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THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS LICENSING) (INTERIM) REGULATIONS, 2016

In exercise of the power conferred upon the Cannabis Licensing Authority by section 9A(2) 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 Licensing) (Interim) Regulations, 2016.

Objects and interpretation. 2.—(1) The object of these Regulations is to provide for an interim licensing regime pursuant to the power conferred on the Cannabis Licensing Authority (hereinafter referred to as "the Authority") under section 9A(2) of the Act until more fulsome regulations are made under that section.

(2) In these Regulations—

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

"cultivation" includes harvesting, curing and drying;

"cultivation site" means the premises specified in a cultivator's licence as the premises on which ganja plants are authorised to be cultivated under the licence;

"dispose" in relation to ganja means destroying the ganja in accordance with directions or codes of practice issued by the Authority for the purposes of these Regulations;

"downstream buyer" means a buyer who is the holder of a processing licence, a research and development licence or a retail licence;

"herb house" means any premises on which a licensee is permitted to provide ganja for sale only, or for sale and consumption, for medical or therapeutic purposes under regulation 24;

"licence", unless otherwise specified, means a licence under these Regulations;

"original application" in relation to a licence, means the first successful application for that licence made by the licensee concerned and the words "original licence" shall be construed accordingly;

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

"secure", in relation to any premises, includes having a fully fenced perimeter, and entrances and exits that are subject to security procedures in accordance with these Regulations.

PART II—*General Provisions for Licences*

Application for licence.

3.—(1) An application may be made to the Authority, in accordance with these Regulations, for—

(a) a cultivator's licence, being a licence in terms of sub-Part A of Part III;

(b) a processing licence, being a licence in terms of sub-Part B of Part III;

(c) a transport licence, being a licence in terms of sub-Part C of Part III;

(d) a retail licence, being a licence in terms of sub-Part D of Part III; or

(e) a research and development licence, being a licence in terms of sub-Part E of Part III.

(2) An applicant for a licence shall submit to the Authority—

Form 1, First Schedule.

(a) a completed application in accordance with Form 1 of the First Schedule;

(b) proof to the satisfaction of the Authority that the applicant meets the basic qualification requirements set out in paragraph (3);

Second Schedule.

(c) the relevant licence application fee set out in Part A of the Second Schedule;

(d) the required information mentioned in paragraph (4) in respect of the applicant's employees;

(e) in the case of a licence under sub-Part A (cultivator's licence), where there is a written agreement between the applicant and a downstream buyer, for the applicant to supply ganja to be used in accordance with a licence, a copy of that agreement;

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

(g) a police report in respect of the applicant, being in the case of—

(i) an individual, a report on that individual;

(ii) in the case of a company, a report in respect of each of its directors;

(iii) in the case of a society registered under the Co-operative Societies Act or the Friendly Societies Act, a report in respect of each of its members;

(h) in accordance with paragraph (6), proof that the applicant owns the premises on which the activities which are the subject of the licence will be carried on, or has the written agreement of the owner of those premises to use the premises for those activities, together with—

(A) proof that all applicable taxes in respect of the premises have been paid up to date; and

(B) a survey diagram of the land comprising the premises or on which the premises are situated (as the case may be);

(i) where the applicant—

(i) is a society registered under the *Co-operative Societies Act* or the Friendly Societies Act, a copy of the certificate of such registration; or

(ii) has submitted an application for registration under the *Co-operative Societies Act* or the Friendly Societies Act, and the application has not yet been determined, evidence of that;

(j) where the applicant is a company or registered business, a copy of the Certificate of Incorporation of the company or the Business Registration Certificate of the business (as the case may be); and

(k) any other information required under Part III to be submitted with an application for the particular licence type.

(3) For the purposes of paragraph (2)(b), the basic qualification requirements are that the applicant—

(a) is either—

(i) an individual who is ordinarily resident in Jamaica, and has been so for a period of not less than three years immediately preceding the date of the application, and has attained the age of eighteen years;

(ii) a company incorporated, or business registered, under the laws of Jamaica and demonstrating substantial ownership and control by persons ordinarily resident in Jamaica; or

(iii) a co-operative society registered under the *Co-operative Societies Act* or a society registered under the *Friendly Societies Act*; and

(b) is not disqualified under paragraph (7) from applying for a licence.

(4) For the purposes of paragraph (2)(d), the required information in respect of the applicant's employees is a list, in Form 2 of the First Schedule, of all persons to be employed by the applicant in connection with the activity that is the subject of the licence, together with—

Form 2, First Schedule.

(a) a recent police report in respect of each such person;

(b) proof that each such person has attained the age of eighteen years; and

(c) a photograph of each such person, certified by a Justice of the Peace.

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

(6) For the purposes of paragraph 2(h), the proof required is—

(a) in the case of registered land, a certificate of title to the property, duly issued under the *Registration of Titles Act*;

(b) in the case of unregistered land, a deed of conveyance of the property or any other form of proof mentioned in sub-paragraph (c), together with the statutory declaration of not less than two persons resident in the area where the land is located, confirming that the applicant is the owner of the land or that the person who has furnished the applicant with the completed consent form referred to in sub-paragraph (d) is the owner of the land;

(c) for the purposes of sub-paragraph (b) or in the case of any claim to registered land in respect of which the applicant does not have a certificate of title—

(i) a will devising the property;

(ii) a certificate of compliance with the necessary formalities, duly issued under the *Facilities for Titles Act;* or

(iii) or any other documentary proof (such as a certificate, receipt, contract of sale, deed of gift or lease agreement),

from which it can reasonably be established that the applicant has the rights of ownership claimed in the property; or

(d) if the applicant does not claim any rights of ownership in the property, a duly completed Consent of Property Owner Form in accordance with Form 3 of the First Schedule.

Form 3, First Schedule.

(7) A person is disqualified from applying for or holding a licence if—

(a) the person has been convicted of an offence specified in paragraph (8);

(b) the person has been convicted of an offence under the Dangerous Drugs Act, other than an offence specified in paragraph (8), unless ten years have elapsed since the date on which the person completed serving the sentence for the offence (or, if sentenced to a fine, has paid the fine) and the person has not during that time been convicted of an offence involving violence or dishonesty; or

(c) the person has been convicted of an offence, other than an offence falling within paragraph (a) or (b), unless five years have elapsed since the date on which the person completed serving the sentence for the offence (or, if sentenced to a fine, has paid the fine) and the person has not during that time been convicted of an offence involving violence or dishonesty.

(8) For the purposes of paragraph (7), the specified offences are—

(a) any offence specified in the Third Schedule of the *Criminal Records (Rehabilitation of Offenders) Act* (offences for which convictions may not be expunged);

(b) an offence under section 92 or 93 of the *Proceeds of Crime Act* (money laundering offences); and

(c) an offence for which the person has been convicted and sentenced in any country other than Jamaica and which, if the circumstances constituting the offence had occurred in Jamaica, would constitute an offence referred to in paragraph (a) or (b).

(9) For the avoidance of doubt, reference in this regulation to an "offence" does not include any contravention for which a person may be liable to a fixed penalty under section 7G of the Act.

Determination of application.

4. Where an application for a licence is made under these Regulations, the Authority may, subject to the provisions of this Part and Part III—

(a) if the Authority is satisfied that the application is in accordance with the Act and these Regulations, approve the application on such terms and conditions as the Authority considers fit; or

(b) refuse the application, notifying the applicant in writing of the reasons therefor and of the applicant's right of appeal under regulation 34.

Terms and conditions of licences.

5. The following terms and conditions shall be deemed to be terms and conditions of every licence, in addition to any other terms and conditions which may apply to any such licence by virtue of any other provision of these Regulations—

(a) compliance with the codes of practice and directives referred to in regulation 29;

(b) display of the certificate of licence (or a copy thereof duly certified by a Justice of the Peace) in a conspicuous location on the premises on which the activity which is the subject of the licence is carried on or, in the case of a transport licence, in a conspicuous location on the vehicle in respect of which the licence is issued;

(c) the required information referred to in paragraph (4) of regulation 3, in respect of each new employee to whom that paragraph applies, shall be submitted to the Authority prior to engaging the employee, and the employee shall not be engaged without that approval;

(d) the licensee shall provide to the Authority at such intervals as the Authority may require, a full accounting of all transactions, including the price for which ganja was purchased and sold by the licensee, and sufficient information related thereto as would enable the Authority to trace, back to the supplier, the ganja purchased by the licensee;

(e) the licensee shall provide to the Authority a weekly reconciliation statement in respect of all ganja handled, and all ganja disposed of, by the licensee;

(f) any ganja which constitutes waste material or by-products of the activities carried on under the licence—

(i) shall be disposed of in accordance with directives issued by the Authority; and

(ii) before such disposal, shall be packaged in a manner approved by the Authority and made available for inspection by the Authority; and

(g) the licensee shall keep a log, in a form approved by the Authority, of all persons entering and exiting the premises on which the activities which are the subject of the licence are carried on, and shall make the log available to the Authority for inspection on request.

Amendment of licence.

6.—(1) The Authority may—

(a) on its own initiative, where there is reasonable cause to do so, and after consultation with the licensee; or

(b) on the application of the licensee,

amend a licence.

(2) An amendment made under this regulation may include an amendment extending the period of duration of a cultivator's licence for such further period as may be necessary for the completion of the cultivation of crops on the cultivation site, being in any event a period not extending beyond the duration of the crop cycle.

Duration of licences, and obligations with respect to fees and security bond.

7.—(1) A licence issued under these Regulations shall, subject to regulation 9 (revocation or suspension of licences), be valid for the period specified in paragraph (2), unless renewed for a further period in accordance with regulation 8 (renewal of licences), or surrendered at an earlier date by notice in writing given by the licensee to the Authority.

(2) The period mentioned in paragraph (1) is—

(a) in the case of a cultivator's licence, a period of one year from the date of issue of the licence; and

(b) in the case of any other licence, a period of three years from the date of issue of the licence,

or such longer period as the Authority may allow under regulation 6(2) (extension to allow for completion of crop cycle).

Second Schedule.

(3) The relevant licence fee specified in the Second Schedule shall be payable by the licensee, to the Authority, annually on the anniversary of the date of issue of the licence so long as the licence is valid (within the meaning of this regulation).

(4) Upon the revocation, surrender or expiration of a licence, any security bond paid by the licensee in relation to the licence shall be refunded by the Authority (less any costs offset in accordance with regulation 10(2)).

Renewal of licences. First and Second Schedules.

8.—(1) A licensee may apply for renewal of the licence by submitting to the Authority a completed application in accordance with Form 1 of the First Schedule, together with—

(a) the relevant licence renewal application fee set out in Part A of the Second Schedule and any amounts required to replenish the relevant security bond set out in Part B of the Second Schedule; and

(b) all supporting documentation as would be required on an original application for the licence, other than any documentation expressly exempted by the Authority from time to time for the purposes of the renewal.

(2) The Authority, in determining an application for renewal under this regulation, shall take into account the factors required under these Regulations to be taken into account on the original application, and may also take into account any information garnered during the course of the original licence and any subsequent renewal thereof.

(3) The provisions of regulation 7 shall apply (with the necessary modifications) to a licence renewed under this regulation.

(4) A licence renewed under this Regulation may include such terms and conditions as the Authority thinks fit, including any term or condition not included in the original licence or a subsequent renewal thereof.

Revocation or suspension of licences.

9.—(1) The Authority shall revoke a licence in any case where the Authority is satisfied that the licensee is disqualified under regulation 3(7) from holding the licence.

(2) The Authority may, if satisfied that paragraph (3) applies in respect of any licence—

(a) issue such directions to the licensee as the Authority thinks fit to address the breach or non-compliance (as the case may be);

(b) revoke the licence; or

(c) suspend the licence for a specified period.

(3) This paragraph applies in any case where the Authority is satisfied that—

(a) there is a breach of any term or condition of a licence; or

(b) the licensee has failed, without reasonable excuse, to comply with any provision of the Act or these Regulations.

(4) Before taking any proposed action under paragraph (1) or (2) in respect of a licence, the Authority shall notify the licensee as to the proposed action, and the grounds therefor, and give the licensee an opportunity to make written representations in respect of the proposed action.

(5) After acting in accordance with paragraph (4), the Authority shall in writing notify the licensee concerned of the decision of the Authority to issue directions or to revoke or suspend the licence pursuant to this regulation, and of the licensee's right to appeal under regulation 34.

Disposal of ganja, application of security bond.

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

(2) The security bond paid under these Regulations by a licensee on the issue of the licence may be applied by the Authority to offset any costs reasonably incurred by the Authority in disposing of any ganja, due to—

(a) the licensee's failure to comply with directions issued under paragraph (1) to the licensee;

(b) the licensee's failure to dispose of the ganja in any case where disposal becomes necessary (for example, where the crop is infected or the ganja exceeds the quantity that the licensee is permitted to handle under the licence); or

(c) any circumstances from which the Authority may reasonably conclude that the licensee has abandoned the licence or the ganja.

(3) Where a licensee intends to surrender a licence or does not make an application for the renewal of a licence under these Regulations, the licensee shall, not later than sixty days before the surrender or expiration of the licence (as the case may be), make a written report to the Authority setting out a disposal plan for all ganja estimated to be left in the licensee's possession on the date of the termination.

(4) A licensee shall comply with such written directions as may be issued to the licensee by the Authority in response to a report made by the licensee under paragraph (3).

PART III—*Provisions Applicable to Specific Licence Types*

Sub-Part A—Cultivator's Licences

Additional requirements for cultivator's licence.

11.—(1) Where the applicant for a cultivator's licence is an individual, there shall be submitted with the application—

(a) two passport-sized photographs of the applicant; and

(b) copies of two Government issued forms of identification, certified by a Justice of the Peace.

(2) The Authority shall not approve an application for a licence to cultivate ganja unless, in addition to the requirements set out in Part II, the following requirements are met—

(a) arrangements satisfactory to the Authority are in place for the off-site security surveillance of the proposed cultivation site, whether by electronic means or otherwise;

(b) the proposed cultivation site is not situated within six hundred metres of any school;

(c) the proposed cultivation site consists of an area having clearly defined boundaries, and ownership of the proposed cultivation site is clearly established in accordance with regulation 3(2)(h) and (6);

(d) the Authority is satisfied that approving the application would not be inconsistent with any requirements under the *Natural Resources Conservation Authority Act* or any action taken by the National Environmental Planning Agency in exercise of functions under that Act (for example, any conservation plans, designated protected areas and designated zoning) and any other applicable laws concerning the issue of licences with respect to the carrying on of any trade or business in the geographical area concerned;

(e) in the case of an application for a Tier 2 or Tier 3 licence, the applicant has submitted, to the satisfaction of the Authority, a draft security contract that includes provision for—

(i) off-site web-enabled electronic suveillance;

(ii) regular physical inspections and written reports thereon; and

(iii) a panic alarm system tied to a base operation that is operated,

by a security company that is included on a list of approved security companies published by the Authority (whether on its website or otherwise) from time to time;

(f) the applicant has submitted, to the satisfaction of the Authority, a proposal for the implementation of a system to monitor, track and trace all ganja cultivated on the proposed cultivation site;

(g) the applicant meets the qualifications set out in regulation 13 in respect of the licence tier applied for; and

(h) the applicant is a fit and proper person for the issue of a cultivator's licence.

(3) In determining any application for a cultivator's licence, the Authority shall give preference to those applicants with a downstream buyer for the crops harvested from the cultivation site.

(4) The factors which the Authority may take into account in deciding whether a person is a fit and proper person for the purposes of this regulation are—

(a) whether the person is of good repute, having regard to matters concerning the person's character, honesty, and personal and professional integrity;

(b) whether the person has the necessary skills and experience to fulfil the person's obligations as a licensee;

(c) whether the person has sound and stable sources of financing or is in financial circumstances which may limit the person's capacity to fulfill the person's obligations as a licensee;

(d) the person's history of compliance with this Act; and

(e) where the applicant is not a natural person, whether the factors specified in this paragraph are met by the persons in effective control of the operations of the applicant.

Pre-licence inspection.

12.—(1) Before determining an application for a cultivator's licence, the Authority shall cause an inspection to be made of the proposed cultivation site on which the activities which are the subject of the licence are to be carried on, and a person authorised for that purpose shall have power to—

(a) enter onto the site for the purpose of conducting the inspection;

(b) require any person who would be required or authorised to give any report under this sub-part if the licence were to be approved, to submit to an interview for the purpose of assessing the person's capability to provide the report;

(c) take photographs of the site; and

(d) traverse the site in order to establish the boundaries of the site.

(2) A person authorised under paragraph (1) shall promptly submit a report of the inspection to the Authority, together with the photographs taken.

(3) The Authority may cause to be conducted any further inspections as are necessary to ensure full compliance with the requirements of this sub-Part for the approval of a licence, and particularly with a view to inspecting the working of surveillance systems at the proposed cultivation site concerned.

(4) The Authority shall issue to each person authorised under paragraph (1) an identification card, and each such person shall, on entering any proposed cultivation site for the purpose of carrying out any function specified in paragraph (1), produce the identification card to the owner or other person in charge thereof.

Issue of cultivator's licence. Second and Third Schedules.

13.—(1) Where the Authority approves an application for a cultivator's licence, the Authority shall issue to the applicant, upon receipt of the applicable licence fee and applicable security bond specified in the Second Schedule, a licence in the form set out in the Third Schedule, being—

(a) a Tier 1 cultivator's licence in the case of a cultivation site—

(i) comprising land of 4,047 square metres or less;

(ii) the boundaries of which are secured by chain-linked fencing (or fencing of comparably equivalent security) of a height of at least 2 metres; and

(iii) which satisfies the requirements set out in paragraph (2);

(b) a Tier 2 cultivator's licence in the case of a cultivation site—

(i) comprising land of more than 4,047 square metres but not exceeding 20,235 square metres;

(ii) the boundaries of which are secured by chain-linked fencing (or fencing of comparably equivalent security) of a height of at least 2.5 metres; and

(iii) which satisfies the requirements set out in paragraph (2); or

(c) a Tier 3 cultivator's licence in the case of a cultivation site—

(i) comprising land of more than 20,235 square metres;

(ii) the boundaries of which are secured by chain-linked fencing (or fencing of comparably equivalent security) of a height of at least 2.5 metres; and

(iii) which satisfies the requirements set out in paragraph (2)

(2) The requirements mentioned in paragraph (1) are that—

(a) the premises are secure and there is sufficient parking inside the premises for vehicles to park and for the purpose of loading ganja for transport;

(b) the nature of the terrain is appropriate and the site is accessible by road; and

(c) there is a clearly defined area for each aspect of the cultivation process (for example, a plant nursery, a planting area, and a drying area).

Terms and conditions applicable to cultivator's licence.

14. —(1) Without prejudice to the power of the Authority to impose terms and conditions for any cultivator's licence, the following terms and conditions shall be deemed to be included in the terms and conditions of a cultivator's licence—

(a) the licensee undertakes to enter into an agreement with the Authority to sell to the Authority the entire crop produced on the cultivation site, which agreement shall—

(i) be entered into simultaneously with an agreement entered into by the Authority to sell the entire crop to a down-stream buyer identified either by the licensee or an independent third party, for use for medical, therapeutic or scientific purposes; and

(ii) include, as part of its terms and conditions, a requirement that any security bond required to be paid under these Regulations by the downstream buyer be forfeited to the Authority in the event that the downstream buyer fails to complete the contract;

(b) cultivation by the licensee on the cultivation site shall not exceed the maximum number of ganja plants permitted thereon as specified in the licence;

(c) each ganja plant on the cultivation site shall be tagged with a unique identifier issued by the Authority;

(d) a report on the activities conducted on the cultivation site shall be made to the Authority—

(i) at weekly intervals in the case of a Tier 1 licence, or every two days in the case of a Tier 2 or Tier 3 licence;

(ii) forthwith in the case of any exceptional event; and

(iii) at such other times as may be reasonably required by the Authority;

(e) the licensee shall observe all applicable directions issued by the Pesticides Control Authority;

(f) any ganja cultivated on the cultivation site—

(i) in excess of the amount permitted under the licence;

(ii) which remains undried for more than twenty-one days after harvesting, unless paragraph (2)(c)(i) applies; or

(iii) otherwise than in accordance with the licence or any provision made by or under the Act,

shall be disposed of in accordance with directions issued by the Authority;

(g) all ganja harvested from the cultivation site shall be dealt with in accordance with paragraph (2);

(h) the licensee shall notify the Authority at least fourteen days in advance of carrying out any harvesting of ganja on the cultivation site and shall not carry out any such harvesting unless a representative of the Authority (so authorised for that purpose) is present; and

(i) any drying or curing of ganja harvested from the cultivation site shall be completed within twenty-one days after the harvesting, and the licensee shall facilitate the conduct of a site inspection by the Authority on completion of the process.

(2) With respect to a licence under this sub-Part, where—

(a) the licensee harvests ganja that is to be sold uncured, the licensee shall hand the harvested ganja over, within twenty-one days after the harvesting, to an officer of the Authority, being an officer designated by the Authority for the purpose of the performance of the contractual arrangements mentioned in paragraph (l)(a);

(b) the licensee harvests ganja that is to be sold cured, the licensee shall hand the cured ganja over, within the period specified by the Authority (being a date within six weeks after the harvesting), to an officer of the Authority, being an officer designated by the Authority for the purpose of the performance of the contractual arrangements mentioned in paragraph (l)(a), and the licensee shall ensure that the harvested ganja remains tagged as required by paragraph (l)(c) at all times during that period; or

(c) the licensee does not, at the time of harvesting ganja, have a downstream buyer for the ganja, or an arrangement with such a buyer subsequently falls through, the licensee is permitted to—

(i) store the ganja securely, for not more than six weeks after the date of the harvesting, while attempting to find a downstream buyer; and

(ii) bag or cure the ganja if prior approval to do so is obtained from the Authority.

Testing, packaging and labelling.

15.—(1) All ganja harvested on a cultivation site shall be packaged in the official bags provided by the Authority.

(2) The Authority may charge a reasonable fee for the supply of bags under this regulation.

(3) The bags provided by the Authority under this regulation shall be labelled with identifiers unique to the licensee, which may include the relevant licence number, a unique lot number and the result of any potency or safety tests done.

(4) For the purposes of this regulation, the Authority may at any stage of cultivation by a licensee, require the licensee to have any ganja at the cultivation site tested by an analytical service provider licensed under sub-Part E, and the results of the test furnished to the Authority.

(5) A person who, without lawful excuse or authority, is in possession of, or uses, any bag, label or other unique identifier devised by the Authority for the purposes of these Regulations commits an offence.

Sub-Part B—Processing Licences

Additional requirements for processing licence.

16. The Authority shall not approve an application for a licence to process ganja unless, in addition to the requirements set out in Part II, the following requirements are met—

(a) the applicant shall satisfy all applicable requirements under the *Food and Drugs Act* and the *Standards Act*;

(b) the applicant shall be registered, as may be applicable, with the Bureau of Standards, the Ministry responsible for health and the Ministry responsible for labour;

(c) the Authority is satisfied that approving the application would not be inconsistent with any requirements under the *Natural Resources Conservation Authority Act* or any action taken by the National Environmental Planning Agency in exercise of functions under that Act (for example, any conservation plans,

designated protected areas and designated zoning) and any other applicable laws concerning the issue of licences with respect to the carrying on of any trade or business in the geographical area concerned; and

(d) the matters referred to in regulation 17 have been verified.

Pre-licensing security verification.

17. Before determining an application for a processing licence, the Authority shall cause an inspection to be made of the premises to be used for the activity proposed to be carried out under the licence, and in particular to verify that—

(a) the area for receiving the ganja is secure;

(b) an electronic surveillance system for off-site monitoring, which captures all access points to the premises, is in place and in good working order;

(c) the premises proposed for the carrying on of the processing activities are fit for that purpose, being secure premises with an enclosed building that has—

(i) clearly defined areas for receiving, storing and processing ganja; and

(ii) entrances and exits that are the subject of strict access control systems and monitoring procedures, and a logged access control system is in place, which includes additional security mechanisms for the areas designated for storage of ganja and that access to those storage areas is limited to the smallest number of persons as is reasonably practicable for the purposes; and

(d) all designated security posts on the premises are adequately staffed.

Issue of processing licence.

Second and Third Schedules.

18.—(1) Where the Authority approves an application for a licence to process ganja for medical, therapeutice or scientific purposes, the Authority shall, upon receipt of the applicable licence fee, and the applicable security bond specified in the Second Schedule, issue to the applicant a Tier 1 licence or a Tier 2 licence (as the case may require) in the form set out in the Third Schedule.

(2) A Tier 1 licence shall be issued in respect of a licence to process ganja on premises not exceeding two hundred square metres.

(3) A Tier 2 licence shall be issued in respect of a licence to process ganja on premises exceeding two hundred square metres.

Terms and conditions of transport licence.

19. Without prejudice to the power of the Authority to impose terms and conditions for any processing licence, it shall be deemed to be a term and condition of every processing licence that the licensee shall, for the duration of the licence, remain compliant with all applicable requirements made by or under the following—

(a) the *Food and Drugs Act*;

(b) the *Standards Act*;

(c) the *Patents Act*; and

(d) any other applicable laws relating to standards or intellectual property.

Sub-Part C—Transport Licences

Additional requirements for transport licence application.

20.—(1) The Authority shall not approve an application for a licence to transport ganja unless the Authority is satisfied upon an inspection of the vehicle proposed to be licensed, that the vehicle is fit for the purpose and, in particular, that the vehicle is properly ventilated and is equipped so as to allow tracking by the Global Positioning System.

(2) In addition to the matters required under Part II, the following matters shall be submitted by the applicant in respect of the vehicle proposed to be licensed—

(a) proof that the applicant owns the vehicle or proof that the applicant has the written agreement of the owner of the vehicle to transport ganja pursuant to a licence under this sub-Part;

(b) proof of valid registration as a commercial vehicle; and

(c) proof of valid carrier's insurance at such minimum value as may be fixed by the Authority by notice in writing from time to time.

Issue and scope of transport licence. Second and Third Schedules.

21.—(1) Where the Authority approves an application for a transport licence, the Authority shall upon receipt of the applicable fee set out in the Second Schedule issue a licence in the form set out in the Third Schedule.

(2) A licence issued under paragraph (1) shall be construed as authorising, in the licensed vehicle, the transportation of ganja to or from a location specified in paragraph (3), for use for any medical, therapeutic or scientific purpose.

(3) The locations mentioned in paragraph (2) are—

(a) any cultivation site; or

(b) any premises on which a licensee is permitted to—

(i) process, sell, or carry out any research or development on ganja; or

(ii) provide therapeutic services using ganja.

Terms and conditions of processing licence.

22. Without prejudice to the power of the Authority to impose terms and conditions for any transport licence, the following terms and conditions shall be deemed to be included in the terms and conditions of a transport licence—

(a) prior to the transportation of any ganja, the proposed transportation time and route shall be submitted for the approval of a person designated by the Authority for that purpose, and the approved route shall be entered in a log kept in a form approved by the Authority;

(b) real time access to the tracking of the vehicle, while transporting ganja, shall be provided to the Authority;

(c) all ganja to be transported in the vehicle shall be placed in a compartment of the vehicle and sealed therein prior to the transportation, and upon arrival at the delivery location the seal shall be checked to verify that it has not been tampered with;

(d) during transportation of ganja, the vehicle shall not divert from the logged transportation route except in accordance with the prior written approval of the Authority, which approval shall—

(i) specify the time and place of the diversion, the circumstances warranting the diversion and the name of the official who gave the approval on behalf of the Authority; and

(ii) be entered by that official in the log referred to in sub-paragraph (a);

(e) the licensee shall permit an authorised agent of the Authority to accompany the vehicle during any transportation of ganja, and to observe the delivery of the ganja to the delivery location;

(f) a log of all persons accessing the vehicle shall be kept by the licensee in a form approved by the Authority and the log made available to the Authority for inspection on request; and

(g) all times for transportation approved under paragraph (a) or (d) shall be between the hours of five o'clock in the morning and six o'clock in the afternoon.

Sub-Part D—Retail Licences

Pre-licence security verification.

23. Before determining an application for a retail licence, the Authority shall cause an inspection to be made of the prermises to be used for the activity proposed to be carried out under the licence to verify that those

premises are, physically secure and otherwise fit for the purposes of the licence, and in particular that the premises meet the requirements specified in regulation 25(c).

Issue and scope of retail licence. Second and Third Schedules.

24.—(1) Where the Authority approves an application for a retail licence, the Authority shall, upon receipt of the applicable licence fee specified in the Second Schedule, issue to the applicant a licence, in the form set out in the Third Schedule, being a licence—

(a) to sell ganja, for the purposes and in the quantity mentioned in paragraph (2)—

(i) on premises specified in the licence ; and

(ii) with the option of consumption on the premises; or

(b) for the provision of therapeutic services utilising ganja.

(2) Sale or use of ganja for the purposes specified in paragraph (1), shall be—

(a) in accordance with the prescription or written recommendation of a registered medical practitioner; or

(b) limited, in the case of a person who is not ordinarily resident in Jamaica, and who satisfies the criteria mentioned in section 7D(10)(a) and (b) of the Act, to a quantity not exceeding two ounces, in accordance with a permit issued under section 7D(11) of the Act.

(3) A licence which permits the activity specified—

(a) in paragraph (l)(a), shall be described as a retail (herb house) licence;

(b) in paragraph (1)(b), shall be described as a retail (therapeutic services) licence.

Terms and conditions of retail licence.

25. Without prejudice to the power of the Authority to impose terms and conditions for any retail licence, the following terms and conditions shall be deemed to be included in the terms and conditions of a retail licence—

(a) the licensee shall furnish to the Authority, at such intervals as the Authority may require, a report disclosing the amount of all ganja received from cultivators licensed under sub-Part A;

(b) the licensee shall keep, in a form approved by the Authority, a log of all ganja delivered to the licensee and all ganja sold by the licensee;

(c) the licensee shall ensure that the premises on which the activities which are the subject of the licence are to be carried out are physically secure and otherwise fit for the purposes of the licence,

and in particular that the premises comprise an enclosed secure building that has—

(i) clearly designated areas for receiving, storing and processing ganja;

(ii) strict systems limiting access to ganja on the premises so as to ensure compliance with these Regulations and the terms and conditions of the licence;

(iii) camera systems in place to monitor all activities on the premises with respect to the handling of ganja; and

(iv) in the case of a retail (herb house) licence, adequate ventilation;

(d) the licensee shall designate and use a secure area on the premises concerned for storage of all ganja offered for sale by the licensee; and

(e) the licensee shall keep a log, in a form approved by the Authority, of all persons accessing the area referred to in sub-paragraph (d) and shall make the log available to the Authority for inspection on request.

Sub-Part E—Research and Development Licences

Additional requirements for application for research and development licence.

26. The Authority shall not approve an application for a research and development licence authorising—

(a) the provision of analytical services unless the Authority is satisfied that the applicant is duly qualified to provide those services;

(b) the conduct of any research or development unless the Authority is satisfied that the applicant is duly qualified to conduct the research or development (as the case may be).

Issue of research and development licence. Second and Third Schedules.

27. Where the Authority approves an application for a research and development licence, the Authority shall, upon receipt of the applicable licence fee and the applicable security bond specified in the Second Schedule, issue to the applicant a licence in the form set out in the Third Schedule, being a licence authorising—

(a) the conduct, for experimental purposes, of research and development utilising ganja, which shall be described as a research and development (experimental purposes) licence; or

(b) the provision of analytical services in respect of ganja, which shall be described as a research and development (analytical services) licence.

Terms and conditions of research and development licence.

28. Without prejudice to the power of the Authority to impose terms and conditions for a research and development licence, it shall be deemed to be a term and condition of every research and development licence that the licensee shall keep a log, in a form approved by the Authority, of all persons entering and exiting the premises on which the activities which are the subject of the licence are carried out.

PART IV—*General*

Publication of licensees.

29. The Authority shall maintain on its website a list of all current licensees, including in respect of each licensee the following information—

(a) the name of the licensee;

(b) the licensee's business address; and

(c) the date of issue, and the date of expiration, of the licence concerned.

Codes of practice.

30. The Authority may from time to time, with the approval of the Minister, issue codes of practice, or directives, on any matter concerning the regulation of industry in ganja for medical, therapeutic or scientific purposes.

Inspection and monitoring.

31.—(1) Any person authorised by the Authority to conduct an inspection 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 licence 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) accompany any vehicle authorised under these Regulations to transport ganja;

(d) conduct off-site surveillance and monitoring of licensees in respect of activities relating to licences;

(e) inspect the storage or handling of any ganja by a licensee and direct in what manner 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 a licensee, and take samples of any ganja, or product thereof, in the possession or control of the licensee.

(3) The Authority shall cause an inspection in accordance with paragraph (1) to be conducted at least once per calendar year in respect of each licensee.

(4) The Authority may by notice, in writing to a licensee or applicant for a licence, require the licensee or applicant (as the case may be) 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 or determining the application concerned.

(5) The Authority shall issue an identification card to each person authorised to carry out any function under this regulation, 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.

Special provision for fees and security bond.

32.—(1) The Authority may, in respect of any category or sub-category of licences and with the prior approval of the Minister, after consultation with the Minister responsible for finance—

(a) waive the payment of any fee, or security bond, payable under these Regulations or defer the payment thereof for a specified period; or

(b) enter into an agreement with any entity, from which any fee or security bond is payable under these Regulations, for the fee or security bond (as the case may be) to be paid in increments over a stated period of time.

(2) For the avoidance of doubt, a requirement under these Regulations for the payment of a fee, or security bond, by an applicant or licensee shall be construed as subject to any waiver, deferment or agreement made pursuant to this regulation, in respect of payment that fee or security bond (as the case may be) by that applicant or licensee.

Offences.

33.—(1) Any person who wilfully—

(a) obstructs, hinders, assaults or resists any other person exercising any power or duty;

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

(c) 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 before a Resident Magistrate to a fine not exceeding one thousand dollars or imprisonment for a term not exceeding three months.

Appeals.

34. A licensee or an applicant for a licence (as the case may be) may appeal, in accordance with regulations made under section 9A(7) of the Act, any decision taken by the Authority in respect of the licence or application for a licence.

Special provisions for terms and conditions expiring due to commencement of these Regulations.

35.—(1) Where an authorization made by order under section 7D(3) the Act provides for the expiration of any term or condition of the authorisation upon the coming into operation of these Regulations—

(a) the holder of the authorisation shall make a written report to the Authority as to the quantity of all ganja remaining in the cultivation or control of the holder upon the date of the expiration; and

(b) the authorisation shall be deemed to be subject to the terms and conditions set out in regulations 5 (terms and conditions applicable to all licences and 14 (terms and conditions applicable to cultivator's licence).

(2) The Authority shall have, for the purpose of monitoring compliance with the terms and conditions referred to in paragraph (l)(b), the powers of inspection and monitoring set out in regulation 31, which regulation shall be construed to apply to the holder of the authorisation concerned as though the authorisation were a licence issued under these Regulations—

FIRST SCHEDULE (Regulations 3 and 8)

FORM 1

THE DANGEROUS DRUGS ACT

The Dangerous Drugs (Cannabis Licensing) (Interim) Regulations, 2016

CANNABIS LICENSING AUTHORITY

LICENCE APPLICATION FORM

Instructions to Applicant *(Please also consult the Application Procedure Checklist set out in the Appendix hereto)*

1. Please read the form carefully and complete in Block Capitals.
2. A separate application is required for each licence being applied for.
3. Each licence will be only applicable to the particular premises for which it is issued.
4. Individuals may only apply for cultivator licences. However, a registered sole trader may apply for any of the licences.
5. In completing this form, please note that:
    a. Sections A, D, E and F are to be completed by all applicants
    b. Section B should be completed by individuals and sole traders only
    c. Section C should be completed by companies and other businesses
    d. The Authorisation for Background Checks and the Final Declaration must both be signed.

SECTION A: TYPE OF LICENCE

All applicants should complete this section

Type of Licence

Please indicate the type of licence for which you are applying.

☐ Cultivator (Tier 1)	☐ Processor	☐ Retailer (Herb House)
☐ Cultivator (Tier 1)	☐ R&D (Experimental)	☐ Retailer (Therapeutic Services)
☐ Cultivator (Tier 3)	☐ R&D (Analytical Services)	☐ Transporter

FIRST SCHEDULE, *contd.*

Please indicate whether this is your first time applying

☐ First Time Application ☐ Renewing Application

☐ Current Licence Holder—type: _____

☐ Applied previously, awaiting approval: when did you apply? (MM-YYYY)—

_____ and type of licence applied for:

_____

☐ Applied previously, did not receive a licence—when did you apply? (MM-YYYY)—

_____

SECTION B: INDIVIDUAL INFORMATION

Complete this section only if you are an Individual or Sole Trader

SURNAME	FIRST NAME	MIDDLE NAME
OTHER NAMES (IF APPLICABLE)	MAIDEN NAME (IF APPLICABLE)	MOTHER'S MAIDEN NAME
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: [ ] Driver's Licence [ ] Passport [ ] National Identification Card	ID#: Type: [ ] Driver's Licence [ ] Passport [ ] National Identification Card
PERMANENT ADDRESS	(Street/Apt #) (Town/City/ Parish)	

FIRST SCHEDULE, *contd.*

MAILING ADDRESS (IF DIFFERENT FROM ABOVE)		
(Street/Apt #)	(Town/City/Parish)	
ADDRESS OF PREMISES BEING LICENCED (IF APPLICABLE)		
(Street/Apt #)	(Town/City/Parish)	
CONTACT NUMBERS (AS AVAILABLE)		
(Home)	(Work)	(Mobile)
EMAIL ADDRESS(ES)		

SECTION C: COMPANY/BUSINESS INFORMATION

Complete this section only if you are a Business or Company, including Cooperative

NAME OF COMPANY/BUSINESS		
REGISTERED ADDRESS		
(Street/Apt #)	(Town/City/Parish)	
MAILING ADDRESS (IF DIFFERENT FROM ABOVE)		
(Street/Apt #)	(Town/City/Parish)	
ADDRESS OF PREMISES BEING LICENCED (IF APPLICABLE)		
(Street/Apt #)	(Town/City/Parish)	

FIRST SCHEDULE, *contd.*

TRN:	TYPE OF COMPANY/BUSINESS [ ] Partnership [ ] Limited Liability [ ] Cooperative [ ] Friendly Society	REGISTRATION NUMBER:
CONTACT NUMBER	EMAIL ADDRESS	
AUTHORISED AGENT: Surname	First Name	Middle Name
Position	Gender ☐ Male ☐ Female	Date of Birth (DD-MM-YYYY)
Contact Number(s)	Email Address	

SECTION D: GENERAL DECLARATIONS

All applicants should complete all the questions in this section.
If necessary, please use a supplementary sheet to provide all of the required information

1. Are you, any of your Directors or any of your employees under the age of eighteen (18)?	[ ] Yes [ ] No
2. Are you the titled owner of the property being licenced (land, buildings or motor vehicle)?	[ ] Yes [ ] No If no, who is the legal (titled) owner of the property? _____ If no, please also provide copy of title as well as Form 3 (Consent of Property Owner Form)
3. Have you, any of your Directors, your parent company or any related entity ever applied for a licence to handle ganja or ganja products in any other	[ ] Yes [ ] No

FIRST SCHEDULE, *contd.*

jurisdiction (whether or not the licence was issued)?	If yes, state jurisdiction and type of licence: _____ _____ _____ Status: [ ] Current [ ] Denied [ ] Being processed [ ] Issued, but then Revoked/Suspended
4. Have you, any of your Directors, your parent company or any related entity ever applied for a gaming or racing licence in this or any other jurisdiction (whether or not the licence was issued)?	[ ] Yes [ ] No If yes, state jurisdiction and type of licence: _____ _____ Status: [ ] Current [ ] Denied [ ] Being processed [ ] Issued, but then Revoked/Suspended
5. Have you or any of your Directors ever been convicted of any crime?	[ ] Yes [ ] No If yes, state jurisdiction, type of crime and sentence dates: _____ _____
6. Is the location of your property/facility within 600 metres of any of the following? (Tick all that apply)	[ ] Schools/Colleges [ ] Childcare centres [ ] Playground/Public Park [ ] Community Centre [ ] Library [ ] Game Arcade [ ] Place of Worship [ ] Bus Park
7. Please state the name(s) of the beneficial owner(s) of the company.	
8. Please name parent company(ies) and any related entities (if applicable).	

FIRST SCHEDULE, *contd.*

SECTION E: STATEMENT OF FINANCIAL HISTORY

All applicants should complete all the questions in this section. Please attach supporting documents for all questions to which you have answered 'Yes'.

1. Are you, any of your Directors, your parent company or any related entity delinquent in the payment of any judgments or tax liabilities due to any governmental agency anywhere?	[ ] Yes [ ] No
2. Have you, any of your Directors, your parent company or any related entity filed a bankruptcy petition in the past 5 years, or had such a petition filed against it?	[ ] Yes [ ] No
3. Are you, any of your Directors, your parent company or any related entity ever been a party to any business trust instrument?	[ ] Yes [ ] No
4. Has a complaint, judgment, consent decree, settlement or other disposition related to a violation of any financial or trade regulation ever been filed or entered against you, any of your Directors, your parent company or any related entity?	[ ] Yes [ ] No
5. Have you, any of your Directors, your parent company or any related entity been a party to a lawsuit in the past 5 years, either as a plaintiff or defendant, complainant or respondent, or in any other fashion, in this or any other country?	[ ] Yes [ ] No
6. Have you, any of your Directors, your parent company or any related entity completed financial statements, either audited or unaudited, in the past two years?	[ ] Yes [ ] No

7. Attach a list detailing the operating and investment accounts for this business, including financial institution name, address, telephone number, and account number for each account.

8. Attach a list detailing each outstanding loan and financial obligation obtained for use in this business, including creditor name, address, phone number, loan number, loan amount, loan terms, date acquired, and date due.

FIRST SCHEDULE, *contd.*

SECTION G: AUTHORISATION FOR BACKGROUND CHECKS

All applicants must sign this section for their application to be processed.

Please READ CAREFULLY and sign to give consent.

I,_____, hereby authorise the Cannabis Licensing Authority, or its duly authorised representative, to validate the accuracy of the information provided in connection with this application for a licence. I understand that the Cannabis Licensing Authority may utilise independent agencies to assist in checking such information, and I specifically authorise such an investigation by information services and outside entities of the Cannabis Licensing Authority's choice. I also understand that by not signing, I am withholding my permission and that in such a case, no investigation will be done, and my application for a licence will not be processed.

_____

Signature

FINAL DECLARATION

All applicants must sign this section 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 licence by the Cannabis Licensing Authority, and that where, after the issue of a licence, a statement made in connection with the applicant is found to be false, the licence may be revoked.

_____ _____

Position Signature

_____

Date

FIRST SCHEDULE, *contd.*

SUPPLEMENTAL INFORMATION FOR LICENCE APPLICATION

Please respond <u>ONLY</u> to the specific sub-form related to the licence for which you are applying.

Sub-Form A: Cultivator	
1. What is the size of the property (in square metres)?	
2. What is the anticipated crop yield (kg/square metre per harvest)?	
3. How long is each crop expected to take to harvest?	
4. What type of ganja will you be growing?	[ ] Cannabis Sativa [ ] Cannabis Indica
5. How will the crop be grown?	[ ] Indoor [ ] Outdoor [ ] Greenhouse [ ] Hydroponics [ ] Other, please specify: _____ _____
6. For what type of use are you cultivating? [Tick all that apply]	[ ] R&D [ ] Processing [ ] Retail
7. Do you have a buyer or have you started discussions with an entity(ies) to purchase your crop?	[ ] Yes [ ] No If yes, please indicate name of person or company and the status of the agreement (confirmed, in-process, etc.): _____ (Attach list if necessary)

FIRST SCHEDULE, *contd.*

Sub-Form B: Processor	
1. What is the size of the property (in sq. metres)?	Indoor: _____ Outdoor: _____
2. What ganja products are you intending to manufacture? (Please attach list of products)	
3. Have you started discussions with an entity/entities to sell your products? (Please attach list if necessary)	[ ] Yes [ ] No If yes, please indicate name of person(s) or company(ies): _____
4. Do you propose to use a registered trade mark? Is it owned or being used under a licence? Please attach a copy of the trade mark as registered.	[ ] Yes [ ] No [ ] Owned [ ] Used under Licence
5. Do you intend to process/ manufacture other non-cannabis items on the same premises?	[ ] Yes [ ] No If yes, please attach list of items.

FIRST SCHEDULE, *contd.*

Sub-Form C: Transportation	
1. How many vehicles do you wish to be licensed? (Attach list with make, model, year of each vehicle along with licence, engine and chassis number)	
2. Where will the vehicle(s) be routinely parked when not in use?	
3. For what type of use are you transporting? [Tick all that apply]	[ ] R&D [ ] Processing [ ] Retail
4. What type of product do you intend to transport? [Tick all that apply]	[ ] Raw Material [ ] Manufactured Products
5. Have you started discussions with an entity to transport their crops? (Attach list if necessary)	[ ] Yes [ ] No If yes, please indicate name of person or company: _____ (Attach list if necessary)
6. Do you intend to transport other non-cannabis items using the same vehicle?	[ ] Yes [ ] No If yes, please attach list of items.

FIRST SCHEDULE, *contd.*

Sub-Form D: Retailer	
1. What ganja items do you intend to sell? (Please attach list if necessary)	
2. Have you started discussions with an entity/entities to purchase products? (Please attach list if necessary)	[ ] Yes [ ] No If yes, please indicate name of person(s) or company(ies): _____
3. Do you intend to sell other non-cannabis items on the same premises?	[ ] Yes [ ] No If yes, please attach list of items.

Sub-Form E: Research and Development	
1. What is the square footage of the property?	Indoor: _____ Outdoor: _____
2. What activities do you plan on undertaking? (Tick all that apply)	[ ] Research Only [ ] Research and Cultivation for Research [ ] Research and Sample Manufacturing [ ] Analytical Services
3. Do you intend to research other items on the same premises?	[ ] Yes [ ] No If yes, attach list of items.

FIRST SCHEDULE, *contd.*

DECLARATION

All applicants must sign this section 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 license by the Cannabis Licensing Authority, and that where, after the issue of a licence, a statement made in connection with the applicant is found to be false, the licence may be revoked.

_____ _____

Position Signature

_____

Date

FIRST SCHEDULE, *contd.*

APPENDIX

Application Procedure Checklist

1. **Complete Application Forms.** Each of the following documents must be completed for new and renewal applications:

- ☐ Application for Licence [FORM 1A]
- ☐ Supplemental Information for Licence Application [FORM 1B]
- ☐ Application for Occupational Licences (Group) [FORM 2A]
- ☐ Declaration of Ownership/Change in Directors [FORM 2B]

Please also note that:

a. If the applicant does not own the property/premises/motor vehicle being licensed, Form 2C "Consent of Owner Form" will also be required.

b. A separate set of application forms are required for each licence being applied for.

c. Use multiple copies of Form 2A and 2B if necessary.

2. **Gather all Supporting Documents:** In addition to the above, the following documents **must** also be submitted:

- ☐ Tax Compliance Certificate
- ☐ Land Title or Lease Agreement for Property/Premises
- ☐ Official Police Records—for Owner or all Directors, as well as for each Employee
- ☐ Survey diagram of property and/or premises showing all distinct areas (with dimensions and partitions), including—but not limited to—entrance/exits, receival/loading areas and storage areas. Diagram does not have to be drawn to scale and should be on a single 8½ x 11 (letter-sized) paper.

For Businesses/Companies/Cooperatives:

- ☐ Constituent Documents (e.g. Articles of Incorporation, Partnership Agreement, etc.)
- ☐ Certificate of Registration
- ☐ Evidence of Application (in the case of an Application under the Cooperative or Friendly Societies Act, not yet approved)

FIRST SCHEDULE, *contd.*

For Cultivator's Licence Applicants:

- ☐ Letter of Agreement from prospective Purchaser of raw material individuals must have
- ☐ Passport-sized photo (certified by a Justice of the Peace)
- ☐ Copies of two (2) Government issued Identification

Please also note that:

a. Only originals of the Police Records(s) will be accepted

b. All copied documents submitted must be certified by a Justice of the Peace.

3. **Submit your Application.** All completed application forms and all supporting documents must be placed in a single sealed envelope and delivered to:

Operations Division
Cannabis Licensing Authority
18 Trafalgar Road
Kingston 10

4. **Await Feedback from the Cannabis Licensing Authority.** The Authority will review your application for completeness and will notify you of any additional information that may be required. All applicants are required to pay a Non-Refundable Processing Fee (per license being applied for). The Application Processing Fee is US$300 for individuals and US$500 for all others. Do NOT pay this fee until you are advised by the Authority to provide proof of payment.

FIRST SCHEDULE, *contd.*

FORM 2

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS LICENSING) (INTERIM) REGULATIONS, 2016

CANNABIS LICENSING AUTHORITY

EMPLOYEE INFORMATION LIST

Please attach Official Police Record for each Employee as well as a certified copy of their ID. You may use multiple copies of this form if necessary.

EMPLOYEE INFORMATION		
EMPLOYEE #1 Surname	First Name	Middle Name
Position		Management? [ ] Yes [ ] No Director? [ ] Yes [ ] No
TRN	ID# Type [ ] Driver's Licence [ ] Passport [ ] National Identification Card	Date of Birth (DD–MM–YYYY)
EMPLOYEE #2 Surname	First Name	Middle Name
Position		Management? [ ] Yes [ ] No Director? [ ] Yes [ ] No
TRN	ID# Type [ ] Driver's Licence [ ] Passport [ ] National Identification Card	Date of Birth (DD–MM–YYYY)

FIRST SCHEDULE, *contd.*

EMPLOYEE #3 Surname	First Name	Middle Name
Position		Management? [ ] Yes [ ] No Director? [ ] Yes [ ] No
TRN	ID# Type [ ] Driver's Licence [ ] Passport [ ] National Identification Card	Date of Birth (DD–MM–YYYY)
EMPLOYEE #4 Surname	First Name	Middle Name
Position		Management? [ ] Yes [ ] No Director? [ ] Yes [ ] No
TRN	ID# Type [ ] Driver's Licence [ ] Passport [ ] National Identification Card	Date of Birth (DD–MM–YYYY)
EMPLOYEE #5 Surname	First Name	Middle Name
Position		Management? [ ] Yes [ ] No Director? [ ] Yes [ ] No
TRN	ID# Type [ ] Driver's Licence [ ] Passport [ ] National Identification Card	Date of Birth (DD–MM–YYYY)

Name of Individual/Business /Company _____

_____ _____

Authorised Agent Date

FIRST SCHEDULE, *contd.*

FORM 3

THE DANGEROUS DRUGS ACT

THE DANGEROUS DRUGS (CANNABIS LICENSING) (INTERIM) REGULATIONS, 2016

CANNABIS LICENSING AUTHORITY

CONSENT BY PROPERTY OWNER TO UTILISE PROPERTY FOR GANJA

If the property (land, buildings, or motor vehicle) to be licensed is not owned by the applicant, this form must be completed by the applicant and the declaration signed by the titled owner(s)

Please attach the relevant lease or rental agreement.

1. Type of Property: [ ] Land [ ] Land with Building(s) [ ] Motor Vehicle
[ ] Retail Space

2. Description of Property (include Volume/Folio and Address or Engine/Chassis No. as appropriate):

_____

_____

3. Description of intended use of property in relation to Cannabis: _____

_____

_____

_____

_____

_____

FOR SOLE OWNERS [Please include copy of official identification of the owner(s) certified by a Justice of the Peace]

I, _____ declare that I am the owner of this property and I am fully aware of the intended use of the property as outlined in Section 2 above and freely give my consent for such activities to be conducted on the site.

Signed: _____ Date: _____

Address: _____ Phone: _____

FIRST SCHEDULE, *contd.*

FOR MULTIPLE OWNERS

(Where the property is owned by a Company, this section is to be signed by all Owners/Directors, and the Certificate of Registration attached.)

We, _____

_____

_____ declare that we are the owners of this property and are fully aware of the intended use of the property as outlined in Section 2 (Page 1) above and freely give our consent for such activities to be conducted on site.

Signed: _____ Date: _____

Address: _____ Phone: _____

Signed: _____ Date: _____

Address: _____ Phone: _____

Signed: _____ Date: _____

Address: _____ Phone: _____

Signed: _____ Date: _____

Address: _____ Phone: _____

Signed: _____ Date: _____

Address: _____ Phone: _____

Signed: _____ Date: _____

Address: _____ Phone: _____

SECOND SCHEDULE (Regulations 3, 7, 8, 13,) 18, 21, 24 and 27)

PART A—Fees

	(In United States Dollars (or the equivalent in Jamaican currency at the prevailing rate of exchange based on the Bank of Jamaica's weighted average):
1. Application fee for licence or renewal of a licence:	
(a) cultivator's licence	
(i) in the case of an individual	$300
(ii) in the case of a company, business, co-operative society or friendly society	$500
(b) processing licence	$500
(c) transport licence	$500
(d) retail licence $500	
(e) research and development licence	$500
2. For the issue of—	
(1) a cultivator's licence—	
(a) Tier 1	$2,000
(b) Tier 2	$2,500 for every 4,047 square metres
(c) Tier 3	$3,000 for every 4,047 square metres
(2) a processing licence—	
(a) Tier 1	$3,500
(b) Tier 2	$10,000
(3) a transport licence	$10,000 for the first vehicle and $1,000 for each additional vehicle
(4) a retail licence—	
(a) Herb house	$2,500
(b) Therapeutic services	$2,500
(5) a research and development licence	$5,000

SECOND SCHEDULE, *contd.*

PART B—Security Bond (Regulations 13, 18 and 27)

(In United States Dollars (or the equivalent in Jamaican currency at the prevailing rate of exchange based on the Bank of Jamaica's weighted average):

1.	Cultivator's licence	
	(a) Tier 1	$1,000
	(b) Tier 2 and 3	$2,000 for every 4,047 square metres
2.	Processing Licence	$3,000
3.	Research and Development Licence	$3,000

THIRD SCHEDULE (Regulations 13, 18, 21, 24 and 27)

Form of Licences

CANNABIS LICENSING AUTHORITY

Certificate of Licence

Licence No: _____

This is to certify that _____
(Name of Licensee)

of _____ has been
(Address of Licensee)

licensed to handle ganja in keeping with the conditions set out below.

Special Conditions:

— (Type of Licence)

— (Address of Premises/Details of M/V

— (Expiry Date)

— (Other conditions: e.g.# of plants, etc.)

Dated this _____ day of
(Date)

_____ (Year)
(Month)

Signed: _____
Chairman—Cannabis Licensing Authority

Dated this 5th day of May, 2016.

HYACINTH LIGHTBOURNE
Chairman
Cannabis Licensing Authority

Approved:

DELROY CHUCK
Minister of Justice.

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