

Cannabis Legalization

Linda Stromberg



Timeline of key cannabis laws in Canada

R. v. Parker was the decision that first invalidated the cannabis prohibition.

Introduction of the Marihuana for Medical Access Regulations (MMAR).

Introduction of Marihuana for Medical Purposes Regulations (MMPR).

R. v. Smith: Supreme Court rules that the restriction to dried marijuana under the MMAR and the MMPR were unconstitutional.

R. v. Allard: MMPR declared unconstitutional by BC Superior Court

Introduction of Access to Cannabis for Medical Purposes Regulations (ACMPR).

2000

2001

2013

2015

2016

Timeline of legalization progress in Canada

JUNE 30, 2016

Task Force on Cannabis Legalization & Regulation Launched

DEC 13, 2016

Task Force Report Published

APRIL 13, 2017

Proposed Cannabis Act introduced in House of Commons

NOV 27, 2017

Proposed Cannabis Act passed by House, referred to Senate.

JUNE 20, 2018

The proposed Cannabis Act was passed by Senate

JUNE 21, 2018

Royal Assent was granted. Coming into Force date Was announced

Regulations for edibles and concentrates take effect by or before October 2019

2016

2017

2018

2019

October 17, 2018

Cannabis Act and Cannabis Regulations are in force

BILL C-45

CANNABIS AND YOUTH

No criminal prosecution
of youth for possession
of up to

5 grams of Cannabis

1

Encourages **Provinces and Territories**
to create offences applicable to youth
possession under 5 grams

3

Provides **opportunity** for
police **to seize** cannabis from a
young person

5

Keeps cannabis out of the hands of youth while ensuring they
don't enter the criminal justice system for
MINOR POSSESSION OFFENCES.



PROVINCES AND TERRITORIES
TO ESTABLISH OFFENCES FOR
YOUTH POSSESSION OF UP TO
5 GRAMS OF CANNABIS

2

Allows **alternatives to criminal charges**
similar to the approach taken in the
context of alcohol

4

Criminal charges will **focus**
on adults who provide
cannabis to youth.

BILL C-45

PROTECTING PUBLIC HEALTH & SAFETY

1

Allows for **a national cannabis tracking system** to prevent illicit cannabis from being a source of supply in the legal market.

3

Provides access to a **quality controlled supply** of cannabis.



2

Prohibits the **selling, packaging, and labelling** of cannabis products that are considered **appealing to youth**

4

Limits personal cultivation to **4 plants per dwelling.**

5

Establishes appropriate **sanctions and enforcement** measures.

BILL C-45

SERIOUS CRIMINAL PENALTIES

1

Establishes
Fines of up to **\$15,000** to
individuals and **\$100,000** to
organizations found guilty on
summary conviction.

3

Provides for **inspection**
powers to certified
individuals **to ensure**
compliance with the act.

2

Allows for **incarceration of**
individuals for up to 14 years
for those found guilty of an
indictable offence.

4

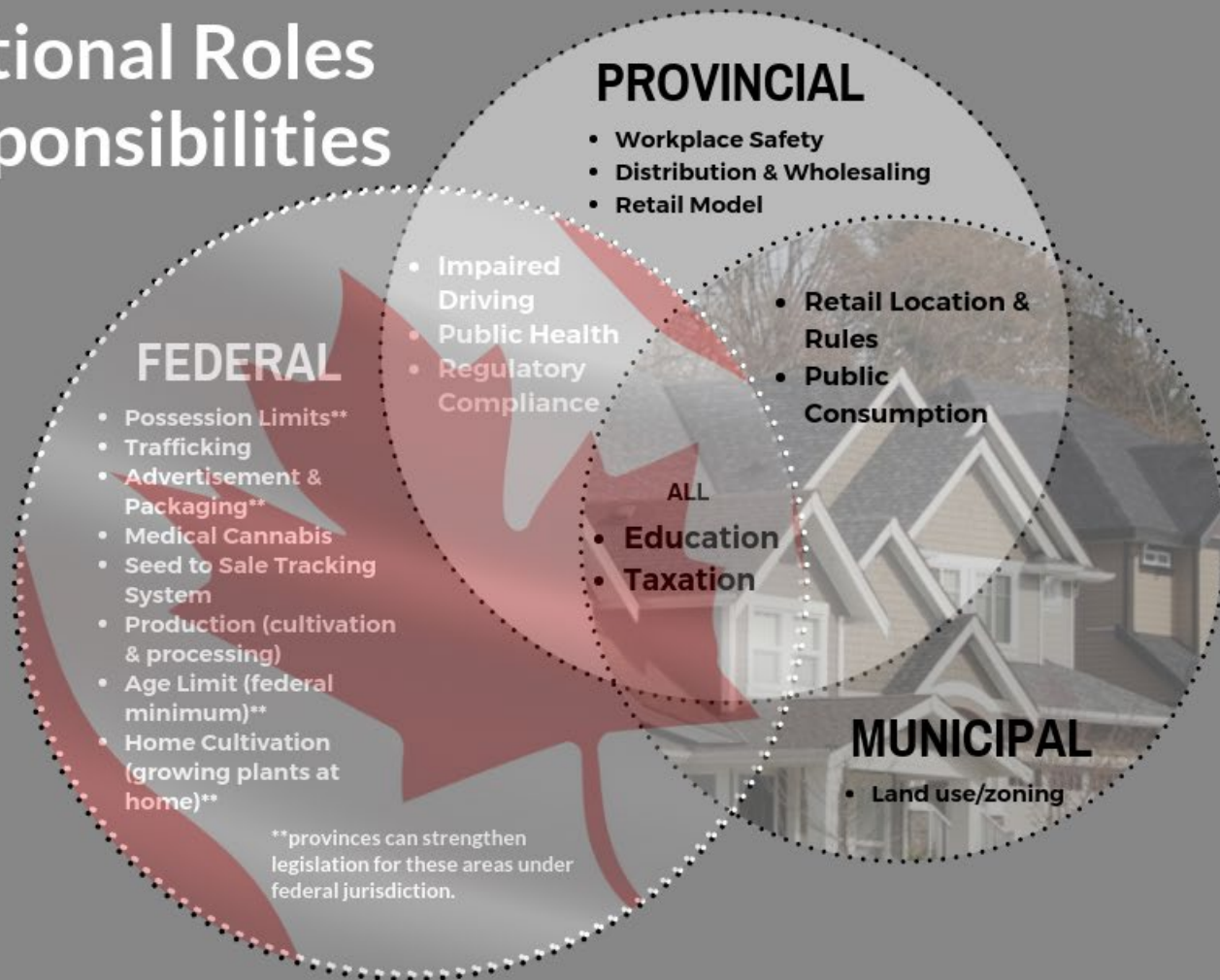
Strong penalties
for driving while impaired or
selling to minors.

5

Targets those operating **outside of the legal framework.**



Jurisdictional Roles and Responsibilities



	BRITISH COLUMBIA	ALBERTA	SASKATCHEWAN	MANITOBA	ONTARIO	QUEBEC	NEW BRUNSWICK
AGE	19	18	19	19 (one year later than drinking)	19	18	19
SALES	public online sales and both private and public stores	private stores, 250 licenses anticipated in year one	60 private stores	private stores	public online sales and private retail model by April 1	public online sales and 15 public stores	20 Public Stores
CONSUMPTION	Consumption aligns with rules for tobacco and also prohibits consumption in places children frequent such as parks, beaches, playgrounds and inside vehicles.	Consumption aligns with rules for tobacco plus specifies not in hospitals, daycares or schools.	Consumption prohibited in public and may be limited in some private places.	Consumption prohibited in vehicles and in enclosed public spaces.	Consumption prohibited in public, in workplaces, vehicles and boats.	Consumption prohibited at enumerated enclosed and public spaces.	Consumption is prohibited except for in a private dwelling with consent of occupant or on vacant land with consent of occupant or owner.

Provincial Plans for distribution of recreational cannabis – what we know so far

	NOVA SCOTIA	PRINCE EDWARD ISLAND	NEWFOUNDLAND AND LABRADOR	YUKON	NORTHWEST TERRITORIES	NUNAVUT
AGE	19	19	19	19 (one year later than drinking)	19	19
SALES	public online sales and in existing Nova Scotia Liquor Corporation stores in a separate area	public online sales and 4 public stores	more than 30 potential private retailers currently going through approval process	private stores	"cannabis stores", will initially be the existing liquor stores. Possibility of approving "cannabis-only" stores in the future	sale of cannabis through the Nunavut Liquor Commission and propose allowing remote sales (online or by phone)
CONSUMPTION	Consumption follows same rules as set out in their Smoke-free public places act.	Consumption permitted on private land or in a private dwelling with consent of occupant. Potential for designated consumption spaces.	Consumption permitted in private residences only.	Consumption permitted in private residences only and adjoining property with consent of owner.	Consumption permitted on private property with landlords' permission and in restricted public areas.	Consumption restrictions same as tobacco plus prohibited in vehicles, school grounds, hospitals and playgrounds.

Provincial Plans for distribution of recreational cannabis— what we know so far

A closer look at BC

The Cannabis Control and Licensing Act is guided by the Province's priorities of protecting children and youth, promoting health and safety, keeping the criminal element out of cannabis, keeping B.C. roads safe, and supporting economic development.

- Sets 19 as the provincial minimum age to purchase sell or consume cannabis;
- Allows adults to possess up to 30 grams of cannabis in a public place;
- Prohibits cannabis smoking and vaping everywhere tobacco smoking and vaping are prohibited, as well as at playgrounds, sports fields, skate parks, and other places where children commonly gather;
- Prohibits the use of cannabis on school properties and in vehicles;

A closer look at BC cont'd

- Authorizes adults to grow up to four cannabis plants per household, but the plants must not be visible from public spaces off the property, and home cultivation will be banned in homes used as daycares;
- Establishes a cannabis retail licensing regime similar to the current licensing regime for liquor;
- Provides enforcement authority to deal with illegal sales;
- Creates a number of provincial cannabis offences which may result in a fine ranging from \$2,000 to \$100,000, imprisonment of three to 12 months, or both; and
- Where necessary, to comply with Charter Rights and human rights law, exemptions will be provided for individuals who are federally authorized to purchase, possess and consume medical cannabis.

Cannabis Retail



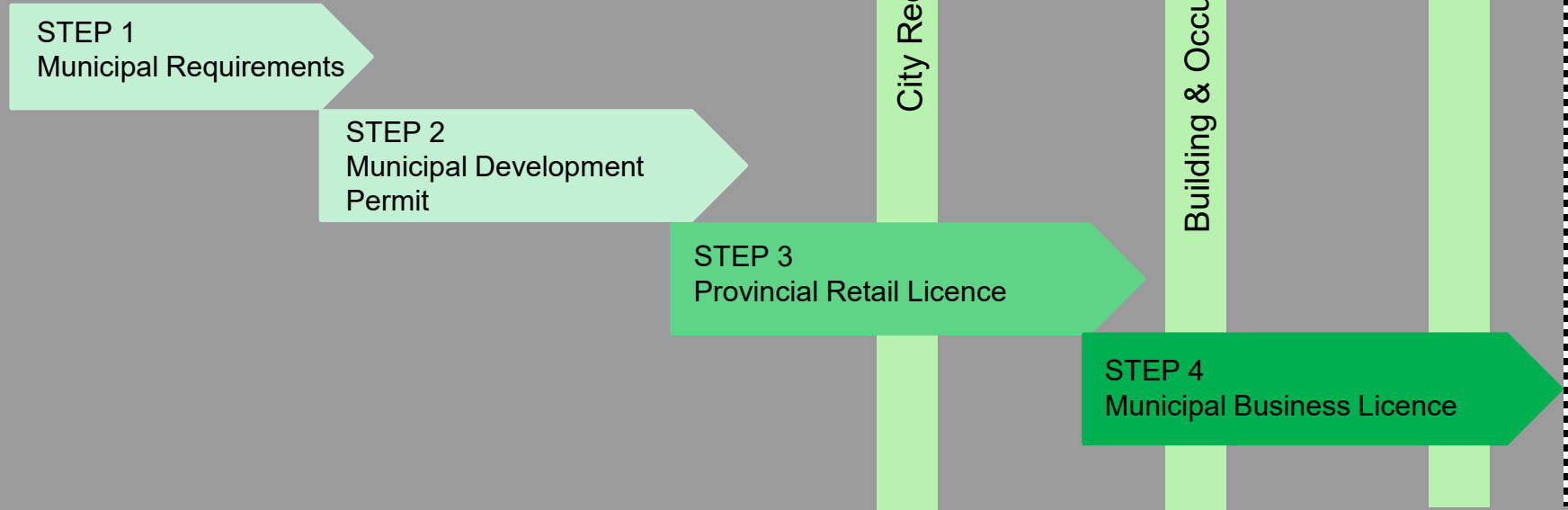
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Kamloops Matters*



Vancouver Retail Licensing Application Process



Workplace Policies – A Reasoned Approach

Employers are responsible for the safety of all employees and will be required to understand the Cannabis Act and ensure they are protecting workers and workplaces.

Here are five basic tips to consider when creating new cannabis policies for the workplace:

1. Understand what is legal
2. Accommodate medical users
3. Clarify your policy on recreational cannabis
4. Cover medical marijuana on your group benefits plan
5. Have an open and honest dialogue with your employees .

WorkSafeBC Resources:

- Substance Use and Workplace Impairment
- Guide to manage workplace impairment and developing impairment policy

Normalization – A Societal Shift



Understanding the Timeline

The Cannabis Act took effect on October 17, 2018.

This was the date the legislation was in place and should not be seen as the date when the system is fully operational.

Implementation of provincial and municipal rules could potentially take years.

Government is expected to issue scores more production licenses for medical producers, and slowly transition some into the non-medical market.



Thank You

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