

# CANNABIS REGULATIONS, 2024

## Arrangement of Regulations

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## CANNABIS ACT, 2024 (No. – of 2024)

### CANNABIS REGULATIONS, 2024

The Minister in exercise of the powers conferred by sections 19(2) and 81 of the Cannabis Act, 2024 (*No. – of 2024*) hereby makes the following rules —

#### PART I – PRELIMINARY

##### 1. Citation and commencement.

- (1) These Regulations may be cited as the Cannabis Regulations, 2024.
- (2) The Minister may appoint, by Notice published in the *Gazette*, different dates for the coming into operation of the different regulations or Parts of these Regulations.

##### 2. Interpretation.

In these Regulations —

“**Bureau of Standards**” means the Bureau of Standards established by section 3 of the Standards Act;

“**cannabis extract**” —

- (a) means —
  - (i) a substance produced by —
    - (A) subjecting anything referred to in item 1 of the *First Schedule* to extraction processing; or
    - (B) synthesizing a naturally occurring substance that is identical to a phytocannabinoid produced by, or found in, a cannabis plant; or
  - (ii) a substance or mixture of substances that contains or has in it a substance produced in a manner referred to in paragraph (a)(i);
- (b) does not include a cannabis topical or edible cannabis;

“**cannabis product**” means —

- (a) cannabis of only one of the classes of cannabis; or
- (b) a cannabis accessory that contains such cannabis,

after it has been packaged and labelled for sale to a consumer at the retail level but does not include a pharmaceutical drug containing cannabis;

**“cannabis topical”** means a substance or mixture of substances that contains or has in it anything referred to in item 1 or 3 of the *First Schedule* and is intended for use, directly or indirectly, exclusively on external body surfaces, including hair and nails;

**“class of cannabis”** refers to any cannabis falling within the description listed in column one of the *First Schedule* to the Act;

**“contaminated”** means, in respect of cannabis, a cannabis accessory or an ingredient, containing or having on it anything, including a micro-organism but excluding anything referred to in item 1 or 3 of the *First Schedule* that may render the cannabis, cannabis accessory or ingredient injurious to human health or unsuitable for human use;

**“conveyance”** includes a ship, motor vehicle or aircraft and any other means of transport;

**“dried cannabis”** means fresh cannabis that has gone through a process of dehydration;

**“edible cannabis”** —

(a) means a substance or mixture of substances that contains or has in it anything referred to in item 1 or 3 of the *First Schedule* and is intended to be consumed in the same manner as food;

(b) does not include dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds;

**“fresh cannabis”** means freshly harvested cannabis buds and leaves, but does not include plant material that can be used to propagate cannabis;

**“Food Safety and Quality Act”** means the Food Safety and Quality Act, 2016 (*No. 5 of 2016*);

**“ingredient”** means —

(a) in the case of a cannabis extract or a cannabis topical, a substance, other than anything referred to in item 1 or 3 of the *First Schedule*, used to produce the cannabis extract or cannabis topical, including any substance used in the manufacture of that substance, and is present in the final form of the cannabis extract or cannabis topical; and

(b) in the case of edible cannabis —

(i) a substance, other than anything referred to in item 1 or 3 of the *First Schedule* —



- (A) used to produce the edible cannabis if the use of the substance results, or may reasonably be expected to result, in the substance or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis; or
  - (B) part of a mixture of substances referred to in item 2 of that *Schedule* that is used to produce the edible cannabis if the use of the mixture results, or may reasonably be expected to result, in the substance or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis; or
- (ii) a mixture of substances, other than anything referred to in item 1 or 3 of the *First Schedule* —
- (A) used to produce the edible cannabis if the use of the mixture results, or may reasonably be expected to result, in the mixture or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis; or
  - (B) part of a mixture of substances referred to in item 2 of that *Schedule* used to produce the edible cannabis if the use of the latter mixture results, or may reasonably be expected to result, in the former mixture or its by-products becoming a part of, or affecting the characteristics of, the edible cannabis;

**“licensed premises”** means premises which are the subject of a licence issued under the Act;

**“preliminary inspection”** means an inspection required by section 29 of the Act and carried out in accordance with regulation 9;

**“Standards Act”** means the Standards Act (*Ch. 338A*);

**“security vetting”** means the investigation into a person's background for the purpose of determining his suitability and trustworthiness.

## PART II – APPLICATION AND GENERAL REQUIREMENTS

### APPLICATION

#### 3. Application for issue or renewal of licence.

Any person desirous of obtaining or renewing a licence under section 19 of the Act, shall —

- (a) apply to the Authority in writing in Form A in the *Second Schedule*; and
- (b) pay the application fee prescribed in the *Third Schedule*.

#### **4. Combination of licences.**

- (1) A person desirous of applying for a cultivation, manufacturing or retail licence under the Act may also apply for, and be granted, a combination licence for analytical testing or research in respect of the same premises.
- (2) A holder of a cultivation, manufacturing or retail licence under the Act shall be eligible to apply for, and be granted, a combination licence for analytical testing or research.
- (3) A holder of a religious use licence shall be eligible to apply for a cultivation licence in combination with the religious use licence in accordance with regulation 48.

#### **5. Procedure.**

- (1) Any application and payment made in accordance with regulation 3, may be submitted by a method approved by the Authority.
- (2) On receipt of the application and payment, the Authority shall review the application and —
  - (a) carry out or cause to be carried out, security vetting in accordance with regulation 6; and
  - (b) where —
    - (i) the application is complete, cause the preliminary inspection required by regulation 9 to be carried out;
    - (ii) the application is not complete, request, in writing, the information required to complete the application.
- (3) Before issuing or renewing a license, the Authority shall, in respect of each application —
  - (a) consider the results of the preliminary inspection;
  - (b) satisfy itself that —
    - (i) the issue or renewal of a licence would not be inconsistent with the use of any land, beach or natural resources protected under The Bahamas Public Parks and Public Beaches Authority Act, 2014 (*No. 49 of 2014*) and The Bahamas National Trust Act (*Ch. 391*) or with the use of any specific geographical area protected by any other written law;
    - (ii) the security plan required by regulation 7 is acceptable;
    - (iii) the proposed owners and employees are fit and proper persons to be owners or employees;

- (iv) the applicant has complied with the requirements for licensing; and
  - (v) the applicant has the capacity to comply with the Act if the licence is granted;
- (c) require the submission of any additional information pertaining to the application in accordance with section 20(2) of the Act.

## GENERAL REQUIREMENTS FOR APPLICATION

### 6. Security vetting.

- (1) Subject to paragraph (2), the Authority shall carry out or cause to be carried out, security vetting, in respect of —
  - (a) an applicant for a licence and the applicant's directors and proposed employees included in the application;
  - (b) any proposed new senior management officer or employee of a licensee;
  - (c) any person to whom any interest in a licensee is proposed to be transferred.
- (2) A non senior management employee who, in the course of his duties, will not come into direct contact with cannabis, shall be exempt from security vetting by the Authority at the time of his application for employment.
- (3) For the purposes of paragraph (2), “direct contact” includes the direct and indirect control of the movement of cannabis.
- (4) Paragraph (2) shall not preclude the Authority from carrying out or causing to be carried out, the security vetting of a proposed employee or employee who, in accordance with paragraph (2), is exempt from security vetting where —
  - (a) such aggravating circumstances exist; or
  - (b) the Authority reasonably suspects that the person has contravened the Act.
- (5) A person who, after security vetting is found —
  - (a) to be a fit and proper person shall be granted security clearance in respect of the authorised activities attached to the licence for which he is being vetted.
  - (b) not to be a fit and proper person shall not be granted security clearance and —
    - (i) in the case of a applicant for a licence, not be granted the licence;
    - (ii) in the case of a proposed employee, not be eligible for the proposed employment.

- (6) In determining whether a person is a fit and proper person for the purpose of this regulation, the Authority shall, in addition to any other matter that the Authority may consider relevant, consider —
  - (a) whether the person has, in The Bahamas or elsewhere —
    - (i) been convicted of an offence involving dishonesty or any offence specified in section 18(2) of the Act; or
    - (ii) is an undischarged bankrupt;
  - (b) whether the person's employment record gives the Authority reasonable cause to believe that the person carried out any act involving dishonesty or any act involving impropriety; or
  - (c) the educational or other qualifications or experience, having regard to the nature of the functions that, if the application was granted, the person will perform;
  - (d) whether the person has the ability to carry on the proposed activities competently, honestly and fairly.
- (7) In vetting a person for the purposes of this regulation, the Authority may rely on —
  - (a) a prior decision made in respect of the person by the Authority or any other regulatory authority;
  - (b) any information in the possession of the Authority relating to —
    - (i) that person;
    - (ii) the state of affairs of any other business that the person carries on.
- (8) Security clearance granted by the Authority, in respect of —
  - (a) an applicant for a licence shall not constitute or guarantee the issue of a licence under the Act; and
  - (b) a proposed employee of an applicant is the approval of the Authority for the applicant to engage the proposed employee where the licence he applied for is issued;
  - (c) a proposed employee of a licensee, is the approval of the Authority for the relevant licensee to engage the proposed employee.

## **7. Security plan.**

- (1) Every applicant for a licence shall develop and submit as a part of an application made under regulation 3, a security plan to be implemented on the licensed premises.
- (2) The security plan shall, at a minimum, include a description of the security measures to be taken to —
  - (a) prevent unauthorised access to the licensed premises, including —

- (i) establishing physical barriers to secure perimeter access and all points of entry onto a premises (such as locking primary entrances with commercial grade, non-residential door locks), or where applicable, and subject to guidelines issued by the Authority, fencing around the premises, driveway, and any secondary entrances, including windows, roofs, and ventilation systems;
  - (ii) a digital video surveillance system which complies with regulation 8;
  - (iii) a draft security protocol that includes provision for —
    - (A) on and off-site electronic surveillance;
    - (B) regular physical inspections and written reports thereon; and
    - (C) a panic alarm system tied to a base operation of an approved security company;
  - (iv) installing a security alarm system to notify and record any incident where physical barriers have been breached;
  - (v) establishing an identification and sign-in/sign-out procedure for authorised personnel, suppliers, and visitors;
  - (vi) maintaining the premises such that visibility and security monitoring of the premises is visible; and
  - (vii) establishing procedures for the investigation of suspicious activities;
- (b) prevent against theft or loss of cannabis including —
- (i) establishing an inventory system to track cannabis;
  - (ii) establishing a system to track personnel;
  - (iii) restriction of access of personnel within the premises to those areas necessary to complete duties and to those time-frames specifically scheduled for completion of duties;
  - (iv) providing back-up electronic records of the movement of cannabis in a manner that prevents unauthorized access, and that ensures the integrity of the records.

## **8. Digital video surveillance system.**

- (1) Every licensed premises shall have a digital video surveillance system, which shall be capable of —
  - (a) effectively and clearly recording images of the area under surveillance;
  - (b) support remote access by the licensee;
  - (c) continuously record twenty-four hours per day.

- (2) Surveillance cameras shall be installed in a manner and to an extent reasonably possible —
  - (a) to prevent intentional obstruction, tampering with, or disabling;
  - (b) cover, *inter alia* —
    - (i) areas where cannabis is grown, weighed, packaged, stored, quarantined, loaded or unloaded for transportation, moved within the premises or sold;
    - (ii) restricted-access areas;
    - (iii) areas containing surveillance-system storage devices, in which case, at least one camera shall record the access points to such an area; and
    - (iv) the interior and exterior of all entrances and exits to the premises.
- (3) All recording and monitoring equipment shall be kept in a secure room or area of the premises in an access-controlled environment.
- (4) All video surveillance recordings shall —
  - (a) be kept on the licensee's recording device for a minimum of ninety days;
  - (b) be copied and sent, or otherwise provided, to the Authority upon request.
  - (c) display the current date and time of recorded events.

## **9. Preliminary inspection.**

The Authority shall, in accordance with section 29(b) of the Act, cause a preliminary inspection to be made of the premises to be used for the proposed activity to be carried out under the licence applied for, and in particular to verify —

- (a) the size and security of the area for —
  - (i) conducting the activities applied for;
  - (ii) receiving and storing cannabis, cannabis accessories and other materials;
- (b) that 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 proposed premises are fit for the activities of the licence applied for, are secured in accordance with guidelines issued by the Authority, and consist of —
  - (i) clearly defined areas for the conduct of licensed activities;
  - (ii) entrances and exits that are the subject of strict access control systems and monitoring procedures;

- (iii) a logged access control system in place, which includes additional security mechanisms for the areas designated for the storage of cannabis;
  - (iv) storage areas referred to in subparagraph (c)(iii) to which the smallest number of persons as is reasonably practicable, has access; and
- (d) all designated security posts on the premises are adequately staffed.

## VARIATION AND TRANSFER OF LICENCE

### 10. Variation of licence.

A licensee who is desirous of varying the conditions of his licence shall —

- (a) apply to the Authority in writing in the Form B shown in the *Second Schedule*; and
- (b) pay the application fee prescribed in the *Third Schedule*.

### 11. Transfer of licence.

A licensee who is desirous of selling or transferring any of his beneficial interest in the business for which his licence is granted, to a person who is not a beneficial owner of that business, shall —

- (a) apply to the Authority in writing in the Form B shown in the *Second Schedule*; and
- (b) pay the application fee prescribed in the *Third Schedule*.

## PART III – LICENCES

### CULTIVATION LICENCES

### 12. Classes of cultivation licence.

A cultivation licence may be issued in any of the following classes —

- (a) nursery, in respect of grow space no greater than five hundred thirty eight square feet;
- (b) micro-cultivation, in respect of grow space greater than five hundred thirty eight square feet but not exceeding two thousand one hundred fifty two square feet; and
- (c) standard cultivation, in respect of grow space greater than two thousand one hundred fifty two square feet.

### 13. Restriction on cannabis crop in cultivation licence.

The Authority may restrict —

- (a) the maximum size of the cannabis crop that may be cultivated;
- (b) the maximum number of cannabis plants that a licensee may have in his possession or control at any time for the normal conduct of business.

#### **14. General requirements for cultivation licence.**

The Authority shall not approve an application for a cultivation licence unless, the Authority is satisfied that —

- (a) the premises where cannabis is to be cultivated is not situated within two thousand six hundred forty feet (one half of a mile) of any school or place of worship;
- (b) the premises where cannabis is to be cultivated consists of an area having clearly defined boundaries and ownership of the proposed premises is clearly established;
- (c) approving the application would not be inconsistent with any requirements under any Act, or with any action taken by the appropriate authority in exercise of functions under that Act, or with any other applicable laws concerning the grant of licences with respect to the carrying on of any other activity in the geographical area concerned;
- (d) the applicant has submitted, to the satisfaction of the Authority, a proposal for the implementation of a system to monitor, track and trace all cannabis cultivated on the proposed premises.

#### **15. Terms and conditions of cultivation licence.**

- (1) The terms and conditions of a cultivation licence are specified in paragraph (2).
- (2) A holder of any class of cultivation licence shall —
  - (a) not exceed the acreage of land or square footage of the building for which his licence is issued;
  - (b) comply with any guidelines issued by the Authority relating to the procedure, conditions and requirements for the storage of the cannabis;
  - (c) report on the activities conducted on the cultivation site shall be made to the Authority —
    - (i) at quarterly intervals;
    - (ii) at such other times as may be reasonably required by the Authority;
  - (c) take all necessary steps to prevent any cross pollination between different strains of cannabis;
  - (d) only sell cannabis with the written approval of the Authority;



- (e) where applicable, engage a master grower in accordance with regulation 16;
- (f) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
- (g) comply with or fulfil any other term or condition lawfully imposed upon him by the Act.

**16. Requirement to engage a master grower.**

The holder of a licence for micro-cultivation or standard cultivation must retain the services of a master grower who shall —

- (a) have sufficient knowledge of —
  - (i) cultivating cannabis;
  - (ii) the provisions of the Act and these Regulations in relation to the activities authorised by the license;
- (b) be responsible for the cultivation, propagation and harvesting of cannabis.

## NURSERY LICENCE

**17. Grow space threshold of nursery licence.**

A holder of a nursery licence must —

- (a) clearly delineate a total surface area that does not exceed five hundred thirty eight square feet in which all the budding or flowering cannabis plants, including all the parts of those plants, must be contained;
- (b) not possess more than eleven pounds of flowering heads harvested from the plants referred to in paragraph (a), with the exception of the cannabis plant seeds; and
- (c) destroy the flowering heads, with the exception of the cannabis plant seeds, leaves and branches of the plants referred to in paragraph (a) within thirty days of harvesting them.

**18. Authorised activities of nursery licence.**

- (1) A holder of a nursery licence is authorised —
  - (a) to import cannabis plants or cannabis plant seeds from a vendor outside of The Bahamas who is authorised to export cannabis from that jurisdiction;
  - (b) to possess cannabis;
  - (c) to obtain cannabis plants or cannabis plant seeds by cultivating, propagating and harvesting cannabis;

- (d) for the purpose of testing, to obtain cannabis by altering its chemical or physical properties by any means; and
  - (e) to sell and distribute cannabis plants and cannabis plant seeds to —
    - (i) a holder of a micro cultivation or standard cultivation licence;
    - (ii) a holder of a manufacturing licence;
    - (iii) a holder of an analytical testing licence;
    - (iv) a holder of a research licence;
  - (f) to sell and distribute dried cannabis to a holder of a retail licence;
  - (g) to export cannabis plants or cannabis plant seeds to a jurisdiction to which it is lawful to import cannabis.
- (2) A holder of a licence for a nursery is also authorised to offer to conduct activity referred to in paragraph (1)(c) on behalf of another licensee and, to conduct ancillary activities such as the drying of cannabis.

## MICRO CULTIVATION

### **19. Grow space threshold of micro-cultivation licence.**

- (1) A holder of a licence for micro-cultivation shall —
- (a) clearly delineate a surface area that does not exceed two thousand one hundred fifty two square feet in which all the cannabis plants, including all the parts of the plants, must be contained; and
  - (b) must cultivate, propagate or harvest cannabis plants only from that surface area.
- (2) If the surface area referred to in paragraph (1)(a) consists of multiple surfaces, such as surfaces arranged above one another, the area of each surface must be included in the calculation of the total surface area.

### **20. Authorised activities of micro-cultivation licence.**

- (1) A holder of a micro-cultivation licence is authorised —
- (a) to import cannabis plants or cannabis plant seeds from a vendor outside of The Bahamas authorised to export cannabis from that jurisdiction;
  - (b) to possess cannabis;
  - (c) to obtain dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds by cultivating, propagating and harvesting cannabis;
  - (d) for the purpose of testing, to obtain cannabis by altering its chemical or physical properties by any means;
  - (e) to sell and distribute dried cannabis, fresh cannabis, cannabis plants and cannabis plant seeds to —

- (i) a holder of a licence for micro-cultivation or standard cultivation,
  - (ii) a holder of a manufacturing licence;
  - (iii) a holder of an analytical testing licence;
  - (iv) a holder of a research licence;
  - (v) a holder of a religious use licence;
  - (f) to sell and distribute cannabis plants and cannabis plant seeds to a holder of a nursery licence; and
  - (g) to sell and distribute dried cannabis to a holder of a retail licence;
  - (h) to export cannabis plants or cannabis plant seeds to a jurisdiction to which it is lawful to import cannabis.
- (2) A holder of a licence for a nursery is also authorised to offer to conduct activity referred to in paragraph (1)(c) on behalf of another licensee and, to conduct ancillary activities such as the drying of cannabis.

## STANDARD CULTIVATION

### **21. Authorised activities of standard cultivation licence.**

- (1) A holder of a standard cultivation licence is authorised —
- (a) to import cannabis, cannabis plants or cannabis plant seeds from a vendor outside of The Bahamas who is authorised to export cannabis from that jurisdiction;
  - (b) to possess cannabis;
  - (c) to obtain dried cannabis, fresh cannabis, cannabis plants or cannabis plant seeds by cultivating, propagating and harvesting cannabis;
  - (d) for the purpose of testing, to obtain cannabis by altering its chemical or physical properties by any means; and
  - (e) to sell and distribute dried cannabis, fresh cannabis, cannabis plants and cannabis plant seeds to —
    - (i) a holder of a licence for micro-cultivation or standard cultivation,
    - (ii) a holder of a manufacturing licence;
    - (iii) a holder of an analytical testing licence;
    - (iv) a holder of a research licence;
    - (v) a holder of a religious use licence; or
  - (f) to sell and distribute cannabis plants and cannabis plant seeds to a holder of a nursery licence;
  - (g) to sell and distribute dried cannabis to a holder of a retail licence;

- (h) to export cannabis plants or cannabis plant seeds to a jurisdiction to which it is lawful to import cannabis.
- (2) A holder of a licence for standard cultivation is also authorised to offer to conduct activity referred to in paragraph (1)(c) on behalf of another licensee and, to conduct ancillary activities such as the drying, trimming and milling of cannabis.

## MANUFACTURING LICENCE

### **22. Authorised activities of manufacturing licence.**

- (1) A holder of a manufacturing licence is authorised to —
  - (a) import cannabis from a vendor outside of The Bahamas who is authorised to export cannabis from that jurisdiction;
  - (b) purchase cannabis from a holder of any class of cultivation licence;
  - (c) possess cannabis;
  - (d) produce cannabis, other than by obtaining it by cultivating, propagating or harvesting it; and
  - (e) sell —
    - (i) cannabis or cannabis products to the holder of a retail licence;
    - (ii) cannabis to any licensee except the holder of a transport licence;
  - (f) to export cannabis to a jurisdiction to which it is lawful to import cannabis.
- (2) A holder of a manufacturing licence is also authorised to —
  - (a) alter or offer to alter on behalf of another licensee, the chemical or physical properties of cannabis;
  - (b) offer to conduct activity referred to in paragraph (1)(d) on behalf of another licensee.
  - (c) to send and deliver cannabis products to the purchaser of the products at the request of a holder of a retail licence.

### **23. Additional application requirements for manufacturing licence.**

An applicant for a manufacturing licence shall be required to, where applicable, submit information to the Authority regarding the premises to be used to conduct the manufacturing activity including—

- (i) the type or class of cannabis to be manufactured;
- (ii) the name and address of the person in charge of the manufacturing activity to be carried out on the premises;

- (iii) a site plan of the premises, showing all boundaries, dimensions, entrances and exits, interior partitions, walls, rooms, windows, and common or shared entryways, including the areas in which manufacturing activities will be conducted;
- (iv) a description of the waste disposal procedures sufficient to demonstrate how the applicant will comply with any guidelines relating to disposal procedures issued by the Authority.

**24. Terms and conditions of manufacturing licence.**

- (1) The terms and conditions of a cultivation licence are specified in paragraph (2).
- (2) A holder of a manufacturing licence shall —
  - (b) engage a quality assurance person in accordance with regulation 25;
  - (b) satisfy all applicable requirements and standards declared in respect of the licensed activities;
  - (c) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
  - (d) comply with or fulfil any other term or condition lawfully imposed upon him by the Act.

**25. Requirement to engage quality assurance person.**

A holder of a licence for manufacturing must retain the services of a quality assurance professional who shall —

- (a) have the training, experience and technical knowledge related to the requirements of Parts V and VI that are applicable to the class of cannabis in respect of which activities are conducted under the licence;
- (b) be responsible for —
  - (i) assuring the quality of the cannabis before it is made available for sale;
  - (ii) investigating every complaint received in respect of the quality of the cannabis and, if necessary, immediately taking measures to mitigate any risk; and
  - (iii) investigating, and, if necessary, immediately taking measures to mitigate any risk, any circumstance in which the quality assurance person reasonably suspects that —
    - (A) the cannabis or anything that will be used as an ingredient presents a risk of injury to human health; or
    - (B) the applicable requirements of Part V or VI are otherwise not being met, the matter.

**26. Compliance with standards and intellectual property laws.**

It shall be a term and condition of every manufacturing licence that the licensee shall comply with all standards declared by the Bureau of Standards in respect of cannabis and all intellectual property laws relating thereto.

**RETAIL LICENCE****27. Classes of retail licence.**

A retail licence may be issued in any of the following classes —

- (a) pharmacy, for the sale of cannabis, cannabis accessories and pharmaceutical drugs containing cannabis;
- (b) cannabis dispensary, for the sale of cannabis and cannabis accessories to patients;
- (c) therapeutic facility, for the operation of a therapeutic facility for the administration of medical cannabis to patients.

**28. Additional eligibility requirements for retail licence.**

- (1) In addition to the eligibility requirements of section 41 of the Act, an applicant for —
  - (a) a retail pharmacy licence must be a registered pharmacy for the purposes of the Pharmacy Act (*Ch. 227*);
  - (b) a cannabis dispensary licence must be —
    - (i) a registered cannabis dispensary for the purposes of the Pharmacy Act (*Ch. 227*); and
    - (ii) under the supervision of a licensed pharmacist in accordance with section 10A of the Pharmacy Act (*Ch. 227*);
  - (c) a therapeutic facility, must be in possession of a health-care facility licence issued under section 7 of the Hospitals and Health Care Facilities Act (*Ch.235*).
- (2) An application for a therapeutic facility licence shall only be made by a retail pharmacy licensee or a cannabis dispensary licensee.
- (3) A pharmacist referred to in paragraph (1)(b)(ii) shall not have supervision of more than five cannabis dispensaries at one time.

**29. Authorised activities of retail pharmacy licence.**

A holder of a retail pharmacy licence is authorised to —

- (a) to import cannabis, cannabis accessories and pharmaceutical drugs containing cannabis, from a vendor outside of The Bahamas who is authorised to export cannabis from that jurisdiction;
- (b) possess cannabis and cannabis accessories;

- (c) sell cannabis to —
  - (i) a holder of a research licence;
  - (ii) a holder of an analytical testing licence;
  - (iii) a holder of a retail licence;
- (d) sell cannabis and cannabis accessories to —
  - (i) a holder of a religious use licence;
  - (ii) a holder of a pharmacy or cannabis dispensary licence;
- (e) dispense and sell medical cannabis to a patient or his caregiver in accordance with sections 45 to 47 of the Act;
- (f) sell cannabis accessories to a patient.

### **30. Terms and conditions of retail pharmacy licence.**

- (1) The terms and conditions of a retail pharmacy licence are specified in paragraph (2).
- (2) A retail pharmacy licensee shall —
  - (a) not permit the use of medical cannabis by patients on its premises unless the retail pharmacy also has a therapeutic facility licence;
  - (b) not display or cause to be displayed, cannabis in such a manner that the cannabis is visible from outside the premises of the pharmacy;
  - (c) store all cannabis or cannabis accessories in the pharmacy in an area with limited access;
  - (d) comply with the inventory tracking rules;
  - (e) offer for sale, cannabis or cannabis accessories purchased from a person who is authorised to sell the cannabis or cannabis accessories pursuant to the Cannabis Act, 2023, or the laws of the jurisdiction from which the cannabis or cannabis accessory has been imported;
  - (f) ensure that a separate and secure area is kept for medical cannabis waste;
  - (g) have a private consulting area;
  - (h) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
  - (i) comply with or fulfil any other term or condition lawfully imposed upon him by the Act.

### **31. Authorised activities of cannabis dispensary licence.**

- (1) Subject to the restrictions specified in paragraph (2), a holder of a cannabis dispensary licence is authorised to —

- (a) import cannabis and cannabis accessories from a vendor outside of The Bahamas who is authorised to export cannabis from that jurisdiction;
  - (b) possess cannabis and cannabis accessories;
  - (c) dispense and sell medical cannabis to a patient or his caregiver in accordance with sections 45 to 47 of the Act; and
  - (d) sell cannabis accessories to a patient.
- (2) A holder of a cannabis dispensary licence shall not be authorised to possess, dispense and sell cannabis extract or pharmaceutical product containing a combination of cannabis and any controlled drug.

### **32. Terms and conditions of cannabis dispensary licence.**

- (1) A holder of a cannabis dispensary licence shall —
- (a) ensure that persons do not loiter inside or outside of the cannabis dispensary;
  - (b) only allow entry of a person into the facility, where the licensee has verified —
    - (i) the person is a patient or caregiver;
    - (ii) the identity of the patient or caregiver; and
    - (iii) the patient has a valid electronic prescription;
  - (c) notwithstanding paragraph (b), only allow entry of a minor who is a patient and is accompanied by their caregiver;
  - (d) not permit the use of medical cannabis by patients on its premises unless the cannabis dispensary also has a therapeutic facility licence;
  - (e) not display or cause to be displayed, cannabis in such a manner that the cannabis is visible from outside the premises of the cannabis dispensary;
  - (f) store all cannabis or cannabis accessories in the cannabis dispensary in an area with controlled limited access;
  - (g) comply with the inventory tracking rules;
  - (h) offer for sale, cannabis or cannabis accessories purchased from a person who is authorised to sell the cannabis or cannabis accessories pursuant to the Cannabis Act, 2023, or authorised by the laws of the jurisdiction from which the cannabis or cannabis accessory has been imported;
  - (i) not permit the sale or consumption of alcohol or tobacco in the dispensary;
  - (j) ensure that a separate and secure area is kept for medical cannabis waste;



- (k) implement and adhere to the security plan submitted to the Authority in support of his application under Part II; and
- (l) comply with or fulfil any other term or condition lawfully imposed upon him by the Act.

**33. Authorised activities of a retail therapeutic facility licence.**

A holder of a retail pharmacy licence or cannabis dispensary licence is authorised to operate a cannabis therapeutic facility in which patients may be admitted to purchase and consume cannabis.

**34. Terms and conditions of retail therapeutic facility licence.**

- (1) A holder of a retail therapeutic facility shall —
  - (a) comply with the facility requirements under paragraph (3);
  - (b) comply with the admission restrictions specified in paragraph (4);
  - (c) only permit —
    - (i) a patient to consume medical cannabis purchased from the onsite cannabis dispensary;
    - (ii) the use of medical cannabis which is not be visible from the outside of the facility;
  - (d) not permit the sale or consumption of alcohol or tobacco in the facility;
  - (e) carry out or cause to be carried out, annual checks of the air extraction and air filtration system;
  - (f) engage a health care professional to monitor patients undergoing medical cannabis therapy and to administer medical cannabis therapy to patients who require assistance;
  - (g) not permit the administration of medical cannabis in a therapeutic facility without the presence of at least one health practitioner to every five patients;
  - (h) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
  - (i) comply with or fulfil any other term or condition lawfully imposed upon him by the Act.
- (2) For the purposes of paragraph (2), a retail therapeutic facility shall include —
  - (a) a minimum of one hundred square feet of floor space;
  - (b) a ratio of one person per twenty square feet of floor space;
  - (c) a controlled access door between the reception area and the other areas of the facility;

- (d) adequate signage indicating restricted access areas to which only authorised staff and patients or caregivers are allowed;
  - (e) fresh air and ventilation in the treatment area;
  - (f) air extraction ventilation that shall include ventilation clearance above the roof of the licensed premises;
  - (g) sufficient air filtration for particulate, smoke, gases and any noxious scents;
  - (h) heat detectors;
  - (i) a fire suppression system;
  - (j) a beverage preparation area;
  - (k) male and female toilets;
  - (l) a janitorial service area; and
  - (m) a secure medical cannabis waste storage area.
- (3) A therapeutic facility licensee shall only permit entry of a person into the facility, where the licensee has verified —
- (a) the person is a patient or caregiver;
  - (b) the identity of the patient or caregiver; and
  - (c) the patient has a valid electronic prescription
- (5) A health care professional engaged pursuant to paragraph (1)(f) shall —
- (a) have a valid certification in basic life support issued by an approved institution;
  - (b) be present when a patient is undergoing medical cannabis therapy.

## ANALYTICAL TESTING LICENCE

### **35. Authorised activities of analytical testing licence.**

- (1) A holder of a licence for analytical testing is authorised, for the purpose of testing —
- (a) to possess cannabis; and
  - (b) to obtain cannabis by altering its chemical or physical properties by any means.
- (2) A holder of a licence for analytical testing authorised to offer to conduct any authorised activity referred to in paragraph (1) on behalf of another and may do so by the use of an organic solvent when conducting that activity.
- (3) A holder of a licence for analytical testing is also authorised, for the purpose of testing, to distribute cannabis to another holder of a licence for analytical testing.

**36. Terms and conditions of analytical testing licence.**

A holder of an analytical testing licence shall —

- (a) comply with the code of practice for testing as made in accordance with regulation 89 or otherwise required by the Act;
- (b) engage a head of laboratory as required under regulation 37;
- (c) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
- (d) comply with or fulfil any other term or condition imposed upon him by the Act.

**37. Requirement to retain services of head of laboratory.**

(1) A holder of a licence for analytical testing must retain the services of an individual as the head of laboratory who must work at the site set out in the licence and who is responsible for —

- (a) the testing of —
  - (i) phytocannabinoids;
  - (ii) contaminants;
- (b) dissolution and disintegration testing.

(2) The head of laboratory must have —

- (a) sufficient knowledge of the provisions of the Act applicable to the holder of an analytical testing licence;
- (b) knowledge and experience related to the duties of the position; and
- (c) possess a degree, awarded by an accredited university, in a science related to the work to be carried out.

(3) A holder of a licence for analytical testing may designate an individual as the alternate head of laboratory who is qualified to replace the head of laboratory.

**RESEARCH LICENCE**

**38. Additional requirements for research licence.**

The Authority shall only approve an application for a research licence authorising the conduct of analysis, research or development of cannabis, where the Authority is satisfied that the applicant is duly qualified to conduct the research or development.

**39. Terms and conditions of research licence.**

A holder of a research licence shall —

- (a) at a minimum, employ the good practices for research required by the Authority;
- (b) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
- (c) engage a head of laboratory in accordance with regulation 40;
- (d) comply with or fulfil any other term or condition lawfully imposed upon him by the Act.

**40. Requirement to retain services of head of laboratory.**

- (1) A holder of a licence for research must retain the services of an individual as the head of laboratory who must work at the site set out in the licence and who is responsible for —
  - (a) the testing of —
    - (i) phytocannabinoids;
    - (ii) contaminants;
  - (b) dissolution and disintegration testing;
  - (c) ensuring compliance with these Regulations any code of practice issued hereunder relating to the conduct of research.
- (2) The head of laboratory must possess —
  - (a) sufficient knowledge of the provisions of the Act applicable to the holder of a research licence and an analytical testing licence;
  - (b) knowledge and experience related to the duties of the position; and
  - (c) a degree, awarded by an accredited university, in a science related to the work to be carried out.
- (3) A holder of a licence for research may designate an individual as the alternate head of laboratory who is qualified to replace the head of laboratory.

**41. Authorised activities of research licence.**

- (1) A holder of a licence for research is authorised —
  - (a) to conduct research utilising cannabis with respect to —
    - (i) the health impacts of the use of cannabis;
    - (ii) potential medical benefits of cannabis;
    - (iii) other uses of cannabis;
    - (iv) the cultivation of cannabis and the manufacture of cannabis products with nutraceutical values;
    - (v) the development of the cannabis industry; or

- (b) for the purpose of research contemplated in paragraph (a), to administer and distribute cannabis to a research subject;
  - (c) to conduct of analytical testing in respect of cannabis in the course of research;
  - (d) cultivate, in the laboratory, a limited amount of cannabis for research;
  - (e) for the purpose of research —
    - (i) to possess cannabis;
    - (ii) to produce cannabis; and
    - (iii) to transport, send or deliver cannabis between the sites that are set out by the licence;
  - (f) to sell or distribute cannabis plants and cannabis plant seeds to any of the following —
    - (i) a holder of a cultivation licence;
    - (ii) another holder of a research licence;
    - (iii) a holder of a manufacturing licence; or
  - (g) to publish or sell the results of its research and analysis.
- (2) A holder of a licence for research is also authorised to offer to conduct any of its authorised activities in paragraph (1) to another licensee or to a class of persons specified by the Authority.

## TRANSPORT LICENCE

### **42. Scope of transport licence.**

- (1) A transport licence shall only be required for the transport of cannabis from —
- (a) a port of entry to the premises of a licensee;
  - (b) the premises of a licensee to a port of exit;
  - (c) the premises of a licensee to those of another licensee;
  - (d) the premises of a holder of a religious use licence to the premises of the holder's place of worship or the premises at which an exempt event is to be held.
- (2) Nothing in this regulation shall require any of the following persons to obtain a transport licence —
- (a) a patient or caregiver transporting cannabis obtained in accordance with Part VI of the Act;
  - (b) a holder of a retail licence transporting cannabis to a patient,

so long as the patient, caregiver or holder of a retail licence is transporting medical cannabis from a pharmacy or cannabis dispensary for the use of a patient.

#### **43. Terms and conditions of transport licence.**

A holder of a transport licence shall —

- (a) ensure the accompaniment of a security officer for the transport of cannabis to ensure the secure delivery of cannabis to the delivery location;
- (b) keep a daily log of all persons accessing the vehicle, in a form approved by the Authority to be made available to the Authority on request;
- (c) keep a log of all collections and deliveries of cannabis including the quantity collected and delivered;
- (d) restrict the times for transportation to the hours between 6:00 am and 6:00 pm except where the delivery of cannabis in transit is delayed by circumstances beyond the control of the driver, in which case the delivery may be effected after 6:00 pm;
- (f) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
- (g) comply with or fulfil any other term or condition lawfully imposed upon him by the Act.

### **RELIGIOUS USE LICENCE**

#### **44. Classes of religious use licence.**

A religious use licence may be issued in any of the following classes —

- (a) organisation licence, for the distribution of cannabis to members of the Rastafarian faith for use as a sacrament in an assembly of, or in association with, other Rastafarians in a designated place of worship in accordance with the provisions of the Act; and
- (b) individual licence, for the possession and use of cannabis as a religious sacrament by a person who is a Rastafarian but not affiliated with an organisation of the Rastafarian faith or a designated place of worship of the Rastafarian faith.

#### **45. Additional eligibility requirements for organisation licence.**

- (1) An application for an organisation licence shall be made on behalf of an organised group of members of the Rastafarian faith who assemble and worship together regularly in a designated place of worship.

- (2) The organised group described in paragraph (1) shall be incorporated as a non-profit organisation under the Non-Profit Organisation Act, 2019 (*No. 25 of 2019*).

#### **46. Authorised activities of organisation licence.**

The holder of an organisation licence shall, in accordance with section 49 of the Act, be authorised to —

- (a) possess cannabis or cannabis accessories;
- (b) prepare cannabis on the licensed premises for the sacramental use of persons members of that place of worship;
- (c) distribute cannabis to the members for use as a sacrament in an assembly of other Rastafarians in a place of worship;
- (d) permit the smoking or other use of cannabis to the members of that place of worship as sacrament at the place of worship;
- (e) apply for and carry out the authorised activities of an exempt event permit in accordance with regulation 49; and
- (f) store, destroy, or dispose of cannabis.

#### **47. Restrictions on organisation licence.**

A holder of an organisation licence shall not —

- (a) sell cannabis to any person;
- (b) distribute cannabis to any person other than a member of the Rastafarian faith in accordance with these Regulations;
- (c) distribute cannabis to a member of the Rastafarian faith who is not eighteen years or over.

#### **48. Holder of organisation licence may apply for cultivation licence.**

- (1) A holder of an organisation licence may apply for a cultivation licence and where so granted, that licence shall require the licensee to —
- (a) clearly delineate a total surface area that does not exceed five hundred thirty eight square feet in which all the budding or flowering cannabis plants, including all the parts of those plants, must be contained;
  - (b) not possess more than eleven pounds of flowering heads harvested from the plants referred to in paragraph (a), with the exception of the cannabis plant seeds; and
  - (c) destroy the flowering heads, with the exception of the cannabis plant seeds, leaves and branches of the plants referred to in paragraph (a) within thirty days of harvesting them.

- (2) A holder of religious organisation licence who has also been granted a licence to cultivate cannabis shall not grow cannabis within two thousand sixty and forty feet (one half of a mile) of a school.

**49. Exempt event permit.**

- (1) A holder of an organisation licence may, on application to the Authority, be granted, in the form shown in the *Schedule*, an exempt event permit to observe an occasion of worship or fellowship at a specified public place.
- (2) An exempt event permit shall —
  - (a) only be valid for the date specified therein;
  - (b) allow the transport by the licensee of no more than fourteen grams of cannabis to the public place being used for the event; and
  - (c) only allow the supply of cannabis for sacramental purposes in the public place being used for the event.

**50. Terms and conditions of organisation licence.**

A holder of an organisation licence shall —

- (a) in the interest of public safety, public health or public morality —
  - (i) take all necessary steps to prevent the smoking or consumption of cannabis by —
    - (A) a person under eighteen years old;
    - (B) a person who is not a registered member of the Rastafarian faith;
  - (ii) secure the cannabis from public access and public visibility;
  - (iii) protect minors present during the distribution and use of cannabis;
- (b) in circumstances where the person in charge of a place of worship changes, notify the Authority in writing of the change of leadership, and that notification shall state the full name of all persons who are involved in leadership of the place of worship as well as the relevant contact information such as residential addresses, residential telephone numbers, cellular telephone numbers and email addresses;
- (c) implement and adhere to the security plan submitted to the Authority in support of his application under Part II;
- (d) comply with or fulfil any other term or condition imposed by the Act.



**51. Authorised activities of an individual licence.**

The holder of an individual licence shall, in accordance with section 49 of the Act, be authorised to —

- (a) purchase cannabis from any person who is licensed to sell cannabis under the Act;
- (b) possess cannabis and cannabis accessories;
- (c) consume cannabis in a secured area in a private residence as a sacrament;
- (d) store, destroy, or dispose of cannabis.

**52. Restrictions on individual licence.**

The holder of an individual licence shall not —

- (a) consume or smoke cannabis in a public place;
- (b) distribute or sell cannabis to another person;
- (c) be permitted to possess more than thirty grams of cannabis at any one time.

**53. Terms and conditions of individual licence.**

A holder of an individual licence shall —

- (a) in the interest of public safety, public health or public morality —
  - (i) take all necessary steps to prevent the smoking or consumption of cannabis by any person;
  - (ii) secure the cannabis from public access and public visibility;
  - (iii) protect minors present during use of cannabis;
- (b) notify the Authority in writing of the change of his relevant contact information including as residential address, residential telephone number, cellular telephone number and email address;
- (c) comply with or fulfil any other term or condition imposed by the Act.

## **PART IV – IMPORT AND EXPORT OF CANNABIS**

### **IMPORT FROM OR EXPORT TO CONVENTION COUNTRY**

**54. Interpretation of Part.**

For the purposes of this Part —

“cannabis” includes —

- (a) a pharmaceutical drug containing cannabis or has THC as an active ingredient;
- (b) any class of cannabis;
- (c) a cannabis product or a cannabis accessory containing cannabis;

**“convention country”** means a country which is a party to the Single, Vienna or United Nations Conventions;

**“import authorisation”** means a document issued by the Minister, authorising the importation of a specified quantity of cannabis;

**“import certificate”** means a certificate issued by the Minister in respect of an import authorisation;

**“export authorisation”** means a document issued by the Minister authorising the exportation of a specified quantity of cannabis;

**“diversion certificate”** means a certificate—

- (a) issued by the competent authority of a country through which cannabis passes in transit, authorising the diversion of the cannabis to a country other than that specified as the country of ultimate destination in the export authorisation; and
- (b) containing all the particulars required to be included in an export authorisation, together with the name of the country from which the consignment was originally exported;

**“the Single Convention”** means the Single Convention on Narcotic Drugs concluded at New York on March 30, 1961 and entered into force on December 13, 1964 and acceded to by the Commonwealth of The Bahamas on August 13, 1975;

**“the United Nations Convention”** means the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances concluded at Vienna on December 20, 1988 and entered into force on November 11, 1990 and ratified by the Commonwealth of The Bahamas on January 30, 1989;

**“the Vienna Convention”** means the Convention on Psychotropic Substances concluded at Vienna on February 21, 1971 and entered into force on August 16, 1976 and acceded to by the Commonwealth of The Bahamas on August 31, 1987.

## **55. Eligibility to import or export cannabis.**

A licensee who is authorised under Part III to import or export cannabis shall be eligible for the issue of an import authorisation or export authorization provided that the licensee seeks to import or export a class of cannabis which he is authorised by his licence, to handle.

**56. Method of application.**

Any application made to the Minister under this Part shall be facilitated by the Authority via the confidential database.

**57. Import of cannabis.**

- (1) No cannabis shall be imported into The Bahamas unless the person to whom cannabis is consigned is in possession of a valid and subsisting import authorisation granted under this regulation.
- (2) A licensee desirous of importing cannabis shall apply in writing to the Minister for an import authorisation.
- (3) An import authorisation shall be in Form A of the *Fourth Schedule* and permitting the importation into The Bahamas of any cannabis specified therein, may be granted by the Minister subject to such conditions as he shall deem fit, to any person who may lawfully import cannabis.
- (4) Where an import authorisation is issued, the Minister shall also issue, in relation to the cannabis intended to be imported, an import certificate in Form B of the *Fourth Schedule*.
- (5) The holder of an import authorisation shall forward the accompanying import certificate to the person from whom the cannabis is to be obtained.
- (6) Where an import authorisation relates to the import of cannabis in more than one consignment, the Minister shall issue separate import certificates in respect of each consignment.
- (7) Cannabis imported into The Bahamas from a country which is a party to the Single, Vienna and United Nations Conventions shall be accompanied by a valid and subsisting export authorisation or diversion certificate.

**58. Refusal to issue import authorisation.**

The Minister shall refuse to issue an import authorisation where —

- (a) the applicant is not a licensee; or
- (b) the Minister has reasonable grounds to believe that —
  - (i) the shipment to which the permit application pertains would contravene these Regulations or the laws of the country of export or any country of transit or transshipment; or
  - (ii) the importation of the cannabis is for the purpose of exporting it.

**59. Provision of copy of import authorisation.**

A holder of an import authorisation must provide a copy of the import authorisation to the customs office at the time of importation.

**60. Removal of cannabis.**

An authorisation for the removal of cannabis under section 50 of the Act shall be made in Form C of the *Fourth Schedule*.

**61. Diversion certificate.**

A diversion certificate issued under section 52 of the Act shall be made in Form D of the *Fourth Schedule*.

**62. Transport of imported cannabis.**

The holder of an import authorisation must ensure that the imported cannabis is transported directly to the licensed premises in which the cannabis will be handled.

**63. Suspension of authorisation.**

Where the Authority reasonably believes that the cannabis is not being imported for use authorised by the importer's licence, it may suspend the import authorisation.

**64. Revocation of import authorisation.**

The Minister may revoke an import authorisation where —

- (a) the holder has requested the revocation in writing;
- (b) the licence issued under section 19 of the Act has been revoked;
- (c) the importation of the cannabis is for the purpose of exporting it; and
- (d) that import authorisation has been suspended and is not reinstated.

**65. Period of validity of import authorisation.**

An import authorisation is valid until the earliest of —

- (a) the date on which the shipment is imported;
- (b) the date of expiry of the authorisation or the date of its revocation; or
- (c) the date of expiry of the licence granted under section 19 of the Act or the date of its revocation.

**66. Export authorisation.**

- (1) No cannabis shall be exported from The Bahamas unless the consignor is in possession of a valid and subsisting export authorisation relating to such drug granted under this regulation.

- (2) A licensee desirous of exporting cannabis shall apply in writing to the Minister for an export authorisation and, subject to paragraph (5), shall produce the corresponding import certificate duly issued by the competent authority of the country into which the cannabis is being imported.
- (3) The Minister may issue the export authorisation in Form E of the *Fourth Schedule* in respect of the cannabis referred to in the import certificate to any person who is named as the exporter in such certificate.
- (4) An export authorisation shall be prepared in triplicate with —
  - (a) two copies to be issued to the exporter, who shall send one copy with the cannabis to which it refers when such drug is exported; and
  - (b) one copy being sent by the Minister direct to the appropriate authority of the country of ultimate destination.
- (5) Where the holder of an export authorisation intends to export cannabis to a country which is not a party to the Single Convention, it shall not be necessary to produce an import certificate.
- (6) At the time of exportation of any cannabis, the exporter shall produce to the Comptroller of Customs, the cannabis, the export authorisation relating thereto, and such other evidence as the Comptroller of Customs may require to satisfy him that the cannabis is being lawfully exported to the place and person named in the authorisation.

#### **67. Refusal to issue export authorisation.**

The Minister shall refuse the issue of the export authorisation where—

- (a) the applicant does not hold a licence; and
- (b) the Minister has reasonable grounds to believe that the shipment to which the permit application pertains —
  - (i) would contravene these Regulations or the laws of the country of import or any country of transit or transshipment; or
  - (ii) would not comply with the permit for importation issued by a competent authority of the country of import.

#### **68. Provision of copy of export authorisation.**

A holder of an export authorisation must provide a copy of the export authorisation to the customs office at the time of exportation.

#### **69. Revocation of export authorisation.**

The Minister may revoke an export authorisation where —

- (a) the holder has requested the revocation in writing;

- (b) the holder's licence issued under section 19 of the Act has been revoked; and
- (c) the export authorisation has been suspended and is not reinstated.

**70. Period of validity of export authorisation.**

An export authorisation is valid until the earliest of —

- (a) the date on which the shipment is exported;
- (b) the date of expiry of the authorisation or the date of its revocation; or
- (c) the date of expiry of the licence granted under section 19 of the Act or the date of its revocation.
- (d) the date of expiry of the import authorisation issued by the competent authority of the country of import that pertains to the shipment or the date of its revocation.

**71. Disclosure of information.**

The Minister may, for the purpose of verifying whether an importation or exportation of cannabis complies with these Regulations, provide to a customs officer any information provided in the import or export authorisation application.

**IMPORT FROM OR EXPORT TO NON CONVENTION COUNTRY**

**72. Import from or export to non-convention country.**

Section 54 of the Act shall apply to the import from, or export to, a non-convention country of cannabis, cannabis product or cannabis accessory.

**PART V – GOOD PRODUCTION PRACTICES**

**73. Sale, distribution and exportation of cannabis.**

- (1) Cannabis shall not be sold, distributed or exported unless cultivated or manufactured in accordance with the Act.
- (2) Regulations 74 to 83 do not apply to a holder of a licence for analytical testing or a holder of a licence for research.

**74. Standard operating procedures.**

Cannabis and anything that will be used as an ingredient must be produced, packaged, labelled, distributed, stored, sampled and tested in accordance with standard operating procedures designed to ensure that those activities are conducted in accordance with the applicable requirements of this Part.

**75. Pest control product.**

Cannabis must not be treated with a pest control product unless the product is registered for use on cannabis under the Food Safety and Quality Act or is otherwise authorised for use under that Act.

**76. Sanitizers, agronomic inputs and non-food chemical agents.**

Any sanitizer, agronomic input or non-food chemical agent present at a site must be —

- (a) properly and clearly identified;
- (b) suitable for its intended use and not present a risk of contamination to cannabis or anything that will be used as an ingredient; and
- (c) handled in a manner —
  - (i) to prevent contamination of cannabis or any ingredient; and
  - (ii) that is in accordance with the manufacturer’s instructions.

**77. Storage and distribution of cannabis.**

Cannabis and any ingredient must be stored and distributed in a manner that maintains their quality.

**78. Premises to be appropriate.**

Any building or part of a building where cannabis or any ingredient is produced, packaged, labelled, stored or tested must be designed, constructed and maintained in a manner that permits those activities to be conducted appropriately and in particular —

- (a) permits the building or part of the building to be kept clean and orderly;
- (b) prevents introduction of an extraneous substance to, and contamination of, the the cannabis or any ingredient.

**79. Filtration and ventilation system.**

- (1) Any building or part of a building where cannabis or any ingredient is produced, packaged, labelled, stored or tested must be equipped with a system that —
  - (a) filters air to prevent the escape of odours associated with cannabis to the outdoors;
  - (b) provides natural or mechanical ventilation with sufficient air exchange to provide clean air and to remove unclean air in order to prevent the contamination of the cannabis or ingredient;
  - (c) is accessible and capable of being disassembled for its cleaning, maintenance or inspection;

- (d) is capable of withstanding repeated cleaning; and
  - (e) functions in accordance with its intended use.
- (2) Paragraph (1)(b) does not apply in respect of any building or part of a building where the only activities being conducted are cultivation, propagation or harvesting of cannabis.
  - (3) Paragraphs (1)(b) to (e) do not apply in respect of any building or part of a building where the only activities being conducted are cultivation, propagation or harvesting of any ingredient.

## **80. Water supply.**

- (1) Any system that supplies water to any licensed premises must be appropriate for any activity being conducted in respect of cannabis or any ingredient.
- (2) Measures must be taken to eliminate any risk of contamination to cannabis or any ingredient as a result of a cross-connection between any system that supplies potable water to licensed premises and any other system.

## **81. Lighting.**

- (1) Any building or part of a building where cannabis or any ingredient is produced, packaged, labelled, stored or tested must be equipped with natural or artificial lighting that is appropriate for the activity being conducted.
- (2) Any light fixtures in the building or part of the building where the activities referred to in subsection (1) are conducted must —
  - (a) be capable of withstanding repeated cleaning or sanitizing;
  - (b) if necessary, be designed to prevent contamination of the cannabis or any ingredient; and
  - (c) not present a risk of contamination to the cannabis or any ingredient in the event of breakage.

## **82. Equipment.**

Cannabis and any ingredient must be produced, packaged, labelled, stored, sampled and tested using equipment designed, constructed, maintained, operated and arranged to —

- (a) allow the effective cleaning of its surfaces;
- (b) function in accordance with its intended use;
- (c) be accessible or capable of being easily disassembled for its cleaning, maintenance or inspection;



- (d) prevent the contamination of, or the introduction of an extraneous substance to, the cannabis or ingredient;
- (e) protect the cannabis or any ingredient against allergen cross-contamination.

### **83. Sanitation plan.**

- (1) Cannabis and any ingredient must be produced, packaged, labelled, distributed, stored, sampled and tested in accordance with a sanitation plan that sets out —
  - (a) procedures for effectively cleaning the building or part of the building in which those activities are conducted;
  - (b) procedures for effectively cleaning the equipment and conveyances used in those activities;
  - (c) procedures for handling any substance used in those activities; and
  - (d) all requirements, in respect of the health and hygienic behaviour of personnel involved in activities necessary to ensure cannabis and any ingredient is handled in accordance with this Part.
- (2) Paragraph (1)(a) does not apply to the outdoor cultivation, propagation or harvesting of cannabis or any ingredient.

### **84. Hand cleaning and lavatories.**

- (1) All licensed premises must be appropriately equipped with hand cleaning, hand sanitizing stations and lavatories that are —
  - (a) adequate in number and size for the number of individuals using the stations and lavatories;
  - (b) located so that they are readily accessible to the individuals using them; and
  - (c) capable of withstanding repeated cleaning and sanitizing.
- (2) The hand cleaning and hand sanitizing stations must permit the effective cleaning and sanitization of hands.
- (3) The lavatories must be located and maintained so that they do not present any risk of contamination to cannabis or any ingredient.

### **85. Good production practices of manufacturing licensee.**

A manufacturing licensee shall ensure —

- (a) any individual who conducts activities in relation to the manufacturing of cannabis, including edible cannabis, has the competencies and qualifications necessary to conduct those activities;

- (b) the temperature and humidity of any building or part of a building where cannabis or any ingredient is produced, packaged, labelled, stored or tested must be maintained at levels appropriate for the activity being conducted with the cannabis or ingredient;
- (c) physical or other effective means are used to separate cannabis or any ingredient from anything that presents a risk of contamination of the cannabis or ingredient;
- (d) any ingredient which presents a risk of injury to human health is identified and stored in a designated area within the licensed premises;
- (e) any water that may come into contact with a cannabis extract, a cannabis topical, edible cannabis or any ingredient is potable;
- (f) any steam or ice that may come into contact with a cannabis extract, a cannabis topical, edible cannabis or any ingredient is made from potable water;
- (g) no animal is present in any building or part of a building where cannabis or any ingredient is produced, packaged, labelled or stored;
- (h) measures are taken by the licensee to eliminate the risk of contamination of cannabis or any ingredient from any land that forms part of, or is near to, any licensed premises on which cannabis is manufactured;
- (i) there is a means for the removal and disposal of contaminated materials and waste at a frequency sufficient to prevent contamination;
- (j) the building or part of the building is equipped with a drainage, sewage and plumbing system that functions in accordance with its intended use;
- (k) any conveyance or equipment used to handle any contaminated materials or any waste —
  - (i) is identified, reserved and used only for that purpose; and
  - (ii) meets the applicable requirements of regulation 82;
- (k) any individual in any building or part of a building where cannabis or any ingredient is produced, packaged, labelled, stored, sampled or tested wears clothing, footwear and protective coverings, including gloves, a hairnet, a beard net and a smock, that are in good, clean and sanitary condition and appropriate for the activity being conducted.

**86. Good production practices for research licensee.**

A research licensee shall ensure compliance with any code of practice issued by the Authority with respect to the ethical conduct of a clinical trial programme.

**87. Identification and analysis of hazards.**

A manufacturing licensee that produces a cannabis extract or edible cannabis must —

- (a) identify and analyze the biological, chemical and physical hazards that present a risk of contamination of the cannabis or any ingredient in the production of the cannabis extract or edible cannabis.
- (b) prevent, eliminate or reduce to an acceptable level, the hazards referred to in paragraph (a), by using control measures that are shown by evidence to be effective, including any treatment or process.

**88. Preventive control plan.**

- (1) A manufacturing licensee that conducts activities in relation to cannabis must prepare, retain, maintain and implement a written preventive control plan for any activity conducted in respect of the cannabis.
- (2) The preventive control plan must include —
  - (a) a description of the method used to certify compliance with the requirements of regulations 95, 96, 98, 99, 100, and 102 ;
  - (b) a description of the biological, chemical and physical hazards that present a risk of contamination of the cannabis as are identified in accordance with regulation 87(a);
  - (c) a description of the control measures for preventing, eliminating or reducing to an acceptable level, the hazards referred to in subparagraph (b) and the evidence that the control measures are effective;
  - (d) a description of the critical control points, the related control measures and the evidence that the control measures are effective;
  - (e) a description of the critical limits for each critical control point;
  - (f) the procedures for monitoring the critical control points in relation to their critical limits;
  - (g) the corrective action procedures for each critical control point;
  - (h) the procedures for verifying that the implementation of the preventive control plan are in compliance with these Regulations; and

- (i) documents that substantiate that the preventive control plan has been implemented with respect to subparagraphs (b) to (h); and
  - (j) supporting documents that show evidence of the information required by subparagraphs (a) to (h).
- (3) Each document referred to in paragraph (2)(i) must be retained for at least two years after the day on which it is prepared.

**89. Testing of cannabis.**

- (1) A licensee must not sell or export cannabis unless the applicable testing requirements are met.
- (2) Testing for —
  - (a) the quantity or concentration of THC, THCA, CBD and CBDA, in cannabis, other than in cannabis plants or cannabis plant seeds;
  - (b) microbial and chemical contaminants, other than residues of a pest control product or its components or derivatives;
  - (c) disintegration and dissolution purposes; and
  - (d) any other purpose,must be conducted in accordance with such codes of practice for the testing of cannabis and cannabis products as developed and published by the Authority in consultation with the Bureau of Standards.

**90. Transport of cannabis.**

- (1) Cannabis and any ingredient must be distributed using a conveyance —
  - (a) designed, constructed especially for —
    - (i) the carriage and delivery of valuable property;
    - (ii) the protection of members on board any such conveyance.
  - (b) maintained and operated in a manner that is safe and prevents the contamination of the cannabis or any ingredient.
- (2) A transport licensee shall ensure —
  - (a) all items for delivery are stowed in a manner to prevent damage to the cannabis or cannabis product;
  - (b) all items for delivery are sorted to prevent delivery to the wrong recipient;
  - (c) all items for delivery are labelled with the name, address and contact information of the sender and recipient;
  - (d) delivery is taken by the recipient or the appropriate person designated by the recipient;
  - (e) a route for delivery is approved prior to departure and that there are no unauthorised deviations from that route;

- (f) there is no unauthorised access to the conveyance transporting the cannabis.

## **PART VI – CONTENT, PACKAGING AND LABELLING OF CANNABIS PRODUCTS**

### **CONTENT OF CANNABIS PRODUCTS**

#### **91. Residue on cannabis plant or cannabis plant seeds.**

Cannabis plants or cannabis plant seeds that are cannabis products must not contain or have on them residues of a pest control product authorised for use on cannabis, unless the residues are within the maximum residue limits specified in the Food Safety and Quality Act.

#### **92. Residue on cannabis.**

Dried or fresh cannabis product must only contain things referred to in item 1 or 3 of the *First Schedule* but —

- (a) may contain or have on it residues of a pest control product within the maximum residue limits;
- (b) may contain or have on it microbial or chemical contaminants if the contaminants within generally accepted tolerance limits for human use,

in accordance with the Food Safety and Quality Act.

#### **93. Products that must not be sold or distributed.**

A cannabis product intended to be used —

- (a) in the area of the human eye bounded by the supraorbital and infraorbital ridges, including the eyebrows, the skin underlying the eyebrows, the eyelids, the eyelashes, the conjunctival sac of the eye, the eyeball and the soft tissue that lies below the eye and within the infraorbital ridge; and
- (b) on damaged or broken skin or to penetrate the skin barrier other than by absorption,

must not be sold or distributed.

#### **94. Things injurious to health.**

- (1) A cannabis extract or a cannabis topical product must not contain or have on it anything that may cause injury to the health of the user when the cannabis product is used as intended or in a reasonably foreseeable way.

- (2) Paragraph (1) does not, in respect of a cannabis extract intended to be combusted and inhaled, prohibit anything that may cause injury as a result of the intended combustion and inhalation.
- (3) For the purposes of paragraph (1), a cannabis extract or a cannabis topical does not contain or have on it anything that may cause injury to the health of the user by reason only that it contains or has on it —
  - (a) anything referred to in item 1 or 3 of the *First Schedule*;
  - (b) residues of a pest control product unless the residues are above any maximum residue limits in accordance with the Food Safety and Quality Act; or
  - (c) microbial or chemical contaminants unless the contaminants are within generally accepted tolerance limits for human use in accordance with the Food Safety and Quality Act.

#### **95. Content of cannabis extract.**

- (1) A cannabis extract product must not contain any ingredients other than —
  - (a) carrier substances;
  - (b) flavouring agents; and
  - (c) substances that are necessary to maintain the quality or stability of the cannabis product.
- (2) The following substances must not be used as ingredients to produce a cannabis extract referred to in paragraph (1) —
  - (a) substances that are prohibited by a standard specification declared under the Standards Act; or
  - (b) sugars or sweeteners or sweetening agents.
- (3) Notwithstanding paragraph (2)(a), a vitamin may be used as an ingredient to maintain the quality or stability of the cannabis extract referred to in paragraph (1), if it is used in an amount that does not exceed what is necessary to maintain the quality or stability of the cannabis product.
- (4) An ingredient that is used to produce the cannabis extract referred to in paragraph (1) may contain a substance referred to in paragraph (2) only if that substance is naturally present in the ingredient at a level that is not above the naturally occurring level for that ingredient.
- (5) An ingredient, other than a flavouring agent, must not be used to produce a cannabis extract intended to be consumed by inhalation unless a standard for that ingredient has been declared in accordance with the Standards Act and the ingredient complies with the standard.
- (6) A cannabis extract referred to in paragraph (1) must not contain ethyl alcohol unless —
  - (a) the cannabis extract is intended to be ingested; and

- (b) the net weight of the cannabis extract in each immediate container of the cannabis product does not exceed 7.5 g.

**96. Uniform distribution of cannabinoids and terpenes.**

The cannabinoids and terpenes in a cannabis extract or cannabis topical product must be uniformly distributed throughout the cannabis extract or cannabis topical.

**97. Cannabis extract not for use on external body surfaces.**

A cannabis extract product must not be represented for use, directly or indirectly, on external body surfaces, including hair and nails.

**98. Ingredients of edible cannabis.**

- (1) An edible cannabis product must not contain any ingredients other than food and food additives.
- (2) Notwithstanding paragraph (1), an edible cannabis product shall not contain food or food additives prohibited by a standard declared under the Standards Act.
- (3) Food or a food additive may be used as an ingredient to produce edible cannabis if—
  - (a) the food or food additive is not a meat, poultry or fish product;
  - (b) the sale of the food would not be prohibited under the Food Safety and Quality Act;
  - (c) the food additive is not caffeine or caffeine citrate.
- (4) A vitamin or mineral nutrient must not be used as an ingredient to produce edible cannabis unless its use is permitted.

**99. Naturally occurring caffeine in edible cannabis.**

An edible cannabis product must not contain or have on it caffeine unless —

- (a) the caffeine has been introduced through the use of ingredients that naturally contain caffeine; and
- (b) the total amount of caffeine in each immediate container of the cannabis product does not exceed 30 mg.

**100. Ethyl alcohol in edible cannabis.**

An edible cannabis product must not contain or have on it ethyl alcohol unless the concentration of ethyl alcohol does not exceed 0.5% w/w of the edible cannabis.

**101. Cannabis products requiring refrigeration.**

A manufacturing or retail licensee shall not sell or distribute an edible cannabis product if the unopened immediate container is not stored at or below 4°C to prevent the cannabis product from becoming contaminated before the expiration of its durable life date.

**102. Irradiation.**

A manufacturing licensee shall not irradiate edible cannabis unless the irradiation is permitted and carried out in accordance with the Food Safety and Quality Act.

**103. Contamination.**

A cannabis accessory, whether or not packaged as or with another cannabis product must not be contaminated.

**104. Flavour.**

A cannabis accessory, whether or not packaged as or with another cannabis product must not impart a characterizing flavour to the cannabis.

**105. Colouring of cannabis.**

No person shall treat or dye cannabis with a colour or substance prohibited by the Authority in a notice published in the *Gazette*.

**106. Psychological effects, abuse liability and toxicity.**

- (1) A component of a cannabis product, other than a component referred to in item 1 or 3 of the *First Schedule*, and a cannabis accessory packaged with a cannabis product must not, through any means other than heating or combustion, and when used as intended or in a reasonably foreseeable way —
  - (a) alter or enhance the psychological effects derived from the cannabis product in a manner that may cause injury to the health of the user;
  - (b) increase the potential for abuse liability of the cannabis product; or
  - (c) increase the toxicity of the cannabis product.
- (2) Paragraph (1) does not prohibit the presence of —
  - (a) ethyl alcohol in or on a cannabis product referred to in regulations 95(6) or 98(3)(a) if the conditions set out in that regulation are met; and
  - (b) caffeine in or on a cannabis product referred to in regulation 99 if the conditions set out in that section are met.



## PACKAGING AND LABELLING

### 107. Code of practice for packaging.

- (1) The Authority shall, in consultation with the Bureau of Standards, develop and publish codes of practice for the packaging of various types of cannabis products.
- (2) The codes of practice developed and published under paragraph (1) shall be compulsory.

### 108. Information to be included on label of cannabis product container.

- (1) The label applied to any container in which a cannabis product is packaged shall have printed thereon —
  - (a) the name, telephone number and email address of —
    - (i) in the case of a cannabis plant or cannabis plant seeds, the licensee who cultivated the cannabis plant or cannabis plant seeds; or
    - (ii) in the case of any other cannabis product, the licensee who manufactured the product;
  - (b) the class of cannabis to which the cannabis that is in the immediate container belongs;
  - (c) in respect of the product —
    - (i) the brand name;
    - (ii) the lot number, preceded by the prefix of —
      - (A) “Lot number”;
      - (B) “Lot no.”;
      - (C) “Lot”; or
      - (D) “(L)”;
    - (iii) the recommended storage conditions;
    - (iv) the packaging date; and
    - (v) subject to paragraphs (2) and (3) —
      - (A) the expiry date in accordance with paragraph (2); or
      - (B) a statement that no expiry date has been determined;
  - (d) the warning “KEEP OUT OF REACH OF CHILDREN”;
  - (e) any of the applicable health warnings as required by the Authority;
  - (f) the standardized cannabis symbol; and
  - (g) except in the case of dried cannabis or a cannabis plant, the statement “Contains the equivalent of *(the quantity of dried*

*cannabis, in grams, that is equivalent to the quantity of cannabis, in grams or seeds, as the case may be, as determined in accordance with section 2(2) of the Act, in the container) g of dried cannabis”.*

- (2) The label of a container in which cannabis is packaged must not include an expiry date unless the licensee who manufactured the cannabis product has data that establishes the stability period after the cannabis is packaged in accordance with these Regulations and stored under its recommended storage conditions.
- (3) The label of a container in which a cannabis plant, cannabis plant seeds or edible cannabis is packaged must not include an expiry date.
- (4) A licensee who manufactures a cannabis product must, if they include an expiry date on the label of the container, retain a document that contains the data referred to in paragraph (2) for at least two years after the day on which the last sale or distribution of any portion of the lot or batch of the cannabis product with that expiry date takes place, other than for destruction.
- (5) The health warning messages referred to in paragraph (1)(e) must be displayed in rotation on each type of container of each brand name of the cannabis product that is packaged in a year, so that each health warning message is displayed, to the extent possible, on equal numbers of containers of that product.

#### **109. Health warning to be included on label.**

- (1) The health warning message required to be included on a label must —
  - (a) be displayed on the principal display panel;
  - (b) subject to paragraphs (c) and (d), be in a regular weight and width standard sans serif font, without italics, in the colour black and with leading of at least 8 points;
  - (c) include the word “WARNING” in upper case letters and bold type;
  - (d) the first sentence must be in sentence case letters and bold type;
  - (e) the second sentence must be in sentence case letters;
  - (f) be in a type size of at least 7 points and the type size must be equal to or larger than the type size used for the brand name;
  - (g) be within a black border that is a solid line of at least 1 point and has an inset of at least 6 points on all sides between the message and the border;
  - (h) the background colour must be yellow;
  - (i) be left-justified without hyphenation;
  - (j) be oriented in such a manner that its text is readable from left to right when the container is displayed or visible under the customary conditions of purchase and use.

- (2) Any attribution to the source of the health warning message included on the label must —
  - (a) on the principal display panel, include the words “Cannabis Authority”, and
  - (b) be in a type size of at least 6 points and smaller than the type size used for the health warning message; and
  - (c) be inside the border of the health warning message and be displayed in the bottom right corner below the health warning message text, with leading of at least 7 points.

**110. No insert or leaflet.**

Except as otherwise provided, no insert or leaflet shall be packaged in or with any container in which a cannabis product is packaged.

**111. Cannabis extract flavours.**

- (1) No person shall display any indication or illustration, including a brand element on a cannabis product or its packaging, that may cause a person to believe that the cannabis product has —
  - (a) a flavour specified in paragraph (2);
  - (b) any other than the flavour of cannabis.
- (2) For the purposes of paragraph (1), a flavour of any of the following are prohibited —
  - (a) confectionery;
  - (b) dessert;
  - (c) soft drink;
  - (d) energy drink.
- (3) This regulation shall apply to —
  - (a) a cannabis extract;
  - (b) a cannabis accessory that contains a cannabis extract;
  - (c) the package of a cannabis product containing a cannabis extract.
- (4) Paragraph (1) does not apply to the name and email address that are included on the label in accordance with regulation 108(1)(a).

**112. Durable life date required.**

- (1) Where an edible cannabis product has a durable life of ninety days or less, the durable life date must be shown on the label of any container in which the edible cannabis is packaged.

- (2) Any durable life date on the label of any container in which edible cannabis is packaged must be in accordance with the code of practice published under regulation 107.

### **113. Declaration on risk of cross-contamination.**

Where the label of the container in which edible cannabis is packaged includes a declaration alerting consumers that, due to a risk of cross-contamination, the edible cannabis may contain the source of a food allergen or gluten, the declaration shall —

- (a) be shown immediately after the food allergen source, gluten source and added sulphites statement or, if there is none, immediately after the list of ingredients, and must appear on the same continuous surface as the statement, if any, and the list of ingredients; and
- (b) not include any intervening printed, written or graphic material appearing between it and the list of ingredients or statement that immediately precedes it.

### **114. Prohibited representations.**

It is prohibited to make an express or implied representation, including by way of a brand element, on a cannabis product —

- (a) if there are reasonable grounds to believe that the representation could create the impression that cosmetic benefits may be derived from the use of the cannabis product;
- (b) if there are reasonable grounds to believe that the representation could create the impression that the cannabis product is intended to meet the particular dietary requirements of an individual;
- (c) if there are reasonable grounds to believe that the representation could associate the cannabis product with an alcoholic beverage;
- (d) if there are reasonable grounds to believe that the representation could associate the cannabis product with a tobacco product.

### **115. Net weight and volume.**

The net weight and volume that must be included on the label of a cannabis product must be accurate to the actual net weight and volume of the cannabis product.

### **116. Information on label of cannabis other than cannabis products.**

A label that includes the following information must be applied to any container that contains cannabis, other than a cannabis product —

- (a) the name, telephone number and email address of the holder of the licence that sells, distributes or exports the cannabis; and

- (b) in respect of the cannabis —
  - (i) the lot number, preceded by the prefix of —
    - (A) “Lot number”;
    - (B) “Lot no.”;
    - (C) “Lot”;
    - (D) “(L)”, and
  - (ii) the packaging date.

### **117. Voluntary recall.**

- (1) A licensee shall, before commencing a voluntary recall of a cannabis product sold or distributed in The Bahamas, or exported from The Bahamas, provide the Minister and the Minister responsible for consumer affairs with a document that contains —
  - (a) a description of the cannabis product, including the brand name;
  - (b) the number of each lot or batch of the cannabis product to be recalled, together with, if known, the number of any lot or batch of cannabis that was used to make the cannabis product;
  - (c) if known, the name and address of each person that —
    - (i) produced or imported into The Bahamas the cannabis that is, or is contained in, the cannabis product;
    - (ii) packaged or labelled the cannabis referred to in subparagraph (i) before it became, or became part of, the cannabis product;
    - (iii) in the case of a cannabis accessory that is a cannabis product, produced or imported into The Bahamas the cannabis accessory or any component of it; or
    - (iv) packaged or labelled the cannabis product;
  - (d) the reasons for commencing the recall;
  - (e) if the cannabis that is, or is contained in, the cannabis product was produced or imported into The Bahamas by the holder, the quantity of cannabis that was produced or imported;
  - (f) the quantity of the cannabis product sold or distributed in The Bahamas or exported from The Bahamas;
  - (g) if applicable, the quantity of the cannabis product affected by the problem or potential problem underlying the recall and that remains in the possession of the holder;
  - (h) the number of persons to which the holder sold or distributed the cannabis product in The Bahamas;
  - (i) the period during which the holder sold or distributed the cannabis product in The Bahamas or exported the cannabis product from The Bahamas;

- (j) the time and manner in which the recall is to be carried out, including —
    - (i) the expected date for the commencement of the recall;
    - (ii) how and when the Minister will be informed of the progress of the recall; and
    - (iii) the date by which the recall is expected to be completed;
  - (k) description of any other measure the holder is taking, or intends to take, in respect of the recall; and
  - (l) contact information for a representative who will be responsible for the recall.
- (2) The licensee shall —
- (a) within seventy-two hours after providing the document referred to in paragraph (1), provide the Minister with a document that contains an evaluation of the risk associated with the problem or potential problem that underlies the recall;
  - (b) within thirty days after the day on which the recall is completed, provide the Minister with a written report that sets out the results of the recall and the measures taken to prevent a recurrence of the problem.
- (3) Notwithstanding paragraph (2)(b), the Minister may extend the period for providing the report, to a maximum of ninety days after the day on which the recall is completed, if, for reasons beyond the licensee's control, it is not feasible to provide it within the thirty-day period.
- (4) The licensee must retain a copy of the —
- (a) documents provided to the Minister under paragraphs (1) and (2)(a) for at least two years after the day on which their last sale, distribution or export of any cannabis product that is the subject of the recall takes place;
  - (b) report provided to the Minister under paragraph (2)(b) for at least two years after the day on which the recall is completed.

### **118. Adverse reactions.**

- (1) A licensee who sells or distributes a cannabis product must —
- (a) within fifteen days after becoming aware of a serious adverse reaction to the cannabis product, provide the Minister with a detailed report containing all information in their possession associated with the use of the cannabis product by the individual who experienced the reaction; and

- (b) prepare an annual summary report containing a concise and critical analysis of all adverse reactions to the cannabis product that the licensee became aware of during the previous twelve months.
- (2) The licensee must retain the reports for at least twenty-five years after the day or which the reports were prepared.
- (3) For the purposes of this regulation —
  - “**adverse reaction**” means a noxious and unintended response to a cannabis product;
  - “**serious adverse reaction**” means a noxious and unintended response to a cannabis product requiring in patient hospitalization or a prolongation of existing hospitalization, causes congenital malformation, results in persistent or significant disability or incapacity, is life threatening or results in death.

## **PART VII – PROMOTION**

### **BRANDING**

#### **119. Signs.**

- (1) A licensee may place or erect a sign with the name or logo of the cannabis business on the licensed premises and that sign shall be legible and visible from the roadside.
- (2) A licensee with a transport license may use a sign with the name or logo of the cannabis business on the conveyance.
- (3) A sign used pursuant to paragraph (1) or (2) shall not include the word “cannabis” or any related terminology or image or pictures readily associated with cannabis.

#### **120. Branding elements.**

No licensee shall use as a brand element, any colour, imagery or words which implies association with —

- (a) the Rastafarian faith;
- (b) any other religion;
- (c) any jurisdiction where the cannabis product has not been cultivated or manufactured.

### **PROMOTION AND ADVERTISING**

#### **121. Prohibition on the promotion of cannabis, etc.**

No person shall promote —

- (a) a cannabis extract, in a manner that may cause a person to believe that a cannabis extract has a flavour of any —
  - (i) confectionery;
  - (ii) dessert;
  - (iii) soft drink; or
  - (iv) energy drink;
- (b) edible cannabis, if there are reasonable grounds to believe that the promotion may create the impression that the edible cannabis or cannabis accessory is intended —
  - (i) to meet the particular dietary requirements of an individual —
    - (A) who has a physical or physiological condition as a result of a disease, disorder or injury; or
    - (B) for whom a particular effect, including weight loss, is to be obtained by a controlled intake of food; or
  - (ii) to meet the dietary requirements of young persons;
- (c) cannabis, a cannabis accessory or a service related to cannabis, if there are reasonable grounds to believe that the promotion could associate the cannabis, the cannabis accessory or the service with an alcoholic beverage, tobacco product or a vaping product;
- (d) cannabis, a cannabis accessory or a service related to cannabis in such a manner that the promotion may be audible or visible from outside a place where young persons are not permitted by law;
- (e) cannabis, a cannabis accessory or a service related to cannabis by displaying a brand element of cannabis, of a cannabis accessory or of a service related to cannabis on any thing that is in a school, a public playground, a daycare facility or any other public place frequented mainly by young persons or that is visible from such a place.

## **122. Permitted promotion of cannabis.**

A licensee may promote cannabis using a website, electronic or print publications which —

- (a) are not directed at or sent to a minor;
- (b) are not in a place where minors are allowed or have access by law; or
- (c) do not include false, misleading or deceptive information likely to create an erroneous impression about the cannabis or cannabis product.



## **PART VIII – SALE, RETURN AND DISPOSAL OF CANNABIS**

### **SALE**

#### **123. Presale conditions.**

- (1) A licensee shall not sell or present for sale, any cannabis or cannabis product unless the licensee has obtained pharmacovigilance approval and market authorisation.
- (2) A licensee shall apply in writing to the Minister for pharmacovigilance approval and market authorisation.

#### **124. Terms and conditions of sale.**

- (1) The Authority shall develop and publish one or more model of terms and conditions of the sale of cannabis products.
- (2) Every licensee who sells or distributes a cannabis product shall adopt a model of terms and conditions developed or published in accordance with paragraph (1).

#### **125. Authorisation to sell.**

- (1) Subject to the terms and conditions of his licence, a licensee may sell cannabis provided that the sale is —
  - (a) subject to a set of terms and conditions approved by the Authority in accordance with regulation 124;
  - (b) recorded in accordance with paragraph (2).
- (2) The sale of a cannabis product between licensees must be evidenced by a receipt which shall contain —
  - (a) the name, address and licence number of both parties;
  - (b) a description of the cannabis product being sold;
  - (c) the date on which the order is placed;
  - (d) the date on which the order is fulfilled and how it was fulfilled.
- (3) This regulation shall not apply to the sale of cannabis to a patient or caregiver in pursuance of an electronic prescription.

#### **126. Refusal of sale.**

- (1) A licensee shall refuse to complete a sale where —
  - (a) the purchaser does not have a valid licence granted under section 19 of the Act;

- (b) the sale includes cannabis topical, cannabis extract, edible cannabis, dried or fresh cannabis in respect of which the quantities of cannabis exceed the equivalent of 150 g of dried cannabis;
  - (c) the sale includes a total quantity of cannabis plants or cannabis plant seeds that, taking into account the seed-to-plant ratio specified in paragraph (2), exceeds the maximum number of plants authorised to be under production.
- (2) For the purpose of paragraph (1)(c), three cannabis plant seeds are equivalent to one cannabis plant.

## RETURN OF CANNABIS OR CANNABIS PRODUCT

### **127. Return of cannabis or cannabis products.**

- (1) A purchaser may return a cannabis product where the terms and conditions of the sale permit a return.
- (2) A purchaser who returns a cannabis product must deliver the cannabis product to the place of sale and —
  - (a) if they are sending or delivering cannabis plants, or other cannabis products in respect of which the total quantity of cannabis exceeds the equivalent of 30 g of dried cannabis prepare the parcel in a manner that ensures the security of its contents, such that —
    - (i) it will not open or permit the escape of its contents during handling and transportation;
    - (ii) it is sealed so that it cannot be opened without the seal being broken;
    - (iii) except in the case of cannabis plants, it prevents the escape of odours associated with cannabis plant material; and
    - (iv) it prevents its contents from being identified without it being opened; and
  - (b) use a method that ensures the tracking and safekeeping of the parcel during transportation.

### **128. Replacement of returned cannabis.**

- (1) A vendor to whom cannabis topical, cannabis extract, edible cannabis, dried or fresh cannabis are returned in accordance with regulation 127, may replace them with cannabis topical, cannabis extract, edible cannabis, dried or fresh cannabis, in respect of which the total quantity of cannabis does not exceed the equivalent of 150 g of dried cannabis.
- (2) A vendor to whom cannabis plants or cannabis plant seeds are returned in accordance with regulation 127 may replace them with a quantity of cannabis plants or cannabis plant seeds, or both, that does not exceed,

taking into account the seed-to-plant ratio specified in regulation 126(2) the maximum number of plants authorised to be under production.

## DISPOSAL

### **129. Disposal by patient or caregiver.**

A patient or caregiver shall dispose of cannabis or a cannabis product by turning over the cannabis or cannabis product to —

- (a) the pharmacy or cannabis dispensary from which it was dispensed;
- (b) the Authority; or
- (c) such other licensee as the Authority may by notice published in the *Gazette*, authorise to accept cannabis for disposal by a patient or caregiver.

### **130. Approved methods of disposal.**

For the purposes of this Part, the methods approved by the Authority for the disposal or destruction of cannabis include —

- (a) burial;
- (b) compost;
- (c) incineration;
- (d) any other method the Authority may approve in writing.

### **131. Disposal of cannabis.**

- (1) A licensee who intends to dispose of cannabis waste shall notify the authority of the date and time of the disposal, and state what is to be disposed of.
- (2) No person shall dispose of cannabis waste unless officers from the Authority are present.
- (3) The Authority shall send officers to attend the disposal, and those officers shall submit a report to the Chief Executive Officer and that report shall include a list of what was disposed of and how the disposal was done.
- (4) Paragraphs (2) and (3) do not apply to the holder of a scientific research or analytical testing licence.
- (5) Cannabis waste intended for disposal shall remain on the licensed premises until it is being disposed of, and the licensee shall ensure that —
  - (a) access to the cannabis waste is restricted to employees or agents; and
  - (b) the storage area for the cannabis waste is separate from the storage area for the cannabis or cannabis product.

**132. Disposal on suspension or revocation of licence.**

Where the Authority —

- (a) suspends a licence, it may require the licensee to perform certain functions or tasks or to destroy all cannabis products and all cannabis waste on the premises;
- (b) revokes a licence or a licence expires, it shall require the licensee to destroy all cannabis, cannabis products and all cannabis waste on the premises.

**133. Authority may ensure proper disposal of cannabis.**

- (1) Where a licensee does not dispose of cannabis, cannabis products and cannabis waste on the premises or does not adequately dispose of it, the Authority shall ensure the proper and complete disposal of the cannabis, cannabis products and cannabis waste on the premises.
- (2) The Authority may, where it incurs any cost in disposing of the cannabis in paragraph (1), recover the costs from the licensee.

**134. Cannabis waste disposal register.**

Every licensee shall keep and maintain a cannabis waste disposal register to record —

- (a) the type of cannabis or cannabis product and the lot number, weight, batch or tracking number of the cannabis or cannabis product disposed of;
- (b) the date of the disposal and reason for the disposal;
- (c) the name of the employee who conducted the disposal; and
- (d) the name of the officer sent by the Authority for the purposes of regulation 131(3).

## **PART IX – ACCESS TO CANNABIS FOR MEDICAL PURPOSES**

**135. Registration of medical practitioners.**

A medical practitioner who has completed the required training in accordance with section 38(1) of the Act and is desirous of prescribing medical cannabis for the treatment of a qualifying medical condition, must submit to the Authority via the confidential database —

- (a) his name, and address of practice;
- (b) a copy of his licence to practice as a medical practitioner;

- (c) evidence of successful completion of the required training programme.

**136. Prescribing cannabis to patient with history of abuse.**

A medical practitioner shall not be prohibited from prescribing cannabis for a patient with a history of substance abuse.

**137. Procedure on dispensing medical cannabis.**

- (1) When a patient or caregiver attends a pharmacy or dispensary to fill a prescription, he shall present to the pharmacist or dispenser —
  - (a) the electronic prescription; and
  - (b) a form of government issued identification.
- (2) The pharmacist or dispenser shall —
  - (a) scan the bar code to access the prescription;
  - (b) verify the identity of the patient or caregiver; and
  - (c) fill the prescription where the patient has —
    - (i) a valid prescription;
    - (ii) not exhausted the dispensing limitation set in section 46 of the Act.

**138. Administration and use of cannabis in a hospital, medical or chemotherapy facility.**

The administration and use of cannabis in a hospital, medical or chemotherapy treatment facility shall be permitted as though the administration and use were of any other prescription of a controlled drug for the treatment of a medical condition.

**139. Administration of medical cannabis to a patient by a caregiver.**

- (1) A caregiver shall take care to ensure that the medical cannabis is administered in accordance with the instructions of the prescribing medical practitioner and any instructions or warnings provided by the manufacturer of the medical cannabis.
- (2) Where a patient consumes medical cannabis by inhalation, the caregiver shall take care not to ingest the medical cannabis or to allow any other person to ingest the medical cannabis.

**140. Storing of medical cannabis by patient or caregiver.**

A patient or caregiver shall store medical cannabis in such a manner as to prevent unauthorised access to medical cannabis.

**141. Obtaining from more than one source.**

- (1) No person shall seek or obtain cannabis from more than one source at a time on the basis of the same electronic prescription.
- (2) Nothing in paragraph (1) shall prohibit a patient or caregiver from seeking or obtaining cannabis from another source on the basis of the same electronic prescription where —
  - (a) the initial source had insufficient supply and the secondary source can complete the prescription;
  - (b) the electronic prescription is recurring and the dispensing limitation as well as the cannabis dispensed in a previous fill has been exhausted.

**PART X – MISCELLANEOUS****ELECTRONIC TRACKING****142. Unique identifier.**

The Authority shall assign to each licensee, a unique identifier which shall aid the electronic tracking of licensed premises, conveyances, cannabis, cannabis accessories and cannabis products.

**143. Electronic tracking of cannabis.**

- (1) The Authority shall monitor, regulate and electronically track —
  - (a) licensed premises;
  - (b) conveyances subject to a license issued under the Act; and
  - (c) all cannabis plants, cannabis plant seeds and cannabis products, to ensure that all cannabis regulated by the Act can be accounted for.
- (2) The Authority shall place or install any device or machinery on any licensed premises or conveyance subject to a license issued under this Act to facilitate the electronic tracking system.
- (3) A licensee shall also provide the Authority with remote access to the security system established by that licensee and facilitate access by the Authority for the purposes of paragraph (2).

**144. Management of the confidential database.**

The Authority shall ensure that the confidential database functions in a manner to —

- (a) differentiate between the classes of users of the database and create a profile for each user;

- (b) produce a report of the history of the prescribing of medical cannabis by every medical practitioner user;
- (c) permanently record the date a prescription is filled and the details thereof;
- (d) produce a report of the history of the dispensing of medical cannabis —
  - (i) by each pharmacist; and
  - (ii) to each patient or caregiver;
- (e) provide sufficient information to a pharmacist on the history of the dispensing of medical cannabis to a patient or caregiver to allow that pharmacist to determine whether the patient or caregiver has exceeded the dispensing limitation set in section 46 of the Act;
- (f) track the import, cultivation, sale, distribution and export of cannabis.

## RECORD KEEPING AND REPORTING

### **145. Retention period.**

For the purposes of these Regulations and except as otherwise provided, a licensee is required to retain all records which he is hereunder required to keep, for a period of two years (hereinafter referred to as “retention period”).

### **146. Register of visitors.**

Every licensee shall keep a register of all visitors to the premises and that register shall contain in respect of each visitor —

- (a) full name;
- (b) street address;
- (c) email address;
- (d) phone number; and
- (e) the purpose of the visit.

### **147. Keeping of records.**

A licensee shall ensure, where applicable, that records are kept in respect of —

- (a) business operation details;
- (b) inventory of cannabis and cannabis products produced or sold;
- (c) ingredients used in cannabis products produced;
- (c) crops harvested;
- (d) treatments or agents used on cannabis or cannabis products;
- (e) promotions or advertising of the cannabis business;

- (f) security plans;
- (g) good production practices;
- (h) bank accounts and other financial information;
- (i) records of cannabis or cannabis material disposed of.

**148. Manner of retention.**

- (1) A person required to retain a document or information, or to ensure that a document or information is retained under these Regulations must ensure that —
  - (a) the document or information is retained to will enable an audit of it to be made in a timely manner;
  - (b) if the person holds a licence, the document or information is available at the site specified in the licence; and
  - (c) if the person does not hold a licence, the document or information is available at his place of business.
- (2) A person who ceases to hold a licence, must, in respect of any document or information he was required to retain under the Act and for which the retention period has not yet ended —
  - (a) ensure that the document or information continues to be retained until the end of the retention period; and
  - (b) provide the Authority with notice in writing of the address of the location at which the document or information is retained and of any subsequent change to the address.

**149. Theft or loss of cannabis.**

- (1) A licensee must, if he experiences a theft of cannabis or a loss of cannabis that cannot be explained on the basis of normally accepted business activities —
  - (a) notify a police officer within twenty-four hours after becoming aware of the theft or loss; and
  - (b) provide the Authority with a written notice within ten days after becoming aware of the theft or loss.
- (2) The licensee must retain a copy of the notice provided to the Authority for at least two years after the day by which the Authority must be notified.

**150. Inventory concerns.**

- (1) A person employed by a licensee who detects a discrepancy in —
  - (a) any cannabis or medical cannabis products inventories on the premises;
  - (b) the number of cannabis plants on the premises;



- (c) any cannabis or medicinal cannabis products transported; or
  - (d) any of the records with respect to subparagraphs (a) to (c),
- shall notify the Authority within twenty-four hours of finding the discrepancy.
- (2) A person who contravenes paragraph (1) commits an offence.

## INTERAGENCY AND INTERNATIONAL COOPERATION

### 151. Public health programs and activities.

- (1) The Authority may, at the request of the Minister, disclose any information obtained under the Act for the purpose of implementing a public health program or activity related to cannabis.
- (2) The information disclosed under paragraph (1) shall be anonymized and statistical in nature.

### 152. International Narcotics Control Board.

- (1) The Authority shall disclose to the Minister for his submission to the International Narcotics Control Board, such information or reports as may be required in accordance with the Single Convention on Narcotic Drugs 1961 to which The Bahamas is a signatory.
- (2) The Minister may also disclose to the International Narcotics Control Board any information relating to cannabis obtained under the Dangerous Drugs Act (*Ch. 228*) before the day on which these Regulations come into force if the disclosure is necessary to enable The Bahamas to fulfil its international obligations in relation to cannabis.

### 153. Competent authorities.

The Minister may, for the purposes of the administration or enforcement of the Act or these Regulations or if it is necessary to enable The Bahamas to fulfil its international obligations in relation to cannabis, disclose to a competent authority —

- (a) information obtained from a person who has applied for or holds an import or export authorisation;
- (b) information relating to an activity authorised by —
  - (i) an import or export authorisation; or
  - (ii) a licence held by a person who has applied for or holds an import or export authorisation;
- (c) any document that the holder or former holder of an import or export authorisation is required to retain, including any document that relates to a licence he holds or held; and
- (d) a copy of any import or export authorisation.

## GENERAL

### **154. General penalty.**

Any person who commits an offence against this Act for which no penalty is specifically provided shall be liable to a fine not exceeding three thousand dollars or to imprisonment for a period of twelve months or to both such fine and imprisonment.

**FIRST SCHEDULE**

(regulation 2)

- 1 Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not, other than —
  - (a) a non-viable seed of a cannabis plant;
  - (b) a mature stalk, without any leaf, flower, seed or branch, of such a plant;
  - (c) fibre derived from a stalk referred to in paragraph (b);
  - (d) the root or any part of the root of such a plant.
- 2 Any substance or mixture of substances that contains or has in it any part of such a plant.
- 3 Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

**SECOND SCHEDULE**

(regulation 3(a))

**FORM A**

**CANNABIS AUTHORITY**

**APPLICATION FOR LICENCE**

Type of licence applied for

- |                |  |  |  |
|----------------|--|--|--|
| Single Licence | <input type="checkbox"/> Nursery (Cultivation) | <input type="checkbox"/> Micro-cultivation (Cultivation) | <input type="checkbox"/> Standard (Cultivation)        |
|                | <input type="checkbox"/> Pharmacy (Retail)     | <input type="checkbox"/> Cannabis Dispensary (Retail)    | <input type="checkbox"/> Therapeutic Facility (Retail) |
|                | <input type="checkbox"/> Analytical Testing    | <input type="checkbox"/> Manufacturing                   | <input type="checkbox"/> Research                      |
|                | <input type="checkbox"/> Transport             | <input type="checkbox"/> Religious use                   |  |

- |                     |   |   |   |
|---------------------|---|---|---|
| Combination Licence | <input type="checkbox"/> Cultivation (any class) and analytical testing | <input type="checkbox"/> Cultivation (any class) and research           | <input type="checkbox"/> Cultivation (any class), analytical testing and research |
|                     | <input type="checkbox"/> Retail (any class) and analytical testing      | <input type="checkbox"/> Retail (any class) and research                | <input type="checkbox"/> Retail (any class), analytical testing and research      |
|                     | <input type="checkbox"/> Manufacturing and research                     | <input type="checkbox"/> Manufacturing, analytical testing and research | <input type="checkbox"/> Manufacturing and analytical testing                     |
|                     | <input type="checkbox"/> Religious use and cultivation                  |   |   |

**INDIVIDUAL APPLICANT**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**COMPANY**

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Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Registered Office: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PARTNERSHIP**

Name of Partnership \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

\_\_\_\_\_

*Please see the included checklist for required documents and ensure that all required items are attached to this application.*

**APPLICATION FOR LICENCE  
REQUIRED DOCUMENT CHECKLIST**

**SECTION A: INDIVIDUAL APPLICANT**

- certified copy of passport or birth certificate;
- a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (3 of 2009);
- a photograph of the applicant certified by a notary public as a true likeness of the applicant;
- two character references.

**SECTION B: INCORPORATED APPLICANT**

- a copy of the certificate of incorporation and a certificate of good standing issued in accordance with the Companies Act (Ch. 308);
- the information required by section 9(2) of the Register of Beneficial Ownership Act, 2018 (No. 38 of 2018);
- in respect of every director, senior management officer, and beneficial owner —
  - a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (3 of 2009);
  - a photograph certified by a notary public as a true likeness of the director, senior management officer or beneficial owner;
  - two character references.

**SECTION C: PARTNERSHIP APPLICANT**

- a copy of the partnership agreement;
- the information required by section 9(2) of the Register of Beneficial Ownership Act, 2018 (No. 38 of 2018);
- in respect of every partner —
  - a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (3 of 2009);
  - a photograph certified by a notary public as a true likeness of the applicant;
  - two character references.

**SECTION D: ALL APPLICANTS**

- address of the proposed premises and evidence that the applicant —
  - owns the premises on which the activities which are the subject of the licence will be carried on; or
  - if not the owner, has the written agreement of the owner of those premises to use the premises for those activities; and

- 
- a survey plan of the land, prepared by a registered and licensed land surveyor, comprising the premises or on which the premises are situated.
  - the address and telephone number for each building within the premises where the proposed activities are to be conducted.
  - proof of sufficient financial ability to undertake the proposed activities in the opinion of the Authority including —
    - bank statements;
    - proof of credit or other funding.
  - details of the proposed activities to be conducted on the premises, the purpose for conducting those activities and where applicable, the cannabis or cannabis accessory in respect of which each of the activities is to be conducted.
  - security plan in accordance with regulation 7.
  - in respect of all persons to be employed by the applicant in connection with the activity that is the subject of the licence —
    - a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (*3 of 2009*);
    - proof that the proposed employee has attained the age of twenty-one years;
    - a photograph of the proposed employee certified by a notary public as a true likeness of the applicant; and
    - two character references.

**FORM B**

Application for Variation  
(regulation 10)

CANNABIS AUTHORITY  
APPLICATION FOR VARIATION

Type of licence to be varied \_\_\_\_\_

Licence No. \_\_\_\_\_

DETAILS OF LICENSEE

Individual

Company

Partnership

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Registered Office: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Registered Office: \_\_\_\_\_

\_\_\_\_\_

Please describe the requested variation in detail.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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*Please see the included checklist for variation requests and ensure that all required items are attached to this application.*

**FORM C**  
Application for Transfer  
(regulation 11)

CANNABIS AUTHORITY  
APPLICATION FOR TRANSFER

**Type of licence**

**Licence number**

**Details of current licensee**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

*If a partnership, include the names of all other partners —*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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If a company, —

Registered  
Office:

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**Details of proposed transfer**

*Please provide details of the percentage of interest being transferred and the details of the transferee and transferor.*

*Please see the included checklist for required documents and ensure that all required items are attached to this application in respect of the person(s) to whom interest is proposed to be transferred.*

**APPLICATION FOR TRANSFER  
REQUIRED DOCUMENT CHECKLIST**

**SECTION A: INDIVIDUAL APPLICANT**

- certified copy of passport or birth certificate;
- a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (*3 of 2009*);
- a photograph of the applicant certified by a notary public as a true likeness of the applicant;
- two character references.

**SECTION B: INCORPORATED APPLICANT**

- a copy of the certificate of incorporation and a certificate of good standing issued in accordance with the Companies Act (*Ch. 308*);
- the information required by section 9(2) of the Register of Beneficial Ownership Act, 2018 (*No. 38 of 2018*);
- in respect of every director, senior management officer, and beneficial owner —
  - a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (*3 of 2009*);
  - a photograph certified by a notary public as a true likeness of the director, senior management officer or beneficial owner;
  - two character references;

**SECTION C: PARTNERSHIP APPLICANT**

- a copy of the partnership agreement
- the information required by section 9(2) of the Register of Beneficial Ownership Act, 2018 (*No. 38 of 2018*)
- in respect of every partner —
  - a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (*3 of 2009*);
  - a photograph certified by a notary public as a true likeness of the applicant;
  - a photograph certified by a notary public as a true likeness of the applicant; and
  - two character references.

**SECTION D: ALL APPLICANTS**

- address of the proposed premises and evidence that the applicant —
  - owns the premises on which the activities which are the subject of the licence will be carried on; or
  - if not the owner, has the written agreement of the owner of those premises to use the premises for those activities; and
  - a survey plan of the land, prepared by a registered and licensed land surveyor, comprising the premises or on which the premises are situated.
- the address and telephone number for each building within the premises where the proposed activities are to be conducted.
- proof of sufficient financial ability to undertake the proposed activities in the opinion of the Authority including —
  - bank statements;
  - proof of credit or other funding.
- details of the proposed activities to be conducted on the premises, the purpose for conducting those activities and where applicable, the cannabis or cannabis accessory in respect of which each of the activities is to be conducted.
- security plan in accordance with regulation 7.
- in respect of all persons to be employed by the applicant in connection with the activity that is the subject of the licence —
  - a character certificate issued pursuant to section 124 of the Police Force Act, 2009 (*3 of 2009*);
  - proof that the proposed employee has attained the age of twenty-one years;
  - a photograph of the proposed employee certified by a notary public as a true likeness of the applicant; and
  - two character references.

**THIRD SCHEDULE**

(regulation 3(b))

**LICENCE FEES****Initial Application (Non Refundable Application Fee)**

For an application for a single licence

1.	Cultivation	\$1,000
2.	Manufacturing	\$3,000
3.	Analytical Testing	\$5,000
4.	Research	\$3,000
5.	Transport	\$1,000
6.	Retail	\$3,000
7.	Religious	\$1,000

For two or more licences applied for at the same time

1.	Any two permitted combination of licences except religious and cultivation	\$4,000
2.	A combination of religious and cultivation license	\$1,500

**Application for Additional Licences after Grant of Initial Licence (Non Refundable Application Fee)**

For each additional licence applied for during the duration of the initial licence except in the case of a religious use licensee \$2,500

For each additional licence applied for during the duration of the initial licence of a religious use \$500

**Administrative Fees**

Security Vetting (World Check) per director	\$2,400
Electronic Database and Tracking Software Service	\$575
Inspection Fee	\$200

**Non Refundable Annual Licence Fee**

1.	Cultivation Licence	
	(a) Nursery	\$ 2,944.00
	(b) Micro-cultivation	\$ 9,800.00
	(c) Standard	\$ 12,600.00
2.	Manufacturing Licence	\$ 14,712.00
3.	Analytical Testing Licence	\$ 7,356.00
4.	Research Licence	\$ 7,356.00
5.	Transport Licence (up to 3 vehicles)	\$ 9,800.00
	- each additional vehicle	\$ 7,400.00
6.	Retail Licence	
	(a) Retail Pharmacy	\$ 14,712.00
	(b) Cannabis Dispensary	\$ 14,712.00
	(c) Therapeutic Facility	\$ 14,712.00
7.	Religious Use Licence	
	(a) Organisation	\$ 1,000.00
	(b) Individual	\$ 500.00
8.	Combination of two licences	
	(a) Any two permitted combinations not including a religious use licence	\$16,100.00
	(b) Any permitted combination of more than two licences not including a religious use licence	\$24,000.00
	(c) Any permitted combination of licence with a religious use licence	\$4,000.00

**Late Renewal and Variation of Licence**

1.	Application for renewal made less than one month before expiration of a licence	\$ 2,500.00
2.	Variation of a licence	\$ 1,500.00

**FOURTH SCHEDULE**

(regulation 57)

FORM A

(regulation 57)

**IMPORT AUTHORISATION**

Authorisation No .....

File No .....

In pursuance of the Cannabis Act, 2022, the Minister hereby authorises —

*(name and address of licensee)**(license number)*hereinafter called “the importer”) to import the drugs specified in the Schedule hereto,  
from .....

This authorisation is issued subject to the following conditions:

- (1) The drugs shall be imported before .....  
(Date)
- (2) This authorisation is not a licence to be in possession of or to supply the drug imported.
- (3) This authorisation does not relieve the importer from compliance with any Customs regulations in force for the time being relating to the importation of goods into or transshipment of goods in The Bahamas, or any Post Office regulations for the time being in force in The Bahamas.
- (4) This authorisation is valid only for the importer and may be revoked at any time by the Minister, to whom it shall in that event be immediately surrendered. It shall be produced for inspection when required by any duly authorised person.
- (5) This authorisation, unless sooner revoked, shall be produced to the Customs officer at the time of importation and shall be surrendered to the Customs Officer at the time when the last consignment of drugs is imported.
- (6) If the importation of all the drugs specified in the Schedule is not effected before the date specified in condition No. 1, this authorisation shall immediately after that date be surrendered to the Minister.



- (7) The copy of the export authorisation, if any, which accompanied the drugs shall be forwarded to the Minister immediately the importation of the drugs has been effected.

.....

(Date)

.....

(Signature of the Minister)

SCHEDULE

*specifying the drugs and quantities thereof to be imported.*

.....

This authorisation is not to leave the possession of the importer until it is surrendered to the Minister or to the Customs Officer, who will complete the certificate on the back and return the authorisation to the Minister.

FORM B  
IMPORT CERTIFICATE  
SINGLE CONVENTION CERTIFICATE OF OFFICIAL APPROVAL OF IMPORT

Serial No .....

File No .....

I, being the person charged with responsibility for the administration of the law relating to cannabis to which the Single Convention applies hereby certify that I have approved the importation by

of

from

subject to the conditions that

- (1) the consignment shall be imported before the ..... ; and
- (2) the consignment shall be imported by ..... and that I am satisfied that the consignment proposed to be imported is required —
  - (a) for legitimate purposes;
  - (b) solely for medicinal or scientific purposes

.....

(Date)

.....

(Signature of the Minister)

FORM C

(regulation 60)

LICENCE FOR THE REMOVAL OF CANNABIS IN TRANSIT

*(name and address of licensee)*

\_\_\_\_\_
is hereby authorised to move the cannabis/cannabis product
described hereunder from

\_\_\_\_\_
to
\_\_\_\_\_

Nature and quantity of cannabis/cannabis product .....

Particulars of export authorisation (or diversion certificate) if any relating thereto

.....

Name of ship on which the cannabis/cannabis product were brought into The Bahamas

.....

Date of arrival .....

Number of packages .....

Marks and numbers on packages .....

This licence is issued subject to the following conditions —

- (1) This licence is valid only for the removal of the cannabis/cannabis product specified above.
(2) The removal of the cannabis/cannabis product shall take place between .... a.m./p.m. and..... a.m/p.m. on the..... 20 .....
(3) If the removal of the cannabis/cannabis product does not take place within the hour and on the day specified, this licence must be returned to the Minister forthwith; and in any case shall be surrendered when the removal has taken place.
(4) The cannabis/cannabis product must not be moved unless an officer of the Customs Department is present.
(5) This licence does not authorise the person named above to be in possession of the cannabis/cannabis product otherwise than for the purpose of removing them in accordance with this licence.
(6) The packages containing the cannabis/cannabis product are not to be opened or broken in the course of the removal.

(7) This licence shall be produced at any time when required by a duly authorised person.

.....

(Date)

.....

(Signature of the Minister)

FORM D

(regulation 61)

THE SINGLE, VIENNA AND UNITED NATIONS CONVENTIONS  
DIVERSION CERTIFICATE

I, being the person charged with responsibility for the administration of the law relating to cannabis/cannabis product to which the Single, Vienna and United Nations Conventions apply, hereby certify that I have authorised the diversion of the consignment of cannabis/cannabis product, of which particulars are given below, to the destination stated below.

Description and quantities of cannabis/cannabis product

.....

Name of vessel on which the consignment was brought to The Bahamas

.....

Name and address of the exporter .....

Number and date of export authorisation and authority by whom issued

.....

Name and address of original consignee named in the export authorisation

.....

Name and address of consignee to whom the consignment is authorised to be diverted

.....

Number and date of import certificate (and authority by whom issued) by virtue of which this diversion is authorised

.....

Name of vessel on which the consignment is authorised to be carried from The Bahamas

.....

Period within which the consignment is to be carried from The Bahamas

.....

This certificate is issued subject to the following conditions —

- (1) 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 vessel by which the consignment is dispatched.
- (2) This certificate does not relieve any person who may be concerned with the carriage of the consignment of cannabis/cannabis product specified

above from compliance with any Customs regulations in force for the time being relating to the exportation of goods from The Bahamas.

- (3) This certificate is valid only for the consignment and for the period specified above, and may be revoked at any time.
- (4) If the consignment of cannabis/cannabis product is not carried from The Bahamas within the period specified above, this certificate shall be surrendered to the Minister.
- (5) This certificate shall be produced at any time when required by a duly authorised person.

.....

(Date)

.....

(Signature of the Minister)

NOTE:

- (1) If any alteration is desired in this authorisation, it must be returned with a request for amendment and statement for the reasons therefor. No unauthorised alteration is permissible.
- (2) This document is required in pursuance of Article 31(6), (10), (11) and (12) of the Single Convention, Article 12(1)(d) and (3)(d), (e) and (f) of the Vienna Convention and Article 12(9) and (10) of the United Nations Convention to be produced to the competent authority of any country through which the consignment passes, whether it is transshipped or not.
- (3) Failure to comply with the condition may lead to delay or confiscation of the consignment.

FORM E  
(regulation 66)  
EXPORT AUTHORISATION  
SINGLE CONVENTION  
CERTIFICATE OF OFFICIAL APPROVAL OF IMPORT

Serial No .....

File No .....

Applicant's ref. No .....

In pursuance of the Cannabis Act, 2022, the Minister hereby authorises —

*(name and address of licensee)*

*(license number)*

hereinafter called “the exporter”) to export from —

- (1) the port of ..... by *(vessel name and registration number)* . .....
- (2) The Bahamas by Parcel Post in Parcels from the ..... Post Office in ..... *Strike out words not applicable*  
to..... by virtue of Import Certificate No. .... dated ..... issued by ..... the following cannabis/cannabis products namely —  
*(see note (1))*

This authorisation is issued subject to the following conditions —

1. This authorisation is not a licence to obtain or be in possession of cannabis/cannabis products named herein.
2. This authorisation does not relieve the exporter from compliance with any Customs regulations in force for the time being relating to the exportation of goods from The Bahamas nor from any provision of the Post Office Act, or of any Post Office Regulations for the time being in force, nor from any rules or regulations respecting the transmission of articles by post which may for the time being be in force, whether within The Bahamas or elsewhere.
3. If the cannabis/cannabis products are authorised to be exported by ship 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 vessel by which the consignment is dispatched. *(See note(2).)*

4. If the cannabis/cannabis products are authorised to be exported by post the attached duplicate copy shall be placed inside the outer wrapper of the parcel containing the cannabis/cannabis products. If the cannabis/cannabis products are contained in more than one parcel, the duplicate copy shall be placed inside the outer wrapper of one of them; the parcels shall be consecutively numbered on the outer wrapper and on each parcel there shall be legibly stated the number of the parcel in which the duplicate copy is to be found. *(See footnote (3).)*
5. The exporter, if so required by the Minister shall produce to him, within such times as he may allow, proof to his satisfaction that the said cannabis/cannabis products were duly delivered at the destination named in the authorisation, and in the event of noncompliance with this condition the authorisation shall be deemed void and of no effect.
6. The exporter shall furnish to the Minister such returns of the goods exported by him in pursuance of this authorisation as may from time to time be required.
7. This authorisation is valid only for the exporter named above and may be revoked at any time by the Minister. It shall be produced for inspection when required by any duly authorised person. *(See Note (4).)*
8. This authorisation, unless sooner revoked, shall continue in force for three calendar months from the date hereof. It must be produced at the time of export, to any officer of —

(a) the Customs Department; or

(b) the Post Office,

who will retain it.

If not used it shall be surrendered to the Minister within seven days of the date of its expiry.

.....

(Date)

.....

(Signature of the Minister)

Note:

- (1) Please provide —
  - (i) a description of the cannabis;
  - (ii) the intended use of the cannabis;
  - (iii) if applicable, the brand name of the cannabis;
  - (iv) the quantity of the cannabis; and



