

5 March 2026

Via email [MMokulubete@justice.gov.za](mailto:MMokulubete@justice.gov.za)

Mr M Mokulubete  
Department of Justice

Dear Sir

**THE DRAFT REGULATIONS UNDER THE CANNABIS FOR PRIVATE PURPOSES ACT, 2024 (ACT NO. 7 OF 2024)**

Below is a consolidated and formal report of the Law Society of South Africa (LSSA) reflecting inclusive views from members of the legal profession, the attorneys' profession:

**1. Introduction**

Parliament has published the Draft Regulations under the Cannabis for Private Purposes Act, 2024, inviting interested parties to submit written comments. In line with its mandate, the Law Society of South Africa (LSSA) has solicited and consolidated views from members of the attorneys' profession. The comments received reflect legal analysis, constitutional considerations, and professional perspectives on the practical and human-rights implications of the proposed regulatory framework.

**2. General Professional View**

The comments received indicate broad support for the draft regulations, with practitioners noting that the regulations align with the 2018

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Constitutional Court judgment and uphold constitutional and human-rights standards.

### **3. Key Issues Raised**

#### **3.1 Constitutional and Legal Compliance**

Respondents expressed the view that the regulations are lawfully compliant, consistent with the Constitutional Court ruling, and ready for implementation without major revision.

#### **3.2 Human Rights and Public Protection**

Practitioners acknowledged that the regulations strike an appropriate balance between protecting adults privacy rights, ensuring child protection, and maintaining public safety.

#### **3.3 Expungement of Criminal Records**

The comments support the provision for automatic expungement of previous cannabis-possession convictions, with no fixed waiting period required.

### **4. Conclusion**

Overall, the attorney's profession views the draft regulations as constitutionally compliant, aligned with Parliament's obligations, and

protective of adults, children, and the public. The LSSA therefore supports the finalisation and adoption of the regulations.

Yours faithfully



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