



*Cannabis Control and Licensing Act*  
**CANNABIS LICENSING REGULATION**  
**B.C. Reg. 202/2018**

Deposited October 5, 2018 and effective October 17, 2018  
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**Consolidated Regulations of British Columbia**

*This is an unofficial consolidation.*

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This consolidation includes any amendments deposited and in force as of the currency date at the bottom of each page. See the end of this regulation for any amendments deposited but not in force as of the currency date. Any amendments deposited after the currency date are listed in the B.C. Regulations Bulletins. All amendments to this regulation are listed in the *Index of B.C. Regulations*. Regulations Bulletins and the Index are available online at [www.bclaws.ca](http://www.bclaws.ca).

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# *Cannabis Control and Licensing Act*

## **CANNABIS LICENSING REGULATION**

**B.C. Reg. 202/2018**

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# *Cannabis Control and Licensing Act*

## **CANNABIS LICENSING REGULATION**

**B.C. Reg. 202/2018**

### **PART 1 – INTERPRETATION**

#### **Definitions for regulation**

**1** In this regulation:

“**Act**” means the *Cannabis Control and Licensing Act*;

“**applicant**” means an applicant for the issuance, renewal, transfer or amendment of a licence;

“**delivery person**” means a delivery service provider or an employee of a delivery service provider;

“**delivery service provider**” means a person operating a delivery service, other than a common carrier;

“**designated federal licence**” means an eligible federal licence designated under section 7.1 (2);

“**eligible federal licence**” means a licence of a subclass established by section 8 (3) (a), (b) or (c) of the Cannabis Regulations (Canada);

“**federal area**” means an area where the holder of a designated federal licence conducts or intends to conduct activities authorized by the designated federal licence;

“**medical cannabis**” has the same meaning as in section 2 of the Cannabis Control Regulation;

“**online system**” means an internet site, application or other platform for the online sale by a licensee of items referred to in section 5 (1) (b) that is administered or operated, in whole or in part,

(a) by the licensee, or

(b) by a third party on behalf of the licensee;

“**original packaging**”, in respect of cannabis, means the packaging of the cannabis when it was purchased from the government;

“**prepaid purchase card**” has the same meaning as in section 56.1 of the *Business Practices and Consumer Protection Act*;

“**retail store**” means all or part of a building or structure designated in a retail store licence to be the establishment;

“**retail store licence**” means any of the following classes of licences established by section 3:

(a) cannabis retail store licence;

(b) producer retail store licence;

**“retail store licensee”** means a person who holds a retail store licence.

[am. B.C. Regs. 197/2020, s. 1; 160/2022, s. 1; 199/2022, App. 2, s. 1.]

### **Equivalent amount of cannabis**

- 2** When this regulation refers to “30 g of dried cannabis or an equivalent amount”, **“equivalent amount”** means an amount of cannabis that is equivalent to 30 g of dried cannabis as determined in accordance with the rule that a quantity referred to in column 2 of Schedule 3 to the *Cannabis Act* (Canada) in respect of a class of cannabis referred to in column 1 of that Schedule is deemed to be equivalent to 1 g of dried cannabis.

[am. B.C. Reg. 76/2023, App. 2.]

### **Definition for Act and regulation**

- 2.1** In the Act and this regulation, **“group of related persons”** means

- (a) a corporation and any affiliate, within the meaning of section 2 of the *Business Corporations Act*, of the corporation,
- (b) an individual and any corporation that is controlled, within the meaning of section 2 of the *Business Corporations Act*, by the individual,
- (c) a person who is a partner in a general partnership and each of the partners,
- (d) a person who is a general partner in a limited partnership and each of the general partners, or
- (e) a person who is a partner in a limited liability partnership and each of the partners.

[en. B.C. Reg. 172/2021, App. s. 1.]

## **PART 2 – LICENCES**

### **Division 1 – Classes of Licences**

#### **Classes of licences**

- 3** The following classes of licences are established:

- (a) cannabis retail store licence;
- (a.1) producer retail store licence;
- (b) marketing licence.

[am. B.C. Reg. 199/2022, App. 2, s. 2.]

### **Division 2 – Retail Store Licences**

#### **Authorized activities**

- 4** A retail store licence authorizes the licensee to sell cannabis referred to in section 15 (c) of the Act

- (a) in the retail store, through an online system or by telephone to patrons if the transfer of personal possession of cannabis from the licensee takes place in accordance with section 5 (1) (e), and
  - (a.1) Repealed. [B.C. Reg. 157/2021, s. 1.]
  - (b) if approved by the general manager, to either of the following:
    - (i) a licensee who holds another retail store licence;
    - (ii) an applicant for a retail store licence.
- [am. B.C. Regs. 197/2020, s. 2; 157/2021, s. 1; 144/2022, s. 1.]

**Rules and requirements**

- 5** (1) The following rules and requirements apply to a retail store licence:
- (a) only the following are permitted to be sold from the retail store:
    - (i) cannabis, other than cannabis plants that are budding or flowering;
    - (ii) subject to subsection (1.1), cannabis accessories;
    - (ii.1) subject to subsection (1.1), items related to cannabis that are not consumable;
    - (iii) bags of a class or type approved by the general manager;
    - (iv) prepaid purchase cards for use for the future supply of only the items referred to in subparagraphs (i) to (iii) and paragraph (b) (i) to (iii);
    - (v) a service to deliver only the items referred to in subparagraphs (i) to (iv) of this paragraph;
  - (b) only the following are permitted to be sold by the licensee through an online system or by telephone:
    - (i) cannabis, other than cannabis plants that are budding or flowering;
    - (ii) subject to subsection (1.1), cannabis accessories;
    - (ii.1) subject to subsection (1.1), items related to cannabis that are not consumable;
    - (iii) bags of a class or type approved by the general manager;
    - (iv) prepaid purchase cards for use for the future supply of only the items referred to in paragraph (a) (i) to (iii) and subparagraphs (i) to (iii) of this paragraph;
    - (v) a service to deliver only the items referred to in subparagraphs (i) to (iv) of this paragraph;
  - (c) the only business that takes place in the retail store is
    - (i) the sale of the items referred to in paragraph (a),
    - (ii) the transfer of personal possession of the items referred to in paragraph (b), and
    - (iii) the operation of an automated teller machine;

- (d) the payment for cannabis purchased by a patron must take place in the retail store unless the patron purchased cannabis through an online system or by telephone;
- (e) the transfer of personal possession of cannabis from the licensee to a patron who purchased the cannabis in the retail store, through an online system or by telephone, or to another adult acting on the patron's behalf, must take place
  - (i) in the retail store, or
  - (ii) on delivery made in accordance with subsection (2.1) outside the retail store;
- (f) cannabis must not be sold to a person who intends to deliver the cannabis to another person for compensation;
- (g) the maximum amount of cannabis that may be sold to a patron in a transaction is 30 g of dried cannabis or an equivalent amount;
- (g.1) the maximum number of cannabis plants that may be sold to a patron in a transaction is 4;
- (h) a patron must not have in the retail store personal possession of
  - (i) a cannabis plant that is budding or flowering, or
  - (ii) subject to subsection (3), more than
    - (A) 30 g of dried cannabis or an equivalent amount, and
    - (B) 4 cannabis plants;
- (i) cannabis that is sold under the retail store licence must be sold in its original packaging that has never been opened;
- (j) the licensee must not open the original packaging of cannabis unless
  - (i) the purpose of opening the packaging is to allow patrons to smell the cannabis, or another purpose approved by the general manager, and
  - (ii) cannabis from the opened packaging is not sold;
- (k) a patron must not open in the retail store the original packaging of cannabis unless the patron purchased the cannabis in that retail store in its original packaging that had never been opened;
- (l) cannabis must not be consumed in the retail store;
- (m) subject to limitation by the general manager, the retail store must not be open to patrons before 9 a.m. or after 11 p.m. of the same day;
- (n) entertainment and games are not allowed in the retail store;
- (o) Repealed. [B.C. Reg. 31/2019, s. (a).]
- (p) the retail store must be located in a permanent building or structure;
- (p.1) the following must not be visible outside the retail store and, if the following are inside the retail store, they must not be visible from outside that store:



- (i) cannabis;
    - (ii) cannabis accessories;
    - (iii) packaging and labelling of cannabis and cannabis accessories;
  - (q) the entrances and exits of the retail store must not be shared with any other store or business;
  - (r) it must not be possible for patrons entering or exiting the retail store to pass through any other store or business other than
    - (i) the common area of a mall, or
    - (ii) an area approved by the general manager under paragraph (s) (ii);
  - (s) the entrances and exits of the retail store must not require patrons to pass through an area that is enclosed to create exclusive access to an entrance or exit of the retail store and one or more other stores or businesses, other than an area that is
    - (i) the common area of a mall or a hallway, or
    - (ii) subject to subsection (4), an area approved by the general manager;
  - (t) the retail store licence must be posted in a conspicuous place in the retail store;
  - (u) an online system must be administered or operated, as applicable, in compliance with the laws, rules and requirements that apply to the licensee.
- (1.1) For the purposes of subsection (1) (a) (ii) and (ii.1) and (b) (ii) and (ii.1), the following items are not permitted to be sold:
- (a) organic solvents, as defined in section 12 (3) of the *Cannabis Act* (Canada);
  - (b) an item that promotes cannabis, a cannabis accessory or any service related to cannabis contrary to section 17 (1) or (6) of the *Cannabis Act* (Canada);
  - (c) an item that promotes cannabis contrary to section 18 (1) of the *Cannabis Act* (Canada);
  - (d) an item that promotes a cannabis accessory contrary to section 18 (2) of the *Cannabis Act* (Canada);
  - (e) an item specified by the general manager.
- (2) For the purposes of subsection (1) (d),
- (a) the payment for the purchase of a prepaid purchase card is not a payment for the purchase of cannabis, and
  - (b) the debiting of a prepaid purchase card to acquire cannabis is a payment for the purchase of cannabis.
- (2.1) For the purposes of subsection (1) (e) (ii), the following rules and requirements apply to the delivery of cannabis under a retail store licence:
- (a) cannabis must be delivered by
    - (i) the licensee or an employee of the licensee,

- (ii) a delivery person, or
    - (iii) a common carrier;
  - (b) if cannabis is delivered by the licensee or an employee of the licensee,
    - (i) the cannabis must be delivered between 9 a.m. and 11 p.m., subject to limitation by the general manager, and
    - (ii) the transfer of personal possession of the cannabis to a patron, or to another adult acting on the patron's behalf, must take place
      - (A) at the address in British Columbia specified by the patron when purchasing the cannabis, or
      - (B) at a location immediately outside the retail store;
  - (c) if cannabis is delivered by a delivery person,
    - (i) the cannabis must be delivered between 9 a.m. and 11 p.m., subject to limitation by the general manager, and
    - (ii) the transfer of personal possession of the cannabis to a patron, or to another adult acting on the patron's behalf, must take place at the address in British Columbia specified by the patron when purchasing the cannabis;
  - (d) the person who delivers cannabis must obtain the name and signature of the patron, or the other adult acting on the patron's behalf, who receives the cannabis;
  - (e) if the name and signature referred to in paragraph (d) are not obtained, the cannabis must not be delivered.
- (3) The reference in subsection (1) (h) (ii) to a patron having personal possession of more than 30 g of dried cannabis or an equivalent amount and 4 cannabis plants does not apply to medical cannabis if
- (a) the patron is carrying proof of authority to possess medical cannabis within the meaning of section 1 of the Cannabis Control Regulation, and
  - (b) the patron does not possess more medical cannabis than the patron is permitted to possess under the *Cannabis Act* (Canada).
- (4) The general manager must not approve an area under subsection (1) (s) (ii) if the area provides access to
- (a) a business in which the majority of the goods or services offered for sale are primarily directed at minors, or
  - (b) premises that are subject to a licence issued under the *Liquor Control and Licensing Act* that authorizes patrons to consume liquor, other than the consumption of samples, in the service area under the licence.

[am. B.C. Regs. 31/2019, s. (a); 134/2020; 197/2020, s. 3; 157/2021, s. 2; 296/2021; 60/2022; 160/2022, s. 2; 199/2022, App. 1, ss. 1 and 2.]

**Delivery persons and common carriers – exemptions**

- 5.1** (1) A delivery person or common carrier is exempt, in the circumstances described in subsection (2), from the following provisions of the Act:
- (a) section 14 [*possession*];
  - (b) section 17 [*supply*];
  - (c) section 52 [*possession in a public place*].
- (2) The exemption under subsection (1) applies if the delivery person or common carrier is delivering cannabis on behalf of a retail store licensee to a patron who purchased the cannabis in the retail store, through an online system or by telephone, or to another adult acting on the patron's behalf.
- (3) It is a condition of the exemption under subsection (1) that the delivery person or common carrier comply with the applicable rules and requirements set out in section 5 (2.1).

[en. B.C. Reg. 160/2022, s. 3.]

**Restriction on number of cannabis  
retail store licences that may be held**

- 6** (1) In this section, “**significant shareholder**”, in respect of a corporation, means a person who holds or beneficially owns, other than by way of security only, 20% or more of any class of shares of the corporation that confer the right to vote for the election of directors.
- (1.1) For the purposes of section 26 (3.1) (a) and (b) of the Act, in respect of cannabis retail store licences, the prescribed number of licences is 8 licences.
- (2) Subsections (4) and (5) prescribe criteria in respect of a cannabis retail store licence for the purposes of section 26 (2) (f) of the Act.
- (3) Repealed. [B.C. Reg. 172/2021, App. s. 2 (d).]
- (4) One or more corporations, referred to in paragraphs (a) to (c) as the licence-holding corporations, must not hold more than 8 cannabis retail store licences in any of the following situations:
- (a) the same person is a significant shareholder in each of the licence-holding corporations;
  - (b) the same person is a significant shareholder in one or more corporations that are significant shareholders in each of the licence-holding corporations;
  - (c) the same person is a significant shareholder in one or more, but not all, of the licence-holding corporations, and each of the remaining licence-holding corporations has one or more significant shareholders that are corporations in which that person is a significant shareholder.
- (5) A person must not, in the general manager's opinion, through an association, financial interest or family or other connection,

- (a) likely have direct or indirect influence over licensees who hold more than 8 cannabis retail store licences,
- (b) likely be able to affect, directly or indirectly, the activities carried out under more than 8 cannabis retail store licences, or
- (c) have the influence referred to in paragraph (a) or the ability to affect activities referred to in paragraph (b) with respect to more than 8 cannabis retail store licences.

[am. B.C. Regs. 172/2021, App. s. 2; 199/2022, App. 2, s. 3.]

#### **Application of section 6 to cannabis retail store licence**

- 7** (1) It is a requirement of a cannabis retail store licence that, during the term of the licence, no person or group of related persons
- (a) holds or has control over the licence and more than 7 other cannabis retail store licences, and
  - (b) has influence over the licensee and other licensees who together hold more than 8 cannabis retail store licences.
- (2) It is a requirement of a cannabis retail store licence that, during the term of the licence, the criteria under section 6 (4) and (5) in respect of the licence continue to be met.

[en. B.C. Reg. 172/2021, App. s. 3; am. B.C. Reg. 199/2022, App. 2, s. 4.]

#### **Additional mandatory requirements for producer retail store licence**

- 7.1** (1) Subsections (2) to (5) prescribe criteria in respect of a producer retail store licence for the purposes of section 26 (2) (f) of the Act.
- (2) The applicant must designate in the application the eligible federal licence that is to be associated with the producer retail store licence.
  - (3) The applicant must be the holder of the designated federal licence.
  - (4) The designated federal licence must not be associated with any other producer retail store licence.
  - (5) The location of the establishment or proposed establishment
    - (a) must be
      - (i) adjacent to the federal area, or
      - (ii) otherwise sufficiently proximate, in the opinion of the general manager, to the federal area, and
    - (b) must not overlap with the federal area.

[en. B.C. Reg. 199/2022, App. 2, s. 5.]

**Prescribed record – application  
for producer retail store licence**

- 7.2** For the purposes of section 22 (1) (c) of the Act, the prescribed record in respect of an application for a producer retail store licence is a copy of the designated federal licence.

[en. B.C. Reg. 199/2022, App. 2, s. 5.]

**Application of section 7.1 to producer retail store licence**

- 7.3** It is a requirement of a producer retail store licence that, during the term of the licence, the criteria under section 7.1 in respect of the licence continue to be met.

[en. B.C. Reg. 199/2022, App. 2, s. 5.]

**Altering or adding to cannabis**

- 8** A retail store licensee must not
- (a) alter cannabis in smell jars or cannabis in its original packaging, or
  - (b) add a substance to cannabis in smell jars or to cannabis in its original packaging.

**Identifying licence under which cannabis will be sold**

- 9** (1) A retail store licensee, when purchasing cannabis from the government, must identify the licence under which the cannabis will be sold.
- (2) A retail store licensee must not sell, under a retail store licence, cannabis that the licensee purchased from the government unless
- (a) the retail store licence was identified by the licensee under subsection (1), or
  - (b) the cannabis is sold under another retail store licence held by the licensee.

- (3) Repealed. [B.C. Reg. 144/2022, s. 2.]

[am. B.C. Reg. 144/2022, s. 2.]

**Changes to structure or layout of retail store**

- 10** It is a rule of a retail store licence that a change to the structure, including changes to the entrances or exits, or layout of the retail store must not take place unless the licence is amended to allow for the change.

**Prescribed persons – possession**

- 10.01** For the purposes of section 14 (j) of the Act, the following persons are prescribed:
- (a) a person who purchased cannabis from a licensee through an online system or by telephone if the transfer of personal possession of cannabis from the licensee to the person took place in the retail store of the licensee;
  - (b) a person acting on behalf of the purchaser described in paragraph (a) if the transfer of personal possession of cannabis from the licensee to the person took place in the retail store of the licensee;

- (c) a person who purchased cannabis from a licensee in the retail store of the licensee, through an online system or by telephone, if the transfer of personal possession of cannabis from the licensee to the person took place on delivery made in accordance with section 5 (2.1);
- (d) a person acting on behalf of the purchaser described in paragraph (c) if the transfer of personal possession of cannabis from the licensee to the person took place on delivery made in accordance with section 5 (2.1);
- (e) a person who was given cannabis
  - (i) that was purchased as described in paragraph (a) or (c), or
  - (ii) the personal possession of which was transferred as described in paragraph (b) or (d);
- (f) a person who purchased cannabis under section 4 (b) (ii).

[en. B.C. Reg. 197/2020, s. 4; am. B.C. Regs. 157/2021, s. 3; 144/2022, ss. 3 and 4.]

**Prescribed person – sale**

**10.02** For the purposes of section 15 (d) of the Act, a prescribed person is a licensee

- (a) whose licence authorizes the sale of cannabis, and
- (b) who, as an applicant for that licence, purchased the cannabis under section 4 (b) (ii) of this regulation.

[en. B.C. Reg. 144/2022, s. 5.]

**Exemption from maximum possession  
limit – applicant for retail store licence**

**10.03** An applicant for a retail store licence is exempt from section 54 of the Act in respect of cannabis purchased by the applicant under section 4 (b) (ii) of this regulation.

[en. B.C. Reg. 199/2022, App. 2, s. 6.]

**Producer retail store licence prescribed  
for purposes of section 26 (4) of Act**

**10.04** The producer retail store licence is a prescribed class of licence for the purposes of section 26 (4) of the Act.

[en. B.C. Reg. 199/2022, App. 2, s. 6.]

**Tied house exemption – cannabis  
grown by producer retail store licensee**

- 10.05** (1) In this section, “**arrangement**” means an arrangement, or an agreement to enter into an arrangement, with another person.
- (2) A person is exempt from section 50 (1) of the Act in respect of an arrangement to sell, under a producer retail store licence, the cannabis grown by the producer retail store licensee to the exclusion of the cannabis of another federal licence holder.

[en. B.C. Reg. 199/2022, App. 2, s. 6.]

### Division 3 – Marketing Licences

#### Designated representative – training

- 10.1** In this Division, “**designated representative**” means an adult
- (a) designated by a marketing licensee or an applicant for a marketing licence to take, on behalf of the licensee or applicant, the type of training prescribed under section 42.1, and
  - (b) who is satisfactory to the general manager.
- [en. B.C. Reg. 78/2020, App. 1, s. 1; am. B.C. Reg. 156/2021, App. s. 1.]

#### Authorized activity

- 11** A marketing licence authorizes the licensee to promote cannabis for the purpose of selling it.
- [en. B.C. Reg. 173/2019, s. 1.]

#### Additional mandatory requirement for marketing licence

- 11.01** For the purposes of section 26 (2) (f) of the Act, an additional criterion for the issuance, renewal, transfer or amendment of a marketing licence is that,
- (a) if the applicant is an individual, the applicant holds a training certificate for the type of training prescribed under section 42.1 of this regulation, and
  - (b) if the applicant is not an individual, the designated representative of the applicant holds a training certificate referred to in paragraph (a).
- [en. B.C. Reg. 78/2020, App. 1, s. 1; am. B.C. Reg. 156/2021, App. s. 2.]

- 11.1** Repealed. [B.C. Reg. 172/2021, App. s. 4.]

#### Marketing licensees who are not individuals – training

- 11.2** A marketing licensee that is not an individual must have, during the term of the marketing licence, a designated representative who holds a training certificate for the type of training prescribed under section 42.1.
- [en. B.C. Reg. 78/2020, App. 1, s. 1; am. B.C. Reg. 156/2021, App. s. 1.]

#### Marketing licence prescribed for purposes of section 26 (4) of Act

- 12** The marketing licence is a prescribed class of licence for the purposes of section 26 (4) of the Act.
- [en. B.C. Reg. 199/2022, App. 2, s. 7.]

#### Permitted inducements

- 12.1** (1) In this section, “**promotional event of the marketing licensee**” means a promotional event organized or sponsored by the marketing licensee or that takes place with some other type of involvement of the marketing licensee.
- (2) Subject to subsection (4), a marketing licensee or an employee or other representative of a marketing licensee who offers to make, agrees to offer to make, agrees

to make or makes one or more of the following payments is exempt from section 50 (2) of the Act in respect of such offer, agreement or payments:

- (a) payment for travel, meal, accommodation and entertainment expenses of a retail store licensee who holds one retail store licence, or of an employee of the retail store licensee, that are incurred when attending a promotional event of the marketing licensee, if the payments do not exceed \$1 500 in a calendar year in respect of the retail store licensee;
  - (b) payment for travel, meal, accommodation and entertainment expenses of a retail store licensee who holds more than one retail store licence, or of an employee of the retail store licensee, that are incurred when attending a promotional event of the marketing licensee, if the payments do not exceed
    - (i) \$1 500 per individual in a calendar year, and
    - (ii) \$4 500 in a calendar year in respect of the retail store licensee.
- (3) Subject to subsection (4), a marketing licensee or an employee or other representative of a marketing licensee who offers, agrees to offer or provide or provides hospitality to a retail store licensee who holds one or more retail store licences, or to an employee of the retail store licensee, is exempt from section 50 (2) of the Act in respect of such offer, agreement or hospitality, if the expenses incurred in providing the hospitality do not exceed \$1 500 in a calendar year in respect of the retail store licensee.
- (4) It is a condition of the exemption under subsection (2) or (3) that the promotional event or hospitality, as the case may be, complies with the requirements of the terms and conditions respecting those activities.
- (5) A retail store licensee or an employee of a retail store licensee who requests, accepts or agrees to accept one or more of the following is exempt from section 50 (3) of the Act in respect of such request, acceptance or agreement:
- (a) a payment referred to and within the limits set out in subsection (2) (a) or (b);
  - (b) hospitality referred to and within the limit set out in subsection (3).

[en. B.C. Reg. 173/2019, s. 2.]

## **Division 4 – Local Governments and Indigenous Nations**

### **Recommendations of local governments and Indigenous nations**

- 13** (1) For the purposes of section 33 (1) of the Act with respect to issuing licences, the following classes of licences are prescribed:
- (a) cannabis retail store licence;
  - (b) producer retail store licence.
- (2) For the purposes of section 33 (1) of the Act with respect to types of amendments to a retail store licence, the prescribed type of amendment is the permanent relocation of the retail store to a new location, unless the general manager is



satisfied that the residents who will be affected by the new location are substantially the same residents who are affected by the retail store.

- (3) The prescribed criterion for the purposes of section 33 (3) of the Act is the location of a proposed retail store.
- (4) The prescribed circumstances for the purposes of section 33 (3) of the Act are that the issuance of the licence may affect nearby residents.
- (5) For the purposes of section 33 (4) of the Act, comments and recommendations must be given in accordance with the following requirements:
  - (a) the comments and recommendations must be in writing;
  - (b) the comments must include the views of the local government or Indigenous nation on the general impact on the community;
  - (c) if the local government or Indigenous nation has gathered the views of residents under section 33 (3) of the Act, the comments must include
    - (i) the views of the residents, and
    - (ii) a description of the method used to gather those views;
  - (d) the recommendations must include a recommendation
    - (i) that the licence be issued or amended, or
    - (ii) that the licence not be issued or amended;
  - (e) the recommendations must include the reasons on which they are based.

[am. B.C. Reg. 199/2022, App. 2, s. 8.]

## **Division 5**

**14 to 16** Repealed. [B.C. Reg. 172/2021, App. s. 4.]

**17** Repealed. [B.C. Reg. 238/2020, s. 2.]

**18 to 21** Repealed. [B.C. Reg. 172/2021, App. s. 4.]

## **Division 6 – General Application Matters**

**21.1** Renumbered as 10.01. [B.C. Reg. 144/2022, s. 3.]

### **Prescribed circumstances – section 27 (2) (b) of Act**

**22** The following are prescribed circumstances for the purposes of section 27 (2) (b) of the Act:

- (a) the applicant is a licensee who has broken the rule set out in section 10 of this regulation.
- (b) and (c) Repealed. [B.C. Reg. 172/2021, App. s. 4.]

[am. B.C. Reg. 172/2021, App. s. 4.]

**Checks for fit and proper determinations**

- 22.1** For the purposes of section 29.4 (1) of the Act, the following checks are prescribed:
- (a) a criminal record check or fingerprint-based criminal record verification by searching the Canadian Police Information Centre database;
  - (b) a police information check;
  - (c) a check of intelligence databases maintained by law enforcement agencies;
  - (d) a check of records in the justice information system of the Ministry of Attorney General;
  - (e) a check of records in the corrections information system of the Ministry of Public Safety and Solicitor General.
- [en. B.C. Reg. 172/2021, App. s. 5.]

**Right to refuse applications**

- 23** For the purposes of section 24 of the Act, the general manager may refuse to accept an application to issue, renew, transfer or amend a licence if
- (a) the applicant submitted a previous application to issue, renew, transfer or amend the same licence in respect of the same establishment,
  - (b) the general manager refused to issue, renew, transfer or amend the licence,
  - (c) in respect of a refusal based on a recommendation of a local government or Indigenous nation under section 33 of the Act, less than 2 years has passed since the refusal, and
  - (d) in respect of a refusal based on other reasons, the general manager is satisfied that the reasons on which the general manager based the refusal are not addressed by
    - (i) changes to the Act, this regulation or terms and conditions, or
    - (ii) changes in the new application.

**Division 7 – General Rules and Requirements****Record-keeping requirements**

- 24** (1) A licensee must keep the records set out in this section
- (a) for a period of 6 years from the creation of the records during the term of the licence and any renewals, and
  - (b) for a period of 6 months after the licence expires or is cancelled.
- (2) A licensee who has more than one licence must keep a separate set of records set out in this section in respect of each licence.
- (3) The records that a retail store licensee must keep are as follows:
- (a) cannabis purchase records;
  - (b) cannabis sales records, including quantity of cannabis sold and prices charged;

- (b.1) records for each delivery of cannabis, including
  - (i) the date and time of the delivery,
  - (i.1) the date on which the cannabis is provided to a common carrier for delivery, if applicable,
  - (i.2) the name of the delivery service provider or common carrier who makes the delivery on the licensee's behalf, if applicable,
  - (ii) the address or the location for the delivery,
  - (iii) the quantity of each cannabis product delivered and the price charged for that product,
  - (iv) the delivery fee, and
  - (v) the name and signature of the person who receives the delivery;
- (b.2) records for transfers of cannabis between retail stores under retail store licences held by the same licensee;
- (c) when cannabis is disposed of, records setting out
  - (i) the date, location and method of disposal, and
  - (ii) the type and amount of cannabis or number of cannabis plants;
- (d) sales records respecting cannabis accessories and prepaid purchase cards sold by the licensee;
- (e) contracts with other licensees;
- (e.1) contracts with delivery service providers and common carriers;
- (f) invoices and purchase receipts for all equipment and other inventory that is used in the operation of the establishment;
- (g) management contracts that are related to the establishment and records establishing or modifying an arrangement referred to in section 26 (3) (b) of the Act;
- (h) records of incidents described in subsection (4) that occurred in or adjacent to the establishment;
- (i) records of court orders and judgments against the licensee respecting the sale of cannabis or cannabis accessories;
- (j) employee records, including names, addresses, compensation, primary job responsibilities, shift schedules and dates of employment;
- (k) records containing the information described in subsection (8) relating to training required under section 114 or 115 of the Act that has been taken by the following:
  - (i) if the retail store licensee is an individual, the licensee;
  - (ii) if the retail store licensee is not an individual, the adult referred to in section 114 (2) of the Act who has taken the training on behalf of the licensee;

- (iii) every adult involved in selling cannabis in the establishment or who supervises the sale of cannabis in the establishment.
- (4) The incidents to be recorded for the purposes of subsection (3) (h) are incidents, such as fights or other disturbances and accidents, that adversely affect
  - (a) patrons or staff,
  - (b) people who live or work in buildings adjacent to the establishment, or
  - (c) the operation of the establishment.
- (5) A retail store licensee must prepare and maintain a register of cannabis purchased and received and must keep the register
  - (a) for a period of 6 years from the making of each entry during the term of the licence and any renewals, and
  - (b) for a period of 6 months after the licence expires or is cancelled.
- (6) A retail store licensee who has more than one retail store licence must keep a separate register referred to in subsection (5) in respect of each licence.
- (7) The records that a marketing licensee must keep are as follows:
  - (a) contracts related to the activities authorized under the marketing licence;
  - (b) if an individual who is the licensee or a representative of the licensee visits an establishment to conduct activities authorized under the marketing licence, a record of the visit that includes information identifying the individual;
  - (c) when an individual who is the licensee or a representative of the licensee attends an event involving cannabis business, including events held by the licensee, a record describing the event that includes information identifying the individual;
  - (d) records of court orders and judgments against the licensee respecting the activities authorized under the marketing licence;
  - (e) employee records, including names, addresses, compensation, primary job responsibilities, work schedules and dates of employment;
  - (f) records containing the information described in subsection (8) relating to training required under section 116 of the Act that has been taken by the following:
    - (i) if the marketing licensee is an individual, the licensee;
    - (ii) if the marketing licensee is not an individual, the designated representative, within the meaning of section 10.1 of this regulation, of the licensee;
    - (iii) every adult who works for the licensee and who promotes cannabis for the purpose of selling it or supervises adults who promote cannabis for the purpose of selling it;

- (iv) every adult who is an agent of the licensee and who promotes cannabis for the purpose of selling it or supervises adults who promote cannabis for the purpose of selling it.
- (8) The records referred to in subsections (3) (k) and (7) (f) must contain the following information:
  - (a) the name of the person who has taken the training;
  - (b) the number of the training certificate provided to the person under section 113 (4) of the Act;
  - (c) the date that the certificate expires.

[am. B.C. Regs. 78/2020, App. 1, s. 2; 157/2021, s. 4; 144/2022, s. 6; 160/2022, s. 4; 199/2022, App. 1, s. 3.]

#### **Reporting requirement – producer retail store licence**

- 24.1** For the purposes of section 46 (1) (e) of the Act, in respect of a producer retail store licence, the prescribed circumstance is that the designated federal licence associated with the producer retail store licence expires without being renewed or is renewed, amended, suspended, reinstated or revoked.

[en. B.C. Reg. 199/2022, App. 2, s. 9.]

#### **Sales strategy**

- 25** A licensee must not use a sales strategy that is likely to promote or encourage the excessive, irresponsible or dangerous use of cannabis.

#### **Minimum cannabis prices**

- 26** A licensee must not sell to a patron cannabis that the licensee purchased from the government for a price that is less than the lower of

- (a) the price that the licensee paid to the government for the cannabis, and
- (b) the wholesale price of the cannabis on the day the licensee sells it to the patron.

[en. B.C. Reg. 14/2020.]

#### **Dormant licences – prescribed period**

- 27** (1) The prescribed period for the purposes of section 37 (5) of the Act is 2 years.
- (2) Repealed. [B.C. Reg. 206/2021, s. 1.]

[am. B.C. Reg. 206/2021, s. 1.]

#### **Dormant licences – prescribed circumstances**

- 27.1** (1) In this section, “**dormancy period**” means the period that begins on the date that a licensee ceases operations in an establishment and ends 2 years after that date.
- (2) This section sets out the prescribed circumstances for the purposes of section 37 (5) of the Act.
- (3) A prescribed circumstance is that the licensee satisfies the general manager that

- (a) the licensee started, at the beginning of or during the dormancy period, construction to renovate the establishment that prevented the establishment from operating,
  - (b) the construction would normally be completed by the end of the dormancy period, and
  - (c) the construction is not completed by the end of the dormancy period due to reasons beyond the control of the licensee, the construction is continuous after the dormancy period and the operations in the establishment restart as soon as practicable after the construction is completed.
- (4) A prescribed circumstance is that the licensee satisfies the general manager that
  - (a) the establishment was substantially damaged or destroyed by fire, flood or other event beyond the licensee's control at the beginning of or during the dormancy period,
  - (b) the construction to renovate or rebuild the establishment would not normally be completed by the end of the dormancy period,
  - (c) the construction started during the dormancy period and is continuous to the end of the dormancy period, and
  - (d) the construction is continuous after the dormancy period and the operations in the establishment restart as soon as practicable after the construction is completed.
- (5) A prescribed circumstance is that the licensee satisfies the general manager that
  - (a) the licensee started construction to demolish and replace the building that is the establishment or in which the establishment is located at the beginning of or during the dormancy period,
  - (b) the construction would not normally be completed by the end of the dormancy period,
  - (c) the construction started during the dormancy period and is continuous to the end of the dormancy period, and
  - (d) the construction is continuous after the dormancy period and the operations in the establishment restart as soon as practicable after the construction is completed.
- (6) A prescribed circumstance is that the licensee satisfies the general manager that
  - (a) the owner of the building in which the establishment is located who is not the licensee initiated construction on the building at the beginning of or during the dormancy period and the construction prevented the establishment from operating,
  - (b) the construction extends past the end of the dormancy period, and
  - (c) the operations in the establishment restart as soon as practicable after the construction is completed.

- (7) For the purposes of subsections (3) (c), (4) (c) and (d) and (5) (c) and (d), construction is considered to be started or to be continuous if the general manager is satisfied that
- (a) the licensee made genuine attempts to have the construction start or be continuous but an event beyond the licensee's control prevented the construction from starting or being continuous, and
  - (b) the construction starts or continues as soon as practicable after the licensee is no longer prevented from doing so by the event.
- (8) A prescribed circumstance is that the licensee satisfies the general manager that
- (a) the licensee was prevented from operating the establishment at the beginning of or during the dormancy period for reasons beyond the licensee's control,
  - (b) the reasons are not described in subsection (3), (4), (5) or (6), and
  - (c) the operations in the establishment restart as soon as practicable after the licensee is no longer prevented from operating the establishment because of those reasons.
- [en. B.C. Reg. 206/2021, s. 2.]

## **PART 3 – COMPLIANCE AND ENFORCEMENT**

### **Compliance with rules and requirements**

- 28** A licensee contravenes this regulation if
- (a) a provision of this regulation establishes a rule or requirement with respect to a licence issued to the licensee, and
  - (b) the rule is broken or the requirement is not met.

### **Offences and penalties**

- 29** (1) A contravention of any of the following provisions is prescribed to be an offence:
- (a) Repealed. [B.C. Reg. 197/2020, s. 5.]
  - (b) section 8 [*licensee altering or adding substance to cannabis*].
  - (c) Repealed. [B.C. Reg. 172/2021, App. s. 4.]
- (2) A person who commits an offence referred to in subsection (1) (a) is liable,
- (a) in the case of a corporation, to a fine of not more than \$100 000,
  - (b) in the case of an individual who is a licensee, to a fine of not more than \$100 000 or to imprisonment for not more than 12 months, or to both, and
  - (c) in the case of an individual who is not a licensee, to a fine of not more than \$50 000 or to imprisonment for not more than 12 months, or to both.
- (3) A person who commits an offence referred to in subsection (1) (b) or (c) is liable,
- (a) in the case of a corporation, to a fine of not more than \$50 000,

- (b) in the case of an individual who is a licensee, to a fine of not more than \$50 000 or to imprisonment for not more than 6 months, or to both, and
- (c) in the case of an individual who is not a licensee, to a fine of not more than \$10 000 or to imprisonment for not more than 6 months, or to both.

[am. B.C. Regs. 197/2020, s. 5; 172/2021, App. s. 4.]

### Compliance history

- 30** For the purposes of the Act, “**compliance history**” means, in respect of a licensee or former licensee, a record of
- (a) actions taken by the general manager under the Act as a result of the licensee or former licensee
    - (i) contravening the Act,
    - (ii) contravening this regulation, or
    - (iii) failing to comply with a term or condition of the licence,
  - (b) actions taken by the general manager under section 36 or 37 of the Act in respect of the licensee or former licensee,
  - (c) convictions of the licensee or former licensee for committing an offence under section 109 (1) of the Act, and
  - (d) convictions, for committing an offence under section 111 of the Act, of an officer, director or agent of a corporation that is the licensee or former licensee.

### Monetary penalties

- 31** The prescribed schedule of monetary penalties for the purposes of section 38 (2) (b) of the Act is set out in Schedule 2 of this regulation.

### Suspensions

- 32** (1) The prescribed schedule of licence suspensions for the purposes of section 38 (2) (c) of the Act is set out in Schedule 2 of this regulation.
- (2) If a licence is subject to more than one suspension, the suspensions apply consecutively.

### Prescribed grounds relating to reconsideration orders

- 33** For the purposes of section 40 (3) (b) of the Act, an application for a reconsideration of a compliance order may be based on the following:
- (a) a failure to observe the rules of procedural fairness;
  - (b) an error of law other than an error of law respecting a constitutional question within the meaning of the *Administrative Tribunals Act*.



**Publishing information relating to  
enforcement actions and convictions**

- 34** (1) If the general manager takes action against a licensee or former licensee under section 38 or 40 of the Act, the general manager may publish the following information in respect of the action:
- (a) the name of the licensee or former licensee;
  - (b) the contravention of the Act or regulations by the licensee or former licensee or the term or condition that the licensee or former licensee failed to comply with;
  - (c) the action taken by the general manager under section 38 or 40 of the Act and the reasons for taking the action.
- (2) If a licensee or former licensee has been convicted of an offence under the Act, the general manager may publish the following information in respect of the conviction:
- (a) the name of the licensee or former licensee;
  - (b) a description of the offence;
  - (c) the penalty imposed.

**Posting of signs relating to suspensions or monetary penalties**

- 35** (1) If the licence of a licensee has been suspended or a monetary penalty imposed on a licensee, the general manager may post one or more signs, in prominent locations in the interior or on the exterior of the establishment, that contain the following information:
- (a) in the case of a suspension, that the licence has been suspended under the Act and the period of the suspension;
  - (b) in the case of a monetary penalty, that the licensee is subject to a monetary penalty and the period of time, established by the general manager, that the sign must remain posted.
- (2) If the general manager has posted one or more signs under subsection (1), the licensee of the establishment must ensure that
- (a) the signs are not taken down,
    - (i) in the case of a suspension, until after the suspension has ended, or
    - (ii) in the case of a monetary penalty, until after the period for posting specified on the sign has ended, and
  - (b) during the period that the signs must remain posted, the signs are not defaced, obstructed or moved.

**Compensation for seized cannabis**

- 36** When a licensee applies under section 105 (3) of the Act for compensation for cannabis that has been seized, the amount of compensation payable for the purposes

of section 105 (8) of the Act is the purchase price that the licensee paid for the seized cannabis.

## **PART 4 – MISCELLANEOUS**

### **Division 1 – Minors**

#### **Identification**

- 37** The prescribed identification in respect of an individual for the purposes of sections 69 (4) (a) and 70 (4) (a) of the Act are
- (a) one of the following:
    - (i) the individual's passport;
    - (ii) the individual's driver's licence that displays the individual's photograph and date of birth;
    - (iii) the individual's identification card, issued by a government agency, that displays the individual's photograph and date of birth, and
  - (b) one other piece of identification that displays
    - (i) the individual's name, and
    - (ii) one or both of the individual's signature and photograph.

### **Division 2 – Conduct in Stores**

- 38** Repealed. [B.C. Reg. 199/2022, App. 1, s. 4.]

#### **Consumption of cannabis in stores**

- 39** For the purposes of section 67 of the Act, the following are prescribed places:
- (a) a retail store;
  - (b) a government cannabis store.

### **Division 3 – Service and Receipt of Documents**

#### **Ways to give or serve documents – general**

- 40**
- (1) For the purposes of section 122 (1) of the Act, a document that is required or allowed under the Act to be given or served on a person, other than the general manager, must be given or served in accordance with this section.
  - (2) The ways to give or serve a document on an individual are
    - (a) by leaving the document with the individual,
    - (b) by leaving the document at the individual's residence with an adult who apparently resides with the individual,

- (c) by sending the document by ordinary mail, registered mail or courier to the address at which the individual resides or to a forwarding address provided by the individual,
  - (d) by leaving the document in a mailbox or mail slot for the address at which the individual resides,
  - (e) by attaching the document to a door or other conspicuous place at the address at which the individual resides,
  - (f) by sending the document by email to the email address provided by the individual, or
  - (g) by transmitting the document to a fax number provided by the individual.
- (3) The ways to give or serve a document on a corporation are
- (a) by leaving the document with an officer or director of the corporation,
  - (b) by sending the document by ordinary mail, registered mail or courier to the registered office of the corporation,
  - (c) by sending a copy of the document by email to the email address provided by the corporation, or
  - (d) by transmitting a copy of the document to a fax number provided by the corporation.
- (4) The ways to give or serve a document on a partnership are
- (a) by leaving the document with a partner,
  - (b) by sending the document by ordinary mail, registered mail or courier to the business office of the partnership,
  - (c) by sending a copy of the document by email to the email address provided by the partnership, or
  - (d) by transmitting a copy of the document to a fax number provided by the partnership.
- (5) The ways to give or serve a document on an Indigenous nation are
- (a) by leaving the document with an elected official or administrative officer of the Indigenous nation,
  - (b) by sending the document by ordinary mail or registered mail to the mailing address of the Indigenous nation or by courier to the administrative office of the Indigenous nation,
  - (c) by sending a copy of the document by email to the email address provided by the Indigenous nation, or
  - (d) by transmitting a copy of the document to a fax number provided by the Indigenous nation.
- (6) Additional ways to give or serve a document on a licensee are
- (a) by leaving the document with an individual who works in the establishment,

- (b) by sending the document by ordinary mail or registered mail to the mailing address of the licensee as set out in the licence, or
- (c) by leaving the document in a mailbox or mail slot at a business address provided by the licensee.

**Deemed receipt**

- 41** For the purposes of section 122 (2) of the Act, a document given or served in accordance with section 40 of this regulation is conclusively deemed to be received,
- (a) if the document is left with an individual, on the day it is left,
  - (b) if the document is sent by ordinary mail, registered mail or courier, on the fifth day after it is mailed or received by the courier,
  - (c) if the document is left in a mailbox or mail slot, on the third day after it is left,
  - (d) if the document is attached to a door or other conspicuous place, on the third day after it is attached,
  - (e) if the document is sent by email, on the third day after it is sent, and
  - (f) if the document is transmitted to a fax number, on the third day after it is transmitted.

**Ways to give or serve documents – general manager**

- 42** For the purposes of section 122 (1) of the Act, a document that is required or allowed under the Act to be given or served on the general manager must be given or served in one of the following ways:
- (a) by leaving the document with the general manager;
  - (b) by sending the document by ordinary mail, registered mail or courier to the address of the general manager;
  - (c) by sending the document by email to the email address of the general manager;
  - (d) by transmitting the document to a fax number of the general manager.

**Division 3.1 – Training****Matters relating to prescribed training**

- 42.1**
- (1) In this section, “**general training program**” means the general training program established by the general manager under section 113 (1) of the Act.
  - (2) For the purposes of section 113 (5) of the Act, the prescribed period in respect of a training certificate is 2 years after the date the certificate is issued.
  - (3) For the purposes of section 114 of the Act, the type of training prescribed for a retail store licensee is the general training program.
  - (4) For the purposes of section 115 (1) of the Act, the type of training prescribed with respect to selling cannabis is the general training program.

- (5) For the purposes of section 115 (2) of the Act, the type of training prescribed for adults who supervise the sale of cannabis is the general training program.
- (6) For the purposes of section 116 of the Act, the general training program is the type of training prescribed for the following classes of persons:
  - (a) marketing licensees who are individuals;
  - (b) designated representatives, within the meaning of section 10.1 of this regulation, of marketing licensees;
  - (c) adults who work for a marketing licensee;
  - (d) adults who act as an agent of a marketing licensee;
  - (e) delivery persons who are individuals.
- (7) For the purposes of section 116 of the Act, the activities specified in relation to the classes of persons referred to in subsection (6) of this section are the following:
  - (a) promoting cannabis for the purpose of selling it;
  - (b) supervising staff who promote cannabis for the purpose of selling it;
  - (c) delivering cannabis on behalf of a retail store licensee to a patron or to another adult acting on the patron's behalf.

[en. B.C. Reg. 156/2021, App. s. 3; am. B.C. Reg. 160/2022, s. 5.]

## **Division 4 – Fees**

### **Fees**

- 43** The fees payable for licences and other matters set out in the description column in Schedule 1 are set out in the fee column in Schedule 1.

### **Time for payment of fees**

- 44** (1) Subject to subsection (2), all fees must be paid at the time that an application or request for anything referred to in Schedule 1 is submitted.
- (2) The fees for the first year of a retail store licence may be paid after the application is submitted, but must be paid before the licence is issued.

### **When fees for change of name not payable**

- 45** No fees are payable in respect of a change to a name of a retail store licensee or a retail store if the application is made at the same time as an application for a transfer of a retail store licence.

### **General training program fee**

- 45.1** (1) The fee to take the general training program referred to in section 42.1 (1) is \$35 and, subject to subsection (2), must be paid before taking the program.

- (2) If an adult who applies to take the general training program works in a government cannabis store, the fee for the training may be paid by the government after the adult takes the training.

[en. B.C. Reg. 156/2021, App. s. 4.]

#### Refund – application for reconsideration

- 46** Fees paid by an applicant for a reconsideration of a compliance order as defined in section 40 (1) of the Act must be refunded if a reconsideration order made under section 40 (10) of the Act rescinds the compliance order.

#### Transition – refund of application fee for security verification

- 47** An application fee for a security verification that was paid under section 18 (1) of the Worker Qualification Regulation, as it read immediately before the coming into force of this section, must be refunded if, before that coming into force, the general manager did not communicate to the applicant a decision in respect of the application.

[en. B.C. Reg. 156/2021, App. s. 5.]

## SCHEDULE 1

### FEES

Item	Description	Fee (\$)
<b>LICENCE APPLICATION</b>		
1	Retail store	7 500
2	Marketing	500
<b>FIRST YEAR OF LICENCE</b>		
3	Retail store	1 500
<b>LICENCE RENEWAL</b>		
4	Retail store	1 500
5	Marketing	200
<b>LATE RENEWAL OF LICENCE</b>		
6	If application for renewal of retail store licence is made after, but within 30 days of, expiry of licence	200
7	If application for renewal of retail store licence is made more than 30 days, but not more than one year, after expiry of licence	550
8	If application for renewal of marketing licence is made after, but not more than one year after, expiry of licence	50
<b>TRANSFER OF LICENCE</b>		
9	Transfer of licence	500

Schedule 2

Item	Description	Fee (\$)
<b>AMENDMENT TO LICENCE</b>		
10	Change of location of retail store	220
11	Changes to structure or layout of retail store	440
12	Change of name of licensee or retail store	220
13	Any other permanent amendment if that amendment does not require a recommendation under section 33 of the Act from a local government or Indigenous nation	220
14	Any other permanent amendment if that amendment requires a recommendation under section 33 of the Act from a local government or Indigenous nation	330
<b>RECONSIDERATION OF COMPLIANCE ORDER</b>		
15	Application for a reconsideration of a compliance order under section 40 (2) of the Act	500
<b>MISCELLANEOUS</b>		
16	Licensee providing notice of an addition or change of, or change of name of, director, officer, senior manager, receiver or executor	500
17	Licensee providing notice that (a) licensee has issued new shares to existing shareholders, or (b) existing shareholders have transferred shares to existing shareholders	110
18	Licensee providing notice that (a) licensee has issued new shares to persons who are not existing shareholders, or (b) existing shareholders have transferred shares to persons who are not existing shareholders	330
19	Duplicate copy of floor plan or other record from licence file	30
20	Creation of record on request	30 per hour

**SCHEDULE 2**

[am. B.C. Reg. 31/2019, s. (b).]

**MONETARY PENALTIES AND LICENCE SUSPENSIONS**

**Definitions**

**1** In this Schedule:

“**contravention**” in respect of a licensee refers to a licensee’s contravention of a provision of the Act or this regulation or a licensee’s failure to comply with a term and condition of the licence, that is set out under the heading “Contravention” in the table to this Schedule;

“**licensee**” includes a former licensee.

**Type of contravention**

- 2 A contravention is of the same type as another contravention if each contravention falls within the same item in the table to this Schedule.

**First, second and subsequent contraventions**

- 3 (1) A contravention is a first contravention in respect of a licensee if
- (a) the contravention was committed at or in respect of an establishment under the licensee's licence, and
  - (b) the licensee has not committed a contravention of the same type at or in respect of that establishment within the 12-month period preceding the commission of the contravention.
- (2) A contravention is a second contravention in respect of a licensee if
- (a) the contravention was committed at or in respect of an establishment under the licensee's licence, and
  - (b) the licensee has committed one contravention of the same type at or in respect of that establishment within the 12-month period preceding the commission of the contravention.
- (3) A contravention is a subsequent contravention in respect of a licensee if
- (a) the contravention was committed at or in respect of an establishment under the licensee's licence, and
  - (b) the licensee has committed a second contravention of the same type at or in respect of that establishment within the 12-month period preceding the commission of the contravention.
- (4) If the general manager is satisfied that imposing the monetary penalty or period of suspension for a second contravention or subsequent contravention set out in the table to this Schedule would create undue hardship on a licensee, the general manager may impose a monetary penalty or period of suspension set out in the table to this Schedule for a first contravention.

**Table**

Item	Contravention	Monetary Penalty			Period of Suspension (Days)		
		First Contra- vention	Second Contra- vention	Subsequent Contra- ventions	First Contra- vention	Second Contra- vention	Subsequent Contra- ventions
UNLAWFUL POSSESSION, SALE OR SUPPLY OF CANNABIS							
1	Contravention of section 14 of the Act <i>[unlawful possession of cannabis]</i>	\$15 000 – \$50 000	\$15 000 – \$50 000	\$15 000 – \$50 000	15 – 90	15 – 90	15 – 90



Item	Contravention	Monetary Penalty			Period of Suspension (Days)		
		First Contravention	Second Contravention	Subsequent Contraventions	First Contravention	Second Contravention	Subsequent Contraventions
2	Contravention of section 15 of the Act <i>[unlawful sale of cannabis]</i>	\$15 000 – \$50 000	\$15 000 – \$50 000	\$15 000 – \$50 000	15 – 90	15 – 90	15 – 90
3	Contravention of section 17 of the Act <i>[unlawful supply of cannabis]</i>	\$15 000 – \$50 000	\$15 000 – \$50 000	\$15 000 – \$50 000	15 – 90	15 – 90	15 – 90
4	Contravention of section 48 (a) of the Act <i>[sale of cannabis or cannabis accessories by way of self-service]</i>	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
5	Contravention of section 48 (b) of the Act <i>[sale of cannabis or cannabis accessories by means of dispensing device]</i>	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
6	Contravention of section 9 (2) of this regulation <i>[sale of cannabis under different licence]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
<b>MINORS</b>							
7	Contravention of section 69 (1) or (2) of the Act <i>[selling or supplying cannabis or cannabis accessories to a minor]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
8	Contravention of section 69 (3) of the Act <i>[allowing a minor to consume or possess cannabis in or at a place under the licensee's control]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41

Item	Contravention	Monetary Penalty			Period of Suspension (Days)		
		First Contravention	Second Contravention	Subsequent Contraventions	First Contravention	Second Contravention	Subsequent Contraventions
9	Contravention of section 70 (2) (a) of the Act <i>[allowing a minor to enter or be in a specified place]</i>	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
10	Contravention of section 70 (2) (b) of the Act <i>[allowing a minor to work in an office or place that is associated with the licensee's cannabis business]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
11	Contravention of section 71 (1) of the Act <i>[allowing a minor to take part in cannabis marketing, advertising or promotional activities]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
12	Failure to comply with term and condition restricting the display of cannabis or cannabis accessories in view of minors	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
<b>ALLOWING DISORDERLY OR UNLAWFUL CONDUCT</b>							
13	Contravention of section 49 (2) (c) of the Act <i>[allowing violent or disorderly conduct in an establishment]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
14	Contravention of section 49 (2) (d) of the Act <i>[allowing unlawful activities or conduct in an establishment]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41

Item	Contravention	Monetary Penalty			Period of Suspension (Days)		
		First Contravention	Second Contravention	Subsequent Contraventions	First Contravention	Second Contravention	Subsequent Contraventions
INTOXICATED PATRONS							
15	Contravention of section 49 (2) (a) of the Act <i>[selling cannabis to a person showing signs of intoxication]</i>	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
16	Contravention of section 49 (2) (b) of the Act <i>[allowing an intoxicated person to enter or remain in an establishment]</i>	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
WEAPONS							
17	Contravention of section 49 (2) (e) of the Act <i>[allowing a person who has a weapon to enter or remain in an establishment]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
DISTURBANCE OF PERSONS							
18	Failure to comply with term and condition that requires licensee to take reasonable measures to ensure that the operation of an establishment does not disturb persons in the vicinity	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
CANNABIS CONSUMPTION							
19	Contravention of section 5 (1) (l) of this regulation <i>[allowing cannabis consumption in a retail store]</i>	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
ADVERTISING AND BRANDING							
20	Repealed. [B.C. Reg. 31/2019, s. (b).]						

Item	Contravention	Monetary Penalty			Period of Suspension (Days)		
		First Contravention	Second Contravention	Subsequent Contraventions	First Contravention	Second Contravention	Subsequent Contraventions
21	Failure to comply with term and condition restricting advertising, promoting or displaying cannabis or cannabis accessories	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
22	Failure to comply with term and condition restricting advertising or branding of a retail store	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15
<b>TIED HOUSES AND INDUCEMENTS</b>							
23	Contravention of section 50 (1) or (3) of the Act <i>[tied houses and inducements]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
24	Failure to comply with term and condition to report to general manager information respecting tied house arrangements	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
<b>DEFAULT IN MONETARY PENALTIES</b>							
25	Contravention of section 38 (11) or 40 (12) of the Act <i>[failure to pay monetary penalty within required time]</i>	\$15 000 – \$25 000	\$15 000 – \$25 000	\$15 000 – \$25 000	15 – 90	15 – 90	15 – 90
<b>INSPECTIONS AND SEARCHES</b>							
26	Contravention of section 85 (1) (a) or (c), (2) or (3) of the Act <i>[failing to cooperate during general manager inspection]</i>	\$15 000 – \$25 000	\$15 000 – \$25 000	\$15 000 – \$25 000	15 – 90	15 – 90	15 – 90
27	Contravention of section 85 (1) (b) of the Act <i>[failure to produce records or things]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41

Item	Contravention	Monetary Penalty			Period of Suspension (Days)		
		First Contravention	Second Contravention	Subsequent Contraventions	First Contravention	Second Contravention	Subsequent Contraventions
28	Contravention of section 102 (4) (a) or (b) of the Act <i>[obstructing or attempting to obstruct a peace officer]</i>	\$15 000 – \$25 000	\$15 000 – \$25 000	\$15 000 – \$25 000	15 – 90	15 – 90	15 – 90
<b>MISCELLANEOUS CONTRAVENTIONS</b>							
29	Contravention of section 8 of this regulation <i>[altering or adding substance to cannabis]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
30	Contravention of section 10 of this regulation <i>[making a change to the structure or layout of a retail store before amending licence]</i>	\$1 000 – \$3 000	\$3 000 – \$7 000	\$7 000 – \$11 000	1 – 3	3 – 7	7 – 11
31	Contravention of section 24 (5) of this regulation <i>[failing to maintain a register of cannabis purchased and received]</i>	\$3 000 – \$7 000	\$7 000 – \$11 000	\$11 000 – \$15 000	3 – 7	7 – 11	11 – 15

Item	Contravention	Monetary Penalty			Period of Suspension (Days)		
		First Contravention	Second Contravention	Subsequent Contraventions	First Contravention	Second Contravention	Subsequent Contraventions
32	Contravention of (a) section 22 (2) (a) of the Act <i>[providing false or misleading information in application to the general manager]</i> (b) section 47 (2) (a) of the Act <i>[providing false or misleading information in information or record to the general manager]</i> (c) section 85 (2) (b) of the Act <i>[providing false or misleading information in inspection performed by general manager]</i>	\$7 000 – \$11 000	\$11 000 – \$15 000	\$15 000 – \$25 000	7 – 11	11 – 21	21 – 41
<b>GENERAL</b>							
33	Contravention of any provision of the Act or this regulation, or failure to comply with a term and condition, not specifically referred to in this Schedule	\$1 000 – \$3 000	\$3 000 – \$7 000	\$7 000 – \$11 000	1 – 3	3 – 7	7 – 11