



BRITISH COLUMBIA

VIA EMAIL

Ref. 633306

September 2, 2022

Her Worship Lisa Helps
Mayor of the City of Victoria
1 Centennial Square
Victoria BC V8W 1P6
Email: mayorandcouncil@victoria.ca; LHelps@victoria.ca

Dear Mayor Helps:

Thank you for your letter of July 28, 2022, regarding harm reduction services and provincial cannabis regulation. As the Minister responsible for implementation of the legal non-medical cannabis framework in British Columbia, I would like to take the opportunity to clarify the scope of provincial regulatory authority in this area.

For context, the federal *Cannabis Act* created a strict national framework for controlling the production, distribution, sale and possession of cannabis in Canada. Under this framework, provincial and territorial governments are responsible for determining how non-medical cannabis is distributed and sold in their jurisdictions. However, the federal government, through Health Canada, is responsible for administering and regulating access to medical cannabis. Health Canada is also responsible for licensing and oversight of producers who grow and manufacture cannabis and sets the strict national rules and standards for products, packaging and labelling and prohibitions on promotion.

The provincial regulatory framework does not regulate the distribution of legal medical cannabis, but it does include provincial offences relating to the distribution of cannabis that is illegal under the federal *Cannabis Act*. Even if provincial legislation did not include such offences, organized distribution of cannabis produced outside the federal licensing regime would continue to be a criminal offence, regardless of whether a commercial transaction takes place.

The Province has encouraged the federal government to explore licencing options for certain harm reduction services and has expressed willingness to collaborate with Health Canada on this matter.

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Thank you again for writing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Farnworth". The signature is stylized with a large, looped initial "M" and a long, sweeping underline.

Mike Farnworth
Minister of Public Safety and Solicitor General
and Deputy Premier

pc: The Honourable Sheila Malcolmson