



Federal Cannabis ACT

CANNABIS ACT



QUICK FACTS

The *Cannabis Act* is guided by the government of Canada's priorities of preventing young persons from accessing cannabis and to protect public health and safety. This Act removed cannabis related offences from the *Controlled Drugs and Substances Act*.

The following quick facts sheet is a high level overview of the four basic offences within the federal legislation.

All the offences below are dual offences.

<https://openparliament.ca/bills/42-1/C-45/>

POSSESSION



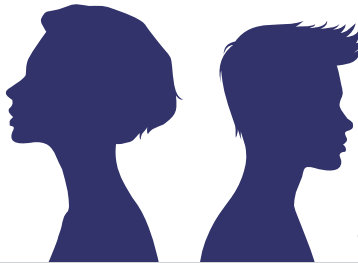
ADULT VS YOUNG PERSON



Anyone 18 years or older can possess up to **30 grams** of dried cannabis or equivalent.

Sec. 8(1) (a) & (b)

(See also, Cannabis and Cannabis Concentrates quick fact sheet)



Any "**young person**" (between 12-17 years of age) is permitted to be in possession of no more than **5 grams** of dried cannabis or equivalent.

Sec. 8(1)(c)

(However, under AB GLCA, no person under 18 years of age may purchase, obtain or possess cannabis. Sec 90.26)

DISTRIBUTION



It is prohibited for anyone 18 years or older to distribute (or share) **more than 30 grams** of dried cannabis or equivalent
Sec. 9(1)(a)(i)

No one 18 years or older is permitted to distribute cannabis to any individual under the age of 18 or to distribute to an organization
Sec. 9(1)(a)(iii)

No one 18 years or older is permitted to distribute cannabis that they know is illicit cannabis e.g., cannabis that has not been purchased from a licensed producer or authorized retailer
Sec. 9(1)(a)(iv)

Any "**young person**" (between 12-17 years of age) is permitted to share no **more than 5 grams** of dried cannabis
Sec. 9(1)(b)(i)

(However, under AB GLCA, no person under 18 years of age may purchase, obtain or possess cannabis. Sec 90.26)

PRODUCTION

CULTIVATION / MANUFACTURING / ALTERING



Anyone 18 years or older can cultivate up to a maximum of four (4) cannabis plants inside their dwelling house
Sec. 12(4)



Only four (4) cannabis plants can be cultivated in one dwelling house at any given time even if two or more individuals, 18 years or older, are living in the same dwelling house
Sec. 12(5)



No "young person" (between 12-17 years of age) is permitted to cultivate any cannabis plant or any plants which cannabis can be extracted from
Sec. 12(7)



No individual may obtain cannabis by manufacturing, synthesis, or altering the chemical or physical properties, or to alter by use of an organic solvent
Sec. 12(1)

SELLING



Unless authorized under the Cannabis Act:

No individual can sell cannabis to anyone or to an organization
Sec. 10(1)

No individual can possess cannabis for the purpose of selling it to anyone or to an organization
Sec. 10(2)



Impaired Driving

Amendments to the Criminal Code

Bill C-46

QUICK FACTS

Bill C-46 amended the provisions of the *Criminal Code* that deal with offences and procedures relating to impaired driving. The following quick facts sheet is an overview of the new criminal offences relating to drug impaired driving. A conveyance is now defined in the *Criminal Code* as a motor vehicle, a vessel, an aircraft or railway equipment.



STANDARDIZED FIELD SOBRIETY TEST (SFST)

When an officer has reasonable grounds to suspect that the driver is under the influence of a drug, a series of 3 psychophysical tests are used to determine whether or not the driver's ability to operate a conveyance is impaired.

Sec. 320.27(1)(a) CC

APPROVED DRUG SCREENING DEVICE (ADSD)

Commonly referred to as an Oral Screening Device (OSD). The MHPS is still researching their options in regards to ADSDs. More information to come. The MHPS is currently not deploying the Drager 5000.

DRUG RECOGNITION EVALUATION (DRE)

Once the officer has reasonable and probable grounds to believe that the driver's ability to operate a conveyance is impaired by a drug or a combination of alcohol and a drug, a DRE is conducted by a qualified evaluator to gather additional evidence to substantiate a charge.

Sec. 320.28(2)(a) CC

BLOOD

If the officer has reasonable and probable grounds to believe that the person's ability to operate a conveyance is impaired by alcohol or a drug, or a combination of alcohol and a drug, or has committed an offence under paragraph 320.14(1)(c) or (d), or subsection 320.14(4), the officer may demand a blood sample in order to determine the person's blood drug concentration.

Sec. 320.28(2)(b) CC

URINE

If, on completion of the evaluation, the officer has reasonable grounds to believe that the person's ability to operate a conveyance is impaired by a drug or by a combination of alcohol and a drug, the officer may, by demand require the person to provide a sample of urine.

Sec. 320.28(4)(a) CC

BLOOD

If, on completion of the evaluation, the officer has reasonable grounds to believe that the person's ability to operate a conveyance is impaired by a drug or by a combination of alcohol and a drug, the officer may, by demand require the person to provide a sample of blood.

Sec. 320.28(4)(b) CC

BLOOD DRUG CONCENTRATION

Legal limit for Cannabis

Equal to or exceed 5ng of THC per mL of blood.

Sec. 320.14(1)(c) CC

Legal limit for hard drugs

Equal to or exceed 5mg of GHB
or

any detectable quantity of Methamphetamine, Cocaine, LSD, Heroin, Psilocybin, Psilocin, PCP and/or Ketamine.

Sec. 320.14(1)(c) CC

Legal limit for alcohol and drug combination

Equal to or exceed 2.5ng of THC per mL of blood combined with 50mg% or more of alcohol in 100mL of blood.

Sec. 320.14(1)(d) CC

IMPAIRED

Everyone commits an offence who operates a conveyance while their ability to operate it is impaired to any degree by alcohol or a drug, or a combination of alcohol and a drug. To operate also means to have care or control, whether the conveyance is in motion or not.

Sec. 320.14(1)(a) CC

Bill C-46

<http://www.parl.ca/DocumentViewer/en/42-1/bill/C-46/royal-assent>



Alberta Gaming Liquor and Cannabis Act (GLCA)

GLCA



QUICK
FACTS

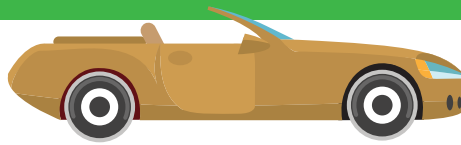
The *Gaming Liquor and Cannabis Act (GLCA)* is guided by the province of Alberta's priorities of protecting children and youth, promoting health and safety, keeping the criminal element out of cannabis, keeping AB. roads safe, and supporting economic development.

The following quick fact sheet is a high level overview for the adult component of the GLCA.

<http://www.qp.alberta.ca/documents/Acts/G01.pdf>

Subject to the Federal Act, no person may import, distribute, grow, transport, store, purchase, sell, give, possess or use cannabis except in accordance with the GLCA.

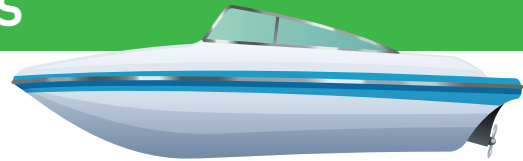
ADULTS



No person may use cannabis in a vehicle or boat unless, when the cannabis is being used, the vehicle or boat is a temporary residence.

Sec 90.24

Violation Ticket: \$575



No person may transport cannabis in a vehicle or boat unless the cannabis is contained in closed packaging that is out of reach of the driver and any other occupants of the vehicle or boat.

Sec 90.25(1)

Violation Ticket: \$115

VEHICLES
AND BOATS

PUBLIC
CONSUMPTION

No person may smoke or vape cannabis in any area or place where that person is prohibited from smoking under the Tobacco and Smoking Reduction Act or any other Act or the Bylaws of a municipality. This includes but not limited to playgrounds, pools, common areas of multi dwellings, the trail system or within 10 meters of any building, structure or other enclosed area to which members of the public have access.

Sec 90.28

Violation Ticket: \$287

MINORS

No person under 18 years of age may purchase, obtain, or possess cannabis .

Sec 90.26

Violation Ticket: \$115

No minor may enter, or be allowed to enter a licensed premise.

Sec 90.03(1)

POSSESSION





Gaming Liquor and Cannabis Act (GLCA)

Licensed Premise Inspectors

For the purposes of the Act, a Police Officer is an Inspector and may inspect licensed Premises at any reasonable time exercise those duties as outlined in the Act.



EVIDENCE OF CANNABIS

For the purposes of prosecuting violations under the GLCA, the fact that a Peace Officer forms the belief that a substance has an odour of cannabis or is labelled or packaged as cannabis, is sufficient to establish that the substance is cannabis. No analysis is required.

Sec 106(1)



SEARCH WITHOUT WARRANT

A Peace Officer who on reasonable and probable grounds believes that cannabis is in or near a vehicle and is being kept unlawfully or kept for unlawful purposes in contravention of the Act, and believing that obtaining a warrant would cause a delay that could result in the loss or destruction of evidence may without a warrant and, if necessary, conduct a search for the cannabis in or near the vehicle.

Sec. 107(1)



POWERS OF ARREST

No person may be intoxicated in a Public Place Sec 115(2) (including by cannabis) and if a Peace Officer believes that a person is intoxicated in a public place, the officer may, instead of charging the person with an offence, take the person into custody to be dealt with in accordance with this section.



A Peace Officer may resort to arrest for Obstructing a Peace Officer under Section 129 of the Criminal Code should any person interfere or obstruct an officer lawfully investigating an offence under this Act.



Cannabis & Cannabis CONCENTRATES

SOLIDS

THC LEVELS REMAIN THE SAME



Baked Goods



Lollipops



Cookies



Lip Balms



Beverages



Cannabis Infused Honey



Lotions / Creams



Cannabis Infused Oils

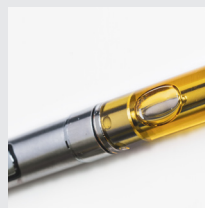


NON-SOLIDS

THC LEVELS REMAIN THE SAME



THC Oil



Tincture oil



SOLID CONCENTRATE

PROCESSED TO INCREASE THE THC LEVEL



Shatter



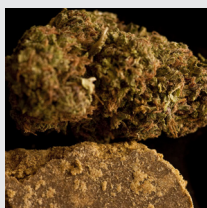
Hash



Budder



Bubble Hash



NON-SOLID CONCENTRATE

PROCESSED TO INCREASE THE THC LEVEL



CBD Capsules



FRESH CANNABIS



Non-dried Buds



Non-dried Shake



DRIED CANNABIS



Dried Cannabis Bud



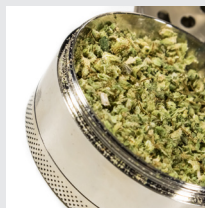
Cannabis Shake



Pre-rolled Joint



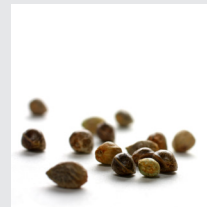
Kief



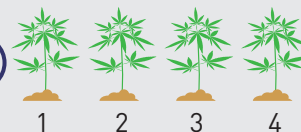
SEEDS



Seeds



PLANTS



Equivalency to 30 grams of dried cannabis



Available for purchase at a licensed establishment or government store



NOT available for purchase but can be possessed and shared