



Future of cannabis under new regulations

In a major policy reversal, Thailand's Ministry of Public Health has announced new regulations that significantly tighten controls on cannabis use, restricting it exclusively to medical purposes. This move follows growing political pressure and public concern over the proliferation of unregulated cannabis outlets and the widespread recreational use of the substance since it was delisted from the Narcotics Code in 2022. The Minister of Public Health, recently signed a ministerial regulation aimed at closing the legal loopholes and restoring state oversight, with the regulation set to take effect shortly after publication in the Royal Gazette.

Under the new regulation, all cannabis purchases must be supported by a doctor's prescription and a medical certificate that verifies the patient's condition. Cannabis smoking in shops is prohibited unless under medical supervision by qualified professionals, including practitioners of traditional Thai medicine or dentistry. The regulation also bans all cannabis-related advertising, sales through online channels or vending machines, and limits the amount dispensed to a 30-day medical supply per patient. Businesses involved in cultivation, sales, or processing must obtain new licences and submit to monthly inspections, with violations punishable by a licence revocation.

This development has reignited political tensions between the Bhumjaithai Party (BJT) and the ruling Pheu Thai Party. The BJT, which spearheaded the decriminalisation of cannabis in 2022, is pushing for the passing of its Cannabis-Hemp Control Bill, arguing that the current lack of legislation has led to regulatory breakdowns. In contrast, Pheu Thai has accused the BJT of creating the problem by pushing liberalisation without adequate controls in place. The Minister of Public Health has dismissed the BJT's legislative efforts as unlikely to pass under the current administration, stressing that the priority is to address the public health risks and restore legal clarity.

From a legal standpoint, the reclassification of cannabis as a narcotic is a significant shift that reintroduces criminal liabilities for unauthorised possession and use of cannabis. Operators in the cannabis industry must urgently review their compliance structures, as existing licences issued under the Traditional Thai Medicine Wisdom Protection Act are no longer sufficient. Legal obligations extend to maintaining proper records, sourcing data, and appointing in-house medical professionals at licensed premises. Businesses failing to adjust will face both regulatory and potential criminal consequences.

Thailand's move reflects a broader trend of tightening cannabis regulation in Asia and signals the end of its brief period of open commercialisation. As public sentiment leans toward stricter controls, stakeholders must be prepared for greater scrutiny and reduced flexibility. For companies already operating in the cannabis sector, the window for transition to a compliant medical-use model is narrow—and failure to act swiftly may result in significant legal and financial exposure.

Should you have any question, please do not hesitate to contact us via info@bgloballaw.com

