



This document is intended to provide information on the developments regarding the legalization of recreational cannabis. This information is valid and up-to-date but is subject to change as the bills have yet to be approved by the Senate and receive royal assent.

Current Status of Cannabis Laws in Canada

In Canada, it is anticipated that the consumption of cannabis will become legal for recreational use in 2018. However, until the changes to legislation come into force, possessing and selling cannabis for non-medical purposes remain illegal everywhere in Canada.

Proposed Changes: Cannabis Act

Under the proposed *Cannabis Act*, the **federal government** will be responsible for regulating the production of cannabis, setting health and safety standards, and establishing criminal penalties in circumstances where legislations associated with cannabis are contravened. **Provincial and territorial governments** will license and oversee the distribution and sale of cannabis, subject to federal conditions, and may adapt certain rules in their own jurisdictions.

The (*federal*) Cannabis Act proposes that an adult of at least 18 years of age in Canada will be allowed to the following:

- ⇒ **Purchase** fresh or dried cannabis, cannabis oil, and plants or seeds for cultivation;
- ⇒ **Possess** up to 30 grams of legal cannabis¹ in public;
- ⇒ **Share** up to 30 grams of legal cannabis with other adults;
- ⇒ **Make** cannabis-based products, such as food and drinks, provided organic solvents are not used;
- ⇒ **Grow** up to 4 plants of cannabis per residence, with no height restriction².

¹ 30 grams of dried cannabis or its equivalent pursuant to Schedule 3 of Bill C-45.

² The Quebec Government has announced its intention to outlaw home growth.

Provincial and Territorial Restrictions

Provinces and territories, in consultation with municipalities, will have the authority to:

- Oversee the distribution and retail sale of cannabis;
- Increase the minimum age of possession of cannabis from 18;
- Reduce the possession limit of cannabis;
- Restrict the places where the consumption of cannabis is allowed in public;
- Impose restrictions on cultivation of cannabis for personal purposes;
- Set zoning restrictions (ex.: no sales of cannabis within 150 m of a school).

Offences

Proposed federal offences include:

- Possession of cannabis over the authorized limit;
- Giving or selling cannabis to youth;
- Using a youth to commit a cannabis-related offence;
- Production of cannabis beyond the personal limit;
- Distribution of cannabis over the authorized limit;
- Trafficking cannabis;
- Import/export of cannabis.

Commercial Production and Retail Sale

All commercial producers of recreational cannabis will need to be licensed by the federal government in order to operate.

The *Cannabis Act* proposes that the sale of edibles and concentrates (cannabis extracts with higher levels of THC) will not be legal within the first year of receiving royal assent.

An Act to Amend the Criminal Code (Offences Relating to Conveyances)

Along with Bill C-45 to provide legal access to cannabis, Bill C-46 will amend the *Criminal Code* regarding the offences relating to conveyances. The proposals of this bill include three new offences for driving with a blood drug concentration within two hours after ceasing to operate a motor vehicle.

Penalties will range from a \$1,000 fine to life imprisonment depending on the type of drug, the concentration of drug in the blood, the combination of alcohol and drug in the blood and the circumstances (accident with injuries and/or deaths).

The use of an oral fluid drug screening device is currently being evaluated.

Access to Cannabis for Medical Purposes

The proposed changes will not alter the already existing *Access to Cannabis for Medical Purposes Regulations*.



Training

In reaction to the Government bills regarding the legalization of cannabis, the École nationale de police du Québec has formed a working group to make sure that the Quebec police community will be ready to deal with this major and unprecedented legislative change. A training plan has already been developed and will allow police organizations to adapt quickly.

We will keep you informed of the upcoming training and the delivery methods.

The Cannabis Project Team

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