

**2018-02**

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By E-mail: Two Pages

## Cannabis Legalization Effective October 2018

On Thursday, June 21, 2018, the federal [Cannabis Act](#) received Royal Assent. Effective October 17, 2018, Canadians will be permitted to:

- purchase cannabis, cannabis oil, plants and seeds for growing from a provincially regulated retailer or, where available, a federally licensed producer
- possess up to 30 grams of cannabis or its equivalent in public
- share up to 30 grams of cannabis or its equivalent with other adults
- grow up to four cannabis plants at home
- prepare various cannabis products (such as edibles) at home for personal use.

There are no changes to legislation regarding use of cannabis for medical reasons. Individuals who have authorization from a physician to use cannabis for medical reasons may continue to do so.

## Provincial Legislation Regulates Consumption and Distribution

The BC government's [Cannabis Control and Licensing Act](#) (CCLA) and [Cannabis Distribution Act](#) regulate how cannabis may be sold, distributed, and consumed in British Columbia, once legalized. The proposed legislation includes significant restrictions aimed at preventing access to cannabis by minors under age 19, **including** vicarious liability for boards of education and administrators for certain violations of the legislation:

- Cannabis cannot be consumed in or on school property or within a prescribed distance.
- A board of education, superintendent, and principal are deemed vicariously liable for violating the Act if a person consumes cannabis in or on school property, unless it/they can demonstrate having taken reasonable steps to prevent the violation.
- Cannabis cannot be smoked or vaped anywhere where tobacco smoking and vaping are prohibited, including a workplace, vehicle, playground or outdoor park, sports field, skate park, or other places where children commonly gather, near entry/exits, or at a bus stop.
- Cannabis cannot be sold, supplied, or allowed to be consumed by minors, in addition to a variety of other measures to prohibit and prevent access of cannabis to minors.

The legislation also creates a number of provincial cannabis offences, which may result in a fine ranging from \$2,000 to \$100,000, imprisonment of three to 12 months, or both. More information about the legislation and other provincial government resources are available [here](#).

## Significance

Boards of education and administrators are obligated by the provincial CCLA to take reasonable steps to prevent violations of the Act, including the consumption of cannabis in or on school property. We recommend that boards consider any workplace policies related to drug and alcohol and update them as needed. **BCPSEA is currently developing a toolkit of resources** to support school districts in managing cannabis and other impairing substances in the workplace.

Please contact Rosalie Cress, Director of Labour Relations and Legal Counsel, at (604) 730-4504 or [rosaliec@bcpsea.bc.ca](mailto:rosaliec@bcpsea.bc.ca) if you have any questions.

## Questions

Please also contact your BCPSEA liaison if you have any questions. We will keep districts updated on any further legislative developments.