

ConCourt rules to decriminalise the personal use of marijuana

NEWSWATCH: The Constitutional Court's landmark judgment that every pot-smoker across South Africa has been waiting for since the Cape High Court ruled in favour of decriminalising the use of marijuana, has been made...



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In a unanimous judgment, the ConCourt this morning ruled that sections of the Drugs Act, as well as the Medicines and Related Substances Control Act (Medicines Act), are unconstitutional and rendered invalid. The Drugs Act currently criminalises the use, cultivation and possession of cannabis.



Weed has been legalised? No, not quite...

Shan Raddcliffe 31 Mar 2017



In his ruling statement, Deputy Chief Justice Raymond Zondo declared, "The right to privacy is not confined to a home or private dwelling. It will not be a criminal offence for an adult person to use or be in possession of cannabis in a private space.

"The judgment does not specify how many grams of cannabis can a person use or have in private."

It will now be up to Parliament to decide on what quantity will be considered "for personal use". Until then, police officers will need to use their own discretion to gauge whether the amount of dagga found on an individual could be considered for personal consumption only. If an officer, through reasonable judgment, suspects someone of dealing, they may arrest the person.

Why regulations must be in place before marijuana is legalised

Rhys Evans 5 Jul 2018





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- [Highest court gives green light to dagga](#)
- [The highest court has spoken: You are allowed to smoke - and grow - dagga at home](#)
- [Dagga use decriminalised](#)

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