

# LEGALIZING AND STRICTLY REGULATING CANNABIS: THE FACTS

The proposed Cannabis Act would create a strict legal framework for controlling the production, distribution, sale and possession of cannabis across Canada.

The Act seeks to:

- ▶ restrict youth access to cannabis
- ▶ protect young people from promotion or enticements to use cannabis
- ▶ deter and reduce criminal activity by imposing serious criminal penalties for those breaking the law, especially those who import, export or provide cannabis to youth
- ▶ protect public health through strict product safety and quality requirements
- ▶ reduce the burden on the criminal justice system
- ▶ provide for the legal production of cannabis to reduce illegal activities
- ▶ allow adults to possess and access regulated, quality controlled legal cannabis
- ▶ enhance public awareness of the health risks associated with cannabis

The current program for accessing cannabis for medical purposes would continue under the new Act.

Cannabis will remain illegal as the bill moves through the legislative process. If it is approved by Parliament, the bill could become law with a target date of no later than July 2018.

## RESTRICTED ACCESS

The Cannabis Act proposes many rules that would protect youth from accessing cannabis.

## PROTECTING YOUTH

No person could sell or provide cannabis to any young person **under the age of 18**.

In addition, the Act would create 2 new criminal offences, with maximum penalties of 14 years in jail, for:

- ▶ giving or selling cannabis to youth, and
- ▶ using a youth to commit a cannabis-related offence

In order to prevent youth from using cannabis, the Act would also prohibit:

- ▶ products that are appealing to youth
- ▶ packaging or labelling cannabis in a way that makes it appealing to youth
- ▶ selling cannabis through self-service displays or vending machines
- ▶ promoting cannabis, except in narrow circumstances where the promotion could not be seen by a young person

Penalties for violating these prohibitions include a fine up to \$5 million or 3 years in jail.

The Government has also committed \$9.6 million to a comprehensive public awareness campaign to inform Canadians, especially youth, of the health and safety risks of cannabis consumption, and to surveillance activities.

## CONTROLLED ACCESS

Should the Cannabis Act become law in July 2018, adults who are **18 years old or older** would be able to legally:

- ▶ **possess** up to 30 grams of legal dried cannabis or equivalent in non-dried form
- ▶ **share** up to 30 grams of legal cannabis with other adults
- ▶ **purchase** dried or fresh cannabis and cannabis oil from a provincially-licensed retailer
  - ▶ In those provinces that have not yet or choose not to put in place a regulated retail framework, individuals would be able to purchase cannabis online from a federally-licensed producer.
- ▶ **grow** up to 4 cannabis plants, up to a maximum height of 100cm, per residence for personal use from licensed seed or seedlings



- ▶ **make** cannabis products, such as food and drinks, at home provided that organic solvents are not used

Other products, such as edibles, would be made available for purchase once appropriate rules for their production and sale are developed.

## STRICT REGULATION

The federal, provincial and territorial governments would share responsibility for overseeing the new system.

The federal government's responsibilities would be to:

- ▶ set strict requirements for producers who grow and manufacture cannabis
- ▶ set industry-wide rules and standards, including:
  - ▶ the types of cannabis products that will be allowed for sale
  - ▶ packaging and labelling requirements for products
  - ▶ standardized serving sizes and potency
  - ▶ prohibiting the use of certain ingredients
  - ▶ good production practices
  - ▶ tracking of cannabis from seed to sale to prevent diversion to the illicit market
  - ▶ restrictions on promotional activities

The provinces and territories would license and oversee the distribution and sale of cannabis, subject to federal conditions. They could also:

- ▶ increase the minimum age in their province or territory (but not lower it)
- ▶ lower the possession limit in their jurisdiction
- ▶ create additional rules for growing cannabis at home, such as lowering the number of plants per residence
- ▶ restrict where adults can consume cannabis, such as in public or in vehicles

## CRIMINAL PENALTIES

The Cannabis Act proposes offences targeting those acting outside the legal framework, such as those involved in organized crime.

Penalties would be set in proportion to the seriousness of the offence. Sanctions would range from warnings and tickets for minor offences to criminal prosecution and imprisonment for more serious offences.

OFFENCE	PENALTIES
Illegal distribution or sale	<ul style="list-style-type: none"> <li>▶ Tickets for small amounts</li> <li>▶ Up to 14 years in jail</li> </ul>
Possession over the limit	<ul style="list-style-type: none"> <li>▶ Tickets for small amounts</li> <li>▶ Up to 5 years in jail</li> </ul>
Production of cannabis beyond personal cultivation limits or with combustible solvents	<ul style="list-style-type: none"> <li>▶ Tickets for small amounts</li> <li>▶ Up to 14 years in jail</li> </ul>
Taking cannabis across Canada's borders	<ul style="list-style-type: none"> <li>▶ Up to 14 years in jail</li> </ul>

Further penalties related to cannabis-impaired driving have been put forward in the proposed drug-impaired driving legislation.

The proposed Cannabis Act is informed by the recommendations of the Task Force on Cannabis Legalization and Regulation.