The Evolving Landscape of Cannabis Regulation

Overview

• Two Parallel Systems
• Production
• Retail
• Home Grow

Two Parallel Systems
1. Medical
2. Adult use “recreational”
### Cannabis Regulation

#### Medical System

- **ACMPR (Access to Cannabis for Medical Purposes Regulations)**
- Federally regulated
- Cannabis shipped directly from producer to patient

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### Medical System

#### How did we get here?

- **MMAR (Marihuana Medical Access Regulations)**
  - Introduced July 2001
  - Allowed individuals who held a personal production license to grow their own medical cannabis
  - Also allowed designated growers
  - Issues relating to large grow operations

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### Medical System

#### How did we get here?

- **MMPR (Marihuana for Medical Purposes Regulations)**
  - Introduced July 2013, in force April 2014
  - Introduction of Licensed Producers
  - Dried cannabis only
  - No home grow
Medical System

How did we get here?

- **Case Law**
  - SCC – restriction to dried form inconsistent with Charter
  - *Allard v. Canada* – February 2016
    - Federal Court – MMPR unconstitutional
    - Reasonable access
    - 6 months to fix it

Medical System

How did we get here?

- **ACMPR** *(Access to Cannabis for Medical Purposes Regulations)*
  - August 24, 2016
  - Home grow/designated grow re-introduced
  - Licensed Producers
  - Accommodates multiple forms of cannabis

Medical System

How did we get here?

- **Home Growers** - individuals are able to produce a limited amount for their own use or designate someone to grow it for them.
- **Licensed Producers** - commercial operations that have gone through the rigorous licensing regime put in place by Health Canada and obtained permission to production of cannabis for commercial supply.
Cannabis Regulation

Adult Use “Recreational” System

- Cannabis Act
- Production = federally regulated
- Distribution = regulated by each province

Cannabis Regulation

Licensed Producer

- Producer under ACMPR = authorized under Cannabis Act
- New categories of licenses under Cannabis Act (i.e. craft growers, processors)
- Federally regulated

Cannabis Regulation

What is a Licensed Producer?

- Approximately 80 throughout Canada
- 5 licenses in Alberta
- Extensive Application Process
- Ongoing Regulation – Health Canada
  - Every gram accounted for – seed to sale
Cannabis Regulation

Licensed Producers

- Security clearance - criminal record and enhanced process for link to criminal organization
- 24/7 visual monitoring
- Restricted access where cannabis present
- Physical barriers

What do they look like?

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Cannabis Regulation

Retail

- Provincially regulated
- An Act to Control And Regulate Cannabis
- Cannabis Secretariat

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Cannabis Regulation

Retail

- Privately owned and operated stores – AGLC
- Government operated mail order

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Cannabis Regulation

Retail

- AGLC purchases from LP’s
- Product diversification
  - Edibles in 2019?
  - Advertising restrictions
Federal government allows it, provinces can restrict
Alberta laws not restricted
Up to 4 plants/household
Must be indoor

Federal and Provincial legislation is targeting July 2018 for implementation of the new Cannabis legislation
Waiting for Province to finalize legislation
Municipalities need to get ready now!

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