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Legal Alert: Release of the Cannabis Regulations

By Vlad Mihaescu and Andrew J. Wilder

Four new sets of regulations to the newly assented Cannabis Act were released on June 27, 2018, including the Cannabis Regulations, Industrial Hemp Regulations, Qualifications for Designation as Analyst Regulations (Cannabis) and Cannabis Act (Police Enforcement) Regulations (collectively, the “Regulations”). The Regulations will provide greater specificity to the Cannabis Act with respect to licensing, the import and export of cannabis, security clearances, key investors, advertising, packaging and labeling, access to cannabis for medical purposes, manufacturing of prescription drugs with cannabis, enforcement and various other matters.

The Cannabis Act and the Regulations will come into force October 17, 2018, displacing the current regime under the Access to Cannabis for Medical Purposes Regulations and Industrial Hemp Regulations. Cannabis will no longer be regulated as a controlled substance under the Controlled Drugs and Substances Act and instead will be regulated under the Cannabis Act and the Regulations. Medical cannabis and industrial hemp will also now be governed by the Regulations and the Cannabis Act, and although there are some changes to create consistency with the rules for non-medical use of cannabis to improve patient access and to minimize the risk of abuse of the system, the regulatory regime under the Regulations is substantially similar to the former legislation. In addition, certain regulations under the Food and Drugs Act are amended including the Cannabis Exemption (Food and Drugs Act) Regulations and the Natural Health Products Regulations.

The Cannabis Law Group at Torkin Manes LLP is in the process of extensively reviewing the Regulations and will be publishing additional articles, which will provide an indepth look at how the Canadian cannabis landscape has been changed by the Regulations. For more information on these developments and how they may impact you, please contact the Cannabis Law Group at Torkin Manes LLP at cannabis-law.ca.

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