

CANNABIS ACT
R-029-2018
Registered with the Registrar of Regulations
2018-09-04

CANNABIS REGULATIONS

The Commissioner, on the recommendation of the Minister, under section 65 of the *Cannabis Act*, and every enabling power, makes the annexed *Cannabis Regulations*.

General

Storage of cannabis

1. (1) A person who possesses cannabis, including for medical purposes under the authority of applicable federal law, shall store it in a closed, opaque container that is out of sight of minors.

Child day care services

(2) If a person possesses cannabis, including for medical purposes under the authority of applicable federal law, in a place where child day care services are provided, the person shall ensure that the container referred to in subsection (1) is locked during the times at which the services are being provided.

Possession limits

2. A person shall not possess more than 150 grams of dried cannabis or equivalent.

Prescribed distance

3. The prescribed distance for the purposes of subsections 35(1) and 36(3) of the Act is nine metres.

Signs prohibiting consumption of cannabis

4. A sign that is required to be posted under subsection 35(4) of the Act must

- (a) measure not less than 120 mm by 120 mm;
- (b) be posted so that the sign is conspicuous and not obstructed from view at each entrance to the place;
- (c) display, in a form that is at least 100 mm in diameter the symbol set out in Schedule A, or a symbol that is substantively similar to that symbol.

Administration

Service of notices

5. (1) This section applies to the service of

- (a) notices under sections 12, 13, 15 and 16 of the Act; and
- (b) written notifications under section 6.

Method of service

(2) Service of a document may be effected as follows:

- (a) personally;
- (b) by sending it to the last known address of the person, using a method that provides an acknowledgement of receipt by the person to be served;
- (c) by sending it by electronic mail to the last known electronic mail address of the person to be served;
- (d) with respect to a notice in respect of a place, by posting it conspicuously at the place.

Deemed receipt

(3) Where service is effected using a method that provides an acknowledgement of receipt by the person to be served under paragraph (2)(b), service shall be deemed to be effected no more than 15 days after the notice is sent.

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Electronic mail

(4) With respect to service by electronic mail under paragraph (2)(c), service is not effected unless both of the following conditions are met:

- (a) the person being served confirms receipt of the document being served;
- (b) the confirmation of receipt is made by the person being served
 - (i) by electronic mail from the electronic mail address to which the document was sent, or
 - (ii) in writing, including the person's signature.

Date of electronic service

(5) With respect to service by electronic mail under paragraph (2)(c), service is deemed to have been effected on the day that the confirmation under subsection (4) is made.

Notifications

6. (1) A notification under paragraph 42(4)(a) of the Act may be made by
- (a) speaking to the person in person, by telephone, or by another technology that allows for a simultaneous voice conversation; or
 - (b) by serving a written notification in accordance with section 5.

Record

(2) If a notification is made in accordance with paragraph (1)(a), the person making the notification shall make and retain a written record that indicates the time and date the notification was made.

Sale of cannabis

Proofs of age

7. (1) The following are prescribed as proofs of age for the purposes of section 33 of the Act:
- (a) any identification document with a photograph and date of birth that was issued by the Government of Nunavut, the Government of Canada or the government of a province or another territory;
 - (b) a passport;
 - (c) a United States passport card;
 - (d) a NEXUS card or Free and Secure Trade (FAST) card;
 - (e) an enhanced driver's licence issued by a state of the United States.

Canada Post

(2) When a delivery from a remote sales store is made by Canada Post, any identification document with a photograph and date of birth that is acceptable identification under Canada Post's general policies is a prescribed proof of age for the purposes of section 33.

Verification of age and identity

8. (1) For the purposes of subsection 33(6) of the Act, the age and identity of a person may be verified by
- (a) the person providing their unique customer identifier set up in accordance with subsection (2);
 - (b) confirming that the person has
 - (i) a customer account referred to in section 4 of the *Beer and Wine Store Regulations* made under the *Liquor Act*, or
 - (ii) another similar customer account registered with the Commission;
 - (c) verifying one of the types of identification listed in subsection 7(1), or a copy of it, which is given or sent by the person;
 - (d) confirming the person's age and identity with a reliable identity verification service; or
 - (e) requiring the person to provide a declaration of their age and identity.

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Customer identifier

(2) After verifying the age and identity of a person in accordance with paragraphs (1)(b) to (e), the operator of a remote sales store may provide the person with a unique customer identifier which must include

- (a) an account number or user name; and
- (b) a personal identification number or other password.

Official Languages-notices, warnings and instructions

9. (1) A person selling cannabis shall provide all notices, warnings and instructions directed at consumers in all Official Languages.

Official Languages-other information

(2) If any information on a container of cannabis, or any information provided when cannabis is sold, other than a notice, warning or instruction, is not provided in an Official Language, the person selling the cannabis shall provide, at delivery, a written description of the information in the Official Language that is sufficient to understand the information.

Exception-branding

(3) This section does not apply to brand names and trademarks.

Operation of remote sales stores by Commission or Agent

10. If the Commission establishes a remote sales store, the Commission or its Agent shall ensure that orders can be made

- (a) on an Internet website; and
- (b) by phone, during regular business hours.

11. (1) Sections 1 to 4 and 7 to 10 come into force on the day that sections 4, 28, 29 and 33 and subsections 35(4) and 36(3) of the Act come into force, or if they are already in force, on the day these regulations are registered by the Registrar of Regulations.

(2) Paragraph 5(a) comes into force on the earlier of the days any one of subsections 12(5), 13(6), 15(10) and 16(9) of the Act comes into force, or if one of those subsections is already in force, on the day these regulations are registered by the Registrar of Regulations.

(3) Paragraph 5(b) and section 6 come into force on the same day as paragraph 42(4)(a) of the Act comes into force, or if that paragraph is already in force, on the day these regulations are registered by the Registrar of Regulations.

(4) The provisions of section 5 other than paragraphs 5(a) and (b) come into force on the earlier of the days any one of paragraphs 5(a) and (b) and section 6 comes into force.

SCHEDULE A

SYMBOL INDICATING PROHIBITION TO CONSUME CANNABIS



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