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THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

In exercise of the powers conferred upon the Cannabis Licensing Authority by section 9A(2)(a) of the Dangerous Drugs Act, the following Regulations are hereby made with the approval of the Minister:—

PART I—*Preliminary*

Citation. 1. These Regulations may be cited as the Dangerous Drugs (Cannabis Import, Export, Transit and Trans-shipment) Regulations, 2022.

Interpretation. 2.—(1) In these Regulations—

"analytical services" includes services for the testing or abstraction of ganja;

"Appeal Tribunal" means the appeal tribunal constituted as described under section 9A(7) of the Act;

"Approved Exporter" means an exporter registered with the Jamaica Promotions Corporation and listed on the Register of Approved Exporters in accordance with section 5 of the Jamaica Promotions Corporation Act;

"Authority" means the Cannabis Licensing Authority established by section 9A of the Dangerous Drugs Act;

"bonded warehouse" means a customs-controlled warehouse in the importing country where dutiable landed imports are stored pending their re-export or release on assessment and payment of applicable import duties, taxes and other charges;

"Bureau of Standards" means the Bureau of Standards established by section 3 of the Standards Act;

"cannabis product" means by-product comprising, derived from or containing ganja;

"CBD" means cannabidiol;

"Chairman" means the chairman of the Authority;

"competent authority" in relation to a Convention State means the government authority responsible, under the laws of that Convention State, for the issuance of any import authorisation, export authorisation, diversion certificate or phytosanitary certificate, as the case may require, to facilitate the lawful importation and exportation of ganja for medical, therapeutic or scientific purposes;

"Convention" means the Single Convention on Narcotic Drugs concluded at New York on March 30, 1961, as amended by the 1972 Protocol and acceded to by Jamaica on April 29, 1962;

"Convention State" means a State Party to the Convention;

"conveyance" for the purposes of these Regulations means any ship or aircraft by which consignments of ganja may be brought into or taken from Jamaica;

"cultivator's licence" means a licence issued by the Cannabis Licensing Authority pursuant to regulation 13 of the Interim Regulations;

"Customs area" has the meaning assigned to it under section 2 of the Customs Act;

"divert" in relation to ganja, means re-route to a destination other than that to which the ganja was originally consigned under the terms of the relevant import or export permit;

"document" means a document in writing or anything in which information of any description is recorded;

"export permit" means a permit, issued by the Authority pursuant to regulation 21;

"Government entity" means—

(a) an agency or department of Government;

(b) a body corporate—

(i) established by an Act of Parliament; or

(ii) over which the Government or an agency of the Government exercises control; or

(c) an executive agency within the meaning of the Executive Agencies Act;

"illicit trafficking" means—

(a) the importation, exportation, transit, trans-shipment or diversion of ganja without the requisite authorisation issued by the competent authority of a Convention State;

(b) the financing, directly or indirectly, of any of the activities referred to in paragraph (a); and

(c) aiding, abetting or conspiring in any of the activities referred to in paragraph (a);

"import permit" means a permit issued by the Authority pursuant to regulation 8;

"Interim Regulations" means the Dangerous Drugs (Cannabis Licensing) (Interim) Regulations, 2016;

"International Non-Proprietary Name" means the official generic name selected by experts from the World Health Organization's Expert Advisory Panel on the International Pharmacopoeia and Pharmaceutical Preparations (or such other panel of the World Health Organization as may be appropriate) for the unambiguous identification of a new pharmaceutical substance or active pharmaceutical ingredient;

"inversion" in relation to ganja, means the re-routing of illicitly trafficked ganja into licit trade;

"Jamaica" has the meaning assigned to it under section 4 of the Jamaica Independence Act;

"local authorised agent" means the agent in Jamaica of the owner of the ship or aircraft or the operator of the aircraft carrying out the transit or trans-shipment and for the purpose of this definition—

(a) "owner" in relation to a ship, has the meaning assigned to it in the Shipping Act;

(b) "owner" and "operator" in relation to an aircraft, have the meanings assigned to them in section 4(3) of the Civil Aviation Act;

"Master" has the meaning assigned to it in section 2 of the Customs Act;

"premises" means any land or building and includes any vehicle or receptacle located on such land or in any such building;

"processing licence" means a licence issued by the Cannabis Licensing Authority pursuant to regulation 18 of the Interim Regulations;

"Registrar" means the person duly authorised to accept documents on behalf of the Authority or any member of the Authority and to issue notices under the hand of the Chairman;

"Register" means the register required to be kept under regulation 45;

"research and development licence" means a licence issued by the Cannabis Licensing Authority pursuant to regulation 27 of the Interim Regulations;

"retail licence" means a licence issued by the Cannabis Licensing Authority pursuant to regulation 24 of the Interim Regulations;

"standard specification" has the meaning assigned to it in section 2 of the Standards Act;

"technical regulations" means regulations which—

(a) lay down product characteristics or their processes and production methods, including the applicable administrative provisions, with which compliance is mandatory under any law; or

(b) deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a product, process or production method;

"transit" means to take or send from any country and bring into Jamaica through its ports and under the control of customs, consignments of ganja for the sole purpose of being carried to another country by the same conveyance;

"transport licence" means a licence issued by the Cannabis Licensing Authority pursuant to regulation 21 of the Interim Regulations;

"trans-ship" means off-loading and transferring consignments of ganja under customs control from one conveyance to another for the purpose of being carried to another trans-shipment port or the final port of discharge in the country of final destination.

Object.

3. The object of these Regulations is to provide a legislative framework, pursuant to the power conferred on the Cannabis Licensing Authority under section 9A(2)(a) of the Act, to establish a regime to—

(a) regulate the importation, exportation, transit and trans-shipment, of ganja for medical, therapeutic or scientific purposes in conformity with the Convention; and

(b) minimize or eliminate the risk of the diversion of ganja from licit trade into illicit trade, and of the inversion of ganja derived from illicit trade into licit trade.

PART II—*Permit for the Importation of Ganja*

Application for permit for importation of ganja.

4.—(1) The following persons are eligible as herein described to be granted an import permit, and may apply to the Authority, in accordance with these Regulations, for the import permit—

(a) the holder of a valid cultivator's licence, processing licence, retail licence or research and development licence, issued by the Authority pursuant to the Interim Regulations is eligible to be granted an import permit, in respect of the importation of ganja, the quantity of which shall be determined by the Authority on the basis of each application; and

(b) a duly accredited tertiary institution, or government entity, authorised by the Authority to provide analytical services in respect of ganja to ensure product safety and compliance with local and international quality standards, is eligible to be granted an import permit, in respect of the importation of ganja, the quantity of which shall be determined by the Authority on the basis of each application.

(2) The holder of a transportation licence issued by the Authority shall not be eligible to apply for an import permit, solely by virtue of holding that licence.

First Schedule.

(3) An applicant for an import permit shall submit to the Authority—

(a) a completed application in accordance with the form set out in the First Schedule;

Second Schedule.

(b) the relevant permit application fee set out in the Second Schedule;

(c) the export authorisation issued by a competent authority in the exporting country;

(d) a copy of the relevant airway bill or bill of lading (as the case may be);

(e) the phytosanitary certificate issued by a competent authority in the exporting country, where required by the appropriate entity under the Plants (Quarantine) Act;

(f) a current tax compliance certificate in respect of the applicant; and

(g) such other documents as the Authority may require for the purpose of determining the application.

(4) Within seven working days after the receipt of an application under paragraph (1), the Authority shall—

(a) notify the applicant that the application has been received and is being considered; and

(b) if additional documents are required in order for the Authority to determine the application, the notification shall specify the additional documents required to be submitted.

(5) Within thirty working days after receipt of an application under paragraph (1), the Authority shall—

(a) in accordance with regulation 8, grant the import permit subject to such terms and conditions as may be endorsed on the permit; or

(b) in accordance with regulation 12, refuse to grant the import permit.

(6) The fee referred to in paragraph (3)(b) shall not be refundable.

Matters to be determined by the Authority on application.

5.—(1) An applicant who is a licensee under the Interim Regulations, shall not automatically qualify for the grant of an import permit.

(2) In determining for the purpose of these Regulations whether an applicant is fit and proper to be granted an import permit the Authority shall consider whether—

(a) the applicant has held a licence, permit, or other authorisation, that has been suspended, cancelled or revoked under the Act, the Interim Regulations or these Regulations;

(b) each director, partner, trustee or executive officer and any other officer or person determined by the Authority to be associated or connected with the ownership or management of the operations or business of the applicant is suitable to act in that capacity;

(c) any director currently appointed, or proposed to be appointed, to manage or operate the business of the applicant is or has been a director of another company that has contravened the Act, Interim Regulations or these Regulations, or has held a licence, permit or other authorisation that has been suspended or cancelled under any of those enactments;

(d) the applicant's history of compliance with the Act, Interim Regulations, these Regulations and terms and conditions of any licence, permit or other authorisation issued by the Authority under any of those enactments; and

(e) any other relevant ground that the Authority considers appropriate.

Risk assessment regarding application.

6.—(1) On receiving an application for an import permit pursuant to regulation 4, the Authority shall carry out or cause to be carried out any relevant risk assessment it considers necessary to enable it to determine the application.

(2) For the purpose of conducting the risk assessment referred to in paragraph (1), the Authority may in writing direct an applicant for an import permit to do any one or more of the following—

(a) provide, in accordance with the direction of the Authority, any information that is relevant to the risk assessment in relation to the application;

(b) produce, in accordance with the direction of the Authority, any documents relevant to the risk assessment and allow examination of the documents, the taking of extracts from them and making copies of them;

(c) furnish to the Authority any consent or other permission that the Authority requires for the purpose of enabling the Authority to obtain, from other persons, information (including relevant financial or other confidential information) concerning the applicant.

Pre-permit inspection.

7. Before determining an application for an import permit, the Authority may cause an inspection to be made of the premises to be used for any activity proposed to be carried out under the permit to verify that those premises are physically secure and otherwise fit for the purpose for which the permit will be issued, and in particular that the premises meet the requirements specified in regulation 9(c)(i) and (ii).

Grant of permit for importation of ganja.

8.—(1) Subject to paragraph (2), the Authority may, after considering an application submitted under regulation 4 (including any relevant risk assessment), on such terms and conditions as the Authority considers appropriate, grant to the applicant a permit for the importation of ganja if the Authority is satisfied with the merits of the application.

Third Schedule.

(2) An import permit, including such terms and conditions as the Authority considers appropriate, shall be in the form set out in the Third Schedule and shall contain—

(a) full particulars of the ganja for importation including the International Non-Proprietary Name and the quantity consistent with the eligibility provisions applicable under regulation 4(1);

(b) the name and address of the person authorised to import the ganja;

(c) the name and address of the person from whom the ganja is to be obtained; and

(d) the period within which the importation must be effected.

Second Schedule.

(3) Subject to the applicant's payment of the relevant fee set out in the Second Schedule, the Authority shall issue two copies of the permit to the intending importer who shall send one copy to the person from whom ganja is to be obtained.

(4) Every consignment of ganja for medical, therapeutic or scientific purposes, imported into Jamaica from a Convention State, shall be accompanied by a valid export authorisation and where applicable a phytosanitary or diversion certificate issued by the competent authority in the exporting country.

(5) Where the importer to whom an import permit is granted under paragraph (1) intends to import ganja to which the permit relates, in more than one consignment, a separate import permit shall be obtained by the importer in respect of each such consignment.

(6) No person shall import ganja for medical, therapeutic or scientific purposes, unless the person is the holder of a valid import permit granted under paragraph (1).

(7) For the avoidance of doubt, importation of ganja otherwise than under the authority of, and in accordance with, a permit issued under these Regulations is an offence under section 7A of the Act.

Terms and conditions of import permit.

9. Without prejudice to the power of the Authority under regulation 8 to impose additional terms and conditions in an import permit, the following terms and conditions shall be deemed to be included in every import permit—

(a) the holder of the permit shall provide the original permit, or a copy of the permit certified by a Justice of the Peace to be a true copy of the original permit, upon request by the Authority or any other person authorised under any law to request the permit;

(b) the holder of the permit shall keep, in a form approved by the Authority, a log of all ganja imported for medical, therapeutic or scientific purposes delivered to the holder;

(c) the holder of the permit shall ensure that the premises on which the activities which are the subject of the permit are to be carried out are physically secure and otherwise fit for the purpose of the permit, and in particular that the premises comprise an enclosed secure building that has—

(i) areas, clearly designated by the holder of the permit and approved by the Authority, for receiving and storing the ganja imported pursuant to the permit; and

(ii) strict access control systems and monitoring procedures limiting access to areas designated for receiving and storing the ganja imported pursuant to the permit; and

(d) the holder of the permit shall keep a log, in a form approved by the Authority, of all persons accessing the area designated for receiving and storing the ganja imported pursuant to the permit and shall make the log available immediately to the Authority for inspection on request.

Non-transferability of import permit.

10. An import permit granted pursuant to regulation 8 shall not be transferable.

Validity of import permit.

11. —(1) An import permit shall be treated as spent once any consignment of ganja is imported in pursuance of the permit, even if the quantity of the consignment is less than the quantity specified in the permit pursuant to regulation 8(2)(a).

(2) Unless earlier spent, surrendered, suspended, cancelled or revoked, an import permit shall be valid for a period of six months from the date of issue.

Grounds for refusal of import permit.

12.—(1) The Authority may refuse to grant an import permit under these Regulations if—

(a) the applicant fails to pay the relevant fee or to furnish the requisite documents required pursuant to regulations 4(3) and 6(2);

(b) the application contains or is based on a false or misleading representation;

(c) the Authority has reasonable grounds to believe that the importation concerned is likely to create a risk to public safety or national security, which may include the risk of ganja being diverted to an illicit market or activity;

(d) the importation concerned would not be in conformity with the export certificate issued by a competent authority of the exporting country;

(e) the Authority knows or has reasonable grounds to believe that the importation is for the purpose of re-exporting the ganja.

(f) the applicant is disqualified under regulation 3(7) of the Interim Regulations from applying for or holding any licence issued under the Interim Regulations;

(g) a licence issued to the applicant under the Interim Regulations has been suspended or revoked;

(h) the applicant failed without reasonable excuse to comply with any provision of the Act, the Interim Regulations or these Regulations; or

(i) in respect of a body corporate, a resolution has been passed for its voluntary winding up or an order has been made by a court of competent jurisdiction for its winding up.

(2) Where the Authority refuses to grant an import permit, the Authority shall, within fourteen working days after making that decision, notify the applicant in writing of the decision, the reasons for the decision and the applicant's right of appeal conferred by section 9A(7) of the Act.

Compliance with standard specifications.

13.—(1) The holder of an import permit shall ensure that the ganja imported by the holder conforms to the requirements of the standard specifications or technical regulations issued by the Bureau of Standards and adopted by the Authority, as published on the Authority's official website in respect of ganja imported into Jamaica.

(2) If the holder of an import permit fails to comply with the requirements referred to in paragraph (1), the Authority may suspend or revoke the permit.

Provision of copy of import permit.

14. At the time of clearance of any consignment of imported ganja for medical, therapeutic or scientific purposes, the holder of an import permit shall submit to the Commissioner of Customs a copy of the permit with the goods declaration form, if so requested by the Commissioner of Customs.

Declaration to Authority after release of ganja by Commissioner of Customs.

15.—(1) The holder of an import permit shall within three working days after the date of release to that holder, of a consignment of ganja imported for medical, therapeutic or scientific purposes, provide the Authority with a declaration that contains the particulars specified in paragraph (2).

(2) The particulars are—

(a) the date of release of the consignment by the Commissioner of Customs;

(b) the name and address of the exporter from whom the ganja was imported;

(c) the name of the foreign port from which the consignment of ganja was exported; and

(d) in respect of the ganja imported—

(i) the description of the ganja, indicating whether it is in the form of seeds, plants or dried ganja;

(ii) the quantity of the ganja;

(iii) the strain of the ganja;

(iv) the International Non-Proprietary Name of the ganja; and

(v) the percentage of THC and CBD of the ganja.

(3) The declaration referred to in paragraph (1) shall be accompanied by a Certificate of Analysis issued by a Government Testing Facility or reputable laboratory approved by the competent authority in the exporting country.

Transportation of imported ganja for medical, therapeutic or scientific purposes.

16. The holder of an import permit shall ensure that, after the ganja imported for medical, therapeutic or scientific purposes is released to that holder by the Commissioner of Customs, it is transported directly by the holder of a valid transport licence issued by the Authority to the location specified in the import permit.

PART III—*Permit for the Exportation of Ganja*

Application for permit for exportation of ganja.

17.—(1) Each of the following persons is eligible as described in paragraph (2) to be granted an export permit, and may apply to the Authority, in accordance with these Regulations, for the export permit—

(a) the holder of a valid cultivator's licence, processing licence, retail licence, or research and development licence, issued by the Authority pursuant to the Interim Regulations, who is desirous of exporting ganja for medical, therapeutic or scientific purposes; and

(b) a duly accredited tertiary institution, or government entity, authorised by the Authority to provide analytical services in respect of ganja to ensure product safety and compliance with local and international quality standards.

(2) An applicant referred to in paragraph (1) shall be eligible to be granted an export permit to export ganja for medical, therapeutic or scientific purposes, the quantity of which shall be determined by the Authority on the basis of each application.

(3) The holder of a transport licence issued by the Authority shall not be eligible to apply for an export permit, solely by virtue of holding that licence.

(4) An applicant for an export permit shall submit to the Authority—

First Schedule. Second Schedule.

(a) a completed application in accordance with the form set out in the First Schedule;

(b) the prescribed application fee set out in the Second Schedule;

(c) proof of registration as an Approved Exporter, if applicable;

(d) a copy of the import authorisation issued by a competent authority in the importing country authorising the importation of the ganja for medical, therapeutic or scientific purposes;

(e) where required by the importing country, a copy of phytosanitary certificate issued by the appropriate entity under the Plants (Quarantine) Act in relation to the ganja to be exported;

(f) a copy of the relevant airway bill or bill of lading (as the case may be);

(g) a current tax compliance certificate in respect of the applicant; and

(h) such other documents and information as the Authority may require.

(5) Within seven working days after receipt of an application under paragraph (1), the Authority shall—

(a) notify the applicant that the application has been received and is being considered; and

(b) if additional documents are required in order for the Authority to determine the application, the notification shall inform the applicant of the additional documents required to be submitted.

(6) Within thirty working days after the receipt of an application under paragraph (1), the Authority shall—

(a) in accordance with regulation 21, grant an export permit subject to such terms and conditions as may be endorsed on the permit; or

(b) in accordance with regulation 25, refuse to grant an export permit.

(7) The fee referred to in paragraph (4)(b) shall not be refundable.

Matters to be determined by the Authority on application.

18.—(1) An applicant who is a licensee under the Interim Regulations shall not automatically qualify for the grant of an export permit.

(2) In determining for the purpose of these Regulations whether an applicant is fit and proper to be concerned in or associated with the exportation

of ganja for medical, therapeutic or scientific purposes the Authority shall consider whether—

(a) the applicant is disqualified under regulation 3(7) of the Interim Regulations from holding or applying for any licence issued pursuant to those Regulations;

(b) a licence issued to the applicant under the Interim Regulations, has been suspended or revoked;

(c) the applicant has any business association with a person, body or association who or which, in the opinion of the Authority, is not of good repute having regard to character, honesty and integrity, or has undesirable or unsatisfactory financial resources;

(d) each director, partner, trustee or executive officer, secretary and any other officer or person determined by the Authority to be associated or connected with the ownership, administration or management of the operations or business of the applicant is a suitable person to act in that capacity;

(e) the applicant has held any licence, permit or other authorisation that has been suspended, cancelled or revoked under the Act, the Interim Regulations or these Regulation;

(f) the applicant's history of compliance with the Act, Interim Regulations, these Regulations and terms and conditions of any license, permit or other authorisation issued by the Authority under any of those enactments and any other matters that the Authority considers relevant.

Risk assessment regarding application.

19.—(1) On receiving an application for an export permit under regulation 17, the Authority shall carry out or cause to be carried out any relevant risk assessment it considers necessary to enable it to determine the application.

(2) For the purpose of conducting the risk assessment referred to in paragraph (1), the Authority may require an applicant for an export permit to do any one or more of the following—

(a) provide, in accordance with the direction of the Authority, any information that is relevant to the risk assessment in relation to the application;

(b) produce, in accordance with the direction of the Authority any documents relevant to the risk assessment, and allow examination of the documents, the taking of extracts from them and making copies of them; or

(c) furnish to the Authority any consent or other permission that the Authority requires for the purpose of enabling the Authority to

obtain, from other persons, information (including relevant financial or other confidential information) concerning the applicant, for the purpose of determining the application.

Pre-permit inspection.

20. Before determining an application for an export permit, the Authority may cause an inspection to be made of the premises to be used for any activity proposed to be carried out under the permit, in order to verify that those premises are, physically secure and otherwise fit for the purpose of the permit, and in particular that the premises meet the requirements specified in regulation 22(c)(i) and (ii).

Grant of permit for exportation of ganja.

21.—(1) Subject to paragraph (2), the Authority may, after considering an application submitted under regulation 17 (including any relevant risk assessment), on such terms and conditions as the Authority considers appropriate, grant an export permit for the exportation of ganja if the Authority is satisfied with the merits of the application.

Fourth Schedule.

(2) The export permit, including any terms or conditions as the Authority considers appropriate, shall be issued in the form set out in the Fourth Schedule and shall contain—

(a) full particulars of the ganja for exportation including the International Non-Proprietary Name and the quantity;

(b) the name and address of the exporter;

(c) the name and address of the person to whom the ganja is to be exported;

(d) the country to which the ganja is to be exported; and

(e) the period within which the exportation must be effected.

Second Schedule.

(3) Subject to the applicant's payment of the prescribed fee specified in the Second Schedule the Authority shall—

(a) issue two copies of the permit to the intending exporter; and

(b) transmit a copy of the permit directly to the competent authority of the importing country.

(4) An exporter to whom an export permit is granted under paragraph (1)—

(a) upon being issued two copies of the permit under paragraph (3); and

(b) where the exporter intends to export the ganja to which such permit relates in more than one consignment,

shall obtain a separate export permit in respect of each consignment.

(5) No permit shall be granted for the export of consignments of ganja for medical, therapeutic or scientific purposes, to a bonded warehouse, unless the competent Authority of the importing country certifies on the import authorisation referred to in regulation 17(4)(d), that it has approved the importation for the purpose of being placed in a bonded warehouse, and in that case the export permit shall specify that the consignment shall be exported for such purpose.

(6) If at any time the importation of any ganja for medical, therapeutic or scientific purposes, into a country which is not a Convention State is prohibited or restricted by the laws of that country, no export permit shall be issued by the Authority authorising the exportation thereof to that country in contravention of such laws.

Terms and conditions of export permit.

22. Without prejudice to the power of the Authority under regulation 21 to impose additional terms and conditions in an export permit, the following terms and conditions shall be deemed to be included in every export permit—

(a) the holder of the permit shall provide the original permit, or a copy of the permit certified by a Justice of the Peace to be a true copy of the original permit, upon the request by the Authority or any other person authorised under any law to request the permit;

(b) the holder of the permit shall keep, in a form approved by the Authority, a log of all ganja exported for medical, therapeutic or scientific purposes, delivered for export by the holder;

(c) the holder of the permit shall ensure that the premises on which the activities which are the subject of the permit are to be carried out are physically secure and otherwise fit for the purpose of the permit, and in particular, that the premises comprise an enclosed secure building that has—

(i) areas, clearly designated by the holder of the permit, and approved by the Authority, for packaging, storing and dispatching the ganja to be exported pursuant to the permit; and

(ii) strict access control systems and monitoring procedures limiting access to areas designated for packaging, storing and dispatching the ganja to be exported pursuant to the permit; and

(d) the holder of the permit shall keep a log, in a form approved by the Authority, of all persons accessing the area designated for packaging, storing and dispatching the ganja to be exported for medical, therapeutic or scientific purposes, and shall make the log immediately available to the Authority for inspection on request.

Non-transferability of export permit.

23. An export permit granted pursuant to regulation 21 shall not be transferable.

Validity of export permit.

24.—(1) An export permit shall be treated as spent once any consignment ganja is exported in pursuance of the permit, even if the quantity of the consignment is less than the quantity specified in the permit pursuant to regulation 21(2)(a).

(2) Unless earlier spent, surrendered, suspended, cancelled or revoked, an export permit shall be valid for a period of six months from the date of issue.

Grounds for refusal of export permit.

25.—(1) The Authority may refuse to grant an export permit under these Regulations if—

(a) the applicant fails to pay the relevant fee or to furnish the requisite documents required pursuant to regulations 17(4) and 19(2);

(b) the application contains or is based on a false or misleading representation;

(c) the Authority has reasonable grounds to believe that the exportation would contravene the laws of the importing country or any country of transit or trans-shipment;

(d) the exportation would not be in conformity with the import authorisation issued by a competent authority of the importing country;

(e) the import authorisation issued by the competent authority in the importing country authorising the importation of the ganja has been suspended, revoked or expired;

(f) the applicant is disqualified under regulation 3(7) of the Interim Regulations from applying for or holding any licence issued under the Interim Regulations;

(g) a licence issued to the applicant under the Interim Regulations has been suspended or revoked;

(h) the applicant failed without reasonable excuse to comply with any provision of the or Act, the Interim Regulations, these Regulations or the terms and conditions of any licence, permit other authorisation issued pursuant to those enactments; or

(i) in respect of a body corporate, a resolution has been passed for its voluntary winding up or an order has been made by a court of competent jurisdiction for its winding up.

(2) Where the Authority decides to refuse to grant an export permit the Authority shall within fourteen working days after making that decision,

notify the applicant in writing of the decision, the reasons for the decision and the applicants right of appeal conferred by section 9A(7)of the Act.

Declaration to Authority prior to export of ganja.

26.—(1) The holder of an export permit ("the exporter") shall within ten working days prior to the export of ganja for medical, therapeutic or scientific purposes, submit a declaration to the Authority containing the particulars specified in paragraph (2).

(2) The particulars are—

(a) the name and address of the exporter;

(b) the licence number of the relevant licence issued by the Authority under the Interim Regulations to the exporter;

(c) the exporter's permit number issued in respect of the consignment;

(d) the name and address of the licensed cultivator or processor from whom the ganja was obtained, if applicable;

(e) the licence number of the cultivator's or processor's licence issued by the Authority under the Interim Regulations, if applicable;

(f) the scheduled date of exportation of the consignment; and

(g) in respect of the of the ganja to be exported—

(i) the description of the ganja, indicating whether it is in the form of seeds, plants or dried ganja;

(ii) the quantity of the ganja;

(iii) the strain of the ganja;

(iv) the International Non-Proprietary Name of the ganja;

(v) the percentage of THC and CBD; and

(vi) the packaging list.

(3) The declaration referred to in paragraph (1) shall be accompanied by a Certificate of Analysis issued by a government testing facility or reputable laboratory approved by the competent authority in the exporting country.

Provison of copy of export permit.

27. At the time of exportation of any ganja for medical, therapeutic or scientific purposes, the exporter shall produce to the Commissioner of Customs, the ganja, the export permit relating thereto if requested, and such other documents or information as the Commissioner may require to satisfy the Commissioner that the ganja is being lawfully exported to the place and person named in the export permit.

Notification of arrival of exported ganja.

28.—(1) The exporter shall within forty-eight hours after the arrival of the consignment of ganja for medical, therapeutic or scientific purposes, in the importing country, notify the Authority of the arrival by submitting a declaration together with a copy of the customs entry certificate issued by the competent authority of the importing country.

(2) Where there has been a delay in the arrival of a consignment of ganja exported pursuant to this Part, the exporter shall, in the declaration referred to in paragraph (1), provide a detailed explanation for the delay.

PART IV.—*Permits for the Transit and Trans-shipment of Ganja*

Application for transit and tans-shipment permit.

29.—(1) A person who proposes to transit or trans-ship any ganja for medical, therapeutic or scientific purposes, through ports in Jamaica shall do so only through a local authorised agent who shall, at least ninety days before the scheduled date of transit or trans-shipment, apply to the Authority for a transit or trans-shipment permit.

First Schedule.

Second Schedule.

(2) An application for a transit or trans-shipment permit shall be made to the Authority in the prescribed form and manner specified in the First Schedule and accompanied by—

(a) the relevant fee set out in the Second Schedule;

(b) the export authorisation issued by the competent authority in the country from which the ganja is exported;

(c) a copy of the import authorisation issued by competent authority in the country of final destination; and

(d) such other documents as the Authority may require for the purpose of determining the application.

(3) Within seven working days after receipt of an application under paragraph (2), the Authority shall—

(a) notify the applicant that the application has been received and is being considered; and

(b) if additional documents are required in order for the Authority to determine the application, the notification shall inform the applicant of the additional documents required to be submitted.

(4) Within thirty working days after the receipt of an application under paragraph (2), the Authority may—

(a) in accordance with regulation 30, grant a transit or trans-shipment permit subject to the terms and conditions as may be endorsed on the permit; or

(b) in accordance with regulation 33, refuse to grant a transit or trans-shipment permit.

(5) The fee referred to in paragraph (2)(a) shall not be refundable.

Grant of transit and trans-shipment permit.

30.—(1) The Authority may, upon consideration of an application for a transit or trans-shipment permit under regulation 29(2) and after conducting a risk assessment, grant the transit or trans-shipment permit (as the case may be) to the applicant if satisfied with the merits of the application.

Fifth and Sixth Schedules.

(2) The transit or trans-shipment permit, including any conditions or directions as the Authority deems appropriate, shall be issued in the form prescribed in the Fifth and Sixth Schedules (as the case may require) upon payment of the prescribed fee.

(3) Where the local authorised agent to whom a transit or trans-shipment permit is issued intends to transit or trans-ship ganja for medical, therapeutic or scientific purposes, in more than one consignment, a separate transit or trans-shipment permit shall be obtained by the local authorised agent in respect of each such consignment.

(4) Every holder of a transit or trans-shipment permit shall, not less than three days before the arrival in any port in Jamaica of the consignment to which the permit relates, confirm the arrival to the Authority in such manner as the Authority may approve.

(5) No ganja for medical, therapeutic or scientific purposes, shall be transited or trans-shipped into Jamaica unless the local authorised agent to whom the ganja is consigned is in possession of a valid and subsisting transit or trans-shipment permit granted under paragraph (1).

(6) A person who contravenes paragraph (5) commits an offence.

(7) For the avoidance of doubt, the conveyance of ganja other than under the authority of and in accordance with a permit issued under paragraph (2) is an offence under section 7B of the Act.

Non-transferability of transit or trans-shipment permit.

31. A transit or trans-shipment permit granted pursuant to regulation 30 shall not be transferable.

Validity of transit or trans-shipment permit.

32.—(1) A transit or trans-shipment permit shall be treated as spent once any consignment of ganja is transited or trans-shipped in pursuance of the permit.

(2) Unless earlier spent, surrendered, suspended, cancelled or revoked a transit or trans-shipment permit, shall be valid for a period of six months from the date of issue.

Grounds for refusal of transit or trans-shipment permit.

33.—(1) The Authority may refuse to grant a transit or trans-shipment permit under these Regulations if—

(a) the applicant fails to pay the relevant fee or to furnish the requisite documents required pursuant to regulations 29(2) and 29(3)(b);

(b) the application contains, or is based on, a false or misleading representation;

(c) the export authorisation issued by the competent authority in the country from which the ganja was exported is suspended or revoked or has expired;

(d) the import authorisation issued by competent authority in the country into which the ganja is intended to be imported is suspended or revoked or has expired; or

(e) the applicant failed without reasonable excuse to comply with the Act, the provisions of these Regulations or the terms and conditions of any permit or other authorisation issued pursuant to these Regulations.

(2) Where the Authority refuses to grant a transit or trans-shipment permit, the Authority shall within fourteen working days after making that decision, notify the applicant in writing of the decision, the reasons for the decision and the right of appeal conferred by section 9A(7)of the Act.

Seizure of ganja for medical, therapeutic or scientific purposes in transit or being trans-shipped.

34.—(1) No person shall bring any ganja for medical, therapeutic or scientific purposes, to Jamaica in transit or for trans-shipment unless—

(a) the ganja is in the course of transit or for trans-shipment from a country from which it may be lawfully exported, to another country into which such ganja may be lawfully imported; and

(b) the ganja is accompanied by a valid export authorisation or diversion certificate, as the case may require.

(2) Where any ganja in transit or being trans-shipped is accompanied by an export authorisation or diversion certificate and the Commissioner of Customs has reasonable grounds for believing that such authorisation or certificate is false, or that it has been obtained by fraud or wilful misrepresentation of a material particular, the Commissioner of Customs, may seize and detain the ganja to which such authorisation or certificate relates, but upon being satisfied that such authorisation or certificate is valid or has not been obtained by fraud or misrepresentation the Commissioner shall release the ganja.

(3) Where the ganja in transit or being trans-shipped is not accompanied by an export authorisation or diversion certificate and the Commissioner of Customs has reasonable grounds for believing that such ganja is being conveyed in an unlawful manner or for an unlawful purpose or is in course of transit or trans-shipment for the purpose of being imported into another country in contravention of the laws of that country, the Commissioner of Customs may seize and detain the ganja, but shall release the ganja if there are no longer reasonable grounds for that belief.

(4) Where ganja for medical, therapeutic or scientific purposes, is brought into Jamaica in transit or for trans-shipment, it shall remain under the control of the Commissioner of Customs and shall be moved only under and in accordance with a removal licence granted under section 16 of the Act.

Ganja for medical, therapeutic or scientific purposes on transit or being trans-shipped not to be tampered with.

35.—(1) No person shall—

(a) subject to the natural process that may alter the ganja cause any ganja for medical, therapeutic or scientific purposes, in transit or being trans-shipped to be subjected to any process which would alter its nature; or

(b) wilfully open or break any package, containing ganja for medical, therapeutic or scientific purposes, in transit or being trans-shipped, except under the instruction of the Commissioner of Customs and in such manner as the Commissioner may direct.

(2) Every person who contravenes paragraph (1) commits an offence.

PART V—*Application, Grant and Terms and Conditions of Diversion Certificate*

Diversion of ganja for medical, therapeutic or scientific purposes. Seventh Schedule.

36.—(1) No person shall, except under the authority of and in accordance with a diversion certificate issued in the form prescribed in the Seventh Schedule, divert or cause to be diverted, to any destination other than that to which it was originally consigned, any ganja, brought into Jamaica in transit or for trans-shipment.

(2) A person who contravenes paragraph (1) commits an offence.

(3) Any consignment of ganja in transit or being trans-shipped, shall be accompanied by an export authorisation or a diversion certificate issued by a competent authority of the country of origin of the consignment, the country to which the ganja was originally consigned shall be deemed to be the country stated in such export authorisation or diversion certificate as the country of final destination.

(4) The Authority may in its absolute discretion, upon production to the Authority of a valid import authorisation issued by a competent authority in the country to which it is proposed to divert the ganja, issue a diversion certificate in respect of such ganja in transit or being trans-shipped.

(5) A diversion certificate shall be issued in triplicate in the form prescribed in the Seventh Schedule, upon payment of the prescribed fee, and one copy thereof shall accompany the ganja when it is exported from Jamaica and the other copy shall be dispatched by the Authority directly to the competent authority in the country to which the consignment of ganja has been diverted.

(6) Upon issue of a diversion certificate, the export authorisation or diversion certificate (if any) accompanying the ganja on its arrival in Jamaica shall be detained by the Authority and returned to the competent authority issuing such authorisation or diversion certificate together with a notification of the name of the country to which the consignment of ganja has been diverted.

PART VI—*Variation, Review, Suspension, Revocation and Cancellation of Permits*

Interpretation for Parts VI and VII.

37. In this Part, and Part VII "permit" includes a diversion certificate.

Variation of permits.

38.—(1) A holder of a permit issued pursuant to these Regulations may apply in writing to the Authority for the variation of the permit, stating clearly the reasons therefor.

(2) Notwithstanding paragraph (1) the Authority may on its own initiative, where there is reasonable cause to do so, and after consultation with the holder of a permit vary the permit.

(3) A variation under this regulation shall take effect when the holder of the permit concerned is given notice in writing of the variation or, if a later time is specified in the notice, at that later time.

(4) A variation under this regulation may involve the imposition, modification or the revocation, of a condition of the permit.

Review of permits.

39.—(1) The Authority shall review a permit issued under these Regulations where—

(a) it suspects that the holder of the permit has breached a term or condition of that permit or any provision of these Regulations; or

(b) for any other reason it considers it appropriate so to do.

(2) The Authority may suspend any permit issued under these Regulations if in its opinion it is necessary to facilitate a review of such permit or prevent the continuation of a suspected breach of a term or condition of such permit or any provision of these Regulations.

Suspension of permits.

40.—(1) Subject to paragraph (2), the Authority may suspend any permit under these Regulations if—

(a) the holder of the permit has failed to pay any fees or other charges required to be paid by the holder under these Regulations;

(b) the holder of the permit is in breach of—

(i) any provision of these Regulations; or

(ii) any term or condition subject to which the permit is granted;

(c) the holder of the permit notifies the Authority, in writing, that the holder intends to cease the operations for which the holder is authorised for the period stated in the notice; or

(d) the holder of the permit prevented the Authority from carrying out a proper inspection of the facility to which the permit relates.

(2) Before suspending a permit under paragraph (1), the Authority shall notify the holder of the permit in writing of the proposed suspension—

(a) stating the reasons therefor; and

(b) requiring the holder of the permit to show cause within such time as may be specified in the notice, why the permit should not be suspended.

(3) Where—

(a) the holder of the permit fails to comply with the requirement under paragraph 2(b) to show cause within the time specified in the notice or if cause shown is inadequate in the opinion of the Authority; or

(b) after due enquiry by the Authority in respect of any allegation made against the holder of the permit and after giving the holder an opportunity to be heard, the Authority is satisfied that the nature of the facts established consequent on the enquiry is seriously detrimental to the import and export industry in ganja for medical, therapeutic or scientific purposes,

the Authority shall suspend the permit for such period as may be considered necessary and desirable.

(4) The permit shall be suspended pursuant to paragraph (3) once the Authority serves a written notice, including the reasons for the suspension, upon the holder of the permit.

(5) Upon receipt of a notice under paragraph (2) and without prejudice to any appeal to the Appeals Tribunal conferred under section 9A(7) of the Act, the holder of the permit shall surrender the permit to the Authority on or before the date specified in such notice upon which the Authority shall endorse on the Register, the date on which the notice was served.

(6) A holder of a permit who, upon receiving a notice of suspension and who fails to surrender the permit pursuant to paragraph (5) to the Authority, commits an offence.

(7) Upon the expiration of the period for which a permit is suspended under this regulation—

(a) the permit shall continue to have effect for the remainder of its period of duration once the suspension period has expired; and

(b) the Authority shall return the permit surrendered pursuant to paragraph (5) to the holder concerned.

Revocation of permits.

41.—(1) The Authority may at any time revoke a permit issued under these Regulations, if the Authority is satisfied that—

(a) it is necessary to do so to protect public health, safety or security, including preventing ganja imported or exported for medical, therapeutic or scientific purposes, from being diverted;

(b) the holder of the permit is disqualified under regulation 3(7) of the Interim Regulations from holding or applying for any license issued by the Authority pursuant to the Interim Regulations;

(c) the import authorisation or export authorisation issued by the competent authority of the respective importing or exporting country has been suspended, revoked or has expired;

(d) the holder of the permit has been convicted by a court of competent jurisdiction in Jamaica for an offence relating to dishonesty, fraud or corruption;

(e) the holder of the permit failed to comply with the terms and conditions subject to which the permit was granted;

(f) the application for the permit is false or misleading in any material particular;

(g) the holder of the permit used the permit for or in relation to dishonest, fraudulent or corrupt purposes;

(h) a licence, permit or other authorisation issued by the Authority under the Act or the Interim Regulations to the holder of the permit has been suspended, cancelled or revoked; or

(i) the permit that has been suspended under regulation 40 is not reinstated because the reason for suspension still exists or the holder of the permit has not demonstrated to the Authority that the suspension is unfounded.

(2) The Authority shall not act under paragraph (1) unless—

(a) the Authority has given the holder of the permit a written direction specifying a time within which the holder of the permit is required to carry out the necessary corrective measures to ensure compliance with the Act, the Interim Regulation and these Regulations; and

(b) the holder of the permit has failed to carry out the necessary corrective measures within the specified time stipulated by the Authority.

(3) The revocation of a permit shall take effect upon the giving by the Authority of written notice to the holder of the permit of the reasons for the revocation, outlining the holder's right of appeal conferred under section 9A(7) of the Act.

(4) The holder of a permit who receives written notice from the Authority under paragraph (3) shall on or before the date specified in such notice return the permit to the Authority.

(5) Every person who fails without lawful excuse to comply with a notice under paragraph (3) commits an offence and shall be liable on conviction before a Judge of a Parish Court to a fine not exceeding one million dollars.

Voluntary surrender of permits.

42.—(1) The holder of a permit may at any time surrender the permit by submitting a written notice to that effect to the Authority.

(2) The Authority shall endorse on the notice and register the date on which the notice is received and the permit shall as from that date, cease to be valid.

(3) The surrender of any permit under these Regulations shall not affect the liability of the holder of the permit—

(a) to perform any obligation required to be performed by that holder under these Regulations on or before the date on which permit ceased to be valid; or

(b) for any act done or default made before the date on which the permit ceased to be valid.

Cancellation and re-issuance of permits.

43. Subject to the payment of the prescribed re-issuance fee set out in the Second Schedule, the Authority may cancel and reissue any permit issued pursuant to these Regulations where—

(a) an administrative error has occurred and it is necessary to correct that error in relation to the permit; or

(b) it is necessary to update any information, terms or conditions contained therein.

Disposal of ganja for medical, therapeutic and scientific purposes.

44.—(1) Where by virtue of any provision of these Regulations, a permit is suspended, revoked or surrendered, or has expired, the Authority shall give the holder of the permit such written directions as the Authority considers appropriate for the safe custody or disposal (as the case may require) of any ganja for medical, therapeutic or scientific purposes, in the custody or control of the holder of the permit and not lawfully held under any other permit under these Regulations, and the holder of the permit shall comply with those directions.

(2) The Authority shall, in accordance with the laws relating to the custom of goods, facilitate the disposal of any consignment of ganja imported or to be exported, for medical, therapeutic or scientific purposes, that has been abandoned in a customs area by the holder of a permit under these Regulations.

(3) The Authority shall act under paragraph (2) in consultation with the Customs Agency and in accordance with the provisions of any applicable memorandum of understanding executed between the Authority and the Customs Agency regarding such disposal.

(4) Any fees or other expenses incurred by the Authority or the Customs Agency in connection with the disposal of ganja under paragraph (2) shall be borne by the holder of the import permit.

PART VII.—*General*

Register.

45.—(1) The Authority shall keep or cause to be kept in such manner as it thinks fit, for the purposes of these Regulations, a register of all permits granted under these Regulations which shall be known as the Register of Permits for the Import, Export, Transit, Trans-shipment and Diversion of Ganja for Medical, Therapeutic or Scientific Purposes.

(2) The Register shall contain the following information in relation to each permit—

(a) the name of the holder of a permit;

(b) the type and registration number of the permit;

(c) the date of grant, and expiry date of the permit; and

(d) any other particulars that the Authority thinks necessary.

(3) The Register may also contain such information as may be prescribed in relation to any permit that is varied, suspended, revoked or surrendered.

(4) Where a person is granted a permit under these Regulations, the Registrar shall forthwith cause particulars of the grant (including particulars the day on which the grant takes effect) to be entered in the Register.

(5) Where a permit granted to a person under these Regulations is suspended, revoked, expires or otherwise ceases to have effect, the Registrar shall forthwith cause particulars of the suspension, revocation, expiration or cessation (including the day on which the suspension, revocation, expiration or cessation takes effect) to be entered on the Register.

(6) The content of the register referred to in paragraph (2) shall be *prima facie* evidence of all the facts contained therein in all proceedings under these Regulations.

Inspection and monitoring.

46.—(1) Any person authorised by the Authority to conduct an inspection of premises for the purposes of these Regulations may, at all reasonable times by day or night—

(a) enter, inspect and examine any premises on which any activity which is the subject of a permit granted under these Regulations is being carried on;

(b) examine and make inquiry into the security, ventilation and otherwise as to the condition of, any premises referred to in sub-paragraph (a);

(c) conduct off-site surveillance and monitoring of holders of permits granted under these Regulations in respect of activities in relation to such permits;

(d) inspect the storage or handling of any ganja for medical, therapeutic or scientific purposes, by holders of permits granted under these Regulations and direct the manner in which such ganja shall be stored or handled in accordance with these Regulations.

(2) The Authority, or any person appointed by the Authority for the purpose, may call for, examine and take extracts from any documents, records, logs, accounts or other information required to be kept or furnished under these Regulations by the holder of a permit and take samples of ganja and any product thereof, in the possession or control of the holder of permit.

(3) The Authority shall cause an inspection in accordance with paragraph (1) to be conducted at least once during the duration of the permit.

(4) The Authority may by notice in writing require the holder of a permit granted under these Regulations to furnish to the Authority within a time specified in the notice any additional information which the Authority reasonably requires for the purpose of monitoring compliance with these Regulations.

(5) The Authority shall issue an identification card to each person authorised to carry out any function under these Regulations, and each such person shall, on entering premises for the purpose of carrying out any such function, produce the identification card to the owner or other person in charge thereof.

Offences.

48.—(1) Any person who willfully—

(a) obstructs, hinders, assaults or resists an authorised officer or inspector in the execution of his duties under these Regulations;

(b) without lawful excuse, fails within a reasonable time to comply with any requirement of an authorised officer or inspector exercising a power conferred on him under these Regulations;

(c) makes a false statement in any application for any permit issued under these Regulations;

(d) provides any false or materially misleading information in any application, report or other document required to be furnished to the Authority; or

(e) fails or refuses to produce any document, or other information, which that person is required to produce, under these Regulations,

commits an offence.

(2) A person who commits an offence under these Regulations for which no specific penalty is provided shall be liable upon summary conviction in respect of the offence before a Judge of the Parish Court, to a fine not exceeding one million dollars or to imprisonment for a term not exceeding six months.

Waiver of Fees.

49. With the approval of the Minister responsible for finance, the Authority may waive or reduce the fees payable for the application, grant or renewal of any permit issued pursuant to these Regulations.

FIRST SCHEDULE (Regulation 4(3)(a))

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

CANNABIS LICENSING AUTHORITY

PERMIT APPLICATION FORM

Instructions to Applicant

1. Please read the form carefully and complete in block capitals in blue or black ink.
2. A separate application form is required for each permit being applied for.
3. Each shipment requires a separate permit.
4. Each permit will only be applicable to the particular premises and/or final destination for which it is issued except under the authority of a diversion certificate.
5. Only the following categories of persons may apply for permits:
    i. Holders of the following licences issued by the Cannabis Licensing Authority:
        a. Cultivator
        b. Processor
        c. Retail
        d. Research and Development;
    ii. local authorised agents acting on behalf of foreign/overseas entities handling ganja for the purposes of transit and/or trans-shipment.

FIRST SCHEDULE, *contd.*

SECTION A: TYPE OF PERMIT All applicants should complete this section	
Type of Permit Please indicate the type of permit for which you are applying.	
❑ Import Permit ❑ Transit Permit	❑ Export Permit ❑ Trans-shipment Permit

SECTION B: IMPORT PERMIT To be completed by applicant for Import Permit.		
PART I – Importer		
SURNAME	FIRST NAME	MIDDLE NAME
OTHER NAMES (IF APPLICABLE)	MAIDEN NAME (IF APPLICABLE)	MOTHER'S MAIDEN NAME (IF APPLICABLE)
GENDER ❑ MALE ❑ FEMALE	MARITAL STATUS ❑ SINGLE ❑ MARRIED ❑ WIDOWED	DATE OF BIRTH (DD-MM-YYYY)
PLACE OF BIRTH: (Town/Country)	NATIONALITY:	LENGTH OF TIME LIVING IN JAMAICA (IN YEARS):
TRN	ID#: TYPE: [ ] Drivers Licence [ ] Passport [ ] National Identification Card	
CATEGORY OF CLA LICENCE AND LICENCE NUMBER	CLA LICENCE ISSUED DATE	CLA LICENCE EXPIRATION DATE
PERMANENT ADDRESS	(STREET/APT#) (TOWN/CITY/PARISH)	MAILING ADDRESS (IF DIFFERENT FROM ABOVE)
NAME OF COMPANY/BUSINESS	REGISTERED ADDRESS	MAILING ADDRESS (IF DIFFERENT FROM ABOVE)
TRN	TYPE OF COMPANY/BUSINESS [ ] Partnership [ ] Limited Liability [ ] Cooperative [ ] Friendly Society	REGISTRATION NUMBER
CONTACT NUMBER: (HOME)	(WORK)	(MOBILE)
FACSIMILE NO:	EMAIL ADDRESS:	

FIRST SCHEDULE, *contd.*

PART II – Information pertaining to Exporter/Consignor of Foreign Jurisdiction		
NAME OF EXPORTER:	ADDRESS OF EXPORTER:	NAME OF REGULATORY AUTHORITY IN FOREIGN JURISDICTION
ADDRESS OF REGULATORY AUTHORITY IN FOREIGN JURISDICTION		

PART III – Description of Product/Item(s) to be imported from the Country and Intended Purpose:		
NAME OF PRODUCT/ITEM	INTERNATIONAL NON-PROPRIETARY NAME, IF ANY:	SUBSTANCE:
INTENDED PURPOSE:	QUANTITY/WEIGHT:	

Upon issuance of the Export Permit by the regulatory authority in the foreign jurisdiction, a certified copy of Export Permit must be submitted to the Authority. In addition, the Authority must be advised of the following at least two (2) days prior to the arrival of the shipment:-

PORT OF ENTRY OF CONSIGNMENT:

MODE OF TRANSPORTATION (AIR/SEA):

DATE OF ARRIVAL OF CONSIGNMENT:

CARRIER ON WHICH THE CONSIGNMENT WILL ARRIVE:

DECLARATION

All applicants must sign this declaration in order for their application to be processed.

I, _____, declare that this form and all the attachments, statements, disclosures and supporting documents are true and correct to the best of my knowledge and belief. I further declare that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a permit by the Cannabis Licensing Authority, and that where, after the issue of a permit a statement made in connection with the application is found to be false, the permit may be revoked.

Position _____ Signature _____

Date _____

SECTION C – EXPORT PERMIT

Information required for Export Permit - to be completed by applicant for Export Permit.

PART I – Exporter

SURNAME	FIRST NAME	MIDDLE NAME
OTHER NAMES (IF APPLICABLE)	MAIDEN NAME (IF APPLICABLE)	MOTHER'S MAIDEN NAME (IF APPLICABLE)
GENDER ☐ MALE ☐ FEMALE	MARITAL STATUS ☐ SINGLE ☐ MARRIED ☐ WIDOWED	DATE OF BIRTH (DD-MM-YYYY)
PLACE OF BIRTH (Town/Country)	NATIONALITY	LENGTH OF TIME LIVING IN JAMAICA (IN YEARS):
TRN	ID#:	

FIRST SCHEDULE, *contd.*

	TYPE: [ ] Drivers Licence [ ] Passport [ ] National Identification Card	
CATEGORY OF CLA LICENCE AND LICENCE NUMBER	CLA LICENCE ISSUE DATE	CLA LICENCE EXPIRATION DATE
PERMANENT ADDRESS	(Street/APT#) (TOWN/CITY/PARISH)	MAILING ADDRESS (IF DIFFERENT)
NAME OF COMPANY/BUSINESS	REGISTERED ADDRESS	MAILING ADDRESS (IF DIFFERENT)
TRN	TYPE OF COMPANY/BUSINESS [ ] Partnership [ ] Limited Liability [ ] Cooperative [ ] Friendly Society	REGISTRATION NUMBER
CONTACT NUMBER	FACSIMILE NO:	EMAIL ADDRESS:
PART II – Importer/Consignee in Foreign Jurisdiction		
NAME OF IMPORTER:	ADDRESS OF IMPORTER:	IMPORT AUTHORISATION NUMBER/PERMIT NUMBER:
IMPORT PERMIT ISSUE DATE:	IMPORT PERMIT EXPIRATION DATE:	NAME OF REGULATORY AUTHORITY IN FOREIGN JURISDICTION:
ADDRESS OF REGULATORY AUTHORITY IN FOREIGN:		
PART III – Description of Product/Item(s) to be Exported to Country and the Intended Purpose		
NAME OF PRODUCT/ITEM:	INTERNATIONAL NON-PROPRIETARY NAME, IF ANY:	SUBSTANCE:
INTENDED PURPOSE:	QUANTITY/WEIGHT:	MODE OF TRANSPORT (AIR/SEA):
PORT OF ENTRY:	COUNTRY OF FINAL DESTINATION:	

DECLARATION

All applicants must sign this declaration in order for their application to be processed.

I, _____, declare that this form and all the attachments, statements, disclosures and supporting documents are true and correct to the best of my knowledge and belief. I further declare that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a permit by the Cannabis Licensing authority, and that where, after the issue of a permit, a statement made in connection with the application is found to be false, the permit may be revoked.

_____ _____

Position Signature

_____

Date

SECTION D: TRANSIT/TRANS-SHIPMENT

Information required for Transit and /or Trans-shipment Permit

FIRST SCHEDULE, *contd.*

PART I – Applicant (Jamaican Authorised Agent)		
NAME OF LOCAL AUTHORISED AGENT:	TELEPHONE NUMBER OF LOCAL AUTHORISED AGENT:	BUSINESS ADDRESS OF LOCAL AUTHORISED AGENT:
PART II – Exporter (Foreign/Overseas Jurisdiction)		
NAME OF EXPORTER:	TELEPHONE NUMBER OF EXPORTER:	BUSINESS ADDRESS OF EXPORTER:
PART III – Importer (Foreign/Overseas Jurisdiction)		
NAME OF IMPORTER:	TELEPHONE NUMBER OF IMPORTER:	BUSINESS ADDRESS OF IMPORTER:
IMPORT AUTHORISATION NUMBER:	DATE OF ISSUANCE OF IMPORT AUTHORISATION:	DATE OF EXPIRATION OF IMPORT AUTHORISATION:
REGULATORY AUTHORITY THAT ISSUED IMPORT AUTHORISATION:		
PART IV – Export Authorisation (Certified copy of original to be attached to application form):		
EXPORT AUTHORIZATION NUMBER:	DATE OF ISSUANCE OF EXPORT AUTHORISATION:	DATE OF EXPIRATION AUTHORISATION:
NAME OF REGULATORY AUTHORITY THAT ISSUED EXPORT AUTHORISATION:		
PART V – Shipment/Description of Product/ Item(s)		
PROPOSED PORT OF ENTRY:	PROPOSED PORT OF EXIT:	DATE OF ARRIVAL:
DATE OF DEPARTURE:	MODE OF TRANSPORT (AIR/SEA):	NAME OF INCOMING CARRIER (SHIP/AIRCRAFT)
NAME OF OUTGOING CARRIER (SHIP/AIRCRAFT):	DESCRIPTION OF PRODUCT(S)/ITEM(S):	TYPE AND NATURE OF PACKAGING OF PRODUCT(S) /ITEM(S) WITH UNIQUE IDENTIFICATION NUMBER:

DECLARATION

All applicants must sign this declaration in order for their application to be processed.

I, _____, declare that this form and all the attachments, statements, disclosures and supporting documents are true and correct to the best of my knowledge and belief. I further declare that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for the refusal to issue a permit by the Cannabis Licensing authority, and that where, after the issue of a permit, a statement made in connection with the application is found to be false, the permit may be revoked.

_____ _____

Position Signature

_____

Date

SECOND SCHEDULE (Regulation 4(3)(b))

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

CANNABIS LICENSING AUTHORITY

Authorisation Application and Issuance Fees

Fees are quoted in United States Dollars (USD), and may be paid in USD or the equivalent in Jamaican currency at the prevailing rate of exchange based on the Bank of Jamaica's weighted average.

Item	Fee
Application for Import Permit	USD 30.00 (non-refundable)
Application for Export Permit	USD 30.00 (non-refundable)
Application for Transit Permit	USD 50.00 (non-refundable)
Application for Trans-shipment Permit	USD 50.00 (non-refundable)
Application for Diversion Certificate	USD 30.00 (non-refundable)
Application for Variation of Permit	USD 50.00 (non-refundable)
Application for the re-issuance of Permit	USD 50.00 (non-refundable)
Permit Fees—	
(c) Grant of Import Permit	USD 50.00 (non-refundable)
(d) Grant of Export Permit	USD 50.00 (non-refundable)
(e) Grant of Diversion Certificate	USD 30.00 (non-refundable)
(f) Grant of Transit Permit	USD 50.00 (non-refundable)
(g) Grant of Trans-shipment Permit	USD 50.00 (non-refundable)

THIRD SCHEDULE (Regulation 8(2))

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

CANNABIS LICENSING AUTHORITY

Import Permit

Official Authorisation of Import No.

Pursuant to the Dangerous Drugs (Cannabis Import, Export, Transit and Trans-shipment) Regulations, 2022 (hereinafter called "the Regulations"), the Cannabis Licensing Authority hereby authorises _____ _____ , hereinafter called "the importer") to import ganja for medical, therapeutic or scientific purposes, and in the quantity specified hereto—

1. Name, address and business of Importer .....

.....

2. Exact description and quantity of ganja to be imported .....

.....

3. International Non-Proprietary Name of the imported ganja .....

.....

4. Name, address and business of exporter in exporting country .....

.....

5. Name and address of regulatory authority issuing export authorisation .....

.....

6. Intended purpose for importing ganja .....

.....

7. Port of entry (final destination) .....

8. Country of export .....

9. Period within which the import is to be effected .....

THIRD SCHEDULE, *contd.*

10. State any special conditions to be observed (if required) .....

..... (see also general conditions below)

[SEAL]

.....
(Signature) Chairman/Designate

.....
(Date)

GENERAL CONDITIONS GOVERNING THE USE OF THIS IMPORT PERMIT—

This permit is granted subject to the following—

1. This permit is not a licence to obtain or be in possession of ganja for medical, therapeutic or scientific purposes named herein.

2. This permit is available only for the importation of ganja for medical, therapeutic or scientific purposes of the exact quantity, kind and form specified above.

3. This permit does not relieve the Importer from complying with any customs regulations in force for the time being relating to the importation of goods into or trans-shipment or transit of goods through Jamaica.

4. The copy of the Export Authorisation, if any, which accompanied the consignment of imported ganja, shall be forwarded to the Cannabis Licensing Authority immediately after the importation of the ganja has been effected.

5. The importer shall inform the Cannabis Licensing authority in writing, at least two (2) weeks prior to the scheduled date of importation, of the proposed plan and procedures for the ganja to be transported from the port of entry to the importer's authorised secured site, which must be inclusive of but not limited to the following:

    (a) transportation time and the approved route (which shall be entered in a log kept in a form approved by the Authority).

    (b) the name(s) of individual(s) accessing the transport vehicle and a record of the access log of said individual(s) in a form approved by the Authority.

    (c) a plan of the detailed security arrangements for the transportation of the ganja to the authorized secured site.

THIRD SCHEDULE, *contd.*

6. This permit is valid only for the importer and may be revoked at any time by the Cannabis Licensing Authority, to whom it shall be immediately surrendered in that event. The permit shall be produced for inspection when required by the representatives of the Authority or any other duly authorized person(s).

7. This permit, unless sooner revoked, shall continue in force for six (6) calendar months from the date hereof. If required, the permit must be produced, at the time of import, to an officer of the Customs Agency, who will retain it. If not used within the six (6) months, the permit shall be surrendered to the Cannabis Licensing Authority immediately after the date of expiration of the permit.

Note—(1) If any alteration is desired in this permit it must be returned with a request for amendment and a statement of the reasons thereof. No unauthorised alteration is permissible.

FOURTH SCHEDULE (Regulation 21(2))

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

CANNABIS LICENSING AUTHORITY

Export Permit

Official Authorisation of Export No.

Pursuant to the Dangerous Drugs (Cannabis Import, Export, Transit and Trans-shipment) Regulations, 2022 (hereinafter called "the Regulations"), the Cannabis Licensing Authority hereby authorises ....., hereinafter called "the Exporter" to export ganja for medical, therapeutic or scientific purposes, and in the quantity specified hereto—

1. Name, address and business of exporter .....
.....
2. Exact description and quantity of ganja to be exported .....
.....
3. International Non-Proprietary Name of the ganja to be exported .....
.....
4. Name, address and business of importer in importing country .....
.....
5. Import authorisation number, issue date and expiry date .....
.....
6. Name and address of regulatory authority that issued the import authorisation .....
7. Intended purposes for exporting the ganja .....
.....
8. Port of export .....
9. Port and country of import (final destination) .....
10. Period within which the export is to be effected .....

FOURTH SCHEDULE, *contd.*

11. State any special conditions to be observed (if required).....

..... (see also general conditions below)

[SEAL]

.....
(Signature) Chairman/Designate

.....
(Date)

GENERAL CONDITIONS GOVERNING THE USE OF THIS EXPORT PERMIT—

This permit is granted subject to the following conditions—

1. This permit is not a licence to obtain or be in possession of ganja for medical, therapeutic or scientific purposes named herein.

2. This permit is available only for the exportation of ganja for medical, therapeutic or scientific purposes of the exact quantity, kind and form specified above.

3. This permit does not relieve the exporter from complying with any customs regulations in force for the time being relating to the exportation of goods from Jamaica, whether within Jamaica or elsewhere.

4. If the ganja for medical, therapeutic or scientific purposes is authorised to be exported by ship or aircraft, the duplicate copy, which is attached, shall accompany the consignment to the place of destination and for this purpose the Exporter shall cause it to be delivered to the Master of the carrier by which the consignment is dispatched (See footnote (2)).

5. The Exporter shall inform the Authority of the agreed plan and procedures between the Exporter and the carrier that will be transporting the ganja to the importing country. The Exporter shall also submit a detailed logistics plan five (5) days prior to the proposed transport date which must be inclusive of, but not limited to the following:

    (a) date, time and description of activities with the responsible parties at each stage leading up to the delivery of package(s) to the representative of the Jamaica Customs Agency or the relevant third-party carrier.

    (b) transportation time and route to be approved by the Authority (the approved route shall be entered in a log kept in a form approved by the Authority).

FOURTH SCHEDULE, *contd.*

(c) submission of the name(s) of individual(s) accessing the transport vehicle (an access log of the said individual(s) must be kept in a form approved by the Authority).

(d) detailed security arrangements for the transportation of the ganja to the point of delivery.

6. Prior to packaging, labelling and sealing of the ganja for export, the Exporter must request the presence of the Authority to supervise the aforementioned activities. The Exporter shall ensure that—

(a) the labelling, packaging and sealing of products for export adheres to the directives issued by the Authority;

(b) packages for export are labeled; and

(c) labels include the requisite information relating to the strains(s) and corresponding net weight(s), country of origin, CBD/THC content and the date of packaging.

7. The exporter, shall produce to the Authority within such time as the Authority may allow, proof to the Authority's satisfaction that the said ganja for medical, therapeutic or scientific purposes was duly delivered at the destination named in this permit and in the event of a non-compliance with this condition, the permit shall be deemed void and of no effect.

8. The exporter shall inform the Commissioner of the Jamaica Constabulary Force stationed at the port of export of the intended export.

9. This permit is valid only for the exporter named above and may be revoked at anytime by the Cannabis Licensing Authority, to whom it shall be immediately surrendered in that event. The permit shall be produced for inspection when required by representatives of the Authority or any other duly authorized person(s).

10. The permit unless sooner revoked, shall continue in force for six (6) calendar months from the date hereof. If required, the permit must be produced, at the time of the export, to an officer of the Customs Agency who will retain it. If the permit is not used within the six (6) months, it shall be surrendered to the Cannabis Licensing Authority immediately after the date of expiration of the permit.

Note—(1) If any alteration is desired in this permit, it must be returned with a request for amendment and a statement of the reasons thereof. No unauthorised alteration is permissible.

(2) In the case of ganja for medical, therapeutic or scientific purposes exported by ship or aircraft, this permit is required in pursuance of

FOURTH SCHEDULE, *contd.*

the Single Convention on Narcotic Drugs, to be produced to the competent authorities of any country through which the consignment passes, whether it is trans-shipped or transiting or not. Failure to comply with this condition may lead to delay or confiscation of the consignment.

FIFTH SCHEDULE (Regulation 30(2))

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

CANNABIS LICENSING AUTHORITY

Transit Permit

Official Authorisation of Transit No.

Pursuant to the Dangerous Drugs (Cannabis Import, Export, Transit and Trans-shipment) Regulations, 2022 (hereinafter called "the Regulations"), the Cannabis Licensing Authority hereby authorizes....., hereinafter called the "local authorised agent", to transit ganja for medical, therapeutic or scientific purposes, and in quantity specified hereto—

[Insert full name of [local authorised agent] of [Insert business address of local authorised agent] is hereby authorised to transit from [Insert name of carrier from which the local authorised agent may transit ganja to [Insert name of carrier to which local authorised agent may transit ganja] within [Insert period during which transit may be effected by the local authorised agent] the following: [Insert exact description and quantity of ganja] to be transited].

[SEAL]

.....
(Signature) Chairman/Designate

.....
(Date)

GENERAL CONDITIONS GOVERNING THE USE OF THIS TRANSIT PERMIT—

This permit is granted subject to the following conditions—

1. This permit is not a licence to obtain or be in possession of ganja for medical, therapeutic or scientific purposes named herein.

2. This permit is available only for the transiting of the ganja for medical, therapeutic or scientific purposes of the exact quantity, kind and form specified above.

3. This permit does not relieve the local authorised agent from complying with any customs regulations in force for the time being relating to the transiting of goods through Jamaica.

FIFTH SCHEDULE, *contd.*

4. The duplicate copy of this permit shall accompany the consignment to the place of final destination and for this purpose the local authorised agent shall cause it to be delivered to the Master of the carrier by which the consignment is being transited.

5. This permit is valid only for the local authorised agent named above and may be revoked at any time by the Cannabis Licensing Authority, to whom it shall be immediately surrendered in that event. The permit shall be produced for inspection when required by representatives of the Authority or any other duly authorised person(s).

6. This permit, unless sooner revoked, shall continue in force for six (6) calendar months from the date hereof. If not used, it shall be surrendered to the Cannabis Licensing Authority immediately after the date of expiration of the permit.

Note—(1) If any alteration is desired in this permit it must be returned with a request for amendment and a statement of the reasons thereof. No unauthorised alteration is permissible.

SIXTH SCHEDULE (Regulation 30(2))

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

CANNABIS LICENSING AUTHORITY

Trans-shipment Permit

Official Authorisation of Trans-shipment No.

Pursuant to the Dangerous Drugs (Cannabis Import, Export, Transit and Trans-shipment) Regulations, 2022 (hereinafter called "the Regulations"), the Cannabis Licensing Authority hereby authorizes....., hereinafter called the ["local authorised agent"], to trans-ship ganja for medical, therapeutic or scientific purposes, and in the quantity specified in hereto—

[Insert full name of local authorised agent] of [Insert business address of local authorised agent] is hereby authorised to trans-ship from [Insert name of carrier from which the local authorised agent may trans-ship ganja] to [Insert name of carrier from which the local authorised agent may trans-ship ganja] within [Insert period during which trans-shipment may be effected by the local authorised agent the following: [Insert exact description and quantity of ganja to be trans-shipped].

[SEAL]

.....
(Signature) Chairman/Designate

.....
(Date)

GENERAL CONDITIONS GOVERNING THE USE OF THIS TRANS-SHIPMENT PERMIT—

This permit is granted subject to the following conditions—

1. This permit is not a licence to obtain or be in possession of ganja for medical, therapeutic or scientific purposes named herein.

2. This permit is available only for the trans-shipment of the ganja for medical, therapeutic or scientific purposes, of the exact quantity, kind and form specified above.

3. This permit does not relieve the local authorised agent from complying with any customs regulations in force for the time being relating to the transiting of goods through Jamaica.

SIXTH SCHEDULE, *contd.*

4. The duplicate copy of this permit shall accompany the consignment to the place of final destination and for this purpose the local authorised agent shall cause it to be delivered to the Master of the carrier by which the consignment is being trans-shipped.

5. This permit is valid only for the local authorised agent named above and may be revoked at any time by the Cannabis Licensing Authority, to whom it shall be immediately surrendered in that event. The permit shall be produced for inspection when required by representatives of the Authority or any other duly authorised person(s).

6. This permit unless sooner revoked, shall continue in force for six (6) calendar months from the date hereof. If not used within the six (6) months, it shall be surrendered to the Cannabis Licensing Authority immediately after the date of expiration of the permit.

Note—(1) If any alteration is desired in this permit it must be returned with a request for amendment and a statement of the reasons thereof. No unauthorised alteration is permissible.

SEVENTH SCHEDULE (Regulation 36(1))

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS IMPORT, EXPORT, TRANSIT AND TRANS-SHIPMENT) REGULATIONS, 2022

CANNABIS LICENSING AUTHORITY

Diversion Certificate

Pursuant to its obligations under section 9A(2) of the Dangerous Drugs Act to regulate the handling of ganja for medical scientific and therapeutic purposes, the Cannabis Licensing Authority hereby authorizes_____, hereinafter called the ("local authorized agent"), to divert the consignment of ganja for medical, therapeutic or scientific purposes, of which particulars are given below, to the destination stated below:

1. Description and quantities of ganja for medical, therapeutic or scientific purposes

   .....

2. Name of carrier on which the consignment was brought to Jamaica .....

3. Name and address of exporter .....

4. Name and address of original consignee/importer named in the export authorisation

   .....

5. Name and address of new consignee/importer to whom the consignment is authorised to be diverted

   .....

6. Number and date of new import authorisation (and regulatory authority by whom it was issued) by virtue of which this diversion is authorised

   .....

7. Name of carrier on which the consignment is authorised to be carried from Jamaica

   .....

8. Period within which the consignment is to be carried from the Island .....

SEVENTH SCHEDULE, *contd.*

Upon receipt of this Diversion Certificate, the local authorized agent must notify the Cannabis Licensing Authority of the departure date of the consignment at least two (2) days prior to departure.

[SEAL]

.....
(Signature) Chairman/Designate

.....
(Date)

GENERAL CONDITIONS GOVERNING THE USE OF THIS DIVERSION CERTIFICATE—

This certificate is granted subject to the following conditions—

1. This certificate is not a licence to obtain or be in possession of the ganja for medical, therapeutic or scientific purposes named herein.
2. The duplicate copy of this certificate shall accompany the consignment to the place of destination, and for this purpose shall be delivered to the Master of the carrier by which the consignment is dispatch.
3. This certificate does not relieve any person who may be concerned with the carriage of the consignment of drugs specified above from compliance with any customs regulations.
4. The holder of this certificate must comply with the general regulations in force for the time being in relation to the transit and trans-shipment of goods through Jamaica.
5. This certificate is valid for six (6) months and only for the consignment specified above. This certificate may be revoked at any time by the Cannabis Licensing Authority to whom it shall be immediately surrendered in that event.
6. If the consignment of ganja for medical, scientific or therapeutic purposes, is not carried from Jamaica within the period specified above, this certificate shall be surrendered to the Cannabis Licensing Authority immediately after the date of expiration of the permit.

SEVENTH SCHEDULE, *contd.*

7. This certificate shall be produced for inspection when required by representatives of the Authority or any other duly authorised person(s).

Note—

1. If any alteration is desired in this certificate, it must be returned with a request for amendment and a statement of the reasons therefor. No unauthorised alteration is permissible.

2. This document is required in pursuance of the Single Convention on Narcotic Drugs to be produced to the competent authorities of any country through which the consignment passes, whether it is trans-shipped or not. Failure to comply with the condition may lead to delay or confiscation of the consignment.

Dated this17th day of July, 2022.

LEVAUGHN FLYNN
Chairman
Cannabis Licensing Authority.

Approved:

DELROY CHUCK
Minister of Justice.

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