

BRITISH COLUMBIA'S APPROACH TO CANNABIS LEGALIZATION AND REGULATION

Association of Vancouver Island and Coastal Communities
April 13, 2018

Ministry of Public Safety & Solicitor General



FEDERAL CONTEXT

Federal Cannabis
Secretariat

FPT Senior Officials
Working Group

FPT Sub-groups

- Public Education & Awareness
- Seed to Sale Tracking System
- Ticketable Offences
- Drug Impaired Driving
- Data Monitoring
- Taxation
- Labour

Federal Timeline

- June 2016 - Federal Discussion Paper
- Federal Task Force on Cannabis Legalization and Regulation
 - July - Sept 2016: Public & Stakeholder Consultation
 - November 2016: Task Force Report
- April 2017 – *Cannabis Act* (Bill C-45) and Bill C-46 (impaired driving) introduced
- Nov. 2017 – Jan. 20, 2018: Public & stakeholder consultation on proposed federal regulations
- Summer 2018 - Bill C-45 in force date
- Bill C-46 in force upon enactment

FEDERAL RESPONSIBILITY

Cannabis Act (Bill C-45)

- **The federal legislation will establish:**
 - Minimum federal conditions for distribution and retail sale
 - Minimum age for purchase, possession and consumption
 - Restrictions on personal cultivation and personal possession limits
 - Criminal penalties for those operating outside the legal system
- **The federal government will:**
 - Establish a national cannabis tracking system
 - Regulate product standards, labelling and packaging and the promotion and display of cannabis or cannabis accessories
 - License cannabis producers
 - Regulate edibles within 12 months of Bill C-45 coming into force

FEDERAL RESPONSIBILITY

Bill C-46

- **Federal Bill C-46 will:**
 - Significantly amend Criminal Code impaired driving offences
 - Create new offences for having specified levels of a drug in the blood within two hours of driving (to be set by regulation)
 - Provide regulatory authority to approve roadside oral fluid screening devices

PROVINCIAL CONTEXT

Deputy Minister
Working Group

ADM Public Safety
Issues Committee

Cannabis Legalization &
Regulation Secretariat

Inter-ministry Working
Group

Overarching provincial goals guiding policy:

- I. Prioritize health and safety
- II. Reduce crime and the illegal market
- III. Protect children and youth
- IV. Address cannabis-impaired driving
- V. Support economic development

PROVINCIAL ENGAGEMENT

- **Public and Stakeholder Engagement: Sept. 25 – Nov. 1, 2017**
 - 48,151 online responses, 800 random telephone survey responses, over 140 written submissions
- **Local Governments**
 - Joint Provincial-Local Government Committee on Cannabis Regulation, Chief Administrative Officers forums, local government association AGMs and meetings
- **Indigenous Governments**
 - Meetings with Indigenous governments and organizations, regional teleconferences, working group under FNLC (TBC)
- **Ongoing Stakeholder Engagement**
 - Ongoing meetings with interested stakeholder groups

KEY PROVINCIAL DECISIONS

- **Minimum age**
 - B.C.'s minimum age to possess, purchase and consume cannabis will be 19
- **Personal possession**
 - Adults will be allowed to possess up to 30 grams of non-medical cannabis in a public place
 - Those under the legal age of 19 will be prohibited from possessing any amount of non-medical cannabis
 - Cannabis transported in a motor vehicle will need to be in a sealed package, or inaccessible to vehicle occupants
- **Places of use**
 - Cannabis smoking and vaping will generally be allowed in public spaces where tobacco smoking and vaping are permitted
 - Cannabis smoking and vaping will be banned in areas where children gather, including community beaches, parks and playgrounds
 - Landlords and strata councils can restrict or prohibit cannabis smoking
 - Local governments will be able to set further restrictions
 - Cannabis consumption will be prohibited while riding in or operating a vehicle

KEY PROVINCIAL DECISIONS

- **Personal cultivation**
 - B.C. will allow adults to grow up to four cannabis plants per household
 - Plants must not be visible from any public place off the property
 - Home cultivation will be banned in homes used as daycares
 - Landlords and strata councils will be able to restrict or prohibit home cultivation at tenanted and strata properties
- **Drug-impaired driving**
 - Continues to be illegal – B.C. will increase law enforcement training in this area
 - B.C. will toughen provincial regulations:
 - 90 day Administrative Driving Prohibition for drug affected driving; and
 - Zero tolerance for presence of THC in drivers of the Graduated Licensing Program

KEY PROVINCIAL DECISIONS

- **Distribution model**
 - B.C.'s wholesale distribution model will be government-run by the B.C. Liquor Distribution Branch
- **Retail model**
 - Liquor Control and Licensing Branch will be responsible for:
 - Licensing private stores; and
 - Monitoring retail sector
 - Cannabis cannot be sold in the same stores as liquor or tobacco
 - Early registration process will be launched online
 - Licenses will require the support of local governments
 - Exceptions will be established for non-medical cannabis retail stores in rural areas – criteria currently under development
 - Liquor Distribution Branch will establish public bricks and mortar stores and an online store

ADDITIONAL CONSIDERATIONS

Include but are not limited to...

- Agricultural Land Reserve
- Economic Development
- Ticketable Offences
- Workplace Considerations
- Housing Considerations
- Public Awareness and Education
- School-based Education
- Data Collection
- Taxation and Pricing
- Revenue Sharing
- Supply Management
- Cannabis Industry Training
- Environmental Impact
- Canadian Free Trade Agreement
- Regulatory Capture Prevention
- Hemp Regulation
- Long Term Governance/Oversight

QUESTIONS?

Cannabis Secretariat: Cannabis.Secretariat@gov.bc.ca

Liquor Distribution Branch: cannabis@bcldb.com

Liquor Control and Licensing Branch: cannabisregs@gov.bc.ca