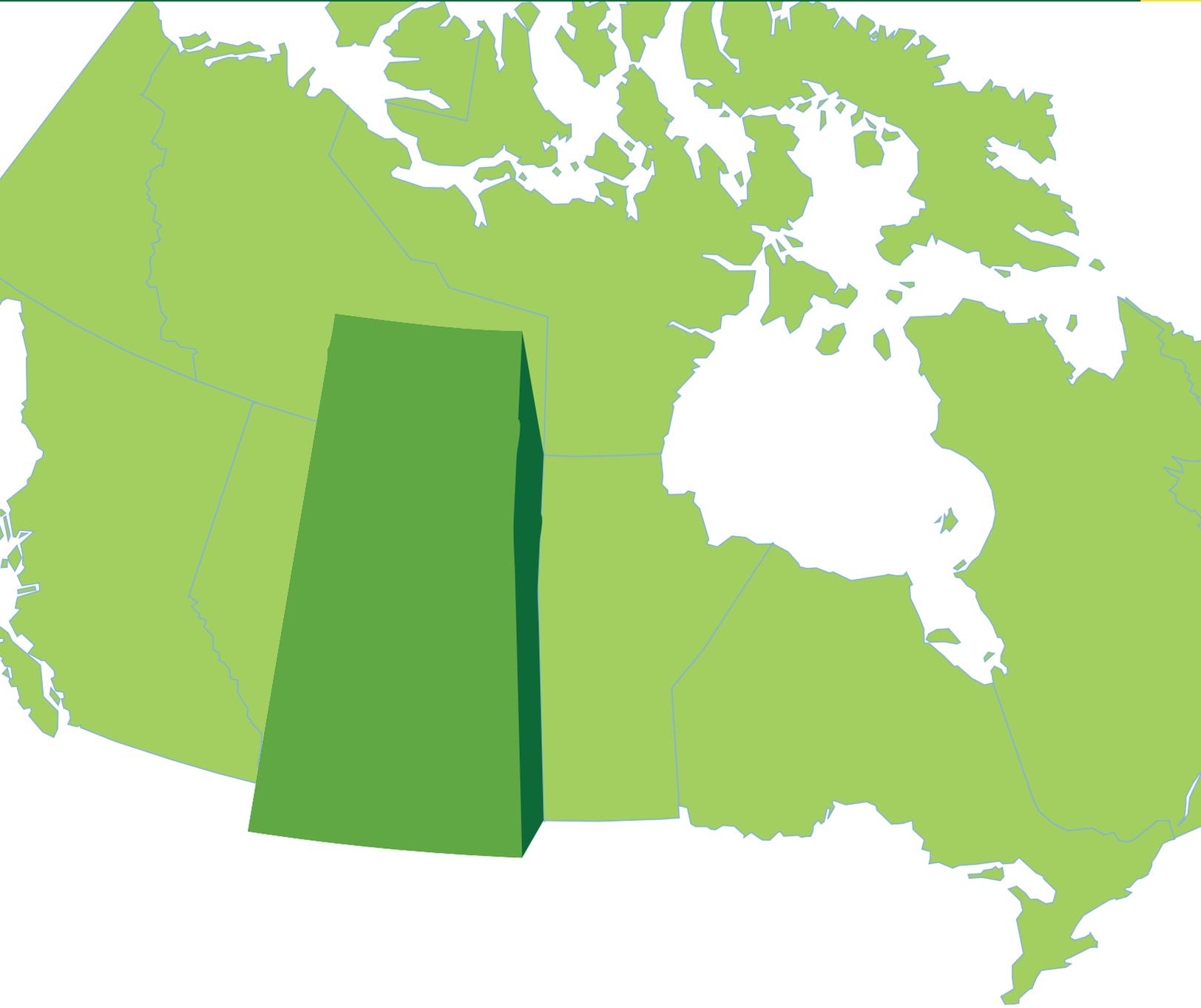


# Saskatchewan's Cannabis Framework

*Framework and Survey Results*





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# Introduction

The federal government has promised to legalize cannabis for non-medicinal use later this year. In preparation for legalization, they developed a Task Force on Cannabis Legalization and Regulation in Canada. On April 13, 2017, following the recommendations made by the Task Force, the federal government introduced legislation, the proposed *Cannabis Act* (Bill C-45).

The purposes of the *Cannabis Act* (Bill C-45) are to:

- ⇒ protect public health and public safety and, in particular,
  - ↳ restricting youth access to cannabis;
  - ↳ protect young persons and others from inducements to use cannabis;
- ⇒ provide for the legal production of cannabis to reduce illicit activities in relation to cannabis;
- ⇒ deter illicit activities in relation to cannabis through appropriate sanctions and enforcement measures;
- ⇒ reduce the burden on the criminal justice system in relation to cannabis;
- ⇒ provide access to a quality-controlled supply of cannabis; and
- ⇒ enhance public awareness of the health risks associated with cannabis use.

While the decision to legalize cannabis was made by the federal government, provinces and territories maintain the choice and/or responsibility of regulating certain areas. The below table shows what provinces and territories have the ability to regulate:

Activity	Federal responsibility?	Provincial responsibility?
Possession limits Federal government regulation: Maximum of 30 grams for adults	Yes	Yes
Trafficking	Yes	No
Advertisement and packaging	Yes	No
Impaired driving	Yes	Yes
Medical cannabis	Yes	No
Tracking & Reporting system	Yes	No
Production (cultivation and processing)	Yes	No
Age limit The federal government's minimum age is 18 years and provinces can choose to go higher	Yes	Yes
Public health	Yes	Yes
Public Education	Yes	Yes
Taxation	Yes	Yes
Home cultivation (growing plants at home) Federal government regulation: Maximum of 4 plants	Yes	Yes
Distribution and wholesaling	No	Yes
Retail model	No	Yes
Retail locations and rules	No	Yes
Regulatory compliance	Yes	Yes
Public consumption	No	Yes
Land use and/or zoning	No	Yes (municipal)

## **A. Overview of the Federal Government’s Cannabis Act (Bill C-45)**

### **Possession and Use of Cannabis**

- ⇒ Must be 18 or older to possess cannabis, but the provinces and territories can set a higher age;
- ⇒ Adults (18 and older) may possess up to 30 grams of dried legal cannabis or equivalent in a public place. Adults may also share cannabis with other adults, but not sell. Provinces and territories can set a limit lower than 30 grams;
- ⇒ A maximum height of 100 cm was removed from the Bill. Provinces and territories can reduce the number of plants, introduce a maximum height and limit where or how it can be grown on one’s property; and,
- ⇒ Subject to provincial laws, individuals can grow limited amounts at home for personal use.

### **Illegal Activities**

- ⇒ Except for licensed commercial producers, cannabis cannot be grown, exported or imported;
- ⇒ Youth possession of more than 5 grams of cannabis is a criminal offence and subject to the *Youth Criminal Justice Act* processes and penalties;
- ⇒ There will be strict criminal penalties for anyone operating outside of the legal system; and,
- ⇒ Officers will have the discretion to address minor offences (e.g., carrying more than 30 g but less than 50 g of cannabis) by issuing a ticket for a fine of \$200.

### **Restrictions on Advertising, Promotions and Packaging**

- ⇒ Advertising and promotion of cannabis, accessories, etc. is prohibited except in very limited circumstances (much like tobacco) and cannot be appealing to youth;
- ⇒ No false, misleading or deceptive promotion (health claims, glamorous way of life, etc.);
- ⇒ No sponsorships or endorsements (no health claims);
- ⇒ No depictions of a person, celebrity, character or animal;
- ⇒ Packaging and labelling restrictions are similar to tobacco and cannot be appealing to youth;
- ⇒ No false or misleading information;
- ⇒ No lifestyle elements or branding (must use plain packaging and health warnings like tobacco); and,
- ⇒ Restrictions on the display of cannabis and cannabis accessories at the point of sale.

### **Commercial Production**

- ⇒ Health Canada will license commercial cannabis growers and provide oversight to the cannabis supply chain through a cannabis tracking system;
- ⇒ As is the current practice with medical cannabis, Health Canada will continue to license the commercial production, import, export and sale of cannabis at the point of source;
- ⇒ Cannabis products cannot contain nicotine, caffeine, or alcohol; and,
- ⇒ Licensed producers can grow and sell product for both the medicinal and non-medicinal markets.

### **Retail of Non-Medicinal Cannabis**

- ⇒ Provinces and territories are given authority over the distribution and sale of non-medical cannabis;
- ⇒ This enables them to determine their own regime for distribution and retail as well as the regulation and inspection of those outlets; and,
- ⇒ Retailers must follow record-keeping requirements (e.g., demonstrate that all product is sourced from licensed producers; due diligence in avoiding sales to youth).

### **Protection of Public Health and Safety**

- ⇒ Health Canada may establish a federal tracking and reporting system; and,
- ⇒ *The Non-smokers’ Health Act* will be amended to prohibit the smoking and vaping of cannabis in regulated places, similar to the restrictions in place for tobacco smoking.

### **Edible Cannabis Products**

- ⇒ Bill C-45 originally prohibited the sale of cannabis edibles and concentrates; however, the Bill was amended to include a provision that will provide for the legalization of edibles and concentrates by the one-year anniversary of cannabis legislation.

# Framework for Cannabis Legalization Within Saskatchewan

This document outlines the results received from the Saskatchewan Cannabis Survey conducted in September-October 2017 and how those results relate to the legalization framework for non-medical cannabis in the province.

This document uses the term cannabis to refer to 'pot', 'marijuana', and 'weed'. This is in reference to non-medical cannabis which differs from medicinal cannabis, which will remain under Federal legislation and control after July 2018.

Thank you to all residents who participated in the public online cannabis legalization survey. There were 34,681 respondents, and of those 26,199 were complete surveys. This is the highest response rate received for any Saskatchewan survey.

In addition to the completed survey, more than 9,800 short answer responses were submitted. The Government of Saskatchewan values the time respondents took when providing their thoughtful feedback, and has taken the time to consider the input provided.

The following will outline what we heard from Saskatchewan citizens as well as layout the framework for cannabis legalization in Saskatchewan.

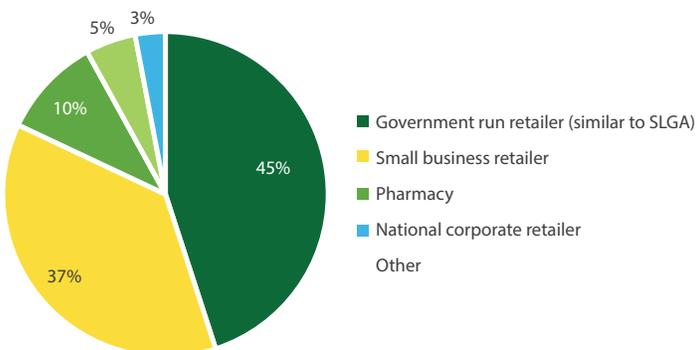
## i. Wholesale, Distribution, and Retail Sales

### a. The Model

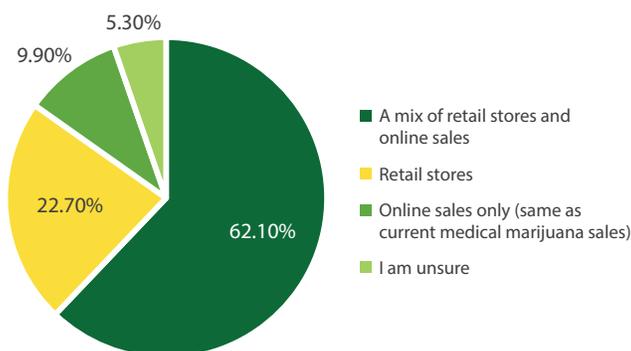
In addition to feedback from public consultations, the Government of Saskatchewan was guided by four key principles in developing the wholesale, distribution, and retail sales model for non-medical cannabis in the province:

- ⇒ **Protecting public health and safety, including keeping cannabis away from children and youth;**
- ⇒ **Eliminating the illegal market;**
- ⇒ **Minimizing taxpayer exposure to risk; and**
- ⇒ **Incorporating regulatory best practices and building on experiences from other jurisdictions.**

**If retail stores are considered, who should sell retail cannabis?**



**How should cannabis be made available for purchase in Saskatchewan?**



In conjunction with feedback from public consultations, the Government concluded that the four principles are best served by a competitive private model for the wholesale/distribution and retail sale of non-medical cannabis in Saskatchewan. This model minimizes the upfront cost to taxpayers and has been successful in other jurisdictions in combatting the illegal market and in protecting public health and safety by ensuring a safe regulated supply of cannabis to those of legal age. The Saskatchewan Liquor and Gaming Authority (SLGA) will act as the regulator.

SLGA will establish a licensing regime for wholesalers/distributors and retailers, with strict qualifying criteria including criminal background checks and inventory tracking and reporting capabilities. Wholesalers/distributors and retailers will be required to purchase non-medical cannabis from a federally licensed producer.

The number of retail licences will be restricted for the first three years of legalization (the “early sales period”) to ensure a cautious and controlled roll-out of the retail footprint. The number of retail licences available in Saskatchewan will be determined by SLGA based on population density and geography, with retailers selected using a two-phase process involving initial screening followed by random selection (lottery) of qualified applicants for each opportunity. Additional details of the selection and application processes are still to be announced.

At the end of the early sales period, a thorough review will take place to ensure that the regulatory framework is protecting public health and safety, keeping cannabis out of the hands of youth, and contributing to the elimination of the illegal market. Necessary changes will be made to the legislative and regulatory framework at that time.

## b. Safeguards for the Sale of Non-Medicinal Cannabis

The province will continue to work with First Nations regarding cannabis legalization on reserve.

As the regulator, SLGA will provide clear oversight over wholesale/distribution and retail sales in Saskatchewan. SLGA will establish rules for retail stores to protect public health and safety, discourage excessive consumption, and keep non-medicinal cannabis out of the hands of children and youth. These rules include:

- ⇒ Restricting minors from entering retail stores;
- ⇒ Restricting the number of retail locations in the province;
- ⇒ Requiring that all staff are of legal age and properly trained to provide information and education to customers; and
- ⇒ Establishing stiff penalties and fines, including revocation of licences.

In addition to the measures set out above, SLGA will employ a number of other tools to protect public health and safety including:

### 1. Cannabis Tracking and Reporting Tools

The federal government is developing a cannabis reporting system to ensure that products grown, manufactured or sold by federally licensed entities are subject to the cannabis excise tax and not diverted to the illegal market. SLGA will consider additional tracking and reporting measures to ensure a safe, regulated supply of non-medicinal cannabis for Saskatchewan consumers of legal age.

### 2. Mandatory Training for Staff in the Non-Medicinal Cannabis Industry

A training program will be developed and required for all owners, managers, and employees working in the non-medicinal cannabis industry in Saskatchewan. This program would be similar to *Serve It Right Saskatchewan* in place for employees working in establishments that serve and sell alcohol. The program will ensure that staff are trained to ask for identification, recognize impaired customers, and are able to provide information and education on cannabis use.

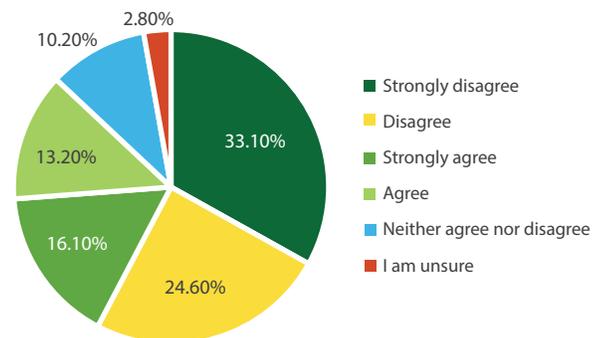
### 3. Proof of Age for Online Sales

Cannabis retailers will be required to demand proof of age from all in-store purchasers. All online sales of non-medical cannabis in Saskatchewan will require proof of age and proof of purchase upon delivery.

### 4. Municipalities

Municipalities already have broad authority through bylaw, land use and zoning, and business licensing to deal with a variety of business-related issues, including where businesses can be located. They can decide how best to use this existing authority regarding cannabis wholesalers/distributors and retailers.

**Municipalities should be given the option to pass bylaws to more strictly regulate cannabis:**

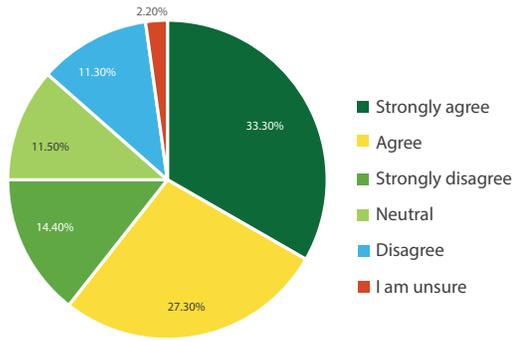


## ii. Taxation

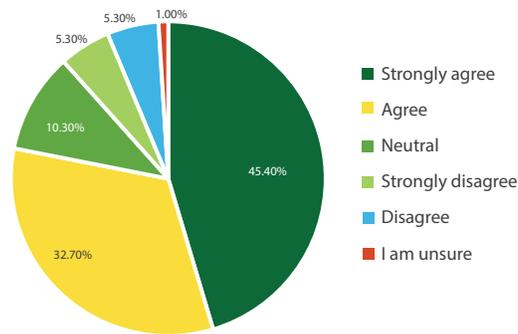
Revenue generation through taxation must ensure a balance between establishing a final price that is competitive to deter from the illegal market, but not so low as to encourage over consumption or compromise public health and safety objectives.

Saskatchewan will adopt the proposed federal excise taxation framework for cannabis products. This framework applies to all cannabis products, not just non-medicinal. Ministers of Finance met recently to discuss the allocation of the proposed excise tax. It was announced after the meeting that seventy-five per cent of the excise tax collected on non-medicinal sales would go to provinces and territories. This amount is well above the originally proposed 50 per cent split of revenue, and it better reflects the responsibilities placed on the provinces.

### Should an excise tax be applied to cannabis?



### Should a portion of tax collected from the sale of cannabis be directed to areas such as enforcement, public education and harm reduction?



When asked to prioritize areas when considering where to spend tax revenue from the sale of cannabis, respondents provided the following ranking:

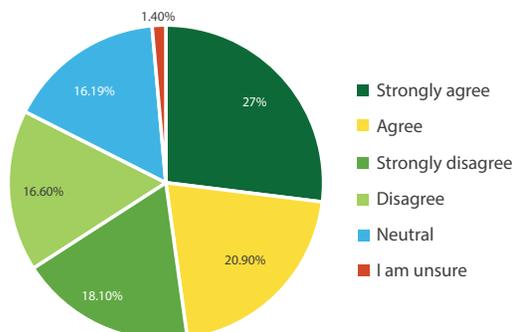
1. Mental health and addictions treatment
2. Public education and prevention of harms
3. Impaired driving prevention
4. Enforcement
5. I do not agree that a portion of tax revenue should be directed to any of these areas

## iii. Minimum age and Possession Limits

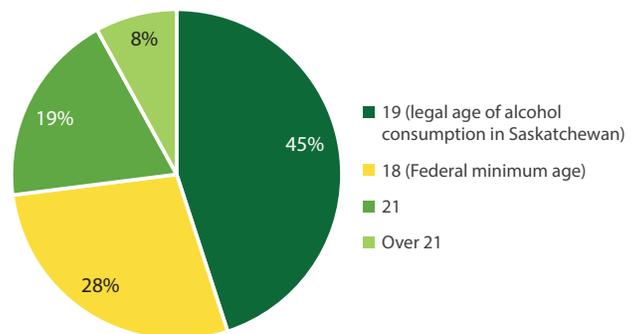
A national minimum age of consumption for non-medicinal cannabis has been set at 18 by the federal government; provinces however have the authority to provide additional restrictions on the provincial age of consumption. Saskatchewan is electing to use this authority, and the provincial age of consumption for non-medicinal cannabis is 19 years of age, the same as alcohol.

The federal government has established a maximum public possession amount of 30 grams per legal-aged consumer, the province has decided to maintain this limit within the province.

### Do you think there should be restrictions on the amount of cannabis a person can purchase?



### What age should non-medical cannabis be legal for consumption in Saskatchewan?



Saskatchewan is introducing laws to prohibit the possession of any amount of non-medicinal cannabis by a minor – anyone under the legal age within the province. Possession of more than 5 grams is a criminal offence and subject to the *Youth Criminal Justice Act* processes and penalties.

## iv. Keeping Saskatchewan Roads Safe

### a. Zero Tolerance Approach for Drugs and Driving

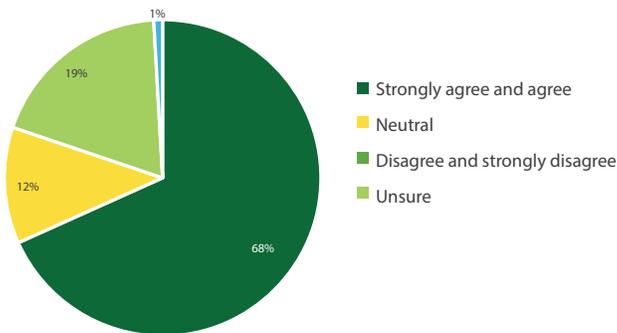
Survey respondents made it clear they felt drug use and driving should not mix, and Government should place a priority on ensuring safety on our roads and highways. That is why Saskatchewan is taking a zero tolerance approach to drugs and driving for drivers of all ages.

The majority of respondents feel that cannabis consumption should be prohibited in vehicles. Similar to legislation for alcohol, consumption of cannabis in one's vehicle will be prohibited. Cannabis can be transported from a place it can be legally purchased to a place where it can be legally consumed, or from one location of legal consumption to another.

### b. Impairing Impacts of Cannabis

A driver who has used cannabis will not react or make decisions as quickly as a sober driver. Attention, judgment, motor skills, balance and co-ordination are all impacted. If drivers make the poor decision to get behind the wheel while impaired, there will be tough and immediate consequences.

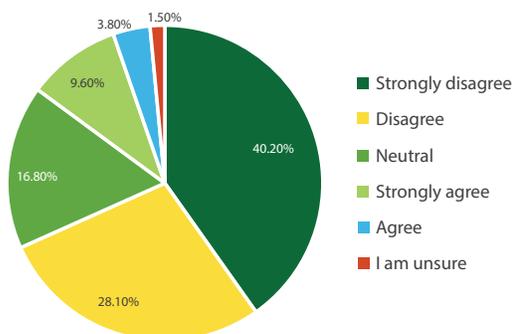
**Do you feel cannabis consumption should be prohibited in vehicles?**



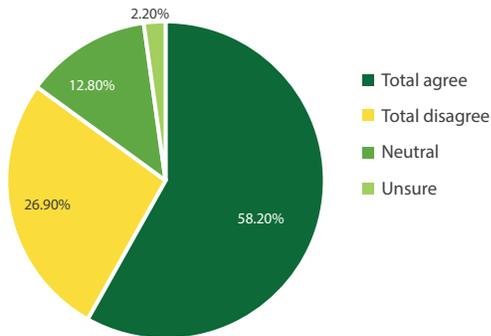
### c. Police Actions

It's important to remember that police can detect drug impairment through driver actions such as weaving within a lane, delayed reaction times and inability to follow instructions. Cannabis can also be detected by odor, and by the driver's physical appearance – including dilated pupils, poor balance and co-ordination. Police can legally request a Standard Field Sobriety Test (SFST) at roadside or a Drug Recognition Evaluation (DRE) if they have reasonable grounds to suspect a driver is impaired. Oral fluid – saliva – testing will be allowed under a revised *Criminal Code*.

**Do you believe the penalties for drug-impaired driving should be tougher than alcohol-impaired penalties?**



**Do you believe there should be zero tolerance for cannabis or any other impairing drugs for any drivers, no matter their age or licence status?**

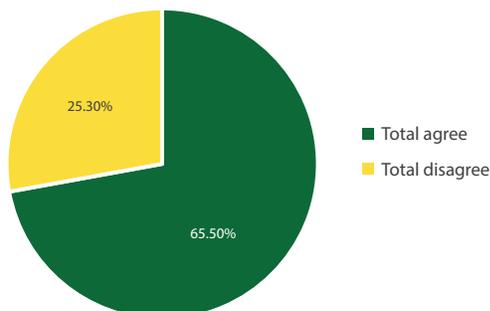


### Immediate and Severe Penalties for Driving High

- ⇒ Significant licence suspension periods
- ⇒ Roadside vehicle seizures from a minimum of 3 days to a maximum of 60 days
- ⇒ Required to complete alcohol and drug education programming
- ⇒ Stiff financial penalties under SGI's Safe Driver Recognition Program

Mixing drugs or mixing drugs with alcohol can significantly increase impairment levels. Some people mistakenly believe that driving while using cannabis is "safer" than driving when impaired by alcohol. This is not true; cannabis impairs one's driving ability.

**Do you believe the same penalties for alcohol-impaired driving, including licence suspension, fines and vehicle seizures, should apply to drug impaired driving?**



## d. Consequences – Impacts of the Federal Government’s Bill C-46

The federal government’s new legislation under Bill C-46 adds three new drug-impaired driving offences and prescribed “per se” unacceptable blood-drug concentration levels for impaired driving under the *Criminal Code*. These offences cover driving with low threshold levels of drug concentration, high threshold levels of drug concentration, and combinations of drugs and alcohol. Bill C-46 is currently before the Senate and it is anticipated the Bill will come into force spring 2018.

To understand what this means for drivers in Saskatchewan, one must first understand the current state:

Current State	
Criminal Code – section 253	Consequences under <i>The Traffic Safety Act</i> (same for ALL drivers)
<p><b>Exceeds .08 Blood Alcohol Content (BAC)</b> CC 253(1)(b)</p> <p><i>“Everyone commits an offence who operates a motor vehicle or vessel or operates or assists in the operation of an aircraft or of railway equipment or has the care or control of a motor vehicle, vessel, aircraft or railway equipment, whether it is in motion or not:</i></p> <p><i>(b) having consumed alcohol in such a quantity that the concentration in the person’s blood exceeds eighty milligrams of alcohol in one hundred millilitres of blood.”</i></p>	<p><b>Criminal Code Charge (can occur immediately, at roadside):</b></p> <ul style="list-style-type: none"> <li>⇒ Immediate licence suspension until the court has disposed of the charge</li> <li>⇒ 30-day vehicle seizure if BAC is less than .16</li> <li>⇒ 60-day vehicle seizure if BAC is .16 or more</li> </ul> <p><b>Criminal Code Conviction:</b></p> <ul style="list-style-type: none"> <li>⇒ Minimum 1 year driving suspension to a maximum of 5 years, depending on number of previous <i>Criminal Code</i> convictions</li> <li>⇒ SGI Safe Driver Recognition (SDR) program impacts: <ul style="list-style-type: none"> <li>↳ BAC less than .16 = financial penalty of \$1,250</li> <li>↳ BAC of .16 BAC or more = financial penalty of \$2,250</li> <li>↳ If conviction includes injury or death = financial penalty of \$2,500</li> </ul> </li> <li>⇒ Mandatory participation in the Ignition Interlock program; length of participation determined by BAC at the time of the incident and number of previous impaired driving convictions</li> <li>⇒ Completion of prescribed education program, as applicable, depending on number of previous <i>Criminal Code</i> convictions</li> </ul>
<p><b>Impaired by drugs or alcohol</b> CC 253(1)(a)</p> <p><i>“Everyone commits an offence who operates a motor vehicle or vessel or operates or assists in the operation of an aircraft or of railway equipment or has the care or control of a motor vehicle, vessel, aircraft or railway equipment, whether it is in motion or not:</i></p> <p><i>(a) while the person’s ability to operate the vehicle, vessel, aircraft or railway equipment is impaired by alcohol or a drug”</i></p>	<p><b>Criminal Code Charge (can occur immediately, at roadside):</b></p> <ul style="list-style-type: none"> <li>⇒ 30-day vehicle seizure (NOTE: Recent amendments to <i>The Traffic Safety Act</i> will see this changed to allow for “immediate licence suspension until the court has disposed of the charge.” This change is not yet in effect as the amendments have not yet passed in the Saskatchewan Legislature)</li> </ul> <p><b>Criminal Code Conviction:</b></p> <ul style="list-style-type: none"> <li>⇒ Minimum 1 year driving suspension to a maximum of 5 years, depending on number of previous <i>Criminal Code</i> convictions</li> <li>⇒ SDR impacts: financial penalty of \$1,250, or \$2,500 if conviction includes injury or death</li> <li>⇒ Mandatory participation in the Ignition Interlock program; length of participation determined by the number of previous impaired driving convictions</li> <li>⇒ Completion of prescribed education program, as applicable, depending on number of previous <i>Criminal Code</i> convictions</li> </ul>

## Current State

Criminal Code – section 253	Consequences under <i>The Traffic Safety Act</i> (same for ALL drivers)
<p><b>Refuse to comply with a demand</b> (for blood draw, breath sample, Standard Field Sobriety Test or evaluation by a Drug Recognition Evaluator)</p> <p>CC 254(5)  <i>“Everyone commits an offence who, without reasonable excuse, fails or refuses to comply with a demand made under this section”</i></p>	<p><b>Criminal Code Charge (can occur immediately, at roadside):</b></p> <ul style="list-style-type: none"> <li>⇒ Immediate licence suspension until the court has disposed of the charge</li> <li>⇒ 60-day vehicle seizure</li> </ul> <p><b>Criminal Code Conviction:</b></p> <ul style="list-style-type: none"> <li>⇒ Minimum 1 year driving suspension to a maximum of 5 years, depending on number of previous <i>Criminal Code</i> convictions</li> <li>⇒ SDR impacts: financial penalty of \$2,250, or \$2,500 if conviction includes injury or death</li> <li>⇒ Mandatory participation in the Ignition Interlock program; length of participation determined by the number of previous impaired driving convictions</li> <li>⇒ Completion of prescribed education program, as applicable, depending on number of previous <i>Criminal Code</i> convictions</li> </ul>

Once Bill C-46 is in place, police will have the authority to use federally approved roadside drug screening devices for impaired driving (as well as the existing SFSTs) if they have reason to suspect that a driver has used drugs. These devices will test saliva for the presence of THC (the impairing ingredient in cannabis) as well as some other drugs. Where a driver tests positive or fails the SFST, police can demand a blood sample or a drug recognition evaluator test.

### Criminal Code Charges

There are stiff consequences resulting from the new *Criminal Code* charges as outlined in the following chart:

<b>Future State</b> <b>Once Bill C-46 Receives Royal Assent From The Governor General (antic. spring 2018)</b>		
CC – section 253 (new charges) <i>Can be laid by police as soon as Bill C-46 receives royal assent.</i>	<i>THC (impairing ingredient in cannabis)</i>	Consequences under <i>The Traffic Safety Act</i> (same for ALL drivers)
<p><b>Low Drug Level</b>            CC 253(3)(b)</p> <p><i>“A blood drug concentration that is equal to or exceeds the blood drug concentration for the drug that is prescribed by regulation and that is less than the concentration prescribed for the purposes of paragraph (a).”</i></p>	2-5 nanograms	<p><b>Criminal Code Charge (can occur immediately, at roadside):</b></p> <ul style="list-style-type: none"> <li>⇒ Immediate licence suspension until the court has disposed of the charge</li> <li>⇒ 30-day vehicle seizure</li> </ul> <p><b>Criminal Code Conviction:</b></p> <ul style="list-style-type: none"> <li>⇒ Minimum 1 year driving suspension to a maximum of 5 years, depending on number of previous <i>Criminal Code</i> convictions</li> <li>⇒ SDR impacts: financial penalty of \$1,250, or \$2,500 if conviction includes injury or death</li> <li>⇒ No ignition interlock impacts (n/a)</li> <li>⇒ Completion of prescribed education program, as applicable, depending on number of previous <i>Criminal Code</i> convictions</li> </ul>

**Future State**  
**Once Bill C-46 Receives Royal Assent From The Governor General (antic. spring 2018)**

CC – section 253 (new charges) Can be laid by police as soon as Bill C-46 receives royal assent.	THC (impairing ingredient in cannabis)	Consequences under <i>The Traffic Safety Act</i> (same for ALL drivers)
<p><b>Exceeds Drug Level</b>            CC 253(3)(a)</p> <p><i>“A blood concentration that is equal to or exceeds the blood drug concentration for the drug that is prescribed by the regulation.”</i></p>	<p>5 nanograms or more</p>	<p><b>Criminal Code Charge (can occur immediately, at roadside):</b></p> <ul style="list-style-type: none"> <li>⇒ Immediate licence suspension until the court has disposed of the charge</li> <li>⇒ 30-day vehicle seizure</li> </ul> <p><b>Criminal Code Conviction:</b></p> <ul style="list-style-type: none"> <li>⇒ Minimum 1 year driving suspension to a maximum of 5 years, depending on number of previous <i>Criminal Code</i> convictions</li> <li>⇒ SDR impacts: financial penalty of \$1,250, or \$2,500 if conviction includes injury or death</li> <li>⇒ No ignition interlock impacts (n/a)</li> <li>⇒ Completion of prescribed education program, as applicable, depending on number of previous <i>Criminal Code</i> convictions</li> </ul>
<p><b>Combination Drugs and Alcohol</b>            CC 253(3)(c)</p> <p><i>“A blood alcohol concentration and a blood drug concentration that is equal to or exceeds the blood alcohol concentration and the blood drug concentration for the drug that are prescribed by regulation for instances where alcohol and that drug are combined.”</i></p>	<p>.05 BAC + 2.5 nanograms</p>	<p><b>Criminal Code Charge (can occur immediately, at roadside):</b></p> <ul style="list-style-type: none"> <li>⇒ Immediate licence suspension until the court has disposed of the charge.</li> <li>⇒ 30-day vehicle seizure if BAC is less than .16</li> <li>⇒ 60-day vehicle seizure if BAC is .16 or more</li> </ul> <p><b>Criminal Code Conviction:</b></p> <ul style="list-style-type: none"> <li>⇒ Minimum 1 year driving suspension to a maximum of 5 years, depending on number of previous <i>Criminal Code</i> convictions</li> <li>⇒ SDR impacts:               <ul style="list-style-type: none"> <li>⇒ BAC less than .16 = financial penalty of \$1,250</li> <li>⇒ BAC of .16 BAC or more = financial penalty of \$2,250</li> <li>⇒ If conviction includes injury or death = financial penalty of \$2,500</li> </ul> </li> <li>⇒ Mandatory participation in the Ignition Interlock program. Length of participation determined by BAC at the time of the incident and number of previous impaired driving convictions</li> <li>⇒ Completion of prescribed education program, as applicable, depending on number previous <i>Criminal Code</i> convictions</li> </ul>

NOTE: Bill C-46 deals with prescribed amounts for various other drugs, not just cannabis

## Administrative Sanctions – No Criminal Code Charge

Saskatchewan has administrative sanctions in place for both drug-related and alcohol-related impaired driving incidents where no *Criminal Code* charge is laid. The following chart explains what happens for all drivers in Saskatchewan if police decide to impose drug-impaired driving sanctions (but no *Criminal Code* charge is laid).

Consequences largely mirror what happens for alcohol-impaired driving:

<b>Administrative Sanctions (No Criminal Code charge)</b> <b>SGL is administrator of the <i>Traffic Safety Act</i> (TSA). The TSA sets out the authority to enable law enforcement to issue these sanctions immediately at roadside:</b> <b>Blood Alcohol Content (BAC) of 0-.08 (new drivers), .04-.08 (experienced drivers) and drug-impaired driving</b>		
	<b>Current</b> .01-.08 BAC (zero tolerance), or fail an SFST, but <u>no</u> <i>Criminal Code</i> charge is laid	<b>Once Bill C-46 receives Royal Assent (anticipated Spring 2018)</b> A driver tests positive for recent drug use using an approved drug-screening device, fails an SFST, .01-.08 BAC (zero tolerance), but <u>no</u> <i>Criminal Code</i> charge is laid
<b>New drivers</b>	Zero drug and alcohol tolerance for drivers in the Graduated Driver's Licensing (GDL) programs and all drivers 21 years of age and under.  <b>1<sup>st</sup> offence</b> <ul style="list-style-type: none"> <li>⇒ 60-day immediate roadside licence suspension</li> <li>⇒ 3-day immediate roadside vehicle seizure</li> <li>⇒ Required to complete the Driving Without Impairment (DWI) course</li> <li>⇒ 4 demerits under the SDR program</li> </ul> <b>2<sup>nd</sup> offence</b> <ul style="list-style-type: none"> <li>⇒ 120-day immediate roadside licence suspension</li> <li>⇒ 7-day immediate roadside vehicle seizure</li> <li>⇒ After serving a 60-day suspension period, can opt for voluntary ignition interlock for 120 days</li> <li>⇒ Required to complete the Alcohol and Drug Education (ADE) course</li> <li>⇒ 4 demerits under the SDR program</li> </ul>	<b>All sanctions remain the same since there is already zero tolerance for drugs and alcohol for new drivers</b> (with the exception of no ignition interlock requirement if only drugs are involved, as ignition interlock devices can't currently detect drugs)  <b>1<sup>st</sup> offence</b> <ul style="list-style-type: none"> <li>⇒ All consequences at left apply</li> </ul> <b>2<sup>nd</sup> offence</b> <ul style="list-style-type: none"> <li>⇒ All consequences at left apply, except ignition interlock will only be available in conjunction with alcohol-related offences</li> </ul>
<b>New drivers</b>	<b>3<sup>rd</sup> and subsequent offences</b> <ul style="list-style-type: none"> <li>⇒ 18-month immediate roadside licence suspension</li> <li>⇒ 7-day immediate roadside vehicle seizure</li> <li>⇒ Mandatory ignition interlock for 1 year, can apply after serving a 1-year suspension period</li> <li>⇒ Addiction assessment</li> <li>⇒ 4 demerits under the SDR program</li> </ul>	<b>3<sup>rd</sup> and subsequent offences</b> <ul style="list-style-type: none"> <li>⇒ All consequences at left apply, except ignition interlock will only be available in conjunction with alcohol-related offences</li> </ul>

## Administrative Sanctions (No Criminal Code charge)

SGL is administrator of the *Traffic Safety Act* (TSA). The TSA sets out the authority to enable law enforcement to issue these sanctions immediately at roadside:

Blood Alcohol Content (BAC) of 0-.08 (new drivers), .04-.08 (experienced drivers) and drug-impaired driving

	Current Drivers with a BAC between .04-.08 or fail an SFST, but <u>no</u> Criminal Code charge is laid	Once Bill C-46 receives Royal Assent (anticipated Spring 2018) A driver tests positive for recent drug use using an approved drug-screening device, fails an SFST or has a BAC between .04 -.08, but <u>no</u> Criminal Code charge is laid
Experienced drivers	<p><b>1<sup>st</sup> offence</b></p> <ul style="list-style-type: none"> <li>⇒ 3-day immediate roadside licence suspension</li> <li>⇒ 3-day immediate roadside vehicle seizure</li> <li>⇒ Required to complete the DWI course</li> <li>⇒ 4 demerits under the SDR program</li> </ul> <p><b>2<sup>nd</sup> offence</b></p> <ul style="list-style-type: none"> <li>⇒ 21-day immediate roadside licence suspension</li> <li>⇒ 7-day immediate roadside vehicle seizure</li> <li>⇒ Required to complete the ADE course</li> <li>⇒ 4 demerits under the SDR program</li> </ul> <p><b>3<sup>rd</sup> and subsequent offences</b></p> <ul style="list-style-type: none"> <li>⇒ 90-day immediate roadside licence suspension</li> <li>⇒ 14-day immediate roadside vehicle seizure</li> <li>⇒ Mandatory ignition interlock for 1 year following the 90-day suspension period</li> <li>⇒ Addiction assessment</li> <li>⇒ 4 demerits under the SDR program</li> </ul>	<p>All sanctions remain the same (with the exception of no ignition interlock requirement if only drugs are involved, as ignition interlock devices can't currently detect drugs)</p> <p><b>1<sup>st</sup> offence</b></p> <ul style="list-style-type: none"> <li>⇒ All consequences at left apply</li> </ul> <p><b>2<sup>nd</sup> offence</b></p> <ul style="list-style-type: none"> <li>⇒ All consequences at left apply</li> </ul> <p><b>3<sup>rd</sup> and subsequent offences</b></p> <ul style="list-style-type: none"> <li>⇒ All consequences at left apply, except ignition interlock will only be available in conjunction with alcohol-related offences</li> </ul>

NOTE: Suspension and seizure periods may increase if there are passengers under 16 in the vehicle

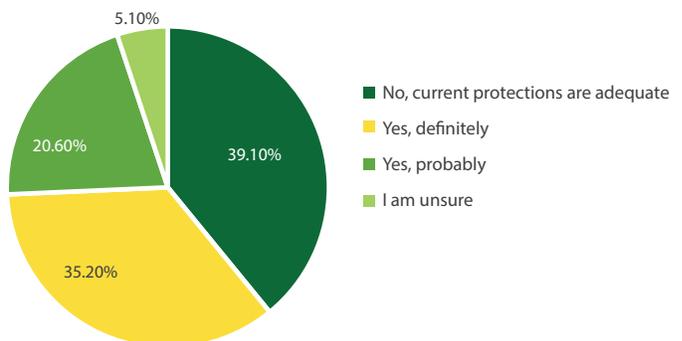
Bottom line – driving impaired by drugs or alcohol is a bad idea. Even when it becomes legal to use cannabis, it remains illegal in Saskatchewan to drive while impaired – whether by drugs or alcohol. Never drive while impaired, and don't get into a vehicle where you know a driver has been using drugs or alcohol. It's important to plan a safe ride ahead of time – make arrangements for a designated driver, take a bus, cab, or a safe ride service, or plan a to stay the night. And friends should never let impaired friends drive – be a good wingman, and look out for them to make sure they get home safe.

Remember: driving while impaired poses a significant safety risk to yourself and others, and the punishment and financial penalties are severe. Police can lay the new drug-impaired driving charges as soon as Bill C-46 receives royal assent.

## v. Workplace Safety

Many respondents expressed concern about the impact legal cannabis may have on workplace safety. Occupational health and safety requirements already place general responsibility on workplaces to ensure healthy and safe work environments. Impairment while working, regardless of cause would violate these general requirements. Government is currently exploring additional ways of addressing impairment in the workplace to further strengthen health and safety.

### Does the introduction of legal cannabis require more to be done to keep workers and workplaces safe?



## vi. Home Cultivation

The majority of survey respondents expressed a belief that private citizens should be allowed to grow non-medical cannabis plants within their private home.

The majority of respondents indicated that either notification to, or approval of, the condo board be required for residents to grow cannabis. The majority of respondents believe that cannabis use should be permitted on rental properties at the discretion of the landlord.

The Government has introduced legislation, *The Residential Tenancies Amendment Act 2017*, to address concerns from landlords with regards to the upcoming legalization of cannabis. The Act gives landlords the right to impose rules prohibiting the possession, use, growth, and sale of cannabis in the rental unit.

The province will adopt the federal minimum standards around home production, including a limit of four cannabis plants grown per household. No decision has been made regarding the federal regulations regarding home cultivation and a decision will be forthcoming in Spring 2018. The Government of Saskatchewan will continue to explore additional rules around where cannabis can be grown, including issues concerning multi-unit residences and rental properties, and how cannabis can be grown.

## vii. Public Health

When asked to rank the Government's priorities regarding cannabis, survey respondents ranked priorities in the following order:

1. Prohibit minors
2. Location – not near schools or anywhere youth and young children frequent
3. Security requirements
4. Accessibility of retail outlets
5. Hours of operation
6. Market saturation

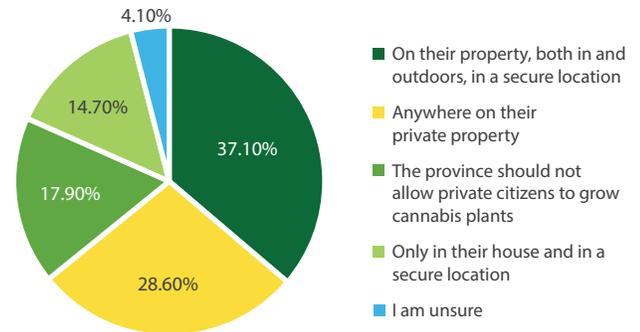
### a. Public Education

Results from the public survey clearly showed that ensuring cannabis is inaccessible by children and youth is of high importance to residents.

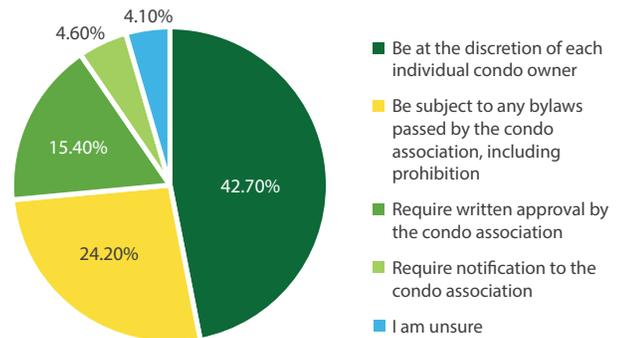
We heard from respondents that public education and awareness is a priority for minimizing the risks and harms associated with cannabis use. Respondents said the Government of Saskatchewan should focus on responsible use campaigns, public education in schools and universities, retail stores, and medical offices to ensure that the public has the information needed to make responsible and healthy choices about cannabis use. Respondents prioritized the need for public education and awareness in a number of areas, including:

- ⇒ Impaired driving laws and prevention
- ⇒ Health risks for children, youth, and young adults under the age of 25
- ⇒ Cannabis use and mental health and addictions
- ⇒ Cannabis use before, during and after pregnancy, and while breastfeeding
- ⇒ General health risks associated with cannabis use

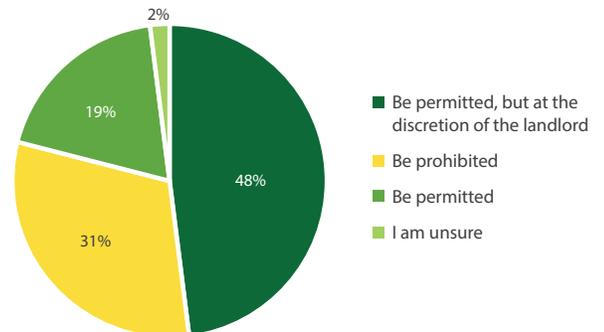
### Where should the province allow private citizens to grow cannabis plants?



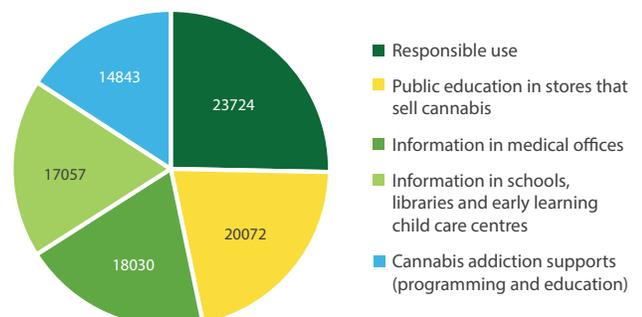
### Growing cannabis in condos should:



### Growing cannabis in rental properties should:



### Which of the following approaches should be considered to ensure the public has the information they need to make responsible and healthy choices about cannabis use?



The Government of Saskatchewan recognizes the importance of public education and awareness in reducing risks and harms associated with cannabis use, and protecting the safety of the public. All provinces, territories, and the federal government share these objectives. Saskatchewan is working collaboratively with other jurisdictions and partner organizations on the development of clear, consistent and credible public education materials. Partners plan to focus on areas such as impaired driving, and the information needs of higher risk populations (including children, young adults, pregnant women, and individuals at increased risk of developing mental illness).

The Government of Saskatchewan will publish online information about the risks associated with cannabis use, including resources to help the public answer questions about cannabis. These resources will expand significantly over the coming months as more information becomes available, and will be updated regularly. This online source will be used to keep the public informed about Saskatchewan’s cannabis framework and risks associated with cannabis use.

## b. Harm Reduction

Bill C-45 contains restrictions regarding the promotion, marketing, and labeling of cannabis to prevent use by youth. This includes anything that:

- ⇒ Would be considered appealing to youth;
- ⇒ Use false or misleading information, testimonials and endorsements; and,
- ⇒ Includes lifestyle elements or shows a person, character, or animal.

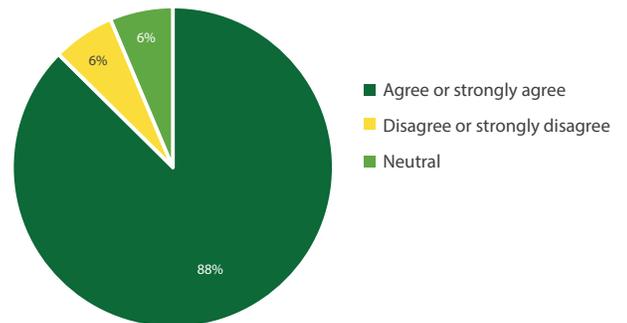
The province views these restrictions as appropriate and will support their enforcement.

## c. Use in Public Places

Similar to smoking cigarettes, consuming cannabis in public places will be prohibited for public health considerations.

The majority of respondents believe that cannabis consumption should be prohibited in public spaces. Regulations will restrict cannabis consumption in public spaces and around minors.

Cannabis use in public spaces should be prohibited



# Going Forward

Thank you again to all the Saskatchewan residents who took the time to complete the survey and provide your thoughts on cannabis legalization within Saskatchewan.

The Government of Saskatchewan is implementing legislation focused on the health and safety of our residents as we transition to legal cannabis use. We will continue to update you with information as the process moves forward. For more information on cannabis use, including its health implications, please visit [Saskatchewan.ca/cannabis](https://saskatchewan.ca/cannabis).





