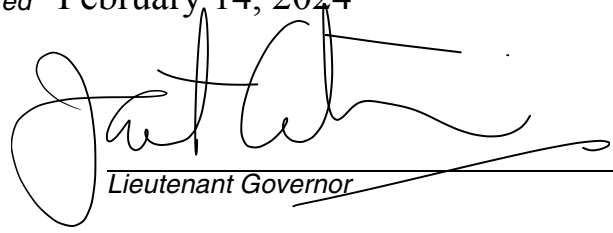


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 56

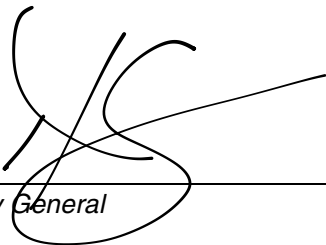
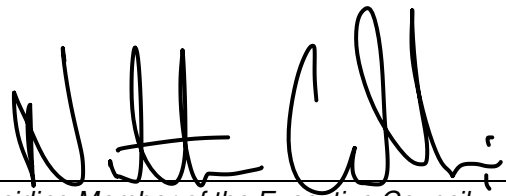
, Approved and Ordered February 14, 2024


Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

- (a) the Cannabis Control Regulation, B.C. Reg. 204/2018, is amended as set out in the attached Appendix 1, and
- (b) the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97, is amended as set out in the attached Appendix 2.


Attorney General
Minister of Public Safety and Solicitor General
and Deputy Premier
Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Cannabis Control and Licensing Act*, S.B.C. 2018, c. 29, s. 138;

Offence ~~Offense~~ Act, R.S.B.C. 1996, c. 338, s. 132

Other: OIC 542/2018; OIC 262/97

Corrected
April 22, 2024

R10737303

APPENDIX 1

1 *Section 19 of the Cannabis Control Regulation, B.C. Reg. 204/2018, is repealed and the following substituted:*

Smoking or vaping

19 (1) In this section:

“**e-cigarette**” has the same meaning as in the *Tobacco and Vapour Products Control Act*;

“**law**” means the following:

- (a) a law of Canada or British Columbia;
- (b) a law or bylaw of an Indigenous nation;
- (c) a bylaw of a municipality or regional district;

“**public patio**” means a patio that is a public place;

“**tobacco**” has the same meaning as in the *Tobacco and Vapour Products Control Act*.

(2) This section applies for the purposes of section 67 of the Act.

(3) If a law applies to the smoking or vaping of cannabis in or on a public patio, a person must not smoke or vape cannabis in or on the public patio contrary to that law.

(4) To the extent that no law applies to the smoking or vaping of cannabis in or on a public patio, a person must not smoke or vape cannabis in or on the public patio contrary to any law that applies to the smoking of tobacco or to the use of e-cigarettes, as if that law applied to the smoking or vaping of cannabis.

2 *Sections 28 (e) and 37 are repealed.*

APPENDIX 2

1 Schedule 2 of the Violation Ticket Administration and Fines Regulation, B.C. Reg. 89/97, is amended under the heading “Cannabis Control and Licensing Act”

(a) by repealing the following as indicated:

1	2	3	4	5
Provision	Contravention	Fine	Victim Surcharge Levy	Ticketed Amount
section 67	Smoke or hold lighted cannabis on public patio	\$200	\$30	\$230
section 67	Vape cannabis or hold activated cannabis vapour device on public patio	\$50	\$8	\$58

, and

(b) by adding the following as indicated:

1	2	3	4	5
Provision	Contravention	Fine	Victim Surcharge Levy	Ticketed Amount
section 67	Unlawfully smoke or hold lighted cannabis on public patio	\$200	\$30	\$230
section 67	Unlawfully vape or hold activated cannabis vapour device on public patio	\$50	\$8	\$58