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POLICE INTERNAL CIRCULAR ON CANNABIS  
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A The National Head, DIRECTORATE FOR PRIORITY CRIME INVESTIGATION B ALL  
DIVISIONAL COMMISSIONERS C ALL REGIONAL COMMISSIONERS D ALL  
PROVINCIAL  
COMMISSIONERS E The Head, CORPORATE COMMUNICATIONS F. All Heads, HEAD  
OFFICE  
G. All Section Heads HEAD OFFICE H All Commanders, SAPS ACADEMY AND  
TRAINING  
CENTRES I ALL DEPUTY NATIONAL COMMISSIONERS J The Chief of Staff  
MINISTRY OF POLICE POSSESSION AND CULTIVATION OF CANNABIS/ DAGGA IN  
THE  
PRIVACY OF A HOME: PRINCE V MINISTER OF JUSTICE AND OTHERS WESTERN  
CAPE  
DIVISION OF THE HIGH COURT)

1. In the above matter, the High Court, on 31 March 2017. made certain orders pertaining to the constitutionality and validity of the Drugs and Drug Trafficking Act 1992 (Act No 140 of 1992) and the Medicines and Related Substances Control Act. 1965 (Act No 101 of 1965). to the extent that it prohibits the use of cannabis by adult in a private dwelling where the possession, purchase of cultivation of cannabis is for the personal consumption by an adult
- 2 The declaration made by the High Court was suspended for a period of 24 months from the date of the judgment (31 March 2017) in order for Parliament to correct the defects as set out in the judgment
- 3 The Court made an interim order regarding a deemed defence in such matters pending the proposed amendment of the legislation, but should the matter be appealed, the interim relief is not enforceable The judgment, before it can become effective must in any event still be considered and confirmed by the Constitutional Court
- 4 All the Government Departments involved in the matter have decided to appeal the matter.
- 5 Until further notice, the enforcement of the relevant legislation must continue without any change

LIEUTENANT GENERAL, ACTING COMMISSIONER: SOUTH AFRICAN POLICE  
SERVICE JK  
PHAHLANE  
2017-04-07  
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