations.

The following structures will be responsible for guiding and monitoring the implementation of the Cannabis Master Plan:

**1. Executive Oversight Committee**

Providing high-level leadership and coordination of the Master Plan implementation and ensuring shared ownership and accountability for outcomes and commitments amongst the social partners. Composed of line ministers, and representatives of farmer associations, manufacturers, and retailers.

**2. Master Plan Task Teams (National and Provincial)**

Supporting the implementation of various pillars of the cannabis master plan. Teams will consist of representatives of sector departments, state-owned entities, industry, and other social partners. Teams will report to the Executive Oversight Committee.

**3. Programme Management Office**

Providing secretariat support to the Executive Oversight Committee and coordinating the work of the Master Plan Task Teams and Provincial Master Plan Committees.

In addition to the National Cannabis Master Plan, the Western Cape Cannabis Framework, and Implementation Plan (CanPlan) was published in March 2023<sup>14</sup>. It is intended to inform the decision-making and strategic planning of the Western Cape Department of Agriculture and other role players (Table 2).

Engaging in cannabis or hemp-related activities requires the acquisition of specific licenses and permits. The type of license and permit you need will depend on the nature of your operation (Table 3). SAHPRA plays the primary role in regulating cannabis for medicinal purposes, while the DoH and DALRRD oversee aspects related to general consumption, research and development, production, and commercialisation. Also refer to the CANPLAN for a detailed evaluation of the activities, goods, and services that are legal under current South African law, are illegal, are not supported by law, or are deemed a “grey” area.

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<sup>14</sup> <https://www.elsenburg.com/cannabis-framework-and-implementation-plan-canplan-for-the-agricultural-sector/>

**Table 2:** Summary of cannabis-related activities, products, services, constraints, as well as the responsible organisations and government departments as contemplated in the cannabis master plan. Adapted from the Western Cape Cannabis Framework and Implementation Plan (CanPlan) for the agricultural sector, 2023.

ACTIVITIES, PRODUCTS, & SERVICES	REGULATED / CONSTRAINED BY	DEPARTMENT(S)	WEBSITE	CONTACT NO.
Medical Cannabis	Medicines and Related Substances Act, Cannabis licence process	DoH	<a href="http://health.gov.za">health.gov.za</a>	(021) 466 7260 (012) 395 8080/6
Hemp growing for fibre, feed, and/or seed	Plant Improvement Act, hemp permit	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300
Cannabis seed import	Medicines and Related Substances Act, Agricultural Pests Act, Cannabis licence process	DoH, DALRRD	<a href="http://health.gov.za">health.gov.za</a> <a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(021) 466 7260 (012) 395 8080/6
<p>Discipline-specific medicines permitted as part of a:</p> <ul style="list-style-type: none"> <li>• herbal preparation which naturally contains CBD used traditionally for specified indications in any of the stated disciplines, where origin and use are to be justified with relevant literature as per Guideline 7.01.</li> </ul> <p><b>OR</b></p> <ul style="list-style-type: none"> <li>• combination product where it is formulated with the herbal substance from which it arises used traditionally in any of the stated disciplines, origin and use to be justified with relevant literature as per Guideline 7.01, and the action of the isolated constituent must be “essentially the same” (not significantly different)</li> </ul>	<p>Medicines and Related Substances Act, Cannabis licence process; SAHPRA Registration of Medicines: Complementary Medicines – Guidance on Specific Substances: Cannabidiol (CBD); SAHPRA regulatory notice “Exemption of Certain Cannabidiol Products from the Operation of the Medicines Act”</p> <p><b>As per the Schedules published in terms of the Medicines Act, CBD will be a Schedule 0 substance when:</b></p> <ul style="list-style-type: none"> <li>• Low-risk indication(s) is (are) used.</li> <li>• THC content is lower than 0,001 %.</li> <li>• Maximum Daily Dose: 20 mg CBD.</li> <li>• No more than 600 mg CBD per sales pack</li> </ul>	SAHPRA	<a href="http://sahpra.org.za">sahpra.org.za</a>	

Small-scale growth and consumption for private use	Constitutional Court ruling	N/A	N/A (for ruling see - <a href="https://shorturl.at/alnKW">https://shorturl.at/alnKW</a> )	N/A
Traditional and cultural use of Cannabis, traditional healer use	Plant Breeders Rights Act, Indigenous Knowledge Systems Act	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300
Processing of intermediate hemp fibre and textiles	Plant Improvement Act, hemp permit; Agricultural Products Standards Act	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300
Foods containing hemp seed or oil	Agricultural Products Standards Act; Foodstuffs, Cosmetics and Disinfectants Act, schedules	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300
Export of products	Medicines and Related Substances Act, Cannabis licence process; Plant Improvement Act, hemp permit; Marketing of Agricultural Products Act; Agricultural Products Standards Act	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300
Medical Cannabis tourism	Medicines and Related Substances Act, Cannabis licence process, Section 21 approval	DoH	<a href="http://health.gov.za">health.gov.za</a>	(021) 466 7260 (012) 395 8080/6
Cannabis/hemp agritourism	Medicines and Related Substances Act, Cannabis licence process; Plant Improvement Act, hemp permit	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300
Ancillary services (e.g., analysis and testing, research, coordination, brand building)	Medicines and Related Substances Act, Cannabis licence process	DoH	<a href="http://health.gov.za">health.gov.za</a>	(021) 466 7260 (012) 395 8080/6
Financing by venture capital/international investors	N/A	N/A	N/A	N/A
Animal feed and pet food from hemp/Cannabis	Pending Feeds and Pet Food bill; Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300

Phytochemical processing under hemp license (e.g., CBD)	SAHPRA notice interpreting Plant Improvement Act, hemp permit	SAHPRA	<a href="http://sahpra.org.za">sahpra.org.za</a>	(012) 501 0414
Products with ≤ 0.001% of THC levels	Medicines and Related Substances Act, Cannabis licence process	DoH	<a href="http://health.gov.za">health.gov.za</a>	(021) 466 7260 (012) 395 8080/6
Recreational Cannabis (commercialised), including grower and consumer clubs	Drugs and Drug Trafficking Act, Prevention of Organised Crime Act, Criminal Procedure Act, UN (United Nations) Declaration	SAPS	<a href="http://saps.gov.za">saps.gov.za</a>	(012) 393 1000
Hemp fibre sector applications (e.g., building/construction, marine)	Construction: National Building Regulations and Building Standards Act (SANS10400); Boatbuilding: ISO, South African Bureau of Standards (SABS) for the Boat Building Industry via Technical Committee 188, South African Maritime Safety Authority (SAMSA)	South African Bureau of Standards (SABS), South African Maritime Safety Authority (SAMSA)	<a href="http://samsa.org.za">samsa.org.za</a>	(011) 238 2300 (012) 366 2600
Recreational Cannabis tourism	Pending Private Use Bill; Drugs and Drug Trafficking Act, Prevention of Organised Crime Act, Criminal Procedure Act, UN Single Convention on Narcotic Drugs; Convention on Psychotropic Substances; United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances	N/A	N/A	N/A
Local bank financing/investment in a Cannabis business	Drugs and Drug Trafficking Act, Prevention of Organised Crime Act	N/A	N/A	N/A
Involvement of people in the industry with historical legal/criminal cases against them for previous activity in the industry	Drugs and Drug Trafficking Act, Prevention of Organised Crime Act, Criminal Procedure Act	N/A	N/A	N/A
Local Cannabis and hemp seed registration and supply;	Agricultural Pests Act, Plant Improvement Act, and Plant Breeders Rights	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300

Legitimised local landrace Cannabis and hemp	Medicines and Related Substances Act, Cannabis licence process	DoH	<a href="http://health.gov.za">health.gov.za</a>	(021) 466 7260
Pharmaceutical and health products with CBD daily dose over 20mg	Medicines and Related Substances Act, Cannabis licence process; SAHPRA Registration of Medicines: Complementary Medicines – Guidance on Specific Substances: Cannabidiol (CBD)	SAHPRA	<a href="http://sahpra.org.za">sahpra.org.za</a>	(012) 501 0414
CBD-containing food, beverages, cosmetics, personal care	Foodstuffs, Cosmetics and Disinfectants Act, schedules; Agricultural Products Standards Act; Drugs and Drug Trafficking Act	DALRRD	<a href="http://dalrrd.gov.za">dalrrd.gov.za</a>	(012) 312 9300
Imported THC/CBD-containing products, not certified	Drugs and Drug Trafficking Act	SAPS	<a href="http://saps.gov.za">saps.gov.za</a>	(012) 406 4854



**Table 3:** License/permit types for cannabis and hemp cultivation, processing, and distribution overseen by SAHPRA and DALRDD.

SAHPRA	DALRDD
<p><b>Medicinal Cannabis License:</b> This license is essential for entities looking to cultivate, process, and distribute cannabis for medicinal or therapeutic purposes. SAHPRA regulates the quality, safety, and efficacy of medicinal cannabis products.</p>	<p><b>Seed Permit:</b> To import, export, or distribute hemp seeds, a seed permit might be necessary. It ensures that the seeds meet specific quality standards.</p>
<p><b>Manufacturing License:</b> For organisations involved in the extraction and manufacturing of cannabis-based products, such as oils or pharmaceuticals, a manufacturing license would be required.</p>	<p><b>Hemp Cultivation Permit:</b> This permit would be required for the legal cultivation of hemp. It typically outlines the conditions, including the allowable THC content and other requirements for hemp farming.</p>
<p><b>Distribution License:</b> Entities involved in the distribution and sale of medicinal cannabis products would need a distribution license to ensure that these products reach patients and consumers safely</p>	<p><b>Research and Breeding Permits:</b> These permits allow for research on and the breeding of cannabis and hemp plants and may be used by institutions and individuals conducting scientific studies</p>
<p>Licensing guidelines and permit information are available at <a href="https://www.sahpra.org.za/">https://www.sahpra.org.za/</a>.</p>	<p>Licensing guidelines and permit information are available at the <a href="#">Department of Agriculture, Land Reform and Rural Development - Hemp (Low THC Cannabis) Regulatory System (dalrrd.gov.za)</a></p>