



Ontario's Approach to Federal Cannabis Legalization

Ontario's Key Areas of Focus

- Ontario's regulatory approach will align with the federal government's legislative framework (see Appendix for further detail on federal Bill C-45).
- Ontario is committed to a safe and sensible approach to the federal legalization of cannabis that focuses on:
 - Protecting youth
 - Maximizing public health and safety
 - Reducing harm
 - Eliminating the illegal market
- While Ontario will continue to consult on the decisions still to come as we carefully monitor the transition to federal legalization, initial areas of focus for Ontario include:
 - Minimum age
 - Retail and distribution
 - Enforcement
 - Places of use
 - Public information and awareness
 - Prevention and harm reduction
 - Possession

Timelines

- The transition to legalized cannabis will require a coordinated effort across all levels of government.
- In order to meet the federal timeline for legalization i.e. no later than July 2018, Ontario needs to make key decisions now and will introduce legislation in Fall 2017.

Minimum Age

ONTARIO'S PROPOSED APPROACH: prohibit the sale of recreational cannabis to anyone under the age of 19.

- In Ontario, the minimum age for the sale and supply of tobacco and alcohol is 19.
- The proposed federal Cannabis Act (“Bill C-45”) creates criminal offences for selling or providing cannabis to any person under the age of 18.
 - The federal government has communicated that provinces and territories could increase the minimum legal age for sale, purchase and consumption.
 - Ontario’s approach strikes a balance between minimizing the health risks of cannabis use for young people and the need to eliminate the illegal market for cannabis.

Retail and Distribution Model

ONTARIO'S PROPOSED APPROACH: new stand-alone cannabis stores and an online order service would be operated by a new Crown corporation subsidiary to the Liquor Control Board of Ontario (LCBO).

- The approach would meet the standards of control and social responsibility that people expect, while responding to consumer demand and eliminating the illegal market.
- These decisions have been guided by Ontario's experience with the sale of alcohol, input from key public health experts and law enforcement, and lessons learned from other jurisdictions.
- New stand-alone stores would ensure our approach is aligned with the Federal Task Force's recommendation that there be no co-location of alcohol and cannabis.
- A new Crown corporation would have a subsidiary relationship to the LCBO and would leverage the LCBO's experience in socially responsible sales and operational expertise.

Retail and Distribution Structure

- There would be approximately 150 stores by the end of 2020, and about 40 by July 2018, and 80 stores by July 1, 2019 selling cannabis and cannabis related products, not alcohol.
- Stores would be complemented by a province-wide online sales channel that would be launched by July 2018, with safeguards similar to LCBO online sales (ID check at the door upon delivery, signature requirements and no unattended packages).
- Stores and the online channel would fully comply with federal requirements that restrict advertising, do not permit products visible to youth, require a behind-the-counter type of retail environment.
- Mandatory trained and knowledgeable staff would sell products in stores in a safe and socially responsible manner, including age verification, so youth access to the product is restricted and consumers have the information that they need.

Possession

ONTARIO'S PROPOSED APPROACH: prohibit individuals under the age of 19 from possessing or consuming recreational cannabis, which will allow police to confiscate small amounts of cannabis from young people.

- Under Bill C-45, adults could legally possess up to 30 grams of legal cannabis. Bill C-45 would also decriminalize youth possession of up to 5 grams, while youth possession of more than 5 grams would be dealt with under the Youth Criminal Justice Act.
 - Ontario agrees that the proposed federal adult possession limit strikes the right balance.
 - Ontario is proposing to create a provincial offence regime to prohibit youth from possessing any amount of cannabis that will focus on prevention, diversion and harm reduction without bringing youth unnecessarily into contact with the justice system.

Places of Use

ONTARIO'S PROPOSED APPROACH: create restrictions on recreational cannabis use that align with both tobacco and alcohol.

- Under this approach, individuals would:
 - Only be able to use recreational cannabis* in private residences.
 - Not be able to use recreational cannabis* in any public space, workplace and motorized vehicle.
- Limited exemptions will be provided for medical cannabis use.
- Ontario currently has restrictions on where people can use alcohol and tobacco:
 - Alcohol: public consumption is illegal unless in a licensed place
 - Tobacco: smoking or holding of lit tobacco is prohibited in certain areas, including enclosed workplaces and public places and other specified spaces in the Smoke-Free Ontario Act.
- Ontario is proposing to create provincial offences to prohibit places where recreational cannabis can be used.
- This will be guided by the provincial experience with alcohol and tobacco, and by public health (precautionary) principles which aim to protect our youth, as well as the public from second-hand smoke and vapour.

* Applies to all forms of recreational cannabis (smoking, vaping, edibles and extracts)

Illegal Selling - Enforcement Strategy

ONTARIO'S PROPOSED APPROACH: pursue a proactive and coordinated law enforcement approach with federal and municipal partners, including a coordinated effort to eliminate illegal storefront dispensaries across the province.

- Cannabis storefront dispensaries are currently illegal under federal law.
- Cannabis storefront dispensaries will be illegal under both federal and provincial law after recreational cannabis is legalized.
- A robust enforcement strategy will be required to support the implementation of a provincial approach to cannabis legalization.
- Ontario is considering the creation of new offences and tools in the proposed provincial cannabis legislation that could be used to address storefront dispensaries.

Public Information and Awareness

ONTARIO'S PROPOSED APPROACH: lead a province-wide public awareness campaign on areas of provincial responsibility, including age, where and how to buy recreational cannabis, and provincial drug-impaired driving measures.

- Ontarians (particularly youth and young adults) will be made aware of the measures that will be put in place to protect public health and safety.
- The federal government is leading and investing in a national public awareness campaign on the health risks of cannabis use and the dangers of cannabis-impaired driving.
- Ontario will work to support the federal government's planned national public awareness campaign to promote public health, prevention and harm reduction.

Prevention and Harm Reduction

ONTARIO PROPOSED APPROACH: develop cannabis prevention and harm reduction initiatives that focus on awareness and education, prevention and harm reduction programs and services, and service provider education and training.

- Prevention and harm reduction initiatives can help play a role in preventing, delaying, reducing cannabis use.
- Ontario will work with key experts and stakeholders to inform the development and delivery of cannabis prevention and harm reduction initiatives and align them with similar efforts carried out by the federal government.
- Initiatives will consider the unique needs of Indigenous communities, youth involved in the justice system, those living in rural/remote areas, racialized Ontarians, newcomers, and those of lower socio-economic status.

Appendix - Federal Framework

- The proposed federal Cannabis Act would establish the legislative framework for cannabis, identifying permitted and prohibited activities. The proposed act provides for:
 - Federal regulation and licensing of cannabis producers;
 - Provincial responsibility for retail and distribution, provided that minimum federal conditions are met (e.g. sell only legal product from licensed producers; no sales to young persons; appropriate record-keeping and “adequate measures” to prevent diversion to illegal market, no “self-service”, No product display where youth can view; and Restrictions on marketing / advertising);
 - A minimum age of 18 for possession and sharing of cannabis; and
 - Public possession limit of 30 grams for adults; and possession limit of five grams for youth.
- Commercial production of edible cannabis products will not initially be authorized.
- The federal government plans to bring its legislation into force by **July 2018**.
- Medical cannabis continues to be federally regulated.